

5 February 2026

Keiren Thomas  
Director – Housing Delivery  
Department of Planning, Housing and Infrastructure  
4 Parramatta Square  
12 Darcy Street  
Parramatta NSW 2150

Dear Keiren,

**RE: Request for secretary's environmental assessment requirements (SEARs) for 23 Park Street, Port Macquarie**

We act on behalf of Planet Warriewood Pty Ltd (Applicant) in relation to a proposed mixed use development at 23 Park Street, Port Macquarie (site). The Applicant requests the Secretary's Environmental Assessment Requirements (SEARs) – Industry Specific for the proposed development.

The site has been nominated as State Significant Development (SSD) with a concurrent rezoning under State Significant Development Declaration Order (No. 17) 2025, in accordance with the *Environmental Planning and Assessment Act 1979* (EP&A Act) following the Expression of Interest (EOI) application 287940 to the Housing Delivery Authority (HDA).

The proposed development seeks approval under the SSD Order to increase the maximum permissible building height and floor space ratio (FSR) on the site under the *Port Macquarie-Hastings Local Environmental Plan 2011* for approximately 210 dwellings, including 35 affordable dwellings (7.5% in perpetuity and 7.5% for 15 years, to be managed by a Community Housing Provider), to 18 storeys with entertainment and commercial, hotel and residential uses.

We have attached a SEARs Request report that described the site and project. We trust that the enclosed information is helpful and look forward to discussing this matter further. Please do not hesitate to contact our Senior Planner, Amber Nehal on 0439335724 or email at [anehal@mecone.com.au](mailto:anehal@mecone.com.au), Daniel McNamara on 0409990464 or email at [daniel@dmps.com.au](mailto:daniel@dmps.com.au), or myself on 0414194473 or email at [cshannon@mecone.com.au](mailto:cshannon@mecone.com.au).

Yours sincerely,



Chris Shannon  
**Western Sydney Practice Director**



# SEARs Request

23 Park Street, Port Macquarie

HDA EOI Ref 287940

Prepared for  
Planet Warriewood Pty Ltd.

February 2026

[MECONE.COM.AU](http://MECONE.COM.AU)



Mecone acknowledges the Traditional Custodians of the land on where this project is undertaken and across the Mecone offices that this report is prepared, paying respect to the Elders past and present. We recognise the ongoing connection of Aboriginal and Torres Strait Islander peoples to land, waters, and culture.

## Project director

Daniel McNamara – Director - DMPS

Chris Shannon – Western Sydney Practice Director - Mecone

## Contributors

Amber Nehal – Senior Planner - Mecone

Justin Tse – Assistant Planner - Mecone

Revision	Revision date	Status	Authorised: Name & Signature
V1	Draft for Director Review	Reviewed	Chris Shannon 
V2	For Submission	Reviewed	Chris Shannon 

\* This document is for discussion purposes only unless signed and dated by the persons identified. This document has been reviewed by the Project Director.

## Contact

### MECONE

Level 15, 6 Hassall Street, Parramatta  
Sydney, New South Wales 2000

info@mecone.com.au  
mecone.com.au

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# 1 Introduction

This SEARs Request has been prepared for Planet Warriewood Pty Ltd (**Applicant**) in relation to a proposed mixed-use development at 23 Park Street, Port Macquarie Junction (**site**).

The site has been nominated as State Significant Development (**SSD**) with a concurrent rezoning under State Significant Development Declaration Order (No. 17) 2025, in accordance with the *Environmental Planning and Assessment Act 1979 (EP&A Act)* following the Expression of Interest (**EOI**) application 269946 to the Housing Delivery Authority (**HDA**).

## 2 The site

### 2.1 Site context

The site is located in the heart of Port Macquarie (Port Macquarie Greater Town Centre – Settlement City Precinct), within the Port Macquarie-Hastings Local Government Area (**LGA**). The site is located at 23 Park Street, Port Macquarie, legally described as Lot 22 DP1220661. It has a site area of 5,771 m<sup>2</sup> as seen in **Figure 1** below.



**Figure 1: Aerial photo of the site**

Source: Mecone

The site has a frontage of approximately 117 metres to Park Street and 106 metres to Warlters Street. The site benefits from its location within the Port Macquarie CBD and is approximately 2.7 km east of Port Macquarie Airport.

The site is currently vacant and is directly adjoined on the western boundary by a one storey retail outlet (Kmart). Directly to the south of the site consists of medium density residential development. To the north and east of the site lies Westport Park along the Hastings River. The site has an existing vehicular access from Warlters Street.

#### 2.1.1 Heritage

The site does not include any heritage listed items, nor is it located within a heritage conservation area. Three heritage items are however located nearby to the site (see **Figure 2** below.) Specifically, these items include:

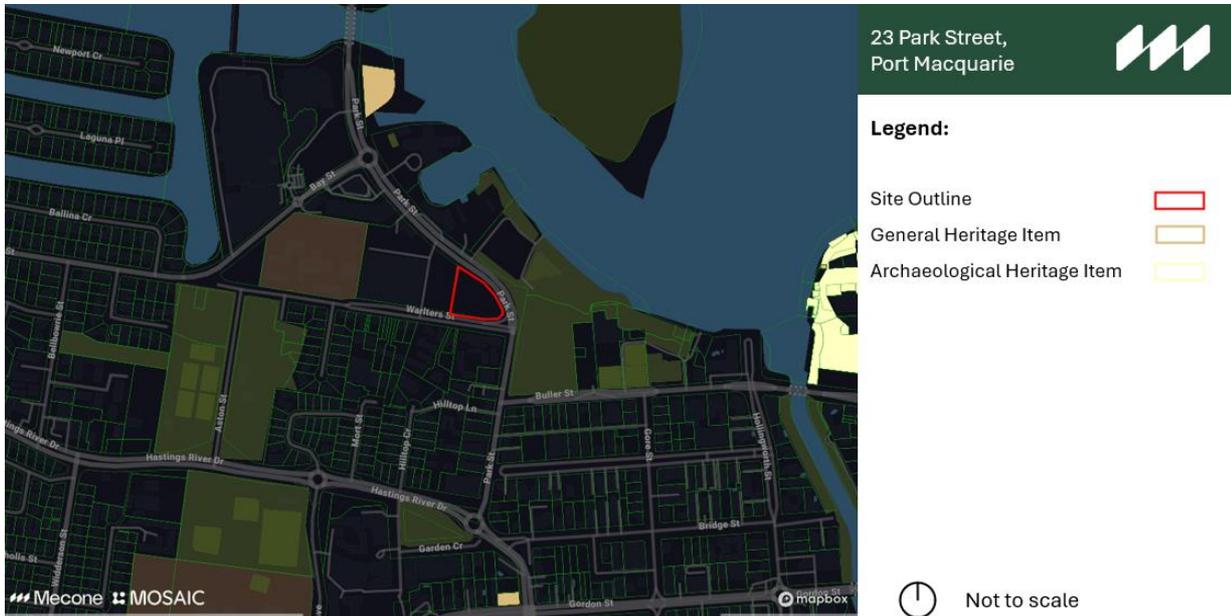
- “The Cross” Navigational Marker – Item I082 (Reserve adjoining Lot 5/DP263340)
- Archaeology of Early European Settlement – Item A111 (Parts of town centre and town beach)



precincts)

- “Elsinor Building” – Item I065 – (2 Hastings River Drive).

The proposal will consider the heritage significance of these items through the assessment process.

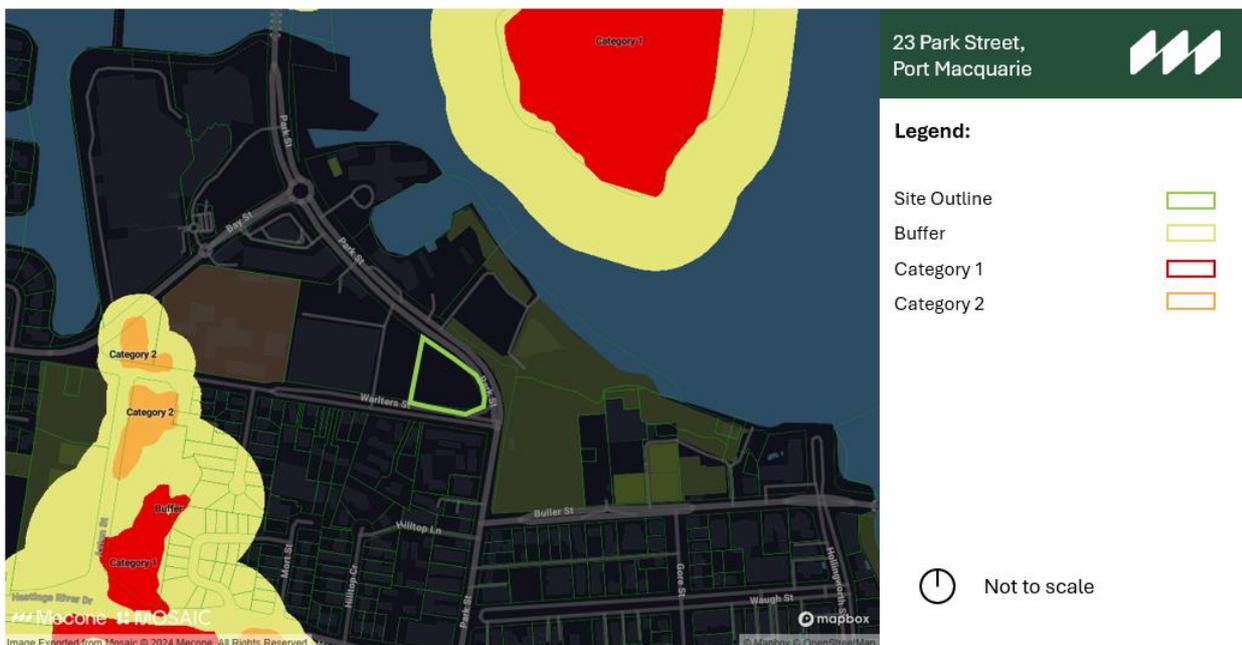


**Figure 2: Heritage context**

Source: Mecone Mosaic

### 2.1.2 Bushfire

The site does not include any land classified as bushfire prone land. However, it is in proximity of land classified as Category 1, Category 2 and Buffer bush fire prone land, see the figure below.



**Figure 3: Bushfire Prone Land**

Source: Mecone Mosaic



### 2.1.3 Acid Sulfate Soils

Part of the site is identified as containing Class 3 Acid Sulfate Soils. Refer to the figure below.



Figure 4: Acid Sulfate Soils Map

Source: Mecone Mosaic

### 2.1.4 Flooding

The site is also identified as a flood planning area under the Port Macquarie-Hastings LEP as shown in the figure below.

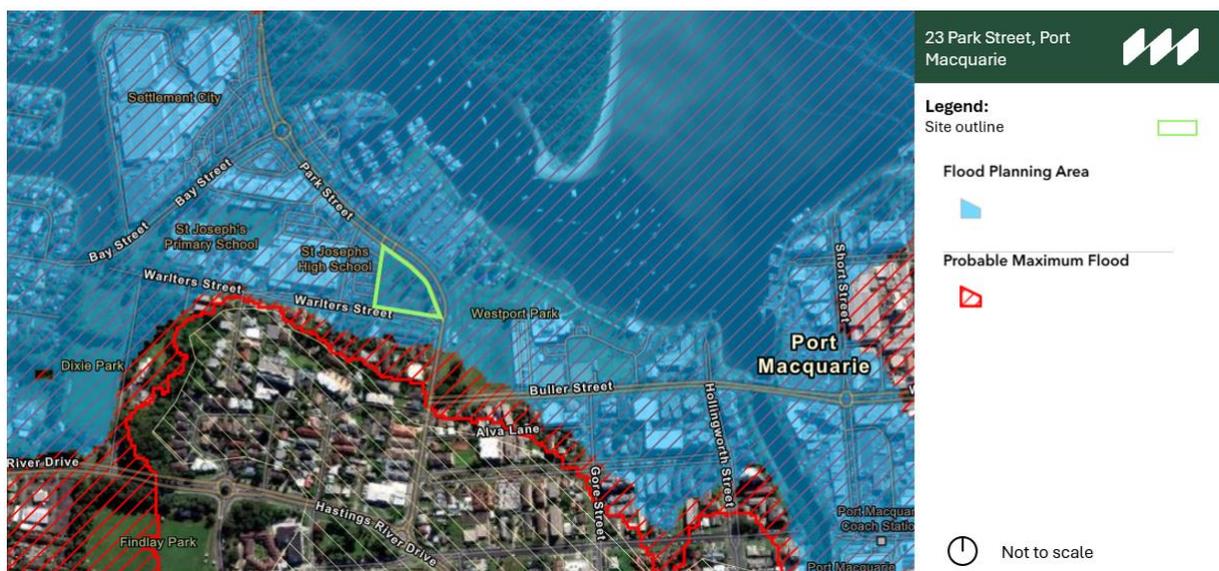


Figure 5: Flooding Map

Source: Mecone Mosaic



## 2.2 Local context and surrounding development

The area surrounding the development is contextualised as follows:

- **North:** Directly north of the site is a carpark for the Westport Park Boat Ramp and the Port Marina Shops containing retail and hospitality premises. Further north is the Hastings River and Woregore Nature Reserve.
- **East:** Directly east of the site is Westport Park and The Westport Club. Further east of the site is the traditional CBD of Port Macquarie consisting of one to three storey commercial premises containing banks, supermarkets, offices and hotels.
- **South:** Directly south of the site consists of one to three storey low density and medium density residential development. Further south is the Garden Village Seniors Housing Estate and Findlay Park providing multiple soccer and netball fields.
- **West:** Directly west of the site is a large one storey retail development (Kmart) and St Josephs Primary School. Beyond this consists mainly of low density residential development with artificial canals.

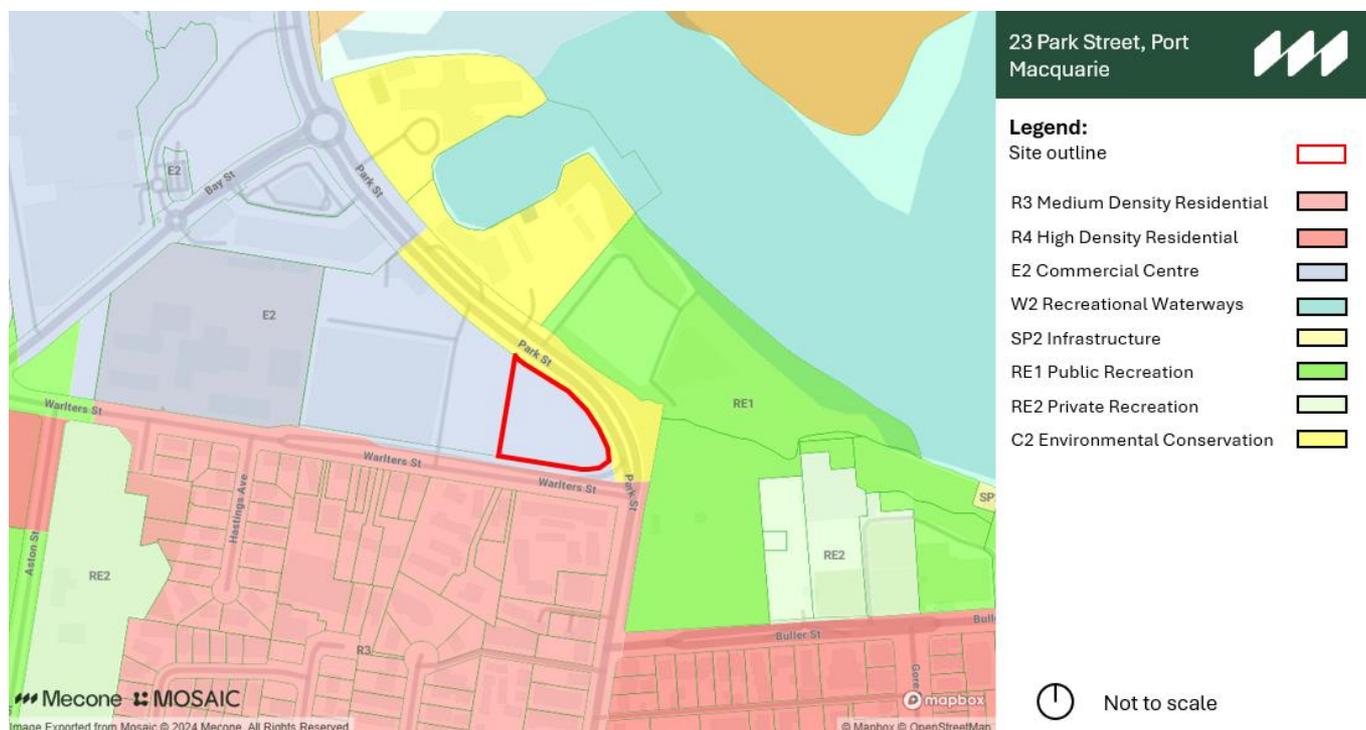


Figure 6: Site context

Source: Mecone

## 2.3 Site history

### DA2018/1111

This development application was lodged in December 2018 for a four storey entertainment and commercial precinct on the site. The proposal included:

- 9 x cinemas, restaurant and function room
- retail tenancies, including gymnasium, food and drink premises including two ground level drive through premises
- basement carpark incorporating a car wash tenancy, 153 car parking spaces and 12 bicycle parking spaces.



As part of the development application, a Clause 4.6 variation was sought for exceedances of the height of building limit and floor space ratio limit.

On 18 November 2020, the application was refused by the Joint Regional Planning Panel for the following reasons:

- The proposed on-site parking was insufficient by a maximum of approximately 155 spaces during the Saturday evening peak period, and by a less, but still material number of spaces during other periods.
- The proposed arrangements for supplementary parking off-site are unsatisfactory.
- Aspects of the proposed access arrangements are unsatisfactory particularly the proposed channelised right turn in Warlters Street that links to the existing right of way.
- Overall, the panel concluded that the proposal is an overdevelopment of the site best illustrated by the shortfall in parking and reliance in offsite parking is not orderly development.

## 3 The proposal

The proposal seeks to deliver a landmark mixed-use development in the Port Macquarie Greater Town Centre – Settlement City Precinct, being a major regional centre on the North Coast of NSW. In accordance with the HDA, a concurrent rezoning will be submitted to amend the height of building limit of the site to 61 metres (approximately 18 storeys) and amend the floor space ratio limit to 6.5:1. It will deliver a mix of land uses including:

- Approximately 210 residential apartments
- Approximately 35 affordable apartments representing approximately 15% of GFA. Approximately 7.5% of residential GFA is to be dedicated as affordable housing in perpetuity, and approximately 7.5% of residential GFA is to be dedicated as affordable housing for a period of 15 years, to be managed by a community housing provider.
- Potential for tourist and hotel accommodation, entertainment and commercial uses within the podium, consisting of food and drink premises, recreation facilities and retail premises.

### 3.1 Concurrent rezoning

To facilitate the shop top housing development upon the site, several amendments to the *Port Macquarie-Hastings Local Environmental Plan 2011* are proposed to be progressed concurrently with the SSD under the HDA pathway. These changes are necessary to enable the desired built form and affordable housing outcomes identified in the indicative concept scheme.

The proposed LEP amendments include:

- **Building height:** increasing the maximum height of building from part 11.5m, 16m and 19m, to the equivalent height of 18 storeys
- **Floor space ratio:** increasing the maximum floor space ratio from 2:1 to 6.5:1 to support a feasible yield that incorporates 7.5% of residential gross floor area to be affordable housing in perpetuity, and 7.5% of residential gross floor area to be affordable housing for 15 years, with all affordable housing to be managed by a community housing provider.

These amendments reflect the site's identification as a priority housing site under the HDA program and are intended to deliver a high-quality development that contributes to housing supply and affordability in the Port Macquarie area. These amendments will form part of a concurrent rezoning and be exhibited concurrently with the Environmental Impact Statement (**EIS**) for the SSD application.



# 4 Statutory planning framework

## 4.1 Environmental Planning Instruments

### 4.1.1 Port Macquarie – Hastings Local Environmental Plan 2011

The *Port Macquarie - Hastings Local Environmental Plan 2011* (PMHLEP) is the primary environmental planning instrument applicable to the site. The relevant provisions of the PMHLEP are outlined below:

**Table 1: Provisions of Port Macquarie-Hastings LEP 2011**

Provision	Control	Comment
<b>Land use</b>	E2 Commercial Centre	Under the E2 zone 'shop top housing' is permitted with consent under the PMHLEP 2011.
<b>Clause 4.3 Height of buildings</b>	Part 11.5m, 16m and 19m	The proposal seeks to amend the maximum height of building control to support the proposed development.
<b>Clause 4.4 Floor space ratio</b>	2:1	The proposal seeks to amend the FSR to support the proposed development.
<b>Clause 5.10 Heritage conservation</b>	<p>The site does not include any heritage listed items, nor is it located within a heritage conservation area. Three heritage items are however located nearby to the site, these items include:</p> <ul style="list-style-type: none"> <li>• "The Cross" Navigational Marker – Item I082 (Reserve adjoining Lot 5/DP263340)</li> <li>• Archaeology of Early European Settlement – Item A111 (Parts of town centre and town beach precincts)</li> <li>• "Elsinor Building" – Item I065 – (2 Hastings River Drive)</li> </ul>	<p><b>Complies</b></p> <p>The proposal will consider the impacts on the heritage significance of heritage item/s within proximity of the site.</p>
<b>Clause 5.11 Bush fire hazard reduction</b>	Bush fire hazard reduction work authorised by the <i>Rural Fires Act 1997</i> may be carried out on any land without development consent.	<p><b>Complies</b></p> <p>The site is located in proximity of land classified as Category 1, Category 2 and Buffer Bushfire Risk as per the RFS. The proposal will consider risks associated with bushfire prone land.</p>
<b>Clause 5.21 Flood planning</b>	Development consent must not be granted to development on land the consent authority considers to be within the flood planning area unless the consent authority is satisfied the development is compatible with the flood function and behaviour on the land.	<p><b>Complies</b></p> <p>The site is located within the flood planning area. The proposed development will consider all significant flood levels. Floor levels for entry points, access ramps and ground floor uses will be above the flood planning level plus climate change allowances.</p>



Provision	Control	Comment
<b>Clause 7.1 Acid sulfate soils</b>	The site is classified as part Class 3 Acid Sulfate Soils	<b>Complies</b>  An Acid Sulfate Soils Management Report will be conducted to ensure works do not impact on acid sulfate soils
<b>Clause 7.11A Design Excellence</b>	The site is classified on land identified as “significant urban area” and as such development involving the erection of a new building must exhibit design excellence	<b>Complies</b>  The proposal will ensure that the ability to achieve design excellence is displayed throughout the design.

## 4.1.2 State environmental planning policies

The proposal will consider the following relevant environmental planning instruments:

- *State Environmental Planning Policy (Biodiversity and Conservation) 2021*
- *State Environmental Planning Policy (Planning Systems) 2021*
- *State Environmental Planning Policy (Housing) 2021 - Apartment Design Guide (ADG)*. A detailed ADG assessment will be provided as part of the EIS
- *State Environmental Planning Policy (Resilience and Hazards) 2021*
- *State Environmental Planning Policy (Sustainable Buildings) 2022*
- *State Environmental Planning Policy (Transport and Infrastructure) 2021*.

## 4.2 Permissibility and SSD pathway confirmation

The site is zoned E2 Commercial Centre under the PMHLEP and shop top housing is permissible with consent under the E2 zone.

The site has been declared as SSD under State Significant Development Declaration Order (No. 17) 2025, in accordance with the EP&A Act 1979. This declaration was made following the successful Expression of Interest (EOI) submission (Application No. 287940) to the Housing Delivery Authority as it aligns with the NSW Government’s housing delivery priorities and its strategic location within the CBD of a key regional hub.

Whilst the proposed height and FSR exceed the current controls permitted under the PMHLEP, the SSD Declaration Order includes a concurrent rezoning to amend mapped height and FSR controls under Clause 4.3 Height of buildings and Clause 4.4 Floor space ratio of PMHLEP.

## 4.3 Other relevant legislation

The proposal will consider the following relevant legislation:

- *Biodiversity Conservation Act 2016* – a waiver for a Biodiversity Development Assessment Report (BDAR) will be prepared and submitted as part of the application.
- *National Parks and Wildlife Act 1974* – an Aboriginal Cultural Heritage Assessment Report will be prepared as part of the EIS.



## 4.4 Feasible alternatives

Section 192 of the EP&A Regulation and the ‘State significant development guidelines – preparing an environmental impact statement’ prepared by DPHI, requires an analysis of any feasible alternatives for SSDAs. The Applicant has considered four project alternatives for the proposed development being:

- do nothing,
- a compliant scheme under the PMHLEP controls
- a 9-storey Mixed Use Development as per the Draft City Heart Strategy and Masterplan
- the proposed design.

The project alternatives are described in the table below and will be further assessed in proposal.

**Table 2: Feasible alternatives**

Options	Initial Assessment
<b>Option 1 – Do Nothing</b>	<p>The ‘Do Nothing’ approach is not considered desirable, as it would result in the site remaining underutilised despite its prime location in the Port Macquarie CBD that is in a highly connected location, and an important regional hub. Under current controls, the site has failed to achieve its potential and remains vacant.</p> <p>Noting the current housing crisis prevalent across NSW, retaining the site in its current state would be a lost opportunity to contribute additional housing supply and provide renewal. On this basis, the ‘Do Nothing’ scenario is inconsistent with the strategic planning framework as discussed in <b>Section 5.0</b> below.</p>
<b>Option 2 – A compliant scheme under the PMHLEP</b>	<p>A development that strictly complies with the PMHLEP would result in a fragmented shop-top housing outcome that would significantly constrain housing yield and undermine efficient use of this strategically located CBD site.</p> <p>The site’s prolonged vacancy demonstrates that the existing PMHLEP controls have not enabled feasible redevelopment or allowed the site to realise its development potential. This evidences that the current controls are ineffective in facilitating development outcomes capable of meaningfully contributing to the housing needs of the Port Macquarie-Hastings LGA.</p> <p>Accordingly, a compliant PMHLEP scheme would not represent an optimal planning outcome and would fail to respond to the prevailing housing demand or the strategic objectives for renewal and intensification within the Port Macquarie CBD.</p>
<b>Option 3 – A 9-storey Mixed Use Development as per the Draft City Heart Strategy and Masterplan</b>	<p>The Draft City Heart Strategy and Master Plan proposes a 9-storey mixed use development for the subject site. This scenario would result in no provision of affordable housing as the PMHLEP 2011 does not have any clause mandating affordable housing.</p> <p>Whilst a viable option, providing a lesser extent of affordable housing is unfavourable given the opportunity to optimise the site’s development when it is located in the CBD of a major regional centre and proximity to employment opportunities.</p>



## Options

## Initial Assessment

### ***Option 4 – The Proposal***

The design and siting of the proposed development has been informed through a comprehensive analysis of the site opportunities and constraints, and surrounding context. The proposal was identified as being the most suitable option to achieve the project objectives for the following reasons:

- the proposal is a transformative opportunity that will revitalise the core of Port Macquarie to create a vibrant mixed-use precinct through renewal, provision of new housing and improved connectivity
  - the proposal will provide additional affordable and market housing stock to the locality
  - the development will result in a high amenity development and incorporate innovative design outcomes
  - the proposal will retain the site's existing E2 Commercial Centre zoning.
-



## 5 Strategic planning framework

Outlined below is the strategic planning framework applying to the site that will be considered to support the change to the proposed maximum height of buildings and FSR controls in Port Macquarie-Hastings LEP.

### 5.1 North Coast Regional Plan 2041

The North Coast Regional Plan 2041 (**Region Plan**) was prepared by then Department of Planning and Environment in 2022. It provides a 20-year vision to 2041 and establishes a 20-year plan to manage growth and change for the North Coast region.

The plan outlines key directions to manage population growth, deliver infrastructure, climate change and protect the regions important environmental assets. The table below outlines the relevant Directions and Objectives of the Region Plan that will be considered to justify the proposal. These strategic objectives will be considered in more detail as part of the proposal’s detailed assessment.

**Table 3: Greater Sydney Region Plan: Directions and Objectives**

Relevant Directions and Objectives	
<b>Goal 1</b>	<b>Liveable sustainable and resilient</b>
<b>Objective 1</b>	Provide well located homes to meet demand
<b>Objective 2</b>	Provide for more affordable and low cost housing
<b>Objective 5</b>	Manage and improve resilience to shocks and stresses, natural hazards and climate change
<b>Goal 2</b>	<b>Productive and well connected</b>
<b>Objective 11</b>	Support cities and centres and coordinate the supply of well-located employment land
<b>Objective 12</b>	Create a diverse visitor economy

### 5.2 Port Macquarie – Hastings Local Strategic Planning Statement

The Port Macquarie - Hastings Local Strategic Planning Statement: 2040 (**LSPS**) is a 20-year plan to guide renewal and growth to accommodate for the community’s environmental, social and economic land use needs. It identifies a suite of 20-year strategic initiatives to ensure a successful and prosperous LGA over the medium to longer term.

It includes 19 planning priorities that provides the future strategic direction over the next 20 years. The planning priorities inform how land uses and infrastructure will be integrated and coordinated across the LGA and identifies centres, precincts and employment lands. The table below outlines the relevant themes and planning priorities that will be considered to justify the proposal.

**Table 4: Port Macquarie-Hastings LSPS: Planning Priorities**

Relevant Planning Priorities	
<b>Theme 1: Our Environment</b>	
<b>Planning priority 3</b>	Increase our community’s resilience to the impacts and risks of natural hazards and environmental change



Theme 2: Our Places	
Planning priority 6	Use a place-based approach to shape the development of our sites, streetscapes, precincts, towns and centres
Planning priority 7	Provide for a diversity of housing in the right locations
Planning priority 9	Preserve and enhance the distinctive character, size and scale of our towns, villages and rural communities
Theme 4: Our Economy	
Planning priority 13	Build the capacity of Port Macquarie as a regional city and develop the vitality of other economic centres and employment lands
Planning priority 14	Develop a thriving and sustainable visitor economy
Planning priority 16	Plan for a future economy which is diverse, resilient and inclusive

## 5.3 Port Macquarie – Hastings Living and Place Strategy 2024

The Port Macquarie – Hastings Living and Place Strategy 2024 (LPS) provides an overarching, city wide framework for the provision of housing across Port Macquarie-Hastings LGA.

The Living and Place Strategy projects an additional 28,000 people will live in the LGA by 2046 resulting in over 15,300 dwellings additional homes to be required to accommodate the growth and demographic changes. The LPS also recognises that a growing portion of the community will be aged 65+, leading to an increased need for health and social support/care workers. These workers are likely to be on low fixed or casual incomes, so it is vital that secure and affordable housing is provided in the LGA.

A total of six housing priorities were developed. The relevant priorities are listed below.

- Priority two: deliver diverse housing the provides the choice for the population needs and that caters to the changing population
- Priority three: deliver liveable and connected neighbourhoods and communities with distinctive character
- Priority four: create neighbourhoods which are safe, sustainable and resilient to natural hazards
- Priority five: locate residential development in well-planned growth precincts and infill areas
- Priority six: increase availability of affordable housing.

## 5.4 Port Macquarie – Hastings Affordable Housing Plan 2024

The Port Macquarie – Hastings Affordable Housing Plan 2024 identifies initiative and actions to be undertaken by the Council to assist in increasing the supply of affordable housing in the LGA. The 2021 Census identified that over 13% of households were in housing stress, paying over 30% of their gross household income on rent or mortgage repayments. The plan aims for a target delivery of 2,370 affordable dwelling, comprising of 18.3% of total projected dwellings to be delivered by 2046. Key initiatives proposed include advocating for more social housing from the Federal Government, amending planning controls to facilitate more diverse and smaller housing types and introducing incentives for development that delivers affordable housing.

## 5.5 Draft City Heart Strategy and Master Plan

The Draft City Heart Strategy and Master Plan provides a long term strategic framework for the City Heart of the Port Macquarie-Hastings LGA, which encompasses the central business district, key civic spaces, heritage streetscapes, commercial and residential precincts. The master plan splits the area into five precincts, of which the site is located in the “Settlement City Precinct”, centred on the Settlement City Shopping Centre, containing



retail, hospitality and entertainment land uses. The master plan went on public exhibition in the second half of 2025 and a final engagement report is to be presented to Council in February 2026.

The key proposed enhancements for the Settlement City Precinct include:

- mixed-use redevelopment opportunities across under-utilised land
- potential introduction of more retail and dining on the waterfront
- creation of a town centre for events, shopping and dining
- carparking use and enhancements.

The site has been identified on the master plan for nine storey mixed use development with updated zoning and planning controls to encourage redevelopment. The proposed development achieves the key enhancements identified for the Settlement City Precinct by delivering 210 dwellings, including 35 affordable dwellings, within an 18 storey building that integrates residential, hotel, entertainment, and commercial uses, contributing to the creation of a vibrant and activated City Heart.

## 5.6 State Environmental Planning Policies

The table below outlines the relevant state environmental planning policies (**SEPPs**) that will be considered to demonstrate consistency.

**Table 5: Relevant state environmental planning policies**

SEPP	Relevant	Comment
SEPP (Biodiversity and Conservation) 2021	Not applicable	The SEPP does not apply to the proposed development and the proposal will not create additional uses that can't satisfy the provisions of the SEPP.
SEPP (Exempt and Complying Development Codes) 2008	Applicable	The proposal will not seek to hinder the application of the SEPP.
SEPP (Housing) 2021	Applicable	The proposal will be assessed against the controls outlined within the Housing SEPP.
SEPP (Industry and Employment) 2021	Not applicable	The SEPP does not apply to the proposed development and the proposal will not create additional uses that can't satisfy the provisions of the SEPP.
SEPP (Planning Systems) 2021	Applicable	The proposal will not hinder the application of the SEPP.
SEPP (Precincts – Central River City) 2021	Not applicable	The site is not located in the Central River City
SEPP (Precincts – Eastern Harbour City) 2021	Not applicable	The site is not located in the Eastern Harbour City
SEPP (Precincts – Regional) 2021	Not applicable	The site is not located in an area identified in the SEPP
SEPP (Precincts – Western Parkland City) 2021	Not applicable	The site is not located in the Western Parkland City.
SEPP (Primary Production) 2021	Not applicable	The SEPP does not apply to the proposed development.
SEPP (Resilience and Hazards) 2021	Applicable	<p>The proposal does not fall within the definition of potentially hazardous or offensive industries. The proposal will consider whether the land is contaminated and whether any remediation is required.</p> <p>The site is located on land identified as a Coast Environment Area and Coastal Use Area. The proposal will be assessed against the controls outlined in the SEPP.</p>



SEPP	Relevant	Comment
SEPP (Resources and Energy) 2021	Not applicable	The SEPP does not apply to the proposed development and the proposal will not create additional uses that fall within the definition of mining, petroleum production or extractive industries.
SEPP (Sustainable Buildings) 2022	Applicable	The proposal will consider the provisions of the SEPP.
SEPP (Transport and Infrastructure) 2021	Not applicable	The SEPP does not apply to the proposed development and the proposal will not create additional uses that can't satisfy the provisions of the SEPP.

## 5.7 Ministerial Directions

Section 9.1 of the EP&A Act 1979 requires a proposal to demonstrate how it will achieve or give effect to principles, aims, objectives or policies specified in a Direction issued by the Minister for Planning.

Consideration will be given to all Section 9.1 Local Planning Directions in preparing the proposed amendment to PMHLEP. Where the proposal is inconsistent with any of the relevant directions, those inconsistencies will be specifically explained and justified, and supported by technical evidence.

The table below outlines the relevant Ministerial Directions that will be considered.

**Table 6: Consistency with Ministerial Directions**

Ministerial Direction	Relevant	Comments
<b>Focus Area 1: Planning Systems</b>		
1.1 Implementation of Regional Plans	Applicable	The proposal will demonstrate consistency with directions, objectives and planning priorities identified in the Region Plan.
1.2 Development of Aboriginal Land Council land	Not applicable	The proposal is not identified as being located on Aboriginal Land Council Land
1.3 Approval and Referral Requirements	Applicable	The proposal will not include consultation, referral, or concurrent provisions, nor identifies any development as designated development.
1.4 Site Specific Provisions	Applicable	The proposal will not include any unnecessary restrictive site-specific provisions.
1.4A Exclusion of Development Standards from Variation	Not applicable	The proposal will not propose to exclude any development standards.
<b>Focus Area 1: Planning Systems – Place-based</b>		
1.5 Parramatta Road Corridor Urban Transformation Strategy	Not applicable	The site is not within land identified in the Parramatta Road Corridor Urban Transformation Strategy
1.6 Implementation of North West Priority Growth Area Land Use and Infrastructure Implementation Plan	Not applicable	The site is not located in the North West Growth Area.



1.7 Implementation of Greater Parramatta Priority Growth Area Interim Land Use and Infrastructure Implementation Plan	Not applicable	The site is not within land identified in the Greater Parramatta Priority Growth Area Interim Land Use and Infrastructure Plan.
1.8 Implementation of Wilton Priority Growth Area Interim Land Use and Infrastructure Implementation Plan	Not applicable	The site is not located in the Wilton Priority Growth Area.
1.9 Implementation of Glenfield to Macarthur Urban Renewal Corridor	Not applicable	The site not located in the Glenfield to Macarthur Urban Renewal Corridor.
1.10 Implementation of the Western Sydney Aerotropolis Plan	Not applicable	The site is not located in the Western Sydney Aerotropolis Plan.
1.11 Implementation of Bayside West Precincts 2036 Plan	Not applicable	The site is not located in the Bayside West Precinct.
1.12 Implementation of Planning Principles for the Cooks Cove Precinct	Not applicable	The site is not located in the Cooks Cove Precinct.
1.13 Implementation of St Leonards and Crows Nest 2036 Plan	Not applicable	The site is not located in the St Leonards or Crows Nest area.
1.14 Implementation of Greater Macarthur 2040	Not applicable	The site is not located in Greater Macarthur.
1.15 Implementation of the Pyrmont Peninsula Place Strategy	Not applicable	The site is not located in the Pyrmont Peninsula area.
1.16 North West Rail Link Corridor Strategy	Not applicable	The site is not located in the North West Rail Corridor.
1.17 Implementation of the Bays West Place Strategy	Not applicable	The site is not located in the Bays West area.
1.18 Implementation of the Macquarie Park Innovation Precinct	Not applicable	The site is not located in the Macquarie Park Innovation Precinct.
1.19 Implementation of the Westmead Place Strategy	Not applicable	The site is not located in the Westmead area.
1.20 Implementation of the Camellia-Rosehill Place Strategy	Not applicable	The site is not located in the Camellia-Rosehill precinct.
1.21 Implementation of South West Growth Area Structure Plan	Not applicable	The site is not located in the South West Growth area.
1.22 Implementation of the Cherrybrook Station Place Strategy	Not applicable	The site is not located in the Cherrybrook Station precinct.
<b>Focus Area 2: Design and Place</b>	Not applicable	Not applicable
<b>Focus Area 3: Biodiversity and Conservation</b>		
3.1 Conservation Zones	Not applicable	The site does not contain any land zoned for the purpose of conservation, nor is it identified to be an environmentally sensitive area.
3.2 Heritage Conservation	Not applicable	There are no listed items of environmental heritage on the site.



3.3 Sydney Drinking Water Catchments	Not applicable	The site is not located within the Sydney Drinking Water catchments.
3.4 Application of C2 and C3 Zones and Environmental Overlays in Far North Coast LEPs	Not applicable	The site is not located in the identified Far North Coast LGAs.
3.5 Recreation Vehicle Areas	Not applicable	The site is not identified as or around sensitive land where impacts from recreational vehicles could occur.
3.6 Strategic Conservation Planning	Not applicable	The site is not identified as avoided land or a strategic conservation area.
3.7 Public Bushland	Applicable	The proposal will not impact any public bushland.
3.8 Willandra Lakes Region	Not applicable	The land is not located in the Willandra Lakes.
3.9 Sydney Harbour Foreshores and Waterways Area	Not applicable	The site is not located in the Sydney Harbour foreshore or waterway.
3.10 Water Catchment Protection	Not applicable	The site is not located within a regulated catchment within the meaning of <i>State Environmental Planning Policy (Biodiversity and Conservation) 2021</i> .
<b>Focus Area 4: Resilience and Hazards</b>		
4.1 Flooding	Applicable	The site is identified as flood planning area as it is affected by the 1% AEP event. A Flood Impact and Risk Assessment will accompany the EAR to confirm that the subject site will be suitable for the proposed development.
4.2 Coastal Management	Applicable	The site is not identified as being located in a coastal zone. It is not mapped in any of the following coastal management areas as defined in the coastal zone under the <i>Coastal Management Act 2016</i> : <ul style="list-style-type: none"> <li>• coastal wetlands and littoral rainforest area</li> <li>• coastal vulnerability area</li> <li>• coastal environment area</li> <li>• coastal use area.</li> </ul>
4.3 Planning for Bushfire Protection	Not applicable	The site is not identified on the Bushfire Prone Land Map.
4.4 Remediation of Contaminated Land	Applicable	The proposal does not seek to rezone land, but rather to increase the maximum permissible height and FSR.
4.5 Acid Sulfate Soils	Applicable	The proposal will demonstrate consistency with this Direction.
4.6 Mine Subsidence and Unstable Land	Not applicable	The site is not located in a mine subsidence district and has not been identified as unstable land.



<b>Focus Area 5: Transport and Infrastructure</b>		
5.1 Integrating Land Use and Transport	Not applicable	The proposal will demonstrate consistency with this Direction.
5.2 Reserving Land for Public Purposes	Not applicable	The site is not zoned for a public purpose.
5.3 Development Near Regulated Airports and Defence Airfields	Not applicable	The site is not located near regulated airports or a defence airfield.
5.4 Shooting Ranges	Not applicable	The site is not adjacent to/or adjoining an existing shooting range.
<b>Focus Area 6: Housing</b>		
6.1 Residential zones	Applicable	The proposal will demonstrate consistency with this Direction.
6.2 Caravan Parks and Manufactured Home Estates	Not applicable	The proposal does not involve any caravan or manufactured home estates.
<b>Focus Area 7: Industry and Employment</b>		
7.1 Employment Zones	Not applicable	The proposal does not seek to introduce employment zones on the site.
7.2 Reduction in non-hosted short-term rental accommodation period	Not applicable	The site is not located in the Byron Shire Council LGA
7.3 Commercial and Retail Development along the Pacific Highway, North Coast	Not applicable	The site is not located along the Pacific Highway, North Coast.
<b>Focus Area 8: Resources and Energy</b>		
8.1 Mining, Petroleum Production and Extractive Industries	Not applicable	The proposal does not change the permissibility of mining on the site.
<b>Focus Area 9: Primary Production</b>		
9.1 Rural Zones	Not applicable	The site is not zoned rural.
9.2 Rural Lands	Not applicable	The site does not contain rural land.
9.3 Oyster Aquaculture	Not applicable	The site is not located on land in a priority oyster aquaculture area or oyster aquaculture area outside this area.
9.4 Farmland of State and Regional Significance on the NSW Far North Coast	Not applicable	The site is not located on the Far North Coast.



## 6 Site specific considerations

### 6.1 Built form and urban design

The proposed development presents a unique and significant opportunity to deliver a high-quality mixed-use scheme that integrates affordable housing in a location with exceptional access to amenities, services and jobs. It also provides the opportunity to deliver an entertainment and commercial precinct within the podium consisting of food and drink premises, recreation facilities and retail premises.

Supported by proposed amendments to the *Port Macquarie-Hastings Local Environmental Plan 2011 (PMHLEP)*, the site will accommodate increased building height and floor space ratio (**FSR**) controls. These planning controls enable a well-considered built form outcome that supports both market and affordable housing.

The design responds to the evolving character of the locality, introducing density while remaining sensitive to the existing urban context. Consideration will be given to maintain solar access to surrounding residential properties and reducing visual impacts of the development.

The proposal's urban form is guided by the principles of the Apartment Design Guide (ADG) and incorporates a range of articulated features and distinctive design elements that reflect the emerging high-density character of the area. Key design considerations include:

- active street frontages
- clear separation of uses between public/commercial areas and private residential spaces, ensuring residential amenity, safety and privacy
- built form that addresses surrounding streets, enhancing pedestrian experience and urban connectivity.

Residential apartments will be designed to carefully oriented to maximise outlook, solar access, views, and flexibility. The proposal will seek to achieve excellent amenity in terms of quantifiable controls, such as:

- building setback and separation requirements
- communal open space
- solar access
- natural cross ventilation.

### 6.2 Traffic and parking

A Transport Impact Assessment report will be provided as part of the EIS and will consider the potential impact of the proposed development on the road network. The report will analyse the applicable parking requirements, existing and potential traffic impacts on the local road network and principles for the design of proposed access and entry points for cars, cycles and for loading/servicing purposes. Detailed assessment of impacts, including arrangements for access, loading and servicing during the construction and operational phases will be assessed at the detailed SSD stage.

### 6.3 Wind

Due to the built form of the development, the EIS and associated Wind Impact Assessment will consider and discuss wind impacts and recommend any appropriate mitigation measures or design features needed to deliver a comfortable pedestrian environment around the site and its surroundings.



## 6.4 Geotechnical

A Geotechnical Report will provide an assessment of the site's subsurface conditions and identify any potential risks associated with ground stability, soil behaviour or proposed excavation works. The assessment will comprise of both a desktop review of existing site information and where require, on-site investigations to validate ground conditions. The report will outline the geotechnical findings and provide recommendations for any necessary temporary or permanent ground support and stability measures. In addition, the Geotechnical Report will inform the engineering design and earthworks strategy needed to safely support the proposed development.

# 7 Consultation

The preparation of this SEARs request has been informed by ongoing engagement with the Department of Planning, Housing and Infrastructure.

Discussions have occurred with the DPHI through several meetings including a pre-scoping meeting held with the Housing Delivery Assessments Team. During these meetings, DPHI have noted the affordable housing strategy, review of strategic context to justify HDA supported building height and additional urban design analysis must be considered.

Further consultation with relevant government agencies and engagement with the community will be carried out throughout the project in accordance with the DPHI guidance 'Undertaking Engagement Guidelines for State Significant Projects (2021),' to inform the formulation and detailed design of the proposal for the SSDA.

Consultation is anticipated with the following government and agency stakeholders:

- Department of Planning, Housing and Infrastructure
- Transport for NSW
- NSW Office of the Government Architect
- Port Macquarie-Hastings Council
- relevant service providers, including Essential Energy.



## 8 Proposed assessment of key impacts

The following identifies key matters requiring consideration and assessment in the EIS and the proposed approach to assessing the impacts and benefits of the proposal.

Assessment matter	Proposed Approach to Assessment
<b>Built form &amp; urban design</b>	<p>An Architecture and Urban Design Report will accompany the proposal, supporting the proposed built form and urban design outcomes.</p> <p>Together with comprehensive architectural and concept plans, and the design reporting documentation will test and assess the impacts of the proposed built form and urban design to ensure the development responds appropriately to the surrounding context, including neighbourhood character, existing built form and the desired future urban structure.</p>
<b>Visual impact</b>	<p>A Visual Impact Assessment will accompany the proposal to support and justify the visual outcomes of the development. Comprehensive view-shed analysis and photomontages will examine how the development sits within the existing landscape and townscape. This process will assess potential impacts on streetscapes, surrounding neighbourhood character, significant view corridors and the broader visual environment.</p> <p>The assessment will also outline strategies to avoid, minimise or mitigate any identified impacts.</p>
<b>Residential amenity</b>	<p>The residential amenity of the proposed dwellings will be assessed to ensure a high standard of living is achieved for future residents. This assessment will be guided by the design principles for residential apartment development outlined in Schedule 9 of the Housing SEPP, as well as the Apartment Design Guide (ADG).</p>
<b>Design excellence</b>	<p>The proposed design is expected to be critically reviewed by the consent authority and will be updated to respond to all and any feedback. This process will ensure that the proposed scheme is well considered and robust. All outcomes of this work will be outlined in the architectural scheme and design reporting.</p>
<b>Traffic and parking</b>	<p>A Transport and Accessibility Impact Assessment will accompany the EIS, providing an assessment on the impact of potential increased vehicular traffic on site surrounds and an assessment of the traffic and parking impacts of the residential development, as well as a construction traffic management plan.</p>
<b>Landscaping and public domain</b>	<p>The EIS will be supported by Landscape and Public Domain Plans, along with a design report that assesses and demonstrates how the proposal will deliver a high-quality public domain and how the proposed development will integrate with the rest of the "Settlement City".</p>
<b>Ecologically sustainable development</b>	<p>An ESD report will accompany the EIS outlining the proposal's key sustainability principles and performance targets. It will also set out a clear strategy to achieve these targets and ensure a high standard of ESD throughout the project lifecycle.</p>
<b>Other considerations</b>	<p>The following impacts are matters that will be addressed within the EIS:</p> <ul style="list-style-type: none"> <li>• Connecting with Country</li> <li>• Heritage</li> <li>• Wind Impact</li> <li>• Noise</li> <li>• Airspace</li> <li>• Waste and Construction Management</li> <li>• Building Code of Australia and fire safety</li> <li>• Accessibility</li> <li>• Social and Economic Impacts.</li> </ul>



## 9 Conclusion

This request seeks the issue of industry-specific Secretary's Environmental Assessment Requirements (SEARs) to inform the preparation of an Environmental Impact Statement for the proposed development. The industry-specific SEARs capture a broad range of environmental, planning and social considerations, and this request has provided preliminary information on the site, the proposal and its statutory context to assist the Department in formulating the relevant requirements for an SSDA on the site.

In addition, the Department's requirements for the submission of a concurrent explanation of intended effect to amend Port-Macquarie Hastings LEP is requested to ensure an integrated and coordinated assessment framework, and to support the efficient progression of the proposal in accordance with applicable statutory processes.

