



Planning & Infrastructure

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

Dear Mr Gesling,

As you are aware, the Minister for Planning and Infrastructure delegated his plan making powers to councils in October 2012. It is noted that Council has now accepted this delegation.

In light of this delegation, I have considered the nature of various planning proposals which are yet to be finalised and have decided to issue Council with authorisation to exercise its delegation for the making of the below proposals. I understand that Council agrees to delegation being issued for these proposals.

PP_2012_PORTS_001_00
PP_2012_PORTS_010_00

PP_2012_PORTS_004_00
PP_2010_PORTS_015_00

Council is reminded that it must not use its delegation where there is an unresolved agency objection to the proposal. If an agency objects to the proposal, Council is to contact the regional office of the department to seek assistance in resolving the matter so that the planning proposal may proceed under delegation.

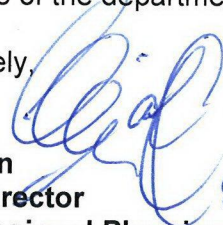
Council is also reminded that it may still need to obtain the Director General's agreement to satisfy the requirements of relevant S117 Directions. Council should ensure this occurs prior to the plan being made.

The planning proposals should still be finalised within the timeframes identified in the Gateway determination (or extension letter). Council's request to draft and finalise the plans should be made directly to Parliamentary Counsel's Office as soon as possible to ensure timeframes are met. Council should consult the Parliamentary Counsel's website (www.pco.nsw.gov.au) to ensure all necessary information is provided in its request to draft the plan.

A copy of the request should also be forwarded to the department for administrative purposes (planmaking.monitoring@planning.nsw.gov.au). If Council requires any assistance, including assistance with access to GIS support or liaison with Parliamentary Counsel's Office on the drafting of the plan it should contact the regional office. Further information can be found on the department's website (<http://www.planning.nsw.gov.au/>) and in *A Guide to Preparing LEPs*.

Should you have any queries in regard to this matter, please contact Dylan Meade of the regional office of the department on 02 4904 2700.

Yours sincerely,


Neil McGaffin
Executive Director
Rural and Regional Planning



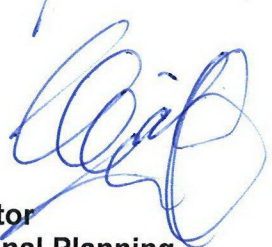
WRITTEN AUTHORISATION TO EXERCISE DELEGATION

Port Stephens Council is authorised to exercise the functions of the Minister for Planning and Infrastructure under section 59 of the *Environmental Planning and Assessment Act 1979* that are delegated to it by instrument of delegation dated 14 October 2012, in relation to the following planning proposal:

Number	Name
PP_2012_PORTS_010_00	Planning proposal to rezone land at Nelson Bay Road, Nelson Bay for residential development and environmental protection.

In exercising the Minister's functions under section 59, the Council must comply with the Department's "A guideline for the preparation of local environmental plans" and "A guide to preparing planning proposals".

Dated 8 May 2013


Neil McGaffin
Executive Director
Rural and Regional Planning
Department of Planning and Infrastructure

Attachment 5 – Delegated plan making reporting template

Reporting template for delegated LEP amendments

Notes:

- Planning proposal number will be provided by the department following receipt of the planning proposal
- The department will fill in the details of Tables 1 and 3
- RPA is to fill in details for Table 2
- If the planning proposal is exhibited more than once, the RPA should add additional rows to **Table 2** to include this information
- The RPA must notify the relevant contact officer in the regional office in writing of the dates as they occur to ensure the department's publicly accessible LEP Tracking System is kept up to date
- A copy of this completed report must be provided to the department with the RPA's request to have the LEP notified

Table 1 – To be completed by the department

Stage	Date/Details
Planning Proposal Number	PP_2012_PORTS_010_00
Date Sent to Department under s56	07/11/2012
Date considered at LEP Review Panel	22/11/2012
Gateway determination date	05/12/2012

Table 2 – To be completed by the RPA

Stage	Date/Details	Notified Reg Off
Dates draft LEP exhibited		
Date of public hearing (if held)		
Date sent to PCO seeking Opinion		
Date Opinion received		
Date Council Resolved to Adopt LEP		
Date LEP made by GM (or other) under delegation		
Date sent to DP&I requesting notification		

Table 3 – To be completed by the department

Stage	Date/Details
Notification Date and details	

Additional relevant information: