

Planning Proposal under s55 of the EP&A Act

- **Transfer of planning controls for the Thrumster Town Centre into the *Port Macquarie-Hastings Local Environmental Plan 2011***
- **Supporting and consequential amendments to the B4 Mixed Use Zone and the SP3 Tourist Zone**



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Executive Summary

This planning proposal seeks to implement the *Standard Instrument (Local Environmental Plans) Order 2006* by incorporating deferred provisions regarding the Thrumster Town Centre into the *Port Macquarie-Hastings Local Environmental Plan 2011* (LEP 2011).

The Thrumster Town Centre was zoned as part of the Area 13 Thrumster urban release area in 2008, under *Port Macquarie-Hastings (Area 13 Thrumster) Local Environmental Plan 2008* (LEP 2008). Clause 6.5 of LEP 2008 specified a maximum gross floor area for shops and bulky goods (retail cap). The intent of the retail cap is to ensure an appropriate scale of retail centre commensurate with Council's adopted hierarchy of centres.

The LEP 2011 was made in accordance with the Standard Instrument format and mostly replaced the LEP 2008. However, the area identified as the Thrumster Town Centre was deferred from LEP 2011 as the Department of Planning and Infrastructure advised that the retail cap could not be carried over as it was inconsistent with the Standard Instrument.

This Planning Proposal primarily transfers existing provisions 'like for like' into the LEP 2011. However, the retail cap will be removed and replaced through zoning changes within the Thrumster Town Centre and the introduction of additional supporting local provisions that will apply to the broader Port Macquarie-Hastings area. These changes are described briefly below.

Under LEP 2008, the Thrumster Town Centre was zoned a combination of B2 Local Centre, B4 Mixed Use and B5 Business Development. At the time, maximum flexibility of future land uses was supported subject to the application of the retail cap to protect the existing retail hierarchy, particularly the Port Macquarie Town Centre. However, without a retail cap too much business-zoned land is available, allowing the potential for development of large scale retail uses inconsistent with Council's desired function of the area as a local centre and with a potential negative impact on the Port Macquarie Town Centre.

To maintain the policy intent of the retail cap within the Thrumster Town Centre, it is proposed to:

- reduce the total area of business zones by 6.6ha (22% of current zone area) through the introduction of R3 Medium Density Residential Zone for the edge areas of the Town Centre,
- reduce the extent of the B2 Local Centre from 9.5ha to 4.6ha by replacing with the B4 Mixed Use Zone and SP3 Tourist Zone, and
- apply floor space ratio and height of building provisions to maintain suitable built form and scale.

Further to the local changes described above, supporting changes are also proposed to facilitate Council's hierarchy of centres and will affect the Port Macquarie-Hastings area generally. An additional local provision is proposed that will limit the scale of certain retail uses in the B4 Mixed Use Zone. In particular to limit *Shops, Hardware and Building Supplies* and *Bulky Goods* to a maximum gross floor area of 250m² and amend the land use table to allow 'high technology industry' and 'home industry' as permissible with consent. These changes are to apply to all B4 Mixed Use Zones in Port Macquarie-Hastings. The purpose of this change is to ensure that de facto centres or large format retail cannot develop in an ad hoc manner in the B4 Mixed Use Zone, and to facilitate development of suitable land uses consistent with the zone objectives.

It is also proposed to prohibit *car parks* as a stand-alone use in the B4 Mixed Use Zone and SP3 Tourist Zone. The purpose of this change is to ensure development is compatible with other types of development intended for these zones and will also apply across the Port Macquarie-Hastings area.

Part 1 - objective and intended outcomes

To implement a Standard Instrument LEP across the Thrumster Town Centre area by amending the Port Macquarie-Hastings LEP 2011 in a way that replaces but maintains the general effect of the *Port Macquarie-Hastings (Area 13 Thrumster) Local Environmental Plan 2008* (LEP 2008) with regard to facilitating long term development of a new local centre at Thrumster, considering the desired character of the area and Council's retail policy, except where:

1. It is intended to give effect to Council's retail policy by:
 - a. Reducing the amount of land zoned for retail premises within the Thrumster Town Centre and the extent of the B2 Local Centre Zone to an extent consistent with Council's adopted Retail Hierarchy;
 - b. Introduce a provision applicable across the Port Macquarie-Hastings area to discourage large retail uses from establishing in mixed use areas outside of the centres recognised in the Centres Hierarchy in Council's *Urban Growth Management Strategy 2011-2031*.
2. It is intended to facilitate development to achieve the desired character of the area by:
 - a. Introducing zones that facilitate the desired land uses identified in Part 6 of the *Area 13 Thrumster Development Control Plan 2011 – Town Centre Neighbourhood Provisions*;
 - b. Introduce provisions to ensure retail development in the Thrumster Town Centre occurs at a scale appropriate to a large village local centre;
 - c. Introduce provisions applicable to the Port Macquarie-Hastings area to ensure retail development in the B4 Mixed Use Zone occurs at a scale suitable to integrate with other uses, encourage a mixture of compatible land uses and discourage the establishment of de facto centres in these zones;
 - d. Provide for the establishment of high technology industry and home industry uses in appropriately zoned areas to support local centres and provide employment opportunities;
 - e. Provide for an entertainment and recreation precinct; and
 - f. Provide for additional residential accommodation in the Town Centre.

A gateway determination is requested under Section 56 of the Environmental Planning and Assessment Act 1979 as well as the Director General's written authorisation for Council to exercise delegation of functions under Section 59 of the Act. The Department's *Attachment 4 - Evaluation criteria for the delegation of plan making functions* is included at **Appendix 1**.

Part 2 - explanation of provisions

Deferment of Thrumster Town Centre from Port Macquarie-Hastings LEP

The Thrumster Town Centre was zoned as part of the Area 13 Thrumster urban release area in 2008, under *Port Macquarie-Hastings (Area 13 Thrumster) Local Environmental Plan 2008* (Thrumster LEP). Clause 6.5 of the Thrumster LEP specified a maximum gross floor area for shops in the Thrumster Town Centre of 7,500m² and a maximum gross floor area for bulky goods premises of 5,000m² (retail cap).

In February 2011, the *Port Macquarie-Hastings Local Environmental Plan 2011* (LEP 2011) was made which mostly replaced the Thrumster LEP. However, the Thrumster Town Centre was deferred from LEP 2011 as the Department of Planning and Infrastructure advised that the retail cap in clause 6.5 was inconsistent with the Standard Instrument and not able to be carried over into the new LEP.

This planning proposal seeks to implement the *Standard Instrument (Local Environmental Plans) Order 2006* by incorporating the deferred provisions and new provisions to maintain the Thrumster LEP intent regarding Council's Retail Policy, into the LEP 2011.

Background

The Thrumster Town Centre consists of about 30 hectares of land off John Oxley Drive at Thrumster (Figure 1). The site and its general layout were first selected during the early strategic planning investigations carried out for the new Urban Release Area of Thrumster between 2001 and 2006, culminating in the *Thrumster Structure Plan 2006* (Structure Plan) and a supporting document, the *Thrumster Structure Plan Implementation Report 2006* (Implementation Plan).

The Structure Plan's vision for the Town Centre was that the core area would become the primary centre for the local shopping needs of the anticipated ultimate population of 10,000 people. The immediate surrounds are anticipated to become a significant employment centre for the LGA with up to 2,000 jobs envisaged and taking advantage of the optic fibre network running through the area. These jobs are expected to be provided in the designated centres and employment areas as well as work from home situations in the surrounding residential and mixed use areas.

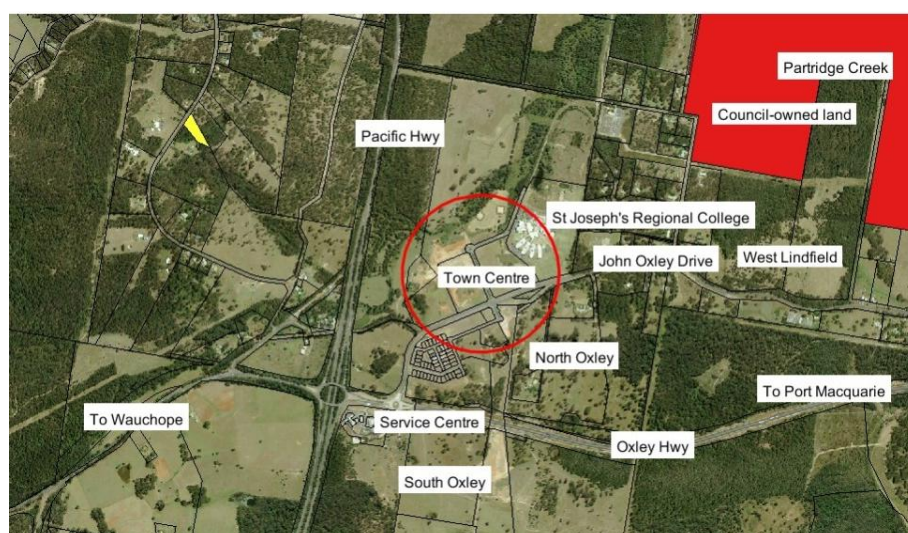


Figure 1: Thrumster Town Centre location

Detailed planning provisions for Thrumster and the Town Centre, building on the strategic guidance in the Thrumster Structure Plan, were introduced to the *Port Macquarie-Hastings Development Control Plan* (DCP) in 2009. The Town Centre area provisions in particular contain detailed objectives and development criteria of intended land use and urban form, including the identification of five distinct character precincts (Figure 2), each with a distinct desired character and urban function, summarised below.

- Town Centre Core - the local centre
- Mid Town - a mixed use area offering live-work arrangements and shop-top housing
- West End - a predominantly residential mixed use area
- Northern Edge - predominantly a business technology park with some residential
- Oxley Highway - for larger format retail and services



Figure 2: Thrumster Town Centre Precincts

The current zoning is shown at Figure 3. The area is zoned as follows:

- 9.5 hectares of B2 Local Centre
- 8.7 hectares of B4 Mixed Use, and
- 11 hectares of B5 Business Development.



Figure 3: Thrumster Town Centre Zones

The zone areas were intentionally large to allow maximum flexibility for the proponent while broadly facilitating the precinct objectives. Council's retail hierarchy was protected by the retail cap provision.

Between 2007 and 2009 several developments were approved within the town centre consisting of a 4,000m² Woolworths supermarket, about 1,600m² of specialty shops and about 4,000m² of bulky goods and light industry buildings. These approvals consume most of the allowed retail floorspace, however none have commenced construction.

To date, limited residential development has occurred at Thrumster with predominantly display dwellings being constructed. This is in part due to infrastructure delays due to work on the trunk sewer experiencing environmental issues from underbore operations to connect the area with the Thrumster Sewerage Treatment Plant to the north. Development is also likely to have been constrained due to the effect of the Global Financial Crisis on project financing, superannuation funds and consequently the construction industry and the housing market in the latter half of the last decade and continuing to some extent at present.

Proposed changes

The proposed provisions are primarily a translation of existing LEP provisions 'like for like' to the Standard Instrument format in order to achieve the same or similar outcomes with regard to development in and around the Thrumster Town Centre. However, the retail cap is to be removed, resulting in some supporting changes proposed that will also affect land outside the Thrumster Town Centre to support Council's Retail Policy. These outcomes are expected to be achieved by changing the *Port Macquarie-Hastings Local Environmental Plan 2011* (LEP 2011) as follows:

New provisions applying across the Port Macquarie-Hastings area

- (1) Amend the Land Use Table for Zone B4 to permit high technology industry and home industry in Zone B4,
- (2) Amend the Land Use Table for Zone B4 and Zone SP3 to prohibit car park,
- (3) Add an additional local provision to limit the scale of certain retail uses in the B4 Mixed Use Zone consistent with the zone's objectives. For example,

7.12 Development in Zone B4 Mixed Use

- (1) The objective of this clause is to ensure that:
 - a. Proposed large retail premises are located within the Greater Port Macquarie Central Business District or other identified specialty centres, other than the Zone B4 Mixed Use, and
 - b. Retail premises within Zone B4 Mixed Use remain at a compatible scale consistent with the zone objectives.
- (2) Development consent must not be granted to development for the purposes of bulky goods premises, hardware and building supplies, or shops on land in Zone B4 Mixed Use if the development would result in a building or premises having a gross floor area of more than 250m².

New provisions applying to the Thrumster Town Centre

- (4) Amending the Land Zoning Map LZN 13D to include zones for the Thrumster Town Centre, including a minor extension to the business zone south of John Oxley Drive, as shown in Appendix 2 Sheet 1,
- (5) Amending the Lot Size Map LSZ 13D so that the minimum lot size for residential areas in the Thrumster Town Centre is 1,000m² as shown in Appendix 2 Sheet 2,
- (6) Amend the Floor Space Ratio Map as shown in Appendix 2 Sheet 3,
- (7) Amend the Height of Buildings Map as shown in Appendix 2 Sheet 4,
- (8) Amend the Urban Release Area Map to include the land proposed to be zoned R3 Medium Density Residential as shown in Appendix 2 Sheet 5,

Transfer of existing provisions

- (9) Amend the Acoustic Controls Map and Acid Sulfate Soils Map to include the deferred area of the Thrumster Town Centre as shown in Appendix 2 Sheets 6 and 7,
- (10) Amend the Flood Planning Map to include the deferred area of the Thrumster Town Centre as shown in Appendix 2, Sheet 8,
- (11) Amend the Additional Permitted Uses Map as shown in Appendix 2 Sheet 9 by including "Item 5" to continue to allow development ancillary to a pub or restaurant on the adjoining Thrumster Town Centre land,
- (12) Amend the Land Reservation Acquisition Map as shown in Appendix 2 Sheet 10 to show the land zoned as RE1 as Local Open Space,
- (13) Amend Schedule 1 by adding an additional permitted use as follows:

5 Use of certain land adjacent to the Thrumster Town Centre

- (1) This clause applies to the land at 1002 Oxley Highway, Thrumster, being Lot 41, DP 1142520, shown on the Land Zoning Map as "Item 5".
- (2) Development is permitted with consent, but only if the development is ancillary to a pub or restaurant located on adjoining land in Zone SP3 Tourist.

Consequential amendments

- (14) Renumber the remaining items in Part 7,

- (15) Amend the Land Application Map as shown in Appendix 2 Sheet 11 by removing the area of the Thrumster Town Centre identified in red as a Deferred Matter, and
- (16) Repeal the *Port Macquarie Hastings (Area 13 Thrumster) LEP 2008*.

A summary of the proposed zone changes is included in the table below.

Zone	Current extent (hectares)	Proposed extent (hectares)
<i>B2 Local Centre</i>	9.5	4.6
<i>B4 Mixed Use</i>	8.7	16.4
<i>B5 Business Development</i>	11	1.6
<i>R3 Medium Density Residential</i>	0	5.5
<i>SP3 Tourist</i>	0	2.5
<i>RE1 Outdoor Recreation</i>	2.2	2.2
<i>Total</i>	31.4	32.8*

**Includes minor extension of B4 Mixed Use zone over existing R1 zone to rationalise development area*

Part 3 - Justification

Section A – Need for the planning proposal

Q1. Is the planning proposal a result of any strategic study or report?

No, the planning proposal seeks to adapt the provisions of the existing LEP 2008 to the Standard Instrument format while retaining about the same level of development control. Translation of some outcomes related to Council's existing retail policy has resulted in changes proposed to the broader LEP provisions.

The planning proposal is a result of a deferred matter from LEP 2011. The Thrumster Town Centre was deferred from LEP 2011 because the Minister advised Council that clause 6.5 in LEP 2008 could not be carried over into LEP 2011 as the restriction on total retail floor space was considered inconsistent with the Standard Instrument. As such, it is predominantly a matter of transferring or redrafting existing provisions or draft new provisions to achieve the same policy intent rather than a change in Council's established policy position. However, in order to remove the retail cap while addressing the Council's centres hierarchy, it is considered necessary to include an additional local provision related to the B4 Mixed Use Zone. This change will apply to the Mixed Use Zone generally across the Port Macquarie-Hastings area.

The proposed changes take into consideration the aims and objectives of the *North Coast Regional Environmental Plan 1988* and is consistent with the principles expressed in it.

The proposed amendments and controls will continue to implement the *Mid North Coast Regional Strategy* and Council's adopted policy and strategy for the Thrumster Town Centre in a manner consistent with the provisions available under the Standard Instrument.

For further information, a report prepared for Council on the planning proposal's preparation has been attached to this submission.

Q2. Is the planning proposal the best means of achieving the objectives or intended outcomes, or is there a better way?

Yes, the primary objective is to translate existing provisions in LEP 2008 to the Standard Instrument format for inclusion in LEP 2011. A planning proposal is the only means of achieving this objective.

Section B – Relationship to strategic planning framework

Q3. Is the planning proposal consistent with the objectives and actions of the applicable regional or sub-regional strategy?

Yes, as mentioned above, the planning proposal seeks to continue existing policy intent rather than introduce significantly new policy.

The proposal remains consistent with the *North Coast Regional Environmental Plan* (NCREP) and continues to apply the various plan preparation principles as relevant, including:

- the proposal does not involve rural land,
- the proposal is consistent with an urban land release strategy in the form of the Area 13 Thrumster Structure Plan 2006 and subsequent Development Control Plan provisions, and
- the proposal does not significantly reduce existing zonings of land for industrial development.

See Appendix 3 for a response to each of the plan preparation principles of the NCREP.

The proposal also remains consistent with the *Mid North Coast Regional Strategy* in several ways, including:

- It provides for a new local centre within a Future Urban Release Area,
- It applies the Settlement Planning Principles and the Neighbourhood Planning Principles, in particular, the proposed planning proposal seeks to closely align with the area's desired character described in the Town Centre Neighbourhood Provisions,
- It provides for employment in the new centre that will be integrated with transport, public domain and infrastructure opportunities, and
- It facilitates local jobs and recognises appropriate home-based employment opportunities.

Q4. Is the planning proposal consistent with a council's local strategy or other local strategic plan?

Yes, the planning proposal is consistent with Council's *Urban Growth Management Strategy 2011-2031* (UGMS). Section 6.2 of the UGMS identifies Thrumster as an Urban Release Area and a new community of 10,000 people. The Thrumster Town Centre is identified in the Centres Hierarchy 2021 as a Large Village, subordinate to the Greater Port Macquarie CBD and the Town Centres of Wauchope and Laurieton. The planning proposal seeks to facilitate the Centres Hierarchy and development of the Town Centre to an appropriate scale.

Q5. Is the planning proposal consistent with applicable State Environmental Planning Policies?
State Environmental Planning Policy No.22 Shops and Commercial Premises

Yes, the proposal is consistent. No commercial uses are proposed to be prohibited.

North Coast Regional Environmental Plan 1988

Yes, the proposal is consistent. See Appendix 3.

Q6. IS the planning proposal consistent with applicable Ministerial Directions (s.117 directions)?

The relevant s.117 directions are:

S117(2) Direction – title, objectives & what a planning proposal must do	Draft LEP consistency – Council comments
1. Employment and Resources	
1.1 Business and Industrial Zones The objectives of this direction are to: (a) encourage employment growth in suitable locations, (b) protect employment land in business and industrial zones, and (c) support the viability of identified strategic centres. A planning proposal must: (a) give effect to the objectives of this direction, (b) retain the areas and locations of existing business and industrial zones, (c) not reduce the total potential floor space area for employment uses and related public services in business zones, (d) not reduce the total potential floor space area for industrial uses in industrial zones, and (e) ensure that proposed new employment areas are in accordance with a strategy that is approved by the Director-General of the Department of Planning.	CONSISTENT (a) The proposal continues to provide for employment growth in the Thrumster Town Centre. The proposal facilitates employment growth by discouraging low employment density, large format retailing in the mixed use zone, in favour of higher employment density commercial land uses. The additional local controls related to the B4 Mixed Use Zone will further support the hierarchy of centres in Port Macquarie-Hastings by precluding large scale ad hoc retail development where not in a designated centre. (b) The proposal retains the area and location identified for the new Thrumster Town Centre as a local centre within Port Macquarie-Hastings including the additional

S117(2) Direction – title, objectives & what a planning proposal must do	Draft LEP consistency – Council comments
	supporting mixed use precincts as identified in the Thrumster Structure Plan 2006 and subsequent Development Control Plan. (c) The removal of the retail floor space limit in the local centre increases the potential floor space area for retail uses in the Thrumster Town Centre from 7,500m² to about an estimated 12,000m² while having no effect on the total potential floor space area for other employment uses or related public services. This is further balanced by an additional 100 hectares of employment lands being created elsewhere in Port Macquarie-Hastings, at Sancroix Employment Precinct and the Fernbank Creek Road Employment Investigation Area. (d) The proposal does not affect industrial zones. (e) The ultimate size and function of the proposed centre remains consistent with the adopted structure planning for the area, subsequent Urban Growth Management Strategy and development control plan provisions aimed at protecting the viability of the major regional centre of the Port Macquarie CBD.
3. Housing, Infrastructure and Urban Development	
3.1 Residential Zones The objectives of this direction are: (a) to encourage a variety and choice of housing types to provide for existing and future housing needs (b) to make efficient use of existing infrastructure and services and ensure that new housing has appropriate access to infrastructure and services, and (c) to minimise the impact of residential development on the environment and resource lands. A planning proposal must include provisions that encourage the provision of housing that will: (a) broaden the choice of building types and locations available in the housing market, and (b) make more efficient use of existing infrastructure and services, and (c) reduce the consumption of land for housing and associated urban development on the urban fringe, and (d) be of good design. A planning proposal must, in relation to land to which this direction applies: (a) contain a requirement that residential development is not permitted until land is adequately serviced (or arrangements satisfactory to the council, or other appropriate authority, have been made to service it), and (b) not contain provisions which will reduce the permissible residential density of land.	CONSISTENT (a) The proposal encourages a range of housing types within the Thrumster Town Centre including opportunity for higher residential densities, shop top housing and live-work precincts. (b) The proposal includes new zoning adjacent to the local centre to encourage medium density housing in a well serviced location. (c) The proposal helps to facilitate the outcomes of the Thrumster Development Control Plan, a strategically planned response to urban growth in Port Macquarie-Hastings. (d) Detailed urban design provisions are included in the associated Thrumster Town Centre Neighbourhood DCP provisions. (a) The land is adequately serviced. (b) The proposal does not contain provisions to reduce the permissible residential density of land
3.2 Caravan Parks and Manufactured Home Estates The objectives of this direction are: (a) to provide for a variety of housing types, and (b) to provide opportunities for caravan parks and manufactured home estates. In identifying suitable zones, locations and provisions for caravan parks in a planning proposal, the relevant planning authority must: (a) retain provisions that permit development for the	CONSISTENT (a) The proposal encourages a range of housing types within the Thrumster Town Centre including opportunity for higher residential densities, shop top housing and live-work precincts. (b) The proposed R3 Zone permits caravan parks and manufactured housing estates.

S117(2) Direction – title, objectives & what a planning proposal must do	Draft LEP consistency – Council comments
purposes of a caravan park to be carried out on land, and (b) retain the zonings of existing caravan parks, or in the case of a new principal LEP zone the land in accordance with an appropriate zone under the Standard Instrument (Local Environmental Plans) Order 2006 that would facilitate the retention of the existing caravan park.	(a) Not applicable (b) Not applicable
3.3 Home Occupations The objective of this direction is to encourage the carrying out of low-impact small businesses in dwelling houses. Planning proposals must permit home occupations to be carried out in dwelling houses without the need for development consent.	CONSISTENT Home based child care and home occupations are permitted without consent in the R3, B2 and B4 zones. The proposal does not change the land use table for home occupations.
3.4 Integrating Land Use and Transport The objective of this direction is to ensure that urban structures, building forms, land use locations, development designs, subdivision and street layouts achieve the following planning objectives: (a) improving access to housing, jobs and services by walking, cycling and public transport, and (b) increasing the choice of available transport and reducing dependence on cars, and (c) reducing travel demand including the number of trips generated by development and the distances travelled, especially by car, and (d) supporting the efficient and viable operation of public transport services, and (e) providing for the efficient movement of freight. A planning proposal must locate zones for urban purposes and include provisions that give effect to and are consistent with the aims, objectives and principles of: (a) <i>Improving Transport Choice – Guidelines for planning and development</i> (DUAP 2001), and (b) <i>The Right Place for Business and Services – Planning Policy</i> (DUAP 2001).	CONSISTENT (a) The Planning Proposal locates business and residential zones to facilitate an efficient new urban area including walking and cycle ways, bus routes, and retail shops to service the local community and local employment land.
4. Hazards and Risk	
4.1 Acid Sulfate Soils The objective of this direction is to avoid significant adverse environmental impacts from the use of land that has a probability of containing acid sulphate soils.	CONSISTENT The proposal brings existing mapped regions of probable Acid Sulfate Soils from the Thrumster LEP into the LEP 2011 without alteration. The LEP 2011 includes provisions to address the Acid Sulfate Soils risk on the site.
4.3 Flood Prone Land The objectives of this direction are: (a) to ensure that development of flood prone land is consistent with the NSW Government's Flood Prone Land Policy and the principles of the <i>Floodplain Development Manual 2005</i>, and (b) to ensure that the provisions of an LEP on flood prone land is commensurate with flood hazard and includes consideration of the potential flood impacts both on and off the subject land.	CONSISTENT The proposal brings existing mapped regions of flood prone land from the Thrumster LEP into the LEP 2011 without significant alteration. The LEP 2011 includes provisions to address flood prone land.
4.4 Planning for Bushfire Protection The objectives of this direction are: (a) to protect life, property and the environment from bush fire hazards, by discouraging the establishment of incompatible land uses in bush fire prone areas, and (b) to encourage sound management of bush fire prone areas.	CONSISTENT The Thrumster Town Centre does not contain areas of bushfire prone land. Zoning and DCP provisions are in place to manage bush fire hazards in adjacent areas.

S117(2) Direction – title, objectives & what a planning proposal must do	Draft LEP consistency – Council comments
5. Regional Planning	
5.1 Implementation of Regional Strategies The objective of this direction is to give legal effect to the vision, land use strategy, policies, outcomes and actions contained in regional strategies. Planning proposals must be consistent with a regional strategy released by the Minister for Planning.	CONSISTENT The area is within an agreed growth area under the Mid North Coast Regional Strategy, released by the Minister for Planning in March 2009. The proposal is consistent in several ways, including: • It provides for a new local centre within a Future Urban Release Area, • It applies the Settlement Planning Principles and the Neighbourhood Planning Principles, in particular, the proposed planning proposal seeks to closely align with the area's desired character described in the Town Centre Neighbourhood Provisions, • It provides for employment in the new centre that will be integrated with transport, public domain and infrastructure opportunities, and • It facilitates local jobs and recognises appropriate home-based employment opportunities.
6. Local Plan Making	
6.1 Approval and Referral Requirements The objective of this direction is to ensure that LEP provisions encourage the efficient and appropriate assessment of development.	CONSISTENT No new referral requirements are proposed.
6.2 Reserving Land for Public Purposes The objectives of this direction are: (a) to facilitate the provision of public services and facilities by reserving land for public purposes, and (b) to facilitate the removal of reservations of land for public purposes where the land is no longer required for acquisition. A planning proposal must not create, alter or reduce existing zonings or reservations of land for public purposes without the approval of the relevant public authority and the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General).	CONSISTENT The Planning Proposal carries forward identification of land for public open space and community facilities and as such does not create, alter or reduce existing zonings or reservations. Acquisition of land is through a VPA with the developer that was finalised at the time of making of the Area 13 Thrumster LEP 2008. No change is proposed to these arrangements.

Section C – Environmental, social and economic impact

Q7. Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected as a result of the proposal?

Not applicable. The planning proposal does not introduce a significant change to current environmental impacts from land use.

Q8. Are there any other likely environmental affects as a result of the planning proposal and how are they proposed to be managed?

As for Q7.

Q9. Has the planning proposal adequately addressed any social and economic effects?

The planning proposal does not introduce changes that could result in new social effects. It may have economic effects as it seeks to implement Council's retail policy. The Retail Hierarchy in Port Macquarie Hastings aims to support the viability of the Port Macquarie CBD, which functions as a major town centre. In developing the planning proposal, Council has met with the developer and referred to earlier advice from Hill PDA before adopting the provisions in this Planning Proposal.

Council previously engaged Hill PDA in the drafting of the Area 13 Thrumster LEP to ensure that the Thrumster Town Centre did not have an impact on the Port Macquarie Hastings retail hierarchy (**Appendix 4**).

Hill PDA assessed the appropriate size for the Thrumster Town Centre in terms of retail floor space, having regard to its function as a “village” centre serving around 10,000 people, as 7,100m² gross lettable area (GLA). This is based on 2.15m² of retail space per person (Australian average) and a distribution of spending based on 30% within the Thrumster Town Centre to ensure no impacts on the retail hierarchy. Hill PDA conclude that the optimal size of Thrumster Town Centre when fully developed is 8,000m² of lettable shop front space, with up to 12,000m² being tolerable, while 15,000m² is likely to impact the retail hierarchy.

Hill PDA also considered the impact of a discount department store being located within Thrumster and formed the view that such a development would result in a total retail floor area of 15,000m² to 20,000m² in Thrumster Town Centre. A centre of this size would be a significant increase and would be targeting a larger trade area which could only be at the expense of the Port Macquarie CBD.

Hill PDA also formed the view that the provision of potentially 8,400m² of bulky goods retail floor space would have minimal impact on centres and the retail hierarchy.

In summary, the Planning Proposal:

- continues to provide for the growth in retail and commercial space to meet growth in demand generated by population and household growth,
- protects the integrity and viability of existing centres to the extent that they perform a valuable community function,
- achieves the right level of shop front retail and commercial floor space, as an undersupply undermines providing residents with the widest range of shopping services and an oversupply results in higher vacancies, low rents, neglect of retail centres, inefficient use of land and other resources and low quality of shopping centres.

It is considered the Planning Proposal has addressed social and economic effects.

There are no other significant financial or economic implications to be considered, as the Planning Proposal is primarily a translation of the existing controls into PMH LEP 2011.

Section D - State and Commonwealth interests

Q.10 Is there adequate public infrastructure for the planning proposal?

Comprehensive planning for the provision of water and sewer infrastructure for Thrumster was completed prior to the making of Area 13 Thrumster LEP 2008. The trunk sewer main is now available to the area. Adequate water supply capacity exists for the short term and planning is in place to extend and augment supply as demand grows within Thrumster.

John Oxley Drive and the signalised intersection at Main Street is adequate in the medium term to service the Thrumster Town Centre. Detailed traffic planning and road infrastructure provision was completed prior to the making of Area 13 Thrumster LEP 2008.

The augmentation of electricity supply was also addressed prior to the making of Area 13 Thrumster LEP 2008.

Q11. What are the views of State and Commonwealth public authorities consulted in accordance with the Gateway determination?

[to be completed following gateway determination – no government authorities likely to be affected by the Planning Proposal as it only seeks to translate the existing zones and development provisions into PMH LEP 2011.

Part 4 - community consultation

The proposal is considered to be low impact given the following:

- the proposal is consistent with the existing zoning and land use expectations for the new centre and the objectives of the Mixed Use Zone,
- the proposal is consistent with the strategic planning framework,
- the proposal presents no issues with regard to infrastructure servicing,
- the proposal is not a principal LEP, and
- the proposal does not reclassify public land.

Consultation in accordance with the Council's Public Consultation Policy is proposed for the site. The proposed consultation strategy for this proposal will be:

- Exhibition in a locally circulating newspaper.
- Notification of those landowners adjoining the site.

Part 5 - Project timeline

The proposal is anticipated to follow the project timeline below.

Stage	Oct 2013	Nov	Dec	Jan 2014	Feb	Mar	Apr	May	June	Jul	Aug	Sept 2014
Gateway application												
Assessment												
LEP Review Panel												
Gateway determination												
Consultation												
Post exhibition review												
Legal drafting of LEP												
Making of the draft LEP												
Notification												

Appendices:

Appendix 1

Evaluation criteria for the delegation of plan making functions

Appendix 2

Sheet 1 – Proposed Zones (Sheet LZN_013D)
Sheet 2 – Proposed Minimum Lot Size (Sheet LSZ_13D)
Sheet 3 – Proposed Floor Space Ratio a (Sheet FSR_13D)
Sheet 4 – Proposed Height of Buildings (Sheet HOB_13D)
Sheet 5 – Proposed Urban Release Area (Sheet URA_013D)
Sheet 6 – Proposed amendment to Acoustic Controls Map (Sheet CL1_013D)
Sheet 7 – Proposed amendment to Acid Sulfate Soils Map (Sheet ASS_013D)
Sheet 8 – Proposed amendment to Flood Planning Map (Sheet FLD_013D)
Sheet 9 – Proposed amendment to Additional Permitted Uses Map (Sheet APU_013D)
Sheet 10 – Proposed amendment to Land Reservation Acquisition Map (Sheet LRA_013D)
Sheet 11 – Proposed amendment to Land Application Map (Sheet LAP_013D)

Appendix 3

Assessment against North Coast Regional Environmental Plan

Appendix 4

Hill PDA Assessment, 15 June 2012