



New South Wales

Port Macquarie-Hastings Local Environmental Plan 2011 (Amendment No 35)

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*.

**MATTHEW ROGERS, DIRECTOR DEVELOPMENT AND ENVIRONMENT,
PORT MACQUARIE-HASTINGS COUNCIL**
As delegate for the Minister for Planning

Port Macquarie-Hastings Local Environmental Plan 2011 (Amendment No 35)

under the

Environmental Planning and Assessment Act 1979

1 Name of Plan

This Plan is *Port Macquarie-Hastings Local Environmental Plan 2011 (Amendment No 35)*.

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:

- (a) the land to which *Port Macquarie-Hastings Local Environmental Plan 2011* applies, and
- (b) the land identified as “Deferred matter” in clause 1.3 (1A) of that Plan.

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 1.3 Land to which Plan applies

Omit clause 1.3 (1A).

[2] Clause 1.8 Repeal of planning instruments applying to land

Insert at the end of the note to clause 1.8 (1):

Port Macquarie-Hastings (Area 13 Thrumster) Local Environmental Plan 2008

[3] Land Use Table

Insert the following in alphabetical order in item 3 of the matter relating to Zone B4 Mixed Uses:

High technology industries;

Home industries;

[4] Land Use Table

Insert "Car parks;" in item 4 of the matter relating to Zone B4 Mixed Use.

[5] Land Use Table

Omit "Car parks;" from item 3 of the matter relating to Zone SP3 Tourist.

[6] Clause 7.12 Location of sex services premises

Re-number the clause as clause 7.15.

[7] Clause 7.12

Insert after clause 7.11:

7.12 Development in Zone B4

(1) The objectives of this clause are to ensure that:

(a) large retail premises are located in the Greater Port Macquarie Central Business District, or other identified specialty centres, other than in Zone B4 Mixed Use, and

(b) retail premises in that zone remain at a compatible scale consistent with the zone objectives.

(2) Development consent must not be granted to development for the purposes of bulky goods premises, hardware and building supplies or shops on land in Zone B4 Mixed Use if the development would result in a building or premises that has a gross floor area of more than 250 square metres.

[8] Schedule 1 Additional permitted uses

Insert after clause 2:

2A Use of certain land at corner of John Oxley Drive and Main Street, Thrumster (adjacent to the Thrumster Town Centre)

(1) This clause applies to land at the corner of John Oxley Drive and Main Street, Thrumster, being Lot 2, DP 1185319, shown as "Item 2A" on the Additional Permitted Uses Map.

- (2) Development ancillary to a pub or restaurant located on adjoining land in Zone SP3 Tourist is permitted with development consent.

[9] Schedule 2 Exempt development

Omit all matter relating to “Charity bins” and “Driveways, pathways etc (commercial or industrial)”.

[10] Schedule 2, Signage, advertising structures and displays

Omit subclauses (1)–(11).