



New South Wales

Port Stephens Local Environmental Plan 2000 (Amendment No 1)

under the

Environmental Planning and Assessment Act 1979

I, the Minister for Planning, make the following local environmental plan under the *Environmental Planning and Assessment Act 1979*. (N00/00174/PC)

ANDREW REFSHAUGE, M.P.,

Minister for Planning

2002 No 44

Clause 1 Port Stephens Local Environmental Plan 2000 (Amendment No 1)

Port Stephens Local Environmental Plan 2000 (Amendment No 1)

1 Name of plan

This plan is the *Port Stephens Local Environmental Plan 2000 (Amendment No 1)*.

2 Aims of plan

This plan aims to amend *Port Stephens Local Environmental Plan 2000*:

- (a) to rezone the land to which this plan applies from Zone No 1 (c4) (Rural Small Holdings “C4” Zone) and Zone No 1 (c5) (Rural Small Holdings “C5” Zone) to Zone No 6 (c) (Special Recreation “C” Zone), and
- (b) to introduce provisions into that plan to permit the development of 115 urban housing units directly associated with a golf course recreation facility.

3 Land to which plan applies

This plan applies to part of Lot 210, DP 1014529, Medowie Road, Medowie, as shown edged heavy black on the map marked “Port Stephens Local Environmental Plan 2000 (Amendment No 1)” deposited in the office of the Council of Port Stephens.

4 Amendment of Port Stephens Local Environmental Plan 2000

Port Stephens Local Environmental Plan 2000 is amended as set out in Schedule 1.

Schedule 1 Amendments

(Clause 4)

[1] Clause 54A

Insert after clause 54:

54A Certain development at Medowie Road, Medowie (Port Stephens Golf and Country Club)

- (1) This clause applies to part of Lot 210, DP 1014529, Medowie Road, Medowie, as shown edged heavy black on the map marked "Port Stephens Local Environmental Plan 2000 (Amendment No 1)".
- (2) Notwithstanding any other provisions of this plan, a person may, with the consent of the consent authority, subdivide the land to which this clause applies and erect on the lots so created urban housing comprising no more than 115 dwellings that complies with the requirements of this plan relating to the erection of urban housing on land within Zone No 2 (a).
- (3) The consent authority must not grant consent as referred to in subclause (2) unless:
 - (a) in the opinion of the consent authority, the dwellings proposed to be erected are required as an integral part of a major tourist recreation facility, being a golf course, and
 - (b) a condition is imposed on that consent providing that:
 - (i) at least 9 holes of the golf course must be completed before commencement of the construction of the first 50 dwellings, and
 - (ii) the remaining holes of the 18 hole golf course must be completed before commencement of the construction of the remaining 65 dwellings.
- (4) If consent to development referred to in subclause (2) has not been granted within 3 years after the commencement of this clause, this clause ceases to have effect.

2002 No 44

Port Stephens Local Environmental Plan 2000 (Amendment No 1)

Schedule 1 Amendments

- (5) Nothing in subclause (4) prevents the consent authority from consenting to the carrying out of alterations or extensions to or the rebuilding of a building or work being used for a purpose consented to under this clause.

[2] Dictionary

Insert at the end of the definition of *the map*:

Port Stephens Local Environmental Plan 2000 (Amendment No 1)

BY AUTHORITY