

ATTACHMENTS UNDER SEPARATE
COVER

ORDINARY COUNCIL MEETING
28 OCTOBER 2025



PORT STEPHENS
C O U N C I L

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**Proposed amendment to Port Stephens Local
Environmental Plan 2013**
Rezoning of Lot 2 DP 37430 and Lot 32 DP 554875,
Newline Road, Raymond Terrace



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VERSION CONTROL

Version	Date	Details
2	8 April 2025	Planning proposal as submitted for consultation to agencies.
3	21 May 2025	Planning proposal amended to respond to agency consultation.
4	9 July 2025	Planning proposal amended to respond to community consultation.

ATTACHMENTS

APPENDIX 1 – Proposed Zoning, Minimum Lot Size and Height of Building Maps

APPENDIX 2 – Ecological Values Letter

APPENDIX 3 – Flood Risk Management Advice

APPENDIX 4 – Heritage Due Diligence Report

APPENDIX 5 – Mixed Use Indicative Subdivision Plan

APPENDIX 6 – Strategic Bushfire Study

FILE NUMBERS

Council: 58-2024-4-1

Department: PP-2024-2629

SUMMARY

Subject land: Lot 2 DP 37430 and Lot 32 DP 554875
587 Newline Road, Raymond Terrace

Proponent: MCCLOY GROUP

Proposed changes: Align the MU1 Mixed Use zone with the lot layout envisioned under the Concept Masterplan and DA Approval (DA16-2013-599-1).

Extend the MU1 Mixed Use zone over land (approximately 2,300m²) currently zoned C2 Environmental Conservation adjoining Newline Road which is not flood prone.

Reduce the minimum lot size of the MU1 Mixed Use zone from 400m² to 300m² to achieve housing diversity in and around the neighbourhood centre and park

Amend the height of building map that aligns the existing MU1 Zone height limit of 15m, and the R1 General Residential Zone height limit of 9m, with proposing zoning layout.

Area of land: ~ 7ha

Lot yield: ~ 85 lots

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BACKGROUND

The site is known as the Monarch's Rise estate and is located at 587 Newline Road, Raymond Terrace, legally described as Part Lot 2 of Deposited Plan (DP) 37430 and Part Lot 32 DP554875.

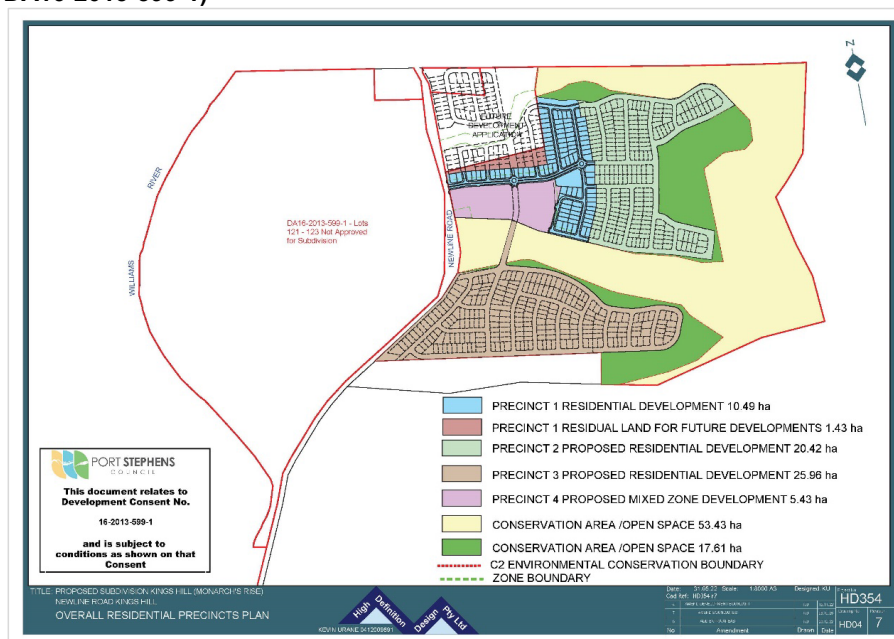
The first stage of the Monarch's Rise residential development was approved by Port Stephens Council on 8 July 2024 under DA16-2013-599-1 (**Figure 1**). The approved development provided consent for:

Staged Development - Two (2) into 97 Lot Torrens title subdivision including vegetation works, clearing, park, earthworks, roads, landscaping, associated subdivision works and infrastructure.

As shown in **Figure 1**, Monarch's Rise is split into four (4) precincts over which development will be staged. The proposed planning proposal applies to the area of the site known as Precinct 1 and Precinct 4.

Through the assessment of the development application (DA), a substantial portion of developable area was agreed to be retained for conservation purposes and left undeveloped. This land, zoned R2 Low Density Residential, totals 17.61ha in area and is shown shaded dark green in **Figure 1**. This outcome resulted from consultation with Council and sought to avoid a significant impact on biodiversity from the proposed subdivision.

Figure 1– Overall Residential Precinct Plan (from Approved Subdivision Plan DA16-2013-599-1)



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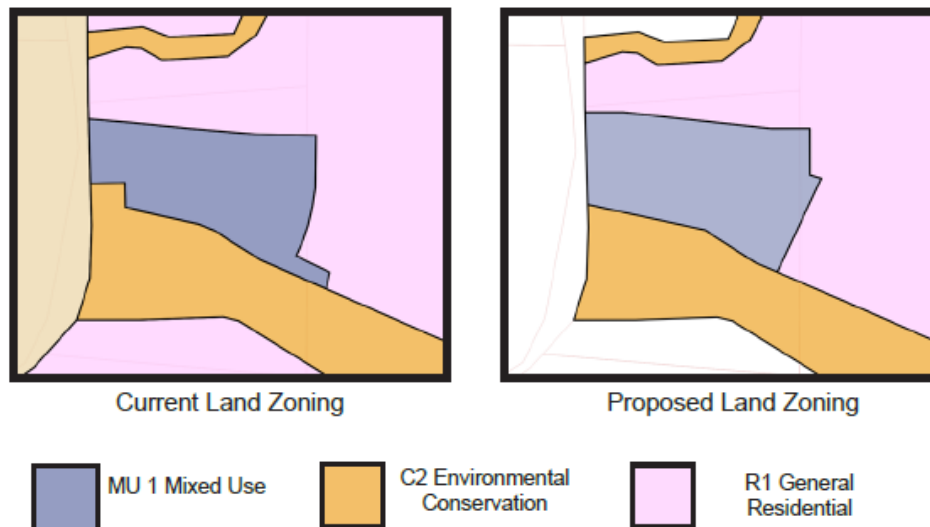
The subdivision plan, approved under DA13-2013-599-1 resulted in a number of lots containing a split zoning, being both within Zone R2 Low Density Residential and Zone MU1 Mixed Use. A key objective of this Planning Proposal is to re-align Zone MU1 with the approved lot layout.

The Monarch's Rise Planning Proposal (the Planning Proposal) aims to:

- Align the MU1 Mixed Use zone with the lot layout envisioned under the Concept Masterplan and DA Approval (DA16-2013-599-1); as seen in **Figure 2**;
- Extend the MU1 Mixed Use zone over land (about 2,300m²) currently zoned C2 Environmental Conservation, as seen in **Figure 2**; and
- Reduce the minimum lot size for residential subdivision in Zone MU1 Mixed Use from 400m² to 300m², to achieve greater housing diversity in and around the neighbourhood centre and park as seen in **Figure 3**; and
- Amend the height of building map that aligns the existing MU1 Zone height limit of 15m, and the R1 General Residential Zone height limit of 9m, with proposed zoning layout, as seen in **Figure 4**.

An indicative subdivision plan for the area of land to which this proposed Planning Proposal relates is shown in **Figure 5**.

Figure 2– Current and Proposed Land Zoning Map



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Figure 3– Current and Proposed Minimum Lot Size Map

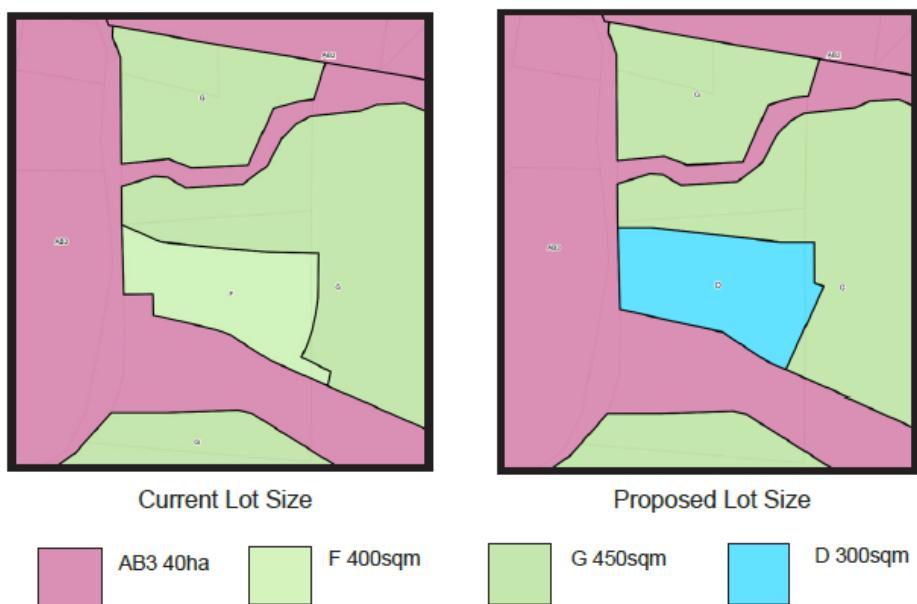


Figure 4– Current and Proposed Height of Building Map



Figure 5– Mixed Use Indicative Subdivision Plan (from Highview Partners)**SITE****Regional Context**

The subject site is situated in the suburb of Raymond Terrace, within the Port Stephens Council Local Government Area (LGA), and is located approximately 24km north of Newcastle, and 5km north of the centre of Raymond Terrace.

Figure 6 shows the site in its broader regional context.

The site is identified within the Hunter Regional Plan 2041 (HRP) in the vicinity of a housing investigation area. As shown in **Figure 7**, the HRP identifies the locality as 'new residential land'.

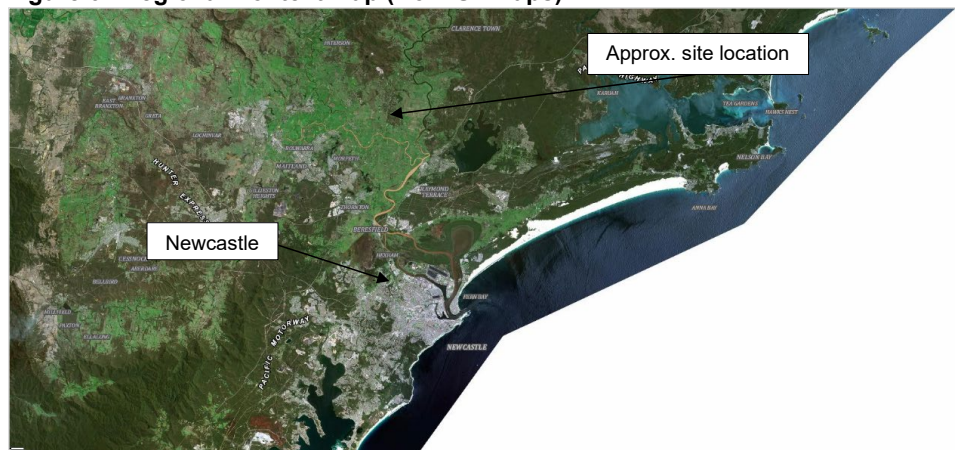
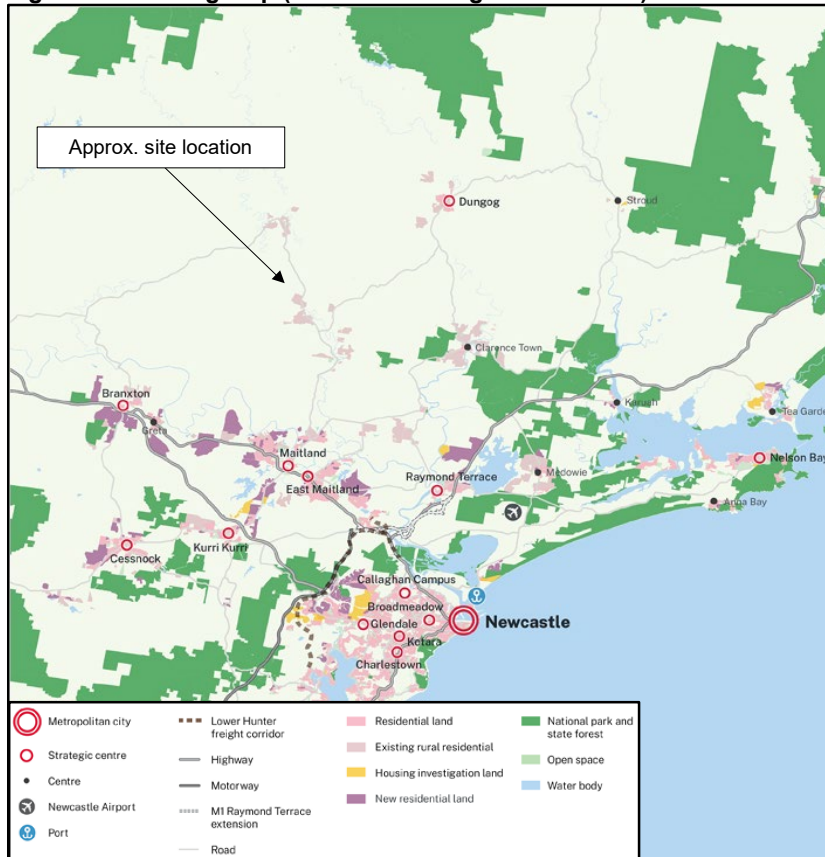
Figure 6– Regional Context Map (from SixMaps)

Figure 7– Housing Map (from Hunter Region Plan 2041)

Local Context

The site is situated within Monarch's Rise, part of a planned community within the suburb of Kings Hill in Port Stephens.

The surrounding area is predominantly rural-residential and agricultural land, however, the site itself lies within the designated Kings Hill Urban Release Area. This area is envisioned to be progressively redeveloped to accommodate a diverse range of low-density dwelling types, catering to anticipated growth and varied household demographics.

Kings Hill is a strategic location, positioned between the Pacific Highway and Newline Road, providing excellent access to Newcastle and Sydney to the south, as well as northern NSW and southern QLD to the north. The site itself is situated on the banks of the Williams River and is bisected by Newline Road.

The proposed development of Kings Hill will result in the creation of a residential community, complemented by small-scale retail and service centres to cater to the

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daily needs of residents. Upon completion, Kings Hill is expected to comprise approximately 3,500 dwellings.

Site Description

The subject site, located at 587 Newline Road, Raymond Terrace, comprises two (2) lots:

- Part Lot 2 of DP 37430; and
- Part Lot 32 of DP554875.

The site itself is irregularly shaped, spanning approximately 219.49ha, with dual frontages along Newline Road totalling around 1,750m. The site is fragmented into two parcels of land on either side of Newline Road and remains undeveloped.

In terms of surrounding land uses, the site is adjacent to:

- RU2 Rural Landscape and RU1 Primary Production zones to the north;
- The Williams River (zoned W1 Natural Waterways) to the west; and
- C2 Environmental Conservation zones to the south and east.

The figures below depict the location of the Planning Proposal and the properties subject to the Planning Proposal.

Figure 8– Monarch’s Rise – Kings Hill (land subject of this Planning Proposal is shown in orange)

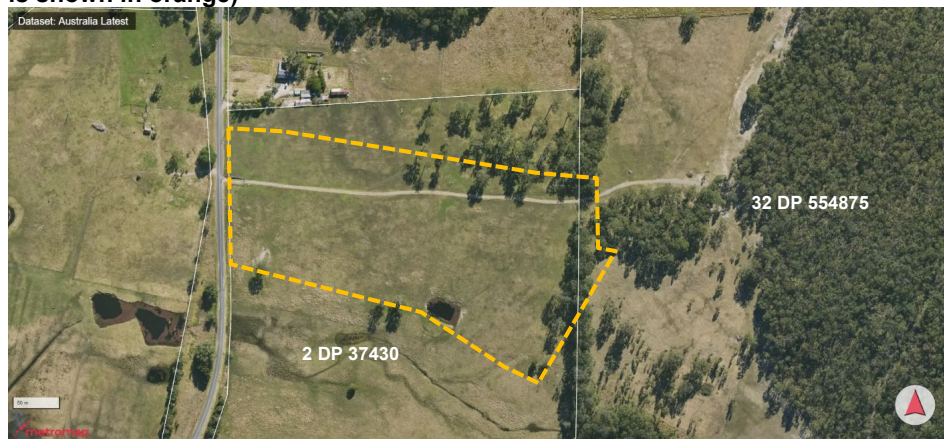


Figure 9– Monarch’s Rise – Kings Hill (lots subject of this Planning Proposal are shown in black with subject land outlined in orange)



ITEM 3 - ATTACHMENT 1 PLANNING PROPOSAL.**PART 1 – Objectives or intended outcomes**

The purpose of the Planning Proposal is to amend the *Port Stephens Local Environmental Plan 2013* (LEP 2013) to facilitate the continued supply of orderly housing development in the Kings Hill Urban Release Area. Specifically, the Planning Proposal seeks to amend LEP 2013 by:

- Aligning the MU1 Mixed Use Zone map boundary to be consistent with the lot layout approved under the Concept Masterplan DA Approval (DA16-2013-599-1);
- Extending the MU1 Mixed Use zone map boundary over land currently zoned C2 Environmental Conservation to align with the lot layout approved under the Concept Masterplan DA Approval (DA16-2013-599-1);
- Amending the Lot Size Map to be consistent with the amended zone boundaries
- Reducing the minimum lot size within the MU1 Mixed Use zone for the site from 400m² to 300m²; and
- Applying a consistent height of building limit of 15m within the MU1 Mixed Use zone and 9m within the R1 General Residential zone for the site.

The outcomes of these changes to the LEP 2013 will:

- Ensure that residential allotments within Monarch's Rise are provided with a singular land use zone and height of building, resolving the current situation in which some residential lots approved under DA16-2013-599-1 are subject to two zonings and two maximum heights.
- Allow development to extend onto an area of land that was previously protected from development due to assumed flooding concerns which have since been resolved.

It should be noted that although this would slightly reduce the area of land zoned for conservation purposes by 2,300m², this is in effect already approved for vegetation removal by DA16-2013-599-1 within which a substantial area (17.61ha) of land zoned R2 Low Density Residential was set aside for conservation purposes.

- Responding to market demand by providing for smaller lot housing outcomes in the MU1 Mixed Use zone of the future subdivision, which will contribute towards achieving housing diversity and ensure greater densities of housing are provided in well-located areas.

An indicative plan showing the development outcomes which are intended for the site is illustrated in **Figure 5** (page 7).

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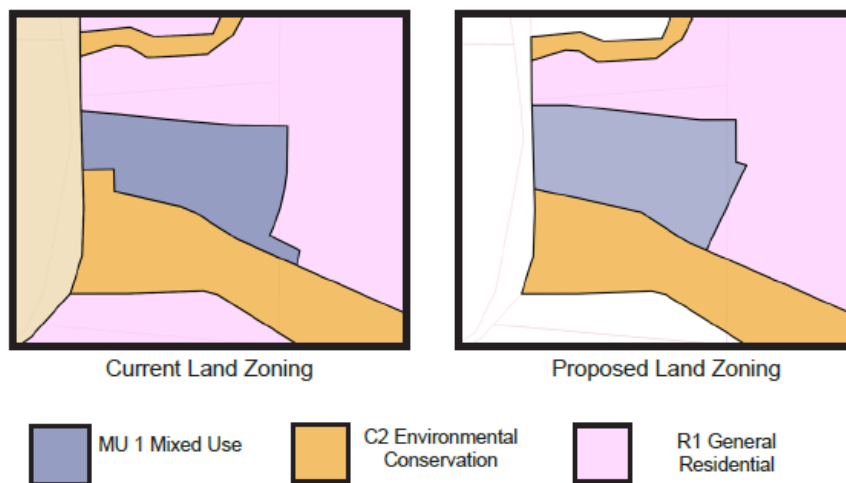
PART 2 – Explanation of provisions

The objectives of the Planning Proposal will be achieved by the following amendments to the LEP 2013:

- Amend the Land Zoning Map by:
 - Extending the MU1 Mixed Use Zone boundary by approximately 50 meters north on part of Lot 2 DP 37430.
 - Reducing the MU1 Mixed Use Zone boundary by varying distances at the eastern zone boundary on part of Lot 2 DP 37430 and part of Lot 32 DP554875; and
 - Reducing the amount of land zoned C2 Environmental Conservation on part of Lot 2 DP 37430 at its western boundary by approximately 2,300m².
- Amend the Lot Size Map to reduce the minimum lot size within the MU1 Mixed Use zone from 400m² to 300m² as it applies to part of Lot 2 DP 37430 and part of Lot 32 DP554875.
- Amend the Height of Building Map to apply a maximum height limit of 15m within the corresponding MU1 Mixed Use zone and a maximum height limit of 9m within the corresponding R1 General Residential zone as it applies to part of Lot 2 DP 37430 and part of Lot 32 DP554875.

Figure 10, 11 and 12 identify the proposed changes to the LEP 2013.

Figure 10– Proposed Land Zoning Map



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Figure 11– Proposed Minimum Lot Size Map

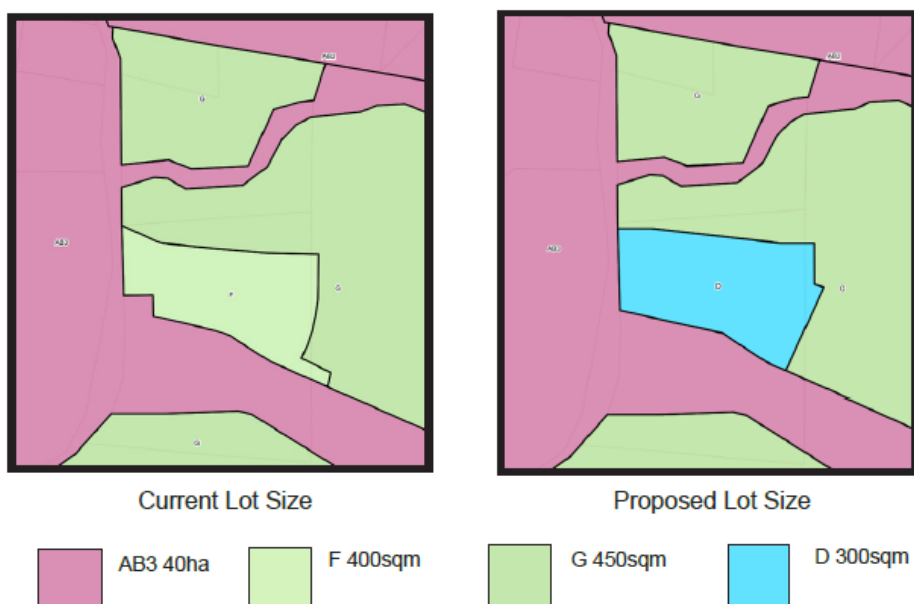


Figure 12 – Proposed Height of Building Map



ITEM 3 - ATTACHMENT 1 PLANNING PROPOSAL.**PART 3 – Justification of strategic merit and site specific merit****Strategic merit****Section A – Need for the Planning Proposal****Q1. Is the Planning Proposal a result of an endorsed LSPS, strategic study or report?**

Yes. The original Planning Proposal for the Kings Hill Urban Release Area (URA) was the result of the identification in the following strategic plans:

- Lower Hunter Regional Plan 2006, and
- Port Stephens Planning Strategy 2011

The Lower Hunter Regional Plan 2006 was endorsed by the then Minister for Planning, the Honourable, Frank Sartor, MP. This led to the land being rezoned for a mixture of development and conservation purposes through the Port Stephens Local Environmental Plan (Kings Hill, North Raymond Terrace) 2010, which was then replaced by the comprehensive Port Stephens Local Environmental Plan 2013.

The strategic merit of the site for a mixture of development and conservation purposes has been consistently reinforced by subsequent strategic plans, including the Department of Planning funded and Council developed Raymond Terrace and Heatherbrae Strategy 2015 (the Strategy).

The Planning Proposal aligns with Delivery Actions 25 and 15 of the Strategy by creating small lots which increases housing diversity and density.

Additionally, the Planning Proposal provides diverse housing choices for the people in Raymond Terrace and the surrounding areas within proximity of employment opportunities. This is consistent with the strategies and objectives of the HRP 2041, Greater Newcastle Metropolitan Plan 2036, the Port Stephens Local Strategic Planning Statement (LSPS) and Local Housing Strategy (LHS). Consistency with these documents is outlined further within this report.

Q2. Is the Planning Proposal the best means of achieving the objectives or intended outcomes, or is there a better way?

Yes. Consideration has been given to utilising existing mechanisms within the LEP 2013 to achieve the desired outcomes of the Planning Proposal. Specifically:

- Clause 5.3 (development near zone boundaries) may permit development which is permissible in the MU1 zone to be undertaken on lots that do not align with the Concept Masterplan and DA Approval (DA16-2013-599-1).
- Additionally, Clause 4.6 (Exceptions to development standards) could facilitate variations to the minimum lot size, reducing it from 400m² to 300sqmm² in future subdivision applications.

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Relying on these clauses would result in a complex and inconsistent planning framework and provide no certainty to the outcomes for the landowner, compromising long-term planning outcomes. As such, they are not considered viable long-term alternatives to a Planning Proposal.

The desired outcomes to extend the MU1 Mixed Use zone over land adjoining Newline Road cannot be accomplished through existing statutory mechanisms, making a Planning Proposal the only viable option to achieve the intended objectives at the site.

Section B – Relationship to strategic planning framework

The Department of Planning, Housing and Infrastructure's (DPHI) Planning Circular (PS 16-004) notes that a key factor in determining whether a proposal should proceed to Gateway determination should be its strategic and site-specific merit.

The Planning Proposal is considered to meet these tests as outlined in the following sections.

Does the proposal have strategic merit?

The strengthened strategic merit test criteria requires that a Planning Proposal demonstrate strategic merit against at least one of the following three criteria:

1. Give effect to the relevant regional plan outside of the Greater Sydney Region, the relevant district plan within the Greater Sydney Region, and/or corridor/precinct plans applying to the site. This includes any draft regional, district or corridor/precinct plans released for public comment or a place strategy for a strategic precinct including any draft place strategy; or
2. Demonstrate consistency with the relevant LSPS or strategy that has been endorsed by the Department or required as part of a regional or district plan; or
3. Respond to a change in circumstances that has not been recognised by the existing planning framework.

As described in the subsequent sections, the Planning Proposal demonstrates strategic merit against the first two criteria, in that:

1. The Planning Proposal will give effect to the Hunter Regional Plan 2041 and the Greater Newcastle Metropolitan Plan 2036 as outlined in Q3 below; and
2. The Planning Proposal is consistent with the intent of the Port Stephens LSPS (2020), supporting Raymond Terrace's growth, addressing population and employment needs, and enhancing housing diversity in the LGA as well as being consistent with the Port Stephens LHS and Housing Supply Plan by contributing to a diverse range of housing and increasing housing affordability through the provision of smaller lots.

Detailed discussion regarding these items is provided in the following sections.

ITEM 3 - ATTACHMENT 1 PLANNING PROPOSAL.**Q3. Will the Planning Proposal give effect to the objectives and actions of the Hunter Regional Plan and/or Greater Newcastle Metropolitan Plan (or any exhibited draft plans that have been prepared to replace these)?**

Yes. The Planning Proposal will give effect to the strategies and actions of the applicable objectives and priorities detailed in the HRP 2041 and the Greater Newcastle Metropolitan Plan 2036 (GNMP), as outlined below.

Hunter Regional Plan 2041

The HRP applies to LGAs within the Hunter Region including the Port Stephens LGA. The Planning Proposal is consistent with the broad intent of the HRP as follows.

Objective 3 of the HRP sets a goal of creating 15-minute neighbourhoods, where residents can live, work, and access daily needs without relying on personal vehicles. By aligning the MU1 zone with the approved subdivision plan and reducing the minimum lot size, the proposal streamlines the planning pathway for greater housing supply in this location. This increase in density around the neighbourhood centre, which will provide a range of services in the future once fully developed, will facilitate 15-minute neighbourhoods by locating more residents in close proximity to their day-to-day needs and promoting a vibrant, walkable community.

Greater Newcastle Metropolitan Plan 2036

The GNMP applies to parts of the Port Stephens LGA, including Raymond Terrace, identifying it as a hub for local housing and job opportunities. Strategy 9 of the GNMP positions Raymond Terrace as an emerging city centre, providing convenient job access and diverse economic activity.

This Planning Proposal is consistent with the GNMP, delivering housing close to job opportunities and contributing to housing targets, supporting the vision for Raymond Terrace as a thriving community.

Q4. Is the Planning Proposal consistent with a council LSPS that has been endorsed by the Planning Secretary or GSC, or another endorsed local strategy or strategic plan?

Yes. The Planning Proposal is consistent with the LSPS and LHS as outlined below.

Port Stephens Local Strategic Planning Statement (2020)

The Port Stephens LSPS outlines a 20-year vision for Port Stephens, prioritising social, economic, and environmental goals. The LSPS identifies Raymond Terrace as a regionally significant strategic centre and emphasises supporting its growth through Planning Priority 1. The Planning Proposal is consistent in this regard as it will support growth within the broader Raymond Terrace area.

Planning Priority 4 aims to ensure suitable land supply by utilising existing and future residential areas, such as Fern Bay, Kings Hill, and Medowie, to provide housing options within 30 minutes of major employment centres in Williamstown, Maitland, Broadmeadow,

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and Newcastle City Centre. The Planning Proposal is consistent with this Planning Priority as it will contribute towards more varied housing options in the future residential area of Kings Hill, via a reduction in minimum lot sizes in the Mixed Use zone of the Monarch's Hill estate.

Planning Priority 5 promotes housing diversity, which this Planning Proposal achieves by offering a new estate with higher densities, small lots, and varied housing types, sizes, tenures, and price points.

Port Stephens Local Housing Strategy

The Port Stephens LHS, adopted on 25 June 2024, outlines a clear vision for future housing growth in the LGA. The LHS responds to pressing housing supply challenges by incorporating recent policy developments, including the Australian Government's Housing Australia Future Fund and National Housing Accord, as well as initiatives from the NSW Housing Strategy 2041 and the HRP.

The strategy's key objectives are to promote housing diversity, affordability, and supply. The strategy provides a framework for land-use planning, emphasising the development of townhouses and apartments near town centres. This approach aims to create vibrant, connected communities with access to public transport, health services, education, and employment opportunities.

The urban release areas targeted for growth are Kings Hill, Raymond Terrace, Medowie, and Karuah. These areas will benefit from increased growth, driving future investment and upgrades in Port Stephens, including improved public transport and connections to strategic centres in Greater Newcastle.

Within the Port Stephens Local Housing Strategy, it states that the 'Housing vision' is:

"that in 2041, Port Stephens will offer homes in diverse neighbourhoods and centres that enable people to live close to work, raise their families in healthy neighbourhoods, surrounded by picturesque landscapes, or enjoy retirement in active communities. People will be able to age in place, allowing them the flexibility of the housing types that suit their stage of life, and ability to retain connection to their community throughout their lifetime. New and existing residents will be spoilt for choice when it comes to choosing their dream home. Local centres will be the hub of community life and provide spaces for people to gather, play, celebrate and explore. Our natural and cultural heritage will help shape our places and can be seen in the local character of our neighbourhoods and centres...."

A mixture of housing types and densities will be on offer within established and new areas to cater for the changing needs of all...

Raymond Terrace will be an attractive, affordable and vibrant centre with homes for people seeking shorter work commutes to Heatherbrae, Williamstown, and Tomago, as well as easy access to other centres in Greater Newcastle."

The Planning Proposal is aligned with this housing vision.

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The Port Stephens Local Housing Strategy contains 23 actions. Action 16, encourages the provision of small lot housing to achieve more efficient and sustainable development outcomes in urban release areas. The Planning Proposal aligns with this action by reducing the minimum lot size across the Planning Proposal area, facilitating small lot housing.

The following table illustrates the Planning Proposal's consistency with the relevant outcomes and priorities of the LHS.

Priority		Planning Proposal Consistency
Outcome 1 Ensure suitable land supply		
1.1 Ensure adequate supply of new housing	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 Williamtown, Tomago, Maitland, Broadmeadow, and the Newcastle City centre.	The Planning Proposal increases housing supply and density in the Kings Hill area. The Planning Proposal will provide affordable lifestyle options for residents with easy access to major employment hubs in Williamtown, Tomago, Maitland, Broadmeadow, and Newcastle City centre, all within a 30-minute commute.
	The Housing Supply Plan has been developed to map areas that have potential for infill or greenfield development and demonstrate the pipeline of development that is needed to meet our communities' future housing needs.	The Housing Supply Plan is addressed in the following section of this report.
Outcomes 2 Improve housing affordability		
2.1 Respond to housing stress	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.	The Planning Proposal enhances housing affordability by enabling smaller lot sizes, which in turn will make homeownership more accessible to a wider range of people.
2.2 Provide more affordable housing near jobs	Port Stephens work in employment centres in parts of Greater Newcastle such as Maitland and Newcastle. 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, Fullerton Cove and Fern Bay	The Planning Proposal will increase housing supply and diversity in Raymond Terrace and enhances proximity to employment opportunities.

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Priority		Planning Proposal Consistency
	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, Williamstown and Heatherbrae. 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 the Port Stephens economy.	
Outcome 3 Increase diversity of housing choice		
3.2 Encourage a range of housing types and sizes	To align with the HRP 2041, Council will seek opportunities to increase densities in new housing areas. This will require areas being designed to accommodate small lot housing or multi dwelling housing. Small lot housing typically refers to homes specifically designed for smaller lot sizes, generally between 200 to 450m ² .	The Planning Proposal promotes increased density in the Kings Hill housing area through a reduction in minimum lot size. Specifically, the Planning Proposal proposes to decrease the minimum lot size of the MU1 Mixed Use zone from 400sqm to 300sqm.
3.3 Enable better planning for diverse lifestyles	Small lot housing offering those who want to downsize more convenient living or more affordable housing.	

Housing Supply Plan

The Housing Supply Plan (HSP) is a crucial component of Council's response to the current housing crisis. It builds upon the strategic framework established by the LSPS and the LHS, outlining how Council will facilitate housing provision to meet the needs of Port Stephens' growing community.

Housing Density

To maximise available housing areas and offer a broader range of dwelling types, there is a recognized need to increase densities. This aligns with the objectives of the HRP which advocates for varied densities based on locational criteria.

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The HSP uses these nominated densities as a guide to forecast precinct potential. The Kings Hill Urban Growth Area has been identified with a desired density category for as “General Suburban” targeting 15 dwellings per hectare (dw/ha).

The proposed reduction in the minimum lot size from 400 to 300sqm is forecast to enable an additional 50 dwellings within the Zone MU1 – Mixed Use, which means the overall Gross Developable Area (GDA) will increase from 4 to 5 dwellings per hectare (d/ha) and the Net Developable Area (NDA) will increase from 7 to 8 d/ha. This is consistent with the density of other URAs in the Lower Hunter. The shortfall against the 15 dwellings per hectare target is largely reflective of the following two key factors:

1. Market – The SGS Economics & Planning, October 2019, Housing Preferences in Port Stephens Report identified that over 70% of people preferred to live in a separate house, being a detached home with a backyard (p.6), and
2. Biodiversity – Recent determinations handed down by the NSW Land and Environment Court – Planners North v Ballina Shire Council -- have meant that land avoided and placed in an environmental zone at the rezoning stage cannot be considered as avoidance at the Development Application stage.

In turn, 17.61ha, zoned R2 Residential, has been put aside for conservation purposes and will remain undeveloped. This land has the potential for 200 lots, which would have raised the GDA to 6d/ha and the NDA to 10d/ha.

The Urban Development Institute of Australia (UDIA) and other industry groups that are active in the Hunter Region have continually reinforced to Government the unrealistic nature of density targets exceeding 15d/ha in Hunter URAs within the lifetime of the HRP and Greater Newcastle Metropolitan Plan. This URA, which is the only major URA for Port Stephens reinforces this point. This planning proposal is an attempt to achieve greater density and diversity to move closer to the desired targets.

Q5. Is the Planning Proposal consistent with any other applicable State and regional studies or strategies?

Housing 2041

The New South Wales Government launched Housing 2041 in March 2021, a comprehensive 20-year vision for the State's housing future. This strategic plan prioritises delivering better housing outcomes by 2041, focusing on housing in suitable locations, diverse housing options, and homes that meet the needs of individuals and communities.

The Housing 2041 vision is built around four interconnected pillars: supply, diversity, affordability, and resilience. These pillars prioritise delivering housing in the right location at the right time, providing diverse housing options, ensuring housing is affordable and secure, and creating enduring and resilient housing adaptable to natural and social change.

This Planning Proposal aligns with Housing 2041 by supporting three of its four pillars. It does this by increasing housing supply in an area already designated for housing,

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offering increased diversity through small lot creation, and supporting housing affordability through smaller lots and increased supply.

Q6. Is the Planning Proposal consistent with applicable SEPPs?

An assessment of the relevant applicable SEPPs against the Planning Proposal is provided in the table below.

Table 1 – Relevant State Environmental Planning Policies

SEPP	Consistency and Implications
SEPP (Housing) 2021	
The objective of SEPP (Housing) 2021 is to enable the development of diverse housing types, to encourage housing that will meet the needs of more vulnerable members of the community, to promote the planning and delivery of housing in locations to make use of existing and planned infrastructure, to minimise adverse climate and environmental impacts of new housing development, to support short-term rental accommodation as a home-sharing activity while managing the social and environmental impacts from this use, and to mitigate the loss of existing affordable rental housing.	The Planning Proposal would not contradict or compromise any of the relevant provisions of the Housing SEPP.
SEPP (Resilience and Hazards) 2021	
Chapter 4 Remediation of Land This SEPP applies to land across NSW and states that land must not be developed if it is unsuitable for a proposed use because of contamination.	Land contamination has been dealt with in previous Planning Proposals for the site and it has been determined that development is suitable for the site. Furthermore, the provisions of Chapter 4 will be further considered at the development application (DA) stage. The Planning Proposal is therefore considered to be consistent with this SEPP.
SEPP (Transport and Infrastructure) 2021	
Chapter 2 Infrastructure Provides a consistent approach for infrastructure and the provision of services across NSW, and to support greater efficiency in the location of infrastructure and service facilities.	The proposed additional residential land and reduction in minimum lot size will not increase the number of traffic movements in the area beyond what was assessed and considered appropriate when the Monarch Rise land was released. The GHD, April 2019, Port Stephens Council Kings Hills Residential Lands

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	Rezoning Updated Traffic and Transport Study was based on a proposed development of 3,810 dwellings (p.39). In relation to land owned and to be developed by McCloy Kings Hill Pty Ltd, the land zoned R1 – General Residential had the potential to provide for 900 residential lots. However, the need to avoid land identified as preferred koala habitat on land zoned R1 – General Residential within the Notice of Determination (DA 16-2013-599-1) has resulted in a reduction of 200 residential lots. Because of this, the theoretical increase of 50 lots due to a reduced minimum lot size of 300sqm is already accounted for in planning for the URA. The Planning Proposal is therefore considered to be consistent with this SEPP.
SEPP (Biodiversity and Conservation) 2021	
Chapter 2 Vegetation in non-rural areas Aims to protect the biodiversity values of trees and other vegetation in non-rural areas of NSW and preserve the amenity of such areas through the preservation of trees and other vegetation.	The Planning Proposal does not contain any provisions which undermine or conflict with the provisions of Chapter 2 of this SEPP. Any future development application on the site would be supported by the relevant technical reports should removal of any non-exempt trees be proposed.
Chapter 4 Koala habitat protection 2021 (Applies to all land in Port Stephens except that zoned RU1, RU2, or RU3) Aims to help reverse the decline of koala populations by ensuring koala habitat is carefully considered during the development assessment process, and to provide a process for councils to strategically manage koala habitat through the development of koala plans of management.	As outlined within the Ecological Values Letter (APPENDIX 2), the Planning Proposal is not expected to impact on any koala habitat and is therefore consistent with the aims chapter 4 of this SEPP.

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Q7. Is the Planning Proposal consistent with applicable Ministerial Directions (section 9.1 Directions)?

An assessment of relevant Ministerial Directions against the Planning Proposal is provided in the table below.

Table 2 – Relevant Ministerial Directions

Ministerial Direction	Consistency and Implications
1. PLANNING SYSTEMS	
1.1 Implementation of Regional Plans The objective of this direction is to give legal effect to the vision, land use strategy, goals, directions and actions contained in Regional Plans.	The Hunter Regional Plan 2041 and the Greater Newcastle Metropolitan Plan 2036 are both relevant to this Planning Proposal. As demonstrated in response to Q3, the Planning Proposal is consistent with both documents and therefore considered to be consistent with this direction.
1.4 Site Specific Provisions The objective of this direction is to discourage unnecessarily restrictive site-specific planning controls.	The Planning Proposal does not contain any unnecessarily restrictive site-specific planning controls.
3. BIODIVERSITY AND CONSERVATION	
3.1 Conservation Zones The objective of this direction is the protection and conservation of environmentally sensitive areas, by ensuring that Planning Proposals do not reduce the environmental protection standards applying to such land unless it is suitably justified by a relevant strategy or study or is of minor significance.	Direction 3.1 requires a Planning Proposal to include provisions relating to the protection and conservation of environmentally sensitive areas. EMM has prepared an Ecological Values letter provided as (APPENDIX 2). This letter provides details of biodiversity values present within the 2,300sqm of the site to be rezoned from C2 Environmental Conservation to MU1 Mixed Use zoning. The biodiversity impact assessment prepared for the DA Approval (DA16-2013-599-1) assessed this 2,300sqm as being part of the development footprint. Therefore, if rezoned, it is anticipated that no further biodiversity assessment or approvals under NSW legislation would be required. The Planning Proposal is therefore considered consistent with this direction.
3.2 Heritage Conservation The objective of this direction is to conserve items, areas, objects and	Heritage Now Pty Ltd conducted a Due Diligence Assessment (DD) to support the Planning Proposal (APPENDIX 4).

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places of environmental heritage significance and Indigenous heritage significance.	The DD concludes that no Aboriginal sites, objects, or potential archaeological deposits were identified within the site. Consequently, no Aboriginal cultural heritage impacts are anticipated from the proposed rezoning. To ensure the protection of Aboriginal cultural heritage, the recommendations have been provided under Q9 below. The Planning Proposal is consistent with this direction.
4. RESILIENCE AND HAZARDS	
4.1 Flooding The objectives of this direction are to ensure that development of flood prone land is consistent with the NSW Government's Flood Prone Land Policy and the principles of the Floodplain Development Manual 2005, and that the provisions of an LEP on flood prone land is commensurate with flood hazard and includes consideration of the potential flood impacts both on and off the subject land.	Torrent Consulting was engaged to provide flood risk management advice (APPENDIX 3) in support of the proposed Planning Proposal, addressing Ministerial Direction 4.1. Torrent Consulting concluded that the Planning Proposal meets the requirements of Ministerial Direction 4.1 Flooding and effectively manages flood risk. The proposal is consistent with NSW flood policy and guidelines, and its implementation will not significantly increase flood impacts or require additional government spending on emergency management services. The Planning Proposal is therefore considered consistent with this direction.
4.3 Planning for Bushfire Protection The objectives of this direction are to protect life, property and the environment from bush fire hazards, by discouraging the establishment of incompatible land uses in bush fire prone areas, to encourage sound management of bush fire prone areas.	Ministerial Direction 4.3 mandates that Planning Proposals in proximity to land mapped as bushfire prone land consider the Planning for Bushfire Protection (PBP) 2019 guidelines. To support the Planning Proposal, Bushfire Planning Australia (BPA) was commissioned to conduct a Strategic Bushfire Study (SBS) (APPENDIX 6). The SBS addresses Ministerial Direction 4.3 and aligns with the RFS Planning for Bushfire Protection Guidelines 2019. The SBS concludes that the Planning Proposal is suitable for the site, and bushfire risks can be effectively mitigated

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	by implementing PBP 2019 requirements, including temporary and permanent Asset Protection Zones. Furthermore, the SBS demonstrates that the proposed amendments are minor and will not compromise compliance with PBP 2019 for new developments. The Planning Proposal is therefore considered consistent with this direction.
4.4 Remediation of Contaminated Land The objective of this direction is to reduce the risk of harm to human health and the environment by ensuring that contamination and remediation are considered by planning proposal authorities.	Land contamination has been dealt with in previous Planning Proposals for the site and it has been determined that development is suitable for the site. Furthermore, the provisions of Chapter 4 will be further considered at the development application (DA) stage. The Planning Proposal is therefore considered to be consistent with this direction.
6. HOUSING	
6.1 Residential Zones Encourage a variety and choice of housing types to provide for existing and future housing needs, make efficient use of existing infrastructure and services and ensure that new housing has appropriate access to infrastructure and services, and minimise the impact of residential development on the environment and resource lands.	The proposal seeks to facilitate housing in a strategic location within an existing urban area with access to infrastructure and services. A minimum lot size of 300sqm is proposed to encourage a greater housing diversity and choice. The Planning Proposal is therefore considered consistent with this direction.

Site-specific merit

Does the proposal have site-specific merit?

In addition to meeting at least one of the strategic merit criteria, a Planning Proposal is required to demonstrate site-specific merit against the criteria set out in the table below.

As demonstrated, the Planning Proposal demonstrates site-specific merit in relation to all criteria as set out below, with these matters described in further detail below.

Criteria	Response
<i>Does the proposal give regard and assess impacts to:</i>	
<i>the natural environment on the site to which the proposal relates and other</i>	The site has previously been deemed as suitable for a land use outcome generally in line with the intended objective of this Planning Proposal, being residential

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Criteria	Response
<i>affected land (including known significant environmental areas, resources or hazards)</i>	subdivision. The Planning Proposal is accompanied by relevant technical studies to assess its specific potential impacts, which includes: • Ecological Values Letter (APPENDIX 2); • Flood Risk Management Advice (APPENDIX 3); • Heritage Due Diligence Report (APPENDIX 4); and • Strategic Bushfire Study (APPENDIX 6). Additionally, the Planning Proposal has considered the social and economic, traffic, bushfire, Aboriginal heritage, flood and biodiversity effects within this report. Based on the information in these technical studies, the Planning Proposal is considered unlikely to discernibly impact on the natural environment because of the nature of the LEP amendment sought.
<i>existing uses, approved uses, and likely future uses of land in the vicinity of the land to which the proposal relates</i>	The Planning Proposal would have a negligible impact on existing, approved, and likely future uses of land in the vicinity of land to which it relates. The current land use framework already permits residential subdivision across the land, and the Planning Proposal simply intends to make minor adjustments to the permitted layout and density of such subdivision. These would be generally indiscernible from surrounding land.
<i>services and infrastructure that are or will be available to meet the demands arising from the proposal and any proposed financial arrangements for infrastructure provision</i>	Clause 7.6 of the LEP 2013 ensures that future development will have adequate services. This clause requires that development consent can only be granted if the consent authority (Council or private certifier) is satisfied that: • Water supply is available or arranged. • Electricity supply is secured. • Sewage disposal and management are adequately addressed. • Stormwater drainage or on-site conservation measures are in place. • Suitable vehicular access is provided. This provision guarantees that essential services will be available or arranged before development commences, ensuring a well-planned and serviced site.

ITEM 3 - ATTACHMENT 1 PLANNING PROPOSAL.**Section C – Environmental, social and economic impact**

Q8. Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected as a result of the proposal?

No. The Planning Proposal is unlikely to impact critical habitat, threatened species, populations, or ecological communities, or their habitats.

EMM has prepared an Ecological Values letter, which is provided as **APPENDIX 2**, in support of the Planning Proposal. The letter provides details of biodiversity values present within the 2,300sqm of the site proposed to be rezoned from Zone C2 Environmental Conservation to Zone MU1 Mixed Use. It is noted that a broader scale assessment of the lands has also occurred, which is also briefly discussed within the letter.

The area proposed for rezoning from C2 Environmental Conservation to MU1 Mixed Use (**Figure 13**) was previously mapped as "Derived Grassland" by Firebird in 2019. However, site observations suggest a more accurate classification as "Non-Native Grassland".

The area of Zone C2 proposed for rezoning does not appear on the Biodiversity Values Map (**Figure 14**). It contains a single Forest Red Gum (*Eucalyptus tereticornis*) at its southern boundary (**Figure 15**).

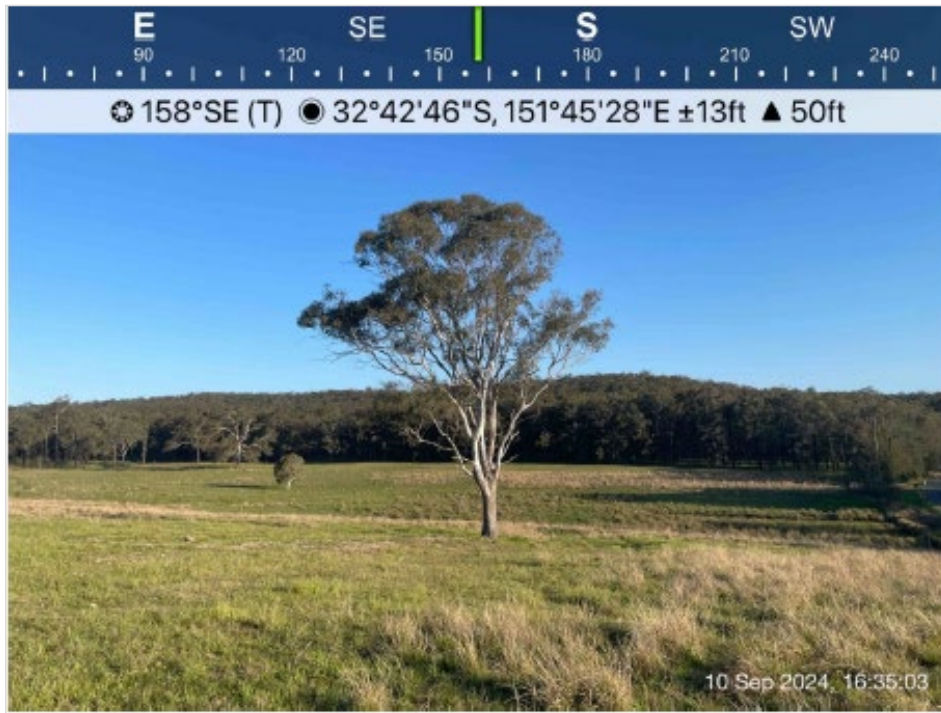
As part of the approved Monarch's Rise residential development, a significant area of 17.61ha, zoned R2 Residential, was set aside for conservation purposes and will remain undeveloped. The minor expansion of Zone MU1 Mixed Use by approximately 2,300sqm into Zone C2 Environmental Conservation is more than compensated by the substantial increase in conservation lands being protected under the parent subdivision.

As such, it is concluded that the Planning Proposal will not significantly impact local biodiversity.

[illegible]

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Figure 15– Photos of the area proposed to be rezoned from C2 to MU1, and the tree present at the southern boundary, a Forest Red Gum (*Eucalyptus tereticornis*)



Q9. Are there any other likely environmental effects as a result of the Planning Proposal and how are they proposed to be managed?

Flooding

Torrent Consulting was engaged to provide flood risk management advice for the Planning Proposal (**APPENDIX 3**).

The advice notes that a Flood Risk Assessment (FRA) was prepared for the current DA approval which included detailed modelling and mapping of local catchment flooding conditions and mainstream Williams River flood inundation extents. The proposed Planning Proposal area is outside of the 1% Annual Exceedance Probability (AEP) Year 2100 planning horizon flood condition (**Figure 16**).

The Planning Proposal is consistent with the Ministerial Direction 4.1, ensuring consistency with NSW Flood Prone Land Policy and Flood Risk Management Manual: the management of flood liable land (2023) (as per the Planning Circular, Update on addressing flood risk in planning decisions, 2024). The Planning Proposal does not rezone land within the flood planning area and does not permit development in floodway areas or high hazard areas.

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The Williams River Probable Maximum Flood (PMF) extent covers part of the lower portion of the Planning Proposal area. However, significant flood warning time is afforded to the site, and pedestrian and vehicular access to flood-free areas is readily available. The Planning Proposal effectively manages flood risk in accordance with relevant provisions.

Torrent Consulting have concluded that the Planning Proposal meets the requirements of Ministerial Direction 4.1 Flooding and effectively manages flood risk. The proposal is consistent with NSW flood policy and guidelines, and its implementation will not significantly increase flood impacts or require additional government spending on emergency management services.

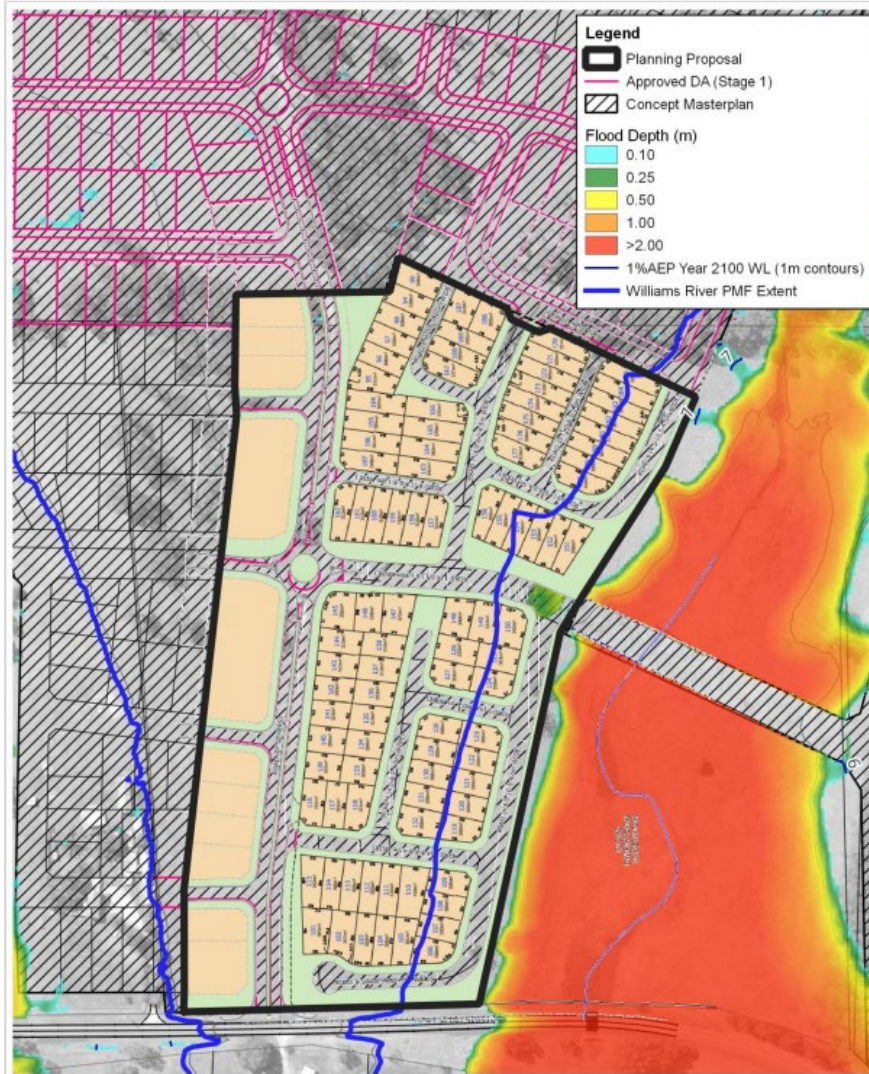
Aboriginal Heritage

Heritage Now Pty Ltd conducted a Due Diligence Assessment to support the Planning Proposal (**APPENDIX 4**). The assessment included a review of background information and a site inspection by heritage consultants and representatives from local Aboriginal groups. The Planning Proposal area, located on a low plain near water sources, was previously assessed as having low archaeological significance. No Aboriginal sites, objects, or potential archaeological deposits were identified, and no cultural heritage impacts are anticipated from the proposed development.

Historical land use analysis indicates past vegetation clearance and agricultural activities which have likely disturbed the soil profile. The visual inspection conducted on 15 October 2024 confirmed that the area has been subject to ground disturbance from activities such as the construction of a vehicle track, dam, and fencing, as well as livestock trampling. The inspection revealed minimal topsoil remaining and no evidence of Aboriginal artefacts. The area is also waterlogged and low-lying, making it an unlikely location for long-term Aboriginal occupation.

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Figure 16– Indicative Mixed-Use Subdivision and Design 1% AEP Year 2100 Flood Condition (from Torrent Consulting)



The Due Diligence Assessment concluded that the Planning Proposal would not impact upon Aboriginal cultural heritage, and provides a series of recommendations to ensure compliance with the *National Parks and Wildlife Act 1974* which would be replicated into any future development consent.

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Bushfire

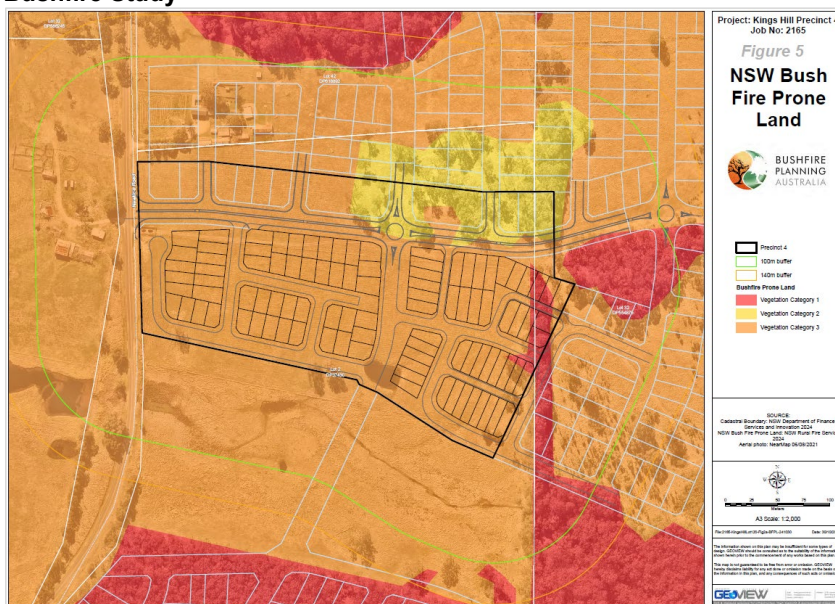
Bushfire Planning Australia prepared a Strategic Bushfire Study (SBS) to support the Planning Proposal and provide mitigation measures for Precinct 4 and part of Precinct 1 of Monarch's Rise.

The SBS includes a preliminary concept plan showing road layout and access overlayed on bushfire mapping. Shown in **Figure 17**, this indicates the entire subject site is mapped as Vegetation Category 2 bushfire prone land with the exception of a narrow corridor of Vegetation Category 1 bushfire prone land located to the east.

The SBS identifies the site as being subject to a high bushfire hazard, primarily from forest vegetation to the north and east, and grasslands to the north and south. The SBS recommends managing the entire site as an Inner Protection Area (IPA) and implementing a combination of temporary and permanent Asset Protection Zones (APZs) to mitigate the bushfire risk. A number of other recommendations are made which would be implemented through future subdivision applications, relating to access and egress, water supply, and landscaping and vegetation management.

The SBS concludes that the Planning Proposal is appropriate for the site, provided the recommended bushfire protection measures are implemented. These measures will help mitigate the bushfire risk and offer an acceptable level of protection to life and property. The SBS highlights the importance of ongoing management and maintenance of bushfire protection measures to ensure the safety of future residents and assets.

Figure 17– Bush Fire Prone Land (from Bushfire Planning Australia, Strategic Bushfire Study)



ITEM 3 - ATTACHMENT 1 PLANNING PROPOSAL.Traffic

The proposed additional residential land and reduction in minimum lot size will not increase the number of traffic movements in the area beyond what was assessed and considered appropriate when the Monarch Rise land was released.

The GHD, April 2019, Port Stephens Council Kings Hills Residential Lands Rezoning Updated Traffic and Transport Study was based on a proposed development of 3,810 dwellings (p.39).

In relation to land owned and to be developed by McCloy Kings Hill Pty Ltd, the land zoned R1 – General Residential had the potential to provide for 900 residential lots.

However, the need to avoid land identified as preferred koala habitat on land zoned R1 – General Residential within the Notice of Determination (DA 16-2013-599-1) has resulted in a reduction of 200 residential lots. Because of this, the theoretical increase of 50 lots due to a reduced minimum lot size of 300sqm is already accounted for in planning for the URA.

The Planning Proposal is therefore considered to have no traffic impacts.

Q10. Has the Planning Proposal adequately addressed any social and economic effects?

The proposal is expected to yield numerous positive social and economic outcomes by:

- Providing additional housing in convenient and well-located areas with easy access to nearby employment opportunities and goods and services;
- Providing greater housing diversity through the introduction of smaller lot sizes to the residential market, appealing to a wider range of family types and homeowners; and
- Contributing towards more affordable housing outcomes, with greater housing supply providing downward pressure on housing prices.

Section D – Infrastructure (Local, State and Commonwealth)**Q11. Is there adequate public infrastructure for the Planning Proposal?**

Yes. The Planning Proposal would be supported by adequate public infrastructure. The site will be connected to the relevant services at the construction stage, which will be considered through future DAs in accordance with Clause 7.6 of the LEP 201

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Section E – State and Commonwealth Interests

Q12. What are the views of state and federal public authorities and government agencies consulted in order to inform the Gateway determination?

Consultation has been undertaken with the following State and Commonwealth agencies:

- Transport for NSW (TfNSW);
- Department of Climate Change, Energy, the Environment and Water (DCCEEW);
- NSW Rural Fire Service (NSW RFS); and
- Department of Planning, Housing and Infrastructure (DPHI).

None of the agencies consulted objected to the planning proposal. Comments raised by agencies will be, and are currently, being addressed at the development application stage.

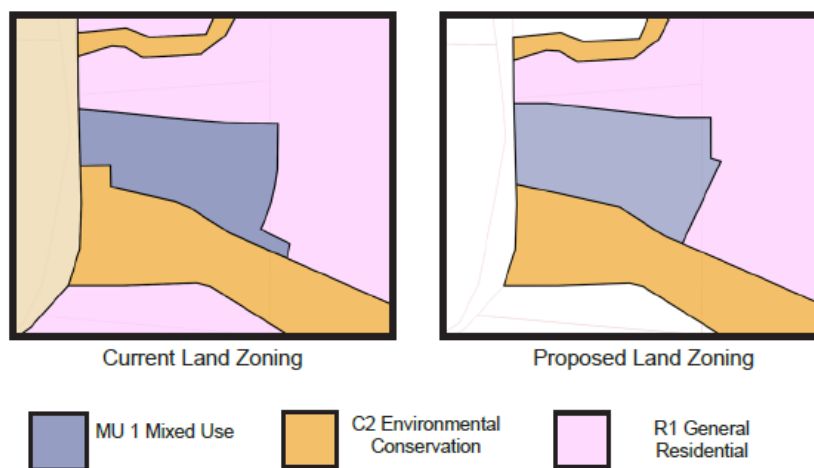
PART 4 – Mapping

The Planning Proposal seeks to amend the following maps under the *Port Stephens Local Environmental Plan 2013* as shown in **Figure 18 – Figure 20** and **Appendix 1**:

- Amend the Land Zoning Map Sheet to reflect the shift in the MU1, C2 and R1 zone boundaries; and
- Amend the Minimum Lot Size Map Sheet to reflect the reduction in the minimum lot size control; and
- Amend the Height of Building Map Sheet to align and reflect the shift in the MU1, C2 and R1 zone boundaries.

Indicative mapping is shown in the below figures. Detailed mapping will be prepared before the Planning Proposal is finalised.

Figure 18 – Current and Proposed Land Zoning Map



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Figure 19– Current and Proposed Minimum Lot Size Map

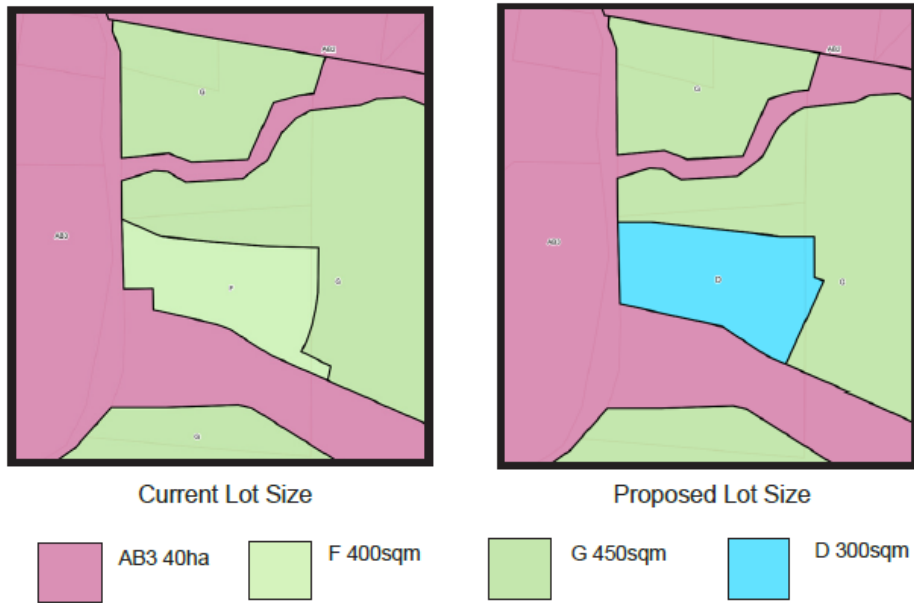


Figure 20– Current and Proposed Height of Building Map



ITEM 3 - ATTACHMENT 1 PLANNING PROPOSAL.**PART 5 – Community consultation**

The planning proposal was publicly exhibited from 30 May 2025 to 30 June 2025. Community consultation will be undertaken in accordance with the Gateway determination.

The exhibition material was available on Council's website and was on display at the following locations during normal business hours:

- Council's Administration Building, 116 Adelaide Street, Raymond Terrace
- Raymond Terrace Library, Port Stephens Street, Raymond Terrace
- Tomaree Library, 7 Community Close, Salamander Bay

One community submission was received with concerns regarding the loss of C2 Environmental Conservation land.

PART 6 – Project timeline

It is anticipated that the LEP amendment will be completed within 11 months.

An indicative project timeframe is provided below based on the Department of Planning and Environment's benchmark timelines for a 'Standard' LEP amendment Planning Proposal.

Stage	Timeframe and/or date
Consideration by council	December - February 2025
Council decision	February 2025
Gateway referral to the Department	February 2025
Gateway determination	March 2025
Commencement and completion of public exhibition period	April 2025 – June 2025
Finalisation of Planning Proposal	August 2025 – November 2025
Gazettal of LEP amendment	December 2025



Port Stephens Development Control Plan 2025



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Quick Start Guide

For draft purposes:

Words highlighted in **green** will be hyperlinks to online documents, forms and webpages.

Words highlighted in **yellow** will be hyperlinked to the defined term in the glossary in Section E.

Words highlighted in **blue** are proposed changes post-exhibition.

If the Port Stephens Development Control Plan 2025 (DCP) applies, the steps listed below set out the process to be followed:

Step 1

Refer to the reference table at the start of Section B – General Provisions, Section C – Development Type and Section D – Specific Areas to determine which chapters within those sections apply to the proposed development type.

Step 2

If a chapter applies, then refer to the requirements listed under that chapter. Where those requirements cannot be met, demonstrate compliance with the objectives.

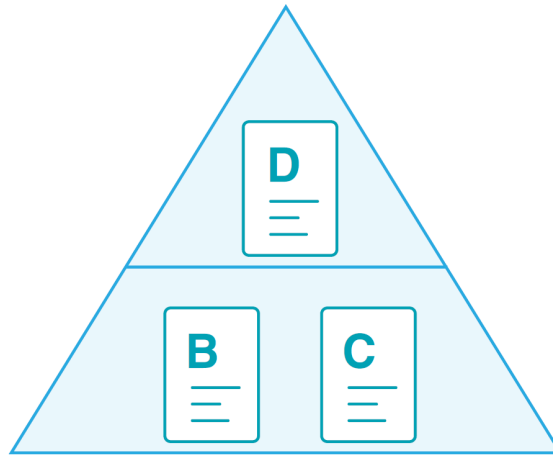
Step 3

Address the relevant objectives and requirements within the **Statement of Environmental Effects (SEE)** that is to be provided by the applicant with the lodgement of the development application.

The **DA Supporting Handbook (DASH)** sets out information that is required to accompany a development application to address the relevant objectives and controls of this chapter.

This Quick Start Guide is not a formal part of this Plan. The legislative interpretation of this Plan is provided under Section A – Introduction.

The following diagram seeks to quickly illustrate the Structure of this Plan. Most notably, the requirements and objectives listed under Section D – Specific Areas overrides those requirements and objectives listed under Section B – General Provisions and Section C – Development Types. While, Section A – Introduction and Section E – Schedules simply exist to support the interpretation of the other chapters.



Requirements of Section D are in addition to Sections B & C however in the event of any inconsistency, Section D prevails.

A

Introduction

Draft Port Stephens Development Control Plan 2025 7

A Introduction

A1 Name of this Plan

The name of this Plan is the Port Stephens Development Control Plan 2025 (DCP).

A2 Aim of this Plan

The aim of this Plan is to facilitate development in accordance with the *Local Environmental Plan* (LEP) applying to the land to which this Plan applies.

A3 Commencement of this Plan

This Plan was adopted by Council on XX XXXX XXX and commenced on XX XXXX.

A4 Savings

This Plan does not apply to any development application or tree permit lodged but not determined before its commencement.

A5 Land to which this Plan applies

This Plan applies to the land within the Port Stephens local government area.

A6 Development to which this Plan applies

This Plan applies to all development requiring development consent in accordance with Part 4 Development Assessment of the *Environmental Planning and Assessment Act 1979* (EP&A Act).

In determining a development application, Council is to consider relevant provisions of this Plan under section 4.15 of the EP&A Act.

This Plan does not apply to development that is:

- exempt
- permissible without consent and assessed under Part 5 Environmental assessment of the EP&A Act
- assessed under the provisions of another Environmental Planning Instrument (EPI) that excludes the provisions of the *Local Environmental Plan* (LEP).

A7 Supporting documentation and information

A development application assessed under this Plan must be accompanied by the relevant supporting documentation prescribed in Council's **Development Applications Supporting Handbook (DASH)**.

A Tree Permit required under this Plan must be submitted with the information specified on the online **Tree Removal and Pruning Form**.

A8 Interpretation

This DCP adopts the terms and definitions of the planning legislation (Environmental Planning and Assessment Act 1979, Environmental Planning and Assessment Regulation 2021 and the Standard Instrument—Principal Local Environmental Plan), unless otherwise defined in the Glossary.

A reference to any Australian Standard, legislation or supporting documentation includes a reference to any amendment or replacement as made.

A9 Structure of this Plan

This Plan is divided into sections, chapters, sub-chapters, objectives and controls. The sections are as follows:

Quick Start Guide, Table of Contents and Checklists

Provides tools to increase the useability of the Plan

Section A - Introduction

Explains the purpose of this Plan and legislative requirements

Section B – General Provisions

Provides development objectives and requirements that relate to the site in all locations in which development is proposed. This section is to be referenced by all development applications.

Section C – Development Types

Provides development objectives and requirements that relate to specific development types. Development will generally fall within one or more of these specified development types. The requirements under this section are to be read in conjunction with the General Provisions, which relate to all development applications.

Section D – Specific Areas

Provides development objectives and requirements that relate to a specific locality in which development is proposed. The provisions of this section provide specific location requirements that apply in conjunction with other sections and prevail to the extent of any inconsistency.

Section E - Schedules

Provides definitions to important terms and references to assist in the accurate interpretation of the Plan.

This Plan seeks to facilitate permissible development and support alternative merit-based approaches to development that is permissible under the LEP. This is consistent with the purpose and status of a development control plan under section 3.42 of the EP&A Act as follows:

1. The principal purpose of a development control plan is to provide guidance on the following matters to the persons proposing to carry out development which this Part applies and to the consent authority for any such development:
 - a) Giving effect to the aims of any environmental planning instrument that applies to the development.
 - b) Facilitating development that is permissible under any instrument.
 - c) Achieving the objectives of land zones under any such instrumentThe provisions of a development control plan made for that purposes are not statutory requirements.
2. The other purpose of a development control plan is to make provisions of the kind referred to in section 3.43 (1) (c)–(e).
3. Subsection (1) does not affect any requirement under Division 4.5 in relation to complying development.

A10 Explanation of development objectives and requirements

The relevant chapters of this Plan contain development objectives and requirements. A development objective clearly states the intent of a development requirement.

Where the development requirement cannot be achieved, the applicant is provided with the opportunity to demonstrate through alternative merit-based solutions how the proposed development complies with the development objective. This approach seeks to encourage a merit-based approach to the evaluation of development applications, while ensuring appropriate consideration is provided to the intent of the development requirements.

A11 Relationship to legislation, plans and policies

This Plan must be read in conjunction with the *Port Stephens Local Environmental Plan 2013*. This Plan:

- Was prepared in accordance with section 3.43 of the EP&A Act and Part 2 of the *Environmental Planning and Assessment Regulation 2021*.
- Identifies further detail of Council's requirements for local development requiring development consent.

- Is consistent with the provisions of the LEP and other applicable EPI, however, in the event of any inconsistency, the requirements of the EPI will prevail in accordance with section 3.28 Inconsistency between instruments of the EPA&A Act.
- Replaces the whole of the Port Stephens Development Control Plan 2014 (DCP 2014).
- Is to be applied in conjunction with other Council development guidelines, policy, specifications and technical manuals, where cited.

A12 Monitoring and review

Section 3.21 of the EP&A Act requires councils to keep their local environmental plans and development control plans under regular and periodic review for the purpose of ensuring that the objects of this Act are -- having regard to such changing circumstances as may be relevant -- achieved to the maximum extent possible.

Port Stephens Council (PSC) will aim to regularly review this Plan.

B

General Provisions

B1 Tree Permits

Application

This chapter applies to the removal or pruning of trees or other vegetation within non-rural areas.

Note: Clearing of native vegetation in rural areas is regulated by the Local Land Services Act 2013.

If a Tree Permit is required, it is an offence under the planning legislation to remove or prune the trees or other vegetation without a Tree Permit.

Chapter Summary

- A Tree Permit is required to prune or remove the trees and vegetation prescribed in this chapter.
- There are some exceptions where a tree may be removed or pruned without a Tree Permit.
- Development consent may be needed if the tree is on a property with heritage significance (including Aboriginal cultural heritage).
- Complete the online Tree Removal and Pruning Form to determine what type of Council approval is required (if any) prior to tree removal or pruning.

B1.A Tree Permit for removal or pruning

Objective

To list the trees or other vegetation that requires a Tree Permit for removal or pruning.

Go to the online Tree Removal and Pruning Form to apply for a Tree Permit.

Control

B1.1 A Tree Permit is required for the removal or pruning of a tree or vegetation:

- Where the height exceeds 3m or trunk diameter exceeds 300mm (measured 1.3m from the ground);
- Listed on the Register of Significant Trees;
- Identified for retention, protection or planting under a development consent, previous tree permit, order, direction or notice, or restrictive covenant;
- That is part of a heritage item, heritage conservation area, Aboriginal object or Aboriginal place of significance, which Council is satisfied:

- is of a minor nature or is for the maintenance of that item, area, object or place; and will not adversely affect the significance of that item, area, object or place.

Heritage and Aboriginal Cultural Heritage

Development consent is required for the removal or pruning of a tree or other vegetation that is part of a heritage item, heritage conservation area, Aboriginal object or Aboriginal place of significance, which Council is not satisfied:

- is of a minor nature or is for the maintenance of that item, area, object or place; and
- will not adversely affect the significance of that item, area, object or place.

Go to the online [Tree Removal and Pruning Form](#) to find out if you need development consent.

- That is native vegetation less than 3m in height:
 - on a lot that is over 4,000m² in size, and
 - on a lot that is vacant or the combined footprint of any approved structures is less than 250m²; and
 - the clearing exceeds 50m² (i.e. large scale under scrubbing) in any 12-month period.

Land with High Biodiversity Values

If the tree or vegetation removal involves clearing any native vegetation on land identified on the State government's [Biodiversity Values Map](#), approval from the [NSW Native Vegetation Panel](#) is required instead of a Council permit.

Compensatory Planting

A [Tree Permit](#) may be issued with conditions, including conditions that require you to plant compensatory trees.

B1.B Exceptions

Complete the online [Tree Removal and Pruning Form](#) to find out if you do not need a [Tree Permit](#) and to notify Council if you are removing a tree or clearing vegetation.

Objective

- To prescribe when a [Tree Permit](#) is not required.

Control

B1.2 The requirement for a permit does not apply (and a [Tree Permit](#) is not required):

- If Council is satisfied the tree or vegetation is:
 - A risk to human life or property; or
 - Dead or dying and it is not required as the [habitat](#) of native animals; and
 - notice has been submitted through the online [Tree Removal and Pruning Form](#) at least 10 days before removal.

Urgent Removal

Go to the online [Tree Removal and Pruning Form](#) to find out when and how to remove a tree urgently.

- Where the height exceeds 3m or trunk diameter exceeds 300mm (measured 1.3m from the ground) and the tree or vegetation is:
 - Within 5m of the wall of an approved structure (excluding driveways), and is not identified for retention, protection or planting under a development consent, previous tree permit, order, direction or notice, or restrictive covenant; and
 - Notice has been submitted through the online [Tree Removal and Pruning Form](#) at least 10 days before removal.
- If the pruning is less than 10% of the foliage and the pruning is only carried out once in a 12-month period.
- If the removal or pruning:
 - Requires authorisation under other legislation;
 - Requires development consent;

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- Needs approval from the **Native Vegetation Panel**; or
- Is carried out by Council on land under the care, control or management of Council, unless it is part of a heritage item, heritage conservation area, Aboriginal object or Aboriginal place of significance.
- If the tree or vegetation is:
 - A tree species grown for fruit or nut production; or
 - A species listed in **NSW Weedwise**.
- If the removal or pruning is not otherwise listed in control B1.1 as requiring a **Tree Permit**.

Tree removal under other legislation

Go to the **Trees** page on Council's website to find out more about tree removal under other legislation (such as clearing for bushfire protection).

Neighbouring Trees

- Speak to your neighbor to get consent before you prune their trees.
- Pruning of less than 10% of the foliage and only carried out once in a 12-month period may not need a Tree Permit.
- Council does not mediate between neighbours in disputes about trees.

B2 Natural Environment

Application

This chapter applies to development that:

- Has the potential to impact the natural environment; or
- Is on land mapped as:
 - Wetland in the LEP;
 - Coastal Wetlands and Littoral Rainforests under the planning legislation; or
 - A riparian corridor
 and has the potential to impact these areas;
- Is on land mapped as Koala habitat identified by Council's Comprehensive Koala Plan of Management (CKPoM);
- Is on land containing biosecurity risks, such as priority weeds;
- Includes tree removal or pruning as part of the development; or
- Includes only tree removal or pruning and that requires development consent under the planning legislation. Complete the online Tree Removal and Pruning Form to find out if you need development consent for tree / vegetation removal or pruning.

Chapter Summary

- Development should contribute to an improved natural environment.
- Development should be planned and designed to avoid and minimise impacts on the natural environment.
- Compensatory plantings or other measures may be required to mitigate impacts.
- Development should not contribute to the spread of weeds.

Note: The DCP should be read in conjunction with the DA Supporting Handbook (DASH) which provides detailed direction on information needed to support a development application.

B2.A Ecological impact

Objectives

- To avoid and minimise impacts on the natural environment.
- To protect and enhance native flora and fauna, vegetation communities, riparian corridors and high value ecological features on the site.

Controls

B2.1 Development should be designed to avoid impacts on high value ecological features, minimise any unavoidable impacts, and where applicable implement compensatory measures in accordance with sub-chapter B2.B.

B2.2 Native vegetation Buffers should be provided between the development and environmentally zoned land or areas containing threatened flora and fauna species or their habitat and threatened vegetation communities high value ecological features.

Native vegetation Buffers to mitigate ecological impact

A native vegetation buffer is a designated area intended to separate or mitigate potential conflicts or negative impacts between different land uses, activities or areas. These conflicts or negative impacts are often referred to as indirect impacts and include things like noise and light spill as well as weed incursion caused by edge effects.

It is important to note that buffer requirements are variable and the size of the buffer will depend on the likely extent of the potential indirect impacts a development may have, as well as specific requirements of the threatened entity that may be impacted. For example, under the NSW Biodiversity Assessment Method 2020, a 30m buffer is applied around threatened plants, whereas guidance for Powerful Owls require that a buffer of at least 200m is retained around known nesting sites.

B2.3 Development provides the following buffers to riparian corridors that are generally consistent with the recommendations of the NSW Office of Water 2012, Guidelines for riparian corridors on waterfront land:

- 30m buffer from 1st-2nd order water courses with a 20m vegetated riparian zone and 10m vegetated buffer.
- 50m buffer from 3rd order water courses or above with a 40m vegetated riparian zone and 10m vegetated buffer.

Riparian corridors

Riparian corridors can provide a range of valuable environmental functions such as:

- improving water quality and bank stability,
- providing habitat and connectivity for flora and fauna,
- providing a buffer between developments and waterways, and
- provide nutrient uptake opportunities prior to runoff entering waterways.

B2.4 Development should consider biodiversity corridors and not compromise the potential for safe movement of fauna (including Koala) across the site. This should include maximising tree retention generally and minimising the likelihood that the proposal would result in the creation of barriers to Koala movement. Reference should be made to any relevant guidelines.

Biodiversity corridors

The DASH provides specific information regarding planning for biodiversity corridors.

B2.5 Buildings and structures, roads, driveways, fences, dams, infrastructure, drainage and asset protection zones are located to avoid areas with significant flora and fauna or ecological communities, native vegetation buffers, biodiversity or riparian corridors, environmentally sensitive land and land with high value ecological features.

B2.6 The width of any retained or proposed native vegetation buffer, biodiversity corridor, or riparian corridor should be determined having regard to the function of the habitat or corridor and the type of development proposed. The width of the corridors or buffers may be narrowed in one part of the site if similarly widened in another. Depending on the function of the corridor or buffer and the type of development proposed, it may be possible to co-locate some infrastructure. Designs that result in improved environmental outcomes will be supported.

B2.7 A subdivision development application must include consideration of the total clearing that is required or likely to be required for the purpose for which the land is to be subdivided. If the purpose of the subdivision is urban residential development (i.e. land zoned R2 and R3), the assessment report should assume that lots will be entirely cleared.

B2.8 Where a development is adjacent to an area of threatened fauna habitat (including Koala and migratory shorebirds), any outdoor lighting (including street lighting) must comply with the relevant Australian Standards and the Australian Government's 'National Light Pollution Guidelines for Wildlife' May 2023 be prepared in accordance with Council's Biodiversity Technical Specification.

Consideration of total clearing

Consideration of total clearing for subdivision applications on land zoned other than R2 and R3 will include identifying building envelopes, bushfire asset protection zones, access roads, driveways, services, effluent disposal areas, ancillary buildings and new boundary fence lines.

B2.9 Where a development is adjacent to an area of threatened fauna **habitat** (including Koalas), perimeter fencing may be required that is either designed to exclude fauna (where a development poses a risk to fauna from vehicle strike, dog attack or similar) or is fauna-friendly (where connectivity through the site is important to maintain for habitat linkage), in accordance with Council's **Biodiversity Technical Specification**. Fauna escape or crossing structures may also be required.

B2.10 Where **high value ecological features** are required to be retained on site, they must be protected and managed.

B2.B Compensatory requirements**Objective**

Compensatory **habitat** replacements are provided for **habitat** specific features which cannot be avoided and are proposed to be removed, including Koala **habitat feed trees, any native tree over a certain size, hollows and hollow bearing trees**.

Controls

B2.11 **Removal of** any **preferred** Koala feed tree species **listed in Council's CKPoM that is to be removed** must be replaced in accordance with the compensatory planting ratios detailed in **Figure 1**, unless Council imposes an amended requirement in consideration of specific and unique site factors. **Koala feed tree species in Port Stephens include:**

- **Forest Red Gum (*Eucalyptus tereticornis*)**,
- **Swamp Mahogany (*Eucalyptus robusta*)**
- **Parramatta Red Gum (*Eucalyptus parramattensis*)**
- Grey Gum (*Eucalyptus canaliculata*)
- Tallowood (*Eucalyptus microcorys*)
- Grey Box (*Eucalyptus moluccana*)
- Small Fruited Grey Gum (*Eucalyptus propinqua*)
- Grey Gum (*Eucalyptus punctate*)
- White Stringybark (*Eucalyptus globoidea*)
- Flooded Gum (*Eucalyptus grandis*)
- Sydney Peppermint (*Eucalyptus piperita*)
- Scribbly Gum (*Eucalyptus racemose*)

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- Red Mahogany (*Eucalyptus resinifera*)
- Sydney Blue Gum (*Eucalyptus saligna*)
- Scribbly Gum (*Eucalyptus haemastoma*)

B2.12 Any trees that are to be removed that are identified as the following species:

- Grey Gum (*Eucalyptus canaliculata*)
- Tallowood (*Eucalyptus microcorys*)
- Grey Box (*Eucalyptus moluccana*)
- Small Fruited Grey Gum (*Eucalyptus propinqua*)
- Grey Gum (*Eucalyptus punctata*)
- White Stringybark (*Eucalyptus globoidea*)
- Flooded Gum (*Eucalyptus grandis*)
- Sydney Peppermint (*Eucalyptus piperita*)
- Scribbly Gum (*Eucalyptus racemosa*)
- Red Mahogany (*Eucalyptus resinifera*)
- Sydney Blue Gum (*Eucalyptus saligna*)
- Scribbly Gum (*Eucalyptus haemastoma*)

Important Koala vegetation Koala feed trees

The tree species listed above in B2.12 B2.11, together with the Koala feed tree species listed in Council's CKPoM, are identified as important species to support the Koala population in Port Stephens.

Preferred Koala feed tree species

Preferred Koala feed tree species listed in Council's CKPoM include Forest Red Gum (*Eucalyptus tereticornis*), Swamp Mahogany (*Eucalyptus robusta*), and Parramatta Red Gum (*Eucalyptus parramattensis*) and any hybrids of these species.

Figure 1: Compensatory Koala feed tree planting ratios for preferred Koala feed trees and important Koala vegetation

Preferred Koala feed tree species and important Koala vegetation size class (trunk diameter measured 1.3m from the ground)	Loss to gain replacement planting ratio for Koala feed tree species
<100mm	1:6
100 – 300mm	1:8
>300mm	1:10

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B2.132 Any native tree (other than a Koala feed tree species or a species listed in B2.12) with a height of greater than 3m or a trunk diameter greater than 300mm (measured 1.3m from the ground) that is to be removed, is to be replaced at a ratio of 1:2, unless Council imposes an amended requirement in consideration of specific and unique site factors.

B2.143 Any street tree proposed to be removed is to be replaced at a ratio of 1:1 along the same street frontage unless Council imposes an amended requirement in consideration of specific and unique site factors, and planted in accordance with Council's Biodiversity Technical Specification, unless Council imposes an amended requirement in consideration of specific and unique site factors.

B2.154 Compensatory trees are to be native species and are to be planted in accordance with Council's Biodiversity Technical Specification.

B2.165 Where the removal of a hollow or a hollow-bearing tree is required, compensatory hollows are to be provided in accordance with Council's Biodiversity Technical Specification. The compensatory arboreal hollow size and type must be appropriate for the species being managed on the site or the hollow being removed. The number of compensatory arboreal hollows must meet the ratios identified in Figure 2, unless Council imposes an amended requirement in consideration of specific and unique site factors. A combination of nest boxes and salvaged hollows may be required.

Figure 2: Compensatory hollow ratios

Preference of use	Compensatory hollow type	Replacement Ratio (Loss:Gain)
1st	Natural hollow salvaged from felled hollow-bearing tree and installed within retained trees on site	1:1 hollow replacement
2nd	Artificial hollows including Hollow Log hollows	1:2 hollow replacement
3rd	Nest boxes	1:2 hollow replacement

B2.C Weeds

Objective

To reduce the negative impact of priority weeds on the economy, community and environment by eliminating or restricting their geographical spread.

Control

B2.176 Development on land that contains priority weeds, must prevent, eliminate or restrict the spread of weeds in accordance with Council's Biodiversity Technical Specification.

Note: NSW Weedwise is an online tool to identify priority weeds.

B3 Stormwater Management

Application

This chapter applies to development that:

- Increases **impervious surfaces** and/or impacts on water quality; and
- Drains to the **public drainage** system.

This chapter should be read in conjunction with **clause 7.8 Drinking water catchments** and **clause 7.10 Williams River catchment** of the *Port Stephens Local Environmental Plan 2013*.

Site-specific DCP chapters with additional stormwater management objectives and controls may apply. Development may require buffers to **riparian corridors** consistent with the relevant objectives and controls in Chapter B2 Natural Environment of this DCP.

Development involving a **controlled activity** within **waterfront land** must meet the requirements of the **Water Management Act 2000 (NSW)**.

Chapter Summary

- Development has the potential to create stormwater quantity and quality impacts and an application needs to demonstrate how these impacts will be appropriately managed.
- The requirements for managing stormwater vary depending on location. Sites located within areas with an approved regional stormwater treatment system (as identified in **Water Sensitive Urban Design Strategies - WSUDS**) or in a **Stormwater Control Area** will have additional requirements. These controls must be addressed together with the general requirements.
- Some sites are located within a drinking water catchment. Development in these areas may have additional requirements to improve or maintain drinking water quality.
- Design specification **0074 Stormwater Drainage Design** provides detailed technical guidance on stormwater drainage design requirements to assist in the implementation of this DCP chapter.
- Development should consider infiltration and soil type. Further information is available at **Soil Infiltration Technical Information Sheet** and **Hydrologic Soil Mapping**.

B3.A Stormwater quantity

Objectives

- To minimise impacts on water balance, surface water and groundwater flow and volume regimes and flooding.
- To ensure development considers and manages stormwater quantity impacts within a site and on the surrounding area.
- To ensure development takes into account local constraints and manages stormwater to minimise risk and nuisance caused by localised drainage issues.
- To ensure development provides a legal and physical point of stormwater discharge.
- To encourage the provision of stormwater detention on a lot and regional scale.
- To ensure stormwater quantity is managed during construction to avoid environmental impacts.

The controls below set out requirements for development to meet the above objectives. If a development application can meet the objectives by an alternative solution, Council will be flexible in applying these provisions of the DCP (See section 4.15(3A) of the EP&A Act).

Controls

B3.1 General requirements for all development:

- Development is designed to ensure stormwater is managed and controlled to minimise risk and nuisance to neighbouring properties, public roadways, public spaces, and the environment.
- Development ensures stormwater leaves the site via a legal and physical point of discharge.
- Development is designed to align with Council's design specification 0074 Stormwater Drainage Design including the Future effective percent impervious table.
- Development is designed to align with Council's Soil Infiltration Technical Information Sheet and Hydrologic Soil Mapping.
- Development for subdivision of more than 5 lots requires the provision of regional stormwater treatment measures and the preparation of a Water Sensitive Urban Design Strategy, unless it can demonstrate access to a regional stormwater treatment system with sufficient stormwater quantity and quality management capacity.
- Development ensures erosion and scour is managed on-site and avoids the discharge of concentrated surface flow during construction.

The DASH sets out the information that is required to accompany a development application to address the relevant objectives and controls of this chapter.

B3.2 General requirements for all development with on-site infiltration / detention:

- On-site infiltration / on-site detention design is to be provided by either underground chambers, surface storage or a combination of the two and are generally positioned:
 - under grassed areas for any cellular system (which can be easily maintained).
 - under hardstand areas such as driveways for any concrete tank structures.

B3.3 General requirements for all rear sloping lots:

- Rear sloping lots that naturally drain away from the road frontage and are not serviced by an existing drainage easement or inter-allotment drainage system must provide a legal point of discharge and apply the following:
 - The provision of a drainage easement may be required through adjoining private land if a legal point of discharge is not available.
 - A charged drainage system to the street may be considered for roof drainage if it is demonstrated to be functional.
 - It must be demonstrated that neighbouring properties are not adversely impacted for all design storm events up to and including the 1% AEP events.

B3.4 General requirements for lots that naturally drain directly to a public reserve or waterbody:

- If a public drainage connection is not available, on-site detention or infiltration is not required provided the following is achieved:
 - Stormwater discharges up to the 1% AEP event are managed and controlled within the site to avoid offsite scour and erosion.
 - Flows must not cause nuisance to the downstream environment.

B3.5 Additional requirements for development in areas with a regional stormwater treatment system (Water Sensitive Urban Design Strategy or WSUD Strategy):

- If the total impervious site coverage (both existing and proposed impervious areas) is below the allowance identified in the applicable WSUD Strategy, requirements in control B4.1 do not apply.
- If the total impervious surface site coverage exceeds the requirements of the applicable WSUD Strategy, additional treatment is required for the excess impervious area as per the requirements in Table 1 Stormwater control area requirements.

Some areas have regional stormwater management treatment systems with an accompanying WSUD Strategy including requirements for managing stormwater. To find out if a WSUD Strategy applies go to Council's website.

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B3.6 Additional requirements for development in stormwater control areas:

- Development is to satisfy the requirements set out in Table 1 Stormwater control area requirements, below.
- If **on-site infiltration** is demonstrated to not be appropriate due to the site conditions the requirements for clay soils apply.
- Pre-developed flow rates are to be calculated **for the current day** assuming that the site is **greenfield** and hence 100% pervious.

Stormwater control areas are areas that are zoned for urban development but do not have an approved **WSUD strategy** and are identified on **Council's mapping**.

Figure 3: Stormwater control area requirements

Development	Stormwater quantity control area requirements	
	Sandy Soils (Types A & B)	Clay Soils (Types C & D)
Small-scale residential development including: • Alterations and additions • Dwelling house • Secondary dwellings • Attached and semi-detached dwellings • Dual occupancies • Two lot subdivision • Ancillary structures	1. A Deemed to Comply solution can be used OR 2. Provide a stormwater management plan that includes stormwater mitigation (as per B4.1 General requirements for all development the requirements for the development type "All other development").	
All other development	<u>Infiltration requirements</u> For on-site infiltration : • The rainfall depth for the 10% AEP event is to be infiltrated within the site without runoff, and • The post-developed 1% AEP peak flow must not exceed the pre-developed 10% AEP peak flow from the site. The post-developed peak flow rate is to be less than the pre-developed flow rate for all	<u>Detention requirements</u> For on-site detention : • The post-developed 1% AEP peak flow must not exceed the pre-developed 10% AEP peak flow from the site. For an on-site and regional stormwater quantity management system: • The post-developed peak flow rate is to be

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	flood events up to the 1% AEP. For a regional stormwater quantity management system: The post-developed peak flow rate is to be less than the pre-developed flow rate for all flood events up to the 1% AEP.	less than the pre-developed flow rate for all flood events up to the 1% AEP.
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B3.B Stormwater quality

Objectives

- To ensure development does not detrimentally impact on water quality.
- To safeguard water quality within drinking water catchments.
- To safeguard the natural environment.
- To ensure water quality is protected and maintained during construction and operation of the development.

Development in a drinking water catchment

Development that has the potential to affect water quality in a drinking water catchment will be referred to Hunter Water Corporation under **section 51** of the *Hunter Water Act 1991 (NSW)*. Refer to Hunter Water Corporation's **Protecting our drinking water catchments - Guidelines for developments in drinking water catchments** for development types that will likely require referral to Hunter Water Corporation. **Hunter Water Corporation requires that all development in a drinking water catchment achieves a Neutral or Beneficial Effect.**

Controls

B3.8 Requirements for development within a drinking water catchment:

- Before water is released into **public drainage**, the development must achieve a Neutral or Beneficial Effect (NorBE) on water quality, ~~or~~ **and the following water quality stripping targets (testing of both criteria is required to achieve the better water quality outcome** ~~whichever achieves the better water quality outcome)~~:
 - Total nitrogen retention post-development load: 45%
 - Total phosphorous retention post-development load: ~~60%~~ **65%**
 - Total suspended solids post-development load: ~~90%~~ **85%**
 - Gross pollutants post-development load: 90%

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- Water quality modelling (such as MUSIC modelling) must be used to demonstrate the achievement of water quality outcomes and targets.

Control B3.8 does not apply to:

- Development that is a dwelling house, semi-detached dwelling, secondary dwelling, dual occupancy, two-lot subdivision, and/or ancillary structure to residential development;
- Alterations and additions to a dwelling house, semi-detached dwelling, secondary dwelling, and/or ancillary structure to residential development;
- All minor alterations and additions;
- Development that will not impact water quality; or
- Development where a **WSUD strategy** applies and supporting information is provided demonstrating that the water quality requirements in the WSUD strategy have been incorporated into the development.

NorBE

In demonstrating the achievement of water quality outcomes, NorBE assessment may require an additional risk assessment depending on the development type.

B3.9 Requirements for development **outside a drinking water catchment**:

- The following **water quality stripping targets** must be achieved before water is released into **public drainage**:
 - Total nitrogen retention post-development load: 45%
 - Total phosphorous retention post-development load: ~~60%~~ **65%**
 - Total suspended solids post-development load: ~~90%~~ **85%**
 - Gross pollutants post-development load: 90%
- Water quality modelling (such as MUSIC modelling) must be used to demonstrate the achievement of water quality outcomes and targets.

Control B3.9 does not apply to:

- Development that is a dwelling house, semi-detached dwelling, secondary dwelling, dual occupancy, two-lot subdivision, and/or ancillary structure to residential development;
- Alterations and additions to a dwelling house, semi-detached dwelling, secondary dwelling, and/or ancillary structure to residential development;
- All minor alterations and additions;
- Development that will not impact water quality; or
- Development where a **WSUD strategy** applies and supporting information is provided demonstrating that the water quality requirements in the WSUD

strategy have been incorporated into the development.

B3.10 Requirements for stormwater quality improvement devices:

- Devices must be sited and designed to be taken offline from stormwater quantity drainage systems; and
- Devices must be maintained during the ongoing operation of the development.

B3.11 Erosion and sediment control measures consistent with the construction specification **1102 Control of Erosion and Sedimentation (Construction)** must be maintained during construction.

B4 Flooding

Application

This chapter applies to all development on flood prone land. Refer to the flow chart at [Figure 4](#) to determine the assessment pathway for new development.

This chapter should be read in conjunction with Sections [5.21](#) and [5.22](#) of the *Port Stephens Local Environment Plan 2013*.

Chapter Summary

- Mapping of flood prone land and the [Flood Planning Area](#) is shown on [Councils online mapping portal](#).
- Development on flood prone land is assessed in accordance with the [NSW Government Flood Risk Management Manual](#) (as updated from time to time), [Construction of Buildings in Flood Hazard Areas](#) (Australian Building Codes Board Standard) and [Council's Floodplain Risk Management Policy](#) and flood [maps](#) as identified within [Figure 4](#).
- Risks to human life caused by flooding are reduced by controlling development on flood prone land.
- The controls ensure the economic and social costs which may occur from damage to property due to flooding is minimised and can be reasonably managed by property owners, occupiers and the general community.

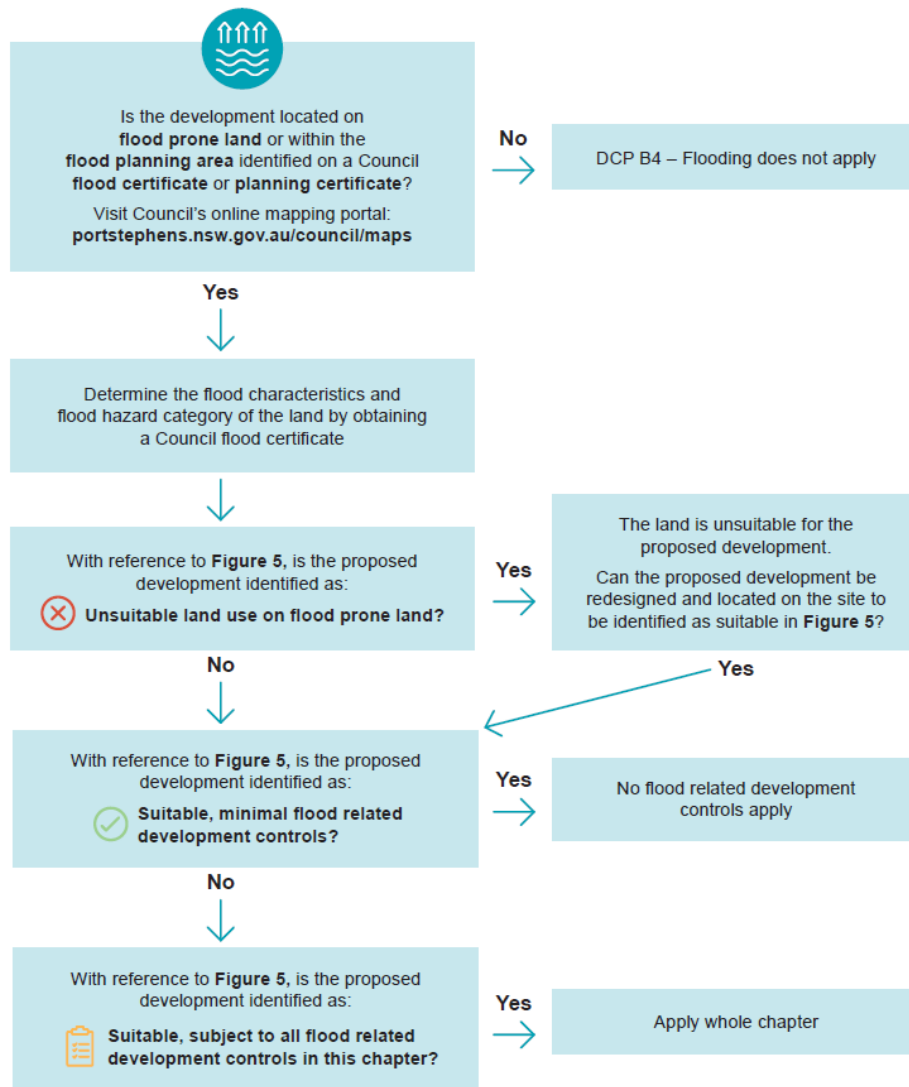
Figure 4: Determine the assessment pathway

Figure 5: Suitable land uses by flood hazard category (as identified on a flood certificate)

Development suitability				Key	
Development type	Flood hazard categories (as identified on a flood certificate)				Unsuitable land use on flood prone land
	Minimal risk flood prone land	Flood fringe, flood storage or overland flow path	Floodway		Suitable, minimal flood related development controls
					Suitable, subject to flood related development controls in this chapter
Sensitive and hazardous development					
Residential accommodation					
Subdivision					
Farm buildings					
Fill					
All other development					

Flood impacts are assessed using flood certificates

Flood impacts are assessed based on the flood category and flooding characteristics of the land. This information is identified on a flood certificate.

A flood certificate may be useful for you if you are considering development or redevelopment on a lot, if you are considering purchasing the lot, or if you wish to be informed about the flood risks on a lot. Flood information will inform the assessment of proposed development.

The flood certificate will describe the highest flood category applicable to the land (a combination of the flood hazard and the hydraulic category), as well as various flood levels (such as the flood planning level and the probable maximum flood level). Figure 36 shows the possible flood categories and Figure 77 shows how flood categories and flood levels reflect the landscape and the relationship between water depth and water velocity in a flood.

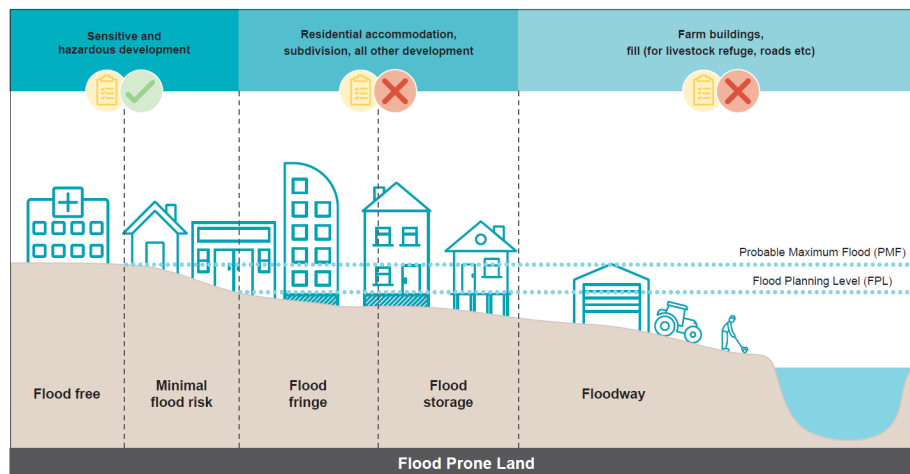
Land in the hydraulic categories flood fringe, flood storage and floodway will generally make up the visible floodplain, whilst overland flow paths feed into the floodplain.

A flood certificate may also identify land as 'minimal risk flood prone land' where only minimal impacts are anticipated. The requirements that apply to these categories are detailed in this chapter.

Apply for a flood certificate to find out more about your land [here](#).

Figure 6: Flood hazard categories

Hydraulic category	Flood hazard category	
	Low flood hazard	High flood hazard
Flood Prone	Minimal Risk Flood Prone Land	
Flood Fringe	Low Hazard Flood Fringe	High Hazard Flood Fringe
Flood Storage	Low Hazard Flood Storage	High Hazard Flood Storage
Overland Flow Path	Low Hazard Overland Flow Path	High Hazard Overland Flow Path
Floodway	Low Hazard Floodway	High Hazard Floodway

Figure 7: Flood hazard categories and development type suitability

Determining if new development on flood prone land is suitable

Figure 5 above sets out whether or not different types of new development are considered suitable on land designated a particular flood hazard category (as identified on a flood certificate).

New development proposed on flood prone land will need to address the development controls in this chapter to mitigate risks and be considered suitable (refer to Figure 5, above).

In some instances, the risks of new development are substantially high and the land will be unsuitable for particular types of development because they are incompatible with the flood hazard category in terms of risk and land use compatibility. In these instances, the development will not be supported by Council. Development should be designed and located to avoid the parts of the site that have incompatible flood hazards.

B4.A Flood compatibility

Objectives

- Development is compatible with the flood hazard category of the land.
- Development mitigates risks to life and property.
- Development avoids adverse cumulative impacts that increase risks for surrounding properties.

Controls

B4.1 Development is in accordance with Figure 5, having regard for the flood hazard category of the land (see Figure 6).

Note: Development deemed unsuitable in accordance with **Figure 5** is not supported.

B4.2 The proposed development must be located on the land with the lowest flood risk.

B4.3 Development must meet the minimum **finished floor level** (FFL), as specified in **Figure 8**.

B4.4 The finished surface of **open space** car parking, carports and driveways should be designed having regard to vehicle stability, including consideration of depths and velocity during inundation by flood waters.

Note: The National Construction Code may provide minimum FFLs for some categories of development which prevail to the extent of any inconsistency with these controls.

Figure 8: Finished floor level (FFL)

Development type	Required FFL
Residential accommodation	- Habitable rooms – flood planning level - Non-habitable rooms – adaptable minimum floor level - Flood refuge – probable maximum flood Level (see B5.15 to determine if a flood refuge is required)
Subdivision	Flood planning level
Farm buildings (non-habitable/ancillary to agricultural use)	On-site waste water level
Commercial and industrial premises	Habitable rooms - flood planning level - Non-habitable rooms – on-site waste water level
Garages, open car parking spaces and carports	Current day 1% AEP flood level
Driveways and access	Current day 1% AEP flood level, or the flood immunity of the connecting public road

B4.5 Development for a building (and/or an associated driveway or access) must be of a **flood compatible design** and construction and shall meet the relevant requirements in the *Construction of Buildings in Flood Hazard Areas* (Australian Building Codes Board). Council may also require structural certification for development proposed on land which becomes a floodway in the PMF.

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B4.6 Fencing on flood prone land should be stable in events up to the current day 1% AEP flood event and not obstruct the flow of floodwater.

B4.7 For development proposed on land defined as floodway:

- Development other than farm buildings and/or fill is not supported on land identified as either low hazard floodway or high hazard floodway; and
- Fencing in a floodway should not include non-permeable materials or fencing types that could restrict or redirect flood waters.

B4.8 All incoming main power service equipment, including all metering equipment, and all electrical fixtures, such as power points, light fittings, switches, heating, ventilation and other service facilities must be located above the FPL, or where possible above the PMF.

Where the above cannot be achieved, the following features shall be used:

- Electrical cabling is not to be installed within walls, or chased into walls; and
- Any circuit containing switches, power points or any other electrical fitting that are located below the FPL, shall connect to the power supply through an individual Residual Current Device (RCD), located in the meter box.

B4.9 The storage of hazardous or potentially hazardous materials, potentially polluting material or material that could be washed from site and cause harm downstream must be stored above the FPL with appropriate mitigation measures, such as bunding.

B4.10 Items that may wash away during flood events (e.g. rainwater tanks, hot water tanks, gas cylinders, shipping containers) must be elevated above the 1% AEP flood event level in the year 2100 (without freeboard) or anchored (installed) to resist buoyancy and impact forces.

B4.11 A flood impact and risk assessment is required for development on all flood prone land (other than minimal risk flood prone land) that includes:

- Any fill on land identified as floodway.
- Any fill located in a flood storage area, unless:
 - The net volume of fill does not exceed the lesser of 20% or 2000m³ of the flood volume of the lot in the 1% AEP flood event in the year 2100 (this includes consideration of previous fill volumes); and
 - It is demonstrated that the fill does not adversely affect local drainage patterns of all events up to the 1% AEP flood event in the year 2100.

Note: Fill in flood storage areas greater than the abovementioned volume can be offset by flood storage. Offsetting can be achieved through consolidation of lots and/or assigning an 'easement to flood land' on the compensatory lot/s. Compensatory lots must be located within the zone of influence of the proposed fill (as demonstrated by the flood impact and risk assessment) or adjacent to the proposed fill and be of the same hazard category of the subject site.

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- Any fill for the purposes of a livestock flood refuge mound, unless the livestock flood refuge mound is located in an identified flood fringe area:
 - The volume/size and location of the livestock flood refuge mound meets the criteria in Figure 9; and
 - The size of the mound must have regard to the agricultural capacity of the land. The design and size of the mound shall be determined by reference to the *NSW Department of Primary Industries – Agriculture. 2009, 'Primefacts: Livestock flood refuge mounds'*; and

Note: 'NSW Department of Primary Industries – Agriculture. 2009, 'Primefacts: Livestock flood refuge mounds' provides guidance for flood mound design, however the Primefact guidelines do not override other DCP and LEP flood impact considerations such as adverse impacts to adjoining properties.

- Where the proposed development could change flood behaviour, affect existing flood risk, or expose people to flood risks that require management; or
- If Council determines a flood impact and risk assessment is necessary for any other reason.

Campvale Drain Inundation Area

The Medowie Floodplain Risk Management Study and Plan 2016 must be referred to for guidance on adding fill in the Campvale Drain Inundation Area.

Figure 9: Livestock flood refuge mound

Size of mound	Distance from nearest property
20m x 20m (at current day 1% AEP flood level and 0.5m below the current day 1% AEP flood level)	> 180m
20m x 20m (1.0m below the current day 1% AEP flood level)	> 40m
20m x 20m (1.5m below the current day 1% AEP flood level)	> 25m
40m x 40m (at current day 1% AEP flood level, 0.5m below the current day 1% AEP flood level and 1.0m below the current day 1% AEP flood level)	> 830m
40m x 40m (1.5m below current day 1% AEP flood level)	> 170m

Note: Interpolation between the values listed above, should be based on the length of the mound perpendicular to the direction of flow, followed by the depth below the current day 1% AEP flood event level.

NSW's Flood Risk Management Guideline Lu01 provides flood impact and risk assessment (FIRA) requirements to support development.

B4.12 A site based overland flow report must be submitted for development located within a designated overland flow path. The purpose of this report is to demonstrate that the development:

- Will not result in material increase in flood level or flood hazard upstream, downstream or surrounding properties; and
- Will provide acceptable management of flood risk with appropriate development levels to ensure the safety of people.

B4.13 Subdivision that creates the ability to erect additional dwellings is to indicate building envelopes above the FPL and demonstrate how future development can comply with the requirements of B5.11, B5.12 and B5.17 of this chapter.

B4.B Occupation and evacuation

Objective

New development provides appropriate and safe evacuation methods and mitigates risks to life and property.

Controls

B4.14 Vehicular access to the development, from the public road, will not be inundated by water to a level of more than 0.3m during the current 1% AEP event.

Note: Where the flood immunity of the connecting public road is lower than the target flood immunity, Council may consider a reduced flood immunity of the vehicular access to the level of the adjoining public road.

B4.15 Earthworks for driveways and access must consider impacts on local drainage and localised flooding. Driveways should be designed and constructed in accordance with Councils standard design drawings.

Note: Earthworks for driveways and access must satisfy the objectives of the LEP.

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B4.16 The application must demonstrate occupants can evacuate offsite. Evacuation is only considered safe where there is a clear egress path from the site to a safe area with adequate services that is either low hazard or not inundated by a water level of more than 0.3m during the current **1% AEP design flood event**.

B4.17 Emergency on-site flood refuges are only supported if all other design and siting options to facilitate development have been assessed and demonstrated as unsuitable.

Evacuation involves moving people threatened by a flood to a safer location and, typically, their eventual safe and timely return. Evacuation is the primary emergency management strategy for flooding in NSW. Flooding may displace individuals, require people to relocate or disrupt **essential services** to communities for hours, days or even weeks.

Before a flood, getting people to evacuate offsite to an area not affected by flooding is considered the best way to keep people safe and reduce the impacts of an emergency on a community.

Shelter in place (SIP) may only be considered if safe evacuation has been investigated and determined to be unachievable. Where SIP is proposed, the FIRA must provide detailed advice on the suitability of SIP including detailed assessment of the on-site flood behaviour within the context of emergency management. Further information required in the FIRA is detailed in the **DASH**.

B4.C Risk to life and property

Objective

New development mitigates risks to life and property.

Controls

B4.18 Where proposed alterations and additions to the ground floor of existing residential accommodation are less than 40% of the gross floor area of the existing residential accommodation, and do not involve a net increase in the number of bedrooms, Council will consider a **FFL** lower than the **flood planning level (FPL)**, but not lower than the existing floor level. Any additional flood risk must include mitigation measures to reduce the overall flood risk of the development.

B4.19 Where proposed alterations and additions to the ground floor of existing commercial and industrial development are less than 60% of the gross floor area of the existing development, Council will consider a **FFL** lower than the FPL, but not lower than the existing floor level. Any additional flood risk must include mitigation measures to reduce the overall flood risk of the development.

B4.D Flood adaptation and climate change

Objective

Development does not contribute to adverse changes to flood behaviour as a result of climate change.

Control

B4.20 For residential accommodation, subdivision, commercial premises, industrial premises, garages, open car parking spaces and carports, a reduced planning horizon of 50 years from the date of determination will be accepted where the design facilitates ongoing flood adaptation (i.e. the future raising of the building).

B5 Road Network and Parking

Application

This chapter applies to development with the potential to impact on the existing road network or create demand for on-site parking.

This chapter lists general road network and parking requirements. More specific requirements relating to development types may be provided in Section C Development Types.

Chapter Summary

- This chapter provides controls for on-site parking for all development, including loading bays, accessible parking, electric vehicle (EV) charging and public transport accessibility requirements.

The DASH sets out the information that is required to accompany a development application to address the relevant objectives and controls of this chapter.

B5.A Traffic impacts

Objective

To ensure that the impacts of traffic generating development are considered.

Control

B5.1 Development must maintain or improve the existing level of service of the road network.

B5.B On-site parking and access - general

Objectives

- To ensure development provides adequate on-site parking, loading and servicing spaces.
- To ensure that vehicle access is in a safe location and has minimal impacts on existing transit movements.
- To ensure driveways have adequate sight distances for traffic and pedestrians on footpaths.

Controls

B5.2 Off-street parking is to be provided in accordance with Figure 10: **On-site parking requirements**, below. Where a development proposes ancillary uses, additional parking is to be provided in accordance with that development type as required.

Accessible parking can be provided within the total parking requirements.

Figure 10: On-site parking requirements

Development type	Parking requirements
Residential accommodation	
Boarding houses, supportive accommodation and group homes	Refer to SEPP (Housing) 2021
Dwelling houses, dual occupancy, residential flat buildings, attached dwellings, multi dwelling housing, and shop top housing.	1 space for one and two-bedroom dwellings 2 spaces for three or more-bedroom dwellings 1 visitor space for every five dwellings 1 accessible space per 20 visitor spaces
Hostels	1 space per 10 beds 1 space per 2 employees 1 space for deliveries and services
Seniors housing	Refer to SEPP (Housing) 2021
Tourist and Visitor Accommodation	
Back packer accommodation	Whichever is the greater of: 1 space per 10 beds or 1 space per 5 rooms 1 space per 2 employees 1 accessible space per 20 spaces
Bed and breakfast establishment and farm stay	1 space per guest room
Camping ground and caravan parks	1 space per site 1 visitor space per 10 sites 1 accessible space per 20 spaces
Hotel accommodation and serviced apartments	Comparisons should be drawn with regard to similar developments.

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Motel accommodation and eco-tourist facilities	1 space per accommodation unit 1 space per 2 employees 1 accessible space per 20 spaces 1 bicycle space per 20 accommodation units
Commercial, industrial and retail premises	
Business premises	1 space per 40 m ² GFA 1 bicycle space per 200 m ² 1 accessible space per 20 spaces
Car tyre retail outlets	Whichever is the greater of: • 3 spaces per 100m² GFA or • 3 spaces per work bay 1 bicycle space per 20 employees 1 accessible space per 20 spaces
Garden centre and plant nursery	Whichever is greater: ○ 15 spaces or ○ 0.5 spaces per 100m² of the site area 1 bicycle space per 20 employees 1 accessible space per 20 spaces
Hardware, building supplies and industrial retail outlets	Comparisons should be drawn with regard to similar developments.
Heavy industry, heavy industrial storage establishments and general industry	Whichever is the greater of: • 1 space per 100m² or • 4 spaces per work bay 1 accessible space per 20 spaces 1 bicycle space per 20 employees
Highly-automated industrial	0.2 spaces per 100m ² GFA 1 accessible space per 20 spaces 1 bicycle space per 20 employees
Homes business/industry	1 space 1 additional space per employee
Light industry	Whichever is the greater of:

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	• 1 space per 100m² or • 1 space per employee 1 accessible space per 20 spaces 1 bicycle space per 20 employees
Market	2.5 car spaces per stall
Office premises and business parks	1.5 spaces per 100m ² GFA 1 accessible space per 20 spaces 1 bicycle space per 200m ² GFA
Pubs and registered clubs	Comparisons should be drawn with regard to similar developments.
Restaurants and cafes	Whichever is greater of: 15 spaces per 100m ² GFA or 1 space per 3 seats 1 accessible space per 20 spaces 1 bicycle space per 200m ² GFA
Roadside stalls	4 spaces
Rural industries	1.3 spaces per 100m ² GFA 1 accessible space per 20 spaces 1 bicycle space per 20 employees
Rural supplies, timber yards, landscaping material supplies and wholesale supplies	Comparisons should be drawn with regard to similar developments.
Service stations and convenience stores	Additive recommendation of: • 6 spaces per work bay • 5 spaces per 100m² GFA of convenience store • If restaurant present, then the greater of: ○ 15 spaces per 100m² GFA, or ○ 1 space per 3 seats 1 accessible space per 20 spaces 1 bicycle space per 15 employees
Sex service premises	2 spaces per room

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Shop	1 car space per 20m² GLFA 1 accessible space per 20 spaces 1 bicycle space per 200m² GFA
Shopping centre	Requirements are based on GLFA: • 0-10,000m² GLFA – 6.1 spaces per 100m² GLFA • 10,000-20,000m² GLFA – 5.6 spaces per 100m² GLFA • 20,000-30,000m² GLFA – 4.3 spaces per 100m² GLFA • Over 30,000m² GLFA – 4.1 spaces per 100m² GLFA All developments: 1 accessible space per 20 spaces 1 bicycle space per 200m² GLFA
Specialised retail premises	Comparisons should be drawn with regard to similar developments.
Take-away food outlets	Developments with no on-site seating: 12 spaces per 100m² GFA Developments with on-site seating: 12 spaces per 100m² GFA or greater of: 1 space per 5 seats (internal and external), or 1 space per 2 seats (internal) Developments with on-site seating and drive through facilities: Whichever is greater of: ○ 1 space per 2 seats (internal) or ○ 1 space per 3 seats (internal or external) plus queuing area for 5 to 12 cars. All developments: 1 accessible space per 20 spaces 1 bicycle space per 200m² GFA
Vehicle body repair workshops and vehicle repair stations	4 spaces per work bay 1 accessible space per 20 spaces

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	1 bicycle space per 20 employees
Vehicle sales or hire premise	0.75 spaces per 100m ² Site area 6 spaces per work bay (for vehicle servicing facilities) 1 accessible space per 20 spaces 1 bicycle space per 20 employees
Warehouse or distribution centres, storage premises and depots	1 space per 300m ² GFA 1 accessible space per 20 spaces 1 bicycle space per 20 employees
Health and community services	
Centre-based child care facility	1 space for every 4 children in attendance 1 accessible space per 20 spaces 1 bicycle space per 20 employees
Educational establishment	1 space per employee 1 space per 8 senior high school students 1 accessible space per 10 spaces 1 bicycle space per 10 employees/students
Extended hours medical centre	4 spaces per 100m ² GFA 1 accessible space per 10 spaces 1 bicycle space per 20 employees
Place of public worship	Whichever is greater of: • 1 space per 5m² GFA or • 1 space per 5 seats 1 accessible space per 20 spaces 1 bicycle space per 10 employees/visitor
Veterinary premises and health consulting rooms	3 spaces per practitioner/consulting room 1 accessible space per 10 spaces 1 bicycle spaces per 20 employees
Recreational and tourist facilities	
Charter and tourism boating facilities	Whichever is greater of: • 4.5 spaces per 100m² GFA or • 1 space per 10 passengers

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	1 accessible space per 20 spaces 1 bicycle space per 20 employees
Entertainment facilities and function centres	A traffic impact assessment is required. 1 bicycle space per 20 employees/visitors
Golf course	3 to 5.7 spaces per hole 1 accessible space per 20 spaces 1 bicycle space per 20 employees
Gymnasiums	3 spaces per 100m² GFA 1 accessible space per 20 spaces 1 bicycle space per 20 employees
Marinas	If a survey of a similar existing development has not been undertaken, the following figures may serve as a general guide: • 0.6 spaces per wet berth • 0.2 spaces per dry storage berth • 0.2 spaces per swing mooring • 0.5 spaces per marina employee 1 bicycle space per 15 employees 1 accessible space per 20 spaces Additional car parking is to be provided for the uses carried out as a part of, or ancillary to a marina (as stated in this table).
Recreational facilities	bowling alley: 3 spaces per bowling land 1 bicycle space per 15 employees bowling green: 30 spaces for first bowling green, 15 spaces for each additional green 1 bicycle space per 15 employees Indoor sporting facilities: 15 spaces per court/field/pitch 1 bicycle space per 15 employees squash/tennis court: 3 spaces per court

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	All developments: 1 accessible space per 20 spaces 1 bicycle space per 15 employees
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B5.3 Parking design is to be in accordance with Australian Standard 2890 (Parking facilities).

B5.4 All internal driveways and parking areas of public car parks are concrete pavement or gravel sealed with bitumen or asphalt and clearly marked and signposted.

B5.5 Driveway width and grades, vehicle circulation, passing bays and vehicular ramp width and grades are to be in accordance with Australian Standard 2890 (Parking facilities).

B5.6 Vehicles must be able to enter and leave the site in a forward direction.

B5.7 Driveway crossovers are to:

- a) be designed in accordance with the Port Stephens standard drawings; and
- b) be located a minimum of 0.5m from the side boundary at the front property line; and
- c) be located to take into account any services within the road reserve, such as power poles, drainage inlet pits and existing street trees and furniture; and
- d) be located clear of intersections as specified in Australian Standard 2890 (Parking facilities); and
- e) be located to minimise amenity impacts to adjacent properties; and
- f) be located to avoid adverse impacts on traffic safety; and
- g) intersect with the road between 70 to 90 degrees; and
- h) provide the minimum sight distances as required in Australian Standard 2890 (Parking facilities).

B5.8 The minimum vertical clearance for parking areas is to comply with Australian Standard 2890 (Parking facilities).

B5.9 Parking areas are to be incorporated into the building or provided at, or behind, the front setback of the building whichever is practical. Where development is required to provide active street frontages, above ground parking is not to be located on the primary road frontage.

B5.C On-site accessible parking

Objective

To ensure accessible parking is adequate and conveniently located.

Controls

B5.10 Accessible parking spaces are to be provided in accordance with the *Disability (Access to Premises – Buildings) Standards 2010* and the *Australian Standard 1428 (Design for access and mobility)*.

B5.11 Accessible parking spaces are to be located as close as possible to the principal pedestrian entrance and should have regard to the use and function of the building.

B5.D Visitor parking & loading - non-residential development

Objectives

- To ensure visitor parking is conveniently located and easily identifiable.
- To ensure loading facilities do not adversely impact the road network and, where possible, are visually concealed.

Controls

B5.12 Visitor parking is clearly marked, signposted and located in proximity to the main building of the development

B5.13 Service areas and loading bays are provided:

- At the basement or ground level at rear;
- Away from pedestrian public spaces;
- Away from residential areas; and
- Separately to staff and customer parking

B5.14 Parking layouts should provide direct pedestrian paths to building entries and street frontage and should be screened from the street

B5.15 Loading bays are to be provided in accordance with Figure 11, below.

Figure 11: Loading bay requirements

Development type	Loading bay requirements
Heavy industrial storage establishments, heavy industry and general industry	1 loading bay per unit each unit at a minimum Heavy Rigid Vehicle (HRV). Loading bays must be external and away from other required car parking to avoid conflicts.
Light industry	1 loading bay per unit each unit at a minimum Medium Rigid Vehicle (MRV). Loading bays should be external to the building and adjacent or in front of the unit. If internal unloading is proposed it must demonstrate the continued useability of the unit.
Warehouse or distribution centres and depots	1 loading bay per unit each unit at a minimum Heavy Rigid Vehicle (HRV). Loading bays must be external and away from other required car parking to avoid conflicts.
Storage premises	Comparisons should be drawn with regard to similar developments.
Other development such as commercial developments and rural industries	Comparisons should be drawn with regard to similar developments.

B5.E Public transport circulation

Objective

- To ensure that urban release areas and major commercial and public use developments incorporate appropriate circulation for public transport.

Controls

B5.16 Development along an existing or planned bus route may require bus stops and shelters if none currently exist within 400m.

B5.17 Bus stops should be located as close as possible to the development site and be connected to the development entrance by a continuous accessible footpath.

B5.18 Educational establishments, commercial premises, and other developments of significant scale may be required to provide taxi, private vehicle and bus/coach drop off/set down areas.

B5.19 Clear pedestrian crossing points are to be provided adjacent to public transport stops and be designed with consideration for pedestrian desire lines.

Where development is unable to demonstrate the above, consultation with the public transport providers and Transport for NSW is required.

B5.F Electric vehicle infrastructure

Objectives

- To recognise the increasing use and demand for electric vehicles and ensure new development is designed to be adaptable and accommodate trends in electric vehicle ownership.
- To ensure development includes adequate infrastructure to provide for the charging of electric vehicles.

Controls

B5.20 Garages for new dwelling houses, dual occupancies and semi-detached dwellings are to be designed to include the provision of electrical circuitry with capacity to provide charging facilities for an electric vehicle.

B5.21 Car parking for residential flat buildings is to be designed to include the provision of electrical circuitry with capacity to provide charging facilities for an electric vehicle to each car parking space.

B5.22 Car parking for non-residential development, where 10 or more parking spaces are provided, is to include the provision of electrical circuitry with capacity to provide charging facilities for shared electric vehicle charging points for at least 5% of the total parking spaces.

B6 Aircraft Noise and Safety

Application

This chapter applies to development on land identified on the RAAF Base Williamtown and Salt Ash Weapons Range 2025 Australian Noise Exposure Forecast Map (2025 ANEF), Defence (RAAF Base Williamtown Defence Aviation Area) Declaration 2024 Map and any subsequent updates published by Department of Defence, on land identified on the Bird Strike Zone Map, and Extraneous Lighting Area Maps.

This chapter should be read in conjunction with clause 7.4 Airspace operations and clause 7.5 Development in areas subject to aircraft noise of the Port Stephens Local Environmental Plan 2013, the Defence (RAAF Base Williamtown Defence Aviation Area) Declaration 2024 and the National Airports Safeguarding Framework (NASF) principles and guidelines.

Chapter Summary

- Development should take into consideration aircraft noise and safety matters associated with the operation of RAAF Base Williamtown – Newcastle Airport and the Salt Ash Air Weapons Range.
- Aircraft noise is a key consideration for the development of land within the 2025 ANEF. Development within the 2025 ANEF must satisfy Acoustics - Aircraft noise intrusion - Building siting and construction indoor noise requirements (AS 2021:2015).
- Other key considerations for development and aircraft safety include the obstacle limitation surface (building height), bird strike, extraneous lighting, obstacle limitation surfaces, building generated wind shear and turbulence, plumes (turbulent emissions), and measures to protect radar from electromagnetic radiation interference to communications, navigation and surveillance equipment.

The DASH sets out the information that is required to accompany a development application to address the relevant objectives and controls of this chapter.

B6.A Aircraft noise and safety

Objectives

- To ensure that the operational needs of the RAAF Base Williamtown – Newcastle Airport and the Salt Ash Air Weapons Range are considered.
- To assist applicants in identifying suitable development siting, design and noise attenuation, bird strike, extraneous lighting and obstacle limitations measures in areas affected by the operation of RAAF Base Williamtown – Newcastle Airport and

the Salt Ash Air Weapons Range.

Controls

B6.1 When development is located within **Figure 12: 2025 ANEF**, it is classified into one of the following site acceptability classifications through referencing **Figure 13: Site acceptability** based on ANEF contour:

- **Acceptable:** no design measures required to reduce aircraft noise.
- **Conditionally acceptable:** design measures are required to reduce aircraft noise. An acoustic report is required for the following:
 - to support development that is classified as conditionally acceptable.
 - to support subdivision of land and subsequent permissible development types.
- **Unacceptable:** development is generally unacceptable. The following will be considered on a **merit-based approach**, and an acoustic report is required:
 - Development on a vacant pre-existing lot within the 2025 ANEF 25-30 noise contours that satisfies AS 2021:2015 indoor design sound levels.
 - Replacement of a pre-existing dwelling in any of the 2025 ANEF noise contours that satisfies AS 2021:2015 indoor design sound levels.
 - Development within the Newcastle Airport Master Plan area.
 - High technology industries.

Figure 12: 2025 ANEF

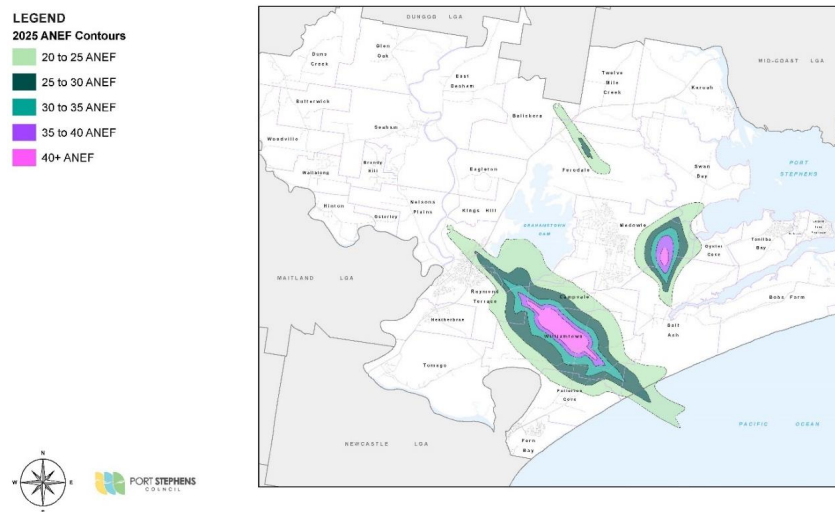


Figure 13: Site acceptability based on ANEF contour

Development type	Acceptable	Conditionally acceptable	Unacceptable
	ANEF contour		
• residential accommodation • caravan parks	<20	20-25	>25
• tourist & visitor accommodation	<25	25-30	>30
• educational establishments	<20	20-25	>25
• respite day care centres • health services facilities	<20	20-25	>25
• places of public worship • entertainment facility • information and education facility	<20	20-30	>30
• commercial premises	<25	25-35	>35
• general industry • light industry	<30	30-40	>40
• heavy industry	Acceptable in any ANEF contour		

B6.2 Development must satisfy demonstrate how attenuation measures will achieve the indoor design sound levels shown in Figure 14: Indoor design sound levels by providing an acoustic report.

B6.3 Alterations and additions less than 40% of the gross floor area of an existing building must be constructed to the same indoor design sound levels as the existing building.

B6.4 Alterations and additions greater than 40% of the gross floor area of an existing building require noise attenuation measures to meet the indoor design sound levels shown in Figure 14: Indoor design sound levels.

Mapping

The 2025 ANEF, bird strike zone, extraneous lighting area, and obstacle limitation maps are available on the Port Stephens Council online mapping portal.

Figure 14: Indoor design sound levels

Development type	Indoor design maximum sound level (dB(A))
residential accommodation & caravan parks	
sleeping areas, dedicated lounges	50
other habitable spaces	55
bathrooms, toilets, laundries	60
tourist and visitor accommodation	
relaxing, sleeping	55
social activities	70
service activities	75
educational establishments	
libraries, study areas	50
teaching, assembly areas	55
workshops, gymnasias	75
respite day care centres & health facilities	
wards, theatres, treatment & consulting rooms	50
laboratories	65
service areas	75
public buildings	
places of public worship	50
entertainment facility	40
information & education facility	50
commercial buildings, offices & retail premises	
private offices, conference rooms	55
drafting, open offices	65
typing, data processing	70
shops, supermarkets, showrooms	75
industrial	
inspection, analysis, precision work	75
light machinery, assembly, bench work	80

B6.5 Development within the bird strike zone shown in [Figure 15: Bird Strike Zone Map](#) and listed in column 1 of [Figure 16: Development within the Bird Strike Zone](#) must satisfy the provisions of column 2.

Figure 15: Bird Strike Zone Map

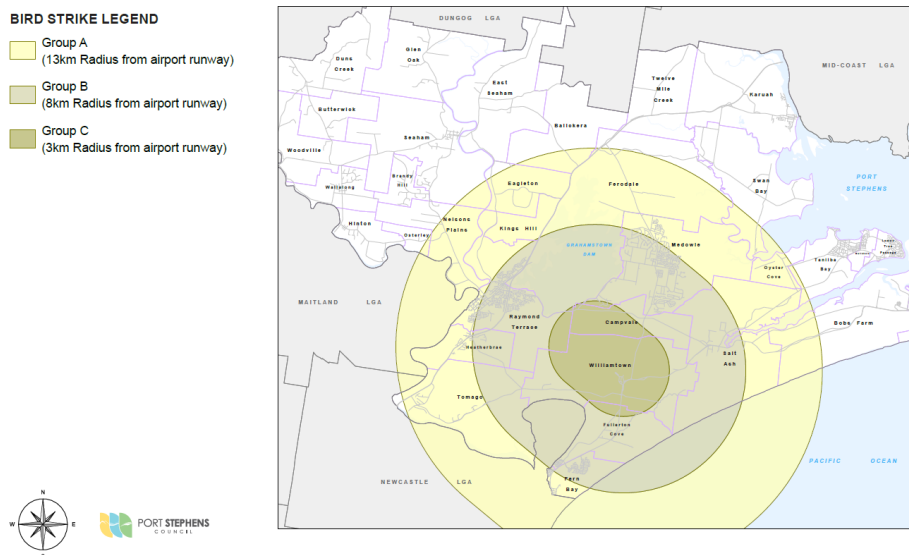


Figure 16: Development within the Bird Strike Zone

Column 1	Column 2		
Development type	Group A (8km-13km radius from airport runway)	Group B (3km-8km radius from airport runway)	Group C (≤3km radius from airport runway)
Agriculture			
Intensive plant agriculture (turf farm)	Mo	Mi	A
Horticulture (fruit tree farm)	Mo	Mi	A
Livestock produce industry (fish processing / packing plant)	Mo	Mi	A
Intensive livestock agriculture (piggery)	Mo	Mi	A
Intensive livestock agriculture (cattle, dairy or poultry farm)	Mo	Mi	Mi
Conservation			
Environmental protection works (wildlife sanctuary - wetland)	Mo	Mi	A
Environmental protection works (wildlife sanctuary - dryland)	Mo	Mi	Mi
Recreation			
Recreation facility - major (showground)	Mo	Mi	A
Recreation facility - major (racecourse, sports stadium, theme park)	Mo	Mi	Mi
Recreation facility – outdoor (golf course, park, playground, sports)	Mo	Mi	Mi
Camping Ground	Mo	Mi	Mi
Commercial			

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Agricultural produce industry (food processing plant)	Mo	Mi	A
Utilities			
Waste or resource management facility (food / organic waste facility)	Mo	Mi	A
Waste disposal facility (putrescible waste facility – landfill / transfer station)	Mo	Mi	A
Waste disposal facility (Non-putrescible waste – landfill / transfer station)	Mo	Mi	Mi
Sewage treatment plant (Sewage / waste water treatment facility)	Mo	Mi	Mi
Avoid (A)	Development not supported		
Mitigate (Mi)	Waste management report is required which demonstrates that the development will not increase the risk of bird strike to aircraft		
Monitor (Mo)	Demonstrate compliance with B6.6		

B6.6 Any development located within the bird strike zone is to limit, cover and/or enclose any organic waste and/or the storage of bins on site. Consideration should be given to the bird strike risk from proposed detention basins and the design should minimise bird habitat opportunities.

B6.7 Outdoor lighting installed as part of development in the area shown in Figure 17: Extraneous Lighting Map 1 and Figure 18: Extraneous Lighting Map 2 is to comply with the extraneous lighting controls detailed in the Civil Aviation Safety Authority (CASA) Manual of Standards (MOS-139) Aerodromes.

Figure 17: Extraneous Lighting Map 1

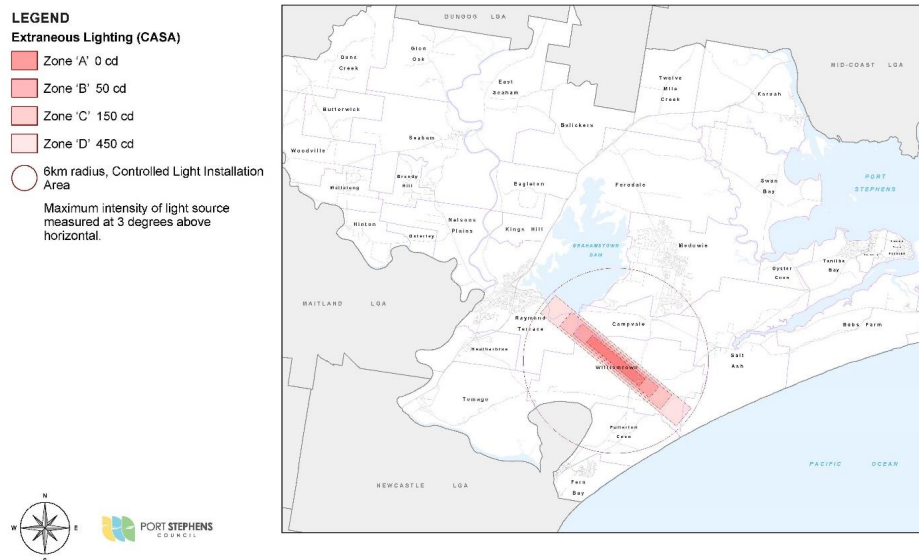
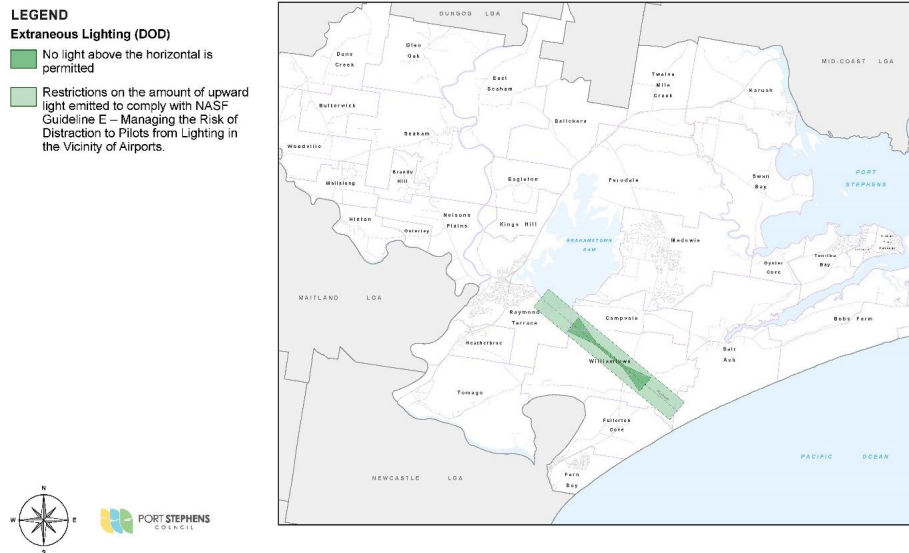


Figure 18: Extraneous Lightning Map 2



B6.8 Development with the potential to compromise aircraft and community safety through the creation of gas plumes, particulate emissions, building generated wind shear and turbulence, and electromagnetic radiation, should demonstrate consistency with the applicable NASF principles and guidelines.

Development may be subject to a concurrence requirement identified in Defence (RAAF Base Williamtown Defence Aviation Area) Declaration 2024.

B7 Heritage

Application

This chapter applies to development situated on land that contains a heritage item, is within a heritage conservation area or could potentially contain an Aboriginal object. The **LEP** identifies sites that contain a heritage item or are within a heritage conservation area.

Chapter Summary

This chapter provides controls for:

- Development that impacts a heritage item, heritage conservation area or Aboriginal object.
- Development in the King Street Heritage Precinct in Raymond Terrace to acknowledge the heritage significance of the precinct.

The **DASH** provides detailed direction on the information needed to support a development application.

Aboriginal heritage

Certain landscape features can indicate Aboriginal objects may be on or in proximity to a site. These features include being:

- within 20m of rock shelters, caves or a cave mouth,
- within 200m below or above a cliff face,
- within a sand dune system,
- within 200m of waterways, waterholes and **wetlands**, or
- located on ridge tops, ridge lines or headlands.

The **DASH** has information to help determine if an application needs to consider Aboriginal heritage.

B7.A Heritage impact

Objectives

- To protect and conserve items and places with heritage significance in the Port Stephens Local Government Area; and
- To ensure due diligence is followed before carrying out development that may harm Aboriginal objects.

Controls

B7.1 Development under **LEP clause 5.10** that impacts a heritage item is consistent with the required heritage impact statement.

B7.2 Development under **LEP clause 5.10** that is likely to impact on the heritage significance of a heritage conservation area is consistent with the heritage impact statement for the heritage conservation area.

B7.3 Development that proposes the partial or total demolition of a heritage item or a building within a heritage conservation area for reasons of structural integrity is consistent with a **structural engineering assessment**. An archival record may be required in accordance with Heritage NSW **How to prepare archival records of heritage items**.

Works of a minor nature

Under **clause 5.10(3)** of the LEP, if Council is satisfied a development is of a minor nature or maintenance which would not adversely impact the heritage significance of the item or property within a heritage conservation area, development consent is not required. Prior to undertaking minor works, an **Application for maintenance and/or minor works affecting a heritage item or conservation area** form must be submitted.

B7.4 A development application must consider the potential to harm Aboriginal objects where it involves the following works:

- where cut exceeds 2m in depth; or
- when fill has a total area of 100m² or more; or
- is within 40m of the top bank of a **riparian corridor** as defined under the *Water Management Act 2000*.

The **DASH** details how a development application is to address potential impacts on Aboriginal objects.

Requirements under National Parks and Wildlife Act 1974

Section 90 of the *National Parks and Wildlife Act 1974* requires an **Aboriginal Heritage Impact Permit (AHIP)** where harm to an Aboriginal object or Aboriginal place cannot be avoided. An AHIP can be issued under Part 6 of the *National Parks and Wildlife Act 1974*.

It is an offence to destroy an Aboriginal object without the consent of the Director of National Parks and Wildlife. Even where studies have been undertaken, if a place or relic is discovered during construction, all work in that area must cease until such consent is obtained.

B7.B King Street, Raymond Terrace

The following controls apply to land within the King Street Heritage Precinct (Figure 19: Raymond Terrace – King Street Heritage Precinct)

Figure 19: Raymond Terrace – King Street Heritage Precinct



Objectives

- To ensure that development is in keeping with the existing heritage character of King Street.
- To provide incentives for the retention and redevelopment of heritage listed items in King Street.

Controls

B7.5 Development that fronts King Street and is located within the King Street Heritage Precinct, is in accordance with the following key design principles:

- The character of the precinct is established through the retention / reinstatement of heritage / character items.
- Vehicular entry points along King Street are minimised in order to maintain the integrity of streetscape. Development incentives can be considered for integrated solutions such as common entry/egress points.
- Existing post verandahs and cantilevered awnings are retained and the integrated into new additions where possible.
- Light weight construction materials are incorporated that are consistent with existing buildings.

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- Finishes are earth colours or light tones.
- Roofs are to be light grey/galvanized.
- Development of riverside lots on the northern side of King Street provides access to waterfront land.

B7.6 Development within the King Street Precinct receives a 100% reduction in the total parking required by B5.2.

B7.7 On-site car parking is to be screened from King Street frontage and not provided above the flood planning level.

C

Development Types

C1 Subdivision

Application

This chapter applies to development that is defined as subdivision.

Chapter Summary

- This chapter sets out controls to inform the design of new subdivisions for residential, commercial and industrial development.

NOTE: Infrastructure must comply with Council's **Infrastructure Specifications**.

The **DASH** sets out the information that is required to accompany a development application to address the relevant objectives and controls of this chapter.

C1.A Lot size and dimensions

The **LEP** provides information about minimum lot sizes for subdivision that apply in Port Stephens.

Objective

To ensure all new lots have a size and shape appropriate to their proposed use, and to allow for the provision of necessary services and other requirements.

Controls

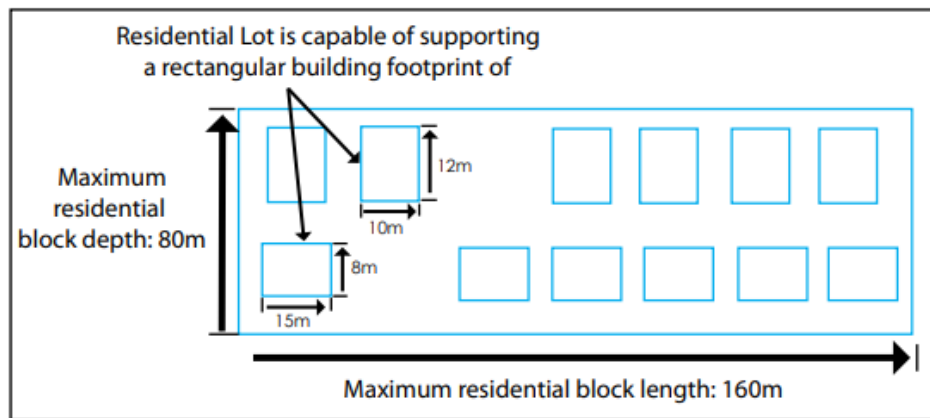
C1.1 Residential subdivision block layouts should be capable of supporting lots that can fit a rectangular building footprint of 15m x 8m or 10m x 12m, as illustrated by Figure 30: Residential block dimensions and rectangular building footprint, below.

C1.2 **Splay corners** are provided for corner lots and must be a minimum of:

- 4m x 4m for residential zones
- 8m x 8m for commercial and industrial zones
- 6m x 6m or **merit-based approach** for other zones

C1.3 All lots in the subdivision must have direct street frontage. **Battle-axe lots** are only considered when there is no practical way to provide direct street frontage.

Figure 30: Residential block dimensions and rectangular building footprint



C1.4 Where subdivision requires an access handle, the following access handle requirements apply:

- Dwelling house and dual occupancy (residential zone):
 - Minimum entry width of 3.6m; and
 - Maximum length of 30m; and
 - Maximum of 3 Torrens Title lots.
- Multi dwelling housing and residential flat buildings:
 - Minimum entry width of 6m; and
 - Maximum length of 50m.
- Commercial and industrial developments:
 - Minimum entry width of 10m; and
 - Maximum of 3 Torrens Title lots.
- Rural subdivision:
 - Minimum entry width of 6.5m for a 2-lot subdivision; or
 - Minimum entry width of 10m for a 3-lot subdivision.

Where subdivisions require an access handle and/or right of carriageway, it must be constructed prior to the issuing of a **subdivision certificate**.

C1.B Block and street layout

Objectives

- To ensure **local streets** are well-connected to the street network with obvious pedestrian and cycle links to higher order streets.
- To ensure priority is provided to residents' needs when designing **local streets** to encourage usability.
- To ensure pathways follow **desire lines**.

Controls

C1.5 Block dimensions should be:

- Residential development (refer to Figure 30, above):
 - a maximum depth of 80m
 - a maximum length of 160m
- Commercial development:
 - A maximum depth of 50m
 - A maximum length of 80m
- Industrial development:
 - A maximum depth of 120m
 - A maximum length of 200m

C1.6 The street layout should:

- Comply with the road network specifications and integrate all components of the required infrastructure in Council's **Infrastructure Specification**.
- Provide a perimeter road between residential dwellings and:
 - bushfire prone land,
 - **public open space** defined as a **regional park**, **district park** or **local park**.
- Respond to the topographical features of the site, such as:
 - where land slopes at a grade of 6% or more, the predominant street alignment is perpendicular to the contours
 - be gently curved or straight to frame **vistas**.
- Be interconnected to provide a grid-like structure.
- Be informed by street connections for future subdivisions on adjacent properties.
- Enable each lot to front a street, and for corner lots to front both streets.
- Have footpaths and **shared paths** that follow **desire lines**.
- Ensure public access to **public open space** is maintained and encouraged.
- Include road widths that accommodate the movements of service and emergency vehicles.

C1.7 Development should be designed to have consideration for the **Port Stephens Pathways Plan**.

C1.8 Cul-de-sacs will only be supported when the existing street layout does not permit a through street or connectivity to an adjoining street is not required.

Where cul-de-sacs are proposed, each cul-de-sac must meet the following requirements:

- Have a maximum length of 75m; and
- Provides access to no more than 10 allotments; and
- Have a clear line of sight from the nearest intersection.

C1.C Infrastructure

Objective

To ensure detailed consideration is provided for the provision of integrated and quality public infrastructure.

Controls

C1.9 Subdivisions must provide public infrastructure within the adjoining road or public land, including kerb/gutter, stormwater drainage, footpaths, street lighting, street trees and bus stops.

C1.10 Public utilities, such as water and electricity, are kept within private lot boundaries and are not located within the road reserve.

Note:

- Infrastructure should comply with the Port Stephens Council Infrastructure Specification. The DASH provides detailed information on requirements.
- Lifecycle and maintenance costs are a key determinant when considering alternative methods, products and manufacturers in Council's Infrastructure Specification.

C1.D Street trees

Objective

To ensure street tree planting is of an appropriate species and undertaken in accordance with Council's Biodiversity Technical Specification.

Controls

C1.11 Street trees are required to be planted in the road reserve for:

- residential subdivisions
- commercial subdivisions
- industrial subdivisions creating 10 or more lots.

Note: Council's **Biodiversity Technical Specification** provides guidance on the number of trees to be provided.

Avoidance of street tree removal during development is preferred, however, where street trees are required to be removed to facilitate new development, they must be replaced in a practical location, in accordance with Council's **Biodiversity Technical Specification**.

C1.E Solar access

Objective

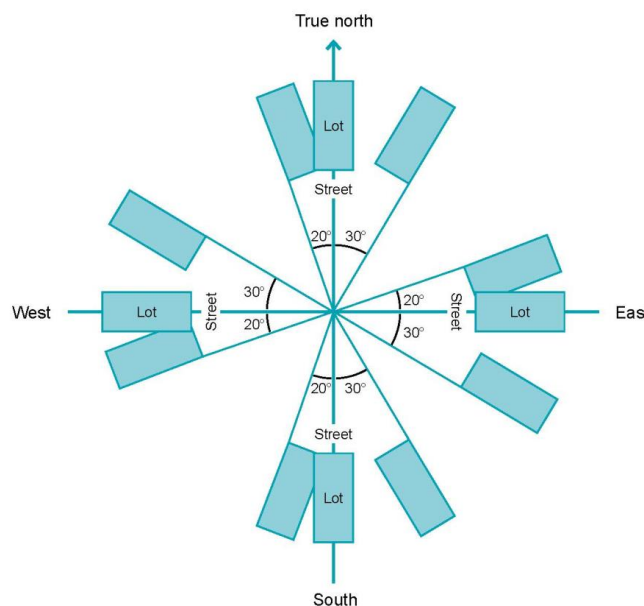
To maximise **solar access** for residential lots.

Controls

C1.12 Subdivision layout should be informed by topography and landform to maximize **solar access**.

C1.13 Lots should be oriented, where possible, to provide one axis within 30 degrees east and 20 degrees west of true solar north, as shown in Figure 31.

Figure 31: Lot orientation for solar access



C1.14 Where a northern orientation of the long axis is not possible, lots should be wider to allow private **open space** on the northern side.

C1.F Public open space

Objectives

- To ensure **public open space** is provided to support the growing local community.
- To provide **public open space** that is **multi-functional** and encourages usability.
- To ensure parks are centrally located near transport **nodes**, public buildings, waterfronts, libraries or places of public worship.

Controls

C1. 15 **Public open space** for the purpose of a **local park**, **district park** or **regional park** must:

- be of regular shape (rectangle/square) to maximise recreation opportunities;

Note: Long narrow **open spaces** are not acceptable unless used for linkages.

- be generally flat and centrally located near transport **nodes**, public buildings, waterfronts, libraries or places of public worship to maximise accessibility for all members of the public;
- provide for safe and convenient access by being located on pedestrian and cycle routes;
- clearly demonstrate that it is a public space and be bounded by a street and faced by lots zoned or used for residential or commercial purposes;
- be designed with consideration to **crime prevention through environmental design (CPTED)** principles; and
- include access for services (e.g. garbage collection, maintenance, water, sewerage and electricity).

Note:

- The requirement to provide **public open space** is determined through a merit-based assessment that considers existing facilities, population and proximity to facilities.
- Land that may be deemed unsuitable as **public open space** for the purposes of a **local park**, **district park** or **regional park** includes:
 - contaminated land;
 - land primarily used for stormwater management or drainage control purposes;
 - land containing sites or items of cultural significance; or
 - land identified as an **asset protection zone (APZ)**.

C2 Commercial

Application

This chapter applies to commercial development.

Chapter Summary

- This chapter provides controls for commercial development to ensure it complements existing development, contributes to an active street frontage and has a positive impact on the public domain.

The DASH sets out the information that is required to accompany a development application to address the relevant objectives and controls of this chapter.

C2.A Building form and massing

Objectives

- To ensure that floor to ceiling height allows for flexible uses over time.
- To ensure development reinforces, complements and enhances the visual character of the street.

Controls

C2.1 Minimum ground floor to ceiling height for all new development within an employment zone is 3.5m.

C2.2 Minimum first floor and above floor to ceiling height for commercial premises is 3m.

C2.3 Minimum first floor and above floor to ceiling height for residential accommodation is 2.7m.

C2.4 Ground level (finished) must be between 100-500mm above adjacent footpath levels.

C2.B Site frontage and setbacks

Unless otherwise noted, setbacks for development are measured from the subject property boundary.

ITEM 6 - ATTACHMENT 1 DEVELOPMENT CONTROL PLAN 2025.**Objective**

To ensure development provides a consistent frontage to the **public domain**.

Controls

C2.5 A minimum 20m site frontage is required where development is proposed to be more than 10.5m in height.

C2.6 Development within established areas is to have a front setback built to the existing **average building line** of the adjoining properties.

C2.7 Development adjoining vacant properties is to have a minimum 3m front setback.

C2.8 Specialised retail premises, and other large format retail such as supermarkets, are to have a minimum 5m front setback or be in line with the existing average building line.

C2.9 Development is to have a minimum 3.5m front setback for the second floor and above.

C2.10 Side setbacks are to be consistent with the adjoining properties. Where there is an existing 0m side setback, development should be built to the **side boundary** to maximise continuous **active street frontage**, except where side access is provided.

C2.11 Development adjacent to a lot that is zoned or used for residential purposes or a public reserve is to provide a minimum rear setback of 5m, plus an additional 0.5m for each metre of the height of the building that exceeds 8m.

C2.12 Rear setback is to be assessed using a **merit-based approach** where the development does not adjoin a residential zone or land used for residential purposes.

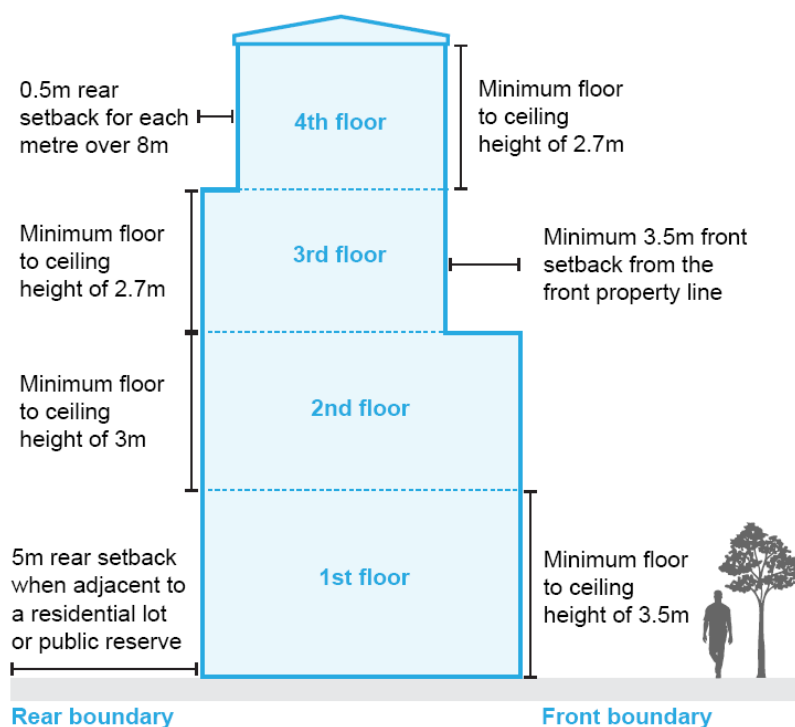
C2.C Streetscape**Objectives**

- To ensure street activation and passive surveillance through **active street frontages**.
- To provide clear access and direction to entry points.
- To ensure continuous awnings along footpaths to provide shelter where most pedestrian activity occurs.
- To ensure awning design is integrated with the building facade and integrated with adjoining buildings.

Controls

C2.13 Building facades use materials, colours and architectural elements to reduce bulk and scale and that are complementary to existing built-form and natural setting.

Figure 32: Commercial building envelope



C2.14 Development provides a continuous **active street frontage** for localities where business premises or retail premises predominately face the street and have direct pedestrian access from the street, which may be identified in Section D Specific Areas.

C2.15 An **active street frontage** provides the following:

- Maximum unarticulated wall is 2m in length.
- Minimum 50% of ground floor front is windows, which does not include false windows.

C2.16 A big box development may achieve an **active street frontage** by providing a sleeve of smaller buildings that conceal its bulk to the street frontage.

C2.17 Blank walls are minimised by incorporating an opening or change in façade articulation. This could include a combination of a change in materials, setback variation, architectural details or landscaping.

C2.18 Development incorporates **CPTED** principles by providing passive surveillance to public spaces through building design and orientation.

C2.19 Development provides paving to the public footpath for the entire length of the development street frontage.

C2.20 Provide a recognisable entry from the primary street.

C2.21 Entries on corner sites address both streets by providing a splayed entry on that corner.

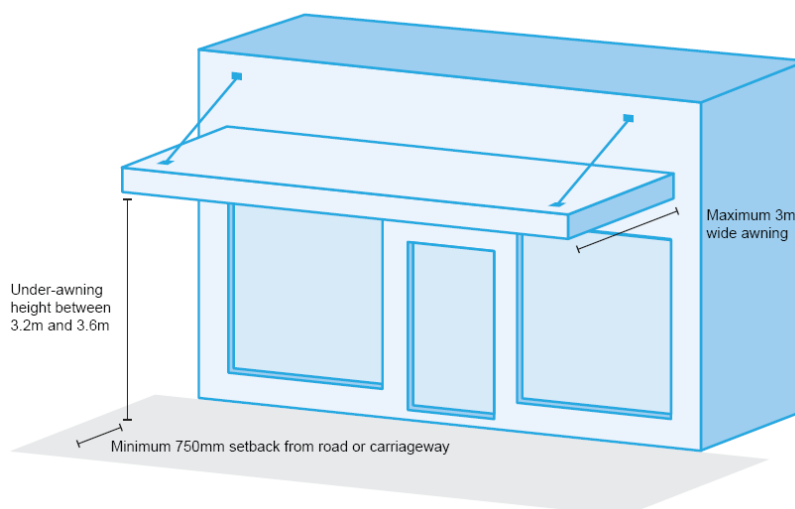
C2.22 A separate and secure access point that provides a clear sense of building address is provided for the residential component of mixed-use development.

C2.23 Entry structures, such as access ramps, are located within the site behind the property boundary so as not to obstruct pedestrian footpaths in the public domain.

C2.24 Awnings must be provided over pedestrian pathways.

C2.25 New awnings must maintain the same dimensions, alignment and materials of existing awnings along the street.

Figure 33: Commercial awning dimensions



C2.26 A continuous or stepped solid box awning should be provided for the full extent of the building frontage with awnings no more than 3m in width and setback 750mm from the curb, as shown in **Figure 33**, above.

C2.27 Under awning height will be between 3.2m and 3.6m.

C2.28 Awnings on sloping sites should be a **cantilevered** steel box section that steps with the street slope.

C2.29 Awnings are varied when there is a need to highlight the location of a major building entrance.

Waste and pollution management

The development is to minimise land use conflict and incorporate appropriate environmental mitigation measures to manage **waste** and minimise air, water and noise pollution. See the **DASH** for the information an application would need to include in relation to **waste**, air, water and noise pollution.

C2.D Building facilities and services

Objective

To appropriately locate building facilities and services so that they do not adversely impact on the **public domain**.

Controls

C2.30 Plant, equipment, storage areas, communication structures and servicing areas are located at the rear of a building and not visible from the street, parks and other public spaces, except for service lanes.

C2.31 Commercial development with a capital investment value over \$5 million will provide toilets that are accessible to the public.

C2.E Landscaping

Objectives

- To enhance the appearance and amenity of development through the retention and/or planting of large and medium sized trees.
- To encourage landscaping between buildings for screening.
- To ensure landscaped areas are consolidated and maintainable spaces
- To improve the aesthetics of commercial areas, especially major commercial road corridors, through landscape works and co-ordination of architectural and signage elements.

- To reduce hydrocarbon emissions by providing shading for parked vehicles.
- To reduce energy consumption through microclimate regulation.
- To reduce air borne pollution by reducing the heat island effect.
- To intercept stormwater to reduce stormwater runoff.

Controls

C2.32 Landscaping is provided as follows:

- 10% of the **site area** consisting of deep soil planting; and
- 30% shading over car park areas.

Note: The canopy coverage of specimen trees can be used to calculate deep soil landscaping.

C2.33 Landscaping is in accordance with the following:

- Landscape works incorporate adequate screening from the street and adjacent neighbours.
- Corner lots provide landscaping to both street frontages.
- Tree and landscape planting will be of a scale and extent that reflects the scale of the proposed development.
- **Structural soil and/or structural cells** should be used to reduce competition between specimen trees and infrastructure.
- Street trees are to be within the footpath, verge or in the parking lane and be consistent with Council's **Biodiversity Technical Specification**.

C2.34 The rear setback area is to be a deep soil landscape planting area where the development adjoins a residential zone or land used for residential purposes.

C2.35 Landscape species are to be selected in accordance with Council's **Landscape Technical Specification**.

C2.F Public art**Objectives**

- To ensure that features of the public domain contribute to the identity, character, safety, amenity and accessibility of the place.
- To enhance the sense of place through the provision of public art.
- To promote the inclusion and integration of public art that makes a positive contribution to the public domain.

Control

C2.36 Commercial development with a capital investment value over \$5 million that provides frontage to the public domain will incorporate public art in accordance with the Port Stephens Council Public Art Policy and Guidelines for the approval and installation of public art in Port Stephens.

Public art could include, but is not limited to murals, light installations, pavement art, etc.

C2.G Shipping container stacks**Objective**

To ensure development that proposes the use of shipping containers does not impact upon the amenity of the area

Controls

C2.37 The scale and height of shipping container stacks will have regard to the scale and height of nearby buildings.

C2.38 Shipping container stacks will be located at the rear of the site where possible, unless the rear of the site abuts a sensitive use.

C3 Industrial

Application

This chapter applies to development defined as industry and development within the E3 Productivity Support and E4 General Industrial zones.

Chapter Summary

- This chapter provides controls for industrial development to ensure it is safe, functional and environmentally responsible.

The **DASH** sets out the information that is required to accompany a development application to address the relevant objectives and controls of this chapter.

C3.A Building height and siting

Objectives

- To ensure the height of buildings is appropriate for the context and character of the area.
- To ensure building heights reflect the hierarchy of centres and land use structure.
- To ensure development is situated within an appropriate building envelope.

Controls

C3.1 Maximum height limit of 15m or a **merit-based approach** is taken where no height limit is specified under the **LEP** clause 4.3.

C3.2 Development is to be setback 5m from the **front property line** or in line with the existing **average building line**.

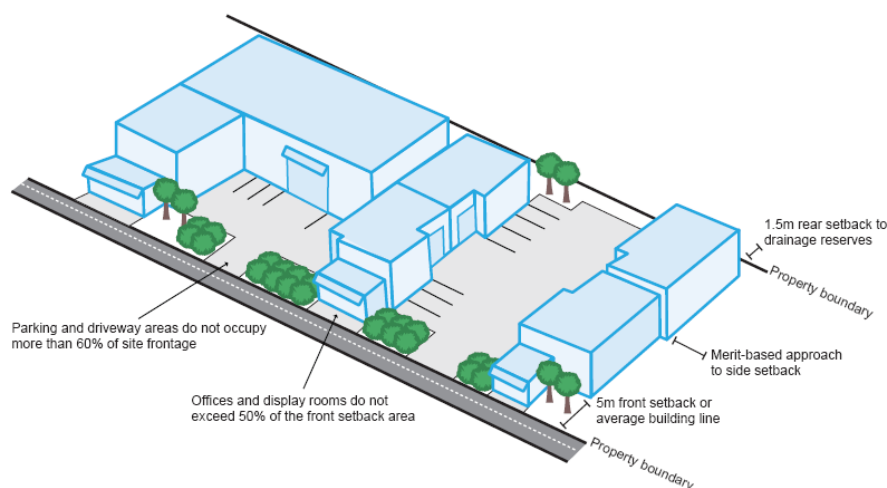
C3.3 Single storey offices and display rooms within the front setback must:

- not exceed 50% of the front setback area; and
- ensure sightlines are maintained for pedestrian and vehicle movement.

C3.4 Development adjacent to a lot that is zoned or used for residential purposes or a **public** reserve is to provide a minimum rear setback of 5m, plus an additional 0.5m for each metre of the height of the building that exceeds 8m.

C3.5 A 1.5m buffer from **drainage reserves** must be provided.

Figure 34: Industrial building principles



C3.B Streetscape

Objectives

- To promote enhanced amenity by requiring landscaping, and building design that contributes positively to the streetscape.
- To ensure weather protection is provided at building entrances.
- To reduce adverse impacts on surrounding land uses and residential amenity.

Controls

C3.6 Building colours and materials are sympathetic to the natural environment and existing site context.

C3.7 Weather protection awnings are provided for building entrances.

C3.8 The building access point provides a clear sense of building address for residents and their visitors.

C3.9 Offices, showrooms and customer service areas are located towards the front of the development.

C3.10 Parking and **driveway** areas do not occupy more than 60% of the site frontage.

C3.11 Buildings face the street and provide clear entry points.

C3.12 Blank walls are minimised by incorporating an opening or change in façade articulation. This could include a combination of a change in materials, setback variation, architectural details or landscaping.

C3.13 Development is to provide a positive contribution to the streetscape through building design and landscaping.

C3.14 Fencing forward of the building line is to be a maximum 1.8m high.

The development is to minimise land use conflict and operate under appropriate environmental mitigation measures to manage waste and minimise air, water and noise pollution. See the DASH for the information an application would need to include in relation to waste, air, water and noise pollution.

C3.C Landscaping

Objectives

- To enhance the appearance and amenity of developments through the retention and/or planting of large and medium sized trees.
- To encourage landscaping between buildings for screening.
- To ensure landscaped areas are consolidated and maintainable spaces that contribute to the open space structure of the area.
- To minimise the visual impact and noise pollution generated by development on nearby residential areas and road corridors.
- To use land efficiently and minimise disturbance to the local natural environment.
- To integrate existing landscape features and/or architecture into development.
- To reduce energy consumption through microclimate regulation.
- To reduce air borne pollution by reducing the heat island effect.
- To intercept stormwater to reduce stormwater runoff.

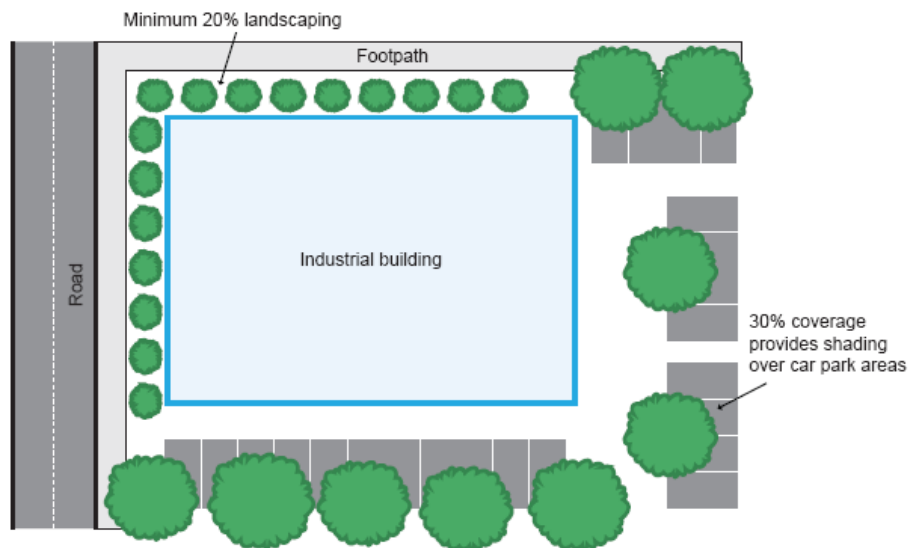
Controls

C3.15 Landscaping is provided as the following:

- 20% of the site area, of which
- 30% comprises of deep soil planting for shading over car park areas.

The canopy coverage of specimen trees can be used to calculate deep soil landscaping.

Figure 35: Landscape requirements for industrial development



C3.16 Landscaping is provided in accordance with the following:

- Landscaping should be provided in the front setback and incorporate adequate screening from the street and adjacent neighbours;
- Corner lots provide landscaping to both street frontages;
- Landscape planting must provide adequate shading to the eastern and western elevations of poorly insulated buildings.
- Tree and landscape planting shall be of a scale and extent that reflects the scale of the proposed buildings and pavement areas.
- Remnant trees are retained and protected where possible.
- Structural soil and/or structural cells should be used to reduce competition between specimen trees and infrastructure and give trees access to nutrient soil.
- Street trees are to be within the footpath, verge or in the parking lane and be consistent with Council's Biodiversity Technical Specification.

C3.17 Landscape species are to be selected in accordance with Council's Landscape Technical Specification.

C3.D Shipping container stacks

Objective

To ensure development that proposes the use of shipping containers does not impact upon the amenity of the area.

Controls

C3.18 The scale and height of shipping container stacks shall have regard to the scale and height of nearby buildings.

C3.19 Shipping container stacks shall be located at the rear of the site where possible, unless the rear of the site abuts a sensitive use.

C4 Residential Development

Application

This chapter applies to the following forms of residential and ancillary development:

- Attached dwellings
- Boarding houses
- Co-living housing
- Dual occupancies
- Dwelling houses
- Group homes
- Hostels
- Multi dwelling housing
- Rural workers' dwellings
- Secondary dwellings
- Semi-detached dwellings
- Ancillary development, including carports, sheds retaining walls and swimming pools.

This chapter does not apply to residential flat buildings. Development defined as residential flat building should refer to the *State Environmental Planning Policy (Housing) 2021* and the Apartment Design Guide.

Chapter Summary

This chapter provides general controls that apply to all residential development and ancillary development, excluding residential flat buildings:

C4.A Residential Development - General applies mostly to residential land zoned R2 Low Density Residential and R3 Medium Density Residential.

C4.B Residential Development – Housing on large lots applies to land zoned R5 Large Lot Residential, RU1 Primary Production or RU2 Rural Landscape, and for sites in any other zone greater than 1000m². These controls should be reviewed along with sub-chapter C4.A Residential Development - General.

C4.C Residential Development - Multi dwelling housing applies to a maximum of 8-dwelling development proposals. These controls should be reviewed along with sub-chapter C4.A Residential Development - General.

Subject to the location of the site and the proposed development, this chapter should also be reviewed together with any relevant site-specific chapters in this DCP.

The **DASH** sets out the information that is required to accompany a development application to address the relevant objectives and controls of this chapter.

C4.A Residential Development - General

C4.1 Building heights

Objectives

- To ensure the height of buildings is appropriate for the context and character of the area.
- To ensure building height reflects the hierarchy of centres and land uses.

Control

- A maximum height limit of 9m is permitted where no height limit is specified under the *Port Stephens Local Environmental Plan*.

C4.2 Building setbacks

Unless otherwise noted, setbacks for development are measured from the subject property boundary.

Objectives

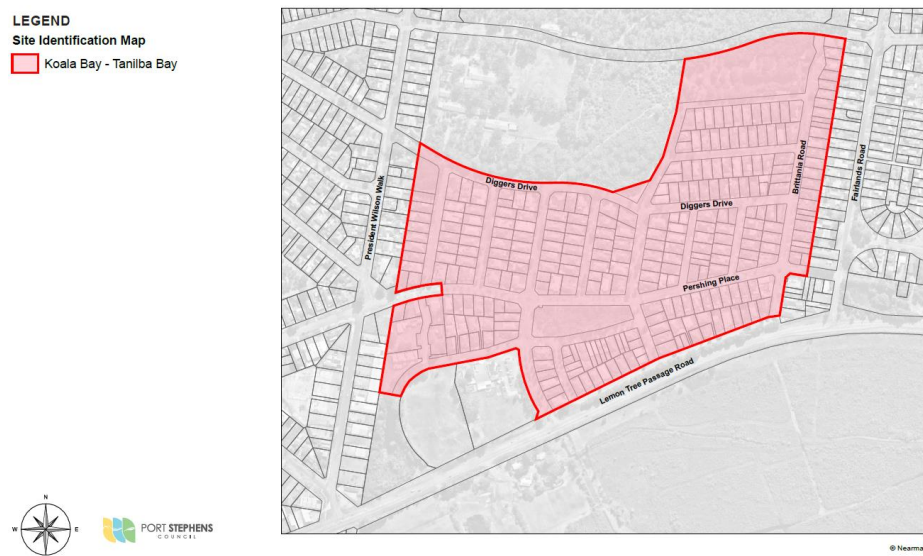
- To ensure development contributes to the streetscape and does not detract from the amenity of the area.
- To reduce the visual bulk of buildings from the street and provide for articulation in front facades.
- To ensure development is appropriately setback from the **public domain**.

Controls

Development is to be setback in accordance with the following:

- Front setbacks:
 - A minimum of 4.5m or the existing average building line of the adjoining properties (whichever is less).
Exception: Development in the Koala Bay – Tanilba Bay area (applies to land as shown in Figure 36, below) are to provide a minimum front setback of 6m to allow for Koala movement.
 - Architectural features, such as an entry porch or deck may encroach on the front setback by up to 1.5m.

Figure 36: Koala Bay – Tanilba Bay land application map



- Side setbacks:
 - Single-storey: 0.9m (up to 4.5m)
 - Two-storey: 1.5m (above 4.5m)
 - Three-storey (or above): 3m
- **Secondary setbacks:**
 - A minimum of 3m from the secondary property boundary.
 - Architectural features, such as an entry porch or deck may encroach on the side setback up to 1m.
- Rear setbacks:
 - Single-storey: 2m (up to 4.5m)
 - Second-storey: 4m (above 4.5m)
 - Three-storey (or above): 6m
- Setbacks from **public** land, including **waterfront land**
 - Single-storey: 3m (up to 4.5m)
 - Two-storey: 5.5m (above 4.5m)
 - Three-storey (or above): 8m
- A secondary dwelling may be set back a minimum of 0.9m from the rear property boundary.

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- On battle axe sites, a minimum setback of 0.9m must be provided from a battle-axe lot handle, access corridor or access easement.

Exception: Development on battle axe sites with rear lane access may be built to the rear of the property boundary.

- Garages must be setback a minimum of 5.5m from the front boundary or located 1m behind the building line, whichever is greater.

C4.3 Streetscape and privacy

Objectives

- To ensure development contributes to the streetscape and does not detract from the amenity of the area.
- To ensure development provides passive surveillance and adequate visual privacy.

Controls

- Development is to address the street by having at least one habitable room, face the primary street.
- Development on corner lots is to address both street frontages by having habitable rooms face both streets.
- Dwellings should provide direct and legible pedestrian access from the street to the front entry.
- Balconies and windows are designed/located to minimise overlooking adjoining properties.
- Privacy screens**, high-light windows or opaque glass is to be used for windows of habitable rooms (other than bedrooms) that overlook adjoining properties.
- Privacy screens** are required for balconies and patios which result in unreasonable privacy impacts on adjoining properties.

C4.4 Site coverage and landscaping

This control does not apply to housing on land zoned R5 Large Lot Residential, RU1 Primary Production and RU2 Rural Landscape.

Objectives

- To provide landscape planting that improves visual amenity, privacy, outlook, views and recreational opportunities for residents and occupants within a development.
- To provide landscaping that complements the nature and scale of the

development and contributes to the desired streetscape character.

- To mitigate the impacts of climate change and urban heat effect using landscaped areas and deep soil planting.

Controls

- Landscaping is to be provided as the following:
 - 25% of the **site area** should be 'soft' landscaping, excluding all hardstand areas.
 - 5% of the **site area** should be suitable for deep soil planting.

C4.5 Private open space

Objectives

- To ensure that dwellings are provided with functional, well located areas of private **open space**.
- To ensure that private **open space** is integrated with, and is directly accessible from, the living areas of a dwelling.

Controls

- A minimum area of 24m² of ground floor private **open space** for each dwelling:
 - has minimum dimensions of 4m x 4m;
 - has direct access from internal living areas;
 - is not located in the front setback.
- Where development cannot provide private **open space** on the ground floor, provision should be made for a balcony of not less than 16m² with a minimum depth of 2.5m for use as private **open space**.
- Private **open space** must have a minimum of three hours direct sunlight between the hours of 9 am-3 pm at midwinter (21 June).
- Direct sunlight must reach 50% of the principal area of private **open space** of any adjacent dwelling for at least three hours between 9 am and 3 pm at midwinter (21 June).

C4.6 Natural ventilation

Objective

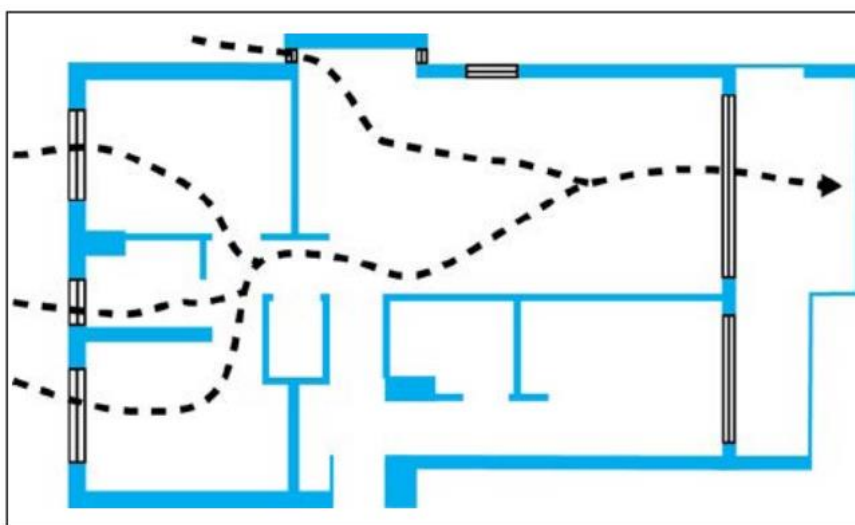
- To ensure all habitable rooms are naturally ventilated.
- To ensure a comfortable indoor environment is created for residents

Controls

Doors and windows maximise natural ventilation opportunities by using the following design solutions (see **Figure 36 37**):

- Windows are adjustable with large openable areas;
- Window types such as awnings and louvres, are varied to provide both safety and flexibility; and
- Windows such as vertical louvres and casement windows and externally opening doors can be reconfigured to capture cross-ventilation to assist cooling.

Figure 36 37: Cross ventilation



C4.6 Garages and driveways

Objective

To ensure car parking caters for anticipated vehicle movements to and from the development and does not adversely impact visual amenity.

Controls

- A driveway must have a minimum width of 3m.
- Garage doors have a maximum width of 6m for residential lots or 50% of the building frontage, whichever is less.
- Carports have:
 - a minimum side and rear setback of 0.9m; and

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- a maximum height of 3.6m, or if attached to a single-storey dwelling, be no higher than the roof gutter line; and
- at least two open sides and not less than one-third of its perimeter open; and
- a design that is integrated with the existing dwelling; and
- an opening not exceeding 6m or 50% of the building frontage, whichever is less, if the carport fronts the street.
- Carports are preferred within the side or rear setbacks, but may be considered in the front setback where:
 - a. the design is integrated with, and sympathetic to, the existing dwelling; and
 - b. it is compatible with the existing streetscape.

Where the controls above cannot be achieved, the application must provide justification for varying the development standards.

C4.7 Site facilities**Objective**

To ensure development provides appropriate facilities and services in the most appropriate site location.

Controls

- An adequately screened waste storage and recycling area is to be provided.
- A suitable open-air area for clothes drying is to be provided for each dwelling behind the building line with a northerly aspect.

C4.8 Ancillary development**Objectives**

- To ensure ancillary developments do not adversely impact the amenity of the surrounding area.
- To ensure ancillary developments are consistent with the surrounding area in terms of height, bulk and scale.

Controls

- Sheds in a residential zone (except R5 Large Lot Residential) should:
 - have a maximum site area of:
 - i. 45m², if the lot has an area of less than 450m²; or
 - ii. 60m², if the lot has an area of at least 450m² but less than

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900m²; or

iii. 100m², if the lot has an area of at least 900m²; and

- have a maximum height of 3.6m (from existing ground level); and
- have minimum side and rear setback of 0.9m; and
- be located a minimum of 1m behind the building line or setback.

- Front fences, including any fencing forward of the building line, should:
 - have a maximum height of 1.2m; and
 - not be of solid construction; and
 - be compatible with street facilities, such as mailboxes, and allow easy access to public utilities.

Front fences and fences on secondary frontages that face main roads may have a maximum height of 1.5m.

- Side and rear fences should:
 - have a maximum height of 1.8m from existing ground level; and
 - be constructed from fencing materials that reflect the context and character of the area; and
 - if located within the root zone of an existing tree, be constructed of lightweight suspended panels supported by posts with pier footings, and
 - not encroach on the front setback area of any dwelling (side fences).
- Swimming pools must:
 - be setback behind the existing building line, (exceptions may apply for fences on secondary road frontages), and
 - have the water edge setback at least 1m from the side and rear boundaries, and
 - not be more than 600mm above ground level (existing).
 - have a maximum decking height of 1.4m above ground level (existing), and
 - have a maximum coping width of 300mm wide if more than 600mm above ground level (existing).
 - In the Koala Bay – Tanilba Bay area, swimming pools are to provide a 50mm diameter rope or greater is affixed or left dangling at least one metre in the water body; or the water body is battered to no less than 1:20 to enable Koala exit.
- Water features and ponds must:
 - not have a water depth of more than 300mm.
 - be protected by at least one of the following, if any water depth is greater than 300mm:
 - i. covered with a bolted or anchored grate that is capable of supporting a weight of 150kg.

- ii. surrounded by a child resistant barrier complying with **Australian Standard 1926.1 (Swimming pool safety)**

- Retaining walls must:
 - be located wholly within the property boundary, including the retaining walls, footings and associated drainage works.
 - be designed in a manner that maintains amenity and privacy for residents of the subject dwelling and adjoining dwellings.
 - have a maximum height of 1m, (if necessary to exceed 1m, tiered retaining walls have a maximum height of 1m per tier and a minimum 900mm separation between tiers).
 - be of masonry construction if located within 900mm of the property boundary and greater than 600mm in height.

Where retaining walls for fill purposes are located within 1m of a side or rear boundary, they must be limited to a maximum height of 600mm.

C4.B Residential Development – Housing on large lots

This sub-chapter applies to a dwelling or dual occupancy only and is applicable on land zoned R5 Large Lot Residential, RU1 Primary Production, RU2 Rural Landscape, as well as to sites in any other zone that are greater than 1000m².

These requirements prevail over any others set out in **C4.A Residential Development - General**.

C4.9 Building setbacks

Unless otherwise noted, setbacks for development are measured from the subject property boundary.

Objectives

- To ensure development contributes to the streetscape and does not detract from the amenity of the area.
- To reduce the visual bulk of buildings from the street and provide for articulation in front facades.
- To recognise the need for larger setbacks in rural and large lot areas.

Controls

Setbacks should be in accordance with the following:

- Front setbacks:

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- A minimum of 10m or the existing average building line of the adjoining properties (whichever is less).
 - Architectural features, such as an entry porch or deck may encroach on the front setback by up to 1.5m.
- Side setbacks should be a minimum of 5m.
- **Secondary setbacks:**
 - A minimum of 10m from the secondary property boundary.
 - Architectural features, such as an entry porch or deck may encroach on the side setback up to 1m.
 - Rear setbacks should be a minimum of 5m.
- A secondary dwelling must comply with all nominated building setbacks.
- Garages must be setback a minimum of 10m and not forward of the building line.

C4.10 Garages and driveways**Objective**

To ensure car parking caters for anticipated vehicle movements to and from the development and does not adversely impact on building articulation.

Control

- Garages to have a maximum width of 9m.

C4.11 Sheds and shipping containers**Objectives**

- Ensure that sheds are appropriately sized and located on residential land.
- Provide for the provision of shipping containers in **rural areas**.

Controls

- Sheds in R5 Large Lot Residential should:
 - have a maximum gross floor area of:
 - i. 120m², if the lot has an area less than 4000m²; or
 - ii. 200m², if the lot has an area of at least 4000m²; and
 - have a maximum eave height of 4.8m (from existing ground level); and
 - comply with all relevant building setbacks and be located behind the building line.
 - Shipping containers should:
 - be sited behind existing buildings; and
 - not be located in front of the established or proposed building line;
-

and

- be screened from view from any adjoining property; and
- be placed at ground level only and not be stacked on top of another shipping container; and
- not exceed more than 2 per dwelling if ancillary to residential development.

C4.C Residential Development – Multi dwelling housing

In addition to the controls outlined in **C4.A Residential Development - General**, the following controls also apply to multi-dwelling housing and attached dwellings. To the extent of any inconsistencies between C4.A and this, the following controls prevail.

For large scale multi dwelling housing proposals (in excess of 8 dwellings) Council may require the application to meet requirements outlined in the **Low-Rise Housing Diversity Design Guide**.

C4.12 Building setbacks

Objective

- To ensure development contributes to the streetscape and does not detract from the amenity of the area.
- To reduce the visual bulk of buildings from the street and provide for articulation in front facades.
- To alleviate impacts on amenity including privacy, **solar access**, acoustic control and natural ventilation.

Controls

- The front setback should not be used for at grade parking.
- **Podium** structures and/or basement car parking is not be located within the setback areas.
- Multi dwelling housing, or an attached dwelling, may be built to a **side boundary** if all of the following is achieved:
 - a. The maximum wall height is 6m.
 - b. There will be no impact on privacy, private **open space** or **solar access** for adjoining properties unless the adjoining properties have approval, or /are proposed for, multi dwelling housing or an attached dwelling.
 - c. Wall openings comply with the fire resistance levels of the BCA.
 - d. The wall height and length match a similarly constructed wall on the adjoining site.

- Driveways must be setback 0.9m from any **side boundary** to provide for landscaping.

C4.13 Streetscape and building design

Objectives

- To ensure development contributes to the streetscape and does not detract from the amenity of the area.
- To ensure development activates the streetscape to provide passive surveillance and privacy.

Controls

- The front door entrance of each dwelling must be sheltered and located forward of the designated car parking space.
- Development on a corner lot has one or more dwellings facing each street frontage.
- Unbroken roof ridgelines should not exceed 10m in length and blank walls without a window should not exceed 5m in length.
- The facade of each dwelling within a building should be identifiable as such to indicate that the building consists of separate dwellings. Subtle changes provide individuality between the proposed dwellings while seeking to maintain the pattern continuity of the overall building.

C4.14 Garages and driveways

Objectives

- To ensure car parking caters for anticipated vehicle movements to and from the development and does not adversely impact visual amenity.
- To ensure that vehicular access points and parking is safe and convenient for residents, visitors and service providers

Controls

- Where a common driveway is to be provided it is to have a minimum width of 3.6m.
- Where a common driveway is not provided, and individual driveways connect to the street, garages must be setback a minimum of 5.5m from the street or located 1m behind the building line, whichever is greater.
- Visual impact of long driveways should be minimised through changing alignments and landscaping.
- Traffic calming devices, such as changes in paving material or textures, should be used where appropriate.

- Pedestrian and vehicle access should be separated and distinguishable.
Design solutions may include:
 - changes in surface materials;
 - level changes;
 - the use of landscaping for separation.

C4.15 Site facilities**Objective**

To ensure facilities and services are appropriately located.

Controls

- Equipment, such as water tanks, pool pumps and air conditioners, are to be located and shielded to minimise the impact of noise on adjoining dwellings.
- **Waste storage and recycling area**s are to be provided behind the building line or setback of a dwelling and adequately screened.
- Mail boxes are adjacent to the major entrance.
- Street/unit numbers are identifiable from the street.
- A suitable open-air area for clothes drying is to be provided for each dwelling behind the building line or setback with a northerly aspect.

C5 Home Business or Home Industry

Application

This chapter applies to development that is defined as home business or home industry.

Chapter Summary

- This chapter provides controls for home industry businesses to ensure consideration of the community.

The **DASH** sets out the information that is required to accompany a development application to address the relevant objectives and controls of this chapter.

C5.A Residential amenity

Objective

To ensure home businesses or home industries do not adversely impact on neighbouring residents or the amenity of the area.

Controls

C5.1 Hours of operation are merit-based or in accordance with:

- Monday to Friday: 8am-6pm
- Saturday: 9am-12pm
- Sunday or public holidays: not allowed to operate

The hours of operation may be further restricted depending on the location and nature of the development.

C5.2 The home business or home industry must not cause nuisance or offence by way of dust, noise, vibration, smell, **waste** or traffic generation.

C5.3 Storage of goods or equipment must be within the confines of the building.

C5.4 A maximum of two vehicles or trucks associated with the operation of the home business or home industry may be kept on the site at any one time, and only one trailer per truck is permitted.

C5.5 Vehicle storage areas are located behind the building line.

C6 Restricted or Sex Services Premises

Application

This chapter applies to development that is defined as a restricted premises or sex services premises.

Chapter Summary

- This chapter provides controls for restricted premises and sex services premises to ensure they are safe and appropriately located.
- Restricted premises includes adult stores.

The **DASH** sets out the information that is required to accompany a development application to address the relevant objectives and controls of this chapter.

C6.A Building entries - restricted premises

Objective

To provide clear direction for building entries and to ensure they are located appropriately.

Controls

C6.1 The building entrance should be located 400m from:

- a dwelling on land zoned residential; and
- a child care centre, community facility, education establishment, hospital or place of **public** worship.

C6.2 Building entries must be discrete and unobtrusive.

C6.B Design of premises - sex services

Objectives

- To provide clear direction for building entries and to ensure they are located appropriately.
- To ensure the privacy and comfort of patrons.
- To protect children from risk of harm.
- To maximise the safety and security of staff, clients and the general public by upholding principles of **CPTED**.

Controls

C6.3 The building entrance should be:

- located 150m from a dwelling on land zoned residential;
- located 200m from a child care centre, community facility, educational establishment or recreational area; and
- designed so that there is only one **public** entrance to the premises located at the front of the building.

C6.4 All premises are to have either an intercom or a duress alarm in each working room that is used for sexual activity. Alarms are to connect back to a central base, such as reception, that is to be monitored at all times.

C6.5 The premises is to have an adequate reception area/waiting room with a minimum area of 20m², to prevent clients from loitering outside.

C6.6 No more than five rooms are to be provided in which acts of prostitution are to take place.

C6.7 Staff facilities must include a communal lounge or rest area and a bathroom for staff use only.

C6.8 Toilet and bathroom facilities must be provided within the premises and not be shared with any other premises within the building.

C6.9 **Sex services premises** must be designed to minimise noise transmission.

C6.C Signage**Objective**

To ensure signage provides identification for the premises in a manner that is discrete and complementary to the streetscape.

Control

C6.10 The business identification sign is to be devoid of sexually explicit images, language or objects.

C7 Signage

Application

This chapter applies to development defined as business identification and advertising signage that is located on private property.

This chapter should be read in conjunction with Chapter 3 Advertising and Signage of *State Environmental Planning Policy (Industry and Employment) 2021*.

Chapter Summary

- This chapter provides controls for signage located on private land in rural, residential, commercial and industrial zones, including size and design considerations for signage that cannot otherwise be installed under the *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*.
- Signage must relate to a business located on the property.
- Signage types not listed are generally not supported.

The *DASH* sets out the information that is required to accompany a development application to address the relevant objectives and controls of this chapter.

Council's signage policy, *Information and Direction Signs in Road Reserves*, covers signage on roads and in reserves under Council's care and control.

Signs on the State managed road network are the responsibility of Transport for New South Wales.

C7.A Rural zones

Objectives

- To enable approved or registered businesses to be identified clearly.
- To ensure that signage is compatible with the existing or desired future character of an area.
- To facilitate the positive contribution that signage makes to the local economy.

Controls

C7.1 The content of the sign is limited to business identification.

C7.2 Approved businesses associated with a rural property can have one business identification sign, or two where the property has dual road frontage. Signage is in accordance with the following:

- The maximum display area is no greater than 3m².
- The maximum height is 2m above ground level.
- Internal illumination is by means of external recessed or concealed spotlighting.
- Mechanical or electronic moving images or displays, including portable LED signs, video/tv screens, projected laser advertising and other intermittently illuminated or sequenced lighting signs, need to demonstrate that they are appropriate for the particular site and circumstances
- Signage is securely attached to a fence, building or post-supports and does not constitute a danger to any person or vehicles.

Figure 37-38: Signage types



C7.B Residential zones

Objectives

- To enable approved or registered businesses to be identified clearly.
- To ensure that signage is compatible with the existing or desired future character of an area.
- To facilitate the positive contribution that signage makes to the local economy.

Controls

C7.3 The content of the sign is limited to business identification.

C7.4 Approved businesses associated with the property can have one business identification sign, or two where the property has dual road frontage. Signage is in accordance with the following:

- Maximum display area of 2m².
- Maximum height of 2m above ground level.
- Is not illuminated.
- Is securely attached to a fence, building or post-supports and it does not constitute a danger to any person or vehicles.

C7.C Commercial and industrial zones

Objectives

- To enable approved or registered businesses to be identified clearly.
- To ensure that signage is compatible with the existing or desired future character of an area.
- To facilitate the positive contribution that signage makes to the local economy.

Controls

C7.5 The content of the sign is limited to business identification.

C7.6 The design, size and scale of signage complements the existing or desired future character of the area. For example, bright fluorescent colours may not be supported in centres with heritage or other important aesthetic values.

C7.7 Signage is simple, clear and concise, and provides essential information only.

C7.8 Illuminated signage:

- Is compatible with surrounding land uses and does not cause distraction or nuisance to neighbouring properties, residential areas or traffic.
- Illumination is restricted to the hours between 7am and 10pm, or close of business (whichever is the lesser).

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- Illumination sources (including cabling) are concealed or integrated within the sign.
- Is generally not supported in connection with heritage items.
- Mechanical or electronic moving images or displays, including portable LED signs, video/tv screens, projected laser advertising and other intermittently illuminated or sequenced lighting signs, need to demonstrate that they are appropriate for the particular site and circumstances.

C7.9 Signage that is attached to the wall of a building:

- Projects less than 300mm from the wall.
- Does not extend over windows or other openings or obscure significant architectural elements of the building.
- One wall sign, may be erected per facade of a building, per business.
- The maximum display area of the sign shall be:
 - 10% of a façade area measuring 200m² or more; or
 - Maximum 20m² of a façade measuring 100m² - 200m²; or
 - 20% of a façade area measuring 100m² or less.

C7.10 Signage that projects horizontally from the wall of the building to which it is attached, shall:

- have a maximum display area of 2m²;
- have a maximum projection of 2.5m from the edge of the building;
- be located at least 2.6m above **natural ground level**;
- be at least 600mm from the vertical projection of any kerb alignment;
- not project above the top of the wall to which it is attached;
- be spaced at least 3m from nearby signage to provide adequate visibility for other signs;
- be maximum of one sign per street frontage;
- be securely fixed and maintained in a structurally adequate and safe manner.

C7.11 Signage erected on a pole or pylon independent of any building or other structure:

- Signs shall not project beyond the boundary of a property;
- One sign per property frontage;
- Where two signs are proposed the second sign shall have the same setback and be of uniform design and spacing;
- Maximum signage area and maximum height shall not exceed:
 - 3m² and 2m high in **rural areas**
 - 8m² and 8m high in business areas
 - 10m² and 8m high in industrial areas
- Notwithstanding the above, the height of the structure shall not protrude above the dominant skyline (including any buildings, structures or tree

canopies) when viewed from ground level within a visual catchment of 1 kilometre.

C7.12 Signage within any window of a building:

- may be internally illuminated;
- may occupy no more than 20% or 6m² (whichever is the lesser) of the glazed surface of the window in which it is displayed.

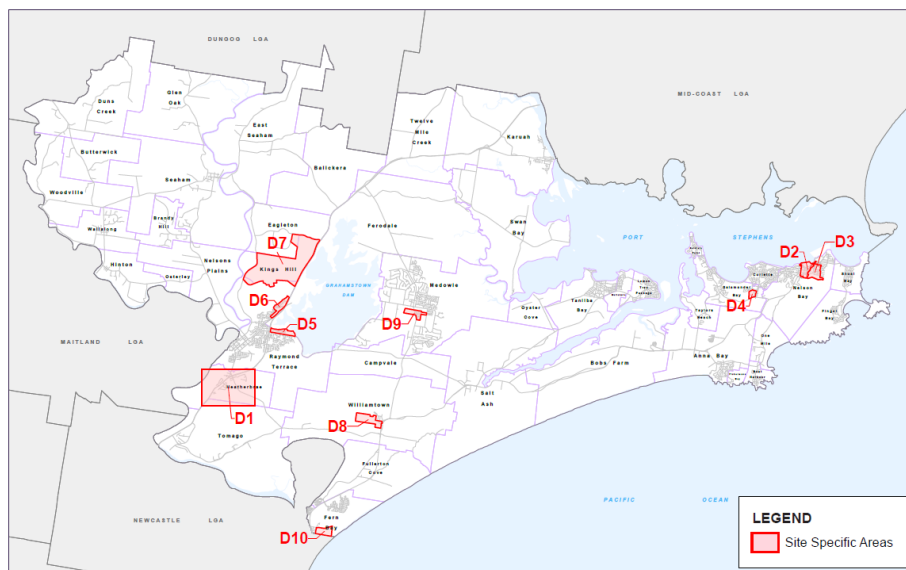
Portable signs are signs that can be readily moved and includes A-frame signs, portable flags, trailers and the like.

- A **Temporary Structure Application Form** must be submitted to Council with the required supporting documentation to ensure safety requirements are met and regulate the impact on pedestrians and road-users in order to keep businesses and their patrons safe.
- Signage displayed on trailers is not to be parked on any footpath, road related area, or road, whether attached to a vehicle or not, when the primary purpose for the placement of the trailer is for promotion or advertising.

D

Specific Areas

Figure 50: DCP Specific Areas – Land Application Map



Specific Areas

D1 Heatherbrae.....	106
D2 Nelson Bay Centre.....	108
D3 Seabreeze Estate – Nelson Bay	114
D4 Salamander Bay Shopping Centre	116
D5 Richardson Road – Raymond Terrace	118
D6 Rees James Road – Raymond Terrace	122
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D8 Williamstown Defence and Airport Related Employment Zone (DAREZ)	139
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D10 Stockton Rifle Range	148

D1 Heatherbrae

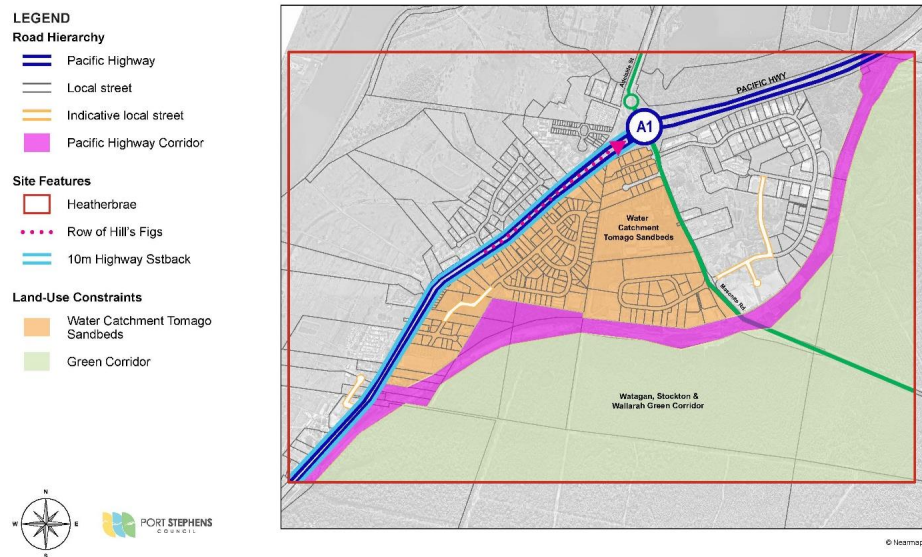
Application

This chapter applies to the land identified in **Figure 51** as Heatherbrae.

Chapter Summary

This chapter sets out controls to inform development in Heatherbrae.

Figure 51: Heatherbrae Locality Controls Map



The **DASH** sets out the information that is required to accompany a development application to address the relevant objectives and controls of this chapter.

D1.A Setback

Objective

To ensure development has regard to the Pacific Highway.

Controls

D1.1 Development on the Pacific Highway is to be setback 10m from the front boundary with a 5m wide landscape strip provided within the setback.

D1.B Street trees**Objective**

To ensure suitable street trees are appropriately sited.

Control

D1.2 Development continues the row of Hill's Figs on the western side and replicates the row of Hill's Figs on the eastern side of the Pacific Highway in Heatherbrae.

D1.C Street layout**Objective**

To ensure a permeable and connected street network with safe access from the Pacific Highway and Masonite Road.

Controls

D1.3 Street layout is consistent with **Figure 51**.

D1.4 Access to the Pacific Highway is restricted to those intersections identified on **Figure 51**.

D1.5 Access to Masonite Road is restricted to the intersections identified on **Figure 51**.

D1.6 Internal intersections contain concrete mediums with either a give-way or stop treatment.

D1.D Drainage and water quality**Objective**

To ensure development does not impact on water quality.

Control

D1.7 For up to and including the **1% Annual Exceedance Probability (AEP) flood event**, **on-site infiltration** is required in **stormwater requirement areas** where there is no legal discharge point in the catchment.

This applies to all of the land south of the highway on **Figure 51**.

D2 Nelson Bay Centre

Application

This chapter applies to the land identified in **Figure 52** as Nelson Bay Centre.

Chapter Summary

- This chapter sets out controls to inform development and desired character in various precincts in the Nelson Bay Town Centre.
- This chapter should be read in conjunction with the strategic plans for Nelson Bay published on Council's website.

For residential flat buildings the **NSW Apartment Design Guide** will prevail over this DCP.

Development in a prominent location and of a prominent scale, or where Council deems necessary, will be referred to the Urban Design Panel. Applicants will be encouraged to consult with the Urban Design Panel prior to lodgement.

Figure 52: Nelson Bay Town Centre Locality Controls Map



This chapter should be read in conjunction with Chapter B3 Stormwater Management and the DASH which provides detailed direction on information needed to support a development application.

D2.A General provisions

Objectives

- To maintain and enhance important views and ensure development integrates within the natural topography.
- To ensure development contributes to the existing compact and interconnected street pattern.
- To ensure buildings reinforce the natural amphitheatre landform of the Nelson Bay Town Centre.
- To ensure development is designed so as to contribute positively to the surrounding public domain.
- To ensure development enhances the desired local character.

Controls

D2.1 Development preserves the important vistas identified by Figure 52.

D2.2 Development is to ensure that roof tops do not adversely impact on the public domain when:

- Viewed from buildings at higher elevations;
- When approaching the town centre;
- Viewed from the street.

D2.3 Building materials are harmonious with existing buildings with reference made to the Coastal Design Guidelines for NSW.

D2.4 Development is to demonstrate design excellence, including:

- Consistency with the desired character statements set out in this chapter;
- Consideration of impacts on the public domain including views, overshadowing and the scale of the streetscape; and
- Architectural merit, for example by addressing local topography, the surrounding natural environment and waterways, green spaces, or vegetated ridgelines in the design of the development.

D2.B Village Precinct

Objectives

- To give effect to the character statements identified in the strategic plans for the centre that guide development within the Village Precinct.
- To ensure street activation and passive surveillance through activated street fronts.
- To facilitate development that is safe and secure for pedestrians and contributes to **public domain** safety by incorporating principles of **CPTED**, such as:
 - Territorial re-enforcement
 - Surveillance
 - Access control
 - Space/activity management.

Control

D2.5 Development within the Village Precinct has regard for the following:

- Development encourages street activation.
- Development provides continuity of an activated street frontage for localities where business or retail premises predominately face the street and have direct pedestrian access from the street.
- Development retains and enhances the existing character and function of Stockton and Magnus Streets as the main shopping streets in the town centre.
- Tall buildings are designed with the following:
 - Setbacks do not visually dominate at the street level.
 - Facades are detailed to promote clearly defined ground floor, first floor and second floor elements to manage the proportion of building height.
 - Built elements, including balconies, decks and architectural features of upper floors are set back to reinforce the prominence of a two storey street facing façade.
 - Articulation of the ground floor includes design elements like windows, doors, architectural details, or landscaping to create a more human-scaled, visually interesting, and pedestrian-friendly streetscape.

Note: C2.5 and C2.6 define minimum front setbacks from the **front property line**. Variation to these setbacks is acceptable where development aligns with the design excellence controls referenced in this chapter.

D2.C Town Living and Commercial Precinct

Objectives

- To give effect to the character statements identified in the strategic plans for the centre that guide development in the Town Living and Commercial Precinct.
- To encourage a diversity of residential accommodation types that support the Village Precinct.

Control

D2.6 Development within the Town Living and Commercial Precinct has regard for the following:

- A wide range of uses including residential, retail and business development will attract a range of housing types, including residential flat buildings, multi dwelling housing and shop top housing.
- The precinct is appropriate for larger scale developments, with large footprints.
- The mix of uses encourages residential living with live-work opportunities and boutique commercial office space.
- Development has regard for adjacent precincts that provide a change in scale.

D2.D Leisure and Tourism Precinct

Objectives

- To give effect to the character statements identified in the strategic plans for the centre that guide development in the Leisure and Tourism Precinct.
- To facilitate a Tourism and Leisure Precinct that supports the roles of adjoining precincts.

Control

D2.7 Development fronting Apex Park is to facilitate access to adjoining precincts and contribute to linking the Town Centre to the **foreshore** through Apex Park.

D2.E Foreshore Precinct

Objectives

- To give effect to the character statements identified in the strategic plans for the centre that guide development in the Foreshore Precinct.
- To encourage development to address the waterfront and to provide an attractive and safe pedestrian environment.
- To encourage the establishment of a destination development that will integrate with established and future pedestrian circulation patterns.

Control

D2.8 Development has regard for the following:

- Development, reinforces the visual and cultural importance of the waterfront.
- Development incorporates public art, which can act as landmarks.
- Water and marine related activities are complementary to commercial and leisure related uses.
- Accessible areas are provided.

Note: C2.27 requires commercial development of a significant scale, and that which provides frontage to the public domain, to incorporate public art in accordance with Council's **Public Art Policy and Guidelines**.

D2.F Green Link Precinct**Objectives**

- To give effect to the character statements identified in the strategic plans for the centre that guide development in the Green Link Precinct.
- To encourage the establishment of destination development that integrates with established and future pedestrian circulation patterns.

Control

D2.9 Development supports the Green Link Precinct being Nelson Bay's central meeting place and transition area. This area facilitates movement between the town centre and foreshore and consideration for connecting paths and a future location of cyclist end-of-trip facilities should be made.

D2.G Foreshore Town Living Precinct**Objectives**

- To give effect to the character statements identified in the strategic plans for the centre that guide development in the Foreshore Town Living Precinct.
- To encourage development that addresses the waterfront and provides an attractive and safe pedestrian environment.
- To encourage development that attracts pedestrians and integrates with established and future pedestrian circulation patterns.

Control

D2.10 Development within the Foreshore Town Living Precinct has regard for the following:

- Development is designed to ensure the natural setting of the town centre, as viewed from the water, is retained.
- Development will have regard for adjacent precincts that provide a change in scale.
- Mature street plantings are to provide shading for pedestrians and reduce perception of development scale.

D3 Seabreeze Estate – Nelson Bay

Application

This chapter applies to the land identified in **Figure 53** as Seabreeze Estate - Nelson Bay.

Chapter Summary

This chapter sets out controls to inform development in the Seabreeze Estate which due to its location in a sensitive catchment has additional controls for stormwater management.

Figure 53: Seabreeze Estate – Nelson Bay



This chapter should be read in conjunction with Chapter B3 Stormwater Management and the **DASH** which provides detailed direction on information needed to support a development application.

D3.A Stormwater management

Objectives

- To ensure stormwater works that are required for the implementation of stormwater management within Seabreeze Estate and the groundwater catchment draining to Melaleuca Estate can be managed.
- To recognise that rainwater tanks will lead to a reduction in the amount of roof run-off discharging to public drainage.
- To reduce stormwater entering Melaleuca Estate and mitigate for potential loss in water quality.

Controls

D3.1 Development provides rainwater tanks that:

- Provide a minimum storage volume of 5,000L per unit.
- Are configured to allow use of the water for non-potable purposes.
- Direct overflow to an on-site infiltration system.

D3.2 Development that increases impervious surfaces by more than 10% or 50m² is to provide on-site infiltration.

D3.3 The capacity of on-site infiltration or on-site detention shall cater for all storm events up to and including the 1% Annual Exceedance Probability (AEP) with durations up to 72 hours considered.

D3.4 Stormwater drainage pipes, pits, overland flow and discharge points discharge to either one of the following:

- on-site detention systems where soil conditions are not suitable for infiltration
- directly onto the ground surface, if adjacent properties are not affected
- underground infiltration systems where the soils are suitable

D3.5 On-site detention is required where it can be demonstrated that soil conditions are not suitable for on-site infiltration.

D4 Salamander Bay Shopping Centre

Application

This chapter applies to the land identified in **Figure 54** as Salamander Bay Shopping Centre.

Chapter Summary

- This chapter sets out controls to inform development at the Salamander Bay Shopping Centre which is an economic and community hub.
- Development of the centre must be sympathetic to surrounding land uses.

Figure 54: Salamander Bay Shopping Centre

LEGEND
Site Identification Map
B8 Salamander Bay Shopping Centre



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D4.A Planning principles

Objective

To provide guidance to the development of the Salamander Bay Shopping Centre Precinct.

Controls

D4.1 To create a sense of identity for a unified community and commercial precinct.

D4.2 To ensure future development is sympathetically integrated with the existing surrounds and appropriately activates the precinct.

D4.3 To ensure an integrated pedestrian and vehicular network promotes improved connectivity between developments within the precinct, and reaffirms the precinct as a hub.

D4.4 To ensure appropriate intersections are considered to accommodate for the expansion of the precinct.

D4.5 To ensure future development respects neighbours and users of the precinct.

D4.6 To ensure future development protects the ecological systems within and adjacent to the precinct.

D4.7 To ensure future development is designed with the safety of neighbours and users in mind.

D4.8 To ensure future development supports and is consistent with community activities.

D4.9 To ensure diverse aesthetic forms are appropriately developed with the human scale in mind and integrated with in a holistic aesthetic framework for the hub.

D4.10 To ensure future development offers economic advantages to the community in the immediate and long term.

D5 Richardson Road – Raymond Terrace

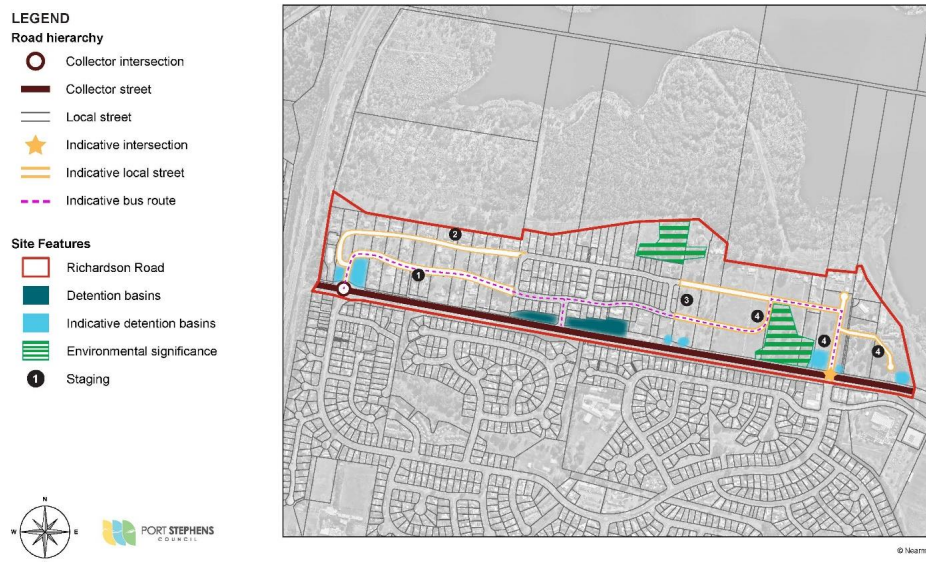
Application

This chapter applies to the land identified in **Figure 55** as Richardson Road - Raymond Terrace.

Chapter Summary

- This chapter sets out controls to inform subdivision and road network layout in the area defined in **Figure 55**.

Figure 55: Richardson Road – Raymond Terrace Locality Controls Map



The **DASH** sets out the information that is required to accompany a development application to address the relevant objectives and controls of this chapter.

D5.A Street layout and transport network

Objectives

- To ensure that a well-planned and connected street layout for the area is delivered and not compromised by development on a single site.
- To achieve efficient and equitable pedestrian, cycle, public transport and private vehicle connectivity between lots and precincts, the local centre and nearby service areas.
- To ensure the street layout limits access to the Pacific Highway and Richardson Road.

Controls

D5.1 Street layout is generally consistent with the locality controls map at Figure 55.

D5.2 No additional direct driveway access to and from Richardson Road is permitted.

D5.3 No intensification of existing driveway access, to and from Richardson Road is permitted, except for:

- Dual occupancies; or
- Secondary dwellings.

D5.4 Development applications must provide for wider street network connectivity in a grid-like structure. The subdivision or development of a lot proposing a road layout that prevents the effective connectivity of the wider street network will not be supported.

D5.5 Subdivisions that propose street networks are to be informed by road connections to future subdivisions on adjoining land. Development applications shall identify future road connections to adjacent land.

D5.6 Development within Area 1 or 2 (as shown on Figure 55) is to provide continuous road construction to Baluster Way, Lake View Crescent or Richardson Road in accordance with Figure 55.

- Development proposing to use the Halloran Way and Richardson Road intersection must demonstrate the intersection has adequate capacity to support additional traffic generated by the development.
- Where development exceeds the intersection capacity at Halloran Way and Richardson Road, continuous road connection to the eastern or western intersection of Benjamin Lee Drive and Richardson Road must be provided in accordance with Figure 55.

D5.7 Local roads connecting to Richardson Road, Halloran Way and Baluster Street are constructed as bus routes in accordance with Council's Infrastructure Specification.

D5.8 Pedestrian and shared paths are provided in accordance with Figure 55 and the Council's Infrastructure Specification.

D5.9 Access to Richardson Road must be provided in accordance with Figure 55.

D5.10 Subdivisions along Richardson Road must provide for an attractive and low maintenance landscape along the road frontage, and in accordance with Council's Biodiversity Technical Specification.

D5.B Stormwater drainage and water quality

Objectives

- To ensure environmentally sustainable and affordable water management solutions are implemented on a catchment-wide basis and not compromised by development on a single site.
- To safeguard nearby sensitive wetlands by improving the quality of stormwater runoff.
- To improve or maintain water quality within the Grahamstown Dam Drinking Water Catchment.
- To ensure that stormwater from development is adequately managed to provide for common stormwater management infrastructure.

Controls

D5.11 On-site detention / on-site infiltration is required for all new development where impervious areas are proposed.

D5.12 The on-site detention / on-site infiltration is to be:

- Sized so that the post-development flow rate and volume equals the pre-development flow rate and volume for all storm events up to and including the 1% Annual Exceedance Probability (AEP) storm event; and,
- Provided by underground chambers, surface storage or a combination of the two.

Pre-development is prior to any development occurring on the land.

D5.13 Drainage reserves are located generally in accordance with the locality controls map at Figure 55.

D5.14 All new development must demonstrate there would be no adverse impact on the operation of the drainage reserve or adjoining land on which stormwater is discharged.

D5.15 When a development application is received for subdivision greater than three lots, or would result in an impervious area greater than 60% of the **site area**, it must demonstrate that the quality of water released into **public drainage** achieves Council's **water quality stripping targets** for the area.

D6 Rees James Road – Raymond Terrace

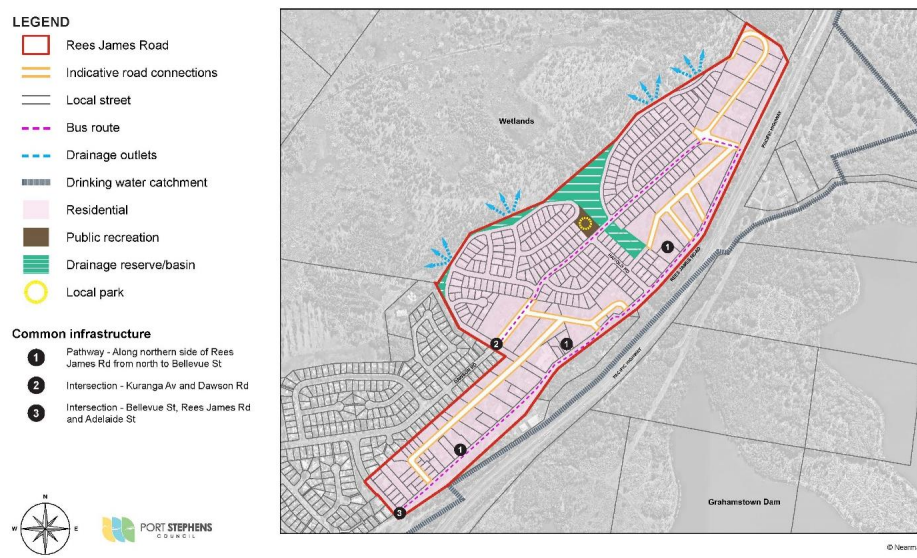
Application

This chapter applies to the land identified in **Figure 56** as Rees James Road - Raymond Terrace.

Chapter Summary

- This chapter sets out controls to inform development in the area defined in **Figure 56**.

Figure 56: Rees James Road – Raymond Terrace Locality Controls Map



The **DASH** sets out the information that is required to accompany a development application to address the relevant objectives and controls of this chapter.

D6.A Street layout and transport network

Objectives

- To ensure that a well-planned and connected street layout for the area is delivered and not compromised by development on a single site.
- To achieve efficient and equitable pedestrian, cycle, public transport and private vehicle connectivity between lots and precincts, the local centre and nearby service areas.

Controls

D6.1 The street layout is generally consistent with the locality controls map at **Figure 56**.

D6.2 Street layout variations are permitted where an access point is provided to Rees James Road, Dawson Road or Rosie Road, or where sufficient justification is provided that a variation will achieve the above objectives and satisfy other requirements of this DCP.

D6.3 Development must:

- Provide for wider street network connectivity in a grid-like structure.
- Where possible, provide a through road to existing roads. If constraints of the site do not permit a through street, the development is to include potential connections to adjoining future subdivisions.
- Avoid the use of cul-de-sacs as a means of lot access. Where cul-de-sacs cannot be avoided, they are to be restricted to:
 - Maximum length of 75m; and
 - Access to a maximum of 10 dwellings.

D6.4 Subdivisions that propose street networks are to be informed by road connections to future subdivisions on adjoining land. Development applications shall identify future road connections to adjacent land where necessary.

D6.5 The positioning and design of the transport movement network provides priority to facilitate efficient walking, cycling and public transport networks whilst retaining and complementing natural topography, such as views and drainage.

D6.6 Designated **public** transport routes as identified on the locality controls map at **Figure 56** are constructed as bus routes in accordance with Council's **Infrastructure Specification**.

D6.7 Access to **public** transport routes or to future **public** transport stops and should be no more than 400m walk by the most direct route.

D6.8 Road widening will be required for all subdivisions along Rees James Road to ensure safe and adequate vehicle manoeuvring.

D6.B Lot orientation and access

Objective

To ensure street activation is provided through building orientation to Rees James Road.

Control

D6.9 Development adjoining Rees James Road must be orientated towards, and have a primary entrance that is visible and accessible from, Rees James Road.

D6.C Stormwater drainage and water quality

Note: Chapter B3 Stormwater Management provides further consideration towards **on-site detention** / **on-site infiltration**. Requirements in this chapter exceed and supersede those under Chapter B3 Stormwater Management.

Objectives

- To ensure environmentally sustainable and affordable water management solutions are implemented on a catchment-wide basis and not compromised by development on a single site.
- To safeguard nearby sensitive **wetlands** by improving the quality of stormwater runoff.
- To improve or maintain water quality within the Grahamstown Dam Drinking Water Catchment.
- To ensure that stormwater is adequately managed to provide for common stormwater management infrastructure.

Controls

D6.10 **On-site detention** / **on-site infiltration** is required for all new development where impervious areas are proposed.

D6.11 The **on-site detention** / **on-site infiltration** is to be sized so that the post-development flow rate and volume equals the pre- development flow rate and volume for all storm events up to and including the **1% Annual Exceedance Probability (AEP)** storm event.

D6.12 **Drainage reserves** are located generally in accordance with the locality controls map at **Figure 56**.

D6.13 Development must demonstrate that there would be no adverse impact on the operation of the **drainage reserve** or adjoining land on which stormwater is discharged.

D6.14 When a development application is received for subdivision greater than three lots or would result in an impervious area greater than 60% of the **site area**, it must demonstrate that the quality of water that is released into **public drainage** achieves Council's **water quality stripping targets** for the area.

Water quality stripping targets are to be in accordance with B3.B Stormwater quality in Chapter B3 Stormwater Management.

D6.D Recreation and visual amenity

Objectives

- To ensure the provision of an adequate area of **public open space** is provided for the amenity of residents.
- To provide an attractive and low maintenance landscape along Rees James Road.

Controls

D6.15 An area of **public open space** is to be located in general accordance with the locality controls map at **Figure 56**.

D6.16 Landscaping plans for subdivisions along Rees James Road must provide for an attractive and low maintenance landscape along the road frontage, and in accordance with Council's **Biodiversity Technical Specification**.

D7 Kings Hill – Raymond Terrace

Application

This chapter applies to the land identified in **Figure 57** and **Figure 58** as Kings Hill - Raymond Terrace.

Chapter Summary

- Kings Hill is an identified urban release area under **Part 6 of the LEP**. The purpose of Part 6 is to ensure that development occurs in a logical and cost-effective manner, in accordance with a staging plan and only after a development control plan (DCP) that specifies specific controls for the land has been prepared.
- **Clause 6.3 of the LEP** sets out the matters that must be provided for in the DCP. This part specifies the additional information required to meet those requirements.
- The locality controls map at **Figure 57** in this chapter, sets out the broad development pattern for Kings Hill. Individual development precincts are identified on this plan and on the maps in the **LEP**.
- This chapter specifies additional information requirements to be included in a detailed **precinct plan** to be prepared for each precinct. **Precinct plans** will:
 - be included as future amendments to this DCP; or
 - be provided as a staged development application for each development precinct.
- Subsequent development applications in each precinct will be consistent with the **precinct plan** or supported by a revised **precinct plan** demonstrating consistency with the requirements of **clause 6.3 of the LEP** and of this part.

Figure 57: Kings Hill - Raymond Terrace Locality Controls Map 1

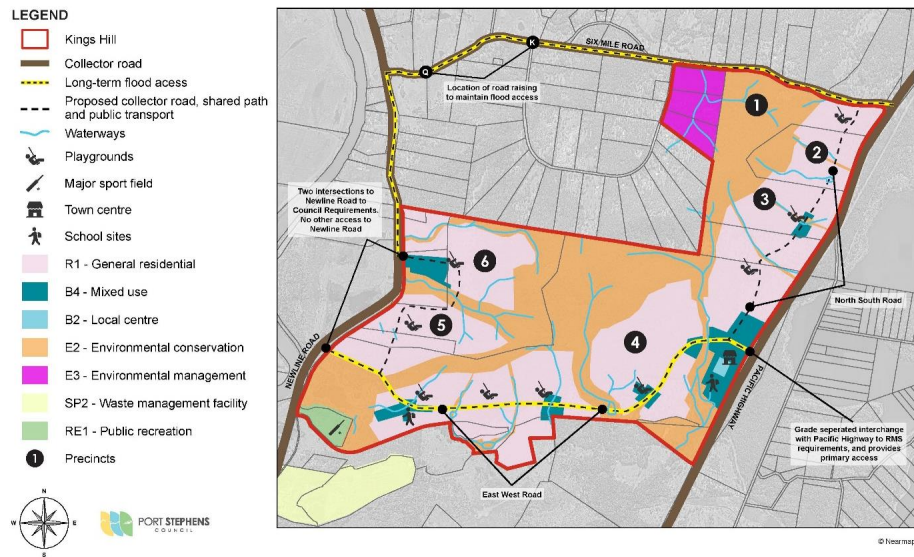
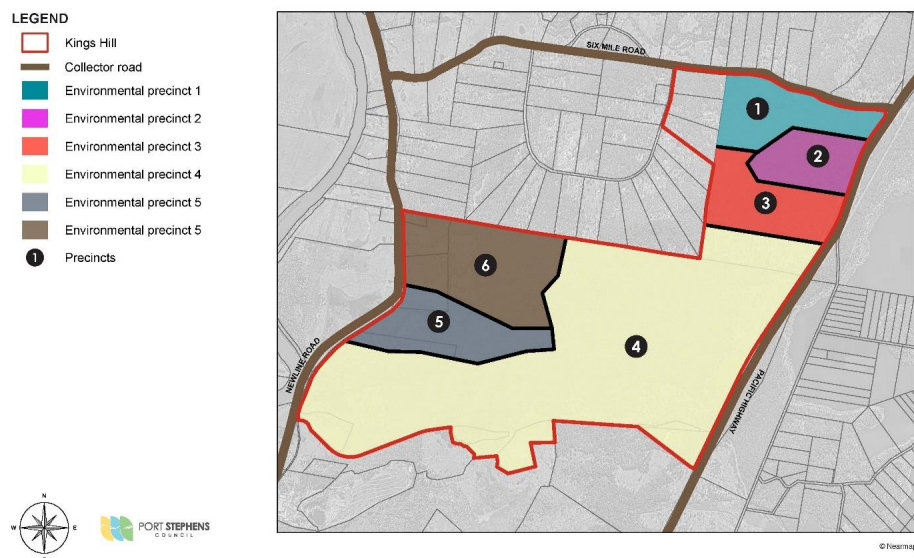


Figure 58: Kings Hill - Raymond Terrace Locality Controls Map 2



D7.A Structure planning and precinct planning

Objectives

- To ensure consideration is provided to the relationship between residential, commercial, mixed use, open space, biodiversity and important infrastructure, such as the Pacific Highway and Grahamstown Dam.
- To ensure development occurs in a logical and coordinated manner.
- To ensure development is efficient and results in cost effective infrastructure and adequate access to services by residents.
- To ensure the town centre facilitates a sense of place and community while complementing the economic and community function of the existing higher order regional centre of Raymond Terrace.
- To ensure a hierarchy of centres within the Kings Hill urban release area with a high quality of design, a high amenity public domain and excellent connectivity to the adjacent residential areas.

Controls

Residential precinct plans

D7.1 A precinct plan is prepared to accompany the first stage of a development application in any of the development precincts identified on the LEP.

D7.2 Development is generally consistent with the locality controls map at Figure 57.

D7.3 Development consent for the purposes of a super lot does not require preparation of a precinct plan.

D7.4 Staging for the urban release area as a whole will be determined by the provision of essential services and may involve development occurring simultaneously in different parts of the locality.

D7.5 Each precinct plan is to include a staging plan that is lodged with the first stage and provides for the timely and efficient release of urban land making provision for necessary infrastructure and sequencing.

D7.6 Each stage of development may be subdivided into sub-stages. Any sub-stages should be identified in the SEE to accompany the development application for subdivision, together with a description of the sub-stages and the impact of the sub-stage sequence on the provision of essential services.

D7.7 Detail for any land zoned E1 Local Centre or MU1 Mixed Use need not be provided until consent for initial subdivision of that land is sought.

Town Centre and Village Centre precinct plans

D7.8 Consent for initial subdivision of land zoned E1 Local Centre or MU1 Mixed Use requires preparation of a town or village centre **precinct plan** for the entire zoned area.

D7.9 The town or village centre **precinct plan** is to illustrate the conceptual location of streets, major pathways, major uses, **public** spaces, built-form and access provision as well as the relationship of the area to adjacent residential and **public open space** areas.

Subdivision layout

D7.10 Subdivision layout enables neighbouring sites/precincts to deliver the outcomes sought by the locality controls map.

Note: Chapter C1 Subdivision details principles relating to subdivision layout and procedure with the following exceptions or qualifications.

Open Space is to be provided generally in accordance with the locality controls map and with areas consistent with the local infrastructure contributions requirements for Kings Hill.

Servicing

D7.11 Consent for the subdivision of land other than for the creation of a **super lot** requires a **servicing strategy** which includes (at a minimum) the:

- sequence, location and other details of the provision of public utilities; and
- availability of urban services and infrastructure to residents, including **public open space**, **shared paths**.

D7.12 All commercial and residential allotments are to be serviced by reticulated water, sewerage, electricity and telecommunication services.

D7.B Traffic and transport

Objectives

- To achieve connectivity between precincts, the local centre and nearby service areas.
- To ensure Kings Hill has a defined transport structure and road hierarchy.
- To ensure an east west road link is provided between Newline Road and the Pacific Highway in a direct, timely and efficient manner.
- To ensure the pedestrian and cycle network provides convenient and safe access to the precinct centres, schools, community facilities, **open space** and other important destinations outside of Kings Hill to encourage walking and cycling.
- To ensure the Pacific Highway interchange is the primary access point.

Controls

Transport movement hierarchy

D7.13 Each precinct plan requires preparation of an overall transport movement hierarchy which:

- shows the major circulation routes and connections to achieve a simple and safe movement system for private vehicles, public transport, pedestrians and cyclists.
- is generally consistent with the overall road network and the pedestrian and cycleway networks indicated on the locality controls map at Figure 57.
- indicates progressive provision of the east-west and north-south connector roads as well as direct connections to adjacent precincts.

D7.14 Positioning and design of the transport movement network provides priority to facilitating efficient walking, cycling and public transport networks and retaining and complementing natural topography, such as views and drainage.

Collector roads

D7.15 Development within each precinct provides internal collector roads generally consistent with the locality controls map at Figure 57.

D7.16 Subdivisions adjacent to collector roads orientate allotments and dwellings to face and have access from the collector road.

East-west road 4 lane section

D7.17 The eastern end of the east-west collector road, for a length of approximately one kilometre, is to have two travel lanes in each direction. This section of the east-west road is constructed generally in accordance the Illustration at Figure 59.

Figure 59: Illustration of cross section of four-lane part of east-west road

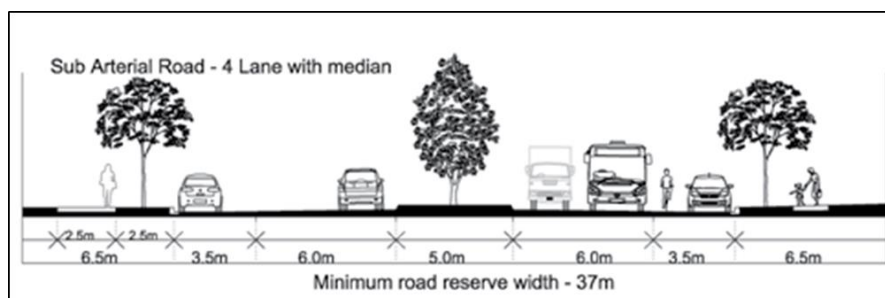
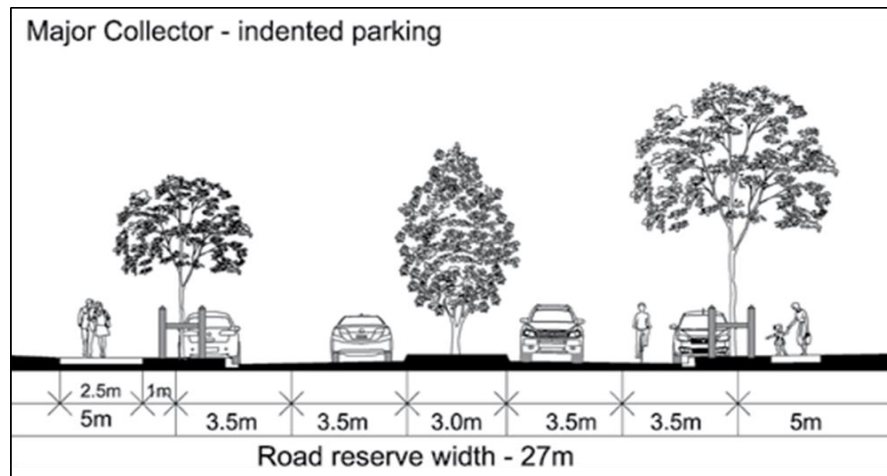


Figure 60: Illustration of cross section of two-lane part of east-west road



Subdivision certificate

D7.18 Within each precinct, collector roads are constructed to the boundary of the adjoining precinct prior to the release of a subdivision certificate for a cumulative total of no more than 75% of the lots.

D7.19 Within Precinct 6, the east-west road is constructed from the western boundary of the precinct to Newline Road and collector roads connect to the southern boundary of Precinct 7 prior to the release of a subdivision certificate for a cumulative total of no more than 50% of the lots.

Newline Road

D7.20 Maximum number of lots with sole access to Newline Road is 1200. Consent for lots in excess of this number requires connection to the Pacific Highway via the east-west collector road.

The LEP may include a requirement that development consent must not be granted for the subdivision of land in an urban release area unless arrangements have been made, to the satisfaction of Roads and Maritime Services and the consent authority, for the provision of vehicular access from the urban release area to the Pacific Highway, including the closure or modification of any existing vehicular access from any land adjoining the Pacific Highway, if necessary.

Pre-Pacific Highway interchange access

D7.21 Development with sole access from Newline Road requires upgrade works to provide 5% AEP flood immunity for the Kings Hill development flood access route consisting of local road raising of two sections of Six Mile Road, being an approximate:

- 100 metre section at location K on the locality controls map at Figure 57 near the intersection of Winston Road. These works also require appropriate raising of Winston Road in the vicinity of the intersection.
- 60 metre section at location Q on the locality controls map at Figure 57 near the intersection of Newline Road.

Note: The LEP may include a requirement that development consent must not be granted to development on land identified as 'Kings Hill' on the precinct areas map unless the consent authority is satisfied that there will be suitably located vehicular access from that land to the Pacific Highway, having regard to flood risk.

A Kings Hill Flood Free Access Study was prepared on behalf of Council by BMT WBM in 2012 to identify necessary road upgrade requirements.

Public transport

D7.22 Designated public transport routes as identified on the locality controls map at Figure 57 are constructed as bus routes in accordance with Council's Infrastructure Specification.

D7.23 Bus stops are to be identified prior to final completion.

Paths

D7.24 Pedestrian and cycle paths (including shared paths) are provided generally in accordance with the locality controls map at Figure 57.

Pedestrian path

D7.25 A pedestrian path is provided on one side and a shared path of all:

- collector roads
- roads that are within a E1 Local Centre Zone or MU1 Mixed Use zone
- roads within 400m of and providing the primary frontage to a school or major community facility.

Note: Chapter B5 Road Network and Parking generally requires road to be constructed in accordance with Council's Infrastructure Specification.

End of trip facilities

D7.26 End of trip facilities are provided at precinct centres, community facilities and regional parks. End of trip facilities incorporate the following:

- One personal secure locker for each bicycle parking space under Figure 10.
- One shower cubicle, with ancillary change rooms, per 13 bicycle spaces (or part thereof over four spaces) with a minimum of one shower and change facility.

D7.C Social infrastructure

Objective

Social infrastructure is to be located appropriately to meet the needs of the community.

Controls

Community and recreation facilities

D7.27 Precinct plans identify the location of required community and recreation facilities, generally in accordance with the locality controls map at Figure 57.

Community facilities

D7.28 Community facilities such as the multi-purpose community centre are preferably located within the town centre as identified on the locality controls map at Figure 57.

Schools

D7.29 The preferred locations of schools are identified on the locality controls map at Figure 57. School sites will be subject to the site-selection criteria and agreement of the NSW Department of Education and Training and will be indicated on the relevant precinct plans. The developer is to consult with the Department of Education and Port Stephens Council to determine suitable school locations.

D7.D Drainage and water quality

Objective

To ensure environmentally sustainable and affordable water management is provided with a catchment-based approach that recognises the flows between precincts, landholdings and the sensitive nature of the receiving waters.

Controls

Eastern catchment and Grahamstown Dam

D7.30 All stormwater from development areas up to 0.2% AEP design flood event is prevented from discharging into Grahamstown Dam. This may require construction of a watercourse along the eastern extent of developable areas of the Kings Hill

urban release area to divert surface runoff away from Grahamstown Dam and into Irrawang Swamp.

Note: The LEP may require consideration to be given to impacts on drinking water catchments.

Water Management Strategy

D7.31 Consent for development within the eastern and western catchments first requires lodgement of a **stormwater drainage plan** addressing drainage and water quality management for the entire catchment, to the satisfaction of the consent authority.

Note: Kings Hill Urban Release Area Water Management Strategy Guidelines were prepared on behalf of Council by BMT WBM in 2013. The Guidelines identify sub-catchments in the eastern and western catchment of the urban release area. The Guidelines include a 'Model Water Management Strategy' for future development of the urban release area, preliminary stormwater quantity and quality modelling, and identification of options to achieve the required outcomes for the eastern catchment. A preferred option is identified.

D7.32 Each **precinct plan** is to identify stormwater drainage and water quality management controls for relevant sub-catchments consistent with the relevant catchment-wide **stormwater drainage plan**.

Note: The LEP may require consideration of impacts on the Drinking Water Catchment.

D7.E Natural resources

Objective

To ensure that development responds to the biodiversity values of the site.

Controls

Vegetation management plan

D7.33 Applications for development on land zoned C2 Environmental Conservation or subject to terrestrial biodiversity controls in the LEP within each environmental precinct provide a VMP to the satisfaction of Council in accordance with Council's **Biodiversity Technical Specification**. The VMP is provided with the **precinct plan** for the relevant environmental precinct boundaries identified by **Figure 57**. The VMP also addresses the following location specific information:

- Requirements to protect the creek line and other areas to be conserved, such as

ITEM 6 - ATTACHMENT 1 DEVELOPMENT CONTROL PLAN 2025.

fencing, sediment control devices and appropriate signage; and

- Details of re-vegetation, restoration and weed control, including riparian corridors. Areas affected by degradation, erosion and/or rubbish dumping should also be rehabilitated
 - A draft is provided with the development application and the final signed off by Council prior to the release of the construction certificate.

Note: If development does not pose a significant effect under 5A of the EP&A Act, but proposes unavoidable vegetation impacts then a VMP that is consistent with Council's Biodiversity Technical Specification is required.

Illegal dumping

D7.34 Measures, such as fencing and block configuration seek to restrict unauthorised access to C2 Environmental Conservation land to prevent rubbish dumping and damage by uncontrolled vehicle usage.

Riparian corridors

D7.35 Development involving a controlled activity within waterfront land is to comply with the requirements of the Water Management Act 2000 (NSW).

Note: Chapter B2 Natural Environment provides further localised detail for buffers for riparian corridors.

D7.F Waste treatment facility

Objectives

- To ensure hazards from former landfills are managed.
- To ensure appropriate buffers that will minimise potential land use conflict between existing and proposed development.

Controls

Waste treatment facility

D7.36 All development within 250m of the Newline Road Waste Disposal Facility or any land in proximity as identified by Council has the potential to have methane concentrations of greater than 1.25% (v/v) in the subsurface and is to be tested with a tested/calibrated methane detector over regular intervals 12 months prior to a subdivision application being lodged with Council for determination.

D7.37 Development and monitoring should comply with the relevant sections of the NSW Environmental Protection Agency 'Environmental Guidelines: Solid Waste Landfills' 1996, or its successor.

Note: The LEP may require development to be designed, sited or managed to avoid any adverse odour, noise and visual impacts arising out of the authorised use and operation of any public infrastructure.

D7.G Pacific Highway impacts

Objectives

- To ensure that development in Kings Hill is not adversely affected by noise and vibration from the Pacific highway.
- To ensure development is buffered from view of traffic on the Pacific Highway.

Controls

Acoustic / vibration

D7.38 Consent for development in precincts 1 to 4 requires an acoustic report consistent with the DASH and the following:

- Development meets the requirements of AS 3671-1989 Acoustics – Road Traffic Noise Intrusion – Building, Siting and Construction.
- Acoustic/vibration measures undertaken to comply with the conditions of development consent for a subdivision may remove the need for additional acoustic/vibration assessments and attenuation measures for subsequent developments.

Note: An acoustic report is required for development that has the potential to produce or be impacted by offensive noise.

Land-use buffers

D7.39 Development at Kings Hill is visually buffered from the Pacific Highway by a minimum of 10m of landscaping. This landscaping will be implemented through individual development applications and may be indicated on precinct plans, the stormwater drainage plan for the eastern catchment, and/or plans for construction of the Highway interchange.

D7.H Aircraft noise

Objectives

- To ensure development satisfies the requirements of the LEP.
- To ensure appropriate consideration is given to land burdened by aircraft noise.

Controls

Aircraft noise

D7.40 Kings Hill is located in proximity to the Port Stephens aircraft noise planning area. B6 Aircraft Noise and Safety details what is to be considered when development is located within the aircraft noise planning area.

Figure 61: Meeting the requirements to prepare a DCP under the LEP

Local Environmental Plan DCP requirements	How requirements are met
a. a staging plan for the timely and efficient release of urban land making provision for necessary infrastructure and sequencing	Met by provision of a Staging Plan (D7.5 in this chapter) with the application for the first stage of development in each precinct.
b. an overall transport movement hierarchy showing the major circulation routes and connections to achieve a simple and safe movement system for private vehicles, public transport, pedestrians and cyclists	Met by provision of a transport movement hierarchy as part of the precinct plan provided for each precinct (D7.13 in this chapter).
c. an overall landscaping strategy for the protection and enhancement of riparian areas and remnant vegetation, including visually prominent locations, and detailed landscaping requirements for both the public and private domain	Met by the requirements of Section C1.F Open Space and by the requirements of D7.33 and D7.35 in this chapter.
d. a network of passive and active recreational areas	Met by the requirements of D7.8-9, D7.10, D7.33 and D7.35 in this chapter.
e. stormwater and water quality management controls	Met by the requirements of D7.D and D7.35 in this chapter.
f. amelioration of natural and environmental hazards, including bush fire, flooding and site contamination and, in relation to natural hazards, the safe occupation of, and the evacuation from, any land so affected	Met by the requirements of D7.D, D7.E and D7.F in this chapter
g. detailed urban design controls for significant development sites	Met by the requirement for detailed Town and Village Centre precinct plans in D7.8-9 of this chapter.

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h. measures to encourage higher density living around transport, open space and service nodes	Met by the requirement (D7.1) for development in each precinct to generally consistent with the structure indicated in the Locality Controls Map at Figure 57 and for Precinct Plans to indicate a transport movement hierarchy and servicing strategy; and by provision of detailed Town and Village Centre precinct plans (D7.8-9 in this chapter).
i. measures to accommodate and control appropriate neighbourhood commercial and retail uses	Met by the provision of detailed Town and Village Centre precinct plans for all land zoned E1 Local Centre and Mixed Use (D7.8-9 in this chapter).
j. suitably located public facilities and services, including provision for appropriate traffic management facilities and parking	Met by provision of Town and Village Centre precinct plans for land zoned E1 Local Centre and MU1 Mixed Use (D7.8-9 of this chapter), and by the requirements of D7.13, D7.24, D7.25, D7.26, D7.C of this chapter.

D8 Williamtown Defence and Airport Related Employment Zone (DAREZ)

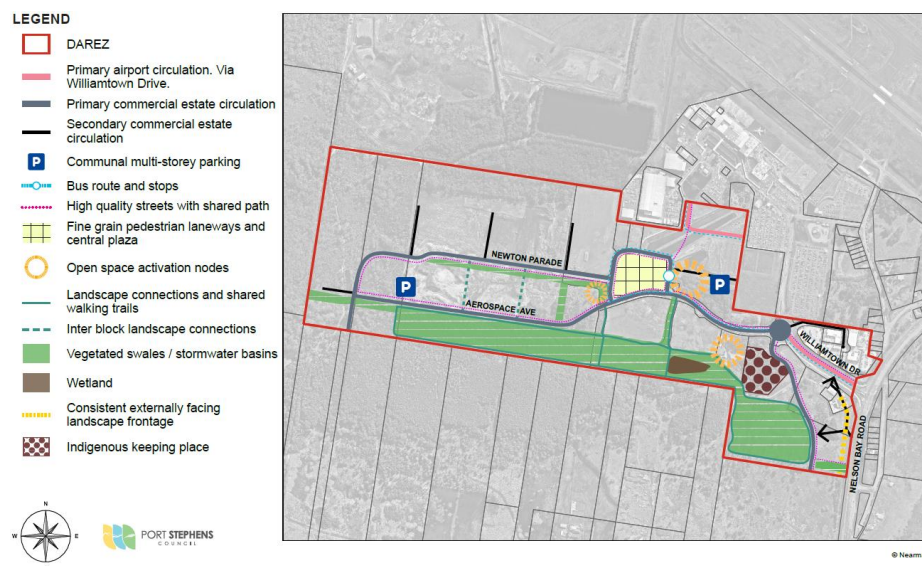
Application

This chapter applies to the land identified in **Figure 62** as Williamtown Defence and Airport Related Employment Zone (DAREZ).

Chapter Summary

- This chapter should be read in conjunction with Chapter B6 Aircraft Noise and Safety.
- Development within the DAREZ should be prepared to be consistent with any design guidelines issued by, and closely associated with the guidance of Newcastle Airport Pty Ltd (NAPL).

Figure 62: Williamtown DAREZ Locality Controls Map



D8.A Lodgement requirements

Objectives

- To ensure development is informed by an analysis of its setting
- To provide for a development that is dominated by native planting that complements the existing vegetation of the area and enhances natural beauty

Controls

D8.1 A development application is accompanied by a **landscape plan** consistent with the Williamstown Aerospace Park Landscape Master Plan.

D8.2 A schedule of colours and finishes is submitted with the Statement of Environmental Effects to demonstrate that the development contains non-reflective materials.

C2.13 requires building facades to use materials, colours and architectural elements to reduce bulk and scale.

D8.B Setbacks

Objective

To encourage an active and vibrant streetscape.

Control

D8.3 Aerospace Support and Commercial Precinct:

- Minimum front setback of 5m.
- Minimum **secondary setback** of 2m.

Note: C1.6 requires the street layout to provide a grid-like structure.

D8.C Street layout

Objective

To ensure streets comply with the indicative layout.

Controls

D8.4 Road Layout is consistent with Figure 62.

D8.5 A road is constructed to connect with Cabbage Tree Road prior to the release of any **subdivision certificate**.

D8.D Drainage and water quality

Objective

To ensure drainage and stormwater systems are in accordance with the Williamtown Aerospace Park Flood Assessment and Stormwater Strategy.

Control

D8.6 Drainage and stormwater systems are in accordance with the Williamtown Aerospace Park Flood Assessment and Stormwater Strategy.

B3 Stormwater Management requires development that increases **impervious surfaces** to provide a **stormwater drainage plan**.

D8.E Flooding

Objective

To ensure post-development runoff is equal to or less than pre-development runoff for the broader DAREZ.

Controls

D8.7 All car parking and driveways are to be located at a level greater than 2.5m Australian Height Datum (AHD).

D8.8 All development is to have a minimum floor level equal to or greater than the flood planning level.

D8.F Parking

Objective

To ensure that appropriate **on-site parking** is provided.

Controls

D8.9 **On-site parking** is to be located at the rear, side or within buildings of the Commercial Precinct, except for Lots 1001 and 1002, DP 1187948.

D8.10 **On-site parking** is located behind a 2m landscaped area for the Aerospace Support and Commercial Precincts.

B5.9 requires **on-site parking** to be located behind the building line or setback.

D8.G Airport operational requirements

Objective

To ensure that the operational needs of the Williamstown RAAF Base are provided consideration in the development of adjoining DAREZ lands.

Controls

D8.12 Electromagnetic radiation or radio emitting devices are not to interfere with airspace operations.

D8.13 Development provides consideration to navigational markers by not inferring with their intended purpose.

D8.14 External lighting considers aircraft/control tower.

B6 Aircraft Noise and Safety requires consideration to RAAF operations.

D9 Medowie Planning Strategy (Precinct E and F)

Application

This chapter applies to the land identified in **Figure 63** as Medowie Planning Strategy (Precinct E and F).

Chapter Summary

This chapter sets out controls to inform development in Precinct E and F.

Figure 63: Medowie Planning Strategy (Precinct E and F) Locality Controls Map



The **DASH** sets out the information that is required to accompany a development application to address the relevant objectives and controls of this chapter.

D9.A Layout and staging

Objectives

- To ensure the timely and efficient release of urban land.
- To make provision for necessary infrastructure and sequencing.
- To ensure consideration is given to the overall planning and coordination of development within the precinct and sub-precincts.

Controls

D9.1 Overall development layout needs to be consistent with the **Figure 63**.

D9.2 A development application for large-scale residential accommodation or **major subdivision** must include a staging plan demonstrating that development will occur in a coordinated sequence.

D9.3 Initial residential accommodation or **major subdivision** is to take place in proximity to the main intersection with Medowie Road and be staged sequentially from that location.

D9.B Biodiversity

Objectives

- To provide an overall landscaping strategy for the protection and enhancement of riparian areas and areas of urban habitat linkage, including visually prominent locations, and landscaping requirements for both the **public** and private domain.
- To provide an attractive and low maintenance landscape along Medowie Road.
- To protect and enhance Koala habitat.

Controls

D9.4 Environmental areas, corridors and additional planting with Koala feed trees will be retained and enhanced in general accordance with **Figure 63**.

D9.5 Road and drainage networks in Precinct F must use native landscaping to enhance the urban landscape, and where appropriate, Koala feed trees shall be planted.

D9.6 The indicative green street in Precinct F will provide for fauna connectivity. Development fronting the indicative green street must:

- Provide minimum road verge of 6.5m, on one side;
- Restrict fencing within the front setback; and
- Enhance fauna connectivity through landscaping.

D9.7 Drainage infrastructure in Precinct F must be designed to facilitate ecologically beneficial landscaping and enhance fauna connectivity.

D9.8 Development must take into consideration the implications of the **vegetation management plan** that applies to land within the precinct.

D9.9 A landscaping plan for major residential development or **major subdivision** must provide for an attractive and low maintenance landscape along the frontage with Medowie Road and Brocklesby Road.

D9.10 Landscaping provided with any new development should use locally endemic Koala preferred species.

D9.C Transport movement hierarchy

Objectives

- To provide an overall transport movement hierarchy for major circulation routes and connections to achieve a simple and safe movement system for private vehicles, **public** transport, pedestrians and cyclists.
- To maintain good traffic flow and safety along Medowie Road and Brocklesby Road.
- To ensure pedestrian and cycle connections are provided to the town centre, the Ferodale Park Sports Complex and the Medowie Community Centre for precinct residents and the broader community.

Controls

D9.11 The transport movement hierarchy for private vehicles, pedestrians and cyclists needs to be generally consistent with **Figure 63**.

D9.12 Long straight roads include local area traffic management devices to slow traffic in accordance with Council's **Infrastructure Specification**.

D9.13 The subdivision road layout must allow for future connections to residential planning precincts identified by the **Medowie Planning Strategy**, including Brocklesby Road. The connectivity is to result in effective movement of pedestrians/ vehicles in a grid like structure.

D9.14 Direct driveway access to and from Medowie Road is not permitted.

D9.15 Frontage of Brocklesby Road must meet the requirements of a bus collector street, which may require road upgrades and/or widening, in accordance with Council's **Infrastructure Specification**.

D9.16 Direct driveway access to and from Brocklesby Road is not permitted unless development proposing access can demonstrate it is made in a safe and practical manner.

D9.17 Walking and cycling infrastructure which connects the precinct to adjacent areas must be made accessible to precinct residents and the broader community.

D9.18 A **shared path** must be provided along the western side of Medowie Road, in conjunction with the development of land on the western side of Medowie Road. The **shared path** must be provided along the western frontage with Medowie Road and connect north to Ferodale Road and connect south to the small local neighbourhood centre (to the extent that a **shared path** is able to be accommodated).

D9.19 A **shared path** must be provided directly linking the precinct to the Ferodale Sports Complex, in conjunction with the development of land on the western side of Medowie Road - subject to engineering, risk, and cost/benefit assessment. Alternative solutions and routes can be considered.

D9.20 Consideration must be given to a potential mid-block **shared path** linking the western sub-precinct to the Medowie Community Centre - subject to engineering, risk, and cost/benefit assessment. Alternative solutions and routes can be considered.

D9.21 Access to **public** transport routes or to future **public** transport stops should be no more than 400m walk by the most direct route.

D9.D Managing risk from agricultural land uses

Objective

To ensure the land is suitable for residential occupation in relation to previous agricultural land uses.

Control

D9.22 A development application for large-scale residential accommodation or **major subdivision** must be accompanied by the contamination and remediation reports identified by **NSW State Environmental Planning Policy (Resilience and Hazards) 2021** with particular regard to the previous agricultural activities on the subject land.

D9.F Stormwater drainage and water quality

Objectives

- To ensure environmentally sustainable and affordable water management solutions are implemented on a catchment-wide basis and not compromised by development on a single site.
- To improve or maintain water quality within the Grahamstown Dam

Drinking Water Catchment.

- To ensure that stormwater from development is adequately managed to provide for common stormwater management infrastructure.

Controls

D9.23 Drainage reserves are located in general accordance with Figure 63.

D9.24 All new development must demonstrate that there would be no adverse impact on the operation of the drainage reserve or adjoining land on which stormwater is discharged.

D9.25 On-site detention / on-site infiltration is required for all new development where impervious areas are proposed.

D9.26 The on-site detention / on-site infiltration is to be:

- Sized so that the post-development flow rate and volume equals the predevelopment flow rate and volume for all storm events up to and including the 1% Annual Exceedance Probability (AEP) storm event; and
- Provided by underground chambers, surface storage or a combination of the two.

Chapter B3 Stormwater Management provides further consideration towards on-site detention / on-site infiltration.

Pre-development is prior to any development occurring on the land.

D9.27 When a development application is received for subdivision greater than three lots and would result in an impervious area, it must demonstrate that the quality of water that is released into public drainage meets the required water quality targets.

D9.G Williamtown RAAF Base - aircraft safety

Objective

To ensure that development adequately considers aircraft safety.

Control

D9.28 Any requirements for dwellings are placed on the title of the land (for example for extraneous lighting and building height).

D10 Stockton Rifle Range

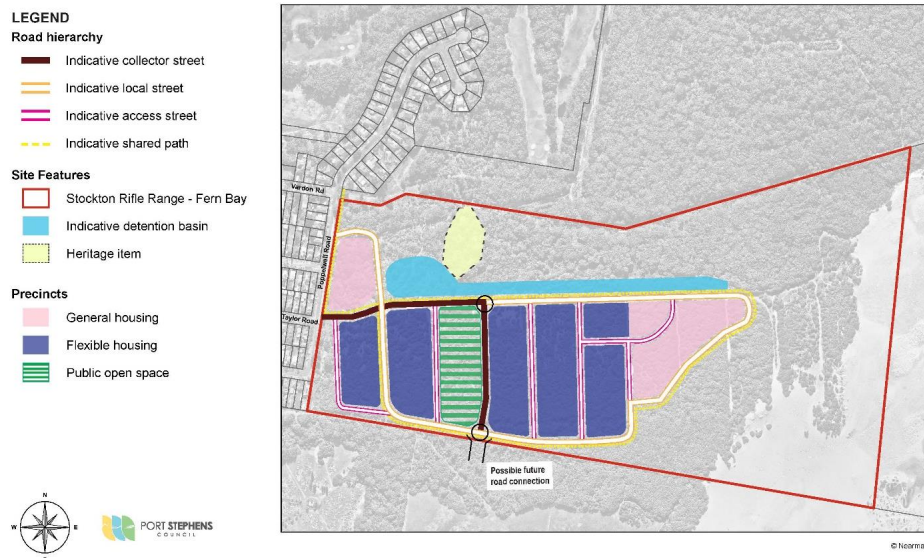
Application

This chapter applies to the land identified in **Figure 64** as Stockton Rifle Range.

Chapter Summary

- This chapter sets out development controls to provide for housing diversity that reflects the history of the site through alignment with the firing mounds.

Figure 64: Stockton Rifle Range Locality Controls Map



The **DASH** sets out the information that is required to accompany a development application to address the relevant objectives and controls of this chapter.

D10.A Heritage

Objective

To restore, maintain, and reinterpret heritage features and areas of archaeological potential.

Controls

D10.1 Subdivision development is to ensure the Heritage Anti-Aircraft Battery is stabilised and retained for heritage interpretation.

D10.2 Subdivision development is to ensure pedestrian access, wayfinding and heritage information signage is provided within the site.

D10.3 The street network shall be generally consistent with the alignment of the existing rifle range firing mounds.

D10.4 Subdivision development shall ensure the coastal forest to the north of the existing rifle range footprint is retained to protect areas of archaeological potential.

D10.B Ecology

Objective

To enhance the coastal dune ecology of the site within the broader Stockton Peninsula ecological context.

Controls

D10.5 Landscaping provided with development shall be limited to endemic species for **public** and private landscaping.

D10.6 Subdivision development is to ensure that the **public open space** required by the control D10.15 provides for a faunal movement corridor between coastal forests to the north and south of the site.

Within corridors:

- Where possible, mature trees should be retained.
- A strip of vegetation is to be provided within the central portion of the **public open space** area with a minimum width of 40m. Within this section, trees or clumps of vegetation should be spaced no greater than 30m apart.

D10.C Street layout, access and circulation

Objective

To ensure the **local street** network is interconnected and facilitates movement, accessibility and pedestrian comfort.

Controls

D10.7 Subdivision development is to provide a street layout that is generally consistent with Figure 64.

D10.8 The subdivision of a lot that proposes a road layout that prevents the effective connectivity of the wider street network will not be supported.

D10.9 Subdivision development is to provide a shared path layout that is consistent with Figure 64.

D10.10 Subdivision development is to provide footpaths along all local streets.

D10.11 Subdivision development is to ensure the vehicle and pedestrian access to the site via Popplewell Road at Taylor Road is constructed as a collector road (as shown in Figure 64).

D10.12 Subdivision development is to ensure the second vehicle and pedestrian access to the site via Popplewell Road is constructed as a local street (as shown in Figure 64).

D10.13 Subdivision development is to ensure the street grid maintains provision for a future street connection to the Stockton Centre site to the south (as shown in Figure 64).

D10.14 The first subdivision development is to include:

- Signalisation of the Vardon Road and Nelson Bay Road intersection; and
- Upgrades to Vardon Road and Popplewell Road to facilitate a collector bus route.

D10.D Public open space**Objective**

To identify and protect a central part of the site as a local park and faunal movement corridor.

Controls

D10.15 Subdivision development is to provide public open space of a minimum area of 1.5 hectares in the centre of the site, as shown in Figure 64.

D10.16 Subdivision development is to ensure that the CPTED principles are implemented during the design of paths that are not adjacent to a road. This must include the provision of pedestrian lighting, clear sight lines, and universally accessible design features to promote safety and accessibility.

D10.E Landscape

Objective

To provide landscaping that is appropriate for the coastal bushland context, and that integrates with housing development.

Controls

D10.17 All **local streets** within the subdivision development shall feature informal endemic street tree plantings.

D10.18 Access to the adjacent land to the north and east must be limited by physical barriers to limit ecological impacts. These measures can include the installation of appropriate barriers or fencing.

D10.19 Landscaping is provided as follows:

- If the lot has an area of at least 200m² but not more than 300m² - 10% of the area of the lot
- If the lot has an area of at least 300m² but not more than 450m² - 15% of the area of the lot
- A principle landscaped area, measuring at least 1.5m wide and at least 3m long, must be provided as part of the development.

D10.F Solar access

Objective

To ensure that reasonable access to sunlight is maintained for occupants of new dwellings.

Controls

D10.20 Subdivision development is to include lot size and dimensions for north and south facing lots that ensure future dwellings can contain adequate **solar access** to private **open space** areas. The lot size and dimensions are to be informed by solar diagrams with indicative building massing.

D10.21 A minimum of 2 hours of sunlight must be available between 9am and 3pm on June 21 to at least 50% of the private **open space**.

D10.22 A minimum of 50% of private **open space** of adjoining dwellings must remain unaffected by any shadow for a minimum of 2 hours between 9am-3pm on June 21.

D10.G Setbacks, bulk and scale

Objective

To facilitate a diversity of housing within the development area.

Controls

D10.23 A residential lot that has an area less than 500m² provides a minimum lot width of 8m.

Lots greater than 500m² are defined in Subdivision C1.1.

D10.24 The following setbacks must be provided for development on lots less than 300m²:

- Minimum 2m to any road frontage
- Minimum 0.9m to side for ground level
- 0m to one side only (ground and upper storeys)
- Minimum 1.5m to side for upper storeys
- Minimum 4m to rear for ground level
- Minimum 6m to rear for upper storeys
- Minimum 5.5m to garage from the road frontage
- 16m² private **open space**, minimum dimensions of 4mx4m

D10.25 Rear setbacks for north and south facing lots that are less than 300m² are to be informed by solar diagrams and must ensure adequate **solar access** is available to the site and adjoining properties.

E

Schedules

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Glossary

This DCP adopts the terms and definitions of the planning legislation (*Environmental Planning and Assessment Act 1979*, *Environmental Planning and Assessment Regulation 2021* and the *Standard Instrument—Principal Local Environmental Plan*), unless otherwise defined in the Glossary.

1% Annual Exceedance Probability (AEP) flood event is the design flood based on statistical analysis of flood and rainfall data that has a 1% probability of being equalled or exceeded within any year.

1st, 2nd & 3rd order water courses means a watercourse order as classified under the Strahler System of ordering watercourses.

2025 Australian Noise Exposure Forecast (ANEF) means the area of land subject to aircraft noise related development controls. It comprises all properties that are wholly or partly within the ANEF 20 contour on the RAAF Base Williamtown & Salt Ash Weapons Range 2025 Australian Noise Exposure Forecast Map and includes land that is within ANEF contours of 20 and greater.

Aboriginal heritage impact permit (AHIP) means the statutory instrument that the NSW Office of Environment and Heritage issues under section 90 of the *National Parks and Wildlife Act 1974* to manage harm or potential harm to Aboriginal objects and places.

acoustic report means a report carried out to detail the noise or vibration intrusion related to aircraft, railway, restaurants, childcare centres, industrial buildings and the like.

active street frontage means a building for which all premises on the ground floor:

- a. are used for the purposes of **business premises** or **retail premises** if the premises face the street, and
- b. have direct pedestrian access from the street.

adaptable minimum floor level is the 1% AEP flood event level plus 0.5m at 50 years from determination date.

ancillary structure means for the purpose of this instrument, development that is incidental to an existing use being lawfully carried out on the land and includes a swimming pool, shed, fencing, retaining wall, shipping container or the like.

annual exceedance probability (AEP) means the chance of a flood of a given or larger size occurring in any one year (for example, the 1% AEP flood event has a 1% chance of occurring every year; the 5% AEP flood event has a 5% chance of occurring every year).

Asset Protection Zone (APZ) means a buffer zone between a bush fire hazard and buildings, which is managed progressively to minimise fuel loads and reduce potential radiant heat levels, flame, ember and smoke attack.

Australian Height Datum (AHD) means a common national surface level datum often used as a referenced level for ground, flood and flood levels. 0.0 m AHD corresponds approximately to mean sea level.

average building line for the purposes of determining the front setback, means the average distance of the setbacks to the nearest 2 buildings having a boundary with the same parallel road and located within 40 metres of the lot on which the dwelling house is erected.

battle-axe lot means a lot of land behind another, with access from the street through a narrow drive known as a handle.

Biodiversity Development Assessment Report (BDAR) means a report required under the *Biodiversity Conservation Act 2016*. It identifies the highest value ecological features on a site including threatened species habitat, and applies the hierarchy of avoid, minimise and then offset.

biodiversity corridors (also known as wildlife corridors) are areas of native vegetation that link two or more areas of fragmented habitats together to create connections allowing wildlife to move safely between habitats, enabling them to find food, mates, and resources, to persist, disperse and colonise new areas.

biodiversity technical specification means the Port Stephens Council Biodiversity Technical Specification.

bird strike zone means land identified as bird strike Group A, Group B or Group C in Figure 15.

buffer a designated area intended to separate or mitigate potential conflicts or negative impacts between different land uses, activities or areas.

capital investment value of a development or project includes all costs necessary to establish and operate the project, including the design and construction of buildings, structures, associated infrastructure and fixed or mobile plant and equipment.

cantilevered means a projecting structure, such as a beam, that is supported at one end and carries a load at the other end along its length.

cellular system means systems that can be used to control and manage rainwater surface runoff as either a soak away or a storage tank. The modular/honeycomb nature of cellular systems means that they can usually be tailored to suit the specific requirements of any site.

clearing has the same meaning as under 60C of the *Local Land Services Act 2013*. Clearing native vegetation means any one or more of the following—

- (a) cutting down, felling, uprooting, thinning or otherwise removing native vegetation,
- (b) killing, destroying, poisoning, ringbarking or burning native vegetation.

collector road means a collector road as defined by the current version of the Port Stephens Council Infrastructure Specification.

compensatory requirements means replacements of important biodiversity features which cannot be avoided and are proposed to be removed and includes tree planting and the installation of artificial hollow habitat.

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construction certificate means a certificate to the effect that building work completed in accordance with specified plans and specifications or standards will comply with the requirements of the regulations.

controlled activity means:

- a. the erection of a building or the carrying out of a work (within the meaning of the EP&A Act), or
- b. the removal of material (whether or not extractive material) or vegetation from land, whether by way of excavation or otherwise, or
- c. the deposition of material (whether or not extractive material) on land, whether by way of landfill operations or otherwise, or
- d. the carrying out of any other activity that affects the quantity or flow of water in a water source.

crime prevention through environmental design (CPTED) means a multi-disciplinary approach to deterring criminal behaviour through environmental design.

cut means the removal of soil or rock, whether moved to another part of the same site or to another site, but does not include garden landscaping that does not significantly alter the shape, natural form or drainage of land.

deep soil planting means planting trees and shrubs in areas with sufficient soil depth to allow for their full development

desire lines means a path that represents the shortest and most easiest navigated route between an origin and destination.

district park means a park that can support a greater variety of functions and facilities than a local park to meet different community needs.

drainage reserve means a parcel of land set aside for drainage purposes. Drainage reserves usually contain either a drainage basin or an open drain. A drainage reserve is a type of overland flow path.

driveway means a type of private road for local access to one or a small group of structures, and is owned and maintained by an individual or group.

driveway crossover means the connection of an accessway/driveway, from the edge of the property to the road, which often crosses a footpath, nature strip, or kerb.

easement means an individual or a company, known as a grantee, has the right to use land for a particular purpose. An easement can restrict how the owner of the land, known as the grantor, can use their property.

essential services means reference to the essential services such as the supply of water, the supply of electricity, the disposal and management of sewage and suitable vehicular access.

finished access level is the completed level of the driveway following construction, from the building envelope to the public road.

Finished Floor Level (FFL) is the completed floor level of the premises following construction.

flood certificate means a Council prepared flood certificate.

flood compatible design refers to all proposed development on flood prone land which must be of a flood-resistant design and construction.

flood fringe area is the remaining land in the flood planning area after the floodway area and flood storage area have been defined.

flood hazard means a flood that has the potential to cause harm or conditions with the potential to result in loss of life, injury and economic loss. The degree of hazard varies with the severity of flooding and is affected by flood behaviour (extent, depth, velocity, isolation, etc.).

flood maps includes the visual representation of the flood hazard and hydraulic categories referenced in Council's Floodplain Risk Management Policy.

flood immunity refers to a building or structure that will not be directly affected by flooding during a flood event.

flood impact and risk assessment is a comprehensive technical investigation of flood behavior.

floodplain means an area of land adjacent to a river, creek, lake, estuary, dam or artificial channel which is susceptible to flooding during high rainfall periods.

Floodplain Risk Management Policy refers to Council's adopted policy outlining the management of risk associated with flooding on lands across the Local Government Area.

flood planning area is the land below the flood planning level.

Flood Planning Level (FPL) is the level of the **1% AEP flood event** in the year 2100 plus 0.5 metre freeboard, except for overland flooding areas where a freeboard of 0.3 metre is applied. The area of land below the FPL is subject to flood-related development controls.

flood prone land refers to land susceptible to flooding by the PMF event. Flood prone land is also known as the floodplain, flood liable land and flood affected land.

flood refuge means an approved and well-designed mound to provide temporary refuge for humans and livestock during flooding.

flood storage areas are areas of the floodplain that are outside floodways which generally provide for temporary storage of floodwaters during the passage of a flood and where flood behaviour is sensitive to changes that impact on temporary storage of water during a flood.

flood volume refers to the volume of water occupying a site at the peak of a flood event. The 1% AEP flood volume is the difference between the peak flood height in the 1% AEP flood event and the natural surface level.

floodway refers to areas of the floodplain which generally convey a significant discharge of water during floods and are sensitive to changes that impact flow conveyance. They often align with naturally defined channels or form elsewhere in the floodplain.

foreshore means the part between the water and occupied or cultivated land.

front property line means the legal boundary of a parcel of land adjoining the primary road reserve frontage.

GFA means gross floor area which is the total floor area of a building.

GLFA (Gross Leasable Floor Area): means total floor space available to be leased, which typically excludes hallways, elevator shafts, stairways and other non-leasable space.

greenfield means a site in a locality which has been previously undeveloped other than for agricultural pursuits.

groundwater means the water located beneath the earth's surface in soil pore spaces and in the fractures of rock formations. A unit of rock or an unconsolidated deposit is called an aquifer when it can yield a usable quantity of water.

habitat means those parts of the environment (both natural and human-made) that native flora and fauna require for different stages of their life cycle, such as feeding, roosting, migration, nesting and the rearing of young.

habitable room means a room used for normal domestic activities, and -

- a) includes a bedroom, living room, lounge room, music room, television room, kitchen, dining room, sewing room, study, playroom, family room, home theatre and sunroom; but
- b) excludes a bathroom, laundry, water closet, pantry, walk-in wardrobe, corridor, hallway, lobby, photographic darkroom, clothes-drying room, and other spaces of a specialised nature occupied neither frequently nor for extended periods.

habitat features are environmental elements both living and non-living that provide native animals with essential resources like food, shelter, nesting sites and areas for migration and social interaction.

high hazard flood area is the area of flood which poses a possible danger to personal safety, where the evacuation of trucks would be difficult, where able-bodied adults would have difficulty wading to safety or where there is a potential for significant damage to buildings.

high value ecological features means the natural features in the landscape which provide habitat for native flora or fauna species; such as Biodiversity Values Mapped areas, hollow bearing trees, nest trees, Koala feed trees, large old growth trees, caves, rocky outcrops/ bush-rock, waterbodies, riparian corridors, biodiversity corridors and wetlands. **native species, such as:**

- a) specific fauna habitat, which include hollow bearing trees, nest trees, Koala feed trees, large old growth trees, caves, rocky outcrops/ bush-rock, waterbodies, and
- b) ecologically valuable environments, which include riparian corridors, biodiversity corridors, wetlands, large areas of intact native vegetation, threatened ecological communities and highly cleared plant community types.

impervious surfaces means a surface within a development which does not allow infiltration of water to the underlying ground including roads, parking lots, driveways, pathways, buildings and roofs.

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Koala habitat means land identified on the Port Stephens Council Koala Habitat Planning Map as being preferred Koala habitat, supplementary Koala habitat, and linking or buffer areas to them or land that is identified as preferred Koala habitat, supplementary Koala habitat, and linking or buffer areas to them according to the definitions provided in the Port Stephens Comprehensive Koala Plan of Management (CKPoM).

landscape plan means a plan or document outlining the extent, type and location of hard and soft landscape works proposed for a development.

local park means a park that is provided and maintained for local residents comprising of open grassed areas suitable for small scale ball play, picnics and unorganised active recreation.

local street means a local street as defined by the current version of the Port Stephens Council Infrastructure Specification.

low hazard flood area is the area of flood where, should it be necessary, a truck could evacuate people and their possessions or an able-bodied adult would have little difficulty in wading to safety.

major subdivision refers to the division of a large parcel of land into multiple lots or parcels in which new roads are proposed, and existing roads or intersections which require significant upgrading or public drainage are constructed.

merit-based approach is the means of achieving an objective based on the desired outcome, rather than specific numerical standards.

minimal risk flood prone land refers to land on the floodplain that is above the FPL.

Model for Urban Stormwater Improvement Conceptualisation (MUSIC) means a toolkit that aids in predicting the performance of stormwater quality management systems.

multi-functional refers to sport fields that are designed with multiple uses in mind.

natural ground level means the most likely surface of the property at the time the lots were created and the roads built.

nodes mean focal points, intersections or loci such as train stations, neighbourhood centres, bus depots or intersections.

non-habitable room means a room not defined as a habitable room under this Plan

non-rural areas for the purpose of Chapter B1 Tree Management means the following land-use zones under the LEP:

- R1 General Residential
- R2 Low Density Residential
- R3 Medium Density Residential
- R5 Large Lot Residential
- E1 Local Centre
- E2 Commercial Centre
- E3 Productivity Support

- E4 General Industrial
- MU1 Mixed Use
- W4 Working Waterfront
- RU5 Village
- SP1 Special Activities
- SP2 Infrastructure
- SP4 Enterprise
- RE1 Public Recreation
- RE2 Private Recreation
- C2 Environmental Conservation
- C3 Environmental Management
- C4 Environmental Living

on-site detention means a way of ensuring that land-use changes does not cause increased downstream flooding: both in the local drainage system immediately downstream and along the creeks and rivers further downstream. On-site detention usually consists of a discharge control pit, storage and collection network.

on-site infiltration means a system by which water on the ground surface enters the soil. Infiltration rate in soil science is a measure of the rate at which soil is able to absorb rainfall or irrigation. It is measured in inches per hour or millimetres per hour. The rate decreases as the soil becomes saturated.

on-site parking means parking facilities located at the same location as the building, as required under Figure 10: On-site parking requirements.

on-site waste water level is the 5% AEP flood event level at 50 years from determination date (Note: there is no 0.5m freeboard in this instance).

open space means either private open space or public open space.

overland flow means water that flows down to a water course as opposed to flooding that is water that rises from a water source.

overland flow path are the areas of inundation by local runoff rather than inundation created by overbank flows discharging from a watercourse.

preferred Koala habitat means all habitat areas identified as preferred under the Port Stephens Council Comprehensive Koala Plan of Management.

podium means a platform used to raise something above its immediate surroundings.

precinct plan means a plan prepared to address the matters set out in Part 6 (Urban release areas) of the LEP.

privacy screen means

- a) a structure that provides a screen or visual barrier between a window of a habitable room or an outdoor area on a lot and an adjoining lot, or
- b) a window, the whole of which has translucent glass and is fixed and not able to be opened.

Probable maximum flood (PMF) refers to the largest flood that could conceivably occur at a particular location, usually estimated from probable maximum precipitation, and where applicable, snow melt, coupled with the worst flood producing catchment conditions.

public means a person who accesses a building or premises who are not owners or staff.

public domain means land to be considered public property and would generally be understood to be streetscapes or public open space.

public drainage means the drainage system that is under public ownership and is maintained by a public authority.

public infrastructure means infrastructure, such as sewerage, electrical, water or similar that is under the ownership of a public authority, such as Council.

public open space means a social space that is generally open and accessible to people, including road reserves, public domain, parks and beaches.

regional park means a park that provides facilities that are of a broader scale than those of a local park or district park.

register of significant trees means the Port Stephens Council Register of Significant Trees.

riparian corridor means a transition zone between the land, also known as the terrestrial environment, and the river or watercourse or aquatic environment.

road reserve means a legally described area within which facilities such as roads, footpaths, and associated features may be constructed for public travel.

rural areas means the following land-use zones:

- RU1 Primary Production
- RU2 Rural Landscape
- RU3 Forestry

secondary setback relates to a building situated on a corner lot, faces to two streets and therefore requires two setbacks. The secondary setback is provided to the non-primary street, being the street which carries less traffic load.

servicing strategy means a strategy that identifies major works in relation to essential services.

shared path means a path designed to provide a travel area separate from motorised traffic for bicyclists, pedestrians, skaters, wheelchair users, joggers, and other users.

side boundary means the property boundaries connected to the front property line.

site area means the area contained within the boundaries of the site

site based overland flow report is a report certified by a chartered professional engineer with experience in hydraulics and floodplain management.

solar access means the amount of the sun's energy available to a building.

splay corners means the corners of a road intersection.

ITEM 6 - ATTACHMENT 1 DEVELOPMENT CONTROL PLAN 2025.

statement of environmental effects (SEE) means a document that demonstrates that the environmental impact of a development.

stormwater drainage plan means a plan and written description in relation to the stormwater management of a site.

stormwater quality improvement devices (SQIDs) mean engineering methods that are used to protect the creeks, rivers and beaches that our stormwater drains into. They trap or collect rubbish and pollution that ends up in our stormwater drains. Examples include litter collection cages, trash racks or constructed wetlands.

stormwater requirement areas means land identified on a map on Council's website where additional stormwater control devices may be required.

structural engineering assessment means an assessment undertaken of the building by a qualified engineer.

structural soil / structural cells means planting methods and systems used to give structural support to civil infrastructure whilst allowing for root growth of trees to achieve better growth outcomes.

subdivision certificate means a certificate that authorises the registration of a plan of subdivision under Part 23 of the *Conveyancing Act 1919*.

super lot means an area of land created by subdivision and intended to be further subdivided into additional lots.

surface water means water on the surface of the planet, such as in a stream, river, lake, wetland, or ocean.

swimming pool means an excavation, structure or vessel:

- a) that is capable of being filled with water to a depth greater than 300 millimetres, and
- b) that is solely or principally used, or that is designed, manufactured or adapted to be solely or principally used, for the purpose of swimming, wading, paddling or any other human aquatic activity

It includes a spa pool, but does not include a spa bath, anything that is situated within a bathroom or anything declared by the regulations not to be a swimming pool for the purposes of this Act

traffic generating development means development defined as traffic generating development under Schedule 3 of the *State Environmental Planning Policy (Transport and Infrastructure) 2021*.

Traffic Impact Assessment (TIA) means an assessment to quantify the traffic impacts and associated parking requirements that result from proposed development.

Tree Permit means approval that may be required from Council to remove or prune vegetation as prescribed in Chapter B1 Tree Permits. The Tree Removal and Pruning Form on Council's website can assist in determining what type of Council approval is required and to make an application.

vegetated riparian zone means the vegetated riparian zone that adjoins the channel comprising the bed and banks of the watercourse of a riparian corridor.

ITEM 6 - ATTACHMENT 1 DEVELOPMENT CONTROL PLAN 2025.

vegetation management plan (VMP) means a vegetation management plan as described under the Port Stephens Council Biodiversity Technical Specification.

vistas means a view corridor to a distant view.

waste includes:

- a) any substance (whether solid, liquid or gaseous) that is discharged, emitted or deposited in the environment in such volume, consistency or manner as to cause an alteration in the environment, or
- b) any discarded, rejected, unwanted, surplus or abandoned substance, or
- c) any otherwise discarded, rejected, unwanted, surplus or abandoned substance intended for sale or for recycling, processing, recovery or purification by a separate operation from that which produced the substance, or
- d) any substance prescribed by the regulations to be waste.

waste storage and recycling area means a designated area or a combination of designated areas upon the site of a building for the housing of approved containers to store all waste material (including recyclable material) likely to be generated by the building's occupants.

water balance means an equation that can be used to describe the flow of water in and out of a system.

waterfront land means:

- a) the bed of any river, together with any land lying between the bed of the river and a line drawn parallel to, and the prescribed distance inland of the highest bank of the river, or
 - the bed of any lake, together with any land lying between the bed of the lake and a line drawn parallel to, and the prescribed distance inland of, the shore of the lake, or
 - the bed of any estuary, together with any land lying between the bed of the estuary and a line drawn parallel to, and the prescribed distance inland of, the mean high-water mark of the estuary, or
- b) if the regulations so provide, the bed of the coastal waters of the State, and any land lying between the shoreline of the coastal waters and a line drawn parallel to, and the prescribed distance inland of, the mean high-water mark of the coastal waters,

where the prescribed distance is 40 metres or (if the regulations prescribe a lesser distance, either generally or in relation to a particular location or class of locations) that lesser distance. Land that falls into 2 or more of the categories referred to in paragraphs (a), (a1) and (a2) may be waterfront land by virtue of any of the paragraphs relevant to that land.

water quality stripping targets refer to the minimum requirements for reducing pollutants in stormwater runoff before it enters public drainage or natural waterways.

water sensitive urban design (WSUD) means a range of measures that are designed to avoid, or at least minimise, the environmental impacts of urbanisation in terms of the demand for water and the potential pollution threat to natural water bodies.

weeds means a plant that is a pest.

wetland means a location identified as 'wetland' on the Wetlands Map.



PORT STEPHENS
COUNCIL

council@portstephens.nsw.gov.au | 02 4988 0255 | [PORTSTEPHENS.NSW.GOV.AU](https://www.portstephens.nsw.gov.au)    

Draft Port Stephens Communication and Engagement Strategy

2025 to 2030



Our vision is to actively communicate and engage in a way that tells our stories, listens to our community, informs our future and improves the wellbeing of those that live, work and visit in Port Stephens.



PORT STEPHENS
COUNCIL

ITEM 8 - ATTACHMENT 2
STRATEGY 2025-2030.

COMMUNICATION AND ENGAGEMENT

GUUDJI YIIGU

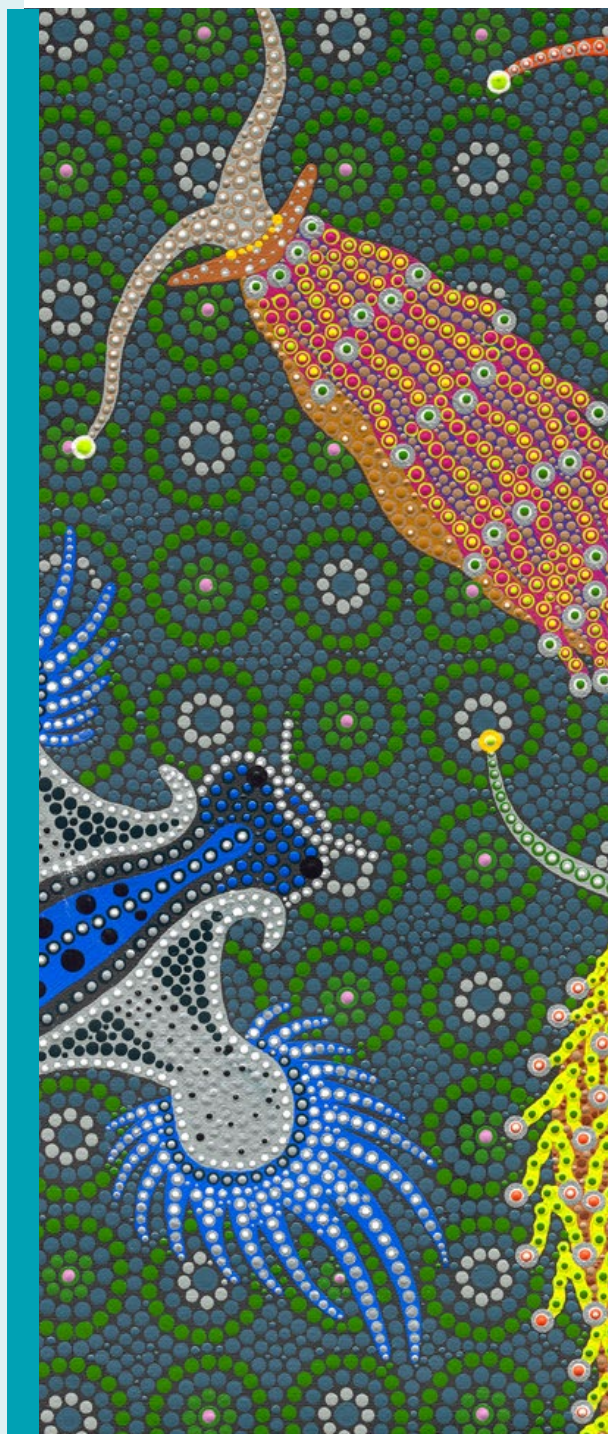
(GOO-JEE IK-KOO)

We welcome you to Port Stephens – part of the Worimi Aboriginal Nation. Port Stephens Council acknowledges the Worimi people as traditional owners and custodians of the lands and waterways on which we all live, learn, work and play.

We value and respect the Worimi people and the legacy 60,000 years of Aboriginal Nation traditions and culture brings with it. As part of Council's culture of acceptance, diversification and harmony we walk alongside the Worimi people on a journey of listening and learning.

Together we will strive to make this a better place for all peoples. As guardians of these lands, we ask that you tread lightly to help preserve the biodiversity and respect those who came before as well as those who will follow.

Artwork by Regan Lilley.



A message from the Mayor

Communication is key.

Clear and honest communication is the cornerstone of our commitment to our community. We strive to be an open and transparent organisation where communications and engagement is at the centre of what we do.

Our Communication and Engagement Strategy 2025 to 2030 is our commitment to keeping you informed and involved. Since its original adoption in 2022, this strategy has provided the framework for active engagement and conversations to encourage all voices of our diverse community to have their say.

The recent review of this strategy, following the 2024 election has allowed us to reflect on how far we've come in a short time, and identify areas for further improvement to build a community that is more engaged and informed.

Our Communication and Engagement Advisory Group (CEAG), established in 2023, has been instrumental in providing valuable insights and guidance. The value of the CEAG can't be overstated. By involving the community in the early stages of our planning, we'll deliver better outcomes across our community.

The 2025 to 2030 strategy continues to build on this success and create more opportunities for our community to be involved in decisions that impact their everyday. My fellow Councillors and I encourage you to connect with your Council, explore what's happening in your community and share your input into decisions to shape the future of this incredible place we call home.



Leah Anderson

Leah Anderson

Mayor of Port Stephens

Strategy context



ITEM 8 - ATTACHMENT 2 COMMUNICATION AND ENGAGEMENT STRATEGY 2025-2030.

Over the past few years, a fundamental shift has occurred in the approach to public sector communication and engagement. Our residents have increased expectation around access to information and a greater desire to engage in planning for their place.

We know that effective communication and engagement are directly linked to the liveability and wellbeing of our community. By listening to our community and providing genuine opportunities for engagement, we'll create a greater sense of community ownership and ultimately, improve the delivery of Council services that are aligned to community needs.

To achieve this, we'll deliver a genuinely integrated and inclusive approach to our engagement and communication. By bringing together our communication and engagement approach, we've already created a shift in thinking. Through this strategy, we'll continue to evolve this approach and build a culture that celebrates our stories and informs the future of Port Stephens.

Communications is how we connect with our stakeholders. It is sharing the right message at the right time to inform our community.

NSW Government, All-Of-Government Communications Framework

Community engagement is a planned process with the specific purpose of working across organisations, stakeholders and communities to shape the decisions or actions of the members of the community, stakeholders or organisation in relation to a problem, opportunity or outcome.

NSW Government, All-Of-Government Communications Framework

The Port Stephens Communication and Engagement Strategy 2025 to 2030 has been developed to provide a framework for the delivery of open and effective communication that actively shapes and influences the future of Port Stephens.

The strategy responds to the legislative requirements of:

- NSW Government Integrated Planning and Reporting Framework including the Community Strategic Plan
- Local Government Act (1993) and
- Environmental Planning and Assessment Act (1979)

The strategy also responds to the key priorities of the elected Councillors.

Community Participation Plan

Attached to this strategy is our Community Participation Plan (CPP) which is an easy to use guide for the community to provide input into planning decisions when Council is the consent authority. It ensures we meet our statutory requirements for notification and exhibition.

Who we
are



ITEM 8 - ATTACHMENT 2
STRATEGY 2025-2030.

COMMUNICATION AND ENGAGEMENT

Our community

More than 78,000 people call Port Stephens home and this is expected to grow by over 20,000 by 2040.



78,906[^]

people

Median age is 47 years
NSW median age is 39 years



6.5%

of our population

Aboriginal & Torres Strait Islanders



93%^{*}

have internet access
from a dwelling (2022)



86.6%

Australian population
own a smartphone*



38.7%

finished year 12

33.0%

finished year 10 or above



family

2 person families most
common at **54.5%**



75 to 79

Largest age range
increase at **40.9%**



60 to 69

Most common age range



7.2%

of people have a
severe disability
That require assistance
with core activities



26,307

not in workforce

16,790

work full time

11,384

work part time

Source: ABS 2021

[^] Estimated Residential Population 2023

^{*} Australia Communications and Media Authority 2022

What we've heard

“

Longer periods to digest
and respond to documents
including Council agendas.

Community member

“

Opportunities to Have Your
Say are numerous but there is
little opportunity to find out the
result of the engagement or
what other people think.

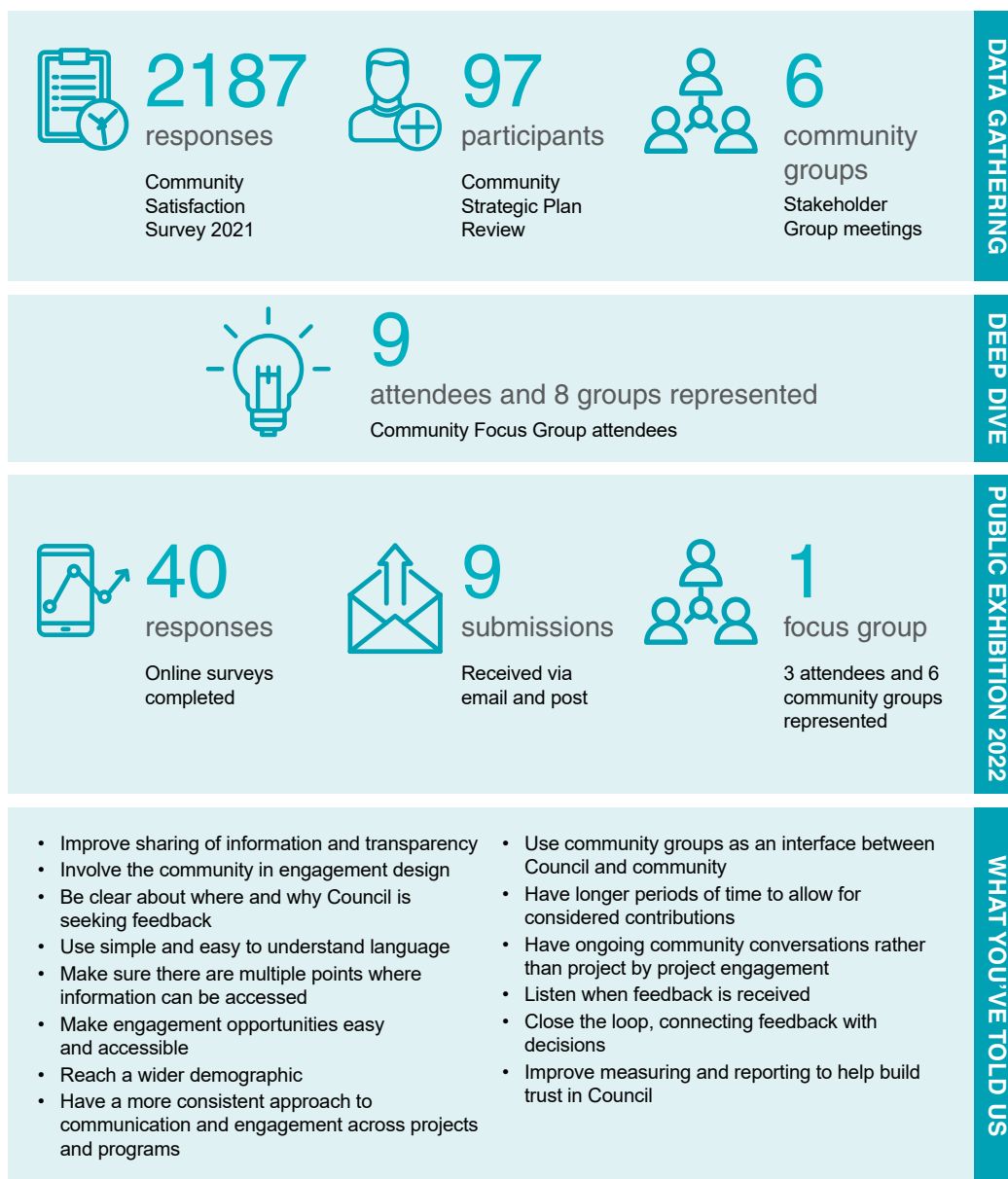
Community member



ITEM 8 - ATTACHMENT 2 COMMUNICATION AND ENGAGEMENT STRATEGY 2025-2030.

Our engagement

Between 2021 and October 2022, we've undertaken a phased approach to listening to the community about how we deliver communication and engagement.



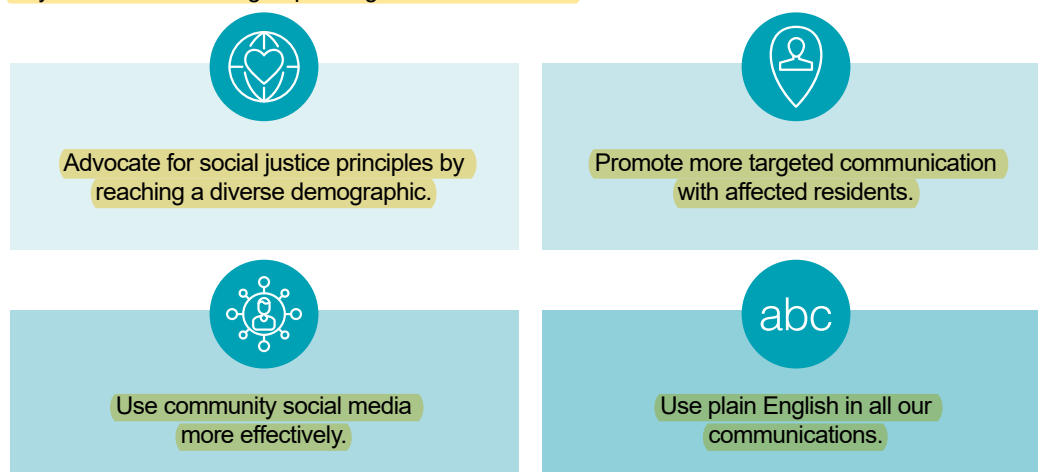
ITEM 8 - ATTACHMENT 2 COMMUNICATION AND ENGAGEMENT STRATEGY 2025-2030.

Reviewing the 2022 to 2024 strategy

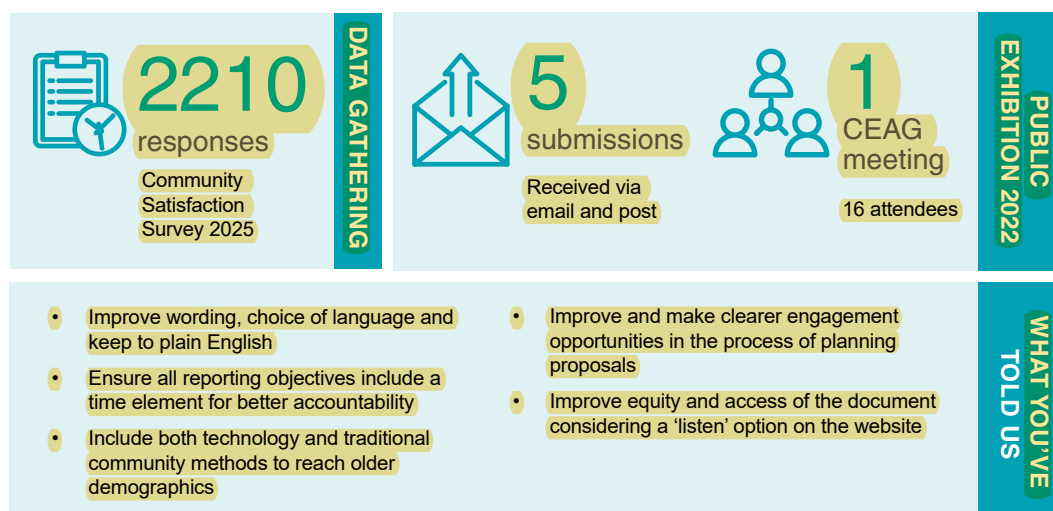
Under the Integrated Planning and Report Guidelines we're required to review our Communication and Engagement Strategy, following the Local Government election to make sure it aligns with the 4 year term of Council.

A key action of the 2022 to 2024 strategy was to establish the Communication and Engagement Advisory Group (CEAG). Formed in August 2023 the CEAG has been instrumental in providing feedback on the way we communicate and engage with our community in 2023 and 2024. This feedback has been invaluable in informing the current review.

Key feedback from the group during this time has been:



To build on the feedback from the CEAG the revised draft Communication and Engagement Strategy was placed on public exhibition.





Our strategy



**ITEM 8 - ATTACHMENT 2 COMMUNICATION AND ENGAGEMENT
STRATEGY 2025-2030.**

As the closest level of government connected to the community, we have a key role in communicating and engaging with our local residents.

With over 55 individual business units across the organisation and almost 600 staff, we deliver a large number of services to our community. We're also the link between our community and other levels of government, advocating our community's priorities.

Over the past few years, we've worked hard to engage with and inform our community. However, we know from feedback that we can do better. We've listened and are committed to working closely with our community to act on this feedback, responding to their needs and priorities.

Our purpose and vision



Our purpose

To create a framework for the delivery of transparent and timely communications and meaningful community engagement that builds trust and community participation in decision making for our place.



Our vision

We actively communicate and engage in a way that shares our stories, listens to our community, informs our future, and improves the wellbeing of those that live, work and visit in Port Stephens.

ITEM 8 - ATTACHMENT 2
STRATEGY 2025-2030.

COMMUNICATION AND ENGAGEMENT

Social Justice Principles

The NSW Government identified 4 principles that establish supportive environments for everyone. These principles are the driving force to address barriers to communication and engagement experienced in our community.

The social justice principles are the heart of our Strategy's principles and key objectives.



Equity

Communication and engagement should include stakeholders including hard to reach groups who may have barriers to participation.



Access

All people should have fair access to communication and engagement opportunities.



Participation

All people should have the opportunity to participate in decisions that affect their lives.



Rights

Communication and engagement opportunities ensure positive participation of linguistic, cultural and religious diverse communities.

Communication and Engagement Principles

1

We deliver **relevant, timely and easy to understand** information

2

We're **honest and transparent**

3

We're **inclusive** and encourage a **diversity of voices** to be heard

4

We **listen, value and respect community** input and feedback

5

We embrace **innovation** and encourage **new ideas**

ITEM 8 - ATTACHMENT 2 COMMUNICATION AND ENGAGEMENT
STRATEGY 2025-2030.

International Association of Public Participation

The Engagement Institute, formerly known as the International Association for Public Participation (IAP2) developed an international framework for community engagement that is considered a best practice approach worldwide.

Levels of communication and engagement

	 Inform (least impact on decision)	 Consult	 Involve	 Collaborate	 Empower (most impact on decision)
Our goal (Council's)	To provide the public with balanced and objective information to assist them in understanding the problems, alternatives, opportunities and/or solutions.	To obtain public feedback on analysis, alternatives and/or decisions.	To work directly with the public throughout the process to ensure that public concerns and aspirations are consistently understood and considered.	To partner with the public in each aspect of the decision including the development of alternatives and the identification of the preferred solution.	To place final decision-making and/or developed budgets in the hands of the public.
Our role (Council's)	We'll keep you informed.	We'll keep you informed, listen to and acknowledge concerns and provide feedback on how public input influenced the decision.	We'll work with you to ensure that your concerns and aspirations are directly reflected in the alternatives developed and provide feedback on how public input influenced the decision.	We'll look to you for direct advice and innovation in formulating solutions and incorporate your advice and recommendations into decisions to the maximum extent possible.	We'll implement what you decide.
Your role (Community's)	Keep in touch. Follow Council on social media. Subscribe to regular newsletters and updates.	Contribute ideas and feedback. Respond to surveys. Make public submissions.	Actively participate in the workshops and engagement sessions. Share ideas concerns and aspirations.	Work together to develop solutions. Join committees.	Make decisions and work with Council to implement them.

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ITEM 8 - ATTACHMENT 2
STRATEGY 2025-2030.

COMMUNICATION AND ENGAGEMENT

Our stakeholders

We all have a role to play in shaping our places and there's roles for both Council and the community in initiating, leading, participating in, and delivering engagement activities. It's vital that we identify and understand our stakeholders that are impacted by, or have an interest in a decision.



ITEM 8 - ATTACHMENT 2 COMMUNICATION AND ENGAGEMENT STRATEGY 2025-2030.

Methods of communication and engagement

We use a range of methods to communicate and engage with our community. We typically use a combination of methods to share information to ensure the greatest reach. Below are some of our common methods used across the IAP2 spectrum. For more information refer to page 15.

	 Inform	 Consult	 Involve	 Collaborate	 Empower
Communications					
Advertisements / public notices	✓				
Council events	✓				
E-newsletters	✓				
Emails and letters	✓				
Flyers, brochures, factsheets, posters, signs	✓				
Local Newspaper article	✓				
Media releases	✓				
On hold messages	✓				
Rates notice and inserts	✓				
Radio announcements	✓				
Social media	✓	✓			
Webinars	✓				
Community Engagement					
Advisory committees			✓	✓	
Council meetings	✓	✓	✓	✓	✓
Council website	✓	✓			
Focus group and workshops		✓	✓	✓	
Information and interactions with Council staff	✓	✓			
Drop-in / pop-up sessions		✓	✓		
Meetings with Council staff	✓	✓			
Public exhibition / submission		✓	✓		
Surveys / questionnaires / polls		✓			

Strategic priority 1

Community engagement



We will plan and deliver meaningful community engagement that enables community participation and builds trust in Council decision making.

ITEM 8 - ATTACHMENT 2 COMMUNICATION AND ENGAGEMENT STRATEGY 2025-2030.



Key objectives	Communication and Engagement Principles*				
	1	2	3	4	5
Continue to embed the principles of the International Association Public Participation (IAP2) into the organisational culture	✓	✓	✓	✓	✓
Collaborate with the Communications and Engagement Advisory Group to provide timely input on how to engage with our community on major projects		✓	✓	✓	✓
Increase opportunities for the community to engage informally with Councillors and Executive		✓	✓	✓	
Design engagement opportunities that enable time for considered thought and contribution	✓		✓	✓	
Ensure engagement opportunities consider place, diversity and accessibility	✓		✓	✓	
Expand on the use of technology to increase participation and increase the diversity of voice and opinion in engagement activities			✓		✓
Build on the use of social media as a tool for engagement and feedback			✓		✓
Report internally and externally on engagement outcomes, connecting community engagement and decision making at the end of each engagement program	✓	✓		✓	
Improve stakeholder information management to ensure equitable representation across the community		✓	✓		
Deliver Council's Community Participation Plan (Environmental Planning and Assessment Act 1979)	✓	✓		✓	

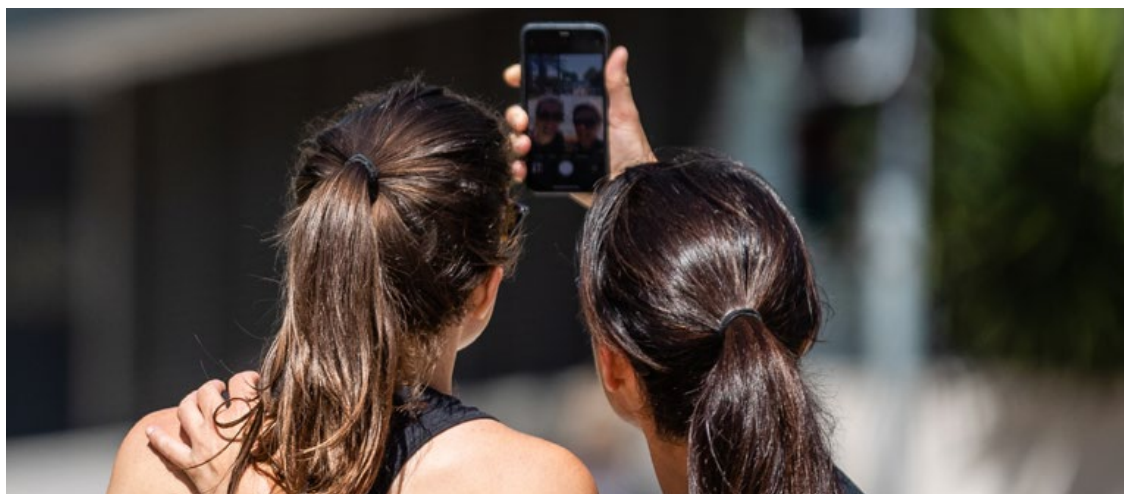
*Communication and Engagement Principles definitions on page 14.

Strategic
priority 2
**Community
communication**



We will deliver
timely, creative
and transparent
internal and external
communication that
connect our stories,
our people and
our place.

ITEM 8 - ATTACHMENT 2 COMMUNICATION AND ENGAGEMENT STRATEGY 2025-2030.

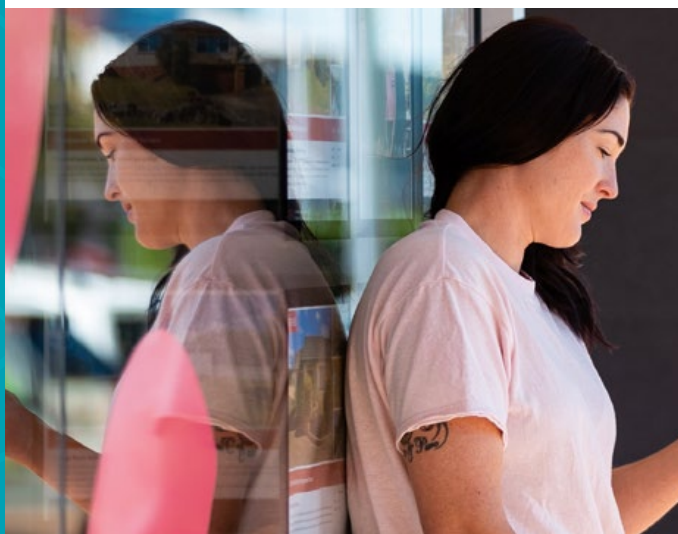


Key objectives	Communication and Engagement Principles*				
	1	2	3	4	5
Design communication that's easy to understand and accessible to all	✓	✓	✓		
Continue to use our public website (portstephens.nsw.gov.au) as the core communication channel and invest in its growth and improvement	✓	✓	✓		✓
Use social media to target and engage audience profiles to encourage conversations and increase awareness of Council services	✓	✓	✓	✓	✓
Increase staff awareness and capacity, to enable effective communication, engagement and promotion of Council business	✓	✓	✓	✓	
Build Council's identity and brand through consistent visual communication	✓				
Use digital marketing to enhance awareness of Council projects and services	✓	✓	✓		✓
Create targeted, engaging and audience focused communications using data			✓	✓	✓
Regularly benchmark and review internal and external communications	✓				✓
Support elected members by keeping them informed so they can share information and increase awareness of Council activities and services through community networks	✓	✓			
Measure, evaluate and report on all communication activities at campaign completion	✓	✓			✓

*Communication and Engagement Principles definitions on page 14.

Strategic priority 3

Media and public relations



We will build trust and reputation through proactive, consistent and trustworthy information that responds to issues and community priorities.

ITEM 8 - ATTACHMENT 2 COMMUNICATION AND ENGAGEMENT STRATEGY 2025-2030.



Key objectives	Communication and Engagement Principles*				
	1	2	3	4	5
Build and maintain strong relationships with media to facilitate informed reporting	✓	✓			
Promote Port Stephens with positive and proactive media	✓	✓			
Work across the organisation to identify newsworthy stories	✓		✓		✓
Respond promptly to media enquiries to meet news deadlines	✓	✓			
Develop annual Community Advocacy Priorities and implement campaigns to drive awareness of local issues and key priorities	✓		✓	✓	
Build relationships with stakeholders by celebrating key achievements together			✓	✓	
Foster opportunities for elected representatives or Executive to speak at corporate, community and networking events		✓	✓		
Coordinate Council's emergency management communications	✓	✓			
Continue to improve media record and information management	✓	✓			
Monitor, evaluate and report on all media and public relations activity	✓	✓			✓

*Communication and Engagement Principles definitions on page 14.

Measures of success

Measures of success

Continuous improvement is an integral part of improving our communication and engagement process. We'll monitor and report on our communication and engagement activities for effectiveness against the principles and key objectives of this Strategy.

Our communication and engagement efforts are reported and evaluated through the following processes:

- Upon completion of the communication campaigns or engagement programs.
- As part of Council's quarterly, 6 monthly and annual reporting.

Some key considerations in our reporting include:

- How effectively were barriers to engagement addressed?
- Did we reach people impacted by the project or people that are representative of our demographic?
- Were the intended outcomes of the engagement process achieved?
- How well did we provide feedback to participants on the results of their contribution?

Our annual targets



Attachment 1

Community Participation Plan

It is a statutory requirement for Councils in NSW to prepare a Community Participation Plan (CPP) that is an easy-to-use guide for the community to provide input into planning decisions when Council is the consent authority.

Under Section 2.23 of the Environmental Planning and Assessment Act (EP&A Act) 1979, we are required to:

1

Inform the community about planning matters that affect them.

2

Encourage meaningful opportunities for community participation in planning.

3

Ensure planning information is in plain English, easily accessible and in a form that facilitates community participation.

4

Creates opportunities for early community participation as early as possible enabling community views to be genuinely considered.

5

Ensures community participation is inclusive.

6

Ensure community members affected by proposed major development are engaged when an application for planning approval is made.

7

Provides transparency in planning decisions, showing how community views have been considered.

8

Delivers community participation that is appropriate to the significance and likely impact of the proposed development.

ITEM 8 - ATTACHMENT 2 COMMUNICATION AND ENGAGEMENT STRATEGY 2025-2030.

How are we meeting the EP&A Act requirements	EP&A Act requirements							
	1	2	3	4	5	6	7	8
Early meaningful engagement with the Port Stephens community in developing state and local government strategies.	✓	✓	✓	✓	✓		✓	✓
Notification of Planning Proposals and Addendums to local government strategies via: • Direct letter to adjoining land owners. • Print advertising, e-Newsletters and the Council's website for the broader community.	✓	✓	✓		✓			
Proponent led Social Impact Assessments are required if triggered by the development type.	✓	✓		✓		✓		✓
Public access to Council meeting agendas, meetings and minutes on Council's website and in person.	✓				✓		✓	
Reports to Council outline each submission and Council's response to each.							✓	
Notification to any persons providing a submission, the outcome and how their feedback was considered.	✓						✓	
Standards of practice set for public exhibition periods.*		✓			✓		✓	
Communication and Engagement Strategy Strategic Priority 1 Community engagement key objectives (page 19): • Design engagement opportunities that enable time for considered thought and contribution. • Ensure engagement opportunities consider place, diversity and accessibility.		✓	✓		✓			
Communications and Engagement Strategy Strategic Priority 2 Community communications key objectives (page 21): • Design communications that's easy to understand and accessible to all. • Continue to use our public website as the core community channel. • Create targeted, engaging and audience focused communication using data.		✓	✓		✓			

*If the exhibition period is due to close on a weekend or public holiday, it might be extended to finish on the first available work day. In accordance with the planning legislation, the period between 20 December and 10 January (inclusive) is excluded from the calculation of the period of public exhibition.

Plans or applications can't be made or determined until after the minimum period of public exhibition.



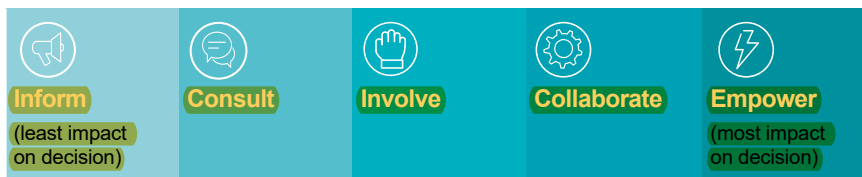
Community participation

Community participation is important under the Community Participation Plan.

Opportunities for community input into the Planning Proposal Process and Development

Application process align with the level of communications and engagement outlined on page 12 of the Communication and Engagement Strategy.

Levels of communication and engagement



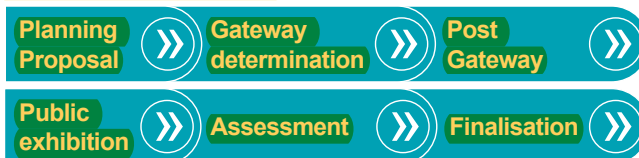
Planning proposal process

In this section, each step of the Planning Proposal and Development Application processes is explained, along with how and at what level the community can get involved.

Non-mandatory requirements



Mandatory requirements



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State and local government strategies

The Planning Proposal and Development Application process is preceded by the development of key state and local government strategies. These strategies guide planning proposal decisions. These can include the Hunter Regional Plan 2041, the Port Stephens Local Housing Strategy, Local Supply Plan, Local Environment Plan and the Development Control Plan



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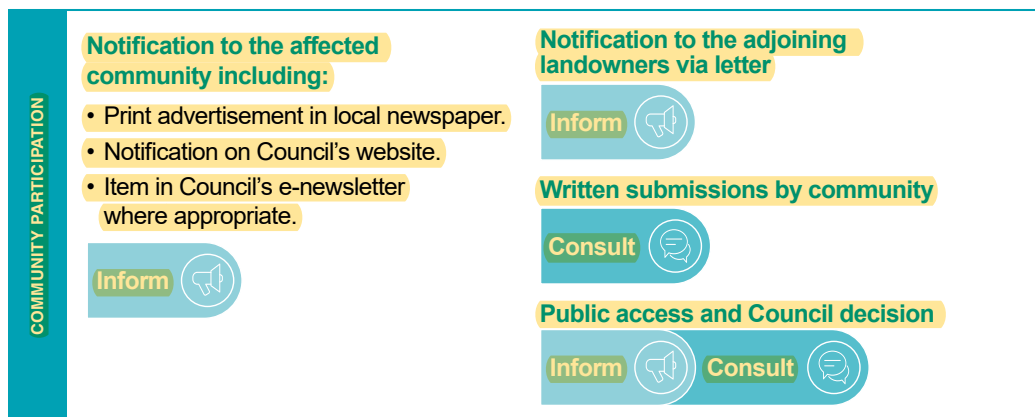
COMMUNICATION AND ENGAGEMENT



Local Housing Strategy (LHS) addendum request

If a site is not identified for housing in an adopted Council strategy endorsed by the NSW Department of Planning, Housing and Infrastructure (DPHI), DPHI may require a proponent to request Council and DPHI to consider an 'addendum' to the strategy. Addendum requests will be placed on public exhibition for 28 days following lodgment and prior to any assessment by Council.

Early feedback will be provided to the proponent encouraging community participation. The proponent will be required to provide a communication and engagement report to Council outlining what communications and engagement have been undertaken as part of pre-lodgement. A Social Impact Assessment may also be required depending on the proposed impacts of the development.



An addendum or amendment to a state or local government planning strategy can be made, and community members are invited to provide feedback on a proposed change during a public exhibition.



Planning Proposal Process

1. Scoping Proposal

During this step, careful research is done to plan the proposal. This may include basic background studies, looking at the site and its surroundings, defining the objectives of the proposal, and exploring the feasibility of the ideas. Early feedback will be provided to the proponent encouraging community participation. The proponent will be required to provide a communication and engagement report to Council outlining what communications and engagement have been undertaken as part of pre-lodgement. A Social Impact Assessment may also be required depending on the proposed impacts of the development.

COMMUNITY PARTICIPATION

Early input from government and key agencies

Involve



2. Planning Proposal

Preparation and lodgment of the planning proposal by the proponent and initial assessment by Council.

COMMUNITY PARTICIPATION

Notification to the affected community including:

- Print advertisement in local newspaper.
- Notification on Council's website.
- Item in Council's e-newsletter where appropriate.

Inform



Notification to the adjoining landowners via letter

Inform



Public access and Council decision

Inform



Consult

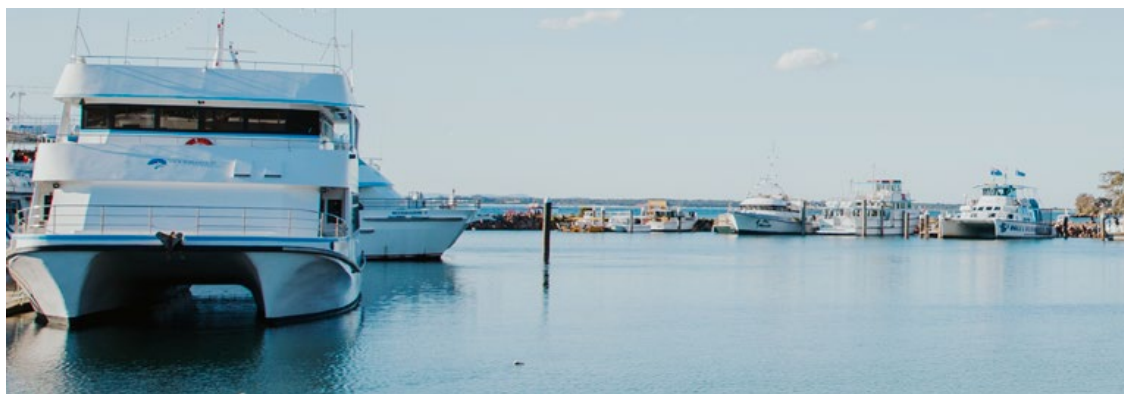


3. Gateway determination

The proposal is reviewed for strategic and site-specific merits by the NSW State Government who determine whether the planning proposal should proceed to the next stage

Gateway determination will set the statutory public exhibition period.

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4. Post Gateway

The proponent undertakes additional studies, and engagement with key authorities and government agencies if required.

COMMUNITY PARTICIPATION

Additional input from government and key agencies

Inform



5. Public exhibition

At this stage, input from the community and government agencies is welcomed to review the planning proposal before a final decision is made.

COMMUNITY PARTICIPATION

Notification to the affected community including:

- Print advertisement in local newspaper.
- Notification on Council's website.
- Item in Council's e-newsletter where appropriate.

Inform



Optional public hearing

Consult



Notification of planning proposal to adjoining land owners via letter

Inform



Written submissions by community or government agencies

Consult

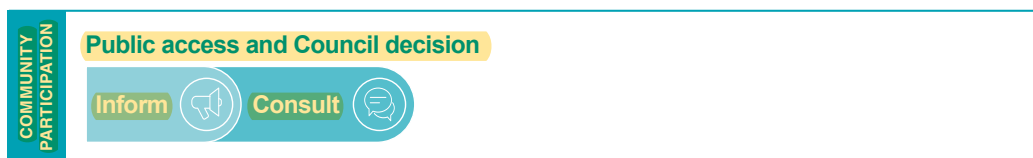


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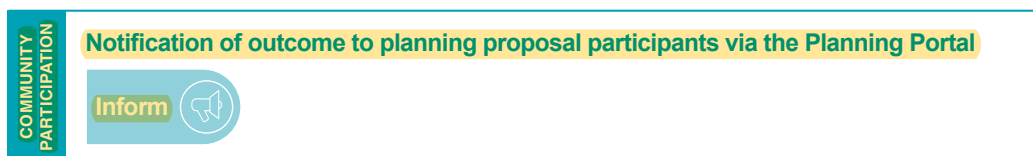
6. Assessment

Review and evaluate submissions and address any concerns. Council determines whether the Local Environment Plan (LEP) should be changed in accordance with the Planning Proposal.



7. Finalisation

If the Planning Proposal is supported, amendments are made to the Local Environment Plan (LEP).



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Development Applications

1. Lodgment of Development Application

The application is lodged on the NSW Planning Portal, checked for completeness and allocated to a Council officer to assess.

COMMUNITY PARTICIPATION

Notification to the affected community including:

- Print advertisement in local newspaper
- Item in the Development Application E-Newsletter (subscription only)
- DA Tracker on Council's website

Inform



2. Assessment of Development Application

In this step, the level of assessment reflects the level of impact the development may have. A Council officer assesses the application and can include site visits and discussions with key authorities.

Some development applications require notification to adjoining residents or public exhibition and these are outlined in Table 2 and 3.

Some Development Applications do not require notification or public exhibition, these are outlined in Tables 2 and 3.

COMMUNITY PARTICIPATION

Notification of development application to adjoining landowners

Inform



Written submissions by community or government agencies

Consult

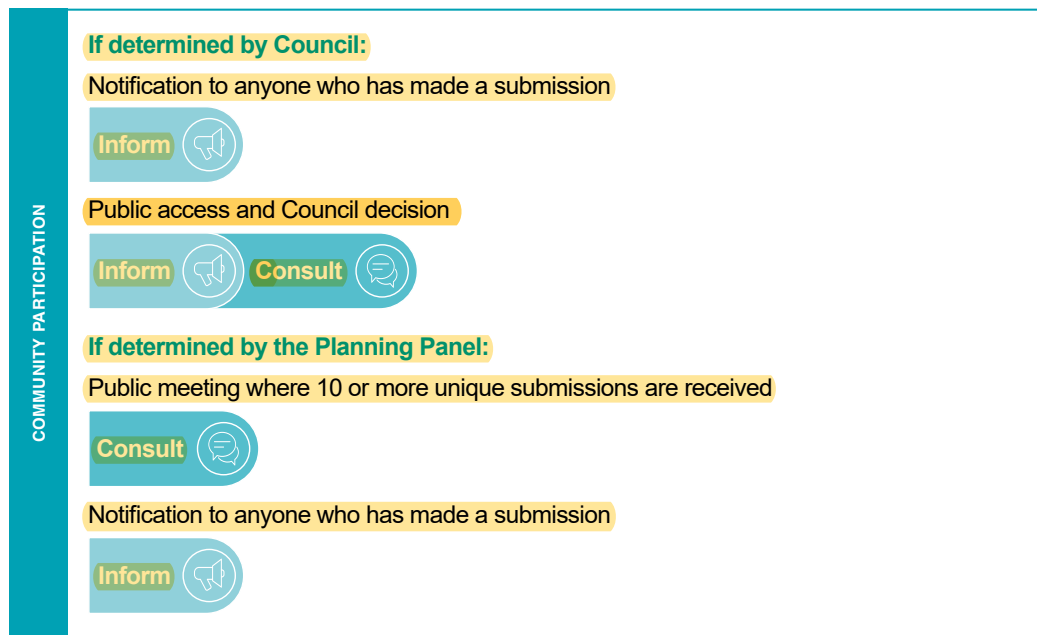


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3. Determination of Development Application

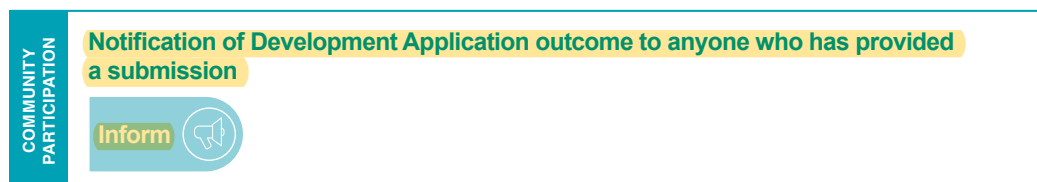
A delegated Council officer, Council, or the Planning Panel can make the decision to approve a Development Application.

Where Council makes the determination of a DA, these applications go through the Council meeting approved process.



After decision

Once a decision is made the development can proceed or not



We distribute a weekly Development Application E-Newsletter that provides information on all Development Applications lodged with Council the week prior. Visit pscouncil.info/DAe-newsletter to sign up.



Have your say

Making a submission

- A submission to Council is a formal way to show whether you are in support or opposition to a proposal or development. It allows our community to provide feedback and influence the decision-making process. Submissions are made during a public exhibition period. A submission must be:
 - Received on or before the last day of the nominated timeframe for the public exhibition
 - Made in writing (through the mail, email or hand delivered to Council)
 - Contain the name and address or email) of the person making the submission
 - Include the application number for reference (for development applications) or the name of the exhibited planning matter
 - Include a statement of objections or support and reasons

Speaking in public access

Public Access provides a way for community members to speak directly to the Mayor and Councillors about local or Council issues. The Mayor and Councillors may ask the speaker questions to gain further clarification on their views to inform their decision making. A public access request must be submitted by 12 midday on Monday prior to the Tuesday Council meeting.

The Public Access Application Form can be found on our website at pscouncil.info/council-meetings

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Community participation requirements

Under the EP&A Act, the following minimum community participation requirements apply to local planning functions:

Table 1

Mandatory timeframes	Minimum community participation requirement
Division 1 — Schedule 1 to the EP&A Act	
Draft community participation plans	28 days
Draft local strategic planning statements	28 days
Planning proposals for local environmental plans subject to a gateway determination	28 days or as specified by the Gateway Determination
Draft development control plans	28 days
Draft contributions plans	28 days
Division 2 — Schedule 1 to the EP&A Act	
Development Application for designated development	28 days
Environmental Impact Statement obtained under Division 5.1 (An Environmental Impact Statement prepared for certain development such as state significant development.)	28 days
Re-exhibition of any amended application or matter referred to above	The period (if any) determined by the person or body responsible for publicly exhibiting the application or matter.

Exhibition timeframes are measured in calendar days and include weekends.

Development applications

Table 2 outlines Council's minimum notification requirements for development applications. If there's an inconsistency between the notification requirements of this CPP and legislative requirements, the legislative requirements will prevail. If a use is not defined within Table 3, it is up to the discretion of council if the application will be notified.

Table 2 – Community Participation Categories (Refer to Table 3 for details)

Exhibition types	
Type	Requirements
A	Not Notified Development Council may at its discretion decide to notify any of this type of development that may significantly impact on the amenity of adjoining land owners.
B	Notified Development A 14 day notification period will apply. Written notification will be sent to all owners of land directly adjoining or opposite the development site. Additional owners and occupiers may be notified at the discretion of Council staff. Council may at its discretion decide not to notify development where impacts on adjoining land owners are considered minor in nature.
C	Advertised Development Written notification in accordance with 'type C' requirements and an advertisement published on Councils website. Development Application (DA) information published on DA Tracker. Additional advertisements may be placed in newspapers and/or through such other mechanisms as may be appropriate to ensure that the public is reasonably aware of the proposal. Council may also at its discretion decide not to advertise insignificant development.

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Modification applications

The need or otherwise to notify an application to modify a development consent will be undertaken in accordance with the requirements of the Act and Regulations or at the discretion of Council in consideration of the nature of the modifications proposed. Minor or low impact changes will not be notified

Table 3 – exhibition periods

Development category	Exhibition types		
	A – Not Notified Development	B – Notified Development	C – Advertised Development
Residential Accommodation			
Dwelling – single storey	✓		
Secondary dwelling	✓		
Rural workers dwelling	✓		
Residential ancillary (for example sheds, pools)	✓		
Residential flat building			✓
Residential accommodation – all other types		✓	
Rural			
Agriculture		✓	
Farm buildings	✓		
Forestry			✓
Animal boarding or training establishment		✓	
Extractive industries/open cut mines			✓
Commercial Development			
Commercial premises (office, retail and business)		✓	
Home business/occupation	✓		
Entertainment facilities			✓
Function centres			✓
Sex services premises/home occupation (sex services)			✓
Restricted premises			✓
Community and entertainment facilities			
Places of public worship			✓
Recreation facility (major)			✓
Education establishment			✓
Health services facility		✓	
Other uses relating to community infrastructure		✓	
Industrial development			
General industry		✓	
Industrial retail outlets		✓	
Industrial training facilities		✓	

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Development category	Exhibition types		
	A – Not Notified Development	B – Notified Development	C – Advertised Development
Industrial development			
Light industry	✓		
Storage premises		✓	
Heavy industrial storage establishment			✓
Warehouse and distribution centres		✓	
Freight transport facilities		✓	
Heavy industry			✓
Rural industry		✓	
Subdivision			
Strata subdivision	✓		
10 or more Torrens or community title lots		✓	
Tourist and visitor accommodation			
Caravan parks and camping grounds*			✓
Tourist and visitor accommodation - all types		✓	
Eco-tourist facility		✓	
Miscellaneous			
Boatshed		✓	
Electricity generating works		✓	
Environmental facilities/environmental protection works		✓	
Moorings/mooring pens		✓	
Signage	✓	✓	
Air transport facility			✓
Airstrip			✓
Helipad			✓
Cemetery/crematorium/mortuaries			✓
Correction centre			✓
Marina			✓
Passenger transport facilities			✓
Port facilities			✓
Sewerage system		✓	
Waste or resource management facility			✓
Water supply system		✓	

* The operator is required in writing to notify all potentially affected residents of their intention to lodge a development application or a planning proposal. This notice must be given at least 30 days before the operator lodges the development application or proposal. This change has come from an amendment to the Residential (Land Lease) Communities Amendment Act.

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STRATEGY 2025-2030.

COMMUNICATION AND ENGAGEMENT



PORT STEPHENS
COUNCIL

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Port Stephens Communications and Engagement Strategy

Communication and Engagement Report

June 2025



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1 Port Stephens Council

Introduction

Over the past few years, a fundamental shift has occurred in the approach to public sector communications and engagement. Social media has increased the expectations around communications as a conversation, and the impacts of COVID-19 have heightened the community's awareness of what's important to them and created a greater desire to engage in the planning for their place.

To align with the shifts in the sector and Council's focus on liveability and wellbeing, Council needs to deliver a genuinely integrated and inclusive approach to engagement and communications. A combined Communication and Engagement Strategy will strive to meet legislative, business and community requirements.

The strategy document also includes Council's Community Participation Plan as an attachment to ensure compliance with the Environment and Planning Assessment Act 1979 – Division 2.6.

This Communication and Engagement Strategy will create a blueprint for successful and meaningful communications and engagement, reflecting our commitment to genuinely involve and engage with the community we serve.

The following report covers the development of the Communication and Engagement Strategy. The current Strategy was significantly rewritten in 2022 and it was deemed important to keep this communication and engagement history together with the current revision in 2024 and 2025. The current revision of the strategy and associated public exhibition period is post the local government elections in 2024 and in line with the IP&R cycle.

Communication and Engagement Methodology

The Communications and Engagement Strategy engagement program consisted of four (4) phases:

- Phase 1: Communications and engagement data gathering (2021)
- Phase 2: Communication and engagement deep dive (2022)
- Phase 3: Public exhibition (17 June to 15 July 2022)
- Phase 4: Public exhibition (10 March to 6 April 2025)

The engagement and communication program was designed based on the demographic analysis or audience profile for the Port Stephens community.

Phase 1 – Communications and engagement data gathering (2021)

Phase 1 engagement for the Communications and Engagement Strategy was undertaken as part of the Council Integrated Engagement Program. The Integrated Engagement Program aimed to seek community feedback on a number of key strategic documents through the same engagement opportunities, streamlining the way we engage and move away from single use engagement, building broader meaningful participation. This included drawing from community feedback from the 2021 Community Satisfaction Survey, a series of 'Place and Vision' community workshops and the Community Strategic Plan check in through an online survey.

Given the lockdown in late 2021 and the ongoing COVID-19 restrictions, the 'Place and Vision' workshops were held online to maximise community participation and safety.

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Table 1: Phase 1 Communication and engagement methods

ACTIVITY	DESCRIPTION	PARTICIPATION
Community Satisfaction Survey 2021	Communication and engagement based questions included as part of the Community Satisfaction Survey seeking feedback on the methods and satisfaction with participation in communication and engagement previously.	2187 overall responses
Direct stakeholder meeting Oct 2021	Direct correspondence received from key stakeholder groups as well as a stakeholder meeting held in response to the correspondence between the Group Manager Development Services, the engagement team representative and the stakeholder groups.	2 x correspondence 1 x stakeholder meetings in response
Place and Vision Workshops Nov-Dec 2021	4 x online workshops via zoom for the following communities: West ward Raymond Terrace and surrounds 2 x East ward Nelson Bay, Salamander Bay and surrounds Central ward Tilligerry, Salt Ash and surrounds	3 attendees; 11 EOIs 23 attendees; 57 EOIs 13 attendees; 29 EOIs
Community Strategic Plan online check in survey Mar 2022	Online survey to understand the community's level of support for each of the community focus area and strategies including 'Our Council' focus area that includes communications and engagement.	59

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JUNE 2025.**Phase 2 – Communications and engagement deep dive (April 2022)**

In Phase 2 we took on a deep dive into the data received in Phase 1 by setting up a community focus group convened via invitation. This focus group met over two sessions in a hybrid model both face to face and online to hear about the background for the Strategy, the feedback Council has received to date and work on the strategic direction for communication and engagement.

Table 2: Phase 2 Engagement methods

DATE	METHOD	PARTICIPATION
Community Focus Group	A community focus group was established with individual and key community organisations representatives from across the LGA. Groups invited to represent included: • Shoal Bay Community Association • Tomaree Residents and Ratepayers Association • Econetwork • Soldiers Point Community Group • Mambo Wanda Wetlands Landcare Group • Anna Bay Community Hall • Voices of Wallalong and Woodville • Lemon Tree Parks and Gardens • Medowie Progress Association Individuals who had expressed interest in previous engagement opportunities were also invited to represent areas not covered by a community group including: • Raymond Terrace • Medowie • Tilligerry • Seaham • Karuah	9 attendees (13 invites issued)

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JUNE 2025.**Phase 3 – Public exhibition (17 June to 15 July 2022)**

The draft Communications and Engagement Strategy was placed on public exhibition for 28 days from 17 June 2022 to 15 July 2022 following Council resolution to exhibit on 14 June 2022.

Table 3: Phase 3 Communication methods(2022)

ACTIVITY	DESCRIPTION	REACH
Webpage	Public Exhibition page	119 page visits
Print or online media	Media release 16 June 2022, New blueprint for Council's communications and engagement https://www.portstephens.nsw.gov.au/council/news/2022/new-blueprint-for-councils-communications-and-engagement Media related via Media Monitors 23 June 2022, Have your say on council strategy, Port Stephens Examiner, print edition https://digital-print-edition.austcommunitymedia.com.au/PSE/2022/06/23/3dissue/index.html 27 June 2022, 'Port Stephens Council strategies go on public exhibition', Port Stephens Examiner, online edition https://www.portstephensexaminer.com.au/story/7784689/port-stephens-council-strategies-go-on-public-exhibition/ 20 June 2022, 'New blueprint for Council's communications and engagement', National Tribune https://www.nationaltribune.com.au/new-blueprint-for-council-s-communications-and-engagement/	25,000 distribution
Social media	Paid and unpaid social media post on 17 June 2022	16,541 reached; 93 likes, comments shares, 897 post clicks
Direct email	Group email sent to community focus group participants	9 emails

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ACTIVITY	DESCRIPTION	REACH
Bulk e-newsletters	22 June 2022, Your Port e-edition	2421

Table 4: Phase 3 Engagement methods (2022)

DATE	METHOD	PARTICIPATION
Online Survey Open 17 June – 15 July 2022	Survey via Survey Monkey – ‘Draft Communications and Engagement Strategy Check in’ – designed to check if our proposed direction is heading in the expected direction	40 surveys completed
Individual discussion	Individual follow up phone calls with previous focus group participants – detailed one on one discussions	3
Submissions	Submissions received	9 submissions

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JUNE 2025.**Phase 4 – Public exhibition (10 March to 6 April 2025)**

The revised Communications and Engagement Strategy was placed on public exhibition for 28 days from 10 March 2025 to 6 April 2025 following Council resolution to exhibit on 25 February 2025.

Table 5: Phase 4 Communication methods (2025)

ACTIVITY	DESCRIPTION	REACH
Webpage	Public Exhibition page	45 page visits
Local media update	Media update, 17 March 2025	19 contacts
	Media update, 31 March 2025	19 contacts
Social media	Social media posts:	
	1 April (Mayor's video)	1691 reach 28 interactions
	5 April 2025 (last chance post)	831 reach 3 interactions
Direct email	Bulk email sent to community groups listing 10 March 2025	276 emails
Bulk e-newsletters	22 June 2022, Your Port e-edition	2421

Table 6: Phase 3 Engagement methods (2025)

DATE	METHOD	PARTICIPATION
Submissions	Submissions received	5 submissions
CEAG meeting	Meeting item: Submissions content discussion with focus on Community Participation Plan – meeting 16 April 2025	16 attendees

Key findings

The total participation across all 4 phases in the development of the Communications and Engagement Strategy, is over 2400 feedback interactions. This figure includes:

- Community Satisfaction Survey responses (2187 responses)
- Meetings with key groups/stakeholders (9 attendees)
- Place and Vision workshops (96 EOIs)
- Community Strategic Plan 'check in' survey (59 responses)
- Draft Communication and Engagement Public Exhibition 'check in' survey (40 responses)
- Draft Communication and Engagement Strategy Public Exhibition (2022) submissions (9 submissions)
- Revised Draft Communication and Engagement Strategy Public Exhibition (2025) (5 submissions)

Phase 1 – Communications and engagement data gathering (2021)

Community Satisfaction Survey

The annual Community Satisfaction Survey from 2021 has regularly included 4 questions which particularly relate to communications and engagement. These questions are:

- a) In the past 12 months have you contacted Council staff for any reason (in person, writing or email, by telephone, text message or social media)? If yes, how satisfied are you with our response including time, manner and answering your enquiry? Please keep in mind we do not mean the actual outcome but rather the customer service that was received.
- b) 'How do you prefer to receive information about Council and what is happening in Port Stephens? (Select all that apply)
- c) 'In the past 12 months, do you feel you have had an opportunity to provide input in Council projects and decision making?'; and
- d) 'What methods did you use to provide input in Council decision making? (Select all that apply)

Questions a) and c) are of particular interest in terms of determining performance trends and also future target/goal setting, while questions b) and d) provide useful data for future communications and engagement activities. Figures 1 and 2 show current performance trends over the past 4 years for questions a) and c). The results of the annual Community Satisfaction Survey for 2022 were not available at the time of writing this report.

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Both figures show a decreasing trend over the last three years with a minor decrease in satisfaction with contact with Council and a significant decrease for satisfaction with input into decision making.

Figure 1 – Satisfaction with contact with Council

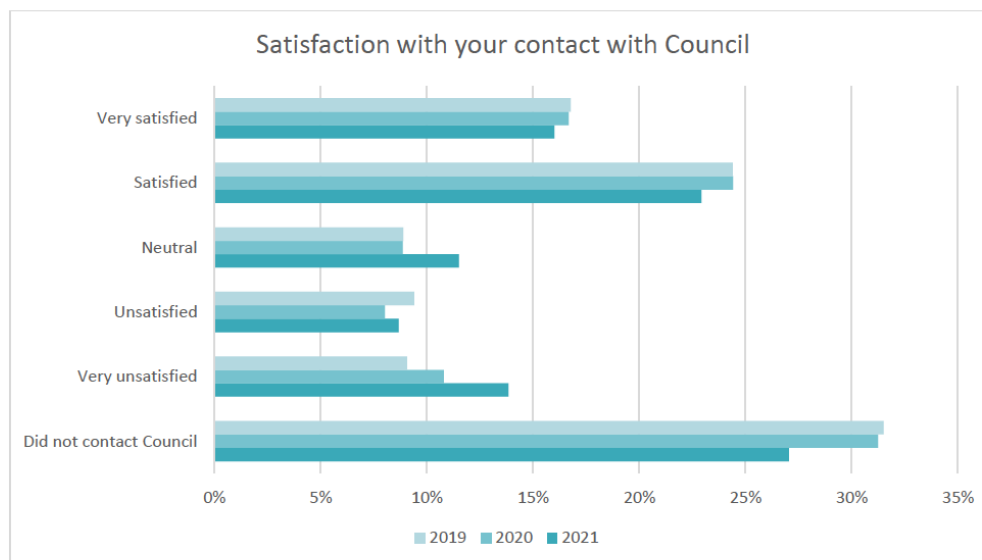
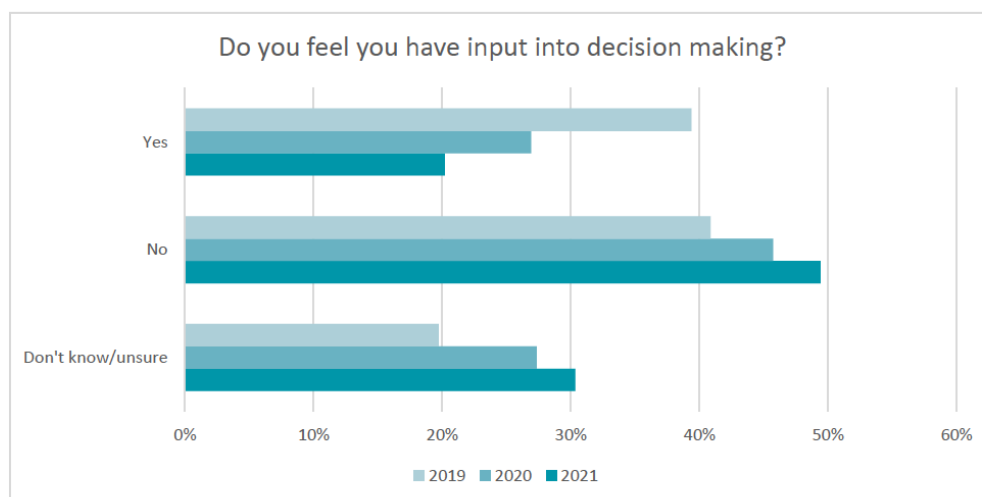


Figure 2 – Input into decision making



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JUNE 2025.****Direct stakeholder meetings and correspondence**

In October 2021 a direct stakeholder meeting was held with representatives from a range of community groups after correspondence from Econetwork dated 25 August 2021 and phone calls were provided to Council outlining concerns with Councils communications and engagement. The meeting discussed concerns and improvements the attendees would like to see in the future. Correspondence from Econetwork dated 4 November 2021 includes the listing of attendees and community group representation and summarised the meeting. The issues raised at the meeting helped to highlight the need for a review of the communications and engagement strategy and to improve associated processes.

Tomaree Ratepayers and Residents Association (TRRA) also raised a number of issues with council processes in their letter dated 14 July 2022 primarily regarding planning matters but also mentioned the communications and community engagement strategy.

See Appendix A for copies of letters from Eco Network and TRRA.

‘Place and Vision’ Workshops

Four (4) ‘Place and Vision’ online workshops were held across the LGA as part of the review of the Community Strategic Plan. As part of these workshops a number of ‘hot topics’ were investigated including ‘Improving community engagement’. These sessions examined what was the current situation, what success looks like for community engagement and actions participants would like Council or the community to undertake to help us reach a state of success.

Some of the similar comments around the current situation across all workshops were:

- Lack of notice for community engagement opportunities,
- Council wasn’t actually listening to the feedback they gave
- Information was lacking in how their feedback was used in decision making
- Engagement approach was inconsistent
- Lack of clarity around areas of influence
- Council relied too much on digital and online forms of engagement.

Some of the similar comments around ‘What success would look like’ were:

- Broader engagement methods using both online and traditional methods,
- Clear guidance on what can be influenced
- Councillors to be more involved in observing engagement to hear first hand feedback.

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- More time allocated for considered feedback
- Community involvement at a strategic stage to understand and assist in the problem solving phase
- More diverse representation of participants

A number of ideas to move Council towards a state of success were suggested including collating feedback opportunities where possible, using community groups to assist in promoting Council information and using SMS to inform of engagement opportunities. All comments from the Place and Vision workshops and are included in Appendix B.

Community Strategic Plan Check in survey

As part of the Community Strategic Plan review a short check in survey was undertaken from 28 February to 14 March 2022. The survey was designed as a milestone point to check in with the community about whether Council were on the right track with the proposed changes to the Community Strategic Plan. The proposed changes relating specifically to communications and community engagement is under the Our Council part of the Community Strategic Plan and this change was articulated in Figure 3 below. Of the 59 responses received 84.8% were supportive or very supportive of the proposed changes.

Figure 3 – Our Council check in question



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Comments from this survey specifically relating to communications and community engagement included:

- Little opportunity to find out the result of engagement or what other people thinking and closing the loop needs to be given higher priority
- Ensure the community has access to all the information to make an informed decision
- Use diverse approaches to ensure all voices are heard
- Ensure council decision on issues of community concern support the community's wishes
- Make engagement and outcomes more transparent

Phase 2 – Communications and engagement deep dive Community Focus Group

The Community Focus Group was set up to delve deeper into previously received feedback. Thirteen (13) representatives were invited to participate with 9 representatives attending. The group met over two sessions in a hybrid model both face to face and online to hear about the background for the Strategy, the feedback Council has received to date and to help work on the strategic direction for communication and engagement. This group discussed what Council's approach to a) planning communications and engagement when seeking community input and b) when providing information to the community.

a) Planning communications and engagement

When planning and seeking community feedback, participants identified that Council needs to be:

- clear about where and why they are seeking input
- undertake engagement earlier to ensure improved participation
- create ongoing community conversations rather than project by project engagement
- provide easy and accessible engagement for all people to participate in
- broaden the demographic of who participates
- actually listen when feedback is received

b) Providing information to the community

When providing information to the community, participants suggested Council consider:

- clear messaging
- multiple access points for information
- simple and easy to understand language free from technical jargon
- more lead in time to organised events, programs and engagement opportunities

The group devised a number of actions across themed areas of digital, web and external communications; community engagement; visual communications and media and public relations. These actions have been listed in Appendix C with the aim to improve the way Council engages and communicates with the community.

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Phase 3 – Public exhibition (from 17 June to 15 July 2022)

There were three main engagement activities associated with Phase 3 – public exhibition. This included an online survey, call for submissions through the public exhibition process as well as follow up contact with the focus group participants from Phase 2.

Online Survey

The online survey was designed to gather information about people's thoughts about the draft strategy to check if Council had reflected the feedback received to date.

There were 40 survey responses received. Some key results include:

- 79.4% of respondents supportive of the Strategy's principles and vision
- 81.6% of respondents supportive of the key objectives for Strategic Priority 1 – Community Engagement
- 80.6% of respondents were supportive of the key objectives for Strategic Priority 2 – Community Communication
- 22.1% of respondents were supportive of the key objectives for Strategic Priority 3 - Media and Public Relations
- High level of interest expressed by survey respondents in being part of the Community Reference Panel with 42.4% indicating they wanted to be involved and 42.4% interested but would like more information.
- The most popular age bracket for respondees was between 60-69.

Some of the most frequent themes from the comments and suggestions in the survey and the number of times mentioned are summarised in Table 5. For full results see Appendix D.

Table 7: Online survey comment themes

Theme	Number of comments
Improve wording, choice of language, formatting and keep to plain English	29
Improve measuring and reporting to help build trust in Council	39
Improve the method of communication and engagement	33
Ensure inclusion and consider demographics of area	12
Miscellaneous comments (includes non response answers like N/A)	11

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Formal submissions 2022

Formal submission for the Strategy were received via email and letter. Nine (9) submissions were received.

From these submissions there was general support for the draft document and Council's approach to date.

The details of the formal submissions have been summarised and included in Table 6. The feedback received expressed similar themes to the online survey responses. Submissions and Council's responses are included in a submission table in Appendix E.

Table 8: Submission comment themes

Theme	Number of comments
Improve wording, choice of language, formatting and keep to plain English	10
Improve measuring and reporting to help build trust in Council	28
Improve the method of communication and engagement	24
Ensure inclusion and consider demographics of area	7

Recommendations from 2022 were:

Based on the community feedback received throughout phases 1-3 it is recommended the following changes be made to the draft Communication and Engagement Strategy (2022-2027).

- Reduce and simplify wording and improve formatting
- Remove numbering of key objectives to reduce confusion around priority
- Update statistics page reflective of new Australian Bureau of Statistics (ABS) data
- Better explain purpose of the document and include a definition for engagement and communications
- Demonstrate a clearer link between the Strategy principles and key objectives.
- Inclusion of information relating to stakeholder groups and barriers to engagement
- Make clearer the key objective about the Community Reference Group and rename to align more with Councils other advisory groups
- Incorporate a key objective to develop a communication engagement process including evaluation process
- Incorporate a summary of the methods used to engage and communicate
- Expand measures of success to enable reporting against Councils Community Strategic Plan and the Strategy's principles and framework
- Minor changes to the Community Participation Plan

ITEM 8 - ATTACHMENT 4 COMMUNICATION AND ENGAGEMENT REPORT
JUNE 2025.**Phase 4 – Public exhibition (from 10 March to 6 April 2025)**

Formal submission for the draft strategy were received via email. Five (5) submissions were received.

The details of the formal submissions are included as a submission table in Appendix F.

Table 9: Submission comment themes

Theme	Number of comments
Improve wording, choice of language, formatting and keep to plain English	1
Suggest considerable changes to the Community Participation Plan to improve community consultation opportunities in the process of planning proposals or rezonings specifically	3
Improve equity and access – draft document was not available for the 'listen option'	1

The content of the above submissions were discussed with the Communication and Engagement Advisory Group (CEAG) on 16 April 2025. The action from this meeting was to incorporate submission feedback and CEAG suggestions where possible into changes of the draft strategy with particular focus on improving the draft Community Participation Plan to clearly articulate the community consultation opportunities during the planning proposal or rezoning process specifically.

**ITEM 8 - ATTACHMENT 4 COMMUNICATION AND ENGAGEMENT REPORT
JUNE 2025.****Recommendations from 2025 were:**

Based on the submissions received through phase 4 it is recommended that the following changes be made to the draft Communication and Engagement Strategy (2024-2028).

- Minor wording and formatting changes including specifically expansion of abbreviations where possible
- Update the Community Participation Plan to better articulate the opportunities for community input
- Process improvement to include specific link on the have your say website page to items on public exhibition and investigation into improving the listen option for pdf items.

Appendix A: Key correspondence



econetwork
port stephens

PO Box 97,
Nelson Bay NSW 2315

25 August 2021

To: Mayor and General Manager

At a Workshop of more than 30 EcoNetwork affiliate groups and other members on 19 June 2021, one of the common problems raised was lack of transparency and inadequate public consultation by Port Stephens Council, particularly in relation to planning matters and public works.

Proper community consultation is hard. We know it is frustrating for Council when community groups raise concerns late in the planning process, often when it is too late to make changes, but this often reflects a failure of earlier communication. We accept that groups will often not get the result they want – Council rightly has to take into account a range of inputs.

But there is widespread feeling, based on experience, that Council is not genuine in its declared commitment to community engagement. Community organisations regularly experience unhelpful secrecy, frustration in obtaining information, and flawed Council consultation processes. Too often, Council expends significant resources on just telling the community what it has already decided to do rather than genuinely explaining options, gathering input and listening to community viewpoints.

Amongst the improvements we would all like to see are:

- Direct email notification to established community groups of matters affecting their locality
- Restoration of advertising of significant DAs and other matters in local papers
- Longer periods to digest and respond to documents – including Council agendas
- Documents left on the DA Tracker indefinitely – as many Councils do
- Less unnecessary redaction of plans and business contact details
- Better facilities for inspection of documents in the Council Chambers and at Libraries
- Better discretionary consultation on Council public works

Other planning related changes required are:

- Proper sequence of local master planning before approval of individual DAs and Council works that pre-empt such plans
- Tougher criteria for accepting significant applications of the LEP variation clause 4.6 in respect of building heights and other standards
- Insistence on ecological surveys and other reports being up to date
- Greater weight given to maintaining the character and ambience of localities
- More pro-active monitoring of compliance and strong enforcement of conditions

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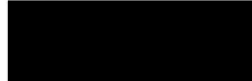
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On behalf of our members and affiliated groups, we request a meeting with you and senior Council officers as soon as practicable to discuss these issues.

We look forward to hearing from you.



President, Econetwork Port Stephens

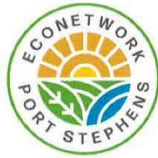
Please reply to:
president@econetworkps.org
phone 0434 411 354

EcoNetwork Affiliates: (Those present at June 2021 meeting in bold)

Businesses: Destination Port Stephens • Imagine Cruises • Irukandji Shark & Ray Encounters • Salamander Recycling • **Community groups:** Boomerang Park Preservation Group • Climate Action Port Stephens • Friends of Tomaree National Park • Hunter Valley Botanic Gardens • Mambo Wanda Wetlands Reserves & Landcare Committee • Mambo-Wanda Wetlands Conservation Group • Myall Koala & Environmental Support Group Inc. • National Parks Association (Hunter) • North Arm Cove Residents Assoc. Inc. • Ocean and Coasts Community Initiative (O.C.C.I.) • Pindimar Bundabah Community Association • Plastic Free Port Stephens • Port Stephens Marine Parks Association • Port Stephens Native Flora Gardens • Shoal Bay Community Association Inc. • Soldiers Point Community Group • Soldiers Point-Salamander Bay Tidy Towns Inc • South Tomaree Community Association Inc • Tilligerry Habitat Association Inc. • Tomaree Birdwatchers • Tomaree Community Garden • Tomaree Museum Association • Tomaree Ratepayers & Residents Association Inc • Voice of Wallalong, Woodville & surrounds, (VOWW)

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JUNE 2025.****COMMUNICATION AND ENGAGEMENT REPORT**

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PO Box 97,
Nelson Bay NSW 2315

04 November 2021

Council Community Engagement

This letter follows a useful initial meeting, by Zoom, on 26 October, and includes our summary of that meeting together with a promised agenda for a second meeting

Summary of first meeting, 26 October 2021, by Zoom

Council: Steve Peart (SP), Group Manager, Development Services; Elizabeth Ackerman, Team Leader, Communications & Customer Experience

Iain Watt, EcoNetwork & Marine Parks Association (MPA), Andrew Steel, EcoNetwork and Soldiers Point Community Group (SPCG), Margaret Ritchie, Voices of Wallalong and Woodford (VOWW), Ben van de Wijngaart, Tomaree Ratepayers and Residents Association (TRRA), Geoff Washington, TRRA and Tomaree Headland Heritage Group (THHG), Kathy Brown (EcoNetwork and Mambo groups), Nigel Waters (TRRA & EcoNetwork)

Our position

We welcomed Council's interim reply 2 September and the online meeting which made some good progress including on some specific issues (see below). Council agreed to a further meeting to continue working through the remaining issues.

We reminded Council of the combined membership of our groups (see above) and our reach' via email lists, websites and social media – e.g. Tomaree Voice FB reach typically in hundreds and max of 8,000+ for a recent post on a Nelson Bay DA, and a recent EcoNetwork post reaching 3,900.

We explained our starting point: '.... widespread feeling, based on experience, that Council is not genuine in its declared commitment to community engagement. Community organisations regularly experience unhelpful secrecy, frustration in obtaining information, and flawed Council consultation processes. Too often, Council expends significant resources on just telling the community what it has already decided to do rather than genuinely explaining options, gathering input and listening to community viewpoints.'

Also significant professional and other expertise in the community which we feel Council is not respecting or taking advantage of.

We noted the recent findings of Council's annual Community satisfaction survey: Overall satisfaction down significantly (12%) in latest survey inc. only 69% satisfied with contact with

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COMMUNICATION AND ENGAGEMENT REPORT



Council (only 53% if exclude 'neutral'). Perception of opportunity for input to Council also well down – almost halved since 2019 to 20%

We noted some good examples of consultation observed – inc. Waste Management and Coastal Management (good), NB Smart Parking and Place Planning (mixed - some good aspects but still problems overall)

We recognise that some matters will need decisions by the new Council, but consider it important to get all issues on the table, and make as much progress as possible on those matters within the discretion of Council staff.

Council's position

SP acknowledged some past and present difficulties and explained Council is committed to improvements. Organisational structure has been modified, Council is working to meet various community engagement standards, and has some practical changes in hand e.g. website re-design.

In important context discussion on overall population/housing targets (carrying capacity), SP explained that Council seeks a balance between different visions, and strategic objectives are ultimately set by elected Council. Current Council has favoured growth and development.

SP made the point that Council will not always be able to satisfy community – we all accepted that – overall issue is whether we feel we are listened to and heard, and that Council responds fairly.

Specific issues and suggested improvements – agenda for further meetings

- Direct email notification to established community groups of matters affecting their locality **(26/10 reference to Camden Council practice)**
- Restoration of advertising of significant DAs and other matters in local papers **(Some discussion 26/10)**
- Longer periods to digest and respond to documents – including Council agendas (goes to issue of meeting cycle – for next Council to review)
- Documents left on the DA Tracker indefinitely – as many Councils do (Council seeking advice). (In light of discussion of resource constraints, could consider criteria for leaving documents online e.g. 'significant' DAs)
- Less unnecessary redaction of plans and business contact details (Council seeking advice)
- Better facilities for inspection of documents in the Council Chambers (inc. free-standing terminals for self-help) and at Libraries (and staff training to assist but only when requested)
- More user-friendly website **(Discussion on 26/10 - problems acknowledged and re-design in hand – will engage in user testing. – check out Eurobodalla Shire site)**
- Better discretionary consultation on Council public works (e.g. amenities, tree removal)
- Format of consultation meetings – town-hall style vs 'drop-in' with one on one

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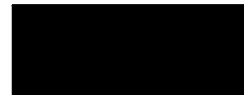
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- Note taking at consultation meetings – need records + better feedback on reasons for decisions following consultation.
- User friendly versions of documents – more and more Council reports/strategies etc are very 'glossy' - image heavy, large files, expensive to print etc.
- Recording of all Council votes (matter for review by new Council)
- Webcast to include 'Public Access' (**Some discussion on 26/10**)
- Maintain ability for questions in Public Access (**Some discussion 26/10 - Council reviewing**)

Other planning related changes required are:

- Proper sequence of local master planning before approval of individual DAs and Council works that pre-empt such plans
- Better timing of infrastructure (e.g. road & path improvements etc. ahead of development)
- Tougher criteria for accepting significant applications of the LEP variation clause 4.6 in respect of building heights and other standards (+ clear public notice where a DA includes a variation request) (**Some discussion on 26/10**)
- Easier 'call-up' path + more referrals at discretion of Council staff, for clearly significant or controversial DAs
- Insistence on ecological surveys and other reports being up to date (e.g. traffic reports)
- Greater weight given to maintaining the character and ambience of localities (action not words)
- Requiring applicants with significant DAs to do better visual impact reports, inc. photomontages from a wider range of perspectives/views
- Council use of 3D modelling for both strategic planning and development assessment (what became of the Nelson Bay Centre imaging on trial in 2018?)
- More pro-active monitoring of compliance and strong enforcement of conditions (**Some discussion on 26/10 – SP admitted this is challenging for Council**)
- Failure to address specific compliance issues raised with Council (or delays) (**Some discussion on 26/10**)
- More community education on how the planning process works – flowcharts, and possible workshop

We note that TRRA and EcoNetwork sent a joint letter to Council dated 22 September about tree management issues, requesting separate consultation. This included three case studies of tree removal on public land. Another major case study has recently been drawn to Council's attention. TRRA and EcoNetwork look forward to a reply to that letter.



President EcoNetwork Port Stephens

Ph 0434 411 354

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14 July 2022

The General Manager
Port Stephens Councilcouncil@portstephens.nsw.gov.au**PSC Planning Matters to be reported to Council Policy**

File number PSC2013-00406

Proposed changes

We welcome the minor changes proposed to the 2020 version of the Policy, as set out in the staff report (p118 of the 14 June Council agenda papers) and shown highlighted in yellow in the Attachment (pp 121-128). The changes now also include amendments to the 'call-up' provisions resulting from a separate Council resolution on 28 June. We do however have several proposed additional changes, and editing and formatting suggestions to clarify the Policy – as set out below.

Wider context – transparency and accountability of planning matters

This Policy addresses a very specific and narrow aspect of transparency – reporting to Councillors.

We note that this **Planning matters to be reported to Council Policy**, as well as the recently revised **Rezoning Request Policy**, relates directly to the **Community Participation Plan (CPP)** required under the EPA Act and currently on public exhibition as an Attachment to the **Draft Port Stephens Communication and Engagement Strategy**. The CPP deals with how DAs and Planning Proposals are made public, but this cannot and should not be separated from the communication of DAs and Planning Proposals to Councillors which is addressed in this Policy.

It is clearly in the public interest for transparency and accountability (to which Council is committed) for the relevant provisions in all three documents to be consistent and as closely aligned as possible.

For example, we can see no good reason why the reports to Councillors on DAs and Planning Proposals included in the PS Newsletter (clauses 5.1(b) and 5.2(a)) cannot be made public. While DAs and Planning Proposals can be found by the public and Councillors on Councils' DA Tracker and the State Government Planning Portal, it is



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not easy to locate items in Port Stephens of interest. If the reports are a useful shortcut' for Councillors, why the community should also get the benefit – there would be no additional cost or effort. **We submit that reports to Councillors on DAs and Planning Proposals included in the PS Newsletter also be made public.**

This wider issue has also been raised in the context of advertising of DAs and other matters in local newspapers – most recently in a Notice of Motion at the 22 February 2022 Council meeting. We note that the Information Paper on Council Resolutions for the 14 June Council meeting flags a report to Council on this matter in August.

There are also two outstanding Council Resolutions from the 13 July 2021 meeting relating to Publication of DA information and submissions. The same Information Paper for the 14 June 2022 meeting notes that a discussion with Councillors on these matters is scheduled for 19 July 2022.

Because these closely related matters are outstanding, **we submit that Council should revisit the all the relevant policies and documents as a 'package' later in 2022.** It may be that a simplified overall policy relating to transparency and accountability of planning matters could be developed to replace and consolidate the various overlapping provisions, which are confusing to all interested parties.

We will be suggesting in our submission on the **Draft Port Stephens Communication and Engagement Strategy** that the CPP references the other two Council Policies, including this one. **We submit that, similarly, this Policy should reference the CPP.**

'Call-up' of planning matters

We note that the provisions in this Policy relating to 'call-up' of a matter to Council (= withdrawal of delegated authority) overlaps with provisions in the **Port Stephens Council Code of Meeting Practice**. Amendments made to the Code of Meeting Practice at the 28 June Council meeting changed the number of Councillors required for a 'call-up' from 3 to 2. The amended draft Code is on exhibition until 15 August. We note that this change has been carried over into this Policy since the version with the 3 councillors was approved for exhibition on 14 June (Clauses 3.3, 3.4, 5.1(c) and 5.2(b)). The change to the Code from 3 to 2 Councillors was supported by several Community Groups including TRRA, and Councillors unanimously approved the change on 28 June – consistent with this **we support the change to this Policy as well.**

We submit that there needs to be a related change. If one Councillor withdraws their support (as envisaged by Cluse 3.4 and as has happened) there appears to be no mechanism for interested parties (or even the other Councillor?) to be informed so that a replacement 'sponsor' can be found. **We submit that this Policy include a requirement for at least all Councillors sponsoring a 'call-up' to be informed of any withdrawal of support.**



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We also submit that a field should be included in Council's DA Tracker to inform the public of the status of a DA with respect to delegated authority, with similar transparency for the status of Planning Proposals. Where Council staff have used their discretion to bring a matter to Council, or where Councillors have 'called up' a matter, this needs to be obvious to the public. This would avoid unnecessary lobbying by interested parties to have a matter 'called up' when it will already be coming to Council for Determination.

Variations – exceptions to development standards

The intention of Clause 5.1(h) is to require DAs which seek to vary a development standard by greater than 10% to be reported to Council for determination. We submit that this should be the criterion in the clause rather than it including the preamble that the DA includes a 'Request to vary...'. While DAs that seek to vary should (and usually do) include a specific request, the 'trigger' for reporting should apply whether or not the applicant has expressly requested a variation. Whether a variation is or is not greater than 10% is sometimes contentious, and the applicant may assert that it is less and therefore not submit a Request under Clause 4.6 of the LEP. Council staff must be required to independently assess whether a DA includes a variation to one or more development standards and if so whether it crosses the 10% threshold. **We submit that the criterion for reporting under clause 5.1(h) be changed to 'DAs which seek to vary a development standard by more than 10%'**

We note that this issue is not clearly dealt with in Council's *Exceptions to Development Standards Policy* – Clause 5.4.4 of that Policy appears to leave the judgement in the hands of the applicant. This should be corrected.

The *Planning matters to be reported to Council Policy* should also make it clear whether 'Development Standard' for the purposes of Clause 5.1(h) includes both *Local Environmental Plan (LEP)* standards such as height limits and floor space ratios and *Development Control Plan (DCP)* standards such as setbacks or site coverage. According to the definition of 'Development Standard' in the *Environmental Planning and Assessment Act 1979 (EPA Act)*, this will hinge on whether Council's DCP is an 'environmental planning instrument'. This needs to be made clear, and even if it is not officially an EPI, **we submit that Council should ensure that both Policies do apply to DCP standards.**

If the *Exceptions ... Policy* can ensure that it applies to DCP standards such as setbacks, then we submit that this *Planning matters... Policy* should address the increasingly common situation where a DA 'pushes the boundaries' (sometimes literally) with requests for multiple variations – e.g. of height and setbacks. While no one variation may exceed 10%, the overall effect may be to significantly increase the scale, bulk and impact of a building. **We submit that there should be an additional criterion for reporting a DA to Council, along the lines of: 'where either the planners or objectors raise legitimate concerns about the cumulative impact of multiple variations, even where they are individually less than 10%'**



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Reporting of DAs and modifications on public land

We submit that 5.1(d) should apply to crown land managed by Council as well as to Council owned land, and that the \$250,000 dollar threshold is too high – works costing much less than this on public land could be of great public interest. We submit that a threshold of \$100,000 would be more appropriate.

In 5.1(e) we cannot see any justification for the exclusion of '*amenity buildings and structures such as; toilet facilities, playgrounds, small refreshment kiosks and the like.*' These amenities are almost always of great public interest – as evidenced by recent controversies over the design of replacement amenities buildings in several locations in the Tomaree peninsula. We submit that the exception be removed so that all such DAs and s.4.55 modifications on 'Community land' are reported to Council for determination.

The net effect of the changes we propose to 5.1(d) and (e) is that a single clause would suffice. **We submit that clauses 5.1(d) and (e) be replaced by a single clause, requiring reporting to Council for all DAs and s.4.55 modifications with a cost of works of more than \$100,000 on Council owned or managed land, whether classified as Community or Operational.**

Reporting of modification applications

Clauses 5.1 (f) and (g) appear to overlap and their relationship should be clarified. We are aware that sub-clause (g) has been changed pursuant to a Notice of Motion at the 22 February 2022 Council meeting but we submit that sub-clause (g) may not be necessary. Surely any 'condition moved on the floor of Council and approved by the Council' would have been in the context of an 'original DA ... determined by Council'. If so, then sub-clause (g) would seem to be redundant – sub-clause (f) would ensure that any such application would be 'reported to the Council for determination' (the intended outcome of both sub-clauses)?

We submit that the easiest way to clarify this is to modify 5.1(f) to read 'Section 4.55 (1A) & (2) ...' and to delete (g).

We have no objection to this submission being published, in full and unredacted.

Nigel Waters

Convenor, TRRA Planning Committee

planning@trra.com.au

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Appendix B: Place and Vision workshop

Place and Vision workshop topic: Improving Community Engagement

Verbatim comments recorded

What's the situation?

- Unsure of whether things are being taken notice such as development issues and building height
- Staff are open to having discussions – individual led
- Why have decisions been made is not clear
- Don't always know about opportunities
- Don't share the wins together
- Find out through Councils website – have to go looking for opportunities
- Wide spread feeling that we aren't listening with some exceptions
- Tell what we are going to do dressed up as consultation
- Website is difficult to navigate
- Noted responses aren't good enough and direction to policy
- Where can influence and not influence isn't clear
- Communicate what we are doing and why and what we have done when a project is finished – closing the loop
- Context isn't necessarily there as to why an amount of work or a decision is required
- Ongoing conversation rather than a dip in and out
- No response to correspondence
- Left hand and right hand don't know what is happening
- Sports Council
- Not consistent in approach
- Not talking to the right people
- Lack of transparency
- More opportunity in the last few years to engage and more opportunities to provide feedback
- Digital opportunities mainly and could be more non digital opportunities – return to face to face
- Used to have community forums and need to get back to this
- Contact with council via switch board and this is useful
- Councillors not running up for meetings with Committees of Council – also fewer Councillors per ward
- More people need to contact Council and may not know about this
- Online opportunities, PS Today
- More personal and face to face methods need to be included
- Consideration of methods for older persons
- Digital DAs are inaccessible
- Feel as though decision is already decide/ predetermined before community engagement – feel like it's a tick box at times
- Sporadic – might hear about something already gone – a regular thing and method, broadened methods

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- Timing for engagement isn't always appropriate -
- Numbers don't seem to be high
- Hear about engagement opportunities afterwards
- Don't close the loop with participants and how things are decided
- Run evening public meetings in halls

What does success look like?

- Rationale as to why things are happening or a decision was made – education of the context
- Not only online methods or social media – look at non digital methods also
- More community invited to the table at the strategic stage to understand the why and at the problem solving stage
- Understanding what is negotiable and not negotiable
- Diversity at the table
- Not necessarily the outcome that we always want but we need to feel that we have been listened to
- Responses provided to correspondence for ideas etc.
- Consider a sports council model for other areas
- A consistent approach for all engagement across Council
- Talking to the right people - shopkeepers example
- Broader methods used for engagement that are both not online and online for all engagements
- More opportunities for engagement e.g. twice a year to comment on Council businesses
- Be clear about what can influence and why
- Councillors to be more involved in observing engagement
- Variety of times for engagement
- Variety of method used for engagement
- Close the loop with participants/engagement
- Not a reliance on technology – post office windows, examiner notices, newsagent, Kooindah Centre, Letter box drop or similar for larger projects, regular town meeting every 3 months to discuss key projects and issues.
- Have time to think about information and form opinions rather than on the spot feedback

Some community ideas

- Ideas box section on the website – could be a forum for discussion also
- Continuation of these types of forum
- Consultations on site where the project is located
- Linking in with existing committees for promotion of opportunities
- Key community champions
- Electronic newsletter and combining feedback opportunities through this
- Engagement reports and numbers for and against provided openly to the community – transparency
- Easy where to find DAs
- Need to refer back to DAs and things fall off the DA Tracker – works often happen later/later years
- Improved access for DA exhibition – especially important ones
- Able to review DAs without a council member standing over shoulder

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- Community to promote Council information and projects for the area on local FB pages if Council is able to build a relationship with the key stakeholders
- Reinstate the DA Notices in the Examiner (supporting local business)
 - Divided on the funds
- Adding more comment options for surveys to enable more voice to be provided
- Regular Town Meeting every 3 months
- Coordinate Council and State Government surveys where possible
- Create more ongoing consultations/communication/ updates rather than dip in and out consultation
- More letter box drops for larger projects
- SMS service provider to notify of engagement opportunity
- Visuals for projects needs to be more descriptive
- Information about engagement opportunities in local coffee shops
- VMO boards at aquatic centres for information on screens – key messages/electronic noticeboard
- Participants details collected to inform engagement outcomes via SMS

Appendix C: Focus group comments

Communications & Engagement Strategy - Community Focus Group workshop

Verbatim comments recorded

Digital Communications (social media)

- Mixed blessing - very easy to get it wrong
- Lots of people backing out of social media – negative perception
- Red flags on social media in areas – maybe yoga classes instead
- Reactionary response to the red flags – need wellbeing response (all over the LGA)

Website Communications

- Engagement hub n website for DA's Public exhibitions, open engagements
- Easier to find things on the website
- Planning hub on website for all planning information and Das
- Centralised, accessible Information
- DA subscription service for direct email of new DAs
- Links to legislation (for example) that may impact the outcome
- Ideas box on the website for community ideas and suggestions
- Search function not working well enough
- Info/tutorial on key words to use to activate search
- Website has interactive map with information and plans for individual parks and public spaces

External communications (newsletter, emails, poster, letter, signage, etc)

- Create more ongoing communication to tell the story and connect the dots
- SMS service provider to notify about engagement or council information
- Quarterly newsletter to letterboxes - more specific information
- Council facilitated community noticeboards, particularly villages
- Use action groups as an interface between Council and the community
- Use advertisement in local paper mire - All info
- Have your say email incorporated into newspaper adverts
- Be clear and specific in details of projects, especially the location eg "drainage at Marine Drive" not "improving drainage on Tilligerry foreshore"

Community Engagement

- Mix of online and non digital methods
- Able to view DAs at Council without staff member looking over shoulder
- Go to the local community groups and connections for engagement
- More community invited at the table at strategic stage

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- More Councillor involvement in observing engagement
- Social pinpoint – like or dislike – don't like it (turns people off)
- Diversity of demographics at the table
- Regular town meetings every 3 months – face to face
- Newcastle Radio station advertising (e.g. Triple M, 2NURFM), ABC Newcastle
- Key community champions
- Coordinate Council and State Government surveys
- Going to sports club/fitness classes – go to where the people are not just the usual suspects
- Engagement hub on new website – DA's, Public Exec; open engagements; fun engagements such as photo or art competitions
- Variety of times for engagement
- Option for calling for telephone survey
- Make it clear if a project is a realistic one. State if it's already funded or an unfunded but planned project
- Close the loop and report back to community
- Getting information out earlier
- Distributing engagement questions/agenda in advance so community members can prepare
- More publication of issues in front of Council
- Timetable of surveys listed on website
- Presenting the community with feedback gained from consultation
- More visibility of Councillors – appointment time?? Confidential and polite.
- What's on for community engagement
- Koala sightings and DA Planning notifications – email not from Council
- Outlining what communities were engaged in closing the loop
- Community days, less structured
- Locality staff champion ie., engineer
- Overkill with key stakeholders not wider community – not a true representation
- Find other ways to connect with people
- Avoid any surprises in Council meeting agendas that are different to community expectations after engagement and feedback

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COMMUNICATION AND ENGAGEMENT REPORT

Appendix D: Social media data

Posted on 17 June 2022

Have your say on our draft Communications and Engagement Strategy!

Port Stephens Council's newly developed draft Communication and Engagement Strategy is on public exhibition for community feedback following this week's Council meeting.

The Strategy reflects Council's commitment to inform and improve community awareness of programs, activities and services. More importantly, it shows Council's commitment to listen to the community and use their ideas to help shape the future direction of Port Stephens.

Highlights of the Communication & Engagement Strategy 2022-2027 include:

- Ensuring diverse engagement opportunities enabling time for considered thought and contribution.
- Community input into design of engagement planning.
- Continued investment in the growth and improvement of Council's website.
- Building on the use of social media.
- Maximising use of livestreaming and video.

Council want to check in with the community to make sure feedback has been understood and the proposed direction aligns with community expectations.

The documents are currently on exhibition through to 5pm on 15 July 2022. We encourage you to share your thoughts on the draft Communication & Engagement Strategy and complete the online survey: pscouncil.info/public-exhibitions



Performance for your post

16541 People reached

93 Likes, comments and shares

897 Post clicks

0

Photo views

391

Link clicks

506

Other Clicks

Distribution summary

-3.4x lower than your other posts within 21+ days of being published.

↓ 3.4x less

↑ 3.5x more

↑ 1.0x more

Post impressions

Post clicks

Reactions

View More Details

NEGATIVE FEEDBACK

0 Hide all posts

0 Hide post

0 Report as spam

0 Unlike Page

93 Likes, comments and shares

BRANDED
CONTENT
DISTRIBUTION

View Breakdown

16541

Total reach

2193

Organic reach

15238

Paid reach

92433

Total impressions

2365

Organic impressions

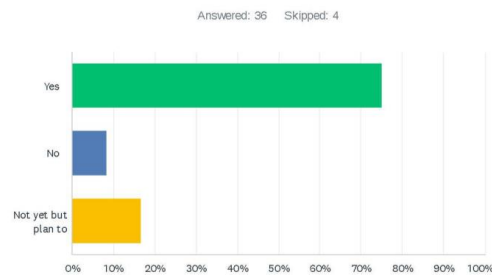
90068

Paid impressions

Appendix E: Survey results

Draft Communications and Engagement Strategy Check in survey

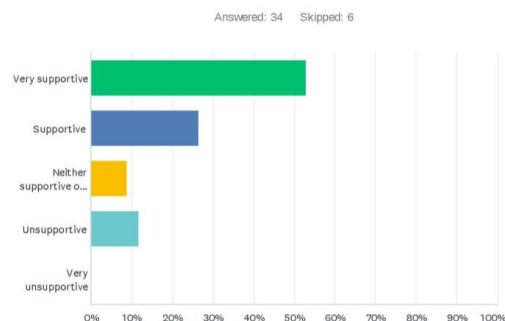
Q1 Have you read the draft Communications and Engagement strategy?



ANSWER CHOICES	RESPONSES
Yes	75.00% 27
No	8.33% 3
Not yet but plan to	16.67% 6
Total Respondents: 36	

Q2 What is your level of support for the overarching Communications and Engagement Principles listed in the draft strategy:

1. We deliver relevant, timely and easy to understand information
2. We're honest and transparent
3. We're inclusive and encourage a diversity of voices to be heard
4. We listen, value and respect community input and feedback
5. We embrace innovation and encourage new ideas



ANSWER CHOICES	RESPONSES
Very supportive	52.94% 18
Supportive	26.47% 9
Neither supportive or unsupportive/neutral	8.82% 3
Unsupportive	11.76% 4
Very unsupportive	0.00% 0
TOTAL	34

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Q3 Do you think there is anything is missing from the overarching principles?

Answered: 21 Skipped: 19

Comment	Comment code
PSC speak the words but do not activate what they say	2
Big on aspiration but very light on measureables. A strategy is only as sound as the way and degree to which its outcomes are measured. It reads more like a Mayor/ Councillor re-election document. Nothing to really disagree with, but as always, who will hold Council to account??	2
A guarantee that concerns will be heard and action taken for issues that have been consistently neglected by council leading to increasing reduced access, participation and opportunities for many in the community. E.g. public transport continues to be abysmal despite years of discussion and empty promises.	2
Your use of language in this survey is poor. By 'level of support' do you mean 'do I believe that you deliver on these principals?'. I support the spirit of the principals however I do not believe that you deliver.	1, 2
Transparency on the council's capacity and capability to deliver on these principles. Sharing clear simply written information of: Why are these principles valued, the purpose What facts do we know of achievement / progress of living these principles Who is going to uphold these principles How will this happen (the process) & when? It appears there is a lot missing from this report lots of language without a cut through of "clear is kind" it appears as well written marketing, rather than a Clear is Kind "down to earth" approach which resonates with the Truth. It's too fluffy and too wordy. Needs a simple frame work with real stores to bring this to life. Excessive amount of action items. Did council achieve all the previous periods objectives? If yes A let's celebrate that, if not yet, let's find out why and reduce the items to the vital few & communicate those with bold simplicity.	1, 2
Its a little hard to disagree with the survey questions.	1
Accessibility for those with disability	4
I don't think you aim to communicate with the communities enough. The place planning workshops may do this but we are not part of the process and I am wondering if this process will even reach us. The greatest role of council is to get the community on the same page with clear shared expectations of their future.	3
No. Feels like the principles cover everything that's needed. Would like to see them have their own page at the beginning of the document. Then the detail in the rest of the Strategy organised to show a clear link to each principle.	5
Only the drive to ensure the 5 statements are honoured.	2

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Comment	Comment code
Not just respecting but evaluating community input for relevance and guidance in developing strategies	3
There is nothing to say you actually have to work with that feedback... Just that you have to listen to it and then do what you want.	2
They are just words really that lots but not real ability to be held accountable too or guide decision making	2
1. We deliver relevant, timely ... information which is publicly available and easily accessible to all 4. We listen, value, respect and act upon ... 5. We embrace innovation, encourage new ideas and implement them to better serve our community	4
We will highlight incidences where community feedback has been incorporated in a way that can be easily seen. Vision statements and websites extolling the virtues of the plan are not enough. Words are cheap.	2
Acknowledging it's an older population and many aren't online. Would be good for community displays in council buildings eg. Libraries, community centres and other facilities.	3

Key themes from Question 3*				
Code 1 + 5	Code 2	Code 3	Code 4	Code 6
Improve wording, choice of language, formatting and keep to plain English	Improve measuring and reporting to help build trust in Council	Improve the method of communication and engagement	Ensure inclusion and consider demographics of area	Miscellaneous comments (includes non response answers like N/A)
10	4	6	3	1

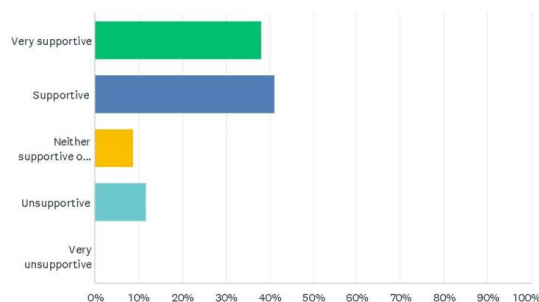
* comments can include more than 1 theme

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COMMUNICATION AND ENGAGEMENT REPORT

Q4 Our vision for communications and community engagement is "We actively communicate and engage in a way that tells our stories, listens to our community, informs our future, and improves the wellbeing of those that live, work and holiday in Port Stephens". How supportive are you of this statement?

Answered: 34 Skipped: 6



ANSWER CHOICES	RESPONSES	
Very supportive	38.24%	13
Supportive	41.18%	14
Neither supportive or unsupportive/neutral	8.82%	3
Unsupportive	11.76%	4
Very unsupportive	0.00%	0
TOTAL		34

Q5 Do you think anything is missing from the visioning statement?

Answered: 23 Skipped: 17

Comment	Comment code
Again the words are good but will the actions follow through	2
How are you proposing to implement these Motherhood statements?	2
I hope to see more evidence of this: "Close the loop, connecting feedback with decisions".	2
No	6
As above. A guarantee issues affecting all levels of community will be actioned, not just those favouring local business and economy and those who are privileged.	2
On point! Four key themes here, they could be the framework for all comms.	1
no	6
Perhaps "and improves quality of life and wellbeing...." Maybe "shares our stories" rather than "tells our stories".	1

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Comment	Comment code
I am always hoping to see residents needs prioritised and separated from the needs of tourists.	4
the last phrase is not needed in a communications & engagement statement. This maybe is included in the Vision statement for the Council in general. Communications & engagement are about just that not about wellbeing. don't overwork the vision statement - keep it simple and then it will COMMUNICATE it's intent and not get lost	1
It says nothing about working with the communities. I find I occasionally strike clarity by catching the right staff person at the right time and sometimes this leads somewhere but the rest of time I am clutching at straws. It is very hard to get info,	3
"Holiday" could be better expressed as "visit" to cover more reasons for people to be in Port Stephens	1
No	6
listening and communicating	6
Actual implementation by Council officers.	2
The fundamentals of the vision is to have a comms strategy that aligns with the most effective ways community will contribute to inclusive engagement	4
We don't need to be a UN 'smart city' gulag slave community. Carbon is not a pollutant, lithium and cobalt are, so are dead wind mills and solar panels.	6
Nothing about growth. Nothing about maintenance. Nothing about listening to all of the region (not just Nelson Bay)	4
Young people under the age of 40	4
Far too long winded for a vision statement and too complex	1
Frequently engage through multiple easily accessible channels	3
One can write as many statements as one wishes, it's in the implementation and evidence that we gain confidence.	2
I think it's a very encompassing statement	1

Key themes from Question 5*				
Code 1 + 5	Code 2	Code 3	Code 4	Code 6
Improve wording, choice of language, formatting and keep to plain English	Improve measuring and reporting to help build trust in Council	Improve the method of communication and engagement	Ensure inclusion and consider demographics of area	Miscellaneous comments (includes non response answers like N/A)
6	6	2	4	5

* comments can include more than 1 theme

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Strategic Priority 1 – Community Engagement

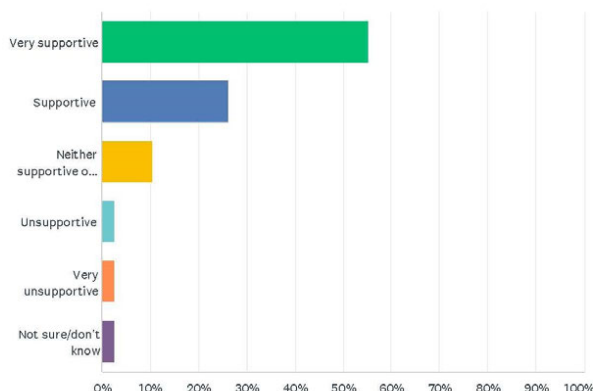
Council is aiming to plan and deliver meaningful engagement that enables community participation and builds trust in Council decision making.

There are 10 key objectives to assist in achieving this:

1. Embed the principles of the International Association Public Participation into the organisational culture
2. Implement a community reference group to provide input into the design of engagement strategies for major projects
3. Increase opportunities for the community to engage informally with Councillors and Executive
4. Design engagement opportunities that enable time for considered thought and contribution
5. Ensure engagement opportunities consider place, diversity and accessibility
6. Use technology to increase participation and increase the diversity of voice and opinion in engagement activities
7. Build on the use of social media as a tool for engagement and feedback
8. Report internally and externally on engagement outcomes, connecting community consultation and decision making
9. Improve stakeholder information management to ensure equitable representation across the community
10. Deliver Councils Community Participation Plan (Environmental Planning and Assessment Act 1979)

Q6 How supportive are you of these ten objectives?

Answered: 38 Skipped: 2



ANSWER CHOICES	RESPONSES	
Very supportive	55.26%	21
Supportive	26.32%	10
Neither supportive or unsupportive/neutral	10.53%	4
Unsupportive	2.63%	1
Very unsupportive	2.63%	1
Not sure/don't know	2.63%	1
TOTAL		38

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Q7 Do you have any other suggestions?

Answered: 22 Skipped: 18

Comment	Comment code
Most people find the Council language hard to grasp it is designed to confuse residents. Reports need to be simple and easy to follow	1
How will their implementation be measured??	2
This survey should reference page numbers in your document for ease of reference during survey completion. (What's IAPP? should you speak of the cultural change priorities instead?) I want more evidence of this from p7 in Council decision-making: "We'll implement what you decide. "	1, 2
Yes, make more use of The Examiner ...	3
I am 100% for it if it's actually implemented and not more tokenism.	2
Again, the alignment of these elements to the initiatives is overly complex. We could be reading these from a document written last week or 10 years ago. There is a lack of accountability, stating exactly why, what, who, who which leads to dis-trust that the whole document and strategy is simply fluffy words. There is also no priority for what is most important. Which seems glaringly obvious that what is vital is "increase in communication & community engagement" what is being done differently because 2.5% increase is not enough when engagement at 50%.	2, 3
No.	6
Simplify documents, use easy to understand language. Make website easier to navigate. All public exhibitions need to be on the front page in a box with a link to the documents.	1, 3
Include a summary statement in PLAIN English of what what each dot point actually means eg Dot point 3 - consider ways to get councillors out an into the community to speak with people	1, 5
Depends what you mean by a community reference group.. getting 10 kids together to decide the skate park design does not cut much ice if there isn't a bit of a story about it. It seems the place planning process has some action attached. Why wouldn't council do the consultation with all communities? We have 6? communities on the starting block and Fingal doing another version of the process and everyone else wondering.	3
Include a statement regarding youth and children as the objectives for engagement need to be different compared to adults.	4
No	6
A complaints procedure for use where the Principals are not met	2
An objective would be to have a process to monitor the community diversity. Then an ongoing process to map this for preferred engagement processes, content and feedback.	3, 4

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Comment	Comment code
Direct public enquiries to the best method of public information; not all generations will respond to being told 'look on the website'. Target audiences with different methods for sharing information.	3
Reduce cost to rate payers in any way possible.	6
Nothing about utilising feedback to improve delivery of services to the community. You can listen all you want but don't actually have to do anything with the community input	2
Young people under the age of 45	4
Instead of making grand strategy documents, take engagement back to basics. Keep it simple and meaningful and most of all transparent and genuine. Community engagement is purely a tick box exercise for council.	1, 2

Key themes from Question 7*				
Code 1 + 5	Code 2	Code 3	Code 4	Code 6
Improve wording, choice of language, formatting and keep to plain English	Improve measuring and reporting to help build trust in Council	Improve the method of communication and engagement	Ensure inclusion and consider demographics of area	Miscellaneous comments (includes non response answers like N/A)
5	7	6	3	3

* comments can include more than 1 theme

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COMMUNICATION AND ENGAGEMENT REPORT

Strategic Priority 2 – Community Communications

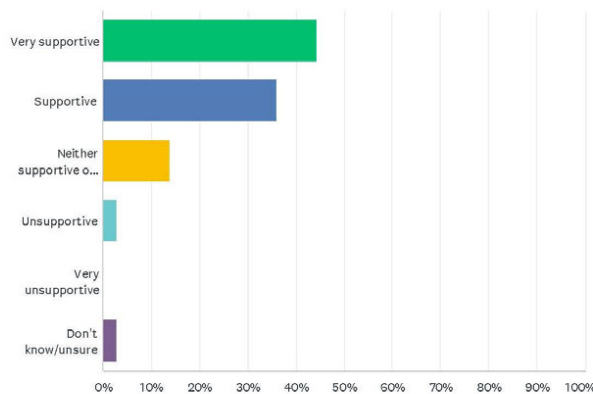
Council is aiming to deliver timely, creative and transparent internal and external communications that connect our stories, our people and our place.

There are 10 key objectives to assist in achieving this.

1. Design communications that are easy to understand and accessible to all
2. Recognise portstephens.nsw.gov.au as the core communications channel and continue to invest in its growth and improvement
3. Develop a strong social media profile across a range of channels using audience profiles which encourage conversations and increase awareness of council services
4. Increase staff awareness and capacity to enable effective communication, engagement and promotion of council business
5. Build Councils identity and brand through consistent visual communications
6. Maximise the use of live streaming and video across all communication channels
7. Use data to develop communications that are audience focused
8. Regularly benchmark and review internal and external communications platforms
9. Support elected members by keeping them informed so they can share information and increase awareness of council activities and services through community networks
10. Measure, evaluate and report on all communications activities on a monthly basis

Q8 How supportive are you of these draft 10 objectives?

Answered: 36 Skipped: 4



ANSWER CHOICES	RESPONSES	
Very supportive	44.44%	16
Supportive	36.11%	13
Neither supportive or unsupportive/neutral	13.89%	5
Unsupportive	2.78%	1
Very unsupportive	0.00%	0
Don't know/unsure	2.78%	1
TOTAL		36

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Q9 Do you have any other suggestions?

Answered: 20 Skipped: 20

Comment	Comment code
Why is the aim to build trust in Council decision making? Isn't the point of engagement to bring beneficial outcomes to the community? By making decisions based on this community input? Council is meant to represent and serve the community's interests and yet there is only one objective (#8) which connects community consultation to decisions. This is why people don't trust this council. The engagement is a box tick exercise and then the Council makes decisions but not based on the engagement. The objectives need to be clearer that the Council will transparently report upon the engagement and make decisions accordingly (whether or not they personally agree with the results of the consultation)	2
Utilise council buildings to communicate information such as community centres and other facilities.	3
When designing communications that are easy to understand and accessible to all it is important that this doesn't just turn into bite sized pieces of superficial information. Detailed and comprehensive information also needs to be available to those who want it.	1,3
All submissions need to be provided to councillors and made available to residents on a link for each strategy feedback where residents can read other submissions. This was done for the SRV and should be applied to PSC. Residents can be given a choice when giving feedback if they wish to remain anonymous.	3
as with the other - plain English summary	1
If you are seeking feedback on the policy the website needs to be more usable. I should be able to search communication and engagement and it should pop up. I had to go back to the Examiner article and use the exact words from that to find this survey.	1,3
Add communication objectives that also encourage a range of non digital types of communication eg use of local newspapers, letter box drops, pop up stalls to distribute written information at shops, community centres, markets etc	3
no	6
See previous [A complaints procedure..].	3
Think the monthly monitoring should be quarterly to enable an effective feedback period. Also a form of evaluating and reporting on what has been done with the feedback, such as was the feedback included in policy and decision making	2,3
Realtime engagement with council for urgent needs Lighting on sport grounds Garbage not collected Potholes	3
Young people under the age of 45	4

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Comment	Comment code
Website needs significant work. It's quite clunky and by design difficult to find information. For example as a new resident trying to find out when bin day is on a mobile phone was horrendous. If you are going to put a pdf up, it needs to be suitable for zooming and viewing on a phone screen.	3
I didn't know the website was the core communication channel! I think community members get their communication more from the Examiner and social media.	3
As previously stated [many statements as one wishes ...]	2
Be present in the community through active participation of community events	3

Key themes from Question 9*				
Code 1 + 5	Code 2	Code 3	Code 4	Code 6
Improve wording, choice of language, formatting and keep to plain English	Improve measuring and reporting to help build trust in Council	Improve the method of communication and engagement	Ensure inclusion and consider demographics of area	Miscellaneous comments (includes non response answers like N/A)
3	3	11	1	1

* comments can include more than 1 theme

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Strategic Priority 3 – Media and Public Relations

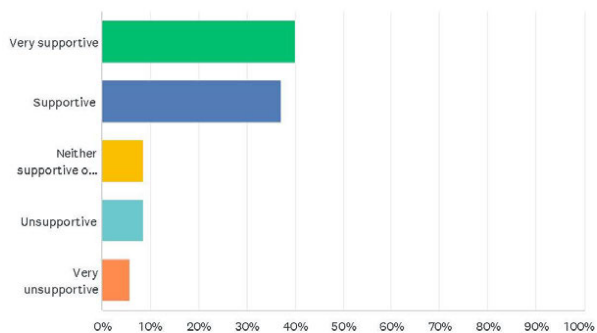
Council is wanting to build trust and reputation through proactive, consistent and trustworthy information that responds to issues and community priorities.

There are 10 key objectives to assist in achieving this.

1. Build and maintain strong relationships with media to facilitate informed reporting
2. Promote Port Stephens with positive and proactive media
3. Work across the organisation to identify newsworthy stories
4. Respond promptly to media enquiries to meet news deadlines
5. Develop annual Community Advocacy Priorities and implement campaigns to drive awareness of key priorities
6. Build relationships with key decision makers in state and federal government to increase understanding of local issues
7. Seek opportunities for elected members or executive to speak at corporate, community and networking events
8. Coordinate Councils emergency management communications
9. Improve media information management
10. Monitor, evaluate and report on all media and public relations activity on a monthly basis

Q10 How supportive are you of these 10 objectives?

Answered: 35 Skipped: 5



ANSWER CHOICES	RESPONSES	
Very supportive	40.00%	14
Supportive	37.14%	13
Neither supportive or unsupportive/neutral	8.57%	3
Unsupportive	8.57%	3
Very unsupportive	5.71%	2
TOTAL		35

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Q11 Do you have any other suggestions?

Answered: 19 Skipped: 21

Comment	Comment code
Councilors need to report on their community engagements and representations as in East ward we pay 3 but only 1 is engaging with the community	3
How???	2
Once again the list is seriously out of order eg media relations higher priority than relations with key decision makers? Not so in my opinion.	5
Same comment as previous responses. Don't just listen; act. Fix the issues that contribute to holding us back and that add to community concerns. E.g. high rate of unemployment, low level of access to training due to transport issues. It also contributes to mental health and youth crime.	2
Re Point 6. Transparency and accountability of elected members and executive staff is imperative. As we have seen in the past and continue to suffer the consequences, there is a risk that unscrupulous elected members and council executives with access to privileged information, may seek to build relationships and facilitate opportunities for their personal benefit rather than for their community.	2
What is the return on this investment? How are these objectives improving the lives of the people of Port Stephens ? What's the reach? What's the impact?	2
These seem to be focused around building trust with media, key decision makers and organisations what about including something around building trust with the community?	2
Monthly updates from council departments on progress of capital works, this once again needs to be easy to find on the front of the council website with links to easy to understand outcomes.	3
see other suggestions [plain English]	1
Get back to print advertising of DAs additional to the current misleading digital policy.	3
Go back to advertising DAS in paper	3
Reinstate information page in local newspapers with DAs and relevant information for the current week. Take out notices that were repeated every week eg notices to treat infestations of weeds.	3
NO	6
All that is needed is honesty. The rest is waffle.	1
What is trustworthy information I'd use clear, concise and consistentl	1
Young people under the age of 40	4
Council should not be seeking opportunities for elected members to increase their own	3

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Comment	Comment code
No, but it is annoying that so much work has gone into paperwork which is not currently obvious in the real issues. I do hope a focus is placed on what is real, not just box ticking.	3

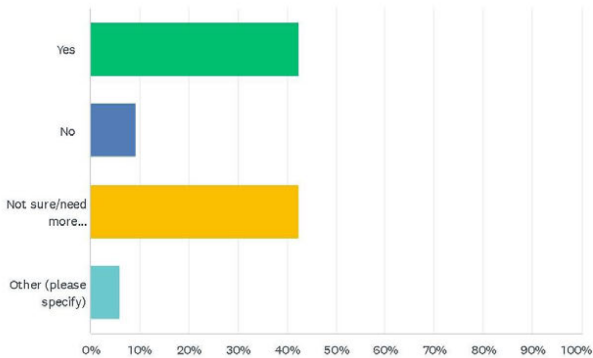
Key themes from Question 11*				
Code 1 + 5	Code 2	Code 3	Code 4	Code 6
Improve wording, choice of language, formatting and keep to plain English	Improve measuring and reporting to help build trust in Council	Improve the method of communication and engagement	Ensure inclusion and consider demographics of area	Miscellaneous comments (includes non response answers like N/A)
3	5	7	1	2

* comments can include more than 1 theme

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Q12 If this strategy is endorsed and a community reference panel is implemented - would you be interested in being part of this panel?

Answered: 33 Skipped: 7



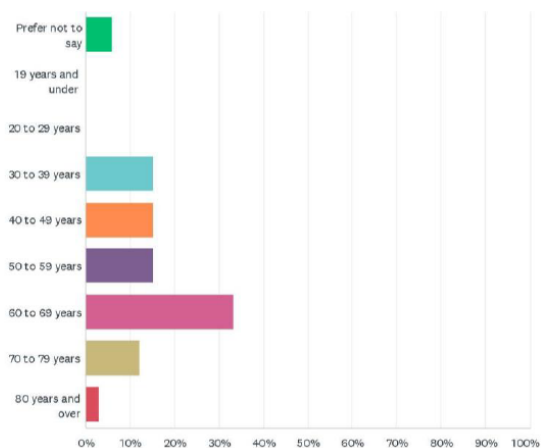
ANSWER CHOICES	RESPONSES	
Yes	42.42%	14
No	9.09%	3
Not sure/need more information	42.42%	14
Other (please specify)	6.06%	2
TOTAL		33

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Q13 Please indicate your age.

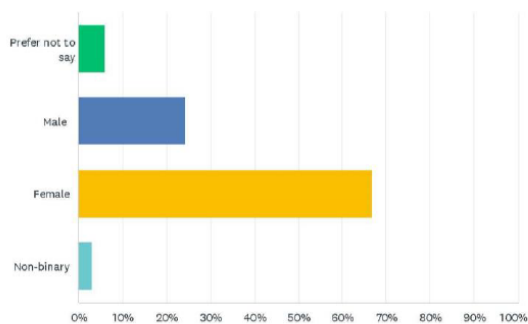
Answered: 33 Skipped: 7



ANSWER CHOICES	RESPONSES	
Prefer not to say	6.06%	2
19 years and under	0.00%	0
20 to 29 years	0.00%	0
30 to 39 years	15.15%	5
40 to 49 years	15.15%	5
50 to 59 years	15.15%	5
60 to 69 years	33.33%	11
70 to 79 years	12.12%	4
80 years and over	3.03%	1
TOTAL		33

Q14 Please indicate your gender.

Answered: 33 Skipped: 7



ANSWER CHOICES	RESPONSES	
Prefer not to say	6.06%	2
Male	24.24%	8
Female	65.67%	22
Non-binary	3.03%	1
TOTAL		33

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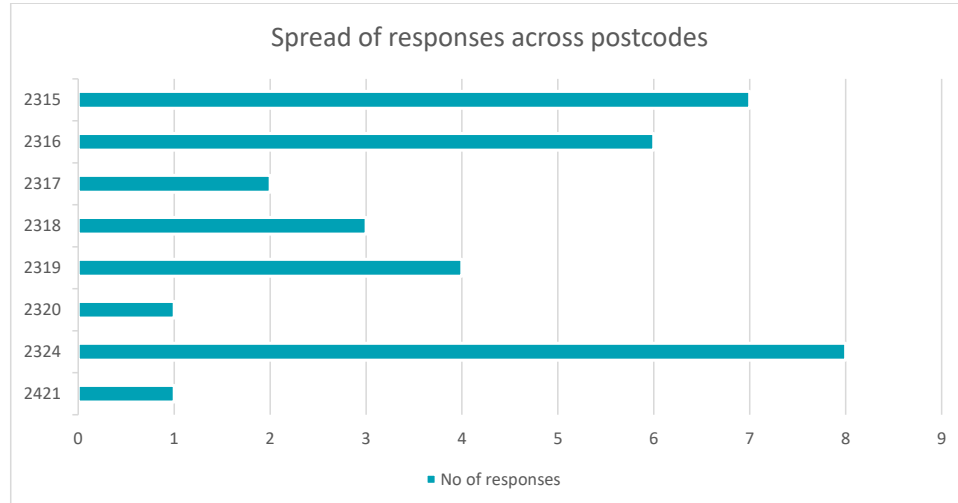
Q15 Please indicate your suburb

Answered: 33 Skipped: 7

	Verbatim survey response	Postcode only [column added for data consistency]
1	2320	2320
2	SALAMANDER BAY	2317
3	Salamander Bay	2317
4	Medowie	2318
5	Anna Bay	2316
6	Brandy Hill	2324
7	Heatherbrae	2324
8	2315	2315
9	2319	2319
10	Corlette	2315
11	2319	2319
12	Nelson Bay	2315
13	2316	2316
14	CORLETTE	2315
15	Tanilba Bay	2319
16	Lemon Tree Passage	2319
17	Port Stephens	?
18	2315	2315
19	Taylors Beach	2316
20	2316	2316
21	anna bay	2316
22	2324	2324
23	Paterson	2421
24	Seaham	2324
25	Raymond Terrace	2324
26	Terrace	2324
27	Raymond Terrace	2324
28	RT	2324
29	Nelson Bay	2315
30	ANNA BAY	2316
31	Salt ash	2318
32	Fingal bay	2315
33	Medowie	2318

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Using the above information the following chart has been developed to help show the spread of responses across postcode areas.



For additional reference:

- 2315 (Nelson Bay, Corlette, Shoal Bay, Fingal Bay)
- 2316 (Anna Bay, Boat Harbour, Bobs Farm, Fishermans Bay, One Mile, Taylors Beach)
- 2317 (Salamander Bay, Soldiers Point)
- 2318 (Campvale, Ferodale, Fullerton Cove, Medowie, Oyster Cove, Salt Ash, Williamtown)
- 2319 (Lemon Tree Passage, Mallabula, Tanilba Bay, Tilligerry Creek)
- 2320 (Wallalong)
- 2324 (Raymond Terrace, Seaham, Brandy Hill etc)
- 2421 (Paterson)

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Q16 Do you have any other suggestions?

Answered: 19 Skipped: 21

Comment	Comment code
Lots of motherhood statements of what you'd like to achieve, but I didn't see and measurable performance goals. Figure of current status are not compared with any benchmarks.	2
Too many pictures and Council language and references should be made easy so every ratepayer understands what Council is doing	1, 5
The best way to engender trust is to build transparency.	2,2,1
The information in pp. 24-27 is terribly confusing. My community work is related to keeping track of DAs that might affect the environment, which is extremely difficult through the PSC website due to different classifications of developments. More DAs need to be advertised in the local paper. People want to know what's going on in their local area. Rumours abound when they are not guided to the information easily and reliably by Council publication. What is considered by council to have no significance may not be an acceptable judgement to the neighbours/community. Table 3 refers to Table 1 which isn't there - or is it Appendix A? Community groups need more time to respond to large DAs where professionals working for the developer have had months/years to prepare hundreds/thousands of pages of reports. Re-exhibitions of amended applications should have more certainty of display period.	1,3,5
I am hopeful that Council will stand behind this initiative and really aim to strengthen partnership with all community factions.	2
Significantly reducing the word count of the document. Develop a framework to assist with holistic alignment of all the objectives, a model to visually tell the story and include facts and lived stories to showcase the desired outcomes. Create the vision. There is so much wonderful content and effort that has likely gone into this piece of work and the work to follow. Yet I feel it's fallen short of great. It's good. Yet could be better. Please note, I am new to NSW from Vic. So I have found myself interested in learning about the community in which I now live. There are many people who are thriving and many who are just surviving, the polarities seem greater to me than my lives experience in Melbourne (Casey council location) I believe the council can play a significant role in community development growth and prosperity. I look forward to learning more about what council is investing in. Thanks Sally.	1
This strategy appears to be a vague mission statement, no explanation of how you're going to do things differently.	1,2

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Comment	Comment code
the one thing I cannot see throughout the draft is a SIMPLE statement of WHY you are creating this strategy. Most people have a need to know for what purpose are you doing this and how will it benefit me? you've done a lot of WHAT it is not a lot of HOW (in simple plain English) but no explicit WHY. Maybe you should create a plain English version? If you want buy in the why is crucial and having people feel it is being done with them not to them	1
I support public participation on the webcast if contributor agrees.	3
Work with the community as widely as possible, Develop some consensus in each community.	3
Making the document easier to read by using shorter, simpler sentences, reducing the number of blocks of written information. Take out the page with statistics as they are skewed in their choice of focus (eg no stat on number of families with children), difficult to interpret and quickly become outdated. I feel Measures of Success are not directly related to the Principles and objectives. The measures rely on digital communication too much.	1,2,5
Need to action community suggestions asap	2
Council doesn't meet its current policies. Why would I expect compliance with these objectives.	2
Not without reading the document thoroughly	1
More live videos on social media sharing Council updates on projects, spending, developments being considered etc.	3
Younger people under the age of 40	4
Keep your engagement and communication transparent, easy and genuine. Governments at all levels but particularly port stephens council have some way to go to rebuild trust with their community.	1,2
N/A	6
Please ensure council consults with community, shares openly the results of consultation and acts upon/implements initiatives based on consultation (rather than their own opinions or financial interests). The council is meant to represent and serve all the people not just those they consider to be 'on their side' of politics. We need to all work together towards solutions that benefit the community (not the Councillors or mayor personally).	2

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Appendix E: Submissions (2022)

No	Author	Summarised key point	Council response	Comment code
1	Resident	The submission states that priority needs to be given to the cumbersome website. All strategies on public exhibition need to be on the front page of the website and have a link to all the strategy and feedback forms.	Priority is given to the website in draft strategy (see key objective 2.2). Suggestion around public exhibition on front page of website is an operational action rather than a strategy key objective and will be considered in operational work plans.	3
		The submission asks that the strategies need to be simplified into easy to understand language and less pages.	Content will be reviewed and simplified where possible. Less pages is not possible with other additions suggested across the feedback.	1
		The submission states that the all reporting and requests of residents need to be prioritised and separated from visitors.	Visitors will remain a stakeholder for Council and their feedback will be considered for appropriate projects or issues.	4
		The submission states that when a submission is requested, PSC residents are given choice to remain anonymous, these must be published on their website to allow councillors and others to read and gain insight into how all responding residents feel.	There is a high risk of privacy breaches if full submissions are published which is why submissions are redacted. Also, submissions can be made word of mouth, via video recording etc which are not easily publicised without compromising privacy.	3
		The submission states that for important issues such as contentious DA's and changes to plans affecting PC residents that letterbox mail outs are done to ensure everyone is reached along with emails for those who have	Letterbox mail outs would be a major expense and is unfeasible in many instances. However, targeting those signed up for email communications is a possible and will be considered as part of the Strategy's implementation.	2, 3

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No	Author	Summarised key point	Council reponse	Comment code
		registered for email communication		
		The submission notes that it has been unacceptable to think that putting public exhibitions in libraries are meeting the needs of the community. It states that mail outs, publishing them in local papers and on the front page of the PSC website as well as having them available on town notice boards, in bowling, RSL and golf clubs and shopping centres.	Provision of hard copies in multiple locations can be a large expense unless justified. The establishment of the Communication and Engagement Advisory Panel will collaborate with Council to determine the most appropriate ways of communicating information and seeking feedback on key projects and initiatives. The suggestion of public exhibitions on the website front page is an operational action rather than a strategy key objective and will be considered in operational work plans.	2, 3
		The submission notes the increase practise of confidential meetings has been questionable.	There has been only 5 confidential reports tabled at Council this term. This comment is considered unsubstantiated.	6
		The submission states that a Capital works progress can be published in monthly or bi-monthly reports on the progress of capital works expenditure to inform residents of outcomes of completed works and timeline of prioritised works.	This information is already available on Council's website here https://www.portstephens.nsw.gov.au/services/projects	3
2	Resident	The submission states that the document had too many pages, was too wordy, provides too much detail and takes too long to read. It was also noted that it is "too good to be true" and is not genuine or believable.	Content will be reviewed and simplified where possible. Less pages is not possible with other additions suggested across the feedback.	1, 2

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No	Author	Summarised key point	Council reponse	Comment code
		The submission states that a monthly website summary in plain english of road maintenance including road closures and completion dates.	This is already available on our website and is updated weekly https://www.portstephens.nsw.gov.au/services/roads.-parking-and-pathways/road-closures-and-disruptions	3
		The submission states that all DA's and their status be listed on the website.	Council currently provide a list of weekly DA determinations here https://www.portstephens.nsw.gov.au/council/public-exhibitions/development-applications-on-exhibitions and for DA's in process these are in DA Tracker http://datracker.portstephens.nsw.gov.au/Home/Disclaimer	3
		The submission states that a quarterly summarised report of the councils financial status and projections be available on the website.	This is already available as the quarterly budget review goes to Council as per legislation so it is displayed in the Council business papers. It also show the end of year projection. The 10 year project is in the Long Term Financial Plan which is published on the website here https://www.portstephens.nsw.gov.au/council/plans-and-reporting/integrated-plans	3
		The submission asks that a monthly website progress report be available on current and upcoming capital works.	This is already available on our website and is updated weekly https://www.portstephens.nsw.gov.au/services/projects	3
		The submission states that a website listing of current public tenders be available	This is already on our website https://www.portstephens.nsw.gov.au/business/tenders-and-expression-of-interests	3
		The submission states that a website listing of	This is already on our website	3

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No	Author	Summarised key point	Council reponse	Comment code
		current positions vacant be available	https://portstephens.csod.com/ux/ats/careersite/1/home?c=portstephens	
3	Resident	The submission states that Port Stephens needs a special centre where the arts and cultural expression could be provided and accomodated. The Tomaree Headland is recommended as the location.	This particular submission is focused on art and culture rather than the topic of this strategy.	6
4	Resident	The submission states that a principle should be included on "involving those affected by a decision in the decision making process". The submission notes that this may or may not result in a modification to Appendix A table.	4.1 This consideration is part of the IAP2 framework, the foundation of this Strategy and is part of our 5 principles particularly Principle 2, 3, 4 and 5.	3, 4
		The submission states that links to resources on how, when and who to engage should be included in the strategy	4.2 When Council engages correlate with the IAP2 Framework used as the foundation to this Strategy. Stakeholder groups of who Council will engage and methodws of how they will be engaged will now also been included.	3
		The submission asks that rewording should be considered in Communications and Engagement principals number 3 on page 5 to reflect a more active approach than "encourage".	4.3 Council will consider a stronger wording approach than 'encourage'.	1, 4
		The submission notes that following the draft strategy the expectations are on council to maximise community	4.4 Existing IPA2 Framework, the foundation to the strategy, provides this.	3, 4

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No	Author	Summarised key point	Council reponse	Comment code
		value, be more inclusive, focus more on accessibility and that the strategy spells out aligned community and council expectations		
		The submission asks that comprehensive community engagement plans and their outcomes be developed and documented	4.5 This is an operational task and not included in detail as the Strategy is a higher level document that needs to be as streamlined as possible. This will be an operational action of existing key objectives.	3, 4
		The submission states that monitoring, reporting and evaluation on the overall program should be incorporated into the strategy.	4.6 Monitoring, reporting and evaluation are key. Key objectives relate specifically to this to ensure these remain a priority in the engagement and communication process. Measures of success will be expanded to include improved connection to the Strategy principles.	2
		The submission asks that through the use of partnerships (such as LGA, Hunter Joint organisation of Councils) analyse public participation data and promulgate better practice case studies , guidance and training for all council staff.	4.7 Strategy includes a key objective relating specifically to building staff capacity. This will be an operational action as part of this objective.	3
5	Voices of Wallalong and Woodville (VOWW)	The submission states that on Principal 1 on page 5 needs more work is required for the document to be truly "easy to understand". Suggest developing specific guidelines for making documents community-friendly.	5.1 Content will be reviewed and simplified where possible.	1

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No	Author	Summarised key point	Council reponse	Comment code
		The submission states that in regards to Principal 4 on page 5 that more specific guidelines must be developed. Examples provided on these include - 1. A time guideline for councillors and staff to respond to the community/residents e.g All correspondence will be acknowledged within X business days, and a full response should be provided within X weeks. 2. A set of guidelines for councillors/staff for times they are interacting with community members that will ensure that they come with a listening and collaborative approach. 3. A training program for councillors/staff to help them put the above points into practice.	5.2 These comments relate more specifically to our Customer First Charter than this Strategy. 1. This is already in place see Customer First charter on website under policies here: https://www.portstephens.nsw.gov.au/council/policies-and-guidelines/policies 2. This is already in place through our code of conduct and business excellence framework https://www.portstephens.nsw.gov.au/council/policies-and-guidelines/policies 3. Key objective already relating specifically to building staff capacity and this will include capacity building for Councillors.	3, 6
		The submission asks that in the 'Inform - Community's role' communications methods listed are social media, newsletters and updates, these are not the preferred method of communication for many in the community and website and newspaper must be included.	5.3 This is incorrect reading of the table – we are talking about the community's role not Council's. Additional information considered to improve the explanation.	3, 6
		The submission asks that the Public Access section of the council meeting be webcast.	5.4 This is now allowed if public access speakers provide consent. See Code of Meeting Practice https://www.portstephens.nsw.gov.au/council/policies-and-guidelines/policies#C	3

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No	Author	Summarised key point	Council reponse	Comment code
		The submission notes that there are several open ended statements that need to be more fully resolved including - "We will implement what you decide", "To place final decision-making and/or developed budgets in the hands of the public" and "Make decisions and work with Council to implement them".	5.5 This wording is directly from the sectors best practice organisation IAP2. It is related to the 'Empower' part of the spectrum. See https://iap2.org.au/resources/spectrum/ .	1
		The submission expressed concerns about the survey results not being communicated to residents.	5.6 Survey results should be, and generally are, included in engagement reports as part of Council reports. Key objectives are existing to make this a priority and close the loop on community feedback.	2
		The submission asks for more concrete steps to be undertaken to improve the deficiencies listed in the Key Stakeholder commentary from the 6 community groups.	5.7 Commentary from the community groups have informed the development of the Strategy.	2
		The submission states that in regards to key objective 3 on page 15, councillors would benefit from being briefed by community groups to help them fully understand what the community considers relevant.	5.8 This is an operational action that will be considered in the implementation of Strategy.	3
		The submission asked that in regards to key objective 7 "building on the use of social media" on page 15 that alternative and other effective methods of communication such as	5.9 Social media is only one method outlined in the Strategy. A list of communication and engagement methods will be included to outline the diverse methods used.	3

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No	Author	Summarised key point	Council reponse	Comment code
		messages via community groups or print media.		
		The submission suggests that in regards to key objective 9 "Support elected members by keeping them informed..." that regular informal meetings with councillors are scheduled so they get a better understanding of the needs and wishes of their communities	5.10 This objective refers to Councillors sharing information rather than receiving information. Existing key objective "Increase opportunities for the community to engage informally with Councillor and Executive" addresses this.	3
6		The submission asks that more process and oversight be put into the notification of residents of DAs. There needs to be more definition of the "affected residents" and were Council staff are able to "use their discretion" should be kept to a minimum.	6.1 The CPP is a highly structured document and is used heavily by our development planners as a guiding document. Affected residents are generally adjoining neighbours and 'use their discretion' is generally kept to a minimum.	3
7	Tomaree Ratepayers and Residents Association (TRRA)	The submission states that the introductory pages ('Message from the Mayor', 'About the strategy' and 'Strategy content') are somewhat repetitive and could be more concise. A suggestion was made to remove the IAPP methodology and that adding a footnote that the table on Pg 6 is based on IAP2 would be sufficient.	7.1 Content will be reviewed and simplified where possible. Less pages overall is not possible with other additions suggested across the feedback. The reference to IAP2 methodology should remain as it is a foundation resource on which the strategy is built in line with best practice.	1
		The submission mentions that all 3 Strategic Priorities would benefit from clear references to other directly related Council documents including the <i>Code of</i>	7.2 Related documents are not reference in strategy documents. Related documents can be considered on the webpage where the Strategy will be	1

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No	Author	Summarised key point	Council reponse	Comment code
		<i>Meeting Practice, Receipt of Petitions Policy</i> and the wider Council policy on handling of submissions.	located with direct links included.	
		The submission states all Strategic Priorities would benefit from more detail on how the objectives will be met.	7.3 Measures of success will be expanded to include improve connections to the Strategy principles.	2
		The submission asks that it be explained if the proposed community reference group in Key Objective 2 will be a standing group and if so how constituted. And if their function is to be restricted to major projects, there needs to be clear criteria for how and by whom major projects are defined.	7.4 Better explanation of the Community Reference Group to be provided. Details of the community reference group will be considered as the action is implemented operationally once the Strategy is endorsed.	1
		The submission asks that an acknowledgement of the needs of a large number of Port Stephens residents be included for both objective 6 and 7 as they are not comfortable using technology, websites or social media. It asks for the use of more traditional channels, such as newspapers and hard copy publications	7.5 The point of highlighting social media as a communication channel in objectives 6 and 7 is that these channels have advantages over traditional channels and provide data about reach and readership that traditional channels simply do not. A list of communication and engagement methods will be included to outline the diverse methods to be used.	3, 4
		The submission asks that objective 8 expressly confirms that 'external' reporting means 'public'	7.6 External reporting does mean reporting to the public.	1
		The submission states that in Strategy Priority 2 - Communications, that objective 2 & 3 need to be qualified so not to	7.7 A list of communication and engagement methods will be included to outline the diverse methods to be used.	3

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No	Author	Summarised key point	Council reponse	Comment code
		exclude the residents not comfortable with the Council website and social media		
		The submissions asks that objective 9 be strengthened by setting performance standard for Councillors' community engagement activity	7.8 This is covered under the Councillors code of conduct.	1
		The submission asks that objective 10 confirms 'public' reporting	7.9 This is monthly internal reporting which is reported to the public through the Annual Report.	2
		The submission asks that objective 5 should demonstrate the synergy between the 3 strategic priorities by committing to public consultation on the <i>Community Advocacy Priorities</i> document.	7.10 Future development of the Community Advocacy Priorities would be discussed with the proposed Communication and Engagement Advisory Group to identify methods of communications and community engagement.	3
		The submission states that objective 7 should encourage outreach activity by staff at all levels, not just executive.	7.11 This objective relates to public relations speaking events not general community engagement.	2
		The submission asks that objective 10 confirms 'public' reporting	7.12 This is monthly internal reporting which is reported to the public through the Annual Report.	2
		The submission states that there should be reference to Council's separate <i>Media Liaison Policy</i> .	7.13 Related documents are not reference in strategy documents. Related documents can be considered on the webpage where the Strategy will be located with	1
		The submission states that it should be clearer that the figures provided are targets not results	7.14 Amendment made	1

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No	Author	Summarised key point	Council reponse	Comment code
		The submission states that the plan should commit to always extending exhibition periods when they would otherwise end on a weekend or public holiday and asks that the wording be changed to 'will' not 'may'	7.15 Existing wording to remain to assist administration.	1
		The submission states that an option for neutral comments or observations should added to bullet point 5	7.16 Existing wording to remain to assist administration.	1
		The submission asks that the note under table 2 about including weekends should make it clear if they also include public holidays	7.17 Existing wording to remain to assist administration	1
		The submission states that Council policies 'Rezoning Requests' and 'Planning Matters to be Reported to Council' should be referenced in Table 2 as they directly relate to table entry 'Planning proposals for local environmental plans subjects to a gateway determination'	7.18 Existing wording to remain to assist in administration	1
		The submission notes an error in table 3 and asked that with the wording be changed from "Not included in table 1" to "Not included in Appendix A" or Appendix A on page 26 should be renamed Table 1. It was also noted that the correct wording appears next to the title - <i>Table 3 Community Participation Categories</i>	7.19 Minor wording amendments to be made.	1

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No	Author	Summarised key point	Council reponse	Comment code
<i>(Refer to Appendix a for details)</i>				
8	Tilligerry Community Association	The submission states that this document is a low point with 'pretty' picture added to add heart and failing.	8.1 Content will be reviewed and simplified where possible.	1
		The submission notes that Council staff having the discretion of what DA get advertised is stunning. It asks that DA's go back into The Examiner or wider and that there is much more accessible exposure for DAs	8.2 How DA's are advertised is an operational action rather than a strategy key objective and will be considered in operational work plans.	3
		The submission notes that there was no mention of Place Plans in the strategy and that these plans are the best communication and engagement that has been done	8.3 This is a strategy about communications and engagement as a whole and not about specific projects.	6
		The submission expressed their hopes that the strategy would focus on the wider area and their disappointment that it didn't. They had hoped that the plan would be strategic on things like town and transport links, the main road and development areas etc.	8.4 This is a strategy about communications and engagement not specific town infrastructure.	6
		The submission states that the community groups within the Tilligerry area were not contacted or consulted when it came to the engagement process for Liveability Index and that they can only assume that the same people are	8.5 The Liveability Index was widely advertised and reached a broad demographic which is considered statistically valid.	6

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No	Author	Summarised key point	Council reponse	Comment code
		contributing to this each time and that other key groups are not		
		The submission notes that staff that attended the town square consultation in Lemon Tree Passage had not been briefed on how to answer questions relating to the path and the boat ramp. And that they did not get a response via phone as advised. This project was then approved without consultation. They believe that this again was a superficial tick and flick.	8.6 This particular project is still in the detailed design phase and feedback from the session is being incorporated into the design.	6
9	Staff	The submission suggests the addition of a comment inviting the community to give the assessing officer a call regarding planning proposals and development applications to chat about their concerns/ideas. It notes that when a DA is on exhibition the contact details of the Assessing Officer are always provided and the team want to community to know they are approachable and would like to have a conversation before they prepare a submission.	8.7 Council staff in all departments are approachable and willing to engage on a variety of issues.	3
		The submission noted that the note at the bottom of this appendix relating to caravan parks/ camping grounds had	8.8 Amendment made	1

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No	Author	Summarised key point	Council reponse	Comment code
		been removed. They wanted to flag this as a potential omission.		

Appendix F: Submissions (2025)

No	Themes	Summarised comment	Council's response
1	Suggested changes to the draft strategy	Primary concern is that the overall strategy is too vague and too general. Additional, relatively minor, formatting and language suggestions. Suggested better links between have your say website and items on public exhibition	Feedback has been considered and improvements incorporated where possible. Council to investigate options to better link items on public exhibition to have your say website. Direct letter to be sent to submitter in response to suggestions.
2	Suggested changes to the draft strategy to improve processes especially relating to the CPP. AB Rise development and 19 Gan Gan Road @ Anna Bay referenced as examples of where the CPP has failed.	Calls for the CPP to be like Byron Council CPP from 2019. Primary concern is with the PSC CPP and the process associated with Planning Proposals or rezonings. "The rezoning process ie the standard LEP making process does not provide opportunity for community input until Stage 5 ie after decision making by council. This goes against the objects of the EP&A act. The current non transparent process used by PSC delivers outcomes that council perceive to be in the community's interests but without community consultation, decision making is often incongruent to community aspirations. This erodes trust."	Council to make clearer in the strategy, including the appended CPP, the difference in processes between DA's and Planning Proposals or rezonings. Direct letter to be sent to submitter in response to suggestions.
3	Suggested changes to the Strategy and especially CPP Uses 19 Gan Gan Road,	Primary concern with the CPP: "The CPP does go into detail around Development Applications and Modification Applications, but does not adequately provide for community consultation concerning Planning Proposals."	Council to make clearer in the strategy, including the appended CPP, the difference in processes between DA's and Planning

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No	Themes	Summarised comment	Council's response
	Anna Bay as an example of where the CPP fails	Also did not like the Planning proposals factsheet provided with adjoining neighbor notification primarily as there is no element of consultation in Stage 5 until the public hearing [similar to above response].	Proposals or rezonings. Direct letter to be sent to submitter in response to suggestions.
4	Suggested changes to the draft strategy includes full rewrite and re-exhibit	Suggests community engagement strategy is rewritten in a different format including using the CPP from Byron Shire from 2019 as the primary guide.	Council to make clearer in the strategy, including the appended CPP, the difference in processes between DA's and Planning Proposals or rezonings. Direct letter to be sent to submitter in response to suggestions.
5	Equity and access	"The listen option does not work for the Communication and Engagement strategy. It does work in other sections on Council pages."	Council to investigate options for listen option for attached pdf's as the 'Readspeaker' program only currently works for website text. Phone call to submitter in response to suggestion.



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