

ATTACHMENTS UNDER SEPARATE  
COVER

ORDINARY COUNCIL MEETING  
14 JULY 2020



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

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## ITEM 3 - ATTACHMENT 1 SUMMARY OF SUBMISSIONS.

**Local Housing Strategy (Live Port Stephens) Response to Submissions**

This table summarises the submissions received on the exhibited Local Housing Strategy (Live Port Stephens). Live Port Stephens was exhibited concurrently with the Port Stephens Local Strategic Planning Statement (LSPS). Where submissions have addressed matters relevant to the LSPS, those matters have been addressed in the submission summary table accompanying that report.

No.	Author of submission	Comment	Council response
1	Heritage New South Wales	The submission supported the rezoning request requirements in the Urban Housing Criteria (Appendix 1) and the Rural Residential Criteria (Appendix 2) for addressing Aboriginal Cultural Heritage and Non-Aboriginal Cultural Heritage.	Noted.
		The submission suggested Council further articulate an approach to heritage as it relates to the character of an area, including potentially identifying clusters of places and items which contribute to the significant character of the places.	Local character statements will be prepared in accordance with action 20 of Live Port Stephens and will incorporate heritage values where applicable. Council will identify places and items which contribute to the character of places through the implementation of the draft Events and Cultural Strategy.
		The submission referred to the items of State Heritage significance that are in the LGA and concluded that care must be taken to avoid impacts on these items, places and sites, and consideration needs to be given as to how to mitigate any impacts where they are unavoidable.	Potential impacts on heritage items are required to be considered under the Environmental Planning & Assessment Act 1979 (EP&A Act).
2	Voice of Wallalong and Woodville	The submission provided a summary of the rural characteristics of Wallalong and its history of flooding. The submission provided the Paterson River Flood Study to support these comments.	The Flood Study is reflected in Council's Flood Planning Area Map.

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		The submission recommended Live Port Stephens be amended to reflect the rural planning principles outlined in the repealed State Environmental Planning Policy (Rural Lands) 2008 (Rural Lands SEPP).	The Rural Lands SEPP was repealed on 29 February 2019 and replaced with the State Environmental Planning Policy (Primary Production and Rural Development). The principles in the repealed Rural Lands SEPP were reproduced in Ministerial Direction 1.5 - Rural Lands which councils are required to give consideration to in the assessment of rezoning requests.
		The submission supported the statements made in Live Port Stephens in relation to environmental constraints such as flooding, slope, biodiversity etc. on pages 7 and 12.	Noted.
		The submission requests the Exclusionary Criteria in Appendix 2 to include a further criterion 'land that is likely to be isolated for more than 4 days by a flood event, not being within a Flood Planning Area as defined in the Port Stephens Development Control Plan 2014'.	Isolation due to flooding has not been included in the Exclusionary Criteria for new rural residential development as it possible to be an issue that can be resolved with infrastructure upgrades. A planning proposal for land that may become isolated during a flood event must address this risk and demonstrate how it can be resolved.
		The submission notes the Flooding Management Criteria in Appendix 2 is unworkable and not in the public interest. Flood warnings to evacuate are not guaranteed and future development would compromise the effectiveness of evacuations.	Noted.
		The submission requests the term 'agricultural industries' in Appendix 2 be replaced with a term that is defined in the Port Stephens Local Environmental	Using an LEP defined term may limit the application of the requirement. It is considered that 'agricultural industries' is an appropriate term because it will



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		Plan 2014 (LEP) such as rural industry or intensive livestock agriculture.	capture a wide range of land uses and will not be limited to intensive livestock agriculture.
		The submission notes that planning for housing developments must be cognitive of the needs of the people who will occupy the housing, and the environment in which it is located, provide a space that is safe, open, environmentally sustainable and integrates with the fauna and flora of the location.	Outcome 4 of Live Port Stephens contains actions to facilitate liveable communities within attractive, safe and sustainable environments.
3	Tomaree Ratepayers and Residents Association (TRRA)	The submission welcomed the high of level detail in Live Port Stephens and the supportive studies.	Noted.
		The submission noted the level of consultation for interested parties was good but limited for the general public.	Consultation with the community included social media engagement, drop-in sessions, an online survey and request for submissions.
		The submission noted that the Tomaree and Tilligerry peninsulas fall outside of the Greater Newcastle Metropolitan Frame and advised dwelling projections and proposed solutions based on the Greater Newcastle Metro Plan (GNMP) should not be applied due to environmental and scenic value.	Dwelling projections from the GNMP are for the entire Port Stephens Local Government Area (LGA), including areas outside of Greater Newcastle (pages 44 and 45 of the GNMP). The Department of Planning, Industry and Environment (DPIE) has provided advice that they expect Council to meet the targets in the GNMP across the entire LGA.
		The submission states Live Port Stephens lacks numerical targets for supply of different dwelling types in different locations.	The GNMP dwelling projection of 11,050 dwellings to 2036 applies the whole Port Stephens LGA. Live Port Stephens identifies infill housing opportunities around strategic and local centres on a map. Live Port Stephens also identifies investigation areas for

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			future rural residential housing by adopting the draft Port Stephens Rural Residential Strategy 2015 (draft RRS). Live Port Stephens adopts an overall merit-based approach to planning for new housing development, this ensures housing targets for different housing typologies will be met in locations that can meet the criteria specified.
		The submission noted that Live Port Stephens seems to encourage and facilitate as much medium density infill and greenfield housing development as the market is willing to deliver, within the identified constraints.	Live Port Stephens includes actions to supply a 15 year housing development pipeline and meet the GNMP dwelling projections. Live Port Stephens adopts a merit-based approach to planning for new housing, this ensures housing targets for different housing typologies will be met in locations that can meet the criteria specified.
		The submission noted 'Live Port Stephens references the REMPLAN report as identifying population growth slowing due to land supply, but implies that this is a bad thing to be avoided' and rejects this interpretation.	The GNMP requires all councils to prepare a housing strategy to ensure suitable land supply to meet dwelling projections supply a 15 year housing development pipeline.
		The submission states the REMPLAN finding that 'without intervention... the housing supply is unlikely to support the demand from expected employment growth' is invalid for the eastern peninsulas that fall outside of the Greater Newcastle Metropolitan Frame.	The GNMP dwelling projections apply to the whole Port Stephens LGA and the REMPLAN Report and analysis has been prepared for the entire Port Stephens LGA.
		The submission indicated the priorities and actions of Live Port Stephens will result in an oversupply of housing and that	The 60% infill target is an overall target for the wider Greater Newcastle area. While a specific target for Port Stephens has not been allocated, Live Port

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		the GNMP aim for 60% infill is unrealistic for Port Stephens.	Stephens is encouraging infill housing due to the limited availability of greenfield opportunities across the LGA. All new housing will be monitored (See action 2) and further actions will be taken to facilitate housing if supply of infill development is inadequate.
		The submission opposes the 'pro-growth' basis of Live Port Stephens and identifies a need for the eastern parts of the LGA to have different considerations to protect the environment and existing character. It also stated that Live Port Stephens will encourage densities that are too high in the eastern peninsulas, changing the local character.	Live Port Stephens has been prepared to satisfy the actions in the GNMP that require all councils to ensure a 15 year supply of new housing that can meet the dwelling projections in the GNMP and facilitate the infill housing targets specified in that plan. Live Port Stephens takes a place-based approach to ensure that proposed development can enhance the local character. Building types that will increase density but will integrate with existing low-rise streetscapes and neighbourhoods have been included in the Infill Housing Study prepared to support Live Port Stephens. Further consideration of character will be undertaken during the preparation of planning proposals and DCPs.
		The submission requests that Live Port Stephens clearly identifies the location of opportunity sites and undeveloped residential land. All publicly reported planning proposals should be included.	Live Port Stephens identifies infill housing opportunities around strategic and local centres on a map. Live Port Stephens also identifies investigation areas for future rural residential development by adopting the draft RRS. Live Port Stephens adopts an overall merit-based approach to planning for new housing development, this ensures housing targets for different housing typologies will

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			be met in locations that can meet the criteria specified. The location of sites the subject of planning proposals can be accessed on the State tracking webpage: <a href="http://leptracking.planning.nsw.gov.au/">http://leptracking.planning.nsw.gov.au/</a> . Existing local area strategies identify sites for potential investigation for housing (such as the Medowie Planning Strategy 2016).
		The submission indicates the protection of native vegetation requires higher weighting in relation to greenfield sites.	Live Port Stephens has been updated to require new rezoning requests for greenfield housing to provide a BDAR prior to public exhibition if 0.5 hectare of native vegetation is likely to be cleared.
		The submission notes that the use of existing development applications and complying development certificates to inform the future housing supply estimates in the REMPLAN report should be made clearer in Live Port Stephens.	Live Port Stephens has been amended to provide further clarity around how the projections for future housing supply have been determined.
		The submission notes the Local Housing Market Analysis (LHMA) relies on different REMPLAN figures to the REMPLAN report. The submission queried which figure is being used as the basis for housing demand.	The LHMA was prepared prior to the 2019 REMPLAN Report and was used to inform the Infill Housing Study. The figures used in Live Port Stephens to analyse supply have been informed by the REMPLAN, 2019, Port Stephens Demographic and Housing Overview Report (REMPAN Report).
		The submission states that PSC's current policies should provide sufficient housing supply and no further incentives or relaxation of standards are required.	The Infill Housing Study prepared to inform Live Port Stephens has found existing LEP controls are barriers to increasing the proportion of infill housing. The recommended actions in Live Port Stephens seek to facilitate

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			infill housing in appropriate locations and to assist Council in meeting the infill housing targets set in the GNMP. This will enable Port Stephens to achieve a diverse housing supply to meet demand that will rely less on greenfield development.
		The submission supports the conclusion that the Tomaree peninsula has more potential for infill development than greenfield and that development should be close to existing centres.	Noted.
		The submission indicates that occupancy rates in the Tomaree require further consideration.	Occupancy rates have been informed by ABS Census data. To refine our understanding of occupancy rates, Action 10 of Live Port Stephens outlines that Council will also consult with Fair Trading NSW to obtain data on short-term rental accommodation and to inform rental supply monitoring.
		The submission does not support outcome 1 of Live Port Stephens due to the potential for the relaxation of planning controls.	The independent review of LEP controls undertaken as part of the Infill Housing Study has found there are barriers to infill housing in Port Stephens. These barriers are preventing Council from achieving the GNMP's infill housing targets. Barriers to infill housing can increase overall rates of greenfield development to meet demand. Infill housing is encouraged in the GNMP because it can leverage existing infrastructure, reduce reliance on cars and can result in improved cumulative environmental outcomes.
		The submission supports the need for more affordable	Multi-dwelling housing and lifestyle villages can have the

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		housing. However, it states that multi-dwelling housing and lifestyle villages do not provide more affordable housing.	potential to provide more affordable housing. Smaller homes can mean lower costs, in addition, shared facilities can also lower costs for home owners.
		The submission states that constrained markets do not lead to increased rents.	Live Port Stephens notes that supply is just one contributor to the cost of housing. However, the GNMP notes supply does influence affordability.
		The submission suggests Council should lobby the State government for change, such as reforming stamp duty and regulating holiday letting.	Reforms to short-term rental accommodation have been announced by the State government recently. NSW Fair Trading will have a new role in regulating holiday letting. Action 10 of Live Port Stephens outlines that Council will consult with Fair Trading NSW to obtain more data on short-term rental accommodation.
		The submission supports the desirability of more efficient use of existing housing stock but notes there are no actions to achieve this. It encourages Council to explore incentives for downsizing and other ways for increasing occupancy.	Actions 5, 9, 15 and 16 of Live Port Stephens relate to encouraging and incentivising infill development in centres and small lot housing in urban release areas that will encourage downsizing.
		The submission supports the actions for Outcome 2 but is concerned they will lead to reduced transparency and lower quality development.	Action 20 of Live Port Stephens will ensure quality development is achieved and appropriate.
		The submission supports Outcome 3 'Diversity of housing choice' and the associated actions but would like further consideration of shop top housing.	Shop top housing is already permissible in all local centres. Feasibility testing undertaken as part of the Infill Housing Study suggests shop top housing is currently less favourable and residential flat buildings are preferred by the market.

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		The submission notes Action 13 'Implement the recommendations of the Infill Housing Study...' could have negative planning outcomes.	Live Port Stephens has been amended so that the action will allow for further consideration of the recommendations in the Infill Housing Study.
		The submission supports Outcome 4 Liveable Communities and the associated actions but requests more information regarding environmental challenges.	Live Port Stephens sits within a suite of strategic plans. Environmental challenges are addressed within other plans and strategies identified in the LSPS including a Biodiversity Strategy and Climate Change Adaptation Action Plan.
		The submission had concerns that the views of the Urban Design Panel would conflict with the community.	The Urban Design Panel provide independent expert advice to Council that is considered along with community submissions in making a determination. The role of the Panel is to provide professional expert opinion.
		The submission indicates there could be more information on the delivery of infrastructure as has been addressed in the LSPS.	The LSPS, and the plans and infrastructure strategies identified in the LSPS, address the delivery of infrastructure (such as Council's Strategic Asset Management Plan and Local Infrastructure Contributions Plans). Live Port Stephens has been updated following exhibition to require new rezoning requests for greenfield development to demonstrate that infrastructure is currently available or scheduled to be available. Rezoning requests that would exceed the existing infrastructure capacity are required to demonstrate that infrastructure upgrades can be delivered.
		The submission supports transparent publication of the implementation, monitoring and reporting of Live Port Stephens.	Noted.

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		<p>The submission generally supports Appendix 1 and 2 but makes the following comments:</p> <p>a. The submission states the Biodiversity Management Criteria from Appendix 1 only references the DPIE Biodiversity Values Map and should include koala mapping and additional environmental mapping to trigger a Biodiversity Development Assessment Report (BDAR).</p> <p>b. The submission states Appendix 1 implies any constraints can be overcome and could benefit from stronger language to acknowledge that some constraints cannot be overcome.</p>	<p>a. In addition to a BDAR requirement for land identified on the State government's Biodiversity Values Map (which includes land identified as preferred koala habitat), Live Port Stephens has been updated to also require a BDAR where 0.5 hectares of native vegetation is likely to be cleared for new greenfield development. The BDAR is required under the Biodiversity Conservation Act 2016 and provides guidance on avoiding and minimising biodiversity impacts.</p> <p>b. Live Port Stephens requires rezoning requests to demonstrate that land is suitable for urban housing by addressing locational criteria. Whether any site constraints can be overcome will be subject to assessment.</p>
		The submission states that Appendix 2 implies building on land that may become isolated during flood events is acceptable.	Isolation due to flooding has not been included in the Exclusionary Criteria for new rural residential development as it possible to be an issue that can be resolved with infrastructure upgrades. A planning proposal for land that may become isolated during a flood event must address this risk and demonstrate how it can be resolved. Rezoning requests that cannot adequately resolve these issues would be unlikely to proceed.
		The submission stated the criteria for rural residential	The Exclusionary Criteria for new rural residential housing excludes



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		housing should be strengthened to include a presumption against building on high flood risk land.	land within the Flood Planning Area. The criteria requires land within the Flood Planning Area to be lodged with a flood study demonstrating the land is suitable for development.
		The submission queried why row housing and manor houses were not tested for feasibility in Nelson Bay, Shoal Bay and Corlette. The submission states these forms of housing would likely be viable in Nelson Bay, Shoal Bay and Corlette and would be preferable to increasing height controls to improve the feasibility of apartments.	The Infill Housing Study has taken a place-based approach to ensure that proposed development types suit the existing local character of each suburb. The established built form within the Nelson Bay and Shoal Bay opportunity sites were found to be diverse, featuring multi-storey apartment buildings, particularly around the shore. It is noted that manor houses and terraces would already be subject to streamlined assessment as complying development in residential zones in Nelson Bay, Shoal Bay and Corlette.
4	Soldiers Point Community Group	The submission supports all of the matters raised in the submission made by TRRA.	Noted.
		The submission stated there is a need to protect the natural environment and to recognise that housing stock must become more sustainable and energy efficient.	Live Port Stephens includes criteria that protects land with high biodiversity and native vegetation. Action 8.3 of the LSPS will promote more sustainable development.
		The submission is concerned Live Port Stephens is focused on growth at the expense of the natural environment and does not address environmental challenges, including mitigation of land and loss of biodiversity, does not address the effects of climate change.	Live Port Stephens is part of the local planning and policy framework identified in the LSPS which includes plans and policies that address environmental matters. The LSPS includes commitments to review the Climate Change Adaptation Action Plan, prepare a Biodiversity Strategy and prepare and implement a Coastal Management Program.

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		The submission states that all new development should be required to incorporate some element of energy efficiency such as solar panels and that urban tree cover and provision for open space be incorporated into design concepts for proposed multi-residential developments.	Developments are required to incorporate elements of energy efficiency under the State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004.  The Port Stephens Development Control Plan 2014 (DCP) includes requirements for urban tree cover and will be reviewed alongside the tree and vegetation management framework addressed in Action 7.1 of the LSPS.
		The submission is concerned Live Port Stephens does not consider all aspects of concern to high rise development in Port Stephens.	Live Port Stephens is a high-level strategic document. Further detailed design considerations are addressed in local area strategies and the LEP and are considered on a site specific basis at the development applications stage.
		The submission rejects the proposal to allow increased heights and reduced setbacks in large suburban areas of Nelson Bay, Corlette and Shoal Bay.	The recommendations have been informed by the Infill Housing Study (IHS) which has identified the planning controls that are barriers to Council meeting the State government's infill housing targets.
		The submission accepts the need and demand for some further medium density infill development but states if Live Port Stephens is implemented unchanged, will encourage higher density in too many areas.	In accordance with the IHS and directions in the GNMP to focus density in walkable centres, Live Port Stephens recommends infill housing in areas that are well serviced by infrastructure and offer walkable distances to services.
		The submission is concerned Live Port Stephens is reliant on relaxing planning controls to achieve growth.	The IHS has been prepared in response to the GNMP direction to increase the proportion of infill housing in existing centres. The IHS recommends amendments to planning controls in appropriate

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			areas to assist Council in achieving the State government's infill housing targets.
		The submission is concerned there is inadequate infrastructure to support growth. The submission stated the current infrastructure for water, telecommunications, roads and power suppliers are struggling to keep up with demand.	Live Port Stephens has been updated to require new rezoning requests to demonstrate that infrastructure is currently available or scheduled to be available. Rezoning requests that would exceed the existing infrastructure capacity are required to demonstrate that infrastructure upgrades can be delivered. Port Stephens is also a member of the Hunter Urban Development Program (Hunter UDP) made up of Greater Newcastle councils and State agencies to coordinate infrastructure delivery with housing supply.
		The submission considers the infill / greenfield ratios to not be compliant with State planning guidelines.	Live Port Stephens aims to increase the proportion of infill development in Port Stephens and contribute to the GNMP regional target of 60% infill and 40% greenfield. Without implementing the identified actions, The REMPLAN Report shows that Port Stephens Council (PSC) is likely to provide only 25% of new development as infill under the current local planning framework. Councils are required by the State to prepare housing strategies demonstrating how they will contribute to the State government's infill housing targets.
5	Arbus Development	The submission supports Action 11 'Investigate process improvements to better streamline assessments and reduce the cost of housing'.	Noted.

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		The submission states that integrating assessments for rezonings and development applications (Action 11) would lead to significantly reduced approval timeframes and associated costs. Additionally, it could provide certainty of building constraints prior to the finalisation of a rezoning request.	Noted.
6	Portside Building Design	The submission recommended changing the planning controls for dual occupancies. The submission noted removing the requirement for vehicles to leave a property in a forward direction would encourage more infill development.	Action 8 of Live Port Stephens, 'Review local provisions to encourage more affordable dwellings within walking distance to town centres', proposes amendments to planning controls to facilitate infill development.
		The submission also recommended amending Schedule 1 of the LEP to permit secondary dwellings on certain land at Frederick Drive, Oyster Cove.	Noted.
7	Perception Planning on behalf of 4 Giles Road, Seaham	The submission requests that sites identified in the draft Port Stephens Rural Residential Strategy 2015 (draft RRS) be identified in Live Port Stephens. The submission also requested that a specific site (4 Giles Road, Seaham) be identified in Live Port Stephens as a future housing opportunity.	Live Port Stephens adopts a merit based approach to planning for new housing. Criteria for housing, including land excluded from rural residential use, has been informed by the draft RRS. The criteria has been amended requiring rural residential planning proposals to consider the draft RRS.
		The submission recommends amending Appendix 2 to remove the need for proposed R5 land to be within 800m of existing R5 land.	Live Port Stephens has been amended to enable rezoning requests for rural residential development for a wider range of sites, where the rezoning request considers the draft RRS.
		The submission requests Live Port Stephens to explain the	The Port Stephens Rural Residential Policy will be

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		role of existing Port Stephens Rural Residential Policy and draft RRS in relation to Live Port Stephens.	repealed upon the adoption of Live Port Stephens and the draft RRS will act as a background study to support the outcomes identified in Live Port Stephens. Rezoning requests for rural residential will be required to consider the draft RRS.
		<p>The submission also made the following general comments on Live Port Stephens.</p> <p>a. The submission requests that more information should be provided to explain how the existing supply figures were estimated and include mapping that identifies where this supply is located.</p> <p>b. The submission notes that if Kings Hill is not realised by 2036 there will a shortage in supply and identifies the following potential alternative sites:</p> <ul style="list-style-type: none"> <li>- Residential and rural residential at Wallalong;</li> <li>- Residential at Fern Bay and Fullerton Cove;</li> <li>- Additional urban housing at Anna Bay;</li> <li>- Rural residential at Brandy Hill / Nelsons Plains; and</li> <li>- Infill within the Tomaree, such as Boat Harbour, Fingal Bay, Corlette, etc.</li> </ul> <p>c. The submission noted the Housing Opportunities Map needs to identify new housing opportunities instead of reflecting what is already in the pipeline. The submission noted that Live</p>	<p>Noted.</p> <p>a. Live Port Stephens has been amended to provide further clarity on how the future supply was derived.</p> <p>b. Rezoning requests consistent with Live Port Stephen, will be progressed in response to supply gaps. Monitoring will be undertaken to ensure adequate housing supply to meet demand and affordable housing.</p> <p>c. Live Port Stephens includes actions to supply a 15 year housing development pipeline and meet the GNMP dwelling projections. Live Port Stephens adopts a merit based approach to planning</p>

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		Port Stephens stated the Housing Opportunities Map was informed by areas identified in the draft RRS but does not include Wallalong on the map.	for new housing, this ensures housing targets for different housing typologies will be met in locations that can meet the criteria specified. Monitoring will be undertaken to ensure adequate housing supply to meet demand and affordable housing.
		d. The submission stated Live Port Stephens should clarify its relationship with existing strategies and whether any will be overridden or revoked.	d. Existing local area strategies will continue to provide the long term strategic vision and actions for our centres. Rezoning requests for housing will need to demonstrate consistency with Live Port Stephens. In preparing Live Port Stephens, the outcomes and actions in existing local area strategies have been taken into consideration and are not considered to be inconsistent.
		e. The submission supports Action 4. Adopt the recommendations of the Infill Housing Study. The submission supports each of the recommendations and provided examples of possible alterations.	e. Noted.
		f. The submission notes the Heritage Conservation Area in Raymond Terrace should be reviewed as some buildings within the area have no heritage value.	f. Heritage Conservation Areas do not necessarily have to contain only items of heritage significance. Heritage Conservation Areas are declared where areas contain some elements of the built environment which collectively have heritage significance.
		g. The submission noted Appendix 1 and 2 should	g. Some of the constraints in the criteria for Live Port

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		be mapped to identify opportunities.	Stephens can be mapped, but other constraints will change over time (for example, the Biodiversity Values Map published by DPIE is updated every three months). Listing criteria and describing the constraints in prose enables Live Port Stephens to remain current.
		h. The submission notes Appendix 1 should not exclude land that is already zoned R5 as this land presents an opportunity for infill housing.	h. Live Port Stephens has been amended to allow R5 zoned land identified within a local area strategy to be considered for greenfield housing.
		i. The submission provided mapping that demonstrated how Live Port Stephens could portray the following: <ul style="list-style-type: none"> <li>- The existing situation and future opportunities;</li> <li>- The existing subdivision and housing approvals to display trends;</li> <li>- Existing dwelling entitlements to show existing supply; and</li> <li>- Constraints mapping to display Appendix 1 and 2.</li> </ul>	i. Action 6 of Live Port Stephens proposes the preparation of an annual report of land supply and dwelling production which will include existing opportunities and housing approvals. Future opportunities will continue to be identified in Local area strategies. Existing dwelling entitlements are determined for individual holdings on application from landowners.
8	Perception Planning on behalf of 672 Medowie Road, Medowie	The submission requested for a specific site (672 Medowie Road, Medowie) to be identified in Live Port Stephens as a future housing opportunity.	See the response to submission 7 above in respect of identifying specific sites for future housing in Live Port Stephens.
		The submission requests Live Port Stephens be amended to explain the role of existing strategies, such as the Medowie Planning Strategies.	See response to submission 7 above (paragraph d).
		The submission also made general comments on Live Port	See response to submission 7 above.

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		Stephens as detailed in submission 7.	
9	Perception Planning on behalf of landowners at Old Main Road, Anna Bay	The submission has requested that a specific planning proposal for land at Anna Bay (PP_2012_PORTS_001_00) be identified in Live Port Stephens as a future housing opportunity.	See the response to submission 7 above in respect of identifying specific sites for future housing in Live Port Stephens.
		The submission notes the actions to adopt and implement the recommendations of the IHS implies that Council would like to amend the Gateway determination for the Anna Bay planning proposal to include R3 Medium Density Housing for the areas of the site within 400m of B zoned land.	Live Port Stephens has been updated to refer to considering the recommendations of the IHS. The IHS applies to infill areas already zoned for residential purposes and did not specifically consider the land the subject of this planning proposal.
		The submission requests Appendix 1 be amended to remove the criteria 'land that is currently zoned for non-residential purposes and is proposed to be zoned for urban housing' as it prevents rezoning land from R2 Low Density Residential to R3 Medium Density Residential.	The criteria for greenfield housing in Live Port Stephens does not apply to land already zoned for urban residential purposes to facilitate infill housing, such as a rezoning from R2 to R3. In accordance with the IHS, Live Port Stephens identifies separate criteria and suitable locations for new infill housing in areas that are well serviced by infrastructure and offer walkable distances to services.
		The submission requests for Live Port Stephens to explain the role of existing strategies, such as the Anna Bay Strategy and Town Plan.	See response to submission 7 above (paragraph d).
		The submission also made general comments on Live Port Stephens as detailed in submission 7.	See response to submission 7 above.
10	Perception Planning on	The submission requested for a specific site (Castaway Close,	See the response to submission 7 above in respect of identifying



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	behalf of landowners at Castaway Close, Boat Harbour	Boat Harbour) to be identified as in Live Port Stephens as a future housing opportunity.	specific sites for future housing in Live Port Stephens.
		The submission requests Appendix 1 be amended to remove the criteria 'land that is currently zoned for non-residential purposes and is proposed to be zoned for urban housing' as it prevents rezoning land from R2 Low Density Residential to R3 Medium Density Residential.	See the response to submission 9 above in respect of the criteria for new greenfield housing and the separate assessment framework for infill housing.
11	Perception Planning on behalf of Coastal Earthmoving Hire Pty Ltd	The submission has requested that a specific planning proposal at Fullerton Cove (PP_2018_PORTS_002_00) be identified in Live Port Stephens as a future urban housing opportunity.	See the response to submission 7 above in respect of identifying specific sites for future housing in Live Port Stephens.
		The submission also requests the study area within the Fern Bay and North Stockton Strategy be extended to include all of Fullerton Cove.	The Fern Bay and North Stockton Strategy was adopted by Council 14 April 2020.
		The submission provided the following mapping from the draft precinct plan for the Fullerton Cove planning proposal: <ul style="list-style-type: none"> <li>- Fullerton Cove study areas;</li> <li>- Fullerton Cove constraints;</li> <li>- Fullerton Cove non-developable land; and</li> <li>- Fullerton Cove land for housing</li> </ul>	Noted.
12	Perception Planning on behalf of 8 Porphyry Street, Seaham	The submission requested for a specific site (8 Porphyry Street, Seaham) to be identified as in Live Port Stephens as a future housing opportunity.	See the response to submission 7 above in respect of identifying specific sites for future housing in Live Port Stephens.

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		The submission requests for Appendix 2 to be amended to remove the need for proposed R5 land to be within 800m of existing R5 land.	The Locational Criteria for rural residential housing has been amended to consider proposals that are not within 800m of existing R5 land where they are identified within an investigation area in the draft RRS and consider all the land within the investigation area.
		The submission states Live Port Stephens should address the role of existing strategies such as the Rural Lands Study and Strategy, the Rural Residential Policy and draft precinct plans.	<p>The Port Stephens Rural Residential Policy will be repealed upon the adoption of Live Port Stephens and the draft RRS is named as a background study and incorporated in to the assessment criteria for new rural residential housing.</p> <p>Prior to the exhibition of Live Port Stephens, DPIE advised councils that 'precinct plans' could be prepared to provide strategic justification for planning proposals in advance of a local housing strategy. On adoption of Live Port Stephens, Council will have a local housing strategy that can support the progression of planning proposals.</p>
		The submission noted that the planning proposal for 8 Porphyry Street, Seaham is not consistent with Appendix 2 but is identified in the Housing Opportunities Map and requires further consideration.	The exhibited Housing Opportunities Map was a guide to where existing strategies and Gateway certificates have been issued for new housing. The Map is not included in the final housing strategy as the criteria approach to identifying new housing has been amended to refer to existing local strategies. Any planning proposals that cannot meet the criteria in Live Port Stephens may provide studies and justification for the inconsistency (other than the criteria listed as 'exclusionary').

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No.	Author of submission	Comment	Council response
		The submission also made general comments on Live Port Stephens as detailed in submission 7.	See response to submission 7 above.
13	Perception Planning on behalf of 699 Hinton Road, Osterley, 39 Ralston Road, Nelsons Plains and 154 McClymonts Swamp Road, Wallalong	The submission requested for the boundaries of a specific site (39 Ralston Road, Nelsons Plains) to be identified in Live Port Stephens as a future rural housing opportunity.	See the response to submission 7 above in respect of identifying specific sites for future housing in Live Port Stephens.
		The submission notes that the Ralston Road site is mapped in Live Port Stephens as a 'rural housing opportunity'.	The exhibited Housing Opportunities Map was a guide to where existing strategies and Gateway certificates have been issued for new housing, including Brandy Hill. The Map is not included in the final housing strategy as the criteria approach to identifying new housing has been amended to refer to existing local strategies.
		The submission requests for Appendix 2 to be amended to remove the need for proposed R5 land to be within 800m of existing R5 land.	The Locational Criteria for rural residential housing has been amended to consider proposals that are not within 800m of existing R5 land where they are identified within an investigation area in the draft RRS and consider all of the land within the investigation area.
		The submission states Live Port Stephens should address the role of existing strategies such as the Rural Lands Study and Strategy, the Rural Residential Policy and draft precinct plans.	See response to submission 12 above.
		The submission also made general comments on Live Port Stephens as detailed in submission 7.	See response to submission 7 above.

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<b>No.</b>	<b>Author of submission</b>	<b>Comment</b>	<b>Council response</b>
14	Perception Planning on behalf of 610 Seaham Road, Nelsons Plains	The submission requested for the boundaries of a specific site (610 Seaham Road, Nelsons Plains) to be identified in Live Port Stephens as a future rural housing opportunity.	See the response to submission 7 above in respect of identifying specific sites for future housing in Live Port Stephens.
		The submission requests for Appendix 2 to be amended to remove the need for proposed R5 land to be within 800m of existing R5 land.	The Locational Criteria for rural residential housing has been amended to consider proposals that are not within 800m of existing R5 land where they are identified within an investigation area in the draft RRS and consider all the land within the investigation area.
		The submission states Live Port Stephens should address the role of existing strategies such as the Rural Lands Study and Strategy, the Rural Residential Policy and draft precinct plans.	See response to submission 12 above.
		The submission also made general comments on Live Port Stephens as detailed in submission 7.	See response to submission 7 above.
15	Perception Planning on behalf of AO Farm Holding Pty Ltd	The submission requested for the boundaries of a specific site (339 Tarean Road, Karuah) to be identified in Live Port Stephens as a future housing opportunity.	See the response to submission 7 above in respect of identifying specific sites for future housing in Live Port Stephens.
		The submission noted that implementing Action 4 of Live Port Stephens 'Adopt recommendations in the Infill Housing Study...' would lead to R2 Low Density Residential zoned land within walking distance of business zones being rezoned to R3 Medium Density Residential.	Live Port Stephens has been updated to refer to considering the recommendations of the IHS. The IHS applies to infill areas already zoned for residential purposes and did not specifically consider the land the subject of this planning proposal.

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No.	Author of submission	Comment	Council response
		The submission requests Appendix 1 be amended to remove the criteria 'land that is currently zoned for non-residential purposes and is proposed to be zoned for urban housing' as it prevents rezoning land from R2 Low Density Residential to R3 Medium Density Residential and contradicts Action 4.	See the response to submission 9 above in respect of the criteria for new greenfield housing and the separate assessment framework for infill housing.
		The submission states Live Port Stephens should explain the role of existing strategies such as the Karuah Growth Strategy in relation to Live Port Stephens.	See response to submission 7 above (paragraph d).
		The submission also made general comments on Live Port Stephens as detailed in submission 7.	See response to submission 7 above.
16	RPS Group on behalf of landowners at 10 Frost Road, Anna Bay	The submission requested Live Port Stephens be amended to identify land at 10 Frost Road, Anna Bay as a future housing opportunity.	See the response to submission 7 above in respect of identifying specific sites for future housing in Live Port Stephens.
17	Eco Network	The submission states that Live Port Stephens should be commended for looking to increase the proportion of infill housing. The submission notes that new dwellings should be located on infill or greenfield sites and avoid native habitat and vegetation.	Noted.
		The submission noted Live Port Stephens did not address environmental challenges including mitigation and adaptation to climate change and loss of biodiversity. The submission proposed Live Port	See response to submission 4 above. Live Port Stephens is part of the local planning and policy framework identified in the LSPS which includes plans and policies that address environmental matters.

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		Stephens should implement a policy to integrate the natural world when planning for and assessing housing development.	
		The submission notes that Live Port Stephens should consider improved connectivity between safe havens for native wildlife.	<p>Live Port Stephens includes criteria for future housing to provide a biodiversity assessment if the land is identified on the State's Biodiversity Values Map. That Map identifies land with important biodiversity values, including corridors.</p> <p>The LSPS includes an action to prepare a Biodiversity Strategy which may identify important local biodiversity corridors and measures to preserve and protect those corridors.</p>
		The submission is concerned that Council is considering the relaxation of standards through Action 6 of Live Port Stephens 'Review local provisions to encourage more affordable dwellings...'.	The review of LEP controls undertaken as part of the IHS found there are barriers that may be hindering delivery of infill housing. Any changes to controls and standards to facilitate infill housing will be subject to assessment and community consultation as part of the process of amending the LEP and DCP. Changes will also be benchmarked against other councils to ensure appropriate planning standards and controls are maintained whilst meeting the State government's infill housing targets set in the GNMP.
		The submission is concerned that reduced wait times and associated costs will reduce the quality of building standards.	Live Port Stephens includes actions to investigate reducing timeframes for the administrative processes for planning proposals and development applications. Building quality is regulated through standards set in State

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			legislation and cannot be amended by Council.
		The submission notes that biodiversity offsets do not ensure the preservation of flora and fauna and are a device for developers to circumvent ecologically sustainable development.	Biodiversity offsets are facilitated by State legislation and policies, in particular the Biodiversity Conservation Act 2016. As set out in that legislation, offsetting is only available if a development cannot otherwise avoid or minimise impacts. Further, the legislation does not enable offsetting where the impacts of a development would cause serious or irreversible impacts on biodiversity.
		The submission suggests PSC should be planning for smaller electric buses, particularly in the eastern part of the Tomaree Peninsular to alleviate parking and reduce traffic congestion.	Action 20 of the Progressing the Nelson Bay Town Centre and Foreshore Strategy: A revised implementation and delivery program seeks to prepare an integrated transport plan for Nelson Bay and surrounds which will incorporate public transport options.
		The submission noted improved landscape design can improve water management and efficiency. The submission provided examples of development outcomes that can improve water efficiency and reduce pollution.	Developments are required to incorporate and meet State standards for energy efficiency under the State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004.  The LSPS includes actions to review local measures to improve water quality and management, Action 8.4 'Council will review existing policies for water sensitive design and consider options to improve outcomes for the environment and homeowners'.
		Live Port Stephens should introduce policies that encourage ecologically	New development is required to incorporate and meet State standards for energy efficiency

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		sustainable development above and beyond the BASIX requirements.	<p>under the State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004.</p> <p>Council may investigate additional local requirements that increase water and energy efficiency in new development. The implications of the requirements, including increased housing costs, would need to be assessed prior to implementation given the actions and strategies in Live Port Stephens to facilitate housing affordability.</p>
		The submission states that Live Port Stephens needs to consider sustainability across the urban and architectural landscape, global warming and climate change.	<p>New development is required to incorporate and meet State standards for energy efficiency under the State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004.</p> <p>The LSPS includes actions to consider climate change resilience and sustainability, Action 8.4 'Council will review the Climate Change Adaptation Actin Plan'.</p>
		The submission noted it would like to see features such as microgrids built into community housing and business infrastructure. The submission noted a mandated use of energy efficient equipment, water saving fittings, LEDS, rainwater harvesting and greywater systems, natural materials, natural lighting systems and green roofs among others to move towards achieving carbon neutrality.	<p>New development is required to incorporate and meet State standards for energy efficiency under the State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004.</p> <p>Live Port Stephens acknowledges the role of small lot housing in creating economies of scale that can improve energy and water efficiency. Action 16 states Council will 'encourage provision of small lot housing to</p>



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			enable more efficient and sustainable development outcomes in urban release areas'.
18	Le Mottee Group on behalf of 12 Jack James Close, Butterwick	The submission provided an assessment of a rezoning request for land at 12 Jack James Close, Butterwick against Appendix 2 to rezone land from RU2 Rural Landscape to R5 Large Lot residential.	Noted.
		The submission requests the Locational Criteria in Appendix 2 be amended to enable new rural residential development on land that may not be in proximity to land zoned R5, but is adjacent to land that exhibits the physical characteristics and subdivision pattern of R5 land.	Live Port Stephens has been amended to enable new rural residential housing on land that may not be in proximity to land zoned R5, but is adjacent to land that exhibits the physical characteristics and subdivision pattern of R5 land if the rezoning request is consistent with the draft RRS and provides an assessment of the land and constraints identified in that strategy.
19	Le Mottee Group on behalf of 98 Coachwood Drive, Medowie	The submission provided an assessment of a rezoning request for land at 98 Coachwood Drive, Medowie against Appendix 2 to rezone land from E2 Environmental Conservation to part R2 Low Density Residential and part N1 National Parks and Nature Reserves.	Noted.
20	City Plan on behalf of McCloy Group	The submission was made in relation to rezoning land north of Wallalong. The submission was accompanied by a separate report, 'The Case for Wallalong', which seeks to justify a future planning proposal for urban housing at Wallalong.	Any rezoning request for future urban housing will be required to address the relevant criteria for greenfield housing in Live Port Stephens.

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		The submission stated Live Port Stephens needs to commit to identifying additional new residential release areas.	Live Port Stephens includes actions to supply a 15 year housing development pipeline and meet the GNMP dwelling projections. Live Port Stephens adopts a merit based approach to planning for new housing, and ensures housing targets for different housing typologies will be met in locations that can meet the criteria specified. Monitoring will be undertaken to ensure adequate housing supply to meet demand and affordable housing.
		The submission notes the projected dwelling requirements for the Port Stephens LGA are supply-driven, so are not a suitable benchmark for evaluating the extent to which the area can meet its effective housing demand.	The REMPLAN Report acknowledges that housing in Port Stephens is supply driven. The projected future supply identified in Live Port Stephens is an indication that, without intervention, Council may not achieve the State government's projected dwelling targets for Port Stephens. Council will undertake annual monitoring to determine actual dwelling production compared with forecasted supply in order to ensure adequate housing supply to meet demand and affordable housing.
		The submission recommends considering the housing market within the context of the Greater Newcastle Metropolitan Frame.	The wider housing market and context within the Greater Newcastle area is considered in the GNMP and by the Hunter UDP. Port Stephens Council participates in the Hunter UDP and has consulted neighbouring councils in the preparation of Live Port Stephens.
		The submission notes that the LGA's residential land composition already lacks the diversity, robustness, and certainty to ensure a consistent	Council will undertake annual monitoring of housing supply and demand to measure the adequacy of housing stock and supply. Live Port Stephens outlines actions to increase the

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		and affordable supply of new housing.	diversity of housing stock, improve housing affordability. Actions to ensure an adequate supply of new housing include monitoring delivery of housing and investigating barriers to development of already zoned land.
		The submission states that the supply of new dwellings beyond 2024 is reliant on unproven (Kings Hill) or unknown supply sources.	Live Port Stephens has taken a merit-based approach to identifying suitable land for housing. Council will monitor housing supply and demand and ensure appropriate actions are taken to ensure a suitable supply of housing.
		The submission recommends Live Port Stephens identify an action within Outcome 1 to commit to monitoring housing land to meet the requirements of Direction 25 of the Hunter Regional Plan (HRP).	Live Port Stephens has been updated to include a new action to prepare an annual report of land supply and dwelling production. The implementation, monitoring and reporting section of Live Port Stephens outlines that Council will be undertaking annual monitoring of housing land supply in accordance with Direction 25 of the HRP.
		The submission requests Live Port Stephens to identify Wallalong as an urban housing opportunity. The submission states that Wallalong should be identified as it is relatively unconstrained land, shares close connections with growth areas in Maitland LGA, and is strategically positioned to be considered as a future urban release area.	Live Port Stephens adopts a merit based approach to planning for new housing, this ensures housing targets for different housing typologies will be met in locations that can meet the criteria specified. Monitoring will be undertaken to ensure adequate housing supply to meet demand and affordable housing.
		The submission notes that Wallalong has not been recognised in regional level growth management planning. The submission implies this to	The Hunter Regional Plan has identified Kings Hill as future housing opportunity but does not identify Wallalong. Kings Hill includes land already zoned for

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		be due to the view that Wallalong is competing with Kings Hill which has been prioritised.	residential purposes, and there is no land zoned for urban purposes at Wallalong.
		The submission notes that Wallalong should be identified for future urban housing to safeguard Wallalong from rural residential development which would hinder future urban development.	Live Port Stephens has been prepared to include actions that will ensure the supply of future housing can meet State dwelling targets. Live Port Stephens contains criteria for future rural residential housing that excludes land suitable for urban housing.
		The submission recommends Live Port Stephens to assert Port Stephens' position as part of Greater Newcastle.  The submission requests that the Greater Newcastle Metropolitan Frame boundary be identified in Live Port Stephens.	Live Port Stephens notes the areas of the LGA that are within the boundary of the Greater Newcastle Metropolitan Frame and the proximity of many local areas to centres and catalyst areas in Greater Newcastle.
		The submission requests nearby metropolitan catalyst areas outside of Port Stephens be identified in Live Port Stephens to provide context.	Live Port Stephens notes the proximity of many local areas to centres and catalyst areas in Greater Newcastle.
		The submission notes Live Port Stephens should provide a narrative to recognise the western parts of the LGA, including Wallalong's connections with Maitland. It states this could be supported by an action to undertake joint planning initiatives with Maitland Council to improve connections to East Maitland and provide more housing closer to employment and service centres.	Live Port Stephens notes the proximity of local areas to centres and catalyst areas in Greater Newcastle. Live Port Stephens describes how rezoning requests will be prioritised in locations that connect people to jobs and public transport. Planning for the wider regional context within the Greater Newcastle area is considered by the Hunter UDP. Port Stephens Council participates in the Hunter UDP and has consulted neighbouring councils in the preparation of Live Port Stephens.

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		The submission states Live Port Stephens should consider strategic opportunities as well as site constraints in Appendix 1.	Live Port Stephens includes criteria for assessing rezoning requests for new housing and sets out a framework for assessment that takes into account strategic merit and the objectives of State, regional and local plans.
		The submission notes that Appendix 1 implies that unconstrained land will be prioritised regardless of strategic merit.	Live Port Stephens has been updated to clarify how rezoning requests will be prioritised to ensure the objectives of State, regional and local plans can be delivered, such as housing near jobs and public transport.
		The submission recommends Council consider referring to the Rezoning Request Policy and Guide, or directly incorporating strategic-orientated factors into the urban housing criteria in Live Port Stephens.	Live Port Stephens has been updated to clarify that rezoning requests are to be submitted in accordance with the Port Stephens Rezoning Request Policy and the Rezoning Request Guide.
		<p>The submission provides the following examples of additional criteria for consideration:</p> <ul style="list-style-type: none"> <li>- Access to metropolitan centres. The land is within 20-30 minutes' drive to a Strategic Centre or Catalyst Area identified in the GNMP and capable of being served by public transport; and</li> <li>- Effective Supply. The site can produce 100 lots within 5 years of being rezoned.</li> </ul>	Live Port Stephens has been amended to describe how the assessment and prioritisation of rezoning requests includes consideration of access to centres and timing of delivery.
		The submission strongly supports the intention of Action 11 'Investigate process improvements to better streamline assessments and reduce the cost of housing'.	Noted.

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		The submission notes that Section 3.39 of the Environmental Planning and Assessment Act 1979 allows a planning proposal and development application to be considered concurrently.	Noted.
		<p>The submission provided a list of matters for Council to consider when preparing process changes. The submission requests that Council:</p> <ul style="list-style-type: none"> <li>- Does not remove the need for a planning proposal to demonstrate strategic merit</li> <li>- Provide pre-lodgement affirmation or indication of support</li> <li>- Relies more heavily on the up-front preparation of plans and supporting studies to support more detailed assessment when considering a planning proposal.</li> </ul>	<p>These matters have been largely incorporated in the process changes recently adopted by Council in the Port Stephens Rezoning Request Policy and Rezoning Request Guide. For example, Council will write to proponents following a rezoning request meeting to provide an indication of likely support for rezoning requests prior to the preparation of a draft planning proposal or supporting studies. Live Port Stephens also details the required plans and studies to support a planning proposal.</p>
21	ADW Johnson	<p>The submission notes the Port Stephens Snapshot on page 5 identifies key transport infrastructure connections, and suggests it also identify the Pacific Highway and the Hunter Expressway.</p>	Live Port Stephens has been amended to refer to 'key regional road corridors'.
		<p>The submission notes the 'Opportunities and Constraints' listed on page 7 include that new development can fund local infrastructure investment and suggests this be expanded to state that such development can contribute to the revitalisation of existing communities.</p>	Live Port Stephens has been amended to specify that new development can fund the revitalisation of existing communities.

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		The submission states that the 'Housing Vision' on page 8 does not provide a clear vision for future housing. The submission suggests the vision should explore the outcomes and priorities of Live Port Stephens such as improving housing affordability, choice and diversity in a range of locations across the LGA.	The Housing Vision was prepared in accordance with the NSW Government's 'Local Housing Strategy Guideline' and incorporates the strategic priorities of Live Port Stephens including promoting housing diversity, facilitating liveability, and prioritising new housing close to employment centres and services. The Executive Summary of Live Port Stephens has been updated to provide further clarity on the relationship between the outcomes, priorities and actions in Live Port Stephens.
		The submission suggests that Outcome 1 should identify a clear need to secure long-term land supply across the LGA to support improved housing choice and improve revitalisation opportunities.	Live Port Stephens has been updated to provide further clarity around the future supply of housing and the need to ensure an adequate long-term land supply for housing.
		The submission notes the number of new dwellings in Table 1 should be specified for each local area.	Live Port Stephens specifies an overall figure for future housing supply based on the land already zoned for housing or where a rezoning is already underway.  Live Port Stephens enables new housing opportunities to be assessed in any locations that satisfy the criteria listed in Live Port Stephens. Live Port Stephens will facilitate new housing in areas that are unconstrained. This merit based approach will enable growth to occur in the most suitable locations.
		The submission requests that Action 1 of Live Port Stephens be amended to enable rezoning requests to be	Live Port Stephens includes criteria for assessing rezoning requests for new housing and sets out a framework for

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		assessed that are able to demonstrate strategic merit.	assessment that takes into account strategic merit and the objectives of State, regional and local plans. Rezoning requests are required to demonstrate strategic merit, including by addressing the criteria in Live Port Stephens and DPIE's 'Guide to preparing planning proposals'.
		The submission notes that Appendix 1 lacks clarity around the level of detail and the timing for documentation likely to be required to be submitted with a rezoning request.	Live Port Stephens has been updated to provide further clarity around the level of detail and timing for documentation to be submitted. More detailed advice on lodgement will be provided to proponents following initial rezoning request meetings.
		The submission notes that a requirement for detailed investigations to be carried out prior to the planning proposal proceeding through Gateway has the potential to add significant costs at project inception.	Proposals on highly constrained land will require a higher level of upfront assessment to provide certainty to Council and DPIE that issues can be resolved before proceeding. Requiring upfront information for these planning proposals will streamline the assessment process and reduce waiting times for proponents.
22	ADW Johnson on behalf of Ingenia Communities	The submission states that the 'Housing Vision' on page 8 does not provide a clear vision for future housing. The submission suggests the vision should explore topics such as improving housing affordability, choice and diversity in a range of locations across the LGA as well as securing ongoing and long-term residential land supply and contributing toward the revitalisation of existing communities.	See response to Submission 21 above.
		The submission suggests that Outcome 1 should identify a	See response to Submission 21 above.



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		clear need to secure long-term land supply across the LGA to support improved housing choice and improve revitalisation opportunities.	
		The submission requests that Action 1 of Live Port Stephens be amended to enable rezoning requests to be assessed that are able to demonstrate strategic merit.	See response to Submission 21 above.
		The submission notes that Appendix 1 lacks clarity around the level of detail and the timing for documentation likely to be required to be submitted with a rezoning request.	See response to Submission 21 above.
		The submission notes that a requirement for detailed investigations to be carried out prior to the planning proposal proceeding through Gateway has the potential to add significant costs at project inception.	See response to Submission 21 above.
23	Monteath and Powys on behalf of 137 High Street, Wallalong	The submission requested that Wallalong be identified for future urban development in Live Port Stephens.	See response to submission 20 above.
		The submission noted it is anticipated that demand for rural residential housing will increase in the short to medium term and should be addressed in Live Port Stephens.	The draft RRS is referenced in Live Port Stephens and that investigation identified future supply of rural residential housing in appropriate locations based on an analysis of land constraints. Council will monitor housing supply and demand to ensure appropriate actions are taken to balance demand for different housing typologies. In particular, monitoring will be undertaken to ensure Council is adequately contributing towards the State

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			government's infill housing targets for the Hunter region. In accordance with the GNMP, local councils have been directed to prioritise delivery of infill housing around local centres and close to employment areas.
		The submission provided an assessment of the site against Live Port Stephens priorities and Appendix 2.	Noted.
		The submission notes the Port Stephens LGA has minimal land available for redevelopment and that the progression of Kings Hill is uncertain.	Council will monitor housing supply and demand and ensure appropriate actions are taken.
		The submission notes a developer is keen to progress development in Wallalong.	Noted.
24	Hill Top Planners	The submission noted the vision for future housing described in Live Port Stephens references providing a variety of housing and providing a means for people to escape the rat race, but Outcome 3 does not discuss rural housing supply.	Live Port Stephens has been amended to acknowledge that rural housing contributes to housing diversity in Port Stephens. The draft Rural Residential Strategy is referenced in Live Port Stephens and that investigation identified future supply of rural residential housing in appropriate locations based on an analysis of land constraints. Council will monitor housing supply and demand to ensure appropriate actions are taken to balance demand for different housing typologies.
		The submission states that demands for housing in the rural west is greater than what Council has previously represented.	The draft RRS is referenced in Live Port Stephens and that investigation identified future supply of rural residential housing in appropriate locations based on an analysis of land constraints. Council will monitor housing

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			supply and demand to ensure appropriate actions are taken to balance demand for different housing typologies. In particular, monitoring will be undertaken to ensure Council is adequately contributing towards the State government's infill housing targets for the Hunter region. In accordance with the GNMP, local councils have been directed to prioritise delivery of infill housing around local centres and close to employment areas, as opposed to other housing typologies or housing in other locations.
		Outcome 1 notes home in Port Stephens could mean a peaceful rural escape, however the plan does not accommodate this need.	Live Port Stephens has been updated to further clarify the role of rural housing and its contribution to the supply and diversity of housing in Port Stephens. Live Port Stephens provides a framework for the assessment of future rural residential housing and references the draft Rural Residential Strategy which identifies a future supply of rural residential housing in appropriate locations based on an analysis of land constraints.
		The strategy depends on Kings Hill accommodating the bulk of supply. No alternative lands suitable to accommodate demand has been identified.	Live Port Stephens includes monitor housing supply and demand to ensure appropriate actions are taken to maintain adequate housing supply. This will enable Council to prioritise investigation of new urban housing should supply statistics fall.
		Very few housing opportunities have been identified in Live Port Stephens for the rural west even though planning proposals for development in	Live Port Stephens provides a framework for the assessment of future rural residential housing and references the draft Rural Residential Strategy which

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		these areas have been submitted to Council. The identified opportunities in the Housing Opportunities Map does not reflect demand.	identifies a future supply of rural residential housing in appropriate locations based on an analysis of land constraints, including in the rural west. Live Port Stephens also includes criteria for rural residential housing outside of these identified areas, subject to assessment criteria. The assessment criteria for rural residential housing in Live Port Stephens reflects the criteria in Council's adopted Rural Residential Policy which will be repealed on adoption of Live Port Stephens.
		The submission supports the priority to increase the proportion of infill development.	Noted.
		The submission notes Live Port Stephens should support appropriate subdivision and infill development in the rural west.	The State government's GNMP directs local councils to plan for infill housing opportunities in and around existing urban areas in order to leverage existing infrastructure and access to established transport connections. The Infill Housing Study prepared to support Live Port Stephens found that the areas that satisfied this criteria and were most appropriate for infill development included Raymond Terrace and Nelson Bay.
		The submission supports the provision of lower cost housing, but states Council could be supportive of development in the rural west where the delivery of infill land can be undertaken at modest cost and provide affordable housing.	In accordance with the directions for local councils in the State government's GNMP, infill housing is prioritised in existing urban areas where services are within walking distance. Living close to services can contribute to a lower cost of living. Opportunities for infill in village centres such as Hinton, Wallalong and Seaham are

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			achievable under existing planning controls.
		The submission notes that Outcome 3 seeks to encourage a range of housing types and sizes. The housing preferences survey underrepresents the younger demographic profile characterised with the rural west.	Council engaged an independent contractor to carry out the housing preferences survey and we understand a methodology of randomised sampling was used to obtain responses from a wide range of residents across the Port Stephens LGA. The Housing Preferences Report (HPR) acknowledges there was a slight under representation of the 18-29 age group in respondents. Live Port Stephens identifies that it would be preferable for the State government to co-ordinate collection of housing preferences data on a wider scale to more accurately reflect the housing preferences of people moving within the Hunter region and people moving from other regions to the Hunter, in particular, Sydney (Action 14).
		It is inappropriate to conclude there is an oversupply of rural blocks from a small sample.	<p>The HPR surveyed residents currently living on larger rural blocks and some survey responses indicated a preference to move to smaller residences. This data has informed the strategies and actions in Live Port Stephens to facilitate a more diverse future housing supply. These actions are also consistent with the directions from the State government for local councils in the GNMP to facilitate infill development in existing urban areas.</p> <p>The housing preferences survey data has not been used to extrapolate that there is an oversupply of rural residential housing in Port Stephens.</p>

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		The submission notes that infill housing should not exclude rural villages as these are vibrant communities which have the capacity to accommodate additional residents.	Live Port Stephens includes strategies and actions to prioritise infill housing in existing urban areas, where services are within walking distance. These actions have been informed by the Infill Housing Study which identifies the local centres in Port Stephens with the most capacity for feasible infill development that can leverage existing infrastructure and transport connections. There are however opportunities for infill housing in village centres such as Hinton, Wallalong and Seaham, achievable under existing planning controls.
		The submission notes the comments around demand for small lots is overstated. The submission notes this is likely true for the coastal areas but not in rural areas.	The housing preferences survey gathered responses from 316 residents in Port Stephens. The findings of the survey indicated a range of preferences across the community. While 55.1% of respondents preferred small lots (up to 500sqm), semi-detached dwellings or units, 14.4% of respondents preferred a rural lots. These figures are also reflective of the proportion of the Port Stephens population living in urban and coastal areas.
		The submission notes that priority 3.3 concentrates on the provisions of lifestyle villages which represent only one of the five listed housing types. The submission notes there is no commentary on rural residential or rural village.	Council has recently undertaken extensive strategic investigations for rural residential development, culminating in the adoption of the Port Stephens Rural Residential Policy in 2017. The draft RRS and the Port Stephens Rural Residential Policy have been incorporated in Live Port Stephens through the assessment framework developed for rural residential housing opportunities.

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			Priority 3.3 is focused on responding to an identified need for local level strategies and actions related to lifestyle villages and communities that have shared facilities.
		The submission notes that Outcome 4 should not be more supportive of one type of housing over others as residents have different preferences.	Outcome 4 of Live Port Stephens includes strategies and actions to facilitate liveable communities in Port Stephens. These actions and strategies are not limited in application to communities with particular housing typologies.
		The submission notes that strong communities are important, and that supporting infill development is important in rural areas as well as urban.	Noted.
		The submission requests for Action 18 'Prepare local character statements...' to be expanded to include Hinton, Wallalong and Seaham.	Local character statements will be prepared to guide development in the priority infill areas identified in Live Port Stephens. Strategies and actions for infill development, including the preparation of local character statements, have been informed by the IHS, an independent report that identifies infill housing opportunities around local centres in Port Stephens.  Local character statements may be prepared in the future for other areas in Port Stephens where there is a need to balance growth and new development with existing local character, or to define future character in changing areas.
25	Urban Development Institute of Australia (UDIA)	The submission commended Council for the use of studies in the preparation of Live Port Stephens.	Noted.

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		The submission supports the aspirations to facilitate growth and investment in high quality development and local amenity.	Noted.
		The submission recommends Live Port Stephens provide a target for new dwellings to 2040 and 2036 in line with the HRP and GNMP timeframe.	The GNMP specifies a dwelling projection of 11,050 for the Port Stephens LGA. Live Port Stephens identifies strategies and actions to ensure Port Stephens can provide the projected number of homes and adequately respond to changes in supply and demand over time.
		The submission notes that Live Port Stephens implies that without action supply is unlikely to support the demand from expected employment growth but does not outline what this demand is.	Likely future housing demand in Port Stephens is specified in the GNMP and also addressed in the REMPLAN Report. Live Port Stephens identifies that demand over the next 20 years is likely to be driven by projected employment growth in the region, including growth associated with the identified catalyst areas at Williamstown and Tomago. Council will monitor housing supply and demand to ensure appropriate actions are taken ensuring housing affordability and adequate housing supply.
		The submission stated that due to the economic pressures and impacts of COVID-19 on supply, urgent action is required from Council to ensure housing supply remains balanced.	On 12 May 2020 Council resolved to write to the Premier and Minister of Planning seeking support for councils most impacted by the COVID-19 crisis. The reforms Council has advocated for include measures to streamline assessments for new housing in regions and to boost the construction industry to assist recovery from the COVID-19 economic crisis.
		The submission suggests consideration of the economic	Live Port Stephens sets out the framework for the assessment of



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		context and contribution towards housing targets should form part of a planning proposal assessment.	planning proposals for new housing, including strategies to ensure planning proposals that will assist Council in meeting the directions and dwelling targets in the GNMP. Live Port Stephens includes strategies to monitor housing supply and demand to ensure appropriate actions are taken ensuring housing affordability and adequate housing supply.
		The submission supports a merit-based approach to planning proposals and recommends Council maintain a clear approach for additional sites to be rezoned.	Live Port Stephens sets out the framework for a merit-based approach to identifying new housing opportunities. Local area strategies and assessment criteria will be used to identify and prioritise new housing opportunities.
		The submission supports Action 2 'Undertake an audit to identify the barriers preventing identified land supply from being developed'.	Noted.
		The submission notes the audit should be monitored and reviewed on an annual basis and reports made available to the public.	Action 4 in Live Port Stephens identifies that Council will consider opportunities to lead actions to unlock housing supply. This could include more regular audits of undeveloped zoned land and participating in joint projects with State agencies to progress actions to deliver housing. Council will share any data collected from audits of zoned land with the Hunter UDP, which has been established to monitor supply barriers and housing delivery in the Hunter.
		The submission recommends Council establish a local Port Stephens Urban Development	Council participates in the Hunter UDP run by the State government. This program

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		Program (UDP) that is updated at least annually and publicly available. The program would monitor delivery and growth of housing and employment land, with clear accountabilities, working in partnership with industry.	investigates barriers to delivery and publishes an annual report on existing housing and land supply. The UDP includes State government agencies that can assist in delivery of housing supply, including by co-ordinating the State infrastructure necessary to support new development. State agencies and stakeholders often have a key role in unlocking zoned land for development and a Council-led urban development program may not be as effective in driving collaboration with State agencies.
		The submission noted that the UDP can assist in prioritising and coordinating infrastructure funding and delivery and listed tasks a UDP should undertake.	The Hunter UDP informs local and regional strategic planning and guides infrastructure planning and service delivery to support new housing development for a growing population. Council's participation in the Hunter UDP ensures collaboration with State agencies informs local strategies and actions.
		The submission supports Action 3 'Consider opportunities for Council to lead actions to unlock existing identified land supply, such as collaborating with State agencies to prepare environmental studies'.	Noted.
		The submission notes that environmental constraints are a major blockage for housing throughout the Hunter.	Noted.
		The submission appreciates Council's openness to consider sites with high biodiversity values where a BDAR is provided but is concerned this	The criteria for assessing new housing opportunities in Live Port Stephens requires upfront consideration of key site constraints, including impacts on

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		will be an added cost that will reduce potential development sites.	biodiversity. This provides more certainty for applicants, Council, and the community early in the process on the key matters that can influence development outcomes, including development footprint or offsetting requirements. Requiring key studies upfront in the process can add to the costs of preparing rezoning proposals, however the matters identified in Live Port Stephens would nevertheless be required at other stages in the process.
		The submission recommends that Council should balance social, economic and ecological factors in applying biodiversity conservation policies, to ensure housing supply is not undermined by elevated biodiversity requirements.	Council assesses biodiversity impacts in accordance with the framework set out in the Biodiversity Conservation Act 2016 and the Environmental Planning and Assessment Act 1979 (EP&A Act). Through the objects of the EP&A Act, the planning system enables the balancing of social, economic and environmental impacts in decision making.
		The submission commends and supports the Infill Housing Study. It also supports Action 4 'Adopt recommendations in the Infill Housing Study to facilitate infill housing in centres, including considering incentives to encourage selected types of infill'.	Noted.
		The submission recommends permitting small lot housing in R2 and R3. For example, allowing a minimum lot size of 300sqm in an R3 zone, then a transitional area in the R2 with the same minimum lot size.	Live Port Stephens has been amended to enable further consideration of the recommendations of the Infill Housing Study. This will include preparing changes to planning controls and development standards to best achieve the

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			strategies and objectives in Live Port Stephens.
		The submission supports providing incentives for infill development and provides a reduction of onsite parking requirements or developer contribution reductions as examples.	See response above.
		The submission recommends that Council should work with industry to consider incentives for infill development.	Implementation of Live Port Stephens includes actions that will involve consultation and collaboration with industry and other stakeholders including, preparation of amendments and consideration of incentives to encourage small lot housing.
		The submission agrees that encouraging greater diversity in housing choice will support housing affordability.	Noted.
		The submission supports Actions 5 through 11 and supports actions to address barriers to affordable rental housing and home ownership.	Noted.
		The submission encourages a policy direction to support emerging housing types and notes that build-to-rent, boarding houses, co-housing, communal student housing and dual-key apartments can help address affordable housing.	Live Port Stephens includes actions to review local provisions to encourage more affordable dwelling types such as those listed. Industry and other stakeholders will be involved in the preparation of any amendments in the review of local provisions to encourage more affordable housing.
		The submission notes Council could consider the following when working with a Community Housing Provider: <ul style="list-style-type: none"> <li>- Suspend statutory contributions on</li> </ul>	Live Port Stephens includes actions to review local provisions to encourage more affordable dwellings which may include investigating these matters. Industry and other stakeholders

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		<p>development applications specific to or operated by CHP, which would relieve development cost pressures, while not reallocating this charge to market housing;</p> <ul style="list-style-type: none"> <li>- Redistribute Council Rates to a 'Development Trust' to fund additional community housing stock on existing CHP-owned assets;</li> <li>- Develop PSC-owned land with joint venture between CHP or other party and managed by CHP; and</li> <li>- Support diverse housing types such as new-age boarding houses, co-housing and dual-key apartments in appropriate locations.</li> </ul>	will be involved in the preparation of any amendments.
		The submission recommends that Council should adopt an incentive-based approach for affordable housing in collaboration with industry.	Live Port Stephens contains strategies and actions to improve housing affordability and to respond to housing stress in Port Stephens, including an action to collaborate with affordable housing providers to facilitate the supply of affordable housing for low and very low income households.
		The submission commends Action 11 and Council for aiming to reduce time and cost for development to reduce the cost of housing and specifically commends.	Noted.
		The submission notes that integrated assessments for rezonings and development applications would dramatically speed up the delivery of housing.	Noted.

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		The submission notes that the constraints identified in Live Port Stephens impact on the cost of development.	Noted.
		The submission notes that developer contribution fees reduce housing affordability.	Noted.
		The submission recommends Council accelerate the delivery of local infrastructure from s7.11 and s7.12 local infrastructure contribution accounts.	The works schedule in Council's Contributions Plans is prioritised and delivered in accordance with Council's Strategic Asset Management Plan. During the preparation of the Strategic Asset Management Plan, local infrastructure delivery is co-ordinated with planned growth. Infrastructure delivery can also be fast tracked through developer planning agreements.
		The submission commends the Housing Preferences in Port Stephens Report.	Noted.
		The submission supports Outcome 3 'Increase diversity of housing choice', Priority 3.2 'Encourage a range of housing types and sizes' and actions 13 and 14.	Noted.
		The submission recommends that Council provide flexibility in planning controls to encourage housing diversity and enable emergence of new and emerging housing types.	Live Port Stephens includes actions to review local provisions to encourage greater housing diversity.
		The submission commends Action 14 'Encourage provision of small lot housing to enable more efficient and sustainable development outcomes in urban release areas'.	Noted.

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		The submission recommends reducing the minimum subdivision lot size for R3 zones and for the first 400m of R2 zones to align with minimum lot sizes for strata plan and community title scheme.	This suggestion will be considered in implementing the recommendations of the Infill Housing Study.
		The submission recommends allowing Torrens title, small-lot property close to existing infrastructure to allow lot purchasers to build their own townhouse, terrace or villa.	This suggestion will be considered in implementing the recommendations of the Infill Housing Study.
		The submission supports Council's efforts under Outcome 4 'Facilitate Liveable Communities'.	Noted.
		The submission notes that accelerating s7.11 local infrastructure will contribute to liveability.	See response above in relation to accelerating delivery of local infrastructure.
		The submission supports Action 17 'Adopt a liveability index to map, measure and monitor liveability in Port Stephens' and recommends the City Life Analytics platform as it incorporates environmental variables and property price information.	Noted.
		The submission recommends monitoring Live Port Stephens On an annual basis, supported by updates to its local UDP and review Live Port Stephens on a 4-yearly basis, consistent with the LSPS review.	Council will undertake annual monitoring of delivery of new housing in order to ensure adequate housing supply to meet demand. Live Port Stephens will also be reviewed and updated if local or State policies (including the LSPS) identify a need to respond.

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26	Resident	The submission supports all of the matters raised in the submission made by VOWW.	Noted.
		The submission suggested that there were too many 'grey areas' for developers to be able to exploit. The submission added that Councillors who have a vested interest in development and who have powers to sway other councillors and staff are of concern.	Live Port Stephens is a high-level document to guide land use planning for new housing in Port Stephens. Councillors manage any conflict of interest under the Council Code of Conduct.
		The submission referred to the importance of agricultural land in the rural west and sustaining food security.	Priority 1.1 of Live Port Stephens has been updated to reinforce the importance of protecting productive agricultural land. The criteria in Live Port Stephens for the assessment of new housing will protect prime agricultural land through exclusionary and management criteria that takes into account the impact of housing on existing agricultural land. Planning proposals seeking to rezone rural land must also address the State Environmental Planning Policy (Primary Production and Rural Development) 2019 and the Ministerial Directions for Rural Zones and Rural Lands which contain objectives to protect the agricultural value of rural land.
		The submission expressed concern for development where all trees are cleared, small lots with no back yards are created, and minimal developer contributions are made towards sporting fields and other public infrastructure.	The criteria in Live Port Stephens for the assessment of new housing includes requirements for upfront assessments of impacts on biodiversity. Live Port Stephens includes strategies and actions to facilitate infill development around local centres, which can include housing on smaller lots. Small lot developments in appropriate



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			<p>locations can enable better protection of wildlife corridors and reduce overall land clearing.</p> <p>Local infrastructure contributions are not discounted for housing on smaller lots, there is a standard rate for all residential lots in the Port Stephens Local Infrastructure Contributions Plan. The Plan, adopted 10 December 2019, has recently raised contributions for housing to meet the rising cost of local infrastructure.</p>
		The submission stated that adequate trees can reduce temperature, and that crammed housing leads to more disputes among neighbours, depression and anxiety.	<p>Live Port Stephens includes actions and strategies to facilitate liveable communities. This includes neighbourhoods that promote active lifestyles social connections and sustainability. Live Port Stephens acknowledges the natural and built environment's capacity to influence our health and wellbeing, social connections and quality of life.</p>
		The submission stated that wildlife corridors must be retained and cited this as a key issue for the area.	<p>The criteria in Live Port Stephens for the assessment of new housing includes requirements for upfront assessments of impacts on biodiversity.</p> <p>The importance of wildlife corridors is also addressed in Planning Priority 7 'Conserve biodiversity values and corridors' of the LSPS. The LSPS includes actions for Council to prepare a Biodiversity Strategy which may identify important biodiversity corridors and measures to preserve and protect those corridors.</p>

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		The submission referred to the importance of local character and stated that the rural character of the rural west should be taken into consideration.	Live Port Stephens contains criteria for new rural residential development, including in the rural west, which seeks to enhance the existing character of rural areas in Port Stephens.
27	Resident	The submission noted the author was unable to read Live Port Stephens and acknowledged it is intimately linked with the LSPS and should be considered as a whole.	Live Port Stephens and the LSPS were prepared and exhibited concurrently. Live Port Stephens sets out the actions and strategies to achieve the planning priorities related to housing identified in the LSPS.
		The submission stated the dominant thrust of Live Port Stephens should be guided by the principle that infrastructure must come first.	Live Port Stephens contains actions and strategies to create communities that are supported by infrastructure and essential facilities. In particular, Live Port Stephens includes criteria for new housing proposals to demonstrate essential infrastructure and services can be delivered in line with new development.
		The submission noted there is a disconnection between Port Stephens Council and utilities and service providers including water, power, telecommunications, public transport, transport infrastructure, parking and emergency services.	Live Port Stephens contains actions to plan for the co-ordinated delivery of local and State infrastructure and services to support new development. New housing proposals will be prioritised in consultation with State infrastructure providers and agencies.
		<p>The submission provided the following examples as anecdotal evidence of the disconnection.</p> <p>a. The Hunter Water website appeared to be unaware of developments in the Tomaree, including Latitude One.</p>	<p>a. Council regularly meets with Hunter Water to discuss their growth plan. It is noted that Latitude One is included in the plan.</p>

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		<p>b. The road exit for Latitude One is inadequate and indicates a lack of Roads and Maritime Services (RMS) involvement in the planning approval process.</p> <p>c. The new medical centre at Salamander Bay does not appear to have adequate parking.</p>	<p>b. RMS were consulted through the development application process and approved the road exit for Latitude One.</p> <p>c. The new medical centre at Salamander Bay complied with the parking provisions in the Port Stephens Development Control Plan.</p>
		The submission stated that utility and service providers should be included in the planning process for significant development such as multi-residence and commercial.	Council regularly meets with Hunter Water to discuss their growth plan. These discussions include identifying any significant development that proposes to increase density such as multi-residence and commercial. The Hunter UDP provides a forum for Council and infrastructure providers to consider strategic land use and infrastructure planning.
		The submission noted greater attention should be given to the DCP guidelines and request no further watering down of those requirements.	The DCP provides guidance for new development in Port Stephens. Live Port Stephens includes some actions that may require amendments to the DCP, and all amendments will be subject statutory community consultation.
		<p>The submission provided the following examples of ways to overcome planning problems:</p> <p>a. Limited parking for a new gym – building to incorporate parking or business to utilise a booking system</p>	<p>a. Live Port Stephens is not likely to result in actions that amend the parking requirements for commercial development. Use of a booking system would be determined by the gym operator.</p>

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		<p>b. Insufficient pavement to accommodate plain air dining and pedestrian traffic – dining limited by title size, permit roof top dining</p> <p>c. An inadequate substation for an over 55's village – developer incorporates renewable energy and storage</p>	<p>b. Live Port Stephens includes priorities to facilitate liveable communities and placemaking. This could include activating public spaces for events and outdoor dining.</p> <p>c. Live Port Stephens identifies how some existing lifestyle villages have incorporated alternative and energy efficient infrastructure (Pacific Dunes, Medowie).</p>
28	Resident	<p>The submission is in relation to a potential rezoning request to facilitate infill housing in the R5 Large Lot Residential zone in Castaway Close, Boat Harbour and opposes a proposed reduction to the minimum lot size.</p> <p>The submission is concerned that further subdivision of this land will have negative environmental impacts, would result in habitat loss, would place additional pressure on the road that services Boat Harbour and would alter the existing character.</p>	<p>Should a rezoning request to facilitate infill housing be lodged with Council, it would need to demonstrate consistency with Live Port Stephens including the Infill Housing Opportunities Map.</p> <p>Rezoning requests must be able to demonstrate existing infrastructure capacity and that development could be undertaken without adversely impacting environmental values.</p>
29	Resident	<p>The submission states an LHS should be intrinsically linked to the LSPS and should be underpinned with an environmental and infrastructure planning process.</p>	<p>Live Port Stephens and the LSPS were prepared and exhibited concurrently. Live Port Stephens sets out the actions and strategies to achieve the planning priorities related to housing identified in the LSPS. They were prepared in accordance DPIE guidelines and regional plans, and include actions and priorities that ensure environmental and infrastructure matters are addressed throughout the planning process.</p>

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		The submission notes regularly involving the community in town hall meetings in the development of strategies and policies would engage the community.	Guided by the Community Engagement Strategy, Council uses a number of diverse engagement methods depending on the project. Several drop-in sessions were held during the development of Live Port Stephens to engage the community.
		The submission states that Live Port Stephens should incorporate the protection of views.	The protection of views is considered in the assessment of development applications and during the development of LEP and DCP controls.
		The submission notes that public space and amenities appear to be managed as the private assets of PSC. It states that views should not be privatised and developed to remove access to views.	Public land is classified under the Local Government Act 1993 as either 'operational land' or 'community land'. The legislation regulates the use of public land and requires community consultation when reclassifying land or in the preparation of plans of management for community lands.  Identification and enhancement of important views and vistas is considered as part of the local strategic planning process (for example the Nelson Bay Strategy 2012) and in the assessment of rezoning requests and development applications. The State planning framework also includes protections for views and vistas such as the State Environmental Planning Policy (Coastal Management) 2018.
		The submission notes that water supply is more important than development. Encouraging growth during water shortages should be a red flag.	The Hunter UDP provides a forum for Council and infrastructure providers to consider strategic land use and infrastructure planning, including Hunter Water. Hunter Water are responsible for ensuring

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			adequate water supply for new development and developers can also choose to supply their own water infrastructure. Hunter Water are regularly consulted by Council during the strategic planning and rezoning process.
		The submission notes the strategy appears to focus on growth and built environment at the expense of the natural environment.	Live Port Stephens includes actions to supply a 15 year housing development pipeline and meet the GNMP dwelling projections. Live Port Stephens adopts a merit based approach to planning for new housing and includes provisions to protect environmental values. Live Port Stephens has been updated to require rezoning requests to provide a BDAR prior to public exhibition if 0.5 hectare of native vegetation is likely to be cleared.
		The submission notes that environmental challenges such as habitat and biodiversity loss or adaptation to climate change are not addressed.	Live Port Stephens sits within a suite of strategic plans. Environmental challenges are addressed within other plans and strategies identified in the LSPS including a Biodiversity Strategy and Climate Change Adaptation Action Plan.
		The submission notes that the environment is an important contributor to the value of an area and underpins human health, the economy and tourism.	Live Port Stephens acknowledges the influence the natural environment has on health, wellbeing and quality of life. Action 19 proposes to adopt a liveability index to map, measure and monitor liveability in Port Stephens and will consider the environmental attributes of an area. Other Council strategies will apply to planning and new development to ensure positive environmental outcomes such as a Biodiversity Strategy and Climate Change Adaptation Action Plan.

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		The submission requests that Live Port Stephens incorporate planned tree cover and open space.	The Port Stephens Development Control Plan 2014 (DCP) includes requirements for urban tree cover and will be reviewed alongside the tree and vegetation management framework addressed in Action 7.1 of the LSPS.
		The submission notes that Live Port Stephens has no requirement to address sustainable energy principles and notes that all new development should be required to provide independent sustainable energy solutions.	Developments are required to incorporate and meet State standards for energy efficiency under the State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004.  Action 8.3 of the LSPS will promote more sustainable development.
		The submission notes that the roads are not designed to carry the heavy vehicle traffic needed for the construction of the proposed development projects or the additional cars associated with the new high-density developments.	The public road network is designed to cater for large vehicles. Local infrastructure contributions paid as part of new or intensified development provide for upgrades and maintenance of roads as required. Live Port Stephens requires rezoning requests to address whether there is adequate public infrastructure, including roads, and how predicted demand will be met.
		The submission states that public transport should be paramount to Live Port Stephens.	Actions in Live Port Stephens and the LSPS propose to advocate for better transport links and public transport from strategic centres to jobs in the region.
		The submission notes the bus service in Nelson Bay and surrounds is broken. It suggests developing a transport hub with a park and ride system supported by	Action 20 of the Progressing the Nelson Bay Town Centre and Foreshore Strategy: A revised implementation and delivery program seeks to prepare an integrated transport plan for

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		electric minivans as a more user-friendly public transport option for residents and tourists in Nelson Bay.	Nelson Bay which will incorporate public transport options.
		The submission notes that medical facilities are stretched to support the ageing population.	The GNMP contains an action for Greater Newcastle councils to facilitate complementary land uses within proximity of health precincts. The provision of health care facilities is a role of the State government. Council contributes to facilitating medical facilities by ensuring appropriate zoning in precincts identified for health and allied services.
		The submission notes that PSC and developers are encouraging over 55s developments without planning for age care facilities in the area.	<p>Live Port Stephens includes actions to achieve better planning outcomes for lifestyle villages, which can include seniors' housing developments.</p> <p>Live Port Stephens requires lifestyle villages and communities to be within walkable distances of local centres with adequate services and facilities or to provide bus services to those centres.</p> <p>The provision of health care facilities such as hospitals is a role of the State Government. Council is achieving its part in this action by implementing its local area strategies and ensuring appropriate zoning in precincts identified for health and allied services.</p>
		The submission notes that it is not clear if fire services are able to cope with fires in 4 and 5 storey buildings.	NSW Fire services regularly responds to fires in buildings of 4 storeys and above and has published a webpage on safe living in high rise buildings : <a href="https://www.fire.nsw.gov.au/page.php?id=293">https://www.fire.nsw.gov.au/page.php?id=293</a>



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			The planning legislation includes fire safety regulations that apply to the design and construction of new buildings, including buildings over 4 storeys.
		The submission notes that planning for the isolation of the Tomaree due to flooding or fire should be considered in Live Port Stephens.	Isolation due to flooding has not been included in the Exclusionary Criteria for new residential development as it possible to be an issue that can be resolved with infrastructure upgrades. Rezoning requests in bushfire prone areas are required to address Planning for Bush Fire Protection 2019 and consult with the NSW Rural Fire Service. Consultation with the State Emergency Service is undertaken where required.
		The submission notes that developing the Salamander shopping precinct would be contrary to re-invigorating the Nelson Bay town centre.	The Nelson Bay town centre and Salamander centre provide different retail experiences. Salamander is a centre that provides weekly retail shopping and community facilities where as the Nelson Bay strategic centre is focused around tourism, leisure shopping and hospitality with day-to-day services being a secondary focus.
		The submission notes that increased height of buildings in the Nelson Bay area is not acceptable.	<p>The Infill Housing Study has taken a place-based approach to ensure that proposed development types suit the existing local character of each suburb. The established built form within the Nelson Bay opportunity sites were found to be diverse, featuring multi-storey apartment buildings.</p> <p>Action 7 of Progressing the Nelson Bay Town Centre and Foreshore Strategy: A revised implementation and delivery</p>

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			program, adopted on the 25 September 2018, also proposes to increase the height of buildings within the town centre and foreshore.
		The submission requests for Live Port Stephens to address who is responsible for the mitigation and defence of structures built in vulnerable coastal areas.	The responsibility for the mitigation and defence of structures built in vulnerable coastal areas may depend on land ownership and approval status of the structure. The LSPS includes an action to prepare a Coastal Management Program to mitigate natural hazards and incorporate resilience measures.
30	Resident	The submission stated that Live Port Stephens and the LSPS are closely linked and should be considered as a whole.	Live Port Stephens and the LSPS were prepared and exhibited concurrently. Live Port Stephens sets out the actions and strategies to achieve the planning priorities related to housing identified in the LSPS.
		The submission stated that infrastructure must come first. It notes that there is a disconnection between PSC planning and utilities and services including power, water/sewerage, telecommunications, public transport and transport infrastructure.	<p>Live Port Stephens contains actions to plan for the co-ordinated delivery of local and State infrastructure and services to support new development. New housing proposals will be prioritised in consultation with State infrastructure providers and agencies.</p> <p>The Hunter UDP provides a forum for Council and infrastructure providers to consider strategic land use and infrastructure planning.</p> <p>Live Port Stephens contains actions to plan for the co-ordinated delivery of local and State infrastructure and services to support new development. New housing proposals will be prioritised in consultation with</p>

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			State infrastructure providers and agencies.
		The submission notes that PSC are approving lots of over 55s housing with no regard to what planning is in place for medical and emergency services.	<p>Live Port Stephens includes actions to achieve better planning outcomes for lifestyle villages, which can include seniors' housing developments.</p> <p>Live Port Stephens requires lifestyle villages and communities to be within walkable distances of local centres with adequate services and facilities or to provide bus services to those centres.</p> <p>The provision of health care facilities such as hospitals is a role of the State Government. Council is achieving its part in this action by implementing its local area strategies and ensuring appropriate zoning in precincts identified for health and allied services.</p>
		The submission notes that the infrastructure for parking, water, electricity, medical and fire services is already inadequate and requires further consideration in future planning.	<p>Consultation with utility and service providers is embedded in the rezoning request process. The Hunter UDP provides a forum for Council and infrastructure providers to consider strategic land use and infrastructure planning.</p> <p>Planning proposals to support rezoning requests are required to address whether there is adequate public infrastructure, and how predicted demand will be met.</p>
31	Resident	The submission rejects the use of employment growth as an indicator of housing needs in Live Port Stephens. The submission notes this may be	Likely future housing demand in Port Stephens is specified in local government dwelling projections in the GNMP and also addressed in the REMPLAN

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		relevant for areas within commuting distance but not for coastal towns where it has been used to approve unsuitable high rise apartments.	Report. Live Port Stephens identifies that demand over the next 20 years is likely to be driven by projected employment growth in the region, including growth associated with the identified catalyst areas at Williamstown and Tomago.  Most coastal towns in Port Stephens are within 30 minutes of an employment centre, which meets the Hunter Regional Plan direction to facilitate housing within 30 minutes of jobs.
		The submission notes that infill development should be designed in sympathy with the existing housing, provide off-street parking and have beautification features visible from the street. The submission notes infill development should be no more than two storeys with sufficient setbacks to allow trees and gardens in front of building.	Live Port Stephens takes a place-based approach to ensure that proposed development can enhance the local character. Building types that will increase density but will integrate with existing low-rise streetscapes and neighbourhoods have been included in the Infill Housing Study prepared to support Live Port Stephens. Further consideration of character will be undertaken during the preparation of planning proposals and DCPs.
		The submission objects to developers, or councillors linked to developers, being able to have any voting rights on the approval of any high-density infill development approvals or new developments with more than two storeys.	Councillors manage any conflict of interest under the Council Code of Conduct.
32	Resident	The submission supports all of the matters raised in the submission made by VOWW.	Noted.
		The submission notes the voice of families, professionals, the	Live Port Stephens includes actions and priorities to

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		30-45 year old age bracket, and business owners of the Port Stephens community and has not been given adequate attention in the documents or survey methods.	encourage diverse housing, catering to a range of lifestyles and demographics, including families and young professionals. The housing preferences survey included a random sampling of 316 residents across geographic areas and demographic groups in Port Stephens, including 30.9% of participants in the 30-49 age group.
		The submission notes they were a participant in the Housing Preferences focus group and survey.	Noted.
		The submission notes that the housing preference documents inadequately reflect a balanced view of the diverse socio-economic, age demographic or housing needs of Port Stephens due to the small sample size of 300 participants in the survey.	Council engaged an independent contractor to carry out the housing preferences survey and we understand a methodology of randomised sampling was used to obtain responses from a wide range of residents across the Port Stephens LGA. The HPR acknowledges a slight over representation of the 30 to 39 and 70 years and above age groups and an under representation in 18 to 29 years in respondents. Live Port Stephens identifies that it would be preferable for the State government to co-ordinate collection of housing preferences data on a wider scale to more accurately reflect the housing preferences of people moving within the Hunter region and people moving from other regions to the Hunter, in particular, Sydney (Action 14).
		The submission noted they had spoken to many families since the focus group and stated that they:	The housing preferences survey gathered responses from 316 residents in Port Stephens. The findings of the survey indicated a range of preferences across the

## ITEM 3 - ATTACHMENT 1 SUMMARY OF SUBMISSIONS.

No.	Author of submission	Comment	Council response
		<ul style="list-style-type: none"> <li>- love the character of the area</li> <li>- want to protect the social amenity, history, character, environment and lifestyle of the area</li> <li>- enjoy their rural lifestyle and want to protect 'the green'</li> <li>- were shocked when told that Council proposes that the community at large desires higher density, semi-detached housing or apartments with relatively small yards</li> <li>- did not like the idea of living in a granny flat, town house, duplex or small lot housing</li> </ul>	community. While 55.1% of respondents preferred small lots (up to 500sqm), semi-detached dwellings or units, 14.4% of respondents preferred rural lots. Live Port Stephens acknowledges there is demand for a wider range of lots sizes and in different localities across the LGA to cater for different households.
		The submission stated that areas such as Seaham, Wallalong and Woodville hold extensive social amenity and environmental importance and are not appropriate for large scale housing developments that do not retain the charm of the area, nor are they supported by the necessary infrastructure.	Local character statements may be prepared in the future for areas in Port Stephens where there is a need to balance growth and new development with existing local character, or to define future character in changing areas.  Live Port Stephens contains criteria for rezoning requests to demonstrate existing infrastructure capacity and that development could be undertaken without adversely impacting environmental values.
		The submission opposes a planning proposal for rural residential development at 4 Giles Road, Seaham. The submission objects as the proposal is out of character and would double the number of houses within the street, the area is flood and bushfire prone, has no access to water	The planning proposal was reported to Council 10 December 2019 with a recommendation to not proceed. Council resolved to defer the planning proposal to allow the applicant additional time to provide further information. If a revised planning proposal is provided it will be

**ITEM 3 - ATTACHMENT 1      SUMMARY OF SUBMISSIONS.**

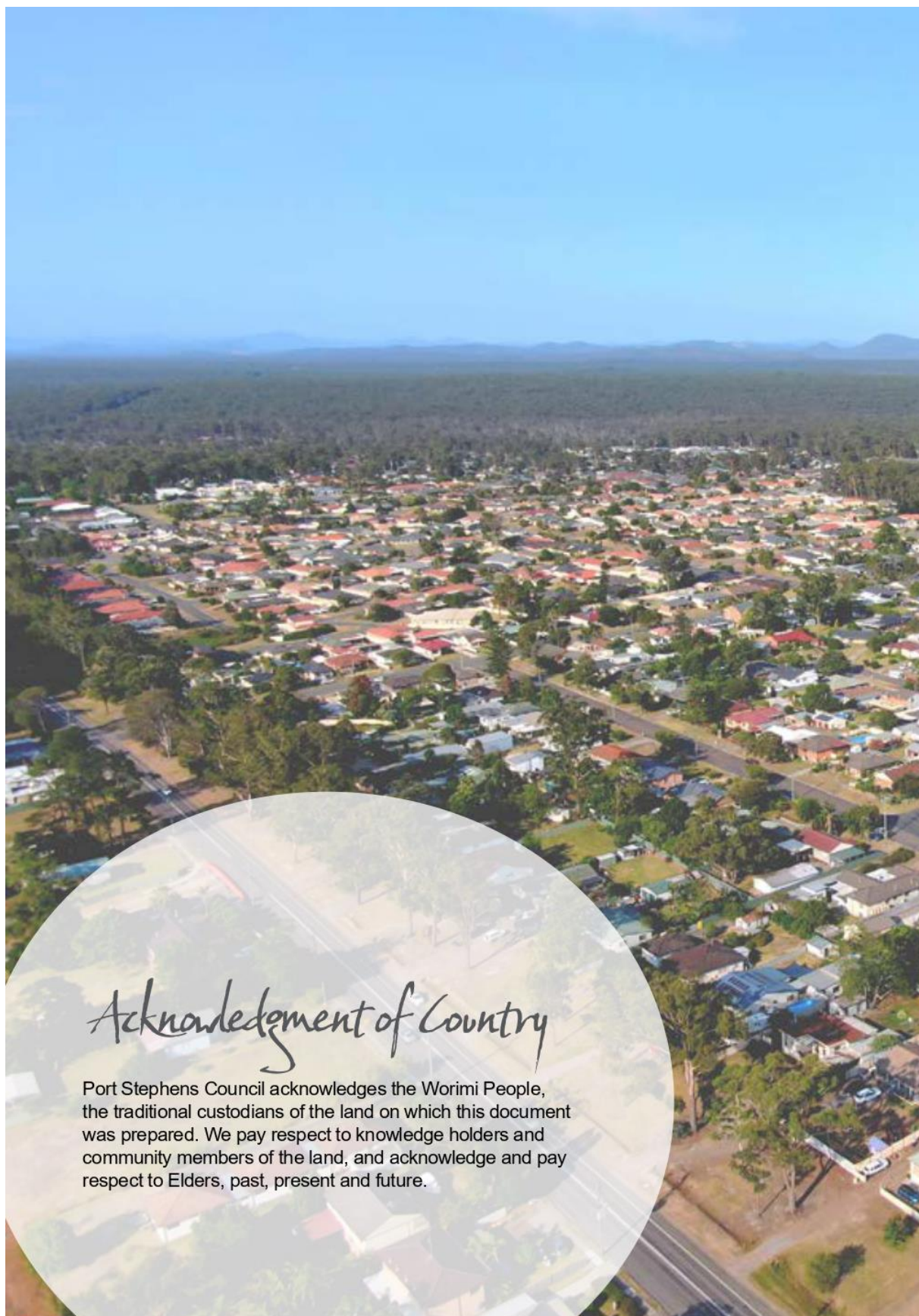
<b>No.</b>	<b>Author of submission</b>	<b>Comment</b>	<b>Council response</b>
		or sewer and has high biodiversity values including several endangered fauna.	assessed in accordance with Live Port Stephens.

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STRATEGY - LIVE PORT STEPHENS.





ITEM 3 - ATTACHMENT 2 DRAFT PORT STEPHENS LOCAL HOUSING STRATEGY - LIVE PORT STEPHENS.



## ITEM 3 - ATTACHMENT 2 DRAFT PORT STEPHENS LOCAL HOUSING STRATEGY - LIVE PORT STEPHENS.

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## ITEM 3 - ATTACHMENT 2 DRAFT PORT STEPHENS LOCAL HOUSING STRATEGY - LIVE PORT STEPHENS.

# Introduction

### Executive summary

The Port Stephens Local Government Area (LGA) is growing and Live Port Stephens provides the road map to accommodate people who want to live in our LGA over the next 20 years.

As a major driver in Australia's largest regional economy, Port Stephens has recently attracted substantial investment to support infrastructure and future job growth. Major public, private and civil projects will make Port Stephens a regionally significant hub for the defence, tourism, manufacturing, aviation and aerospace, marine, and energy sectors.

Proximity to Greater Newcastle and the Hunter's rich resources will attract investment, businesses and a skilled workforce to Port Stephens looking to capitalise on established transport connections and the global gateway that is Newcastle Airport.

These jobs will attract workers and families over the next 20 years looking for a work life balance in one of the Hunter's most beautiful and varied landscapes.

Port Stephens can offer new homes that are well connected to schools, transport, beaches and waterways, sporting and other facilities. From coastal communities, urban release areas, hinterland villages, waterfront homes and town apartments, to spacious homes in the suburbs and rural retreats, housing in Port Stephens can provide lifestyles to suit every household.

The Greater Newcastle Metropolitan Plan requires councils to prepare local housing strategies to deliver housing close to jobs and services to create sustainable lifestyles in liveable communities. Live Port Stephens creates capacity for a diverse range of new homes close to established and planned employment hubs in Port Stephens and Greater Newcastle.

Live Port Stephens will:

- ensure suitable land supply
- improve housing affordability
- increase diversity of housing choice
- facilitate liveable communities

Live Port Stephens is the overarching strategy to guide land use planning decisions for new housing in Port Stephens and satisfies action 4.1 in the Port Stephens Local Strategic Planning Statement. It comprises four outcomes (what we want to achieve), 12 priorities (how we will get there) and 23 actions (what we do next). The outcomes will meet the directions set for Hunter councils in State planning strategies and the priorities identify the broad issues or policy areas that we need to focus on. The actions listed at the end of each chapter identify the specific steps to achieve each outcome.



I originally came for work and then stayed. It became my home. My friends and family are now here.

## ITEM 3 - ATTACHMENT 2 DRAFT PORT STEPHENS LOCAL HOUSING STRATEGY - LIVE PORT STEPHENS.

### Port Stephens Snapshot

Port Stephens Local Government Area (LGA) spans 860 square kilometres and forms part of the Hunter region, Australia's largest regional economy. It is bounded by Dungog Shire and Mid Coast Council areas to the north, Maitland City to the west, and the City of Newcastle to the south. The Pacific Ocean lies to the east.

Port Stephens is home to approximately 72,700 people living in coastal communities, hinterland villages, rural retreats, or in the suburbs. Each local centre in the LGA offers housing and lifestyles that create diverse communities.

Identified as part of the Greater Newcastle Metropolitan Area, Raymond Terrace, Tomago and Williamtown are regionally significant strategic and employment centres in Port Stephens. Tomago and Williamtown have been identified as 'Catalyst Areas' in the Greater Newcastle Metropolitan Plan and are earmarked for significant growth and investment over the next 20 years. Due to its proximity to Williamtown and Tomago, as well as the potential for residential growth, Medowie is likely to emerge as a strategic centre playing an important role both within Port Stephens and Greater Newcastle.

Newcastle Airport at Williamtown provides a global gateway for the Hunter region and is home to the Royal Australian Air Force (RAAF) base and associated aerospace and aviation support services. The arrival of the Joint Strike Fighter is anticipated to create some 3,000 direct and indirect jobs for civilian and defence workers and the expansion of the aerospace precinct around the airport is likely to have a significant impact on the growth of Port Stephens and Greater Newcastle.

Tomago is an established major employment area comprising various industrial and manufacturing activities including, mining support, heavy industry and aluminium production. Investment in a major gas fired power station at Tomago will provide energy infrastructure to grow the region.

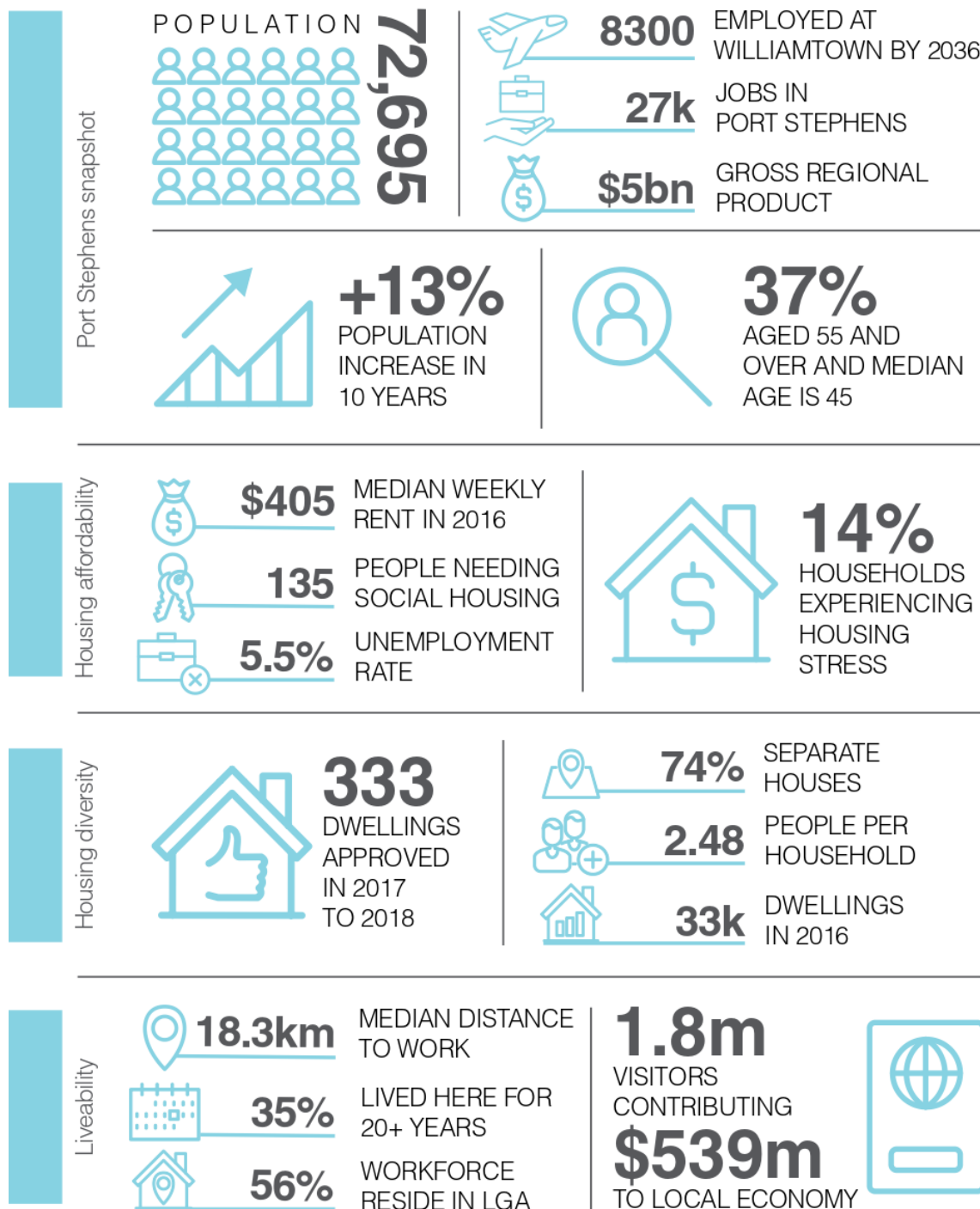
Nelson Bay and the Tomaree Peninsula are similarly major contributors to the regional economy, hosting iconic tourist destinations that attract State, national and international visitors.

Access to Newcastle Airport, the Port of Newcastle, and **key regional road and rail** corridors make Port Stephens a major hub for businesses seeking to capitalise on freight and logistics infrastructure.

Town centres in Raymond Terrace, Medowie, and Nelson Bay provide for residents and visitors to live, shop, work, gather and be entertained. Coastal towns and villages provide unique tourist and visitor experiences and support strong communities that enjoy living in a unique natural setting. The rural west of Port Stephens provides a scenic backdrop for villages and rural residential retreats that reflect a rich history of land use in our LGA.

Port Stephens encompasses diverse natural and cultural heritage, including Aboriginal cultural heritage. Areas of environmental significance shape our landscape, including National Parks, the Port Stephens Great Lakes Marine Park, the Watagan to Stockton Green Corridor, estuaries and wetlands, Grahamstown Dam, the Stockton sand dunes, and the Hunter and Williams Rivers.

# ITEM 3 - ATTACHMENT 2 DRAFT PORT STEPHENS LOCAL HOUSING STRATEGY - LIVE PORT STEPHENS.



## ITEM 3 - ATTACHMENT 2 DRAFT PORT STEPHENS LOCAL HOUSING STRATEGY - LIVE PORT STEPHENS.

### Opportunities and constraints

Significant commitments to invest in Port Stephens to grow the regional and local economy and to provide the infrastructure to support growth will drive demand for new housing over the next 20 years.

Investment in Newcastle Airport, new infrastructure to support urban development, town centre rejuvenation, smart city innovations, and education facilities will attract people looking to live near jobs and in vibrant communities.

Port Stephens is renowned for its scenic and natural beauty, with environmentally and culturally significant areas. Port Stephens attracts residents seeking homes with strong connections to surrounding areas as well as the natural environment, including our beaches, rivers and waterfronts, forests, sand dunes, or the rural hinterland.

Our diverse landscape can present potential constraints for new housing in some areas such as flooding, biodiversity values, drinking water catchments, and bushfire. Other constraints from existing land uses in Port Stephens will shape how we grow and where new housing is located, including aircraft noise and productive agricultural land.

Existing urban areas and centres in Port Stephens present key opportunities to accommodate future housing. New housing located within walking distance to main streets, shops, schools and parks will sustain liveable communities.

Investment in rejuvenating town centres, such as Raymond Terrace and Nelson Bay, and an emerging strategic centre at Medowie will create opportunities for people to live in vibrant centres, and an increased resident population can ensure local economies are supported.

Existing urban areas and neighbourhoods in Port Stephens can provide a diverse and affordable mix of housing options close to employment hubs in Port Stephens and other parts of Greater Newcastle such as Maitland and Newcastle City.

Raymond Terrace, Anna Bay, and the Tilligerry Peninsula can provide opportunities for growing local centres through small scale renewal, for example townhouse redevelopments or shop top housing in centres.

New development and new housing in Port Stephens **can contribute to the revitalisation of existing communities and** fund local infrastructure investment such as facilities for residents, including sporting facilities, community and cultural facilities, road upgrades and cycle paths.

Existing and planned infrastructure supports urban release areas at Kings Hill, Raymond Terrace, Medowie, Karuah and Anna Bay. Increased growth provides opportunities for future investment and upgrades in Port Stephens such as improved public transport and connections to other strategic centres in Greater Newcastle.



**ITEM 3 - ATTACHMENT 2 DRAFT PORT STEPHENS LOCAL HOUSING STRATEGY - LIVE PORT STEPHENS.****Housing vision**

In 2040, Port Stephens will offer homes in diverse neighbourhoods and centres that enable people to live close to work, raise their families in healthy neighbourhoods, escape the rat race surrounded by picturesque landscapes, or enjoy retirement in active communities. New and existing residents are spoilt for choice when it comes to choosing their dream home.

Local centres are the hub of community life and provide spaces for people to gather, celebrate and explore. Our natural and cultural heritage shapes our places and is reflected in the local character of our neighbourhoods and centres.

Port Stephens residents are more connected than ever with local, regional and global transport networks providing easy access to jobs, interstate and overseas travel, education and health services. Residents and visitors use walking and cycling links to access local shops, schools, parks and sporting facilities.

New areas are planned to be liveable neighbourhoods and designed to support sustainable homes and lifestyles. Communities grow in places that create a sense of belonging and foster wellbeing.

Raymond Terrace is an attractive, affordable and vibrant centre with homes for people seeking shorter trips to work in Heatherbrae, Williamstown and Tomago, and easy access to other centres in Greater Newcastle. A revitalised town centre provides homes close to shopping, dining, and entertainment. Residents are connected via cycle ways and paths to surrounding suburbs, schools, parks and sports fields. Raymond Terrace is supported by new housing at Kings Hill offering a range of housing choices in the area.

Our coastal waterways and the scenic natural environment are reflected in the local character of the coastal towns and villages on the Tomaree and Tilligerry peninsulas. New development is concentrated within existing urban areas between the bush and the waters of Port Stephens and strong local communities enjoy convenient, active lifestyles.

Medowie attracts families looking for space to grow and maintain convenient connections to Greater Newcastle. As a place of tall trees, the streets and backyards are part of a green urban landscape that supports plants, animals and people.

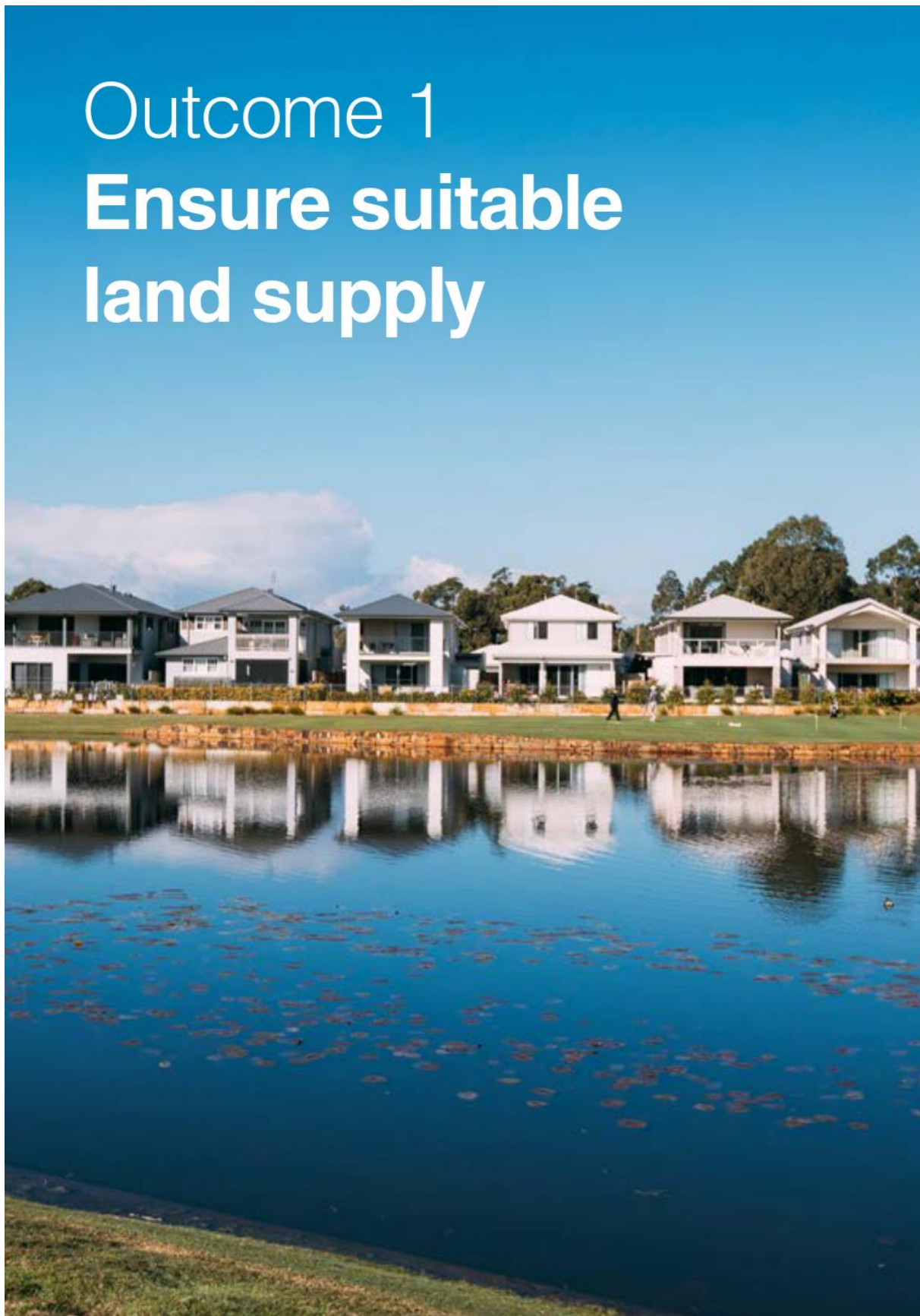
Karuah has undergone substantial growth that has reinvigorated the town centre and attracted 'escapers' from Greater Newcastle and beyond.

Fern Bay enjoys an exciting new town centre and provides diverse housing choices in one of the region's most convenient locations.

Port Stephens will attract new residents and provide housing that meets their needs. New urban development opportunities, including a mix of infill and greenfield opportunities, will be investigated as Greater Newcastle grows.

# Outcome 1

## Ensure suitable land supply





## ITEM 3 - ATTACHMENT 2 DRAFT PORT STEPHENS LOCAL HOUSING STRATEGY - LIVE PORT STEPHENS.

### Priorities

- 1.1 Ensure adequate supply of new housing
- 1.2 Remove barriers to unlock housing supply
- 1.3 Increase the proportion of infill housing

Home in Port Stephens can mean living in a seaside village, a suburban neighbourhood, a coastal retreat or a peaceful rural escape. The variety of landscape settings means residents are spoilt for choice when seeking a home to suit their lifestyle. Port Stephens features pristine natural environments, beautiful waterways, and easy access to jobs, services and facilities, making it a destination of choice for many.

In 2018, Port Stephens was the third fastest growing local government area in the Hunter (behind neighbouring Maitland and Cessnock). The population of Port Stephens grew from approximately 64,300 in 2008 to 72,700 in 2018, an increase of 13%.

Major economic stimulus and committed investment in Port Stephens is likely to continue this trend, with planned economic growth around Newcastle Airport at Williamstown and Tomago industrial precinct and significant investment committed to support the visitor economy on the Tomaree Peninsula. The introduction of the Joint Strike Fighter aircraft to the RAAF base at Williamstown will alone create an additional 3,000 jobs by 2036.

Proximity to these job markets makes living locally an attractive option, with most housing opportunities in Port Stephens located

within 15 minutes of a Greater Newcastle employment centre. Existing and future residential areas, such as Karuah, Fern Bay, Kings Hill, and Medowie can provide affordable options for people looking for a relaxed lifestyle less than 30 minutes from major employment areas in Williamstown, Maitland, Broadmeadow, and Newcastle City centre.

As the way we work changes, Port Stephens will be an even more attractive choice for people choosing to work remotely and live in a beautiful location. Port Stephens offers easy access to both Australian and international destinations, with Newcastle Airport putting local residents within an hour of Melbourne or Brisbane.

The Port Stephens Demographic and Housing Overview Report identifies population growth slowing over time due to limited land supply in Port Stephens. This is consistent with State government population projections for our LGA. The Report demonstrates that when land supply is available, the population of Port Stephens grows, and when land supply is constrained, housing affordability decreases and people settle elsewhere in Greater Newcastle.



### ITEM 3 - ATTACHMENT 2 DRAFT PORT STEPHENS LOCAL HOUSING STRATEGY - LIVE PORT STEPHENS.

Table 1 shows the projected supply of new dwellings in Port Stephens to 2040, based on the current existing land supply. This supply includes undeveloped land already zoned for residential development or sites that have been conditionally approved by the Department of Planning, Industry and Environment (DPIE) for rezoning as of December 2019.

Table 1 shows the available proportion of dwellings located on greenfield sites, infill opportunities and on rural residential sites.

A high proportion of the projected supply will be provided from large urban release areas, such as Kings Hill, and this is reflected in the proportion of greenfield dwellings within Raymond Terrace (87%) and Port Stephens (72%).

The data shows that without intervention to identify additional housing opportunities

(e.g. rezoning new urban greenfield sites or amending development controls within existing urban areas), the current available housing supply is unlikely to support the demand identified by DPIE<sup>1</sup>.

Regular monitoring will be undertaken to compare actual dwelling production with the forecasts and to inform intervention actions.

Without adequate housing supply in Port Stephens, people moving to the area over the next 20 years may not be able to find homes near where they work or within their budget.

Currently only 56% of people working in Port Stephens live in the LGA and the State Government's Greater Newcastle Metropolitan Plan (GNMP) directs local councils to deliver housing close to jobs. To shift this statistic over the next 20 years, Port Stephens can provide homes for people moving to the area for these new jobs.

Table 1 Current supply of new dwellings by area to 2040

Area	Greenfield proportion	Infill proportion	Rural residential proportion
Fern Bay	90%	3%	7%
Karuah	92%	8%	0%
Medowie	68%	22%	10%
Raymond Terrace (incl. Kings Hill)	87%	13%	0%
Rural East	100%	0%	0%
Rural West	0%	5%	95%
Tilligerry	7%	93%	0%
Tomaree	43%	57%	0%
Port Stephens	72%	25%	3%
<b>TOTAL NEW DWELLINGS</b>	<b>7500</b>		

Source: Remplan 2019, Port Stephens Demographic and Housing Overview Report

**Note:** This table refers to 'planning areas' as identified in the Port Stephens Demographic and Housing Overview Report<sup>2</sup>

**ITEM 3 - ATTACHMENT 2 DRAFT PORT STEPHENS LOCAL HOUSING STRATEGY - LIVE PORT STEPHENS.**

Port Stephens has long been a desired destination for retirees and older people moving from cities and other areas to enjoy a more relaxed lifestyle in beautiful surroundings. Demand for homes suited to older persons is likely to continue.

Other key trends that are likely to impact future demand for new housing includes 'regional returners' or people who left the area as young adults and are choosing to move back later in life as they grow families or value the lifestyle in Port Stephens. Facilitating an appropriate supply of housing provides opportunities to retain younger people with

strong connections to our LGA, who value access to developable land that is close to family, centres and employment.

The Port Stephens Demographic and Housing Overview Report recommends finding new housing opportunities to increase dwellings and meet this expected demand in order to avoid negative impacts on housing affordability.<sup>2</sup>

Live Port Stephens contains the actions to identify additional housing opportunities, create more diversity and housing choice, and to support housing affordability in our LGA.





## ITEM 3 - ATTACHMENT 2 DRAFT PORT STEPHENS LOCAL HOUSING STRATEGY - LIVE PORT STEPHENS.

### Priority 1.1 Ensure adequate supply of new housing

Significant commitments to invest in Port Stephens to grow the regional and local economies and provide the infrastructure to support that growth will drive demand for new housing over the next 20 years.

Port Stephens has always been an attractive place to live, renowned for its scenic and natural beauty and environmentally and culturally significant areas. Supporting economic and population growth, while preserving **productive agricultural land**, the environment and natural landscape requires a balanced approach when planning for future urban and rural housing areas.

Various other constraints, such as flooding, biodiversity corridors, bushfire, slope, and proximity to conflicting land uses will also impact new housing opportunities in Port Stephens.

Locations with few constraints that can capitalise on existing infrastructure should be prioritised. Future greenfield housing areas will preferably be located on land that is in proximity to an existing centre, adjoining an existing urban area, or where it can be demonstrated that sewer, water, electricity, transport, and drainage infrastructure can be delivered.

The Greenfield Housing Criteria at Appendix 1 guides the identification and assessment of future urban greenfield rezoning requests. The criteria in Appendix 1 reflects a preference for future greenfield housing on land that is unconstrained and acknowledges that some rezoning requests will require a higher level of strategic justification and supporting information to be considered for development.

Rural residential housing can also contribute to the overall housing supply and increase housing diversity. Planning for this type

of housing supply requires balancing the protection of agricultural land with provision of adequate housing to meet demand. Rural residential housing will be prioritised in locations where:

- The land is unlikely to be required for **agriculture and is unsuitable** for more intensive urban purposes in the future due to physical constraints such as slope, environmental characteristics, or natural hazards;
- Less intensive urban development results in better management of the land; and
- The delivery of infrastructure required to service the development is physically and economically feasible.

The Rural Residential Criteria at Appendix 2 guides the identification and assessment of future rural residential rezoning requests. The criteria in Appendix 2 reflects a preference for future rural residential opportunities on land that is relatively unconstrained, not suitable for urban development, and not identified as important agricultural land.

New rezoning requests will be assessed against the relevant criteria in Appendix 1 and Appendix 2 and Council's local strategies.

To plan for the co-ordinated delivery of local and State infrastructure, services, and the community facilities necessary to support new development, rezoning requests will be prioritised in consultation with State agencies, including Hunter Water Corporation, Transport for NSW and DPIE.

Rezoning requests will be prioritised to ensure the objectives of State, regional and local plans (including Live Port Stephens) can be delivered, such as housing in locations that connect people to jobs and public transport, conservation of important environmental and biodiversity values, and provision of community and social infrastructure.

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### Priority 1.2 Remove barriers to unlock housing supply

There are sites identified in adopted local **area** strategies, **that** have failed to progress to rezoning for new housing for any number of reasons. This **may** include fragmented ownership, environmental constraints requiring significant investigations, or challenges in funding and providing necessary infrastructure.

As part of boosting housing supply, sites already identified for housing can be re-examined to identify barriers to delivery and the opportunities for unlocking housing supply on these sites.

Fragmented land ownership (where a development precinct has multiple landowners) can complicate the process of making land use changes, particularly if significant resources are required to fund the studies and investigations to support a rezoning. Fragmented land ownership is common to a number of precincts identified in existing land use strategies for future housing and may have stalled potential land supply from being rezoned.

Environmental constraints also have the potential to stall **the** delivery of housing, especially when studies and investigations are expensive, time consuming, or difficult to resource and coordinate. Landowners might be reluctant to invest in a rezoning process where environmental constraints can impact potential yield and certainty.

Infrastructure requirements, like the timely provision of roads, sewer and water infrastructure, can also be a barrier for housing development. In our LGA, sewer and water infrastructure is the responsibility of Hunter Water and the annual Hunter Water Growth Plan provides detailed maps with the likely timeframes for servicing new development. Hunter Water also supports developer delivered infrastructure ahead of schedule through funding deeds. Council provides advice to Hunter Water in the preparation of the Hunter Water Growth Plan and consults Hunter Water on land use plans and applications including in relation to drainage and water quality within drinking water catchments.





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### Case study: investigating environmental constraints at Anna Bay

The Anna Bay Strategy and Town Plan was adopted by Council in 2008. The Strategy identifies land with potential for housing development, and the need for detailed flood investigations to support any future development. For individual landowners, the

studies proved cost prohibitive and rezoning investigations stalled until Council sought grant funding from the NSW Government to prepare a comprehensive area flood study as part of the NSW Floodplain Management Program in 2017. The Anna Bay Tilligerry Creek Flood Study will guide future development in the area and unlock future residential sites at Anna Bay.

Figure 1 Anna Bay and Tilligerry Flood Study area



### Priority 1.3 Increase the proportion of infill housing

Infill housing is the redevelopment of existing urban areas for additional housing such as duplexes, terraces, townhouses or granny flats. The GNMP has set a target for new dwellings to be 60% infill and 40% greenfield across Greater Newcastle by 2036.

The current housing supply in Port Stephens is predominantly greenfield housing with 78.8% being houses on separate lots. Table 1 above shows that without intervention this trend is likely to continue with infill housing

only making up 25% of the projected supply of new dwellings to 2040. Live Port Stephens proposes actions, including amendments to development controls and monitoring of supply, to increase the proportion of infill housing.

Infill housing creates more compact neighbourhoods which promotes more efficient use of existing infrastructure such as pathways, roads, parks and more efficient delivery of services such as water, garbage collection and electricity. It also improves the viability and availability of social infrastructure and community facilities.

**Infill Housing Opportunities Map**

- Local Centres
- Emerging Centre
- Strategic Centres
- Infill housing opportunities
- Waterways
- National Park
- Environmental and Recreation Zones

The Infill Housing Study identifies opportunities for new housing in liveable communities within walking distance to existing centres<sup>4</sup>. Based on the study, Raymond Terrace, Nelson Bay, Shoal Bay

The Infill Housing Opportunities Map guides the identification and assessment of future rezoning requests for infill development. The criteria in the Study reflects a preference for future infill opportunities on relatively unconstrained residential land within 400m of commercial centres.

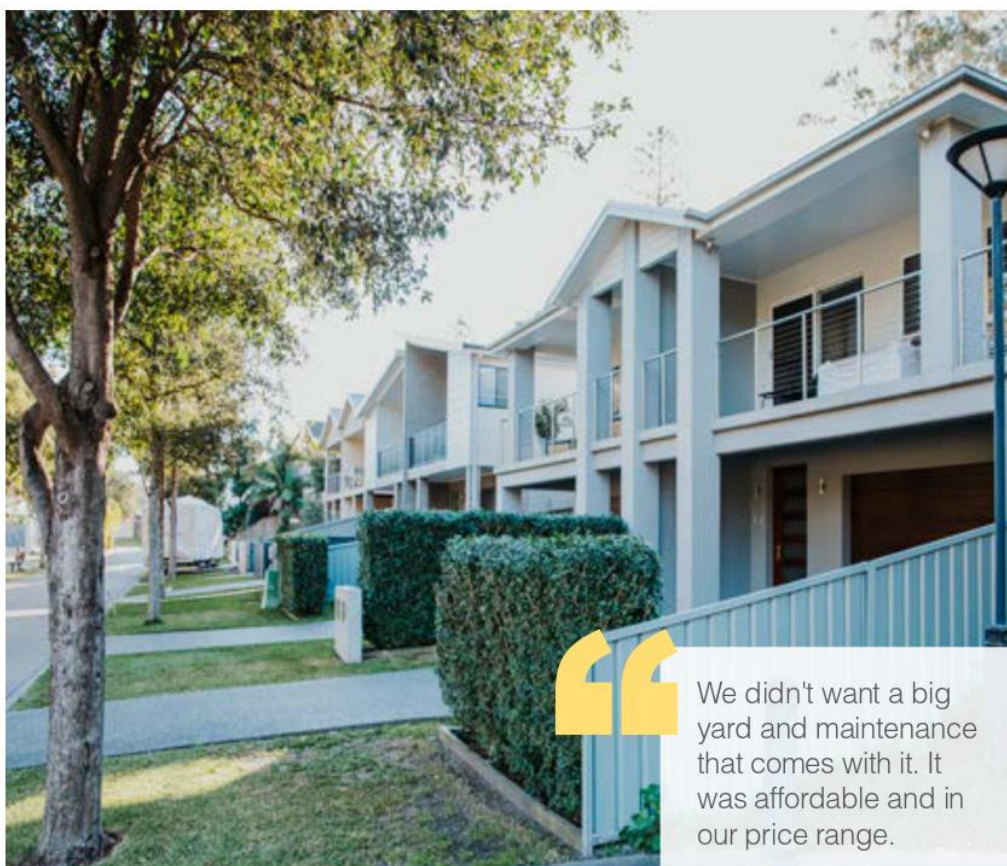


**Outcome 3** summarises the findings of the Infill Housing Study and identifies the dwelling types that can complement existing streetscapes and neighbourhoods.



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Actions	Links to
1. Prioritise rezoning requests for future greenfield housing that are consistent with adopted planning strategies and meet the criteria listed in Appendix 1	Priority 1.1
2. Prepare an annual report of land supply and dwelling production	Priority 1.1
3. Undertake an audit to identify the barriers preventing existing identified land supply from being developed	Priority 1.2
4. Consider opportunities for Council to lead actions to unlock potential land supply	Priority 1.2
5. Consider recommendations in the Infill Housing Study to facilitate infill housing in centres, including considering incentives to encourage selected types of infill	Priority 1.3
6. Review the rezoning request process to align with the outcomes and priorities of Live Port Stephens	Priority 1.1, 1.2 and 1.3

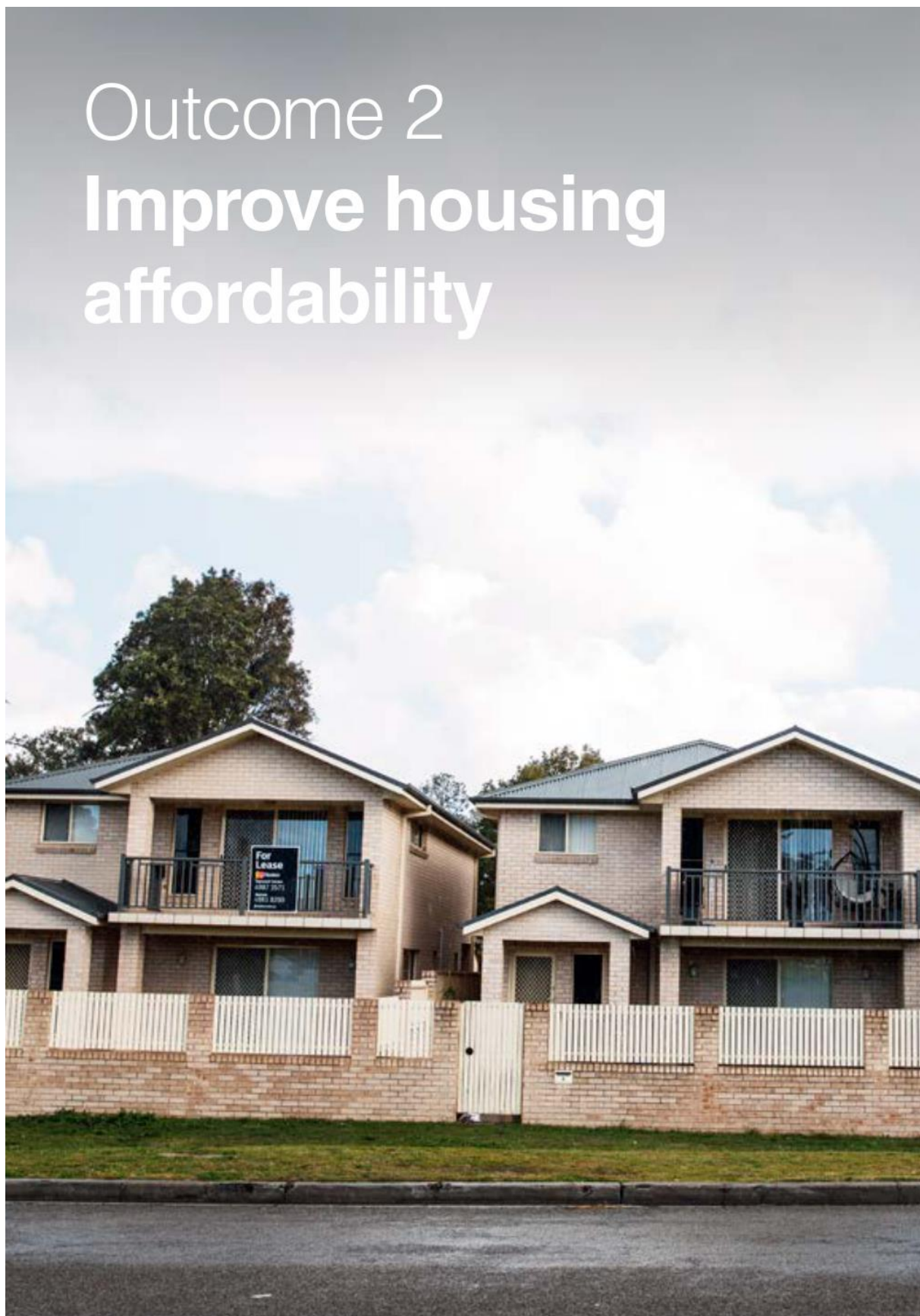




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# Outcome 2

## Improve housing affordability



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**Priorities****2.1** Respond to housing stress**2.2** Provide more affordable housing near jobs**2.3** Reduce the cost of new housing

Everyone in our community benefits from more affordable housing options. Households with low or median incomes, young people wanting to move out and live close to family, a person on a pension, or key workers who need to live close to their job should have housing options in Port Stephens that suit their needs and budget.

Port Stephens is well placed to attract future residents looking for more affordable housing in comparison to other parts of NSW, particularly Sydney. Port Stephens can offer an attractive 'sea change' or 'tree change' for people moving to the area including 'regional returners' who grew up here and are looking to move back.

House and land affordability can impact on the quality of life, with households suffering from housing stress when they pay more than 30% of their income in housing costs (rent or mortgage). A ratio of 30/40 is often used as a benchmark—that is, if households that fall in the bottom 40% by income spend more than 30% of their income on housing, they are defined as being in housing stress. The consequences of housing stress can include:

- living with unmanageable levels of debt
- working longer hours to pay for housing
- travelling long distances to work or to access essential services
- living in overcrowded or substandard housing
- going without essentials such as adequate food, heating, medication or education

The challenge for Port Stephens is to provide a sustainable supply of affordable housing choices at the right price and in the right locations. Many factors can influence property and rental prices, however there are opportunities for Council to plan for more affordable housing by reducing direct and indirect housing costs. This can be done through the local planning system and in partnership with developers, including community housing providers.

**Priority 2.1 Respond to housing stress**

Sales data indicates that Port Stephens is an affordable option within the Hunter Region, particularly when compared to Lake Macquarie and Newcastle which offer similar coastal lifestyle opportunities. However, in comparison to sales data in Maitland and Cessnock, Port Stephens is considered less affordable.

Port Stephens comprises a higher proportion of very low-income households when compared to the Hunter Region and New South Wales, which is reflective of the high proportion of the population that are of retirement age.

The Port Stephens Demographic and Housing Overview Report shows 14.1% of total households in Port Stephens experienced housing stress in 2016, compared to 13.7% of households in NSW. Of the total rented dwellings in Port Stephens, 41.4% were considered to be experiencing housing stress compared to 14.2% of households with mortgaged dwellings in 2016.

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In 2011, there were 4365 available affordable rental properties in Port Stephens (i.e. affordable for low income renters), representing two thirds of all rental properties in the LGA. By 2016, this supply decreased to 4099 properties.

Rent in Port Stephens is becoming increasingly unaffordable for low income earners with flats and units currently representing the most affordable housing options in Port Stephens at a median rent of \$340 per week (December 2018).

On the demand side, single and couple households are the dominant household size in Port Stephens and recent survey data indicates a preference for some existing residents to downsize, either to a smaller home or homes on smaller blocks.



**Outcome 3** summarises the results of the Housing Preferences Report which indicates a preference towards downsizing and remaining in Port Stephens.

Downsizing is perceived as moving from a larger to a smaller dwelling, generally with less bedrooms. However, some older households can prefer to move to a smaller home with the same number of bedrooms, but with fewer or smaller living areas and/or smaller outdoor areas or backyard.

Opportunities to improve housing affordability in Port Stephens may be directed towards these housing preferences by aiming to increase the supply of smaller lots as well as lower-cost dwellings, including duplexes or townhouses.

Satisfying the demand for downsizing can positively impact the supply of larger homes on larger blocks for families looking to buy or rent in the area. If existing residents in large properties are able to downsize and stay in Port Stephens, more dwellings would become available for people moving to the area looking for larger properties.

In areas with households on very low incomes or where mortgage or rental stress is identified, there may also be opportunities for developers and affordable housing providers to better meet demand by providing higher density dwellings such as townhouses and terraces.<sup>5</sup>

Whilst ensuring an adequate supply of new housing can address housing stress, other measures can include making more efficient use of existing housing. The 2016 Census showed high rates of unoccupied dwellings in some coastal parts of Port Stephens and, on average, Port Stephens had nearly double the rate of unoccupied dwellings as Lake Macquarie. These figures reflect the popularity of short term rental housing in Port Stephens which supports our tourist and visitor economy. Unoccupied dwellings can however impact the long term rental market and monitoring the availability of long term rental housing stock across Port Stephens and the rate of short term rental housing will inform any future actions





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### Priority 2.2 Provide more affordable housing near jobs

The top employment sectors in Port Stephens are public administration (including defence), manufacturing, and construction. These types of jobs are closely linked to the major employment hubs of Raymond Terrace, Tomago, Williamtown and Heatherbrae. Significant job growth is expected around Newcastle Airport at Williamtown and Tomago industrial precinct which is likely to drive demand for housing in nearby areas. Other residents in Port Stephens work in employment centres in parts of Greater Newcastle such as Maitland and Newcastle City. To provide housing options near jobs, housing supply should be focused within centres that have convenient links to major employment areas, such as Raymond Terrace, Medowie and Fern Bay.



**Outcome 1** aims to ensure future land supply is in locations with convenient access to jobs and town centres.

Other major employment sectors in Port Stephens include retail, visitor and tourist industries, service industries, health and aged care. These industries are predominant on the Tomaree Peninsula and may create a need for additional housing options in Anna Bay, Nelson Bay, and Salamander Bay.

Of the 27,346 people who work within the Port Stephens LGA, 56% live and work in Port Stephens, while 44% live elsewhere (primarily Newcastle, followed by Maitland and Lake Macquarie). The median distance

employed residents in Port Stephens travel to get to work is approximately 18km which is significantly higher than the median distance for other workers in the Hunter Region (nearly 12km), and in New South Wales (11km). This demonstrates a need to focus housing supply in Port Stephens in areas that are closer to current and future jobs.

Given the wide range of industries and employment options available in and around Port Stephens, the housing types to satisfy the demand to live close to jobs is also likely to be diverse.



**Outcome 3** aims to facilitate new housing within existing urban areas and to provide for a range of housing types to better cater for diverse lifestyles and needs.

Providing diverse housing types closer to jobs can boost productivity by reducing the cost of infrastructure, assisting local businesses in securing a workforce, and providing a resident population to support local jobs in Port Stephens.

Planning for more affordable housing choices includes planning for affordable living beyond the initial cost of buying or renting a property. Affordable living includes the costs of travelling to work and accessing services and facilities such as child care. For example, a home in an isolated location may be cheaper to buy, however the cost of living further from shops, schools, and other services may offset this.



It's beautiful and still affordable.

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### Priority 2.3 Reduce the cost of new housing

Council plans, policies and processes can influence the cost of housing through planning controls, the timing of land release, planning for facilities and services, and through costs related to local planning and assessment such as fees and charges.

For some time, Port Stephens Council (PSC) has been committed to reducing the cost of new housing by reducing red tape in the assessment process for new housing.



In 2017, PSC was awarded the NSW Premier's Award for 'Making Housing More Affordable' recognising its work to reduce timeframes for housing approvals. The process improvements can save homeowners up to \$2000 per application, or around \$2 million per year.

New technology and integrated approaches to assessment can offer further opportunities to cut red tape and reduce timeframes. Online lodgement and other ePlanning initiatives for integrated assessments may have the capacity to offer faster approvals. The Northern Territory and Australian

Capital Territory have found savings in process improvements that integrate zoning and application assessments. Reducing overall timeframes for new housing from identification of residential land to construction approvals can potentially drive down development costs.

Council policies and requirements, including fees and charges, can add to the cost of housing. Currently there are discounted fees for secondary dwellings (granny flats) to encourage this type of lower cost housing that offers growing households options and facilitates ageing in place.

Actions	Links to
7. Consult with the NSW Department of Communities and Justice, <b>Local Aboriginal Land Councils</b> and the NSW Department of Planning, Industry and Environment and consider opportunities for Council to partner with community housing providers to facilitate the supply of affordable housing for <b>Aboriginal people, and low and very-low income households</b>	Priority 2.1
8. Review local provisions to encourage more affordable dwellings within walking distance to town centres, including providing development controls for boarding houses and other categories of low cost housing	Priority 2.1
9. Encourage appropriate dwelling sizes in new developments in and around town centres and close to employment hubs	Priority 2.1 and 2.2
10. Consult with Fair Trading NSW to obtain data on short-term rental accommodation and to inform rental supply monitoring in Port Stephens	Priority 2.1
11. Advocate for better transport links from strategic centres to jobs and the region	Priority 2.2
12. Partner with the NSW Department of Planning, Industry and Environment to ensure readiness to adopt ePlanning reforms for integrated assessments and other process improvements	Priority 2.3
13. Investigate process improvements to better streamline assessments and reduce the cost of housing, including: <ul style="list-style-type: none"> <li>• A precinct based approach to water quality and more flexibility for infill development.</li> <li>• Clearer requirements and processes for local biodiversity offsets.</li> <li>• Integrated assessments for rezonings and development applications.</li> </ul>	Priority 2.3

# Outcome 3

## Increase diversity of housing choice





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### Priorities

**3.1** Facilitate new housing within existing urban areas

**3.2** Encourage a range of housing types and sizes

**3.3** Enable better planning for diverse lifestyles

The future supply of housing needs to deliver homes that can respond to changing communities and places. People transitioning through life stages can require a diversity of housing types, sizes, locations, and price points. Housing that can adapt can be increasingly important as families grow or people choose to age in place.

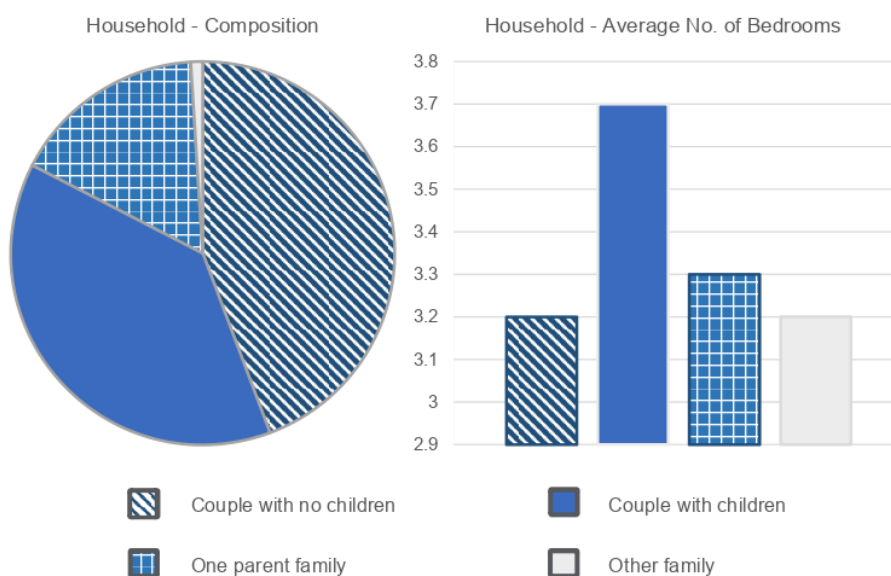
Diverse housing choices build more inclusive communities. Neighbourhoods with homes to accommodate families and households with varying needs and circumstances, sizes and compositions, income and health make stronger communities. It means that as people age they can stay in the same area, or young adults leaving home can still live close to their families and jobs.

Housing diversity means a range of housing types, sizes, tenures and price points are available to meet demand in the right locations. In Port Stephens, the current housing supply is dominated by separate houses on separate lots (74%). More than half of the new dwellings constructed between 2006 and 2016 were separate houses.

Census data shows 57% of households in Port Stephens consist of two or less people and the average number of bedrooms per dwelling in Port Stephens is 3.23.

Port Stephens is also home to an older population with 36.8% of people aged 55 years and over, and the proportion of older residents has increased over time.

**Figure 3** Household composition and average number of bedrooms by Household in Port Stephens



Source: Remplan, 2019, Port Stephens Demographic and Housing Overview Report

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The Housing Preferences in Port Stephens Report (Housing Preferences Report) polled some 300 residents to better understand why people move to Port Stephens and whether they are satisfied with the available housing choices.<sup>6</sup> The survey found there was existing latent demand for more diverse housing types in Port Stephens, including houses on smaller lots, higher density housing types (such as a duplex, or terrace house) and seniors housing (See Table 2).

Projected future housing demand may also support increasing housing diversity in Port Stephens. DPIE have identified growing future demand for dwellings to accommodate smaller households in Port Stephens, projecting that an additional 5000 dwellings

will be required for single and 2 person households in Port Stephens by 2041<sup>1</sup>.

To more accurately plan for future housing demand, a wider survey may be needed as net migration to the Hunter region is predicted to be around 97,000 people by 2040. Data from a wider sample could more accurately determine the housing needs of people choosing to move to the region and could assist in planning to provide future housing in Port Stephens that can meet the preferences of people moving to the Hunter for jobs or lifestyle changes.

**Table 2** Housing preferences and demand for more diverse housing types

Housing type	Preferred housing within budget	Current housing	Difference	Demand
House on separate lot	72.8%	82.3%	-9.5%	
Small lot (under 250m <sup>2</sup> )	12.6%	6.7%	5.9%	✓
Small/medium lot (250 to 500m <sup>2</sup> )	20.7%	13.4%	7.3%	✓
Medium lot (500 to 800m <sup>2</sup> )	36.9%	43.7%	-6.8%	
Large lot (over 800m <sup>2</sup> )	15.3%	18.9%	-3.6%	
Rural block	14.4%	17.3%	-2.9%	
Semi-detached	6%	3.5%	2.5%	✓
Flat, unit of apartment	8.2%	3.5%	4.7%	✓
Seniors retirement village	7.6%	3.8%	3.8%	✓

Source: SGS Economics & Planning, 2019, Housing Preferences in Port Stephens Report



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### Priority 3.1 Facilitate new housing within existing urban areas

The GNMP has set a direction for Greater Newcastle councils to increase the proportion of dwellings provided within existing urban areas (infill housing).

Existing urban areas are more likely to provide access to the types of infrastructure and community facilities that are needed to support more diverse housing choices. For example living close to local shops, medical or other facilities can be important for older residents and proximity to schools, parks and sporting facilities may be important for young families.

Areas with established populations are more likely to attract and enjoy a higher level of services and facilities. Population density can impact private and public investment decisions such as public transport links and road upgrades and it can be more efficient to provide and maintain infrastructure and services in established areas.



**Outcome 4** plans for communities with convenient access to essential services and infrastructure. Communities are more liveable when they are supported by infrastructure and services.

The Infill Housing Study identified opportunities for Council to encourage greater diversity of infill housing in the locations that will enhance liveability and cater for the changing needs of the growing population.

The Study investigated opportunities for new infill development in Port Stephens, i.e. the redevelopment of existing urban areas for additional housing such as duplexes, terraces, granny flats etc. It analysed forecast demand and housing supply and identified opportunities to encourage a greater diversity of housing in locations that promote liveable communities.

The sites identified in the Study were selected because of their proximity to local centres with the characteristics of liveable communities. Existing development constraints, including planning controls were tested and a financial feasibility assessment carried out to determine whether redevelopment is feasible and achievable.

Infill housing and higher housing densities can be perceived as imposing new developments with larger footprints and taller buildings. The Infill Housing Study has taken a place-based approach to ensure that proposed development types suit the existing local character of each suburb.

Building types that will increase density but will integrate with existing low rise streetscapes and neighbourhoods have been included in the Study.

The Infill Housing Study identified opportunities to make infill housing more achievable and makes recommendations to incentivise the consolidation of lots, invest in infrastructure in local centres such as parks and footpaths to support higher densities and make changes to planning controls to both make development more financially feasible as well as to promote design quality.

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Figure 4 Housing typologies





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### Priority 3.2 Encourage a range of housing types and sizes

The GNMP requires 25% of lots in new housing areas to be capable of accommodating small lot housing or multi-dwelling housing. Small lot housing typically refers to homes specifically designed to be accommodated on smaller lot sizes, generally between 200 to 450m<sup>2</sup>. Multi-dwelling housing includes three or more attached or detached townhouses and terraces.

In Port Stephens, new housing has generally been provided on lots of 500m<sup>2</sup> and above with 75% built as separate houses (rather than townhouses or other multi-dwelling

housing). Whilst there is still demand for houses on larger lots and rural housing, some homeowners have been willing to trade traditional backyards and large lot sizes for location, convenience, and shared open space.



**Outcome 1** identifies how future greenfield and rural residential housing opportunities can be identified

The data from the **Housing Preferences Report** also indicates there is current demand for a wider range of lot sizes, including lots less than 500m<sup>2</sup> and lots less than 250m<sup>2</sup> to

#### Case study: small lot housing in an urban release area at Pacific Dunes, Medowie

Pacific Dunes in Medowie is home to some of the smallest housing lots in Port Stephens, with some homes set on lots less than 300m<sup>2</sup>.

Figure 5 Aerial views of Pacific Dunes, Medowie



This new housing area provides diverse housing in a landscape setting, close to a wide range of facilities, and a short distance from the Medowie town centre. The design of the Pacific Dunes development responds to changing housing needs and wants by providing easy to maintain homes, access to high quality facilities and services and a sense of community.

Figure 6 Homes in Pacific Dunes, Medowie



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cater for different households<sup>6</sup>. There may be opportunities for redevelopment sites in existing urban areas to satisfy this demand **as well as** opportunities for new urban release areas to offer a range of housing types and sizes.

The way people live and use their homes is changing, as demonstrated by the survey responses in the Housing Preferences Report. Households with singles, or couples who both work may not have time to maintain large backyards synonymous with the traditional Australian dream of a house on a quarter acre block. Similarly, affordability is another key driver in this segment of the housing market, with smaller lots in the Pacific Dunes development selling for up to 30% less than larger lots in the estate.

Lifestyle also impacts the success of small lot housing, with precincts in Pacific Dunes offering residents access to a clubhouse with restaurant and bar, a swimming pool, tennis courts and a community garden. These facilities provide recreation and entertainment options as well as opportunities for socialising and building connections with neighbours.

Economies of scale in providing these facilities can reduce costs for homeowners and can also improve energy and water efficiency. At Pacific Dunes, renewable power generation and storage and other sustainability innovations demonstrate how small lot housing developments can result in a more environmentally sustainable form of development.

### Priority 3.3 Enable better planning for diverse lifestyles

Almost 50% of the residents surveyed as part of the Housing Preferences Report nominated the environment and lifestyle as the main reasons for choosing to live in Port Stephens. A further 25% said they chose Port Stephens because they could live close to family, friends and work. Lifestyle factors can significantly influence housing choices and

planning for diverse types of future housing in locations where people want to live can ensure housing options in Port Stephens will meet future demand.

Housing types that suit particular needs and preferences include:

- **Rural residential housing** offers a rural outlook, peace and seclusion
- **Small lot housing** offers downsizers more convenient living or more affordable housing
- **Shop top housing** can provide residents convenient access to shops, medical services, restaurants, and jobs
- **Group homes** provide permanent accommodation for people with a disability
- **Lifestyle villages and communities** offer convenience and exclusive use of shared facilities and can connect residents of a similar age



**Outcome 1** and appendix 2 includes criteria to better plan for new rural residential development.

Actions to better plan for some of these housing types have been listed in other Outcomes where a need has been identified.

One of the more popular types of housing development to occur in Port Stephens over the last decade has been lifestyle villages and communities, where residents share communal recreation and other facilities. Lifestyle villages and communities can offer residents convenient, attractive and potentially more affordable housing options.



**Outcome 2** identifies actions that facilitate more affordable housing choices.

They can appeal to a wide variety of homeowners. Fly in and fly out workers and Williamstown RAAF workers can be attracted to the convenience and security of homes

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they can lock up and leave for long periods. Some models of ownership offer significant financial benefits for residents that are retirees and they can enable independent living in close knit communities.

Lifestyle villages and communities can be subject to a range of different land tenures and ownership models, approval and assessment pathways and different regulatory frameworks. Lifestyle villages can be set up as community title developments (such as Pacific Dunes, Medowie), strata title multi-unit developments, or residential land lease communities (such as Latitude One, Anna Bay). Lifestyle villages can be marketed solely to seniors, down sizers or retirees, or can be suited to both families and couples (Seaside Estate, Fern Bay). Communities may be gated from passing traffic or include connections to surrounding streets and paths. Some communities can be almost self-sufficient with a high standard of facilities, shops and services located on-site such as a medical centre, supermarket and hairdresser.

A complex legal and State planning framework means local government can have a limited effect on policy changes to influence and shape where and how lifestyle villages and communities develop. In 2015, the State Government exhibited a discussion paper proposing reforms and identifying the changing nature of lifestyle villages and communities, recognising they can provide an important source of diverse housing stock<sup>7</sup>.



The State Government's Discussion Paper proposed changes to:

- support lifestyle villages in the right locations
- provide greater planning certainty and clarity
- promote a range of housing choices
- encourage ongoing innovation in housing choices

In advance of any State reforms, locational and other criteria can guide assessments of site suitability for proposed lifestyle villages. This criteria can be applied to relevant rezoning requests, assessments of site compatibility associated with seniors living developments and, where relevant, in the assessment of development applications.

Lifestyle villages and communities that are located close to centres that can satisfy walkability standards for liveable communities may be suitable, for example within:

- 5 minute walk (400m) of a town or neighbourhood centre zoned B1 Neighbourhood Centre, B2 Local Centre, B3 Commercial Core or B4 Mixed Use; or
- 5 minute walk (400m) of bus stops with frequent services to local centres; or
- 10 minute walk (800m) of local centres.

If this criteria cannot be met, lifestyle villages and communities may be located where the criteria in Appendix 1 has been addressed and where the village or community will have:

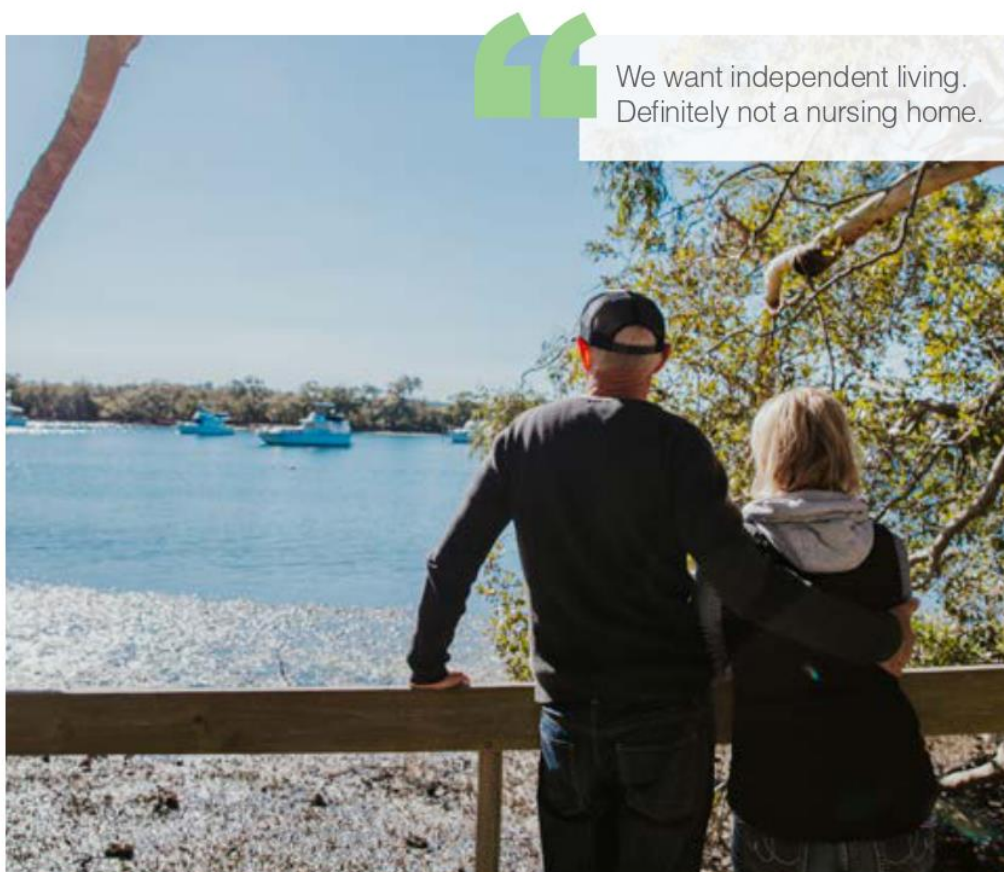
- reticulated water and sewer;
- indoor and outdoor recreation facilities adequate for the number of proposed residents such as bowling greens, tennis courts, golf course, swimming pool, or off leash dog park;
- community facilities that promote gathering and social connections such as a restaurant, community hall, or community garden; and
- access to bus services providing frequent trips to local centres and shops.

To ensure high quality design outcomes, development controls could also provide further guidance for some aspects of lifestyle villages, in particular to encourage place making and landscaping, or to address visual impacts, access, emergency management and other master planning principles.



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Actions	Links to
14. Advocate for DPIE to co-ordinate housing preferences data for people moving to and within the Hunter to inform planning for future housing types to satisfy demand	Priority 3.1
15. <b>Consider</b> the recommendations of the Infill Housing Study and create opportunities for Council to encourage a greater diversity of infill housing around local centres, this may include: <ul style="list-style-type: none"> <li>• Incentives to encourage the amalgamation of sites.</li> <li>• Amendments to planning controls to improve development feasibility and maintain design quality and amenity.</li> <li>• Investment in local centre infrastructure such as shared paths, street trees and town centre renewal.</li> </ul>	Priority 3.1
16. Encourage provision of small lot housing to enable more efficient and sustainable development outcomes in urban release areas	Priority 3.2
17. Advocate for State reforms to assist councils in planning for lifestyle villages and communities	Priority 3.3
18. Review local provisions to better plan for lifestyle villages and provide controls to ensure high quality design outcomes and liveable communities are created	Priority 3.3



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STRATEGY - LIVE PORT STEPHENS.

# Outcome 4 Facilitate liveable communities





4.1 Housing enhances local character

4.2 Communities are connected

4.3 Grow connections between people

The concepts that make up 'liveability' are strongly reflected in the responses gathered from the survey undertaken as

**Figure 7** Survey responses from the Housing Preferences in Port Stephens Report — Why did you move to Port Stephens?



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#### Case study: Boomerang Park, Raymond Terrace

Boomerang Park has recently been transformed into a signature recreational hub and regional recreation destination. The skate park, playground, Men's Shed, croquet court, and dog exercise area provide activities and places for young and old to meet, interact and enjoy. It is also a successful community event location, hosting the Illuminate Festival in 2017.

It has become a vibrant community place that caters for everyone, increases social connections and is part of what makes Raymond Terrace a great place to live.

Figure 8 Lantern Parade at the Illuminate Boomerang Park Festival 2017



Local government can facilitate more liveable communities by planning for quality public spaces and built environments, providing sport, recreation, and community facilities, enhancing the natural environment, and supporting local economies and employment.

Council can directly contribute by creating parks, cycle ways, bus stops, street trees and gardens to enhance the quality of places and can support communities through events, **community initiatives**, capacity building, community grants and advocacy.

Measuring and monitoring the liveability of places can create a better understanding of the social, economic and environmental needs and values of a community and result in better informed decisions. Monitoring liveability can influence planning and infrastructure investment decisions and make real differences to improve the quality of life for residents.



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### Priority 4.1 Housing enhances local character

Local character is distinctive and differentiates one area from another. It includes all aspects of the built environment, as well as the sense of place, and how people respond to that place. Local character might reflect cultural or social identities and values, it can be shaped by history, landscape and location, or it might be aspirational and reflect desires and future priorities. Local character can create a sense of belonging and community.

Housing can have a significant impact in defining the local character of an area and can be planned and designed to contribute to and enhance the character of a place. The Port Stephens Local Strategic Planning Statement includes actions to prepare local character statements to guide the delivery

of new housing in locations that promote liveable communities.

The Infill Housing Study<sup>4</sup> identifies opportunities for Council to encourage greater diversity of housing types in locations that will enhance liveability and cater for the changing needs of a growing population. Local character statements for these areas can ensure new development contributes positively to streetscapes and amenity as these areas grow and change.

To support high quality urban design, Port Stephens Council has established an Urban Design Panel to provide independent design advice on significant developments. This Panel could also provide advice on planning to enhance local character during the development of local area strategic plans and other local plans.



**Outcome 3** summarises the findings of the Infill Housing Study which takes a place based approach to identify housing types that can complement and enhance the existing local character of selected areas in Port Stephens.

### Priority 4.2 Communities are connected

Strong communities have the capacity to meet people's needs as their families grow or circumstances change. Maintaining and improving liveability requires housing, infrastructure and services in the right locations to ensure residents remain connected to the facilities they need and value.

Providing housing with convenient access to essential services is an important influence on quality of life. Access to services, such as health and medical care, education and child care, is one of the key measures common to most liveability indexes and contributes to individual health and wellbeing and community cohesion.



I can walk everywhere, I like the cafes and restaurants and it's a great community.



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Convenient access, including public transport and walking and cycling paths contributes to more active and vibrant communities. Facilities and public transport services provided within walking distance of housing can improve physical health and wellbeing, increase independence for older people, and promote sustainability by reducing traffic and pollution.<sup>9</sup> The built environment can be designed to enable people to come together and use facilities within their local area through the provision of pathways, end of trip facilities for cyclists, and public transport facilities such as bus shelters. These facilities can connect people to employment or provide healthy environments for play.

Over the next 20 years digital infrastructure and innovation will also contribute to making communities in Port Stephens more liveable. Smart city infrastructure has the capacity to make communities more inclusive, safe, resilient and sustainable. Council will have opportunities to invest in technology and data management to improve energy efficiency, road safety, responsible water consumption, health and wellbeing, and connectivity. There will be future opportunities to upgrade existing digital and physical infrastructure to facilitate community access to technology and training, sharing of information, and experiences.



Council will commence community consultation on a Smart City Blueprint in 2020 to map how data and innovation can support more liveable communities in Port Stephens.

### Priority 4.3 Grow connections between people

A strong sense of belonging, to both place and people, sustains more vibrant and resilient communities. Mental and physical health, enjoyment, and wellbeing are supported when social connections are strong.

Our public spaces can be more important than private developments in defining the local character of a place and as platforms for building a sense of community and expressing community identity. Planning for the public domain, the spaces in our centres where people meet, gather, sit or pass through, impacts the feel of a neighbourhood and the connection residents have to their home and their community.

Collaboration in planning for improved public spaces can build social connections and empower communities to create places that support their needs, interests, and values. Community led placemaking, when a community chooses and makes

physical changes in their neighbourhood, can create strong connections between the people involved and more attractive and social spaces.

The 7 Day Anna Bay Makeover was a collaborative community initiative sponsored by Council, local businesses and community members. Volunteers from Anna Bay and surrounding neighbourhoods planned and executed projects to revitalise their public spaces and reflect the local character of their town. A hands on approach to placemaking can better connect people to place, strengthen communities and build long lasting friendships and connections.

In other town centres, civic pride groups participate in working bees, garden maintenance and other placemaking initiatives working with Council, community members and local business people to make their public spaces more welcoming, functional and attractive.

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Figure 9 Volunteers during the 7 day Anna Bay Makeover



Community **initiatives** are placemaking activities that can engage residents to participate in community life, visit and explore community places and facilities. Events can bring people together, providing opportunities for neighbours to meet, connect, volunteer or

participate. **They can also** contribute to the culture and character of a place, they can reimagine or reinvent public spaces, or attract visitors to boost local economies.

Actions	Links to
19. Adopt a Liveability Index to map, measure and monitor liveability in Port Stephens	Priority 4.1, 4.2 and 4.3
20. Prepare local character statements to guide the delivery of new housing in Raymond Terrace, Nelson Bay, Shoal Bay, Corlette, Anna Bay, Tanilba Bay, Lemon Tree Passage, Karuah and Medowie	Priority 4.1
21. Refer relevant strategic and local area plans to the Urban Design Panel for independent advice	Priority 4.1
22. Review opportunities to provide active transport facilities such as pathways and end of trip facilities for cyclists in centres and employment hubs	Priority 4.2
23. Review access to essential services in rural areas, such as child care centres	Priority 4.2

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# Implementation, monitoring and reporting

The timing for delivery and prioritisation of actions will be informed by community and stakeholder consultation. During the exhibition (12 February 2020 to 20 March 2020), community feedback was sought on a draft of Live Port Stephens. Consultation included drop-in information sessions, an online survey and submissions were able to be made.

An Implementation and Delivery Plan will be published to set out the timing of actions in Live Port Stephens. The Implementation and Delivery Plan will be informed by the submissions and feedback received during consultation on Live Port Stephens.

Some actions may be ongoing to reflect a change to a process and others will require funding from sources that could impact the timing of delivery, such as grants and local infrastructure contributions.

Some monitoring has been included in specific actions, for example adopting a tool to measure and monitor liveability in Port Stephens.

Monitoring of Outcome 1 ('Ensure suitable land supply') will involve maintaining annual data for zoned land and development approvals. This data will be shared with the NSW Department of Planning, Industry and Environment's Hunter Urban Development Program.





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Council will review Live Port Stephens should an amended Local Strategic Planning Statement (LSPS) identify a need to update the document to ensure it addresses community needs, Council priorities and relevant legislation.

The actions will be reviewed and updated if new data or new State plans and policies demonstrate a need to respond. For example, if new census data is released, new housing preferences data becomes available, employment projections change, or the Hunter region's strategic plans are updated.

**Rezoning Requests**

On 25 February 2020, Council adopted a Rezoning Request Policy which provides a framework for the process and assessment of requests to amend the Port Stephens Local Environmental Plan 2013. Rezoning

requests will be considered in accordance with the Policy and prior to preparing a draft planning proposal for housing, proponents will be provided with advice on whether the request is consistent with Live Port Stephens, including the Greenfield Housing Criteria (Appendix 1), Rural Residential Criteria (Appendix 2), infill housing priorities and the criteria for lifestyle villages where relevant. Advice will also be provided on whether a request is consistent with the priorities for housing in State, regional and local plans.

**Current Planning Proposals**

On adoption of Live Port Stephens, Council will contact and invite the proponents for selected existing proposals to provide additional information to support the further assessment of the planning proposal, including (where necessary) an amended planning proposal.



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# Appendix 1

## — Greenfield Housing Criteria

The following criteria outlines key considerations for new urban housing areas (greenfield housing).

The criteria can be used to demonstrate that land is suitable for urban housing. Rezoning requests on constrained land will need to be lodged with additional supporting documentation to demonstrate the land is suitable for residential development.

The criteria are non-exhaustive and planning proposals will be subject to requirements of the NSW Department of Planning, Industry and Environment's 'Guide to preparing planning proposals' including consideration of any relevant State and regional plans, State environmental planning policies and local planning directions issued under section 9.1 of the Environmental Planning and Assessment Act 1979.

### LOCATIONAL CRITERIA

The land must meet the following locational criteria to be considered for a greenfield rezoning request:

- Land identified in a local area strategy; and/or
- Land that is currently zoned for non-residential purposes and is proposed to be zoned for urban housing (e.g. R1 General Residential, R2 Low Density Residential and R3 Medium Density Residential).

The criteria does not apply to rezoning requests for rural residential housing (refer to the Rural Residential Criteria in Appendix 2).

The criteria does not apply to rezoning requests for infill housing (Refer to Priority 1.3 of Live Port Stephens).

The criteria may apply to proposed lifestyle villages (Refer to Priority 3.3 of Live Port Stephens).

Note, land means the extent of land proposed to be used for residential purposes.

### CONSTRAINTS CRITERIA

#### Aircraft Noise

The land is below the 25 Australian Noise Exposure Forecast (ANEF) contour. Proposals on land affected by ANEF contour 25 or above are "unacceptable" for residential purposes under AS 2021 to 2015.

#### Bushfire

Rezoning requests on land identified as bush fire prone (on Council's Bush Fire Prone Land Map) must demonstrate consistency with the strategic principles contained within Planning for Bush Fire Protection 2019.

#### Flooding

The land is not categorised as Flood Planning Area. Rezoning requests for land in a Flood Planning Area must be lodged with a flood study demonstrating the land is suitable for development.

#### Land Slope

The land has a slope of less than 18 degrees. Rezoning requests for land that has a slope greater than 18 degrees must be lodged with a bulk earthworks plan demonstrating that the final landform will not exceed 18 degrees, and a geotechnical report demonstrating that the final landform will achieve an appropriate level of stability.

#### Biodiversity

- The land is not identified as containing high biodiversity value, as per the NSW Department of Planning, Industry and Environment's Biodiversity Values Map published on the NSW Department of Planning, Industry and Environment website. Rezoning requests for land



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identified as containing high biodiversity value must be lodged with a Biodiversity Development Assessment Report (BDAR).

- The proposal avoids land containing native vegetation. Rezoning requests for land containing 0.5 ha of native vegetation must be lodged with a Preliminary Flora and Fauna Assessment and commit to preparing a BDAR prior to public exhibition.

### Mineral Resources

The land is greater than 500 metres from any known mineral resource (rezoning requests for land within 500 metres of a known mineral resource must be lodged with evidence of consultation with the NSW Department of Planning, Industry and Environment and any relevant operator).

### Non-Aboriginal Cultural Heritage

Rezoning requests that are likely to impact on an item of environmental heritage (identified in the Port Stephens Local Environmental Plan 2013) must submit a Statement of Heritage Impact that considers the impact on heritage values, including the setting of the items and any archaeological remains.

### Aboriginal Cultural Heritage

Rezoning requests should include an initial assessment of the likelihood of Aboriginal cultural heritage values including:

- a search of the Aboriginal Heritage Information Management System (AHIMS);
- determination of whether the sites include landscape features that indicate the likely presence of aboriginal objects;
- site inspections; and
- consultation with the Aboriginal community.

### Drinking Water Catchment

Rezoning requests on land within a drinking water catchment must be able to be connected to reticulated sewer or able to demonstrate a neutral or beneficial effect (NorBE) on water quality in accordance with Hunter Water Corporation requirements.

### Infrastructure and Services

The land is able to be serviced by essential infrastructure. Rezoning requests must be lodged with evidence demonstrating that infrastructure is:

- currently available; or
- scheduled to be available (must be confirmed in writing from service providers).

Rezoning requests must be lodged with evidence demonstrating the connection of essential services to the land is economically feasible. On land remote from existing essential infrastructure, an infrastructure delivery strategy is to be submitted.

### PFAS (per- and poly-fluoroalkyl substances)

- Rezoning requests for land in the PFAS Management Zones identified on the Williamstown Management Area Map on the EPA website will need to demonstrate that likely future development would be compatible with the detected levels of PFAS in the area and on the site.

### NEXT STEPS

Proponents are required to submit a 'Rezoning Request Meeting Form' and include details of the proposals, benefits of the proposal and alternative options in accordance with Council's Rezoning Request Policy and Rezoning Request Guide.

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# Appendix 2

## — Rural Residential Criteria

The following criteria outlines the key requirements and constraints that require consideration in the preparation of rezoning requests for rural residential development.

The criteria is non-exhaustive and rezoning requests for rural residential development must address the Port Stephens Rural Residential Strategy (2015)<sup>9</sup> including any matters for investigation that have been identified relevant to the proposed land.

Planning proposals will be subject to the requirements of the NSW Department of Planning, Industry and Environment's 'Guide to preparing planning proposals' including consideration of any relevant State and regional plans, State environmental planning policies and local planning directions issued under section 9.1 of the Environmental Planning and Assessment Act 1979.

There are three (3) types of criteria:

- Locational Criteria – where land is appropriately located to be considered for a rural residential rezoning request. Rezoning requests for land that is inconsistent with this criteria will require extensive justification to be lodged with any proposal;
- Exclusionary Criteria – where land is considered not suitable for development. Rezoning requests for land that is inconsistent with this criteria will require extensive justification to be lodged with any proposal; and
- Management Criteria – where land is constrained and additional supporting documentation is required to be lodged with a rezoning request to determine whether development is appropriate.

Note, land means the extent of land proposed to be used for rural residential purposes.

### LOCATIONAL CRITERIA

The land must meet the following locational criteria to be considered for a rural residential rezoning request:

- Zoned RU1 Primary Production, RU2 Rural Landscape, E3 Environmental Management, E4 Environmental Living;
- Located a minimum of 800 metres from existing RU5 Rural Village, R1 General Residential or R2 Low Density Residential zoned land; and
- Any part of the landholding is located within 800 metres of existing R5 Large Lot Residential zoned land. Proposals not within 800 metres of an R5 zone must consider all land within the relevant investigation area identified in the Port Stephens Rural Residential Strategy (2015).

### EXCLUSIONARY CRITERIA

Land that is subject to any of the following criteria will require extensive justification to be lodged with a rezoning request:

- Areas identified by, or in proximity to an area identified by, a local, regional or State strategic plan for potential urban housing, including land that demonstrates consistency with the criteria in Appendix 1.
- Land within a 2km distance from existing or planned major employment areas.
- Slopes greater than 18 degrees slope instability and clearing of vegetation is restricted under State legislation.
- Class 1 and 2 acid sulphate soils, because of the high risk of exposing acid soils during dwelling and infrastructure construction.
- Land within the Flood Planning Area as defined in the Port Stephens Development Control Plan 2014.

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- High biodiversity value land including coastal wetlands or any coastal lakes identified under the State Environmental Planning Policy (Coastal Management) 2018.
- Noise exposure areas within an ANEF 25 or greater.
- Land identified as Important Agricultural Land as defined by the Biophysical Strategic Agricultural Land (BSAL) mapping prepared by the State Government for the purposes of Strategic Regional Land Use Planning.
- Land located within 500 metres of known extractive industries, quarrying or mining.
- Land identified by the State Government as having known mineral resource potential.
- Rezoning requests on land that includes koala habitat areas and/or corridors, significant native vegetation, endangered ecological communities, threatened species or habitats must submit a Preliminary Ecological Assessment unless the proposed disturbance area requires the lodgement of a Biodiversity Development Assessment Report.
- Rezoning requests subject to the above must demonstrate how the proposal will contribute to the conservation of important biodiversity values or the establishment of important biodiversity corridor linkages.

### MANAGEMENT CRITERIA

Additional supporting documentation is required to be lodged with a rezoning request if any of the following criteria applies.

#### Flooding

Rezoning requests on land that has the potential to be isolated in flood events, must demonstrate access to evacuation facilities via a public road that is given 24 hours warning of flood isolation.

#### Bushfire

Rezoning requests on land identified as bush fire prone (on Council's Bush Fire Prone Land Map) must demonstrate consistency with the strategic principles contained within Planning for Bush Fire Protection 2019.

#### Environmentally Sensitive Land

- Rezoning requests on land identified in coastal management areas, defined in the State Environmental Planning Policy (Coastal Management) 2018, must be justified by a study or strategy prepared to demonstrate consistency with the SEPP.

### Non-Aboriginal Cultural Heritage

Rezoning requests that are likely to impact on an item of environmental heritage (identified in the Port Stephens Local Environmental Plan 2013) must submit a Statement of Heritage Impact that considers the impact on heritage values, including the setting of the items and any archaeological remains.

### Aboriginal Cultural Heritage

Rezoning requests should include an initial assessment of the likelihood of Aboriginal cultural heritage values including:

- a search of the Aboriginal Heritage Information Management System (AHIMS);
- determination of whether the sites include landscape features that indicate the likely presence of aboriginal objects;
- site inspections; and
- consultation with the Aboriginal community.

### Drinking Water Catchment

Rezoning requests on land within a drinking water catchment must be able to be connected to reticulated sewer or able to demonstrate a neutral or beneficial effect (NorBE) on water quality in accordance with Hunter Water Corporation requirements.

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### Rural Land Resources

Rezoning requests on land within a 1km buffer from existing agricultural industries (e.g. poultry farms, aquaculture) measured from property boundary to property boundary are required to provide expert reports to establish appropriate setbacks. These reports may relate to, but not be limited to, noise, odour, visual amenity and biosecurity risks

### Scenic Amenity

- Rezoning requests on land within a high or very high landscape area, as defined in the Port Stephens Rural Lands Study (2011), must submit a visual impact assessment.
- Rezoning requests are to identify an appropriate buffer zone between housing and existing road corridors to prevent clearing and protect scenic qualities

### Infrastructure and Services

Rezoning requests must demonstrate that the land:

- will be accessed via a sealed road;
- will not result in the creation of direct access to a State road;
- will not create additional demand for unplanned State infrastructure upgrades;

- will be connected to reticulated power supply; and
- is able to dispose of on-site sewage in accordance with Council's Development Assessment Framework (DAF) for the management of on-site sewage management, which includes performance standards and recommendations about appropriate areas.

### PFAS (per- and poly-fluoroalkyl substances)

- Rezoning requests for land in the PFAS Management Zones identified on the Williamstown Management Area Map on the [EPA website](#) will need to demonstrate that likely future development would be compatible with the detected levels of PFAS in the area and on the site.

### NEXT STEPS

Proponents are required to submit a 'Rezoning Request Meeting Form' and include details of the proposals, benefits of the proposal and alternative options in accordance with Council's Rezoning Request Policy and Rezoning Request Guide.

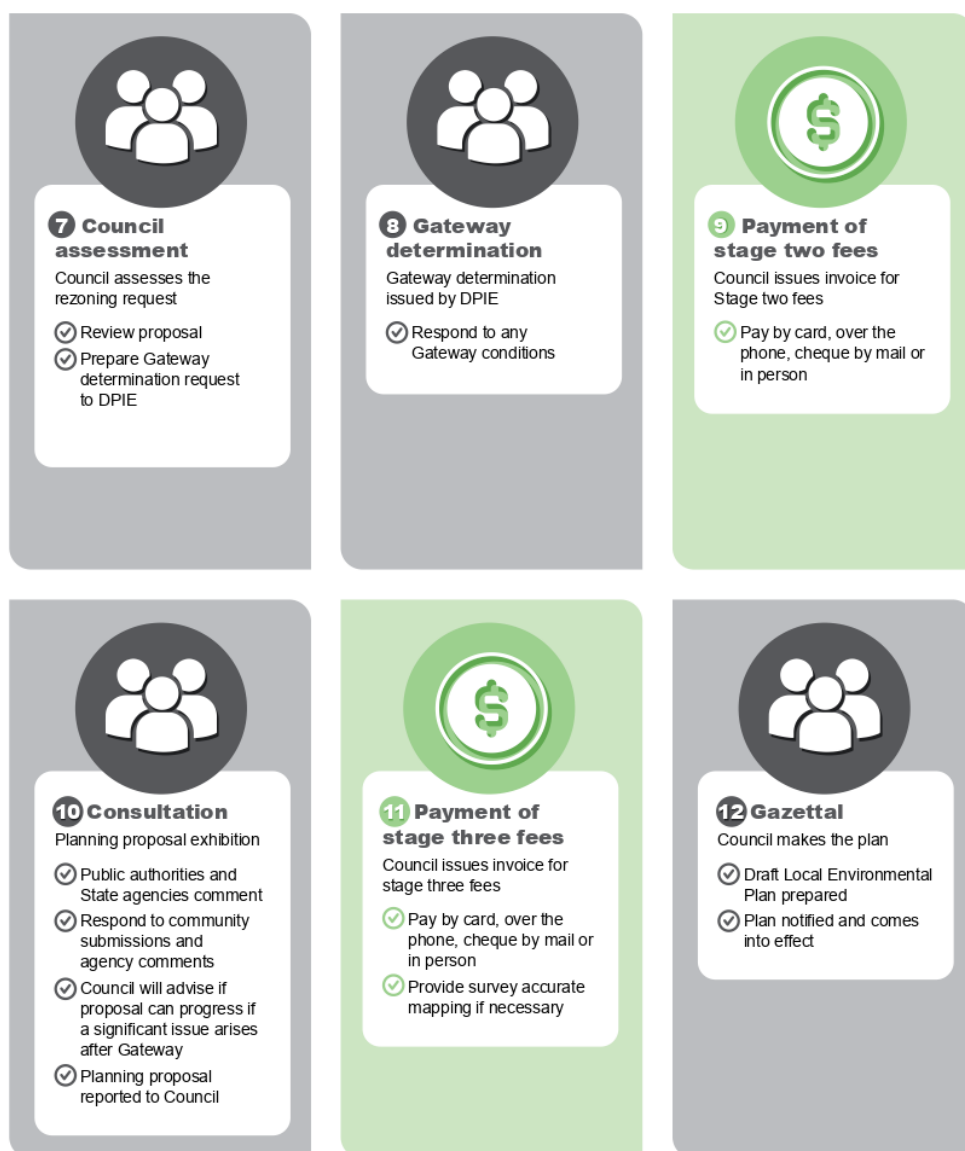
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# Appendix 3 — Rezoning Request process





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Need more help?

We're here to help you throughout the Rezoning Request process to ensure we get the best outcome for our community. If you need any assistance, please call the Strategic Planning Unit on 02 4988 0255 or email [council@portstephens.nsw.gov.au](mailto:council@portstephens.nsw.gov.au)

**ITEM 3 - ATTACHMENT 2      DRAFT PORT STEPHENS LOCAL HOUSING STRATEGY - LIVE PORT STEPHENS.**

## End notes

1. NSW Department of Planning, Industry and Environment, 2019, NSW population and household projections
2. Remplan, 2019, Port Stephens Demographic and Housing Overview Report (Available on Port Stephens Council website)
3. Heart Foundation, 2011, Good for Busine\$\$
4. Tract, 2019, Port Stephens Infill Housing Study (Available on Port Stephens Council website)
5. Charter Keck Cramer, 2019, Part 1 – Local Housing Market Analysis
6. SGS Economics & Planning, 2019, Housing Preferences in Port Stephens Report (Available on Port Stephens Council website)
7. NSW Department of Planning and Environment, 2015, Improving the Regulation of Manufactured Homes, Caravan Parks, Manufactured Home Estates and Camping Grounds – Discussion Paper
8. Hunter New England Population Health, 2012, Liveability Assessment Tool
9. CityPlan, 2015, draft Port Stephens Rural Residential Strategy (Available on Port Stephens Council Website)



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STRATEGY - LIVE PORT STEPHENS.



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TRIBUNAL - ANNUAL REPORT AND DETERMINATION.

Local  
Government  
Remuneration  
Tribunal

Annual Report and  
Determination

*Annual report and determination under sections 239 and  
241 of the Local Government Act 1993*

10 June  
2020

[NSW Remuneration Tribunals website](#)

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**Local Government Remuneration Tribunal**

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## Executive Summary

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The *Local Government Act 1993* (the LG Act) requires the Local Government Remuneration Tribunal (the Tribunal) to report to the Minister for Local Government by 1 May each year as to its determination of categories of councils and the maximum and minimum amounts of fees to be paid to mayors, councillors, and chairpersons and members of county councils.

In response to the COVID-19 pandemic the Minister for Local Government, the Hon Shelley Hancock MP, made the *Local Government (General) Amendment (COVID-19) Regulation 2020* which extends the time for the making of this determination to no later than 1 July 2020.

### Categories

Section 239 of the LG Act requires the Tribunal to determine the categories of councils and mayoral offices at least once every 3 years. The Tribunal last undertook a significant review of the categories and the allocation of councils into each of those categories in 2017. In accordance with the LG Act the Tribunal undertook a review of the categories and allocation of councils into each of those categories as part of the 2020 review.

In reviewing the categories, the Tribunal examined a range of statistical and demographic data and considered the submissions of councils and Local Government NSW (LGNSW). Having regard to that information, the Tribunal has determined to retain a categorisation model which differentiates councils primarily on the basis of their geographic location, and the other factors including population, the sphere of the council's economic influence and the degree of regional servicing.

For the Metropolitan group the Tribunal has determined to retain the existing categories and has amended the population criteria applicable to Metropolitan Large and Metropolitan Medium. For the Non-Metropolitan group, the Tribunal has determined to: create two new categories - Major Strategic Area and Regional Centre; rename one category - Regional City to Major Regional City; and revise the criteria for some of the existing categories to account for the new categories.

In accordance with section 239 of the LG Act the categories of general purpose councils are determined as follows:

**Metropolitan**

- Principal CBD
- Major CBD
- Metropolitan Large
- Metropolitan Medium
- Metropolitan Small

**Non-metropolitan**

- Major Regional City
- Major Strategic Area
- Regional Strategic Area
- Regional Centre
- Regional Rural
- Rural

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**Fees**

The Tribunal has determined that there will be no increase in the minimum and maximum fees applicable to each existing category. For the new categories, the Tribunal has determined fees having regard to relevant relativities.

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## **Section 1      Introduction**

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1. Section 239 of the LG Act provides for the Tribunal to determine the categories of councils and mayoral offices and to place each council and mayoral office into one of those categories. The categories are to be determined at least once every 3 years.
2. Section 241 of the LG Act provides for the Tribunal to determine, not later than 1 May in each year, for each of the categories determined under section 239, the maximum and minimum amount of fees to be paid to mayors and councillors of councils, as well as chairpersons and members of county councils.
3. In response to the COVID-19 pandemic the Minister for Local Government, the Hon Shelley Hancock MP, made the *Local Government (General) Amendment (COVID-19) Regulation 2020* which extends the time for the making of this determination to no later than 1 July 2020.
4. In determining the maximum and minimum fees payable in each of the categories, the Tribunal is required, pursuant to section 242A (1) of the LG Act, to give effect to the same policies on increases in remuneration as those of the Industrial Relations Commission. The current policy on wages is that public sector wages cannot increase by more than 2.5 per cent, and this includes the maximum and minimum fees payable to councillors and mayors and chairpersons and members of county councils.
5. The Tribunal is however able to determine that a council can be placed in another existing or a new category with a higher range of fees without breaching the Government's wage policy pursuant to section 242A (3) of the LG Act.
6. The Tribunal's determinations take effect from 1 July in each year.

## **Section 2      2019 Determination**

---

7. The Tribunal considered ten requests for re-categorisation. At the time of making the determination the Tribunal had available to it the 30 June 2018 population data. In reviewing the submissions received the Tribunal applied a multi variable approach assessing each council against all the criteria (not only population) for the requested category and the

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relativities within the categories.

8. The Tribunal found that the allocation of councils into the current categories was appropriate but again noted that some of those councils seeking to be moved were likely to meet the criteria for re-categorisation in future determinations.
9. The Tribunal's 2019 Determination was made on 15 April 2019 and provided a general increase of 2.5 per cent which was consistent with the Government's policy on wages.
10. The Tribunal's findings for North Sydney was not addressed in the 2019 Determination and is dealt with in Section 3 below.

## Section 3 Review of categories

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### Scope of review

11. Section 239 of the LG Act requires the Tribunal to determine the categories of councils and mayoral offices at least once every 3 years. The Tribunal last reviewed the categories during the 2017 annual review.
12. In determining categories, the Tribunal is required to have regard to the following matters that are prescribed in section 240 of the LG Act:

*"240 (1)*

- *the size of areas*
- *the physical terrain of areas*
- *the population of areas and the distribution of the population*
- *the nature and volume of business dealt with by each Council*
- *the nature and extent of the development of areas*
- *the diversity of communities served*
- *the regional, national and international significance of the Council*
- *such matters as the Remuneration Tribunal considers relevant to the provision of efficient and effective local government*
- *such other matters as may be prescribed by the regulations."*

13. The Tribunal foreshadowed in the 2019 Determination of its intention to undertake a review of the categories in accordance with the LG Act:



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*“12. A few submissions have suggested alternative categorisation models. The Tribunal will consider this in detail in the 2020 review. The Tribunal intends to commence the 2020 annual review earlier than usual to ensure there is time to review the existing model and to examine alternatives. The Tribunal is of the preliminary view that a case may exist to revise the number of categories, and their applicable criteria, particularly for regional and rural councils.”*

14. The Tribunal wrote to all mayors in October 2019 advising of the commencement of the 2020 review and invited submissions from councils on the following matters:

1. *Proposed classification model and criteria*
2. *Allocation in the proposed classification model*
3. *Range of fees payable in the proposed classification model*
4. *Other matters*

15. The Tribunal also wrote to the President of Local Government NSW (LGNSW) in similar terms, and subsequently met with the President and Chief Executive of LGNSW. The Tribunal thanks the President and Chief Executive for making the time to meet with the Tribunal.

16. The Tribunal also met with the Mayors and General Managers of Central Coast and Maitland Councils and the Tribunal thanks them for making the time to meet with the Tribunal.

**Submissions received - categorisation**

17. The Tribunal received 38 submissions from individual councils, a submission from LGNSW and a submission from Regional Cities NSW. Most of the submissions addressed the Tribunal’s proposed categorisation model, the allocation of councils into those categories and fees. A summary of the matters raised, and the Tribunal’s consideration of those matters is outlined below.

**Proposed classification model and criteria**

18. Submissions from 20 councils and LGNSW supported the Tribunal’s proposal to create a new category of Regional Centre for the Non-Metropolitan group and were of the view

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that the range of fees would be somewhere between Regional Strategic Area and Regional Rural.

19. Several submissions from Non-Metropolitan councils proposed alternative changes to the model such as, the merging of the Regional Rural and Rural categories, the creation of a new 'Regional' category and the renaming of Regional City to 'Gateway City' or 'Nationally Significant Regional City'.
20. Four submissions from Metropolitan councils sought the creation of a new Metropolitan category with the title of 'Metropolitan Large – Growth Area' or 'Metropolitan Major'.

**Allocation in the proposed classification model**

21. The Tribunal proposed to allocate 24 councils in the proposed new category of Regional Centre. Of these 24 councils, 14 provided a submission - 11 councils noted or supported their allocation as Regional Centre and 3 councils sought re-categorisation as Regional Strategic Area.
22. In addition to the 3 councils, another 17 councils sought re-categorisation into one of the categories included in the Tribunal's proposed model or into requested alternative new categories. The 20 re-categorisation requests are addressed in Section 3 – Allocation of councils into categories.

**Findings - categorisation**

23. The Tribunal acknowledges the significant number of submissions received this year and is grateful for the positive response and effort made in those submissions to comment on the proposed categorisation model and suggest alternatives for consideration.
24. There has been broad support to the Tribunal's proposal to create a new Non-Metropolitan category of Regional Centre and rename Regional City to Major Regional City. On that basis the Tribunal will determine the new category of Regional Centre and rename Regional City to Major Regional City. There have been some new criteria added to the category of Major Regional City to acknowledge the broader national and state focus of these cities which impact upon the operations of the council.
25. After considering the views in submissions the Tribunal re-examined the Non-Metropolitan category of Regional Strategic Area in terms of its criteria and the

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characteristics of the councils allocated into it. The Tribunal concluded that the characteristics of the two councils allocated to this category – Central Coast and Lake Macquarie – were sufficiently different to warrant further differentiation. Central Coast has a population greater than 340,000 making it the third largest council by population in NSW and the sixth largest council by population in Australia. It also has the second largest revenue base of all councils in NSW. Central Coast is a significant contributor to the regional economy associated with proximity to and connections with Sydney and the Hunter Region. A new category has been created for Central Coast Council and is to be titled Major Strategic Area. The criteria for this category include local government areas with a minimum population of 300,000, and larger scale and scope to those categorised as Regional Strategic Area. There is no change to the population threshold for the category of Regional Strategic Area, however the other criteria have been amended to account for other changes in the Non-Metropolitan group.

26. The Tribunal's preliminary thinking was that no changes to the categories and criteria for Metropolitan and County Councils were warranted. In respect to the categories, the Tribunal continues to hold that view. In respect to the criteria, after considering submissions the Tribunal re-examined the population criteria for both the Metropolitan Medium and Metropolitan Large categories.

27. North Sydney and Willoughby councils again put forward cases for non-resident workers to be included in the population for Metropolitan Medium. To examine this claim more broadly the Tribunal reviewed non-resident working populations across all metropolitan councils. After careful consideration the Tribunal concluded there was a strong case to recognise the impact on councils of serving significant numbers of non-resident workers. The criteria now provide for councils with a non-resident working population of 50,000 or above to move to another category if their combined resident and non-resident working population exceeds the minimum population threshold. The criteria for Metropolitan Medium and Metropolitan Large have been amended as follows:

*Metropolitan Large*

*Councils may also be categorised as Metropolitan Large if their residential population combined with their non-resident working population exceeds 200,000. To satisfy this criteria the non-resident working population must exceed 50,000.*

*Metropolitan Medium*

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*Councils may also be categorised as Metropolitan Medium if their residential population combined with their non-resident working population exceeds 100,000. To satisfy this criteria the non-resident working population must exceed 50,000.*

28. In making this determination the Tribunal reviewed the criteria for other Metropolitan categories and found that the current population thresholds are appropriate.

29. The revised model which will form the basis of this determination is as follows:

<b>Metropolitan</b>	<b>Non-Metropolitan</b>
<ul style="list-style-type: none"> <li>• Principal CBD</li> <li>• Major CBD</li> <li>• Metropolitan Large</li> <li>• Metropolitan Medium</li> <li>• Metropolitan Small</li> </ul>	<ul style="list-style-type: none"> <li>• Major Regional City</li> <li>• Major Strategic Area</li> <li>• Regional Strategic Area</li> <li>• Regional Centre</li> <li>• Regional Rural</li> <li>• Rural</li> </ul>

30. The criteria for each of the categories are outlined at Appendix 1. Minor changes have been made to the criteria for some of the existing categories to account for the new categories. As with the previous categorisation model the predominant factor to guide categorisation is population. Other common features of councils within those categories are also broadly described. These criteria have relevance when population alone does not adequately reflect the status of one council compared to others with similar characteristics. In some instances, the additional criteria will be significant enough to warrant the categorisation of a council into a group with a higher population threshold.

31. There is no change to the categorisation of county councils.

**Allocation of councils into categories**

32. In accordance with section 239 of the LG Act the Tribunal is required to allocate each of the councils into one of the categories. The allocation of councils is outlined in Determination No. 1 of Section 6.

33. Twenty (20) submissions received from councils requested re-categorisation and were considered having regard to the case put forward and the criteria for each category.

34. At the time of making the determination the Tribunal had available to it the 30 June 2019 population data released by the Australian Bureau of Statistics (ABS) on 25 March 2020.

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35. A summary of the Tribunal's findings for each of the applications for re-categorisation is outlined in the following paragraphs.

**Metropolitan Large Councils**

36. Canterbury-Bankstown, Penrith and Blacktown have requested the creation of new categories into which they be re-categorised. Canterbury-Bankstown has requested a new category named 'Metropolitan Major'. Penrith and Blacktown have requested a new category named 'Metropolitan Large – Growth Centre'.
37. The Tribunal considers that Canterbury-Bankstown, Penrith and Blacktown are appropriately categorised as Metropolitan Large.

**Metropolitan Medium Councils**

38. Inner West has again sought to be re-categorised as Metropolitan Large. The Tribunal outlined in the 2019 determination that Inner West's June 2018 population of 198,024 was below the indicative population of other Metropolitan Large councils, but based on growth predictions it was likely Inner West would meet the minimum population threshold for inclusion in Metropolitan Large in 2020.
39. Inner West's June 2019 population is 200,811 and the council now meets the criteria to be categorised as Metropolitan Large.
40. Ryde has sought to be re-categorised as Metropolitan Large on the basis of the large non-resident working population in the Macquarie Park Business Park (MPBP) precinct, the economic output of the precinct and its array of significant regional services.
41. The Hills has requested the creation of a new category named 'Metropolitan Growth' and that it be categorised into it. Recognition is sought for councils experiencing significant growth. The submission also notes that while Ryde does not meet the residential population criteria for Metropolitan Large it meets the other relevant criteria.
42. As previously discussed, the Tribunal has reviewed the impact of large numbers of non-residents visitors and workers and revised the criteria for Metropolitan Large Councils. Ryde and The Hills have been assessed against the new revised criteria being - *Councils may also be categorised as Metropolitan Large if their residential population combined*

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*with their non-resident working population exceeds 200,000. To satisfy this criteria the non-resident working population must exceed 50,000.*

43. Both Ryde and The Hills have a non-resident working population of more than 50,000 and combined with their resident populations they meet the revised criteria for inclusion in the group of Metropolitan Large councils. Both councils also provide a sphere of economic influence and provide regional services considered akin to those of other metropolitan large councils.

**Metropolitan Small Councils**

44. Camden, Willoughby and North Sydney have sought to be re-categorised as Metropolitan Medium.
45. The Tribunal outlined in the 2019 determination that Camden's June 2018 population of 94,159 was below the indicative population of other Metropolitan Medium councils, but based on growth predictions it was likely Camden would meet the minimum population threshold for inclusion in Metropolitan Medium in 2020.
46. Camden's June 2019 population is 101,437 and the council now meets the criteria to be categorised as Metropolitan Medium.
47. The Tribunal has previously considered requests from Willoughby and North Sydney Councils to be re-categorised as Metropolitan Medium in 2018 and 2019. Both Councils have populations within the indicative population range for Metropolitan Small councils but well below that of Metropolitan Medium. Both Councils have argued that their scale of operations, degree of regional servicing and high number of non-resident visitors and workers more closely align with the characteristics of Metropolitan Medium Councils.
48. As previously discussed, the Tribunal has reviewed the impact of large numbers of non-resident workers and revised the criteria for Metropolitan Medium Councils. Willoughby and North Sydney have been assessed against the new revised criteria being - *Councils may also be categorised as Metropolitan Medium if their residential population combined with their non-resident working population exceeds 100,000. To satisfy this criteria the non-resident working population must exceed 50,000.*
49. Both Willoughby and North Sydney have a non-resident working population of more than 50,000 and combined with their resident populations they meet the revised criteria for inclusion in the group of Metropolitan Medium councils. Both councils also meet the



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other criteria having: a significant regional role as the third and fourth biggest CBDs in Sydney after Sydney City and Parramatta; strategic significance as either transport hubs, business, cultural or employment centres.

50. Both North Sydney and Willoughby meet the criteria for re-categorisation as Metropolitan Medium.

**Regional City Councils**

51. Newcastle and Wollongong have proposed new categories into which they have sought to be re-categorised. Newcastle has proposed a new category named 'Gateway City' and Wollongong a new category named 'Nationally Significant Regional City'.
52. The Tribunal's revised categorisation model re-named the existing category of Regional City to Major Regional City and found no case to adopt the new categories proposed by Newcastle and Wollongong. The Tribunal considers that both councils are appropriately categorised as Major Regional City.

**Regional Strategic Area Councils**

53. Central Coast has again sought to be re-categorised as Regional City. The council submits that its characteristics are more like Newcastle and Wollongong (Regional City) and substantially different to Lake Macquarie (Regional Strategic Area).
54. Central Coast does not meet the broader criteria applicable to other councils in the category of Major Regional City - being Newcastle and Wollongong. As previously discussed a new category - Major Strategic Area - has been created to recognise the scale and unique position of Central Coast Council to both the Sydney and Hunter regions.

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55. Bathurst, Maitland, and Shoalhaven noted that under the Tribunal's proposed allocation of councils they would be allocated to the new Regional Centre category, however the three councils sought to be re-categorised as Regional Strategic Area.
56. Bathurst's June 2019 population of 43,618, Maitland's June 2019 population of 85,166 and Shoalhaven's June 2019 population of 105,648 are below the indicative population of Regional Strategic Area councils. The Tribunal considers that Bathurst, Maitland and Shoalhaven are all appropriately categorised as Regional Centre.
57. Bega, Byron and Eurobodalla have sought to be re-categorised to the new Regional Centre category. Bega's June 2019 population of 34,476, Byron's June 2019 population of 35,081 and Eurobodalla's June 2019 population of 38,473 are significantly below the indicative population of Regional Centre councils. These councils have not demonstrated the additional criteria to warrant inclusion in the Regional Centre group.

**Rural Councils**

58. Muswellbrook and Federation have again sought to be re-categorised as Regional Rural. Muswellbrook's June 2019 population of 16,377 and Federation's June 2019 population of 12,437 are well below the indicative population of Regional Rural councils. Both councils have not demonstrated the additional criteria to warrant inclusion in the Regional Rural group.

## Section 4 Fees

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59. In determining the maximum and minimum fees payable in each of the categories, the Tribunal is required, pursuant to section 242A of the LG Act, to give effect to the same policies on increases in remuneration as those that the Industrial Relations Commission is required to give effect to under section 146C of the *Industrial Relations Act 1996* (IR Act), when making or varying awards or orders relating to the conditions of employment of public sector employees.
60. The current policy on wages pursuant to section 146C(1)(a) of the IR Act is articulated in the *Industrial Relations (Public Sector Conditions of Employment) Regulation 2014* (IR Regulation 2014). When the Tribunal undertook the annual review the effect of the IR Regulation 2014

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was that public sector wages could not increase by more than 2.5 per cent, and this includes the maximum and minimum fees payable to councillors and mayors and chairpersons and members of county councils.

61. The Tribunal received submissions for consideration during the annual review in late 2019. Those submissions were made prior to the pandemic and overwhelmingly supported a 2.5 per cent increase in the ranges of fees which was consistent with the Government's wages policy at the time. A summary of those submissions is outlined in the paragraphs 62 and 63.
62. The LGNSW submission requested that the Tribunal increase fees by the allowable maximum of 2.5 per cent. The submission also reiterated the long-held view that fees for mayors and councillors are well behind, the current fee structure fails to recognise the work of elected representatives and is inadequate to attract and retain individuals with the necessary skills and experience. Comparative information was again presented in respect to board fees, fees paid to mayors and councillors of councils in Queensland, and salaries for members of Parliament. The LGNSW submission also noted the Tribunal's previous observations that it does not have jurisdiction on the matter of non-payment of superannuation but again invited the Tribunal to make a recommendation to the NSW State Government for councillor remuneration to include a payment for superannuation equivalent to the Superannuation Guarantee.
63. Several submissions sought an increase to the allowable maximum of 2.5 per cent acknowledging the restrictions on the Tribunal from the Government's wages policy. Several submissions sought an increase greater than 2.5 per cent by requesting that fees be aligned to councillor fees in Victoria and Queensland or to NSW members of Parliament.
64. Since receiving and considering those submissions there have been a number of factors which have influenced the Tribunal's views in regard to the annual increase. These include the impact of the bushfires and the current COVID-19 pandemic on the state and federal economies and the wellbeing of our communities.
65. To ensure the Tribunal had sufficient time to consider the COVID-19 pandemic the Minister for Local Government, the Hon Shelley Hancock MP, made the *Local Government*

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*(General) Amendment (COVID-19) Regulation 2020* which extends the time for the making of this determination to no later than 1 July 2020.

66. On 29 May 2020 the Premier, the Hon Gladys Berejiklian MP, made the *Industrial Relations (Public Sector Conditions of Employment) Amendment (Temporary Wages Policy) Regulation 2020*. That regulation amended the IR Regulation 2014 to implement a temporary wages policy, being a 12-month pause on wage increases for public sector employees covered by the IR Act.
67. On 2 June 2020 the amending regulation was disallowed by the Legislative Council. The effect of that disallowance is that the Government's wages policy which provides for increases of up to 2.5 per cent continues to apply.
68. While the Tribunal is required to give effect to the Government's wages policy in the making of this determination, it is open to the Tribunal to determine an increase of up to 2.5 per cent or no increase at all. Given the current economic and social circumstances, the Tribunal has determined that there be no increase in the minimum and maximum fees applicable to each existing category.
69. The minimum and maximum fees for the two new categories of Major Strategic Area and Regional Centre have been set having regard to relevant relativities. The new category of Major Strategic Area has equivalent annual fees to Major Regional City. The new category of Regional Centre has annual fees between those applicable to Regional Strategic Area and Regional Rural. In accordance with the LG Act councils can be placed in a new category with a higher range of fees without breaching the Government's wages policy.

## Section 5 Other matters

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70. The Tribunal addressed the matter of non-payment of superannuation in the 2019 Determination:

*"40. The submission from LGNSW and several councils have again raised the matter of the non-payment of superannuation. The Tribunal addressed this matter in the 2018 determination as outline below and will make no further comment:*

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*“54. The matter of the non-payment of superannuation has been previously raised in submissions to the Tribunal and is not a matter for the Tribunal to determine. Section 251 of the LG Act confirms that councillors are not employees of the council and the fee paid does not constitute a salary under the Act. The Tribunal notes that the Australian Tax Office has made a definitive ruling (ATO ID 2007/205) that allows councillors to redirect their annual fees into superannuation on a pre-tax basis and is a matter for councils (Ref: Councillor Handbook, Oct 2017, Office of Local Government p.69).”*

71. By way of clarification, the amount redirected under this ruling is funded from the annual fees as determined by Tribunal – it is not an additional amount funded by the council.
72. The Tribunal notes that the Hon Shelly Hancock MP, Minister for Local Government released the *Councillor superannuation discussion paper* in March 2020, to seek the views of councils and their communities on whether councillors should receive superannuation payments. The deadline for submissions was Friday 8 May 2020.

**Conclusion**

73. The Tribunal’s determinations have been made with the assistance of the two Assessors - Mr Brian Bell and Mr Tim Hurst. The allocation of councils into each of the categories, pursuant to section 239 of the LG Act, is outlined in Determination No. 1. The maximum and minimum fees paid to councillors and mayors and members and chairpersons of county councils, pursuant to section 241 of the LG Act, are outlined in Determination No. 2.

**The Local Government Remuneration Tribunal**

*Signed*

**Dr Robert Lang**

**Dated: 10 June 2020**

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## Local Government Remuneration Tribunal

### Section 6 Determinations

#### Determination No. 1- Determination Pursuant to Section 239 of Categories of Councils and County Councils Effective From 1 July 2020

**Table 1: General Purpose Councils - Metropolitan**

<b>Principal CBD (1)</b>	<b>Major CBD (1)</b>
Sydney	Parramatta
<b>Metropolitan Large (11)</b>	<b>Metropolitan Medium (9)</b>
Blacktown	Bayside
Canterbury-Bankstown	Campbelltown
Cumberland	Camden
Fairfield	Georges River
Inner West	Hornsby
Liverpool	Ku-ring-gai
Northern Beaches	North Sydney
Penrith	Randwick
Ryde	Willoughby
Sutherland	
The Hills	
<b>Metropolitan Small (8)</b>	
Burwood	
Canada Bay	
Hunters Hill	
Lane Cove	
Mosman	
Strathfield	
Waverley	
Woollahra	



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**Table 2: General Purpose Councils – Non-Metropolitan**

Major Regional City (2)	Major Strategic Area (1)	Regional Strategic Area (1)
Newcastle	Central Coast	Lake Macquarie
Wollongong		

Regional Centre (24)		Regional Rural (13)	
Albury	Mid-Coast	Bega	
Armidale	Orange	Broken Hill	
Ballina	Port Macquarie-Hastings	Byron	
Bathurst	Port Stephens	Eurobodalla	
Blue Mountains	Queanbeyan-Palerang	Goulburn Mulwaree	
Cessnock	Shellharbour	Griffith	
Clarence Valley	Shoalhaven	Kempsey	
Coffs Harbour	Tamworth	Kiama	
Dubbo	Tweed	Lithgow	
Hawkesbury	Wagga Wagga	Mid-Western	
Lismore	Wingecarribee	Richmond Valley Council	
Maitland	Wollondilly	Singleton	
		Snowy Monaro	

Rural (57)			
Balranald	Cootamundra-Gundagai	Junee	Oberon
Bellingen	Cowra	Kyogle	Parkes
Berrigan	Dungog	Lachlan	Snowy Valleys
Bland	Edward River	Leeton	Temora
Blayney	Federation	Liverpool Plains	Tenterfield
Bogan	Forbes	Lockhart	Upper Hunter
Bourke	Gilgandra	Moree Plains	Upper Lachlan
Brewarrina	Glen Innes Severn	Murray River	Uralla
Cabonne	Greater Hume	Murrumbidgee	Walcha
Carrathool	Gunnedah	Muswellbrook	Walgett
Central Darling	Gwydir	Nambucca	Warren
Cobar	Hay	Narrabri	Warrumbungle
Coolamon	Hilltops	Narrandera	Weddin
Coonamble	Inverell	Narromine	Wentworth
			Yass

**Table 3: County Councils**

Water (4)	Other (6)
Central Tablelands	Castlereagh-Macquarie
Goldenfields Water	Central Murray
Riverina Water	Hawkesbury River
Rous	New England Tablelands
	Upper Hunter
	Upper Macquarie

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**Determination No. 2- Determination Pursuant to Section 241 of Fees for Councillors and Mayors**

Pursuant to s.241 of the *Local Government Act 1993*, the annual fees to be paid in each of the categories to Councillors, Mayors, Members and Chairpersons of County Councils effective on and from 1 July 2020 are determined as follows:

**Table 4: Fees for General Purpose and County Councils**

Category		Councillor/Member Annual Fee		Mayor/Chairperson Additional Fee*	
		Minimum	Maximum	Minimum	Maximum
General Purpose Councils - Metropolitan	Principal CBD	27,640	40,530	169,100	222,510
	Major CBD	18,430	34,140	39,160	110,310
	Metropolitan Large	18,430	30,410	39,160	88,600
	Metropolitan Medium	13,820	25,790	29,360	68,530
	Metropolitan Small	9,190	20,280	19,580	44,230
General Purpose Councils - Non-metropolitan	Major Regional City	18,430	32,040	39,160	99,800
	Major Strategic Area	18,430	32,040	39,160	99,800
	Regional Strategic Area	18,430	30,410	39,160	88,600
	Regional Centre	13,820	24,320	28,750	60,080
	Regional Rural	9,190	20,280	19,580	44,250
	Rural	9,190	12,160	9,780	26,530
County Councils	Water	1,820	10,140	3,920	16,660
	Other	1,820	6,060	3,920	11,060

\*This fee must be paid in addition to the fee paid to the Mayor/Chairperson as a Councillor/Member (s.249(2)).

**The Local Government Remuneration Tribunal**

*Signed*

**Dr Robert Lang**

**Dated: 10 June 2020**

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## Appendices

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### Appendix 1 Criteria that apply to categories

**Principal CBD**

The Council of the City of Sydney (the City of Sydney) is the principal central business district (CBD) in the Sydney Metropolitan area. The City of Sydney is home to Sydney's primary commercial office district with the largest concentration of businesses and retailers in Sydney. The City of Sydney's sphere of economic influence is the greatest of any local government area in Australia.

The CBD is also host to some of the city's most significant transport infrastructure including Central Station, Circular Quay and International Overseas Passenger Terminal. Sydney is recognised globally with its iconic harbour setting and the City of Sydney is host to the city's historical, cultural and ceremonial precincts. The City of Sydney attracts significant visitor numbers and is home to 60 per cent of metropolitan Sydney's hotels.

The role of Lord Mayor of the City of Sydney has significant prominence reflecting the CBD's importance as home to the country's major business centres and public facilities of state and national importance. The Lord Mayor's responsibilities in developing and maintaining relationships with stakeholders, including other councils, state and federal governments, community and business groups, and the media are considered greater than other mayoral roles in NSW.

**Major CBD**

The Council of the City of Parramatta (City of Parramatta) is the economic capital of Greater Western Sydney and the geographic and demographic centre of Greater Sydney. Parramatta is the second largest economy in NSW (after Sydney CBD) and the sixth largest in Australia.

As a secondary CBD to metropolitan Sydney the Parramatta local government area is a major provider of business and government services with a significant number of organisations relocating their head offices to Parramatta. Public administration and safety have been a growth sector for Parramatta as the State Government has promoted a policy of moving government agencies westward to support economic development beyond the Sydney CBD.

The City of Parramatta provides a broad range of regional services across the Sydney Metropolitan area with a significant transport hub and hospital and educational facilities. The City of Parramatta is home to the Westmead Health and Medical Research precinct which represents the largest concentration of hospital and health services in Australia, servicing Western Sydney and providing other specialised services for the rest of NSW.

The City of Parramatta is also home to a significant number of cultural and sporting facilities (including Sydney Olympic Park) which draw significant domestic and international visitors to the region.

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Councils categorised as Metropolitan Large will typically have a minimum residential population of 200,000.

Councils may also be categorised as Metropolitan Large if their residential population combined with their non-resident working population exceeds 200,000. To satisfy this criteria the non-resident working population must exceed 50,000.

Other features may include:

- total operating revenue exceeding \$200M per annum
- the provision of significant regional services to greater Sydney including, but not limited to, major education, health, retail, sports, other recreation and cultural facilities
- significant industrial, commercial and residential centres and development corridors
- high population growth.

Councils categorised as Metropolitan Large will have a sphere of economic influence and provide regional services considered to be greater than those of other metropolitan councils.

**Metropolitan Medium**

Councils categorised as Metropolitan Medium will typically have a minimum residential population of 100,000

Councils may also be categorised as Metropolitan Medium if their residential population combined with their non-resident working population exceeds 100,000. To satisfy this criteria the non-resident working population must exceed 50,000

Other features may include:

- total operating revenue exceeding \$100M per annum
- services to greater Sydney including, but not limited to, major education, health, retail, sports, other recreation and cultural facilities
- industrial, commercial and residential centres and development corridors
- high population growth.

The sphere of economic influence, the scale of council operations and the extent of regional servicing would be below that of Metropolitan Large councils.

**Metropolitan Small**

Councils categorised as Metropolitan Small will typically have a residential population less than 100,000.

Other features which distinguish them from other metropolitan councils include:

- total operating revenue less than \$150M per annum.

While these councils may include some of the facilities and characteristics of both Metropolitan Large and Metropolitan Medium councils the overall sphere of economic influence, the scale of council operations and the extent of regional servicing would be below that of Metropolitan Medium councils.

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Newcastle City Council and Wollongong City Councils are categorised as Major Regional City. These councils:

- are metropolitan in nature with major residential, commercial and industrial areas
- typically host government departments, major tertiary education and health facilities and incorporate high density commercial and residential development
- provide a full range of higher order services and activities along with arts, culture, recreation, sporting and entertainment facilities to service the wider community and broader region
- have significant transport and freight infrastructure servicing international markets, the capital city and regional areas
- have significant natural and man-made assets to support diverse economic activity, trade and future investment
- typically contain ventures which have a broader State and national focus which impact upon the operations of the council.

**Major Strategic Area**

Councils categorised as Major Strategic Area will have a minimum population of 300,000.

Other features may include:

- health services, tertiary education services and major regional airports which service the surrounding and wider regional community
- a full range of high-order services including business, office and retail uses with arts, culture, recreation and entertainment centres
- total operating revenue exceeding \$250M per annum
- significant visitor numbers to established tourism ventures and major events that attract state and national attention
- a proximity to Sydney which generates economic opportunities.

Currently, only Central Coast Council meets the criteria to be categorised as a Major Strategic Area. Its population, predicted population growth, and scale of the Council's operations warrant that it be differentiated from other non-metropolitan councils. Central Coast Council is also a significant contributor to the regional economy associated with proximity to and connections with Sydney and the Hunter Region.

**Regional Strategic Area**

Councils categorised as Regional Strategic Area are differentiated from councils in the Regional Centre category on the basis of their significant population and will typically have a residential population above 200,000.

Other features may include:

- health services, tertiary education services and major regional airports which service the surrounding and wider regional community
- a full range of high-order services including business, office and retail uses with arts, culture, recreation and entertainment centres
- total operating revenue exceeding \$250M per annum
- significant visitor numbers to established tourism ventures and major events that attract state and national attention
- a proximity to Sydney which generates economic opportunities.

Currently, only Lake Macquarie Council meets the criteria to be categorised as a Regional Strategic Area. Its population and overall scale of council operations will be greater than Regional Centre councils.

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Councils categorised as Regional Centre will typically have a minimum residential population of 40,000.

Other features may include:

- a large city or town providing a significant proportion of the region's housing and employment
- health services, tertiary education services and major regional airports which service the surrounding and wider regional community
- a full range of high-order services including business, office and retail uses with arts, culture, recreation and entertainment centres
- total operating revenue exceeding \$100M per annum
- the highest rates of population growth in regional NSW
- significant visitor numbers to established tourism ventures and major events that attract state and national attention
- a proximity to Sydney which generates economic opportunities.

Councils in the category of Regional Centre are often considered the geographic centre of the region providing services to their immediate and wider catchment communities.

**Regional Rural**

Councils categorised as Regional Rural will typically have a minimum residential population of 20,000.

Other features may include:

- a large urban population existing alongside a traditional farming sector, and are surrounded by smaller towns and villages
- health services, tertiary education services and regional airports which service a regional community
- a broad range of industries including agricultural, educational, health, professional, government and retail services
- large visitor numbers to established tourism ventures and events.
- Councils in the category of Regional Rural provide a degree of regional servicing below that of a Regional Centre.

**Rural**

Councils categorised as Rural will typically have a residential population less than 20,000.

Other features may include:

- one or two significant townships combined with a considerable dispersed population spread over a large area and a long distance from a major regional centre
- a limited range of services, facilities and employment opportunities compared to Regional Rural councils
- local economies based on agricultural/resource industries.

**County Councils - Water**

County councils that provide water and/or sewerage functions with a joint approach in planning and installing large water reticulation and sewerage systems.

**County Councils - Other**

County councils that administer, control and eradicate declared noxious weeds as a specified Local Control Authority under the *Biosecurity Act 2015*.