



qA290081
14/06547

Agency Generated Correspondence (Y)

PLANNING AND INFRASTRUCTURE

Growth Planning and Delivery

PLANNING PROPOSAL GATEWAY DETERMINATION ALTERATION

PURPOSE

To recommend the Minister's delegate alter the Gateway Determination for Planning Proposal, PP_2014_PORTM_001_00.

RECOMMENDATION

It is RECOMMENDED that the Minister's delegate:

- **agree** pursuant to s56(7) of the Environmental Planning and Assessment Act, 1979, to amend the Gateway Determination for the Port Macquarie LEP 2011 Amendment No 28 - Minor Refinements, PP_2014_PORTM_001_00.
- **Issue** a written authorisation to exercise delegation.
- **sign** the letter to Council (**Tag A**).

CURRENT POSITION

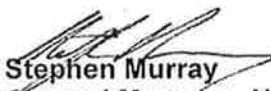
- Council has prepared a planning proposal to amend the Port Macquarie Hastings LEP 2011 to facilitate twenty eight (28) specific issues including update details within clauses, rectifying mapping anomalies, changes to the heritage schedule and other minor housekeeping amendments.
- The Gateway on 26 March 2014 determined that the proposal should proceed subject to conditions (**Tag B**).
- The Council has requested an alteration to the Gateway Determination for the following reasons:
 - Alteration to issue 11: Pacific Highway upgrade – the amendment updates the proposed boundaries for the Pacific Highway, Oxley Highway to Kempsey upgrade on the Land Zoning Map and applies a SP2 Infrastructure "Classified Road" zone as well as amending the Land Reservation Acquisition Map. The alteration to the Gateway Determination refers to changes to the RMS Plans of Acquisition for the Pacific Highway. The alteration includes three small areas along an access handle at the Sancrox interchange and requests the land be zoned the same as the adjoining land, IN1 General Industrial and IN2 Light Industrial over these areas.
 - Alteration to Issue 28: Land Reservation Acquisition map - the amendment updates the Land Acquisition Maps to remove designations where acquisitions have now occurred. The alteration to the Gateway Determination refers four further areas which have also been acquired and need to be removed from the Land Acquisition maps. This alteration would remove two sheets from the map index.

- The Gateway Determination required that the Planning Proposal be finalised in 12 months from the week following the date of the Gateway Determination expiring on 2 April 2015.

BACKGROUND

- The alterations to issues 11 and 28 are considered minor in nature and suitable for public consultation and community feedback.
- Council has advised that public agency consultation has commenced, as required by the Gateway conditions. Council has advised staff will contact RMS with regards to the amendment prior to the public consultation period.

Contact Officer: Katrina Burbidge
Grafton Planning Team
Phone: 02 6641 6606

 17 April 2014
Stephen Murray
General Manager, Northern Region
Growth Planning and Delivery



Planning & Infrastructure

Mr Craig Swift-McNair
Acting General Manager
Port Macquarie Hastings Council
PO BOX 84
PORT MACQUARIE NSW 2444

Our ref: 14/06547
Your ref: PP2013.8.1

Dear Mr Swift -McNair

Planning Proposal PP_2014_PORTM_001_00 – Gateway Determination alteration

I refer to your request on 8 April 2014 seeking an alteration to the Planning Proposal PP_2014_PORTM_001_00 including amendments to issue 11 and issue 28.

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 26 March 2014 for PP_2014_PORTM_001_00.

The Gateway Determination is amended as follows:

- Alteration to issue 11: Pacific Highway upgrade -

The addition of three small parcels of land located on an access handle at the Sancrox interchange, which following receipt by Council of the '*RMS Plans of Acquisition to the Pacific Highway*' have been found to fall outside the Pacific Highway boundary. The zoning of the land is to be amended from the current RU1 Primary Production Zone to IN1 General Industrial or IN2 Light Industrial zone.

- Alteration to Issue 28: Land Reservation Acquisition map -

Removal from the Land Reservation Acquisition Map of four parcels of land, being additional to those already included in the Planning Proposal: (Major Innes Road (Sheet 013D); Lake Road (Sheet 013G); and two on Ocean Drive (Sheet 013FA)). These parcels are small areas of local road, which have recently been acquired.

Prior to undertaking public exhibition, Council is to update the planning proposal to take into consideration the above alterations to the Gateway Determination. A revised *Written Authorisation to Exercise Delegation* is attached.

The Local Environmental Plan (LEP) is to be finalised within 12 months of the week following the date of the original Gateway Determination (26 March 2014). Council should aim to commence the exhibition of the planning proposal as soon as possible. Council's request to draft and finalise the LEP should be made directly to Parliamentary Counsel's Office 6 weeks prior to the projected publication date. A copy of the request should be forwarded to the agency for administrative purposes

If you have any questions in relation to this matter, please contact Katrina Burbidge, of the Northern Region Office on 6641 6606.

Yours sincerely

 17 April 2014
Stephen Murray
General Manager, Northern Region
Growth Planning and Delivery



Planning & Infrastructure

WRITTEN AUTHORISATION TO EXERCISE DELEGATION

Port Macquarie Hastings 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_2014_PORTM_001_00	Planning proposal to make twenty-eight housekeeping amendments

In exercising the Minister's functions under section 59, the Council must comply with Planning and Infrastructure's "*A guide to preparing local environmental plans*" and "*A guide to preparing planning proposals*".

Dated 17 April 2014

Stephen Murray
General Manager, Northern Region
Growth Planning and Delivery
Planning and Infrastructure