

Environmental Planning and Assessment Regulation 2000 (Clause 25E)

Explanatory Note

Introduction

Clause 25E of the *Environmental Planning and Assessment Regulation 2000* requires a planning authority (The Minister for Planning) proposing to enter into a voluntary planning agreement under Section 93F of the *Environmental Planning and Assessment Act 1979* to prepare an explanatory note about the planning agreement.

This explanatory note relates to the draft planning agreement proposed to be entered into by the parties described below in respect of land at Catherine Hill Bay.

Parties

The Minister for Planning ABN 38 755 709 681 of Level 34 Governor Macquarie Tower, 1 Farrer Place, Sydney NSW 2000 (**Minister**)

Rose Property Group Pty Limited ACN 123 982 141 of 51 Riley Street, Woolloomooloo NSW 2011 (**Developer**), Coastal Hamlets Pty Ltd ACN 100 126 994 of 51 Riley Street, Woolloomooloo NSW 2011 (the **Land Owner**)

Description of the land to which the draft planning agreement applies

The land to which the draft planning agreement applies is located at Catherine Hill Bay, in the Local Government Area of Lake Macquarie, as described in Schedule 2 to the draft planning agreement (the **Land**). The draft planning agreement does not apply to land at Gwandalan.

Description of concept plan

The Catherine Hill Bay/Gwandalan Concept Plan was approved by the former Minister for Planning on 2 September 2008 following an amendment to Schedule 3 of *State Environmental Planning Policy (Major Projects) 2005*, which rezoned the land for residential and environmental conservation purposes.

The approved Concept Plan comprises of:

- dedication of 305 hectares of land to the NSW Government;
- a staged residential development at Catherine Hill Bay of up to 600 dwellings over seven distinct hamlets, the creation of a perimeter access road, and internal road layout, open space, community facilities, and associated services and infrastructure; and
- a residential development at Gwandalan of up to 187 dwellings as well as the creation of an internal road layout, open space, and associated services and infrastructure.

The subdivision of the hamlets and detailed infrastructure and civil works are the subject of further environmental assessment, and will comprise subsequent project applications.

Summary of objectives, nature and effect of the draft planning agreement

The draft planning agreement provides for the payment of monetary contributions towards the cost of public facilities and infrastructure as described in Schedule 3 of the draft planning agreement.

Assessment of the merits of the draft planning agreement

This explanatory note sets out the following:

- The planning purposes served by the draft planning agreement.
- How the draft planning agreement promotes the public interest and one or more objects of the *Environmental Planning and Assessment Act 1979*

The planning purposes served by the draft planning agreement

The draft planning agreement provides for the provision of infrastructure:

- to meet the demands generated by the development for new public infrastructure, and
- to be paid in instalments to reflect the staged subdivision of Hamlets as per the approved Concept Plan.

The draft planning agreement will:

- enable the Land to be developed in a timely and efficient manner to promote economic development, and
- enable the provision of:
 - public road improvements, and
 - public infrastructure.

How the draft planning agreement promotes the public interest and one or more objects of the *Environmental Planning and Assessment Act 1979*

The draft planning agreement promotes the following objects of the *Environmental Planning and Assessment Act 1979* as contained in section 5 of that Act:

- the proper management, development and conservation of natural and artificial resources, including agricultural land, natural areas, forests, minerals, water, cities, towns and villages for the purpose of promoting the social and economic welfare of the community and a better environment,
- the promotion and co-ordination of the orderly and economic use and development of land,
- the provision of land for public purposes, and
- the provision and co-ordination of community services and facilities.