



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

Dear Mr Swift-McNair

Planning proposal PP_2019_PORTM_003_00 to amend Port Macquarie-Hastings Local Environmental Plan 201

I am writing in response to Council's request for a Gateway determination under section 3.34(1) of the *Environmental Planning and Assessment Act 1979* (the Act) in respect of the planning proposal to support the development of the Port Macquarie Airport precinct through the introduction of appropriate zones and development controls and identification of land that has been biodiversity certified.

As delegate of the Minister for Planning and Public Spaces, I have now determined that the planning proposal should proceed subject to the conditions in the enclosed Gateway determination.

I have also agreed, as delegate of the Secretary, the planning proposal's inconsistencies with section 9.1 Directions 1.1 Business and Industrial Zones, 1.3 Mining, Petroleum Production and Extractive Industries, 1.5 Rural Lands, 2.1 Environmental Protection Zones, 2.2 Coastal Management, 2.3 Heritage Conservation, 3.1 Residential Zones, 4.1 Acid Sulfate Soils, 4.3 Flood Prone Land, 6.2 Reserving Land for Public Purposes are minor or justified.

In relation to section 9.1 Direction 6.2 Reserving Land for Public Purposes, I have agreed to the alteration of land that is zoned for public purposes on the understanding that the land is not currently or likely in the future to be used for public open space purposes and the proposed environmental zoning is consistent with the existing characteristics of the land and the biodiversity certification for the area approved by the NSW Minister for the Environment in September 2018.

Council may still need to obtain the agreement of the Secretary to comply with the requirements of section 9.1 Directions 3.5 Development Near Regulated Airports, 3.6 Shooting Ranges and 4.4 Planning for Bushfire Protection. Council should ensure this occurs prior to the plan being made.

The amending local environmental plan (LEP) is to be finalised within 12 months of the date of the Gateway determination. 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 six weeks prior to the projected publication date. A copy of the request should be forwarded to the Department of Planning, Industry and Environment.

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 section 3.32(2)(d) of the Act if the time frames outlined in this determination are not met.

Should you have any enquiries or need assistance in regard to this matter, I have arranged for Ms Lucy Walker to assist you. Ms Walker can be contacted on 5578 1402.

Yours sincerely

A handwritten signature in black ink, appearing to read 'J. Gray', is positioned above the printed name and title.

20-11-2019

Jeremy Gray
Director Northern Region
Planning and Assessment

Encl: Gateway determination