

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

Our ref: 11/05766

Attention: Mr Jeffrey Bretag

Dear Mr Gesling

Planning Proposal PP_2011_PORTS_004_00 – Gateway Determination Alteration

I refer to Council's request for an alteration to the Gateway Determination for the Planning Proposal PP_2011_PORTS_004_00 to rezone part of lots 412 DP 1063902 and 413 DP 1063902, Medowie Road, Medowie to facilitate urban development. R2 Low Density Residential, R5 Large Lot Residential, B2 Local Centre and RE1 Public Recreation.

I have determined as the delegate of the Minister, in accordance with section 56(7) of the Environmental Planning and Assessment Act, 1979, to amend the Gateway Determination dated 28 October 2011 for PP_2011_PORTS_004_00.

The Gateway Determination is amended such that part of lots 412 DP 1063902 and 413 DP 1063902 Medowie, would be rezoned from RU2 Rural Landscape and R5 Large Lot Residential, to R2 Low Density Residential and R5 Large Lot Residential only, in the Port Stephens Local Environmental Plan 2013.

In considering Council's request to alter the Gateway Determination, I note that Council does not intend to re-exhibit the planning proposal following this post-exhibition change. This is a matter for Council to determine, after taking into consideration the scale of the change and need for community input.

I have also considered the nature of the planning proposal and decided to issue Council with authorisation to exercise its plan-making delegation.

Council is 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.

Council's request to draft and finalise the plans should be made directly to Parliamentary Counsel's Office as soon as possible, as the Planning Proposal will make a positive contribution to achieving the housing targets identified for Port Stephens in the Lower Hunter Regional Strategy. 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 department's Newcastle 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 questions regarding this matter, please contact Mr Ben Holmes of the Department's Newcastle office on 4904 2709.

Yours sincerely

A handwritten signature in black ink, appearing to read 'D. Rowland', with a stylized flourish at the end.

29 January 2014

David Rowland
General Manager, Hunter & Central Coast Region

Attached: Written Authorisation to Exercise Delegation



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_2011_PORTS_004_00	Planning proposal to rezone land from RU2 Rural Landscape and R5 Large Lot Residential to R2 Low Density Residential and R5 Large Lot Residential in the Port Stephens Local Environmental Plan 2013.

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 29 January 2014

David Rowland
General Manager, Hunter & Central Coast Region
Department of Planning and Infrastructure