

Port Macquarie-Hastings LEP 2011 Amendment No. 42 - Signage in Public Areas

Proposal Title : Port Macquarie-Hastings LEP 2011 Amendment No. 42 - Signage in Public Areas

Proposal Summary : The Planning Proposal seeks to amend the Port Macquarie-Hastings LEP 2011 to facilitate a greater range of signage in public areas by:

- permitting 'advertising structures' with consent within Zone RE1 Public Recreation;
- including additional exempt signage provisions;
- rezoning five (5) surf lifesaving clubs from RE2 Private Recreation to RE1 Public Reserve and permitting 'restaurant or cafes' as an additional permitted use to recognise the existing use of the buildings for this purpose; and
- rezoning two (2) marine rescue buildings from RE1 Public Recreation to SP2 Infrastructure (emergency services facility).

PP Number : PP_2016_PORTM_006_00 **Dop File No :** 16/13421

Planning Team Recommendation

Preparation of the planning proposal supported at this stage : **Recommended with Conditions**

S.117 directions: **4.4 Planning for Bushfire Protection**
 6.3 Site Specific Provisions

Additional Information : It is recommended that:

1. That the proposal be supported.
2. Consultation is required with the following public authorities under section 56(2)(d) of the Act and/or to comply with the requirements of relevant S117 Directions:
 - NSW Department of Industry (Lands)
 - NSW Rural Fire Service
3. Community consultation is required under sections 56(2)(c) and 57 of the Act as follows:
 - (a) the Planning Proposal must be made publicly available for a minimum of 14 days;
 - (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 and Environment 2016).
4. A public hearing is not required to be held into the matter by any person or body under section 56(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 timeframe for completing the LEP is to be 9 months from the week following the date of the Gateway determination.
6. That the Secretary's delegate determine that the inconsistency with s117 Direction 6.2 Reserving Land for Public Purposes is justified as being of minor significance.
9. The Secretary's delegate note the outstanding inconsistency of the proposal with s117 Direction 4.4 Planning for Bushfire Protection.
10. That a written authorisation to exercise plan making delegations be issued Council.

Supporting Reasons : The reasons for the above recommendation for the planning proposal are as follows:

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- The proposal is of positive social and economic benefits providing signage for community and event purposes, sponsorship and business advertising purposes.
- Supports, expands and simplifies signage controls limited to public facilities and reserves.
- The proposal is consistent with strategic planning framework, SEPPs and section 117 Directions.

Panel Recommendation

Recommendation Date : **20-Oct-2016**

Gateway Recommendation : **Passed**

Panel Recommendation : **The proposal is considered to be of local significance and can be appropriately assessed by the Director Regions, Northern.**

Gateway Determination

Decision Date : **20-Oct-2016**

Gateway Determination : **Passed with Conditions**

Decision made by : **Regional Director, Northern Region**

Exhibition period : **14 Days**

LEP Timeframe : **9 months**

Gateway Determination : **1. Community consultation is required under sections 56(2)(c) and 57 of the Act as follows:**

- (a) the planning proposal must be made publicly available for a minimum of 14 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 and Environment 2016).

2. Consultation is required with the following public authorities under section 56(2)(d) of the Act and/or to comply with the requirements of relevant S117 Directions:

- Department of Industry (Lands)
- NSW Rural Fire Service

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.

3. A public hearing is not required to be held into the matter by any person or body under section 56(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).

4. The timeframe for completing the LEP is to be 9 months from the week following the date of the Gateway determination.

Signature:



Printed Name:

Craig Diss

Date:

20/10/16