



Planning



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Department Generated Correspondence (Y)

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Our ref: PP_2011_PORTM_001_00 (11/03943)
Your ref: 032.2011.00000001.001

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

Dear Mr Roach,

Re: Planning Proposal to rezone 8.5 hectares of land north of Beechwood Village from RU1 Primary Production to RU5 Village

I am writing in response to your Council's letter dated 28 February 2011 requesting a Gateway Determination under section 56 of the Environmental Planning and Assessment Act 1979 ("EP&A Act") in respect of the planning proposal to amend the Port Macquarie - Hastings Local Environmental Plan 2011 to rezone 8.5 hectares of land north of Beechwood Village from RU1 Primary Production to RU5 Village.

As delegate of the Minister for Planning, I have now determined that the planning proposal should proceed subject to the conditions in the attached Gateway Determination.

Given Amendment No. 74 to Hastings Local Environmental Plan 2001 exhibited the draft plan as an amendment to an Instrument that has been repealed, council is to exhibit the subject amendment to Port Macquarie – Hastings LEP 2011 for a period of 14 days to ensure the community are properly informed. Consultation with State or Commonwealth public authorities is not required.

The Director General's delegate has also agreed that the planning proposal's inconsistencies with S117 Direction 1.2 Rural Zones are of minor significance. No further approval is required in relation to this Direction.

The amending Local Environmental Plan (LEP) is to be finalised within 6 months of the week following the date of the Gateway Determination. Council should aim to commence the exhibition of the Planning Proposal within four (4) weeks from the week following this determination. Council's request for the Department to draft and finalise the LEP should be made six (6) weeks prior to the projected publication date.

The State 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 s54(2)(d) of the EP&A Act if the time frames outlined in this determination are not met.

Should you have any queries in regard to this matter, please contact Craig Diss of the Regional Office of the Department on 02 6701 9689.

Yours sincerely,



28/3/11

Tom Gellibrand
Deputy Director General
Plan Making & Urban Renewal

Gateway Determination

Planning Proposal (Department Ref: PP_2011_PORTM_001_00): to rezone 8.5 hectares of land north of Beechwood Village from RU1 Primary Production to RU5 Village

I, the Deputy Director General, Plan Making & Urban Renewal as delegate of the Minister for Planning, have determined under section 56(2) of the EP&A Act that an amendment to the Port Macquarie - Hastings Local Environmental Plan 2011 to rezone 8.5 hectares of land north of Beechwood Village from RU1 Primary Production to RU5 Village should proceed subject to the following conditions:

1. Community consultation is required under sections 56(2)(c) and 57 of the Environmental Planning and Assessment Act 1979 ("EP&A Act") as follows:
 - (a) the planning proposal is classified as low impact as described in *A Guide to Preparing LEPs (Department of Planning 2009)* and must be made publicly available for **14 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 4.5 of *A Guide to Preparing LEPs (Department of Planning 2009)*.
2. No consultation is required with State or Commonwealth public authorities under Section 56(2)(d) of the EP&A Act.
3. A public hearing is not required to be held into the matter by any person or body under section 56(2)(e) of the EP&A 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).
4. The timeframe for completing the LEP is to be **6 months** from the week following the date of the Gateway determination.

Dated

28th

day of

march

2011.



Tom Gellibrand
Deputy Director General
Plan Making & Urban Renewal
Delegate of the Minister for Planning