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Planning Proposal E3 – Productivity Support and Schedule 1 Additional Uses Thrumster Business Park



THRUMSTER
— BUSINESS PARK —

Document Details

Document Version Date: 14th August, 2024

Authorised by: Michelle Love

Signed:  .

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Executive Summary Table

The Thrumster Business Park Planning Proposal report has been prepared in accordance with the Department of Planning, Housing & Infrastructure's Guidelines. The Executive Summary Table, as required by the Guidelines, is shown below:

Table 1: Executive Summary Table as per Guidelines

Site Address:	Part previously Lot 2 DP 1245588 314 John Oxley Drive, Thrumster NSW 2444
Existing Planning Controls:	E4 – General Industrial under Port Macquarie – Hastings Local Environmental Plan 2011
Proposed Amendments:	E3 – Productivity Support and Schedule 1 Additional Uses for part of the Planning Proposal land
Technical Studies:	Aboriginal Cultural Heritage Assessment Employment Land and Economic Impact Assessment Transport Impact Assessment Noise Impact Assessment Strategic Bushfire Study Height Limits Constraints Plan Flooding Assessment Concept Plan Planning Proposal Report

The Thrumster Business Park Planning Proposal has been prepared in response to the changing use and engagement of Employment Lands. The land was previously identified and zoned for light industrial development, and this proposal supports the ongoing provision of the land for Employment and Business Generating purposes. The integration of high tech industries, sites for incubator businesses, manufacturers such as artisan food & drink industries, with onsite living for business owners and skilled workers in the form of shop top housing and serviced apartments, represents the vibrancy of a modern Business Park. The activation of Employment Lands as setout in this Planning Proposal, has been shown to bring significant opportunities and economic benefits to the broader Port Macquarie region.

Letters of support from local Business operators and organisations, along with support from the Chief Executive of the Mid North Coast Local Health District in recognizing the benefit of the proposed well-located housing to accommodate future skilled staff, are included with this Planning Proposal. Council's Population Projects and Housing Strategy recognises the significant population growth being experienced in this LGA, and the demand for apartment

style housing which is not being met. The population growth increases the need for housing, as well as the significant need to maintain and improve the use and functionality of our Employment Lands.

The Thrumster Business Park Planning Proposal has considered and assessed these demands, and the needs of our manufacturing and business communities, and this Planning Proposal will address these needs and ensure Port Macquarie is well placed to respond to changing economic markets.

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1. Introduction & Background

Thrumster Business Park forms part of the planned Area 13 / Thrumster Urban Release Area. The Thrumster locality has been planned and designed to provide for a range of services and facilities to service the estimated 10,000 residents who will live and work within this new urban centre. The Area 13 / Thrumster Urban Release Area has experienced a rapid rate of residential land uptake, and the need to ensure the supporting Employment Lands are fit for purpose is crucial to support the vibrancy and long term success of this community.

The Thrumster Business Park is located within the Thrumster Urban Release Area. The approval for the Thrumster Business Park estate dates back almost a decade. In that time, the format of Employment Lands has changed and this is reflected in the Employment Lands Reforms which recognised that:

“Small and medium sized business are the backbone of a productive economy. Employment zones guide and direct businesses to establish, grow and adapt. ... Employment zones support long term economic recovery through job creation and increased productivity”.

Thrumster Business Park was originally zoned as Light Industrial, however this zoning was removed under the Employment Land Reforms, and the Estate became zoned E4 – General Industrial as part of these blanket changes. Now that the new Employment Zones are in place, there has been the time to review the new zones and assess how these more flexible zones fit within the opportunities and employment demands for this area and the broader region.

As a result of this review, Thrumster Business Park has planned for an area of approximately five and a half hectares of the Business Park, to change from the existing E4 – General Industrial Zone, to E3 – Productivity Support. Within this proposed E3 area, a small number of lots, identified as Precincts A & B, have been identified as being suitable for a Schedule 1 – Additional landuse option to provide for shop top housing and serviced apartments. There are significant benefits to the retention of a residential component within the E3 development, and this is discussed later in this report.

This zoning change has been subject to consultation, liaison, and specialist assessments and reports for almost two years. The previous proposal related to only the land identified as Precincts A & B being zoned to a mixed use zoning. However further consultation with the local Council resulted in a request to consider the current proposal, being for E3 – Productivity Support with the minor Schedule 1 additional use. This Planning Proposal report is the summary and finalisation of those investigations.

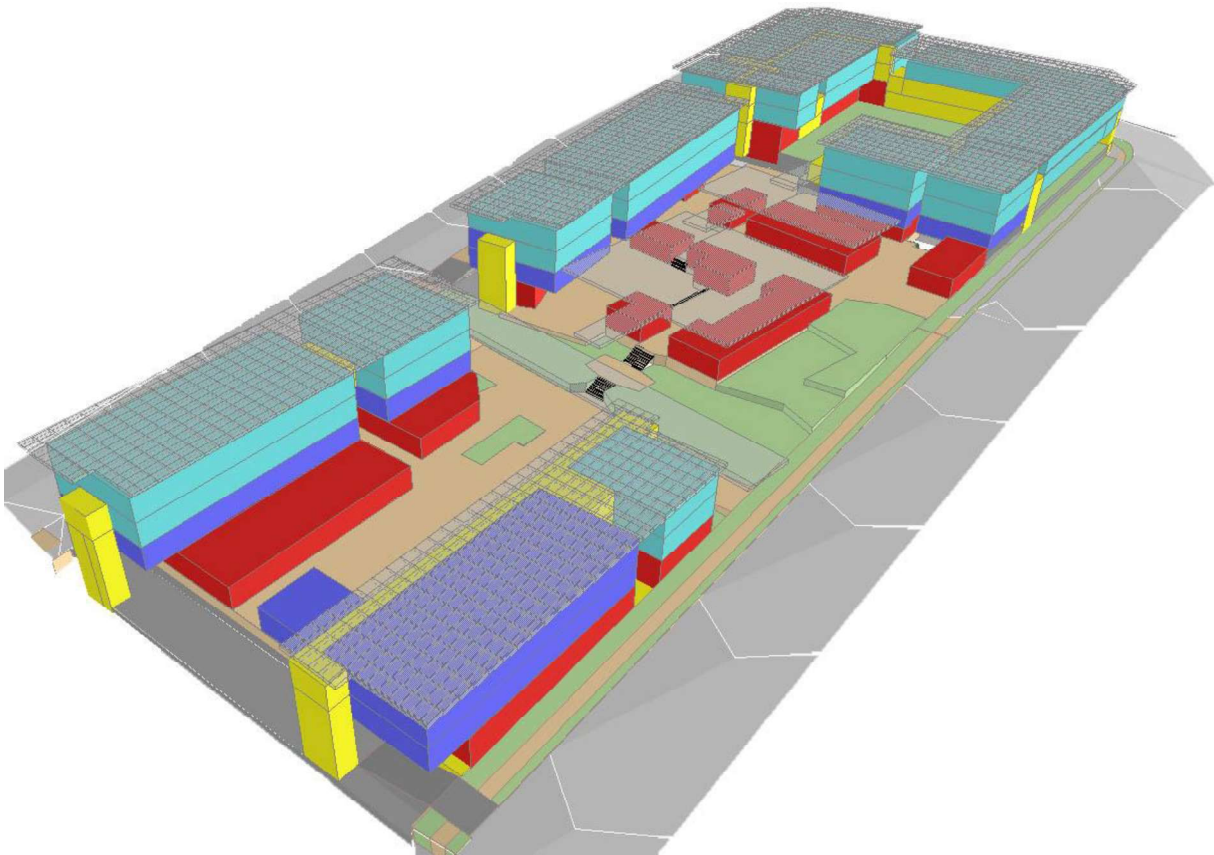
This Thrumster Business Park Planning Proposal has been assessed as being consistent with Federal, State and Local Government Strategies and Plans. The specialist studies have determined that the range of landuses available under the E3 – Productivity Support zoning, in addition to the Schedule 1 landuse proposal, can be developed on the land without adverse impact on traffic movements, airport operations, or economic operations and within

infrastructure capacity, existing and proposed, based on Council's progress on the upgrade to wider infrastructure.

The Thrumster Business Park Planning Proposal Concept Plans have been developed by Architects and Place Makers to ensure the designs address the diversity and opportunities required for business and industry, as part of the changing way Employment Lands provide for the success of the broader community.

For the purposes of providing a basis on which to assess the Planning Proposal, the concept plans propose a likely development yield of 170 residential units, based on a two bedroom design, and the enabling of 17,600m² of commercial, industrial and general trading spaces. Incubator workspaces and high tech manufacturing development will also be supported within the E3 – Productivity Support footprint. These yields are not in addition to what may have been achieved under the E4 zoning, but rather is an estimate of the higher use of Employment Lands that will be achieved through this Planning Proposal.

Figure 1: Concept Plan for Thrumster Business Park E3 – Productivity Support zone (Precinct A – Lots 104-108)



Thrumster Business Park Planning Proposal is consistent with Port Macquarie Hastings Council's goals and objectives, as follows:

Environmental Sustainability

- New strategies for renewable energy, waste management and environmental stewardship

Resilient

- Promotes a diverse inclusive place through diverse housing and employment opportunities

Liveable

- Makes an interesting place that integrates work, home and play

Connected

- Integrates alternative and active mobility, access and communication choices

Thriving

- Fosters the development of emerging industry sectors and provides employment opportunities for a rich variety of people

Authentic & High Performing

- Creation of a culturally and socially rich community

This Planning Proposal application has been prepared in response to the need for Employment Lands and business opportunities that respond to changing market demands, and the supply of a range of business and manufacturing space, provision for a business incubator centre, and to improve the diversity of housing.

The proponent engaged Place Makers and Architects to explore the best means of implementing the flexible zoning being sought by businesses looking to locate within the Thrumster Business Park Estate.

The Place Makers define Placemaking as –

Placemaking is a site-specific process that tries to integrate processes of research, planning, design, marketing and management of buildings, spaces, people and the natural environment toward optimising long-term economic, environmental and cultural outcomes. Inherent to it is planning for adaptive change to meet changing goals and needs of users over time.

"Placemaking is a people-centric approach of building up character and quality of space"



The Place Makers set out the following objectives and outcomes for the Planning Proposal land:

Objectives of Thrumster Business Park E3 – Productivity Support land

1. **Placemaking** - A design and management approach that plans for adaptive change over time related to history and changing user needs, in order to optimise long-term outcomes for the location, business park and proposed E3 land within the estate.
2. **Dynamic Local Service Hub** - Service hub including places to live, eat, meet, shop & play for business park workers and local community.
3. **Urban Village** - Extends pattern of human life beyond a "typical" employment zone, includes a "village-like" range of human activities across a 7 day, 24 hour cycle;
4. **Residential** - Provides specialised residential accommodation for two broad purposes:
 - a. Relatively affordable live/work accommodation; and
 - b. Specialist serviced accommodation for students and transient needs such as medical and business professionals;
5. **Place of Interest** - Makes it a destination hub for recreation, informal and formal networking, noting networking is the lifeblood of business development;
6. **Business Incubator** - Provides opportunity for pathway business development, variety of rental space from very small, to medium to larger space within the broader employment zone, so business and manufacturers have a natural growth pathway.
7. **Place to Live, Work & Play** - Provide live/work opportunities for artisans and small businesses;
8. **Innovation / Change Agent** - Mechanisms for the business/ industrial park to grow, change and adapt to new trends overtime and house and grow leading edge businesses.
9. **Profitable** - To ensure long-term success and profitability of the business park, to grow businesses and provide employment and services;
10. **Complimentary to Context**- Compliments and supports rather than competes with:
 - a. Broader functions of Thrumster urban growth area;
 - b. Infrastructure of Port Macquarie region; and
 - c. Surrounding natural environment.

2. Description of Subject Land & Locality

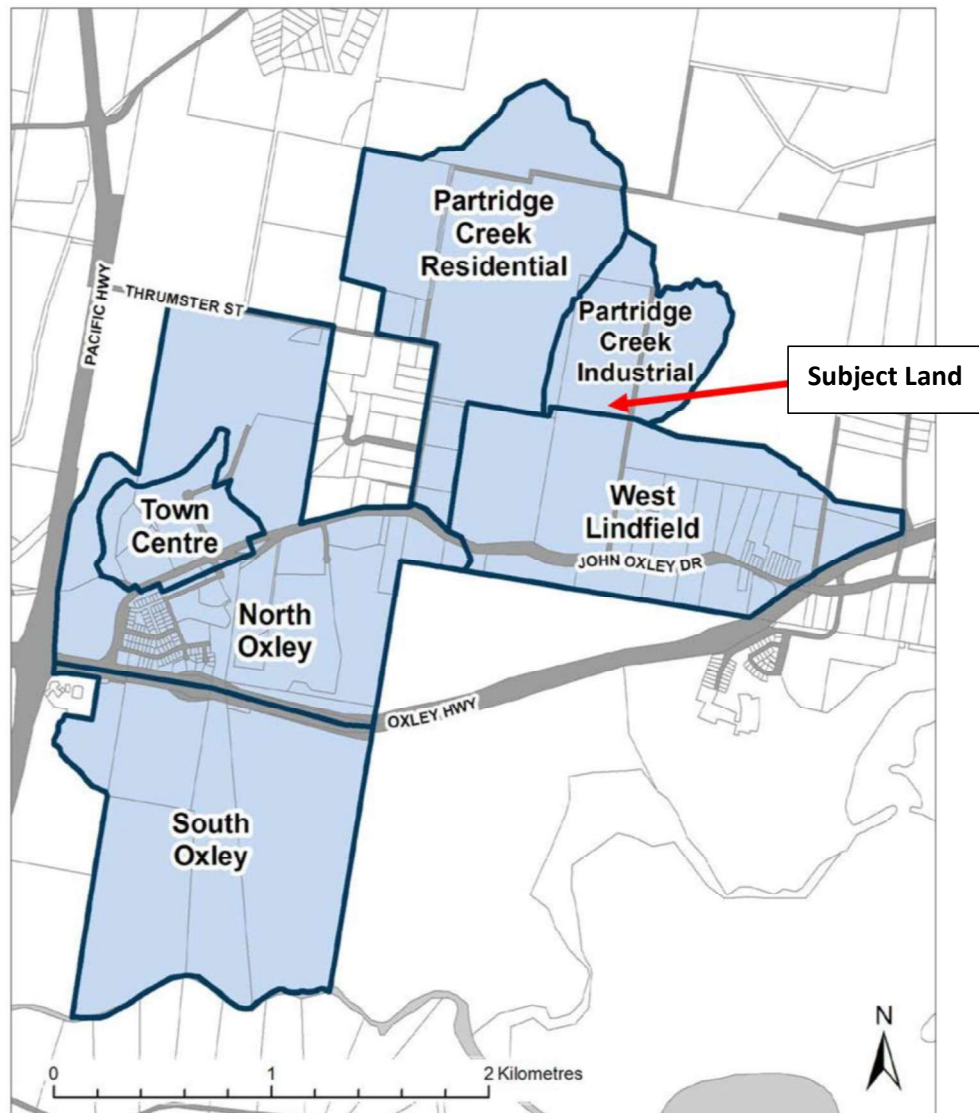
The Subject Land is located on the western fringe of Port Macquarie. The locality of the land is shown in the following figure.

Figure 2: Locality Plan



The Subject Land is within the Thrumster Urban Release Area which has formed part of the Port Macquarie – Hastings Council's adopted Urban Growth Management Strategy documents for the past several years. The Thrumster area is as shown in the following extract from Council's development control plan for this locality.

Figure 3: Thrumster Urban Release Area - Neighbourhoods as per DCP 2013



The vision for the Thrumster Urban Release Area is as set out in the following extract from the Port Macquarie Hastings Development Control Plan 2013 (DCP 2013)

Thrumster is identified in the Port Macquarie-Hastings Urban Growth Management Strategy 2011-2031 as a key urban release area. Thrumster will play a major role in development of the Port Macquarie-Waichope Corridor. The Corridor will contain the majority of urban growth and 'higher order' services and facilities needed to serve a catchment population in excess of 100,000 persons. The new Thrumster community will accommodate up to 10,000 people. The Thrumster Town Centre will offer convenience retail services to local residents to strengthen the structure of the corridor.

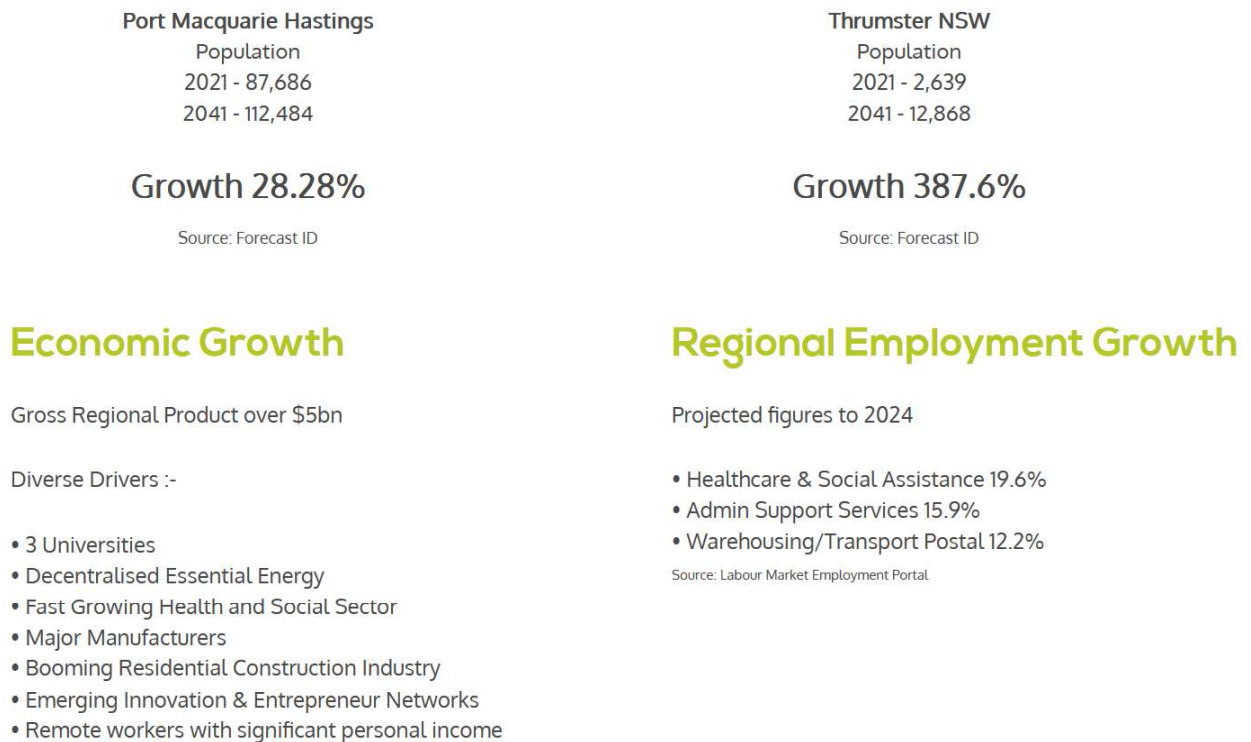
Vision for Thrumster (Area 13): Thrumster is to become a diverse but integrated community distinguished by the natural advantages of its setting, yet living in harmony in its unique flora and fauna. It will be a model development for sustainable living in the mid north coast region, containing distinct neighbourhoods defined by the topographic, bush land and other natural features of the location.

The Thrumster Business Park is located close to the existing Regional Centre services and facilities provided by Port Macquarie, as well as the transport corridor provided by the Pacific Highway, as shown in the following aerial image:

Figure 4: Location of Thrumster Business Park Estate in relation to the existing Port Macquarie Regional services and facilities (view looking east)



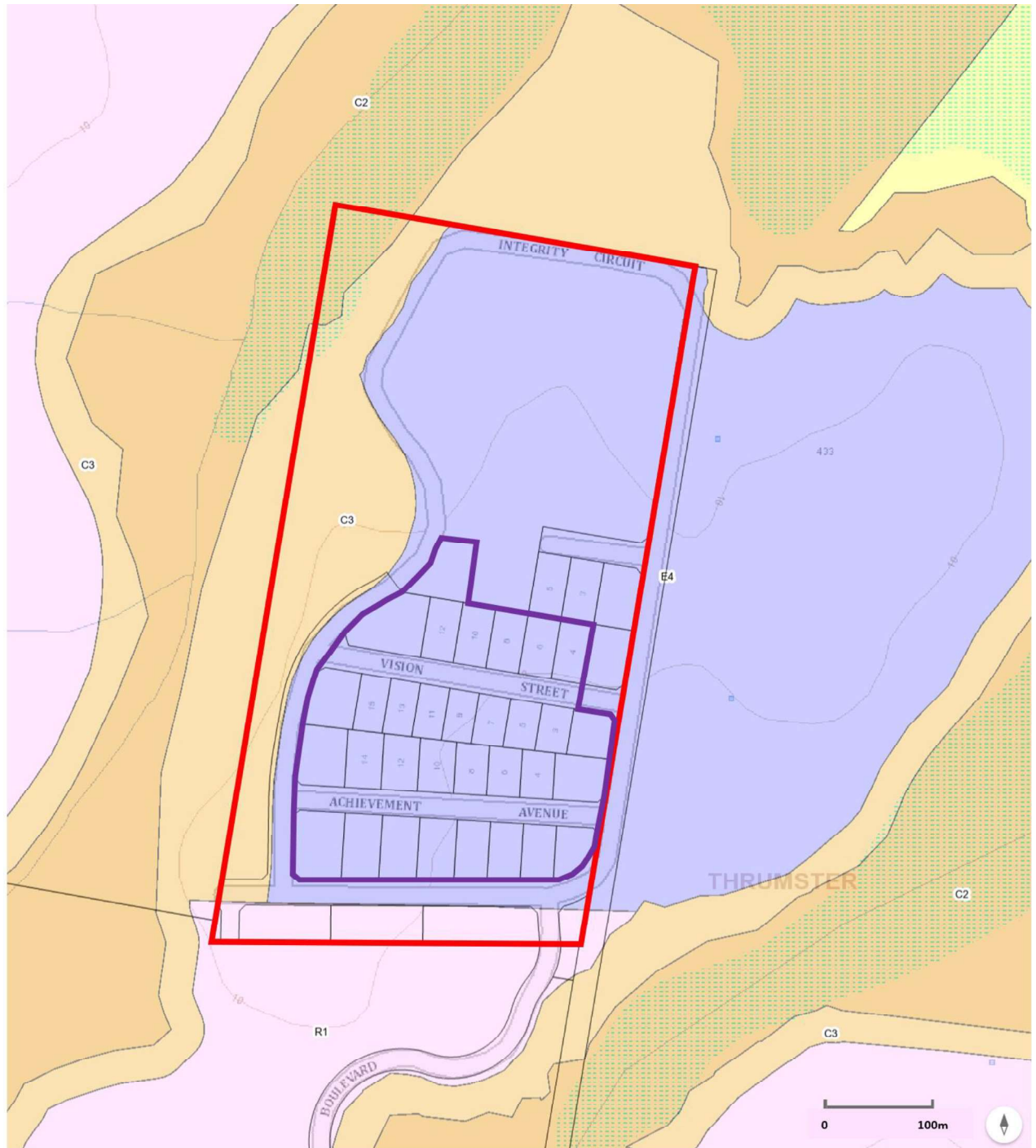
The Thrumster Locality is an area which is experiencing high growth and demand for residential development. This growth is now focusing on the Employment Zones, and Thrumster Business Park has experienced sustained demand for available allotments for businesses to establish and expand. The following extract from the Thrumster Business Park website summarises this growth and development of Thrumster:

Figure 5: Thrumster and Port Macquarie Population and Economic Growth

The Subject Land is located within the Thrumster Business Park, which forms the northern part of an approved subdivision as setout in the consent to DA 2014-114. This consent was for a Staged Industrial (63 Lots) Residential (207 lots) Subdivision. The industrial and the residential areas have subsequently been subdivided, and are now separately owned. This has enabled the development of these two different estates to progress separately, as required, but ultimately retain the design integrations such as connected transport linkages, including pathways, throughout both estates.

The Subject Land forms a portion of the southern section of the Thrumster Business Park estate, being 32 lots. These lots are bound to the east and west by the perimeter road of the estate, and the southern boundary is also bound by an existing road, being Integrity Circuit. There are two east – west orientated streets within the footprint of the rezoning, being Achievement Avenue and Vision Street. The subdivision earthworks required site regrading of the land, and therefore there are no trees or other native vegetation on the Subject Land. The estate development consent required preservation of an area of land along the western edge of the original property, and this land remains preserved and zoned C3 – Environmental Management, with a small section of C2 – Environmental Conservation in the north-western corner of the original property holding.

Figure 6: Existing Zone Map Extract. Thrumster Business Park outlined in red. Subject Land outlined in purple



All the lots, except Lot 304, have been completed and registered as per Deposited Plan 1304965. A copy of the Deposited Plan is included with the attachments to this report. All street frontages have been completed, as well as the footpaths, street landscaping and street lighting. All services were installed as part of the subdivision works, and the lots have underground electricity, and connection to reticulated water and sewer. No augmentation works will be required to these existing systems to service the landuses permissible under the proposed E3 – Productivity Support zone.

The following photographs show the completed estate streets, footpaths, underground services and street lights. The grass verges have been established using turf, and the street trees have been protected with staking, tree guards and mulching. Site levelling provides for land suitable for industrial developments and onsite parking.

Figure 7: View looking north - west in Achievement Avenue with Lots 109 and 133 (previously 301) on the left side of the road. Footpaths have been provided on both sides of the road to facilitate pedestrian accessibility



Figure 8: Achievement Avenue looking west across Integrity Avenue towards retained and protected C3 vegetation. East west streets have a change in road surface treatment at the intersection to signify the low speed environment within the E3 - Productivity Support land, as shown.



As can be seen from the site photographs, all land proposed to be zoned E3 – Productivity Support is cleared, and there are no existing buildings within the proposed E3 land. The Subject Land is serviced and available for development that supports Employment Lands for the purposes of business and manufacturing opportunities.

The Thrumster Business Park was previously zoned IN2 – Light Industrial under the Port Macquarie Hastings Local Environmental Plan 2011 (LEP 2011), however in April, 2023 the Department of Planning & Environment's Employment Land Reforms removed this landuse zone, and the entirety of the Thrumster Business Park was zoned E4 – General Industrial.

However, the land sales and planning for the Thrumster Business Park Estate had been undertaken on the basis that this was a light industrial area. The northern area of the Estate was marketed for more traditional industrial landuses, as this portion of the Estate is located further from residential areas. The southern area of Thrumster Business Park was marketed for artisan food and drink premises, medical centres, recreational facilities such as gyms, take away food premises and neighbourhood shops. All of these landuses were permissible with consent in the previous Light Industrial zoning of the land, and suited to a locality with close proximity and good pedestrian access to residential areas.

The market demand, and business owners who have purchased within the southern area of Thrumster Business Park, confirmed the high market demand to be located within a Business Park which provided for commercial and business premises, as well as facilitating shop top housing and onsite accommodation for emerging businesses. Hence, the necessity for a landuse zone which reflects this business and industry requirement.

This Planning Proposal seeks to amend the zoning of a small area of land to E3 – Productivity Support, with some 17 lots to also be identified as having additional permitted landuses of shop top housing and serviced apartments only, under the provisions of Schedule 1 of LEP 2011. The development of the shop top housing and serviced apartments lots will be subject to the timing of availability of capacity within Council's sewer infrastructure, as it has been recognised by Council that a new plant is required to cater for the adopted urban growth in Thrumster and Sancrox. The new plant and infrastructure have been planned and designed as per the recently completed EIS and other documentation currently on public exhibition as part of the Thrumster Wastewater Scheme.

Detailed design and construction of the Thrumster Wastewater Scheme is scheduled for next year, and commissioning of the completed plant is programmed for November 2027 onwards. Whilst it is anticipated that Council's infrastructure planning and construction will keep pace with development, the proposed Schedule 1 provisions will incorporate contingency in the event that there are any significant delays arising in the commissioning of the plant. For that reason, the Schedule 1 provision will incorporate controls to ensure there is capacity in Council's infrastructure at the time of the development. This simply reinforces the standard provisions of the LEP as setout in clauses 6.2 and 7.13, which require the consent authority to be satisfied that essential services (such as will be provided by the Thrumster Wastewater Scheme) are or will be available when required to service development prior to consents being issued.

There is no proposal to alter any other provisions of LEP 2011, as no changes to maximum building height, maximum floor space ratio, or other planning controls, are required.

For the purposes of this Planning Proposal, the Subject Land is the area to be zoned E3 – Productivity Support, as shown in the following figure.

Figure 9: Subject Land outlined in purple and Precincts A and B shown shaded



3. Proposed Zone Amendment and Concept Designs

This Planning Proposal only applies to approximately 5.5 hectares of the Thrumster Business Park estate, and proposes to change from the existing E4 – General Industrial zone, to E3- Productivity Support. Two small Precincts within that area will be listed in Schedule 1 of the LEP to provide for shop top housing and serviced apartments as an additional landuse option with a provision that ensures Council's wastewater infrastructure has capacity to cater for the residential component at the time of development application lodgement. The other lots within Thrumster Business Park will remain zoned E4 – General Industrial.

The road layout and lots within the E3 – Productivity Support area will be physically unchanged from the current development consent and constructed road network. The infrastructure in regards to road network, reticulated water and sewer, electricity supply, NBN services, etc to service the Subject Land are completed, as per the development consent for DA 2014-114.

The E3 - Productivity Support landuse table provides for a range of landuses as setout below:

Zone E3 Productivity Support

1 Objectives of zone

- *To provide a range of facilities and services, light industries, warehouses and offices.*
- *To provide for land uses that are compatible with, but do not compete with, land uses in surrounding local and commercial centres.*
- *To maintain the economic viability of local and commercial centres by limiting certain retail and commercial activity.*
- *To provide for land uses that meet the needs of the community, businesses and industries but that are not suited to locations in other employment zones.*
- *To provide opportunities for new and emerging light industries.*
- *To enable other land uses that provide facilities and services to meet the day to day needs of workers, to sell goods of a large size, weight or quantity or to sell goods manufactured on-site.*
- *To minimise conflict between land uses within the zone and with adjoining zones.*
- *To ensure development makes a positive contribution to the public domain and streetscape.*
- *To create employment environments within large scale developments that are of high visual quality and relate favourably in architectural and landscape treatment to the large scale development.*
- *To ensure that development does not conflict with the hierarchy of business and retail centres in the Port Macquarie-Hastings region and the role of the Greater Port Macquarie Central Business District as the focal point for subregional functions and service delivery.*

2 Permitted without consent

Nil

3 Permitted with consent

Animal boarding or training establishments; Boat building and repair facilities; Business premises; Centre-based child care facilities; Community facilities; Depots; Food and drink premises; Function centres; Garden centres; Hardware and building supplies; Hotel or motel accommodation; Industrial retail outlets; Industrial training facilities; Information and education facilities; Kiosks; Landscaping material supplies; Light industries; Liquid fuel depots; Local distribution premises; Markets; Mortuaries; Neighbourhood shops; Office premises; Oyster aquaculture; Passenger transport facilities; Places of public worship; Plant nurseries; Recreation areas; Recreation facilities (indoor); Recreation facilities (major); Recreation facilities (outdoor); Research stations; Respite day care centres; Rural supplies; Service stations; Specialised retail premises; Storage premises; Take away food and drink premises; Tank-based aquaculture; Timber yards; Vehicle body repair workshops; Vehicle repair stations; Vehicle sales or hire premises; Veterinary hospitals; Warehouse or distribution centres; Wholesale supplies; Any other development not specified in item 2 or 4

4 Prohibited

Advertising structures; Agriculture; Air transport facilities; Airstrips; Amusement centres; Camping grounds; Caravan parks; Cemeteries; Charter and tourism boating facilities; Commercial premises; Correctional centres; Eco-tourist facilities; Electricity generating works; Entertainment facilities; Exhibition homes; Exhibition villages; Extractive industries; Farm buildings; Forestry; Freight transport facilities; Heavy industrial storage establishments; Helipads; Highway service centres; Home-based child care; Home businesses; Home occupations; Home occupations (sex services); Industries; Marinas; Mooring pens; Open cut mining; Port facilities; Registered clubs; Residential accommodation; Restricted premises; Rural industries; Sewerage systems; Sex services premises; Tourist and visitor accommodation; Transport depots; Truck depots; Waste or resource management facilities; Water recreation structures; Water supply systems; Wharf or boating facilities

The differences between the current E4 – General Industrial zoning and the proposed E3 – Productivity Support with Schedule 1 provisions, are minor, but are the only means of achieving the vibrant, diverse and active Employment Land precinct designed for the Subject Land. By integrating shop top housing with sites designed to support incubator business locations, the proposal will improve the efficient use of Employment Lands by enabling a broader range of operating hours. With a residential component, the precinct becomes a vibrant village environment. The placemakers engaged on this project have identified opportunities for boutique manufacturers to expand and grow within Thrumster Business Park, by having access to a range of business footprints available within the same locality. This enables manufacturers and artisan operators to expand without having to relocate to other areas, thus retaining their customer connections. The Planning Proposal creates a live and work precinct that is suitable for high tech, vibrant industries, and thus increases the productivity of the Employment Lands. Small business has long been identified as being crucial to economic recovery and success, and this unique precinct will ensure the Port Macquarie region is able to capture these businesses and respond quickly to economic changes.

4. Specialist Studies and Assessments

This Planning Proposal has been in the development and investigation phases for almost two years. During this time, preliminary consultations were undertaken, as well as liaison with various experts and specialists. In accordance with the Department of Planning and Environment's Local Environmental Plan Making Guidelines, August 2023, a Scoping Proposal was prepared and lodged with Port Macquarie Hastings Council with the request for a Prelodgement Meeting. The minutes of the Prelodgement Meeting set out the matters that were required to be specifically considered in regards to this Planning Proposal.

It should be noted that the original proposal was for a Mixed Use zoning, and the Council minutes reflect this. However, post lodgement of the formal application, further response from Council sought a change to a broader rezoning footprint, and a preference for an E3 – Productivity Support zone with the Schedule 1 proposal as per this current application. Refer to the Appendices section of this report to reference the minutes and the section of this report where each matter has specifically been addressed.

A number of the matters set out in the Prelodgement Minutes required Specialist Consultants to be engaged. The full studies and reports are included in the Appendices section.

This section of the Planning Proposal report sets out a summary of the various studies.

4.1 Employment Land and Economic Impact Assessment

Specialist consultants undertook a detailed Employment Land and Economic Impact Assessment of the proposed change in zoning from E4 – General Industrial to E3 – Productivity Support, and addition of shop top housing and serviced apartments. One of the primary aims of this proposal is to ensure there is no adverse impact or change to the retail hierarchy as set out in Council's various Economic and Retail Strategies, particularly such that the Port Macquarie CBD remains the primary economic and retail centre of the broader LGA, and also that no impact to the status of Sovereign Hills shopping precinct will arise.

It is particularly noted that retail premises are prohibited in both the existing E4 zone and the proposed E3 zone. Both zones will continue to permit what may be considered industrial retail type outlets. This includes small 'shops' associated with a broader manufacturing premises, where the business operators are able to sell their products on a small scale; or specialised retailing suitable for industrial areas, such as garden supply or similar style of outlets. However, a stand alone "shop" that does not fit within any of the specialised or industrial / manufacturing associated outlets, is a prohibited use in Employment Lands zoning. Whilst this explanation has relied upon non standard land use definitions, the descriptions used have been focused on the need to provide a plain english explanation of

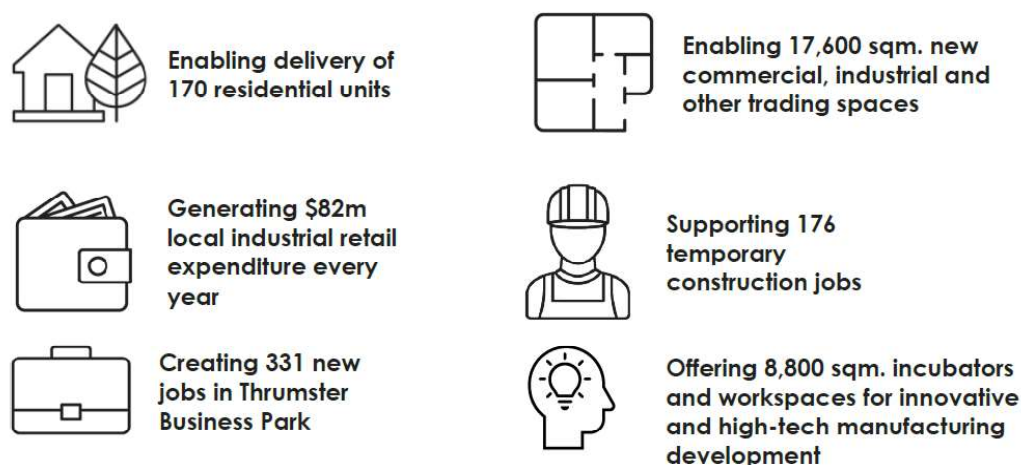
how limited the impacts of this zone change could possibly be in regards to retail hierarchy. The specialist study goes into considerable detail regarding the analysis, however the conclusion is very clear, as per the following extract from the Employment Land and Economic Impact Assessment:

The proposed rezoning and subsequent development are likely to generate substantial positive impacts on the surrounding area and local economy, including its local retail hierarchy and employment land needs of Port Macquarie. This Employment Land and Economic Impact Assessment (ELEIA) estimates and assesses the potential impacts of the construction and operational phases of the proposed rezoning on local retail hierarchy and other employment land locally. It should be noted that this ELEIA is informed by the conceptual plan and concept details for the proposed E3 Productivity Support zone.

The proposed rezoning will drive substantial economic growth, facilitate housing and economic diversification in the Port Macquarie region, boost innovation and employment, and enhance community vibrancy.

The flourishing, distinctive, and diversified multi-functional precinct will effectively accommodate a wide range of incubator and workspaces, with manufacturing and direct to purchaser outlets (i.e., artisan food and drink industry, industrial retail outlet, etc.). Furthermore, the rezoning enhances the availability and diversity of dwelling types being delivered in the area, creating a 24/7 live-work precinct fostering a dynamic integrated community where residential, commercial, manufacturing and recreational activities seamlessly coexist.

Figure 10: Key positive retail - economic impacts as identified in the Employment Land and Economic Impact Assessment



These identified outcomes are exactly the reasoning behind the Planning Proposal and the elements identified by the Placemakers and Architects to ensure the success of this vibrant 24/ 7 live work precinct. The apartment style housing element is crucial to creating an Employment Precinct which is limited in the hours of economic development. By living and working on site, the resultant community is able to expand the productivity of the

Employment Lands and provide for increased efficiencies and an ability for manufacturers and business operators to address and respond to market changes.

4.2 Transport Impact Assessment

The Thrumster / Area 13 - Urban Release Area was part of the long term Planning Strategy for Port Macquarie – Hastings Council. This strategy included planning for an overall transport network to service the new population of 10,000 persons, as well as the commercial, manufacturing, child care and educational services and facilities required for this new urban centre. The realignment of the Oxley Highway was a major component of this transport planning. The old Oxley Highway has been renamed John Oxley Drive, and this road provides the primary collector road servicing the local traffic network within Thrumster.

The Subject Land will be 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 approved as part of DA 2014-114.

The E3 – Productivity Support proposal will provide for a variety of landuses, some of which are already permissible within the E4 – General Industrial zoning. Medical centres are already permissible in both the current E4 – General Industrial zone, as well as the proposed E3 – Productivity Support zone. It is also noted that the E3 – Productivity Support zone will prohibit general industrial landuses which may have generated a higher demand for heavy vehicles, such as large trucks, accessing the Subject Land. Centre based childcare centres will be permissible within the proposed E3 zone.

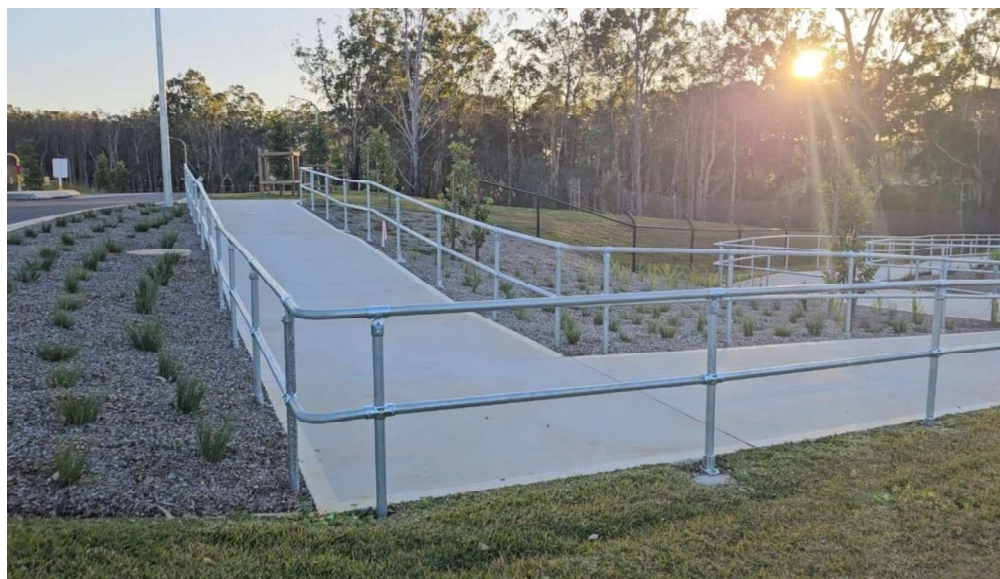
Thus, the potential impacts on the transport network, arising from the proposed E3 zone, are a mix of landuses which may increase peak traffic movements, such as a childcare centre, and those which may reduce traffic movements, such as creating opportunities for people to live and work within the estate and thus remove commuter traffic from the broader network.

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. This arises due to the E3 zone supporting commercial business opportunities and a lighter industrial focus on manufacturing such as artisan food and drink premises, rather than heavy industrial landuses.

The approved designs for the Thrumster Business Park Estate include an extensive pedestrian network throughout the estate. The footpaths within the area to be rezoned,

already link to the adjoining estates, with further linkages to be developed within the wider Thrumster Urban Growth Area as further estates are developed. The existing footpaths within the Thrumster Business Park Estate link to the adjoining residential estate to the south. A pedestrian / cycleway underpass at the John Oxley Drive intersection provides for safe access to the newly released residential estate on the southern side of John Oxley Drive. This facilitates walking and cycling between home and your place of employment.

Figure 11: A section of the John Oxley Drive underpass already constructed as part of the extensive footpath and cycleway network throughout Thrumster



In addition to these existing networks, the Thrumster Business Park property owners have also been working with local and state government, local centres and the health & education sectors, to develop a dedicated cycleway / pathway connection that provides a safe and direct connection between the Thrumster Business Park Estate, and the Health & Education Precinct around the Port Macquarie Base Hospital and Charles Sturt University. This will also contribute to providing a safe alternative transport mode for commuters, and assist in alleviating traffic congestion that is occurring in the broader Port Macquarie transport network. These connections are identified in the Port Macquarie – Hastings DCP 2013 for the Thrumster locality, and require both private property owners and various levels of government to work together to achieve these long term goals. This Planning Proposal will provide further support for these cycle / pathway connections to be implemented in the short term.

With the aim of assessing the potential change in traffic demand, expert traffic consultants were engaged to consider and evaluate the existing and long term future traffic movements associated with this Planning Proposal. The assessment and final report is included in the Appendices and forms part of this Planning Proposal.

Based on the Concept Plans and estimated yields prepared for this Planning Proposal, the Traffic Impact Assessment estimated around 638 onsite parking spaces would be required

across the 32 lots. Council's DCP notes that these parking spaces are required to be provided within the carpark areas servicing each development site.

In addition, Thrumster Business Park Estate has already obtained development consent for three large private carparks to be located within the estate, near the entrance. The adjoining roadway facilitates pedestrian movement into the E3 – Productivity Support land via the provision of pedestrian refuges, which are already constructed within the road reserve of Integrity Circuit. This initiative to ensure a ready supply of parking spaces is unique to any Business Park in this locality, and will ensure the operation of road networks are not hampered by parking demand.

The Traffic Impact Assessment considered the estimated traffic movements generated by the current General Industrial zoning of the Subject Land and also estimated traffic movements generated by the proposed E3 – Productivity Support development. The Traffic Impact Assessment concluded

“the proposed rezoning results in a net decrease of 5 and 55 vehicle trips during the AM and PM peak hour, respectively”.

The Traffic Impact Assessment also considered any possible impacts on the surrounding road network and concluded that the introduction of residential landuses, such as shop top housing, within the rezoning area, may generate different trip patterns, but that the *“proposal would reduce the anticipated number of trips and thus such minor change in trip pattern would not materially have any impacts on surrounding network capacity”*.

Having regard to the above outcomes of the traffic investigations, the Traffic Impact Assessment concluded that *“the proposal can be approved from a traffic and transport perspective”*.

4.3 Aboriginal Cultural Heritage

An extensive Aboriginal Cultural Heritage study was undertaken as part of the Thrumster Urban Release area investigations. This overall Study provided a background regarding the Cultural Heritage in this locality, over the broader Thrumster / Area 13 Urban Release area.

More recently, detailed investigations were initiated by Thrumster Business Park, resulting in a site specific Aboriginal Cultural Heritage Assessment, prepared by Birpai Local Aboriginal Land Council. The site survey was undertaken in November, 2021 after the land approved for subdivision had been cleared and earthworks had commenced. This provided for a fully accessible site.

The Aboriginal Cultural Heritage Assessment noted that

“Consultation with local Aboriginal peoples with a relationship to the area revealed no specific knowledge of occupation or cultural heritage associations with the subject land. No site recording is required as there are no material traces, evidence or expressed knowledge of Aboriginal land use of the site. The assessing site officers can see no reason why the proposal cannot continue”.

A search of the OEH Aboriginal Heritage Information Management System noted that no Aboriginal sites and no Aboriginal Places were recorded or declared on the subject land.

4.4 Strategic Bushfire Study

A Strategic Bushfire Study has been undertaken and the report is included in the Appendices section of this Planning Proposal. The assessment was undertaken by a qualified consultant with years of experience and local knowledge. The study notes that Direction 4.4 – Planning for Bushfire Protection, applies to planning proposals that affect, or are in close proximity to, land mapped as Bush Fire Prone Land. The provisions require a bush fire assessment to be submitted with the Planning Proposal, and this should take the form of a Strategic Bush Fire Study. This requirement has been met by the assessment and inclusion of the Strategic Bush Fire Study with this Planning Proposal report.

The development of the Subject Land for the purposes of landuses permissible within an industrial zoning, has already been assessed as part of the development assessment for the approved industrial subdivision. The bushfire hazard assessment for the industrial development of the land was recently updated to ensure the bushfire mitigation measures, such as Asset Protections Zones, were compliant with current Planning for Bushfire Protection provisions.

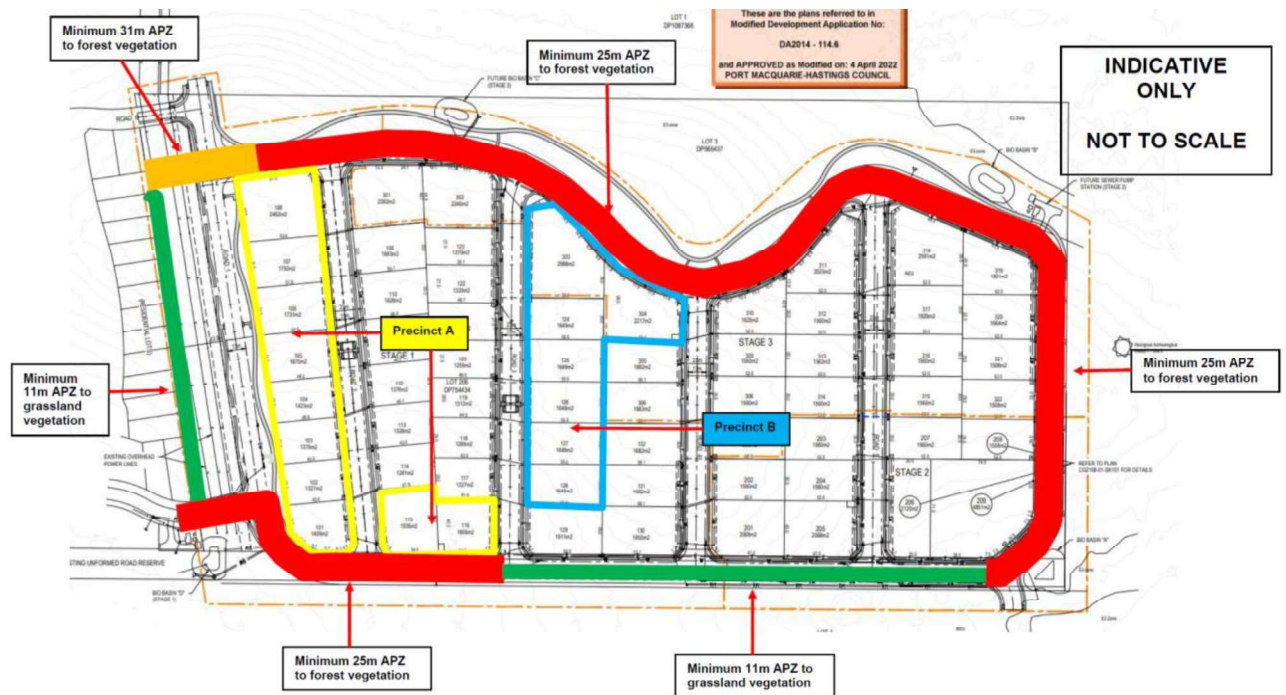
On the basis that the proposed zoning permits including shop top housing and serviced apartments, the Strategic Bushfire Study considered the relevant objectives for residential subdivision developments. The Study concluded that:

There would be no apparent impediments or restrictions on the future development of each of the areas of land which are the subject of this report being able to comply with the construction requirements of NSW Rural Fire Services, Planning for Bushfire Protection, 2019, which are assessed as being relevant to future development.

It is considered that it will be possible for future development of the allotments of land which are the subject of rezoning to meet the applicable performance objectives and acceptable solutions as provided for in NSW Rural Fire Service, Planning for Bushfire Protection, 2019.

The APZs required for residential development in the form of shop top housing and serviced apartments within Precincts A & B only, will be provided for by the perimeter road network, and building setbacks, as shown on the following extract from the Strategic Bushfire Study:

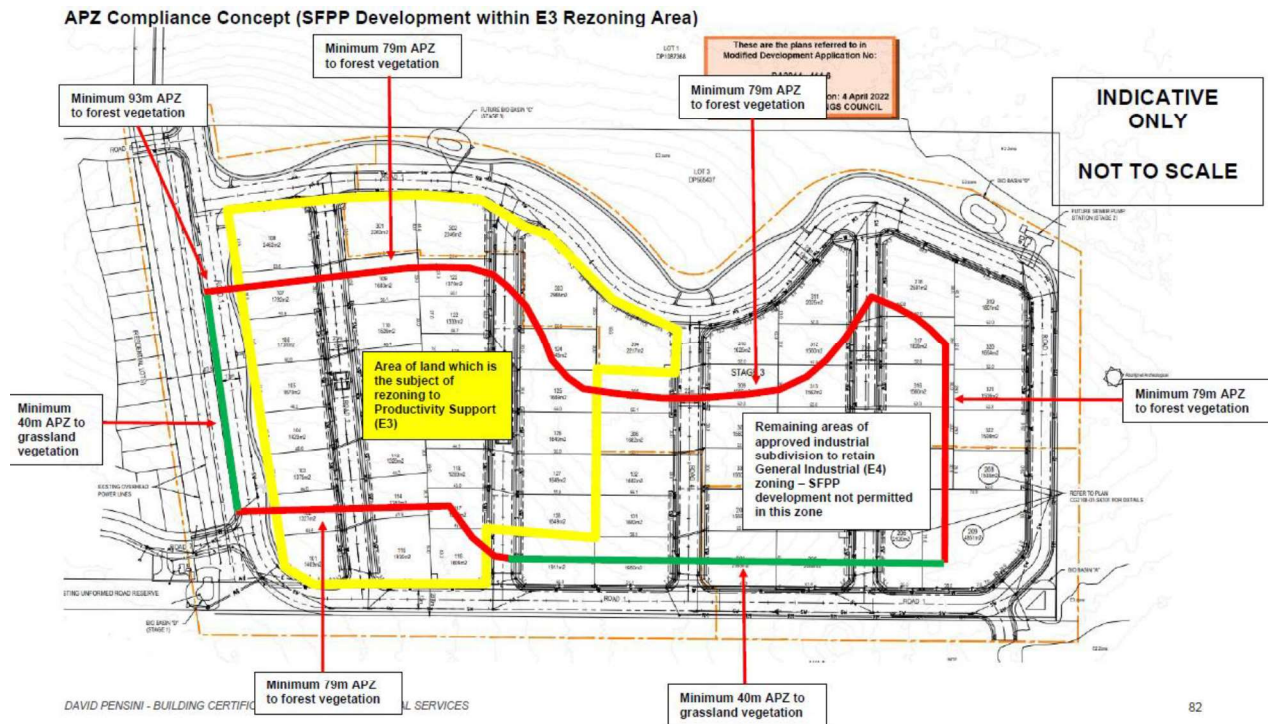
Figure 12: Extract from Strategic Bushfire Study - Asset Protection Zones for Residential Development in Precincts A & B can be provided for by the Perimeter Road network and Building Setbacks where required



The Strategic Bushfire Study also assessed the potential for Special Fire Protection Purpose Developments, as the E3 zone permits childcare centres, subject to specific site assessments and Council approval. In this regard, the Study concluded that the development of some areas of the Subject Land would be consistent with the objectives applicable to Special Fire Protection Purpose Developments, and some areas of the land could be developed so as to be compliant with the relevant acceptable solutions / standards applicable to Special Fire Protection Purpose Developments.

Based on the existing vegetated areas, and the undeveloped land adjoining to the east, the following plan extract sets out the indicative Asset Protection Zones that would be required for Special Fire Protection Purpose landuses across the Thrumster Business Park estate.

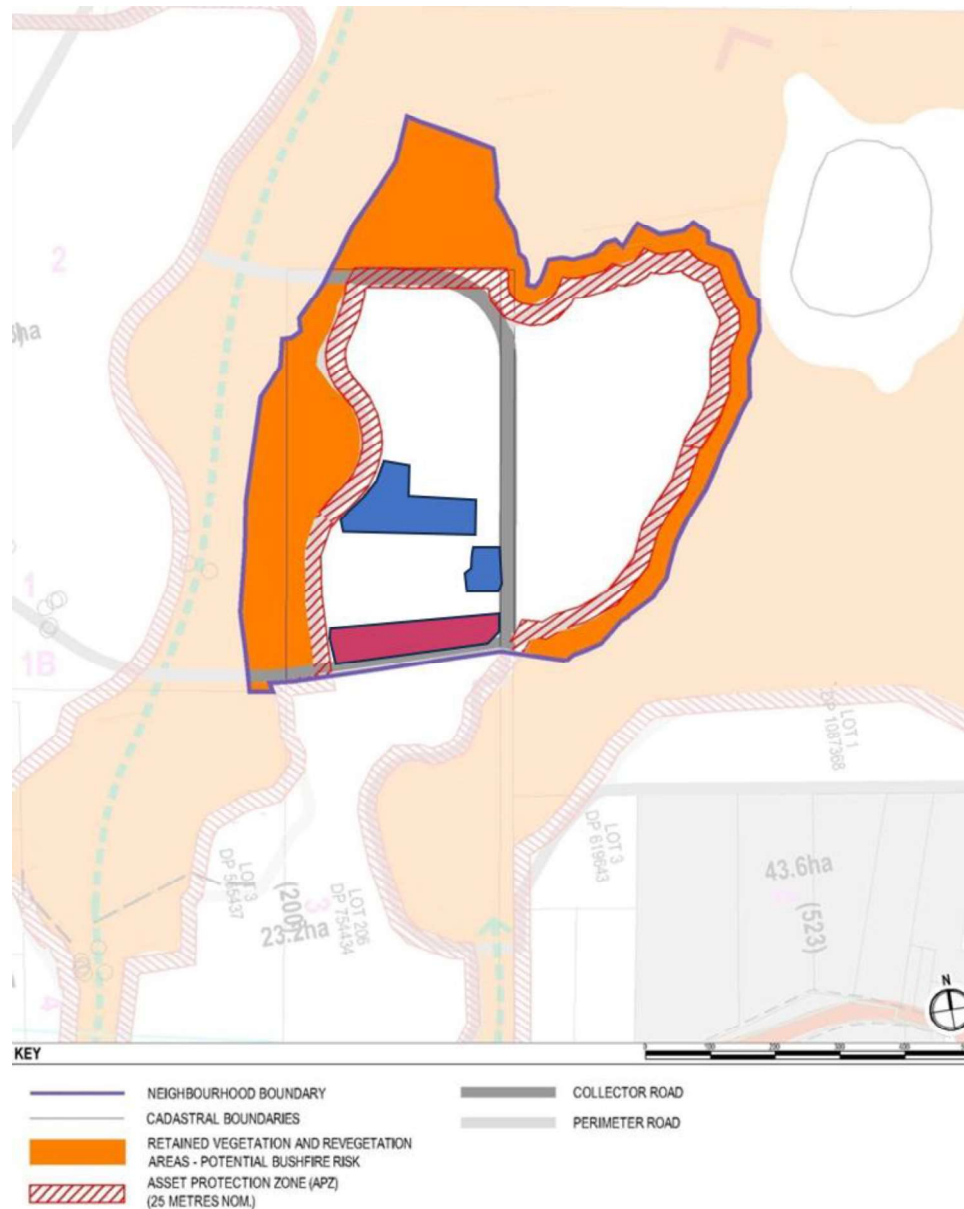
Figure 13: Extract from Strategic Bushfire Study - Asset Protection Zones for Special Fire Protection Purpose development as shown



Thus, the Strategic Bushfire Study has determined that the Subject Land is capable of being developed for a range of landuses permissible within the E3 zone, and also for the additional permitted residential landuses of shop top housing and serviced apartments. The use of lots for landuses which are classified as special fire protection purpose landuses, which adjoin undeveloped urban areas, such as the industrial zoned land to the east of Thrumster Business Park, may require an interim Asset Protection Zone over the undeveloped land. This would only be required until such time as the adjoining industrial land is developed.

It is noted that the Partridge Creek Industrial Bushfire Management Plan shown in Council's DCP 2013, confirms that an Asset Protection Zone will ultimately be provided around the perimeter of the entirety of the Partridge Creek Industrial Precinct. This is shown in the following extract from DCP 2013.

Figure 14: Extract from Council's DCP 2013 showing Partridge Creek Industrial Bushfire Management Plan. The approximate location of Precincts A & B which permit shop top housing and serviced apartments, has been shown via the blue and the red shading



In conclusion, the Strategic Bushfire Study determined that it will be possible for the future development of the proposed E3 – Productivity Support, and shop top housing & serviced apartment precinct areas, to meet the performance objectives and acceptable solutions provisions as setout in the Planning for Bushfire Protection 2019 standards.

4.5 Flooding Assessment

The Flood Mapping for the locality identified an area in the south-eastern portion of the Thrumster Business Park Estate, as being within the flood planning area. The development of the broader locality, was assessed during the Area 13 Urban Release Growth Study investigations. This includes the work and modelling undertaken for the Maunsell Aecom reports, and the Cummings Group Stormwater report of November, 2021.

For the purposes of this Planning Proposal, Cummings Group were engaged to review the previously completed studies and reports, the approved finished levels for each allotment within the E3 zoning area, and compliance with Council's adopted Flood Policy.

The Flooding Assessment forms part of the Appendices to this Planning Proposal report. In conclusion, the Flooding Assessment notes that the access / egress roads that will service the proposed E3 land, are not impacted by flood. The finished levels of the lots within the Thrumster Business Park will all be flood free lots.

The lots within Precincts A & B have the potential to accommodate residential development in the form of shop top housing and serviced apartments. These lots are designed and approved to be compliant with Council's Flood Policy, such that the minimum flood levels will be greater than 900mm above the 1 in 100 year flood levels. This includes provision for the finished levels to be greater than 400mm above the 1 in 100 year flood level.

Therefore, the lots within the area proposed to be zoned E3 – Productivity Support are above the 1 in 100 year flood level, and the development of the lots for residential or similar landuses will be compliant with Council's adopted Flood Policy.

4.6 Noise Impact Assessment

The Subject Land is approximately a kilometre from the end of the runway of the Port Macquarie Airport, and the lots identified for shop top housing and serviced apartments will be within an Industrial and Business Park Estate. Therefore, there is potential for the future landuses within the E3 land to be impacted by noise arising from both the airport operations, and the future industrial development.

For the purposes of the Planning Proposal, an assessment was undertaken by SLR Consulting Australia Pty Ltd (SLR) to assess the feasibility of the E3 proposal and the additional shop top housing / serviced apartment Precincts, particularly in relation to the development of residential landuses, and other potential developments in the E3 zone such as a childcare centre.

The assessment was undertaken on a conservative basis, and thus provides a likely worse case scenario for noise impacts in this locality. For example, the predicted noise levels did

not have regard to the “*considerable screening of acoustically significant activities (that) would be provided by buildings once the site is developed.*”

The Noise Assessment notes that construction works undertaken on sites directly adjoining the Subject Land, may result in periods of exceedance of noise levels appropriate for residential and similar forms of occupation. However, it is noted that construction works occur for short periods of time, and there are a number of controls that can be put into place to minimise disturbance to neighbouring properties during the development of estates. This is similar to construction works that occur in residential estates during the construction transition period as each lot is developed, so these requirements and standards of controls are already acceptable practice.

In regards to the noise arising from airport operations, the Australian Noise Exposure Forecast (ANEF) contours for the Port Macquarie Airport, were assessed in regards to the Subject Land. The SLR report notes that the Subject Land does not sit within the ANEF contours and the ANEF mapping “*indicates that the site is acceptable for residential use as defined in AS 2021*”.

As part of the investigations undertaken by the consultants for the Noise Impact Assessment, discussions with the Council and Port Macquarie Airport management noted that the ANEF contours would be updated as part of future Airport Masterplan works, and the 20 ANEF contour may encompass a small part of the land to be zoned E3. It was noted however that the 25 ANEF contour is likely to remain well outside the proposed E3 land.

Based on the possible widening of the 20 ANEF contour, a general assessment of likely maximum internal noise levels due to aircraft noise, was undertaken, as per AS 2021 methodology. Detailed, site and development proposal specific assessments will still be required at development application stage.

Whilst the ANEF mapping indicates that the land is acceptable for residential use, the Noise Assessment has undertaken more detailed assessments based on possible variations to flight paths.

The assessment undertaken by SLR Australia Pty Ltd concluded:

“It is concluded that the rezoning to E3 – Productivity Support with additional permitted use for shop top housing and serviced apartments would not be precluded on the basis of noise from future industrial land uses and the airport provided that appropriate building acoustic design principals and mitigation measures are implemented to reduce internal industrial and aircraft noise levels. It is noted that construction or mitigation measures would be required to meet relevant noise criteria and that potential noise impacts would be addressed on a case by case basis at the DA stage for each development to assesses any potential noise impacts and avoid land use conflicts”

4.7 Building Height Limits

The Port Macquarie – Hastings LEP 2011 does not prescribe any maximum height of building levels for the Subject Land. Thus, there is no such development standard applying to the future development of the land. However, the height of any future buildings on the Subject Land is controlled by the Obstacle Limitation Surface (OLS) mapping prescribed by the operations of the nearby Port Macquarie Airport. The approved Thrumster Business Park estate is also controlled by the OLS mapping, and thus any development on the surrounding land has the same height controls.

A preliminary review of the OLS mapping provides a very clear indication that the OLS is not a constraint to the reasonable development of the Subject Land, and the wider industrial developments permissible within the Thrumster Business Park. However, for the purposes of this Planning Proposal, and to address the matters set out in the Prelodgement Minutes, a number of Sections have been prepared to provide for a detailed examination of the building heights that could be achieved across the area of the Subject Land. Consultation was undertaken with Council's Airport Operations Manager to confirm the current OLS mapping data was used for the preparation of these Section Plans.

A full set of these Section Plans is included in the Appendices section of this Planning Proposal report. In summary, building heights in excess of 25 metres, from the design height of the lots within the proposed E3 land, could readily be achieved without impacting the OLS mapped maximum building height. For example, Section BB, at chainage 0.000, the design height is RL 12.52m and the OLS is RL 40m, therefore a building height of 27.47m could theoretically be constructed at that point, without penetrating the OLS for the Port Macquarie Airport.

Therefore, the Subject Land is able to be developed without being constrained by the OLS associated with the operations of the Port Macquarie Airport, in regards to height of buildings.

5. Strategic Planning Policies, Guidelines and Plans

This section of this Planning Proposal Report is an assessment of the proposed E3 – Productivity Support zone, and Schedule 1 additional uses of Shop Top Housing and Serviced Apartments within Precincts A & B, against the various Strategic Planning Policies, Guidelines and Plans relevant to this proposal. The E3 – Productivity Support zone provides for a wide range of potential landuses, and thus there are a significant number of Plans that have been considered.

Governments, at all levels, develop Strategic Plans to guide landuses and provide for responses to changing business, societal and environmental standards and requirements. However, many of these Strategic Plans will not be achieved without support and implementation by property owners. The proponent for this Planning Proposal has identified a number of housing, industry and business needs which are not being met by the current, standard developments being produced. This Planning Proposal aims to facilitate an E3 – Productivity Support development which will provide these needed services and facilities.

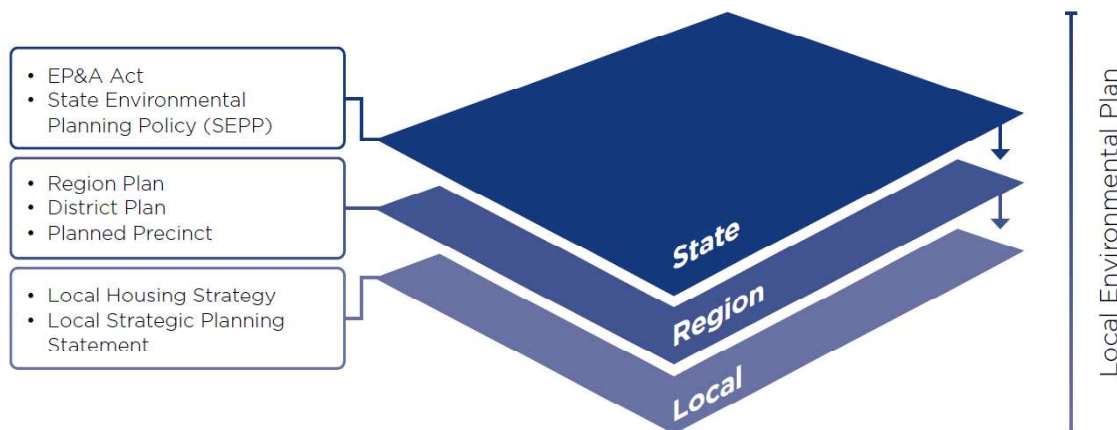
The proponent for this Planning Proposal has received support for the business, commercial, industrial and housing opportunities that will arise from this Planning Proposal, and there are a number of Letters of Support included with the Appendices to this Report.

An examination of the various Strategic Planning documents setout below, certainly highlights a number of Strategic Plans and Policies which have identified the need for this form of development and housing, and the Port Macquarie LGA is well placed to respond to the existing demand.

The Department of Planning's LEP Making Guidelines refers to the Strategic Planning Framework, and notes that *"An effective planning system looks to the future, led by long term, evidence based strategic planning that is inclusive, democratic, responsive to climate change, and injects predictability into decision making. Its purpose is to provide for the needs of people and the environment now and into the future"*. The *"strategic planning framework establishes the vision for NSW into the future with alignment between planning priorities identified at a state, regional or district level with finer-grained placed based planning at the local level"*.

The Strategic Planning Framework is as shown below:

Figure 15: Strategic Planning Framework (source: Dept Planning & Environment - LEP Making Guideline Aug 2023)



The documents that form the Strategic Planning Framework, guide the assessment of Planning Proposals. The following sections consider this Planning Proposal in the context of the relevant State, Regional and Local Planning documents and policies.

5.1 National Housing Accord

The National Housing Accord brings together States and Territories, Investors and Building / Construction Industry representatives. The Accord seeks to address the housing supply challenges and delivery challenges.

The Introduction Section of the National Housing Accord states:

Housing supply challenges need to be addressed to ensure Australians have access to safe, stable and affordable housing, as well as better housing choices that are close to work, schools and transport. The residential building industry is facing capacity constraints; looking forward, building activity is expected to decline from recent peaks, further exacerbating supply and affordability pressures.

The need for better housing choices that are close to work, schools and transport, will particularly be addressed in this Planning Proposal. Shop top housing will improve the range of housing choice by providing a more compact form of housing, which is located within an Employment Zone. This removes the cost of transport to / from your place of work, and has a broader benefit of not adding to commuter traffic movements. In this way, this Planning Proposal is consistent with the National Housing Accord and provides a mechanism for the implementation of some of the targets set by the Accord by addressing housing supply.

5.2 Environmental Planning and Assessment Act 1979

The Environmental Planning and Assessment Act 1979 (EP&A Act) is the primary legislation that sets out the structure and provisions for our planning system in New South Wales. The EP&A Act contains ten objects, as shown in the following extract:

Section 1.3 of the Environmental Planning & Assessment Act 1979.

1.3 Objects of Act

The objects of this Act are as follows—

- (a) to promote the social and economic welfare of the community and a better environment by the proper management, development and conservation of the State's natural and other resources,*
- (b) to facilitate ecologically sustainable development by integrating relevant economic, environmental and social considerations in decision-making about environmental planning and assessment,*
- (c) to promote the orderly and economic use and development of land,*
- (d) to promote the delivery and maintenance of affordable housing,*
- (e) to protect the environment, including the conservation of threatened and other species of native animals and plants, ecological communities and their habitats,*
- (f) to promote the sustainable management of built and cultural heritage (including Aboriginal cultural heritage),*
- (g) to promote good design and amenity of the built environment,*
- (h) to promote the proper construction and maintenance of buildings, including the protection of the health and safety of their occupants,*
- (i) to promote the sharing of the responsibility for environmental planning and assessment between the different levels of government in the State,*
- (j) to provide increased opportunity for community participation in environmental planning and assessment.*

The Planning Proposal was considered in relation to the ten objects of the Act, and the following assessment was undertaken.

This Planning Proposal is consistent with the Objects of the Act, such that the proposal will provide for an improved welfare for the broader community. The consultation undertaken during the preparation of this Planning Proposal, included liaison with leading business organisations, and the operators of the nearest largest retail centre, being the Sovereign Hills IGA. The positive support from the business sector is in recognition of the improvements to the supply of more versatile Employment and Business landuse opportunities in the Port Macquarie – Hastings LGA.

The concept designs have explored the provision of housing within the Planning Proposal area and the diversity of housing to be provided will improve housing choice and

opportunities. This will have a positive impact on the social welfare issues currently being experienced under the housing crisis.

The matters relevant to Ecologically Sustainable Development and the Precautionary Principle were considered, noting that ecologically sustainable development requires the effective integration of economic and environmental considerations in decision-making processes.

The four principles of ecologically sustainable development are:

- the precautionary principle,
- intergenerational equity,
- conservation of biological diversity and ecological integrity, and
- improved valuation, pricing and incentive mechanisms.

The principles of ESD require a balance between the elements of ecologically sustainable development. In regard to the proposed zone change from the current General Industrial, to an E3 – Productivity Support zone with additional uses of apartment style housing, applying to an area of land which does not contain any environmental significance, it is considered that the proposal is consistent with the requirements of ecologically sustainable development.

The Planning Proposal will provide for the orderly and economic use of the land, and it is particularly noted that the use of the land for employment purposes, is consistent with the adopted long term and orderly development of this land, as per the Area 13 urban land release plans.

This Planning Proposal will facilitate diversity in housing provision within the Area 13 Urban Release Area. The Planning Proposal provides for shop top housing and serviced apartments only. These are dwelling types other than the standard (and less affordable) detached housing. More recent examination of housing supply in both the Port Macquarie – Hastings LGA, and the broader Regions, notes that there is a “missing middle” that has adversely impacted on both supply and affordability of housing. Standard residential estates full of detached housing have remained the standard supply of housing, with extremely limited supply of smaller, affordable apartment or shop top housing stock. Even in Port Macquarie, the supply of apartment housing has focused on high priced coastal locations, which do not address the need to provide for smaller housing options. By providing for shop top housing and serviced apartments, this Planning Proposal will promote the delivery of an affordable form of housing which is particularly critical to housing for essential workers.

The Subject Land has not been found to contain any areas of environmental significance; however, the overall Thrumster Business Park development has provided for the maintenance and management of the environmental protection areas located to the west of the Subject Land.

The Thrumster Business Park estate was specifically inspected to determine if the site contained any areas of Aboriginal Cultural Heritage. Consultation with the Local Aboriginal Land Council did not identify any cultural significance of the land.

The future development of the E3 – Productivity Support land will be subject to the existing design provisions as setout in Port Macquarie Hastings Council's Development Control Plan 2013. This includes controls relating to the building and site design which provides for a high standard of amenity within the built environment. The development will be designed and constructed to be compliant with current standards to ensure the health and safety of future occupants.

This Planning Proposal will be placed on public exhibition to provide for community participation in this planning assessment and consideration.

In this manner, this Planning Proposal is consistent with the objects of the Environmental Planning and Assessment Act.

5.3 State Environmental Planning Policies

There are a number of State Environmental Planning Policies (SEPPs) applicable to the Subject Land. It should be noted that future development applications may trigger provisions of development specific SEPPs, and those specific matters will be considered at the development application stage.

i. Planning Systems SEPP 2021

The proposal is not a State or regionally significant development, and is not a site or development proposal which triggers consideration of any of the other matters contained in the consolidated Planning Systems SEPP.

ii. SEPP (Sustainable Buildings) 2022

The provisions of this SEPP came into effect last year. This SEPP has introduced higher standards of energy efficiency requirement for residential developments, and these standards will be applicable to residential development within the proposed E3 – Productivity Support zone where relevant. The SEPP also introduced new provisions for non-residential developments. The details provided in regards to the new provisions noted:

The sustainability provisions for non-residential development are new and include:

- *embodied emission measurement and reporting for all developments*
- *energy standards for large commercial development with energy performance to be verified after the building is occupied and offsets purchased for residual emissions*
- *minimum water standards for large commercial development*

- *certain developments to be ‘all electric’ or capable of converting to operate without fossil fuels by 2035.*

The provisions of the Sustainable Buildings SEPP will be applied to development applications for the development of lots within this Planning Proposal area, as applicable.

iii. SEPP (Biodiversity & Conservation) 2021

Chapter 4 of this SEPP relates to Koala Habitat Protection generally on land other than rural zoned land referenced in Chapter 3. The Subject Land is a cleared site which forms part of the approved and constructed subdivision and earthworks relating to road construction, installation of infrastructure and creation of lots suitable for future building works over the wider Thrumster Business Park property. Thus, there is no native vegetation on the Subject Land.

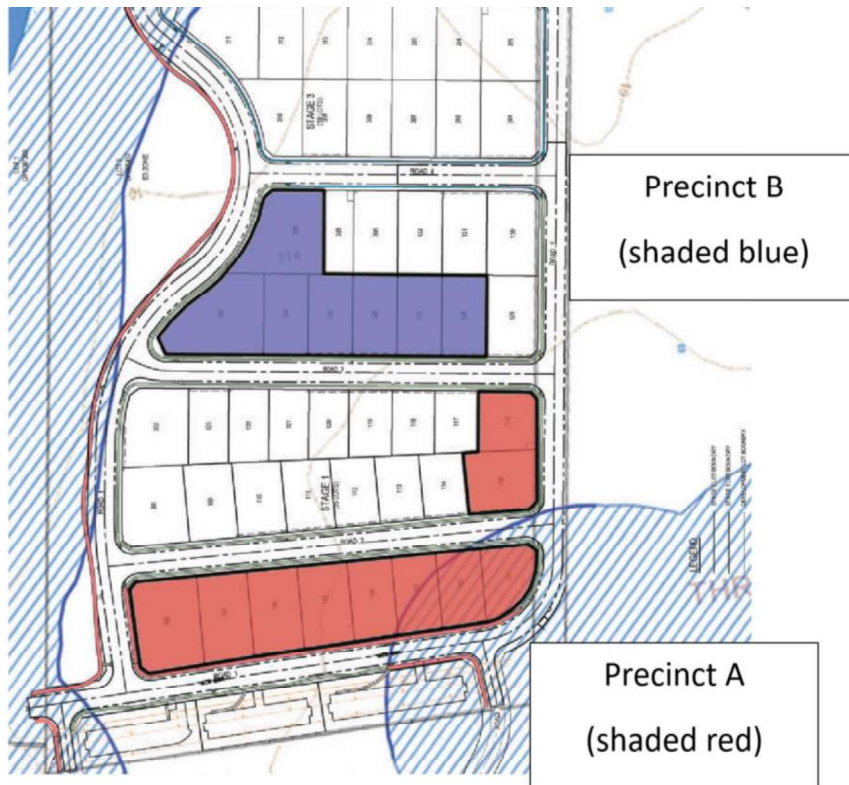
The Area 13 UIA Koala Plan of Management was prepared in 2008 as part of the Urban Investigation Area studies. It is noted that the fieldwork undertaken for the Area 13 UIA Koala Plan of Management included two SAT sites, and a spotlight transect through the wider Thrumster Business Park property, but did not map the property as containing any areas of High or Medium (normal) use koala habitat. The Area 13 UIA Koala Plan of Management does not contain any provisions that are applicable to this Planning Proposal and the Subject Land does not contain any areas of koala habitat. Therefore, no further consideration of this SEPP has been undertaken for the purposes of this Planning Proposal assessment.

iv. SEPP (Resilience & Hazards) 2021

Chapter 2 of the Resilience & Hazards SEPP applies to Coastal Management provisions. The Subject Land is not mapped as being within a Coastal Environment Area. The land is not mapped as being within a Coastal Use Area. The subject land is not mapped as containing any areas of Littoral Rainforest or Coastal Wetland, or land within proximity to any Littoral Rainforest vegetation.

The south-eastern portion of Precinct A is mapped as being within proximity to coastal wetland, as shown by blue hatching. This is shown in the following SEPP map extract with an approximate overlay of the Subject Land and approved subdivision layout.

Figure 16: Annotated Extract from Coastal SEPP map – Approximate location of Planning Proposal areas as shaded, with blue hatched area showing the proximity to wetlands area



The subdivision works to construct the roads, services infrastructure, and earthworks for the industrial lots, has been approved and has been completed. This includes construction and completion of the stormwater control works to ensure the downstream wetland areas are not adversely impacted by any change to quality or quantity of runoff from the approved land development.

Land mapped as being within proximity to coastal wetlands triggers a requirement for the provisions of Chapter 2, Part 2.2, Division 1, Section 2.8 of the SEPP to be considered when a development application is being considered by the consent authority. Whilst this is only a Planning Proposal at this stage, the matters set out in Section 2.8 have been considered as setout below.

In regards to the relevant matters, it is noted that the development of the land under the provisions of the proposed E3 – Productivity Support and Schedule 1 landuses, will not result in any change to the integrity of the coastal wetlands, or the quantity and quality of the water flows to the coastal wetlands in this locality. The provision of stormwater infrastructure within the Thrumster Business Park estate provides for the control of

stormwater runoff from this estate, to ensure downstream wetland areas are not adversely impacted.

The Subject Land is physically separated from the wetland areas. The approval and completed works for the Thrumster Business Park estate includes bio basins for stormwater runoff control and management, and the change of zoning from General Industrial to Productivity Support will not alter these existing stormwater controls. Therefore, the integrity of the coastal wetlands in this area will not be adversely impacted as a result of this Planning Proposal.

Chapter 4 of the Resilience and Hazards SEPP sets out matters for consideration in regards to potentially contaminated land. The history of landuses in this locality was considered during the investigations undertaken over many years, as part of the Area 13 Urban Investigation Area studies. There is no evidence that the site was used for any intensive agricultural purposes, or other landuses which had any potential to result in site contamination. The land has now been cleared and extensive earthworks undertaken as part of the approved subdivision. During these earthworks, no areas of potential or existing site contamination were identified.

v. Industry & Employment SEPP 2021

The provisions of Chapter 3 of this SEPP relate to Advertising and Signage. Any future signage which is not exempt development, will be subject to future development applications, as required. No signage is proposed as part of this Planning Proposal, and therefore there are no matters of particular relevance to this Planning Proposal.

vi. Transport and Infrastructure SEPP

The subject land does not have frontage to a classified road or similar. Access to the Subject Land will be via the existing internal road network. Chapter 3 of this SEPP applies to educational establishments and child care facilities. The Planning Proposal does not include any development application; however, it is noted that the E3 zone will permit landuses such as centre based child care facilities, subject to any future development application assessment and Council approval. This specific landuse would be subject to a specific traffic assessment as part of any future development application.

Whilst not a requirement of the Transport and Infrastructure SEPP, a Transport Impact Assessment has been undertaken and lodged with this Planning Proposal. The Transport Impact Assessment noted that the road network would have capacity to cater for the likely landuses to be developed within the E3 zone, and there may even be a reduction in traffic movements as a result of the change from General Industrial to E3 Productivity Support and proposed Schedule 1 landuses.

5.4 Employment Zones Reform

The Department of Planning, Housing and Infrastructure (previously Department of Planning and Environment) introduced the Employment Zones Reform actions as a direct response to the need for economic recovery. The following extract from the Department’s Employment Zones Reform page sets out more detail for these reforms:

Small and medium sized business are the backbone of a productive economy.

Employment zones guide and direct businesses to establish, grow and adapt.

Reforms to employment zones have delivered a simplified framework that:

- *suits the future of work*
- *is fit for purpose*
- *supports productivity and jobs growth*
- *delivers the community’s objectives set through strategic plans and planning priorities.*

Employment zones support long-term economic recovery through job creation and increased productivity.

The employment zones provide clear strategic intent. Their application is clear and land use permissibility is made more flexible.

The Thrumster Business Park Planning Proposal reflects the changes being made to Employment Lands. These changes were first identified as an outcome of the NSW Productivity Commission’s key issue to “Unlock the Potential of Employment and Industrial Zones”.

The NSW Government’s Green Paper “Continuing the Productivity Conversation” and the White Paper “Rebooting the Economy”, both made reference to the need to broaden the range of permissible uses on Employment Lands.

As a result of this report from the NSW Productivity Commission, the Department of Planning implemented the Employment Land Reforms. These reforms include the new E3 – Productivity Support Zone, which covers the full range of landuses identified for the area shown as the Thrumster Business Park Planning Proposal.

The Planning Proposal is consistent with the Department of Planning’s Employment Land Reforms which identified a number of benefits of the proposed changes, including:

- **increase in jobs closer to homes reduces journey to work** – more employment generating uses permitted in centres and industrial precincts reduces the need for long commutes improving productivity and reducing costs
- **reduce administrative costs and complexity of future application processes** – proposed employment zones framework will facilitate expanded application of

complying development which has significant cost savings from faster approvals meaning reduced holding costs

- **greater business output potential** – increase in mandated permitted land uses results in greater access to potential sites and opportunity for diverse businesses to co-locate with associated productivity gains.

The social and economic benefits of the Thrumster Business Park Planning Proposal are consistent with the above objectives and benefits of the Department's Employment Land Reforms.

5.5 Regional Strategies

The Subject Land is within the regional area covered by the North Coast Regional Plan 2041. This Regional Plan was adopted in December, 2022 and applies to the areas as setout in the following extract from the Plan:

"The North Coast Region is on the lands of the Bundjalung, Githabul, Gumbaynggirr, Yaegl, Dunghutti, Thunggutti and Birpai nations.

It includes the local government areas (LGAs) of Ballina, Bellingen, Byron, Clarence Valley, Coffs Harbour, Kempsey, Kyogle, Lismore, Nambucca, Port Macquarie-Hastings, Richmond Valley and Tweed.

The region has 2 distinct subregions: the Northern Rivers and the Mid North Coast. Most people live in the regional cities of Tweed, Lismore, Coffs Harbour and Port Macquarie.

Many communities in the North Coast are still reeling from devastating bushfires and floods and the COVID-19 pandemic.

The North Coast supports a strong and growing economy. We expect to see continued economic growth in the fields of health and social assistance, education and training, and the construction, tourism, creative, retail and agriculture sectors.

Expected population growth requires us to plan for a minimum of 41,300 new homes in the next 20 years. Additional homes will also be needed for other uses like tourism and temporary accommodation."

The North Coast Regional Plan sets out a number of Objectives. The matters of particular relevance to this Planning Proposal, are considered as follows.

OBJECTIVE 1: Provide well located homes to meet demand

OBJECTIVE 2: Provide for more affordable and low cost housing

In regards to housing, the significant number of new homes required for the population growth has been noted, and the need for a diversity of housing must be addressed, as per the following extract from the Regional Plan summary:

“The regional plan includes a goal whereby 40% of new housing by 2036 will either be ‘multi-dwelling’, like apartments, town houses, villas, or small lot housing. This will encourage a greater diversity of housing to match people’s changing lifestyle preferences. It includes housing that allows for working from home, or smaller and lower maintenance homes for older people.”

This Planning Proposal provides for housing opportunities, including shop top housing and serviced apartments. Smaller and lower maintenance housing options will be available in a locality which is well connected to larger regional centres, and yet has all the required day to day services and facilities residents will need. This style of housing is consistent with the goal of the Regional Plan and the provisions of Objective 1 and Objective 2 of the Regional Plan.

OBJECTIVE 11: Support cities and centres and coordinate the supply of well-located employment land

This Planning Proposal does not diminish the employment land, but rather is a response to the changing demand for active employment precincts. This is consistent with the provisions of Objective 11 of the Regional Plan and reflected in the following extract from the Plan:

“Retaining and managing employment land through flexible planning and development controls will enable communities to respond to new opportunities and technologies.”

This Planning Proposal will improve the flexibility of the employment land within the Thrumster Business Park, via the opportunities available within the E3 land and associated precincts and is thus consistent with Objective 11.

OBJECTIVE 14: Deliver new industries of the future

This Planning Proposal has been driven by the demand for a place for innovation in the design and delivery of Employment Lands. The proponent identified a strong demand for expansion of medical centres and associated research sectors, as well as good connectivity to the Health & Education Precinct currently centred around the Port Macquarie Base Hospital and the Charles Sturt University sites. The Thrumster Business Park experienced strong demand from this sector, and the E3 zoning provided for the full range of landuses to

service this demand. This is consistent with Objective 14 of the North Coast Regional Plan, and supported in the following extracts from the Plan:

In the future, new and innovative industries will play an increasing vital role in delivering growth and prosperity in the region.... it is expected the strongest growth will be in traditional health and education jobs.

Improved efficiencies in the Region's current key employment sectors will drive resilience and growth.

New industries of the future will not only provide new jobs and bring new people to the region, it will also diversify the regional economy and make it more resilient to economic disruptions and shocks.

OBJECTIVE 16: Increase active and public transport usage

The transport network servicing Area 13 / Thrumster is set out in more detail and discussed in the Traffic Impact Assessment which accompanies this Planning Proposal. In summary, the Thrumster Business Park development has provided for cycleway / pathway connectivity to adjoining residential and employment lands in the locality. The ability for future occupants of the Planning Proposal area to walk or cycle to the broader shopping opportunities in the Sovereign Hills area, is consistent with the Objective to increase active transport usage. In addition, there are opportunities to provide linkages to the Health & Education precinct which will further improve cycle and pathway connections that are not located on busy road networks.

OBJECTIVE 18: Plan for sustainable communities

The North Coast Regional Plan includes planning for sustainable communities. The Regional Plan notes that this includes directing growth to identified urban growth areas. As previously discussed, the Subject Land is located within the Area 13 / Thrumster Urban Growth Area, and is within the approved, Thrumster Business Park. Therefore, this Planning Proposal is consistent with Objective 18, as the Planning Proposal is not for a new urban land release, but rather a change to an E3 zone which provides for a locally responsive and sustainable design for the changing needs in Employment Lands.

OBJECTIVE 19: Public spaces and green infrastructure support connected and healthy communities

OBJECTIVE 20: Celebrate local character

Both Objectives 19 & 20 are applicable to this Planning Proposal. The engagement of Place Makers and Architects in the early development of this proposal, has provided Concept Plans which set out connectivity opportunities throughout the site and adjoining locality. The E3 zone supports the development of this local space as a connected, local village environment where people can live and work.

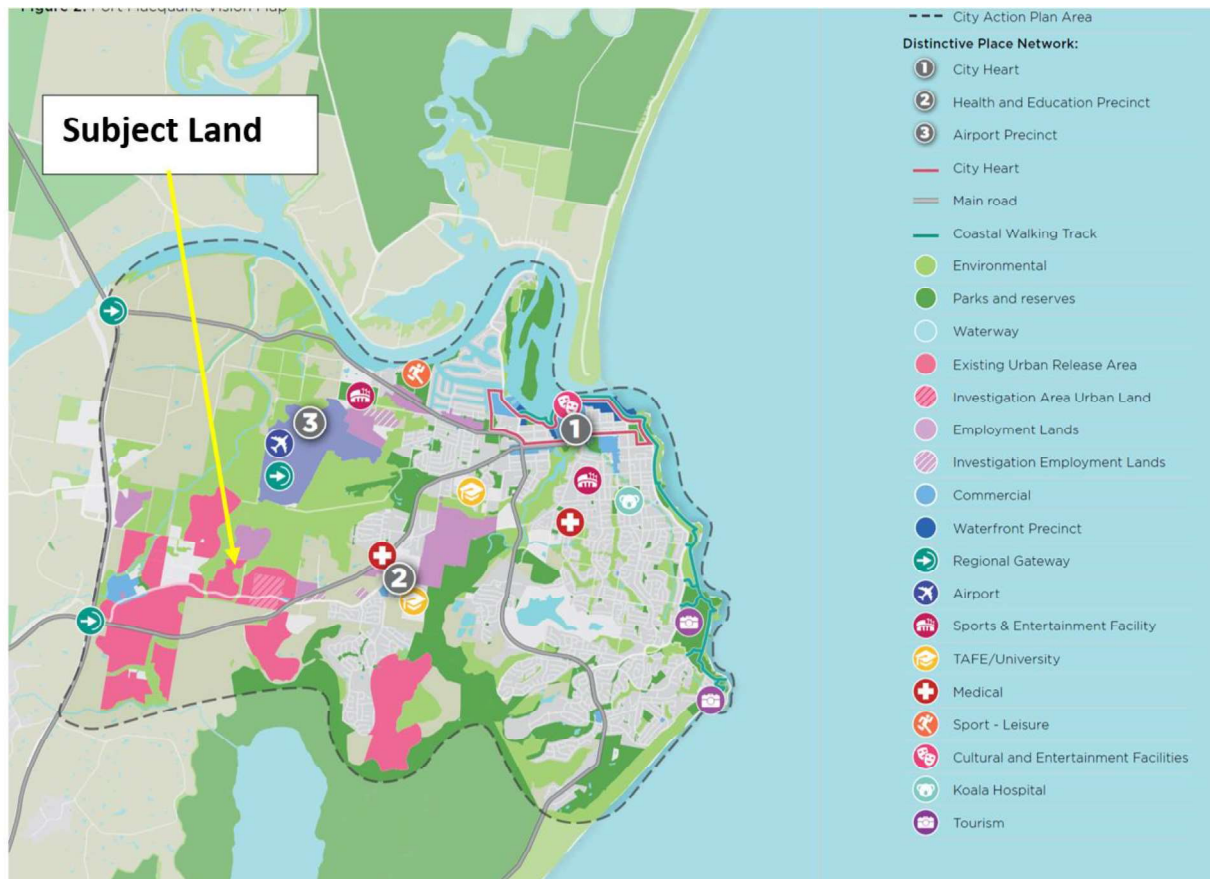
As setout in the above analysis, it has been established that this Planning Proposal is consistent with the relevant provisions of the North Coast Regional Plan 2041.

5.6 Regional City Action Plan for Port Macquarie

Port Macquarie is identified as one of the Regional Centres within the North Coast Regional Plan. In 2021, the then Department of Planning, Industry & Environment published the Regional City Action Plan for Port Macquarie. This was undertaken in recognition of the fast growing population, health & education sectors, and to capitalise on the opportunities that arise from this growth.

The Subject Land is located within the City Action Plan Area, as shown in the following figure:

Figure 17: Extract from Regional City Action Plan for Port Macquarie showing location of Subject Land



The Regional City Action Plan includes a number of objectives, including Objective 7 which relates to Employment Lands.

Objective 7: Deliver local jobs through the city's employment lands and industry sectors

This section of the Regional City Action Plan states as follows:

A focus on the design and enhancement of Port Macquarie's industrial/employment lands will be achieved through an increase in convenience services, improved pedestrian connections and softening the boundaries between residential areas and industrial areas. For instance, the introduction of established gateways to industrial/commercial estates can help with the branding of these areas and provide welcoming, defined entry points and enhanced way finding.

As a regional gateway, Port Macquarie is well-situated to develop future-focused industries which serve both local requirements and also those of the region. For example a range of opportunities exist to develop industries which support Port Macquarie's vision of being smart and sustainable.

The Subject Land is well placed to service this development of industries that support Port Macquarie's smart and sustainable vision. The Architects and Place Makers involved in the design of the Concept Plans have embodied the details setout in Objective 13 of the Regional City Action Plan, which is as follows:

Objective 13: Create a network of versatile, engaging and inclusive local hubs across the city

Actions

- Develop place planning to strengthen local hubs including the design quality of public spaces, accessibility and the interfaces between private development and public areas.*
- Encourage spaces for neighbourhood meeting places, community centres for public events.*
- Support the development of social infrastructure to meet population growth and demographic changes*

The development of the E3 land will provide for a local hub, with neighbourhood meeting places and artisan events to support the business incubator designs, as shown in the Concept Plans for this Planning Proposal.

Thus, it is evident that the Planning Proposal will further strengthen the vision for the broader Port Macquarie area, and the development of this City as a vibrant Regional Centre.

5.7 Local Planning Strategies

Port Macquarie – Hastings Council has a range of Local Planning Strategies that guide the development and implementation of community plans. The Planning Legislation relevant to Planning Proposals does not require specific examination and assessment of all such Local Planning Strategies, as the overarching strategies have effectively been implemented via the development of the more specific local plans. The following sections of this Planning Proposal report have considered the provisions of Local Planning Strategies, where relevant, as these documents have been specifically considered and assessed in the development of this Planning Proposal.

5.7.1 Blueprint for Generational Equity

The Port Macquarie Hastings Council sets out the Blueprint for Generational Equity as per the following extract from Council's website:

The Blueprint is PMHC's elected representatives' plan for our future. It is designed to be a "living document" that develops with each local government election term and tells the community what PMHC is doing and going to do to build a region that meets their needs and aspirations and builds generational equity.

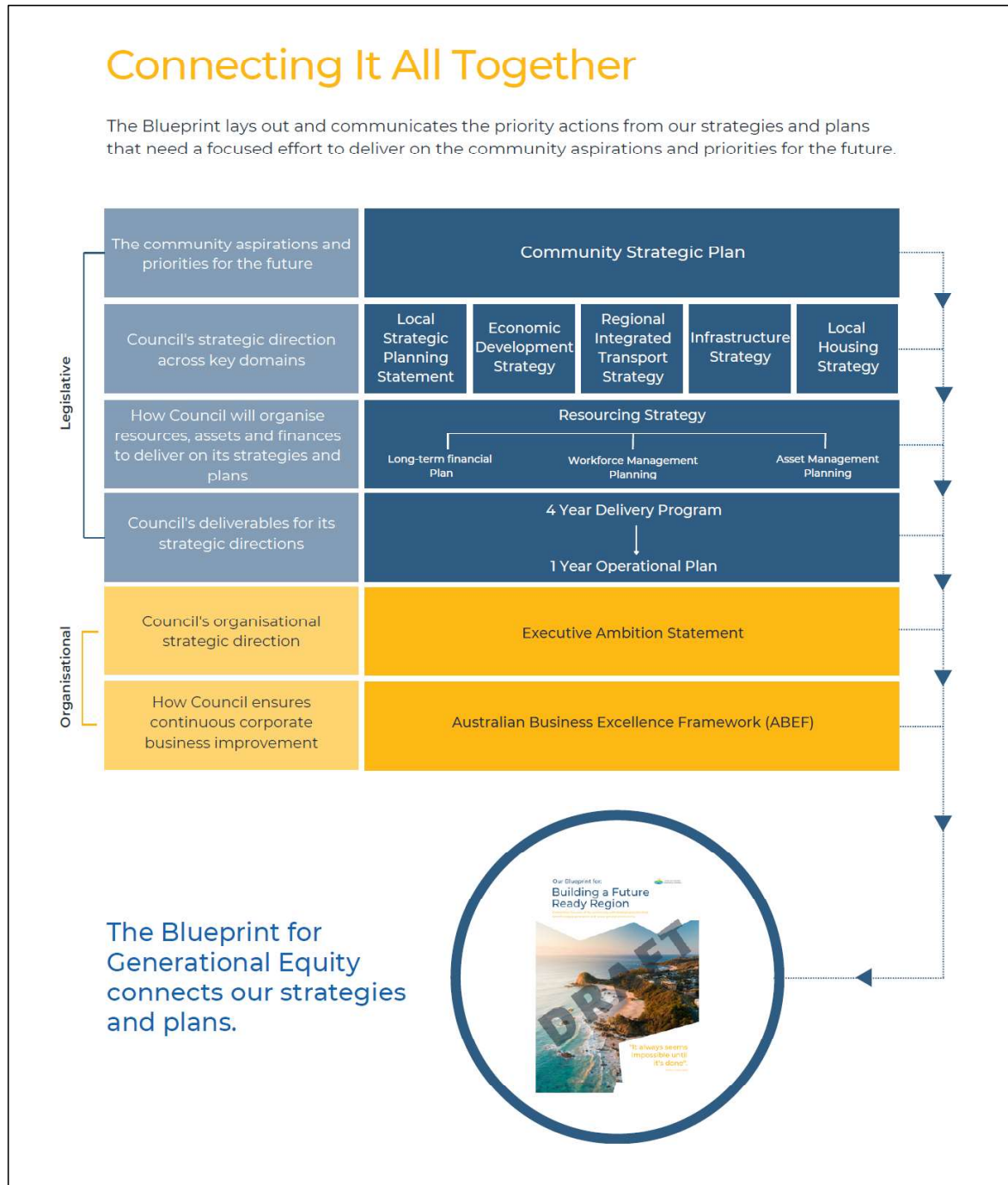
The Blueprint pulls together the key aspects of several strategic plans into a document that can be more easily understood by the community. Its purpose is to lay out immediate priorities against adopted and future strategies, drawing upon and highlighting key focus areas and actions that need to be implemented as PMHC faces ongoing challenges and opportunities in the business.

The four key focus areas identified in the Blueprint include Corporate Planning, Master Planning, Land Use Planning and Infrastructure. Each focus area represents critical levers of change that will position the PMHC to deliver value over time.

Each focus area has an ambition statement for the outcome PMHC, as an organisation, aspires to achieve for the community. They are statements that will challenge PMHC to move out of what we know as an organisation and find new and better ways to do things.

The Blueprint for Generational Equity is already being implemented, as it draws together the full range of legislated and Council implemented plans and strategies, the hierarchy of which is shown in the following extract from Council's Blueprint:

Figure 18: Extract from Port Macquarie - Hastings Council's Blueprint



The ambition statements for the Four Key Focus Areas of the Blueprint are as follows:

Figure 19: Extract from Port Macquarie - Hastings Council's Blueprint - Four Key Focus Areas

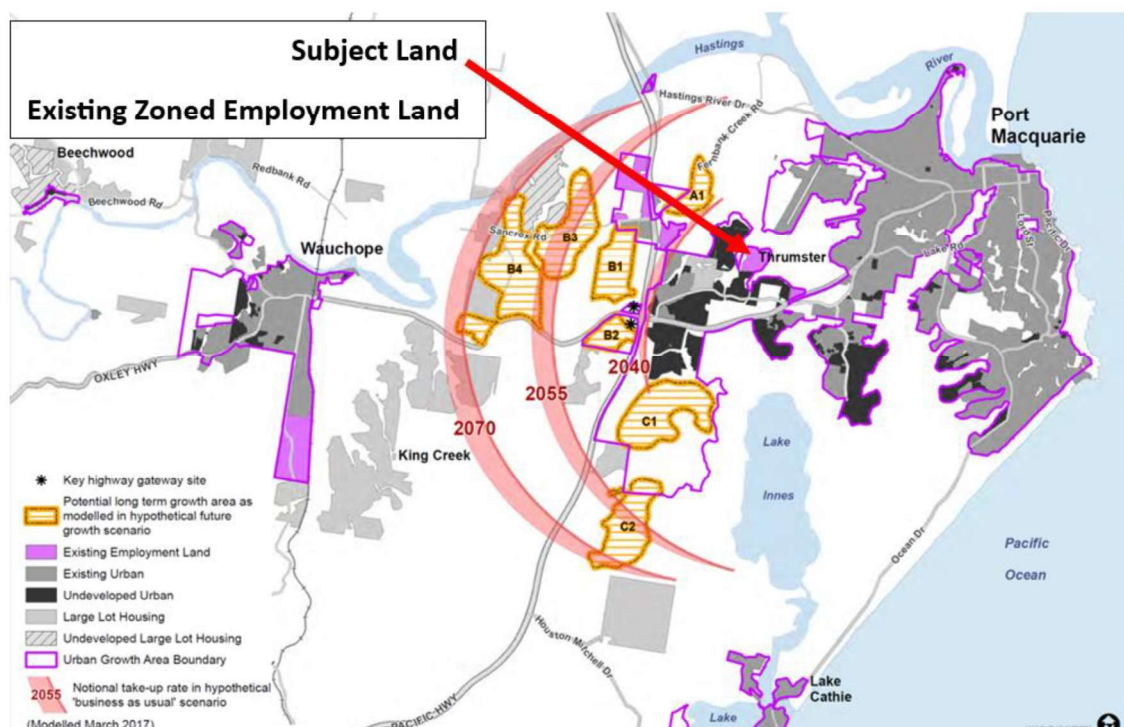


In regards to Land Use Planning, this Planning Proposal is consistent with the Ambition Statement, to be leaders of contemporary practice in land use planning. This Planning Proposal is responding to the market demand and changing way we live, work and play. Industrial areas are no longer the harsh environments of the older industrial era. The Thrumster Business Park is aiming to respond to the market demand for the creation of a vibrant, active, Lived In Precinct that provides a contemporary work / life hub for this growing form of Employment Zones. This is consistent with Council's adopted Blueprint and will put the Port Macquarie Region at the forefront of this market.

5.7.2 Hastings Urban Growth Management Strategy

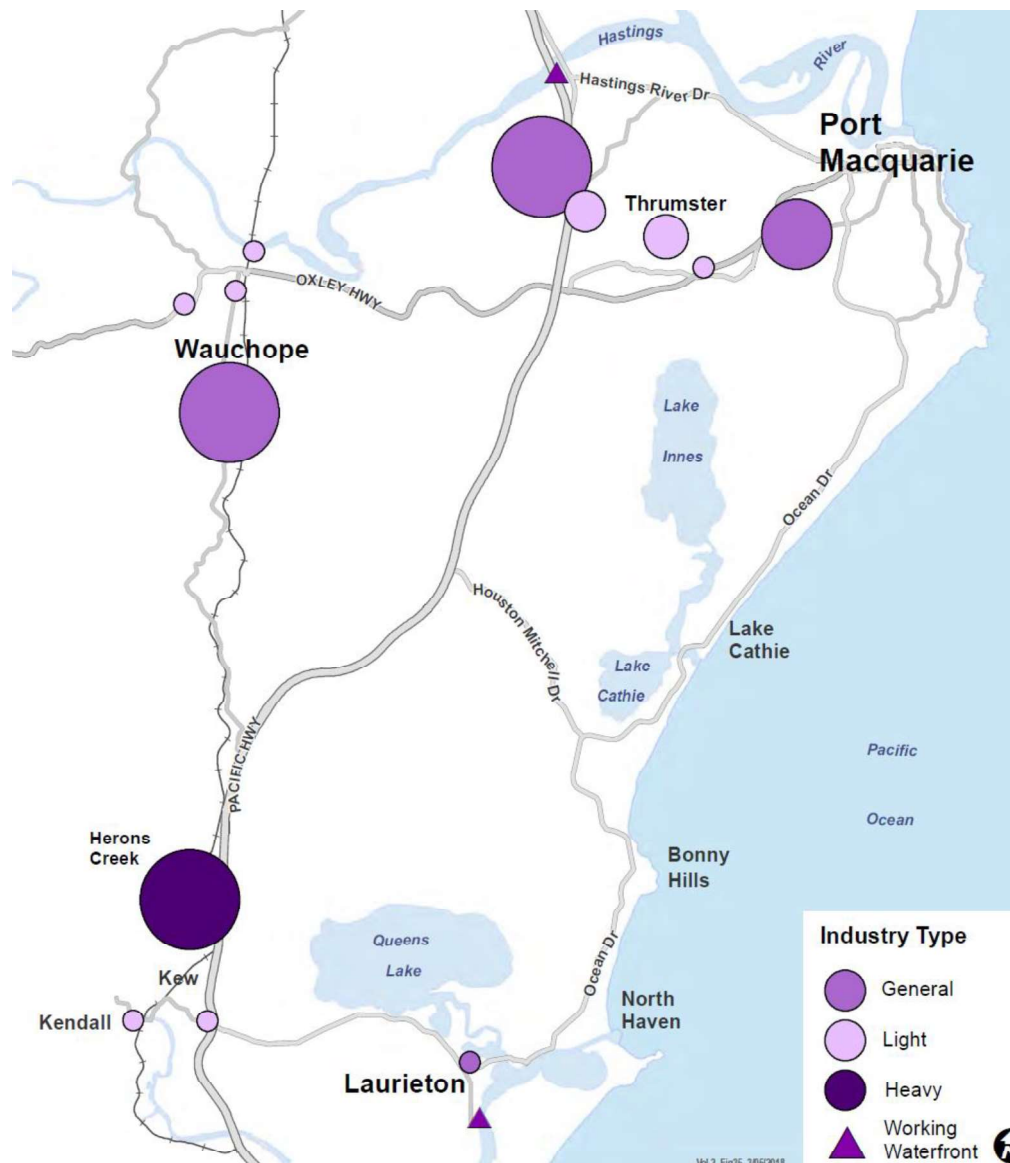
The Port Macquarie-Hastings Urban Growth Management Strategy 2017-2036 was adopted by the local Council and subsequently approved by the NSW State Government on 2nd November 2018. The Urban Growth Strategy has a strong focus on residential release areas within the Port Macquarie Wauchope corridor. This is shown in the following plan extract from the report, detailing the anticipated timeline for expansion of urban areas to the west of Port Macquarie. The Subject Land was already zoned for light industrial purposes at that time, and the land is thus shaded purple to represent the Existing Employment Lands.

Figure 20: Extract from the Urban Growth Management Strategy 2017-2036 showing anticipated timeline for urban expansion



The location of existing Employment Lands across the LGA is shown in the following extract from the Urban Growth Management Strategy.

Figure 21: Extract from the Hastings Urban Growth Management Strategy with the Subject Land forming part of the Light Industry land shaded light purple at Thrumster



The adopted Urban Growth Management Strategy noted the high level of Employment Land supply servicing the LGA. This Planning Proposal is consistent with this adopted Strategy as the provision of Employment Land will not be reduced by this proposal, but rather the permissible landuses will focus on development suited to the E3 – Productivity Support zone.

This Planning Proposal will improve the Employment Land opportunities for a broader range of businesses and industry to locate to the area, as there was considered to be a good supply

of General and Heavy Industrial Lands, but the landuse controls did not provide for flexible Employment Lands in this LGA.

In regards to the specific Objectives within the Urban Growth Management Strategy that are relevant to Planning Proposals, the following responses are provided:

- Objective 3 - Protect regional biodiversity and areas of high environment value.

The Subject Land does not contain any areas of regional biodiversity significance and does not contain any flora or fauna that are of high environmental value. The Subject Land does not directly adjoin any such land, as the land is primarily adjoining perimeter or internal roads within the estate, and the northern lots adjoin industrial land. Therefore, the Planning Proposal will not have any adverse environmental impact on environmental values.

- Objective 5 - Manage and improve resilience to shocks and stresses, natural hazards and climate change.

The Subject Land has been approved for an Industrial Estate, being Thrumster Business Park, with the civil designs undertaken in accordance with current design controls and standards which have regard to the additional provisions arising from natural hazards and climate change. This includes ensuring the finished level designs for the land result in a flood free environment, and the residential occupation of any future development, such as shop top housing or serviced apartments, is able to be undertaken in accordance with current natural hazard protections, particularly in regards to bushfire and flooding.

- Objective 11 - Support cities and centres and coordinate the supply of well-located employment land.

The Employment Lands at Thrumster Business Park will be improved via the provision of the E3 – Productivity Support zone that improves opportunities for a range of businesses and provides for the location of “cleaner” high tech industries, close to skilled workers.

- Objective 12 - Create a diverse visitor economy.

The use of Employment Lands as part of the night time economy will be enhanced by this Planning Proposal which supports the establishment of a Place Maker designed live, work and play environment within the Precincts.

- Objective 14 - Deliver new industries of the future.

The Planning Proposal is in response to the changing use and engagement with Employment Lands. The Planning Proposal is consistent with this Objective of the Urban Growth Management Strategy. The design facilitates incubator business sites that allow new industries to become established on affordable and co-located sites, whilst taking up the opportunity of available shop top housing.

5.7.3 Community Strategic Plan

The Port Macquarie – Hastings Community Strategic Plan is referred to by the local Council as follows:

The Community Strategic Plan (CSP) is an overarching 10 year plan that is prepared by Council and the community based on community priorities. It enables Council to coordinate its funding priorities, activities and services.

New South Wales Government legislation recognises that councils and communities don't exist in isolation and that different planning documents must be integrated. The legislation guidelines indicate the CSP should be based on the social justice principles of equity, access, participation and rights. The CSP should also consider how social, economic, environmental and civic leadership issues can be addressed.

The CSP is a reference tool for Council, the community, government agencies and other stakeholders. It identifies the community's aspirations for the future and outlines strategies to achieve them. The community owns this plan and it will serve as the primary resource for guiding future councillors on what the community wants.

The Imagine 2050 Community Strategic Plan was adopted in May 2022. The CSP was considered and assessed in regards to this Planning Proposal to ensure consistency with the CSP. This Planning Proposal is consistent with many of the Objectives within the Imagine 2050 CSP, and particularly the Business and Industry Objectives of the CSP, which are as follows:

BI1 - A strong economy that fosters a culture supportive of business and ensures economic development of the region

BI2 - Townships, villages and business precincts that are vibrant commercial, cultural, tourism, recreational and/or community hubs

BI3 - A region that attracts investment to create jobs

BI4 - Partnerships that maximise economic return and create an efficient and effective business environment

This Planning Proposal will provide opportunities for the development of business incubators for new and growing business operators, thus fostering a supportive business environment. The creation of vibrant, place maker designed industry and business precincts within growing urban centres, will strengthen this community hub and attract new investment opportunities for our local region. This will, in turn, maximise the efficiency and effectiveness of our business environment.

Therefore, it is demonstrated that this Planning Proposal is consistent with the provisions of The Imagine 2050 Community Strategic Plan.

5.7.4 Local Strategic Planning Statement

A Local Strategic Planning Statement (LSPS) for Port Macquarie Hastings was published on 31 September 2020. The local Council website refers to this document as follows: *'Shaping Our Future 2040' is the core strategic land-use planning document for the our area. It outlines the vision for land-use planning in our local area over the next 20 years and sets the direction for our community's environmental, social and economic land-use needs.*

The LSPS identified 19 Planning Priorities for the Local Government Area (LGA). These Planning Priorities apply to the full range of landuses within the 3686km² of the LGA. The local Council's LSPS notes that the LGA is a high growth area, with Port Macquarie identified as one of the growth regions in the North Coast Regional Plan 2036.

The LSPS states that by 2040, the projected increase in Port Macquarie-Hastings' population will require an additional 11,950 new dwellings. Future housing should be located in areas which will provide future residents with good access to the services and facilities of the Regional City of Port Macquarie, and particularly the Health and Education Precinct (HEP). This Planning Proposal will provide for an improved diversity of housing choice, as well as ensuring the housing is well located to provide access for future residents to the HEP, the Sovereign Hills shopping centre, educational facilities and services within Thrumster, and the full range of services and facilities within the Port Macquarie Regional Centre. This is consistent with the LSPS *Planning Priority 7: Provide for a diversity of housing in the right locations.*

This Planning Proposal is consistent with the LSPS, particularly in regards to the development of an economy which is diverse and resilient. This Planning Proposal is responding to the market demand for a well planned, integrated development that supports and provides for incubator business opportunities, amongst established and successful business operators. This is consistent with the LSPS *Planning Priority 16: Plan for a future economy which is diverse, resilient and inclusive.*

The Planning Proposal has been designed with the early engagement of architects and place makers, resulting in a proposal which is consistent with the LSPS *Planning Priority 6: Use a Place-Based Approach to shape the development of our sites, streetscapes, precincts, villages, towns and centres* and the LSPS *Planning Priority 8: Create vibrant public places that inspire social interaction and support community wellbeing.*

The business and housing development within this locality will be protected by the implementation of the most up to date bushfire hazard management guidelines and legislation, thus providing an improved resilience to increasing natural hazards and risks such as bushfire. This is consistent with LSPS *Planning Priority 3: Increase our community's*

resilience by identifying, mitigating and adapting to the impacts and risks of natural hazards, social and environmental change.

The shop top housing and serviced apartments to be provided for within Precincts A & B, will be required to comply with improved BASIX standards and new commercial & industrial developments will be required to comply with the new energy efficiency standards for this form of development, thus the development of the Subject Land will be required to meet the new, higher standards of energy efficiency. This is consistent with the *LSPS Planning Priority 5: Sustainably and efficiently manage our energy, water, waste and natural resources.*

Thus, it may be seen that the Planning Proposal is consistent with Council's adopted Local Strategic Planning Statement.

5.7.5 Employment Land Use Review (PMHC)

Port Macquarie-Hastings Council engaged consultants, GHD to undertake an Employment Land Use Review, in February 2021. This review was to update the strategic planning information in regards to industrial and retail development. In summary, the analysis into the demand for industrial land found that *"the Port Macquarie – Hastings LGA will need between 257ha and 341ha of industrial zoned land to 2041 to meet the projected resident workforce. Given the current supply of 458 ha of industrial zoned land ... it is estimated that there is up to 95 ha more zoned industrial land than is required to 2041."*

However, the report did note that existing zoned land may be constrained by a range of environmental factors, as well as being located outside of areas where there was high demand. The review noted that the then B5 – Business Development zoned land, which typically contained a mix of business, bulky good retail etc landuses, was at capacity.

The Employment Land Use Review included a brief discussion on the changing trends in how consumers use and engage with areas of Employment Lands:

To succeed and remain competitive within this climate, it is important that businesses and industries embrace these new platforms, building design responds, and that governance frameworks are prepared for these changes. In Port Macquarie-Hastings LGA businesses can be supported by:

- *Provision of adequate land for warehousing and logistics to support an increase in online shopping, which could be accommodated in the B5 Business Development, B7 Business Park, IN1 General Industrial or IN2 Light Industrial zones.*

- *Ensuring that primary producers and other rural industries have adequate telecommunications access to enable them to market their products online.*
- *Promotion of farmer's markets, craft fairs and other events that add an experiential element to shopping in addition to acting as a tourist attraction.*
- *Industrial employment is becoming increasingly automated, meaning that the number of workers per square metre of floorspace is likely to be lower in the future. Supply chain optimisation and the increase in online retail is likely to mean that more small industrial distribution facilities may be required in the LGA.*

The Thrumster Business Park Planning Proposal is consistent with the Employment Land Use Review for the Port Macquarie – Hastings LGA, such that the proposal will not result in any under supply of Employment zoned land, and will assist in addressing the shortfall for Business Development landuses via the E3 – Productivity Support zoning of the Subject Land. This Planning Proposal will also provide for the promotion of farmer's markets and the space for events to provide for an experiential element, and providing properties that are suited to the smaller industrial distribution centres.

5.7.6 Local Housing Strategy

In 2021, the local Council engaged with consultants to prepare a Draft "Port Macquarie – Hastings Local Housing Strategy 2021-2041". In summary, this draft document identified five priorities as follows:

1. *Provide for sustainable housing growth that is supported by infrastructure;*
2. *Increase choice and diversity of housing;*
3. *Increase inclusive and affordable housing;*
4. *Deliver the right housing in the right locations;*
5. *Promote resilient, healthy and connected built environments.*

The Housing Supply Gap discussed in this draft Local Housing Strategy noted "*there is currently a lack of high-density housing, such (as) apartments and shop top housing to meet this demand. ...This Stratgy should provide greater emphasis on faciliating these housing types to balance out the strong market preference for delivering larger detached dwellings in new urban release areas*".

The date of this draft Local Housing Strategy is acknowledged. Both the Covid pandemic and our current housing crisis had yet to occur, when the authors of this document were compiling the housing statistics and projections. The demand for housing was based on the 2019 projections from NSW Government at that time, and it is considered that the demand for housing supply has only increased since that time.

This Planning Proposal is consistent with the draft Local Housing Strategy, and particularly Priority 2, which is to increase the choice and diversity of housing. The Planning Proposal will also provide housing in the right location, as the development will result in a vibrant

community environment, and this promotes a resilient, healthy and connected community. All factors which are expressly consistent with the draft Local Housing Strategy.

Since this draft Housing Strategy was exhibited by Council, an updated suite of documents was placed on exhibition in 2024, and the post exhibition report was being presented to the August 2024 Council meeting. The updated population projections adopted by Council includes a forecast of 24,000 additional residents between 2021 and 2046. The demographic trends confirmed that the population change by age group across the LGA, continued to show an ever ageing population, with over half of the additional residents predicted to be aged 65 years or older. In addition, a declining proportion of the population would be classed as “working aged”, with a “*resultant significant increase in demand for health, care and support services*” (refer to report to Ordinary Council meeting, 20/6/2024, Item 13.05).

The reported population changes, including increased demand for smaller apartment style housing to provide for the increased demand for skilled workers, especially those engaged in medical and aged care services, are all supported by this Planning Proposal. The apartment style housing is readily able to provide for skilled worker accommodation, and the zoning permits medical centres and other services in increasing demand in the broader LGA.

Therefore, the Planning Proposal is consistent with Council’s identified “Housing for our Future: Local Housing Strategy” documents.

5.8 Local Environmental Plan

The Subject Land is currently zoned E4 – General Industrial under the provisions of the Port Macquarie – Hastings Local Environmental Plan 2011 (LEP 2011). This Planning Proposal aims to amend the landuse zone map for the Subject Land from the current E4 zone, to E3 – Productivity Support. In addition, a Schedule 1 – Additional Use provision will be added such that the land identified in Precincts A & B will have an additional landuse provision to allow for shop top housing and serviced apartments, subject to consideration of a Thrumster Business Park Utilities Plan. The Schedule 1 provisions are as setout below:

() Use of certain land at Integrity Circuit, Thrumster*

*(1) This clause applies to land at Integrity Circuit, Thrumster, shown as “Item *” on the Additional Permitted Uses Map.*

(2) The objective of this clause is to ensure that development for Shop top housing or serviced apartments, on land at Integrity Circuit, Thrumster incorporates appropriate utilities servicing measures in regards to wastewater infrastructure capacity.

*(3) Development for the purpose of shop top housing or serviced apartments, is permitted with development consent, shown as “Item *” on the Additional Permitted Uses Map, being Lots 101-108, 115-116, 124-128, and Lot 135 DP 1304965, and proposed Lot 304 in Part Lot 100 DP 1304965.*

(4) Before granting development consent to development on land to which this clause applies, the consent authority must—

*(i) Consider Thrumster Business Park Utilities Plan published by Port Macquarie Hastings Council, that shall apply to all development on land as mapped in this clause, shown as “Item *” on the Additional Permitted Uses Map.*

(ii) Development consent must not be granted to development, unless the Council is satisfied that the proponent has demonstrated, that there is available capacity within the Wastewater Treatment Plant and local network infrastructure to service the proposed development or that adequate arrangements have been made to make the capacity available in accordance with the Thrumster Business Park Utilities Plan.

(5) The provisions of subclause (4) cease to apply once the proposed Thrumster Waste Water Treatment Plant is operational.

During the two years that this Planning Proposal has been in discussions and development, extensive analysis of the available capacity of the wastewater infrastructure has been undertaken. It is evident that Council has accepted that the industrial development of the land has been provided for within the existing infrastructure capability. It is also accepted that industrial development has a wide range of loadings on infrastructure, ranging from a low demand, storage facility, to manufacturing developments, particularly food industries, which can provide for a much higher loading on infrastructure. Therefore, it is impossible to determine at this point in time, what the overall loadings will be for the full development of the Planning Proposal land. However, it has been accepted that the existing industrial zoning will be accommodated within the existing infrastructure network, and any additional loading that may arise as a result of the residential component, will be subject to a more detailed assessment as per the Thrumster Business Park Utilities Plan.

A detailed analysis of the likely infrastructure loading arising from the Planning Proposal land has been put to Council, as part of this Planning Proposal development, and it is considered that these spreadsheets will be updated at the time development applications are lodged for lots within Precincts A or B.

There are no other changes sought to LEP 2011.

The Concept Plans prepared for this Planning Proposal, and the evaluation of the proposal setout in the specialist reports, are based on these existing LEP 2011 restrictions on the future development of the E3 zoned land. The future development of the Subject Land will be required to be consistent with these existing LEP 2011 provisions.

In regards to the future development of the E3 – Productivity Support zoned land, the relevant provisions of LEP 2011 will be applied when specific development applications are lodged with the consent authority. A brief review of some of the general LEP 2011 provisions that apply to the Subject Land are considered as follows:

In the E3 zone, the floor area of retail sales for artisan food and drink industry is limited as per the following extract:

5.4 Controls relating to miscellaneous permissible uses

(10) Artisan food and drink industry exclusion If development for the purposes of an artisan food and drink industry is permitted under this Plan in Zone E3 Productivity Support, Zone E4 General Industrial, Zone E5 Heavy Industrial, Zone W4 Working Waterfront or a rural zone, the floor area used for retail sales (not including any cafe or restaurant area) must not exceed—

(a) 43% of the gross floor area of the industry, or

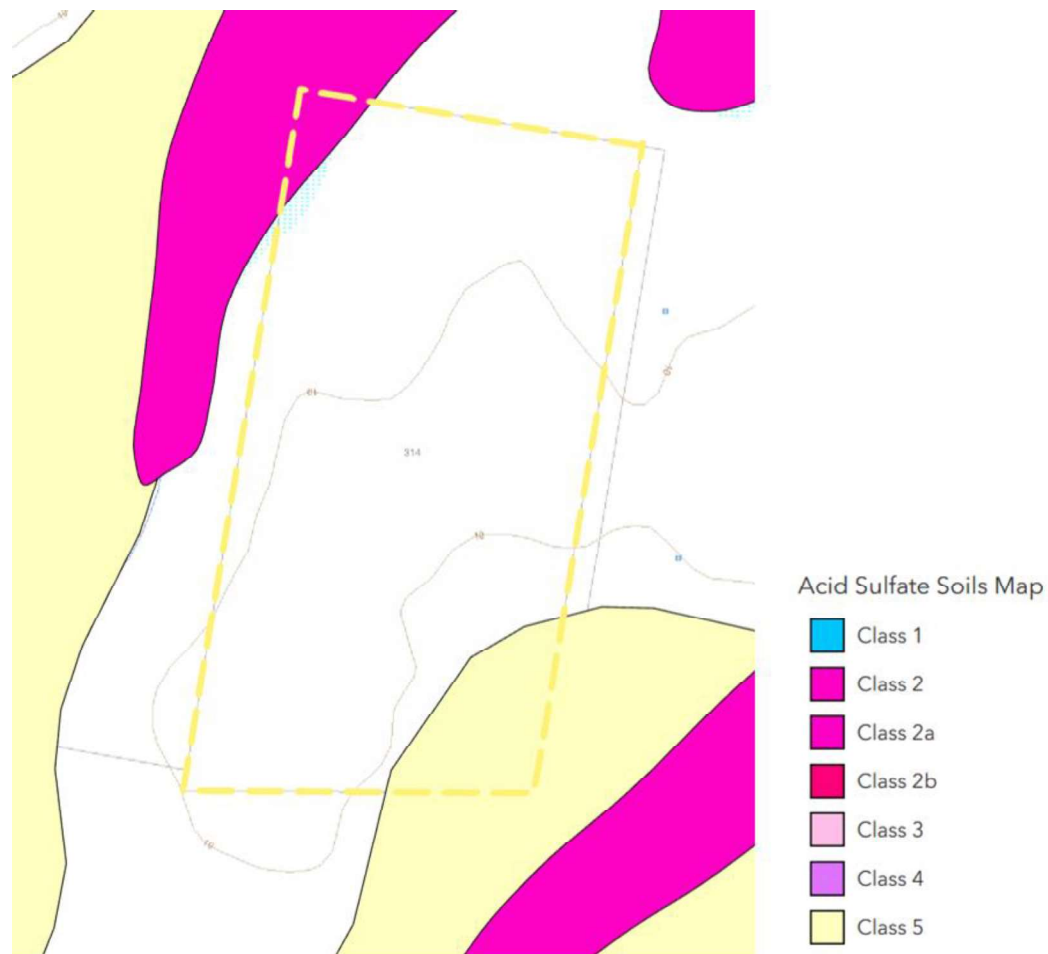
(b) 400 square metres,

whichever is the lesser.

Section 7.1 of LEP 2011, sets out the controls relating to land that is mapped as possibly containing potential Acid Sulphate Soils. The Thrumster Business Park estate does contain two areas that are so mapped, being an area in the far north-western corner of Lot 2, which is in an area zoned C2 - Environmental Conservation, and is not within the Subject Land.

There is a small area of land mapped as possibly containing Class 5 potential Acid Sulphate Soil, located in the south-eastern corner of the Thrumster Business Park estate, as shown in the following figure.

Figure 22: LEP Map Extract - Acid Sulphate Soils (Lot 2 - Thrumster Business Park - outlined by yellow dashed line)



The Class 5 classification is the lowest risk level of potential Acid Sulphate Soils, as per the following extract from LEP 2011:

Figure 23: Extract from LEP 2011 - Section 7.1 Acid Sulphate Soils

7.1 Acid sulfate soils

(1) The objective of this clause is to ensure that development does not disturb, expose or drain acid sulfate soils and cause environmental damage.

(2) Development consent is required for the carrying out of works described in the Table to this subclause on land shown on the Acid Sulfate Soils Map as being of the class specified for those works.

Class of land	Works
1	Any works
2	Works below the natural ground surface. Works by which the watertable is likely to be lowered.
3	Works more than 1 metre below the natural ground surface. Works by which the watertable is likely to be lowered more than 1 metre below the natural ground surface.
4	Works more than 2 metres below the natural ground surface. Works by which the watertable is likely to be lowered more than 2 metres below the natural ground surface.
5	Works within 500 metres of adjacent Class 1, 2, 3 or 4 land that is below 5 metres Australian Height Datum and by which the watertable is likely to be lowered below 1 metre Australian Height Datum on adjacent Class 1, 2, 3 or 4 land.

(3) Development consent must not be granted under this clause for the carrying out of works unless an acid sulfate soils management plan has been prepared for the proposed works in accordance with the Acid Sulfate Soils Manual and has been provided to the consent authority.

(4) Despite subclause (2), development consent is not required under this clause for the carrying out of works if—

- (a) a preliminary assessment of the proposed works prepared in accordance with the Acid Sulfate Soils Manual indicates that an acid sulfate soils management plan need not be carried out for the works, and*
- (b) the preliminary assessment has been provided to the consent authority and the consent authority has confirmed the assessment by notice in writing to the person proposing to carry out the works.*

(5) Despite subclause (2), development consent is not required under this clause for the carrying out of any of the following works by a public authority (including ancillary work such as excavation, construction of access ways or the supply of power)—

- (a) emergency work, being the repair or replacement of the works of the public authority required to be carried out urgently because the works have been damaged, have ceased to function or pose a risk to the environment or to public health and safety,*
- (b) routine management work, being the periodic inspection, cleaning, repair or replacement of the works of the public authority (other than work that involves the disturbance of more than 1 tonne of soil),*
- (c) minor work, being work that costs less than \$20,000 (other than drainage work).*

(6) Despite subclause (2), development consent is not required under this clause to carry out any works if—

- (a) the works involve the disturbance of less than 1 tonne of soil, such as occurs in carrying out agriculture, the construction or maintenance of drains, extractive industries, dredging, the construction of artificial water bodies (including canals, dams and detention basins) or foundations or flood mitigation works, or*
- (b) the works are not likely to lower the watertable.*

The provisions of Section 7.1 of LEP 2011 only require consent for works within Class 5 land, where the works are both within 500m of Classes 1 – 4 that is below 5m AHD, and where the watertable is likely to be lowered below 1m AHD on these adjacent Class 1 – 4 lands.

The earthworks for the now completed subdivision did not require works that were likely to lower the watertable.

It is also noted that the completed earthworks for the Industrial Subdivision have resulted in allotments with finished levels that will not require any significant excavations for the future development of these lots. Therefore, the development of the Subject Land as per the Concept Plans, will not result in any significant earthworks, and will not likely result in the lowering of the watertable.

Section 7.7 of LEP 2011 sets out the matters for consideration to ensure the development of land does not impact on the operations of the Port Macquarie Airport. The provisions of this Section are as follows:

Figure 24: Extract from LEP 2011 - Section 7.7 Airspace Operations

7.7 Airspace operations

(1) The objectives of this clause are as follows—

- (a) to provide for the effective and ongoing operation of the Port Macquarie Airport by ensuring that such operation is not compromised by proposed development that penetrates the Limitation or Operations Surface for that airport,*
- (b) to protect the community from undue risk from that operation.*

(2) If a development application is received and the consent authority is satisfied that the proposed development will penetrate the Limitation or Operations Surface, the

consent authority must not grant development consent unless it has consulted with the relevant Commonwealth body about the application.

(3) The consent authority may grant development consent for the development if the relevant Commonwealth body advises that—

- (a) the development will penetrate the Limitation or Operations Surface but it has no objection to its construction, or*
- (b) the development will not penetrate the Limitation or Operations Surface.*

(4) The consent authority must not grant development consent for the development, if the relevant Commonwealth body advises that the development will penetrate the Limitation or Operations Surface and should not be constructed.

(5) In this clause—Limitation or Operations Surface means the Obstacle Limitation Surface or the Procedures for Air Navigation Services Operations Surface as shown on the Obstacle Limitation Surface Map or the Procedures for Air Navigation Services Operations Surface Map for the Port Macquarie Airport under Commonwealth legislation relevant Commonwealth body means the body, under Commonwealth legislation, that is responsible for development approvals for development that penetrates the Limitation or Operations Surface for the Port Macquarie Airport.

Any future development application for the Subject Land will be required to consider the provisions of this section of LEP 2011. As part of this Planning Proposal report, an assessment of the Obstacle Limitation Surface mapping was undertaken by the Civil Engineers who have designed the subdivision earthworks, as per Council's consent. The design levels across the lots within the proposed E3 zone will allow for the development of buildings which are in excess of 25 metres in height above the proposed final site levels without impacting on the Airport operations.

Therefore, the future development of the Subject Land, is readily able to be carried out without adversely impacting on the Obstacle Limitation Surface, as mapped for the Port Macquarie Airport.

The provisions of section 7.8 of LEP 2011 also relate to limitations on development that may arise due to the operations of the Port Macquarie Airport. This section of the LEP is as shown below:

Figure 25: Extract from LEP 2011 - Section 7.8 Development in areas subject to aircraft noise

7.8 Development in areas subject to aircraft noise

(1) This clause applies to development that—

- (a) is on land that—**
 - (i) is near an airport, and**
 - (ii) is in an ANEF contour of 20 or greater, and**
- (b) the consent authority considers is likely to be adversely affected by aircraft noise.**

(2) Before determining a development application for development to which this clause applies, the consent authority—

- (a) must consider whether the development will result in an increase in the number of dwellings or people affected by aircraft noise, and**

- (b) must consider the location of the development in relation to the criteria set out in Table 2.1 (Building Site Acceptability Based on ANEF Zones) in AS 2021—2000, Acoustics—Aircraft noise intrusion—Building siting and construction, and*
- (c) must be satisfied that the development will meet AS 2021—2000, Acoustics—Aircraft noise intrusion—Building siting and construction with respect to interior noise levels for the purposes of—*
- (i) if the development will be in an ANEF contour of 20 or greater—centre-based child care facilities, educational establishments, entertainment facilities, hospitals, places of public worship, public administration buildings or residential accommodation, and*
 - (ii) if the development will be in an ANEF contour of 25 or greater—business premises, hostels, hotel or motel accommodation, office premises or retail premises.*
- (3) In this clause—airport means a civil, military or joint civil and military airport. ANEF contour means a noise exposure contour shown as an ANEF contour on the Noise Exposure Forecast Contour Map for that airport prepared by the Department of the Commonwealth responsible for airports.*

This Planning Proposal report includes a Noise Impact Assessment undertaken by expert consultants. The consultant assessment noted that the Subject Land, whilst being in proximity to the airport, was not in an ANEF contour of 20 or greater. Even based on consideration of future concept plans for the Airport operations which may result in a widening of the current ANEF contour mapping, the Noise Impact Assessment did not identify any significant adverse impacts on the likely development of the Subject Land, including residential components. Therefore, this land is considered suitable for residential development. The Noise Impact Assessment evaluated the measures that may be implemented to ensure the minimisation of any adverse impact on residential occupation of the land, which may arise from aircraft noise, as a worse case scenario event and concluded any ameliorative measures were not likely to require any particularly onerous construction or mitigation measures.

Therefore, future development of the Subject Land will need to have regard to the provisions of Section 7.8 of LEP 2011, however it has been concluded that mitigation measures are not particularly onerous for the worse case scenarios, including residential occupation of the Subject Land.

Section 7.19 of LEP 2011 applies specifically to all land zoned E3 – Productivity Support. Therefore, this matter will apply to all of the land within the Planning Proposal area. The provisions are as follows:

Figure 26: Extract from LEP 2011 - Section 7.12 Development in Zone MU1

7.19 Development in Zone E3

- (1) The objective of this clause is to protect the primacy of the Port Macquarie Central Business District and the hierarchy of centres.*

(2) Development consent must not be granted for the purposes of office and business premises on land in Zone E3 Productivity Support if the office and business premises have a total gross floor area of more than 300m².

The above restrictions further ensure the development of the Planning Proposal land will not adversely impact on the economic viability of regional centres, by limiting the floor area of office and business premises.

5.9 Development Control Plan 2013

The Port Macquarie – Hastings Development Control Plan 2013 (DCP 2013) provides general development guidelines for industrial and commercial developments, and also provides site specific controls for the Partridge Creek Industrial Neighbourhood, which includes the Subject Land.

DCP 2013 includes the following vision for the development of the Partridge Creek Industrial Neighbourhood:

The Partridge Creek Industrial Neighbourhood .. provides an employment 'hub' for the area. The neighbourhood contains a diverse range of employment generating uses. Buildings have been designed to incorporate articulation, as well as a variety in colours, materials and finishes in order to provide a high level of visual amenity when viewed from the public domain and roadways.

It should be noted that these guidelines were written in regards to a Light Industrial zoning of the Partridge Creek Industrial Neighbourhood. The Employment Land Reforms resulted in the landuse zoning changing to E4 – General Industrial. It is considered that this Planning Proposal which will change the zoning of a small area of the Partridge Creek Industrial area to an E3 – Productivity Support zoning, better reflects the desired development outcomes. This particularly relates to the guidelines referring to an Employment Lands area which has a high standard of visual amenity, and a diverse range of employment generating uses. Therefore, it is considered that this Planning Proposal is consistent with the envisaged development design outcome for Partridge Creek Industrial Neighbourhood.

DCP 2013 includes the following Objectives in regards to Employment Lands within the Thrumster locality:

Employment

267. Objective

- To encourage employment-generating uses that can contribute to an economically, socially and environmentally sustainable community.*
- To ensure that a wide range of employment-generating uses are permissible within the various land use zones that comprise Thrumster that optimises the investment in infrastructure.*
- To encourage a ladder of workspace premises and provide guidelines and controls that enable both flexibility and guidance in the development of employment generating uses.*
- To minimise the impact of light industrial activities on surrounding residential uses.*

This Planning Proposal is consistent with this vision, as this E3 zone will provide for an economically, socially and environmentally sustainable community, within a wide range of employment generating landuses. The ladder of workspace premises sits well with Concept Plans provided with this Planning Proposal, and businesses have the opportunity to flourish within the E3 zone with the flexibility of landuses, and the E3 zone provides an improved integration with the residential landuses in this locality.

The Concept Plans have been designed with reference to the above DCP controls. These DCP provisions are thus readily incorporated into the future development applications for the development of the Subject Land. Therefore, it has been demonstrated that the Planning Proposal is consistent with the provisions of DCP 2013.

The existing provisions of DCP 2013 provide an extensive range of development guidelines for industrial, commercial and residential landuses, as well as site specific controls for the Thrumster locality. This Planning Proposal does not generate the need for any additional provisions for the development of the Thrumster Business Park Planning Proposal land.

6. Planning Proposal Report as per Department Guidelines and EP& A Act

The Department of Planning and Environment issued updated Local Environmental Plan Making Guidelines in August 2023. These Guidelines set out the matters in the following sections of this report which must be included in this main report. This is consistent with the provisions of section 3.33(3) of the EP&A Act.

The Planning Secretary has also issued requirements with respect to the preparation of a planning proposal, as per the provisions of section 3.33(3) of the EP&A Act, which set out the specific matters to be addressed in the Justification of the Planning Proposal and the project timeline in regards to the anticipated timeframe for the LEP making process.

6.1 Objectives and intended outcomes

The objective of this Planning Proposal is to amend the Port Macquarie – Hastings LEP 2011 to provide for a change in land use zone for the Subject Land from E4- General Industrial to E3 – Productivity Support to provide for a range of land uses, with minor additional uses of shop top housing and serviced apartments within the identified precincts. No change to the development standards set out in the Port Macquarie – Hastings LEP 2011 is required, and no special provisions are proposed.

The intended outcome of this Planning Proposal is set out as follows:

The intended outcome is an Employment Lands development across the subject land that:

- facilitates a vibrant mix of manufacturing, high tech, clean industries and commercial development, which is able to respond to market demands for changing styles of employment land provisions;
- supports the development of a broader range of employment land opportunities;
- provides for a greater variety of housing type and supply;
- is well designed to facilitate social wellbeing;
- readily able to be serviced with essential infrastructure;
- compatible with surrounding land uses; and
- compatible with the local environment.

6.2 Explanation of Provisions

The Planning Proposal will require the amendment of the LEP 2011 map to identify the Subject Land as being zoned E3 – Productivity Support, and identify the Precincts within Schedule 1 provisions.

All other planning controls applying to the land will remain unchanged.

6.3 Justification of strategic and site – specific merit

The Guidelines published by the Department of Planning and Environment, August 2023, set out the questions that guide the consideration and assessment of the Planning Proposal. These matters are set out in Table 1.

Table 2: Matters for consideration when describing, evaluating and justifying a proposal

Section A – need for the planning proposal	
1. Is the planning proposal a result of an endorsed LSPS, strategic study or report:	<p>The Planning Proposal is consistent with the Department of Planning & Environment's Employment Lands Reforms. The Thrumster Business Park Planning Proposal reflects the changes being made to Employment Lands as a direct result of the Employment Lands Reforms. These changes were first identified as an outcome of the NSW Productivity Commission's key issue to "Unlock the Potential of Employment and Industrial Zones". The NSW Government's Green Paper "Continuing the Productivity Conversation" and the White Paper "Rebooting the Economy", both made reference to the need to broaden the range of permissible uses on Employment Lands. The E3 – Productivity Support zoning of the Subject Land is directly consistent with this need to broaden the range of permissible uses on Employment Lands.</p> <p>The subject land is within the area identified as the Partridge Creek Industrial Precinct, within the Area 13 (Thrumster) Urban Release Area of Council's adopted Urban Growth Management Strategy. This land was investigated and mapped for light industrial as per the adopted urban release planning shown within the Urban Growth Area of the North Coast Regional Plan map within the Department of Planning's North Coast Regional Plan 2036. The Planning Proposal is also consistent with the adopted Urban Growth Strategy which identified the Partridge Creek Industrial Precinct for light industrial landuses which provide business and industrial landuse opportunities appropriate for the adjacent residential estates.</p>

<p>2. Is the proposal the best means of achieving the objectives or intended outcome, or is there a better way?</p>	<p>The proposal can only be achieved via the change in landuse zoning to E3 – Productivity Support and Schedule 1 additional uses. The Subject Land was previously zoned IN2 – Light Industrial, and was recently zoned E4 – General Industrial as part of the Employment Land Reforms. The Objectives and Intended Outcomes of this Planning Proposal, are only able to be achieved if the Subject Land is zoned E3 – Productivity Support and Schedule 1 additional uses. There are no development standards to be varied for this proposal, and the landuses identified in the Concept Plan cannot be achieved via an amendment to other planning controls, such as the Development Control Plan.</p> <p>The Planning Proposal is the best means to achieve the desired outcomes and implement this proactive approach to addressing housing supply, establishing the business incubator development identified, and providing a variety of business development opportunities within this planned precinct.</p>
<p>3. Will the planning proposal give effect to the objectives and actions of the applicable regional or district plan or strategy (including any exhibited draft plans or strategies)?</p>	<p>The Planning Proposal gives effect to the objectives and actions of the matters identified in the North Coast Regional Plan as setout in Section 5 of this Planning Proposal report.</p>
<p>4. Is the planning proposal consistent with a council LSPS that has been endorsed by the Planning Secretary or GCC, or another endorsed local strategy or strategic plan?</p>	<p>This Planning Proposal is consistent with the Port Macquarie Hastings Council's LSPS, as outlined in Section 5 of this Planning Proposal report.</p>
<p>5. Is the planning proposal consistent with any other applicable State and regional studies or strategies?</p>	<p>This Planning Proposal is consistent with the Department of Planning & Environment's Employment Land Reforms as noted in Section 5 of this Planning Proposal report.</p>
<p>Section B – relationship to the strategic planning framework</p>	
<p>6. Is the planning proposal consistent with applicable SEPPs?</p>	<p>The SEPPs relevant to the Subject Land were considered in Section 5 of this Planning Proposal report, and the Thrumster Business Park Planning Proposal is consistent with the relevant SEPPs.</p>

7. Is the planning proposal consistent with applicable Ministerial Directions (section 9.1 Directors) or key government priority?	The current Ministerial Directions are considered as follows:
Direction	Consistency
1. Planning Systems	
1.1 Implementation of Regional Plans	This Planning Proposal is consistent with the planning principles, directions and priorities contained in the North Coast Regional Plan as outlined in Section 5 of this Planning Proposal Report.
1.2 Development of Aboriginal Land Council land	Not applicable
1.3 Approval & Referral Requirements	Not applicable
1.4 Site Specific Provisions	This Planning Proposal does not introduce or require any additional development standards, nor reference to specific drawings, or similar. This Planning Proposal is consistent with this Direction.
1.5 Parramatta Road Corridor Transformation Strategy	Not applicable
1.6 Implementation of North West Priority Growth Area Land Use and Infrastructure Implementation Plan	Not applicable
1.7 Implementation of Greater Parramatta Priority Growth Area Interim Land Use and Infrastructure Implementation Plan	Not applicable

1.8 Implementation of Wilton Priority Growth Area Interim Land Use and Infrastructure Implementation Plan	Not applicable
1.9 Implementation of Glenfield to Macarthur Urban Renewal Corridor	Not applicable
1.10 Implementation of Western Sydney Aerotropolis Plan	Not applicable
1.11 Implementation of Bayside West Precincts 2036 Plan	Not applicable
1.12 Implementation of Planning Principles for the Cooks Cove Precinct	Not applicable
1.13 Implementation of St Leonards and Crows Nest 2036 Plan	Not applicable
1.14 Implementation of Greater Macarthur 2040	Not applicable
1.15 Implementation of the Pyrmont Peninsula Place Strategy	Not applicable
1.16 North West Rail Link Corridor Strategy	Not applicable
1.17 Implementation of the Bays West Place Strategy	Not applicable
1.18 Implementation of the Macquarie Park Innovation Precinct	Not applicable
1.19 Implementation of the Westmead Place Strategy	Not applicable

1.20 Implementation of the Camellia- Rosehill Place Strategy	Not applicable
1.21 Implementation of South West Growth Area Structure Plan	Not applicable
1.22 Implementation of the Cherrybrook Station Place Strategy	Not applicable
2. Design and Place	No Directions at this time
3. Biodiversity and Conservation	
3.1 Conservation Zones	No change to C2 and C3 zoned land. The Subject Land does not contain any areas of environmental significance.
3.2 Heritage Conservation	The Aboriginal Cultural Heritage Assessment did not identify any areas of Cultural Value or Significance.
3.3 Sydney Drinking Water Catchment	Not applicable
3.4 Application of C2 and C3 Zones and Environmental Overlays in Far North Coast LEPs	Not applicable
3.5 Recreation Vehicle Areas	Not applicable
3.6 Strategic Conservation Planning	Not applicable
3.7 Public Bushland	Not applicable
3.8 Willandra Lakes Region	Not applicable
3.9 Sydney Harbour Foreshores and Waterways Area	Not applicable
3.10 Water Catchment Protection	Not applicable

4. Resilience and Hazards	
4.1 Flooding	The Subject Land will be above flood levels based on the finished levels for the Subject Land. A Flood Assessment is included with this Planning Proposal Report. The Planning Proposal is consistent with this Ministerial Direction.
4.2 Coastal Management	Not applicable. The Subject Land does not include any areas that are mapped as being within the coastal zone, does not comprise coastal wetland, littoral rainforest, coastal vulnerability area, coastal environment area or coastal use area.
4.3 Planning for Bushfire Protection	The Subject Land is mapped as bushfire prone and a Strategic Bushfire Study has been completed and forms part of this Planning Proposal Report. The Study was undertaken with regard to the Planning for Bushfire Protection provisions. This Planning Proposal is consistent with this Ministerial Direction.
4.4 Remediation of Contaminated Land	The Subject Land has not been used for any purpose that would result in potential land contamination.
4.5 Acid Sulfate Soils	A review of the LEP provisions relating to Class 5 potential Acid Sulphate Soils forms part of this Planning Proposal report. The Planning Proposal is consistent with this Ministerial Direction.
4.6 Mine Subsidence & Unstable Land	Not applicable
5. Transport & Infrastructure	
5.1 Integrating Land Use & Transport	This Planning Proposal is consistent with the direction objectives to improve access to housing, jobs and services by walking cycling and public transport. The Schedule 1 provisions will create opportunities for shop top housing and a live / work / play environment. In addition, the overall design for the estate includes footpath connections to adjoining and adjacent centres and residential areas to further improve active transport networks. The proximity to major centres will also ensure movement of freight is efficient, as per this Direction.
5.2 Reserving Land for Public Purposes	Not applicable

5.3 Development Near Regulated Airports and Defence Airfields	<p>This Planning Proposal Report includes an assessment of the Obstacle Limitation Surface mapping associated with Port Macquarie Airport. The development of the Subject Land can be undertaken without adverse impact on the OLS for airport operations. A Noise Impact Assessment was also undertaken to ensure the future development of the range of uses permissible in the E3 zone and Schedule 1 proposal would not adversely impact on airport operations. The assessment concluded that the Subject Land is able to be developed, and some landuses may require construction measures to mitigate potential noise impacts, however these measures were not considered to be onerous.</p> <p>This Planning Proposal is consistent with this Ministerial Direction.</p>
5.4 Shooting Ranges	Not applicable
6. Housing	
6.1 Residential Zones	<p>This Ministerial Direction seeks the encouragement of provisions to broaden the choice of housing types and locations, and make efficient use of existing infrastructure and services, as well as reducing land consumption for housing, and be of a good design. The land must be readily serviced and not reduce permissible residential density. This Planning Proposal will specifically provide for an improvement in the type and supply of housing in this Local Government Area (LGA), and the land is already part of the servicing infrastructure, and does not increase the urban footprint required to provide housing. This Planning Proposal is consistent with this Ministerial Direction.</p> <p>This Planning Proposal is seeking to broaden the range of housing choices provided in the LGA through the delivery of residential floor space that is capable of being developed with a mix of apartment typologies and layouts.</p>
6.2 Caravan Parks & Manufactured Home Estates	Not applicable

7. Industry and Employment	
7.1 Employment Zones	<p>This Ministerial Direction aims to encourage employment growth in suitable locations, protect employment land in employment zones, and support the viability of identified centres.</p> <p>This Planning Proposal will not reduce the supply of Employment Lands, as the E3 zone is simply a different type of Employment Zone, and provides for a range of employment landuses across the business, industrial retail and light industrial landuse types. The viability of the Employment Lands will be improved by this Planning Proposal, and it is considered that this Planning Proposal is consistent with this Ministerial Direction.</p>
7.2 Reduction in non-hosted short term rental accommodation period	Not applicable
7.3 Commercial and retail development along the Pacific Highway, North Coast	Not applicable
8. Resources and Energy	
8.1 Mining, Petroleum Production & Extractive Industries	Not applicable
9. Primary Production	
9.1 Rural Zones	Not applicable
9.2 Rural Lands	Not applicable
9.3 Oyster Aquaculture	Not applicable
9.4 Farmland of State and Regional Significance on the NSW Far North Coast.	Not applicable

Section C- environmental, social and economic impact	
8. Is there any likelihood that critical habitat or threatened species, populations or ecological communities or their habitats, will be adversely affected because of the proposal?	The Subject Land has previously been approved for a subdivision across the broader Thrumster Business Park estate. The approved earthworks and road construction has been completed. The Subject Land is cleared land and does not contain any areas of habitat or ecological communities. The Subject Land does not directly adjoin any areas of environmental significance. Therefore, there are no areas of critical habitat, threatened species, ecological communities or their habitats that will be adversely affected by this proposal.
9. Are there any other likely environmental effects of the planning proposal and how are they proposed to be managed?	The Subject Land does not contain any areas of environmental significance, nor does any such area directly adjoin the Subject Land. There is no likely adverse environmental impacts associated with the Planning Proposal and future development of the land associated with this Planning Proposal.
10. Has the planning proposal adequately addressed any social and economic effects?	A comprehensive Employment Lands and Economic Impact Assessment was undertaken by specialists who did not identify any alteration to the Planning Proposal. The development arising from this Planning Proposal will provide for a diversity in business and industrial development opportunities, which are not currently available in this locality. This will have an overall positive impact on choices and provision of opportunities for expanding and developing businesses and employment land use options in this LGA.
Section D – Infrastructure (Local, State and Commonwealth)	
11. Is there adequate public infrastructure for the planning proposal?	The Subject Land has been assessed and approved for an industrial subdivision and associated land uses. This proposal will not significantly alter the demand on public infrastructure and services. Council has advised that there is adequate capacity to service the proposal.
Section E – State and Commonwealth Interests	
12. What are the views of state and federal public authorities and government agencies consulted in order to inform the Gateway determination?	A Scoping Proposal was prepared and lodged with Port Macquarie – Hastings Council. A Prelodgement meeting has been held with Port Macquarie Hastings Council staff and the minutes arising from the Prelodgement Meeting have informed the matters to be investigated, assessed and addressed via Specialist Studies and incorporated in this Planning Proposal report. A table which sets out the Prelodgement Minutes, and how these requirements have been addressed, is included in the Appendices section of this Planning Proposal report. During preparation of the Specialist Studies, consultants undertook further consultation as required. The Port Macquarie Hastings Council will undertake liaison with relevant public authorities and government agencies as required during the Planning Proposal assessment and public exhibition.

6.4 Maps

The only change to the Local Environmental Plan maps is the identification of the Subject Land as E3 – Productivity Support, and the provision of mapping associated with the Schedule 1 listing of the lots within Precincts A & B. No other map will require amendment.

The mapping is provided in the required format as a separate Appendix.

6.5 Community Consultation

This Planning Proposal has complied with the Department of Planning's Guidelines regarding consultations. This includes consultations undertaken during the preparation of the Scoping Proposal, which is prepared as part of the formal initial investigations for any Planning Proposal.

The Thrumster Business Park Planning Proposal has been the subject of preliminary consultations. This included consultation with Council staff, liaison with Department of Regional Development, and a presentation to business and community members of Business Port Macquarie. Preliminary written consultation was undertaken with Council's Airport Management staff, as well as Council's Economic Development Division. Further meetings with Council staff have been undertaken by consultants during the preparation of the Noise Impact Assessment, as well as the consultants preparing the Employment Lands and Economic Impact Assessment. Extensive consultation was undertaken with Council staff to identify the infrastructure capacity and development of the additional controls in the Schedule 1 provisions. It was particularly noted that the Planning Proposal will not alter maximum building heights permitted in proximity to the Port Macquarie Airport Obstacle Limitation Surface mapping, and the Zoning will support Employment Sectors identified in the Supply Chain Gap Analysis previously undertaken by Council's Economic Division.

During the construction of the Thrumster Business Park liaison with Essential Energy was undertaken, and it is noted that their major overhead powerline asset is located outside of the land the subject of this Planning Proposal.

The Scoping Proposal was lodged with Council as part of the Prelodgement Consultation, and a Prelodgement Meeting was held on 14th December, 2022. The minutes from the Prelodgement meeting were issued by Council staff in February, 2023.

Further consultation has been undertaken during preparation of this Planning Proposal report, and the Letters of Support are included in the Appendices section. Broader community and government consultation will be undertaken as per the relevant legislation and guidelines. The requirements include a public exhibition period, and the opportunity for the proponent to respond to any matters raised by any parties during consultations and the public exhibition.

6.6 Project timeline

The LEP Plan Making Guidelines set out the Stages of a Planning Proposal. These are as follows:

Table 3: LEP Making Process Overview - Stages 1 to 6

STAGE 1	Pre-Lodgement What is your LEP amendment and what should be included in a planning proposal? Early analysis of the development potential of the relevant land including key environmental or site constraints, review of the strategic planning framework, obtaining advice and consultation with authorities and government agencies and identification of study requirements to underpin a planning proposal.
STAGE 2	Planning Proposal Preparing the planning proposal Where the planning proposal has been initiated by a proponent, council is to review and assess the planning proposal and decide whether to support and submit it to the Department for a Gateway determination. Where the planning proposal has been initiated by council, council is to prepare the planning proposal and submit it to the Department for a Gateway determination.
Rezoning Review Review of proponent-initiated planning proposal by independent planning panel if not supported / or progressed by council A proponent may request a rezoning review if a planning proposal is not supported by council or no decision is made within 115 days for complex planning proposals or 90 days for all other types of planning proposals.	
STAGE 3	Gateway Determination Department review of the planning proposal Department assesses the strategic and site-specific merit of a planning proposal and issues a Gateway determination specifying if the planning proposal should proceed and whether consultation with authorities and government agencies is required.
Gateway Review Reviewing and altering a Gateway determination A proponent/PPA may request review of conditions or determination within 42 days of Gateway determination.	
STAGE 4	Post-Gateway Actioning Gateway determination conditions PPA reviews the Gateway determination and actions any required conditions prior to public exhibition.
STAGE 5	Public Exhibition and Assessment Engaging with the community Consultation with the community, key authorities and government agencies (as required). Review of the planning proposal to address conditions of Gateway determination and submissions.
STAGE 6	Finalisation Making the LEP Final assessment of the planning proposal and if supported, preparation of the draft LEP, review and finalisation. Once finalised, the LEP may be made, notified and come into effect.

The LEP Making Guidelines set out the Benchmark Timeframes for Planning Proposals depending on the level of complexity. The local Council has confirmed that the Thrumster Business Park Planning Proposal is considered to be a Standard Planning Proposal, and therefore the Benchmark Timeframes set out in the Guideline are as follows:

Table 4: Extract from LEP Plan Making Guideline – Benchmark Timeframes for Standard Planning Proposal

Stage	Maximum Benchmark Timeframes (working days)
	Standard
Stage 1 – Pre-lodgement	50 days
Stage 2 – Planning Proposal	95 days
Stage 3 - Gateway determination	25 days
Stage 4 – Post-Gateway	50 days
Stage 5 – Public Exhibition & Assessment	95 days
Stage 6 - Finalisation	55 days
Sub-total (Department target)	225 working days
Total (end to end)	320 days

Based on the Benchmark Timeframes, the Guidelines require all Planning Proposals to set out a Project Timeline specific to the particular Planning Proposal. The Thrumster Business Park Planning Proposal has passed through Stage 1 – the Prelodgement Stage, and is progressing through Stage 2 – the Planning Proposal Stage.

The following Indicative Project Timeline is based on the extensive studies that have already been completed for the Subject Land as part of the preparation of the Planning Proposal in Stage 2, and it is therefore anticipated that no additional investigations will be required. Council's Prelodgement Minutes were comprehensive and it is considered that there are no further matters requiring assessment. It is also noted that the Subject Land is cleared and therefore there are no complex environmental matters associated with this Planning Proposal. For these reasons, the timeframe is expected to be as per the following Table, allowing for the standard 'caretaker' period for the upcoming Local Government Elections in September, 2024.

Table 5: Indicative Project Timeline

Stage	Timeframe and/or date
Consideration by council	September and into October, 2024
Council decision	Report to Council meeting November, 2024
Gateway determination	December 2024 - January 2025
Pre-exhibition	February, 2025
Commencement and completion of public exhibition period	March, 2025 – April 2025
Consideration of submissions	April, 2025
Post-exhibition review and additional studies	May, 2025
Submission to the Department for finalisation	June 2025
Gazettal of LEP amendment	July, 2025

7. Port Macquarie – Hastings Council’s Planning Proposal Policy

Port Macquarie – Hastings Council adopted a Planning Proposal Policy which came into effect in February, 2020 and a revised version was adopted by Council in April, 2023.

The following section addresses each relevant matter of the Council Policy.

Section 3 – Requirements for a Planning Proposal Application

3.1 – Prelodgement Meeting

A prelodgement meeting is mandatory, including the preparation of a Scoping Proposal.

This Planning Proposal included the preparation of a Scoping Proposal, and submission of that document to the Council. A Prelodgement Meeting was held 14th December, 2022. The minutes were issued by Council on 10th February, 2023.

Therefore, this Planning Proposal is compliant with the provisions of 3.1 of Council’s Policy.

3.2 – Lodgement

All applications are to be lodged via the Portal, and payment of fees as per Council’s requirements, are to be made. Applications are to be consistent with State legislation and key strategies and policies of State and Local Government. The supporting studies are to be included, and prepared by specialists in compliance with relevant legislation. Documents are to be in PDF with maximum file sizes specified, and mapping data to be in a georeferenced format CAD file (eg: dwg file).

This Planning Proposal documents will be uploaded to the Planning Portal as per Council requirements, and the single map amendment will be provided to Council in the specified format.

4 – Processing Planning Proposals

Council’s Policy sets out the flowchart for the Planning Proposal Application Process. It is expected that Council will implement the steps of the process as outlined.

5 – Voluntary Planning Agreement

This section of Council’s Policy requires any VPA to be in accordance with Council’s Policy. This Planning Proposal does not include any requirement for a Voluntary Planning Agreement, and does not alter any existing VPA.

6 – Applications on Council Land

This section of Council's Policy relates to matters on Council Land. This Planning Proposal does not relate to any land owned by Council and therefore this section of Council's Policy is not applicable.

7 – Changing the Proponent

This section of Council's Policy is not relevant to this Planning Proposal.

8 – Risks in Making a Planning Proposal Application

This section of Council's Policy is noted.

9 – Application Fees

Application fees apply to this Planning Proposal and payable as per Council's Fees and Charges policy. The Stage 1 fees have already been paid.

10 – Policy Implementation and Review

It is noted that Council will undertake periodic reviews of this Council Policy.

11 – Definitions

Noted.

12 – Process Owner

Noted.

13 – Policy History

Noted.

8. Conclusion

This Planning Proposal has been found to be consistent with Federal, State and Local Government Planning Strategies and Policies. The Planning Proposal will address a significant need for a diversity of housing supply, and providing for a vibrant and flexibility in Employment Lands. Future residents and business operators within the Planning Proposal area will be well located to utilise the services and facilities of Thrumster and the wider area.

The Planning Proposal addresses the changing need for business incubator locations that allow businesses the opportunity to go from a startup, to a medium size business, whilst remaining in the same location for the convenience of their customers.

This Planning Proposal will have a positive economic and social impact for the Port Macquarie region and assists in placing our Regional City as a vibrant market, readily able to respond to changing trends and demands.

9. Appendices

1. Table of Prelodgement Minutes - Response
2. Concept Plans
3. Business and Industry Consultation Responses
4. Aboriginal Cultural Heritage Assessment
5. Flooding Assessment
6. Height Limits Constraints Plans
7. Noise Impact Assessment
8. Planning Proposal Report
9. Employment Lands and Economic Impact Assessment
10. Strategic Bushfire Study
11. Transport Impact Assessment
12. Map of Zone Map Change