

Lake Macquarie LEP 2004 (Amendment 63) - Cardiff and Glendale Reclassification

Proposal Title : **Lake Macquarie LEP 2004 (Amendment 63) - Cardiff and Glendale Reclassification**

Proposal Summary : **It is proposed to reclassify land at Cardiff and Glendale from Community to Operational land. This will enable road construction of the Pennant Street Link Road on Lot 1 DP 656808. Council intends to sell the remaining land at Lot 2 DP 22637 as it is no longer required for road construction.**

PP Number : **PP_2012_LAKEM_002_00** Dop File No : **12/01813**

Planning Team Recommendation

Preparation of the planning proposal supported at this stage : **Recommended with Conditions**

S.117 directions :

Additional Information : **The planning proposal should proceed subject to the following conditions:**

1. **Community consultation is required under sections 56(2)(c) and 57 of the Environmental Planning and Assessment Act 1979 ("EP&A Act") as follows:**
 - (a) **the planning proposal is classified as not of low impact as described in A Guide to Preparing LEPs (Department of Planning 2009) and must be made publicly available for 28 days; and**
 - (b) **the relevant planning authority must comply with the notice requirements for public exhibition of planning proposals and the specifications for material that must be made publicly available along with planning proposals as identified in section 4.5 of A Guide to Preparing LEPs (Department of Planning 2009).**
2. **Consultation is required with the following public authorities under section 56(2)(d) of the EP&A Act:**
 - **NSW Roads and Maritime Services**
3. **A public hearing is not required to be held into the matter by any person or body under section 56(2)(e) of the EP&A Act. This does not discharge Council from any obligation it may otherwise have to conduct a public hearing (for example, in response to a submission or if reclassifying land).**
4. **The timeframe for completing the LEP is to be 6 months from the week following the date of the Gateway determination.**

Supporting Reasons : **The proposal is consistent with the actions and outcomes of the Lower Hunter Regional Strategy. The proposal seeks a minor amendment to reclassify land from Community to Operational to allow a road construction and sale of one parcel. The proposal is supported.**

Panel Recommendation

Recommendation Date : **09-Feb-2012** Gateway Recommendation : **Passed with Conditions**

Panel Recommendation : **The Planning Proposal should proceed subject to the following conditions:**

1. **Council must make changes to the exhibition maps to show the subject land in a broader context within the Cardiff and Glendale areas. Council must make the changes prior to consultation with Transport for NSW – Roads and Maritime Services and before the planning proposal goes on public exhibition.**
2. **Council should consider progressing the planning proposal as an amendment to**

'Schedule 3 – Reclassification of Community to Operational Land' of the Lake Macquarie LEP 2004 and an amendment to 'Schedule 4 – Classification and reclassification of public land' of the Draft Lake Macquarie LEP 2012.

3. Council is to be aware of its obligations for exhibiting and conducting a public hearing when reclassifying land from 'community' to 'operational' land as per the Department's LEP Practice Note PN-003.

4. Community consultation is required under sections 56(2)(c) and 57 of the Environmental Planning and Assessment Act 1979 ("EP&A Act") as follows:

- (a) the planning proposal must be made publicly available for 28 days; and
- (b) the relevant planning authority must comply with the notice requirements for public exhibition of planning proposals and the specifications for material that must be made publicly available along with planning proposals as identified in section 4.5 of A Guide to Preparing LEPs (Department of Planning 2009).

5. Consultation is required with the following public authorities under section 56(2)(d) of the EP&A Act:

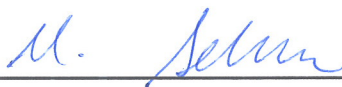
- Transport for NSW – Roads and Maritime Services

Each public authority is to be provided with a copy of the planning proposal and any relevant supporting material. Each public authority is to be given at least 21 days to comment on the proposal, or to indicate that they will require additional time to comment on the proposal. Public authorities may request additional information or additional matters to be addressed in the planning proposal.

6. A public hearing is not required to be held into the matter by any person or body under section 56(2)(e) of the EP&A Act. This does not discharge Council from any obligation it may otherwise have to conduct a public hearing (for example, in response to a submission or if reclassifying land).

7. The timeframe for completing the LEP is to be 6 months from the week following the date of the Gateway determination.

Signature:



Printed Name:



Date:

