



## PLANNING PROPOSAL

LOT 40 DP 1153400  
183 OLD STATION ROAD  
VERGES CREEK EAST KEMPSEY

Mrs Violet Brady

December 2019

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This planning proposal has been undertaken with skill, care and diligence by the staff of GEM Planning Project Pty Ltd. This assessment is based on information provided by the client, third party sources and investigations by GEM Planning Projects Pty Ltd. Independent verification of the documents relied upon has not been undertaken.

GEM Planning Projects disclaims any responsibility to the client and others in respect of any matters outside the scope of this report.

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A handwritten signature in black ink, appearing to read 'G Haigh', with a stylized, cursive script.

Geraldine Haigh  
GEM Planning Projects Pty Ltd  
Date: ...18 December 2019..... Ref: 145 Brady

## 1. SUBJECT SITE

The subject land is known as 183 Old Station Road, Verges Creek East Kempsey (Lot 40 DP 1153400). It is located approximately 3 km north east of the Kempsey CBD. The area is characterized by rural and rural residential holdings.

The subject land has a total area of 44.66ha with sealed road frontage to Old Station Road. There are two (2) existing dwellings and ancillary farm structures. The land is used for cattle grazing and small plot agriculture.



**Figure 1** Locality



*Figure 2 Aerial View (source: sixmap)*

Pursuant to the provisions of Kempsey Local Environmental Plan 2013 the subject land is presently zoned Part RU1 Primary Production and Part RU2 Rural Landscape.

The land RU2 zoned land is identified within the Kempsey Shire Council Rural Residential Land Release Strategy (dated December 2014) as potential rural residential land supply, subject to further detailed investigations.

The existing dwellings on the land are located at the front, south -western part of the property and are located approximately 250 m apart. Both dwellings are long standing and have relevant approvals in place.

## **2. PLANNING PROPOSAL**

### **2.1 PART 1: Objectives or Intended Outcomes**

The intended outcome of the planning proposal is to facilitate a subdivision of Lot 40 DP 1153400 into 1 x 2ha rural residential allotment containing an existing dwelling and residue lot containing a second existing dwelling. A concept plan demonstrating the intended outcome for the subject land is provided at **Appendix A**.

### **2.2 PART 2: Explanation of Provisions**

The intended outcome would be best facilitated by amendment to the Kempsey Local Environmental Plan 2013 Minimum Lot Size map in the vicinity of the front dwelling and retention of the 40 ha minimum lot size mapping over the residue land.

The 2 ha minimum lot size is coded Z1 under Kempsey Local Environmental Plan 2013 mapping. It is proposed to apply this mapping to the south west corner of the land, encompassing an existing dwelling and substantial curtilage.

Lot 40 is approximately 46.02 ha in area and excision of the 2 ha rural residential lot at the front would leave more than 40ha available for the residue parcel.

### **2.3 PART 3: Justification**

The location and dimension of the proposed 2 ha lot minimum lot size mapping has been considered in the context of existing buildings and access. Its position in the front corner of the land is such that any future planning proposal and investigations to convert the land to R5 Large Lot Residential remains achievable.

The owner of the land is not in a position to progress investigations for rezoning the land to R5 Large Lot Residential as identified in the Rural Residential Strategy.

The proposed 2 ha lot is consistent with the rural residential character of the area and the desired future character under the Kempsey Council Local Growth Management Strategy.

#### **Section A: Need for the Planning Proposal**

##### **2.3.1 Is the planning proposal a result of any strategic study or report?**

The strategic study "Shire of Kempsey Background report for Rural Residential Land Use Strategy" directly informed the adopted Council's Local Growth Management Strategy. The planning proposal is consistent with council's local growth strategy as discussed below.

## **Section B: Relationship to Strategic Planning Framework**

### **2.3.2 Is the planning proposal consistent with the objectives and actions of the applicable regional or sub-regional strategy?**

#### **(i) North Coast Regional Plan 2036**

The North Coast Regional Plan 2036 is the applicable regional strategy. Action 24 applies to this planning proposal. The planning proposal is consistent with the Regional Plan in that:

- The subject land is identified in Council's local growth management strategy for rural residential land release, endorsed by the Department of Planning and Environment; and

### **2.3.3 Is the planning proposal consistent with a council's local strategy or other local strategic plan?**

#### **(i) Local Strategy**

The applicable local strategy is the Kempsey Shire Rural Residential Land Release Strategy (Rural Res Strategy).

Kempsey Shire Rural Residential Land Release Strategy dated December 2014 identified this land as part of the Verges Creek rural residential release area as shown in Map 15 below.

The Verges Creek release area is part of the Stage 1 implementation phase of Kempsey Local Growth Management Strategy – Rural Residential Component.

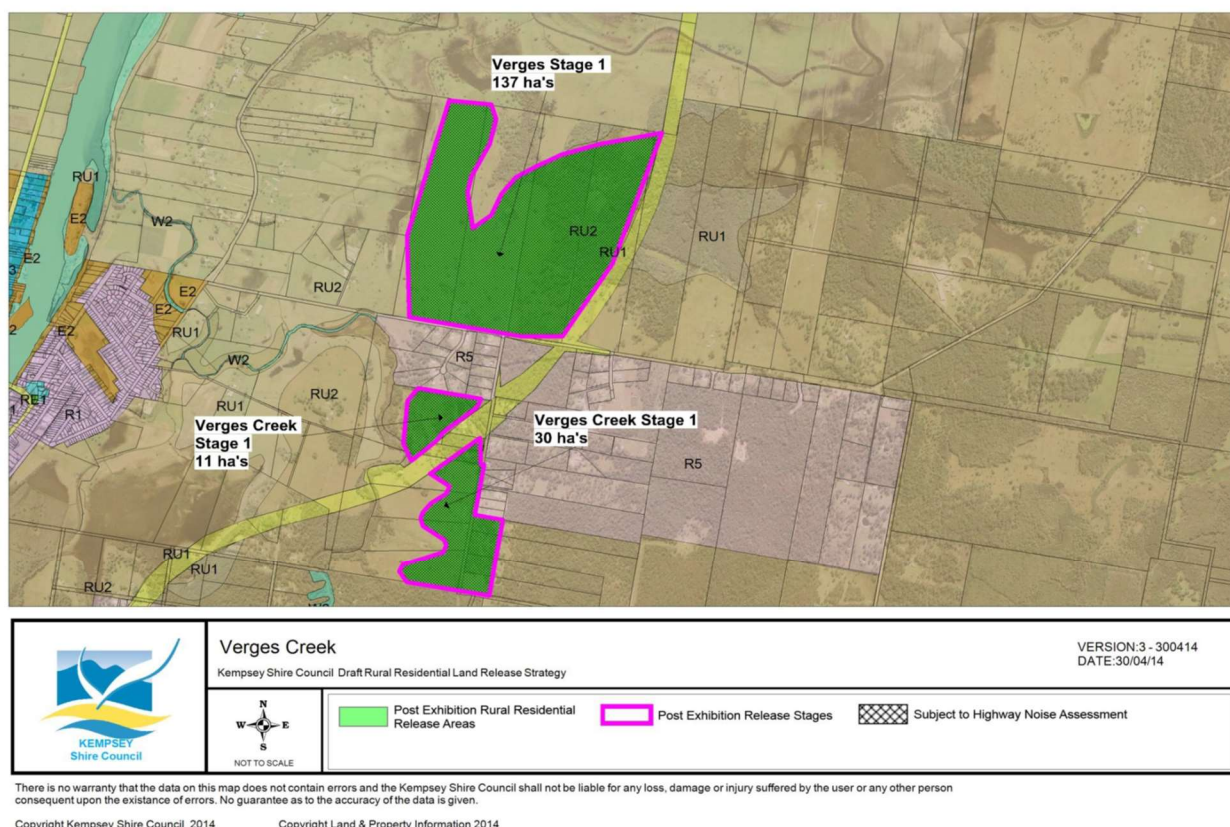
The planning proposal is consistent with the strategic intent for this area, as rural residential lots and the timing of the amendment is appropriate within the strategy implementation plan

#### **(ii) Strategic Merit and S9.1 Directions**

The merits of the proposal when considered against S9.1 Directions are addressed in the appendices to this planning proposal.

The proposal for 1 x 2ha lot at the front corner of the land allows for the remainder of the land to be considered in the future for rezoning to the R5 Large Lot Residential zone and does not hinder or obstruct that further opportunity in that the residual land .





**Figure 3 Extract Kempsey LGMS Map 15**

Issues identified in the Local Strategy as relevant to the preparation of Planning Proposals for the Verges Creek release area include:

- Impacts of noise from the Pacific Highway
- The means of rationalising access to facilitate an efficient pattern of subdivision
- Class 5 Acid Sulphate Soils
- Primary and Class 2A and 2B Koala habitat
- Partly bushfire prone land

The intended outcome for the site addressing the constraints identified above is provided at **Appendix A**.

The planning proposal is confined to the front of the subject land applying to existing developed dwelling and curtilage, existing clearing, existing on site sewerage management treatment system, utility services and access. As such, no specialist site capacity reports are considered necessary.

Should a future planning proposal seek to rezone the residual land to R5 Large Lot Residential, then comprehensive environmental and technical assessment would be required.

### Potential noise from Pacific Highway

The Kempsey By-pass is located East of the subject land. Both existing dwellings are located over 300m to the west of the Pacific Highway. The Operational Noise Report for the Highway upgrade modelled current and future noise impacts up to 300m from the new highway alignment.

The Noise Goals for receivers subject to new road traffic noise as a result of the Bypass projects are identified as **Daytime** 7am to 10 pm LAeq 55dBA and 50 dBA **Nighttime** 10pm to 7am with dwellings being eligible for acoustic treatment if there is a resulting increase in existing noise by more than 0.5dBA.

In relation to the planning proposal site, the Operational Noise Report (ONR) modelled noise in this location shows that the noise goals would not be exceeded at the subject dwellings. Further, to validate the noise modelling on site noise monitoring at selected sites was completed under the ONR, including one of the dwellings on the subject land.

The following extract (Figure 5) shows the closest section of the Highway Bypass to the land subject to this planning proposal and that both existing dwellings are outside the modelled noise contours for 50dBA and 55 dBA.

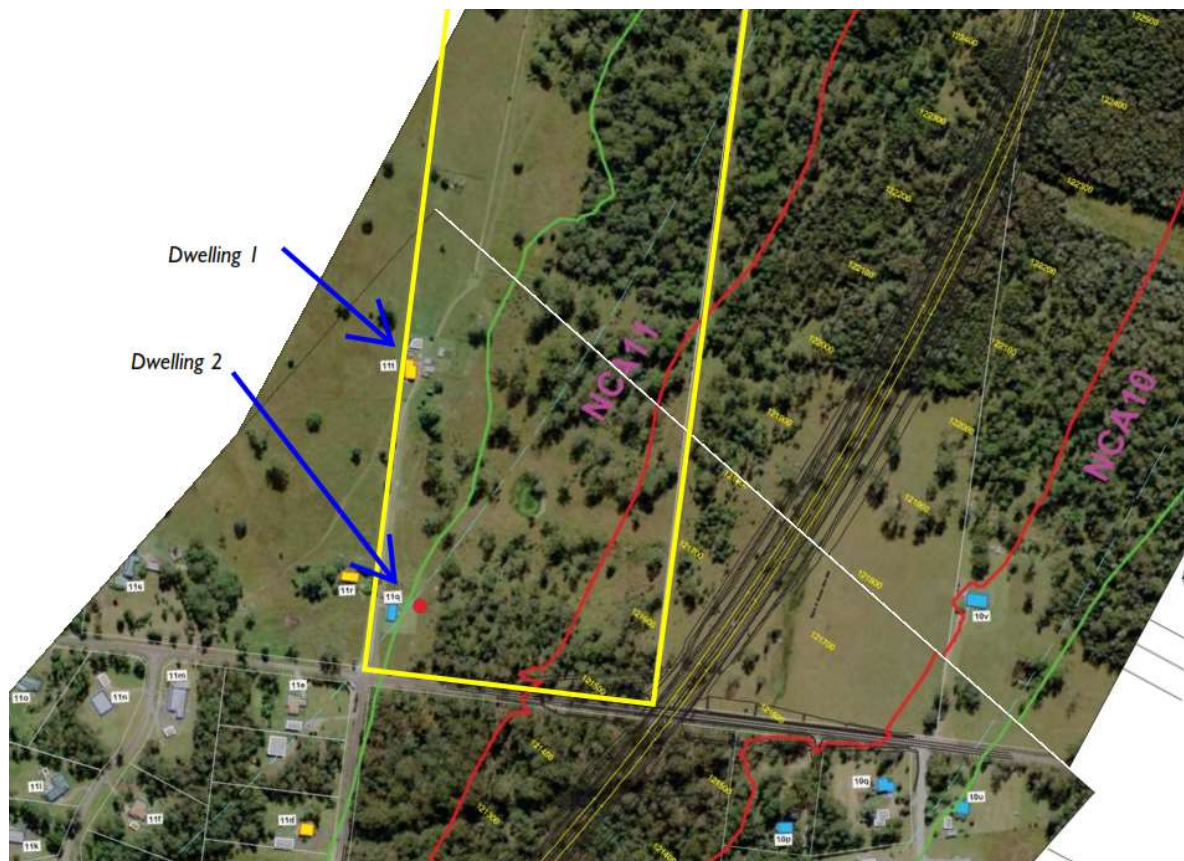


Figure 4 Extract Kempsey Bypass Post Construction Operational Noise Report

Key highlighted extracts from the ONR are provided at **Appendix B** of the planning proposal.

### **Access**

The proposal retains existing driveway entrance for the existing dwellings. A right of carriageway is proposed to continue shared access over the front lot to Dwelling 1 on the rear residual lot, in addition to the residual lot having substantial frontage to Verges Creek Road.

### **Road network capacity**

The proposal subdivision would not increase traffic as the dwellings are existing and no additional dwelling entitlements would be generated.

### **Acid Sulphate Soils**

The majority of the site is mapped as Class 5 Acid Sulphate Soils with the northern edge Class 3 acid Sulphate Soils. The provisions of Council's LEP clause would continue to apply to the land. The management of Acid Sulphate Soils is addressed under the relevant S9.1 provision.

### **Bushfire**

The intended outcome of the planning proposal is to subdivide a rural residential lot containing an existing dwelling. The intended outcome includes maintaining the existing curtilage and managed lands around both dwellings, within the new lot boundaries. Examination of aerial photography (Figure 5 below) shows substantial areas of managed land surrounding each dwelling, such that compliance with Planning for Bushfire Guidelines 2018 is considered feasible. At such time as a future subdivision application is lodged, a formal bushfire hazard assessment would be submitted demonstrating compliance with Planning for Bushfire Guidelines 2018.

### **Cultural Heritage**

An AHIMS search for the Lot/DP with 200m buffer gave no result. A copy of the search result is provided at **Appendix C**. It is anticipated that consultation with the Local Aboriginal Community associated with this locality would be required as part of the Gateway process.

### **Koala Habitat**

The subject land is mapped as part Secondary Class A & Class B, with some areas of Unknown Koala Habitat. The planning proposal to enable subdivision of a 2ha lot around an existing dwelling does not necessitate the removal of any additional vegetation. As such the provisions of the Kempsey Comprehensive Koala Plan of Management are not triggered by the proposal.

### **Onsite Waste-Water Management**

The existing Onsite Sewage Management Systems operate with Council approval and would be contained well within the boundaries of the proposed future lot for Dwelling 2.





*Figure 5 Existing clearings and managed land around dwellings*

### Stormwater

The land area around Dwelling 2 is proposed at 2 ha and contains suitable land area to accommodate stormwater capture, re-use and release within the site boundaries. The existing driveway stormwater is conveyed by grassed dish drains and no change to this system is proposed or necessary.

### Infrastructure

The site is already serviced by sealed public road, electricity, telecommunications and reticulated water supply.

#### 2.3.4 Is the planning proposal the best means of achieving the objectives or intended outcomes?

Yes – there is no other mechanism available to achieve the objective of excising a 2 ha lot around the existing Dwelling 2 at the front of the site. The Kempsey LEP 2013 Clause 4.6 Variation of Development Standards cannot be applied to the 40ha minimum lot size beyond a 10% variation.

Options for giving effect to proposal include rezoning the front of the land R5 Large Lot residential as well as amending the minimum lot size map. However, Council staff have considered the matter and believe amendment to the minimum lot size map only is preferable, leaving the wider investigation and analysis to support introduction of the R5 Large Lot residential zone to a later time, when the whole of the land can be investigated and detailed environmental studies completed.

At this juncture the elderly landowner is not in a position to pursue the larger site investigations and environmental studies.

#### (iii) 9.1 Directions

Of the current Section 9.1 Directions the following are directly relevant to the proposal and/or the subject land and require specific comment.

- 9.1 Direction No. 1.2 Rural Zones
- 9.1 Direction No. 1.5 Rural Lands
- 9.1 Direction No. 3.1 Residential Zones
- 9.1 Direction No. 3.4 Integrating Land Use and Transport
- 9.1 Direction No. 4.1 Acid Sulphate Soils
- 9.1 Direction No. 4.3 Flood Prone Lands
- 9.1 Direction No. 4.3 Planning for Bushfire Protection
- 9.1 Direction No. 5.1 Implementation of Regional Strategies
- 9.1 Direction No. 6.1 Approval and Referral Requirements
- 9.1 Direction No. 6.3 Site Specific Provisions

The table at **Appendix D** provides a summary of the relevant S 9.1 directions and where relevant addresses any inconsistencies.

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a. *Does the proposal have site-specific merit and is it compatible with the surrounding land uses, having regard to the following:*

- *The natural environment (including known significant environmental values, resources or hazards)*
- *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.*

**Yes** – As discussed in Section 2.3.3 above.

The natural environment of the site is not impacted by the proposal as it seeks to excise an existing dwelling and established curtilage onto a separate lot.

The existing and approved uses of the land would not change and the planning proposal will enable formalisation of land title and ownership arrangements associated with the existing dwellings.

Services and infrastructure are available to the land and no additional demands on service and supply capacity are anticipated.

### **2.3.5 Is the planning proposal consistent with council's local strategy or other local strategic plans?**

Yes – as discussed above.

### **2.3.6 Is the planning proposal consistent with applicable State Environmental Planning Policies?**

Yes - The proposal is consistent with or justifiable as inconsistent with the relevant State Environmental Planning Policies. Refer to **Appendix E** for discussion of the relevant policies.

## **Section C: Environmental, Social and Economic Impact**

### **2.3.7 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?**

**No** – The proposal is to enable creation of separate 2 ha rural residential allotment around an existing dwelling. No vegetation would need to be removed.

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

No matters additional to those addressed in Section 2.33 above.

### **2.3.9 Has the planning proposal adequately addressed any social and economic effects?**

No additional social or economic impacts. The proposal is not creating any additional housing.

## **Section D: State and Commonwealth Interests**

### **2.3.10 Is there adequate public infrastructure for the planning proposal?**

Public infrastructure is in place as part of the existing rural lifestyle areas adjacent to the south.

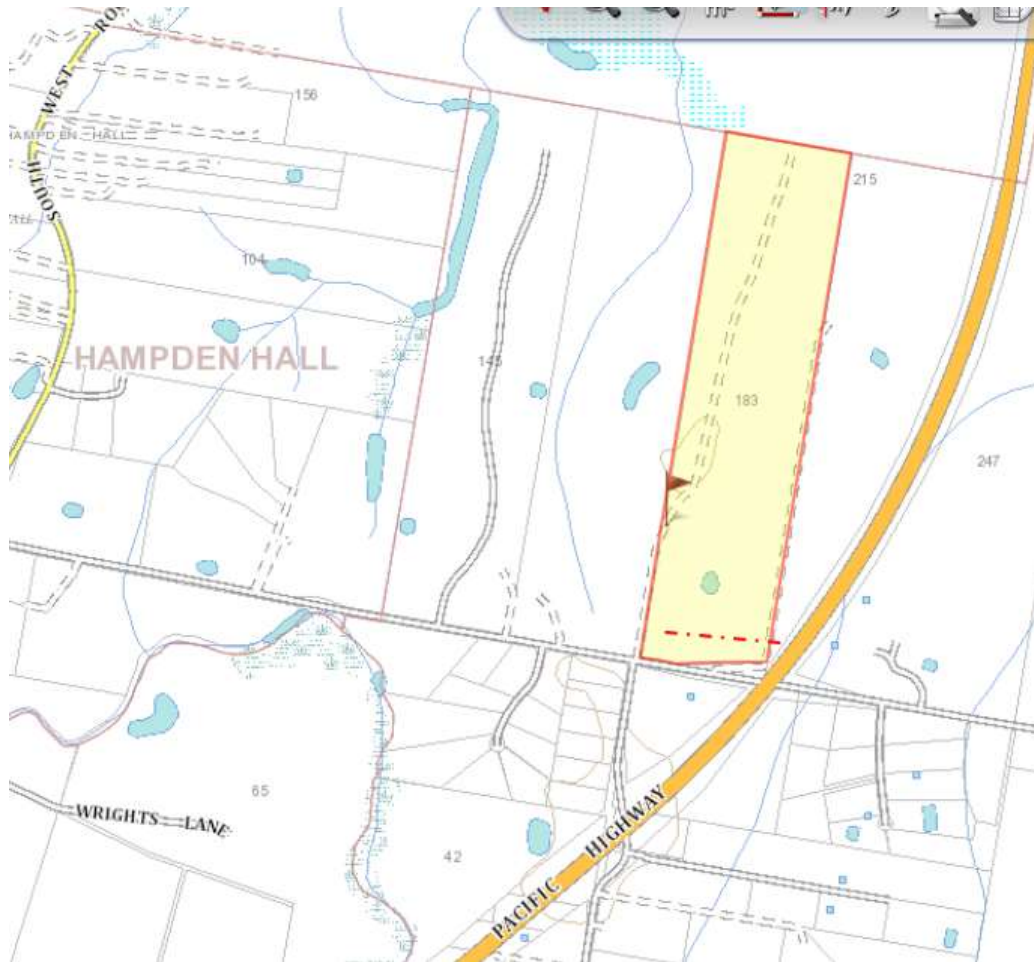
### **2.3.11 What are the views of state and Commonwealth public authorities consulted in accordance with the Gateway determination?**

This section is completed following consultation with the State and Commonwealth authorities should the Director General determine to proceed with the Planning Proposal and identifies which authorities are to be consulted with.

## 2.4 Part 4: Mapping

### 2.4.1 The land subject to the planning proposal

2.5



**Figure 6** Lot 40 DP1153400 No 183 Old Station Rd Verges Creek



### 2.4.2 Current minimum lot size

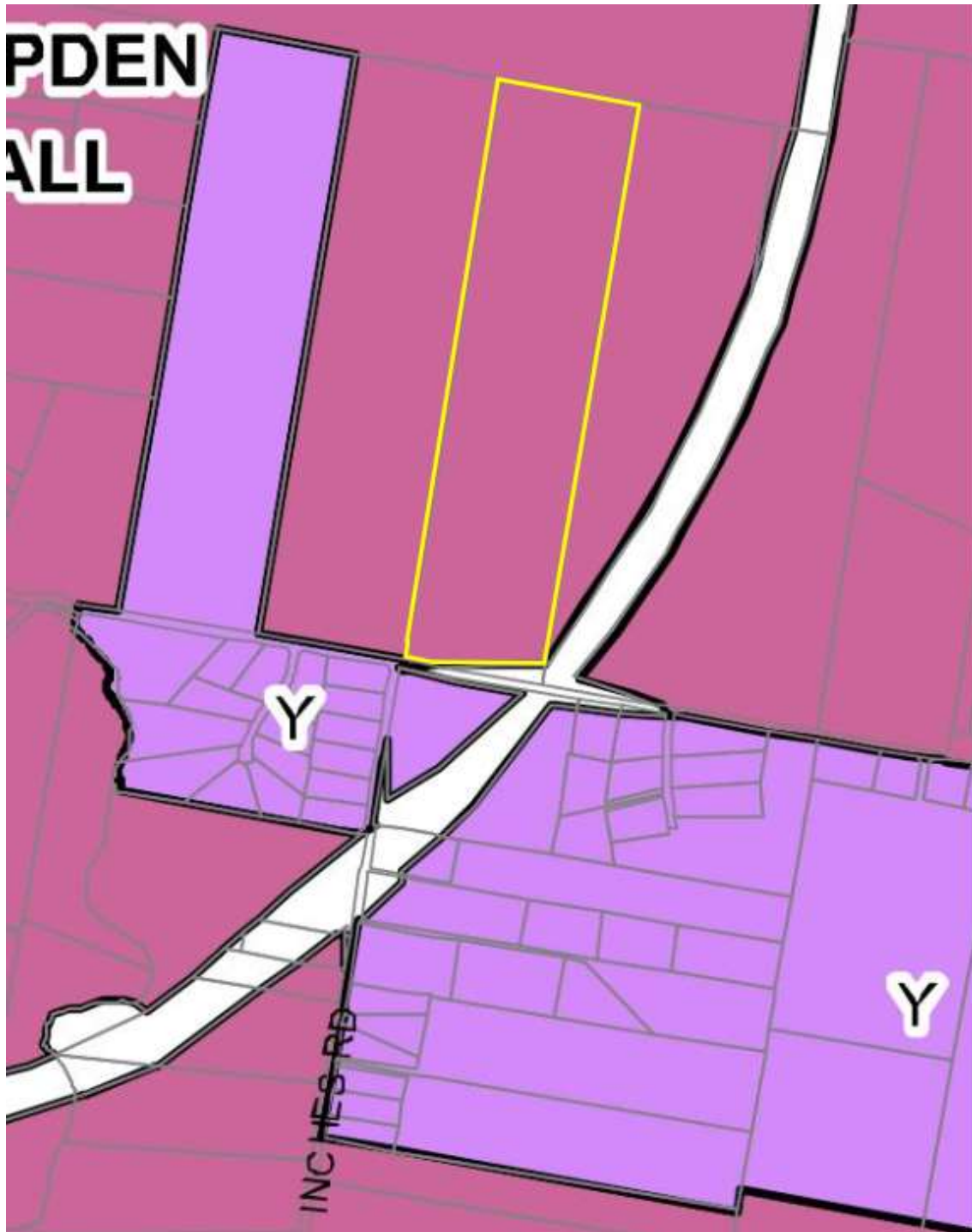
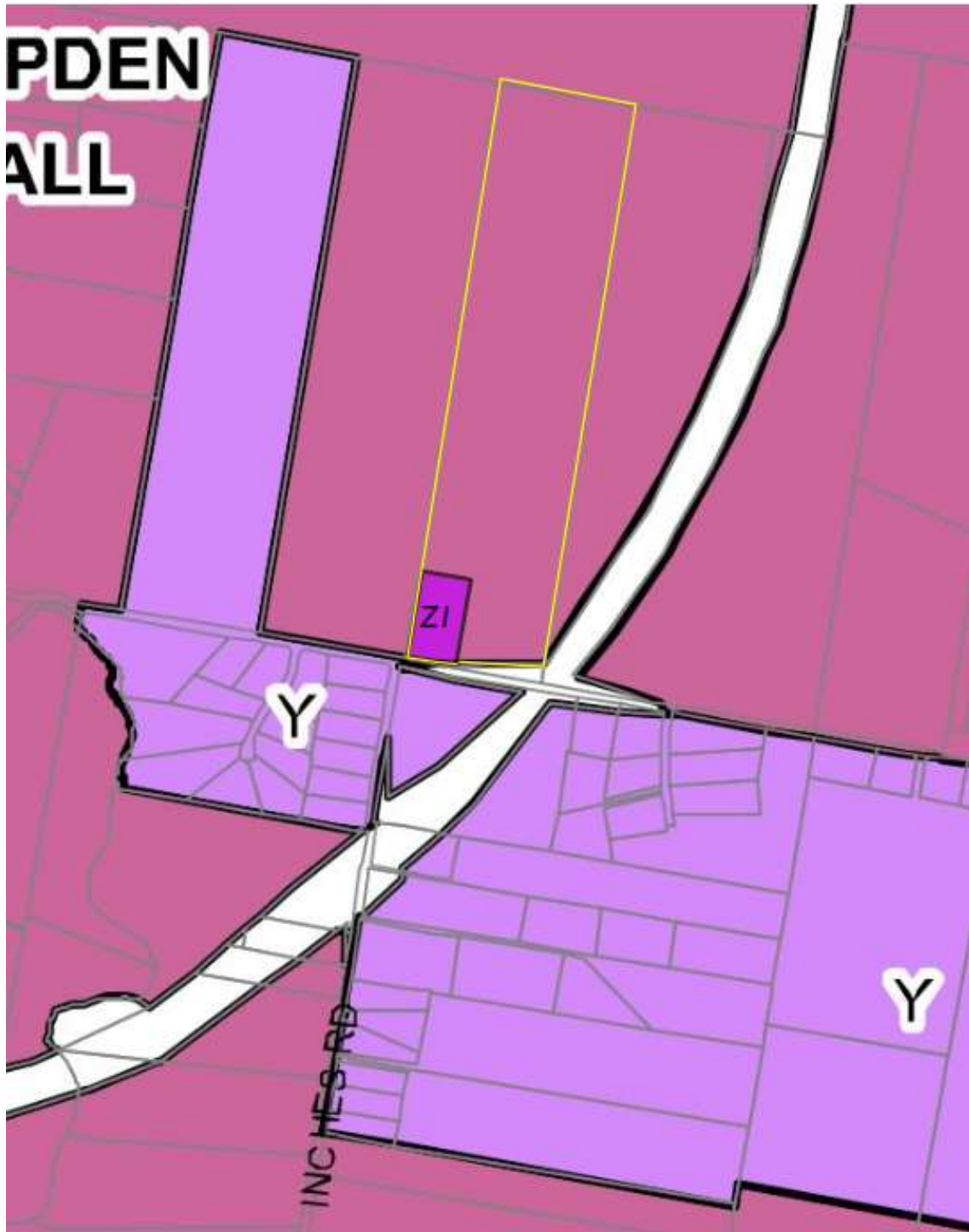


Figure 7 Current Minimum Lot Size mapping 40ha



*Figure 8 Proposed Minimum Lot Size map – 2ha on part Lot 40 DP 1153400*

## 2.6 PART 5: Community Consultation

Community Consultation will be undertaken in accordance with any conditions specified in the Gateway Determination and Kempsey Shire Council's Rezoning Policy & Procedure 1.1.9, Section 3 Public Notification and Consultation.

## 2.7 Part 6: Project Timeline

The project is to be completed in accordance with the preliminary timeline below:

LEP Amendment Steps	Estimated Project Timing
Submit Planning Proposal to DP& E	
Receive Gateway Determination	
Preparation of additional studies/planning proposal inclusions *	
Authority consultation pre exhibition	
Preparation of materials for public exhibition & authority consultation	
Review and consideration of submissions	
Council report preparation	
Public submission report and draft LEP amendment to Council for adoption	
Submission to the department to finalise the LEP	

\* If required ^ If delegated

## 3. Conclusion

We submit this development application for Council consideration and should any further information be required, please do not hesitate contact the undersigned as soon as possible.

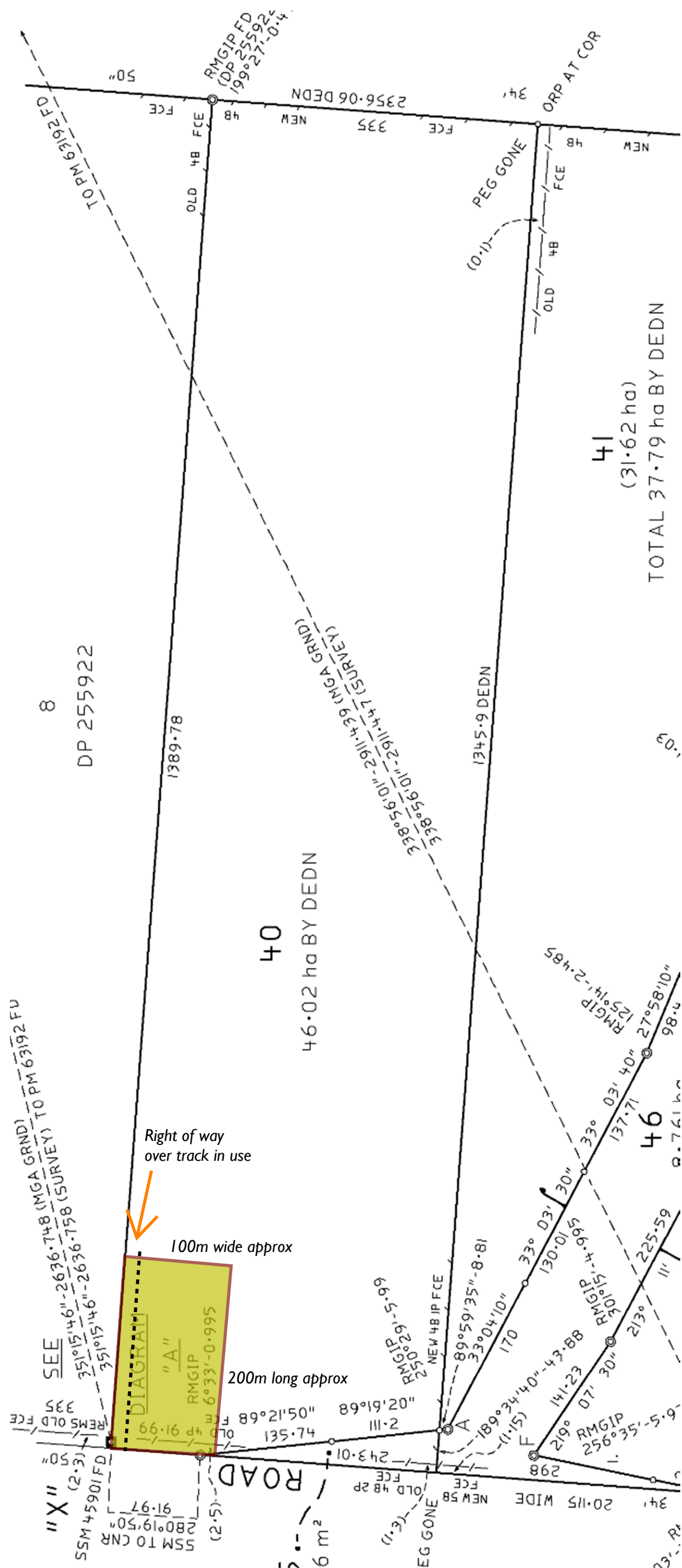
Yours faithfully



Geraldine Haigh  
Director & Senior Planner  
GEM Planning Projects

0439 836 711 Geraldine@ gemplanningprojects.com.au

## **APPENDIX A – INTENDED OUTCOME PLAN**





## **APPENDIX B – EXTRACT**

### **KEMPSEY HIGHWAY BY-PASS OPERATIONAL NOISE REPORT**

**Table 16 Adjusted Predicted versus Measured Noise Levels – Year 2013**

Receiver ID <sup>1</sup>	Address	Noise Level (dBA)					
		Measured (dBA)		Predicted (dBA)		Difference <sup>2</sup> (dB)	
		L <sub>Aeq</sub> (15h)	L <sub>Aeq</sub> (9h)	L <sub>Aeq</sub> (15h)	L <sub>Aeq</sub> (9h)	L <sub>Aeq</sub> (15h)	L <sub>Aeq</sub> (9h)
1a*	600 Pacific Highway , South Kempsey	63	59	63	60	0	-1
1c*	554A Pacific Highway, South Kempsey (front)	59	57	61	59	-2	-2
	554A Pacific Highway, South Kempsey (back)	54	53	-	-	-	-
3b*	487 Pacific Highway, South Kempsey	56	54	56	54	0	0
3d*	477 Pacific Highway, South Kempsey	53	52	56	54	-3	-2
3g*	27 Shannon Close, South Kempsey	57	56	59	57	-2	-1
4b*	The Mountain Nursery, South Kempsey	51	47	51	50	0	-3
6e#	7 Bruces Lane, South Kempsey	50	48	51	49	-1	-1
6q	40 Bruces Lane, South Kempsey	51	45	-	43	-	2
7d*	19 Bingis Lane , South Kempsey	57	56	57	55	0	1
7t	165 Crescent Head Road, South Kempsey	51	48	-	46	-	2
8e	73 Bruces Lane, South Kempsey	52	48	51	50	1	-2
8l#	141 Blairs Lane, East Kempsey	53	51	52	51	1	0
9b	18 Lyall Lane, South Kempsey	51	49	49	47	2	2
10c*	110 Inches Road, Verges Creek	52	53	-	-	-	-
10g	85 Inches Road, Verges Creek	54	54	53	52	1	2
10k#	74 Inches Road, Verges Creek	56	56	60	58	-4	-2
10o*	18 Gorman Lane, Verges Creek	54	54	53	52	1	2
11h	29 Belle Rio Close, Verges Creek	50	47	48	46	2	1
11q	183 Old Station Road, Verges Creek	49	48	51	50	-2	-2
12a*	595 South West Rocks Road, Bellimbopinni	55	55	-	-	-	-
14b	852 Pacific Highway Frederickton	49	50	50	48	-1	2
15a*	35 Lawson Street, Frederickton	51	49	50	48	1	1
15i#	781 Pacific Highway, Frederickton	57	53	-	-	-	-
16a*	888 Pacific Highway, Bellimbopinni	66	66	69	67	-3	-1
Average Difference						0	0

Note 1: \* indicates properties that have been offered noise mitigation treatments  
# indicates property owned by RMS and identified for future treatments  
- indicates excluded from validation process for reasons discussed in **Section 9.3**.

Note 2: Difference is Measured minus Predicted. A positive difference indicates that the measured level of road traffic noise is higher than the model prediction, a negative difference indicates the measured level is less than predicted level (ie the model is over predicting the impacts).

The revised predictions for the Year 1 As-Built 2013 situation in **Table 16** indicate that the difference between the measured and predicted levels is within the acceptable range of +2 dB at all locations where direct comparison of measured and predicted road traffic noise is possible.

It is concluded that (with the +1 dB adjustment to the tyned concrete pavement noise emissions) the model is valid for use to review the noise mitigation design for the 2024 Future *Design* scenario.



## **APPENDIX C – AHIMS**

GEM Planning Projects Pty Ltd

Date: 17 December 2019

P O Box 2068

Port Macquarie New South Wales 2444

Attention: Geraldine Haigh

Email: geraldine@gemplanningprojects.com.au

Dear Sir or Madam:

**AHIMS Web Service search for the following area at Lot : 40, DP:DP1153400 with a Buffer of 200 meters,  
conducted by Geraldine Haigh on 17 December 2019.**

The context area of your search is shown in the map below. Please note that the map does not accurately display the exact boundaries of the search as defined in the paragraph above. The map is to be used for general reference purposes only.



A search of the Office of the Environment and Heritage AHIMS Web Services (Aboriginal Heritage Information Management System) has shown that:

0	Aboriginal sites are recorded in or near the above location.
0	Aboriginal places have been declared in or near the above location. *

**If your search shows Aboriginal sites or places what should you do?**

- You must do an extensive search if AHIMS has shown that there are Aboriginal sites or places recorded in the search area.
- If you are checking AHIMS as a part of your due diligence, refer to the next steps of the Due Diligence Code of practice.
- You can get further information about Aboriginal places by looking at the gazettal notice that declared it. Aboriginal places gazetted after 2001 are available on the [NSW Government Gazette \(http://www.nsw.gov.au/gazette\)](http://www.nsw.gov.au/gazette) website. Gazettal notices published prior to 2001 can be obtained from Office of Environment and Heritage's Aboriginal Heritage Information Unit upon request

**Important information about your AHIMS search**

- The information derived from the AHIMS search is only to be used for the purpose for which it was requested. It is not to be made available to the public.
- AHIMS records information about Aboriginal sites that have been provided to Office of Environment and Heritage and Aboriginal places that have been declared by the Minister;
- Information recorded on AHIMS may vary in its accuracy and may not be up to date. Location details are recorded as grid references and it is important to note that there may be errors or omissions in these recordings,
- Some parts of New South Wales have not been investigated in detail and there may be fewer records of Aboriginal sites in those areas. These areas may contain Aboriginal sites which are not recorded on AHIMS.
- Aboriginal objects are protected under the National Parks and Wildlife Act 1974 even if they are not recorded as a site on AHIMS.
- This search can form part of your due diligence and remains valid for 12 months.

## **APPENDIX D – SECTION 9.1 DIRECTIONS BY THE MINISTER**

## Table of Relevant 9.1 Directives

Directive	Key requirement	Complies or Justification
<b>1.2 Rural Zones</b> Issued 1 July 2009	To protect the agricultural production value of rural land.	<b>Inconsistent.</b> The planning proposal is justified as it meets clauses (5) (a) & (d) of the Directive being: (a) Justified by a strategy (d) is of minor significance. Noting that the area of land the subject of the planning proposal is zoned RU2 Rural Landscape and is not a prime agricultural production zone.
<b>1.5 Rural Lands</b> Issued 1 July 2009	To protect the agricultural production value of rural land and facilitate the orderly and economic development of rural land.	<b>Inconsistent.</b> As above - relevant clauses (6)(a) & (b). The proposal is justified by a local strategy and is of minor significance.
<b>2.2 Coastal Management</b>	To protect and manage coastal areas of NSW	<b>Consistent</b> The planning proposal does not alter or remove the Coastal SEPP provisions. The land is not mapped as coastal vulnerability, coastal wetlands, littoral rainforests, coastal environment nor coastal use area. Nor is it an area affected by current or future coastal hazard.
<b>2.3 Heritage conservation</b>	To conserve items, area, objects and places of environmental heritage and indigenous heritage significance.	<b>Consistent</b> The planning proposal does not impact upon any known heritage item.
<b>4.1 Acid Sulphate Soils</b>	To avoid significant adverse environmental impacts	<b>Consistent</b> That part of the land subject to the planning proposal is identified as Class 5 potential ASS and the intended outcome is such that it is a minor matter and would not result in a "significant adverse environmental impact". The standard instrument provisions for addressing Acid Sulphate Soils would continue to apply under Kempsey LEP 2013.
<b>4.3 Flood prone land</b>	To ensure development of flood prone land is consistent with NSW Govt policy and commensurate with the flood hazard.	<b>Inconsistent</b> That part of the subject land proposed to amend the minimum lot size map is not subject to flooding.
<b>4.4 Planning for Bushfire Protection</b>	To protect life, property and the environment from bushfire hazards and to encourage sound management of bush fire prone areas	<b>Consistent</b> The planning proposal will be referred to the NSW Rural Fire Service for consultation. The existing dwellings each are located within level open clearings of managed grassland both within their immediate curtilage and beyond. The intended outcome is for a single 2 ha rural residential lot containing the front dwelling and the residue lot with the remaining dwelling. A bushfire hazard assessment would be required at subdivision stage to obtain a S100b authority.
<b>5.10 Implementation of Regional Plans</b>	To give legal effect to the vision, land use strategy, goals, directions and actions contained in Regional Plan	<b>Consistent</b> The planning proposal is consistent with the principles of the North Coast 2036 Regional Plan as supported by the Kempsey Rural Residential Land release strategy.

<b>6.1 Approval and Referral Requirements</b>	To ensure the LEP provisions encourage efficient and appropriate assessment	<b>Consistent.</b>  The planning proposal does not introduce any additional consultation or concurrence requirements.

## **APPENDIX E – STATE ENVIRONMENTAL PLANNING POLICIES**

No.	State Environmental Planning Policy	Aims of Policy	Consistency
1	Development Standards	The Policy provides flexibility in the application of planning controls	<b>Not applicable.</b> SEPP 1 does not apply to land under Kempsey LEP 2013
33	Hazardous & Offensive Development	Seeks to provide clarify the definition of hazardous industries and to ensure that the consent authority has sufficient information to assess whether the development is hazardous or offensive	<b>Consistent/Not applicable.</b> The planning proposal will not facilitate any hazardous or offensive industries.
44	Koala Habitat Protection	The Policy aims to encourage the proper conservation and management of areas of natural vegetation that provide habitat for koalas to ensure a permanent free-living population over their present range and reverse the current trend of koala population decline	<b>Consistent/Not applicable.</b> The proposal does not involve any additional clearing or development. The existing dwellings and their curtilage are considered adequate to achieve the intended outcome without removal of Koala food tree species.
55	Remediation of Land	The object of this Policy is to provide for a State wide planning approach to the remediation of contaminated land.	<b>Consistent/Not applicable.</b> The proposal does not involve any remediation of contaminated land.
62	Sustainable Aquaculture	Seeks to encourage sustainable aquaculture, including sustainable oyster aquaculture, in the State, namely, aquaculture development which uses, conserves and enhances the community's resources so that the total quality of life now and in the future can be preserved and enhanced	<b>Consistent/Not applicable.</b> The planning proposal is not deemed to have any impact on Aquaculture or oyster aquaculture.
64	Advertising and Signage	Policy aims to ensure that signage is compatible with the desired amenity and visual character of an area, and provides effective communication in suitable locations, and is of high quality design and finish	<b>Consistent/Not applicable.</b> The planning proposal makes no additional provisions for advertising and signage.
65	Design Quality of Residential Flat Development	Policy aims to improve the design quality of residential flat development in New South Wales.	<b>Consistent/Not applicable.</b> The planning proposal does not seek to amend the application of the SEPP 65 and the apartment Design Guide.
	SEPP (Affordable Rental Housing) 2009	Policy aims to provide a consistent planning regime for the provision of affordable rental housing, and to facilitate the development of housing for the homeless and other disadvantaged people who may	<b>Consistent/Not applicable</b> The planning proposal does not seek to amend the application of the SEPP Affordable Housing.



		require support services	
	Building Sustainability Index: BASIX 2004	Policy aims to encourage sustainable residential development	<b>Consistent/Not applicable.</b> The planning proposal does not seek to amend the application of the BASIX SEPP on the subject land.
	Coastal Management 2018	Seeks to promote an integrated and co-ordinated approach to land use planning in the coastal zone  For land in proximity to mapped wetlands or littoral rainforest the provisions of the SEPP would apply at development application stage to consider the biophysical, hydrological or ecological integrity of the adjacent coastal wetland or the quantity and quality of surface and ground water flows to and from the adjacent coastal wetland or littoral rainforest.	<b>Consistent/Not applicable.</b> The planning proposal does not impact land mapped as Wetlands or Littoral Rainforest.  The land is not within the Coastal zone
	Exempt and Complying Development Codes 2008	Seeks to provide streamlined assessment process for development that complies with specified development standards.	<b>Consistent/Not applicable.</b> The Planning Proposal does not seek to amend the application of the Codes SEPP on the subject land.
	Housing for Seniors or People with a Disability 2004	This Policy aims to encourage the provision of housing that will increase the supply and diversity of residences that meet the needs of seniors or people with a disability, make efficient use of existing infrastructure and services, and be of good design.	<b>Consistent/Not applicable.</b> The planning proposal does not seek to amend the application of the Seniors Housing SEPP on the subject land.
	Infrastructure 2007	The aim of this policy is to facilitate the effective delivery of infrastructure across the State	<b>Consistent/Not applicable.</b> The planning proposal does not seek to amend the application of the Infrastructure SEPP on the subject land.
	Mining, Petroleum and Extractive Industries 2007	The aims of this Policy are to provide for the proper management and development of mineral, petroleum and extractive material resources for the purpose of promoting the social and economic welfare of the State, and to facilitate the orderly and economic use and development of land containing mineral, petroleum and extractive material resources	<b>Consistent/Not applicable.</b> The Planning Proposal does not seek to amend the application of the Mining SEPP on the land.  The site is not mapped as a regionally significant mineral resource.

	State Environmental Planning Policy (SEPP) Rural Lands 2008	Policy seeks to facilitate the orderly and economic use and development of rural lands for rural and related purposes	<p><b>Justified.</b></p> <p>The planning proposal is seeking to change the minimum lot size for land zoned RU2 Rural Landscape.</p> <p>The land is identified in the Kempsey Local Growth Management Strategy – Rural Residential Component.</p> <p>The intended outcome of the proposal is a 2 ha rural residential allotment containing an existing dwelling. The residual land, being more than 40ha in area would retain an existing dwelling as well.</p>