



Mr Wayne Wallis  
General Manager  
Port Stephens Council  
Po Box 42  
Raymond Terrace NSW 2324

Dear Mr Wallis

**Planning proposal PP-2021-3689 to amend *Port Stephens Local Environmental Plan 2013***

I am writing in response to Council's request for a Gateway determination under section 3.34(1) of the *Environmental Planning and Assessment Act 1979* (the Act) in respect of the above planning proposal to update, correct errors, ensure consistency, remove redundant clauses and identify additional exempt development.

As delegate of the Minister for Planning and Public Spaces, I have now determined the planning proposal should proceed subject to the conditions in the enclosed Gateway determination.

I have also agreed, as delegate of the Secretary, the planning proposal's inconsistencies with section 9.1 Ministerial directions: 1.1 Business and Industrial Zones; 1.2 Rural Zones; 1.5 Rural Lands; 3.1 Residential Zones; 3.2 Caravan Parks and Manufactured Home Estates; and 5.10 Implementation of Regional Plans are minor or justified in accordance with the terms of the directions. No further approval is required in relation to these directions.

It is noted Council has requested to be authorised as the local plan-making authority. I have considered the nature of Council's planning proposal and have conditioned the Gateway for Council to be authorised as the local plan-making authority.

The amending local environmental plan (LEP) is to be finalised within nine months of the date of the Gateway determination. Council should commence the exhibition of the planning proposal by 1 December 2021. Council's request to draft and finalise the LEP should be made directly to Parliamentary Counsel's Office six weeks prior to the projected publication date. A copy of the request should be forwarded to the Department of Planning, Industry and Environment.

The NSW Government is committed to reducing the time taken to complete LEPs by tailoring the steps in the process to the complexity of the proposal, and by providing clear and publicly available justification for each plan at an early stage. In order to meet these commitments, the Minister may take action under section 3.32(2)(d) of the Act if the time frames outlined in this determination are not met.

Should you have any enquiries about this matter, I have arranged for Mr Mark Parker, Principal Planning Officer, Central Coast and Hunter Region to assist you. Mr Parker can be contacted on 9995 5286.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Dan Simpkins', with a long horizontal line extending to the right.

16/08/2021

**Dan Simpkins**  
**Director, Central Coast and Hunter Region**  
**Planning and Assessment**

Encl: Gateway determination  
Authorised plan-making reporting template