

Kempsey LEP 2013 Amendment 10 - Alter the minimum lot size map for land at 1023 Crescent Head Road, Crescent Head

Proposal Title : **Kempsey LEP 2013 Amendment 10 - Alter the minimum lot size map for land at 1023 Crescent Head Road, Crescent Head**

Proposal Summary : **This Planning Proposal seeks to amend the Kempsey LEP 2013 by altering the minimum lot size for Lot 41, DP 1098163, Crescent Head Road, Crescent Head from 8ha to 4ha. This will enable the subdivision of the land into 2 lots.**

PP Number : **PP_2016_KEMPS_001_00** Dop File No : **16/07687**

Planning Team Recommendation

Preparation of the planning proposal supported at this stage : **Recommended with Conditions**

S.117 directions: **1.2 Rural Zones
1.5 Rural Lands
2.1 Environment Protection Zones
2.2 Coastal Protection
4.1 Acid Sulfate Soils
4.3 Flood Prone Land
4.4 Planning for Bushfire Protection
5.1 Implementation of Regional Strategies**

Additional Information : **It is recommended that:**

- 1. The Planning Proposal be supported;**
- 2. The Planning Proposal be exhibited for 14 days;**
- 3. The Planning Proposal be completed within 6 months;**
- 4. That prior to community consultation the Planning Proposal be amended to**
 - a) remove the reference that "The Mid North Coast Regional Strategy identifies the site within the Crescent Head Growth Area"; and**
 - b) include an updated Project Timeline in the Planning Proposal.**
- 5. That the Secretary's delegate notes that the inconsistency with s117 Directions 4.4 Planning for Bushfire Protection is outstanding until consultation with the NSW Rural Fire Service has been completed;**
- 6. That the Secretary's delegate determines that the inconsistency with s117 Direction 1.2 Rural Zones and 4.1 Acid Sulfate Soils are justified in accordance with the terms of the direction;**
- 7. That State agency consultation be undertaken with the Rural Fire Service; and**
- 8. That a written authorisation for Council to exercise its plan making delegations be granted for this matter.**

Supporting Reasons : **This Proposal is supported as it will facilitate the subdivision of the subject land in accordance with the Kempsey Shire Growth Management Strategy and have minimal impact on surrounding land.**

Panel Recommendation

Recommendation Date : **10-Jun-2016** Gateway Recommendation : **Passed with Conditions**

Panel Recommendation : **The proposal is considered to be of local significance and does not require referral to the panel and can be dealt with appropriate by the Acting Director Regions, Northern.**

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Crescent Head Road, Crescent Head**

Gateway Determination

Decision Date : **10-Jun-2016**

Gateway Determination : **Passed with Conditions**

Decision made by : **Regional Director, Northern Region**

Exhibition period : **14 Days**

LEP Timeframe : **6 months**

Gateway Determination : **1. Prior to community consultation the following matters are to be addressed:**

(a) remove the reference that "The Mid North Coast Regional Strategy identifies the site within the Crescent Head Growth Area"; and

(b) include an updated Project Timeline in the Planning Proposal.

2. Community consultation is required under sections 56(2)(c) and 57 of the Act as follows:

(a) the planning proposal is classified as low impact as described in A Guide to Preparing LEPs (Department of Planning and Infrastructure 2013) and must be made publicly available for a minimum of 14 days;

(b) the relevant planning authority must comply with the notice requirements for public exhibition of planning proposals and the specifications for material that must be made publicly available along with planning proposals as identified in section 5.5.2 of A Guide to Preparing LEPs (Department of Planning and Infrastructure 2013); and

(c) Any mapping material must meet the specifications in the current Standard Technical Requirements for Spatial Datasets and Maps (Department of Planning and Environment 2015).

3. Consultation is required with the NSW Rural Fire Service under section 56(2)(d) of the Act. The NSW Rural Fire Service is to be provided with a copy of the planning proposal and any relevant supporting material, and given at least 21 days to comment on the proposal.

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

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

Signature:



Printed Name:

10 June 2016

Date:

Craig Diss