



Planning



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Department Generated Correspondence (Y)

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Our ref: PP_2010_PORTS_004_00 (10/07104)
Your ref: PSC2006-6592

Mr Peter Gesling
General Manager
Port Stephens Council
PO Box 42
RAYMOND TERRACE NSW 2324

Dear Mr Gesling,

Re: Planning Proposal to rezone part of Boundary Road, Medowie

I am writing in response to your Council's letter dated 27 December 2009 requesting a Gateway Determination under section 56 of the Environmental Planning and Assessment Act 1979 ("EP&A Act") in respect of the planning proposal to amend the Port Stephens Local Environmental Plan 2000 to rezone part of Boundary Road, Medowie.

As delegate of the Minister for Planning, I have now determined that the planning proposal should not proceed for the reasons outlined in the attached Gateway Determination.

If Council decides to re-submit this proposal, it should do so only after the review of the Lower Hunter Regional Strategy has been completed. The proposal should address the rezoning within the context of that review and within the context of the existing supply of land for rural residential development and the demand for such development. It appears that there is sufficient land already identified in Port Stephens for rural residential development.

The Council should seek the views of the Department of Environment, Climate Change and Water, particularly in relation to the impact of the proposal on vegetation communities outlined in Table No. 1 in the Planning Proposal.

Any resubmitted Planning Proposal should address the appropriate minimum allotment size proposed within the context of Council's overall urban expansion strategy. It should also provide details of consultation with the Port Stephens Comprehensive Koala Plan of Management Steering Committee in relation to the impact of the proposal on "Preferred Koala Habitat".

Should you have any queries in regard to this matter, please contact Paul Maher of the Regional Office of the Department on 02 4904 2700.

Yours sincerely,

Tom Gellibrand
Deputy Director General
Plan Making & Urban Renewal

30/6/10

Gateway Determination

Planning Proposal (Department Ref: PP_2010_PORTS_004_00): to rezone part of Boundary Road, Medowie to allow rural residential development at a reduced minimum allotment size and to rezone the remainder of the land Environmental Protection.

I, the Deputy Director General, Plan Making & Urban Renewal as delegate of the Minister for Planning, have determined under section 56(2) of the EP&A Act that an amendment to the Port Stephens Local Environmental Plan 2000 to rezone part of the Boundary Road, Medowie site (Lots 93-96 DP 753194) to allow rural residential development at a reduced minimum allotment size and rezone the remainder of the land Environmental Protection should not proceed for the following reasons:

1. There is no demonstrated strategic need for the planning proposal to proceed prior to the completion of the review of the Upper Hunter Regional Strategy.
2. Important consultation needs to be carried out with the Department of Environment, Climate Change and Water and the Port Stephens Comprehensive Koala Plan of Management Steering Committee.

Dated

30th

day of

June

2010.



**Tom Gellibrand
Deputy Director General
Plan Making & Urban Renewal
Delegate of the Minister for Planning**