

(FUTURE) PUBLIC EXHIBITION DATES

(Start) to (Finish)

Planning Proposal under section 55 of the EP&A Act

**Draft Port Macquarie-Hastings LEP 2011
(Amendment No *)**

**Proposed rezoning of land
Town Square - Road Reserve
Horton Street Port Macquarie**

PMHC ref: PP2017 - 9.1
DP&E ref: PP_2017_PORTM_*
Date: 27/11/2017



Planning Proposal status (for this copy)

Stage	Version Date (blank until achieved)
Reported to Council (section 55)	15/11/2017
Referred to Dept of Planning (sec 56 (1))	4/12/2017
Gateway Panel determination (sec 56 (2))	
Revisions required: Yes/No. Completed	
Public Exhibition (where applicable) (sec 57)	
For Council review (sec 58 (1))	
Adopted by Council for final submission to Dept of Planning (sec 58 (2))	

Council reference: PP2017 - 9.1

(Amendment No will initially be blank) Port Macquarie-Hastings LEP 2011 (Amendment No *)

Department of Planning & *

Environment reference:

Council Address

Port Macquarie-Hastings Council
PO Box 84
PORT MACQUARIE NSW 2444

Contact Officer

Tony Blue
Planning Consultant
Email tony.blue@pmhc.nsw.gov.au
Phone 6581 8111

Adoption of the Planning Proposal

1. For initial Gateway determination

This Planning Proposal was endorsed on 04/12/2017 by the undersigned Council delegate:

Signed 

Name Peter Cameron

Position Group Manager Strategic Land Use Planning

2. For section 58 finalisation

This Planning Proposal was endorsed on by Port Macquarie-Hastings Council, or the undersigned Council delegate (delete one):

Signed

Name

Position

Executive Summary & Exhibition information

(Details to be included prior to Exhibition)

Planning Proposal

This is a planning proposal to rezone the Town Square, Horton Street Port Macquarie from RE1 Public Recreation to B3 Commercial Core.

What is a planning proposal?

A planning proposal is a document that is prepared by a Council when it is intended to make changes to a local environmental plan and it sets out the justification for the proposed changes. It is used and read by a wide audience including government agencies responsible for deciding whether the proposed changes should proceed, as well as the general community.

Preparation of a planning proposal is the first step in preparing to make changes to the local environmental plan. This proposal is set out in the manner required by the state government and it contains information required by the state government when Council's prepare changes to their local environmental plans.

What is the intent of this planning proposal?

The intent of this planning proposal is to amend Port Macquarie-Hastings Local Environmental Plan 2011 to change the zone of the new Town Square that is located within the Horton Street road reserve to allow outdoor dining areas associated with adjoining pub development within the B3 zone.

The normal mechanism for making changes to our local environmental plan (LEP) is to prepare a 'Planning Proposal' and an amending LEP that will replace the relevant sections of text and or maps in the principle LEP for an area.

The planning proposal will be publicly exhibited for a period that is set out in the document. Hard copies of this planning proposal will be available for the duration of the specified exhibition period at Council's offices between 8.30am and 4.30pm on normal business days. The planning proposal will also be available on Council's website:

www.pmhc.nsw.gov.au

Agencies and the general public can comment on the planning proposal during the exhibition period. All comments received during the exhibition period will be reported to Council for a final decision. Note that any submission may be made public.

Written submission can be made using the tab below or send your submission by email or post to:

The General Manager
Port Macquarie-Hastings Council
PO Box 84
Port Macquarie NSW 2444
Email council@pmhc.nsw.gov.au

For any enquiries relating to the planning agreement, please contact Leanne Fuller on 6581 8111 or via email leanne.fuller@pmhc.nsw.gov.au

Table of Contents

Planning Proposal	1
Background	1
Part 1 - Objectives or Intended Outcomes.....	2
Part 2 - Explanation of Provisions.....	4
Part 3 – Justification.....	5
Section A - Need for the planning proposal.	5
Section B - Relationship to strategic planning framework.....	5
Section C - Environmental, social and economic impact.	7
Section D - State and Commonwealth interests.....	7
Part 4 – Mapping.....	9
Part 5 – Community Consultation	10
Part 6 – Project Timeline	11

Planning Proposal

This is a Planning Proposal prepared under section 55 of the *Environmental Planning and Assessment Act 1979*, in relation to a proposed amendment to *Port Macquarie-Hastings Local Environmental Plan* (PMHLEP) 2011. It will be assessed by Port Macquarie-Hastings Council, the NSW Department of Planning and Environment and used for public participation on the proposed LEP amendment.

Background

Proposal	Rezoning of land
Property Details	Road Reserve, Horton Street Port Macquarie
Current Land Zone	RE1 Public Recreation
Applicant Details	Port Macquarie Hastings Council
Land owner	Port Macquarie Hastings Council

This section of the planning proposal will be updated prior to public exhibition.

Part 1 - Objectives or Intended Outcomes

The intended outcome of this planning proposal is to allow outdoor dining areas within the Port Macquarie town Square, associated with adjoining pub development within the B3 zone.

The site is contained within the existing public road reserve and adjoins the B3 Commercial Core zone on its eastern, southern and western sides.

Figure 1 below shows the location of the site in context of the Port Macquarie Town Centre. The plan at Figure 2 shows the location of the site in relation to existing zoned land in the immediate surrounding area.



Figure 1: Locality context

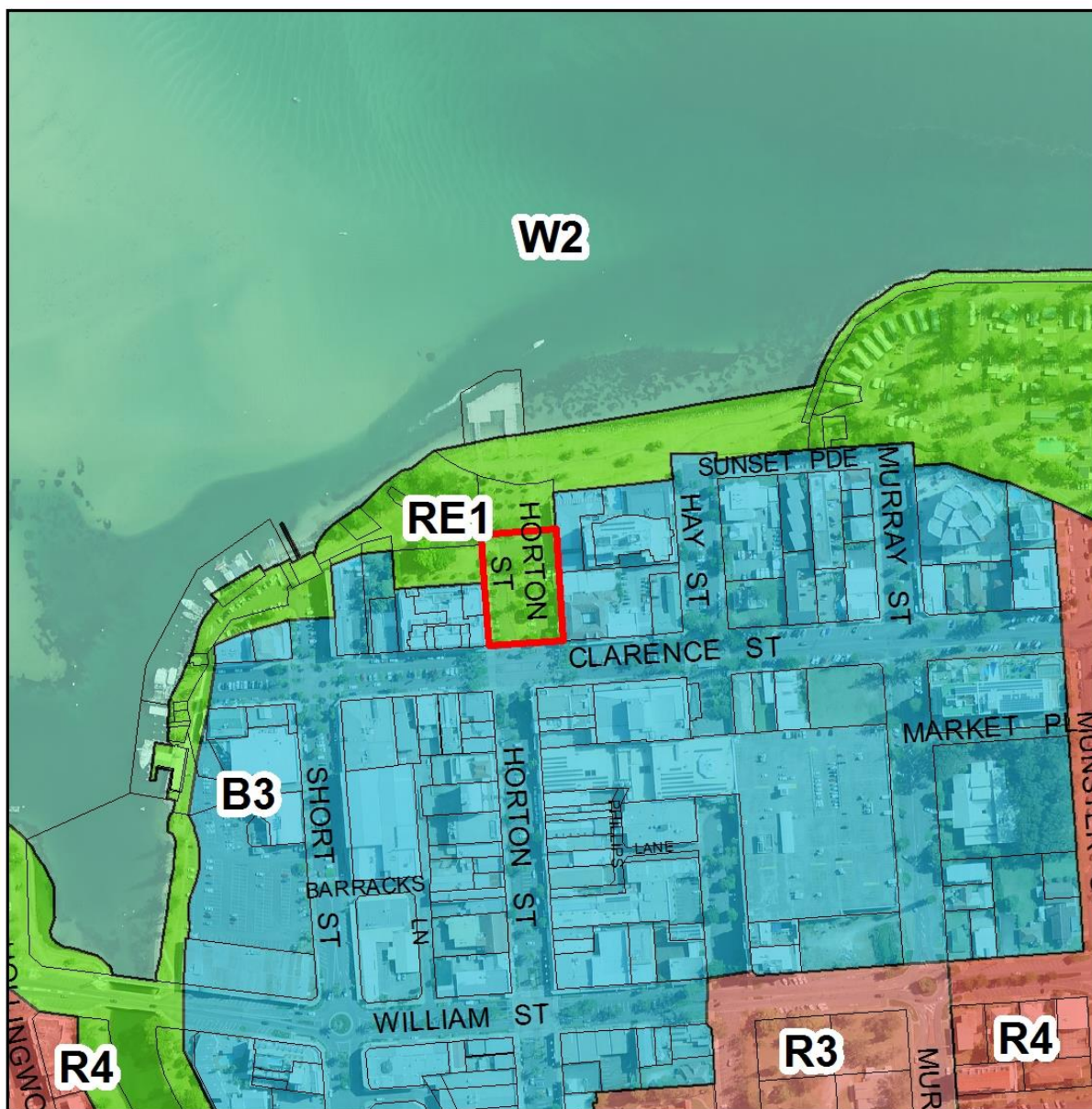
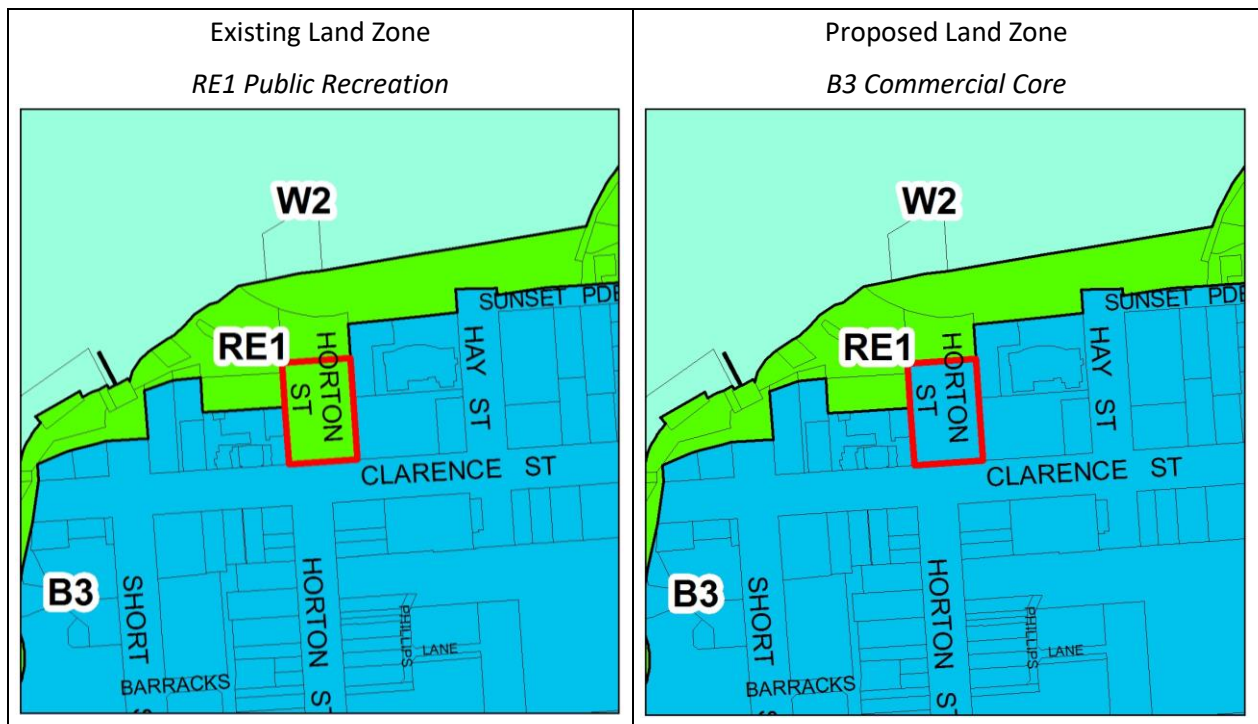


Figure 2: Site context

The intended outcomes are proposed to be achieved by making the following changes to Council's principle planning instrument, *Port Macquarie-Hastings Local Environmental Plan (PMHLEP) 2011*:



Part 3 – Justification

Section A - Need for the planning proposal.

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

Over the last 20 years the streetscape and landscape in the CBD have been upgraded significantly due to the implementation of the Town Centre Master Plan (TCMP) which outlines improvements throughout the town.

The 2013 review of the TCMP identified the northern end of Horton Street as an opportunity to create a Town Square that could enliven the streets, draw people through to the Town green and waterfront and be a gathering space for visitors and residents.

Significant community engagement occurred in 2014 to understand the community wishes for this area. These comments have been taken into account in the development of the Town Square Redevelopment.

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

The UGMS aims to promote coordinated growth in proposed urban release areas, on land that is suitable for development, having regard to environmental, resource and hazard constraints.

In particular, the UGMS provides that Port Macquarie (as one of the four major regional centres on the Mid North Coast) will be promoted as the focus of settlement, employment and regional services.

The UGMS also identifies the establishment of an entertainment precinct in the Port Macquarie Town Centre as an important initiative of Council. The concept involves the integration of entertainment and cultural activities in the Glasshouse and surrounding area, including activities in the Glasshouse forecourt, dining and street performance spaces, market activities and display areas and a wide variety of community and tourist oriented activities. The aim is to maximise the benefit to the local economy by creating a vibrant centre and create a centre piece for Port Macquarie tourism.

The Town Square Redevelopment and the planning proposal supports this initiative.

It is considered the planning proposal, and proposed zone change is the best way to achieve the objectives of the UGMS.

Section B - Relationship to strategic planning framework.

3. Is the planning proposal consistent with the objectives and actions of the North Coast Regional Plan 2036 (NCRP).

Goal 1 The most stunning environment in NSW

Direction 1: The delivery of environmentally sustainable growth.

Action 1.1: “Focus future urban development in mapped urban growth areas.

Response

The site is within the mapped urban growth area.

Goal 2 A thriving, interconnected economy

Direction 6: Develop successful centres of employment

Action 6.4 Focus retail and commercial activities in existing centres and develop place-making focused planning strategies for centres.

Response

The Town Square Redevelopment will assist in focusing retail and commercial activity in the existing Port Macquarie commercial centre.

4. Is the planning proposal consistent with Council's Community Strategic Plan and Urban Growth Management Strategy 2010 – 2031?

The PMHC Towards 2030 Community Strategic Plan 2017 (CSP) identifies the following overarching vision of the community:

A sustainable high quality of life for all.

Objective 4 of CSP is "A connected, sustainable, accessible community and environment that is protected now and into the future.

Key strategies include:

4.5 Plan for integrated and connected communities across the Port Macquarie-Hastings area

The 2017-2021 Delivery Plan and Operational Plan provides Objective 4.5.1 Carry out strategic planning to manage population growth and provide for co-ordinated urban development. Actions include the implementation of high priority actions under the UGMS.

The planning proposal will allow promotion of Port Macquarie as the focus of settlement and will support the initiative creating a vibrant centre and a centre piece for Port Macquarie tourism, consistent with the objectives of the UGMS.

5. Is the planning proposal consistent with applicable State Environmental Planning Policies?

There are no State Environmental Planning Policies (SEPPs) of particular relevance to this planning proposal.

6. Is the planning proposal consistent with applicable Ministerial Directions (s.117 directions)?

An assessment of consistency with Ministerial Directions of relevance is below.

1. Employment and Resources

<i>S117 Direction</i>	<i>Consistent</i>	<i>Reason for inconsistency or comment</i>
No 1.1 – Business and Industrial Zones	Yes	<p><i>The objectives of this direction are to:</i></p> <p><i>(a) encourage employment growth in suitable locations,</i></p> <p><i>(b) protect employment land in business and industrial zones, and</i></p> <p><i>(c) support the viability of identified centres.</i></p> <p>The proposal is consistent with these objectives.</p>

2. Environment and Heritage

None relevant.

3. Housing, Infrastructure and Urban Development

None relevant.

4. Hazard and Risk

None relevant.

5. Regional Planning

<i>S117 Direction</i>	<i>Consistent</i>	<i>Reason for inconsistency or comment</i>
5.10 - Implementation of Regional Plans	Yes	<i>The objective of this direction is to give legal effect to the vision, land use strategy, goals, directions and actions contained in Regional Plans.</i> The planning proposal is consistent with the North Coast Regional Plan 2036. The site is within the mapped urban growth area.

6. Local Plan Making

<i>S117 Direction</i>	<i>Consistent</i>	<i>Reason for inconsistency or comment</i>
No 6.1 - Approval and Referral Requirements	Yes	<i>The objective of this direction is to ensure that LEP provisions encourage the efficient and appropriate assessment of development.</i> The proposal is consistent with this direction.

Section C - Environmental, social and economic impact.

7. 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?

The site is within a developed urban environment and will not impact any threatened species or habitat.

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

There are no significant environmental effects as a result of the planning proposal.

9. How has the planning proposal adequately addressed any social and economic effects?

The proposal will enable the approval of al fresco dining areas within the Town Square. These uses have been identified through community consultation as a key outcome to be achieved by the Town Centre Master Plan.

Section D - State and Commonwealth interests.

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

All public infrastructure facilities are available to the site.

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

Should the proposal be supported, the Department of Planning and Environment's gateway determination will specify consultation requirements.

This section of the planning proposal will be updated prior to public exhibition.

Part 4 – Mapping

Proposed map amendments to PMHLEP 2011 are described in Part 2 of this planning proposal.

Part 5 – Community Consultation

It is proposed to undertake community consultation for 28 days including notification in a local newspaper and written notification to adjoining landowners. In addition, the exhibition material will be available on Council's website and at the Port Macquarie Administration building for the duration.

To assist the community in understanding Council's financial interests in the proposal, certain requirements are summarised in Best Practice Guideline: LEPs and Council Land (DUAP 2007). A copy of Council's response to these requirements, together with a copy of the practice note is required to be part of the material displayed during public exhibition of the planning proposal. Council's response is contained in the attached document: Statement of Council's Interest.

This section of the planning proposal will be updated following public exhibition.

Part 6 – Project Timeline

This project timeline is based on anticipated dates and timeframes, though there can be unexpected delays.

Planning proposal process outline	2018							
	J	F	M	A	M	J	J	A
Commencement (date of Gateway determination)	X							
Timeframe for the completion of required additional information		X						
Timeframe for government agency consultation (pre and post exhibition as required by Gateway determination)			X					
Commencement and completion dates for public exhibition period				X				
Dates for public hearing (if required)								
Timeframe for consideration of submissions					X			
Timeframe for the consideration of a proposal post exhibition					X			
Date of submission to the department to finalise the LEP						X		
Date Council will make the plan (if delegated)								X
Date Council will forward to the department for notification								X