

Amendment to Port Stephens Local Environmental Plan (Kings Hill, North Raymond Terrace) 2010 - land uses in E2 Environmental Conservation zone

Proposal Title : Amendment to Port Stephens Local Environmental Plan (Kings Hill, North Raymond Terrace) 2010 - land uses in E2 Environmental Conservation zone

Proposal Summary : This Planning Proposal aims to amend the Port Stephens LEP (Kings Hill, North Raymond Terrace) 2010 to include infrastructure land uses in the Land Use Table for Zone E2 Environmental Conservation to enable private infrastructure works to be undertaken in the E2 zone.

PP Number : PP_2012_PORTS_008_00 Dop File No : 11/09793

Planning Team Recommendation

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

S.117 directions :

- Additional Information :
1. **Support the Planning Proposal.**
 2. **Community consultation is required under section 56(2)(c) and 57 of the Environmental Planning and Assessment Act 1979, as follows:**
 - (a) the Planning Proposal be made publicly available for 14 days;
 - (b) the relevant authority must comply with the notice requirements for public exhibition of planning proposal and the specifications for material that must be publicly available along with planning proposal as identified in section 4.5 of "A guide to preparing LEPs" (Department of Planning, 2009).
 3. **No consultation is required with public authorities under section 56(2) of the 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.**
 5. **The timeframe for completing the LEP is 6 months from the date of the Gateway Determination.**
 6. **Council should exhibit the Planning Proposal with sufficient information to inform the community how the proposal will amend both the existing Port Stephens Local Environmental Plan (Kings Hill, North Raymond Terrace) 2010 and the draft Standard instrument Port Stephens Local Environmental Plan 2012.**
- Supporting Reasons : The PP will assist in enabling essential infrastructure to be provided to the Kings Hill urban release area.

Panel Recommendation

Recommendation Date : 26-Jul-2012 Gateway Recommendation : **Passed with Conditions**

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

1. **Council is to consult with the Commissioner of the NSW Rural Fire Service in accordance with Section 117 Direction 4.4 Planning for Bushfire Protection and amend the planning proposal, if necessary, to take into consideration any comments prior to undertaking exhibition of the planning proposal.**
2. **Council should exhibit the planning proposal with sufficient information and maps to**

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inform the community on how the proposal will amend both Port Stephens LEP (Kings Hill, North Raymond Terrace) 2010 and draft Port Stephens LEP 2012.

3. 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 low impact as described in A Guide to Preparing LEPs (Department of Planning 2009) and must be made publicly available for 14 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).

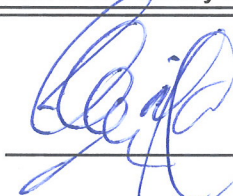
4. Consultation is required with the following public authorities under section 56(2)(d) of the EP&A Act:

- Office of Environment and Heritage
- NSW Rural Fire Service

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 9 months from the week following the date of the Gateway determination.

Signature:



Printed Name:

Neil McCreaffin

Date:

1.8.12