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11/22594

Department Generated Correspondence (Y)

DEPARTMENT OF PLANNING AND INFRASTRUCTURE

Plan Making and Urban Renewal

PLANNING PROPOSAL - WATTLE AND HOLDOM DEFERRED AREA - GATEWAY DETERMINATION EXTENSION

PURPOSE

- To recommend the Minister's delegate advise Port Stephens Council that the time frame for finalising Planning Proposal for the deferred area of Port Stephens LEP 2000 (Amendment 24) is extended by 6 months.

RECOMMENDATION

It is RECOMMENDED that the Minister's delegate:

- **agree** to extend the time to complete the Planning Proposal for the deferred area of Port Stephens LEP 2000 (Amendment 24);
- **sign** the letter to Council (**Tag A**).

CURRENT POSITION

- On 29 June 2010 Port Stephens LEP 2000 (Amendment 24) was transitioned to the current provisions of Part 3 of the EP&A Act (**Tag B**). It was determined that the proposal should proceed subject to consultation with (former) DECCW prior to submitting the Planning Proposal under section 59.
- On 10 January 2011 the original Plan consistent with the Gateway Determination was made under s.59(2)(a) of the EP&A Act, and deferred certain land under s.59(3) from inclusion in the Plan (**Tag C**). Council was advised that, before a Planning Proposal to deal with the deferred land is resubmitted to the Minister under s.59 of the EP&A Act, Council was to further consult with (former) DECCW on the deferred portion of the draft Plan to determine the outstanding environmental offset mechanism.
- Council is preparing a revised Planning Proposal to rezone the deferred area of land at Wattle and Holdom Roads, Karuah.
- The Council has requested (**Tag D**) an extension to time to submit the Planning Proposal under s.59 for the deferred area as environmental offsets are yet to be resolved.
- The letter to Council advising of the deferred area required that the Planning Proposal be finalised in 12 months from the week following the date of the letter expiring on 17 January 2012. There is no Gateway Determination specifying this time frame.
- The Council has requested that the period to complete the proposal be extended for a further 3 months, however, the Department is recommending that the date be extended for 6 months. Council is close to finalising offsets with OEH, however it is likely finalisation will take longer than 3 months.

12 January 2012

A/Regional Director
Hunter and Central Coast Region

18.1.12
Executive Director
Planning Operations

Contact Officer: Dylan Meade
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19/1/12
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Planning & Infrastructure

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Peter Gesling
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Port Stephens Council
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Raymond Terrace NSW 2324

Our ref: 11/22594
Your ref: PSC2006-1202

Dear Mr Gesling

Planning Proposal - Port Stephens LEP 2000 (Amendment 24) Wattle and Holdom Roads Deferred Area —time extension

I refer to your request on 10 November 2011 seeking an extension of time to complete the Planning Proposal for deferred portions of Port Stephens LEP 2000 (Amendment 24) Wattle and Holdom Roads to rezone land from 1(a) Rural to 2(a) Residential and 7(a) Environmental Protection.

The time for the completion of the Planning Proposal is extended by an additional 6 months. The Planning Proposal is now due for completion by 17 July 2012.

Council's request for the Department to draft and finalise the LEP should be made six weeks prior to the projected publication date.

As previously advised, before a Planning Proposal to deal with the deferred land is resubmitted to the Minister under s.59 of the EP&A Act, Council is required to finalise consultation with Office of Environment and Heritage on the deferred portion of the draft Plan to determine the outstanding environmental offset mechanism.

If you have any questions in relation to this matter, please contact Mr Dylan Meade, Planning Officer of the Department of Planning and Infrastructure's Newcastle Branch on 4904 2718.

Yours sincerely

Tom Gellibrand
Deputy Director General
Plan Making and Urban Renewal