

Ocean Drive, Lake Cathie Planning Proposal

Submission Response Report

May 2026 | Version 1.0



PORT MACQUARIE
HASTINGS COUNCIL

TABLE OF CONTENTS

Introduction	3
Background	3
Submission Analysis	5
Supportive Submissions	5
Non-supportive Submissions	5
Agency Submissions	6
Key Themes Across Submissions and Council Response	7
Proponent Response	20
Changes resulting from Submissions	22
Conclusion	23
Appendix	24

Introduction

This Submissions Response Report has been prepared by the Strategic Land Use Planning Team, to complement the Engagement Report prepared by the Community Engagement Team. The Submissions Response Report is designed to document, analyse and respond to submissions received during the public exhibition of the Draft rezoning Planning Proposal at Lake Cathie.

The purpose of this report is to ensure transparency and accountability in Council's decision-making by:

- Summarising matters raised through public exhibition and engagement,
- Identifying key themes, areas of support, concern and opposition,
- Documenting Council's response to submissions and the rationale for those response, and
- Outlining how submissions have informed changes, if any.

The Draft Planning Proposal was placed on public exhibition on both Councils Have Your Say page and the NSW Planning Portal, from 16 March 2026 to 16 April 2026. 46 adjoining landowners were notified of the public exhibition via mail. The Planning Proposal generated strong engagement, with a total of 148 submissions, including three agency responses, received spanning a variety of topics. Of the 145 public submissions:

- 142 were non-supportive
- 3 were supportive

While public opposition regarding the Planning Proposal is significant in volume, it is important to note that a substantial proportion of submissions do not raise matters of strategic planning merit relevant to the statutory assessment of a Planning Proposal. Many concerns relate to development-specific impacts that will be assessed during the Development Application process, further a significant proportion of the non-supportive submissions express general opposition or preference-based objections, without referencing strategic frameworks or evidence-based analysis. Accordingly, while Council has acknowledged and report the volume and themes of community concern, the existence of broad opposition does not preclude progression of a Planning Proposal where it is demonstrably consistent with strategic planning frameworks supported by technical studies.

All submissions received during the exhibition period were reviewed and considered as part of the assessment process. However, where comments were not supported by relevant technical evidence, strategic planning considerations, or applicable policy frameworks, they were not considered determinative in the final assessment outcome.

This Submission Response Report will detail Council's response to the submissions and demonstrate how community and stakeholder input has been systematically reviewed and balanced against strategic merit and statutory requirements. This will support informed decision-making on the finalisation and next steps of the Planning Proposal.

This Submission Response Report is intended to be used in conjunction with the Engagement Report. The Engagement Report documents the engagement activities undertaken, consolidates submissions received through all formal engagement channels and has presented the outcomes in nine key themes. Please refer to the Engagement Report for an Engagement overview and verbatim submissions. This report will assess the merits of submissions and determine planning outcomes. The findings of the Engagement Report directly inform the Submissions Response Report by providing a robust evidence base on community values, priorities and concerns.

Background

A Planning Proposal, prepared by Hopkins Consultants on behalf of Jojenji Investments, was lodged to Council in September 2024, seeking a request for rezoning concerning land at Ocean Drive, Lake Cathie (being Lot 15 DP 557262, Lots 40 - 49 DP 238263, Lot 1 DP 127488, Lots 1 - 9 DP 32283 and Lot 1 DP 55197). The Planning Proposal seeks to amend the Local Environmental Plan to:

- Rezone part of the site from R1 General Residential to R3 Medium Density Residential.
- Rezone part of the existing R1 zone to C3 Environmental Management zone to create a 5m wide transition buffer between the existing C2 Environmental Conservation zone and the proposed R3 zone.

**Ocean Drive, Lake Cathie Planning Proposal
Submission Response Report**

- Amend the minimum lot size map from no minimum lot size to 1,000m².
- Amend the height of building map from 8.5m to 14.5m.
- Amend the floor space ratio map from 0.65:1 to 1.5:1.

The Planning Proposal was presented to Council at the August Ordinary Council Meeting, proceeding to public exhibition in March this year.

The Planning Proposal has been assessed on a strategic basis, with consideration given to:

- Relevant planning legislation and strategic planning documents,
- Applicable Ministerial Directions
- Internal and external agency feedback and
- Submissions received during public exhibition.

Submission Analysis

Submissions received during public exhibition spanned a variety of topics, often repeating across multiple submissions. Many non-supportive submissions relate to development-specific impacts that are statutorily addressed during the Development Application process. A significant portion of submissions received express broad opposition or preference-based objections, without referencing any strategic framework or evidence-based analysis. Accordingly, while Council has acknowledged and report the volume and themes of community concern, the existence of broad opposition does not preclude progression of a Planning Proposal where it is demonstrably consistent with strategic planning frameworks supported by technical studies.

The following analysis breaks down the key strategic themes derived from both supportive and non-supportive submissions and any contextual comments that are not directed related to the Planning Proposal or a of specific strategic merit relevant to the assessment of the Planning Proposal.

Supportive Submissions

- a. Key strategic themes raised in support included:
 - o Support for increased housing supply and diversity within Lake Cathie.
 - o Recognition that the site's location on a main road adjacent to existing commercial uses (Woolworths precinct) is appropriate for a higher-intensity land use outcome.
 - o General acceptance that the proposed height and scale are not considered excessive by some submitters in this context.
 - o Support for development in principle, subject to appropriate traffic and access arrangements, including consideration of intersection upgrades where required.
- b. Contextual comments not directly related to the Planning Proposal or of specific strategic merit relevant to the statutory assessment:
 - o Specific suggestions regarding intersection treatments (e.g. roundabouts) and construction timeframes, which are matters for detailed design and delivery at Development Application or infrastructure stage.
 - o Comments relating to site access arrangements (e.g. access via side roads rather than direct Ocean Drive access), which are DA-level considerations.
 - o General expressions of support without supporting planning justification (e.g. "support for the benefit of Lake Cathie").
 - o Concerns relating to availability of medical services (e.g. GP access), which reflect broader regional service constraints rather than matters directly controlled through the Planning Proposal.

Non-supportive Submissions

- a. Key strategic themes raised in non-support include:
 - o Concerns regarding appropriateness of increased building height (14.5 m) and density (R3 zoning) in the context of Lake Cathie's existing low-rise coastal village character.
 - o Perceived incompatibility between medium-density development and surrounding R1 residential areas, including concerns about lack of transition and visual integration.
 - o Concerns regarding cumulative impacts and precedent, including the potential for further rezonings and incremental intensification along Ocean Drive and within Lake Cathie.
 - o Concerns about traffic generation, network capacity, and road safety, particularly in relation to Ocean Drive, the Woolworths precinct, and intersection performance.
 - o Concerns regarding infrastructure capacity, including stormwater, sewer, water supply, parking provision, and the ability of local services (health, education, community facilities) to support additional population.
 - o Environmental considerations, including:
 - o proximity to C2 Environmental Conservation land,
 - o adequacy of the proposed C3 buffer zone,
 - o potential impacts on wildlife corridors (including koalas), and
 - o broader coastal and ecological sensitivity.
 - o Concerns regarding cumulative environmental and hazard constraints, including flooding, bushfire, and coastal processes, and whether intensification is appropriate in this context.
 - o Submissions raising questions about public interest, strategic alignment, and overall suitability of the site for medium-density residential development in principle.
- b. Contextual comments not directly related to the Planning Proposal or of limited strategic merit to the statutory assessment:

- General statements of opposition such as:
 - “not appropriate”,
 - “too big”,
 - “does not belong in Lake Cathie”,
 without supporting planning justification or reference to statutory frameworks.
- Comments focused on Development Application–level matters, including:
 - privacy, overlooking, overshadowing, and noise impacts from specific building forms,
 - detailed layout, setbacks, or building design outcomes,
 - construction impacts and site management.
- Statements relying on personal experience or anecdotal evidence regarding:
 - access to medical services (e.g. GP availability),
 - traffic congestion during peak or holiday periods,
 - parking shortages at specific locations.
- Issues relating to housing tenure or perceived social outcomes, including references to:
 - “affordable housing”,
 - “government housing”,
 - community demographic change,
 - which are not elements of the Planning Proposal.
- Comments regarding local lifestyle preferences and character expectations, without demonstrating inconsistency with strategic planning controls.
- Suggestions relating to infrastructure delivery details, including:
 - intersection upgrades (e.g. roundabouts),
 - access arrangements,
 - timing of infrastructure works,
 - which fall outside the scope of LEP amendment and are addressed at later stages.

Agency Submissions

Agency consultation was undertaken from the 2 December 2025 to 31 March 2026 on the NSW Planning Portal, and the following agencies were consulted:

	Agency	Comments	Date response was received
1	Transport for NSW	Previously provided advice dated 23 October 2024, reviewing the Traffic and Access Assessment, and had no specific requirements. TfNSW noted that the traffic volumes at this intersection of Ocean Drive and Fiona Crescent meet the turn treatment warrants for a CHR/BAL intersection treatment.	10 March 2026
2	NSW Rural Fire Service	The RFS has no objection to the proposal, noting that future development applications should consider the unmanaged forest vegetation and apply suitable separation distances so future residential dwellings are not exposed to radiant heat levels exceeding 29k/W.	23 March 2026
3	NSW Department of Climate Change, Energy, the Environment and Water	The Department reviewed the Planning Proposal and raised no objections to the proposal.	19 March 2026

Key Themes Across Submissions and Council Response

The Engagement Report presents the submissions into nine key themes. A consolidated summary of these issues, grouped by common themes, is provided below in this report.

1. LAND USE INTENSITY AND BUILT FORM CAPABILITY

Submission Concerns -

A predominant theme within the public submissions relates to the appropriateness of the proposed rezoning from R1 General Residential to R3 Medium Density Residential. Submitters raise concerns regarding increased development intensity, building height and the potential for built form outcomes that are not compatible with the established low-density character of Lake Cathie.

A number of submissions express concerns that the proposal may result in buildings of up to six storeys, contribution to a perception of overdevelopment and urban built form that may be perceived to be inconsistent with the existing coastal village context.

Broader concerns are also raised regarding:

- The perceived scale and density of future development,
- The absence of detailed built form controls at this stage, and
- The potential for reduced residential amenity and visual compatibility with surrounding properties.

Many submissions emphasise the importance of maintaining the existing character of Lake Cathie, describing it as a low-density coastal village, and express concern that the proposal represents a departure from its identity.

Council Response -

The exhibited Planning Proposal seeks to amend the maximum building height control to 14.5 metres. This control does not support six-storey development and would typically facilitate built form outcomes of approximately three to four storeys, depending on detailed design.

It is important to note that the Planning Proposal does not approve a specific development outcome. Rather, it establishes the strategic planning framework, including zoning and development standards, that guide the form of future development. Detailed matters such as building bulk, articulation, setbacks, landscaping and interface treatments are assessed at the Development Application stage, where proposals must demonstrate compliance with relevant planning controls.

The concerns regarding character are noted. Lake Cathie is recognised as having a predominantly low-density residential form and coastal village identity. At the same time, applicable strategic planning frameworks identify a need to accommodate population growth and provide greater housing diversity, including medium-density housing types in appropriate locations.

The Planning Proposal seeks to achieve this through a site-specific and targeted intensification, rather than a broader or precinct-wide change to the existing zoning pattern. In this regard, the subject site has characteristics that distinguish it from surrounding residential areas, including:

- Its location immediately adjacent to the Lake Cathie Village Centre,
- Its interface with commercial land uses,
- Its relative separation from established low-density residential streets, and
- Its status as a cleared and serviced infill site.

These characteristics support consideration of a higher intensity land use outcome relative to surrounding detached housing, consistent with strategic planning principles that encourage density in proximity to centres and services.

While the proposal represents a departure from the current low-density pattern, it is contained to a single site and does not extend to surrounding residential land. The strategic assessment therefore considers whether the site is appropriate for medium-density residential development in principle, having regard to its context and contribution to housing supply objectives.

On this basis, the Planning Proposal concludes that the proposed rezoning represents a reasonable and strategically supported outcome, balancing the need for additional housing diversity with the site's location and relationship to existing infrastructure and services.

2. RESIDENTIAL AMENITY IMPACTS

Submission Concerns -

A consistent theme raised in the public submissions relates to the potential impacts on residential amenity arising from increased development intensity. Submitters expressed concern that the proposed rezoning may result in future development outcomes that adversely affect the amenity of surrounding residential properties.

Key issues raised include:

- Potential overshadowing of adjoining dwellings and private open space areas,
- Loss of privacy due to overlooking from upper-level windows and balconies,
- Reduced solar access to neighbouring properties, particularly during winter months and
- Increased noise levels associated with higher-density residential development, including both day-to-day activity and vehicle movements.

Some submissions also raise broader concerns regarding the cumulative effect of these impacts, suggesting that an increase in building height and density may lead to a perceived decline in overall residential amenity when compared to the existing low-density environment.

A number of submissions emphasise that these impacts are difficult to fully understand in the absence of a detailed Development Application, and express concern that insufficient controls are currently in place to ensure acceptable amenity outcomes.

Council Response -

The Planning Proposal seeks to amend zoning and development standards at a strategic level and does not approve a specific development or the built form outcome. As such, amenity impacts such as overshadowing, privacy, solar access and noise cannot be definitively assessed at this stage, as they are dependent on the detailed design, siting and configuration of the future development.

Specific matters relating to residential amenity are instead addressed at the Development Application stage, where detailed plans are required, and applications are assessed against relevant statutory planning controls, including the Port Macquarie-Hastings Development Control Plan and associated State Environmental Planning Policy Provisions.

These controls include but not limited to, requirements for:

- Minimum setbacks and building separation distances
- Building articulation and modulation to reduce bulk,
- Privacy measures such as screening, window placement and balcony design, and
- Solar access provisions to protect both internal and neighbouring amenity.

The Planning Proposal includes a concept design which demonstrates that the site is capable of accommodating medium-density development within the proposed controls. While this is not a final design, it provides an indication that appropriate built form and amenity outcomes can be achieved.

In considering the site context, several factors are also relevant:

- The site is located adjacent to the Lake Cathie Village Centre, rather than being uniformly surrounded by traditional low-density residential development;
- The site is described as having a degree of physical separation from surrounding dwellings, reducing the extent of direct interface impacts; and
- The location represents a transitional area between commercial and residential land uses, where a moderate increase in density is considered more appropriate than within established low-density streets.

While the proposal enables an increase in permissible height and density, the strategic assessment focuses on whether the site is capable of accommodating such development in principle, having regard to its context and separation from surrounding residential areas.

The detailed resolution of amenity impacts, including overshadowing, privacy and noise, will occur through the Development Application process, where proposals must demonstrate compliance with applicable controls and are subject to further assessment and community notification.

On this basis, while submissions raise legitimate concerns regarding residential amenity, these matters are inherently design-specific and can be appropriately managed through established planning controls at the development stage. They do not, in themselves, demonstrate that the site is unsuitable for medium-density residential development from a strategic planning perspective.

3. TRAFFIC, ACCESS AND TRANSPORT CAPACITY

Submission Concerns -

Submissions raise a range of concerns relating to the potential transport impacts of the proposed rezoning and associated increase in residential density. These concerns generally relate to the capacity of the surrounding road network and the ability of existing transport infrastructure to accommodate additional demand.

Key issues raised include:

- Increased traffic volumes on Ocean Drive and surrounding local streets,
- Perceived congestion and limited capacity at key intersections, particularly Ocean Drive / Fiona Crescent,
- Concerns regarding the adequacy and safety of site access arrangements,
- Increased parking demand associated with higher-density residential development, including assumptions regarding multiple vehicle ownership per dwelling,
- Limited availability and frequency of public transport services, resulting in reliance on private vehicles, and
- Safety concerns for pedestrians and cyclists, particularly in relation to increased traffic volumes and access movements.

Some submissions also raise concerns regarding cumulative traffic impacts, noting recent and anticipated development in the locality and the perceived strain this may place on the transport network over time.

Council Response -

A Traffic and Access Assessment has been prepared and exhibited as part of the Planning Proposal documentation. This assessment includes analysis of existing traffic conditions, projected traffic generation associated with the proposed development yield, and modelling of future traffic and intersection performance.

The assessment concludes that the anticipated traffic generation associated with medium-density development on the site can be accommodated within the surrounding road network and would not result in detrimental road or intersection operating conditions in the vicinity of the site.

At the Planning Proposal stage, transport assessment is undertaken at a strategic level to determine whether the site is suitable to accommodate increased residential density in principle. Detailed matters such as driveway configuration, internal circulation, intersection treatments, and construction traffic management are not resolved at this stage and are instead addressed through a future Development Application.

In relation to the issues raised:

- **Traffic volumes and network capacity:**
The site fronts Ocean Drive, which functions as a sub-arterial road within the regional road network, intended to accommodate higher volumes of traffic than local residential

streets. Existing traffic volumes are within the expected operational capacity of the road. The Traffic Assessment demonstrates that, even with the additional traffic generated by development of the site, overall traffic volumes remain within the capacity of the surrounding network.

- **Intersection performance:**
The intersection of Ocean Drive and Fiona Crescent currently operates at a satisfactory level of service with significant spare capacity. Traffic modelling indicates that the intersection will continue to operate at an acceptable level of service under both development and future growth scenarios, without requiring substantial upgrade at this stage.
- **Access arrangements and road safety:**
The Planning Proposal does not prescribe final access arrangements. It identifies the potential for access to both Ocean Drive and Fiona Crescent, allowing flexibility for access design to be refined at the DA stage. This enables appropriate consideration of safety, visibility, traffic distribution and operational efficiency. Existing crash data indicates a low incidence of recorded accidents in the vicinity, supporting the suitability of the surrounding road network.
- **Parking demand:**
Parking provision is not determined at the Planning Proposal stage. Future development will be required to comply with Council's Development Control Plan parking requirements, ensuring adequate on-site parking provision. Generalised assumptions regarding car ownership do not replace the need for detailed assessment against these standards at the DA stage.
- **Public transport:**
The site is located within walking distance of existing bus stops on Ocean Drive and is serviced by Route 333, providing connections to Port Macquarie and surrounding areas. The site is also within walking distance of the Lake Cathie Village Centre and associated services. While some submissions raise concerns regarding service frequency, the provision and scheduling of public transport are matters managed at a regional level and are not determined through the Planning Proposal process.
- **Pedestrian and cyclist safety:**
Existing pedestrian pathways are provided along Ocean Drive and Fiona Crescent, connecting the site to nearby services and the local centre. These facilities provide an established level of accessibility for active transport. Any augmentation of pedestrian or cyclist infrastructure required to support future development would be considered and implemented, where necessary, through the DA stage.

While submissions express concern regarding cumulative traffic impacts and perceived pressure on the road network, the technical assessment undertaken demonstrates that the site has appropriate access to the existing transport network and that additional traffic generated by the proposal can be accommodated without adverse operational impacts.

Accordingly, while detailed design matters will be subject to further assessment at the Development Application stage, the issues raised do not demonstrate that the proposed rezoning is unsuitable from a traffic, access or transport capacity perspective at the strategic planning level.

4. INFRASTRUCTURE CAPACITY (WATER, SEWER, UTILITIES & COMMUNITY SERVICES)

Submission Issues -

Submissions raise concerns regarding the capacity of existing infrastructure and services to accommodate additional population associated with the proposed rezoning. These concerns relate to both physical infrastructure networks and broader community services that support the locality.

Key issues identified include:

- Perceived limitations in sewer infrastructure, including concerns about capacity constraints and potential overflow during heavy rainfall events,
- Pressure on water supply, electricity and drainage systems, particularly in the context of recent development in the area,
- Concerns regarding the adequacy of stormwater infrastructure and the potential for increased runoff impacting surrounding land and water systems,
- Perceived limitations in community infrastructure, including local medical services, schools and retail facilities, and
- A broader perception that existing infrastructure and services are already under strain and may not be able to accommodate further growth.

Many submissions frame these concerns in terms of cumulative development within Lake Cathie and question whether sufficient forward planning has occurred to support additional density.

Council Response -

The Planning Proposal has been supported by a Stormwater and Servicing Strategy and consultation with relevant Council infrastructure divisions. This work has assessed infrastructure capacity at a strategic level and demonstrates that the site is capable of being serviced in principle, subject to detailed design at the Development Application (DA) stage.

In relation to specific issues raised:

- **Sewer and water infrastructure:**
Advice from Council's Water and Sewer section confirms that centralised water supply and wastewater treatment capacity is available to support the proposed development. It is acknowledged that local reticulation infrastructure, such as sewer mains, rising mains and pump stations, may require augmentation to accommodate development. Such upgrades are a normal part of urban development and are identified and delivered through detailed servicing design at the DA stage.
- **Stormwater and drainage:**
A Stormwater and Servicing Strategy has been prepared, demonstrating that stormwater generated by future development can be appropriately managed, treated and discharged in accordance with Council's engineering standards. This includes the implementation of measures such as on-site detention and controlled discharge to ensure that post-development runoff does not adversely impact surrounding land or infrastructure. Detailed stormwater design will be required at the DA stage.
- **Utilities (electricity and other services):**
Essential services, including electricity, telecommunications and other utilities, are available to the site and capable of connection. Detailed requirements, including any network upgrades or extensions, will be confirmed through standard servicing coordination processes as part of future development applications.
- **Community infrastructure and services:**
Concerns regarding capacity of local health services, schools and retail facilities are recognised as reflecting broader growth pressures within the locality. However, these forms of infrastructure are typically planned and delivered at a regional or district level by relevant agencies and service providers, based on population growth projections and broader strategic planning. They are not directly determined through a site-specific Planning Proposal.

At a strategic level, the proposal is consistent with planning principles that seek to:

- Locate development within existing serviced urban areas,
- Maximise the use of existing infrastructure and services, and
- Support infill development in proximity to centres and established networks.

The subject site is located within an established urban area and is immediately adjacent to the Lake Cathie Village Centre, where infrastructure and services are already available. This reduces the need for extension of major infrastructure networks into undeveloped or environmentally constrained land.

Future development of the site will be subject to Council's applicable Development Contributions Plans and Developer Servicing Plan, ensuring that additional demand generated by development contributes toward infrastructure provision, upgrades and broader community facilities.

While submissions express concern that existing infrastructure is under pressure, the technical information provided demonstrates that:

- The site can be adequately serviced in principle, and
- Any localised infrastructure requirements can be addressed through established planning, design and delivery mechanisms.

Accordingly, infrastructure capacity does not represent a constraint to the proposed rezoning at a strategic level, with detailed servicing matters to be appropriately resolved through the Development Application process.

5. ENVIRONMENTAL AND ECOLOGICAL CONSIDERATIONS

Submission Issues -

Submissions raise a broad range of environmental and ecological concerns associated with the proposed rezoning and potential future development of the site.

Key issues raised include:

- Potential impacts on adjoining C2 Environmental Conservation land, including disturbance of vegetation and habitat values,
- Concern regarding impacts on koala habitat and the potential for increased human-wildlife interaction,
- The perceived inadequacy of the proposed environmental buffer, with some submissions questioning whether a 5 m buffer provides sufficient protection,
- Potential edge effects arising from development adjacent to conservation land, including shading, light spill, noise and general disturbance,
- Increased risk of wildlife-vehicle interactions and habitat fragmentation, and
- Concerns regarding stormwater runoff, including impacts on downstream water systems and surrounding environmental land.

Some submissions express concern that the proposal does not sufficiently protect ecological values and may result in incremental degradation of the adjoining conservation area over time.

Council Response -

The Planning Proposal is supported by a comprehensive suite of technical investigations, including a Preliminary Ecological Assessment, Strategic Bushfire Study, Flood Impact and Risk Assessment, and Stormwater and Servicing Strategy. These studies collectively assess environmental constraints and demonstrate that they can be appropriately managed at a strategic level.

In relation to the issues raised:

- **Impacts on C2 Environmental Conservation land and habitat:**
No development or intensification is proposed within land zoned C2 Environmental Conservation, which will be retained and protected under the proposed planning framework.
The ecological assessment identifies that the developable portion of the site is largely cleared and does not contain significant biodiversity value. As such, future development can occur without requiring additional clearing within conservation areas, thereby avoiding direct impacts on identified habitat.
- **Environmental buffer and interface management:**
The proposal includes a C3 Environmental Management zone, providing a minimum 5 m buffer between the developable R3 land and adjoining C2 land. This area accommodates existing infrastructure, including the koala exclusion fence, and establishes a transition

zone between development and conservation land.

In addition, a 25 m Asset Protection Zone (APZ) is required from vegetation within the C2 zone for bushfire protection purposes. This significantly increases the effective separation between built form and environmentally sensitive land beyond the nominal buffer width. The combined effect of the C3 buffer and APZ provides a broader interface area that addresses both environmental and bushfire considerations.

- **Edge effects (including shading, light and noise):**

Potential edge effects are recognised; however, these are influenced by detailed design and are addressed through multiple layers of control, including:

- the proposed buffer and APZ separation,
- retention of existing fencing and fire trail infrastructure, and
- future requirements for building siting, landscaping and interface design.

These matters will be resolved in detail at the Development Application stage to ensure impacts on adjoining conservation land are minimised.

- **Wildlife interaction (including koalas):**

Existing measures on the site include a koala exclusion fence, which separates the cleared development area from conservation land and assists in minimising fauna movement into areas of urban activity.

While additional population may increase the potential for interaction, such risks are considered manageable through:

- retention and maintenance of fencing,
- appropriate landscaping and lighting design, and
- ongoing management measures implemented through future approvals

- **Stormwater and runoff impacts:**

A Stormwater and Servicing Strategy has been prepared, demonstrating that stormwater generated by future development can be appropriately managed, treated and discharged in accordance with Council's standards.

This includes water quality controls and flow management measures to minimise impacts on downstream environments. Detailed stormwater design will be required at the Development Application stage.

The ecological assessment confirms that while the site adjoins land of environmental value, the portion proposed for development does not itself contain significant ecological constraints, and that environmentally sensitive areas are to be retained and protected.

At the Planning Proposal stage, the key consideration is whether environmental constraints can be appropriately managed in principle. The supporting documentation demonstrates that:

- Impacts on conservation land can be avoided,
- Appropriate buffer and separation measures are in place, and
- Further detailed environmental management controls can be applied through the development application process.

While submissions raise understandable concerns regarding environmental protection and cumulative effects, the technical evidence indicates that the proposal can proceed in a manner that safeguards ecological values while enabling appropriate development on the cleared portion of the site.

Accordingly, environmental and ecological considerations do not preclude the proposed rezoning at a strategic level, with detailed design and management measures to be implemented at subsequent stages of the planning process.

6. BUILT FORM INTERFACE, HEIGHT AND TRANSITION

Submission Issues -

Submissions raise concerns regarding the interface between potential future development on the subject site and surrounding low-density residential areas. These concerns focus on the perceived incompatibility between proposed medium-density development and the established built form of the locality.

Key issues identified include:

- The potential for abrupt transitions in building height and scale between the site and adjoining low-density residential development,
- Concerns that taller buildings may result in visual dominance when viewed from neighbouring properties and the public domain,
- Perceived lack of step-down or transitional design controls to moderate the interface between zones, and
- Concerns that increased building bulk and height may adversely affect the existing streetscape and character.

Some submissions indicate that without clearly defined transition measures, the proposal may result in development outcomes that are visually intrusive and inconsistent with the surrounding built environment.

Council Response -

The Planning Proposal seeks to amend zoning and development standards to enable medium density residential development; however, it does not prescribe a specific building form or detailed design outcome. As such, matters relating to built form interface, building height transitions, setbacks and visual impacts are not determined at the rezoning stage.

These matters are addressed in detail through the Development Application stage, where proposals must demonstrate compliance with relevant statutory planning controls.

The controls include provision relating to:

- Building setbacks and separation distances,
- Height transitions and interface design,
- Building articulation and modulation to minimise visual bulk, and
- Streetscape integration and design quality.

In considering the specific context of the site, several factors are relevant:

- **Built form transition and interface**
The site is located adjacent to the Lake Cathie Village Centre, rather than being uniformly surrounded by low-density residential development. This places the site at the interface of commercial and residential land uses, where a variation in built form and intensity is more typical. The site is also described as having a degree of physical separation from surrounding residential areas, reducing the extent of direct interface with detached residential dwellings.
- **Perceived change in scale**
The introduction of the R3 Medium Density Residential zoning represents an increase in permissible building height and density relative to the existing R1 zoning. However, this change is site-specific and strategically targeted, reflecting the site's proximity to an established centre and access to services. This approach is consistent with planning principles that seek to locate higher-density development near centres, rather than distributing it uniformly across low-density areas.
- **Visual bulk and dominance**
The Planning Proposal is supported by concept design material, which demonstrates that the site is capable of accommodating medium-density development within the proposed controls. While this concept does not represent a final development outcome, it indicates that building scale and massing can be managed through design measures such as setbacks, articulation and landscaping. These elements will be assessed in

detail at the Development Application stage to ensure that visual impacts are appropriately mitigated.

- **Step-down and transition design**

Submissions request more prescriptive step-down provisions between zones, such requirements are generally implemented through development control provisions rather than zoning instruments. The Development Control Plan and Apartment Design Guide provide mechanisms to ensure appropriate building transitions, including controls for building separation, height variation and interface treatment where required.

The proposal represents a departure from the existing low-density built form, which is inherent in the strategic objective of enabling a broader range of housing types. The key consideration at this stage is whether the site is suitable for such an outcome in principle, rather than determining the final built form response.

Given the site's location adjacent to a commercial centre and its relative separation from established residential areas, it is considered capable of accommodating a distinct medium-density built form outcome, with detailed interface matters to be resolved through subsequent development assessment.

While submissions raise valid concerns regarding transitions and visual impact, these matters are highly dependent on detailed design and are capable of being effectively managed through existing planning controls at the Development Application stage.

Accordingly, built form interface, height and transition issues do not indicate that the proposed rezoning is unsuitable from a strategic planning perspective.

7. CHARACTER, IDENTITY AND DESIRED FUTURE OF LOCALITY

Submission Issues -

Submissions raise broader concerns relating to the identity of Lake Cathie and the extent to which the proposed rezoning aligns with the desired future character of the locality.

A consistent theme across submissions is the description of Lake Cathie as a low-density coastal village, characterised by detached housing, relatively modest building scale, and a subdued built form. Many submitters emphasise that this character is a defining feature of the locality and contributes to its appeal and sense of place.

Key issues raised include:

- Concern that the proposal may introduce a more urbanised built form, inconsistent with the existing village scale,
- Perceptions that increased height and density may erode the coastal village identity,
- Comparisons with larger coastal centres, with a desire to avoid similar intensification outcomes, and
- Concerns that the proposal does not align with community expectations or place-based planning principles relating to the future of Lake Cathie.

Some submissions also reference strategic planning documents and desired future character statements, suggesting that the proposal may represent a departure from the intended planning vision for the locality.

Council Response -

Lake Cathie is recognised as having a distinct coastal village character, historically defined by low-density residential development and limited building scale. This character is an important consideration in the assessment of the Planning Proposal and is reflected in community feedback.

The Planning Proposal also recognises that the introduction of medium-density residential development represents a departure from the prevailing development pattern. However, this must be

considered in the context of broader strategic planning objectives, which seek to manage growth and change over time.

Relevant strategic planning frameworks, including the Local Strategic Planning Statement and Urban Growth Management Strategy, identify a need to:

- Accommodate future population growth within existing urban areas,
- Provide greater housing diversity, including “missing middle” housing types, and
- Locate higher-density development in close proximity to centres, services and infrastructure.

In this context, the proposal represents a targeted and site-specific approach to intensification, rather than a wide spread or unstructured change to the character of the locality.

Some key considerations support this approach:

- **Location and context**
The site is located immediately adjacent to the Lake Cathie Village Centre, where a higher level of activity and built form intensity is already present. This location is consistent with planning principles that concentrate increased density in areas with existing services and infrastructure.
- **Housing diversity and “missing middle”**
The proposal facilitates a form of housing that is currently under-represented in Lake Cathie, contributing to a more diverse housing mix. This supports broader objectives to provide housing options that respond to changing demographic and household needs.
- **Alignment with strategic character objectives**
Strategic planning documents do not require Lake Cathie to remain exclusively low-density. Instead, they seek to balance the preservation of local character with the need to accommodate growth, with an emphasis on directing higher-density development to appropriate locations.
- **Avoidance of widespread character change**
The Planning Proposal applies to a single, defined site and does not rezone surrounding residential land or establish a framework for broad intensification across the locality. As such, it does not of itself result in a wholesale change to the overall settlement pattern or character of Lake Cathie.

While submissions express a clear preference for maintaining the existing low-density character, planning policy recognises that local character is not static and may evolve over time in response to growth pressures, population change and housing demand.

The role of the Planning Proposal process is therefore to assess whether a measured and context-sensitive evolution of character is appropriate in a given location.

In this case, the proposal introduces medium-density development in a location that is:

- Adjacent to an established centre,
- Supported by existing infrastructure, and
- Capable of accommodating increased density without extending development into undeveloped or environmentally sensitive areas.

On this basis, the Planning Proposal concludes that:

- The broader coastal village identity of Lake Cathie will be retained,
- The proposal will introduce a localised higher-density node rather than widespread change, and
- The outcome represents a balanced response to competing objectives of character preservation and housing supply.

Accordingly, while concerns regarding character, identity and community expectations are an important component of the assessment, they do not demonstrate that the proposal is inconsistent with the strategic planning framework or unsuitable in principle for the subject site.

8. PRECEDENT EFFECTS AND CUMULATIVE CHANGE

Submission Issues -

Submissions raise concerns regarding the potential longer-term implications of the Planning Proposal, particularly in relation to precedent and cumulative change within Lake Cathie.

A key concern expressed is that approval of the proposal may establish a precedent for similar rezonings, leading to further requests for increased densities, building heights or zoning changes across the locality. Submitters indicate that this could result in incremental or uncontrolled intensification, altering the overall character and settlement pattern over time.

Related to this is concern regarding cumulative impacts, including:

- The perceived aggregation of multiple developments contributing to increased pressure on infrastructure, transport networks and services,
- The progressive erosion of the existing low-density character of Lake Cathie, and
- The potential for a gradual transition toward a more urbanised development form inconsistent with community expectations.

Some submissions suggest that, while the proposal may appear limited in isolation, its approval could contribute to a broader pattern of change that is not fully considered at a site-specific level.

Council Response -

The Planning Proposal applies to a single, defined landholding and is required to be assessed on its individual strategic merits, including its suitability in terms of location, context, and consistency with applicable planning frameworks.

Approval of a site-specific rezoning does not in itself create an automatic or binding precedent for other sites. Any future Planning Proposals would be subject to:

- Independent assessment against current planning policies and strategies,
- Demonstration of site-specific strategic and site-specific merit, and
- Public exhibition and consultation processes.

Each proposal must therefore be individually justified and cannot rely solely on the approval of another site as justification.

The broader strategic planning framework governing Lake Cathie, including the Local Strategic Planning Statement and Urban Growth Management Strategy, provides guidance on where increased density is appropriate. These documents support:

- Infill development within established urban areas,
- The provision of greater housing diversity, and
- The concentration of higher-density development in proximity to centres, services and infrastructure.

In this context, the subject site:

- Is located adjacent to the Lake Cathie Village Centre,
- Forms part of an established urban area, and
- Has characteristics that support a targeted increase in density without requiring expansion into undeveloped or environmentally constrained land.

The proposal does not establish a broader rezoning framework, corridor approach, or policy position that would apply to other land within Lake Cathie. It represents a site-specific amendment and does not alter zoning or development controls applicable to surrounding residential areas.

Concerns regarding cumulative change are acknowledged; however, such matters are considered at a broader level through:

- Strategic planning documents,
- Population and housing forecasts, and
- Infrastructure planning and delivery frameworks.

These mechanisms ensure that growth is managed in a coordinated and planned manner, rather than occurring incrementally without oversight.

While submissions express concern that the proposal may contribute to wider densification pressures, the statutory planning process requires that any future proposals be rigorously assessed against prevailing strategic directions at the time of lodgement. This limits the potential for uncontrolled or uncoordinated intensification.

Accordingly, while precedent and cumulative impacts are relevant considerations, they do not, in themselves, demonstrate that the current Planning Proposal is inconsistent with strategic planning objectives or unsuitable in principle for the subject site.

9. PROPERTY-SPECIFIC AMENITY AND IMPACTS

Submission Issues -

A subset of submissions, particularly from adjoining and nearby residents, raise concerns regarding property-specific amenity impacts that may arise from future development facilitated by the proposed rezoning.

These concerns are generally more localised in nature and reflect the potential impacts on individual properties, rather than broader strategic considerations.

Key issues raised include:

- Direct overlooking into private dwellings, rear yards and open space areas, resulting in a perceived loss of privacy,
- Overshadowing impacts, including reduced solar access to living areas and private open space,
- Visual intrusion, including the perceived dominance of taller buildings and changes to outlook from adjoining properties, and
- A broader perception of diminished residential amenity, including concerns about changes to the established living environment.

Some submissions also refer to potential impacts on property values, expressing concern that changes in zoning, height and density may reduce the desirability of surrounding properties.

A number of submitters emphasise the difficulty of assessing these impacts in the absence of a detailed design, but express concern that once the rezoning is approved, these impacts may be unavoidable.

Council Response -

The Planning Proposal relates to amendments to zoning and development standards at a strategic level, and does not approve or fix a specific development outcome. As such, property-specific amenity impacts cannot be conclusively assessed at this stage, as they are dependent on the detailed siting, design and layout of future development.

Matters such as overlooking, overshadowing, visual impact and privacy are inherently design-dependent and are addressed through the Development Application (DA) stage, where detailed architectural plans and supporting analysis are required.

In relation to the issues raised:

- **Overlooking and loss of privacy**
Potential privacy impacts are influenced by building orientation, window placement, balcony design, setbacks and screening measures. These factors are not determined at the rezoning stage. At the DA stage, development must comply with the Development Control Plan and Apartment Design Guide, which include specific controls to:
 - Minimise overlooking,
 - Maintain appropriate building separation, and
 - Ensure reasonable privacy outcomes for both existing and future residents.
- **Overshadowing and solar access**
Overshadowing impacts are dependent on building height, massing and orientation. Accurate assessment requires detailed building envelopes and solar modelling diagrams, which are not available at the Planning Proposal stage. At the DA stage, proposals must demonstrate compliance with controls relating to solar access and overshadowing, ensuring that impacts on adjoining properties are within acceptable limits.
- **Visual impact and bulk**
Concerns relating to visual dominance, outlook and building bulk are also dependent on detailed design elements, including articulation, setbacks, landscaping and height transitions. These matters are subject to detailed assessment at the DA stage, where development must respond to its immediate context and incorporate design measures to reduce perceived bulk and visual intrusion.
- **Property amenity and value**
While impacts on residential amenity are a relevant consideration, perceived impacts on property value are not a matter for consideration under the Environmental Planning and Assessment Act 1979. Assessment must be based on objective planning criteria and demonstrable impacts, rather than speculative or subjective perceptions.
- **Adjoining landowner impacts**
The Planning Proposal stage considers impacts at a strategic, site-wide level, rather than undertaking lot-by-lot impact assessment. The Development Application process provides a mechanism for:
 - Detailed impact assessment,
 - Public notification to adjoining landowners, and
 - Consideration of submissions based on specific design outcomes.

The inclusion of a concept design as part of the Planning Proposal demonstrates that the site is capable of accommodating medium-density development within the proposed controls. However, this concept is indicative only and does not represent a final or approved development outcome. Further design refinement would be required at the DA stage to ensure compliance with all applicable planning controls and to appropriately manage interfaces with adjoining land.

While the concerns raised are recognised as important to adjoining residents, they are intrinsically linked to the detailed design of future development, rather than the strategic suitability of the site for rezoning.

On this basis, the issues raised relate primarily to development-specific impacts, which can be effectively assessed and managed through the Development Application process. They do not, in themselves, demonstrate that the proposed rezoning is inappropriate in principle.

Proponent Response

A copy of the verbatim redacted submissions were sent to the proponent's applicant on 6 May 2026. A response was received back from the Applicant on the 20 May 2026.

The proponent acknowledges the volume of submissions received during the public exhibition period and the level of community interest in the Planning Proposal. However, the response asserts that a significant proportion of submissions are based on misunderstandings of the proposal, incorrect factual assumptions, or general opposition to growth and change, rather than matters of strategic planning merit.

The proponent emphasises that the Planning Proposal has already been subject to detailed strategic assessment, having:

- Been endorsed by Council to proceed to exhibition,
- Been assessed by the NSW Department of Planning,
- Received a Gateway Determination, and
- Been found to demonstrate strategic merit and alignment with applicable planning frameworks.

It is argued that the proposal is consistent with key strategic documents, which identify the need to:

- Deliver increased housing supply and diversity,
- Provide medium-density ("missing middle") housing, and
- Locate development within existing serviced urban areas close to centres and infrastructure.

The proponent places significant emphasis on the unique characteristics of the site, describing it as an "island" location:

- Directly adjoining the Lake Cathie Village Centre,
- Separated from surrounding low-density residential areas by roads, vegetation and open space, and
- Largely cleared and already serviced.

On this basis, the proponent contends that the site is one of the most appropriate and limited opportunities within Lake Cathie to accommodate medium-density housing while minimising impacts on surrounding residential properties.

In responding to the key themes raised in submissions, the proponent generally maintains that:

- **Built form and character impacts are overstated**, noting the proposed height and density are consistent with other R3 zoned land within the LGA and will not alter the broader coastal village character due to the site's isolated context.
- **Residential amenity impacts** (including overshadowing, privacy and noise) are considered minimal due to significant separation distances (approximately 30–42 metres) between the site and existing dwellings, together with intervening roads and vegetation.
- **Traffic concerns** are addressed through reference to the Traffic and Access Assessment and planned upgrades to Ocean Drive, which are intended to accommodate future growth in the region.
- **Infrastructure capacity** is identified as adequate, with servicing investigations confirming that water, sewer and utilities can support development in principle, and broader community services benefiting from population growth.
- **Environmental impacts** are considered manageable, with the proponent noting that:
 - Conservation land will be retained,
 - The developable land is largely cleared, and
 - Ecological assessments conclude no significant impact on koalas or biodiversity values within the development footprint.

- **Precedent concerns** are rejected on the basis that the site is highly unique, and that any future rezonings would require separate assessment on their merits.
- **Property-specific impacts and value** concerns are described as speculative and design-dependent, with the proponent noting that detailed outcomes will be addressed at the Development Application stage.

Overall, the proponent concludes that the Planning Proposal represents a strategically justified, site-specific infill development opportunity, capable of delivering much-needed medium-density housing in a location adjacent to existing infrastructure and services, with minimal impact on surrounding residential areas.

A copy of the Proponents response is Attached to this report as **Appendix 1**.

Changes resulting from Submissions

Following consideration of submissions and agency referrals received during the public exhibition period, no changes have been made to the Planning Proposal as exhibited.

The issues raised in the submissions, including matters to land use intensity, amenity, traffic, infrastructure capacity, environmental considerations and character, have been carefully reviewed and assessed against:

- The supporting technical studies,
- Applicable strategic planning framework, and
- Relevant statutory considerations and legalisation.

This assessment has concluded that the Planning Proposal demonstrates sufficient strategic merit, is supported by appropriate technical investigations and remains consistent with applicable local and regional planning objectives.

Many of the concerns raised in public submissions relate to matters that are design-specific in nature, such as built form outcomes, privacy, overshadowing, traffic management and internal site layout. These matters cannot be fully resolved at the Planning Proposal stage and are more appropriately addressed through the Development Application process, where detailed design is available and subject to further assessment and community notification.

Accordingly, while submissions have informed the evaluation of the proposal, they have not identified any matters that warrant amendment to the exhibited zoning or development standards. The Planning Proposal is therefore recommended to proceed to finalisation following Council resolution, with detailed issues to be addressed at subsequent stages of the planning and development assessment process.

Conclusion

This Submissions Response Report has been prepared to systematically review and respond to all submissions received during the public exhibition of the Draft Planning Proposal for land at Ocean Drive, Lake Cathie.

A total of 148 submissions were received, including three agency responses and 145 public submissions. While a significant proportion of submissions expressed opposition to the Planning Proposal, the issues raised have been carefully considered and assessed against:

- Relevant strategic planning frameworks,
- Supporting technical studies, and
- Statutory requirements under the environmental planning and assessment act 1979.

The review of submissions identified a range of recurring themes, including concerns relating to land use intensity, residential amenity, traffic, infrastructure capacity, environmental impacts, character and cumulative change. These matters have been addressed in detail through this report, with Council Strategic Land Use Planning staff responses demonstrating how each issue has been evaluated in the context of strategic land use planning.

The Planning Proposal has been assessed on its strategic merit, with regard to its consistency with local and regional planning objectives, its proximity to existing infrastructure and services, and its ability to contribute to housing diversity within an established urban area.

The assessment has confirmed that:

- The proposal is supported by appropriate technical investigations,
- The site is capable of accommodating medium-density residential development in principle, and
- The proposal is consistent with relevant strategic planning directions, including the delivery of infill development and diversified housing outcomes in proximity to centres.

While the concerns raised in submissions are acknowledged as reflecting community values and expectations, they do not, either individually or collectively, demonstrate that the Planning Proposal is unsuitable from a strategic planning perspective.

Accordingly, no changes have been made to the Planning Proposal as a result of submissions.

This report concludes that the Planning Proposal demonstrates sufficient strategic and site-specific merit to proceed to finalisation, with detailed matters to be resolved through subsequent Development Application processes.

Appendix

Appendix 1 - Proponents Response to Submissions



21 May 2026

Our Ref: 7058
Your Ref: PP 2024/13

Mr Robert Fish
Chief Executive Officer
Port Macquarie Hastings Council
PO Box 84
PORT MACQUARIE NSW 2444

Re: Response to Community Consultation
Attention: Gessika Tame-Crowe, Strategic Planner

Dear Gessika,

I refer to the public exhibition of PP 2024/13 from 16 March 2026 until 16 April 2026 and your email dated 6 May 2026, which included 148 redacted submissions and Council's summarised list of nine themes derived from those submissions. This submission is provided in response to those public submissions received during exhibition of Planning Proposal PP 2024/13 relating to land at Ocean Drive, Lake Cathie.

1. INTRODUCTION

It is acknowledged that 148 public submissions were received during the public exhibition period. Council Planning team derived nine themes to the objections received. While the level of public interest is noted, many submissions are based upon incorrect factual assumptions, misunderstanding of the planning proposal, or general opposition to future population growth and change within Lake Cathie.

Importantly, the Planning Proposal has already:

- been endorsed by Port Macquarie-Hastings Council Strategic Planning and Councillors,
- been assessed by the NSW Department of Planning, Housing and Infrastructure,
- been found to possess strategic merit, and
- received a Gateway Determination authorising the proposal to proceed.

Both Council and the Department have already concluded that the proposal is strategically justified and consistent with the applicable regional and local planning framework.

The submissions therefore need to be considered within the context of:

- Adopted Council housing strategies,
- The North Coast Regional Plan 2041,
- Council's Local Housing Delivery Plan,
- Council's Urban Growth Management Strategy, and
- The demonstrated need for additional medium density housing within existing serviced urban areas.

7058
Liability limited by a scheme approved under
Professional Standards Legislation

Directors

MICHAEL S MOWLE
B E Civ (Hons)
Chartered Engineer

GEOFFREY E HILL
B Surv
Registered Land Surveyor

DANIEL J BAKER
B Surv
Registered Land Surveyor

DARREN J BOOTH
B Surv
Registered Land Surveyor

Telephone: (02) 6583 6722
Email: admin@hopcon.com.au
Suite 1, 109 William St
PO BOX 1556, Port Macquarie NSW 2444

Hopkins Consultants Pty Ltd
ABN 27 055 060 878

SURVEYORS | CIVIL ENGINEERS | PLANNERS

2. STRATEGIC CONTEXT

The Planning Proposal directly responds to Council's adopted strategic planning framework, which consistently identifies the need for:

- Increased housing diversity,
- Infill housing,
- Medium density housing,
- Walkable centres,
- Housing close to services, and
- Reduced urban sprawl.

Council's own report expressly states:

"The Planning Proposal is considered to have strategic merit..."

Council further concluded:

"The proposal responds to the need for greater diversity of housing typologies, particularly medium density housing, in proximity to existing infrastructure and services."

The Hopkins Planning Proposal already identified that:

"Medium density residential is lacking in supply and the subject development is essential to achieve the 40% medium density target in Council's Housing Strategy."

This is a critical point.

The objections generally seek preservation of the existing low density status quo notwithstanding Council's own strategic policies expressly requiring substantial increases in medium and higher density housing forms.

The issue before Council is therefore not whether Lake Cathie should change. Council's adopted strategic framework already contemplates that change.

The real issue is where appropriately located medium density housing should occur.

The subject site is uniquely suited to that purpose.

3. UNIQUE CHARACTERISTICS OF THE SUBJECT SITE

A critical issue overlooked in many objections is the highly unusual physical and planning context of the site.

The Planning Proposal correctly describes the site as:

"...effectively an island separated from the surrounding low density residential and directly adjoining only Lake Cathie Village Centre."

This characteristic fundamentally distinguishes the site from conventional infill redevelopment sites.

The site:

- Fronts Ocean Drive, a classified regional road,
- Directly adjoins the Lake Cathie Village Centre,
- Is separated from most surrounding low density housing by roads, reserves and vegetation,
- Already contains significant cleared areas,
- Already contains approved stormwater and fire trail infrastructure,
- And adjoins substantial conservation land and vegetation areas.

Unlike typical suburban redevelopment sites, the subject land does not sit embedded within an established low density residential block pattern.

It instead functions as a transition site between:

- The village centre,
- Ocean Drive,
- Surrounding environmental land,
- And existing urban development.

Given the large available residentially zoned vacant site area of approximately 4 acres located adjacent to the Lake Cathie Village Shopping Centre with nil adjoining low density residential neighbours, it makes the site the singularly most suited infill opportunity within Lake Cathie capable of accommodating significant numbers of medium density housing with minimal impacts on existing residential amenity.

4. RESPONSE TO SUBMISSION THEMES

4.1. Land Use Intensity and Built Form Capability

4.1.1 *Concern that proposed built form (up to ~14.5m) is inconsistent with the low-density residential character of Lake Cathie.*

The objections incorrectly characterise the proposal as representing an unreasonable or excessive intensification. The proposed 14.5m building height represents a reasonable height increase compared with the existing 8.5m height limit and is entirely consistent with other R3 zoned land within the broader PMHC LGA, including:

- Seaside Estate, and
- Rainbow Beach Shopping Centre,

both of which contain the same 14.5m height limits and 1.5:1 FSR controls.

The proposal therefore does not create a novel or unprecedented planning outcome.

4.1.2 *Views that the scale of development represents a significant intensification relative to existing surrounding development.*

The site directly adjoins the commercial centre, fronts a major regional road and is physically separated from surrounding low density neighbourhoods. The "island" nature of the site substantially mitigates built form impacts and the intensity of future development on the site will not have a material impact on the character of development.

Importantly, Council's own assessment expressly concluded:

"The Planning Proposal provides desired residential land for medium density accommodation on a clear infill site, without impacting the amenity or character of the surrounding single dwellings."

Council's own finding directly contradicts many of the public submissions.

4.1.3 *Concerns regarding compatibility with coastal village form and streetscape character.*

The coastal village form will not be materially altered as a result of the proposed rezoning and future DA. This development relates only to one site in Lake Cathie and is unlikely to become the predominant development type given the lack of vacant land in Lake Cathie and the large number of single dwellings.

4.2 Residential Amenity Impacts

4.2.1 Overshadowing of existing dwellings and private open space.

Claims of substantial overshadowing are similarly exaggerated and inconsistent with the actual site configuration. A number of submissions raise concerns regarding potential overshadowing and reduction in solar access to surrounding residential properties.

These concerns are significantly overstated and do not properly consider:

- the unique physical configuration of the site,
- the substantial separation distances to surrounding dwellings,
- the intervening road corridors and vegetation,
- and the detailed development controls that would continue to apply at the future development application stage.

Importantly, the current Planning Proposal does not approve a building design or building envelope. Any future development application would remain subject to detailed assessment under the Port Macquarie-Hastings Development Control Plan 2013 ("PMHC DCP"), including detailed solar access and overshadowing analysis.

The PMHC DCP adopts a performance-based approach to overshadowing and solar access, generally requiring that development:

- maintain reasonable solar access to adjoining residential properties and private open space,
- minimise unreasonable overshadowing impacts,
- and appropriately respond to site orientation, setbacks, separation distances and surrounding built form.

The key planning consideration is therefore not whether any shadowing may occur, but whether unreasonable overshadowing impacts would arise. In this case, the physical characteristics of the site substantially limit the potential for any overshadowing impacts.

Most significantly:

- the nearest two dwellings fronting the southern side of Fiona Crescent will be located approximately 30 metres from any future building envelope on the subject site; and
- dwellings fronting the eastern side of Ocean Drive will be separated from the site by approximately 42 metres to their front facades.

It is self-evident that a 14.5m building will not cast shadows impacting the front of houses located between 30-42m away. These are very substantial urban separation distances in the context of medium density development.

Importantly, the principal private open space areas (rear yards) of the dwellings fronting Ocean Drive and Fiona Crescent are located behind those dwellings and screened from the rezoned site. The site is therefore fundamentally different from a conventional suburban infill redevelopment scenario involving direct boundary to boundary residential interfaces.

Further:

- Ocean Drive itself creates a substantial separation corridor;
- Fiona Crescent similarly creates spatial separation; and
- existing vegetation and conservation land provide additional filtering and screening; and future development would still be subject to setbacks, articulation, landscaping and building design controls at the DA stage.

It is also important to recognise that portions of the adjoining conservation vegetation already exceed the likely height of future built form.

The “island” nature of the site therefore materially reduces potential overshadowing impacts to effectively NIL when compared with a typical medium density redevelopment site embedded within an established low density residential block pattern.

Accordingly, there is presently no evidence that the Planning Proposal would result in unreasonable overshadowing impacts inconsistent with the PMHC DCP or accepted urban planning principles.

Rather, the substantial separation distances, intervening road corridors and surrounding vegetation confirm that the site is unusually well suited to accommodating medium density development while maintaining surrounding residential amenity.

A review of each boundary interface follows:

- Northern Boundary (Woolworths Shopping Centre)
 - Adjoins the Lake Cathie Shopping Centre
 - NIL impact for overshadowing or privacy loss to residents
- Western Boundary (C2 Environmental Conservation)
 - Adjoins 4 acres of C2 Environmental Management on same title which in turn adjoins Council’s Mullaway Reserve,
 - C2 land is being actively rehabilitated under strict consent conditions which also provide for koala fencing and fire trail to protect the area
 - NIL impact for overshadowing or privacy loss to residents
- Eastern Boundary (Ocean Drive)
 - Adjoins western side of Ocean Drive and faces the front yards of houses on the eastern side,
 - The houses themselves will effectively screen their own private outdoor spaces on the eastern side of the houses,
 - Allowing for PMHC DCP minimum 6m front setback from a classified road (Ocean Drive), the existing road reserve and setbacks of residences on the eastern side of Ocean Drive, there will be minimum 42m separation.
 - NIL impact for overshadowing or privacy loss to residents
- Southern Boundary (Fiona Crescent)
 - Adjoins northern side of Fiona Crescent and faces the front yards of houses on the southern side,
 - There are two only houses facing the site,
 - Allowing for PMHC DCP minimum setbacks and the existing road reserve the side of any new development on the rezoned site will have minimum 28m separation from the two existing houses.

4.2.2 *Overlooking and perceived loss of visual privacy, particularly from upper storeys.*

Many submissions overstate potential impacts relating to overshadowing, privacy and overlooking.

The site is surrounded by:

- Ocean Drive,
- Fiona Crescent,
- shopping centre land,
- vegetation,
- conservation land,
- and public reserve areas.

This is not a conventional “backyard interface” scenario.

The proposed additional height limit will have minimal practical impact upon adjoining residences due to:

- separation distances,
- road corridors,
- existing vegetation,
- conservation buffers,
- and the site’s orientation.

Importantly:

- there is no direct adjoining residential interface to the north and west,
- substantial vegetation adjoining the developable area already exceeds the proposed height of future built form, and
- any future development application would remain subject to detailed DCP controls regarding setbacks, articulation, privacy and landscaping.

Further technical analysis including line-of-sight modelling can readily demonstrate that overlooking impacts would be minimal and largely confined to limited upper-storey views.

4.2.3 Perceived reduction in sunlight access during winter periods.

The dwellings on Fiona Crescent are 30m from the future building. The dwellings on Ocean Drive are 42m from the future buildings. The living areas and POS of these properties are to the rear or living areas have openings in multiple elevations. Therefore the material reduction to sunlight below three hours between 9-3 at midwinter to primary living areas and POS is unlikely. It is important to note that the actual reduction must be considered and not just the perception of reduced solar access. The future DA for the site will include shadow diagrams to allow detailed consideration of the solar access impact.

4.2.4 Increased noise and general residential activity associated with higher density.

As mentioned above, the site is 30m from the houses on Fiona Crescent and 42m from the houses on Ocean Drive. Council’s DCP only raises concerns regarding acoustic privacy where openings are within 6m of adjacent dwellings, this distance is significantly exceeded by the future proposal. Given the separation from existing dwellings the increased noise and general residential activity will not create a material amenity impact to existing neighbouring properties.

4.3 Traffic, Access and Transport Capacity

4.3.1 Increased traffic volumes on Ocean Drive and surrounding local streets.

Many submissions suggest that the proposal will create unacceptable traffic impacts or place unreasonable pressure on the surrounding road network.

Those concerns fail to recognise that:

- Ocean Drive is already identified by Council as a major regional transport corridor;
- Substantial upgrades to Ocean Drive are already underway or planned specifically to accommodate future regional population growth; and
- Council's own strategic infrastructure planning expressly anticipates increased development and traffic demand throughout the Lake Cathie and Camden Haven corridor.

Importantly, Port Macquarie-Hastings Council describes the Ocean Drive Duplication project as: "a large-scale, major priority project that is key to building a sophisticated road network for our region."

Council further states:

"Ocean Drive Duplication is a critical project in the future planning of a sophisticated road network to cater for the population and visitor growth expected in our region."

This is highly significant.

The upgrades are expressly intended to:

- Accommodate future population growth,
- Improve regional connectivity,
- Reduce congestion, and
- Support ongoing urban development within the coastal corridor extending from Port Macquarie through Lake Cathie to Laurieton and Kew.

Council's Ocean Drive duplication works include:

- Duplication from two lanes to four lanes,
- Upgraded intersections,
- Pedestrian and cycling infrastructure,
- Upgraded access arrangements, and
- Broader transport network improvements.

Recent reporting regarding the project noted that:

- Traffic volumes were projected to increase substantially by 2036,
- Daily traffic volumes were expected to rise from approximately 15,000 vehicles to more than 26,000 vehicles per day, and
- More than 1,500 additional homes were already planned within the Lake Cathie–Bonny Hills corridor.

These upgrades are therefore not occurring in isolation. They are being undertaken specifically because Council and the State Government already anticipate substantial future growth within the corridor.

Importantly, the subject site is directly fronting Ocean Drive itself — being the region's principal north-south coastal transport corridor — rather than relying solely upon constrained local suburban streets. The proposal is also:

- Directly adjacent to the shopping centre,
- Within walking distance of retail and services,
- Serviced by public transport, and
- Connected to pedestrian infrastructure.

The proposal therefore represents exactly the type of:

- Strategically located infill development,
- Adjacent to major transport infrastructure,
- Close to services, and
- Within an existing urban centre

that contemporary planning policy seeks to encourage.

It is also important to recognise that if medium density housing cannot be appropriately accommodated on:

- A highly accessible "island" site,
- Directly adjoining a shopping centre,
- Fronting a major regional road already being upgraded for future growth,

then it becomes difficult to identify where Council realistically expects its adopted medium density housing targets to be achieved.

The existence of ongoing major public investment into the Ocean Drive corridor materially undermines arguments that Council did not anticipate or plan for future population growth within Lake Cathie. This is precisely the type of location identified in contemporary strategic planning policy as appropriate for medium density infill housing.

The Planning Proposal was supported by a Traffic and Access Assessment Report reviewed through the Gateway process. Neither Council nor the Department determined that traffic issues warranted refusal.

4.3.2 Limited perceived capacity of existing road infrastructure, including access points and bottlenecks.

As discussed above, Council is already planning to upgrade Ocean Drive, which is a major regional transport corridor. Access to the site will be designed at DA stage in discussion with a Traffic Engineer to ensure the function of Ocean Drive is not materially compromised. The preliminary Traffic Report submitted with the Planning Proposal indicates that adequate capacity exists.

4.3.3 Parking demand associated with higher residential yield (including estimates of multiple vehicles per dwelling).

The number of parking spaces required for the future development is dependent on the unit sizes and mix. This will be determined at DA stage. Car parking numbers will be calculated in accordance with relevant legislation and provided accordingly.

4.3.4 Limited public transport availability and reliance on private vehicles.

The increase in residents associated with the future development of the site could only have a positive effect on the public transport offering in Lake Cathie by increasing patronage.

4.3.5 Safety concerns for pedestrians and cyclists.

All proposed driveway entries and exits will be designed in accordance with relevant Australian standards and provide clear sight lines for pedestrians and cyclists.

4.4 Infrastructure Capacity (Water, Sewer, Utilities and Community Services)

4.4.1 *Concerns regarding sewer capacity and overflow during heavy rainfall events.*

The applicant and Council have completed significant work and discussions regarding sewer capacity available for the site and for other approved developments in Lake Cathie. It has been determined that there is sufficient capacity with no propensity for overflow during heavy rainfall. This will be further detailed at DA stage.

4.4.2 *Pressure on water, electricity and drainage infrastructure.*

The applicant and Council have worked together to determine that there is sufficient infrastructure to accommodate the requirements of the site. This will be further detailed at DA stage.

4.4.3 *Limited capacity of health services (medical centres), schools and retail facilities.*

The increased number of residents is only likely to have a positive impact on attracting more medical professionals to Lake Cathie.

NSW Government indicates that Lake Cathie Public School has capacity for 600 students and currently has only 395 enrolments. It is unlikely that any future development would result in a material exceedance of the capacity of the school.

Retail in Lake Cathie will benefit from the future medium density development of the site. All commercial offerings are likely to experience an increase in turnover as a result of a new cohort of residents.

4.4.4 *Perception that existing infrastructure is already under strain from recent development.*

Many submissions effectively amount to a general objection to population growth within Lake Cathie rather than identification of actual infrastructure constraints. The Planning Proposal has already been supported by:

- Servicing investigations,
- Stormwater strategy,
- Infrastructure assessment, and
- Agency referral processes.

Council's own report concluded there is strategic merit in locating medium density housing: *"in proximity to existing centres and supported infrastructure."*

The proposal represents infill development within an existing serviced urban area. This is precisely the form of development encouraged by:

- North Coast Regional Plan 2041,
- PMHC Urban Growth Management Strategy 2017-2036, and
- PMHC Local Housing Delivery Plan 2024.

If strategically located infill sites with services available and adjacent to existing commercial centres are rejected, Council's ability to achieve its adopted housing targets will be severely compromised.

4.5 Environmental and Ecological Considerations

4.5.1 Potential impacts on adjacent conservation land and koala habitat.

The ecological context of this land is not new. The site has already been the subject of detailed ecological assessment through DA2017/715, which approved subdivision and associated works.

As part of that earlier approval, ecological assessments included:

- Ecological Constraint Assessment and Addendum;
- Vegetation Assessment and Vegetation Management Plan;
- EPBC Act Protected Matters Report;
- Bat Call Identification;
- Koala Feed Tree assessment and health assessment;
- pre-clearance and clearance reporting.

Following the development consent, works have already commenced or been completed, including:

- Fire trail and stormwater management works;
- Implementation of the Vegetation Management Plan, including rehabilitation of the C2 portion and Koala Feed Tree replacement;
- Installation of koala mitigation measures, including koala fencing.

This is important because many objections proceed as though the site is an unmanaged greenfield site. That is incorrect. The site is already subject to a structured ecological approval and management framework.

A number of submissions raise environmental and ecological concerns, including potential impacts on adjoining conservation land, koala habitat, environmental buffers, edge effects, wildlife movement, and stormwater/runoff impacts. Those concerns are acknowledged, but they are not supported by the technical material prepared for the Planning Proposal. The Planning Proposal has been supported by extensive ecological assessment, including the Eco Logical Australia Preliminary Ecological Assessment, Greenloaning Biostudies Koala Assessment Report, prior ecological material prepared for DA2017/715, and the approved Vegetation Management Plan applying to the conservation land.

Critically, the proposal **does not seek to rezone or develop the existing C2 Environmental Conservation land**. The western conservation portion of the site is retained, and Council's recommended additional C3 Environmental Management transition area further strengthens the interface between future residential development and the existing C2 conservation land.

The prior ecological assessment identified that the conservation-significant vegetation is located in the C2 portion of the site, not within the land subject to the R3 rezoning. The C2 land was suffering from weed infestation which has been addressed through rehabilitation as required by the vegetation Management Plan.

Eco Logical Australia recorded that vegetation in the C2 portion qualified as Lowland Rainforest under the NSW Biodiversity Conservation Act and EPBC Act, but that this community "*was not found on the land that is subject to this Planning Proposal.*"

Accordingly, the Planning Proposal adopts the correct planning response:

- Retain and manage the C2 conservation land;
- Strengthen the interface through transition/buffer measures; and
- Direct housing to the already cleared R1/R3 portion of the site.

The Eco Logical Australia assessment confirmed that the Planning Proposal land has already been substantially cleared pursuant to DA2017/715. It stated that in 2022 the majority of the Planning Proposal site was cleared under that approval. It concluded that:

“The site is substantially clear of biodiversity values except for the retained koala feed trees along the western boundary.”

It further stated that the retained trees:

“In their current state, the vegetation on the R1 site would not be considered to have significant value as koala habitat and a food source due to their declining condition.”

This directly answers submissions alleging that the rezoning will remove or significantly impact high-value habitat within the proposed R3 development footprint.

The adjacent C2 Environmental Conservation zoned land and koala habitat is separated from the site by an existing koala protection fence. It is proposed to further strengthen this by the creation of a strip of C3 Environmental Management zoned land.

The Greenloaning Koala Assessment Report was prepared specifically in response to Council’s request for a Koala Assessment Report under Chapter 4 of the Biodiversity and Conservation SEPP. It assessed likely and potential impacts of development under R3 zoning on individual koalas, the local koala population and koala habitat.

The results are important.

Greenloaning, the consulting Ecologist, found that site surveys conducted on 4 March 2025:

- Yielded no observations of individual koalas in the trees or fringing C2 vegetation;
- Found no fresh or old koala pellets beneath any tree within the APZ using Standard Spot Assessment Technique surveys; and
- Found that 32 of the 37 surveyed trees were in poor to very poor health.

The report concludes that the overall habitat value of the R1 zone to koalas is “very low” due to poor habitat condition, very low foliage cover, low recovery potential, and expected low nutrient value of eucalypt leaves.

Most importantly, Greenloaning concluded that:

“No additional direct adverse impacts on individual Koalas or the local Koala population are likely from the proposed rezoning and associated higher density development...”

This is a direct technical rebuttal to submissions suggesting the rezoning will materially increase koala impacts.

4.5.2 Adequacy of proposed environmental buffers.

The proposed C3 buffer is adequate to protect the C2 land as advised by the project ecologist and is also separated by a koala fence.

4.5.3 Potential edge effects including shading impacts on vegetation communities.

Submissions also raise concerns about edge effects, including shading, wind exposure, and the adequacy of buffers. The technical material does not support a conclusion that the Planning Proposal creates unacceptable edge effects. To the contrary, the reports identify practical measures to improve the interface. Greenloaning specifically recommends:

- Retaining remaining Koala Feed Trees until they die or become unsafe;
- Erecting additional wind screening along the koala-proof fence;
- Undertaking replacement Koala Feed Tree plantings along the proposed R3 western boundary;
- Planting replacement Swamp Mahoganies at approximately 10 metre intervals;
- Maintaining canopy gaps for OPZ compliance;
- Planting densely foliated smaller native trees between Koala Feed Trees; and
- Incorporating these measures into an updated Vegetation Management Plan.

Greenloaning's separate western boundary recommendations also confirm that a planted strip no less than 5 metres wide would allow replacement Preferred Koala Food Trees while remaining compliant with Outer Protection Zone requirements, and that monitoring and replacement of failed plantings are integral components of the approved VMP.

This demonstrates that the interface is not being ignored. It is being actively managed through a combination of:

- Retained C2 conservation zoning;
- Council's C3 buffer;
- APZ management;
- Koala fencing;
- Targeted replacement planting;
- Wind screening; and
- VMP obligations.

Wind

A further important point is that higher built form may provide ecological benefits by reducing salt-laden wind exposure to the C2 edge. Greenloaning identifies that the decline in Koala Feed Trees is attributable primarily to exposure to coastal salt-laden winds. The Koala Assessment Report states that the proposed higher level of building under the R3 zone would be expected to provide additional physical protection from salt-laden winds to the C2 vegetation.

This is significant because some submissions assume taller built form will necessarily worsen environmental outcomes. The technical evidence suggests the opposite is likely in relation to wind protection for the conservation interface.

Shading

The C2 and C3 zoned land is northwest of the future buildings and will only experience shadow from the future buildings for a short time in the morning. Further, the trees are actually taller than the proposed 14.5m height limit of the building.

4.5.4 Increased wildlife-vehicle interaction risk.

Concerns regarding increased wildlife-vehicle interaction also need to be considered in context. The site already includes koala fencing mitigation measures implemented under the earlier approval. The proposal does not remove the C2 conservation land or create a new unmanaged wildlife corridor through the residential development footprint.

Further detailed design at the DA stage can address:

- Internal access arrangements;
- Fencing continuity;
- Lighting;
- Signage;

- Waste management;
- Pet controls where relevant; and
- Any further fauna movement mitigation considered necessary.

There is no technical basis to conclude that the rezoning itself would create an unacceptable wildlife-vehicle interaction risk.

4.5.5 Stormwater and runoff impact on nearby water systems.

Stormwater and runoff impacts have also been specifically addressed. The earlier DA works included fire trail and stormwater management, and the fire trail and stormwater works have been completed, creating an Asset Protection Zone across Lot 15 DP 557262. The Planning Proposal is also supported by a Stormwater and Servicing Strategy as part of the submitted technical suite.

At the rezoning stage, the relevant question is whether stormwater can be appropriately managed in principle. The technical material indicates that it can. Detailed stormwater design, water quality treatment, erosion and sediment controls, discharge arrangements and construction-stage management would remain subject to future DA assessment and conditions.

The ecological objections do not provide a sound basis to refuse the Planning Proposal. The evidence demonstrates that:

- The ecologically significant C2 land is retained;
- Council has recommended an additional C3 transition buffer;
- The R1/R3 development footprint is substantially cleared;
- The retained Koala Feed Trees within the R1/R3 interface are in poor to very poor condition and provide very low koala habitat value;
- No current or recent koala use of the APZ was recorded in the 2025 survey;
- No additional direct adverse impacts on koalas or the local koala population are likely from the rezoning;
- Koala fencing, koala bridges, APZ management and VMP obligations already apply;
- Additional western boundary planting, wind screening and VMP amendments are available to strengthen environmental outcomes;
- Stormwater and runoff have been addressed through prior works and supporting technical studies.

Accordingly, the Planning Proposal represents a balanced planning outcome: it protects and manages the conservation land while directing much-needed medium density housing to the already disturbed and largely cleared portion of the site.

It is important to note that the Department determined the proposal should proceed through Gateway. That is a highly significant finding.

4.6 Built Form Interface, Height and Transition

4.6.1 Perception that proposed height increases create abrupt transition from surrounding low-scale housing.

The “abrupt transition” criticism ignores the physical characteristics of the site. The subject land is uniquely buffered by:

- Roads,
- Reserve land,
- Commercial land, and
- Vegetation.

The proposed C3 transition zone further softens the interface. The existing vegetation adjoining the western conservation areas will in many locations exceed the height of future development. This significantly reduces visual prominence. Further, detailed built form controls would ultimately be addressed at the future development application stage. The current Planning Proposal merely establishes an appropriate strategic planning framework and provides a concept design.

4.6.2 Concerns about lack of step-down or transitional design between zones.

The proposed transition from the surrounding 8.5m building height standard to 14.5m is appropriate in consideration of the separation of the site from any surrounding buildings. Properties on Fiona Crescent are 30m from the site, properties on Ocean Drive are 42m, to the rear is Council reserve and to the northeast is the shopping centre car park. The transition between building heights will not result in a material impact to any surrounding property.

4.6.3 Visual dominance of taller buildings when viewed from adjoining properties and public domain.

Due to the separation from existing buildings the potential for visual dominance is appropriately managed by setbacks from adjoining properties. Further, high quality architectural design and materials, combined with landscaping, will combine to create a visually appropriate development.

4.7 Character, Identity and Desired Future of Locality

4.7.1 Lake Cathie described as a “coastal village” with low-density residential character.

Many submissions rely heavily on broad statements regarding “village character”. We appreciate many residents oppose change. However, character cannot be considered in isolation from Council’s adopted strategic housing obligations. Council’s adopted strategic policies expressly seek:

- Increased housing diversity,
- Increased medium density housing,
- Infill development, and
- Housing close to services and infrastructure.

The Planning Proposal itself identifies that the proposal is essential to assisting achievement of Council’s medium density housing targets. The subject site is uniquely positioned to accommodate such housing with minimal impact upon surrounding low density areas due to:

- Island configuration,
- Adjacency to the commercial centre,
- Frontage to Ocean Drive,
- Existing vegetation buffers, and
- Separation from established residential streets.

This is therefore not a typical suburban upzoning exercise with sensitive interfaces to other residential properties. It is one of the very few genuinely suitable medium density infill sites within Lake Cathie.

4.7.2 Concerns that proposal may shift the locality toward a more urbanised form.

Council’s local housing strategy documents target 40% medium density housing. This overarching policy will shift appropriate areas toward a denser urban form. Medium density urban form need not be considered negative, it is associated with lower cost housing, walkability and reduced car reliance, among other benefits.

4.7.3 Reference to comparison with larger coastal centres and avoidance of similar development outcomes.

Lake Cathie is a growing coastal area, the development of which is being managed by Council in accordance with relevant policies. It is unlikely that Lake Cathie will experience a proliferation of high rise development in the near future.

4.7.4 Desired future character statements (LEP/DCP alignment)

Neither the LEP or DCP contain desired future character statements for the site or this part of Lake Cathie.

4.7.5 Place-based planning considerations

The site has been carefully considered in context of the surrounding area. The site is an “island” effectively, with no close neighbours. The existing surrounding place will be enhanced by increased resident numbers and associated social and economic activity.

4.7.6 Community vision alignment

The community vision in Council’s Lake Cathie Community Plan 2020 was created through input from the community in mid-2019 through community surveys and meetings. The vision is “*To protect and enhance our village character; to preserve and regenerate our natural environment; to support integrated planned growth (residential and business); to promote community involvement and to welcome visitors.*”

This proposal is for residential growth, planned in conjunction with Council and the State government, which is strongly integrated into the community by virtue of its location. Traditionally, villages contain a mix of housing types and it is considered that the proposal will not result in a material impact on the village character. The proposal will also preserve and protect the natural environment adjacent. Alignment with the community vision is considered to have been achieved.

4.8 Precedent Effects and Cumulative Change

4.8.1 Concern that approval may establish precedent for further rezonings or height increases.

The precedent argument is misplaced. This site is highly unique due to:

- Size,
- Location,
- Physical separation,
- Cleared state,
- Direct adjacency to the shopping centre,
- Frontage to Ocean Drive, and
- Extensive surrounding vegetation and reserve land.

The site is strategically very important in Lake Cathie as the optimal infill site suitable for medium density development.

Further, every future development application must still be independently assessed by Council on its merits and against the applicable planning framework. Approval of this proposal does not create an automatic entitlement for rezoning elsewhere.

4.8.2 Cumulative impact of multiple developments in Lake Cathie.

The planning proposal is only for one development. This single development will not have a cumulative impact on the character of Lake Cathie. Other medium density developments are approved in Seaside Estate, significantly separated from the site.

4.8.3 Perception of incremental densification altering overall settlement form.

Incremental densification is a traditional method of development of an area. This has occurred in Lake Cathie since settlement, to make Lake Cathie what it is today. The proposed development will not materially alter the overall settlement form, which will still generally be single dwellings.

4.8.4 Cumulative impact assessment

See 4.8.2 above.

4.8.5 Precedent considerations in planning controls

The planning proposal is not asking Council to abandon any planning controls, but rather to apply alternative planning controls to a unique site. Due to the unique nature of the site it will not set any precedent in terms of planning controls, as Council have the power to consider each site separately in its individual context. Planning precedent is dissimilar to legal precedent and is difficult to establish. Development of this unique site will not set a precedent for Lake Cathie.

4.8.6 Strategic planning consistency

A critical issue largely absent from the objections is the worsening housing supply crisis affecting the region. Council's adopted planning framework already recognises:

- The need for substantial additional housing,
- The need for medium density housing, and
- The need to direct growth toward serviced urban centres.

The proposal directly responds to those objectives.

Importantly, the proposal also represents a moderate and locally managed planning response. If Council fails to provide sufficient housing supply through its own strategic planning framework, there is increasing likelihood that larger scale development outcomes may instead occur through State Significant Development pathways or future State-led housing reforms.

Importantly, Council presently retains full control over future development outcomes through the LEP and DCP framework, including:

- Setbacks,
- Landscaping,
- Building articulation,
- Parking, and
- Urban design controls.

This proposal therefore represents a balanced and locally managed planning outcome rather than uncontrolled intensification ideally suited to the site.

9. Property-Specific Amenity and Impacts

4.9.1 Direct overlooking into private dwellings and yards.

Houses on Fiona Crescent are 30m from the site and houses on Ocean Drive are 42m from the site. All dwellings would be overlooked only into their front openings and setbacks, which are already visible from public areas. Due to the separation distance, material overlooking into areas that are currently private will not occur.

4.9.2 Loss of privacy and increased perception of intrusion.

The proposal will not cause a material loss of privacy for any surrounding residential property as discussed above. The separation from the site should also be sufficient to mitigate the perception of intrusion into surrounding sites.

4.9.3 Property-specific overshadowing impacts.

The plans submitted with the planning proposal are concept plans only. They do not represent the final proposed built form. Following approval of the planning proposal the architectural design including overshadowing detail will be commenced. This will be exhibited by Council with any future DA.

4.9.4 Perceived reduction in property amenity and value.

A number of submissions assert that the proposal will reduce surrounding property values. These claims are speculative, unsupported by evidence and inconsistent with broader urban planning and property market research relating to well-designed medium density development within walkable urban centres.

Importantly, the Planning Proposal does not approve poor quality or inappropriate built form. Any future development application would remain subject to:

- Detailed architectural design review;
- Landscaping controls;
- Setbacks;
- Articulation requirements;
- Parking controls; and
- Comprehensive assessment under the PMHC DCP and LEP.

It is entirely reasonable to expect that future development on a strategically located site adjoining the Lake Cathie Shopping Centre and fronting Ocean Drive (subject to Council approval) would be of a high design standard consistent with contemporary coastal medium density development.

The proposal also has several characteristics typically associated with positive urban and economic outcomes, including:

- Walkability;
- Proximity to retail and services;
- Increased housing diversity;
- Increased local population supporting local businesses; and
- Activation of existing urban infrastructure.

Independent research into higher density walkable neighbourhoods has identified:

- Increased property values,
- Increased retail trade,
- Improved local economic performance, and

- Broader placemaking benefits associated with medium density mixed use development.

The Placemaking Economics Group in their report Identifying and valuing the economic benefits of 20-minute neighbourhoods noted:

“Better neighbourhoods mean better business”

and identified:

- Property value uplift,
- Improved retail activity, and
- Increased economic prosperity

as recognised economic outcomes associated with well-designed higher density walkable neighbourhoods.

Similarly, Australian academic research examining walkability and housing values found that:

- Walkability,
- Access to destinations, and
- Increased urban amenity

were positively associated with residential property prices.

This is particularly relevant in the context of the subject site, which:

- Directly adjoins the Lake Cathie Shopping Centre;
- Is within walking distance of retail and services;
- Fronts a major regional transport corridor; and
- Represents one of the very few opportunities within Lake Cathie to deliver well-located medium density housing integrated with existing infrastructure.

Rather than diminishing the locality, the proposal has the potential to:

- Strengthen the long-term viability of the Lake Cathie Village Centre;
- Support local businesses;
- Improve economic activity;
- Increase passive surveillance and activation; and
- Contribute to broader urban renewal outcomes.

Importantly, there is no evidence before Council demonstrating that a carefully designed medium density development on this uniquely isolated “island” site would reduce surrounding property values.

To the contrary, it is reasonable to conclude that high-quality redevelopment adjacent to the shopping centre and integrated with substantial landscaping and environmental buffering is likely to positively contribute to the amenity, vitality and long-term attractiveness of the Lake Cathie centre.

4.9.5 Adjoining landowner impact assessment

As detailed throughout this letter and the planning proposal, there are no land owners within close enough proximity to the site to experience what would be considered a material impact. The nearest dwelling is 30m from the site. Further detail can be provided at DA stage.

4.9.6 Detailed overshadowing and visual impact

The plans submitted with the planning proposal are concept plans only. They do not represent the final proposed built form. Following approval of the planning proposal the architectural design including overshadowing detail will be commenced. This will be exhibited by Council with any future DA.

5. CONCLUSION

The public submissions are acknowledged and respectfully considered.

However, many submissions:

- Are inconsistent with Council's adopted strategic planning framework,
- Rely upon incorrect factual assumptions,
- Overstate environmental and amenity impacts, or
- Fundamentally oppose any increase in housing density irrespective of strategic planning merit.

Both Council and the NSW Department of Planning have already determined that the proposal possesses strategic merit and should proceed.

The proposal represents:

- Strategically located infill housing,
- Adjacent to existing services,
- Within walking distance of retail and transport,
- On a uniquely isolated "island" site,
- With minimal impacts on surrounding residential development,
- While preserving and strengthening environmental protections.

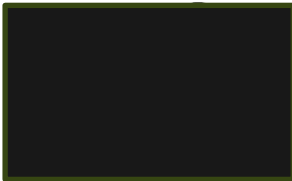
Importantly, the proposal provides one of the very few realistic opportunities within Lake Cathie to deliver meaningful medium density housing outcomes consistent with Council's adopted strategic planning policies.

The real planning risk to Lake Cathie is **not** the proposed carefully managed infill development on a uniquely suitable site. The real risk is continued failure to deliver the housing diversity and supply outcomes already required under Council's adopted strategic planning framework.

For the reasons outlined within this letter we respectfully request the support of Council Officers when reporting this matter to the Council Meeting on Thursday 18 June 2026.

If you require any further information, please do not hesitate to contact the undersigned.

Yours faithfully,



Port Macquarie Hastings Council

BIRPAI COUNTRY

pmhc.nsw.gov.au

Email council@pmhc.nsw.gov.au

PO Box 84 Port Macquarie NSW 2444

Tel **02 6581 8111**

Socials [@pmhcouncil](#)    