

ATTACHMENTS UNDER SEPARATE  
COVER

ORDINARY COUNCIL MEETING  
28 JUNE 2016



**PORT STEPHENS**  
C O U N C I L



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**Further Information:**  
Strategic Planning, Port Stephens Council  
(02) 4980 0326  
[council@portstephens.nsw.gov.au](mailto:council@portstephens.nsw.gov.au)



**ITEM 2 - ATTACHMENT 1      PLANNING PROPOSAL - KINGS HILL CADASTRAL MAPPING UPDATE.**

**FILE NUMBERS**

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Council: PSC2016-01548

**BACKGROUND**

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The planning proposal aims to amend the Port Stephens Local Environmental Plan 2013 (PS LEP 2013) by making amendments under Section 73A of the Environmental Planning and Assessment Act 1979.

This amendment relates to the Kings Hill and surrounds cadastre base (see **Figure 1 and Figure 2**). Currently all the LEP 2013 map layers relating to Kings Hill and surrounds are erroneous and require adjustments to shift the LEP spatial dataset to align with updated Land and Property Information's Digital Cadastral Database (DCDB). This update in cadastral base was brought about by either a positional improvement or upgrade work.

The Department of Planning and Environment acknowledge that there is a need to development tools to shift dataset to the DCDB. However, the Department's current position is that LEP spatial data does not shift unless it is explicitly amended through an amendment under Section 73A of the Environmental Planning and Assessment Act 1979.

**THE SITE**

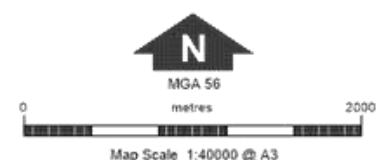
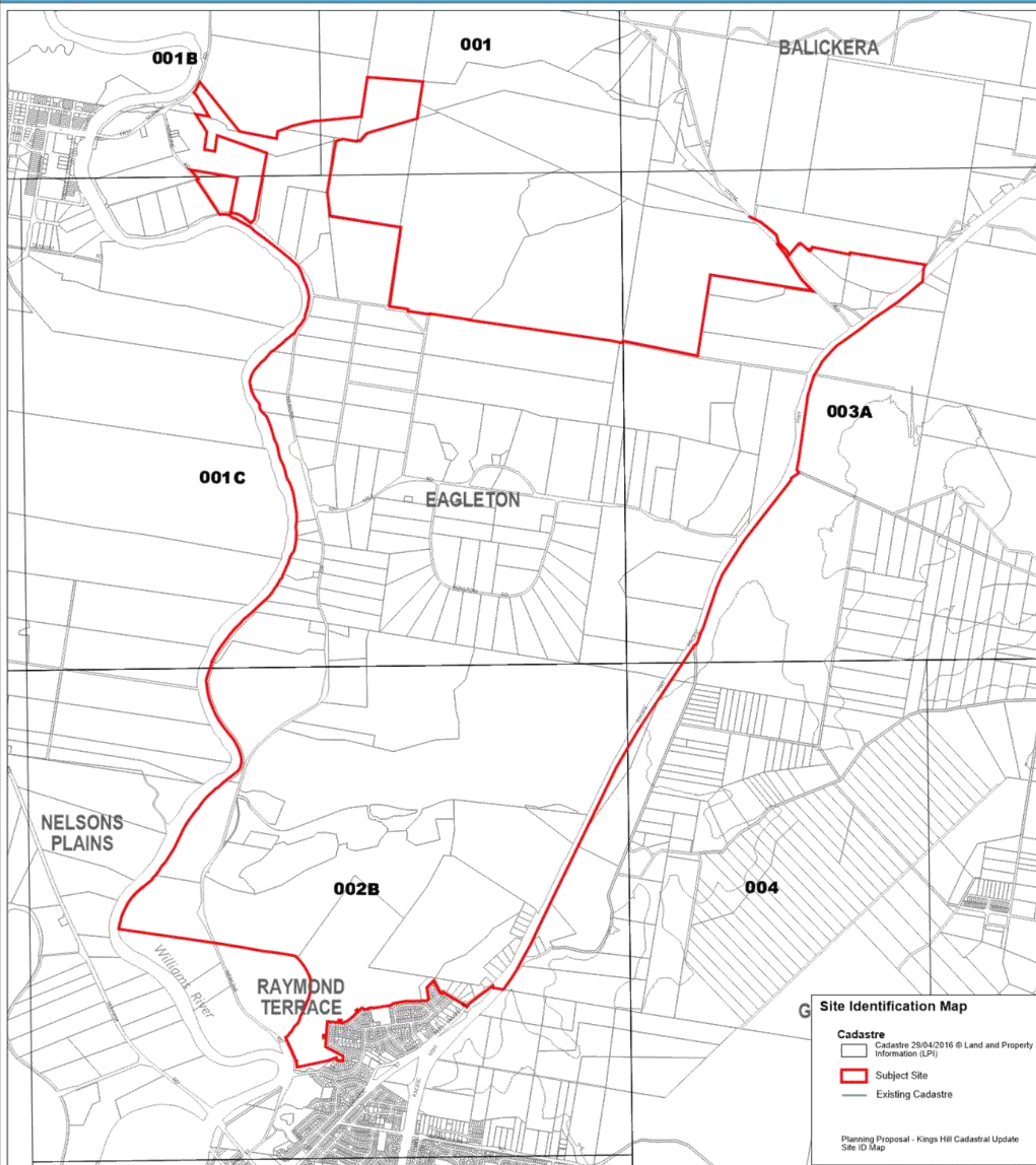
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**Address:** The Planning Proposal applies to land identified in **Figure 1. Cadastral Map** (p.3).

# Planning Proposal - Kings Hill Cadastral Update



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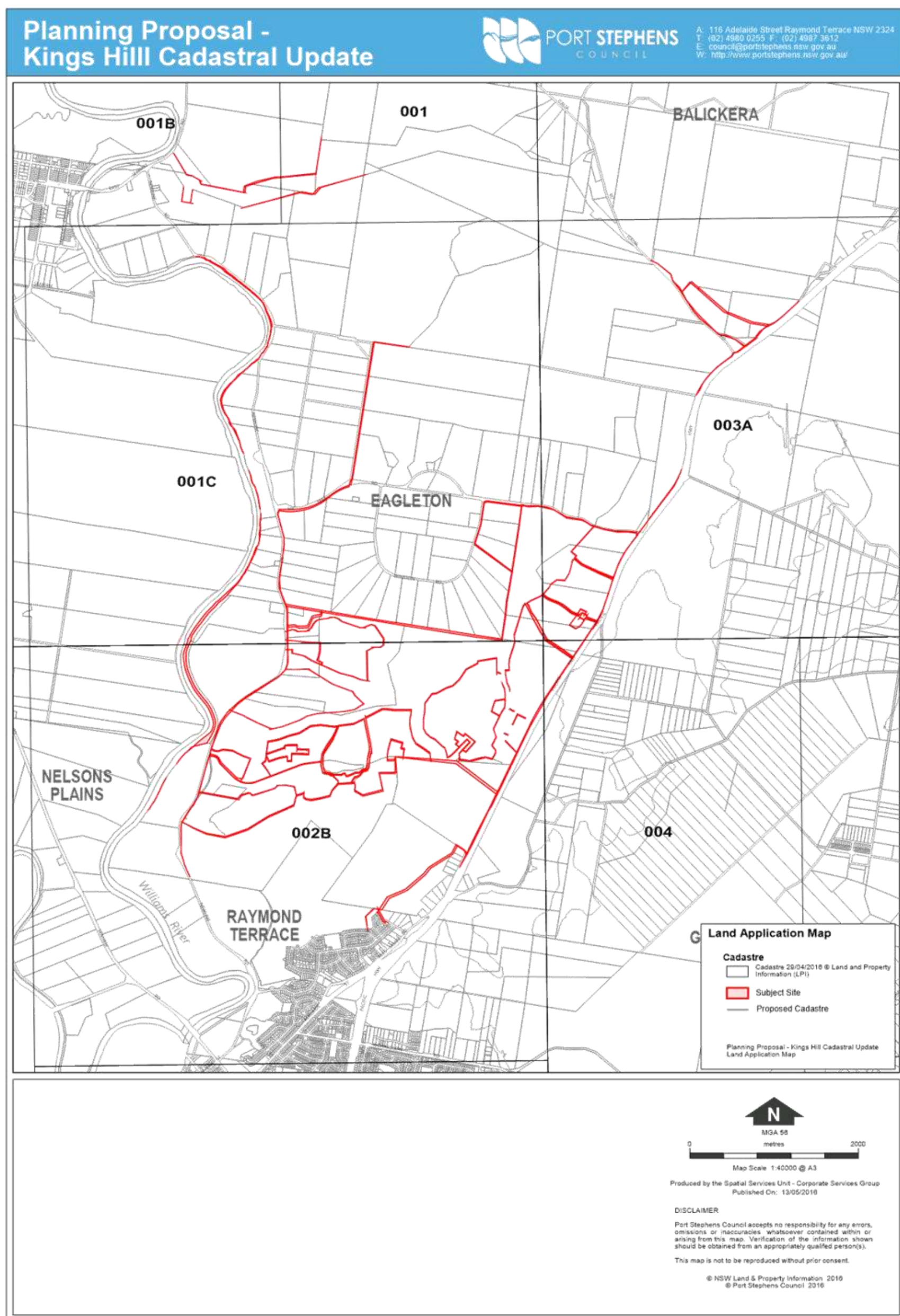
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FILE LOCATION: G:\gisdata\PLANNING\local environmental plan 2013\Amendments\Pig Proposal - Kings Hill Cadastral Update\SiteID Map - A3P





**ITEM 2 - ATTACHMENT 1      PLANNING PROPOSAL - KINGS HILL CADASTRAL MAPPING UPDATE.**

**PART 1 – Objectives of the proposed Local Environmental Plan**

The objective of this planning proposal is to rectify minor shifts in the cadastre base which can only be done by amending the Port Stephens Local Environmental Plan 2013 under Section 73A of the Environmental Planning and Assessment Act.

**PART 2 – Explanation of Provisions to be included in proposed LEP**

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The objectives of the proposal will be achieved by:

- Amending the Land Zoning Maps (LZN\_001; LZN\_001B; LZN\_001C; LZN\_002B; LZN\_003A and LZN\_004) by replacing **Attachment 1** with **Attachment 2**;
- Amending the Lot Size Maps (LSZ\_001; LSZ\_001B; LSZ\_001C; LSZ\_002B; LSZ\_003A and LSZ\_004) by replacing **Attachment 3** with **Attachment 4**;
- Amending the Height of Buildings Maps (HOB\_001B; HOB\_001C; HOB\_002B; HOB\_003A and HOB\_004) by replacing **Attachment 5** with **Attachment 6**;
- Amending the Heritage Maps (HER\_001; HER\_001B; HER\_001C; HER\_002B; HER\_003A and HER\_004) by replacing **Attachment 7** with **Attachment 8**;
- Amending the Acid Sulfate Soils Maps (ASS\_001; ASS\_002; ASS\_003 and ASS\_004) by replacing **Attachment 9** with **Attachment 10**;
- Amending the Flood Planning Maps (FLD\_001; FLD\_002; FLD\_003 and FLD\_004) by replacing **Attachment 11** with **Attachment 12**;
- Amending the Wetlands Maps (WET\_001; WET\_002; WET\_003 and WET\_004) by replacing **Attachment 13** with **Attachment 14**;
- Amending the Urban Release Area Maps (URA\_001; URA\_002; URA\_003 and URA\_004) by replacing **Attachment 15** with **Attachment 16**;
- Amending the Drinking Water Catchment Maps (DWC\_001; DWC\_002; DWC\_003 and DWC\_004) by replacing **Attachment 17** with **Attachment 18**;
- Amending the Additional Permitted Uses Map, Precinct Areas Map, Waste or Resource Facility Maps (CL1\_001; CL1\_002; CL1\_003 and CL1\_004) by replacing **Attachment 19** with **Attachment 20**;

**PART 3 – Justification for the Planning Proposal**

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**SECTION A – Need for the Planning Proposal**

***1. Is the planning proposal a result of any strategic study or report?***

The proposal is not the result of any strategic study or report. The Planning Proposal is the result of DCDB upgrade work over the Kings Hill and surrounds.

***2. Is the planning proposal the best means of achieving the objectives or intended outcomes, or is there a better way?***

The Department of Planning and Environment acknowledge that the only way to rectify the anomalies in the LEP spatial data is through an amendment under Section 73A of the Environmental Planning and Assessment Act 1979. It should be

**ITEM 2 - ATTACHMENT 1 PLANNING PROPOSAL - KINGS HILL CADASTRAL MAPPING UPDATE.**

considered under Section 73A of the Environmental Planning and Assessment Act 1979 as it is considered minor in nature as it does not have any significant adverse impact on the environment or adjoining land.

**SECTION B – Relationship to Strategic Planning Framework*****3. Is the planning proposal consistent with the objectives and actions contained within the applicable regional or sub-regional strategy?***Lower Hunter Regional Strategy

The administrative amendment will not conflict with the objectives of the Strategy as it seeks to rectify minor shifts in the cadastre base which have resulted from an updated DCDB dataset over the site.

Draft Plan for Growing Hunter City

The administrative amendment will not conflict with the objectives of the Strategy as it seeks to rectify minor shifts in the cadastre base which have resulted from an updated DCDB dataset over the site.

***4. Is the planning proposal consistent with the local Council's Community Strategic Plan, or other local strategic plan?***Port Stephens Integrated Strategic Plan

The proposal is consistent with Council's Integrated Strategic Plan (Port Stephens 2022) the administrative amendment will not conflict with the objectives of the Strategy as it seeks to rectify minor shifts in the cadastre base which have resulted from an updated DCDB dataset over the site.

Port Stephens Planning Strategy 2011-2036

Council's Port Stephens Planning Strategy seeks to encourage a sufficient supply of a diverse range of housing and employment in the Local Government Area (LGA).

The Planning Proposal is consistent with Council's adopted Port Stephens Planning Strategy (PSPS).

***5. Is the planning proposal consistent with applicable State environmental planning policies?***

Nothing in this administrative amendment affects the aims and provisions of any state environmental planning policies.

**Section 117 Ministerial Directions*****6. Is the planning proposal consistent with applicable Ministerial Directions?***

The amendment is administrative in nature and does not propose to change requirements relating to any Section 117 Ministerial Directions.

**SECTION C – Environmental, Social and Economic Impact**

**ITEM 2 - ATTACHMENT 1 PLANNING PROPOSAL - KINGS HILL CADASTRAL MAPPING UPDATE.**

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

The proposal does not have any significant adverse impact on the environment or adjoining land. There is no likelihood that critical habitat or threatened species populations or ecological communities, or their habitats will be adversely affected by this proposal.

***8. Are there any other likely environmental effects as a result of the planning proposal and how are they proposed to be managed?***

No additional environmental effects are anticipated as a result of this administrative amendment.

***9. Has the planning proposal adequately addressed any social and economic effects?***

This administrative amendment will ensure that the Port Stephens Local Environmental Plan 2013 remain current, accurate and effective. Correcting the anomaly will ensure that appropriate land uses can be carried out on the site.

**SECTION D – State and Commonwealth interests**

***10. Is there adequate public infrastructure for the planning proposal?***

The amendment does not warrant changes to the delivery of public infrastructure.

***11. What are the views of the State and Commonwealth public authorities consulted in accordance with the gateway determination?***

The amendment is taking place because of upgraded DCDB datasets from the NSW Land and Property Information Division. No other consultation is required.

**Part 4 - Mapping**

The relevant mapping is listed under Part 2 – Explanation of the Provisions and included under Attachments.

**Part 5 – Community Consultation**

Community Consultation is not required under Section 73A of the Environmental Planning and Assessment Act 1979.

**Part 6 – Project Timeline**

The project is expected to be completed within two months from Gateway Determination. The following timetable is proposed:

|    | <b>Task Description</b> | <b>Estimated Timeline</b> |
|----|-------------------------|---------------------------|
| 1. | Gateway Determination   | June 2016                 |

**ITEM 2 - ATTACHMENT 1 PLANNING PROPOSAL - KINGS HILL CADASTRAL MAPPING UPDATE.**

|    |  |  |
|----|--|--|
| 2. | Completion of required technical information | July 2016                                      |
| 3. | Government agency consultation               | Not required under Section 73A of the Act      |
| 4. | Public exhibition period                     | Not required under Section 73A of the Act      |
| 5. | Consideration of submissions                 | Not required under Section 73A of the Act      |
| 6. | Submission to Department to finalise the LEP | Council is requesting delegation for this plan |
| 7. | Making of the Plan                           | August 2016                                    |
| 8. | Forward notification of Plan to Department   | September 2015                                 |

**Attachments**

The following attachments are provided with this Planning Proposal:

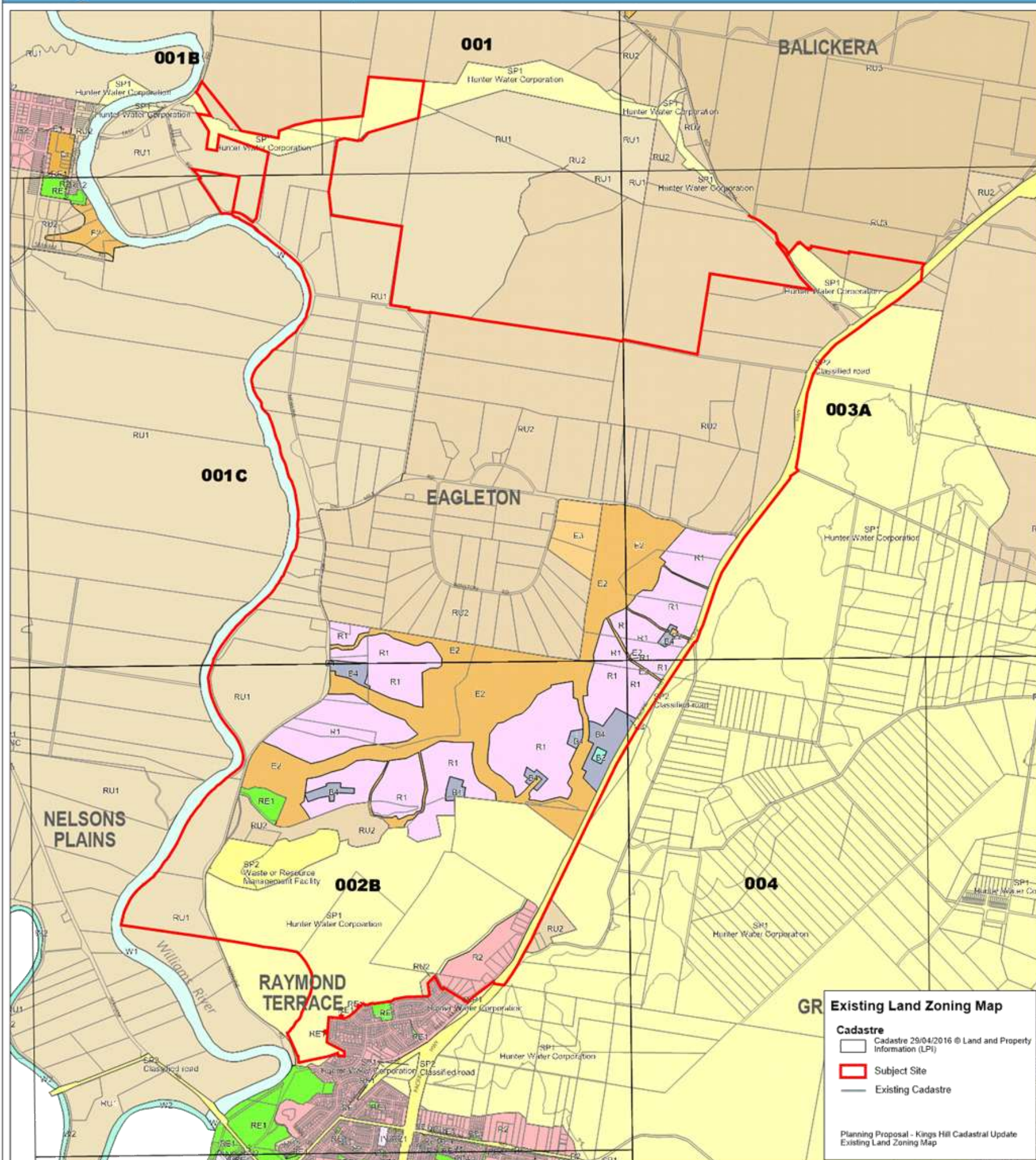
ATTACHMENT 1: Existing Zoning Map  
ATTACHMENT 2: Proposed Zoning Map  
ATTACHMENT 3: Existing Lot Size Map  
ATTACHMENT 4: Proposed Lot Size Map  
ATTACHMENT 5: Existing Height of Building Map  
ATTACHMENT 6: Proposed Height of Building Map  
ATTACHMENT 7: Existing Heritage Map  
ATTACHMENT 8: Proposed Heritage Map  
ATTACHMENT 9: Existing Acid Sulfate Soils Map  
ATTACHMENT 10: Proposed Acid Sulfate Soils Map  
ATTACHMENT 11: Existing Flood Planning Map  
ATTACHMENT 12: Proposed Flood Planning Map  
ATTACHMENT 13: Existing Wetlands Map  
ATTACHMENT 14: Proposed Wetlands Map  
ATTACHMENT 15: Existing Urban Release Area Map  
ATTACHMENT 16: Proposed Urban Release Area Map  
ATTACHMENT 17: Existing Drinking Water Catchment Map  
ATTACHMENT 18: Proposed Drinking Water Catchment Map  
ATTACHMENT 19: Existing Additional Permitted Uses Map, Precinct Areas Map, Waste or Resource Facility Map  
ATTACHMENT 20: Proposed Additional Permitted Uses Map, Precinct Areas Map, Waste or Resource Facility Map



# Planning Proposal - Kings Hill Cadastral Update



A: 116 Adelaide Street Raymond Terrace NSW 2324  
T: (02) 4989 0255 F: (02) 4987 3512  
E: council@portstephens.nsw.gov.au  
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## Port Stephens Local Environmental Plan 2013 - Land Zoning

|                               |                                       |
|-------------------------------|---------------------------------------|
| RU1 Primary Production        | IN1 General Industrial                |
| RU2 Rural Landscape           | IN2 Light Industrial                  |
| RU3 Forestry                  | IN4 Working Waterfront                |
| RU5 Village                   | SP1 Special Activities                |
| R1 General Residential        | SP2 Infrastructure                    |
| R2 Low Density Residential    | RE1 Public Recreation                 |
| R3 Medium Density Residential | RE2 Private Recreation                |
| R5 Large Lot Residential      | E1 National Parks and Nature Reserves |
| B1 Neighbourhood Centre       | E2 Environmental Conservation         |
| B2 Local Centre               | E3 Environmental Management           |
| B3 Commercial Core            | E4 Environmental Living               |
| B4 Mixed Use                  | W1 Natural Waterways                  |
| B5 Business Development       | W2 Recreational Waterways             |
| B7 Business Park              |                                       |

**N**  
MGA 56  
0 2000  
metres  
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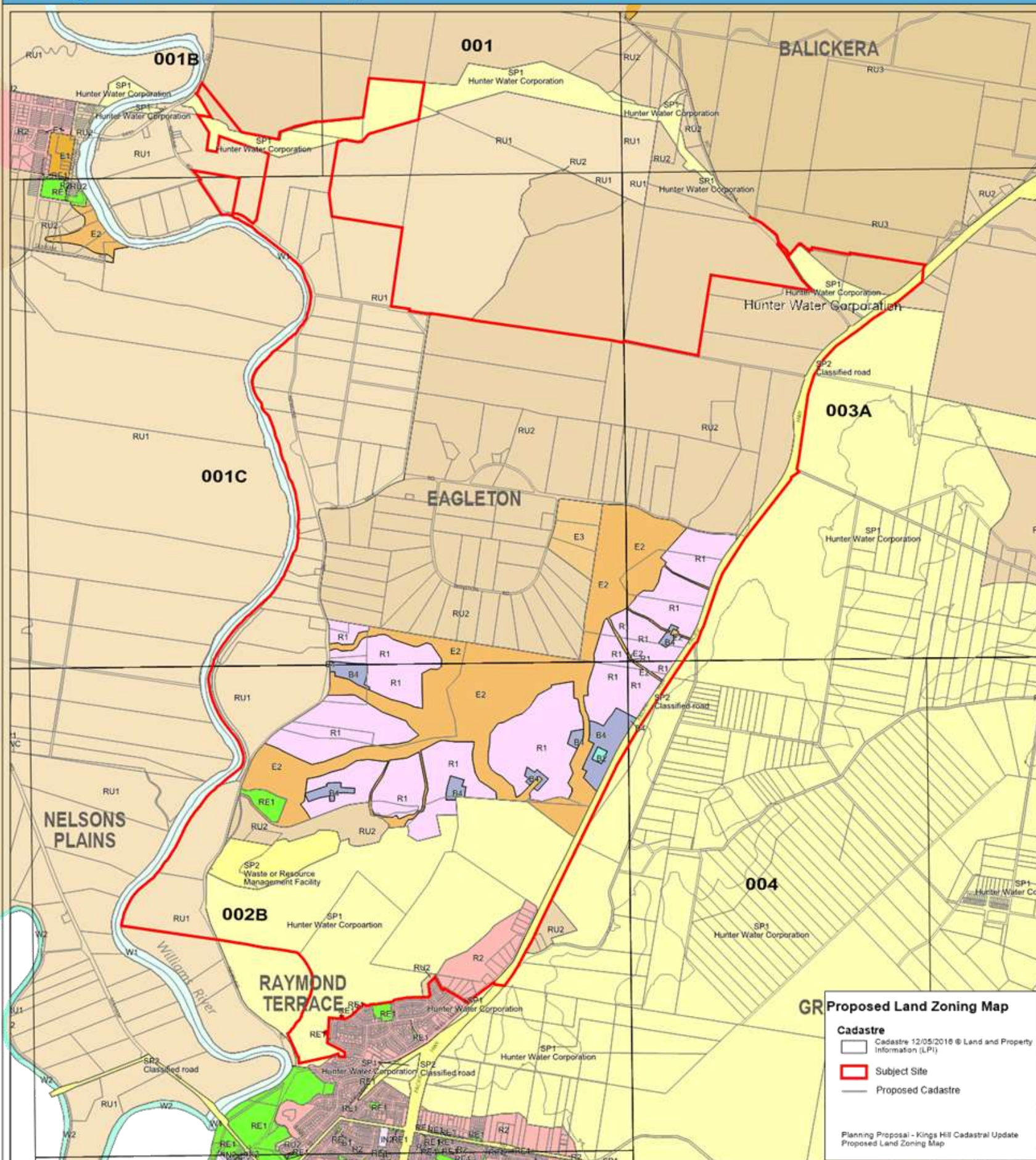
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# Planning Proposal - Kings Hill Cadastral Update



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| R1 General Residential        | SP2 Infrastructure                    |
| R2 Low Density Residential    | RE1 Public Recreation                 |
| R3 Medium Density Residential | RE2 Private Recreation                |
| R5 Large Lot Residential      | E1 National Parks and Nature Reserves |
| B1 Neighbourhood Centre       | E2 Environmental Conservation         |
| B2 Local Centre               | E3 Environmental Management           |
| B3 Commercial Core            | E4 Environmental Living               |
| B4 Mixed Use                  | W1 Natural Waterways                  |
| B5 Business Development       | W2 Recreational Waterways             |
| B7 Business Park              |                                       |

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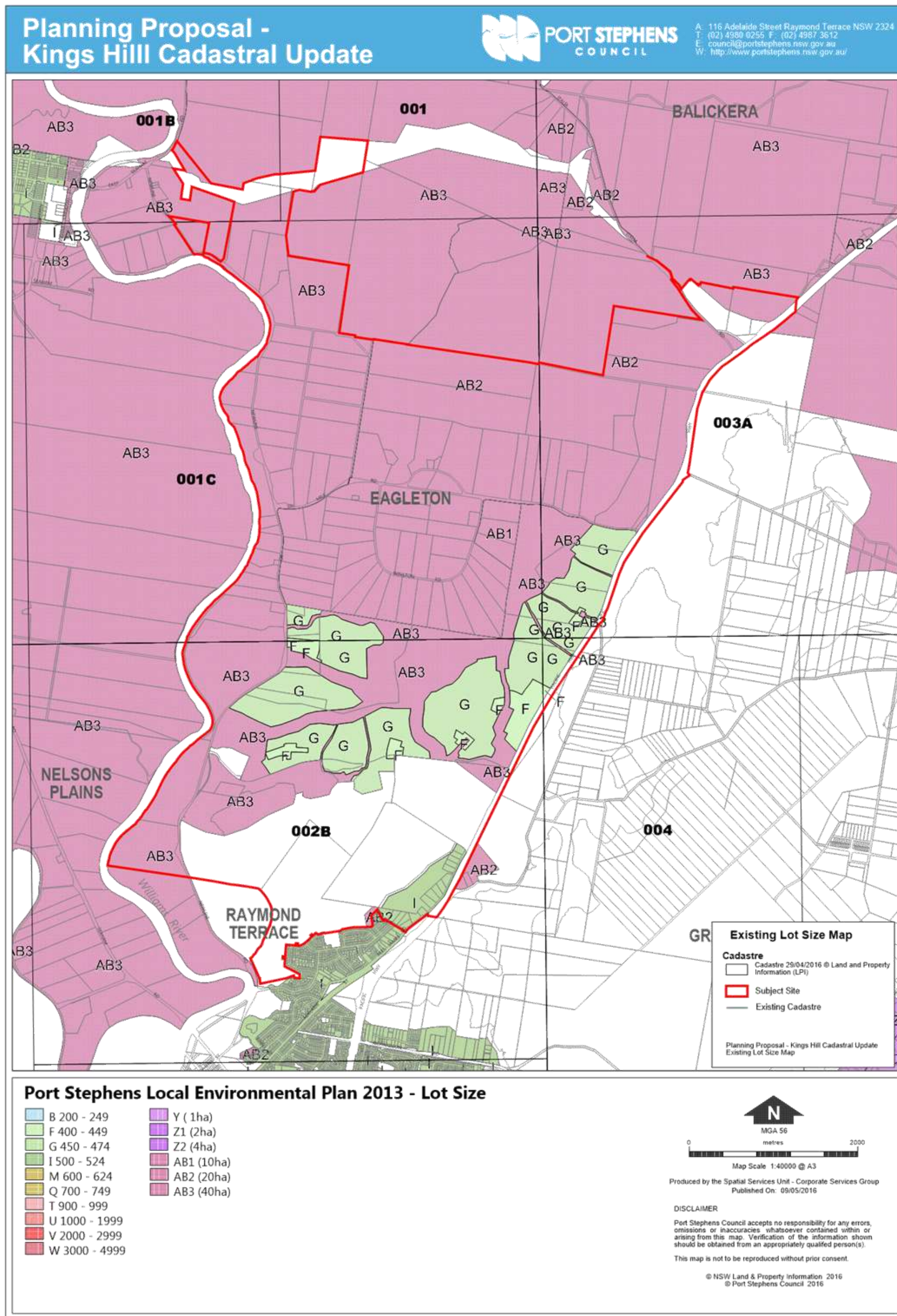
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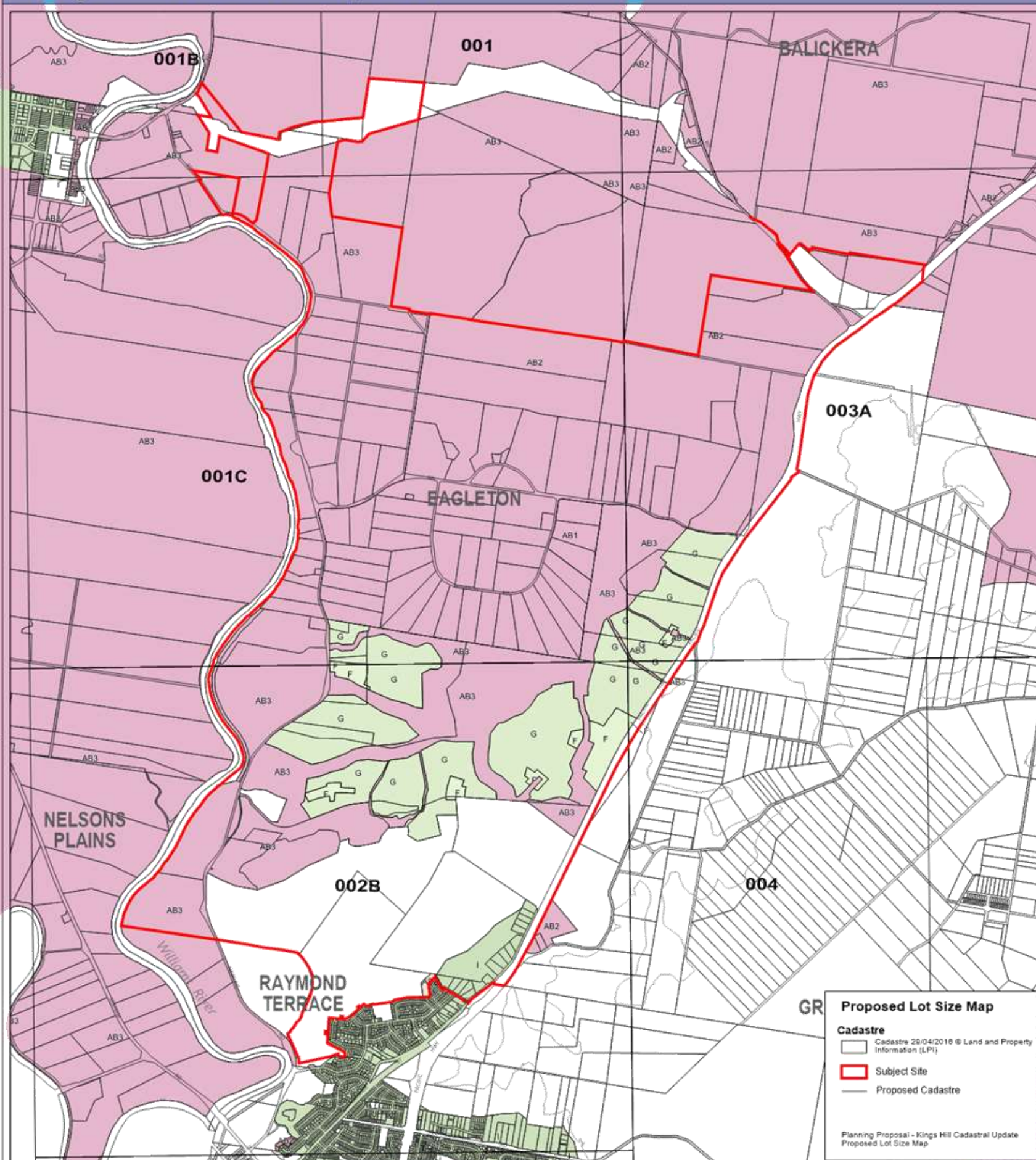


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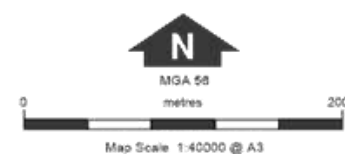
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## Port Stephens Local Environmental Plan 2013 - Lot Size

|               |            |
|---------------|------------|
| B 200 - 249   | Y (1ha)    |
| F 400 - 449   | Z1 (2ha)   |
| G 450 - 474   | Z2 (4ha)   |
| I 500 - 524   | AB1 (10ha) |
| M 600 - 624   | AB2 (20ha) |
| Q 700 - 749   | AB3 (40ha) |
| T 900 - 999   |            |
| U 1000 - 1999 |            |
| V 2000 - 2999 |            |
| W 3000 - 4999 |            |



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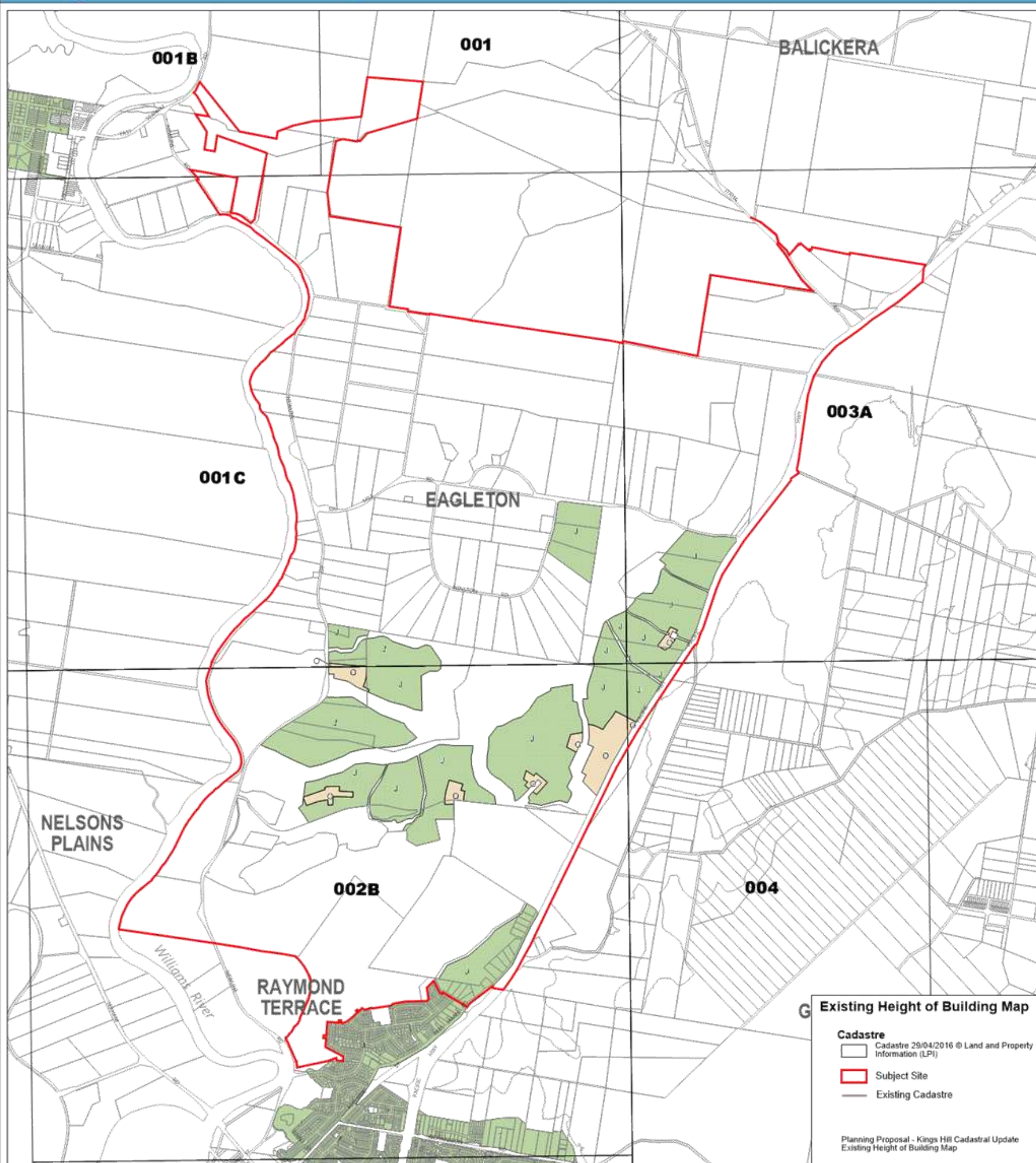
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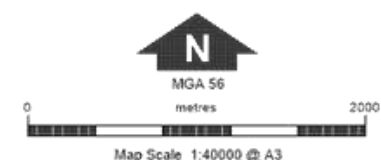


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## Port Stephens Local Environmental Plan 2013 - Height of Building

- I 8 - 8.9
- J 9 - 9.9
- M 12 - 12.9
- O 15 - 16.9
- Q 19 - 20.9



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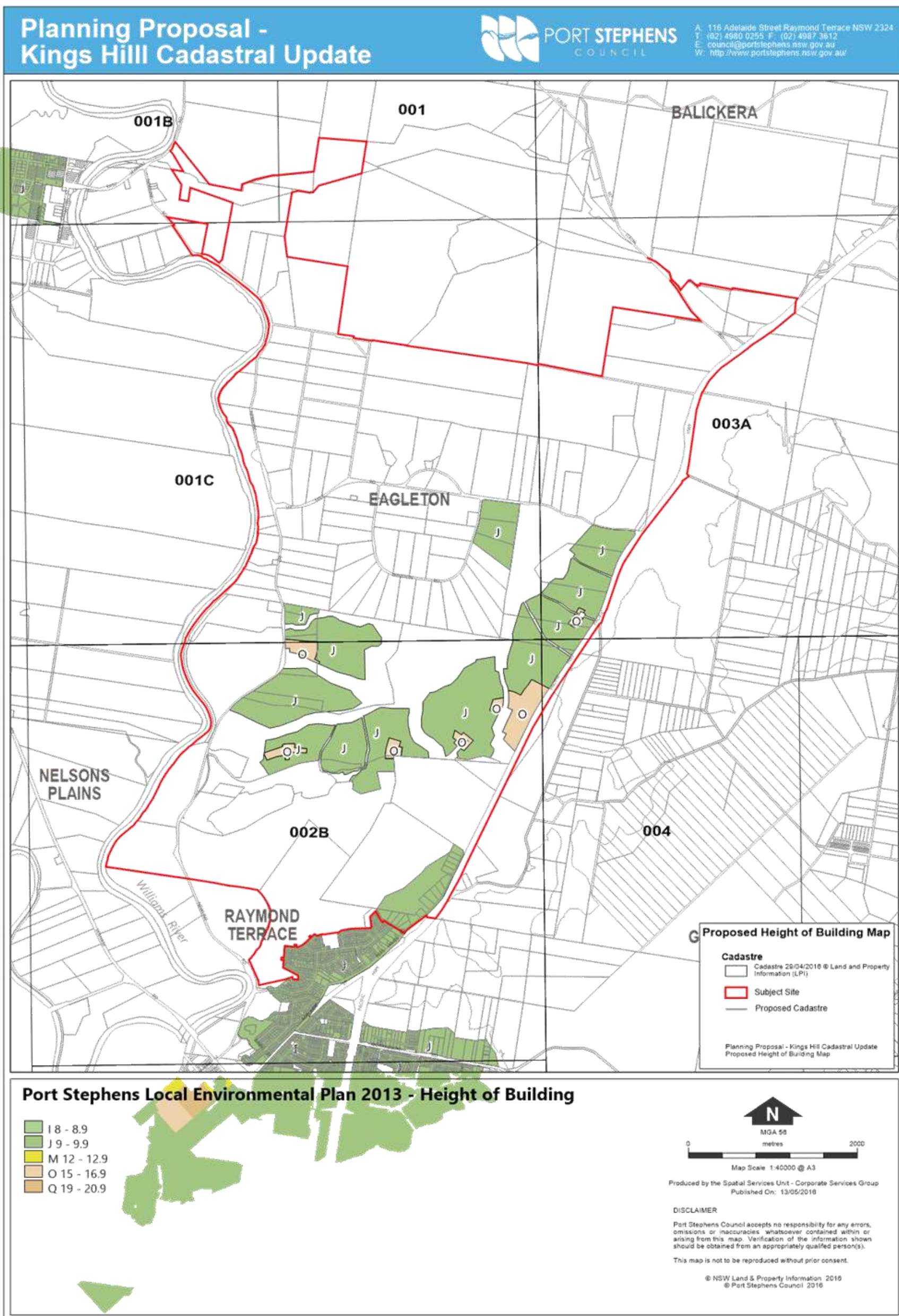
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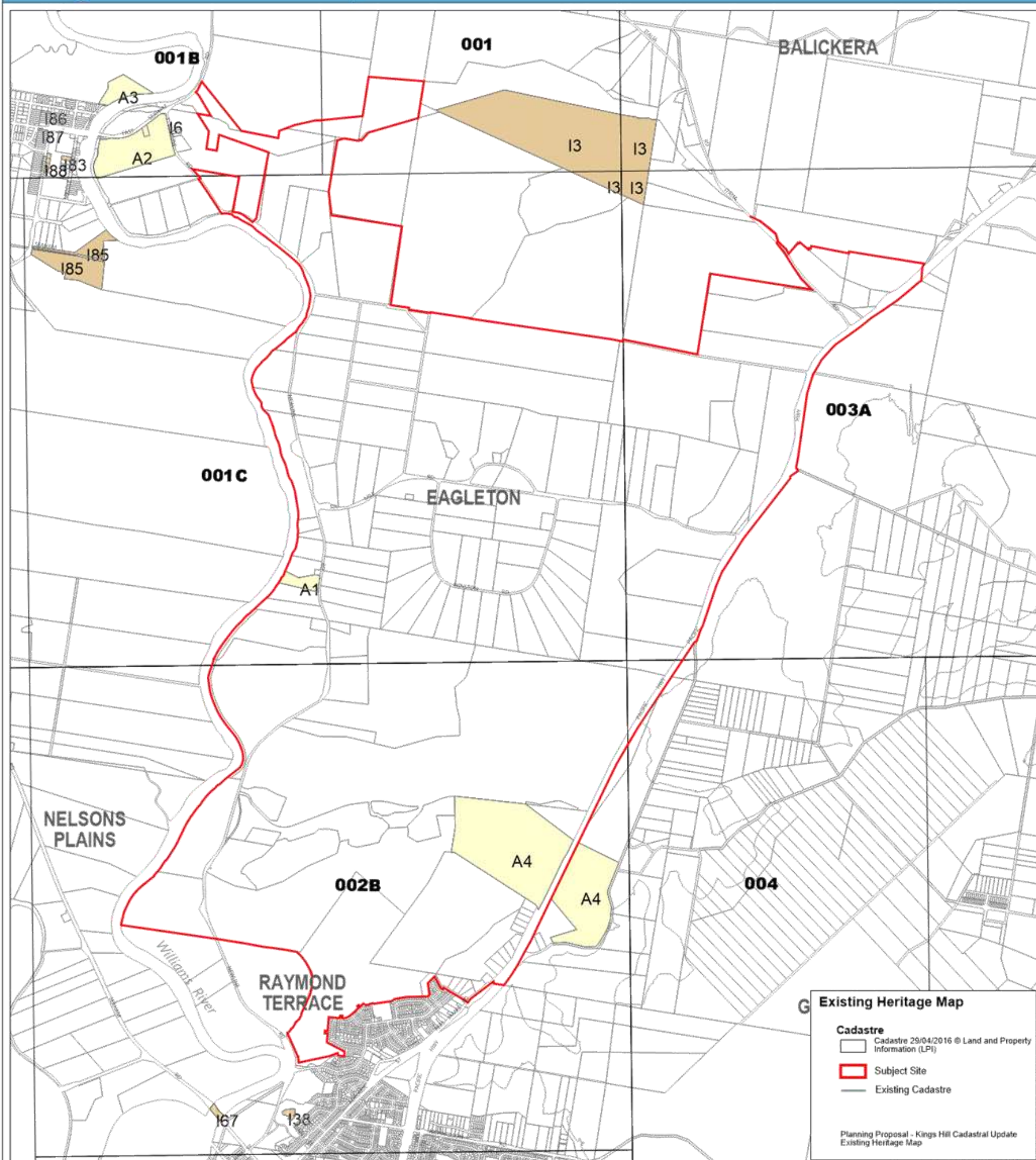




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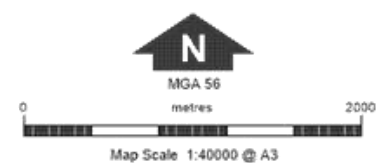


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## Port Stephens Local Environmental Plan 2013 - Heritage

- Conservation Area - General
- Item - General
- Item - Archaeological



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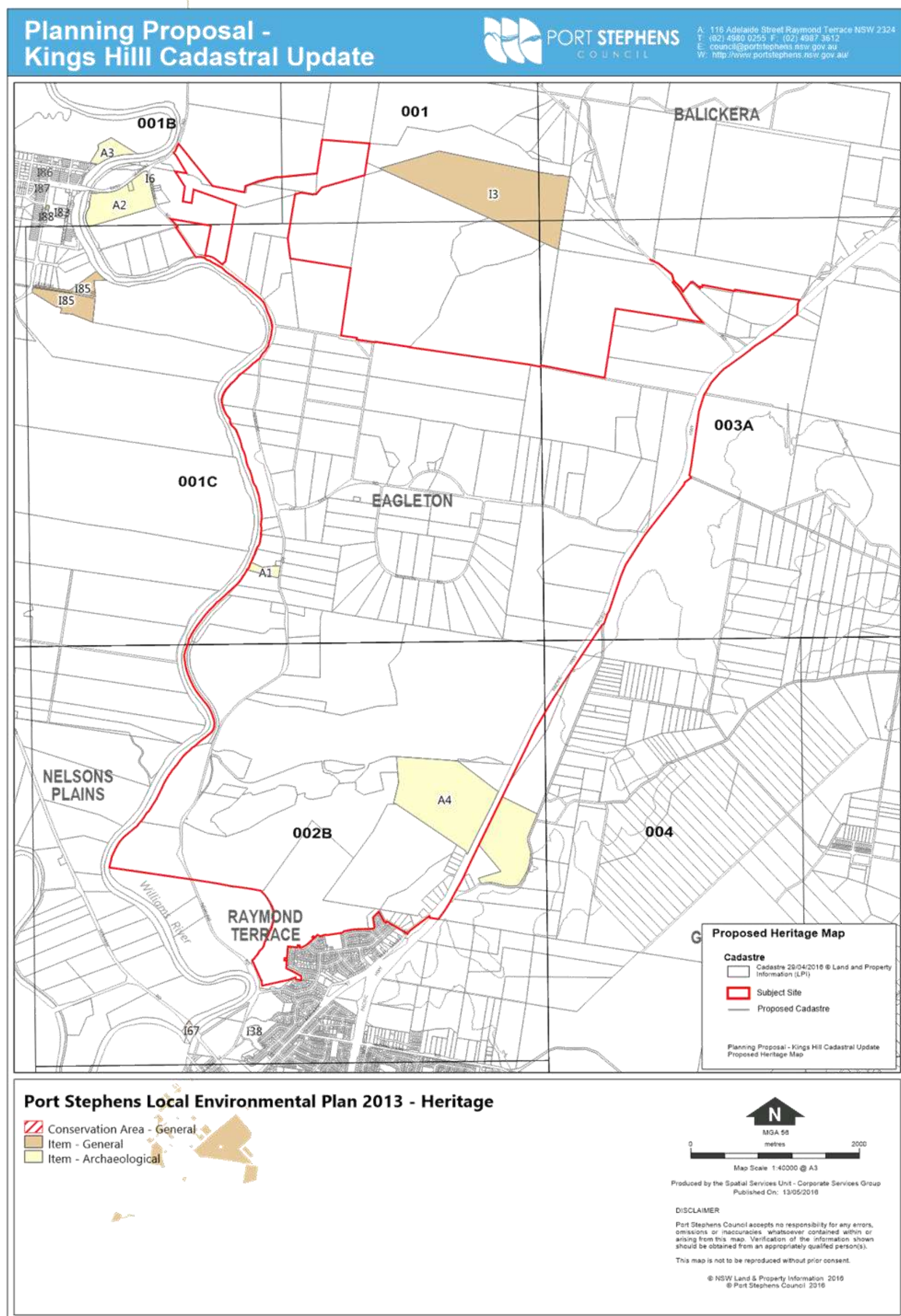
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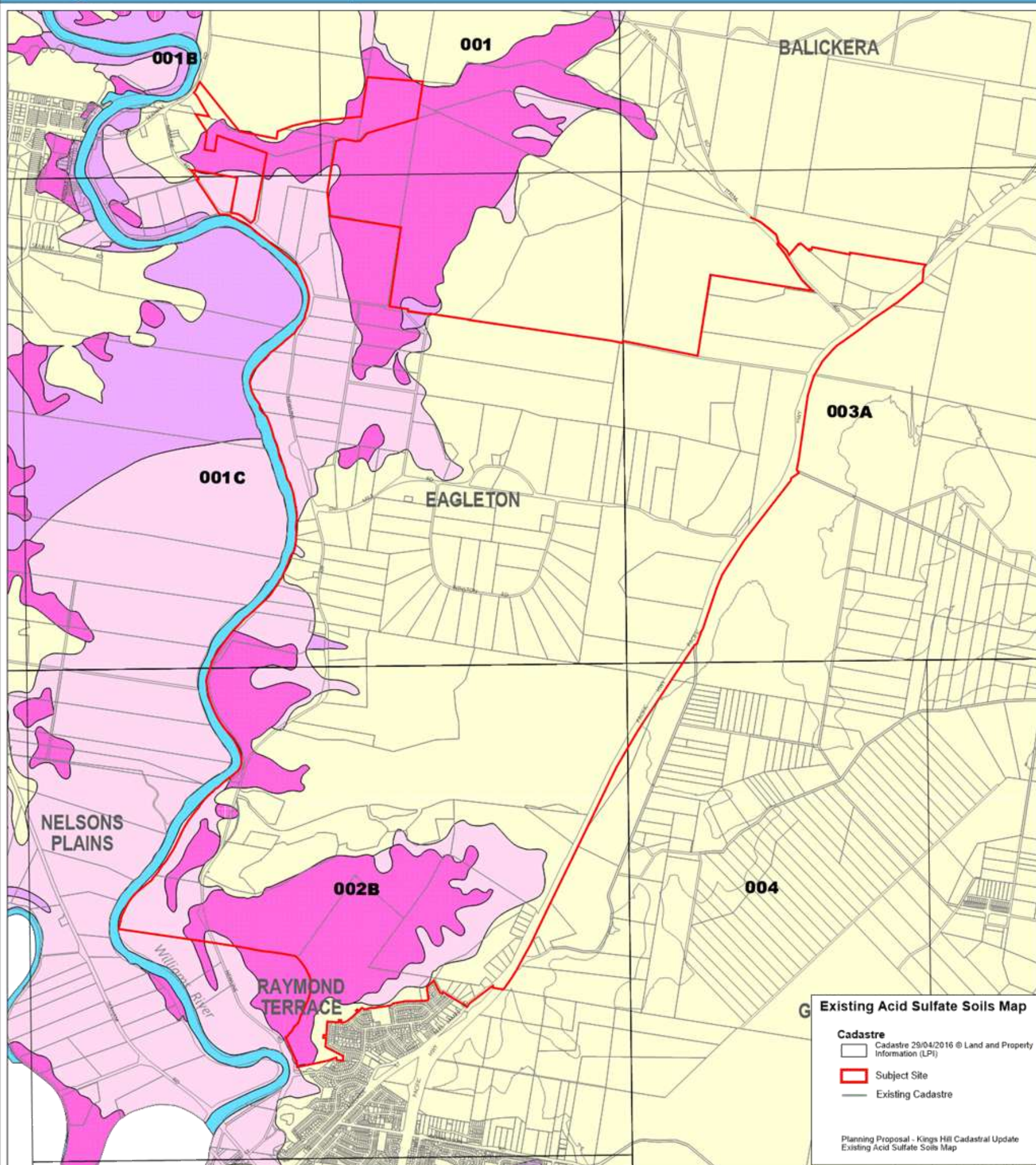




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## Port Stephens Local Environmental Plan 2013 - Acid Sulfate Soils

- Class 1
- Class 2
- Class 3
- Class 4
- Class 5



0 2000  
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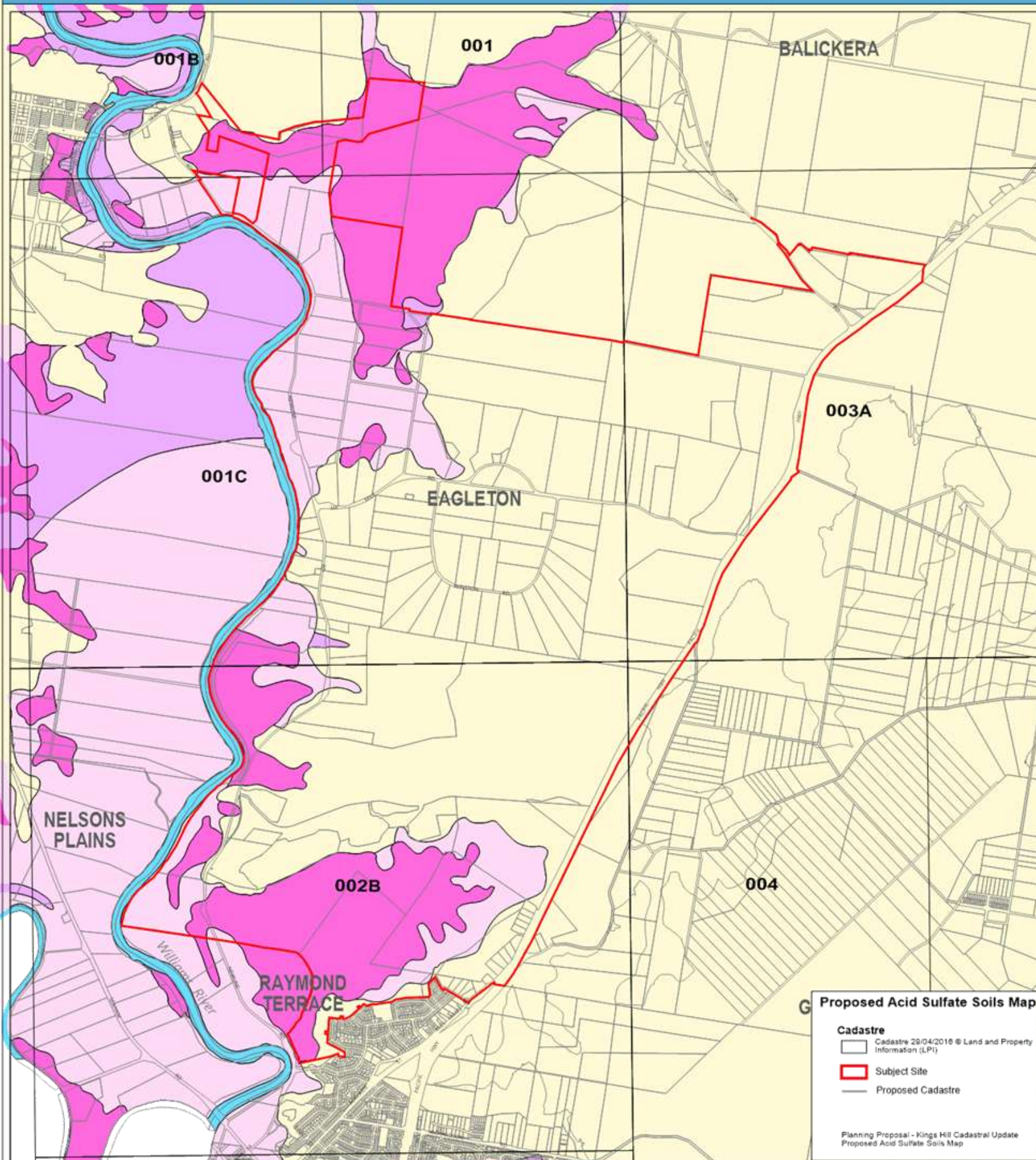
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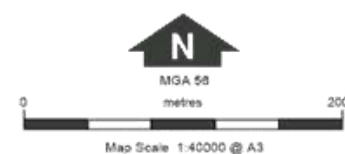


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### Port Stephens Local Environmental Plan 2013 - Acid Sulfate Soils

- Class 1
- Class 2
- Class 3
- Class 4
- Class 5



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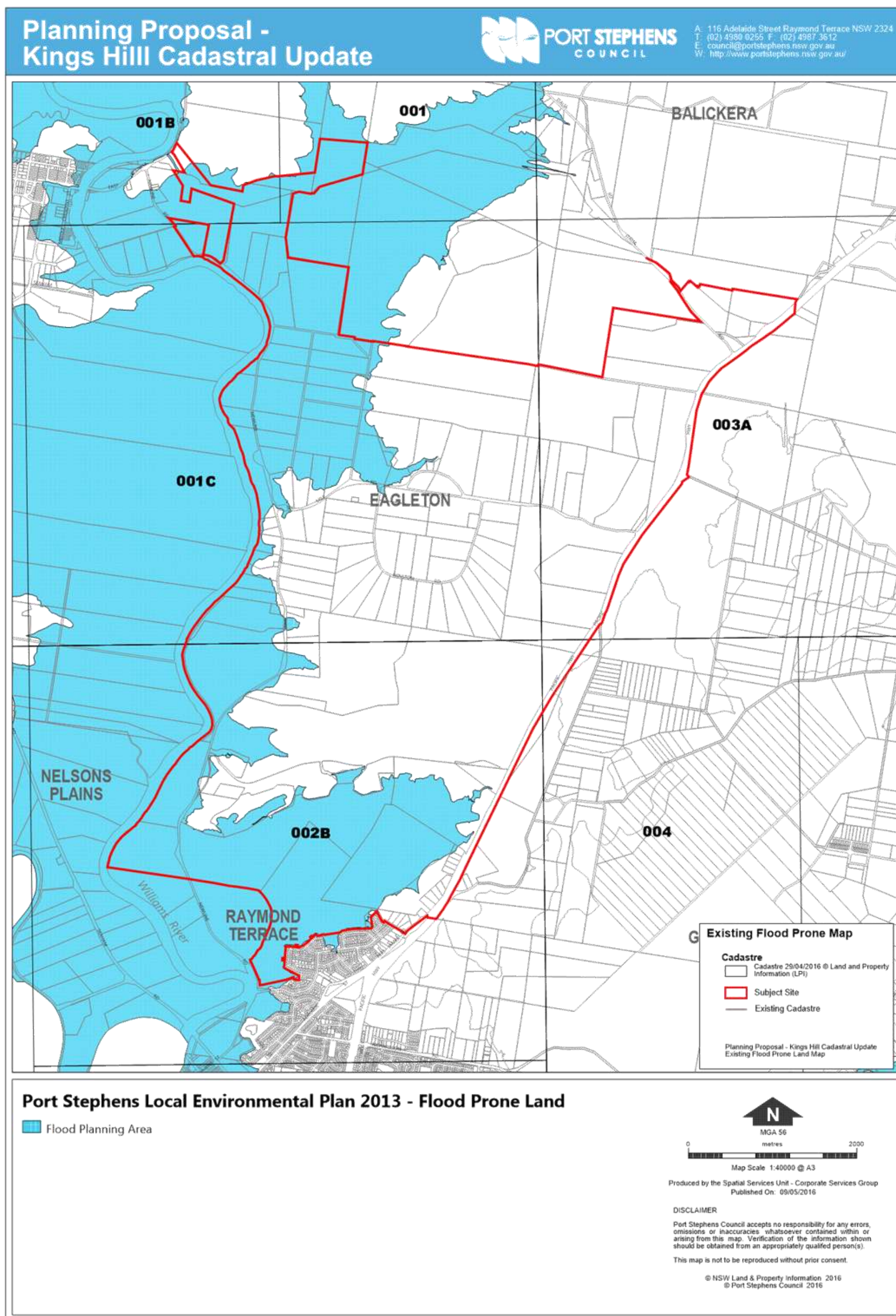
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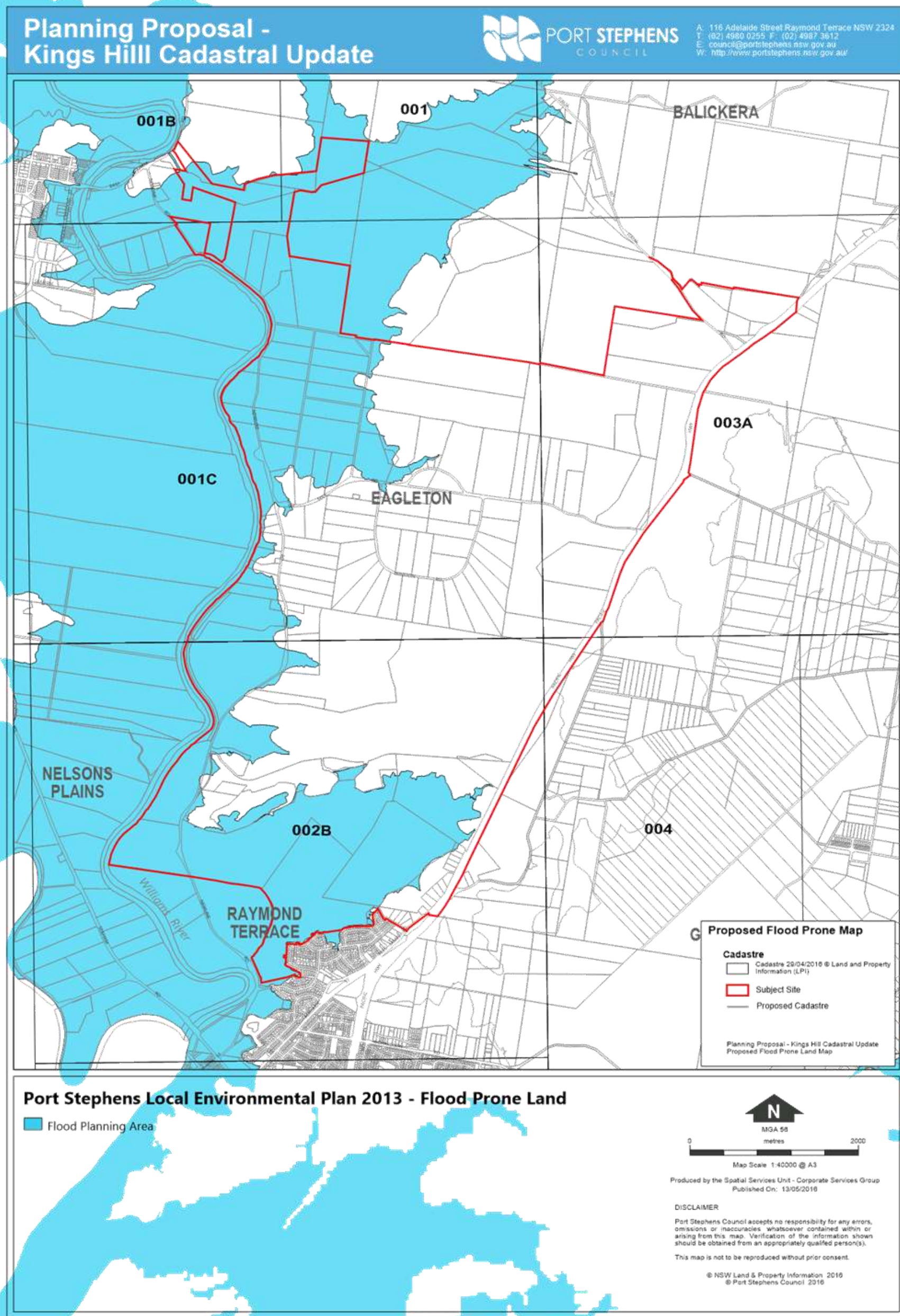
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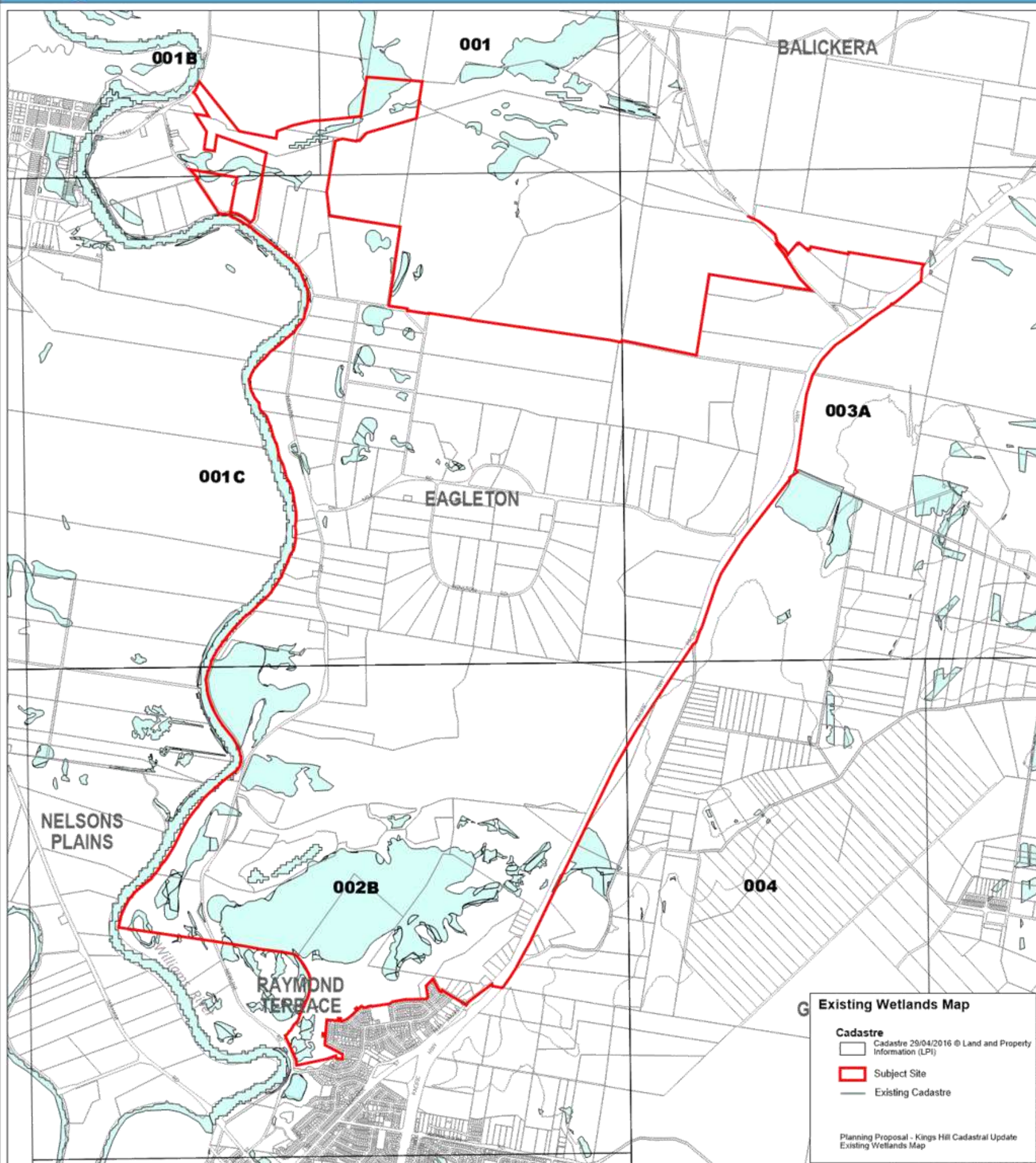




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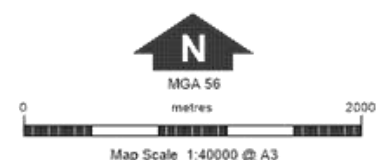


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## Port Stephens Local Environmental Plan 2013 - Wetlands

Wetlands



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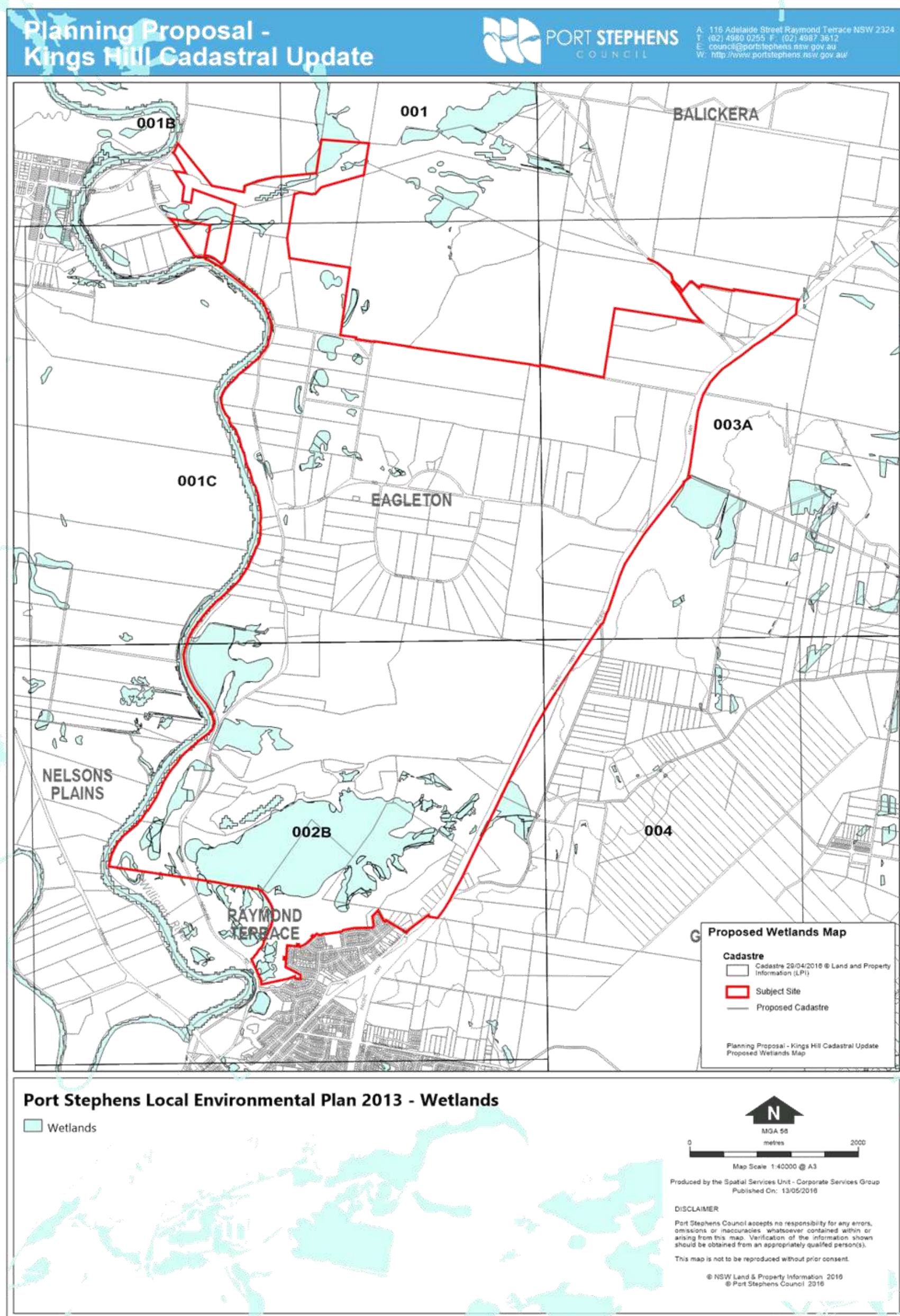
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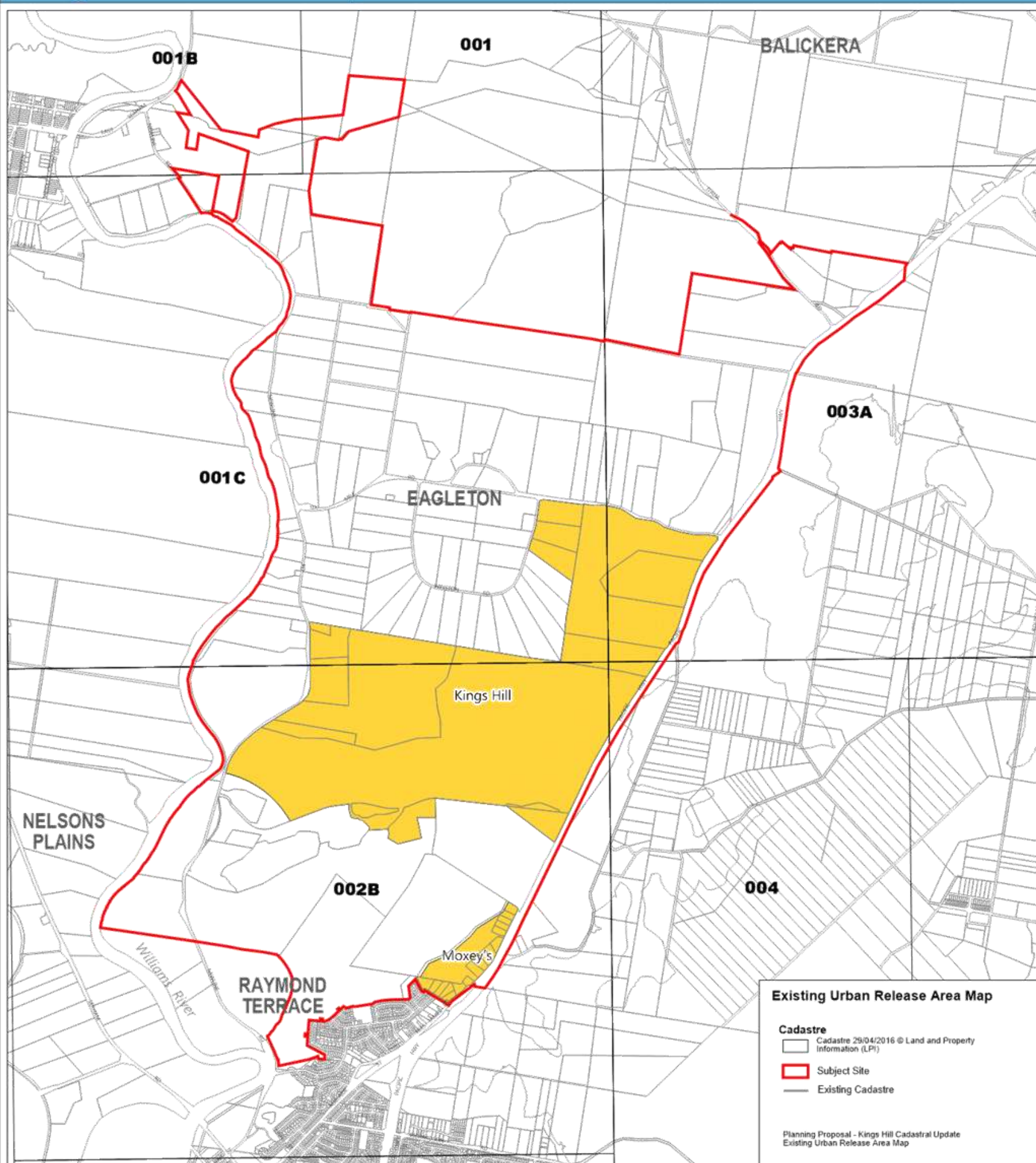




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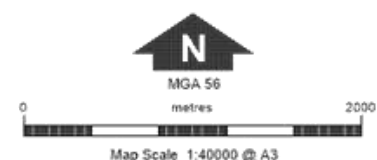


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## Port Stephens Local Environmental Plan 2013 - Urban Release Area Map

Urban Release Areas



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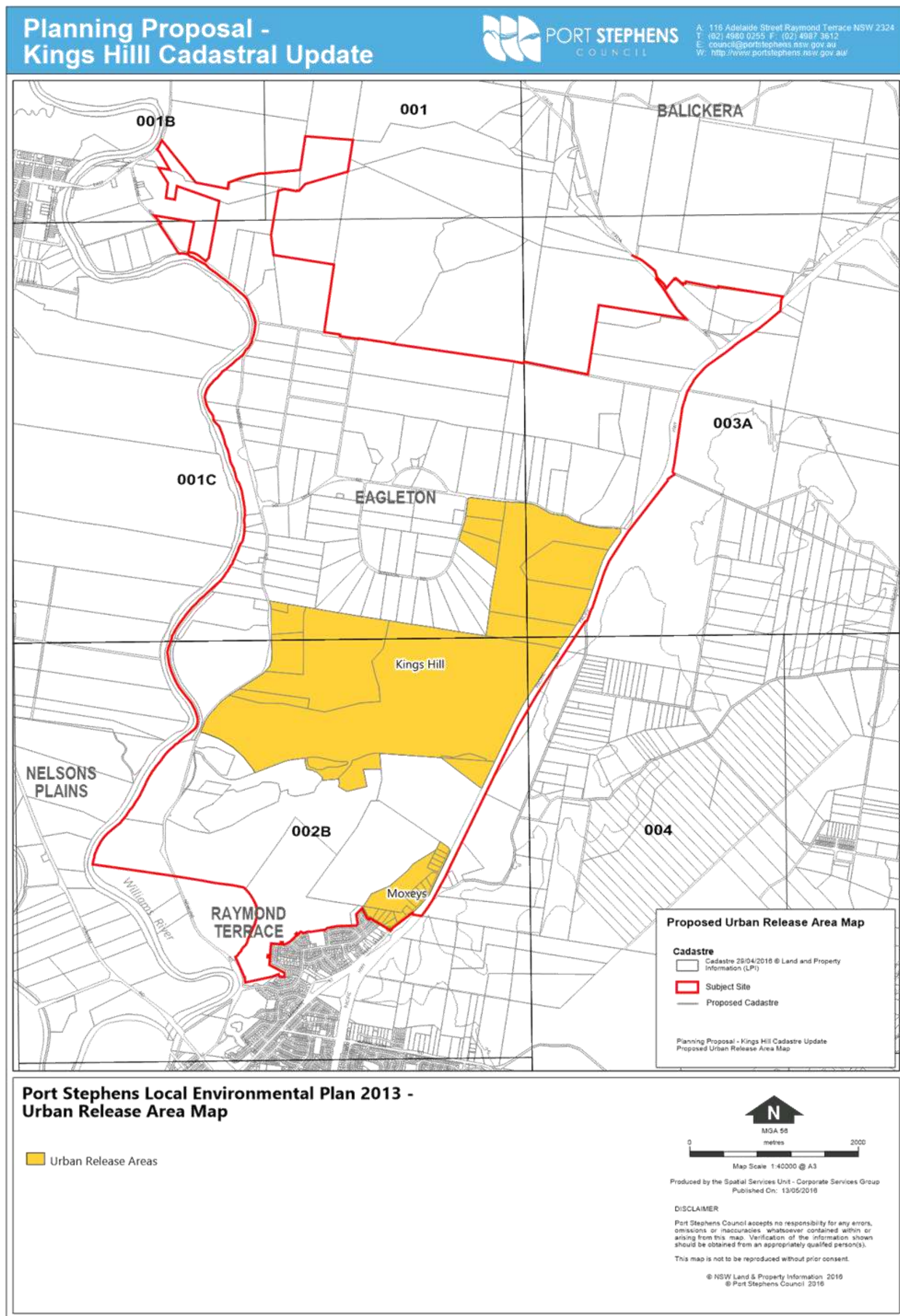
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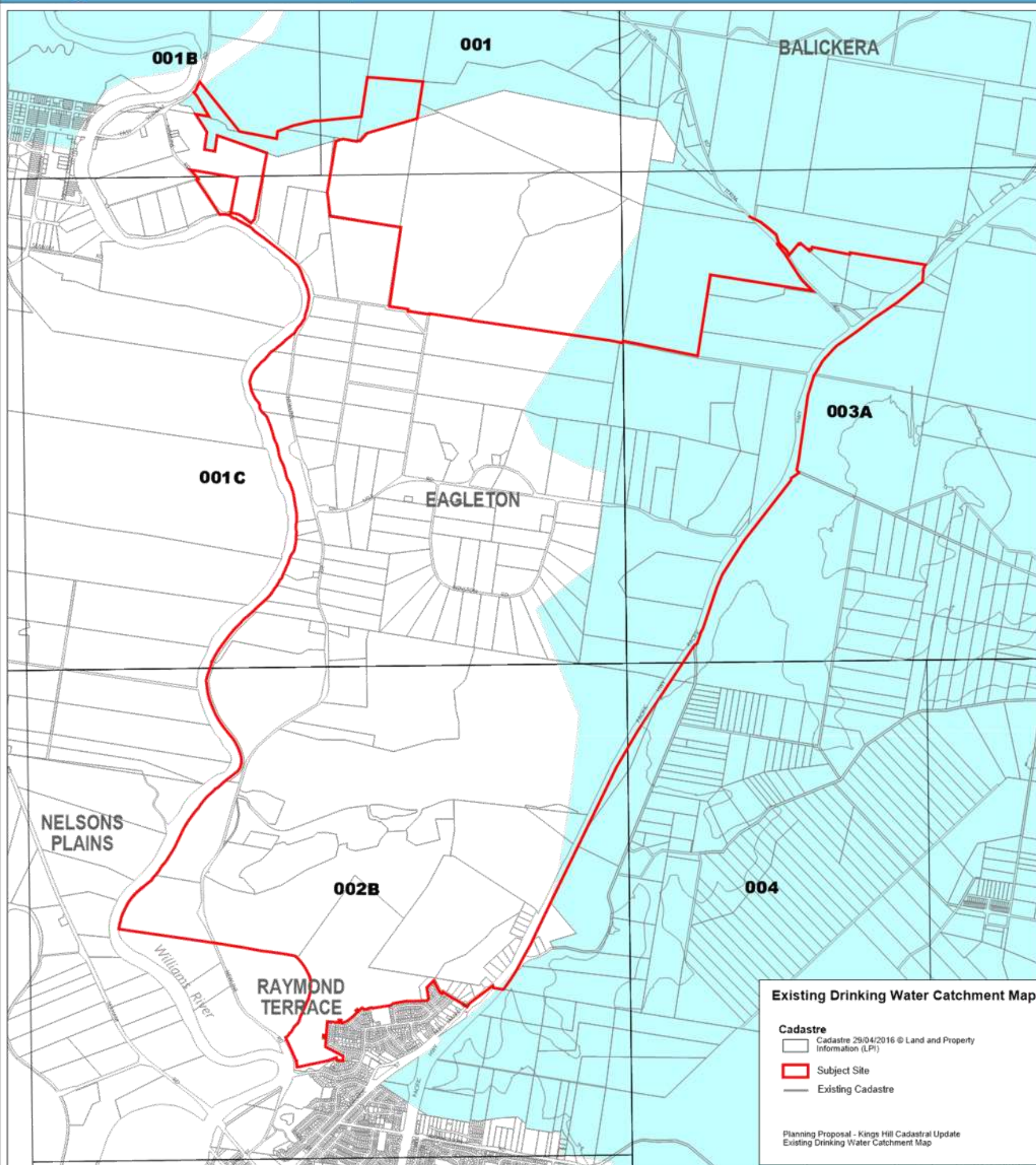




# Planning Proposal - Kings Hill Cadastral Update

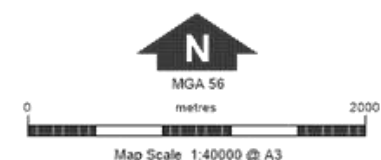


A: 116 Adelaide Street Raymond Terrace NSW 2324  
T: (02) 4989 0255 F: (02) 4987 3512  
E: council@portstephens.nsw.gov.au  
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## Port Stephens Local Environmental Plan 2013 - Drinking Water Catchment

Drinking Water Catchment Areas



Produced by the Spatial Services Unit - Corporate Services Group  
Published On: 09/05/2016

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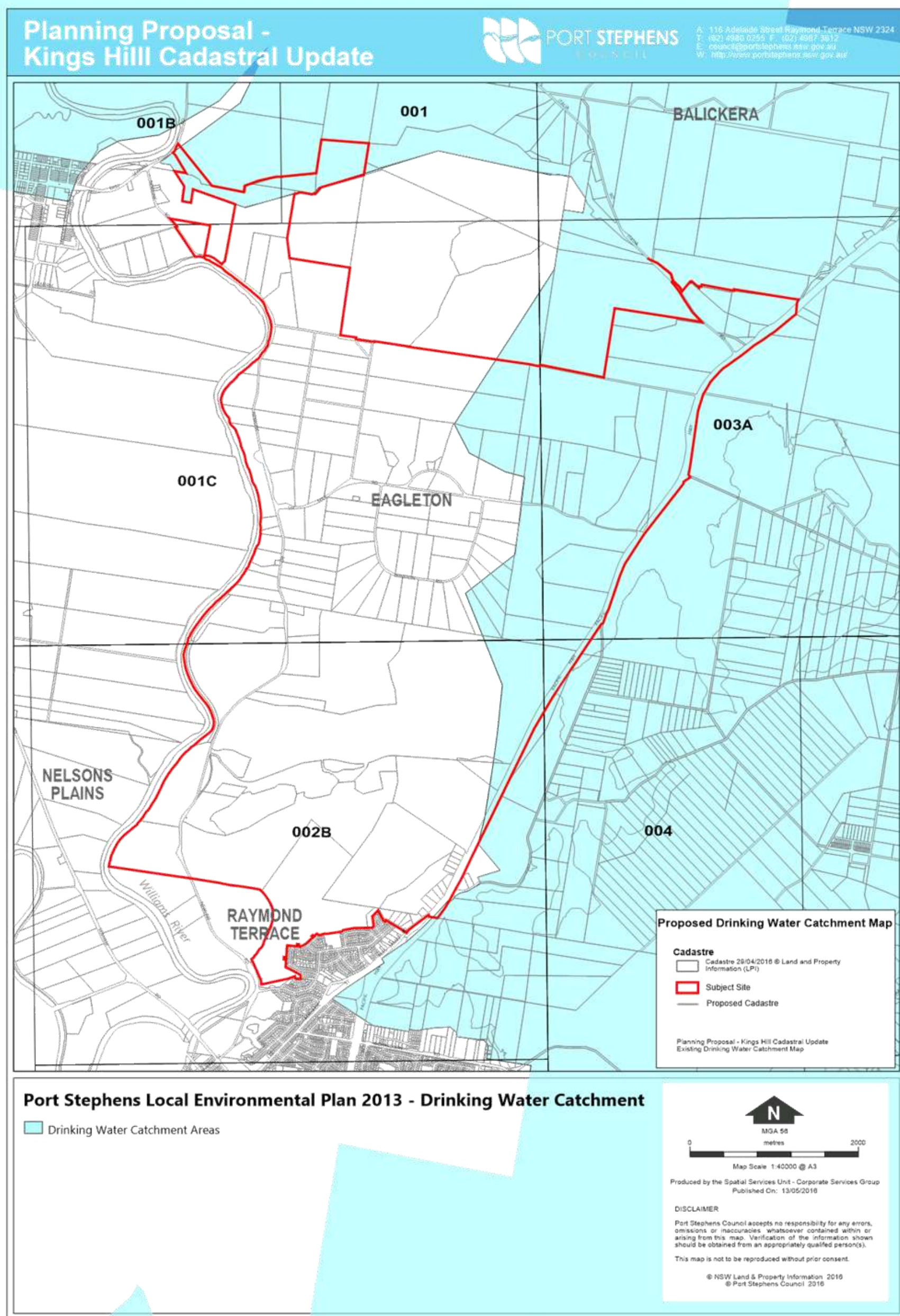
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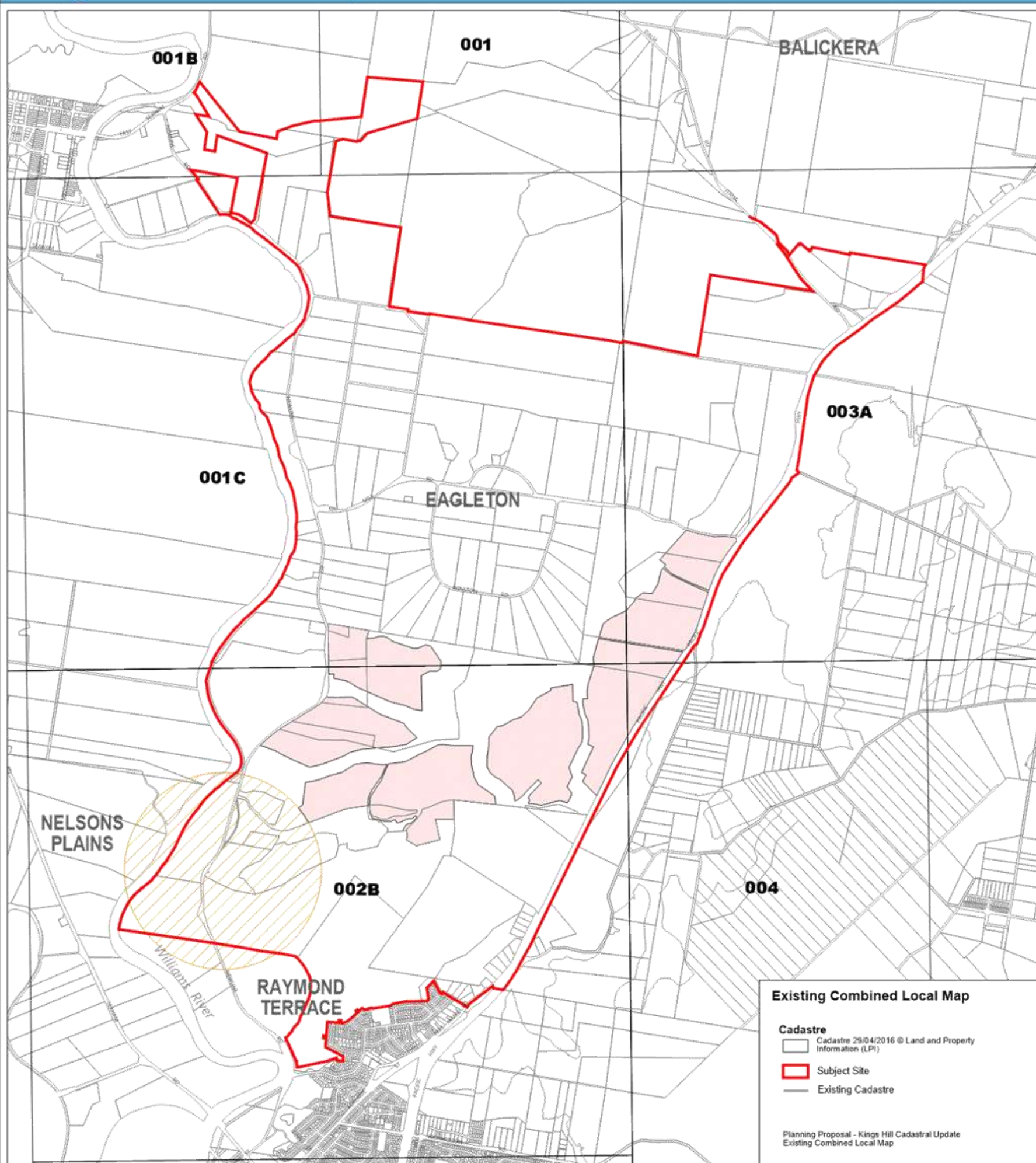




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T: (02) 4989 0255 F: (02) 4987 3512  
E: council@portstephens.nsw.gov.au  
W: http://www.portstephens.nsw.gov.au/



## Port Stephens Local Environmental Plan 2013 - Additional Permitted Uses, Precincts, Waste and Resource Management Facility

- Waste & Resource Management Facility
- Kings Hill Precinct



MGA 56  
metres 0 2000

Map Scale 1:40000 @ A3

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