

13.3 PLANNING PROPOSAL - NEVILLE MORTON DRIVE, CRESCENT HEAD

Officer Peter Orr, Strategic Projects Coordinator
File No KLEP2013-AM-25
Attachments 1. Planning Proposal [13.3.1]

PURPOSE

To consider the following planning proposal for progression to the next stage of the local plan making process.

Proposal: Rezone approximately 12 hectares of land from RU2 – Rural Landscape and E2 - Environmental Conservation to R5 - Large Lot Residential
Location: Lot 3 DP 1164661 Neville Morton Drive, Crescent Head
Proponent: Kempsey Shire Council
Status: Planning proposal lodged

The next stage is to forward the planning proposal to the Minister for Planning for Gateway consideration. The Minister (or delegate) will consider if there is sufficient justification to proceed with the planning proposal and make a Gateway determination.

2018.153 RESOLVED

Moved: Cl. Saul
Seconded: Cl. Williams

- 1 That the planning proposal, which seeks to rezone approximately 12 hectares of land from RU2 – Rural Landscape and E2 - Environmental Conservation to R5 - Large Lot Residential at Lot 3 DP 1164661 Neville Morton Drive, Crescent Head, be submitted to the Minister for Planning for Gateway consideration pursuant to section 3.34 of the Environmental Planning and Assessment Act 1979.
- 2 That the Secretary of the Department of Planning and Environment be requested to issue Council with written authorisation to exercise plan making delegations in relation to this proposal.
- 3 Subject to the Gateway determination, community consultation for the planning proposal be undertaken.

Campbell	F	Hauville	A	McGinn	F	Morris	A
Patterson	F	Saul	F	Shields	F	Williams	F

ISSUES

The land was the subject of an earlier planning proposal (KLEP2013 (Amendment No. 8)) to rezone approximately 12 hectares of land from RU2 - Rural Landscape, E2 - Environmental Conservation and E3 - Environmental Management to R5 - Large Lot Residential. The rezoning and minimum lot size amendments were to facilitate a future 1 into 14 rural residential subdivision at the site.

Inadvertently, the extent and boundaries of the R5 - Large Lot Residential zone and accompanying one hectare minimum lot size land gazetted is insufficient to enable the intended 14-lot rural

residential subdivision (refer to Figure 1 below). An eastward extension of the R5 - Large Lot Residential zone is now proposed to facilitate the intended subdivision layout.

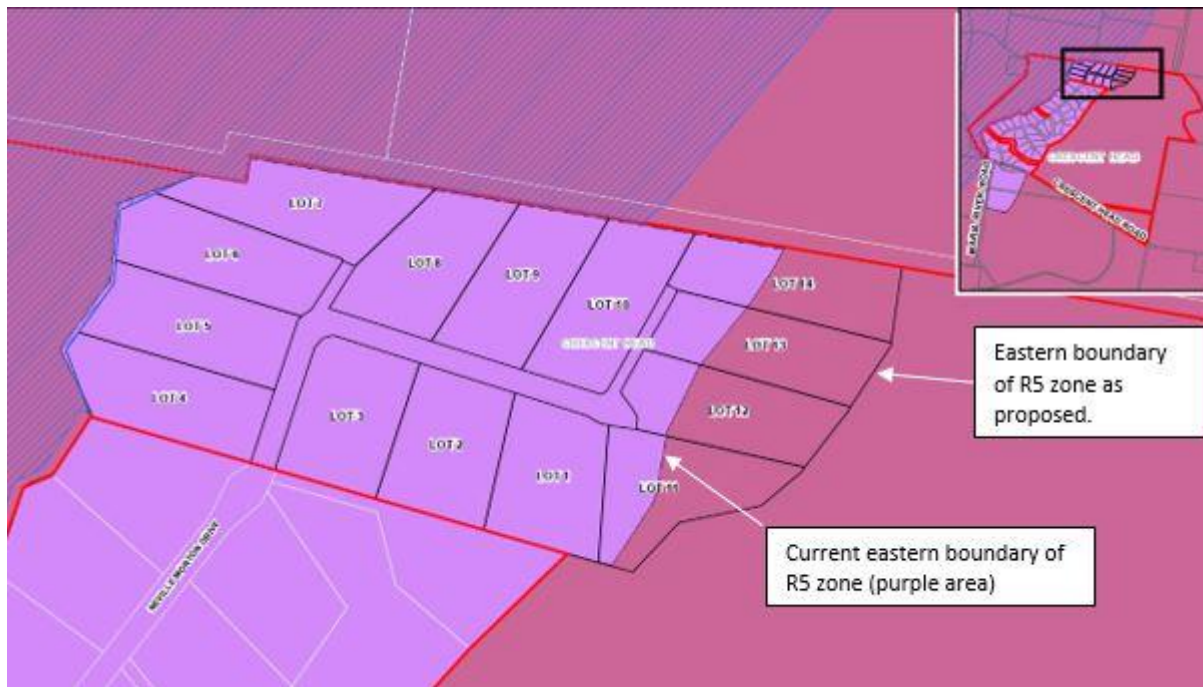


Figure 1. Existing and proposed extent of eastward extension of R5 – Large Lot Residential zone (and 1 ha minimum lot size) footprint

The planning proposal is provided as an attachment (Planning Proposal).

BACKGROUND

Objectives of the Planning Proposal

The intended outcome of the planning proposal is to enable the original intent of KLEP 2013 (Amendment No. 8), which is to facilitate a future one into 14 rural residential subdivision with a minimum lot size of one hectare at the site.

Proposed Amendments to the Kempsey Local Environmental Plan (KLEP) 2013

As per Figure 3 below, the planning proposal seeks to amend the KLEP 2013 for a portion of the subject site as follows:

- Amend *Land Zoning Map Sheet LZN_012B* - revising the R5 - Large Lot Residential/ E2 - Environmental Conservation zone boundary further east (expanding the area of R5 - Large Lot Residential zone and decreasing the area of E2 - Environmental Conservation zone at the site); and
- Amend *Lot Size Map Sheet LSZ_012B* – expanding eastward the area of the site where a minimum lot size of one hectare is permitted (in alignment with the zone boundary amendment above).



Figure 3: Aerial of site overlaid with the indicative future 14 lot subdivision layout proposed. Red arrows identify the current boundary of R5-Large Lot Residential/ E2-Environmental Conservation zones, the 1ha/40ha minimum lot size boundary.

Justification for the Planning Proposal

The planning proposal will correct an oversight whereby the extent of R5 - Large Lot Residential zone land conferred under KLEP 2013 (Amendment No. 8) will not currently provide for the proposed one into 14 rural residential subdivision intended.

The proposed amendment will allow for large lot residential development consistent with similar development located to the south of the site, and this will ultimately enable the fulfilment of Council's strategic rural residential land release aspirations for the Crescent Head Stage 1 Land Release Area contained in the *Kempsey Shire Rural Residential Land Release Strategy*.

Identified ecological constraints are manageable with all proposed future dwelling sites, bush fire asset protection zones and the requisite onsite sewage management systems able to be located above the flood level and outside of the buffer to the coastal wetlands located to the west of this area. The site has access to a reticulated water supply, sealed public roads, electricity and telecommunications services.

The proposal satisfies the relevant legislation, planning instruments, strategies, SEPPs and section 117 Directions as discussed further in the attachment (Planning Proposal).

Community consultation

Should the Minister for Planning issue a favourable Gateway determination, the next step will include undertaking community consultation in accordance with the conditions of the Gateway determination and Council's Rezoning Policy and Procedure 1.1.9. Part of this process will be to consult with the relevant Government authorities.

Once community consultation is complete, the matter will be reported back to Council to consider any submissions received and whether to proceed to the making of the amending local environmental plan.