



Our Ref: DOC21/152822  
Your Ref: Application dated 26 March 2021

Chief Executive Officer  
Port Macquarie-Hastings Council  
PO Box 84  
Port Macquarie NSW 2444

Attention: Mr Ashley Grummitt

Dear Dr Allen

**RE: Decision to certify proposed development '*Planned Works for the Port Macquarie Airport (DA 2021/175)*' under clause 34A of the Biodiversity Conservation (Savings and Transitional) Regulation 2017**

I am writing to advise you that I have decided to certify the proposed development '*Planned Works for the Port Macquarie Airport (DA 2021/175)*' under clause 34A(4) of the Biodiversity Conservation (Savings and Transitional) Regulation 2017 in response to an application from the Port Macquarie-Hastings Council.

I am satisfied that the development meets the requirements of clause 34A(4) of the Regulation.

The effect of this Order is that all future development applications for the *Planned Works for the Port Macquarie Airport (DA 2021/175)* do not require assessment under Part 7 of the *Biodiversity Conservation Act 2016*, and instead the former planning provisions apply to the assessment of biodiversity impacts including application of the now repealed s5A of the *Environmental Planning and Assessment Act 1979* and, where relevant, the *Threatened Species Conservation Act 1995*.

I have enclosed a copy of the certification Order for your reference.

If you have any questions about this advice, please do not hesitate to contact Mr Dimitri Young, Senior Team Leader Planning, at [dimitri.young@environment.nsw.gov.au](mailto:dimitri.young@environment.nsw.gov.au) or 6659 8272.

Yours sincerely

12/4/2021

**RUSSELL MADELEY**

**Director North East Branch  
Biodiversity and Conservation**