



Mr Jeffery Sharp
Acting General Manager
Port Macquarie-Hastings Council
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Via email: council@pmhc.nsw.gov.au
Leanne.Fuller@pmhc.nsw.gov.au

Dear Mr Sharp

Planning proposal PP_2020_PORTM_001_00 to amend Port Macquarie – Hastings Local Environmental Plan 2011

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 rezone Lot 516 DP 1261705, Lot 497 DP 123790 and Lot 319 DP 1214443, Crestwood Drive, Port Macquarie, for recreational and special purposes, and amend associated development standards.

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 1.3 Mining, Petroleum Production and Extractive Industries, 1.5 Rural Lands, 2.1 Environment Protection Zones, 2.2 Coastal Management, 3.1 Residential Zones, 3.2 Caravan Parks and Manufactured Home Estates, 3.4 Integrating Land Use and Transport, 4.1 Acid Sulfate Soils and 4.3 Flood Prone Land are minor or justified. No further approval is required in relation to these Directions.

Council may still need to obtain the agreement of the Secretary to comply with the requirements of relevant section 9.1 Directions 2.6 Remediation of Contaminated Land and 4.4 Planning for Bushfire Protection. Council should ensure this occurs prior to the plan being made.

I have considered the nature of Council's planning proposal and have conditioned the Gateway for Council to be authorised as the local plan-making authority.

The amending local environmental plan (LEP) is to be finalised within nine 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 about this matter, I have arranged for Ms Lucy Walker to assist you. Ms Walker can be contacted on 5778 1402.

Yours sincerely



9/10/2020

Jeremy Gray
Director, Northern Region
Local and Regional Planning

Encl: Gateway determination
Authorised plan-making reporting template