

DEPARTMENT OF PLANNING AND ENVIRONMENT

Planning Services

ALTERATION OF GATEWAY DETERMINATION FOR PLANNING PROPOSALS **PP 2012 PORTS 005 00 AND PP 2012 PORTS 009 00**

PURPOSE

- To recommend the General Manager, as delegate for the Minister, agree to alter the Gateway determination for Planning Proposals no. PP_2012_PORTS_005_00 and PP_2012_PORTS_009_00 to make various changes to the planning controls for land at Kings Hill.

RECOMMENDATION

- It is recommended that the Minister's delegate:
 - agrees** under s56(7) of the *Environmental Planning and Assessment Act 1979*, to alter the Gateway determination for Planning Proposals no. PP_2012_PORTS_005_00 and PP_2012_PORTS_009_00 to extend the time to complete the Planning Proposals;
 - notes** that consultation on the proposal has already been undertaken and **agrees** under part 3, division 4 of the *Environmental Planning and Assessment Act 1979* that no additional community consultation is required; and
 - signs** the letter to Council.

CURRENT POSITION

- Council prepared PP_2012_PORTS_005_00 to transfer land from Port Stephens LEP 2000 into the Port Stephens LEP (Kings Hill, North Raymond Terrace) 2010, change the planning controls for that land, and to introduce the E4 zone to the LEP 2010.
- The Gateway determination issued on 24 July 2012, Tab A, required PP_2012_PORTS_005_00 to be completed by 31 July 2013.
- The Gateway has been amended several times to extend the completion timeframe and to note the change in LEP provisions, given that the proposal would now amend the Port Stephens LEP 2014 (not the LEP 2010). The plan is now due for completion by 31 January 2015.
- Council prepared PP_2012_PORTS_009_00 to amend the Port Stephens Local Environmental Plan (LEP)(Kings Hill, North Raymond Terrace) 2010 to facilitate various zone, development standard, and local clause changes as well as introducing a terrestrial biodiversity overlay for Kings Hill.
- The Gateway determination issued on 1 August 2012, Tab B, required PP_2012_PORTS_009_00 to be completed by 8 August 2013.
- The Gateway determination has been amended several times, for the same reasons as for PP_2012_PORTS_005_00. The plan is now due for completion by 8 February 2015.
- Since the last extensions were issued, Tabs C and D, the draft LEP for the two Planning Proposals has been prepared and a PC Opinion issued. The assessment reports for both are also largely finalised. However as Council wants to undertake a final review of the provisions before agreeing to the draft LEP prepared.
- It is anticipated that Council will complete this task quickly and the LEP amendment can then be finalised. A three month extension is appropriate.
- Community consultation for both Planning Proposals occurred between 11 October 2012 and 8 November 2012. No further community consultation is required at this time.



4 February 2015

David Rowland
General Manager, Hunter and Central Coast
Planning Services

Ben Holmes
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(02) 4940 2709



Mr Wayne Wallace
General Manager
Port Stephens Council
PO Box 42
RAYMOND TERRACE NSW 2324

Our ref: 12/ 05968; 11/ 05691
Your ref: PSC2006-0191

Attention: Ms Jessica Franklin

Dear Mr Wallace

**Planning Proposals PP_2012_PORTS_005_00 and PP_2012_PORTS_009_00 –
Alteration of Gateway Determination**

I refer to Council's Planning Proposals PP_2012_PORTS_005_00 and PP_2012_PORTS_009_00 to make various amendments to the planning controls for land located at Kings Hill, North Raymond Terrace.

I have determined as the delegate of the Minister, in accordance with section 56(7) of the *Environmental Planning and Assessment Act 1979*, to alter the Gateway determinations dated 24 July 2012 for PP_2012_PORTS_005_00 (as altered) and dated 1 August 2012 for PP_2012_PORTS_009_00 (as altered).

The Gateway Determinations have been altered to extend the time to complete the Proposals. The Proposals are now due for completion on 1 May 2015 for PP_2012_PORTS_005_00 and on 8 May 2015 for PP_2012_PORTS_009_00.

Should you have any further questions about this matter, please contact Mr Ben Holmes, of the Department's Hunter and Central Coast team on (02) 4904 2709.

Yours sincerely

4 February 2015

David Rowland
General Manager
Hunter and Central Coast Region
Planning Services