



Planning Proposal

Kings Hill Cadastral Update

Proposed amendment to Port Stephens Local Environmental Plan 2013

Version – Council Report (28 June 2016)

Further Information:

Strategic Planning, Port Stephens Council
(02) 4980 0326
council@portstephens.nsw.gov.au



FILE NUMBERS

Council:

PSC2006-0191V2

BACKGROUND

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

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

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

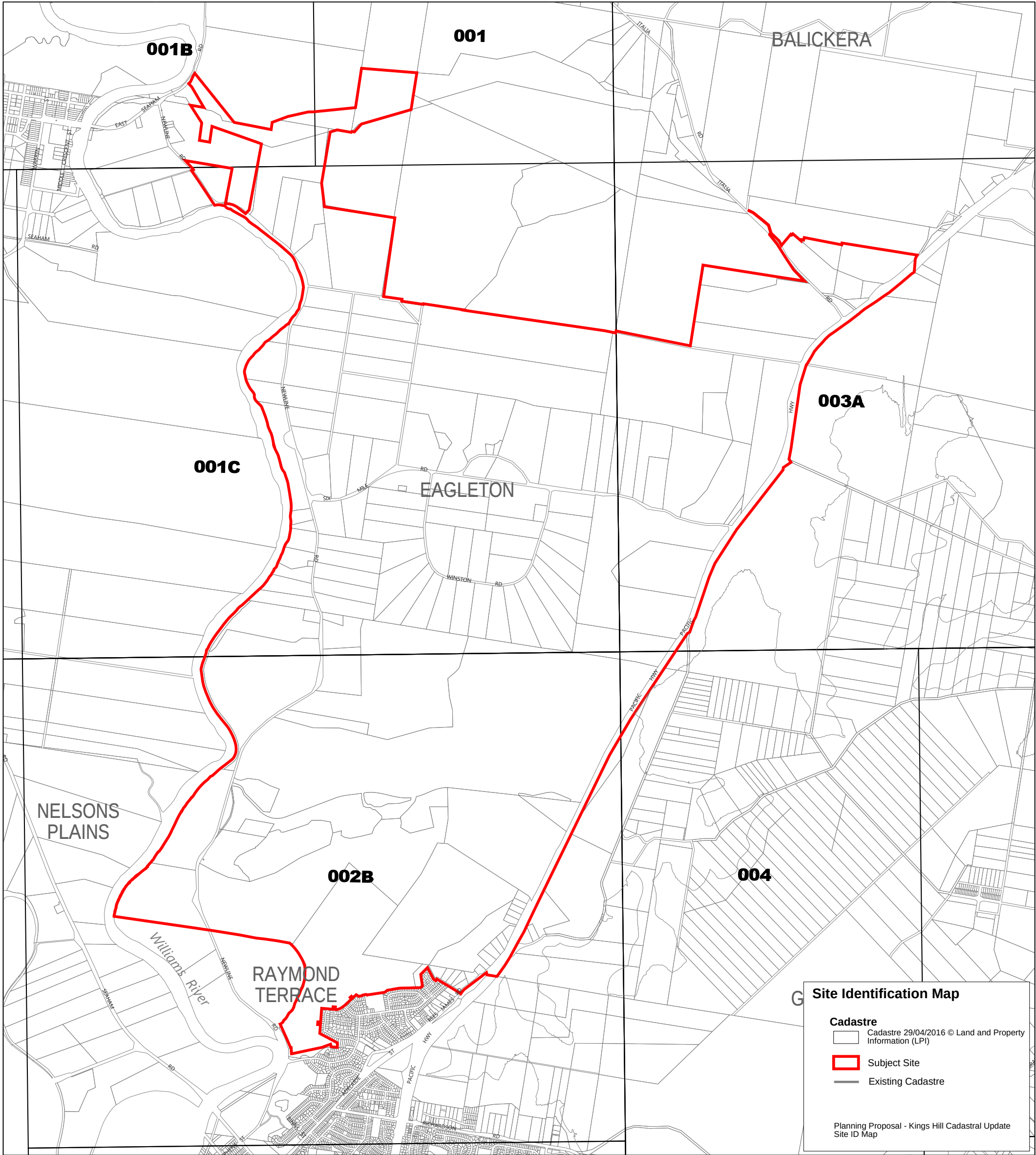
THE SITE

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

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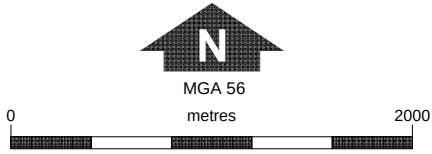


Site Identification Map

Cadastral

- Cadastral 29/04/2016 © Land and Property Information (LPI)
- Subject Site**
- Existing Cadastral

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Site ID Map



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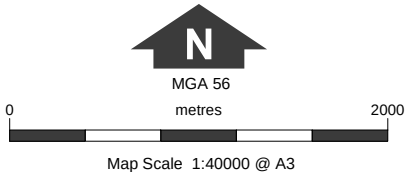
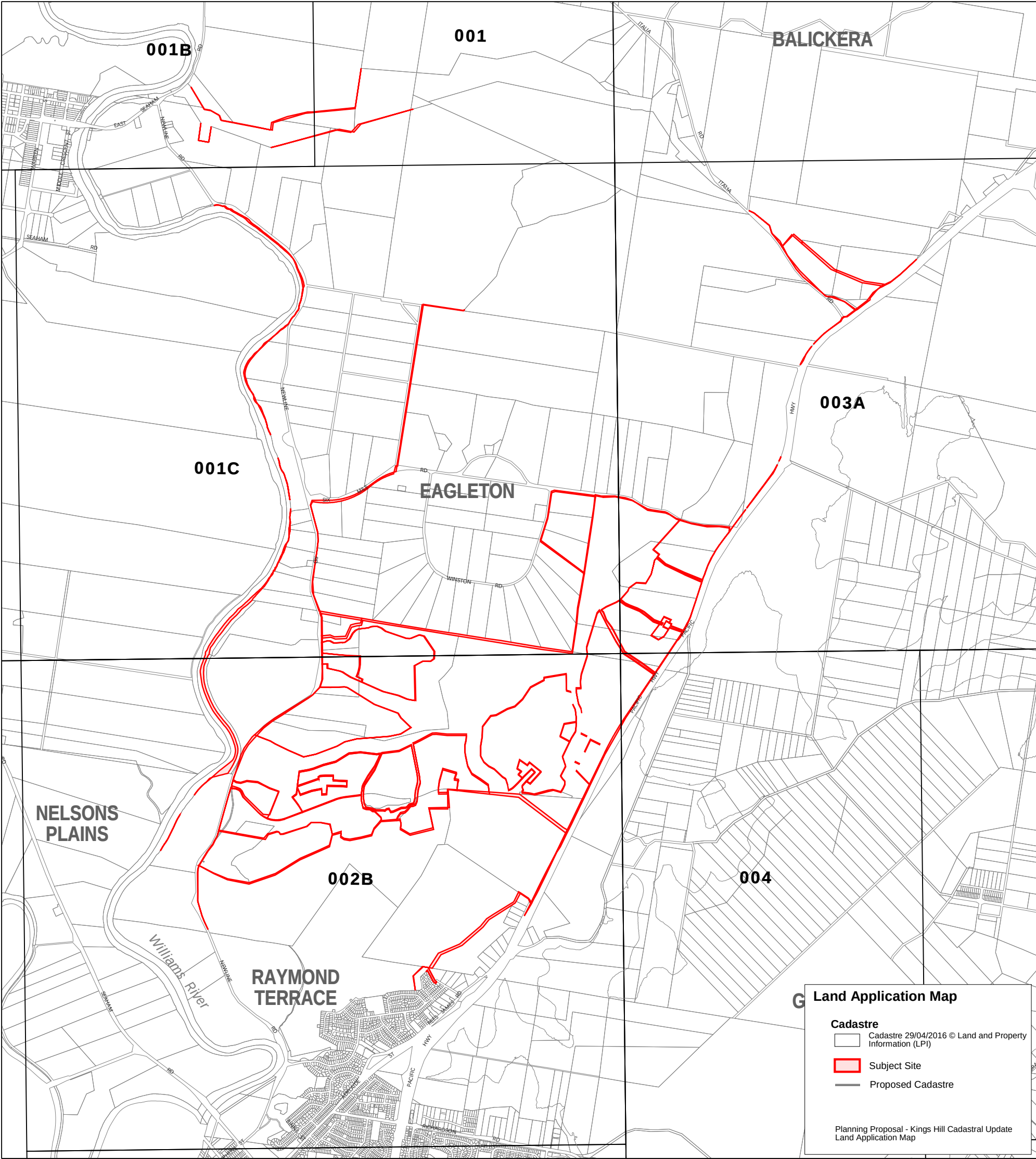
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PART 1 – Objectives of the proposed Local Environmental Plan

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

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

The objectives of the proposal will be achieved by:

- Amending the Land Zoning Maps (LZN_001; LZN_001B; LZN_001C; LZN_002B; LZN_003A and LZN_004) by replacing **Attachment 1** with **Attachment 2**;
- Amending the Lot Size Maps (LSZ_001; LSZ_001B; LSZ_001C; LSZ_002B; LSZ_003A and LSZ_004) by replacing **Attachment 3** with **Attachment 4**;
- Amending the Height of Buildings Maps (HOB_001B; HOB_001C; HOB_002B; HOB_003A and HOB_004) by replacing **Attachment 5** with **Attachment 6**;
- Amending the Heritage Maps (HER_001; HER_001B; HER_001C; HER_002B; HER_003A and HER_004) by replacing **Attachment 7** with **Attachment 8**;
- Amending the Acid Sulfate Soils Maps (ASS_001; ASS_002; ASS_003 and ASS_004) by replacing **Attachment 9** with **Attachment 10**;
- Amending the Flood Planning Maps (FLD_001; FLD_002; FLD_003 and FLD_004) by replacing **Attachment 11** with **Attachment 12**;
- Amending the Wetlands Maps (WET_001; WET_002; WET_003 and WET_004) by replacing **Attachment 13** with **Attachment 14**;
- Amending the Urban Release Area Maps (URA_001; URA_002; URA_003 and URA_004) by replacing **Attachment 15** with **Attachment 16**;
- Amending the Drinking Water Catchment Maps (DWC_001; DWC_002; DWC_003 and DWC_004) by replacing **Attachment 17** with **Attachment 18**;
- Amending the Additional Permitted Uses Map, Precinct Areas Map, Waste or Resource Facility Maps (CL1_001; CL1_002; CL1_003 and CL1_004) by replacing **Attachment 19** with **Attachment 20**;

PART 3 – Justification for the Planning Proposal

SECTION A – Need for the Planning Proposal

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

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

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

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

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

SECTION B – Relationship to Strategic Planning Framework

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

Lower Hunter Regional Strategy

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

Draft Plan for Growing Hunter City

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

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

Port Stephens Integrated Strategic Plan

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

Port Stephens Planning Strategy 2011-2036

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

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

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

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

Section 117 Ministerial Directions

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

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

SECTION C – Environmental, Social and Economic Impact

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

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

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

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

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

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

SECTION D – State and Commonwealth interests

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

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

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

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

Part 4 - Mapping

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

Part 5 – Community Consultation

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

Part 6 – Project Timeline

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

	Task Description	Estimated Timeline
1.	Gateway Determination	June 2016

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

Attachments

The following attachments are provided with this Planning Proposal:

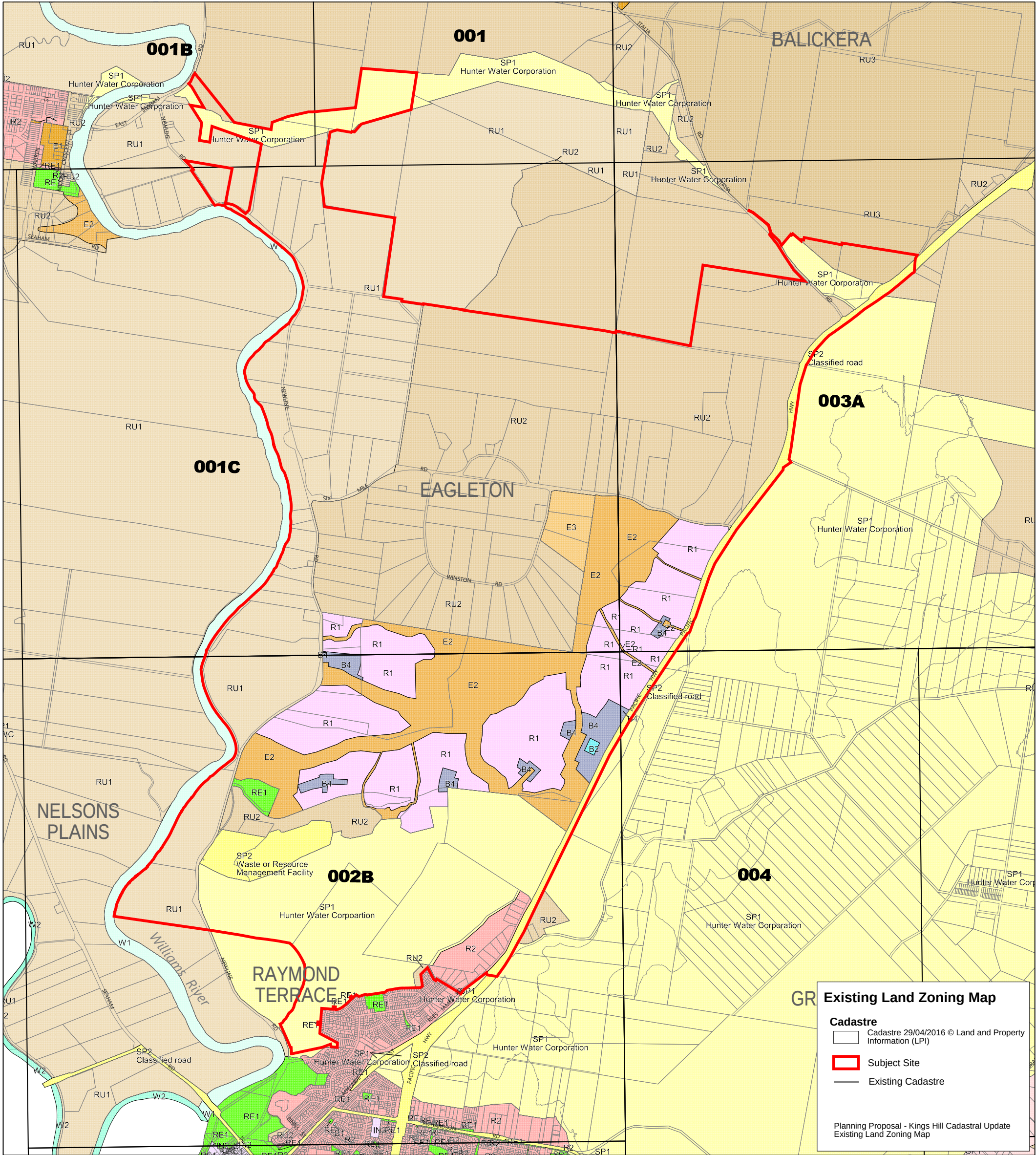
ATTACHMENT 1: Existing Zoning Map
 ATTACHMENT 2: Proposed Zoning Map
 ATTACHMENT 3: Existing Lot Size Map
 ATTACHMENT 4: Proposed Lot Size Map
 ATTACHMENT 5: Existing Height of Building Map
 ATTACHMENT 6: Proposed Height of Building Map
 ATTACHMENT 7: Existing Heritage Map
 ATTACHMENT 8: Proposed Heritage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

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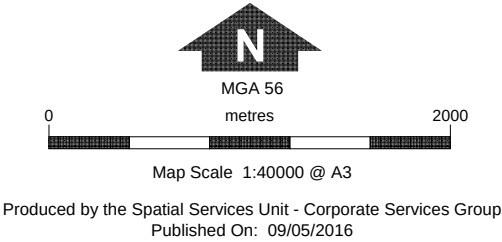
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Port Stephens Local Environmental Plan 2013 - Land Zoning

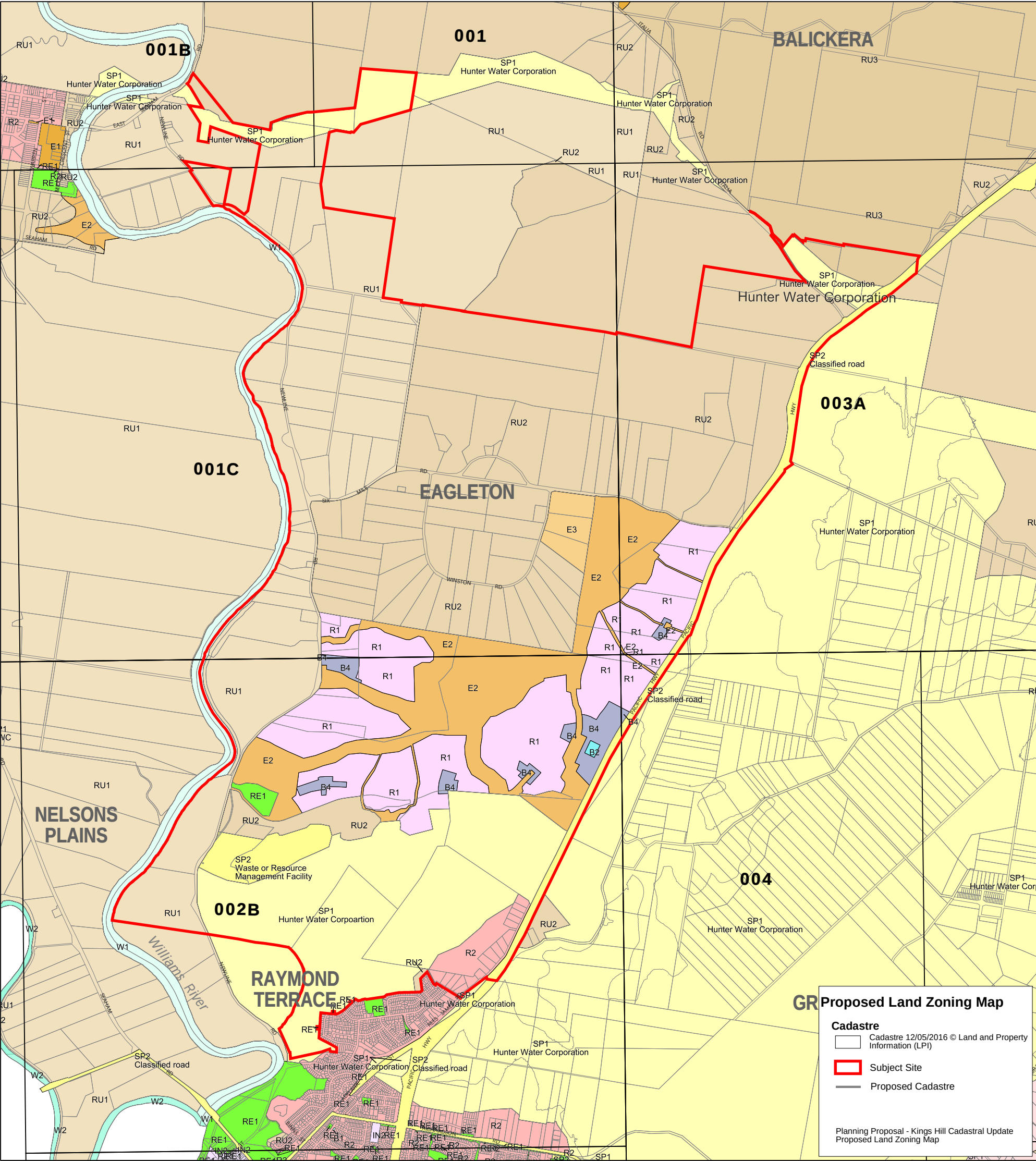
- | | |
|-------------------------------|---------------------------------------|
| RU1 Primary Production | IN1 General Industrial |
| RU2 Rural Landscape | IN2 Light Industrial |
| RU3 Forestry | IN4 Working Waterfront |
| RU5 Village | SP1 Special Activities |
| R1 General Residential | SP2 Infrastructure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



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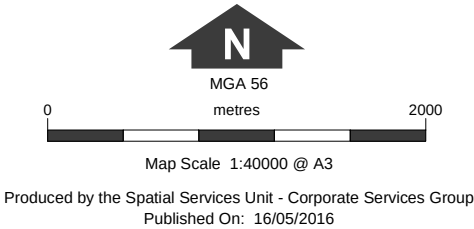
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Port Stephens Local Environmental Plan 2013 - Land Zoning

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



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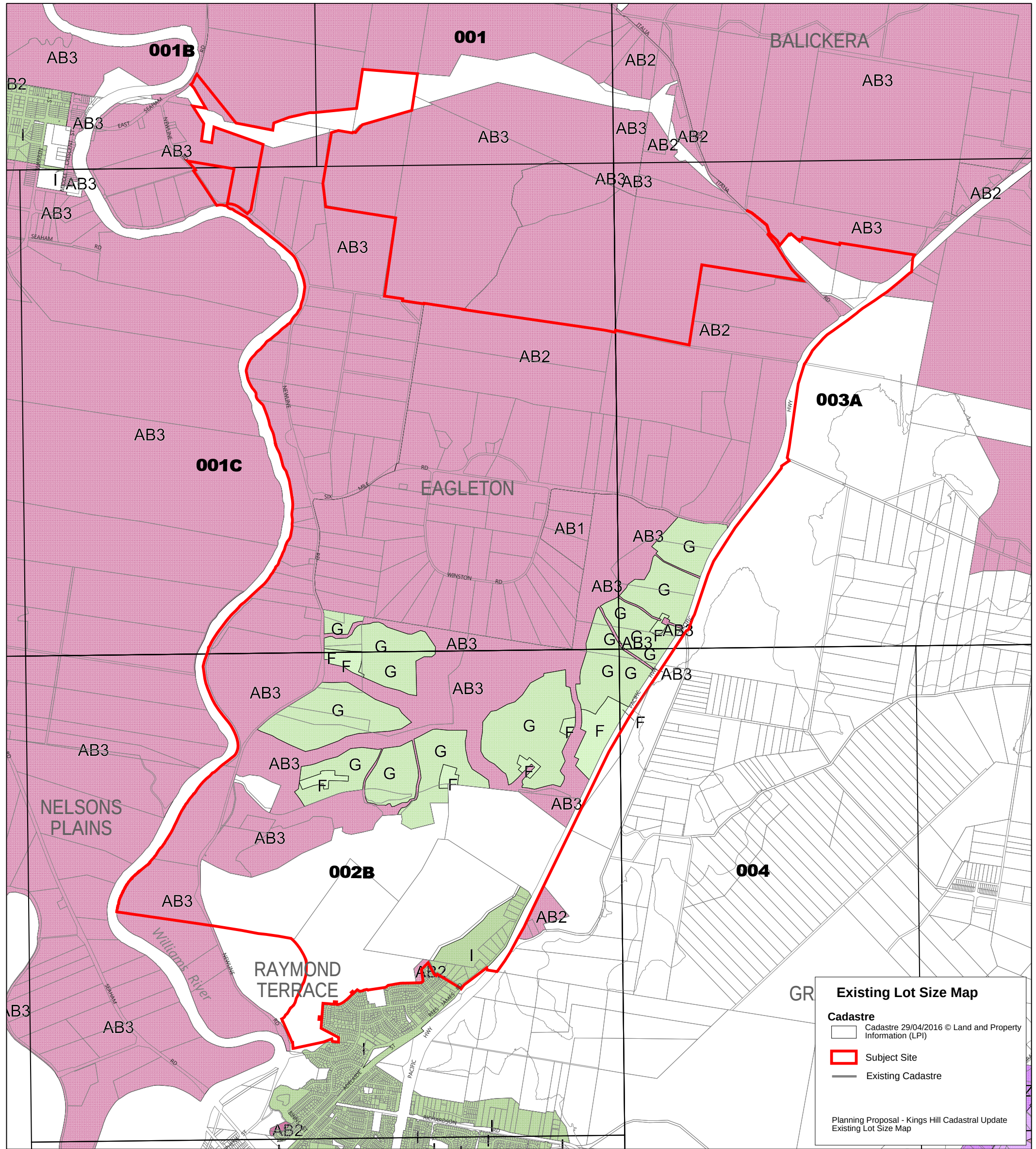
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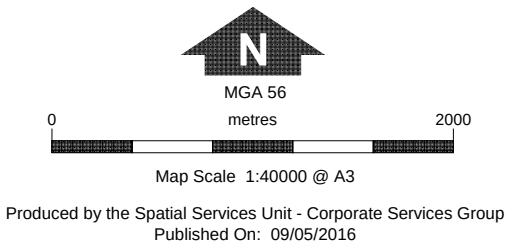
Existing Lot Size Map

Cadastre
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Subject Site
Existing Cadastre

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Existing Lot Size Map

Port Stephens Local Environmental Plan 2013 - Lot Size

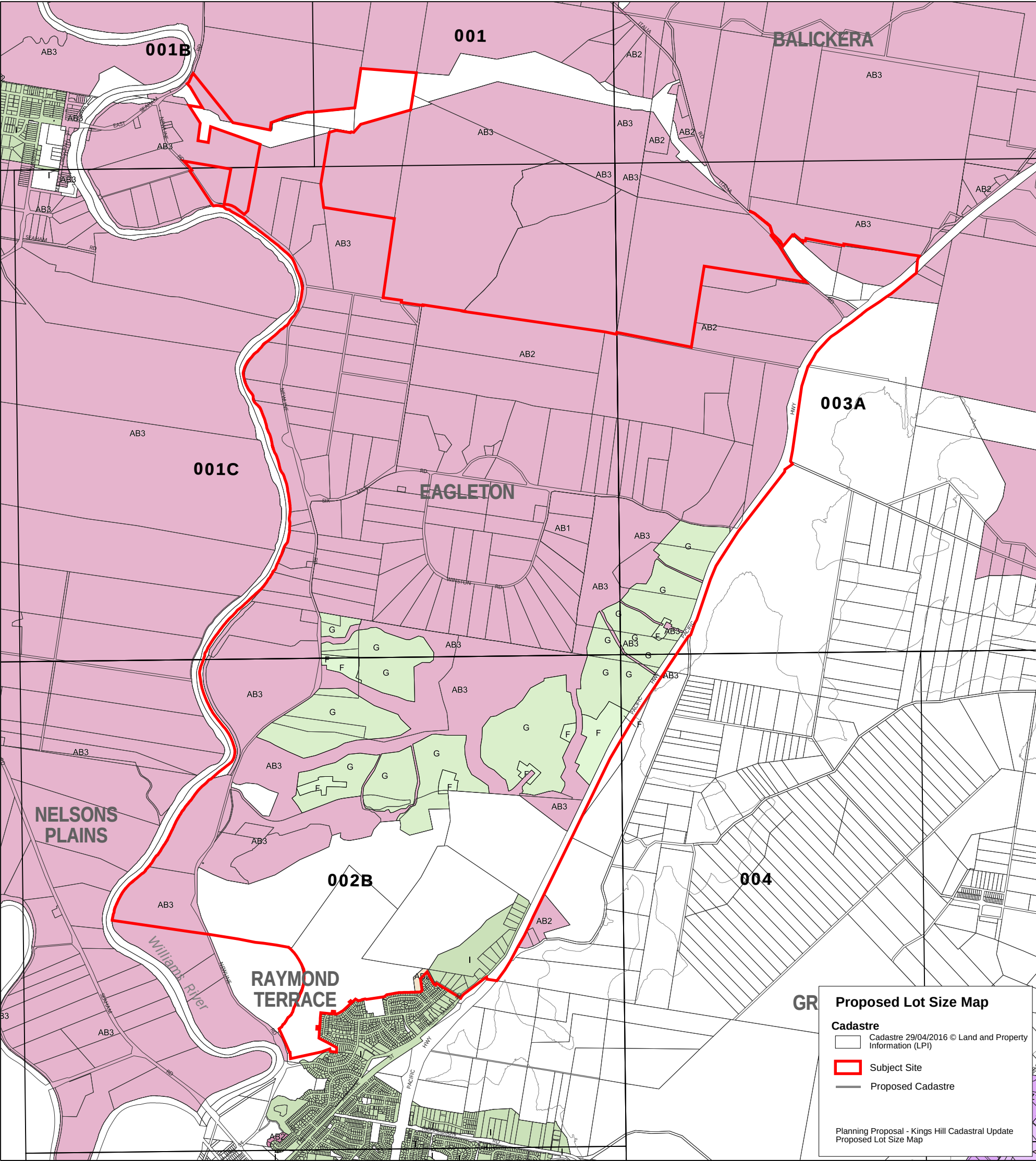
- | | |
|---------------|------------|
| B 200 - 249 | Y (1ha) |
| F 400 - 449 | Z1 (2ha) |
| G 450 - 474 | Z2 (4ha) |
| I 500 - 524 | AB1 (10ha) |
| M 600 - 624 | AB2 (20ha) |
| Q 700 - 749 | AB3 (40ha) |
| T 900 - 999 | |
| U 1000 - 1999 | |
| V 2000 - 2999 | |
| W 3000 - 4999 | |



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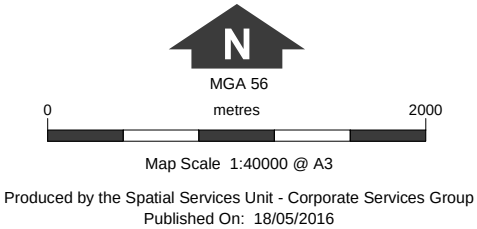
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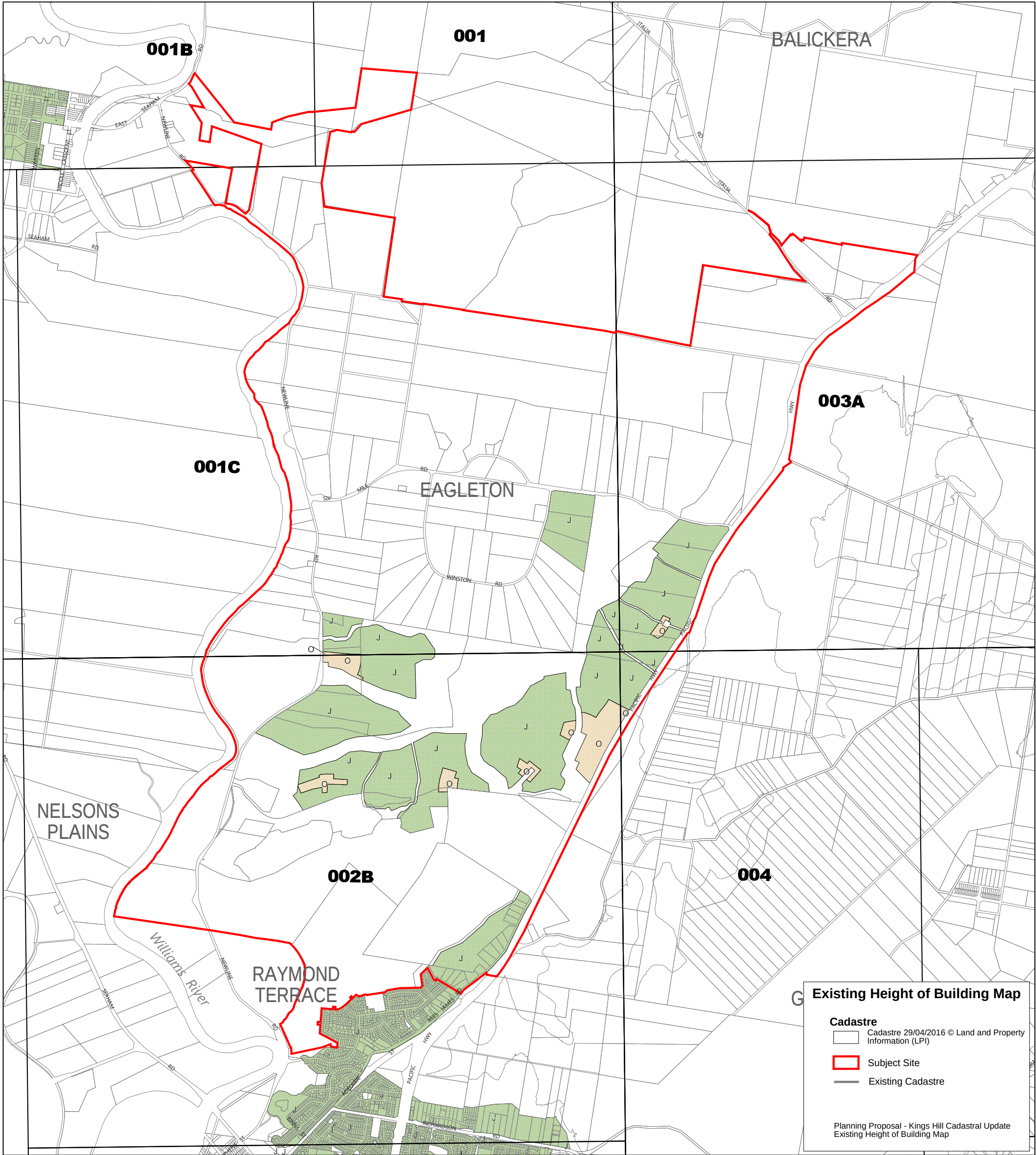
Port Stephens Local Environmental Plan 2013 - Lot Size

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



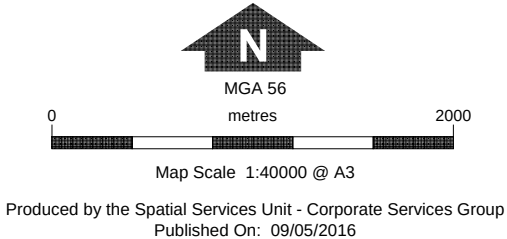
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Port Stephens Local Environmental Plan 2013 - Height of Building

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



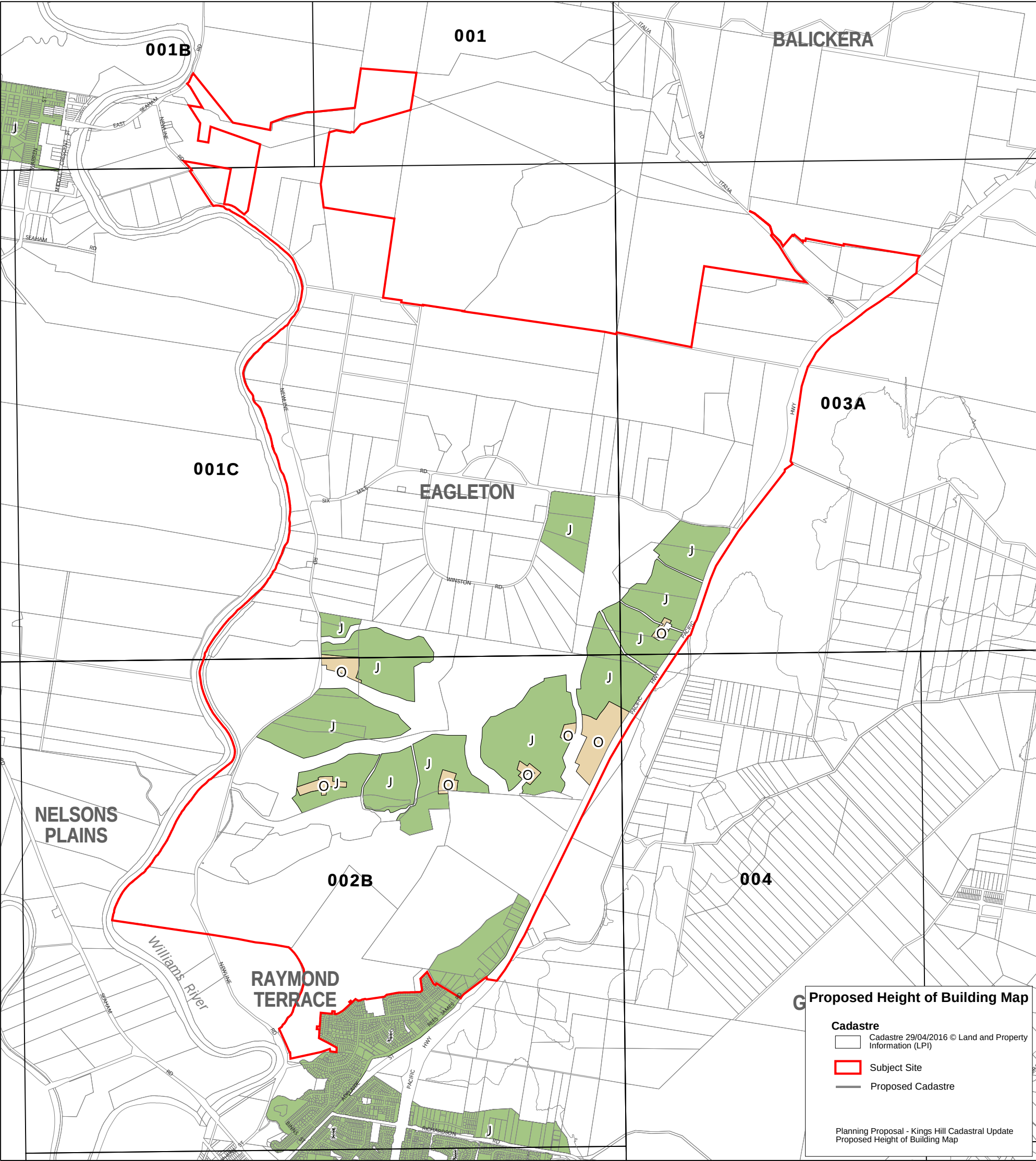
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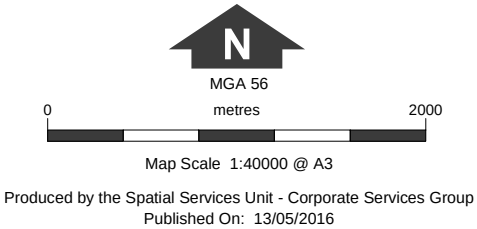
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Port Stephens Local Environmental Plan 2013 - Height of Building

- 18 - 8.9
- 19 - 9.9
- M 12 - 12.9
- O 15 - 16.9
- Q 19 - 20.9

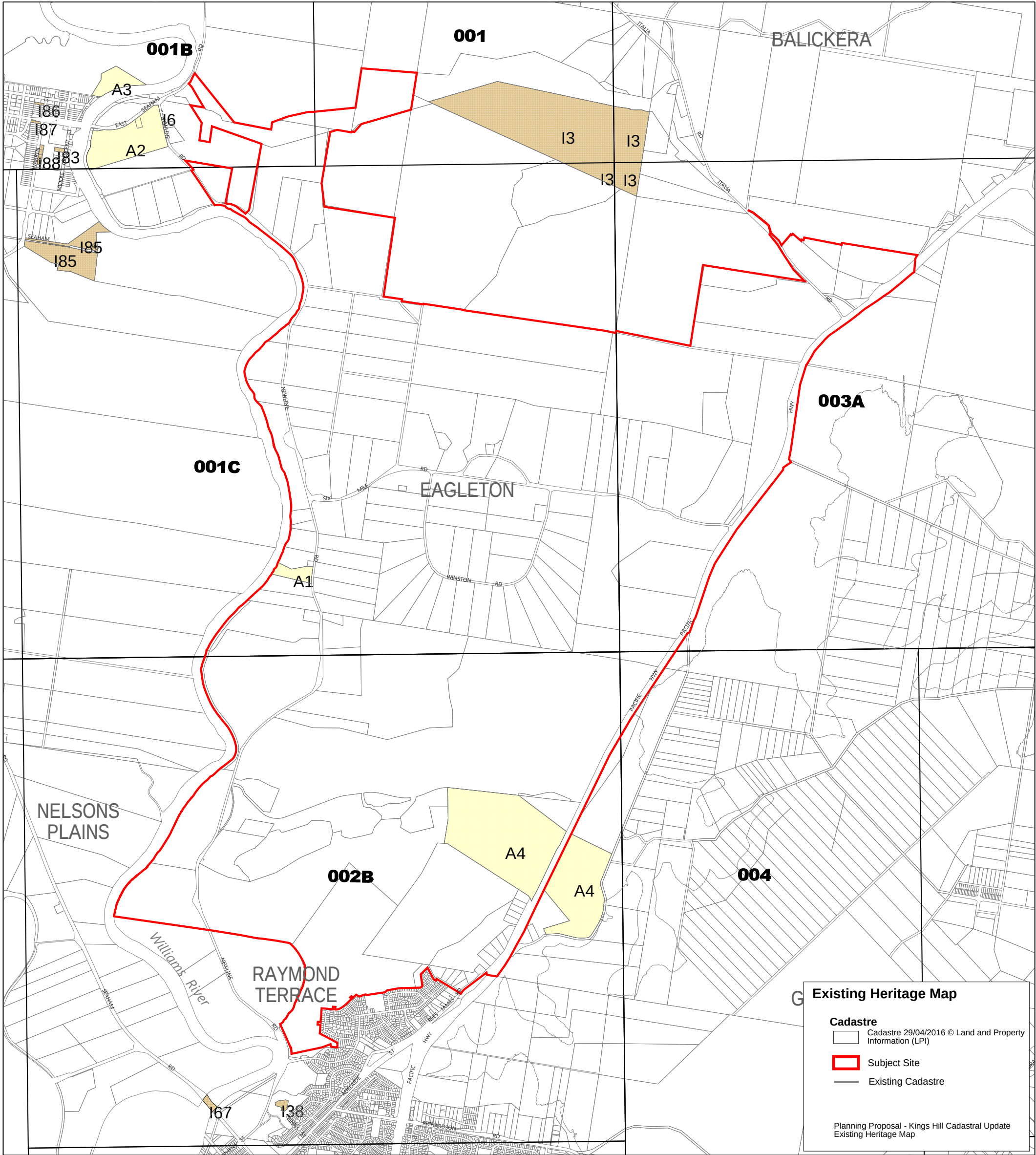


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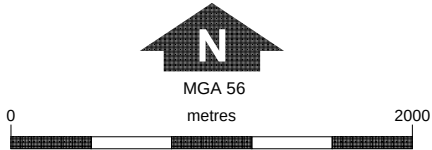
Cadastre

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- Subject Site**
- Existing Cadastre

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Existing Heritage Map

Port Stephens Local Environmental Plan 2013 - Heritage

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



Map Scale 1:40000 @ A3

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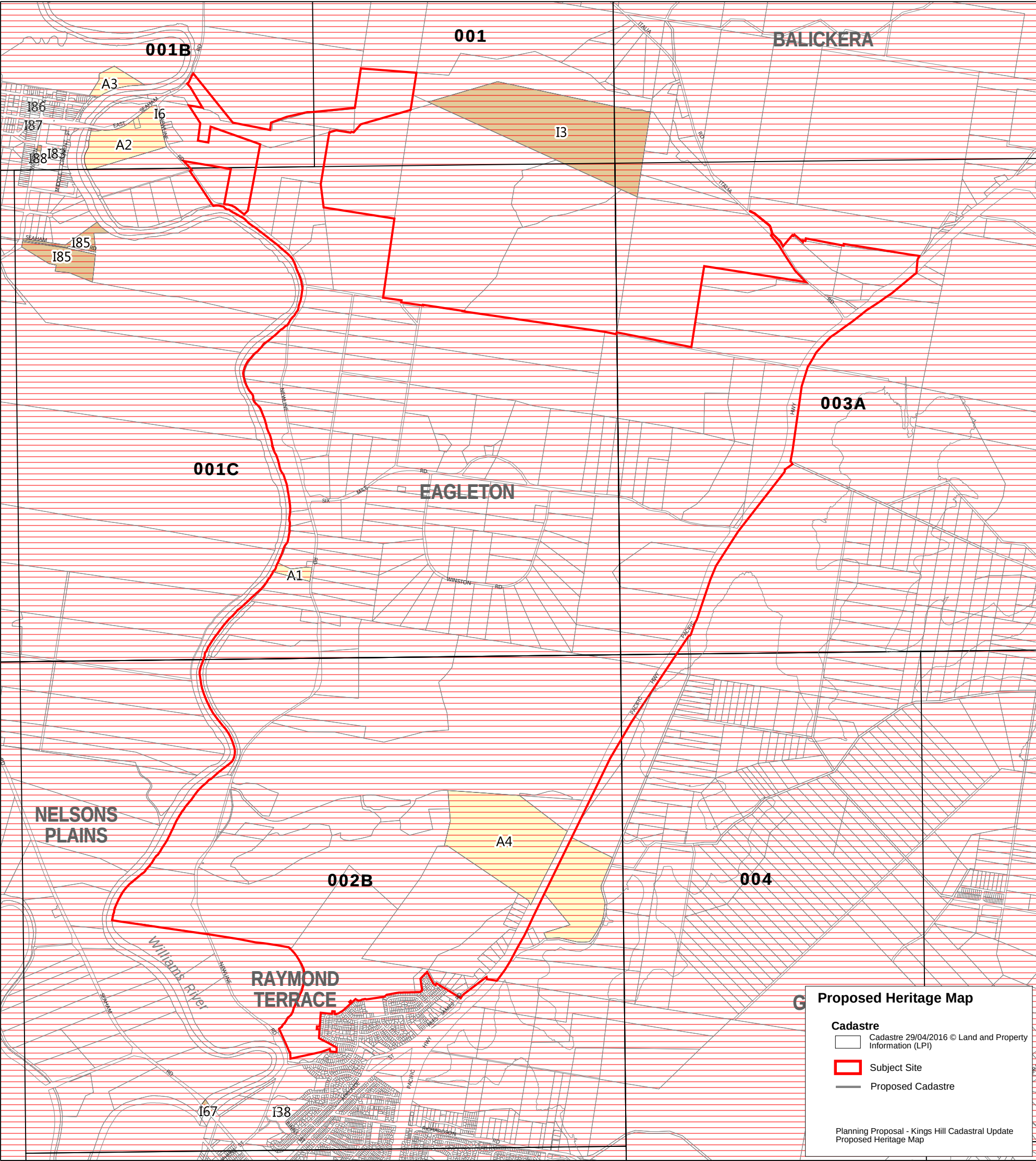
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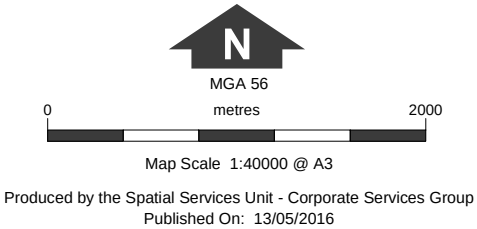


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Port Stephens Local Environmental Plan 2013 - Heritage

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



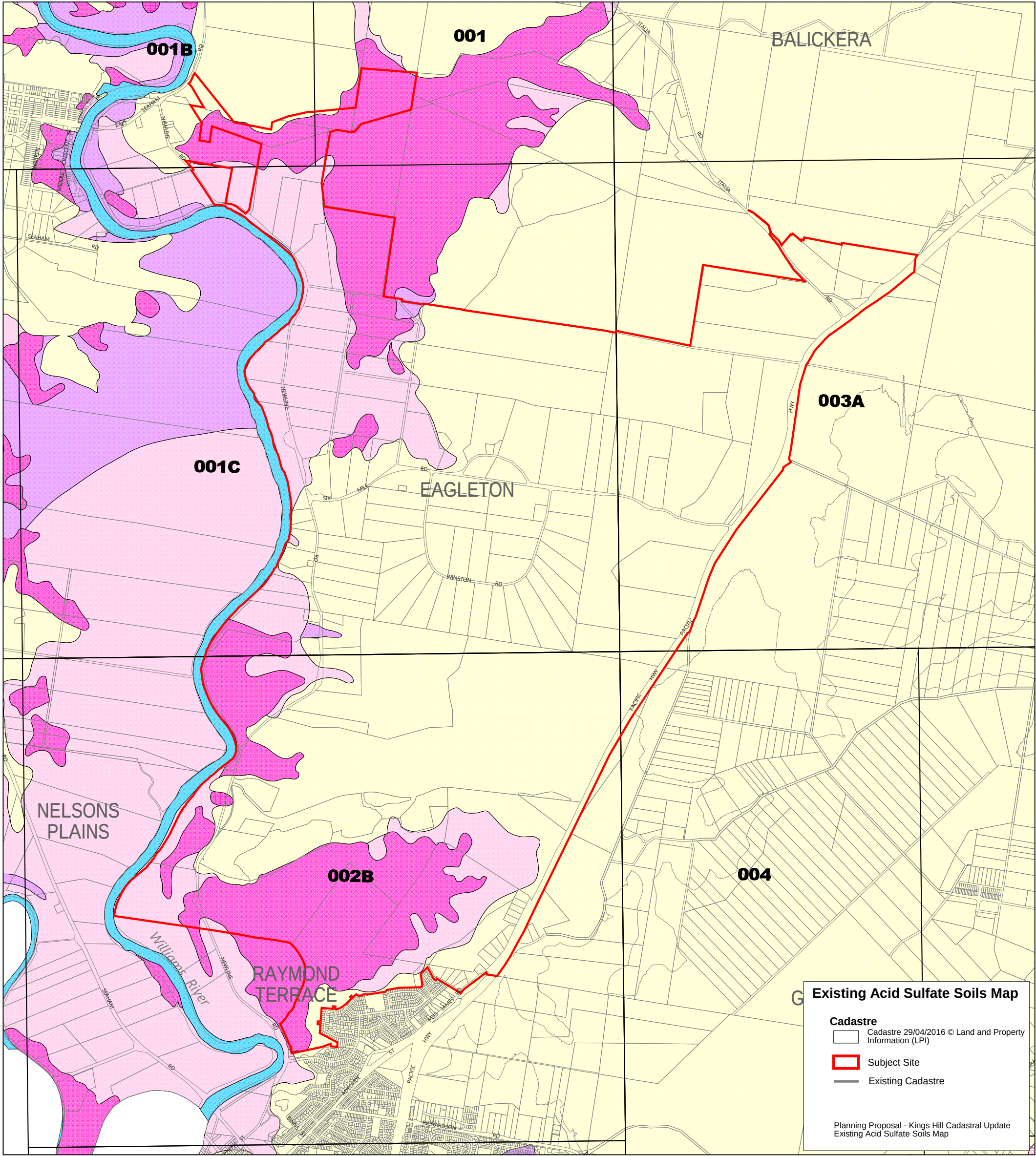
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Existing Acid Sulfate Soils Map

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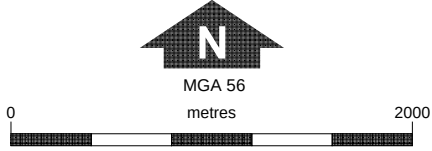
Subject Site

Existing Cadastre

Planning Proposal - Kings Hill Cadastral Update
Existing Acid Sulfate Soils Map

Port Stephens Local Environmental Plan 2013 - Acid Sulfate Soils

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



Map Scale 1:40000 @ A3

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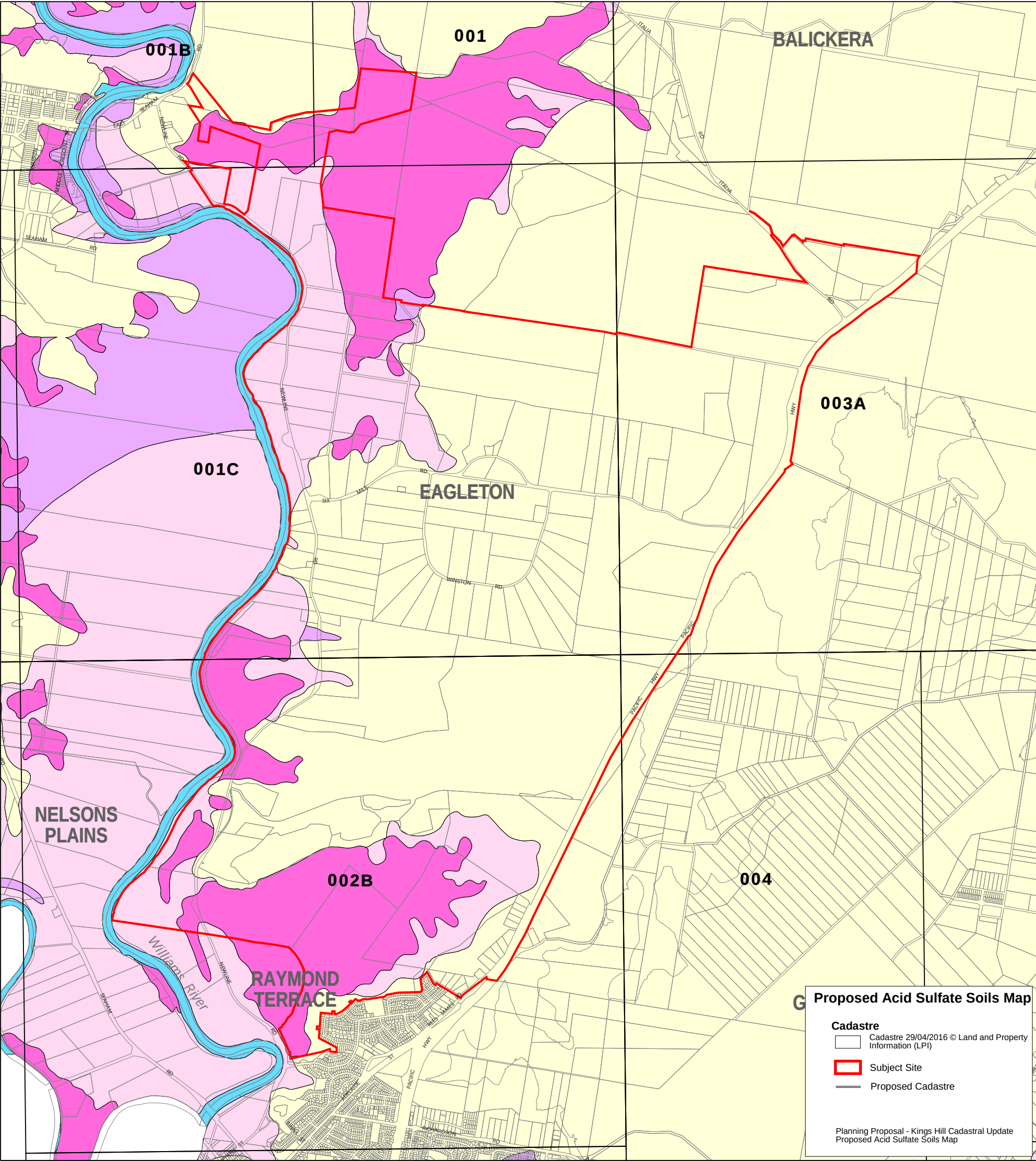
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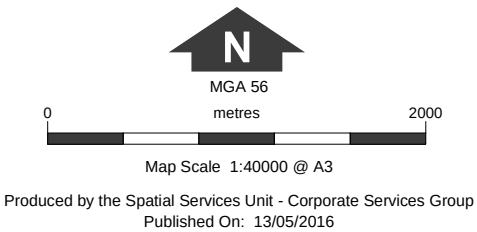
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Port Stephens Local Environmental Plan 2013 - Acid Sulfate Soils

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



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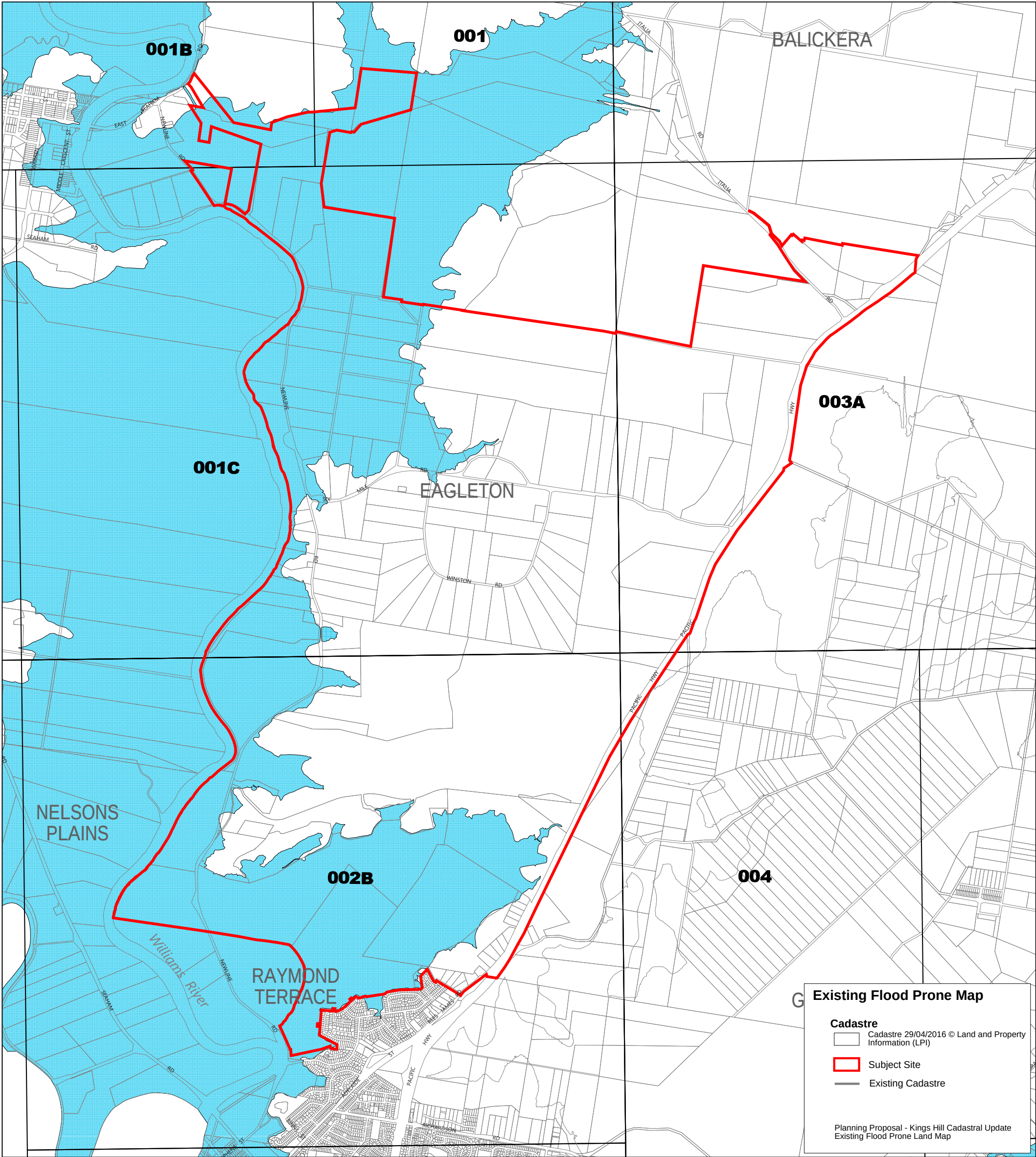
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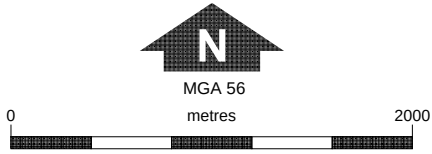
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Port Stephens Local Environmental Plan 2013 - Flood Prone Land

Flood Planning Area



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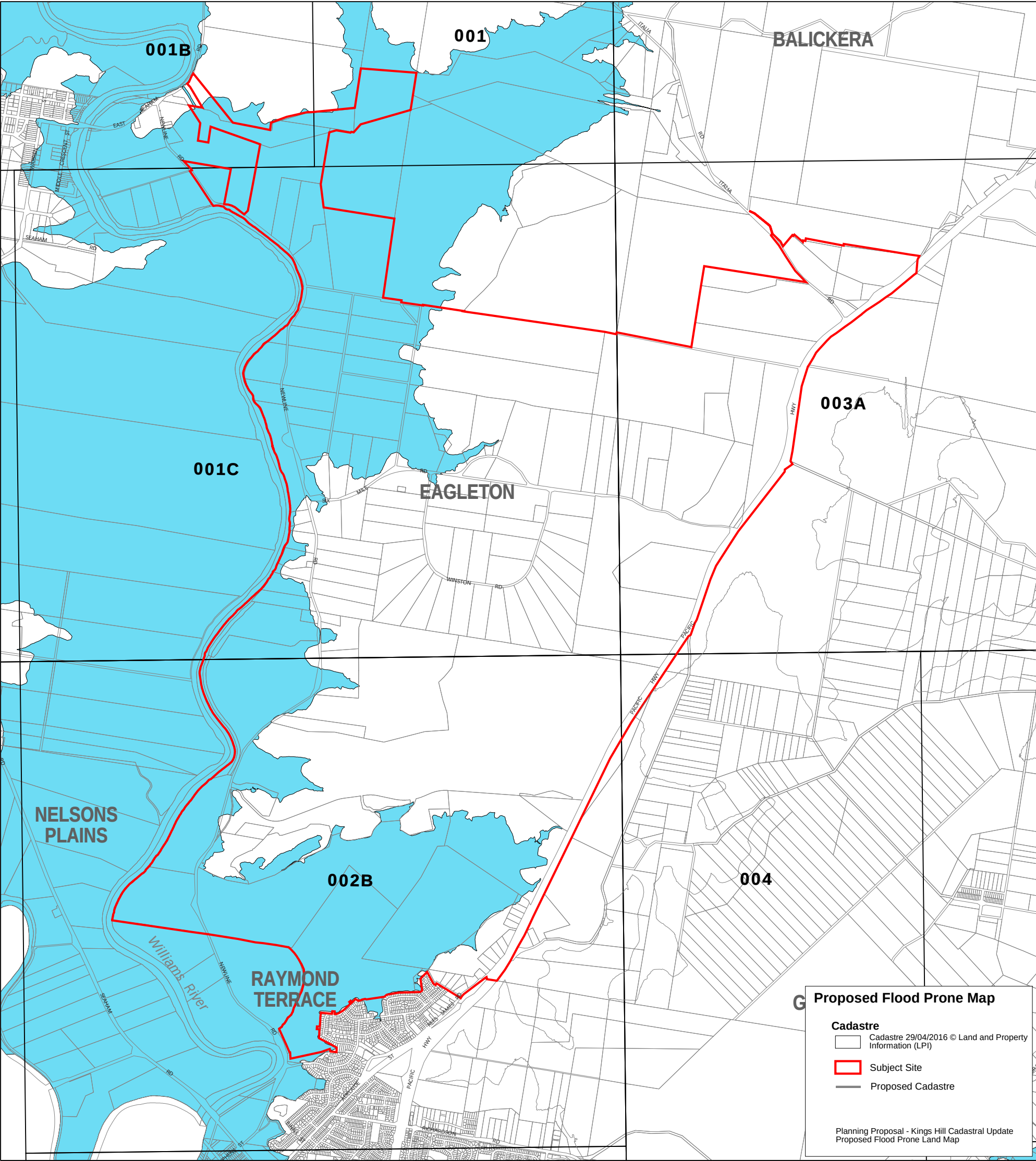
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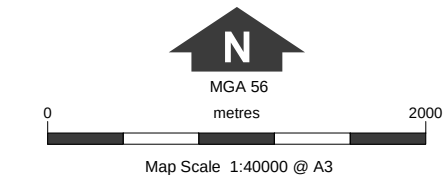


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Port Stephens Local Environmental Plan 2013 - Flood Prone Land

Flood Planning Area



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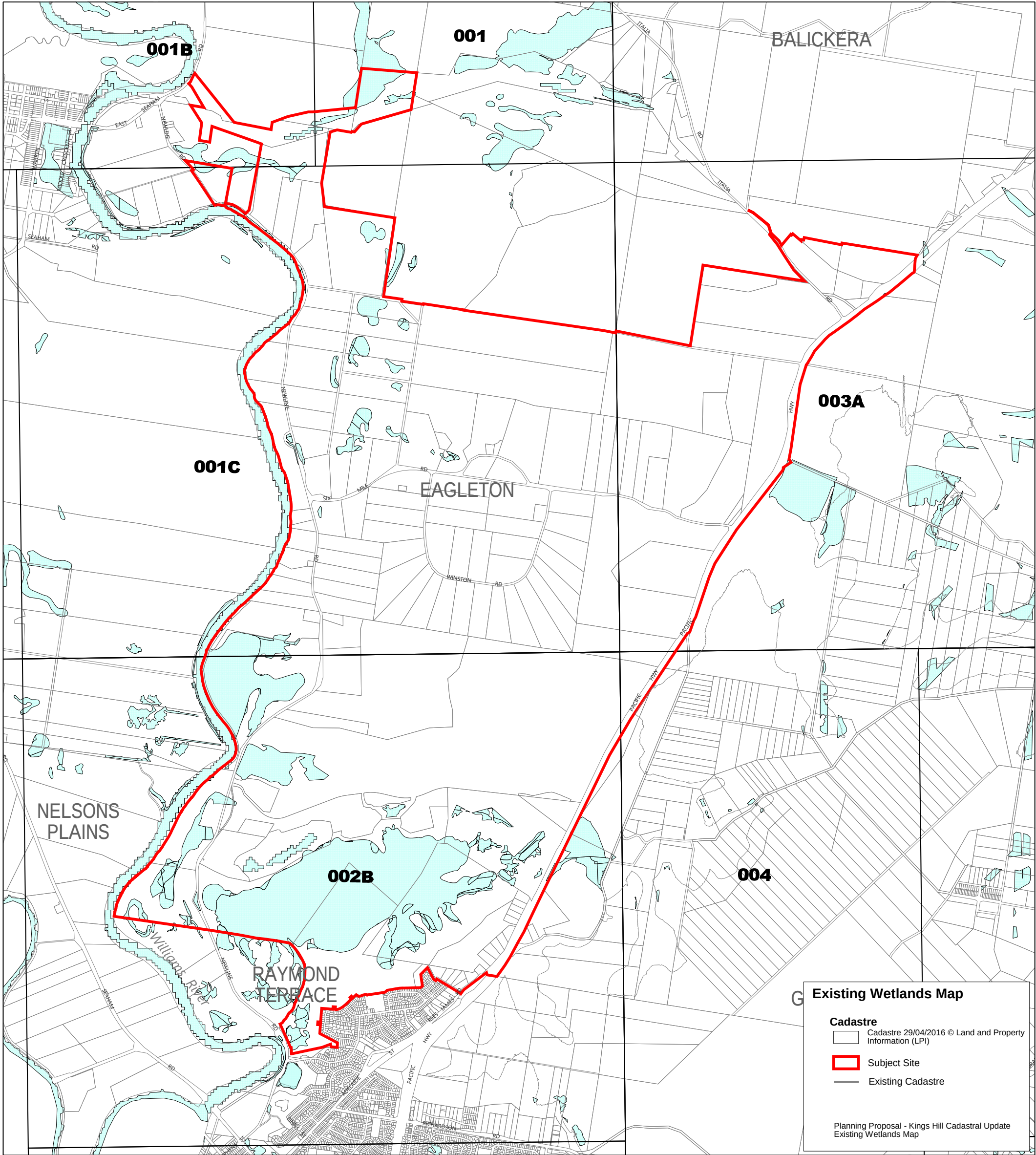
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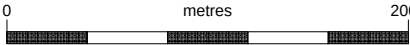
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Port Stephens Local Environmental Plan 2013 - Wetlands

Wetlands



Map Scale 1:40000 @ A3

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Published On: 09/05/2016

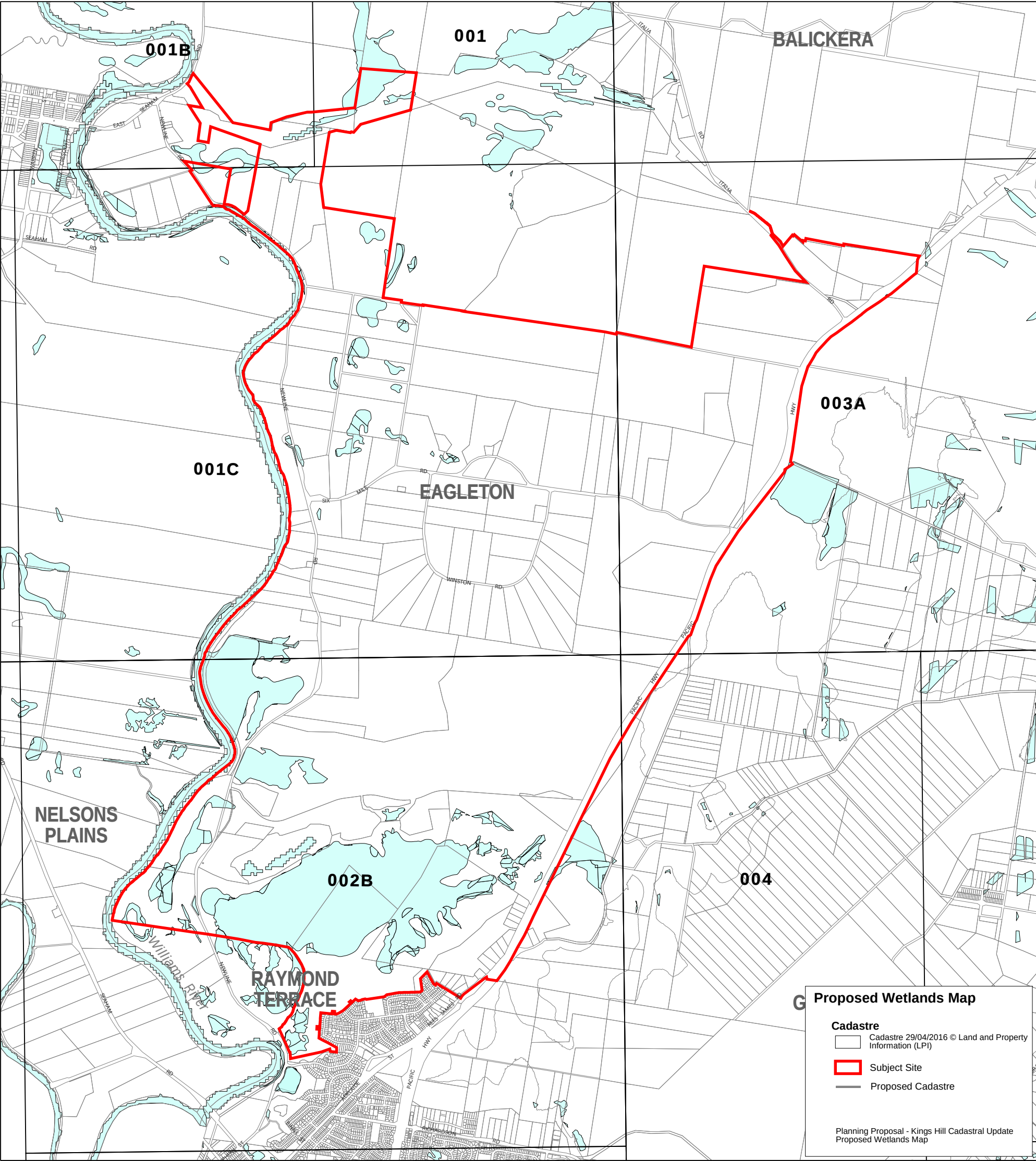
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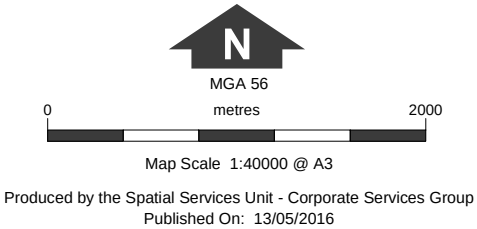
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Port Stephens Local Environmental Plan 2013 - Wetlands

 Wetlands



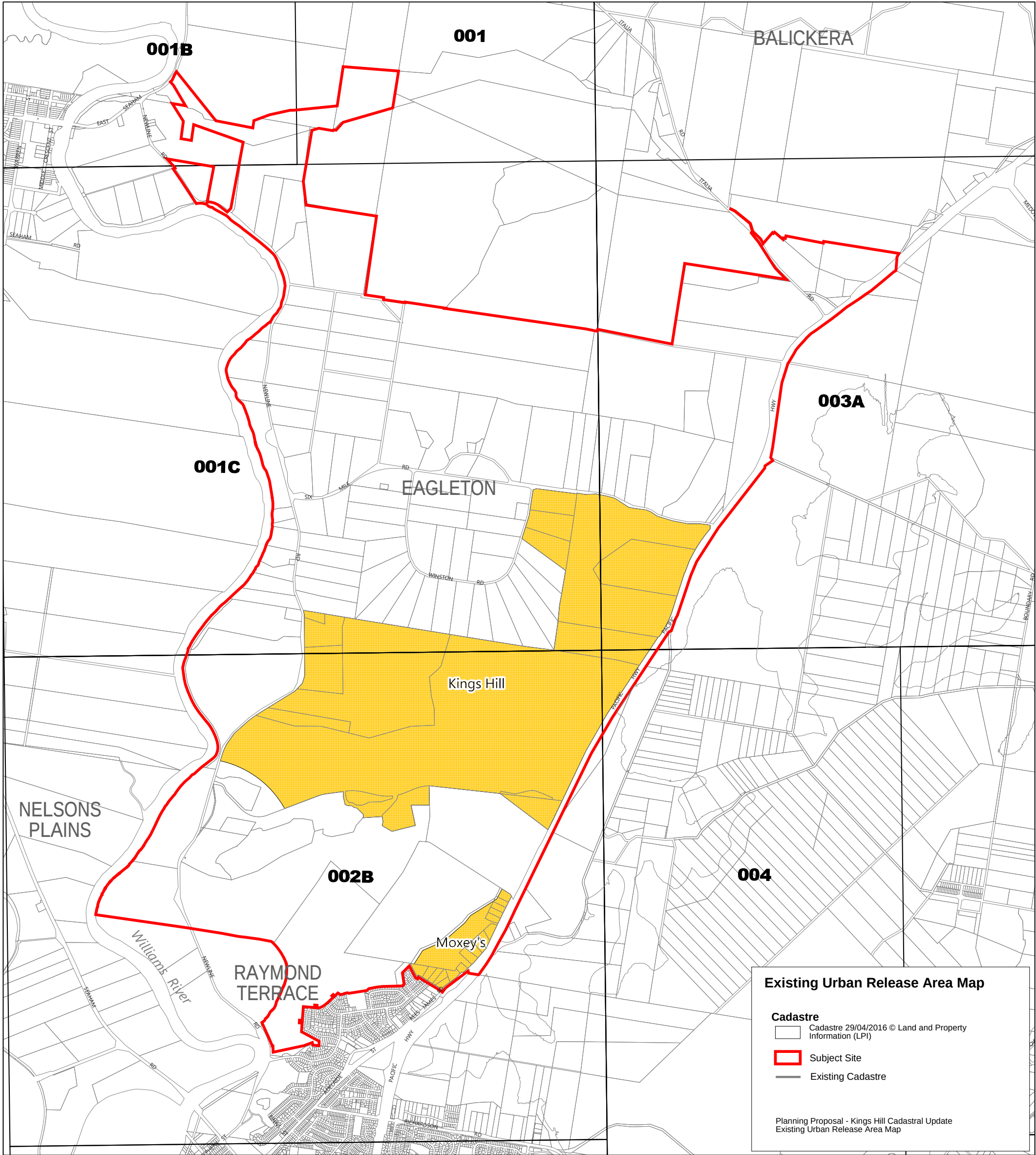
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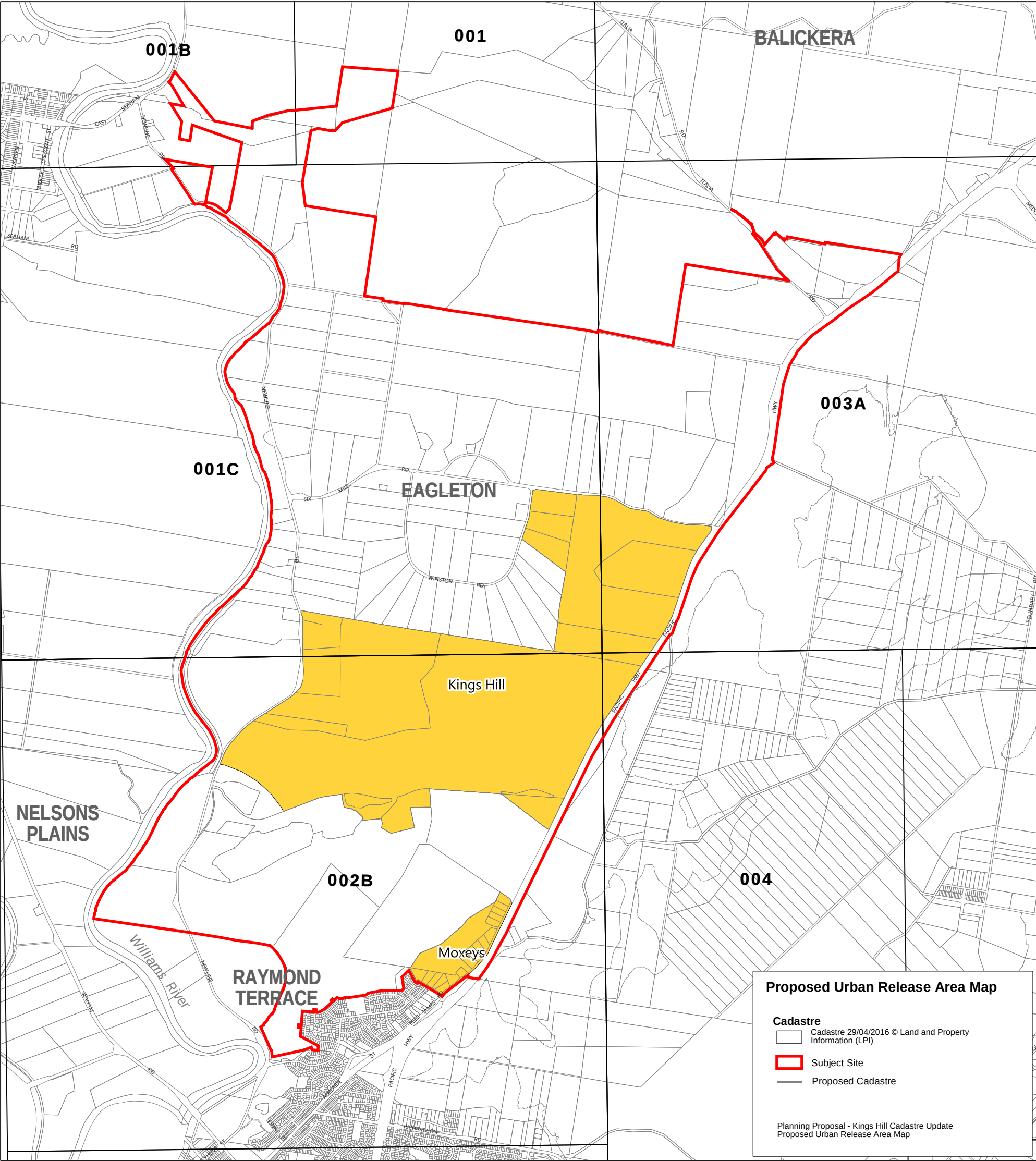
Port Stephens Local Environmental Plan 2013 - Urban Release Area Map

 Urban Release Areas


MGA 56
metres
0 2000
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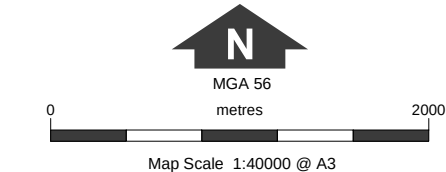
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Port Stephens Local Environmental Plan 2013 - Urban Release Area Map

 Urban Release Areas



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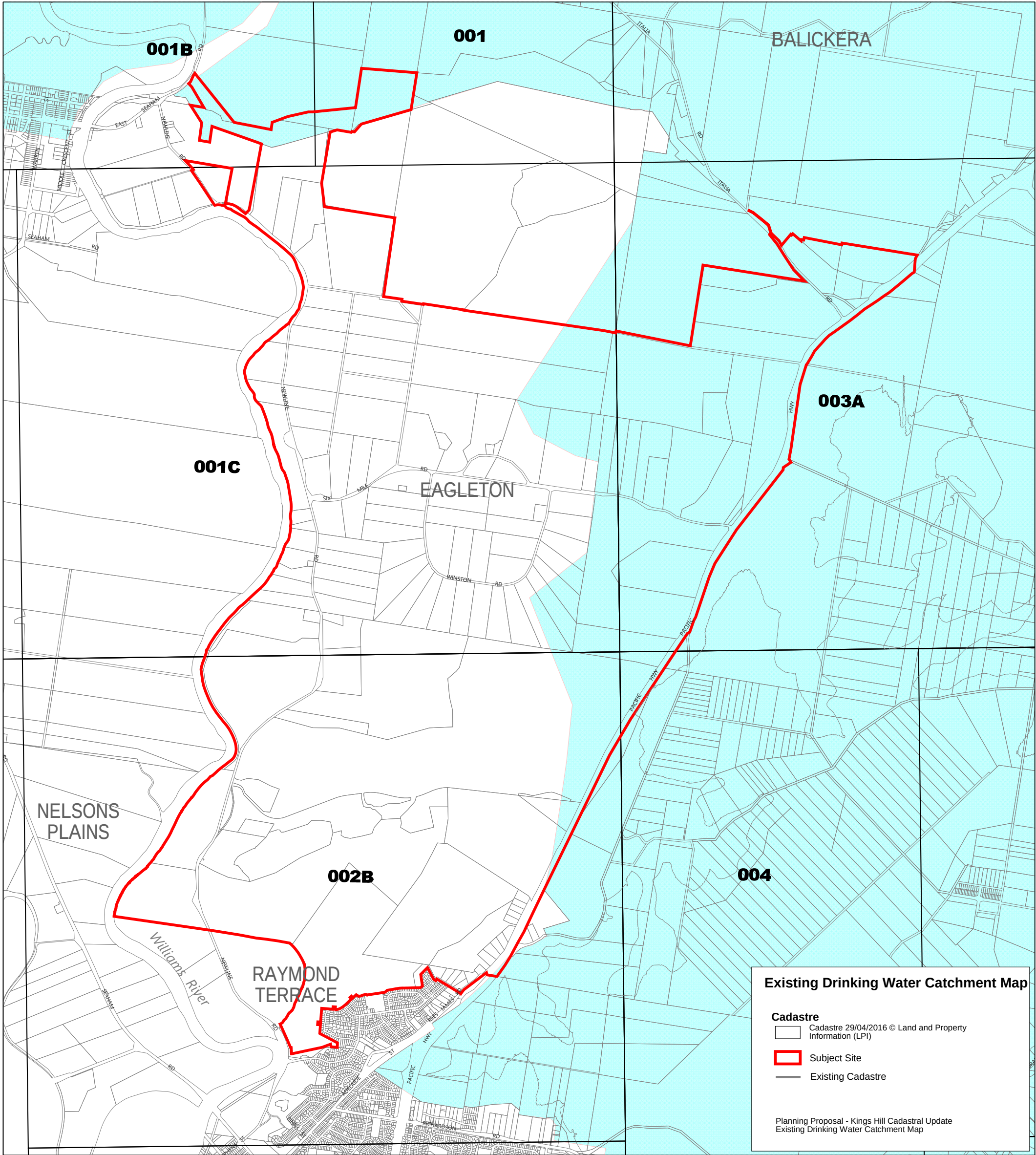
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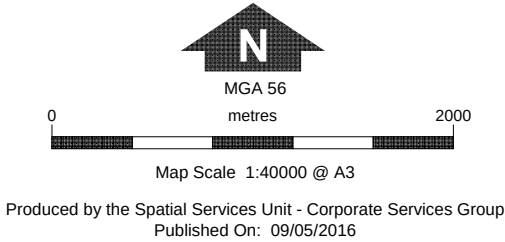
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Port Stephens Local Environmental Plan 2013 - Drinking Water Catchment

Drinking Water Catchment Areas



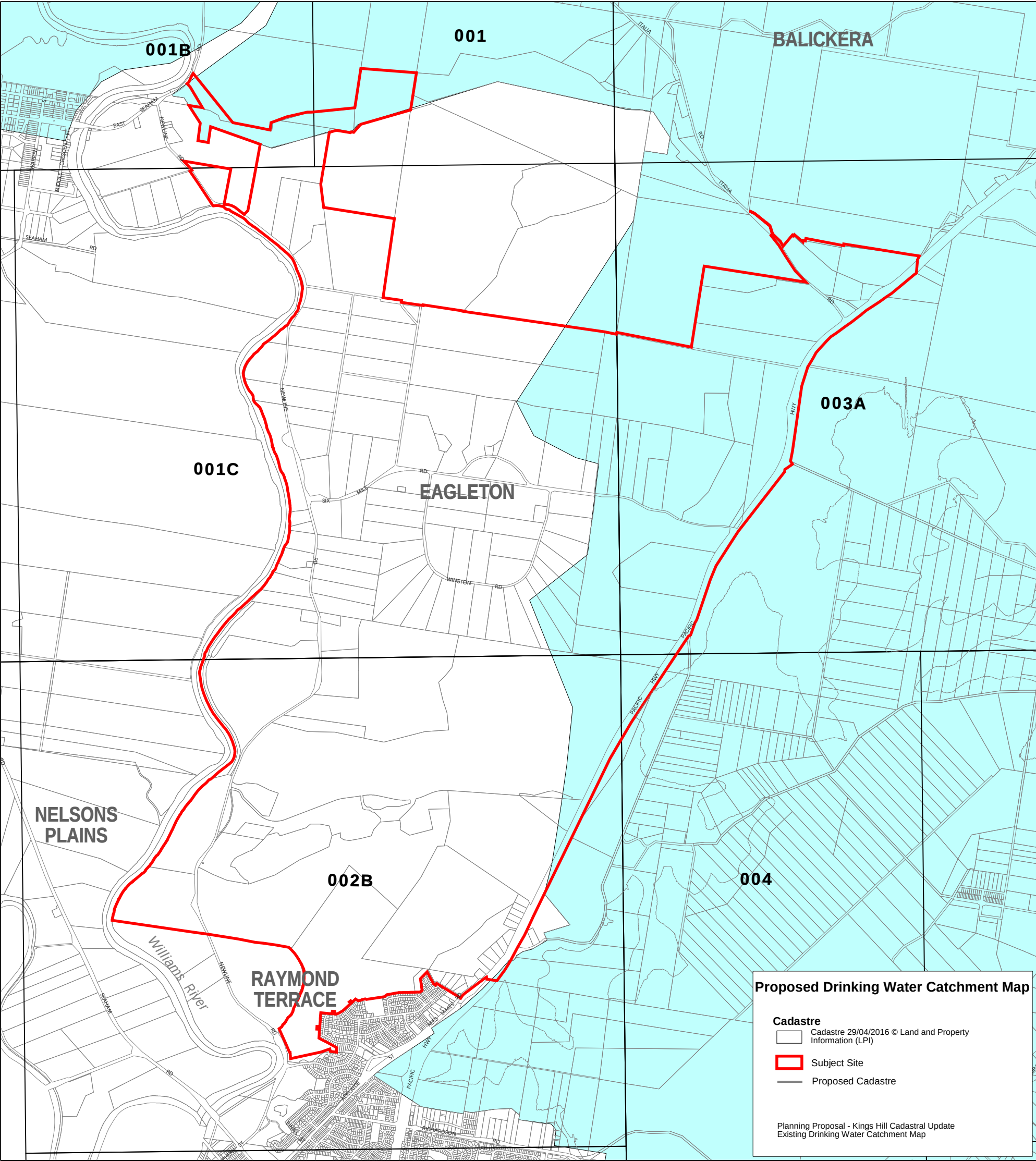
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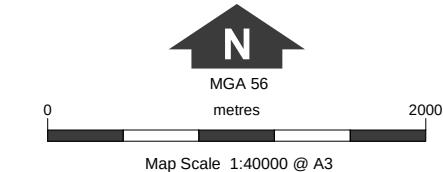
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Port Stephens Local Environmental Plan 2013 - Drinking Water Catchment

 Drinking Water Catchment Areas



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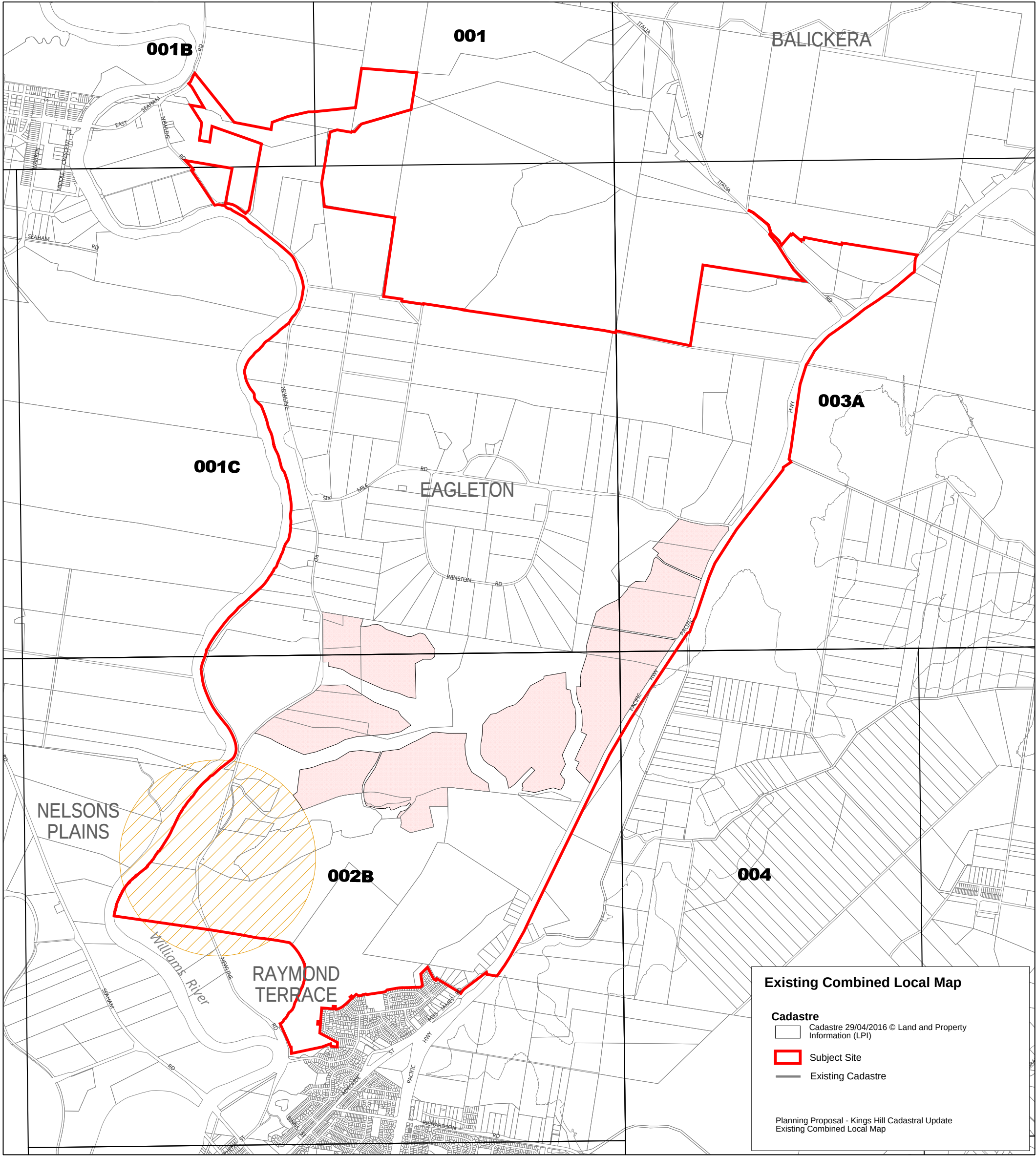
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Port Stephens Local Environmental Plan 2013 - Additional Permitted Uses, Precincts, Waste and Resource Management Facility

- Waste & Resource Management Facility
- Kings Hill Precinct



Map Scale 1:40000 @ A3

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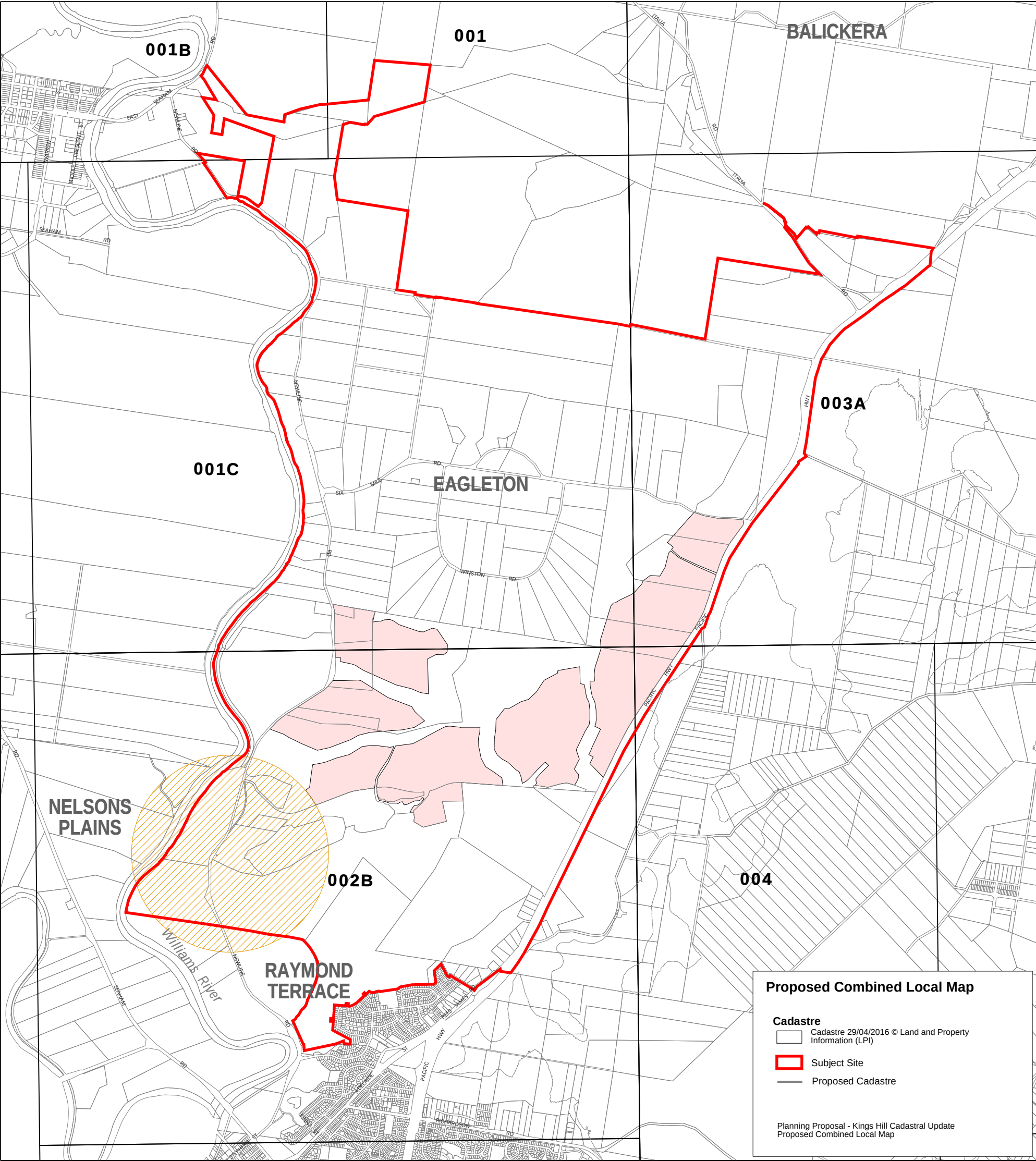
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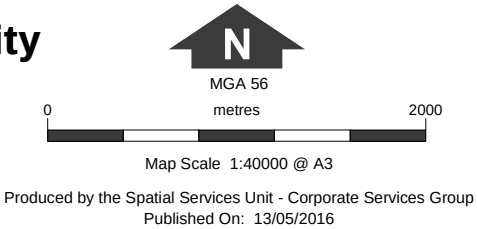
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Port Stephens Local Environmental Plan 2013 - Additional Permitted Uses, Precincts, Waste and Resource Management Facility

-  Waste & Resource Management Facility
-  Kings Hill Precinct



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