

Director Regions, Hunter and Central Coast
Department of Planning and Environment
PO Box 1226
Newcastle NSW 2300

Dear Glenn,

Re: Request for Gateway Extension

Reference is made to Gateway Determination PP_2020_PORTS_004_00 which is due to expire on 28 August 2021. Council requests an extension to the completion timeframe for the planning proposal for the following reasons:

- Condition 1a of the Gateway determination states that prior to undertaking community consultation, consultation with Department of Planning, Industry and Environment (DPIE) –Agriculture is required. Council referred the planning proposal and associated studies to DPIE-Agriculture on 21 September 2021. A referral response objecting to the proposal was received on 5 November 2020. On 3 December 2020, DPIE held a meeting with Council and DPIE-Agriculture to resolve the issues raised in the submission. On 8 December 2020, Council wrote to DPIE-Agriculture to clarify some points raised in the submission and to request an amended submission. No response was received, however in waiting for a response and the process of resolving the agency objection a considerable amount of time passed.
- The Gateway determination states that Council is to update the planning proposal to take into account the outcomes of studies and agency consultation and seek approval from DPIE prior to undertaking community consultation. On 11 March 2021 Council sought approval to exhibit the planning proposal from the contact listed on the Gateway determination. No response was received. Council officers discussed this with the DPIE Hunter team on 23 March 2021, and it was suggested that the proposal be sent to the Hunter office instead. On 23 March 2021, the planning proposal and associated studies were sent to the DPIE Hunter office, seeking approval to exhibit the planning proposal. On Thursday 15 April 2021, DPIE asked for an update to the planning proposal. On 29 April 2021 Council sent an updated planning proposal to DPIE. On 28 May Council officers met with DPIE staff, it was decided that an amendment to the Gateway determination was required due to a drafting error.

It was suggested that Council issue an extension request to the Gateway determination given that the planning proposal had not been exhibited and was unlikely to meet the time frame required, and that the Gateway amendment could be processed at the same time.

Given the Local Government elections are due to be held in September 2021, it is requested that the timeframe for completing the Local Environmental Plan (LEP) be extended by 9 months to 28 May 2022. The following timeframe is proposed:

Gateway Amendment Process	June 2021-August 2021
Revise Planning Proposal	September 2021
Community consultation period	October –November 2021
Consideration of submissions and report to Council	December 2021
Submission to Department with request to make the plan, legal drafting and making of the Plan	February-April 2021

Please contact Emily Riley on 4988 0386 should you require any further information on this matter.

Yours sincerely,



Emily Riley
Strategic Planner

18 June 2021

Telephone enquiries
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Please quote file no: 18-2018-20-1