

Wattle and Holdom Roads, Karuah (Deferred Area)

Proposal Title : **Wattle and Holdom Roads, Karuah (Deferred Area)**

Proposal Summary : It is proposed to rezone land at Wattle and Holdom Roads, Karuah from 1(a) Rural Agriculture to part 2(a) Residential and part 7(a) Environmental Protection. The planning proposal will allow for residential development and the conservation of land with environmental value. The proposal applies to land deferred by Amendment 24 to Port Stephens LEP 2000.

PP Number : **PP_2012_PORTS_004_00** Dop File No : **10/09511**

Planning Team Recommendation

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

S.117 directions : **1.2 Rural Zones
1.5 Rural Lands
2.1 Environment Protection Zones
3.2 Caravan Parks and Manufactured Home Estates
4.1 Acid Sulfate Soils
4.3 Flood Prone Land
4.4 Planning for Bushfire Protection
5.1 Implementation of Regional Strategies**

Additional Information : **The Planning Proposal should proceed subject to the following conditions:**

- 1. This planning proposal is to proceed as both an amendment to the current Port Stephens LEP 2000 and to the draft Port Stephens LEP 2012.**
- 2. On-going consultation is required with the Office of Environment and Heritage in regard to the processing of the Conservation Agreement for the site.**
- 3. Community consultation is not required under sections 56(2)(c) and 57 of the Environmental Planning and Assessment Act 1979 ("EP&A Act").**
- 4. 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).**
- 5. The timeframe for completing the LEP is to be 12 months from the week following the date of the Gateway determination.**

Supporting Reasons : **A 12 month timeframe is recommended as Office of Environment and Heritage are currently processing a Conservation Agreement for the site and have advised that this could take up to nine (9) months to finalise.**

Panel Recommendation

Recommendation Date : **21-Jun-2012** Gateway Recommendation : **Passed with Conditions**

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

- 1. The planning proposal is to proceed as an amendment to the current Port Stephens LEP 2000 and the draft Port Stephens LEP 2012, to ensure the planning proposal can proceed despite the timing of Council's Standard Instrument LEP. Council is to amend the planning proposal accordingly and provide a copy to the Department's Regional Team prior to finalisation.**

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2. No community consultation is required under sections 56(2)(c) and 57 of the Environmental Planning and Assessment Act 1979 ("EP&A Act").
3. No consultation is required with public authorities under section 56(2)(d) of the EP&A Act.
4. Despite the requirements of Condition 2 above, Council is to continue discussions with the Office of Environment and Heritage regarding the processing of the Conservation Agreement for the site.
5. 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).
6. The timeframe for completing the LEP is to be 12 months from the week following the date of the Gateway determination.

Signature: _____

Printed Name: _____

Date: _____