



Gateway Determination

Planning proposal (Department Ref: PP_2015_MIDWR_001_00): to rezone land and amend the minimum lot size at Lot 63 DP 618063 George Campbell Drive, Mudgee from 20 hectares to 2 hectares to permit subdivision of the land for the purpose of aviation and related living.

I, the General Manager, Western Region at the Department of Planning and Environment as delegate of the Minister for Planning, have determined under section 56(2) of the Environmental Planning and Assessment Act, 1979 that an amendment to the Mid-Western Regional Local Environmental Plan 2012 (LEP) to rezone Lot 63 DP 618063 George Campbell Drive, Mudgee and amend the minimum lot size on the land to permit subdivision of land for aviation and related living should proceed subject to the following conditions:

1. Prior to undertaking public exhibition, Council is to amend the planning proposal:
 - a) to clearly detail the intent of the proposal to allow subdivision of the land for aviation and related living; reference to the development of large lot residential allotments is to be removed, and
 - b) to clearly detail that the intent will be achieved by rezoning land and amending the minimum lot size on land.
2. Prior to undertaking public exhibition, Council is to obtain endorsement from Airservices Australia for the Aircraft Noise Exposure Forecast (ANEF) associated with the Airport and provide this information to the Department for approval. This will allow for appropriate management of noise sensitive land uses in the vicinity of the Airport.
3. Community consultation is required under sections 56(2)(c) and 57 of the Environmental Planning and Assessment Act, 1979 as follows:
 - (a) the planning proposal must be made publicly available for a minimum of **28 days**; and
 - (b) the relevant planning 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 5.5.2 of *A Guide to Preparing LEPs (Department of Planning & Infrastructure 2013)*.
3. Consultation is required with the following public authority to comply with the requirements of section 117 Direction 3.5 Development near Licensed Aerodromes:
 - Civil Aviation Safety Authority

Each public authority 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 report specifying the findings of a preliminary investigation of the land carried out in accordance with the contaminated land planning guidelines is to be provided with the submission of the planning proposal under section 59 of the Environmental Planning and Assessment Act, 1979.
5. A public hearing is not required to be held into the matter by any person or body under section 56(2)(e) of the Environmental Planning and Assessment Act, 1979. This does not



Planning & Environment

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).

6. Prior to submission of the planning proposal under section 59 of the Environmental Planning and Assessment Act, 1979 the relevant Land Zoning Map and Lot Size Map that apply to the subject land are to be prepared compliant with the Department's 'Standard technical requirements for LEP maps'.
7. The timeframe for completing the LEP is to be **12 months** from the week following the date of the Gateway determination.

Dated 27

day of March

2015.

A. W. Albury
Ashley Albury
General Manager, Western Region
Planning Services

Delegate of the Minister for Planning