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Department Generated Correspondence (Y)

DEPARTMENT OF PLANNING AND INFRASTRUCTURE

Planning Operations and Regional Delivery

REQUEST FOR EXTENSION OF TIME TO COMPLETE PLANNING PROPOSAL PP 2011 PORTM 005 00 FERNBANK CREEK ROAD EMPLOYMENT LANDS

PURPOSE

- To recommend the Minister's delegate alter the Gateway Determination for Planning Proposal PP_2011_PORTM_005_00 for Fernbank Creek Employment Lands, for a further six months.

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 PP_2011_PORTM_005_00 for the Fernbank Creek Employment Lands, at Sancrox for a further six months;
- **sign** the letter to Council (**Tag A**).

CURRENT POSITION

- Council has prepared a Planning Proposal to rezone land at Fernbank Creek Road Sancrox, for industrial and environmental protection purposes. Locality Map at **Tag B**.
- The Gateway on 29 November 2011 determined that the proposal should proceed subject to consultation with several public authorities, the identification of proposed zones, FSRs; and minimum lot sizes and building heights for the subject land and the preparation of a map for exhibition (**Tag C**).
- 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 6 December 2012.
- In October 2012 Council requested an extension to complete the planning proposal. Several issues including negotiation of highway access and conditions of a VPA prevented finalisation of the proposal at that time. A 6 month extension was granted on 26 October 2012 (**Tag D**).
- The Council has requested a further 6 month extension to the period to complete the proposal (**Tag E**).
- The delay in meeting the timeframe of the previous extension has arisen due to protracted negotiations between the landowner and Council regarding the road works component of the draft VPA, including matters relating to the proposed Pacific Highway overpass.

- However, Council's view is that finalisation of the VPA should enable the proposal to proceed to exhibition shortly. The requested further 6 month extension is appropriate to allow completion of the planning proposal.

Contact Officer: Denise Wright
Grafton Planning Team
Phone: (02) 6641 6603

 3 May 2013
Steve Murray
Regional Director
Northern Region

 B.5.13
Neil McGaffin
Executive Director
Rural and Regional Planning



Mr Tony Hayward
General Manager
Port Macquarie Hastings Council
PO BOX 84
PORT MACQUARIE NSW 2444

Our ref: 11/20432
Your ref: PP2010-0001.01

Dear Mr Hayward

Planning Proposal PP_2011_PORTM_005_00 – Extension of Time to Complete the Planning Proposal for Fernbank Creek Employment Lands

I refer to your request on 22 April 2013 seeking an extension of time to complete the Planning Proposal PP_2011_PORTM_005_00 for the rezoning of land at Fernbank Creek Road, Sancrox for industrial and environmental protection purposes.

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 29 November 2011 for PP_2011_PORTM_005_00.

The Gateway Determination is amended by extending the time for the completion of the Planning Proposal by an additional 6 months. The Planning Proposal is now due for completion by 6 December 2013.

Council's request for the Department to draft and finalise the LEP should be made eight weeks prior to the projected publication date.

If you have any questions in relation to this matter, please contact Denise Wright, of the Department of Planning and Infrastructure's Northern Region Office on (02) 6641 6603.

Yours sincerely

Neil McGaffin
Executive Director
Rural and Regional Planning

8.5.13