

<b>STRATEGIC PLANNING ASSESSMENT REPORT (SPAR)</b>	
Application No.	58-2025-2-1 (PP-2025-2134).
Applicant Name	Urbanism Pty Ltd (on behalf of the Port Stephen Council Property Investment and Development Section).
Applicant Address	Suite 4.02, Level 4, Macquarie Street, Parramatta NSW 2150.
Site Location Details	<p>1B Jessica Close, Raymond Terrace (Lot 4 DP 807214).</p> <p>4 Payton Street, Raymond Terrace (Lot 68 DP 248229).</p> <p>20 Benjamin Lee Drive, Raymond Terrace (Lot 1063 DP 826758).</p> <p>27 Campbell Ave, Anna Bay (Lot 4 DP 787398).</p> <p>101 Kindlebark Drive, Medowie (Lot 721 DP 1033896).</p> <p>124 Benjamin Lee Drive, Raymond Terrace (Lot 3082 DP 786401).</p> <p>154 Rocky Point Road, Fingal Bay (Lot 17 DP 805074).</p> <p>A-1 Mount Hall Road, Raymond Terrace (Lot 18 DP 238628).</p>
Proposal Summary	<p>Reclassify all of the sites from Community to Operational land.</p> <p>Note: Only the southern part of 124 Benjamin Lee Drive, Raymond Terrace is proposed to be reclassified from Community to Operational land.</p> <p>Rezone four of the sites (1B Jessica Close, Raymond Terrace; 4 Payton Street, Raymond Terrace; 20 Benjamin Lee Drive, Raymond Terrace; 27 Campbell Avenue, Anna Bay) from RE1 Public Recreation to R2 Low Density Residential and apply a minimum of size of 500m<sup>2</sup> and a maximum building height of 9m.</p> <p>The four other sites subject of the planning proposal (101 Kindlebark Drive, Medowie; 124 Benjamin Lee Drive, Raymond Terrace; 154 Rocky Point Road, Fingal Bay; A-1 Mount Hall Road, Raymond Terrace) will retain their existing zoning R2 Low Density Residential and related LEP controls.</p>
Site Location	The location of each site is shown in the planning proposal.

Existing Zoning	The existing zoning of each site is shown in the planning proposal.
Proposed Zoning	The proposed zoning of each site is shown in the planning proposal.
Concept Master Plan	Not applicable. Any potential development of each site would be subject to individual development applications at a future stage.

Internal referrals	Comment
Development Engineering	<p>Development Engineering identified that 4 Payton Street, Raymond Terrace and A-1 Mount Hall Road, Raymond Terrace are subject to flood and drainage constraints. Whilst these sites are suitable to include in the planning proposal, flooding may present a potential constraint to consider with future development.</p> <p>Future development at 4 Payton Street, Raymond Terrace, will need to avoid the flow path through part of the property.</p> <p>Part of A-1 Mount Hall Road, Raymond Terrace, acts as a detention storage area. Future development will need to ensure this storage function is retained and does not impact other properties.</p> <p>154 Rocky Point Road, Fingal Bay, is mapped as minimal risk flood prone land only.</p>
Natural Systems	<p>Natural Systems reviewed the submitted Ecological Assessment Report (which includes indicative potential building envelopes). Detailed ecological assessment of future development on each site would be required at the development application stage, to respond to site features for some of the sites, with particular reference to 4 Payton Street, Raymond Terrace.</p> <p>At 4 Payton Street, Raymond Terrace, there are four large Forest Redgum Trees. Three of these trees have habitat value (hollows). It is acknowledged that due to the isolated nature of this site within the urban environment, many threatened species would not occur on site. Whilst removal of these trees is unlikely to result in a significant impact, these trees do have value and their removal (with any future development) is not recommended.</p>

	It is noted that the Ecological Assessment Report includes indicative development footprints for 4 Payton Street, Raymond Terrace; 101 Kindlebark Drive, Medowie; and 154 Rocky Point Road, Fingal Bay to show the ability to locate a dwelling on these sites and avoid or minimise any environmental impacts.
Community Assets	Community Assets commented there are no significant concerns about recreational impacts.

<p>Will the planning proposal give effect to the objectives and actions of the applicable regional, or district plan or strategy (including any exhibited draft plans or strategies)?</p>	
Hunter Regional Plan 2041 (HRP)	The planning proposal gives effect to the provisions of the HRP by facilitating infill development within existing urban areas.
Greater Newcastle Metropolitan Plan 2036 (GNMP)	The planning proposal gives effect to the provisions of the GNMP by facilitating infill development within existing urban areas.
<p>Is the planning proposal consistent with a council LSPS that has been endorsed by the Planning Secretary or GCC, or another endorsed local strategy or strategic plan?</p>	
Port Stephens Local Strategic Planning Statement (LSPS)	<p>The planning proposal is consistent with the LSPS including the following planning priorities:</p> <ol style="list-style-type: none"> <li>1. Support the growth of strategic centres and major employment areas.</li> <li>4. Ensure suitable land supply.</li> <li>5. Increase diversity of housing choice.</li> </ol>
Port Stephens Local Housing Strategy (LHS) and Housing Supply Plan (HSP)	<p>The planning proposal is consistent with the LHS including the following outcomes:</p> <ol style="list-style-type: none"> <li>1. Ensure suitable land supply.</li> <li>2. Improve housing affordability.</li> <li>3. Increase diversity of housing choice.</li> <li>4. Facilitate liveable communities.</li> </ol> <p>Because of the minor nature of the sites, they are not individually identified in the HSP.</p>

## STATE ENVIRONMENTAL PLANNING POLICY (SEPP) ASSESSMENT

### SEPP

### Assessment

#### SEPP (Resilience and Hazards) 2021

#### Chapter 4 Remediation of Land

The sites are located within established residential areas, and are not considered to present a significant risk from potentially contaminated land. The planning proposal lists previous development applications for each site, which do not indicate any contamination risk or need for remediation. Future development will be able to address any relevant provisions of this SEPP.

## MINISTERIAL DIRECTIONS ASSESSMENT

### Ministerial Direction

### Assessment

#### Focus area 1: Planning Systems

#### 1.1 Implementation of Regional Plans

The planning proposal is consistent with the HRP through the provision of additional infill residential development opportunities and utilisation of existing infrastructure and services.

The planning proposal is consistent with this Direction.

#### Focus area 3: Biodiversity and Conservation

#### 3.2 Heritage Conservation

None of the sites contain a heritage item listed in the LEP or are located within a heritage conservation area.

The planning proposal is consistent with this Direction.

#### Focus area 4: Resilience and Hazards

#### 4.1 Flooding

Three of the sites (4 Payton Street, Raymond Terrace; A-1 Mount Hall Road, Raymond Terrace; 154 Rocky Point Road, Fingal Bay) are mapped as flood prone or part flood prone to varying extents.

4 Payton Street, Raymond Terrace, is within the Low Hazard Flood Fringe area and a Low Hazard Overland Flow Path traverses through a part of the site. There is sufficient area within the Low Hazard Flood Fringe area to locate a dwelling and to avoid the overland flood path within the site.

	<p>A-1 Mount Hall Road, Raymond Terrace is already zoned residential. Part of the site is High Hazard Overland Flow Path, however there is a sufficient part of the site that is flood free for a potential future dwelling to be considered.</p> <p>154 Rocky Point Road, Fingal Bay is already zoned residential and is mapped as minimal risk flood prone land.</p> <p>The planning proposal sets out in further detail the ability for any future development on each site to be designed and assessed in response to the level of flood risk.</p> <p>In each instance, there is existing adjoining development that demonstrates the ability to suitably respond to any flood risk.</p> <p>Any inconsistency of the planning proposal with this Direction is of minor significance.</p>
4.3 Planning for Bushfire Protection	<p>Any future proposed future development on the sites will need to demonstrate the requirements of the NSW Rural Fire Service Guideline Planning for Bush Fire Protection 2019 can be satisfied. Consultation will be undertaken with the NSW Rural Fire Service to confirm consistency with this Direction.</p>
4.4 Remediation of Contaminated Land	<p>The sites are located within established residential areas and are not considered to present a significant risk from potentially contaminated land. The planning proposal lists the previous development applications for each site, which do not indicate a contamination risk or need for remediation.</p> <p>Any inconsistency of the planning proposal with this Direction is of minor significance.</p>
4.5 Acid Sulfate Soils	<p>The planning proposal does not seek to rezone sites with a high risk of acid sulfate soils.</p> <p>The planning proposal is consistent with this Direction.</p>
<b>Focus area 5: Transport and Infrastructure</b>	
5.1 Integrating Land Use and Transport	<p>The subject sites are all infill residential development within established residential areas and will have the same level of transport as surrounding residents.</p> <p>The planning proposal is consistent with this Direction.</p>
5.2 Reserving land for Public Purposes.	<p>The planning proposal seeks to reclassify each of the sites from Community Land to Operational Land.</p> <p>The planning proposal also seeks to rezone four of the sites from RE1 Public Recreation to R2 Low Density Residential.</p>

	<p>The sites have been identified as being surplus Council-owned land following a strategic review, including the preparation of the Port Stephens Recreation Strategy adopted by Council 13 November 2018.</p> <p>A Council resolution dated 11 October 2022 gave approval for the preparation of this planning proposal to reclassify and rezone the sites.</p> <p>Any inconsistency of the planning proposal with this Direction is of minor significance.</p>
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<b>ENVIRONMENTAL, SOCIAL AND ECONOMIC IMPACT</b>	
<p>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?</p>	<p>Given the minor size of the sites and their location within existing urban areas, there is minimal likelihood that critical habitat or threatened species, population or ecological communities or their habitats, will be adversely affected as a result of the planning proposal. Future development on each site would be subject to the development application and assessment process. The Ecological Assessment Report submitted with the planning proposal includes indicative potential building footprints demonstrating the ability to minimize the potential for ecological impacts.</p>
<p>Are there any other likely environmental effects as a result of the planning proposal and how are they proposed to be managed?</p>	<p>Any potential environmental effects as a result of the planning proposal are proposed to be resolved at the development application stage, given the minor scale of each of the sites and their environmental characteristics.</p>
<p>Has the proposal adequately addressed any social and environmental effects?</p>	<p>The planning proposal has the potential for positive social and environmental effects through the creation of minor potential additional land supply (estimated 8 dwellings - subject to future development consent) within existing urban areas.</p>

## RECOMMENDATION

Based on the information lodged with the rezoning request, the planning proposal is considered to have sufficient merit to proceed to Gateway.

## **DETERMINATION**

The planning proposal has been prepared in accordance with section 3.33 of the Environmental Planning and Assessment Act 1979 and is considered to be consistent with relevant local and regional plans, State Environmental Planning Policies and Ministerial Directions. Where there is an inconsistency, this inconsistency is justified.

As a delegate for Port Stephens Council and in accordance with the Planning Proposal Policy, I, Matthew Borsato, the Senior Strategic Planning at Port Stephens Council, endorse the planning proposal to reclassify and rezone the subject land, to be submitted to the Department of Planning, Housing and Infrastructure, in accordance with section 3.34(1) of the Environmental Planning and Assessment Act 1979, with a request for a Gateway determination.



Matthew Borsato  
**Senior Strategic Planner**  
**19 January 2026**