



IRF25/125

Gateway determination report – PP-2023-2079

Thrumster Business Park

February 25



Published by NSW Department of Planning, Housing and Infrastructure

dpie.nsw.gov.au

Title: Gateway determination report – PP-2023-2079

Subtitle: Thrumster Business Park

© State of New South Wales through Department of Planning, Housing and Infrastructure 2025. You may copy, distribute, display, download and otherwise freely deal with this publication for any purpose, provided that you attribute the Department of Planning, Housing and Infrastructure as the owner. However, you must obtain permission if you wish to charge others for access to the publication (other than at cost); include the publication in advertising or a product for sale; modify the publication; or republish the publication on a website. You may freely link to the publication on a departmental website.

Disclaimer: The information contained in this publication is based on knowledge and understanding at the time of writing (February 25) and may not be accurate, current or complete. The State of New South Wales (including the NSW Department of Planning, Housing and Infrastructure), the author and the publisher take no responsibility, and will accept no liability, for the accuracy, currency, reliability or correctness of any information included in the document (including material provided by third parties). Readers should make their own inquiries and rely on their own advice when making decisions related to material contained in this publication.

Acknowledgment of Country

The Department of Planning, Housing and Infrastructure acknowledges the Traditional Owners and Custodians of the land on which we live and work and pays respect to Elders past, present and future.

Contents

1	Planning proposal.....	1
1.1	Overview	1
1.2	Objectives of planning proposal.....	1
1.3	Explanation of provisions.....	2
1.4	Site description and surrounding area	2
1.5	Mapping	4
2	Need for the planning proposal	7
3	Strategic assessment	8
3.1	Regional Plan	8
3.2	Regional City Action Plan for Port Macquarie	9
3.3	Industrial Lands Action Plan	9
3.4	Local.....	10
3.5	Section 9.1 Ministerial Directions.....	11
3.6	State environmental planning policies (SEPPs)	12
4	Site-specific assessment	12
4.1	Environmental	12
4.2	Social and economic	16
4.3	Infrastructure	18
5	Consultation.....	18
5.1	Community	18
5.2	Agencies	19
6	Timeframe	19
7	Local plan-making authority	19
8	Assessment summary.....	19
9	Recommendation.....	19

Table 1 Reports and plans supporting the proposal

Relevant reports and plans
Concept Plan
Flooding Assessment

Height Limits Constraints Plan

Strategic Bushfire Study

Noise Impact Assessment

Transport Impact Assessment

Employment Land and Economic Impact Assessment

Aboriginal Cultural Heritage Assessment

1 Planning proposal

1.1 Overview

Table 2 Planning proposal details

LGA	Port Macquarie-Hastings
PPA	Port Macquarie-Hastings Council
NAME	To rezone certain lands in the Thrumster Business Park to E3 Productivity Support and amend Schedule 1 to permit shop top housing and serviced apartments with consent
NUMBER	PP-2023-2079
LEP TO BE AMENDED	Port Macquarie-Hastings LEP 2011
ADDRESS	Integrity Circuit, Achievement Avenue and Vision Street, Thrumster
DESCRIPTION	Part of Lot 100, Lots 101 – 128 and Lots 133, 134 and 135 DP 1304965 and associated road reserves
RECEIVED	18/12/2024
FILE NO.	EF24/19012
POLITICAL DONATIONS	There are no donations or gifts to disclose and a political donation disclosure is not required
LOBBYIST CODE OF CONDUCT	There have been no meetings or communications with registered lobbyists with respect to this proposal

1.2 Objectives of planning proposal

The planning proposal contains objectives and intended outcomes that adequately explain the intent of the proposal.

The objectives of the planning proposal are to:

- rezone approximately 5.5 hectares of the Thrumster Business Park from E4 General Industrial to E3 Productivity Support; and
- include shop top housing and serviced apartments in Schedule 1 Additional Permitted Uses in Precincts A and B of the subject site (Figure 1).

The objectives of this planning proposal are clear and adequate.

It is a recommendation of this report as discussed in further detail below that the proposed inclusion of shop top housing and serviced apartments as additional permitted uses is not supported and that they be removed from the planning proposal.

1.3 Explanation of provisions

The planning proposal seeks to amend the Port Macquarie-Hastings LEP 2011 per the changes below:

Table 3 Current and proposed controls

Control	Current	Proposed
Zone	E4 General Industrial	E3 Productivity Support
Maximum height of the building	0m	No change proposed
Floor space ratio	N/A	No change proposed
Minimum lot size	1000m ² and 450m ²	No change proposed
Schedule 1 Additional Permitted Uses	None currently apply to the site	Shop top housing and serviced apartments with consent in two areas of the subject site.

The planning proposal contains an explanation of provisions that adequately explains how the objectives of the proposal will be achieved. As discussed above, the explanation of provisions will also need to be amended prior to agency and community consultation to remove the proposed additional permitted uses which are not supported.

1.4 Site description and surrounding area

The subject site is located in the Thrumster Business Park. It comprises 32 constructed and serviced lots (Figure 1) which are all zoned E4 General Industrial.

The land is part of a larger staged subdivision approved in 2015 by Port Macquarie-Hastings Council for 207 residential and 63 industrial lots.

The site is located to the south of the Port Macquarie Airport and has environmental zoned land to the east and west and residential zoned land to the south (Figure 2).



3

Figure 1 Subject site (source: Planning Proposal)



Figure 2 Site context (source: Nearmap - image Nov 2024)

1.5 Mapping

The planning proposal includes a map showing the proposed land zone and the areas where the additional permitted uses are intended to be permitted. Prior to exhibition, the planning proposal will need to be updated to include existing and proposed Land Zoning Maps to assist with interpretation of the planning proposal. In addition, it is recommended the proposed Land Zoning Map shows the current and proposed zoning of the road reserves.

The planning proposal will also need to be updated to remove the additional permitted uses map which is not supported to proceed.

Figures 3 and 4 show the current and proposed zoning of the subject site.

Figures 5 and 6 show the current and proposed Additional Permitted Uses map for the subject site.

Mapping consistent with the Standard Technical Requirements will need to be prepared before the making of the LEP amendment.

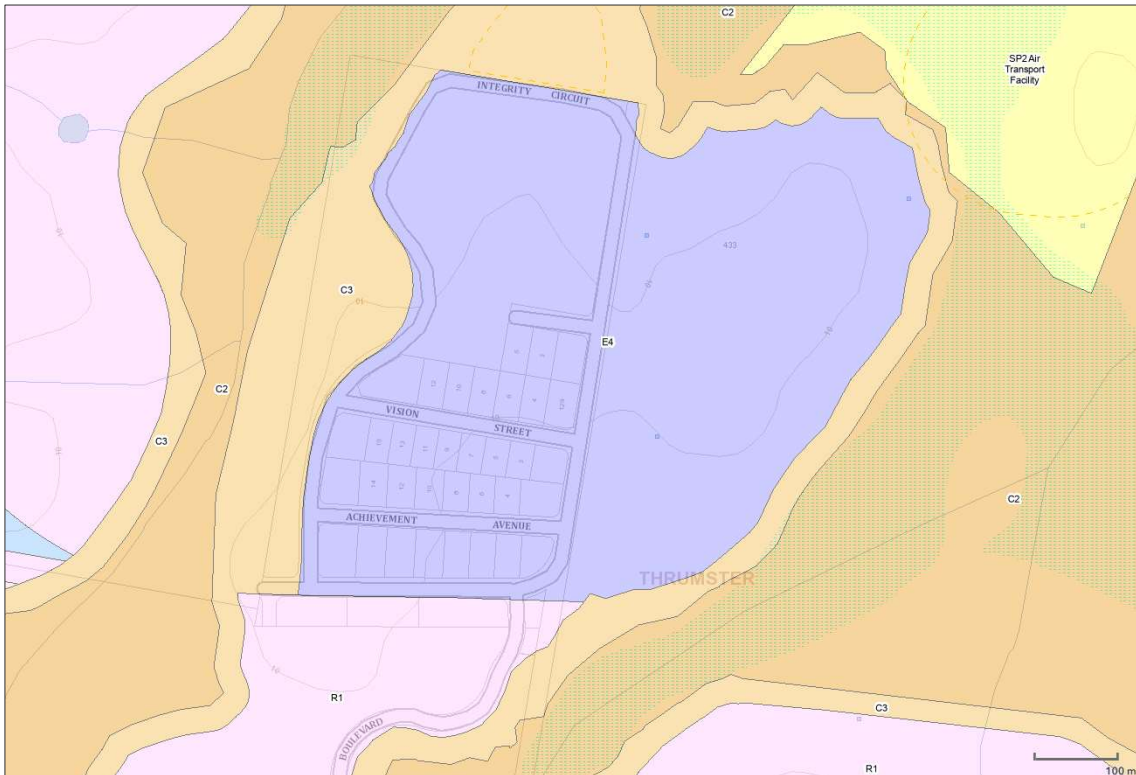


Figure 3 Current zoning map (source: NSW Planning Portal Spatial Viewer)

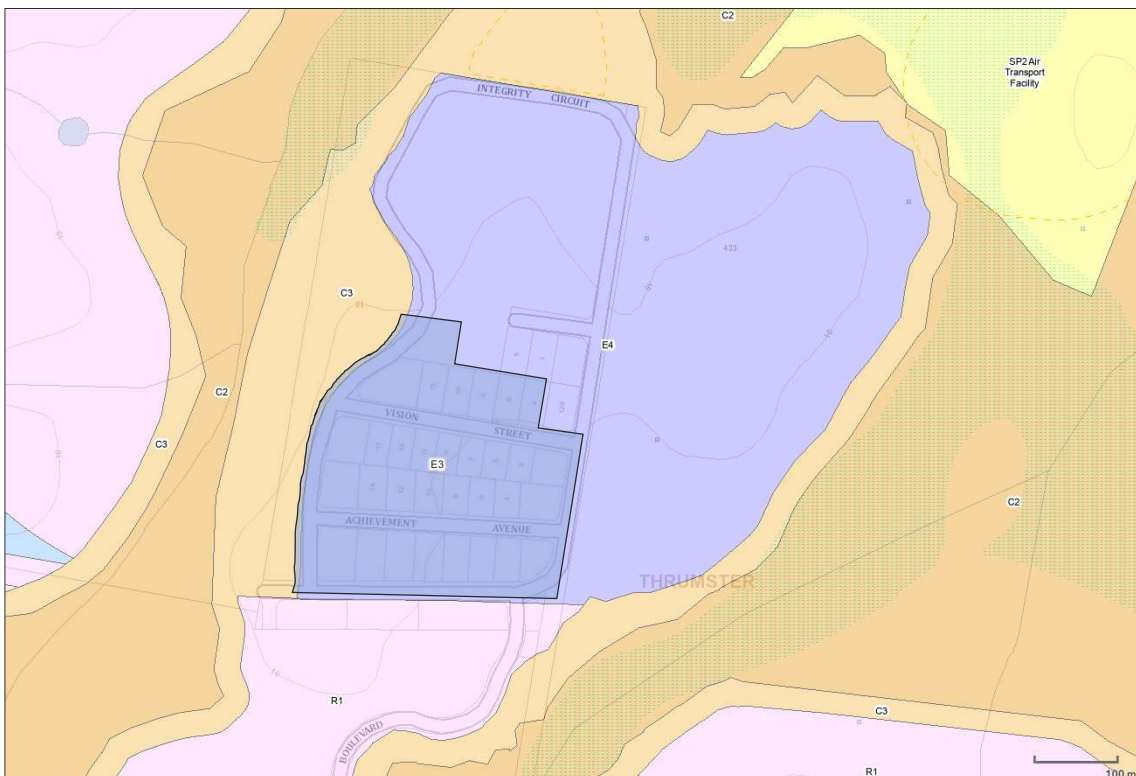


Figure 4 Proposed zoning map (source: NSW Planning Portal Spatial Viewer – edited with approximate location of proposed E3 Zone)



Figure 5 Current Additional permitted uses map (PMH LEP 2011)

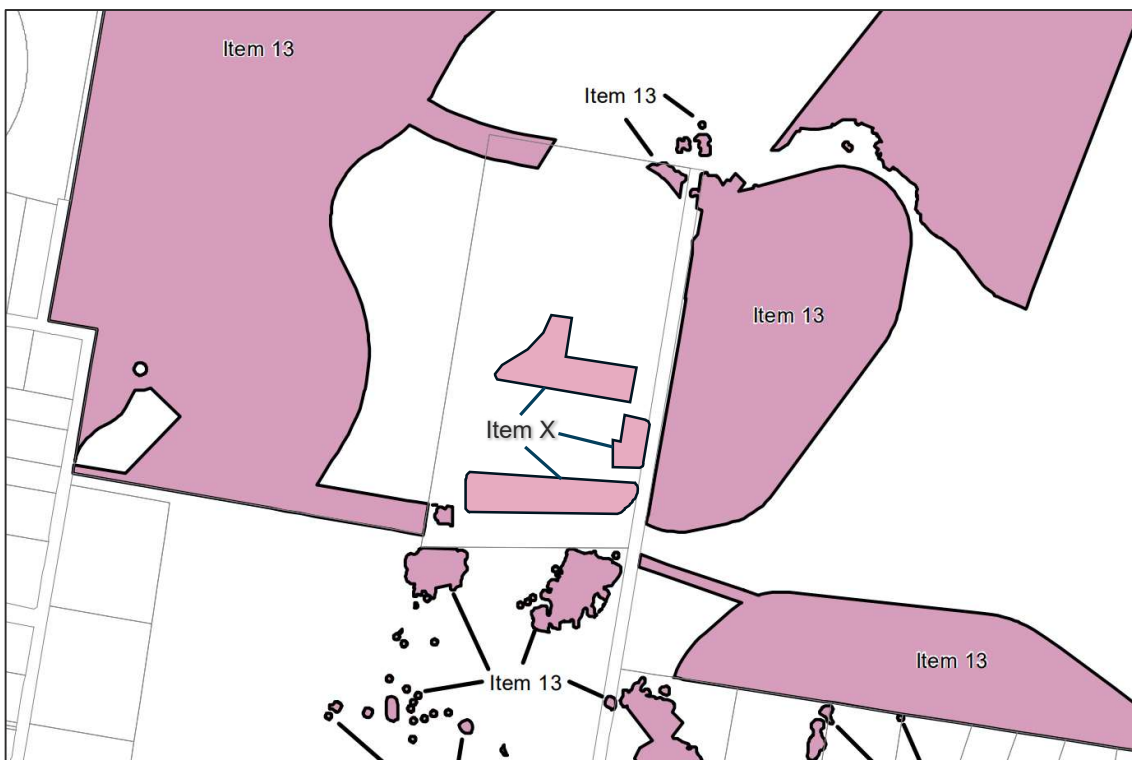


Figure 6 Proposed Additional permitted uses map (source: PMH LEP 2011 – edited with approximate location of proposed Additional permitted uses)

2 Need for the planning proposal

The planning proposal is a proponent-initiated proposal. It is not the outcome of a Council led strategic planning process or an action within an existing approved Local Strategic Planning Statement or employment strategy. The need for the proposal has arisen due to the proponent's desire to address what they believe are changing demands and needs in employment lands while providing housing close to employment opportunities.

The proponent has identified anecdotal demand for high tech industries, sites for incubator businesses, manufacturers such as artisan food and drink industries as well as medical centres and associated research opportunities given the proximity to the Health & Education Precinct currently centred around the Port Macquarie Base Hospital and the Charles Sturt University.

The proponent considers an E3 Productivity Support zoning and the proposed Additional Permitted Uses will provide for a fuller range of land uses to service this demand.

The change in zoning to E3 is considered appropriate and reflective of the original strategic intent for the area under its previous zoning of IN2 Light Industrial (prior to being changed to E4 General Industrial under the Department's Employment Zone Reform Program).

While the planning proposal identifies the provision of shop top housing (a form of residential accommodation) and serviced apartments (a form of tourist and visitor accommodation) will facilitate diversity in housing, it does not provide sufficient evidence of the strategic need or site merit for these types of accommodation in this area.

In regard to strategic need, it is noted that Council's recently completed local housing strategy:

- identified that it had existing capacity for an additional 9,613 dwellings within undeveloped zoned areas of the LGA (with much of this is within the adjoining Thrumster locality);
- identified potential for another 7,500 dwellings in other areas that could be rezoned across the LGA; and
- infill development should be focussed to key precincts such as the City Heart, East Port and the Health and Education Precinct (Figure 7) to maintain local character and that these areas have an estimated potential capacity for an additional 4,000 dwellings.

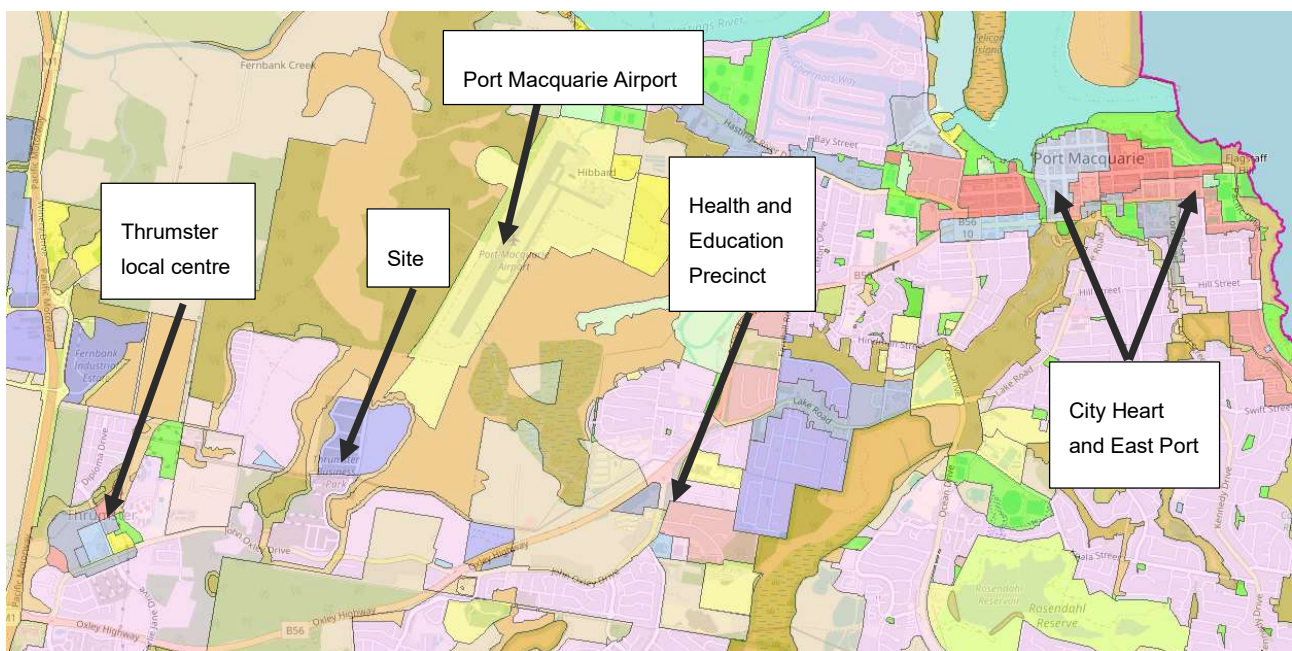


Figure 7 Locality and Zoning Context (source: DPHI Map viewer)

The Department's 2024 Population and Implied Dwelling Projections identify the need for 6,743 additional dwellings for the LGA between 2021-2041. The local housing strategy therefore confirms that sufficient dwelling supply is already available to meet expected demand and no evidence has been provided on the need to permit residential and tourist accommodation that could result in land use conflict in employment lands that are relatively isolated from key amenities and services. It is noted that the strategy even caters sufficiently for Council's aspirational target of 16,000 dwellings by 2046.

In regard to the site merits of permitting residential and tourist accommodation:

- Port Macquarie Airport have already raised concerns with the proposed residential and tourist accommodation component of the proposal due to the site's location at the southern end of airport runway, and the introduction of such noise sensitive land uses that may jeopardise the future operation of this key piece of transport infrastructure;
- the proposed 'scattering' of the residential and tourist accommodation across the precinct (Figure 1) is expected to promote the likelihood of land use conflict and appears to have been based on current land ownership patterns rather than any strategic analysis;
- reduces potential employment land capacity contrary to the primary use of the land; and
- the land is not located within one of Port Macquarie's existing or emerging centres and is therefore relatively isolated from other urban services and amenities.

Permitting residential and tourist accommodation on this land is also likely to hinder the City Heart, East Port and still emerging Health and Education Precinct and Thrumster local centre by drawing away capital investment for uses identified as important in supporting their development.

While the planning proposal is the best means available to achieve the proposed rezoning of the land, it is recommended that the proposed inclusion of shop top housing and serviced apartments as additional permitted uses be removed from the planning proposal.

3 Strategic assessment

3.1 Regional Plan

The proposal is considered to be consistent with the North Coast Regional Plan 2041 except in regard to the following matters.

Table 4 Regional Plan assessment

Regional Plan Objectives	Justification
Objective 1: Provide well located homes to meet demand	The additional permitted use component of the planning proposal is inconsistent with this objective as the land is identified for employment purposes, is not consistent with a Department approved local strategy, is not consistent with Council's recently completed local housing strategy, is located in any area affected by aircraft noise and is not located in existing or emerging local centres that are close to key services or amenities to support residential and visitor accommodation.
Objective 2: Provide for more affordable and low-cost housing	The planning proposal is inconsistent with this objective as the proposed residential and visitor accommodation component would need to incorporate significant architectural and engineering solutions to reduce the impact of aircraft noise. Options such as double glazing and other noise attenuation options would not be aligned with low-cost housing due to their inherent costs.

Objective 11: Support cities and centres and coordinate the supply of well-located employment land	The planning proposal is inconsistent with this objective as the additional permitted use component does not retain, manage and safeguard employment lands, will decrease potential available employment floor space that supports job creation and may lead to land use conflict that could limit employment land uses within an employment area, and does not support and reinforce the existing centres within Port Macquarie identified for these land uses.
Regional Cities	Refer to Port Macquarie Regional City Action Plan assessment below.

3.2 DPHI Regional City Action Plan for Port Macquarie

The proposal is considered to be consistent with the Regional City Action Plan – Port Macquarie (RCAP) which identifies the land for future employment purposes except in regard to the following matters.

Table 5 Regional City Action Plan assessment

RCAP - Objective	Justification
Objective 1: Deliver a compact city which provides housing diversity	The additional permitted use component of the planning proposal is inconsistent with this direction as the residential accommodation and tourist and visitor accommodation does not support the demand for new housing in appropriate locations that promote liveability due to the high potential for impact from the Port Macquarie Airport and isolation from key services and amenities.
Objective 7: Deliver local jobs through the city's employment lands and industry sectors	The additional permitted use component is inconsistent with this objective as it does not protect employment land from the encroachment of residential and other non-compatible uses that would adversely affect commercial viability.
Objective 9: Optimise Port Macquarie's regional gateway infrastructure	The additional permitted use component is inconsistent with this objective as it proposes to place noise sensitive land uses adjacent to the southern end of the airport runway that could limit airport operations in the future. The airport is identified as a regional gateway that supports the local economy and community and as a key area for employment and economic activity.
Objective 11: Grow a creative, exciting and vibrant city heart	The additional permitted use component is inconsistent with this objective as it does not support the city heart as the principal activity centre and as a location for high and medium residential density and tourism accommodation development that caters for a large and diverse living and working population.

3.3 DPHI Industrial Lands Action Plan

The Department's Industrial Lands Action Plan was released in January 2025. The Action Plan recognises the importance of industrial lands in providing jobs and services for NSW's growing population and the need to secure and maintain these areas.

The proposed rezoning is consistent with the Action Plan as the land will remain industrial in nature (E3 Productivity Support) and involves only 5.5 hectares. It is also noted that Port Macquarie-

Hastings LGA has over 300 hectares of E4 General Industrial land (*Regional Cities Land Supply Monitor, Department Planning, Housing and Infrastructure, January 2024*).

The proposed introduction of residential and tourist accommodation within the site would however be inconsistent with the intent of the Action Plan as it could potentially limit the availability, size and nature of employment land uses in the area.

3.4 Local

The proposal's consistency with relevant local plans and endorsed strategies is detailed in the table below.

Table 6 Local strategic planning assessment

Local Strategies	Justification
Local Strategic Planning Statement (LSPS)	The planning proposal is consistent with the majority of Planning Priorities in the Council's LSPS except for Planning Priority 7: Provide for a diversity of housing in the right locations. Although the proposal seeks to increase housing diversity it is not considered that this site is the right location for residential and tourist accommodation as the land is identified for employment purposes, its proximity to the Port Macquarie Airport and its relative isolation from services and amenities.
Urban Growth Management Strategy 2017-2036 and Employment Land Use Review 2021	Council's Department approved Urban Growth Management Strategy 2017-2036 identifies the land for industrial purposes The Port Macquarie Employment Land Use Review 2021 has also estimated that an additional 95 hectares of employment land would be needed by 2041. The addition of shop top housing and serviced apartments in this area is inconsistent with this review as it has the potential to limit development in the surrounding employment zones due to proximity to incompatible land uses.
Local Housing Strategy	<p>In August 2024 Council adopted its local housing strategy to provide local planning direction and a framework for future housing delivery at a local level. It identifies priority areas including:</p> <ul style="list-style-type: none"> • infrastructure which supports sustainable growth; • delivering diverse housing; • delivering liveable and connected neighbourhoods and communities with distinctive character; • creating neighbourhoods which are safe, sustainable and resilient to natural hazards; • locating residential development in well-planned growth precincts and infill areas; and • increasing availability of affordable housing. <p>As discussed previously above, it is considered the planning proposal is inconsistent with this strategy as it proposes additional housing in an employment area where conflicts are likely to arise, adjacent to the Port Macquarie Airport and not within an identified and well-planned growth precinct for these types of uses.</p>

3.5 Section 9.1 Ministerial Directions

The planning proposal is considered to be consistent with all relevant section 9.1 Directions except as discussed below.

Table 7 9.1 Ministerial Direction assessment

Directions	Consistent	Reasons for Inconsistency
1.1 Implementation of Regional Plans	Unresolved	As discussed above, the additional permitted use component of the planning proposal is inconsistent with a number of the objectives of the North Coast Regional Plan 2041. Until the planning proposal is amended to remove the inclusion of shop top housing and serviced apartments, this direction remains unresolved.
4.2 Coastal Management	Justifiably Inconsistent	<p>The planning proposal is inconsistent with this direction as part of the subject site is within the 'proximity to coastal wetlands' area on the Coastal Wetlands and Littoral Rainforests Area Map in the State Environmental Planning Policy (Resilience and Hazards) 2021 (Figure 10).</p> <p>It is considered that the inconsistency with this direction is of minor significance as the land is zoned for employment purposes and the subdivision of land has already been completed. Any residue issues associated with the proximity to coastal wetlands can be adequately considered and addressed by the consent authority as part of any future development applications to build on the individual lots.</p>
4.1 Flooding	Unresolved	<p>The planning proposal is inconsistent with this direction as it applies to land that is mapped as flood prone (Figure 9) and does not include provisions that give effect to and are consistent with the policies identified within the Direction.</p> <p>Flooding is discussed in detail in section 4.1 of this report. While the change in zoning from one employment zone to another is considered to be of minor significance, until the planning proposal is amended to remove the inclusion of shop top housing and serviced apartments, this direction remains unresolved.</p>
4.3 Planning for Bushfire Protection	Unresolved	The planning proposal is potentially inconsistent with this direction because it applies to land that is bush fire prone. The Direction provides that the Council must consult with the Commissioner of the NSW Rural Fire Service (RFS) following the issue of a Gateway determination. Until this consultation has occurred the inconsistency with the direction is unresolved.

4.5 Acid Sulfate Soils	Justifiably Inconsistent	The planning proposal is inconsistent with this direction as it applies to land that contains acid sulfate soils (Figure 9) and is not supported by an acid sulfate soils study. It is considered that the inconsistency is of minor significance as the land is already zoned for employment purposes, has been subdivided with the approval of Council and the Port Macquarie-Hastings LEP 2011 contains acid sulfate soils provisions that can adequately address this issue at development application stage as required.
5.1 Integrating Land Use and Transport	Unresolved	<p>The proposal is potentially inconsistent with this direction as the residential and tourism accommodation component has not considered Improving Transport Choice – Guidelines for planning and development (DUAP 2001) and The Right Place for Business and Services – Planning Policy (DUAP 2001).</p> <p>Until the planning proposal is amended to remove the inclusion of shop top housing and serviced apartments, this direction remains unresolved. It is also recommended that consultation be undertaken with Transport for NSW to confirm the suitability of the proposal.</p>
5.3 Development near Regulated Airports or Defence Fields	Unresolved	<p>The planning proposal is inconsistent with this direction because it seeks to change planning controls on land near the Port Macquarie Airport.</p> <p>It is recommended that consultation be undertaken with the owner and operator of the Port Macquarie Airport, CASA and Air Services Australia to confirm the suitability of the proposal. Until consultation has occurred, this direction will remain unresolved.</p>
7.1 Employment Zones	Unresolved	The planning proposal is inconsistent with this direction as the additional permitted use component would reduce the potential floor space for employment uses in an employment zone and is not consistent with a strategy approved by the Planning Secretary. Until the planning proposal is amended to remove the inclusion of shop top housing and serviced apartments, this direction remains unresolved.

3.6 State environmental planning policies (SEPPs)

The planning proposal is consistent with all relevant SEPPs.

4 Site-specific assessment

4.1 Environmental

The subject site has been identified as being bushfire prone, part flood prone, contains Class 5 acid sulfate soils, contains part of a coastal wetland and is partly located within the proximity area of a coastal wetland. In addition, the subject site is located within the obstacle limitation surface (OLS) and Australian Noise Exposure Forecast (ANEF) of the airport. The following table provides an assessment of the potential environmental impacts associated with the proposal.

Table 8 Environmental impact assessment

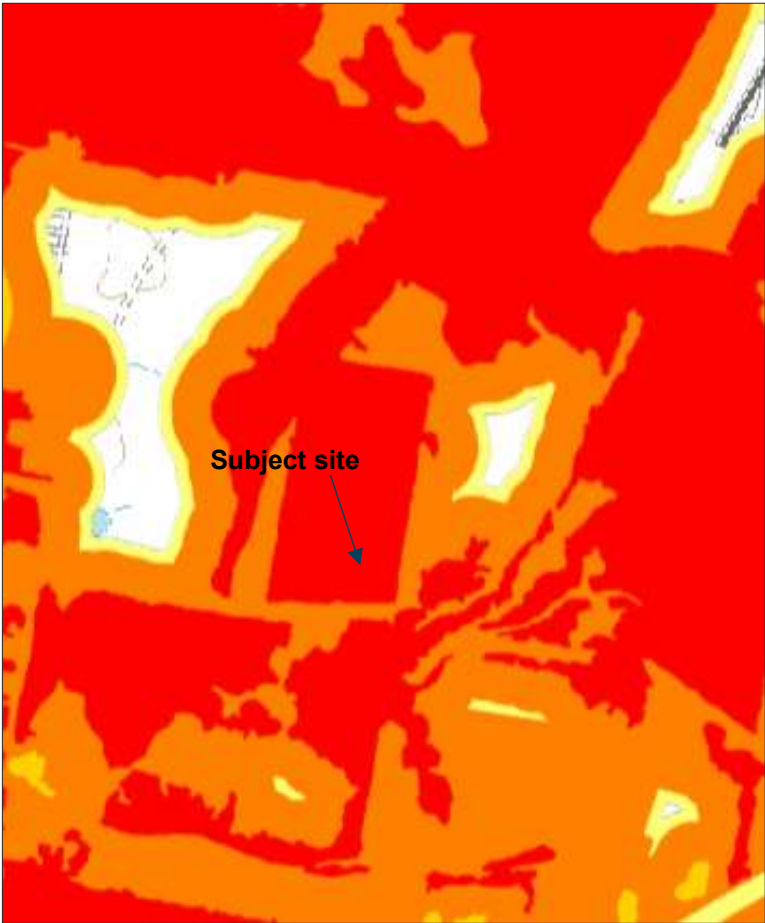
Environmental Impact	Assessment
Bushfire	<p>The site is mapped as bushfire prone (Figure 8). The planning proposal indicates this is primarily due to the significant vegetation coverage that was previously on the site prior to its development as an industrial subdivision.</p> <p>The bushfire hazard study supporting the planning proposal confirms all Category 1 hazard vegetation has been removed from the subject site and that other significant areas of Category 1 hazard vegetation have been removed from the adjoining land to the south associated with the construction of the approved residential lots.</p> <p>Consultation with the NSW Rural Fire Service will be required in accordance with the Ministerial Direction to confirm the suitability of the proposal.</p> 

Figure 8 – Bushfire prone land (source: Planning Spatial Viewer)

Flooding

A very minor part of the land is identified on Council's flood mapping as flood prone (Figure 9). The proposal indicates that previous development approvals for the site and neighbouring residential subdivisions have required earthworks to raise the land above the 1% AEP flood level.

In addition, new development must comply with the relevant objectives Port Macquarie-Hastings Council Flood Policy to ensure safety and to minimise risk to public and property in all relevant flood events. This requires the minimum permissible building floor levels to be greater than 900mm above the 1% AEP flood level. The level to be achieved in this location is identified as being above the Probable Maximum Flood event levels (PMF).

Any future development application will be required to satisfy the provisions of Clause 5.21 Flood planning and 5.22 Special flood considerations of the Port Macquarie-Hastings LEP 2011.

The flood assessment prepared to accompany the planning proposal concludes that the levels of the entrance road are greater than 400mm above the 1% AEP event for safe ingress and emergency access. If the additional permitted use of residential and tourist accommodation is retained it is unclear however if the report considers flooding beyond the site boundaries and if evacuation can be achieved in the event of a flood or if a shelter in place approach for these sensitive land uses will be required. As such, it is recommended that additional information be included in the proposal in relation to evacuation in flood events should the additional permitted uses be retained.

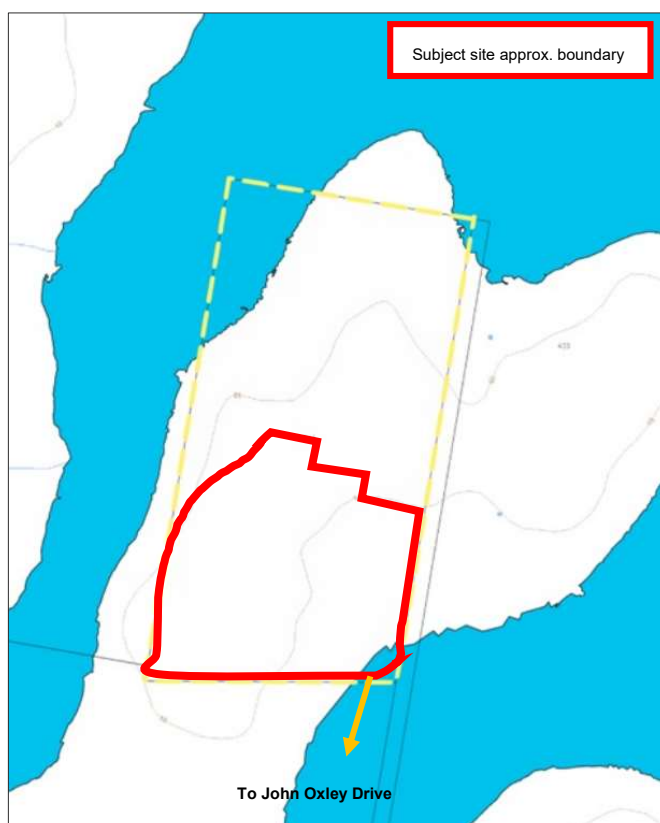


Figure 9 – Extract from Council's Flooding Map (source: Stormwater Flood Report for Rezoning At Thrumster Business Park)

Acid Sulfate soils

The land is mapped as partially containing Class 5 potential Acid Sulfate Soil, located in the south-eastern corner of the site (Figure 10).

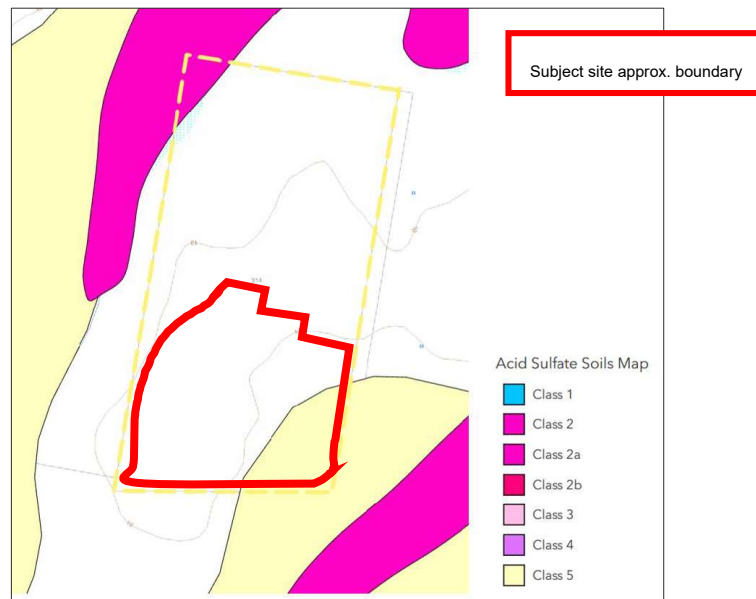


Figure 10 – Acid Sulphate Soils Map

As discussed previously, the Port Macquarie-Hastings LEP 2011 includes provisions that can ensure this issue can be adequately and appropriately addressed at the development application stage.

Coastal Wetlands

As discussed previously, part of the site is identified as being in proximity to coastal wetlands (Figure 11). It is considered that any potential impacts on the coastal wetland have been realised due to the extensive earthworks undertaken to develop this area and that any further impact would be minor due to the small area of land involved and the mitigation measures (stormwater management) implemented during the development of the area.

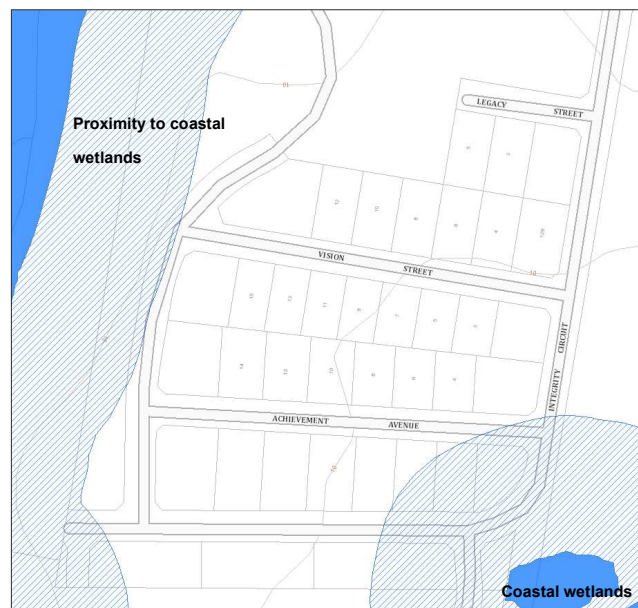


Figure 11 - Coastal Wetlands and Littoral Rainforests Area Map

4.2 Social and economic

The following table provides an assessment of the potential social and economic impacts associated with the proposal.

Table 9 Social and economic impact assessment

Social and Economic Impact	Assessment
Traffic	<p>The subject land is accessed via the internal road network within the approved Thrumster Business Park development. This land has access via John Oxley Drive with a purpose designed roundabout already completed at the intersection. The sizing of the roundabout was undertaken to provide for the approved Thrumster Business Park industrial traffic, as well as the residential lots within the adjoining residential estate.</p> <p>The proposal argues the proposed E3 zone will have a positive impact on the type of traffic movements generated, such that heavy truck movements into and out of Thrumster Business Park are reduced. Should the residential and tourist accommodation component be retained, further assessment of the impacts of this issue would however be required. It is recommended that consultation be undertaken with Transport for NSW to confirm the suitability of the proposal.</p>
Noise	<p>The site is approximately 1 kilometre from the end of the runway of the Port Macquarie Airport (Figure 12). There is potential for the proposed future land-uses within the E3 land to be impacted by noise arising from both the airport operations and the future industrial development.</p> <p>The planning proposal is supported by a Noise Impact Assessment that concluded development of the site could proceed with appropriate building acoustic design principals and mitigation measures implemented to reduce internal industrial and aircraft noise levels. The construction or mitigation measures would be required to meet relevant noise criteria and that potential noise impacts would be addressed at the development application stage for individual proposals.</p> <p>The report to Council identified that there has been concern raised by the Port Macquarie Airport [Manager] as to the proximity of the proposed accommodation units to the Airport's Australian Noise Exposure Forecast (ANEF) boundaries. The report also identifies the inconsistency with the objectives of the Port Macquarie-Hastings LEP 2011 to minimise land use conflict.</p>

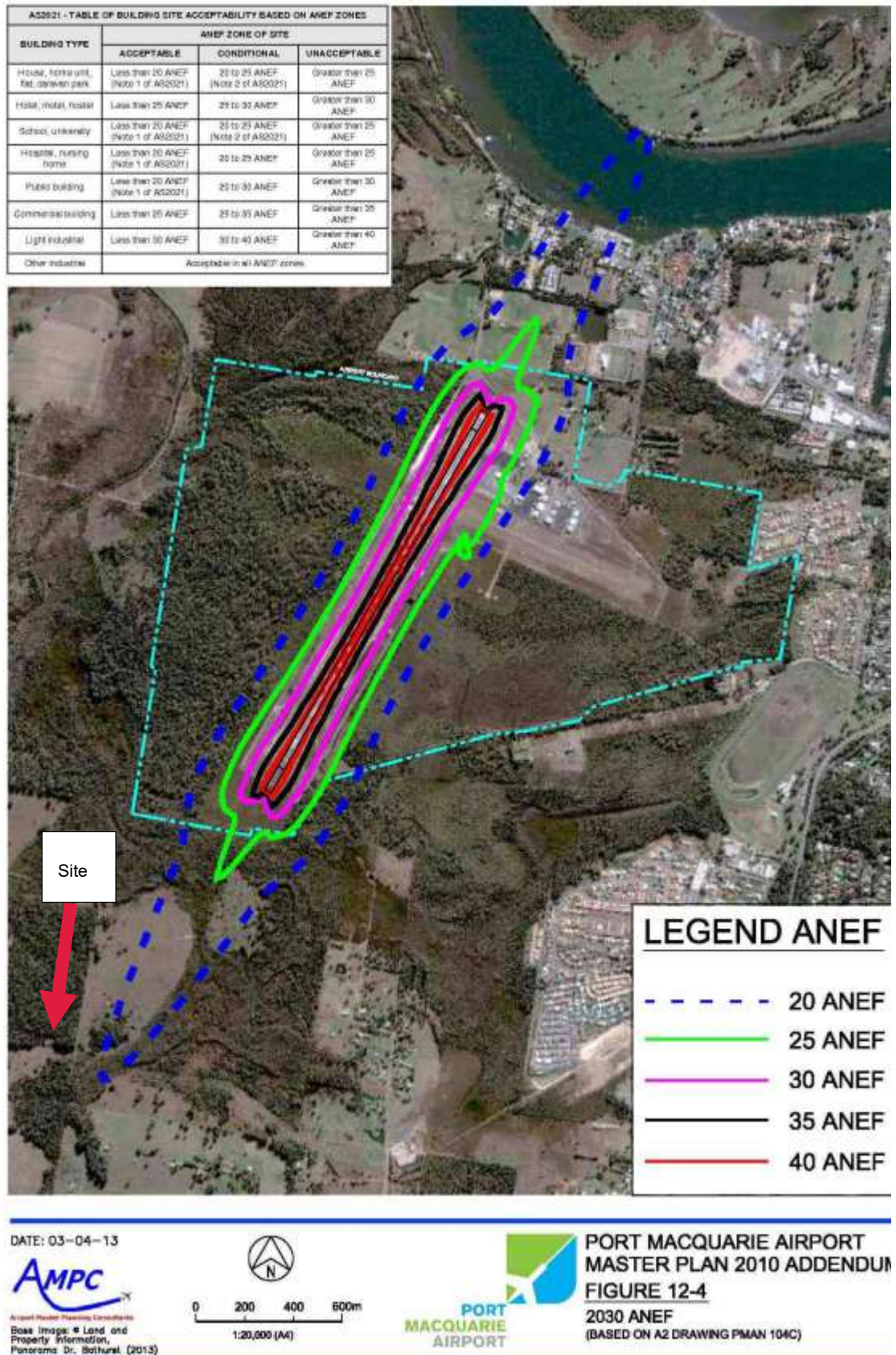


Figure 12 – Port Macquarie Airport ANEF Map (2010 Masterplan Addendum)

	<p>it is not considered an appropriate planning outcome to be introducing noise sensitive land uses such as shop top housing and serviced apartments into an area affected by significant aircraft noise that will require mitigation measures and engineering solutions to make them liveable when other more suitable lands are already available.</p> <p>It is, recommended that consultation be undertaken with the owner / operator of the airport, CASA and Airservices Australia to confirm the suitability of the rezoning component of the proposal.</p>
Airport Obstacle Limitation	<p>The planning proposal does not propose to alter maximum building heights permitted in proximity to the Port Macquarie Airport OLS mapping. A preliminary review of the OLS mapping has been prepared to support the planning proposal. This review indicates that the OLS is not a constraint to the development of the subject site or the wider industrial developments permissible within the Thrumster Business Park. Notwithstanding, it is recommended that consultation be undertaken with the owner / operator of the airport, CASA and Airservices Australia to confirm the suitability of the proposal.</p>
Economic	<p>An Employment Lands and Economic Impact Assessment has been prepared to support the planning proposal. It identifies, following the rezoning of the site, there will be increased employment opportunities, including 176 full-time equivalent (FTE) construction jobs and 440 additional FTE jobs in other industries in the short term.</p> <p>The rezoning of the land to accommodate these new industries is supported.</p> <p>The proposal also envisages the delivery of approximately 170 accommodation units (spread between shop top housing and serviced apartments). However, as discussed previously, this is considered likely to reduce future employment floor space, create land use conflict with the adjacent airport and employment lands and likely limit employment activities in an employment area and is not supported.</p>
Aboriginal Cultural Heritage	<p>The proposal confirms the site has been extensively cleared and disturbed during the construction of the industrial subdivision. The supporting Aboriginal Cultural Heritage Survey did not identify any evidence of Aboriginal activity and no Aboriginal sites were identified. The report identified there was no reason, from a cultural heritage perspective why the proposed rezoning could not proceed.</p>
Social	<p>The proposal indicates that the proposal will support housing choice, diversity and opportunities. The proposal concludes this will have a positive impact on the social welfare issues currently being experienced under the housing crisis.</p> <p>As discussed, the introduction of shop to housing and serviced apartments is not supported for a range of strategic and site merit issues.</p>

4.3 Infrastructure

The existing civil infrastructure servicing the site is considered by Council to be adequate. No significant infrastructure will be required due to the rezoning of the land.

5 Consultation

5.1 Community

The planning proposal is categorised as a standard under the LEP Making Guidelines (September 2022). Accordingly, a community consultation period of 20 working days is recommended and this forms part of the conditions to the Gateway determination.

5.2 Agencies

It is recommended the following agencies be consulted on the planning proposal and given 30 working days to comment:

- NSW Rural Fire Service
- Port Macquarie Airport owner and operator
- Transport for NSW
- Civil Aviation Authority
- Air Services Australia

6 Timeframe

The LEP Plan Making Guidelines (August 2023) establishes maximum benchmark timeframes for planning proposal by category. This planning proposal is categorised as a standard

Council has requested 10 months to complete the proposal. A timeframe of 10 months is considered acceptable to complete the proposal and is in line with the Department's commitment to reducing processing times and with regard to the benchmark timeframes. A condition to the above effect is recommended in the Gateway determination.

7 Local plan-making authority

Council has advised that it would like to exercise its functions as a local plan-making authority.

As the planning proposal (amended as recommended by this report) deals only with matters of local significance, it is recommended that Council be authorised to be the local plan-making authority for this proposal.

8 Assessment summary

The amended planning proposal as recommended by this report is supported to proceed with conditions as it will:

- contribute to diversity of employment land within the Thrumster Business Park; and
- complement the potential mixture of commercial and industrial land uses.

As discussed in the previous sections of this report, the proposal should be amended to:

- a) remove references to the inclusion of shop top housing and serviced apartments as additional permitted uses;
- b) remove references to the previous property description and replace with the current property descriptions for the land to which the planning proposal applies; and
- c) include the zoning of road reserves within and surrounding the site to match adjoining zoned land.

9 Recommendation

It is recommended the delegate of the Secretary:

- Agree that any inconsistencies with section 9.1 Directions are minor or justified; and
- Note that the consistency with section 9.1 Directions, 1.1 Implementation of Regional Plans, 4.1 Flooding, 4.3 Planning for Bushfire Protection, 5.1 Integrating Land Use and Transport,

5.3 Development Near Regulated Airports and Defence Fields and 7.1 Employment Zones are unresolved and will require further justification.

It is recommended the delegate of the Minister determine that the planning proposal should proceed subject to the following conditions.

1. Prior to agency and community consultation the planning proposal is to be amended to:
 - a) remove references to the inclusion of shop top housing and serviced apartments as additional permitted uses;
 - b) remove references to the previous property description and replace with the current property descriptions for the land to which the planning proposal applies; and
 - c) include the zoning of road reserves within and surrounding the site to match adjoining zoned land.
2. Consultation is required with the following public authorities:
 - NSW Rural Fire Service
 - Airport owner and operator
 - Civil Aviation Authority
 - Air Services Australia
 - Transport for NSW
3. The planning proposal should be made available for community consultation for a minimum of 20 working days.
4. Given the nature of the planning proposal, it is recommended that the Gateway authorise council to be the local plan-making authority.
5. The LEP should be completed within 10 months from the date of the Gateway determination.



13/02/2025

(Signature)

(Date)

Lucy Walker
Manager, Local Planning and Council Support
Hunter and Northern Region



17/02/2025

(Signature)

(Date)

Craig Diss
Director, Hunter and Northern Region

Assessment officer

Jon Stone
Senior Planning Officer, Hunter and Northern Region