



Planning & Infrastructure



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Department Generated Correspondence (Y)

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Our ref: PP_2011_PORTM_002_00 (11/05623)
Your ref: 032.2011.00000002.001

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

Dear Mr Bell,

Re: Planning Proposal to rectify a drafting error in the Port Macquarie-Hastings LEP 2011 by reintroducing detailed provisions for exempt signage within Schedule 2 - Exempt Development

I am writing in response to your Council's letter dated 21 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 rectify a drafting error in the Port Macquarie-Hastings LEP 2011 by reintroducing detailed provisions for exempt signage within Schedule 2 - Exempt Development.

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.

The amending Local Environmental Plan (LEP) is to be finalised within 3 months of the week following the date of the Gateway Determination. As it has been determined that this is a minor amendment, the Department will commence drafting the instrument immediately. The Regional Planning Team will remain your principal contact on this matter and will be able to advise on the progress of the draft LEP.

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,


A/ Tom Gellibrand
A/ Deputy Director General
Plan Making & Urban Renewal

Gateway Determination

Planning Proposal (Department Ref: PP_2011_PORTM_002_00): to rectify a drafting error in the Port Macquarie-Hastings LEP 2011 by reintroducing detailed provisions for exempt signage within Schedule 2 - Exempt Development.

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 rectify a drafting error in the Port Macquarie-Hastings LEP 2011 by reintroducing detailed provisions for exempt signage within Schedule 2 - Exempt Development should proceed subject to the following conditions:

1. No community consultation is required under sections 56(2)(c) and 57 of the Environmental Planning and Assessment Act 1979 ("EP&A Act").
2. No consultation is required with 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 **3 months** from the week following the date of the Gateway determination.

Dated 14 day of April 2011.



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