



**PORT STEPHENS**  
COUNCIL

# Rezoning Request Guide



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# Rezoning Requests

**PLEASE  
NOTE**

Rezoning requests are requests to amend the *Port Stephens Local Environmental Plan 2013* and must be accompanied by a planning proposal prepared in accordance with this Guide.

## Rezoning request meeting

To arrange a rezoning request meeting, complete the Rezoning Request Meeting Form at Appendix A and send to [Rezoning@portstephens.nsw.gov.au](mailto:Rezoning@portstephens.nsw.gov.au)

The rezoning request meeting is an opportunity to discuss your proposed amendment with Council officers. The meeting will identify the key issues that need to be addressed before the preparation of a draft planning proposal.

Whether your rezoning request is likely to be considered a minor matter can be discussed at the rezoning request meeting. Rezoning requests for minor matters will be consolidated and progressed as a single planning proposal prepared by Council at least every 24 months. These matters may include adjustments to zone boundaries, mapping updates and amendments that can demonstrate no significant adverse impacts on the environment or adjoining land. DPIE may also progress some rezoning requests to correct obvious errors, misdescriptions, inconsistent numbering, grammatical mistakes and formatting errors as expedited amendments.

## Preparing a planning proposal

To support your rezoning request:

- Prepare a draft planning proposal using the template at Appendix B, and address any matters identified at the rezoning request meeting
- Submit the draft planning proposal for preliminary assessment

The NSW Department of Planning, Industry & Environment (DPIE) requires planning proposals to be prepared in accordance with their published guidelines ([Planning Proposals – A guide to preparing planning proposals](#)). The template at Appendix B is consistent with DPIE requirements.

The preliminary assessment will include a review of the draft planning proposal against legislation and strategies, the DPIE guidelines and environmental considerations including flooding, biodiversity and bushfire risk.

An outcome of the preliminary assessment may be to provide further information to support the rezoning request.

## Making a rezoning request

To make a rezoning request, fill in the Rezoning Request Form at Appendix C and submit it accompanied by the planning proposal prepared in accordance with this Guide and addressing any matters identified in the preliminary assessment.

You will be notified if the planning proposal has met the adequacy assessment within seven (7) days of Council receiving the Rezoning Request Form. Only planning proposals prepared in accordance with this Guide will be accepted. Council will issue an invoice for fees following the adequacy assessment.

Fees for rezoning requests fall into three categories, depending on the level of impact, the yield of potential residential development, and the extent of the assessment, consultation and coordination required. Fees are paid at three stages in the process, at lodgement, after a Gateway determination, and prior to gazettal of the proposed amendment. A minimum set fee is payable at each stage, and subsequent fees are payable should the number of hours worked exceed the estimates specified in Council's Fees and Charges Schedule.

The Fees and Charges Schedule can be found [here](#). A rezoning request and planning proposal has been accepted for assessment when the fee is paid.

# Appendix A Rezoning Request Meeting Form

116 Adelaide Street,  
Raymond Terrace NSW 2324

PO Box 42  
Raymond Terrace NSW 2324

**p** (02) 4988 0255 | **f** (02) 4987 3612

**e** rezoning@portstephens.nsw.gov.au

**DX** 21406 | **ABN** 16 744 377 876

# Rezoning Request Meeting Form

## NOTE

1. This form relates to proposed amendments to the Local Environmental Plan (LEP);
2. The views expressed may vary once detailed plans and documentation are submitted and formally assessed, or as a result of issues contained in submissions by other parties;
3. Amending the request/proposal will require further assessment; and
4. A meeting date will be arranged within 10 working days of submission of a completed rezoning request meeting application form.

## LODGEMENT

Please forward your completed form by email to [rezoning@portstephens.nsw.gov.au](mailto:rezoning@portstephens.nsw.gov.au)

## Proponent's details

Name

Contact details

## Attendees

Name	Role
Name	Role
Name	Role
Name	Role
Name	Role

## Property Description

Lot No. DP/SP/Sec/Por.

Street No. Address Suburb

## Describe the intended outcome

## Describe the proposed amendment (include details of relevant clauses/maps)



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**Describe the benefits of the amendment**  
(include reference to relevant strategy actions/outcomes)

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**Can the intended outcome be achieved through alternative mechanisms?**  
(i.e. development application, guideline, policy etc.)

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**What are the relevant land based constraints?**

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**Are there other relevant matters to be considered?**

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### **Schedule of Fees and Charges**

Pre-lodgement meetings may incur a charge in accordance with the Port Stephens Schedule of Fees and Charges (in place as at the date that payment falls due). Payment must occur prior to the meeting taking place.

# Appendix B Planning Proposal Template



# Planning Proposal

**Proposed amendment to Port Stephens Local Environmental Plan 2013**  
Rezoning of Lot x DP xx, Street, Suburb

## FILE NUMBERS

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**Council:** To be provided following lodgement.

**Department:** To be provided at Gateway Determination.

## SUMMARY

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**Subject land:** Lot <insert lot no.>, DP <insert dp>  
<insert street address and suburb>

**Proponent:** <insert proponent name>

**Proposed changes:**

- <insert description of proposal>

**Area of land:** <insert land area (m2 or ha)>

**Lot yield:** Approximately <insert number of lots> lots

## BACKGROUND

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The planning proposal seeks to <insert a short, concise statement setting out the objectives or intended outcomes of the planning proposal>

- <include an outline of proposed amendments to the local environmental plan>;
- <insert brief justification>;
- <insert proposed end land use>

As identified in this planning proposal, the following additional investigations will be provided following a Gateway determination:

- <insert list of additional studies/reports>

## SITE

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<insert a description of the site>

*Description of the site includes:*

- *Size and configuration*
- *Current zoning*
- *Location – including a description of adjoining land uses*
- *History of land use*
- *Current use and existing improvements*

- *Attributes – i.e. heritage listed, bushfire prone, flood prone etc.*

**Figure 1– <INSERT NAME OF SITE>** (page <insert page no.>) identifies the subject land

*Insert a map showing the site location*

**FIGURE 1 – <INSERT NAME OF SITE> (land the subject of the planning proposal is shown in red)**

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## **PART 1 – Objectives or intended outcomes**

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The planning proposal seeks to achieve the following outcomes:

- <outline, in plain english, what the planning proposal will do>

The proposal will allow the site to be <insert proposed future use (e.g. residential purposes)>

Refer to the NSW Department of Planning, Industry & Environment (DPIE) published guidelines (*Planning Proposals – a guide to preparing planning proposals*) at <https://www.planning.nsw.gov.au/-/media/Files/DPE/Guidelines/guide-to-preparing-planning-proposals-2019-02-05.pdf> for further guidance on Part 1.

## **PART 2 – Explanation of provisions**

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The objectives of the planning proposal will be achieved by the following amendments to the *Port Stephens Local Environmental Plan 2013 (LEP)*:

List the proposed map amendments required to give effect to the planning proposal, for example:

- Amend Land Zoning Map Sheet LZN\_<insert sheet no.> for Lot <insert lot no.>, DP <insert dp> from <insert current zone> to <insert proposed zone> Zone (**Attachment <insert attachment no.>**)
- Amend Lot Size Map Sheet LSZ\_<insert sheet no.> from <insert current lot size> to <insert proposed lot size> (**Attachment <insert attachment no.>**)
- Amend Height of Building Map Sheet HOB\_<insert sheet no.> from <insert hob limit> to <insert proposed hob limit> metres (**Attachment <insert attachment no.>**)

Describe the proposed provisions in plain English. The explanation of provisions should be drafted using plain English descriptions, to ensure the community understands what amendments are being proposed. Use thumbnail mapping where relevant to clearly indicate the proposed changes.

Refer to the DPIE published guidelines (*Planning Proposals – a guide to preparing planning proposals*) at <https://www.planning.nsw.gov.au/-/media/Files/DPE/Guidelines/guide-to-preparing-planning-proposals-2019-02-05.pdf> for further guidance on Part 2.

## **PART 3 – Justification**

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### **Section A – Need for the planning proposal**

The Planning Secretary has issued requirements about the specific matters that must be addressed in planning proposals, refer to the DPIE published guidelines ([Planning Proposals – a guide to preparing planning proposals](https://www.planning.nsw.gov.au/-/media/Files/DPE/Guidelines/guide-to-preparing-planning-proposals-2019-02-05.pdf) at <https://www.planning.nsw.gov.au/-/media/Files/DPE/Guidelines/guide-to-preparing-planning-proposals-2019-02-05.pdf> for further guidance.

When preparing this part of the planning proposal, adequate responses and justification will be proportionate to the impact the proposal will have. In particular, where a proposal is inconsistent with the local, regional or State strategic planning framework, responses will be required to demonstrate significant justification.

If a matter listed below is not relevant to the planning proposal, include an explanation and a statement of reasons.

**Q1. Is the planning proposal a result of any strategic study or report?**

The planning proposal is the result of <insert name of strategic study or report>

The planning proposal will enable <insert description of how the planning proposal enables an outcome of the strategic study or report and demonstrate the strategic merit of the planning proposal>

Explain the context of the planning proposal and attach any relevant parts of a strategic study or report to the planning proposal.

Refer to the DPIE published guidelines ([Planning Proposals – a guide to preparing planning proposals](https://www.planning.nsw.gov.au/-/media/Files/DPE/Guidelines/guide-to-preparing-planning-proposals-2019-02-05.pdf) at <https://www.planning.nsw.gov.au/-/media/Files/DPE/Guidelines/guide-to-preparing-planning-proposals-2019-02-05.pdf> for further guidance on Part 3.

**Q2. Is the planning proposal the best means of achieving the objectives or intended outcomes, or is there a better way?**

List all other options to achieve the outcomes identified for the planning proposal and provide justification as to why the planning proposal and the proposed changes to the local environmental plan are the preferred means.

Demonstrate that alternative approaches to achieving the intended outcomes have been considered. It should be evident from this assessment that the proposed approach is the best, most efficient and most time effective approach to delivering the desired outcome.

Refer to the DPIE published guidelines ([Planning Proposals – a guide to preparing planning proposals](https://www.planning.nsw.gov.au/-/media/Files/DPE/Guidelines/guide-to-preparing-planning-proposals-2019-02-05.pdf) at <https://www.planning.nsw.gov.au/-/media/Files/DPE/Guidelines/guide-to-preparing-planning-proposals-2019-02-05.pdf> for further guidance on Part 3.

## Section B – Relationship to strategic planning framework

**Q3. Will the planning proposal give effect to the objectives and actions of the Hunter Regional Plan or Greater Newcastle Metropolitan Plan (or any exhibited draft plans that have been prepared to replace these)?**

*Address the relevant directions, planning priorities and actions and assess the proposal for consistency. Use thumbnail mapping where relevant to demonstrate the application of these plans.*

*For example:*

### Hunter Regional Plan 2036

The Hunter Regional Plan 2036 (HRP) <address provisions relevant to the planning proposal>

The planning proposal is consistent with the HRP as it will <insert description of how the planning proposal is consistent with the hrp and address strategic merit>

*Address the Assessment Criteria set out in the DPIE published guidelines ([Planning Proposals – a guide to preparing planning proposals](https://www.planning.nsw.gov.au/-/media/Files/DPE/Guidelines/guide-to-preparing-planning-proposals-2019-02-05.pdf) at <https://www.planning.nsw.gov.au/-/media/Files/DPE/Guidelines/guide-to-preparing-planning-proposals-2019-02-05.pdf>).*

### Assessment Criteria

a) Does the proposal have strategic merit?

*Will it:*

- *Give effect to the relevant regional plan outside of the Greater Sydney Region, the relevant district plan within the Greater Sydney Region, or corridor/precinct plans applying to the site, including any draft regional, district or corridor/precinct plans released for public comment; or*
- *Give effect to a relevant local strategic planning statement or strategy that has been endorsed by the Department or required as part of a regional or district plan or local strategic planning statement; or*
- *respond to a change in circumstances, such as the investment in new infrastructure or changing demographic trends that have not been recognised by existing strategic plans (provide details).*

*Identify if the planning proposal seeks to amend LEP controls that are less than 5 years old.*

*Note that there will be a presumption against a Rezoning Review request that seeks to amend LEP controls that are less than 5 years old, unless the proposal can clearly justify that it meets the Strategic Merit Test in the DPIE*



published guidelines (*Planning Proposals – a guide to preparing planning proposals* at <https://www.planning.nsw.gov.au/-/media/Files/DPE/Guidelines/guide-to-preparing-planning-proposals-2019-02-05.pdf>).

b) Does the proposal have site-specific merit, having regard to the following?

- the natural environment (including known significant environmental values, resources or hazards); and
- the existing uses, approved uses, and likely future uses of land in the vicinity of the proposal; and
- the 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.

*Address each of the site-specific merit considerations listed above.*

**Q4. Will the planning proposal give effect to a council's endorsed local strategic planning statement, or another local strategy or strategic plan?**

*The planning proposal is required to demonstrate how it will give effect to an endorsed local strategic planning statement. Relevant matters must be identified and the relationship of the planning proposal to those matters should be discussed.*

#### Draft Port Stephens Local Strategic Planning Statement

The draft Port Stephens Local Strategic Planning Statement (LSPS) was considered by Council on 11 February 2020, where it was endorsed for public exhibition. The LSPS identifies the 20-year vision for land use in Port Stephens and sets out social, economic and environmental planning priorities for the future.

The planning proposal is consistent with the LSPS as it will <insert description of how the planning proposal is consistent with the LSPS and address strategic merit>

*Address the relevant provisions of each local strategic plan and strategy and assess for consistency (including any draft plans). Provide justification for any inconsistencies and demonstrate the strategic merit of the planning proposal. Use thumbnail mapping where relevant to demonstrate the application of plans or strategies.*

*Relevant local plans, policies and strategies may include:*

*Port Stephens Community Strategic Plan  
Draft Port Stephens Local Housing Strategy (Live Port Stephens)  
Port Stephens Planning Strategy 2011  
Raymond Terrace and Heatherbrae Strategy 2015-2031*

Anna Bay Strategy and Town Plan  
 Karuah Growth Strategy  
 Medowie Planning Strategy  
 Nelson Bay Town Centre and Foreshore Strategy 2012  
 Nelson Bay Delivery Program  
 Nelson Bay Public Domain Plan  
 Williamstown Defence and Airport Related Employment Zone (DAREZ) Land Use Development Strategy  
 Port Stephens Rural Residential Policy  
 Port Stephens Commercial and Industrial Lands Study  
 Port Stephens Floodplain Risk Management Policy  
 Comprehensive Koala Plan of Management  
 Foreshore Management Plan  
 Hunter Estuary Coastal Zone Management Plan

**Q5. Is the planning proposal consistent with applicable State Environmental Planning Policies (SEPPs)?**

Identify all relevant SEPPs, outline the relationship of the SEPP to the planning proposal, and assess for consistency. Provide justification for any inconsistencies or provide preliminary advice in relation to how the proposal can satisfy the requirements of the SEPP. For example, if SEPP 55 is relevant, you will need to identify whether it is considered necessary to undertake a Stage 1 contamination report after a Gateway determination is issued, to demonstrate that the purpose of the Planning Proposal can be achieved.

Use thumbnail mapping to demonstrate whether or not a SEPP is relevant to the planning proposal where appropriate.

**Table 1 – Relevant State Environmental Planning Policies**

SEPP	Relevance	Consistency and Implications
<b>SEPP 55 – Remediation of Land</b>	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.  <i>Insert specific relationship to planning proposal.</i>	
<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.  <i>Insert specific relationship to planning proposal.</i>	

<b>SEPP Infrastructure 2007</b>	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.  <i>Insert specific relationship to planning proposal.</i>	
<b>State Environmental Planning Policy (Koala Habitat Protection) 2019</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 free-living populations will be maintained over their present range.  <i>Insert specific relationship to planning proposal.</i>	
<b>&lt;insert any other relevant sepps&gt;</b>		

**Q6. Is the planning proposal consistent with applicable Ministerial Directions?**

An assessment of relevant Ministerial Directions against the planning proposal is provided in the table below.

*Directions can be found on the Department's website at [www.planning.nsw.gov.au/Plans-for-Your-Area/Local-Planning-and-Zoning/Policy-Directions-for-Plan-Making](http://www.planning.nsw.gov.au/Plans-for-Your-Area/Local-Planning-and-Zoning/Policy-Directions-for-Plan-Making) .*

*Address the relevant provisions of each Ministerial Direction and assess for consistency. Provide justification for any inconsistencies using the table below. Delete non-applicable directions from the table and insert any other relevant Ministerial directions.*

*Inconsistencies with Ministerial Directions will be required to be demonstrated before an amendment to the LEP can be made.*

*If a Direction requires consultation to take place with particular government agencies to demonstrate consistency with the Direction's desired outcome, undertake pre-lodgment discussions with agencies to identify key matters that can be addressed early on in the process. Provide evidence of pre-lodgment consultations and agency advice.*

**Table 2 – Relevant Ministerial Directions**

<b>Ministerial Direction</b>	<b>Aim of Direction</b>	<b>Consistency and Implications</b>
<b>1. EMPLOYMENT AND RESOURCES</b>		
<b>1.3 Mining, Petroleum Production and Extractive Industries</b>	The objective of this direction is to ensure that the future extraction of State or regionally significant reserves coal, other minerals, petroleum and extractive materials are not compromised by inappropriate development.	
<b>2. ENVIRONMENT AND HERITAGE</b>		
<b>2.3 Heritage Conservation</b>	The objective of this direction is to conserve items, areas, objects and places of environmental heritage significance and indigenous heritage significance.	
<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>3.3 Home Occupations</b>	The objective of this direction is to encourage the carrying out of low impact small businesses in dwelling houses.	

<b>3.4 Integrating Land Use and Transport</b>	The objective of this direction is to ensure that urban structures, building forms, land use locations, development designs subdivision and street layouts achieve the sustainable transport objectives.	
<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>4.2 Mine Subsidence and Unstable Land</b>	The objective of this direction is to prevent damage to life, property and the environment on land identified as unstable or potentially subject to mine subsidence.	
<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.	
<b>5. REGIONAL PLANNING</b>		
<b>5.10 Implementation of Regional Plans</b>	The objective of this direction is to give legal effect to the vision, land use strategy, policies, outcomes and actions contained in regional plans.	
<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>6.2 Reserving Land for Public Purposes</b>	The objectives of this direction are to facilitate the provision of public services and facilities by reserving land for public purposes, and facilitate the removal of reservations of land for public purposes where the land is no longer required for acquisition.	

**Section C – Environmental, social and economic impact**

**Q7. 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 planning proposal must identify if the land has the potential to contain critical habitat or threatened species, populations or ecological communities, or their habitats.*

*Use thumbnail mapping to identify known communities or habitats and their relationship to the site.*

*If it is likely that the land may contain critical habitat or threatened species, populations or ecological communities, or their habitats the proposal should identify what studies are necessary to confirm the presence of these species or habitats and their significance.*

<identify relevant site-specific considerations and provide a preliminary assessment. list any additional studies or information likely to be required following any gateway determination.>

**Q8. Are there any other likely environmental effects as a result of the planning proposal and how are they proposed to be managed?**

*Consider any relevant guidelines, codes or policies on relevant environmental matters produced by different public authorities including local councils. This may include information on environmental effects such as natural hazards (flooding, land slip, bushfire hazards) and the like.*

<identify relevant environmental site-specific considerations and provide a preliminary assessment. list any additional studies or information likely to be required following any gateway determination>

**Q9. Has the planning proposal adequately addressed any social and economic effects?**

*The response to this question will include specifying effects on items or places of European or Aboriginal cultural heritage if not already addressed elsewhere.*

*It may also include an estimate jobs or housing growth, impacts on existing social infrastructure such as schools and hospitals and impacts on existing retail centres which may result if the planning proposal proceeds.*

<identify relevant social and economic considerations and provide a preliminary assessment. list any additional studies or information likely to be required following any gateway determination>

**Section D – State and Commonwealth interests**

**Q10. Is there adequate public infrastructure for the planning proposal?**

*This question applies to planning proposals that will facilitate:*

- residential subdivisions in excess of 150 lots
- substantial urban renewal
- infill development
- development that will result in additional demand on infrastructure (such as public transport, roads, utilities, waste management and recycling services, essential services such as health, education and emergency services).

*Identify whether this applies to the planning proposal and if so, address whether existing infrastructure is adequate to serve or meet the needs of the proposal. Any justification should address how any predicted shortfall in infrastructure provision could be met. The planning proposal should identify that, if there may be an expected shortfall in service provision, the studies and investigations that may be required to identify the extent of that shortfall, potential mechanisms to address any shortfall, and which agencies are to be consulted as part of that process.*

<provide a preliminary assessment including details of any preliminary consultation with state agencies, public utility authorities, or others>

**Q11. What are the views of state and Commonwealth public authorities consulted in accordance with the Gateway determination?**

*The planning proposal should nominate the State and Commonwealth agencies to be consulted and outline the particular land use issues or site conditions which are likely to trigger the need for the referral.*



*The preliminary views of any State or Commonwealth agency obtained by a proponent in relation to a proposal prior to lodgement of the planning proposal should be included in this section. This should include agreement about the scope of any additional information/investigations that may be required by that agency. Evidence of this pre-lodgement consultation and any agreement in relation to the planning proposal should be provided.*

*Note that this information may also be a relevant consideration for DPIE in the assessment of whether a proposed instrument qualifies for a Rezoning Review.*

<provide details of any preliminary consultation with state agencies, public utility authorities, or others>

Consultation with relevant State and Commonwealth agencies can be undertaken following a Gateway Determination. It is envisaged that the following agencies will be consulted with:

- <insert list of agencies proposed to be consulted>

## **PART 4 – Mapping**

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*Prepare relevant and accurate maps to support the planning proposal. The mapping should be clear and accurately identify, at an appropriate scale, relevant aspects of the proposal including:*

- *All relevant land the subject of the planning proposal*
- *Current zoning*
- *Current development standards applying to the land (FSR, minimum lot size, building height etc)*
- *Proposed zoning changes*
- *Proposed changes to other development standards*

*Other attachments that may be required include aerial imagery identifying the site and context.*

*Mapping should be prepared at an appropriate scale showing the subject site and immediate area surrounding the site.*

*Mapping should be consistent with the DPIE Standard Technical Requirements for Spatial Datasets and Maps (ie. Using the same format template, colours, zone names etc as required under the DPIE's guidelines) where possible.*

The proposed map layer amendments are included as attachments to the planning proposal as follows:

**Attachment One** – Locality Plan

**Attachment Two** – Current Zoning Plan LZN\_<insert sheet no.>

**Attachment Three** – Proposed Zoning Map – Map Amendment to Land Zoning Map – Sheet LZN\_<insert sheet no.> from <insert existing zone> to <insert proposed zone> Zone

**Attachment Four** – Current Lot Size Map LSZ\_<insert sheet no.>

**Attachment Five** – Proposed Lot Size Plan – Map amendment to Lot Size Map – Sheet LSZ\_<insert sheet no.> from <insert current lot size> to <insert proposed lot size>

**Attachment Six** – Current Height of Building Map Sheet HOB\_<insert sheet no.>

**Attachment Seven** – Proposed Height of Buildings Map – Map amendment to Height of Buildings Map – Sheet HOB\_<insert sheet no.> from <insert current hob limit> to <insert proposed hob limit> metres

## **PART 5 – Community consultation**

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*List any community consultation undertaken pre-lodgement.*

Community consultation will be undertaken in accordance with the Gateway determination.

Notice of the public exhibition period will be placed in the local newspaper, The Examiner. The exhibition material will be 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, Town Centre Circuit, Salamander Bay
- Medowie Community Centre, Cnr of Medowie and Ferodale Streets, Medowie

*Note: delete/add locations as necessary*

The planning proposal will also be available on Council's website.

## **PART 6 – Project timeline**

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The additional technical information, studies and investigations identified in the planning proposal will be completed within the following timeframes, should the planning proposal receive a Gateway determination:

*List additional studies and investigations and give an indication of timeframes for completion.*

# Appendix C Rezoning Request Form

# Rezoning Request Form

Request to amend Local Environmental Plan under Section 3.33  
of the Environmental Planning and Assessment Act 1979

116 Adelaide Street,  
Raymond Terrace NSW 2324

PO Box 42

Raymond Terrace NSW 2324

**p** (02) 4988 0255

**e** rezoning@portstephens.nsw.gov.au

**DX** 21406 | **ABN** 16 744 377 876

## ABOUT THIS FORM

This form is required to be filled out to request an amendment to the Local Environmental Plan. Failure to submit the relevant information may result in the application being returned.

To make the rezoning request, this form must be filled in, duly signed by the applicant and provided to Council accompanied by a planning proposal and all supporting documentation. Within seven (7) days of submitting a request, you will be notified if the planning proposal has met the adequacy assessment. Council will issue an invoice for fees following the adequacy assessment.

## PART A

### Council Reference Number

### Property Details

A list of properties may also be provided with this form.

Unit/Street Numbers	Street Name	Suburb	Lot Number	DP/SP	Owner
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### What is the proposed amendment?

Describe the proposed amendment (i.e. zoning, lot size, height of buildings, additional permitted use etc.).

## Applicant Details and Fee Agreement

First Name

Family Name

Company/Organisation/Agency

Position

Address

Postcode

Email

Phone

Mobile

### Applicant's Signature

Date (DD/MM/YYYY)

- I declare that the information given in this request is true and correct. I also understand that, if incomplete, the request may be delayed or rejected. I understand that payment of fees may not result in the desired outcomes. I understand that timeframes cannot be guaranteed in any way.
- I authorise the use of all documents associated with the planning proposal for the purposes complying with Council's obligations under the *Environmental Planning and Assessment Act 1979*, *Local Government Act 1993* and Council's Notification and Advertising Policy.
- I am authorised by the copyright holder of all documents submitted with the planning proposal to provide the documents to Council. In doing so, I understand and the copyright holder acknowledges that Council may use the documents for public inspection at Council's Administration Building and on Council's Website throughout the assessment and during the public exhibition process.
- I agree to pay the Rezoning and Reclassification Fees in accordance with the Port Stephens Council Schedule of Fees and Charges (in place as at the date that payment falls due) for the costs and expenses incurred by Council for undertaking studies and other matters required in relation to this planning proposal, and as set out above.
- I agree to notify Council if the land is sold.
- I understand and agree that this fee agreement is legally binding and enforceable even if the land is sold.
- I/we understand that the party/ies making this request have agreed for that all communication regarding the application will be through the nominated applicant.

**Note:** If you no longer wish to progress an amendment as the applicant, outstanding fees under this fee agreement remain payable unless a new applicant enters into a new fee agreement with Council to progress the amendment.

## Probity

Is the applicant or owner a staff member, councillor or contractor of Port Stephens Council or is the applicant or owner related to someone who is a staff member, councillor or contractor of Port Stephens Council?

No

Yes - please state relationship

## Political Gifts and Donations

Have you, or any person with a financial interest in this application, made a political donation or gift (greater than \$1,000) in the previous two years?

No

Yes - please submit a **Statement of Disclosure of Political Donations and Gifts form** with your application.

## Information

- One hard copy and one electronic copy (USB, CD or email) of the planning proposal prepared in accordance with the NSW Department of Planning Industry and Environment's guidelines ([Planning Proposals - A guide to preparing planning proposals](#)).
- A cover letter addressing any pre-lodgement matters and outlining supportive documents.
- Stage 1 Rezoning and Reclassification Fees in accordance with the Port Stephens Council Schedule of Fees and Charges (in place as at the date that payment falls due).

## Privacy

The information provided may contain personal information defined under the *Privacy and Personal Information Protection Act 1998* (NSW). The purpose of collecting this information is to enable Council to consider matters under related legislation, issue related documentation where required, and will be utilised by Council officers in assessing the proposal. The information may also be made publicly available to other persons in accordance with the relevant Acts and Regulations, such as the *Government Information (Public Access) Act 2009* (NSW) and will be stored in Council's record management system. Council will display plans and reports (which may be subject to copyright law) on Council's Website for the required exhibition period. Following this period, plans and reports may be inspected at Council's Administration Building. No personal information will be displayed.



**PORT STEPHENS**  
COUNCIL

116 Adelaide Street | PO Box 42  
Raymond Terrace NSW 2324  
[council@portstephens.nsw.gov.au](mailto:council@portstephens.nsw.gov.au)  
02 4988 0255

**PORTSTEPHENS.NSW.GOV.AU**