

Gateway Determination

Planning proposal (Department Ref: PP-2021-2733): to amend Port Macquarie-Hastings LEP 2011 to rezone Lots 1-52 DP 776681, Sancrox (collectively known as Le Clos Sancrox) from RU1 to R1, R3, B2, E2, E3, E4 and RE1 and amend the applicable minimum lot size, floor space ratio and height of buildings provisions that apply.

I, the Director, Northern Region at the Department of Planning, Industry and Environment, as delegate of the Minister for Planning and Public Spaces, have determined under section 3.34(2) of the *Environmental Planning and Assessment Act 1979* (the Act) that an amendment to the Port Macquarie-Hastings Council Local Environmental Plan (LEP) 2011 to rezone Lots 1-52 DP 776681, Sancrox (collectively known as Le Clos Sancrox) from RU1 to R1, R3, B2, E2, E3, E4 and RE1 and amend the applicable minimum lot size, floor space ratio and height of buildings provisions that apply, should proceed subject to the following conditions:

1. Prior to community consultation, the planning proposal is to be updated to:
 - (a) amend the property details on page 5 to reflect the correct DP number;
 - (b) detail in Part 1 the zones that the subject land will be rezoned to;
 - (c) provide greater detail in Part 2 how the objectives and intended outcomes in Part 1 will be achieved by listing the current and proposed zones, minimum lot size, floor space ratio and height of building provisions; and
 - (d) include in Part 3 (B) (4) a discussion on the consistency of the planning proposal with Council's Local Strategic Planning Statement.
2. Public exhibition is required under section 3.34(2)(c) and schedule 1 clause 4 of the Act as follows:
 - (a) the planning proposal must be made publicly available for a minimum of **28 days**; and
 - (b) the planning proposal authority must comply with the notice requirements for public exhibition of planning proposals and the specifications for material that must be made publicly available along with planning proposals as identified in section 6.5.2 of *A guide to preparing local environmental plans* (Department of Planning and Environment, 2018).
3. Consultation is required with the following public authorities/organisations under section 3.34(2)(d) of the Act and/or to comply with the requirements of relevant section 9.1 Directions:
 - (a) NSW Department of Education
 - (b) Transport for NSW
 - (c) Mid North Coast Health
 - (d) NSW Police
 - (e) NSW Ambulance

- (f) NSW Fire and Rescue
- (g) NSW Department of Justice
- (h) Department of Planning, Industry and Environment - Biodiversity and Conservation Division
- (i) Department of Primary Industries - Agriculture
- (j) Essential Energy
- (k) Birpai Local Aboriginal Land Council
- (l) NSW Heritage
- (m) Department of Regional NSW - Mining, Exploration and Geoscience Division

Each public authority/organisation is to be provided with a copy of the planning proposal and any relevant supporting material and given at least 21 days to comment on the proposal.

- 4. A public hearing is not required to be held into the matter by any person or body under section 3.34(2)(e) of the 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).
- 5. The time frame for completing the LEP is to be **12 months** following the date of the Gateway determination.

Dated 13 day of May 2021.



Jeremy Gray
Director, Northern Region
Local and Regional Planning Department
of Planning, Industry and Environment

Delegate of the Minister for Planning and
Public Spaces