



Mr A Roach
General Manager
Port Macquarie-Hastings Council
PO Box 84
PORT MACQUARIE NSW 2444

10/14306

Dear Mr Roach

Conversion of Hastings LEP 2001 (Draft Amendment No 76) for Lot 128 DP 1078884, Lakeside Way, Lake Cathie to a Planning Proposal

I refer to your letter dated 13 December 2010, requesting a Gateway Determination under section 56 of the *Environmental Planning and Assessment Act 1979* (the Act) for the Hastings Local Environmental Plan 2001 (draft Amendment No 76) (the draft LEP).

I am writing to notify you that I have determined (as the delegate of the Director-General) under clause 12(2) of the *Environmental Planning and Assessment Regulation 2000* that the former LEP plan-making provisions cease to apply to the draft LEP. The current provisions of Part 3 of the Act now apply.

Furthermore I have, as the delegate for the Minister for Planning, determined under clause 122 (2) of Schedule 6 of the Act to dispense with the conditions precedent prior to section 57(1) of the Act for the making of this draft LEP. Council is reminded that this will require the Director-General to be satisfied that the summary (material to be exhibited) provides sufficient details for community consultation, including consultation with relevant State agencies. The community consultation period is to be 28 days.

Council is required to finalise the LEP within 9 months of the week following the date of this letter. Council's request for the Department to draft and finalise the LEP should be made 6 weeks prior to the projected publication date.

Should you have any queries in regard to this matter, please contact Denise Wright of the Northern Region Office on 02 6641 6603.

Yours sincerely


Neil McGaffin
Acting Deputy Director General
Plan Making & Urban Renewal
(as a delegate of the Minister and the Director-General)

22.12.10.