



New South Wales

Port Macquarie-Hastings Local Environmental Plan 2011 (Amendment No 21)

under the

Environmental Planning and Assessment Act 1979

I, the Minister for Planning, make the following local environmental plan under the *Environmental Planning and Assessment Act 1979*.

**CRAIG SWIFT-McNAIR, GENERAL MANAGER,
PORT MACQUARIE-HASTINGS COUNCIL**
As delegate for the Minister for Planning

Port Macquarie-Hastings Local Environmental Plan 2011 (Amendment No 21)

under the

Environmental Planning and Assessment Act 1979

1 Name of Plan

This Plan is *Port Macquarie-Hastings Local Environmental Plan 2011 (Amendment No 21)*.

2 Commencement

This Plan commences on the day on which it is published on the NSW legislation website.

3 Land to which Plan applies

This Plan applies to the following land, known as the Settlement City Precinct, in Port Macquarie:

- (a) Lot 106, DP 1083464, 2 Bay Street,
- (b) Lot 4, DP 1018087, 3 Bay Street,
- (c) Lot 638, DP 257052, 20 Park Street,
- (d) Lot 639, DP 257052, 18 Park Street,
- (e) part of Lot 3, DP 263340, Bay Street,
- (f) Lot 1, DP 702484, Bay Street,
- (g) Lot 2, DP 702484, 3 Bay Street,
- (h) Lot 107, DP 1083464, 4 Bay Street,
- (i) Lot 109, DP 1083464, 1 Bay Street,
- (j) Lot 1, DP 1163062, Bay Street,
- (k) Lot 2, DP 1163062, 23 Park Street.

4 Maps

The maps adopted by *Port Macquarie-Hastings Local Environmental Plan 2011* are amended or replaced, as the case requires, by the maps approved by the Minister on the making of this Plan.

Schedule 1 Amendment of Port Macquarie-Hastings Local Environmental Plan 2011

[1] Clause 7.11A

Insert after clause 7.11:

7.11A Design excellence

- (1) The objective of this clause is to ensure that development exhibits design excellence that contributes to the natural, cultural, visual and built character values of Port Macquarie-Hastings.
- (2) This clause applies to development involving the erection of a new building, or external alterations or additions to an existing building, on land identified as “Significant Urban Area” on the Significant Urban Areas Map.
- (3) This clause does not apply to development that the consent authority considers to be minor.
- (4) Development consent must not be granted for development to which this clause applies unless the consent authority considers that the development exhibits design excellence.
- (5) In considering whether the development exhibits design excellence, the consent authority must have regard to the following matters:
 - (a) whether a high standard of architectural design, materials and detailing appropriate to the building type and location will be achieved,
 - (b) whether the form and external appearance of the development will improve the quality and amenity of the public domain,
 - (c) whether the development detrimentally impacts on view corridors,
 - (d) whether the development incorporates active frontages to key streets and to pedestrian thoroughfares,
 - (e) how the development addresses the following matters:
 - (i) the suitability of the land for development,
 - (ii) existing and proposed uses and use mix,
 - (iii) heritage issues and streetscape constraints,
 - (iv) the relationship of the development with other development (existing or proposed) on the same site or on neighbouring sites in terms of separation, setbacks, amenity and urban form,
 - (v) bulk, massing and modulation of buildings,
 - (vi) street frontage heights,
 - (vii) environmental impacts such as sustainable design, overshadowing, wind and reflectivity,
 - (viii) the achievement of the principles of ecologically sustainable development,
 - (ix) pedestrian, cycle, vehicular and service access, circulation and requirements,
 - (x) the impact on, and any proposed improvements to, the public domain.

[2] Dictionary

Insert in alphabetical order:

Significant Urban Areas Map means the Port Macquarie-Hastings Local Environmental Plan 2011 Significant Urban Areas Map.