

## Gateway Determination

***Planning Proposal (Department Ref: PP\_2018\_PORTS\_001\_00): to make a housekeeping amendment to the Port Stephens Local Environmental Plan (LEP) 2013 to address administrative and minor matters that have become apparent since the commencement of the LEP.***

I, the Director Regions, Hunter, at the Department of Planning and Environment as delegate of the Minister for Planning, have determined under section 56(2) of the *Environmental Planning and Assessment Act, 1979* (the Act) that an amendment to the Port Stephens Local Environmental Plan (LEP) (2013) to make a housekeeping amendment to the Port Stephens Local Environmental Plan (LEP) 2013 to address administrative and minor matters that have become apparent since the commencement of the LEP should proceed subject to the following conditions:

1. Prior to exhibition, update the planning proposal and addendum to:
  - remove references to Item 6;
  - amend the component of Item 8 relating to 'dwelling houses' and remove references to it from the proposal; and
  - include detailed mapping for specific sites and identify those maps in the LEP that require amending.
2. Community consultation is required under sections 56(2)(c) and 57 of the Act as follows:
  - (a) the planning proposal must be made publicly available for a minimum of **28 days**; and
  - (b) the relevant planning authority must comply with the notice requirements for public exhibition of planning proposals and the specifications for material that must be made publicly available along with planning proposals as identified in Section 5.5.2 of *A guide to preparing local environmental plans* (Department of Planning and Environment 2016).
3. Consultation is required with the following public authorities and / organisations under section 56(2)(d) of the Act and/or to comply with the requirements of relevant Section 117 Directions:
  - NSW Rural Fire Service
  - Commonwealth Department of Defence
  - NSW Office of Environment and Heritage – National Parks & Wildlife
  - NSW Department of Lands – Crown Lands
  - NSW Department of Primary Industries – Agriculture
  - NSW Roads and Maritime Services



## Planning & Environment

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.

4. A public hearing is not required to be held into the matter by any person or body under section 56(2)(e) of the Act. This does not discharge Council from any obligation it may otherwise have to conduct a public hearing (for example, in response to a submission or if reclassifying land).
5. The timeframe for completing the LEP is to be **12 months** following the date of the Gateway determination.

Dated 21<sup>st</sup> day of February 2018.

**Monica Gibson**  
**Director Regions, Hunter**  
**Planning Services**  
**Department of Planning and**  
**Environment**

**Delegate of the Minister for Planning**