



New South Wales

Port Macquarie-Hastings Local Environmental Plan 2011 (Amendment No 42)

under the

Environmental Planning and Assessment Act 1979

I, the Minister for Planning, make the following local environmental plan under the *Environmental Planning and Assessment Act 1979*.

**MATT ROGERS, DIRECTOR, DEVELOPMENT AND ENVIRONMENT,
PORT MACQUARIE-HASTINGS COUNCIL**
As delegate for the Minister for Planning

Port Macquarie-Hastings Local Environmental Plan 2011 (Amendment No 42)

under the

Environmental Planning and Assessment Act 1979

1 Name of Plan

This Plan is *Port Macquarie-Hastings Local Environmental Plan 2011 (Amendment No 42)*.

2 Commencement

This Plan commences on the day on which it is published on the NSW legislation website.

3 Land to which Plan applies

This Plan applies to land to which *Port Macquarie-Hastings Local Environmental Plan 2011* applies, including the following land:

- (a) part of Lot 7065, DP 1060070 (also being part Crown Reserve R.82916), Town Beach, William Street, Port Macquarie,
- (b) part of Lot 7052, DP 1121282 (also being part Crown Reserve R.610024) Flynn's Beach, Tuppenny Road, Port Macquarie,
- (c) part of Lot 7074, DP 1052955 (also being part Crown Reserve R.88609), Lighthouse Beach, Matthew Flinders Drive, Port Macquarie,
- (d) part of Lot 2, DP 1171577 (also being part Crown Reserve R.81643), Rainbow Beach, Beach Street, Bonny Hills,
- (e) part of Lot 7006, DP 1026384 (also being part Crown Reserve R.80643) and adjoining foreshore Crown land, North Haven Beach, 128 The Parade, North Haven,
- (f) part of Lot 1, Section 11, DP 758603 (also being part Crown Reserve R.76255) and adjoining foreshore Crown land, being land occupied by Marine Rescue NSW Camden Haven in Tunis Street, Laurieton,
- (g) Lots 1 and 2, DP 1064060 (also being part of Crown Reserve R.1033088), land occupied by Marine Rescue NSW Port Macquarie at 11A Buller Street, Port Macquarie.

4 Maps

The maps adopted by *Port Macquarie-Hastings Local Environmental Plan 2011* are amended or replaced, as the case requires, by the maps approved by the Minister on the making of this Plan.

Schedule 1 Amendment of Port Macquarie-Hastings Local Environmental Plan 2011

[1] Land Use Table, Zone RE1 Public Recreation

Insert “Advertising structures;” in alphabetical order in item 3.

[2] Schedule 1 Additional permitted uses

Insert at the end of the Schedule:

7 Use of certain land at Town Beach, William Street, Port Macquarie

- (1) This clause applies to land at Town Beach, William Street, Port Macquarie, being part of Lot 7065, DP 1060070 shown as “Item 7” on the Additional Permitted Uses Map.
- (2) Development for the purposes of a restaurant or cafe is permitted with development consent.

8 Use of certain land at Flynn’s Beach, Tuppenny Road, Port Macquarie

- (1) This clause applies to land at Flynn’s Beach, Tuppenny Road, Port Macquarie, being part of Lot 7052, DP 1121282 shown as “Item 8” on the Additional Permitted Uses Map.
- (2) Development for the purposes of a restaurant or cafe is permitted with development consent.

9 Use of certain land at Lighthouse Beach, Matthew Flinders Road, Port Macquarie

- (1) This clause applies to land at Lighthouse Beach, Matthew Flinders Road, Port Macquarie, being part of Lot 7074, DP 1052955 shown as “Item 9” on the Additional Permitted Uses Map.
- (2) Development for the purposes of a restaurant or cafe is permitted with development consent.

10 Use of certain land at Rainbow Beach, Beach Street, Bonny Hills

- (1) This clause applies to land at Rainbow Beach, Beach Street, Bonny Hills, being part of Lot 2, DP 1171577 shown as “Item 10” on the Additional Permitted Uses Map.
- (2) Development for the purposes of a restaurant or cafe is permitted with development consent.

11 Use of certain land at North Haven Beach, 128 The Parade, North Haven

- (1) This clause applies to land at North Haven Beach, 128 The Parade, North Haven, being foreshore Crown land adjoining Lot 7006, DP 1026384, shown as “Item 11” on the Additional Permitted Uses Map.
- (2) Development for the purposes of a restaurant or cafe is permitted with development consent.

[3] Schedule 2 Exempt development

Omit the matter relating to “Signage, advertising structures and displays”.

Insert instead:

Signage—sports field advertising

- (1) Must be facing the playing area on the inside of a fence around the playing surface.
- (2) Must provide information about sponsors, or products of sponsors, of teams or organisations using the sporting facility.
- (3) Must not be artificially illuminated.
- (4) Maximum height above ground level (existing)—1.2m.
- (5) Minimum height above ground level (existing)—0.2m.

Signage—Council-owned public roads and road-related areas

- (1) Must:
 - (a) relate to community information and events, or
 - (b) display an advertisement and be affixed to a public seat or a bus shelter.
- (2) Must be consistent with road safety policies and guidelines on outdoor advertising approved by the Secretary of the Department of Planning and Environment for the purpose of Schedule 1 to the *State Environmental Planning Policy (Infrastructure) 2007*.

Note. Consent of the appropriate roads authority to the signage under section 138 (1) of the *Roads Act 1993* may still be required.