



qB185372

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Department Generated Correspondence (Y)

**DEPARTMENT OF PLANNING AND INFRASTRUCTURE**Northern Region**PLANNING PROPOSAL PP 2010 PORTM 008 00 GATEWAY DETERMINATION  
EXTENSION****PURPOSE**

- To recommend the Minister's delegate alter the Gateway Determination for Planning Proposal PP\_2010\_PORTM\_008\_00 at Tathra Road and Ocean Drive, Kew.

**RECOMMENDATION**

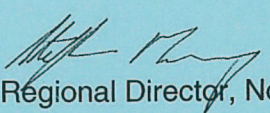
It is RECOMMENDED that the Minister's delegate:

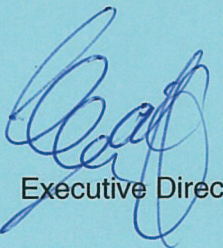
- **agree** pursuant to s56(7) of the Environmental Planning and Assessment Act, 1979, to amend the Gateway Determination to extend the time to complete the Planning Proposal for PP\_2010\_PORTM\_008\_00;
- **sign** the letter to Council (**Tag A**).

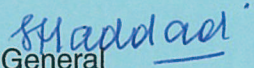
**CURRENT POSITION**

- Council has prepared a Planning Proposal to rezone land at Kew for residential and light industrial purposes.
- The Gateway, on 21 December 2010, agreed to convert a draft LEP under the former Part 3 of the Act, to a Planning Proposal and determined that the proposal should proceed (**Tag B**).
- The Gateway Determination required that the Planning Proposal be finalised in 9 months from the week following the date of the Gateway Determination expiring on 28 September 2011.
- On 19 August 2011 Council requested that the Gateway Determination be altered to provide for zones consistent with the Port Macquarie Hastings LEP 2011, which has been published in the mean time and the period for completion of the planning proposal be extended for a further 6 months expiring on 28 March 2012. The delegate of the Minister agreed to this extension on the 26 September 2011 (**Tag C**).
- The Council has requested that the period to complete the proposal be extended for a further 3 months (**Tag D**).
- The delay in meeting this Gateway Determination timeframe has arisen as Council, although not a requirement of the Gateway, was obtaining independent heritage advice to reduce the potential impacts of the proposed development, on the surrounding heritage listed buildings. This consultation has delayed the reporting of this proposal to Council for final endorsement.
- The extension will allow the proposal to be put forward at the March Council meeting and allow sufficient time to draft the amendment to the instrument prior to completion date.

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 17 February 2012  
Regional Director, Northern Region

 21.2.12  
Executive Director, Planning Operations

  
Director General

27/2/2012