

Council-initiated Planning Proposal

Stage 5 - Public Exhibition and Assessment

Reclassification of Land - 52 John Oxley Drive, Port Macquarie

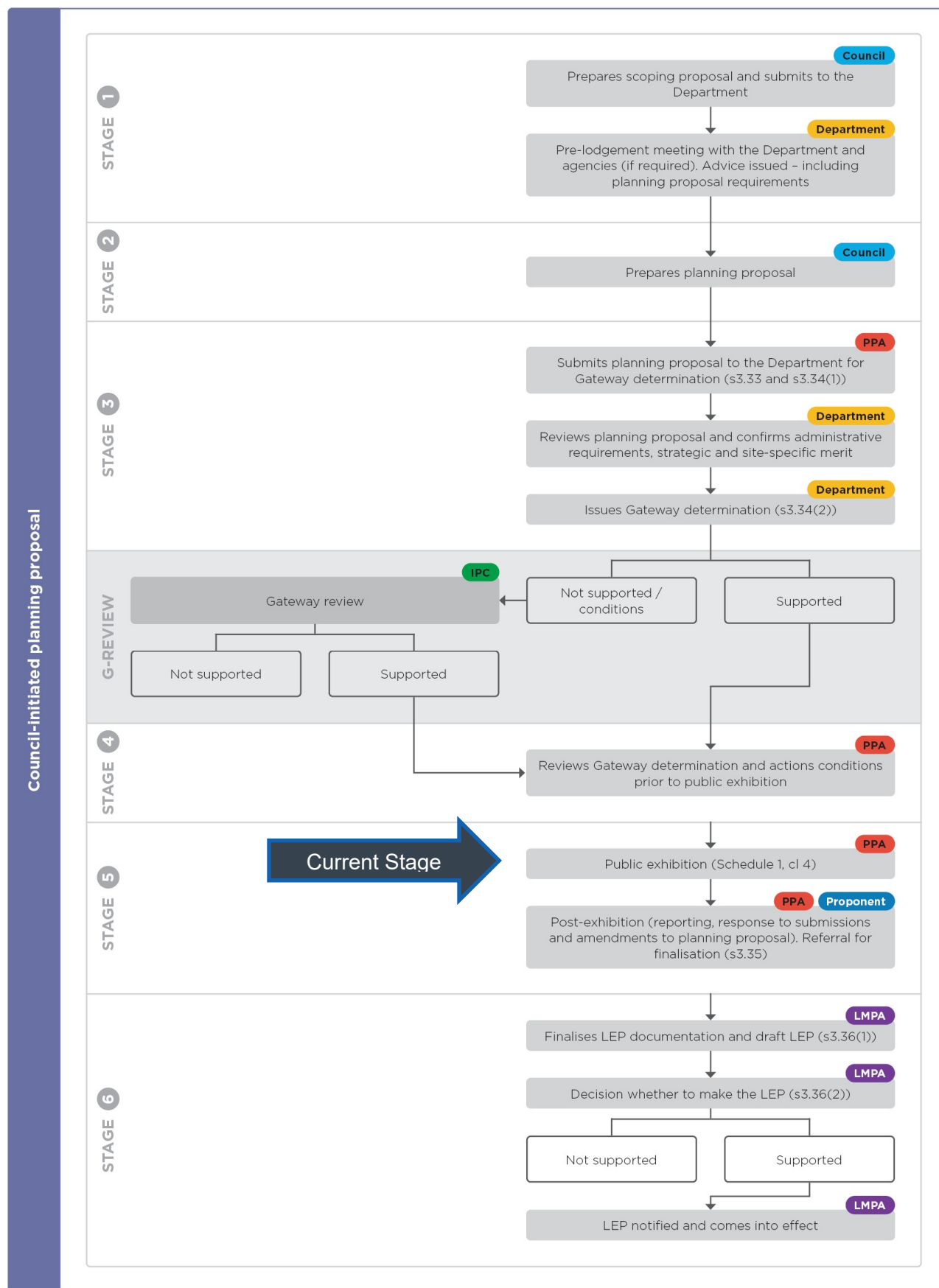
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PORT MACQUARIE
HASTINGS COUNCIL

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Source: LEP Plan-Making Guide, August 2023

Introduction

This Council-initiated Planning Proposal seeks to amend *Schedule 4 - Classification and reclassification of public land*, of the *Port Macquarie-Hastings Local Environmental Plan 2011* (Council LEP) to reclassify land owned by Port Macquarie-Hastings Council (Council) from community to operational land at:

1. 52 John Oxley Drive, Port Macquarie (Lot 1 on DP1012883) to facilitate the future duplication and associated upgrade works to John Oxley Drive.

The site is not identified as a public reserve or has a Plan of Management applicable to the land.

This Planning Proposal has been prepared under section 3.33 of *the Environmental Planning and Assessment Act 1979* (EP&A Act) and follows the requirements of the NSW Department of Planning, Housing and Infrastructure (the Department) *Practice Note 16-001 - Classification and reclassification of public land through a local environmental plan* (refer to Attachment 1).

Under the LG Act, all public land must be classified as either 'community' or 'operational.' Community land is land set aside for public use, such as parks, reserves, or sports grounds. Operational land supports Council's functions and may not be accessible to the public, for example, depots or garages. Sections 31-33 of the LG Act provide that public land may be classified or reclassified either by Council resolution or through a Local Environmental Plan (LEP) amendment. This Planning Proposal seeks reclassification via the LEP amendment process.

Site Details

52 JOHN OXLEY DRIVE, PORT MACQUARIE - LOT 1 ON DP1012883

The site, zoned RU1 - Primary Production, is located on the western side of John Oxley Drive (see Figure 1). The site is irregular in shape with an area of approximately 1,587m² and a 40m frontage to John Oxley Drive. A roundabout is located directly at the site's vehicle access.



Figure 1 - Aerial Photo of the Site

Improvements on the land include a besser block building with a metal roof comprising 3 bays known as Units 1 to 3. Units 1 and 2 were previously leased by Council for motor vehicle repairs purposes, but this lease has finished, and both units are currently vacant. Unit 3 is used by Council's Facilities Team for storage purposes. A concrete driveway and informal car park are located along the site's southern boundary which is part of the shared right of carriageway to the rear neighbour. No vegetation is present on the site as it is predominantly concrete sealed, however a mature Eucalypt tree canopy overhangs the site from the adjoining northern property (see Figure 2).



Figure 2 - Streetview of Site (looking west)

The site is adjoined by a residential dwelling to the north and a battle-axe residential dwelling to the west (rear neighbour). The Lake Innes Village Shopping Centre is directly opposite the site as well as the residential dwellings with tall mature trees.

The site is approximately 4km south-west of the Port Macquarie town centre and in close proximity to the Port Macquarie Base Hospital, Thrumster Business Park and public open spaces (see Figure 3).

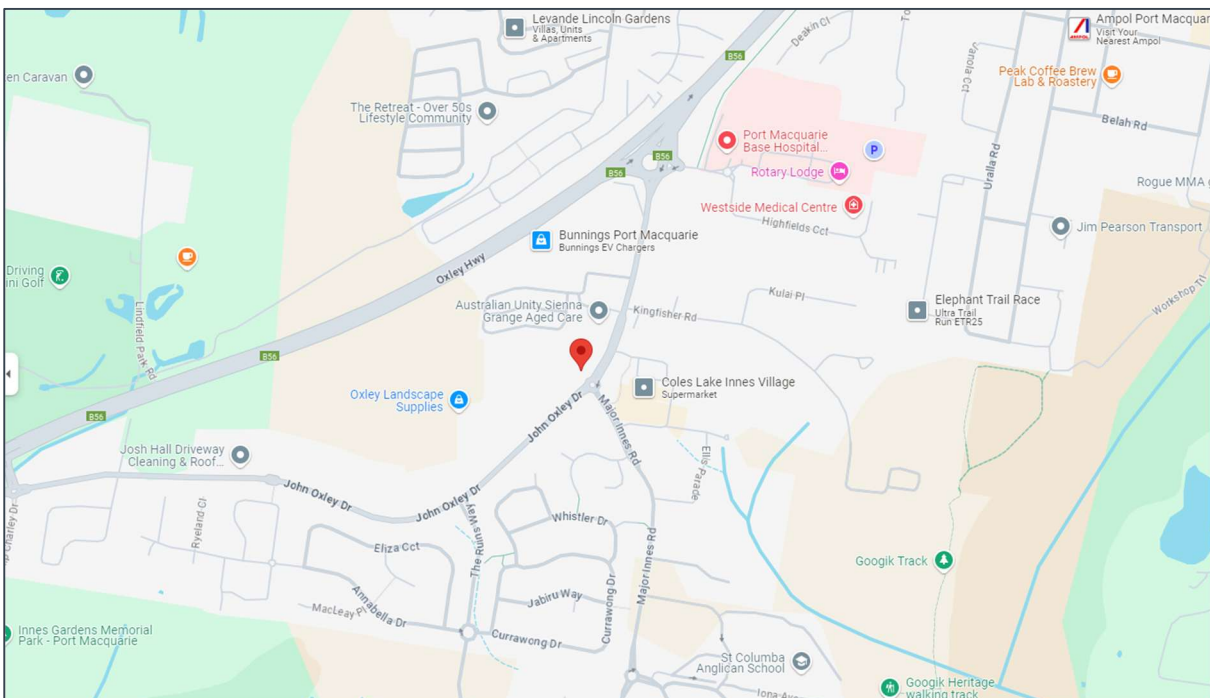


Figure 3 - Site Locality Map

Site Interests

In accordance with s30 of the LG Act, reclassification through an LEP is the mechanism with which Council can remove any public reserve status applying to land, as well as any interests affecting all or part of public land. For the purpose of reclassification through an LEP, 'interests' means trusts, estates, dedications, conditions, restrictions and covenants affecting the land.

The following interests are registered on the Certificates of Title (refer to Attachment 2) for the site:

1. 2x Right of Ways: burdening the site including a 6m wide driveway,
2. 4x Easements:
 - a. burdening the site for a water pipeline (water),
 - b. burdening the site for a 2.4m wide easement to drain water (stormwater),
 - c. burdening the site to drain water over the existing water pipelines (stormwater),
 - d. burdening the site to drain water through the 2.4m wide easement (stormwater),
3. 1x Lease: to Australian and European Automotive Pty Ltd for Units 1 and 2. A lease renewal was sought by the tenant and granted by Council from 23 June 2020 to 22 June 2023. A renewal lease was not sought following expiration of this lease, and the tenant remains on the title and operating from the site on a month-to-month arrangement.

As future road works for John Oxley Drive and the broader road network are currently being discussed and planned in collaboration with Transport for NSW (TfNSW). Council intends to maintain the existing registered lease for the time being.

It is **not** intended to extinguish any interests on the site as part of this Planning Proposal.

Site History

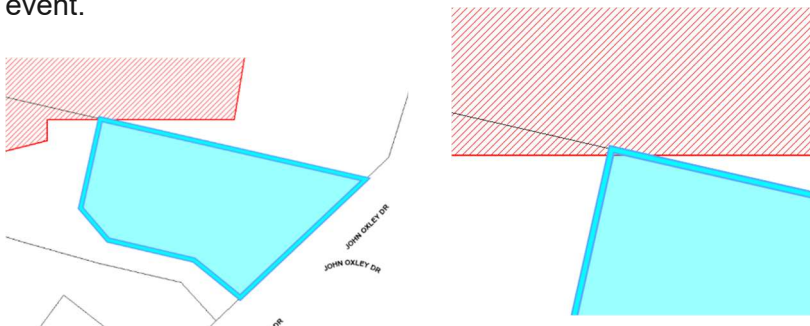
- In 2018, the site was acquired by Council as a strategic land purchase that would support future roadworks required along the John Oxley Drive corridor.
- The site was purchased by the Council for operational purposes, however due to a lack of resourcing, the site was not reclassified within the first 90 days as required by the LG Act. Therefore, this site has remained with a community land classification.
- Due to the community land classification, the site cannot be dedicated as a public road.
- On 13 January 2022, Council resolved at an Extraordinary Council meeting to prioritise individual road upgrades, duplications and links across the Council Local Government Area (LGA), including any existing and new links that will work towards mitigating traffic congestion issues as part of the broader *Port Macquarie-Hastings Regional Integrated Transport Strategy* and *Integrated Strategic Network Masterplan*, and that will also inform an updated *Urban Growth Management Strategy* and consider criteria and values identified by the *Port Macquarie Transport Network Planning Project* (refer to Attachment 3).
- In February 2025, the matter was discussed between Alex Adkins, Strategic Land Use Planning Manager at Council, and Craig Diss, Director of the Hunter and Northern Region at the Department. Craig Diss expressed no concerns for progressing the Planning Proposal and given its minor nature, advised that Council could proceed directly to Stage 2 - Planning

Proposal of the *LEP Plan-making Process*, without the need for a Scoping Proposal.

Existing Controls under the *Port Macquarie-Hastings Local Environmental Plan (LEP) 2011*

Table 1 identifies relevant planning controls for each site.

Table 1 - Existing Site Controls

Existing Control	Site(s) Controls
Site 1 - 52 John Oxley Drive, Port Macquarie	
Zone	RU1 - Primary Production
Lot Size	40Ha
Land Classification	Community
Land Uses (existing on site)	Warehouse (3 units)
Flood Planning	A small portion of the north-west corner is identified within the Probable Maximum Flood (PMF) area for a 1% AEP Flood event. 
Land Interests	Council has a leasehold agreement with the existing business that operates on the site.

Part 1 – Objectives or Intended Outcomes

Objective

The Objective of this Planning Proposal is to amend *Schedule 4 - Classification and reclassification of public land*, of the *Port Macquarie-Hastings Local Environmental Plan 2011* (Council LEP) to reclassify land owned by Port Macquarie-Hastings Council (Council) from 'community' to 'operational' land at:

1. 52 John Oxley Drive, Port Macquarie (Lot 1 on DP1012883) to facilitate the future duplication and associated upgrade works to John Oxley Drive.

Intended Outcomes

The Intended Outcomes of the Planning Proposal will be to:

- achieve improved transport efficiency through future upgrading of John Oxley Drive such as alleviating traffic congestion, enhancing travel times, and improving road capacity,
- provide the administrative flexibility required to deliver future projects that affect the land. Unlike community land, operational land can be developed, leased, or sold without the constraints of public recreation or conservation use, streamlining the processes involved in infrastructure development,
- support future development in the surrounding area by enhancing the road access and capacity,
- enable future works that will enhance public safety such as the installation of modern intersections, improved lighting, pedestrian pathways, and cycling infrastructure.

Part 2 – Explanation of Provisions

Intended Provisions

The intended provision of this Planning Proposal is to:

1. Amend the *Port Macquarie-Hastings Local Environmental Plan 2011, Schedule 4 – Classification and reclassification of public land*, to insert the following items:

Part 1 Land classified, or reclassified, as operational land - no interests changed	
Column 1	Column 2
Locality	Description
Port Macquarie	Lot 1, DP 1012883, 52 John Oxley Drive, Port Macquarie

Part 3 – Justification

Section A – Need for the Planning Proposal

1. Is the Planning Proposal a result of an endorsed LSPS, strategic study or report?

Yes

The site is located within the Health and Education Precinct (the HEP). The *Port Macquarie Health and Education Precinct Master Plan 2019* (the HEP Master Plan) is a strategic plan developed by Council to transform a key area of the city into a vibrant hub for health, education, and innovation. The HEP Master Plan envisions the area as a centre of excellence that integrates clinical services, education, research, and community facilities to support the region's growth and development.

The HEP Master Plan identifies current traffic issues that impact the site and future development of the HEP precinct. Primarily, the HEP Master Plan has identified that the intersections are at capacity at the Oxley Highway deviation, resulting in journey delay and unreliability during peak times. Design strategies proposed under the HEP Master Plan that affect the site include a future signalised crossing, as well as the road widening of John Oxley Drive, upgrading and extending pedestrian and cycle facilities, and new shared paths to create clear, direct, well-lit and complete connections between Kingfisher Road and the Port Macquarie Hospital.

Reclassifying land from community to operational is a key enabling step that supports the implementation of the HEP Master Plan. It allows Council to deliver on the HEP Master Plan's proposed infrastructure improvements, support integrated land uses, and respond to the precinct's growing functional and transport demands, all while maintaining alignment with the broader strategic goal of building a world-class health and education precinct.

Additionally, to guide future funding for projects targeting current and future needs of the area, Council and TfNSW have jointly developed the *Port Macquarie-Hastings Integrated Transport Plan, August 2024* (the Transport Plan). Council and TfNSW have a joint responsibility to manage and provide a sustainable, connected, and equitable transport network for the region.

The Transport Plan outlines the commitment made by Council and TfNSW to improve the movement, function and multi-modal transport networks based on the communities needs and changing expectations. The Transport Plan was created to develop and strengthen the transport networks within Council's LGA, focusing on increasing connectivity within the area, improving and reducing congestion, and providing a multi-modal transport system. The Transport Plan includes an 'Action Plan' that states major works and initiatives as well as 'Proposed Solutions.' Some Proposed Solutions will directly affect movement to the site, these include:

- completion of the final business case/s for Oxley Highway Future Growth Program,
- finalise modelling of additional local road transport links between Lake Road and the HEP as part of business case development for the Oxley Highway, Wrights Road / Lake Road upgrade,
- review traffic modelling in the LGA to ensure modelling remains current and best informs transport solutions.

Reclassifying land from community to operational is a proactive planning move by Council that

supports the delivery of the Transport Plan. It ensures that Council and TfNSW can implement the necessary transport infrastructure upgrades when needed to support access to the HEP, improve traffic flow, and meet the region's growing demand for a connected, sustainable, and multi-modal transport network.

2. Is the Planning Proposal the best means of achieving the objective or intended outcomes, or is there a better way?

Yes

The Department's *LEP Practice Note 16-001 - Classification and reclassification of public land through a local environmental plan*, states that the reclassification of land can be undertaken either through a Council resolution or an LEP amendment under s27(1) of the LG Act (refer to Attachment 1).

Council will proceed with the reclassification of land using the LEP amendment approach. Reclassification the site through an LEP is the mechanism with which Council can remove any public reserve status applying to land, in accordance with s30 of the LG Act.

Section B – Relationship to Strategic Planning Framework

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)?

North Coast Regional Plan 2041

Yes

The *North Coast Regional Plan 2041* (the Regional Plan) sets a 20-year strategic land use plan for the region, aiming to protect and enhance the region's assets and plan for a sustainable future. The 'Vision' of the Regional Plan is to create *'Healthy and thriving communities, supported by a vibrant and dynamic economy that builds on the region's strengths and natural environment.'* To support the Vision for the region, the Regional Plan identifies three 'Goals' with supporting 'Objectives' delivered through 'Strategies,' 'Actions' and 'Collaboration Activities.' The three Goals of the Regional Plan are:

1. Liveable, sustainable and resilient,
2. Productive and connected,
3. Growth change and opportunity.

The Regional Plan also addresses climate change, natural hazards, infrastructure needs, cultural heritage, and economic opportunities, with implementation overseen by a regional coordination committee.

The Planning Proposal delivers on *Objective 15 - Improve state and regional connectivity*, by enabling upgrades to John Oxley Drive (a sub-arterial to the Oxley Highway) that improve travel times, freight efficiency, tourism access and east-west network resilience.

Port Macquarie Regional City Action Plan 2036

Yes

Regional City Action Plans are strategic planning documents developed by the NSW government to guide the growth and development of key regional cities on the North Coast, including Port Macquarie, Coffs Harbour, Lismore, and Tweed. These plans are a direct response to the former *North Coast Regional Plan 2036*, which identified these cities as focal points for anticipated population growth and housing development over the next two decades.

The *Port Macquarie Regional City Action Plan 2036* (the Action Plan) is a strategic plan developed by the NSW government in collaboration with Council to guide the city's growth to 2036. It envisions Port Macquarie as a vibrant, sustainable regional centre that balances development with environmental conservation. The Action Plan focuses on creating a compact city with diverse housing options, enhancing public spaces through green corridors and improved waterfront access, and fostering economic growth through infrastructure development, including a HEP and an airport business park. It also emphasises the protection of local koala habitats and the integration of active and public transport systems to support a connected community. The Action Plan includes 'Goals' and supporting 'Objectives' and 'Actions' to support its delivery.

This Planning Proposal is consistent with key Objectives of the Action Plan:

- *Objective 8 – Create a connected and compact city* by enabling land transactions that support

- efficient urban growth within established areas,
- *Objective 11 - Protect environmental assets* by ensuring land use changes are compatible with koala habitat protection and broader ecological values,
 - *Objective 13 - Deliver enabling infrastructure* by facilitating future transport upgrades and gateway improvements.

Reclassifying the land to operational status enables Council to transact and use it more flexibly, directly supporting these objectives and aligning with the city's strategic growth framework.

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?

Port Macquarie Hastings Community Strategic Plan - Imagine 2050

Yes

The *Port Macquarie-Hastings Community Strategic Plan* (CSP), titled *Imagine 2050*, is the overarching 10-year plan for the LGA, outlining the community's 'Vision' and 'Goals' for the future. The *Imagine 2050* plan's Vision to be "*the most liveable, sustainable and innovative place in Australia*" is supported by six strategic 'Themes' that support this vision including:

1. Environmentally Sustainable,
2. Resilient,
3. Liveable,
4. Connected,
5. Thriving,
6. Authentic & High Performing.

These Themes will be achieved through the implementation of 'Objectives' and corresponding 'Strategies' identified within the CSP. The CSP serves as a guiding framework for local governance, aligning with State and regional objectives, and informing the Council's Delivery Program, Operational Plan, and Resourcing Strategy.

The Objectives and Strategies in Table 2 are considered most relevant in the consideration of this Planning Proposal.

Table 2 - Applicable CSP Objectives and Strategies to this Planning Proposal

Liveable
Objective L:1 We have well-planned and liveable communities <u>Strategies:</u> L:1.1 Undertake integrated strategic land use and infrastructure planning to manage growth in a financially and environmentally sustainable manner that enhances liveability
Connected
Objective C:1 We safely and efficiently connect people, goods and businesses within and beyond our region <u>Strategies</u> C:1.1 Deliver a safe, efficient and well-maintained road network across the LGA

The Planning Proposal is consistent with the Objectives and Strategies of the CSP, specifically *Objective L:1 We have well-planned and liveable communities*, and *Objective C:1 We safely and efficiently connect people, goods and businesses within and beyond our region*. Strategies L:1.1 and C1.1 support the reclassification of land from community to operational by aligning land use decisions with broader planning and infrastructure goals. Under the "Liveable" objective, integrated strategic land use planning ensures that growth is managed sustainably, which may necessitate reclassifying land to operational status to support infrastructure, housing, or economic development needs. Similarly, the "Connected" objective emphasises the development of an efficient road

network, which may require land previously designated for community use to be reclassified as operational to accommodate road upgrades or new transport corridors essential for regional connectivity and functionality.

Local Strategic Planning Statement - *Shaping Our Future 2040*

Yes

The *Port Macquarie-Hastings Local Strategic Planning Statement* (LSPS), titled *Shaping Our Future 2040*, provides a 20-year Vision to guide land use planning and development within the LGA. It establishes a clear strategic direction for how the region will manage growth while preserving its natural beauty, cultural heritage, and community character. The Vision of the LSPS is:

Port Macquarie-Hastings is above all a place for our people. A vibrant and welcoming place where city meets country and coast. A place which protects and embraces our proud heritage and unique natural environment. An inclusive place of strong resilient communities where people prosper. A place that people want to be a part of.

The LSPS sets out 'Planning Priorities' with supporting 'Actions' focused on protecting environmental assets such as coastal ecosystems and koala habitats, encouraging sustainable and resilient development, supporting a diverse economy, and enhancing infrastructure and housing to meet future needs. The LSPS aligns with the NSW government's broader regional planning framework, including the Regional Plan and the Action Plan. It serves as a bridge between these regional strategies and local implementation by informing updates to Council's LEP and development controls.

All Planning Proposals are required to demonstrate consistency with the LSPS. Several Actions within the LSPS are relevant to the Planning Proposal, and an assessment against these Actions is detailed in Table 3.

Table 3 - Applicable LSPS Actions Assessment

LSPS Action	Assessment Against Action
Planning Priority 3 - Increase our community's resilience to the impacts and risks of natural hazards and environmental change	
3.3: Review and update floodplain risk, through review of the Flood Management Policy and ensure planning controls are updated in line with NSW government's Flood Prone Land Package 2020 and Land-Use Planning for Disaster Resilient Communities 2020	The site has a small portion of its north-west corner located within the identified Probable Maximum Flood (PMF) area. Since the Planning Proposal is limited to reclassifying land without introducing new land uses on either site, there is no requirement to alter flood risk provisions or existing planning controls. Any future development works would still be subject to the Development Assessment process.
Planning Priority 11 - Provide a multi-modal, integrated land-use and transport network across Port Macquarie-Hastings	
11.1: Develop a Hub and Spoke model for the LGA by understanding catchment areas for key centres and attractors (such as our retail centres, hospitals, airport and education facilities)	Reclassifying land to operational status serves as a strategic enabler for future transport infrastructure upgrades along John Oxley Drive. This action directly supports the development of a 'Hub and

LSPS Action	Assessment Against Action
	Spoke' model for the LGA by enhancing connectivity between key catchment areas and regional attractors, including retail centres, hospitals, the airport, and education facilities. The site's location within Council's designated HEP positions it as a critical node in this model, with a direct link to the Oxley Highway and, further west, the Pacific Highway.
Planning Priority 12 - Develop a network of safe, accessible and sustainable local transport options linking key destinations	
12.4: Identify needs and plans for infrastructure upgrades to facilitate sustainable public transport modes, car share and transport-on-demand schemes accessible to communities across the LGA	The Transport Plan discussed in Question 1, sets out a joint commitment by Council and TfNSW to strengthen the movement, function, and multi-modal transport networks of the LGA, supported by an Action Plan of major works and initiatives. Reclassifying land from community to operational status is a proactive measure that enables Council to deliver this vision. Reclassification ensures Council and TfNSW can implement essential road widening, intersection upgrades, and improved pedestrian and cycle connections to support access to the HEP, improve traffic flow, and meet the region's growing demand for a sustainable, integrated network.
Planning Priority 13 - Build the capacity of Port Macquarie as a regional city and develop the vitality of other economic centres and employment lands	
13.1: Implement the <i>Health & Education Precinct Master Plan</i> with associated Development Contributions Plan and funding model	The HEP Master Plan discussed in Question 1, has design strategies that affect the site as it is within the HEP, including a proposed future signalised crossing, as well as the road widening of John Oxley Drive, upgrading and extending pedestrian and cycle facilities, and new shared paths. Reclassifying land from community to operational is a key enabling step that supports the implementation of the HEP Master Plan. It allows Council to deliver on the HEP Master Plan's proposed infrastructure improvements, support integrated land uses, and respond to the precinct's growing functional and transport demands, all while maintaining alignment with the broader strategic goal of building a world-class health and education precinct.

The Planning Proposal is consistent with the LSPS actions identified and further supports reclassification of the land for operational purposes and future road upgrades to improve connectivity of the site and the broader LGA area.

Urban Growth Management Strategy 2017-2036

Yes

The *Urban Growth Management Strategy 2017-2036* (the Strategy) outlines a 'Vision' of achieving a "sustainable high quality of life for all". It focuses on managing land use and population growth in a way that balances social, economic, and environmental goals for both current and future generations. The Strategy serves as a framework for planning and accommodating future development, guiding housing and economic opportunities while informing local planning instruments such as the LEP and development application assessments. The Strategy was approved by the NSW government on 2 November 2018.

The Strategy contains several key actions to be implemented over the next 5 years (2017), including:

- plans for a new Health and Education Precinct (HEP), which encompasses the Port Macquarie Base Hospital, Charles Sturt University and surrounding land,
- plans for an Airport Business Park at Port Macquarie,
- a review of planning for the Port Macquarie and Wauchope CBDs,
- a new urban release area at Yippin Creek in Wauchope,
- neighbourhood planning in Kendall,
- a rural residential investigation area in Telegraph Point,
- new residential investigation areas at Lake Cathie, Fernbank Creek and Sancroix.

The Planning Proposal is consistent with the intent of the Strategy by facilitating future infrastructure delivery, enabling precinct-based planning, and supporting economic and population growth. The Strategy emphasises the importance of delivering coordinated infrastructure to support urban expansion and activate key growth precincts, including the HEP, within which the site is located.

Reclassifying the site to operational land provides Council with greater flexibility to plan, manage, and deliver essential infrastructure, including the duplication and upgrade of John Oxley Drive. This corridor is identified as a critical transport link for connecting high-growth areas and supporting strategic employment hubs in the HEP and across the broader LGA. Through this reclassification, the goals of integrated infrastructure delivery and precinct-based planning set out in the Strategy are advanced.

Port Macquarie-Hastings Living and Place Strategy, August 2024

Yes

The *Port Macquarie-Hastings Living and Place Strategy* (the Place Strategy) provides a framework to guide housing and urban development in the LGA to 2046. It seeks to ensure growth is supported by sustainable infrastructure, diverse housing, resilient neighbourhoods, and a stronger supply of affordable housing. The Place Strategy is underpinned by six key priorities, including *Priority 1: Infrastructure which supports sustainable growth*, which is supported by *Strategy 1.1 (provide integrated forward planning to identify long-term infrastructure needs)* and *Strategy 1.2 (advocate to and work with the NSW government for funding of key infrastructure projects)*.

Reclassification of the site to operational status is directly consistent with Priority 1, Strategies 1.1 and 1.2. It enables Council to undertake forward planning for the duplication and upgrade of John Oxley Drive, a critical transport corridor servicing the HEP. Operational classification strengthens Council's capacity to advocate for, and secure, NSW Government support and funding to deliver this

essential infrastructure, aligning with the Strategy's direction to integrate land use and infrastructure planning.

Local Area-Specific Plans

Yes

The Local Area-Specific Plans guide the land-use planning priorities and decisions for urban development and a well-planned community. Existing plans include:

- Yippin Creek Structure Plan,
- Settlement City Precinct Structure Plan,
- Port Macquarie Foreshore Masterplan,
- John Oxley Drive Precinct,
- Thrumster Structure Plan,
- Wauchope Town Centre Design Framework,
- King Creek Rural Residential Structure Plan, and
- Kew Main Street Master Plan.

The site is located within the *John Oxley Drive Precinct Structure Plan* area (the Structure Plan), which was endorsed by Council in July 2012 (refer to Figure 4). The Structure Plan provides a guide to future land use decisions and ensure coordinated development outcomes over the long term. The site specifically falls within the 'Northeast Sub-Precinct,' which identifies it as having “*some capacity for redevelopment.*”

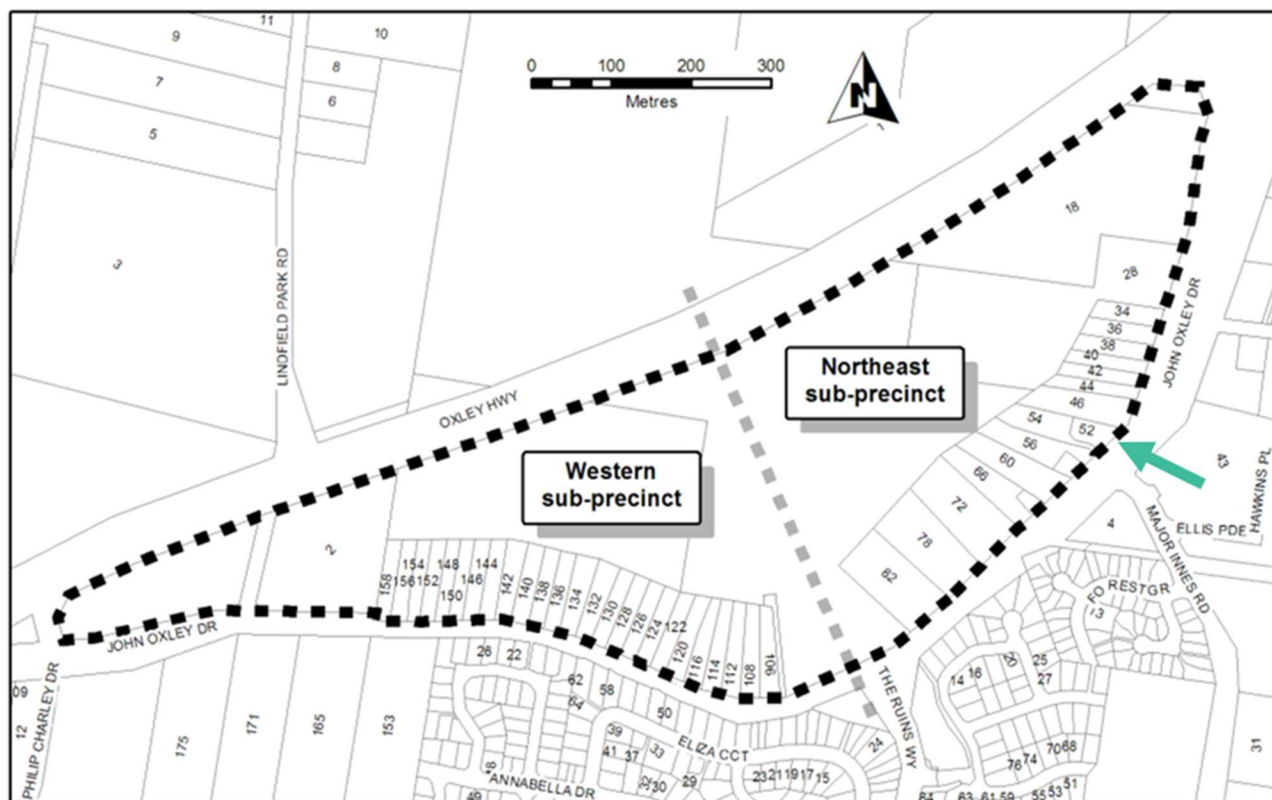


Figure 4 – John Oxley Drive Precinct

While the Planning Proposal does not propose residential uses, it is consistent with Section 4.3.1 of the Structure Plan, which outlines the future role and necessary upgrades required of John Oxley

Drive. These upgrades are supported by traffic studies undertaken by SMEC Australia, which forecast significant traffic growth by 2036 (SMEC, 2012). To accommodate this projected demand, the Structure Plan proposes a range of road improvements, including a four-lane divided carriageway with on-road cycleways, parking lanes, and footpaths from Wrights Road to The Ruins Way, and a two-lane undivided carriageway with on-road cycleways and a footpath in areas where residential lots front John Oxley Drive, between The Ruins Way and the Oxley Highway overbridge.

Reclassifying the land from community to operational enables Council to meet the intent of the Structure Plan by supporting future infrastructure delivery, allowing for more flexible land use, and ensuring coordinated development outcomes in line with long-term precinct planning.

5. Is the Planning Proposal consistent with any other applicable State and regional studies or strategies?

N/A

All applicable studies and strategies have been identified.

6. Is the Planning Proposal consistent with applicable State Environmental Planning Policies?

Yes

Table 4 provides an assessment of consistency against each State Environmental Planning Policy (SEPP) relevant to the Planning Proposal.

Table 4 - State Environmental Planning Policy Assessment

Focus areas	State Environmental Planning Policies	Consistent	Assessment
Planning systems	Planning Systems SEPP	N/A	The Planning Proposal does <u>not</u> include a State significant development, State significant infrastructure, critical State significant infrastructure or regionally significant development.
	Precincts SEPPs: - Eastern Harbour City SEPP - Western Parkland City SEPP - Central River City SEPP - Regional SEPP	N/A	Regarding the application of the Regional SEPP, the Planning Proposal does not include development in State significant precincts.
Housing	Housing SEPP	N/A	The Planning Proposal does not propose affordable and/or diverse housing.
Transport and infrastructure	Transport and Infrastructure SEPP	N/A	The Planning Proposal does not propose delivery of infrastructure.

Focus areas	State Environmental Planning Policies	Consistent	Assessment
Primary production	Primary Production SEPP	N/A	The Planning Proposal does not propose economic uses or development of lands for primary production.
Biodiversity and conservation	Biodiversity and Conservation SEPP	N/A	The Planning Proposal does not propose works that will impact any biodiversity on the site or its surrounding area.
Resilience and hazards	Resilience and Hazards SEPP	N/A	The site is not within the defined coastal SEPP area.
Industry and employment	Industry and Employment SEPP	N/A	The site is not located within the Western Sydney Employment Area and the Planning Proposal does not propose advertising or signage.
Resources and energy	Resources and Energy SEPP	N/A	The Planning Proposal does not propose mining or energy uses.
-	SEPP No 65 – Design Quality of Residential Apartment Development	N/A	The Planning Proposal does not include residential apartments.
-	SEPP (Building Sustainability Index: BASIX) 2004	N/A	The Planning Proposal does not include residential developments.
-	SEPP (Exempt and Complying Development Codes) 2008.	N/A	The Planning Proposal does not propose exempt or complying development or the introduction of State-wide codes.

7. Is the Planning Proposal consistent with applicable Local Planning Directions (formally section 9.1 Ministerial Directions) or key government priority?

Yes

Table 5 provides a brief assessment of consistency against each Local Planning Direction.

Table 5 - Local Planning Directions Assessment

Consideration of Local Planning Directions	Consistent	Assessment
Focus Area 1: Planning Systems		
1.1 Implementation of Regional Plans	Yes	The Planning Proposal achieves the overall intent of the Regional Plan and does not undermine the achievement of the vision, land use strategy, goals, directions or actions.
1.2 Development of Aboriginal Land Council land	N/A	The site is not owned by, nor affects, land held by an Aboriginal Land Council.

Consideration of Local Planning Directions	Consistent	Assessment
1.3 Approval and Referral Requirements	N/A	The Planning Proposal does not introduce provisions that require additional concurrence or referral of development applications beyond existing legislative requirements.
1.4 Site Specific Provisions	N/A	The Planning Proposal does not introduce site-specific provisions that exclude development standards from variation or create unique controls inconsistent with State policy. It only changes land classification status under Schedule 4 of Council's LEP.
1.4A Exclusion of Development Standards from Variation	N/A	
Focus Area 1: Planning Systems – Place-based		
1.5 Parramatta Road Corridor Urban Transformation Strategy	N/A	Not relevant to this Planning Proposal.
1.6 Implementation of North West Priority Growth Area Land Use and Infrastructure Implementation Plan	N/A	Not relevant to this Planning Proposal.
1.7 Implementation of Greater Parramatta Priority Growth Area Interim Land Use Infrastructure Implementation Plan	N/A	Not relevant to this Planning Proposal.
1.8 Implementation of Wilton Priority Growth Area Interim Land Use Infrastructure Implementation Plan	N/A	Not relevant to this Planning Proposal.
1.9 Implementation of Glenfield to Macarthur Urban Renewal Corridor	N/A	Not relevant to this Planning Proposal.
1.10 Implementation of Western Sydney Aerotropolis Plan	N/A	Not relevant to this Planning Proposal.
1.11 Implementation of Bayside West Precincts 2036 Plan	N/A	Not relevant to this Planning Proposal.
1.12 Implementation of Planning Principles for the Cooks Cove Precinct	N/A	Not relevant to this Planning Proposal.
1.13 Implementation of St Leonards and Crows Nest 2036 Plan	N/A	Not relevant to this Planning Proposal.
1.14 Implementation of Greater Macarthur 2040	N/A	Not relevant to this Planning Proposal.
1.15 Implementation of the Pyrmont Peninsula Place Strategy	N/A	Not relevant to this Planning Proposal.
1.16 North West Rail Link Corridor Strategy	N/A	Not relevant to this Planning Proposal.
1.17 Implementation of the Bays West Place Strategy	N/A	Not relevant to this Planning Proposal.
1.18 Implementation of the Macquarie	N/A	Not relevant to this Planning Proposal.

Consideration of Local Planning Directions	Consistent	Assessment
Park Innovation Precinct		
1.19 Implementation of the Westmead Place Strategy	N/A	Not relevant to this Planning Proposal.
1.20 Implementation of the Camellia-Rosehill Place Strategy	N/A	Not relevant to this Planning Proposal.
1.21 Implementation of South West Growth Area Structure Plan	N/A	Not relevant to this Planning Proposal.
1.22 Implementation of the Cherrybrook Station Place Strategy	N/A	Not relevant to this Planning Proposal.
Focus Area 2: Design and Place		
2.1 Design and Place (Not adopted)	N/A	N/A
Focus Area 3: Biodiversity and Conservation		
3.1 Conservation Zones	N/A	Not relevant to this Planning Proposal.
3.2 Heritage Conservation	N/A	The site does not contain a heritage item and is not within a conservation area.
3.3 Sydney Drinking Water Catchments	N/A	Not relevant to this Planning Proposal.
3.4 Application of C2 and C3 Zones and Environmental Overlays in Far North Coast LEPs	N/A	Not relevant to this Planning Proposal (outside Far North Coast).
3.5 Recreation Vehicle Areas	N/A	Not relevant to this Planning Proposal.
3.6 Strategic Conservation Planning	N/A	Not relevant to this Planning Proposal.
3.7 Public Bushland	N/A	Not relevant to this Planning Proposal.
3.8 Willandra Lakes Region	N/A	Not relevant to this Planning Proposal.
3.9 Sydney Harbour Foreshores and Waterways Area	N/A	Not relevant to this Planning Proposal.
3.10 Water Catchment Protection	N/A	Not relevant to this Planning Proposal.
Focus Area 4: Resilience and Hazards		
4.1 Flooding	Yes	A small portion of the north-west corner is mapped within the Probable Maximum Flood (PMF) extent for the 1% AEP event, but the site is not within the mapped Flood Planning Area. Existing improvements, including the warehouse buildings and vehicle access, are on flood-free land above the PMF. Reclassification from community to operational does not intensify land use, introduce residential or other vulnerable uses, or alter flood risk management. Any future development will remain subject to Council's Flood Policy and the development assessment process. The Planning Proposal

Consideration of Local Planning Directions	Consistent	Assessment
		is therefore consistent with this Direction.
4.2 Coastal Management	N/A	Not relevant to this Planning Proposal.
4.3 Planning for Bushfire Protection	N/A	Not relevant to this Planning Proposal.
4.4 Remediation of Contaminated Land	N/A	The Planning Proposal does not propose rezonings or new land uses that would trigger remediation.
4.5 Acid Sulfate Soils	N/A	Not relevant to this Planning Proposal.
4.6 Mine Subsidence and Unstable Land	N/A	The site is not within a mine subsidence district or unstable land area.
Focus Area 5: Transport and Infrastructure		
5.1 Integrating Land Use and Transport	Yes	Reclassification of the site enables critical upgrades to John Oxley Drive, improving connectivity between key regional attractors including the hospital, university, and airport.
5.2 Reserving Land for Public Purposes	N/A	Not relevant to this Planning Proposal.
5.3 Development Near Regulated Airports and Defence Airfields	N/A	The site is not within an airport safeguarding area.
5.4 Shooting Ranges	N/A	Not relevant to this Planning Proposal.
Focus Area 6: Housing		
6.1 Residential Zones	N/A	Not relevant to this Planning Proposal.
6.2 Caravan Parks and Manufactured Home Estates	N/A	Not relevant to this Planning Proposal.
Focus Area 7: Industry and Employment		
7.1 Business and Industrial Zones	N/A	Not relevant to this Planning Proposal.
7.2 Reduction in non-hosted short-term rental accommodation period	N/A	Not relevant to this Planning Proposal.
7.3 Commercial and Retail Development along the Pacific Highway, North Coast	N/A	Not relevant to this Planning Proposal.
Focus Area 8: Resources and Energy		
8.1 Mining, Petroleum and Extractive Industries	N/A	Not relevant to this Planning Proposal.
Focus Area 9: Primary Production		
9.1 Rural Zones	N/A	This direction does not apply to the Port Macquarie-Hastings LGA. Nonetheless, the Planning Proposal does not seek to rezone the site, only reclassify the land.
9.2 Rural Lands	Yes	The site is located within the <i>John Oxley Drive Precinct Structure Plan</i> area, which identifies

Consideration of Local Planning Directions	Consistent	Assessment
		the site for future residential uplift. Additionally, the site is already developed and concrete sealed extinguishing any future agricultural uses on the site.
9.3 Oyster Aquaculture	N/A	Not relevant to this Planning Proposal.
9.4 Farmland of State and Regional Significance on the NSW Far Coast	N/A	Not relevant to this Planning Proposal.

Section C – Environmental, Social, and Economic Impact

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

No

No vegetation is present on the site as it is concrete sealed, however a mature Eucalypt tree canopy overhangs the site from the adjoining northern property.

9. Are there any other likely environmental effects as a result of the Planning Proposal and how are they proposed to be managed?

No

New land uses are not proposed as part of this Planning Proposal.

10. Has the Planning Proposal adequately addressed any social and economic effects?

Yes

The reclassification of land will not cause any social or economic effects. However, reclassifying land from community to operational to allow for future road widening will provide several public benefits. It enables the delivery of critical infrastructure upgrades that improve traffic flow, reduce congestion, and enhance safety.

It also facilitates long-term planning by future-proofing the road network to accommodate population growth and increased transport demand. Additionally, wider road reserves offer opportunities for landscaping, stormwater management, and improved urban amenity in-line with strategic planning framework documents discussed previously. Reclassifying the land to operational status provides the flexibility needed for Council to manage and develop the land efficiently, ensuring timely and cost-effective delivery of public infrastructure.

Section D – State and Commonwealth Interests

11. Is there adequate public infrastructure for the Planning Proposal?

Yes

The Planning Proposal does not propose to intensify the existing uses on the site.

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

No

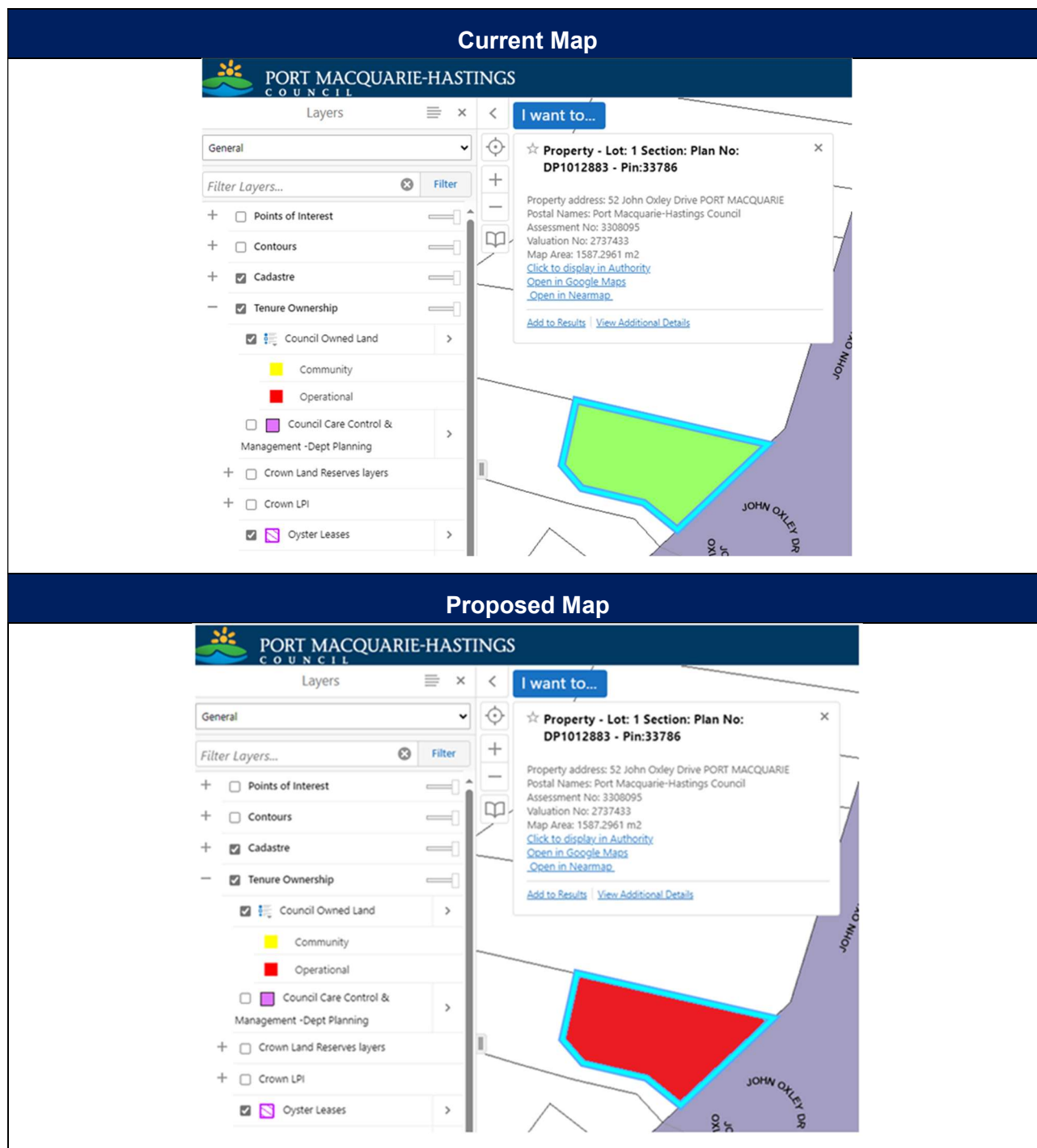
Preliminary views from State agencies have not been sought given the minor changes proposed by the Planning Proposal. However, Council will consult with all applicable State agencies during the public exhibition stage after the Gateway Determination has been issued.

Part 4 – Mapping

N/A

The reclassification of land will not require any Council LEP mapping updates. However, Council's internal mapping (*Geocortex for PMHC*) and property records will be updated to reflect the reclassification, see Table 6.

Table 6 – Reclassification of Land Internal Mapping



Part 5 – Community Consultation

There has been no formal community consultation yet, but Council will engage the community during Stage 5 - Community Consultation, of the *LEP Plan-making Process*. Planning Proposals to reclassify land public land must be exhibited for a minimum of 28 days.

Public Hearing

Section 29 of the LG Act requires that Council undertake an independent public hearing when reclassifying public land from community to operational purposes. This public hearing will provide the community with an opportunity to expand on written submissions and discuss their issues with an independent person in a public forum.

This public hearing will occur at least 21 days after the public exhibition period has ended to allow the independent person chairing the hearing enough time to consider submissions received. Additionally, s47G of the LG Act further requires the preparation of a public hearing report by the Chair and Council making this report publicly available.

Governors Approval

Governor's approval is required where a planning proposal seeks to reclassify public land in a manner that removes public reserve status and/or discharges any interests affecting the land, in accordance with section 30 of the Local Government Act 1993.

In this instance, the Planning Proposal does **not** seek to remove any public reserve status or discharge any interests affecting the land. Accordingly, Governor's approval is not required. This is further confirmed in the Gateway Determination received from the Department on 18 March 2026.

Part 6 – Project Timeline

Table 7 provides an indicative timeline for this 'Basic' Planning Proposal.

Table 7 - Indicative Planning Proposal Timeline

Action	Indicative Date
Consideration by Council	October 2025
Council Decision	October 2025
Gateway Determination	March 2026
Pre-exhibition	March 2026
Commencement and Completion of Public Exhibition period	April - May 2026
Consideration of Submission	June 2026
Post-exhibition Review and Additional Studies	July 2026
Submission to the Department for Finalisation (where applicable)	August 2026
Gazettal of LEP Amendment	September 2026

Attachments

Attachment 1 - Checklist for Reclassification of Land through an LEP

Attachment 2 - Certificate of Title

Attachment 3 - Ordinary Council Meeting Minutes - 13 January 2022

Port Macquarie Hastings Council

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