



Mr Adrian Panuccio
General Manager
MidCoast Council
PO BOX 450
FORSTER NSW 2428

Dear Mr Panuccio

Planning proposal PP_2018_MCOAS_004_00 – Alteration of Gateway Determination

I refer to your letter dated 14 October 2019 reconfirming your support for this planning proposal (PP_2018_MCOAS_004_00) and the applicant's request for a Gateway determination review.

The Department of Planning, Industry and Environment has reconsidered its decision on the planning proposal following advice from the NSW Independent Planning Commission as part of the Gateway determination review. As such, I have determined to alter the Gateway determination (PP_2018_MCOAS_004_00) dated 11 July 2019 to enable the proposed development of a highway service centre and subdivision at 9844 Pacific Highway, Bulahdelah, to proceed subject to conditions. The Alteration of Gateway determination is enclosed.

I have considered the nature of the planning proposal and Council's request not to be authorised as the local plan-making authority. I have determined not to condition the Gateway for Council to be the local plan-making authority.

I have also agreed, as delegate of the Secretary, that the planning proposal's inconsistencies with section 9.1 Directions 1.2 Rural Zones and 1.5 Rural Lands are justified in accordance with the terms of the Directions. No further approval is required in relation to these Directions.

Council may still need to obtain the agreement of the Department's Secretary to comply with the requirements of section 9.1 Directions 2.3 Heritage Conservation, 4.4 Planning for Bushfire Protection and 5.4 Commercial and Retail Development along the Pacific Highway, North Coast. Council should ensure this occurs before it requests finalisation of the plan.

The amending local environmental plan (LEP) is to be finalised within 18 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 for the Department to finalise the LEP should be made eight weeks prior to the projected publication date.

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.

If you have any questions in relation to this matter, I have arranged for Mr Trent Wink to assist you. Mr Wink can be contacted on 4904 2716.

Yours sincerely



Tim Hurst

**Deputy Secretary, Local Government, Planning and Policy
Planning and Assessment**

20/3/20

Encl: Alteration of Gateway Determination
CC: Coastplan Consulting