

Gateway Determination

Planning proposal (Department Ref: PP_2019_PORTM_003_00): to support the development of the Port Macquarie Airport precinct through the introduction of appropriate zones and development controls and identification of land that has been biodiversity certified.

I, the Director 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 Local Environmental Plan (LEP) 2011 to support the development of the Port Macquarie Airport precinct through the introduction of appropriate zones and development controls and identification of land that has been biodiversity certified should proceed subject to the following conditions:

1. Prior to community consultation, the proposal shall be amended to include:
 - (a) a table that identifies the proposed changes between zones and the approximate area of the changes; and
 - (b) an amended Figure 1 that includes Newman Senior Technical College within area affected by the proposal.
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, Industry and Environment 2016).
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:
 - Biripai Local Aboriginal Lands Council
 - Civil Aviation Safety Authority
 - NSW Department of Industry, Planning and Environment (Crown Lands)
 - NSW Department of Industry, Planning and Environment (Division of Biodiversity & Conservation)

- NSW Police Service
- NSW Rural Fire Service
- NSW Transport (Roads and Maritime Services)

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 20 day of November 2019.



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

Delegate of the Minister for Planning
and Public Spaces