



# Minor Amendments to Various Sites at Tomago and Karuah Planning Proposal

## **Proposed amendment to Port Stephens Local Environmental Plan 2013**

Part Lot 302 DP 1004596 (15 Gray Drive Karuah)  
Part Lot 143 DP 605461 (38 Old Punt Road, Tomago)  
Part Lot 12 DP 1138643 (1 Laverick Avenue, Tomago)  
Part Lot 2 DP 1195849 (12 Laverick Avenue, Tomago)  
Part Lot 1 DP 1195849 (14 Laverick Avenue, Tomago)



## **BACKGROUND**

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Since gazettal of the Port Stephens Local Environmental Plan 2013 (PS LEP 2013) four (4) sites have been identified as mapping anomalies during the initial transference from the Port Stephens Local Environmental Plan 2000 (PS LEP 2000) to the standard instrument Port Stephens Local Environmental Plan 2013 (PS LEP 2013) including 15 Gray Drive Karuah, 38 Old Punt Road, Tomago, 1 Laverick Avenue, Tomago and 12 Laverick Avenue, Tomago. A further site at 14 Laverick Avenue, Tomago is a result of a subdivision approval which has adjusted the cadastre boundary.

While the amendments are considered transitional inconsistencies or cadastre updates, given the time that has lapsed since the planning controls came into effect, the amendment is being progressed as a planning proposal

The Planning Proposal was considered by Council on 14 July 2015 for the purposes of a requesting a gateway determination from the Department of Planning and Environment (DP&E) under section 56 of the Environmental Planning and Assessment Act 1979.

A gateway determination was received on 9 September 2015 with only minor administrative amendments to be made to the planning proposal prior to public exhibition.

In accordance with the Gateway Determination the Proposal was placed on public exhibition for 14 days between 22 October 2015 and 5 November 2015. No submissions were received.

On 8 March 2016, Council Resolved to adopt the Planning Proposal to amend the Port Stephens Local Environmental Plan 2013 to rectify minor mapping inconsistencies at 15 Gray Drive, Karuah, 38 Old Punt Road, Tomago and 1, 12 and 14 Laverick Avenue, Tomago.

## **PART 1 – Objectives or Intended Outcomes**

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The objective of this planning proposal is to rectify mapping anomalies made during the transition from the PS LEP 2000 to the standard Instrument LEP by amending the Port Stephens Local Environmental Plan 2013 relating to the following sites:

- Rezone part of Lot 302 DP 1004596 (15 Gray Drive Karuah) from RU2 Rural Landscape to R2 Low Density Residential;
- Rezone part Lot 143 DP 605461 (38 Old Punt Road, Tomago) from E2 Environmental Conservation to IN1 General Industrial;
- Rezone part Lot 12 DP 1138643 (1 Laverick Avenue, Tomago) from E2 Environmental Conservation to IN1 General Industrial; and
- Rezone part Lot 2 DP 1195849(12 Laverick Avenue, Tomago) from E2 Environmental Conservation to IN1 General Industrial; and

This planning proposal also amends the land zoning map as a result of a subdivision approval which has resulted in a boundary adjustment relating to:

- Rezone part Lot 1 DP 1195849 (14 Laverick Avenue, Tomago) from E2 Environmental Conservation to IN1 General Industrial.

## **PART 2 – Explanation of the provisions to be included in proposed LEP**

The proposal will be implemented by amendment of the PS LEP 2013. The amendments are as follows:

### 1. **Site 1**

Amend the land zoning map and lot size map relating to part Lot 302 DP 1004596, (15 Gray Drive, Karuah) as identified in Figure 1. Under the PS LEP 2000 the lot was part zoned 1(a) Rural Agriculture (western portion) and 2(a) Residential (eastern portion). During zone conversion to the Standard Instrument, the whole lot was unintentionally converted to RU2 Rural Landscape.

Subsequently, the western portion of the lot has been rezoned R2 Low Density Residential as part of Port Stephens Local Environmental Plan 2013 (Amendment No. 5) gazetted in June 2014. The remaining eastern portion of the lot is required to be zoned R2 Low Density Residential in line with its previous zoning under LEP 2000. The associated lot size and height of buildings maps also require amendment as shown in Table 1.

	<b>Zoning</b>	<b>Lot Size</b>	<b>Height of Building</b>
Proposed Amendment	Part R2 Low Density Residential	500sqm	(j) 9m
PS LEP 2013 (Amendment No. 5)	Part RU2 Rural Landscape	AB2 20ha	N/A
Gazetted PS LEP 2013	Part RU2 Rural Landscape	AB2 20ha	N/A
Exhibited PS LEP 2013	Part RU2 Rural Landscape	AB2 20ha	N/A
PS LEP 2000	Part 2(a) Residential	N/A	N/A

Table 1 - 15 Gray Drive, Karuah, Zoning, Lot size and Height of building changes

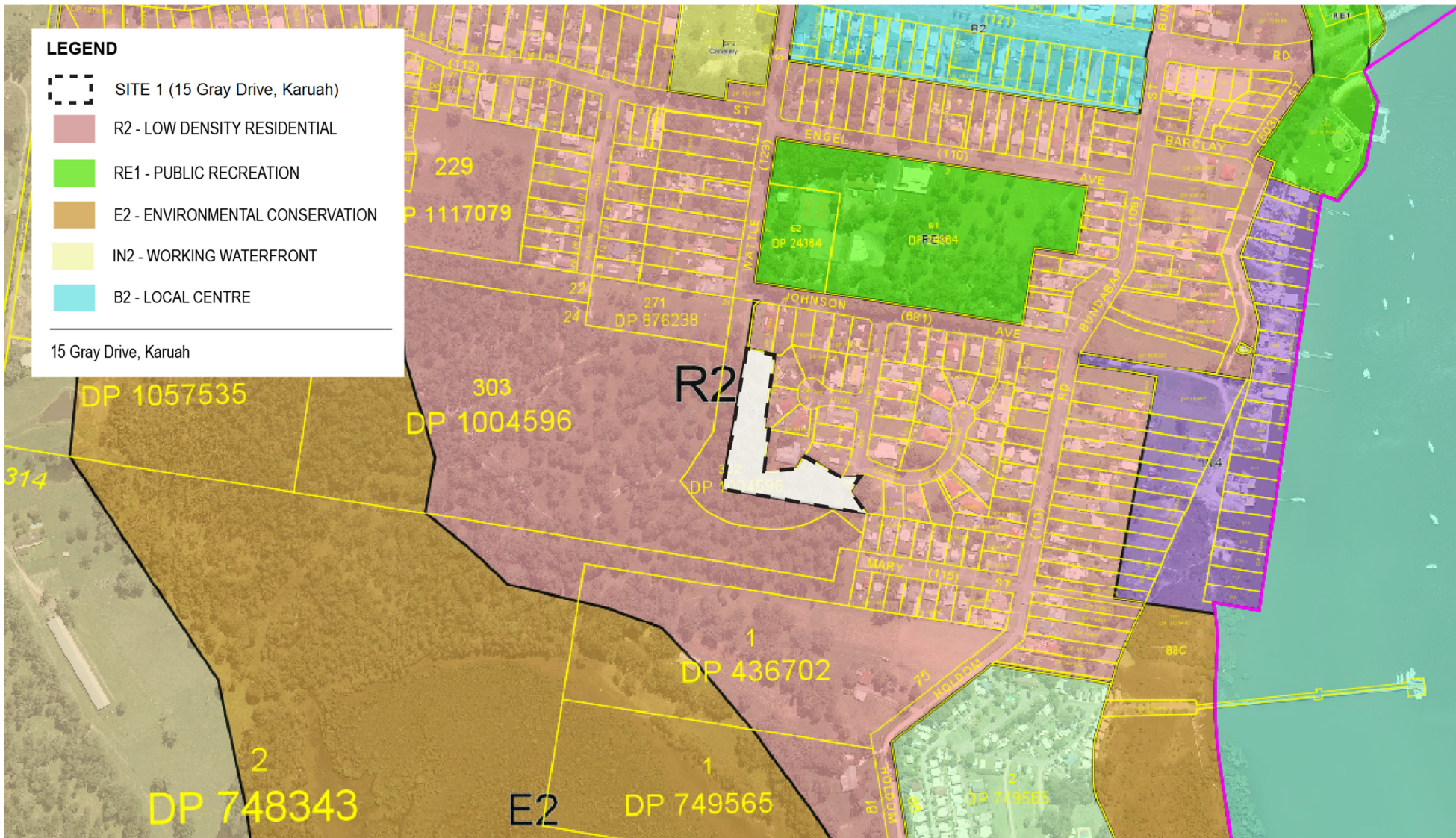


Figure 1 – 15 Gray Drive, Karuah, Location Map



2. **Site 2**

Amend the land zoning map relating to Part Lot 143 DP 605461 (38 Old Punt Road, Tomago) as identified in Figure 2. During the zone conversion to the PS LEP 2013, 38 Old Punt Road, Tomago did not transition from part 4(a) Industrial General "A" and part 1(a) Rural Agriculture "A" to part IN1 General Industrial and part E2 Environmental Conservation. Instead the whole parcel was unintentionally converted to E2 Environmental Conservation. The associated lot size map is also required to be amended to remove the 40ha minimum lot size provision to reflect the IN1 Zone provisions.

	<b>Zoning</b>	<b>Lot Size</b>	<b>Height of Building</b>
Proposed Amendment	IN1 General Industrial	N/A	N/A
Gazetted PS LEP 2013	E2 Environmental Conservation	AB3 40ha	N/A
Exhibited PS LEP 2013	E2 Environmental Conservation	AB3 40ha	N/A
PS LEP 2000	4(a) Industrial General	N/A	N/A

Table 2 - 38 Old Punt Road, Zoning, Lot size and Height of building changes

3. **Site 3**

Amend the land zoning map relating to Part Lot 12 DP 1138643 (1 Laverick Avenue Tomago) as identified in Figure 2. During the zone conversion to the PS LEP 2013, 1 Laverick Avenue, Tomago zoned part 4(a) Industrial General "A" and part 1(a) Rural Agriculture "A" did not transition to the equivalent zones of part IN1 General Industrial and part E2 Environmental Conservation. Instead the entire portion on the lot south of Laverick Avenue was unintentionally zoned E2 Environmental Conservation. The associated lot size map to remove part of the 40ha minimum lot size provision is also required to reflect the IN1 Industrial General zone provisions.

	<b>Zoning</b>	<b>Lot Size</b>	<b>Height of Building</b>
Proposed Amendment	IN1 General Industrial	N/A	N/A
Gazetted PS LEP 2013	E2 Environmental Conservation	AB3 40ha	N/A
Exhibited PS LEP 2013	E2 Environmental Conservation	AB3 40ha	N/A
PS LEP 2000	4(a) Industrial General	N/A	N/A

Table 3 - 1 Laverick Avenue, Tomago, Zoning, Lot size and Height of building changes

4. **Site 4**

Amend land zoning map relating to Lot 2 DP 1195849 (12 Laverick Avenue, Tomago) as identified in Figure 2. During the zone conversion to the PS LEP 2013, the entire portion of the site zoned 4(a) Industrial General was not converted to IN1 General Industrial instead a portion was zoned E2 Environmental Conservation.

	<b>Zoning</b>	<b>Lot Size</b>	<b>Height of Building</b>
Proposed Amendment	IN1 General Industrial	N/A	N/A
Gazetted PS LEP 2013	E2 Environmental Conservation	AB3 40ha	N/A
Exhibited PS LEP 2013	E2 Environmental Conservation	AB3 40ha	N/A
PS LEP 2000	4(a) Industrial General	N/A	N/A

Table 4 – 12 Laverick Avenue, Tomago, *Zoning, Lot size and Height of building changes*

5. **Site 5**

Amend land zoning map relating to Lot 1 DP 1195849 (14 Laverick Avenue, Tomago) as identified in Figure 2. Due to a cadastre amendment the boundary of the lot was adjusted resulting in a portion of the lot being identified E2 Environmental Conservation. The amendment will extend the IN1 General Industrial zone across the entire lot. The associated lot size map to remove part of the 40ha minimum lot size provision is also required to reflect the IN1 Industrial General zone provisions.

	<b>Zoning</b>	<b>Lot Size</b>	<b>Height of Building</b>
Proposed Amendment	IN1 General Industrial	N/A	N/A
Gazetted PS LEP 2013	E2 Environmental Conservation	AB3 40ha	N/A
Exhibited PS LEP 2013	E2 Environmental Conservation	AB3 40ha	N/A
PS LEP 2000	4(a) Industrial General	N/A	N/A

Table 5 - 14 Laverick Avenue, Tomago, Lot Size changes

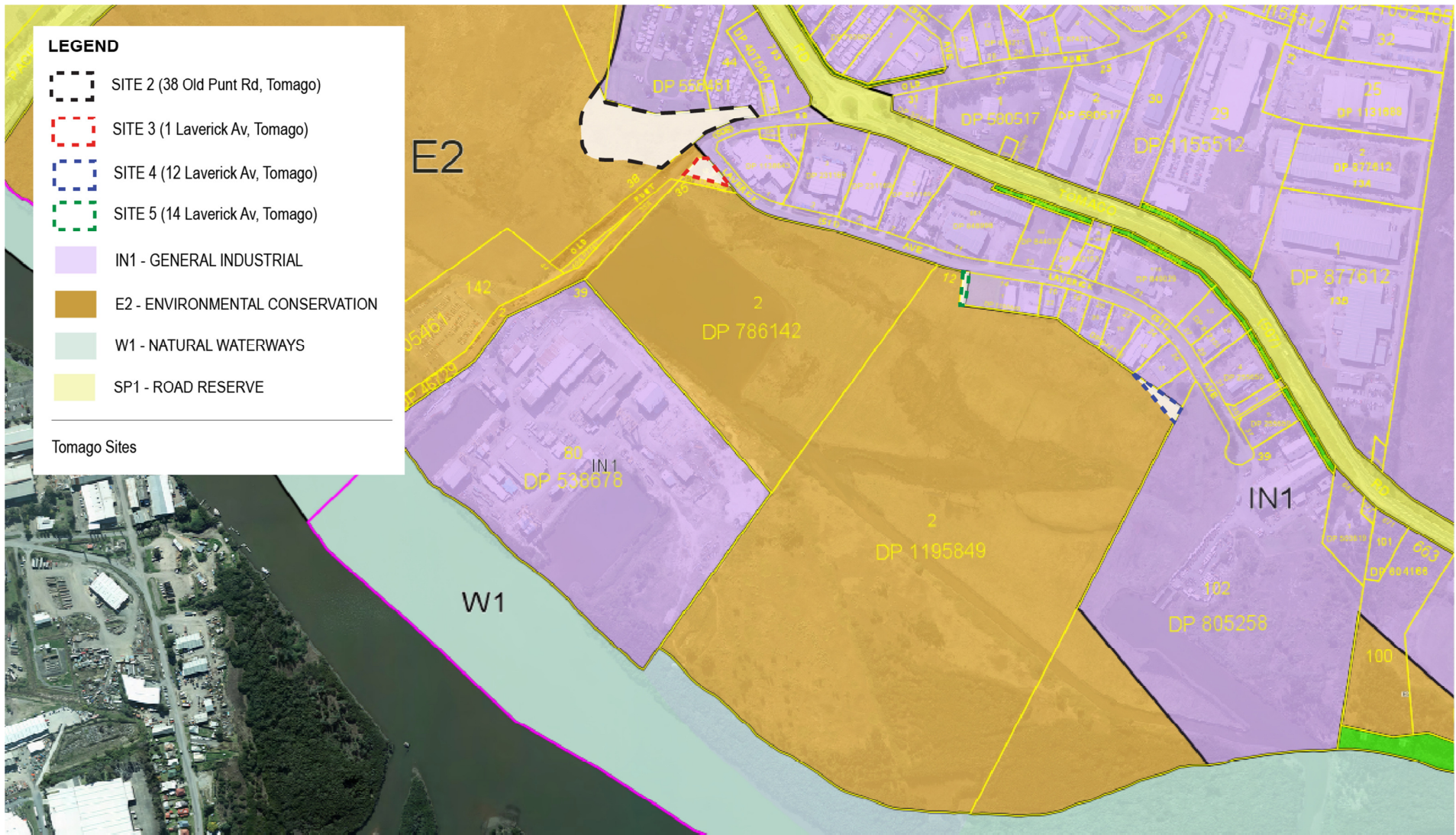


Figure 2 – 38 Old Punt Road, Tomago, 1 Laverick Avenue, Tomago and 12 Laverick Avenue, Tomago, and 14 Laverick Avenue, Tomago – Location Map

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

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

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

The proposal is not the result of any strategic study or report. The anomalies have arisen as a result of the conversion from the Port Stephens Local Environmental Plan 2000 to the standard instrument Port Stephens Local Environmental Plan 2013.

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

The Planning Proposal is the only way of rectifying the anomalies that have occurred since the transition to the standard instrument LEP. The changes are directly applicable to the instrument and there is no other way of amending the instrument other than via a planning proposal.

### **SECTION B – Relationship to Strategic Planning Framework**

3. *Is the planning proposal consistent with the objectives and actions contained within the applicable regional or sub-regional strategy?*

#### Lower Hunter Regional Strategy

The Lower Hunter Regional Strategy (LHRS) is a strategic planning framework to guide the sustainable growth of the lower Hunter over the next 25 years. The amendment will not conflict with the objectives of the Strategy as it seeks to rectify administrative errors that have resulted from the changeover to the standard instrument LEP.

The amendments will ensure that land is zoned appropriately to facilitate employment opportunities.

#### Draft Hunter Regional Plan

The draft Hunter Regional Plan provides an overarching framework to guide development and investment in the Hunter region to 2036.

The amendment will not conflict with the objectives of the Strategy as it seeks to rectify administrative errors that have resulted from the changeover to the standard instrument LEP.

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

#### Community Strategic Plan

The proposal is consistent with Council's Integrated Strategic Plan (Port Stephens 2022).



The proposal is consistent with the Strategic Direction 11.1 'Balance the environmental, social and economic needs of Port Stephens for the benefit of present and future generations'. The proposal is also consistent with the Strategic Direction 3.6 'Develop strategic land use and infrastructure plans and prepare and maintain statutory planning instruments (Local Environment Plans), Development Control Plans and policies'.

This Proposal seeks to maintain the Port Stephens Local Environmental Plan 2013.

Port Stephens Planning Strategy 2011

Council's Port Stephens Planning Strategy seeks to encourage a sufficient supply of a diverse range of housing in the Local Government Area (LGA) and ensure that there is a sufficient supply of a diversity of industrial land to meet market demand. The Planning Proposal is consistent with Council's adopted Port Stephens Planning Strategy (PSPS).

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

The Planning proposal is of minor planning significance. Relevant State Environmental Planning Policies are outlined below.

<b>SEPP</b>	<b>Relevance</b>	<b>Consistency and Implications</b>
<b>SEPP 14 – Coastal Wetlands</b>	This SEPP places restrictions on development on land to which the plan applies and seeks to ensure that the coastal wetlands are preserved and protected in the environmental and economic interests of the State.	<b>Consistent</b> This SEPP applies to 38 Old Punt Road Tomago and 12 Laverick Avenue Tomago. The area proposed to be rezoned is however not affected. The planning proposal is consistent with the SEPP by ensuring that surrounding coastal wetlands are preserved and protected.
<b>SEPP 44 – Koala Habitat Protection</b>	This SEPP applies to land across NSW that is greater than 1 hectare and is not a National Park or Forestry Reserve. The SEPP encourages the conservation and management of natural vegetation areas that provide habitat for koalas to ensure permanent	<b>Consistent</b> The subject sites do not contain land identified as Preferred Koala Habitat and Supplementary Koala habitat under the Port Stephens Comprehensive Koala Plan of Management (CKPoM) 2002.  The Planning proposal is considered consistent with

	free-living populations will be maintained over their present range.	the SEPP.
<b>SEPP 55 – Remediation of Land</b>	This SEPP aims to promote the remediation of contaminated land for the purpose of reducing the risk of harm to human health or any other aspect of the environment.	<b>Consistent</b> Although the planning proposal seeks to rezone rural land to a residential zone, the subject land was previously zoned residential and is currently used for residential purposes, therefore previously deemed appropriate.
<b>SEPP 71 – Coastal Protection</b>	This SEPP seeks to protect the coastal zone.	<b>Consistent</b> The subject sites in Tomago are affected by this SEPP. The Planning proposal aims to reinstate the previous industrial zone on a small portion of the sites adjacent to existing industrial zoned land and uses. The majority of the land will retain the E2 Environmental Conservation ensuring the proposal: <ul style="list-style-type: none"> <li>• Manages and balance natural, cultural, recreational and economic attributes of the NSW coast;</li> <li>• Public access to the foreshore will be unaffected;</li> <li>• Aboriginal places will be protected;</li> <li>• Visual amenity of the coast will be maintained;</li> <li>• Native coastal vegetation will be managed;</li> <li>• The principles of ecological sustainable development (ESD) have been taken into account</li> <li>• The scale of development is appropriate for the site, is consistent with adjoining and surrounding development; and</li> </ul>

		<ul style="list-style-type: none"> <li>will not impact the natural scenic quality of the surrounding area.</li> </ul>
<b>SEPP Affordable Rental Housing 2009</b>	This SEPP aims to provide forward rental housing.	<b>Consistent</b> The proposal facilitates residential development on land to which the SEPP applies, and accordingly has the potential to increase the supply of affordable housing. It is consistent with the SEPP.
<b>SEPP Housing for Seniors or people with a Disability 2004</b>	The SEPP aims to encourage provision of housing for seniors, including residential care facilities.	<b>Consistent</b> The proposal facilitates development on land upon which housing for seniors and people with a disability may be developed. It is consistent with the SEPP.
<b>SEPP (Rural Lands) 2008</b>	The SEPP aims to facilitate economic use and development of rural lands, reduce land use conflicts and provides development principles.	<b>Consistent</b> The proposal does not minimise rural land fragmentation at 15 Gray Drive Karuah by proposing residential subdivision given the subject land was previously zoned residential and surrounding land is zoned residential and is therefore considered consistent.

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

<b>Ministerial Direction</b>	<b>Aim of Direction</b>	<b>Consistency and Implications</b>
<b>1. EMPLOYMENT AND RESOURCES</b>		
<b>1.1 Business and Employment Zones</b>	Encourage employment growth in suitable locations, protect employment land in business and industrial zones, and support the viability of identified strategic centres.	<b>Consistent</b> The planning proposal is consistent with the Port Stephens Planning Strategy and will protect employment land in industrial zones.
<b>1.2 Rural Zones</b>	The objective of this direction is to protect the	<b>Consistent</b> Although the planning

	agricultural production value of rural land.	proposal seeks to rezone rural land to a residential zone, the subject land was previously zoned residential and is currently used for residential purposes and is therefore considered consistent.
<b>1.4 Rural Lands</b>	The objective of this direction is to protect the agricultural production value of rural and facilitate the orderly and economic development of rural lands for rural and related purposes.	<b>Consistent</b> Although the planning proposal seeks to rezone rural land to a residential zone, the subject land was previously zoned residential and is currently used for residential purposes therefore is considered consistent.
<b>2. ENVIRONMENT AND HERITAGE</b>		
<b>2.1 Environmental Protection Zones</b>	The objective of this direction is to protect and conserve environmentally sensitive areas.	<b>Consistent</b> Although the planning proposal seeks to rezone Environmental zoned land to industrial, the subject land was previously zoned industrial and is currently used for industrial purposes. The planning proposal is considered consistent with this direction.
<b>2.2 Coastal Protection</b>	The objective of this direction is to implement the principles in the NSW Coastal Policy.	<b>Consistent</b> The Planning proposal aims to reinstate the previous industrial zone on a small portion of the sites adjacent to existing industrial zoned land and uses. The majority of the land will retain the E2 Environmental Conservation ensuring the principles of the NSW



		Coastal Policy are maintained and consistent with this direction.
<b>3. HOUSING, INFRASTRUCTURE AND URBAN DEVELOPMENT</b>		
<b>3.1 Residential Zones</b>	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.	<b>Consistent</b> The planning proposal seeks to reinstate the residential zone to accommodate additional residential housing.
<b>4. HAZARD AND RISK</b>		
<b>4.1 Acid Sulfate Soils</b>	The objective of this direction is to avoid significant adverse environmental impacts from the use of land that has a probability of containing acid sulphate soils.	<b>Consistent</b> While Lot 143 DP 605461 (38 Old Punt Road, Tomago), Lot 12 DP 1138643, 1 Laverick Avenue and Lot 2 DP 1195849 12 Laverick Avenue, Tomago contains potential acid sulphate soils, the PS LEP 2013 contains provisions to adequately manage acid sulphate soils.
<b>4.3 Flood Prone Land</b>	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 <i>Floodplain Development Manual 2005</i> , and that the provisions of an LEP on flood prone land are commensurate with flood hazard and include consideration of the	<b>Consistent</b> While Lot 143 DP 605461 (38 Old Punt Road, Tomago), Lot 12 DP 1138643, 1 Laverick Avenue and Lot 2 DP 1195849 12 Laverick Avenue, Tomago are identified as flood prone the amendment proposes to reinstate the existing zoning which is consistent with the NSW

	potential flood impacts both on and off the subject land.	Floodplain Development Manual.
<b>4.4 Planning for Bushfire Protection</b>	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.	<p><b>Consistent</b></p> <p>While Lot 143 DP 605461 (38 Old Punt Road, Tomago) is identified as bushfire prone land, the amendment proposes to reinstate the existing zoning which is compatible with land uses in bushfire prone areas.</p> <p>Lot 302 DP1004596 (15 Gray Drive, Karuah) is identified as bushfire prone NSW Rural Fire Service has reviewed the planning proposal and raises no objection subject to a requirement development of the land complies with <i>Planning for Bushfire Protection 2006</i>. This matter can be addressed at development application stage.</p>
<b>5. REGIONAL PLANNING</b>		
<b>5.1 Implementation of Regional Strategies</b>	The objective of this direction is to give legal effect to the vision, land use strategy, policies, outcomes and actions contained in regional strategies.	<p><b>Consistent</b></p> <p>The proposal is consistent with the LHRS by ensuring that land is zoned appropriately to facilitate employment opportunities and residential growth.</p>
<b>6. LOCAL PLAN MAKING</b>		
<b>6.1 Approval and Referral Requirements</b>	The objective of this direction is to ensure that LEP provisions encourage the efficient and appropriate assessment of development.	<b>Consistent</b>

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

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

This planning proposal seeks to correct administrative anomalies that have arisen during the changeover from the Port Stephens Local Environmental Plan 2000 to the Port Stephens Local Environmental Plan 2013. There is no likelihood that critical habitat or threatened species populations or ecological communities, or their habitats will be adversely affected.

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

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

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

This amendment will ensure that the Port Stephens Local Environmental Plan 2013 remain current, accurate and effective.

## **SECTION D – State and Commonwealth interests**

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

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

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

No objections were raised by Office of Environment and Heritage (OEH) during consultation. No objection was raised by the NSW Rural Fire Service (RFS) subject to a requirement development of the land at Part Lot 302 DP 1004596, 15 Gray Drive, Karuah complies with Planning for Bushfire Protection 2006. This matter can be considered at development application stage.

## **Part 4 – Mapping**

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The planning proposal seeks to amend the following maps:

<b>Amendment Map</b>	<b>Explanation of Provision</b>
Land zoning map 003B	Part Lot 302 DP 1004596 (15 Gray Drive, Karuah) - rezone part lot currently zoned RU2 Rural

	Landscape to R2 Low Residential Density
Lot size map 003B	Part Lot 302 DP 1004596 (15 Gray Drive, Karuah) - amend AB2 20ha lot size to (I) 500sq m lot size
Height of Building map 003B	Part Lot 302 DP 1004596 (15 Gray Drive, Karuah) - amend height to (J) 9m
Land zoning map 002	<p>- Part Lot 143 DP 605461 (38 Old Punt Road, Tomago) –rezone to part IN1 General Industrial and part E2 Environmental Conservation</p> <p>- Part Lot 12 DP 1138643 (1 Laverick Ave Tomago) -amend part lot from E2 Environmental Conservation to IN1 General Industrial</p> <p>- Part Lot 2 DP 1195849 (12 Laverick Avenue, Tomago) from E2 Environmental Conservation to IN1 General Industrial</p> <p>- Part Lot 1 DP 1195849 (14 Laverick Avenue, Tomago) from E2 Environmental Conservation to IN1 General Industrial</p>
Lot size map 002	<p>- Part Lot 143 DP 605461 (38 Old Punt Road, Tomago) remove part lot size 40ha (AB3)</p> <p>- Part Lot 12 DP 1138643 (1 Laverick Ave Tomago) -remove part lot size 40ha (AB3)</p> <p>- Part Lot 2 DP 1195849 (12 Laverick Avenue, Tomago) – remove part lot size 40 ha (AB3)</p> <p>- Part Lot 1 DP 1195849 (14 Laverick Avenue, Tomago) - remove part lot size 40ha (AB3)</p>

## **Part 5 – Community Consultation**

In accordance with the Gateway Determination the Proposal was placed on public exhibition for 14 days between 22 October 2015 and 5 November 2015 during normal business hours at the following locations:

- Councils Administration Building, 116 Adelaide Street, Raymond Terrace
- Raymond Terrace Library, Port Stephens Street, Raymond Terrace; and
- Port Stephens Council website [www.portstephens.nsw.gov.au](http://www.portstephens.nsw.gov.au)



No submissions were received during this time.

## **Part 6 – Project Timeline**

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The following timetable is proposed:

	<b>Task Description</b>	<b>Estimated Timeline</b>
1.	Gateway Determination	September 2015
2.	Completion of required technical information	October 2015
3.	Government agency consultation	October 2015
4.	Public exhibition period	September/ November 2015
5.	Consideration of submissions	February 2015
6.	Submission to Department to finalise the LEP	Council is requesting delegation for this plan
7.	Making of the Plan	May 2015
8.	Forward notification of Plan to Department	June 2015

## **Attachments**

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Attachment 1: 8 March Council Resolution

Attachment 2: Gateway Determination

Attachment 2: Agency Submissions

Attachment 3: Current PSLEP 2013 Land Zoning Map –LZN\_003B

Attachment 4: Proposed PSLEP 2013 Land Zoning Map –LZN\_003B

Attachment 5: PSLEP 2000 Land Zoning Map

Attachment 6: Current PSLEP 2013 Lot Size Map – Sheet LSN\_003B

Attachment 7: Proposed PSLEP 2013 Lot Size Map – Sheet LSN\_003B

Attachment 8: Current PSLEP 2013 Height of Buildings Map – Sheet HOB\_003B

Attachment 9: Proposed PSLEP 2013 Height of Buildings Map – Sheet HOB\_003B

Attachment 10: Current PSLEP 2013 Land Zoning Map – Sheet LZN\_002

Attachment 11: Proposed PSLEP 2013 Land Zoning Map – Sheet LZN\_002

Attachment 12: PS LEP 2000 Land Zoning Map

Attachment 13 - Current PSLEP 2013 Lot Size Map – Sheet LSN\_002

Attachment 14 – Proposed PSLEP 2013 Lot Size Map – Sheet LSN\_002

**Attachment 1 – 8 March Council Resolution**

**MINUTES ORDINARY COUNCIL - 8 MARCH 2016**

ITEM NO. 1

FILE NO: 16/250399  
RM8 REF NO: PSC2014-01907

**PORT STEPHENS LOCAL ENVIRONMENTAL PLAN 2013 - MINOR  
AMENDMENTS TO LAND AT TOMAGO AND KARUAH**

REPORT OF: DAVID ROWLAND - STRATEGY AND ENVIRONMENT SECTION  
MANAGER

GROUP: DEVELOPMENT SERVICES

**RECOMMENDATION IS THAT COUNCIL:**

- 1) Adopt the Planning Proposal (**ATTACHMENT 1**) to amend the Port Stephens Local Environmental Plan 2013 to rectify minor mapping inconsistencies at 15 Gray Drive, Karuah, 38 Old Punt Road, Tomago and 1, 12 and 14 Laverick Avenue, Tomago.
- 2) Exercise delegation to make the plan under Section 59 of the *Environmental Planning and Assessment Act 1979*.

**ORDINARY COUNCIL MEETING - 8 MARCH 2016  
MOTION**

<b>049</b>	<b>Councillor John Nell Councillor Steve Tucker</b>  It was resolved that Council move into Committee of the Whole.
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**COMMITTEE OF THE WHOLE RECOMMENDATION**

	<b>Councillor Steve Tucker Councillor Peter Kafer</b>  That the recommendation be adopted.
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In accordance with Section 375 (A) of the Local Government Act 1993, a division is required for this item.

Those for the Motion: Mayor Bruce MacKenzie, Crs Geoff Dingle, Sally Dover, Ken Jordan, Peter Kafer, Paul Le Mottee, John Morello, John Nell and Steve Tucker.

Those against the Motion: Nil.

**ORDINARY COUNCIL MEETING - 8 MARCH 2016  
MOTION**

<b>050</b>	<p><b>Councillor John Nell</b> <b>Councillor Peter Kafer</b></p> <p>It was resolved that Council:</p> <ol style="list-style-type: none"><li>1) Adopt the Planning Proposal (<b>ATTACHMENT 1</b>) to amend the Port Stephens Local Environmental Plan 2013 to rectify minor mapping inconsistencies at 15 Gray Drive, Karuah, 38 Old Punt Road, Tomago and 1, 12 and 14 Laverick Avenue, Tomago.</li><li>2) Exercise delegation to make the plan under Section 59 of the <i>Environmental Planning and Assessment Act 1979</i>.</li></ol>
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In accordance with Section 375 (A) of the Local Government Act 1993, a division is required for this item.

Those for the Motion: Mayor Bruce MacKenzie, Crs Geoff Dingle, Sally Dover, Ken Jordan, Peter Kafer, Paul Le Mottee, John Morello, John Nell and Steve Tucker.

Those against the Motion: Nil.

**BACKGROUND**

The purpose of this report is to consider submissions received during exhibition of a planning proposal to rectify minor mapping inconsistencies and /or administrative changes at land at Karuah and Tomago.

The objective of the planning proposal is to amend the Port Stephens Local Environmental Plan 2013 (PS LEP 2013) to:

- 1) rectify mapping anomalies made during the transition from the former Port Stephens Local Environmental Plan 2000 (PS LEP 2000) to the PS LEP 2013 with respect to four (4) parcels;
  - rezone part of Lot 302 DP 1004596 (15 Gray Drive Karuah) from RU2 Rural Landscape to R2 Low Density Residential;
  - rezone part Lot 143 DP 605461 (38 Old Punt Road, Tomago) from E2 Environmental Conservation to IN1 General Industrial;
  - rezone part Lot 12 DP 1138643 (1 Laverick Avenue, Tomago) from E2 Environmental Conservation to IN1 General Industrial; and
  - rezone part Lot 2 DP 1195849(12 Laverick Avenue, Tomago) from E2 Environmental Conservation to IN1 General Industrial; and



## MINUTES ORDINARY COUNCIL - 8 MARCH 2016

- 2) amend the land zoning map as a result of a subdivision approval which has resulted in a boundary adjustment relating to:
- part Lot 1 DP 1195849 (14 Laverick Avenue, Tomago) to rezone from E2 Environmental Conservation to IN1 General Industrial.

While the amendments are considered transitional inconsistencies or cadastre updates, given the time that has lapsed since the planning controls came into effect, the amendment is being progressed as a planning proposal. Council resolved on 14 July 2015 to prepare the plan for the purposes of a gateway determination from the Department of Planning and Environment (DP&E) under section 56 of the *Environmental Planning and Assessment Act 1979*.

In accordance with the Gateway Determination the Proposal was placed on public exhibition for 14 days between 22 October 2015 and 5 November 2015. No submissions were received.

### COMMUNITY STRATEGIC PLAN

Strategic Direction	Delivery Program 2015-2019
Balance the environmental, social and economic needs of Port Stephens for the benefit of present and future generations.	Provide Strategic Land Use Planning Services. Provide Development Assessment and Building Certification Services.

### FINANCIAL/RESOURCE IMPLICATIONS

The Planning Proposal has been assessed within Council's existing resources. There are no direct financial implications if Council adopts the recommendation.

Source of Funds	Yes/No	Funding (\$)	Comment
Existing budget	Yes		The Planning Proposal will be prepared using existing Council resources.
Reserve Funds	No		
Section 94	No		
External Grants	No		
Other	No		

**LEGAL, POLICY AND RISK IMPLICATIONS**

Environmental Planning and Assessment Act 1979

The *Environmental Planning and Assessment Act 1979* (EP&A Act) details the legislative process for the making of a Local Environmental Plan. The Planning Proposal is consistent with this process.

There are no outstanding issues that would inhibit Council in exercising delegations to make this Plan under Section 59 of the *Environmental Planning and Assessment Act 1979*.

Gateway Determination

A gateway determination was received on 9 September 2015 with only minor administrative amendments to be made to the planning proposal prior to public exhibition.

Ministerial 117 Directions

Under section 117(2) of the (EP&A Act), local councils must follow a list of directions when preparing planning proposals for new LEPs. Given the planning proposal relates to minor mapping anomalies no inconsistencies were raised from state agencies.

Port Stephens Planning Strategy

The Port Stephens Planning Strategy (PSPS) seeks to encourage a sufficient supply of a diverse range of housing in the Local Government Area (LGA) and ensure that there is a sufficient supply of a diversity of industrial land to meet market demand. The Planning Proposal is consistent with the Strategy.

<b>Risk</b>	<b><u>Risk Ranking</u></b>	<b>Proposed Treatments</b>	<b>Within Existing Resources?</b>
There is a risk the plan will get delayed in the plan-making phase by Parliamentary Counsel.	Low	If Council resolves to support the recommendation of this report it is recommended that Council exercises its delegation under the Act to expedite the matter.	Yes

**SUSTAINABILITY IMPLICATIONS**

Includes Social, Economic and Environmental Implications

This planning proposal seeks to correct administrative anomalies that have arisen during the changeover from the Port Stephens Local Environmental Plan 2000 to the Port Stephens Local Environmental Plan 2013. No social, economic or environmental issues have been raised during gateway or public exhibition.

## **NCC AND PSC MERGER PROPOSAL IMPLICATIONS**

This planning proposal seeks to correct administrative anomalies that have arisen during the changeover from the Port Stephens Local Environmental Plan 2000 to the Port Stephens Local Environmental Plan 2013 and rectify minor mapping anomalies. There are no merger proposal implications.

## **CONSULTATION**

Consultation was carried out with the Office of Environment and Heritage and the NSW Rural Fire Service. No concerns were raised. The NSW Rural Fire Service noted that any future development at 15 Gray Drive complies with *Planning for Bush Fire Protection 2006*. This matter can be addressed at development application stage.

In accordance with the Gateway Determination the Proposal was placed on public exhibition for 14 days between 22 October 2015 and 5 November 2015 during normal business hours at the following locations:

- Councils Administration Building, 116 Adelaide Street, Raymond Terrace ;
- Raymond Terrace Library, Port Stephens Street, Raymond Terrace; and
- Port Stephens Council website [www.portstephens.nsw.gov.au](http://www.portstephens.nsw.gov.au).

No submissions were received during exhibition of the proposal.

## **OPTIONS**

- 1) Accept the recommendations.
- 2) Amend the recommendations.
- 3) Reject the recommendations.

## **ATTACHMENTS**

- 1) Planning Proposal - Minor Amendments to land at Karuah and Tomago.1  
(Provided under separate cover)

## **COUNCILLORS ROOM**

Nil.

## **TABLED DOCUMENTS**

Nil.





## **Attachment 2 - Gateway Determination**



Mr Wayne Wallis  
General Manager  
Port Stephens Council  
PO Box 42  
Raymond Terrace NSW 2324

Our ref: PP\_2015\_PORTS\_004\_00  
(15/11626)  
Your ref: PSC2014-01907

Att: Ms Renee Read

Dear Mr Wallace,

**Planning Proposal PP\_2015\_PORTS\_004\_00 – Alteration of Gateway Determination**

I refer to your email of 29 January 2016 in relation to seeking an extension of time to complete Planning Proposal PP\_2015\_PORTS\_004\_00 to correct mapping anomalies for land at Tomago and Karuah.

I have determined as the delegate of the Minister, in accordance with section 56(7) of the Environmental Planning and Assessment Act, 1979, to alter the Gateway determination dated 4 September 2015 for PP\_2015\_PORTS\_004\_00.

The Gateway Determination has been altered to extend the time to complete the proposal.

The Proposal is now due for completion on 11 June 2016.

If you have any questions in relation to this matter, I have arranged for Ms Amy Blakely to assist you. Ms Blakely can be contacted on (02) 49042723.

Yours sincerely

26/2/2016  
**Monica Gibson**  
Director Regions, Hunter and Central Coast  
Planning Services

<b>PORT STEPHENS COUNCIL</b> Information Services	
- 2 MAR 2016	
File No.	14-01907
Action by	J. Gallagher
<input type="checkbox"/> R.H.C.	





Mr Wayne Wallace  
General Manager  
Port Stephens Council  
PO Box 42  
Raymond Terrace NSW 2324

Our ref: PP\_2015\_PORTS\_004\_00 (15/11626)  
Your ref: PSC2014-01907

Att: Ms Renee Read

Dear Mr Wallace,

### Planning Proposal to amend Port Stephens Local Environmental Plan 2013

I am writing in response to your Council's letter dated 28 July 2015 requesting a Gateway determination under section 56 of the Environmental Planning and Assessment Act 1979 ("EP&A Act") in respect of the planning proposal to correct mapping anomalies for land at Tomago and Karuah.

As delegate of the Minister for Planning, I have now determined the planning proposal should proceed subject to the conditions in the attached Gateway determination.

I have also agreed the planning proposal's inconsistencies with S117 Directions 1.1 Business and Industrial Zones, 1.2 Rural Zones, 1.5 Rural Land, 4.1 Acid Sulfate Soils and 4.3 Flood Prone Land. No further approval is required in relation to these Directions. Consistency with Directions 2.1 Environment Protection Zones and 4.4 Planning for Bushfire Protection can be reconsidered following agency consultation.

As the plan relates to mapping amendments involving multiple sites on the same map tile, Council is encouraged to include A3 size maps in the exhibition material so as to assist with agency and community consultation.

The Minister delegated plan making powers to councils in October 2012. It is noted that Council has requested to be issued with delegation for this planning proposal. I have considered the nature of Council's planning proposal and have decided to issue an authorisation for Council to exercise delegation to make this plan.

The amending Local Environmental Plan (LEP) is to be finalised within 6 months of the week following the date of the Gateway determination. Council should aim to commence the exhibition of the planning proposal as soon as possible. Council's request to draft and finalise the LEP should be made directly to Parliamentary Counsel's Office 6 weeks prior to the projected publication date. A copy of the request should be forwarded to the Department for administrative purposes.

The State Government is committed to reducing the time taken to complete LEPs by tailoring the steps in the process to the complexity of the proposal, and by providing clear and publicly available justification for each plan at an early stage. In order to meet these commitments, the Minister may take action under section 54(2)(d) of the EP&A Act if the time frames outlined in this determination are not met.

Attached for your assistance is a simplified guide to the plan making process and reporting requirements to ensure that the LEP Tracking System is kept updated.

Should you have any questions regarding this matter, I have arranged for Ben Holmes from the Hunter office to assist you. Mr Holmes can be contacted on (02) 4904 2709.

Yours sincerely,

A handwritten signature in dark ink, appearing to read 'D Rowland', is written over a light blue horizontal line.

4 September 2015

**David Rowland**  
**General Manager**  
**Hunter and Central Coast Region**  
**Planning Services**



## Gateway Determination

**Planning Proposal (Department Ref: PP\_2015\_PORTS\_004\_00):** to correct mapping anomalies for land at Tomago and Karuah.

I, the General Manager, Hunter and Central Coast Region at the Department of Planning and Environment as delegate of the Minister for Planning, have determined under section 56(2) of the EP&A Act that an amendment to the Port Stephens Local Environmental Plan (LEP) 2013 to correct mapping anomalies for land at Tomago and Karuah should proceed subject to the following conditions:

1. Council is to update the planning proposal's:
  - (a) cover page to list the correct property descriptions; and
  - (b) 'Background' and 'Objectives' sections of the planning proposal to note the mapping changes proposed for part lot 1 DP 1195849 is the result of a subdivision approval and not the result of an LEP translation error.
2. Council is to include minimum lot size maps which show the current and proposed minimum lot sizes for the Tomago sites.
3. Community consultation is required under sections 56(2)(c) and 57 of the Environmental Planning and Assessment Act 1979 ("EP&A Act") as follows:
  - (a) the planning proposal is classified as low impact as described in *A Guide to Preparing LEPs (Planning & Infrastructure 2013)* and must be made publicly available for a minimum of **14 days**; and
  - (b) the relevant planning authority must comply with the notice requirements for public exhibition of planning proposals and the specifications for material that must be made publicly available along with planning proposals as identified in section 5.5.2 of *A Guide to Preparing LEPs (Planning & Infrastructure 2013)*.
4. Consultation is required with the following public authorities under section 56(2)(d) of the EP&A Act and/or to comply with the requirements of relevant S117 Directions:
  - Office of Environment and Heritage
  - NSW Rural Fire Service

Each public authority is to be provided with a copy of the planning proposal and any relevant supporting material, and given at least 21 days to comment on the proposal. Once the consultation is undertaken with the public authorities, and information is provided, Council is to update its consideration of S117 Directions, in particular Directions 2.1 Environment Protection Zones and 4.4 Planning for Bushfire Protection.

5. A public hearing is not required to be held into the matter by any person or body under section 56(2)(e) of the Act. This does not discharge Council from any obligation it may otherwise have to conduct a public hearing (for example, in response to a submission or if reclassifying land).



6. The timeframe for completing the LEP is to be 6 months from the week following the date of the Gateway determination.

Dated 4<sup>th</sup> day of September 2015.



**David Rowland  
General Manager  
Hunter and Central Coast Region  
Planning Services  
Department of Planning and Environment**

**Delegate of the Minister for Planning**

## **Attachment 3 –Agency Submissions**



# NSW RURAL FIRE SERVICE



The General Manager  
Port Stephens Council  
PO Box 42  
Raymond Terrace NSW 2324

Your reference:  
Our reference: LEP/0102  
  
22 January 2016

**Attention:** Renee Read

Dear Sir/Madam,

## Planning Proposal – Minor amendment to various land at Tomago and Karuah

Reference is made to Council's correspondence dated 4 January 2016 seeking comments in relation to the above planning proposal.

The New South Wales Rural Fire Service has reviewed the proposal and raises no objections subject to a requirement development of the land complies with *Planning for Bush Fire Protection 2006*.

In particular any future subdivision at 15 Gray Drive, Karuah will be subject to assessment under Section 91 of the 'Environmental Planning and Assessment Act 1979' and Section 100B of the 'Rural Fires Act 1997' for the issue of a Bush Fire Safety Authority form the NSW Rural Fire Service. This will require that it is clearly demonstrated how the proposed development conforms with or deviates from the specifications set out in 'Planning for Bush Fire Protection 2006' and shall address all the requirements set out in Clause 44 of the 'Rural Fires Regulation 2013'.

If you have any queries regarding this advice, please contact Joshua Calandra, Development Assessment and Planning Officer, on 1300 NSW RFS.

Yours sincerely,

Jason Maslen  
Team Leader, Development Assessment and Planning  
Customer Service Centre East

**Postal address**

NSW Rural Fire Service  
Records Management  
Locked Bag 17  
GRANVILLE NSW 2141

**Street address**

NSW Rural Fire Service  
Customer Service Centre East  
42 Lamb Street  
GLENDENNING NSW 2761

T 1300 NSW RFS  
F (02) 8741 5433  
E [csc@rfs.nsw.gov.au](mailto:csc@rfs.nsw.gov.au)  
[www.rfs.nsw.gov.au](http://www.rfs.nsw.gov.au)





Office of  
Environment  
& Heritage

Your reference: PSC2014-01907  
Our reference: DOC15/442266-5  
Contact: Anne Browett, 4927 3160

Mr Wayne Wallis  
General Manager  
Port Stephens Council  
PO Box 42  
RAYMOND TERRACE NSW 2324

Attention: Renee Read

Dear Mr Wallis


**RE: PLANNING PROPOSAL – MINOR AMENDMENTS TO VARIOUS LAND AT TOMAGO AND KARUAH**

I refer to your email dated 5 November 2015 requesting comment from the Office of Environment and Heritage (OEH) regarding the above mentioned planning proposal. OEH understands that the planning proposal intends to amend the Port Stephens Local Environmental Plan 2013 to rectify minor mapping anomalies which occurred during the transition to the Standard Instrument Local Environmental Plan due to a minor adjustment to a cadastral boundary.

Due to the minor administrative nature of the proposal, OEH does not object to the proposed amendments.

If you have any enquiries concerning this advice, please contact Anne Browett, Conservation Planning Officer, on 4927 3160.

Yours sincerely

 23 NOV 2015

**RICHARD BATH**  
Senior Team Leader Planning, Hunter Central Coast Region  
Regional Operations





**Port Stephens  
Local  
Environmental  
Plan 2013**

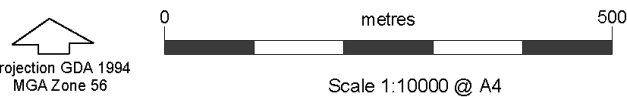
**Existing Land Zoning Map**

**Cadastre**

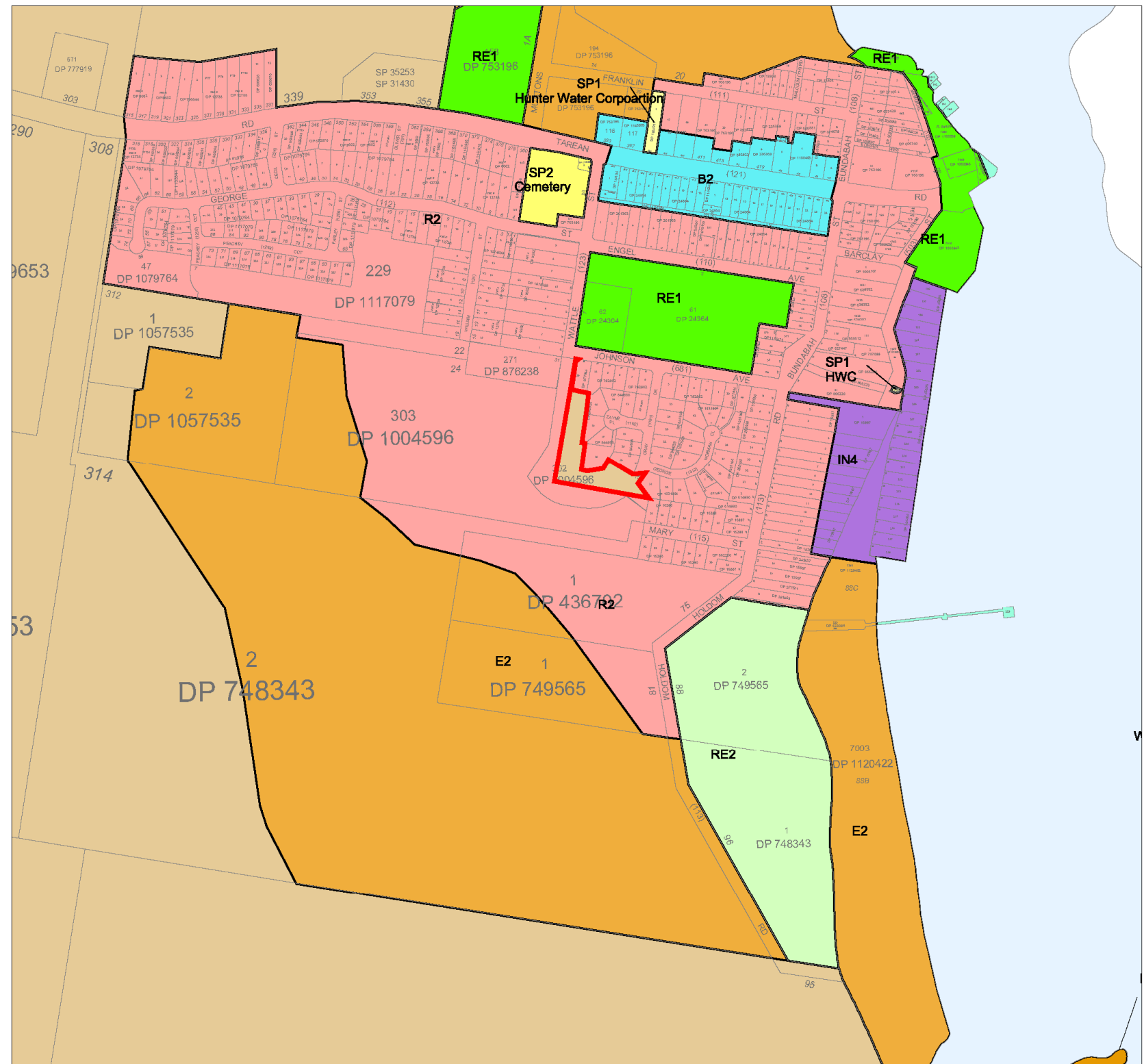
- Cadastre 08/05/2015 © Land and Property Information (LPI)
- Subject Site

**Zone**

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



Projection GDA 1994  
MGA Zone 56  
Planning Proposal - 15 Gray Dr Karuah  
Existing Land Zoning Map



**Attachment 4 – Current PSLEP 2013 Land Zoning Map –LZN\_003B**





**Port Stephens Local Environmental Plan 2000**

**Cadastre**

- Cadastre 08/05/2015 © Land and Property Information (LPI)
- Subject Site

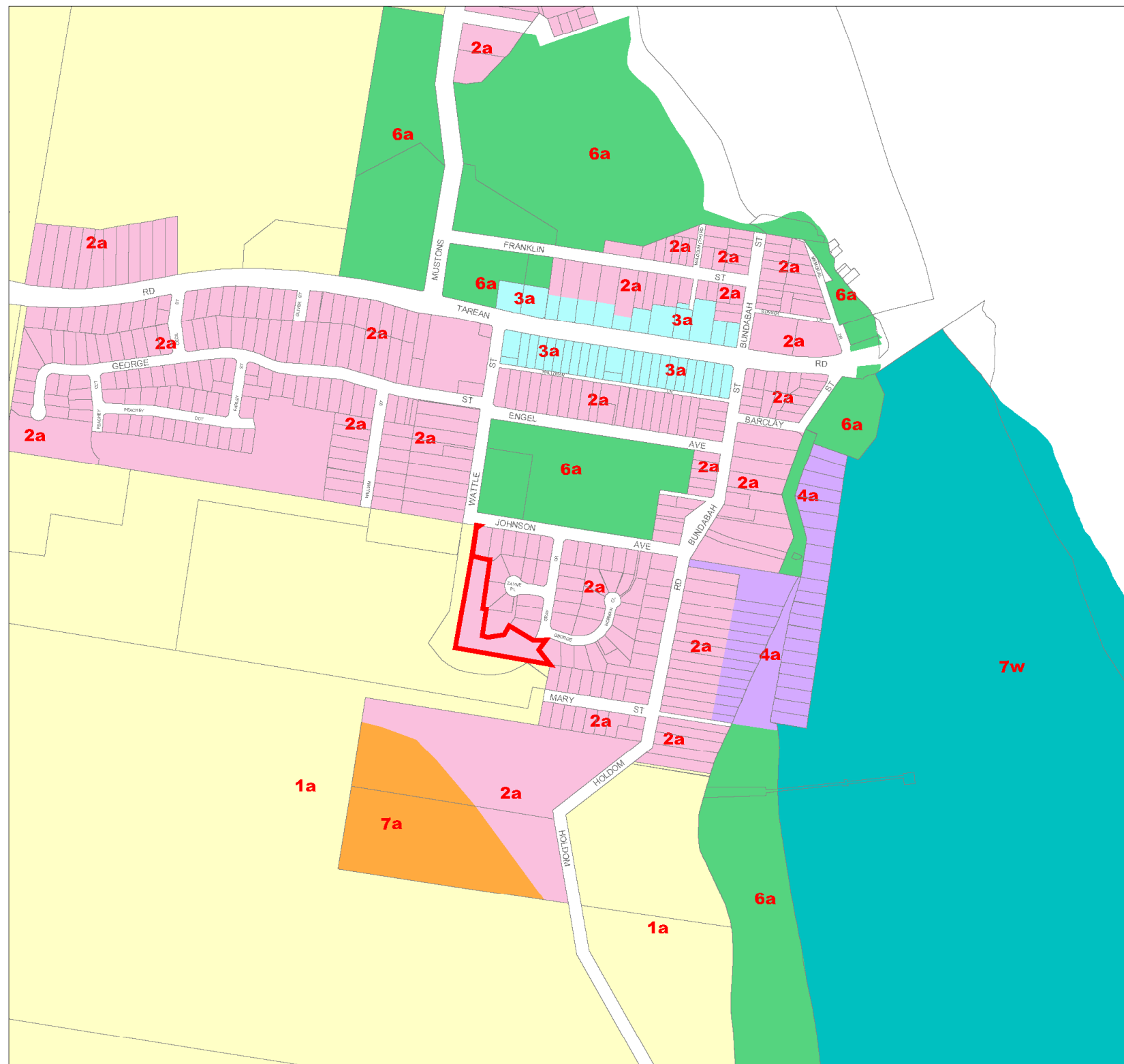
**Zone**

- 1a - Rural - Agriculture
- 1c1 - Rural Small Holdings
- 1c2 - Rural Small Holdings
- 1c3 - Rural Small Holdings
- 1c4 - Rural Small Holdings
- 1c5 - Rural Small Holdings
- 2a - Residential
- 2c - Residential
- 3a - Business General
- 4a - Industrial General
- 5a - Special Uses - Defence
- 5c - Special Uses - Proposed Road
- 5g - Special Uses - Flood Affected
- 6a - General Recreation
- 6c - Special Recreation
- 7a - Env. Protection
- 7c - Env. Protection - Water Catchment
- 7f1 - Env Protection - Coastal Lands
- 7f3 - Env Protection - Urban Conservation
- 7w - Env. Protection - Waterways
- SP1 - Special Activities
- Heritage Conservation Area

Projection GDA 1994  
MGA Zone 56

0 200  
metres  
Scale 1:10000 @ A4

Planning Proposal - 15 Gray Dr Karuah  
Port Stephens LEP 2000 Map



**Attachment 6 – PSLEP 2000 Land Zoning Map**





**Port Stephens  
Local  
Environmental  
Plan 2013**

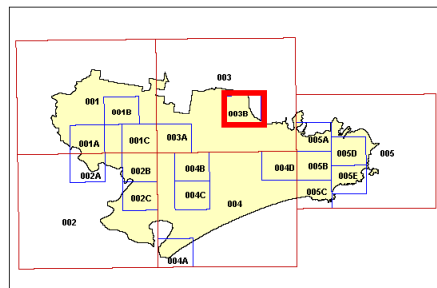
**Lot Size Map - Sheet LSZ\_003B**

**Minimum Lot Size (sq m)**

B	200
F	400
G	450
I	500
M	600
Q	700
T	900
V	2000
W2	4000
Y	1 ha
Z1	2 ha
Z2	4 ha
AB1	10 ha
AB2	20 ha
AB3	40 ha

**Cadastral**

Cadastral 30/05/2014 © Land and Property Information (LPI)

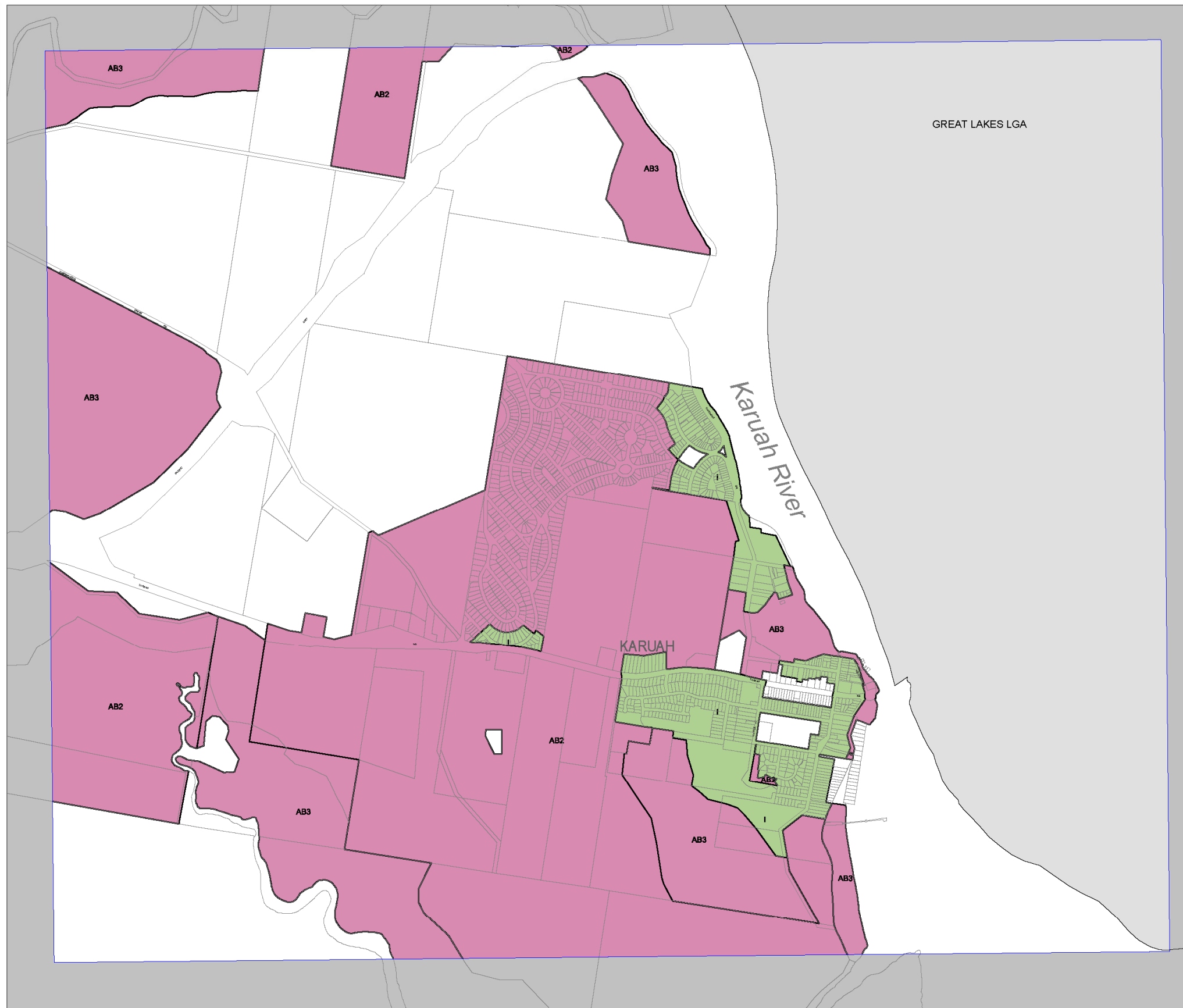


GDA 1994  
MGA Zone 56



Scale: 1:20000 A3

Map identification number:  
6400\_COM\_LSZ\_003B\_020\_20140530



**Attachment 7 – Current PSLEP 2013 Lot Size Map – Sheet LSN\_003B**



# Port Stephens Local Environmental Plan 2013

## Proposed Lot Size Map

### Cadastre

- Cadastre 08/05/2015 © Land and Property Information (LPI)
- Subject Site

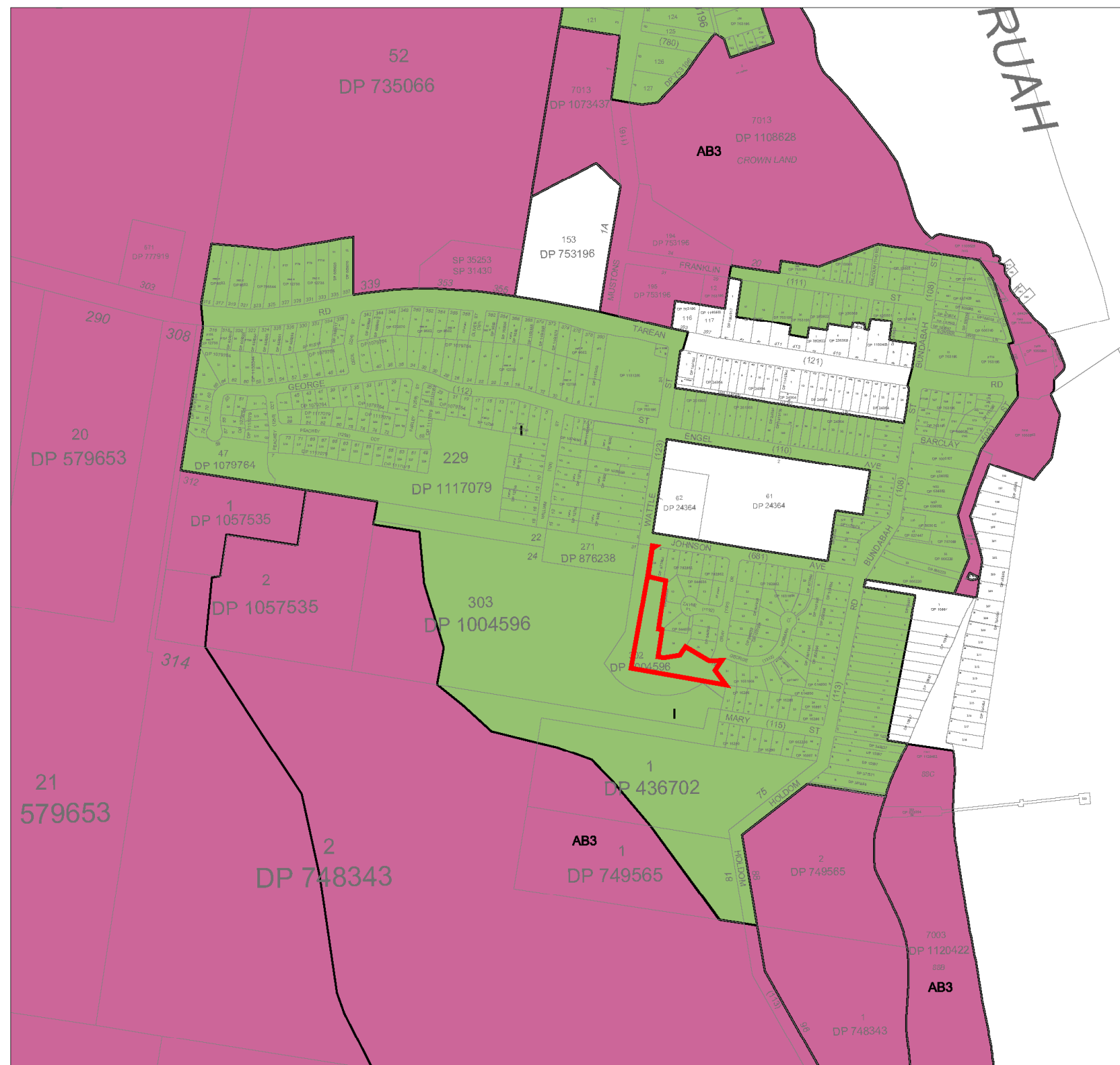
### Minimum Lot Size (sq m)

B	200
F	400
G	450
I	500
M	600
Q	700
T	900
U	1000
V	2000
W	4000
Y	1 ha
Z1	2 ha
Z2	4 ha
AB1	10 ha
AB2	20 ha
AB3	40 ha



Scale 1:10000 @ A4

Planning Proposal - 15 Gray Dr Karuah  
Proposed Lot Size Map






**Port Stephens  
Local  
Environmental  
Plan 2013**

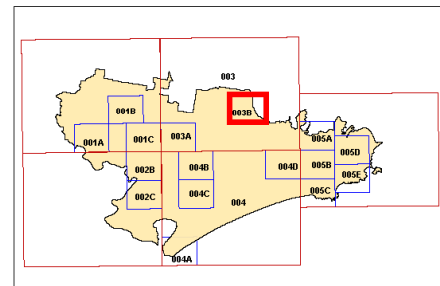
**Height of Buildings Map -  
Sheet HOB\_003B**

**Maximum Building Height (m)**

I	8
J	9
M	12
O	15
Q	19

**Cadastre**

 Cadastre 30/05/2014 © Land and Property Information (LPI)



GDA 1994  
MGA Zone 56

0 400 metres  
Scale: 1:20000 @ A3

Map identification number:  
6400\_COM\_HOB\_003B\_020\_20140530





**Attachment 9 – Current PSLEP 2013 Height of Buildings Map – Sheet HOB\_003B**








**Port Stephens  
Local  
Environmental  
Plan 2013**

**Proposed Height of Building Map**



**Cadastre**

-  Cadastre 08/05/2015 © Land and Property Information (LPI)
-  Subject Site

**Maximum Building Height (m)**

-  I 8
-  J 9
-  M 12
-  O 15
-  Q 19





  
 Projection GDA 1994  
 MGA Zone 56  
 Scale 1:10000 @ A4  
 Planning Proposal - 15 Gray Dr Karuah  
 Proposed Height of Building Map



**Port Stephens  
Local  
Environmental  
Plan 2013**

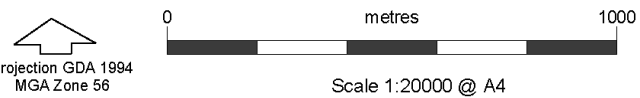
**Existing Land Zoning Map**

**Cadastral**

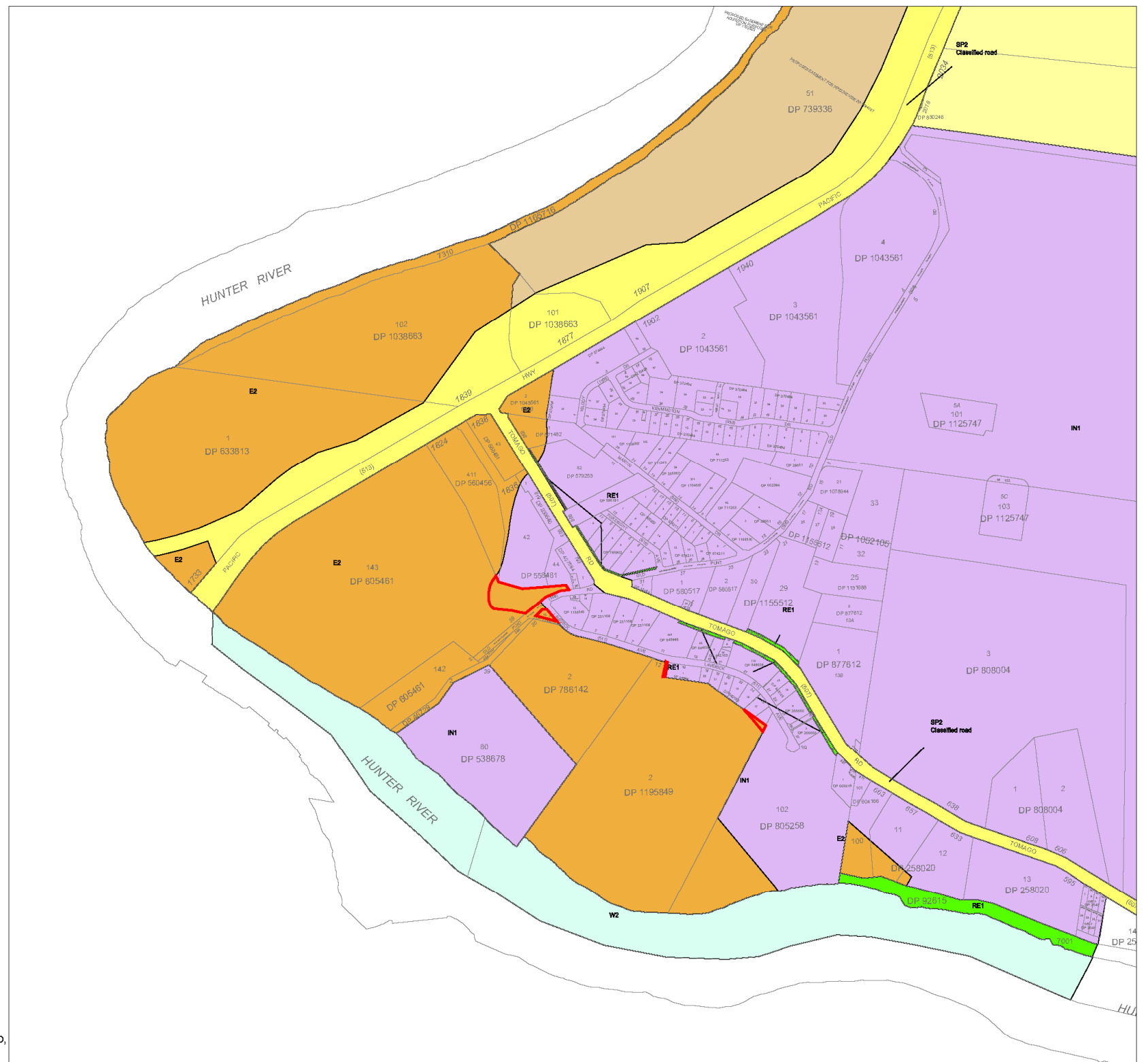
- Cadastral 08/05/2015 © Land and Property Information (LPI)
- Subject Site

**Zone**

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



Planning Proposal - 38 Old Punt Rd Tomago & 1, 12 & 14 Laverick Ave Tomago,  
Existing Land Zoning Map



































**Port Stephens  
Local  
Environmental  
Plan 2013**

**Proposed Land Zoning Map**

**Cadastre**

-  Cadastre 08/05/2015 © Land and Property Information (LPI)
-  Subject Site

**Zone**

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



Planning Proposal - 38 Old Punt Rd Tomago & 1, 12 & 14 Laverick Ave Tomago  
Proposed - Land Zoning Map





**Port Stephens Local Environmental Plan 2000**

**Cadastre**

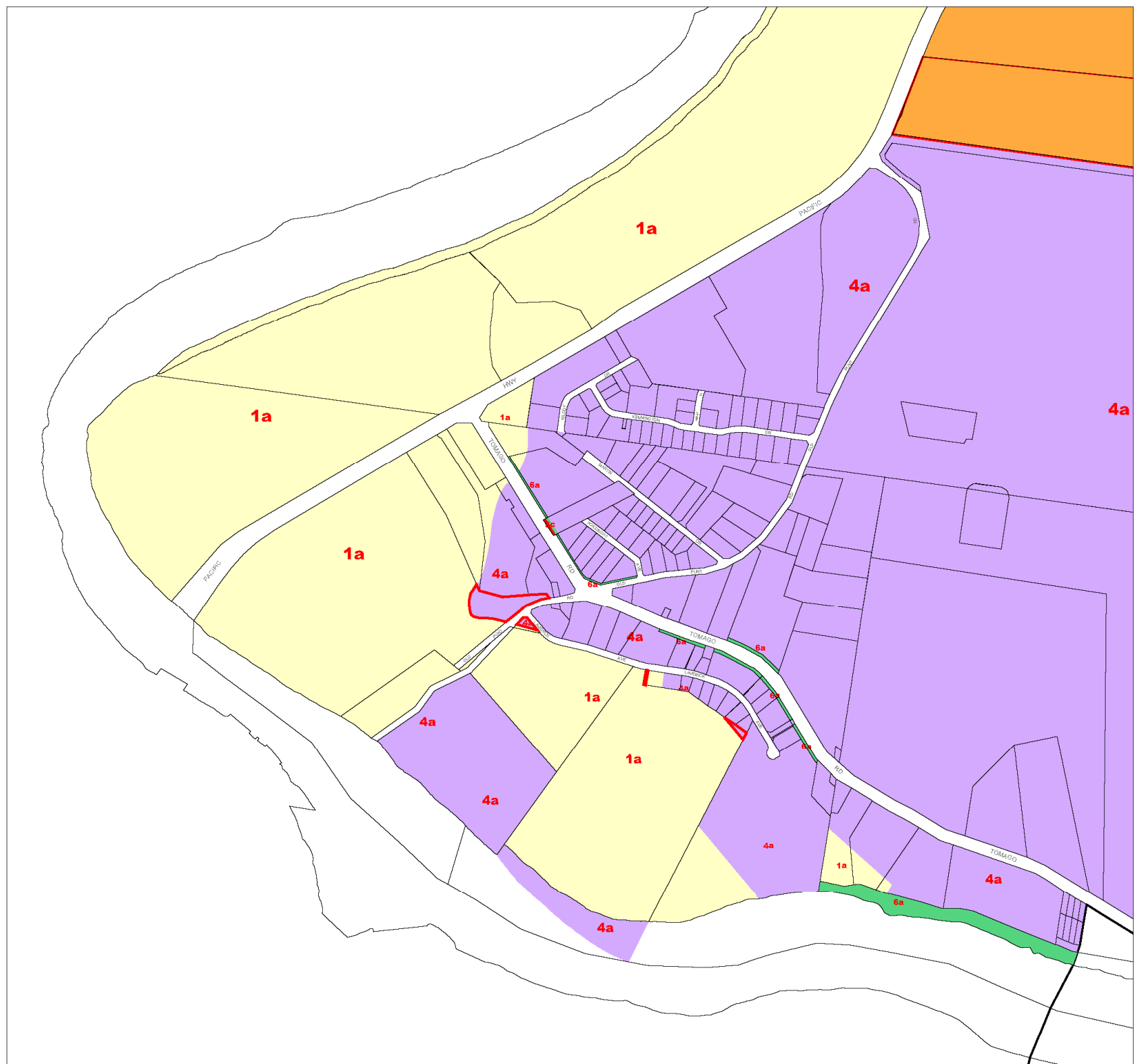
- Cadastre 08/05/2015 © Land and Property Information (LPI)
- Subject Site

**Zone**

- 1a - Rural - Agriculture
- 1c1 - Rural Small Holdings
- 1c2 - Rural Small Holdings
- 1c3 - Rural Small Holdings
- 1c4 - Rural Small Holdings
- 1c5 - Rural Small Holdings
- 2a - Residential
- 2c - Residential
- 3a - Business General
- 4a - Industrial General
- 5a - Special Uses - Defence
- 5c - Special Uses - Proposed Road
- 5g - Special Uses - Flood Affected
- 6a - General Recreation
- 6c - Special Recreation
- 7a - Env. Protection
- 7c - Env. Protection - Water Catchment
- 7f1 - Env Protection - Coastal Lands
- 7f3 - Env Protection - Urban Conservation
- 7w - Env. Protection - Waterways
- SP1 - Special Activities
- Heritage Conservation Area

Projection GDA 1994  
MGA Zone 56  
Scale 1:20000 @ A4

Planning Proposal - 38 Punt Rd Tomago, 1, 12 & 14 Laverick Ave Tomago,  
Port Stephens LEP 2000 Map



**Attachment 13 – PS LEP 2000 Land Zoning Map**







**Port Stephens  
Local  
Environmental  
Plan 2013**

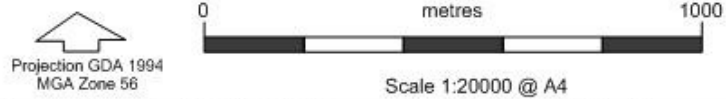
**Proposed Lot Size Map**

**Cadastral**

- Cadastral 08/05/2015 © Land and Property Information (LPI)
- Subject Site

**Minimum Lot Size (sq m)**

B	200
F	400
G	450
I	500
M	600
Q	700
T	900
U	1000
V	2000
W	4000
Y	1 ha
Z1	2 ha
Z2	4 ha
AB1	10 ha
AB2	20 ha
AB3	40 ha



Planning Proposal - 38 Old Punt Rd Tomago & 1, 12 & 14 Laverick Ave Tomago,  
Proposed Lot Size Map



**Attachment 15 – Proposed PSLEP 2013 Lot Size Map – Sheet LSN\_002**