

## Alteration of Gateway Determination

***Planning proposal (Department Ref: PP\_2020\_PORTS\_005\_00)***

I, the Executive Director, Local and Regional Planning at the Department of Planning, Industry and Environment, as delegate of the Minister for Planning and Public Spaces, have determined under section 3.34(7) of the *Environmental Planning and Assessment Act 1979* to alter the Gateway determination dated 12 April 2021 for the proposed amendment to the *Port Stephens Local Environmental Plan 2013* as follows:

1. Delete: “condition 1(a)”.
2. Delete: “condition 3”

and replace with:

a new condition 3: “Consultation is required with the following public authorities/organisations under section 3.34(2)(d) of the Act and/or to comply with the requirements of relevant section 9.1 Ministerial directions:

- Department of Primary Industries;
- Biodiversity and Conservation Division;
- NSW Rural Fire Service;
- Hunter Water Corporation;
- Worimi Local Aboriginal Land Council;
- Newcastle Airport, Civil Aviation and Safety Authority (CASA), Commonwealth Department of Defence; and
- NSW Environment Protection Authority.

Each public authority/organisation is to be provided with a copy of the planning proposal and any relevant supporting material and given at least 21 days to comment on the proposal.”

3. Delete: “condition 4”.

and replace with

a new condition 4: “A public hearing is not required to be held into the matter by any person or body under section 3.34(2)(e) of the Act. This does not discharge Council from any obligation it may otherwise have to conduct a public hearing.

4. Delete: “condition 5”

and replace with:

a new condition 5: “The time frame for completing the LEP is by 12 October 2022.”

Dated 7<sup>th</sup> day of October 2021.

A handwritten signature in grey ink, appearing to read 'Monica Gibson', with a stylized flourish at the end.

**Monica Gibson**  
**Executive Director, Local and Regional**  
**Planning**  
**Planning and Assessment**  
**Department of Planning, Industry and**  
**Environment**

**Delegate of the Minister for Planning and**  
**Public Spaces**