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# Planning Proposal to Amend Schedule 1 of the Kempsey Local Environmental Plan 2013

Schedule 1 Amendment to permit Indoor Recreation and Tourist and Visitor Accommodation (including Serviced Apartments, Hotel and Motel Accommodation and Backpackers Accommodation) on part of the land at Lot 1 and Lot 2 in DP1144474, Aldavilla (being a part of the Kempsey Airport)

Prepared for:
**Kempsey Shire Council**

Prepared by:
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Version 3 / Date: FEBRUARY 2022

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**PLANNNING PROPOSAL – ADVENTURE AND RECREATION PARK**

FEBRUARY 2022
For Kempsey Shire Council

| Version | Purpose of Document | Author | Date |
|---|---|---|---|
| 1 | For Planning Portal/Council Lodgement | MC<br><br>MC<br><br>MC | Lodged 06/10/21<br><br>Updated 17/12/21<br><br>Updated 07/02/21 |
| 2 | For Gateway determination | xxx | xxx |
| 2 | Editorial amendments | xxx | xxx |
| 3 | Minor editorial amendments to reflect Gateway Determination | xxx | xxx |
| 4 | Amendments in response to public and agency submissions received during exhibition | xxx | xxx |

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# 1. Introduction

This Planning Proposal, herein known as the Macleay Valley Adventure & Recreation Park Planning Proposal, has been prepared by All About Planning Pty Ltd on behalf of Kempsey Shire Council relating to part of the Kempsey Airport site at Aldavilla.

The Planning Proposal (PP) has been prepared in accordance with Section 3.33 of the *Environmental Planning and Assessment Act 1979* (EP&A Act) and the relevant Department of Planning and Environment (Department) Guidelines, being the *'Local Environmental Plan Making Guideline',* December 2021*.*

This PP outlines the intended effect of, and justification for, the proposed Schedule 1 Amendment to *the Kempsey Local Environmental Plan 2013* (KLEP 2013).

# 2. Description of the Land and Surrounds

This PP relates to part of two lots that collectively comprise the existing Kempsey Airport site, which is owned and operated by Kempsey Shire Council.

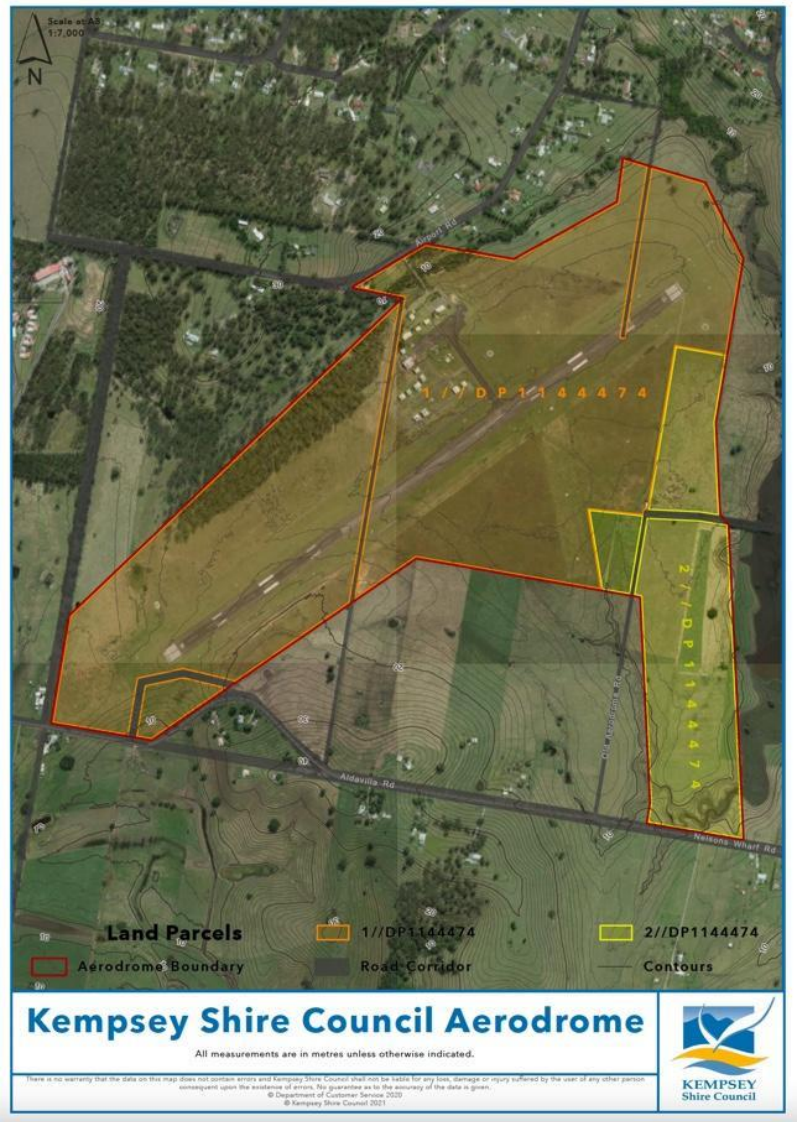


**Figure 1: Location of subject land which identifies both the subject lots 1 and 2 in DP 1144474**

The subject site, being Area A, is part of:

- Lot 1 in DP 1144474
- Lot 2 in DP 1144474

**Figure 2: Location of the proposed Macleay Valley Adventure and Recreation Park site (Area A) that falls within Lots 1 and 2, in DP 11444474, and which will be accessed off Old Aerodrome Road, Aldavilla**

The subject Area A is located within the rural landscape and rural zoned rural and rural residential locality of Aldavilla, west of Kempsey, as shown in Figures 1 and 2 (above) and Figures 3 and 4 following.

The development to be facilitated through this Planning Proposal is an Adventure and Recreation Park that will sit over part of both these two lots and is accessed from the eastern side of the existing runway via River Street to the north and Nelsons Wharf Road to the south via Old Aerodrome Road. The Adventure and Recreation Park is proposed to comprise both Indoor and Outdoor Recreation ues together with Tourist and Visitor Accommodation.

The Western side of the runway including the main terminal building is separately accessed via Airport Road.

That part of the subject Lots 1 and 2 in DP 1144474 proposed for the Adventure Park is accessed off Old Aerodrome Road at Aldavilla and shown as Area A in the above Figure.

The part area forming the site of the proposed Adventure Park is generally flat, with surveyed surface levels across most of the site of 14m Australian Height Datum (AHD). The site of the adventure park forms part of a grassed now disused second runway for the aerodrome.

The airport site is surrounded by rural land and rural/rural residential dwellings.

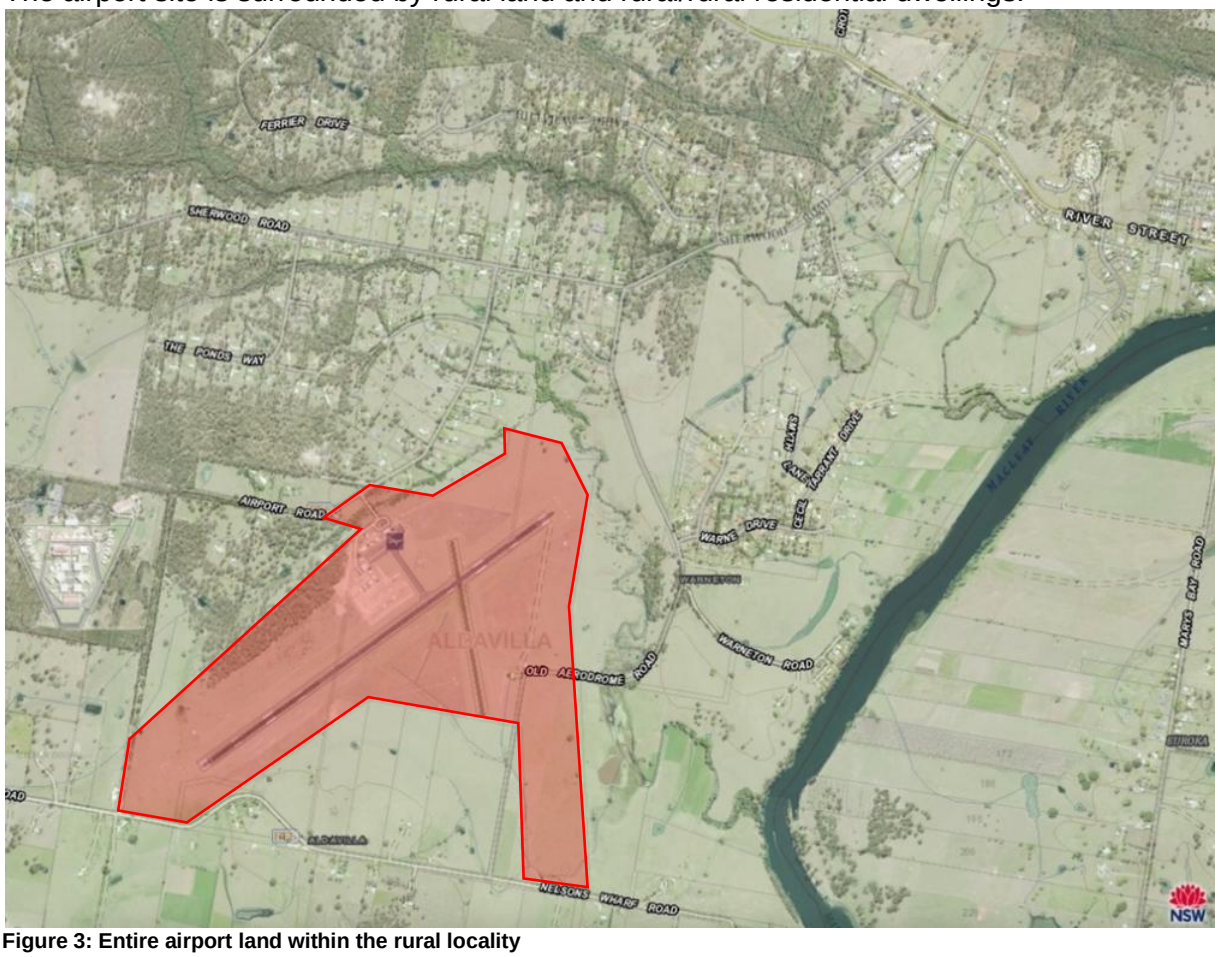

**Figure 3: Entire airport land within the rural locality**

**Above: Subject site off Old Aerodrome Road, Aldavilla**

**Above: Intersection of Sherwood Road into Old Aerodrome Road, Aldavilla**

**Above: Old Aerodrome Road, 70km sign posted, looking east from entry to subject Adventure and Recreation Park site**

**Above: Access via Old Aerodrome Road – existing low point in road**

**Above: Fenced Entrance to subject site off Old Aerodrome Road**

**Above: Entrance point from Old Aerodrome Road into proposed Adventure and Recreation Park site**

**Above: Views of airport site taken from elevated area south of runway**

**Above: The Subject Rural Residential Locality**

**Below: Existing airport operational area, which is accessed via Airport Road**

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- DO NOT scale off these drawings.
- Report any discrepancies to the architect before carrying out any work.

AMENDMENTS

| REV | DESCRIPTION | AUTH | CHK | DATE |
|---|---|---|---|---|
| A | Update design | AO | KM | 21.01.22 |
| B | Updated Design | AO | KM | 28.01.22 |

STATUS

NORTH

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PROJECT
Macleay Valley Adventure Recreation Park
Old Aerodome Rd

DRAWING TITLE
AIRPORT PRECINCT PLAN

| DRAWN | CHECKED | | |
|---|---|---|---|
| AO | KM | | |
| ISSUE 28/01/2022 5:40:51 PM | SCALE @ A1 1 : 2500 | SCALE @ A3 1 : 200 | |
| PROJECT No 21499 | STAGE CD | DRAWING No AR- 1001 | REVISION B |

**Figure 4: The subject Macleay Valley Adventure & Recreation Park proposed layout in the context of the existing airport**

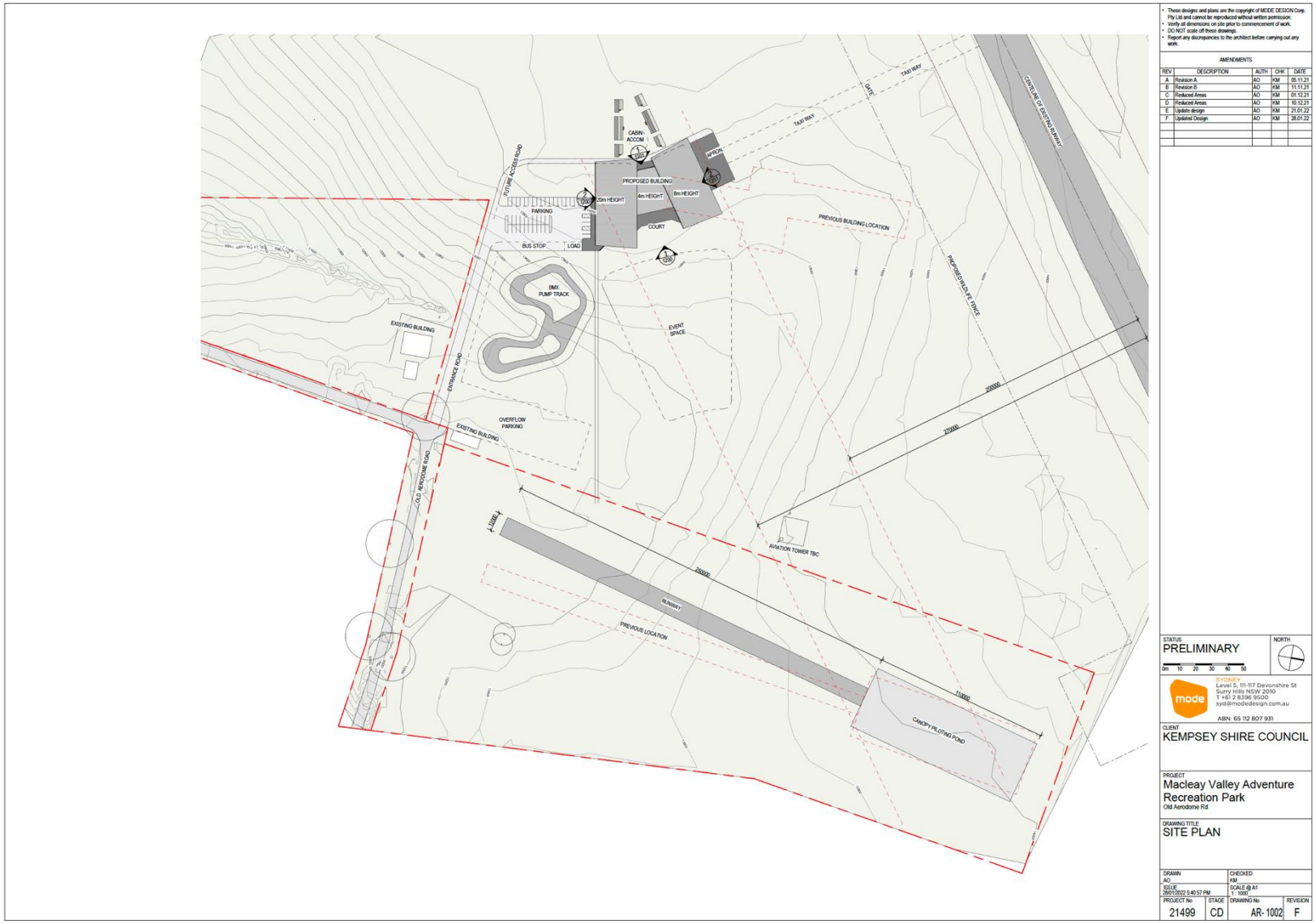



**Figure 5: Macleay Valley Adventure & Recreation Park site layout with 2m contours**

# 3. Potential Development Outcomes

The Planning Proposal will enable Indoor Recreation and all forms of Tourist and Visitor Accommodation on the site in addition to current permitted uses, which relevantly include Outdoor Recreation Facility and Food and Drink Premises. No other changes to the planning controls are proposed.

The following locality plan at Figure 5 below shows the position of the proposed development outcome within the rural and rural residential locality, at the Kempsey Airport.

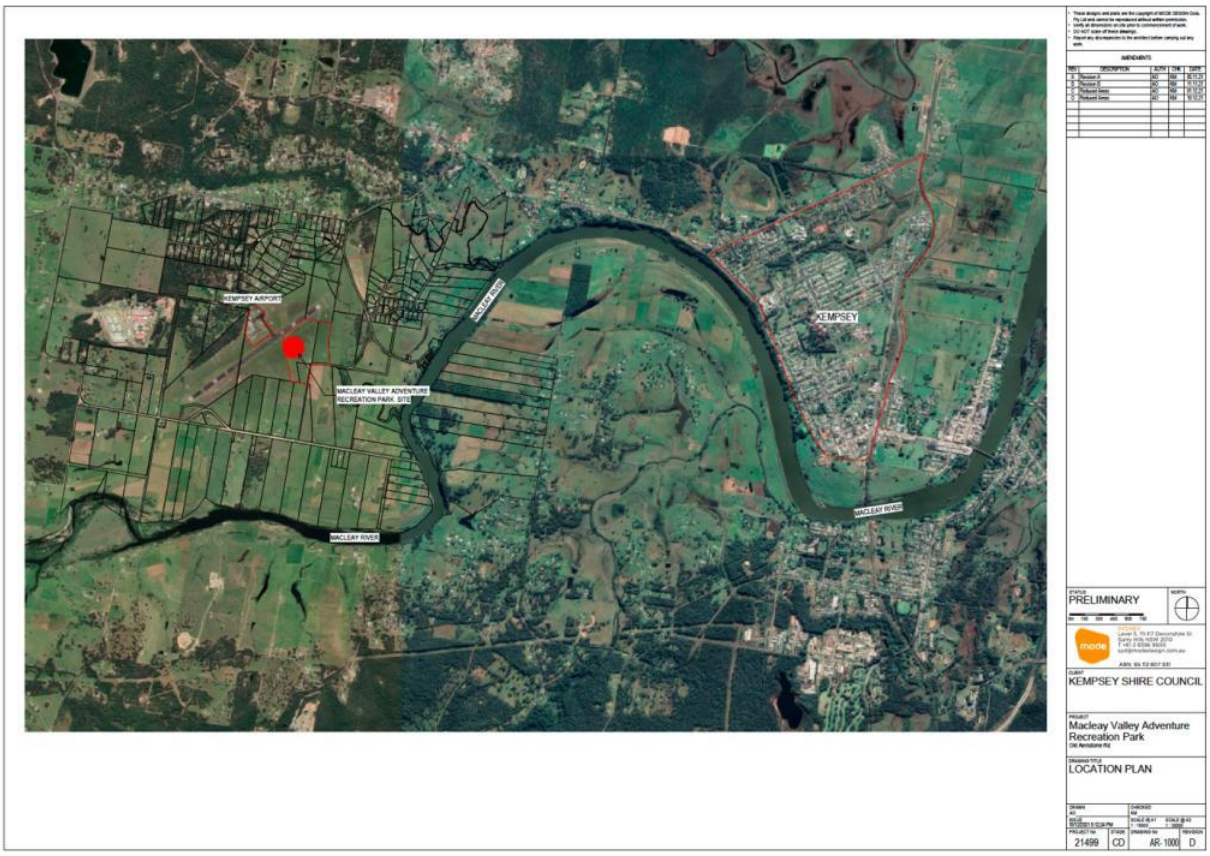



**Figure 5: Concept Development Outcome for Lot 1 and 2 in DP 1144474**

The site has been selected to avoid impacts on existing airport operations. The proposed development will include the following:

- A linked primary structure approximately 2,500m$^2$ in total floor area, and which will include an adventure centre, training area, aircraft hangar and detached tourist accommodation (cabins) all with a FFL of 14.5m AHD;
- A 3,300m$^2$ plus car park area adjacent to the proposed structure
- A light plane runway of min. 250m in length with a “swoop pond” of min.40m in length at the end of the new light plane runway;
- Internal access roads and construction of a roundabout for site entry on Old Aerodrome Road; and BMX pump track also adjacent to the proposed car park.

Council has received $11 Million in State and Federal Government funding to construct an Adventure and Recreation Facility fat the subject site. Public Works Advisory are working with Council to support the delivery of this valuable recreation initiative for Kempsey, the Mid North Coast and further afield. Current plans of the project are included as Appendix D.

# 4. Planning Proposal

## Part 1 - Objectives or intended outcomes

*(s.3.33(2)(a) A statement of the objectives or intended outcomes of the proposed instrument)*

The objective of the Planning Proposal is to change the statutory land use controls over part of Lots 1 and 2 in DP 1144474, (the "subject site") to permit Indoor Recreation Facility and Tourist and Visitor Accommodation. The objective is to permit an Adventure and Recreation Park on the subject site that includes these land uses, pursuant to granting of government funding for this purpose.

The intention is to amend the KLEP 2013 by:

- Pursuing a Schedule 1 amendment to permit with development consent Indoor Recreation and Tourist and Visitor Accommodation (including Serviced Apartments, Hotel and Motel Accommodation and Backpackers Accommodation) on part of land at Lot 1 and Lot 2 in DP11444474, Aldavilla and identified as "A" on the Additional Uses Map.

## Part 2 - Explanation of Provisions

*(s.3.33(2)(b) An explanation of the provisions that are to be included in the proposed instrument)*

The objectives and intentions would be achieved by a Schedule 1 amendment to the KLEP 2013. This can be achieved by amending Schedule 1 of the KLEP 2013 as outlined below:

- Amend Schedule 1 Additional permitted uses by adding:

  **15 Use of certain land at Kempsey Airport, Aldavilla**

  (1) This clause applies to land being part of Lot 1 and 2 in DP1144474 at Aldavilla, and identified as "A" on the Additional Permitted Uses Map.

  (2) Development for the purpose of Indoor Recreation and Visitor and Tourist Accommodation is permitted with development consent.

- Amend Additional Permitted Uses Map to add Item 15, being Area "A".

An Additional Permitted Uses Map is included as Appendix E to this Planning Proposal.

## Part 3 - Justification

*(s.3.33(2)(c) Justification for the objectives or intended outcomes and the process for their implementation)*

### Section A – Need for the Planning Proposal

#### 3.A.1 Is the Planning Proposal a result of any strategic study or report?

**Strategic Merit**

There is strong strategic merit for the chosen airport site and the community and economic value of the proposed Adventure and Recreation Park is confirmed in the following local strategies and plans:

- **Kempsey Local Strategic Planning Statement**

Kempsey Shire Council's Local Strategic Planning Statement (LSPS) 2020-2040 is called Future Macleay - Growth & Character. The LSPS considers the Kempsey community's economic, social, cultural and environmental land use needs over the next 20 years and is the key document informing the strategic direction of land use planning at the local level.

The Statement has been shaped by the Kempsey community and, with regular reviews, will continue to reflect our community's aspirations. It also identifies future planning studies that are necessary to investigate and further develop the strategic directions contained in the LSPS.

The LSPS sets our 20-year vision for land use planning, which is reflected through a set of broad planning priorities. In turn, each planning priority contains a set of actions which are practical responses to deliver on these planning priorities. Moving into greater detail, the LSPS considers the character of areas within the Kempsey Shire, providing place planning priorities and corresponding actions.

Relevant to the proposed MVARP, the LSPS has adopted a vision to achieve a:

- Healthy Environment – protection of biodiversity and hazard management
- Wealthy Economy – new jobs, employment, investment and business diversification
- Connected Community – a healthy, safe and connected community

The MVARP will provide excellent opportunities to grow the local economy and for engagement by the Kempsey community through healthy recreational activity and positive connections with others. No ecological impacts or loss of biodiversity will result from the Planning Proposal and proposed future development of the site.

- **Horizon 2030 Macleay Valley Economic Development and Tourism Strategy**

*Horizon 2030: Macleay Valley Economic Development and Tourism Strategy*, is Kempsey Shire Council's blueprint for enhancing the vibrancy, diversity and sustainability of the Macleay Valley economy. *Horizon 2030* sets Kempsey Shire Council's strategic vision for economic development and tourism for the next 10 years and beyond.

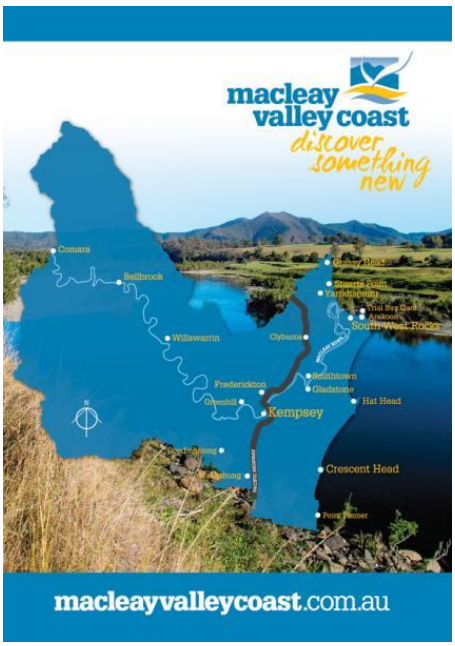


**Figure 6: Horizon 2030 Image extracts, being the title cover and Emerging Economic Drivers**

Horizon 2030 maps out the vision for the economic development of the Macleay Valley and its communities, balancing the preservation and enhancement of the region's natural and cultural environments whilst providing a robust foundation for economic development and sustainable population growth. *Horizon 2030* articulates the role of Kempsey Shire Council in facilitating, supporting and promoting business activity to develop a secure and sustainable employment base and a strong economic future for all communities of the Macleay Valley.

Council demonstrates a commitment to delivering quality infrastructure for the business community, visitors and the local community now and into the future. Council's investments, supported by current and future grant funding, together with other large-scale private investments, provide a broad-based foundation to build the economy of the future.

Particularly relevant to the Macleay Valley Adventure and Recreation Park Planning Proposal, tourism is identified as an emerging economic driver. Tourism specific actions in this Strategy include the identified value of government collaboration, partnering with local business and industry to develop the Macleay Valley as a premier regional visitor destination and drive growth in high yield and out of season environmentally sustainable tourism.

- **Macleay Valley Sports Strategy**

The Macleay Valley Sports Strategy is a holistic plan for the Kempsey LGA developed in consultation with local sporting bodies and stakeholders, developed by Otium Planning Group Pty Ltd in June 2017. The Strategy includes a series of programs with specific actions for the next 1 – 4 years. It is intended to be reviewed and updated at least once per year, during Council's development of their Operational Plan to reflect relevant progress/changes.

Key findings and recommendations for the study include an identified need to establish a viable option for permanent mountain bike facilities including new downhill and pump tracks.

https://www.kempsey.nsw.gov.au/Business/Tourism/Tourism-in-the-Macleay-Valley

- **Macleay Valley Coast Destination Management Plan 2019-2029**

Kempsey Shire Council confirms that the Macleay Valley Coast and hinterland are favourite destinations for more than 685,000 visitors each year and that tourism and hospitality services bring $147 million into our economy annually.

Lying between the towns of Port Macquarie and Coffs Harbour, the Macleay Valley Coast features sandy golden beaches, lush rainforests, miles of winding rivers and scenic hinterland. The coastal towns of South West Rocks, Hat Head and Crescent Head provide some of the best beaches and national parks on the east coast of Australia. Crescent Head is home of the famous Crescent Head Classic, attracting surfers from across Australia and overseas to compete in an annual competition that celebrates surfing's history. South West Rocks and Hat Head are home to calm bays, beautiful walking tracks and great food and drink.

Historic Kempsey has a wide range of shops and services, including major supermarkets, specialty stores, fast food chains, restaurants and cafes. Its growing local economy is based on tourism, farming and service industries. The hinterland takes in the heritage river towns of Bellbrook and Willawarrin, which provide scenic lookouts and road trips, off-the-grid camping, canoeing and world class bass fishing.
https://www.kempsey.nsw.gov.au/Business/Tourism/Tourism-in-the-Macleay-Valley)

### Project Funding

Council has received $11 Million in State and Federal Government funding to construct an Adventure and Recreation Facility at the subject site. Public Works Advisory are working with Council to support the delivery of this valuable recreation initiative for Kempsey, the Mid North Coast and further afield.

## Alternate Planning Options

The alternate planning option of a change of land use zone (as opposed to the proposed additional permitted use (APU)) to achieve the intent of the planning proposal has been considered. This option would by nature involve a change from the existing RU2 Rural Landscape zone to an alternate zone.

A change in land use zone is not supported in the circumstances as the current RU2 zone is suited to the scenic undulating rural locality, to the range of existing predominantly rural and rural residential uses and to the proposed recreation facility use, with the exception that an indoor recreation facility and broader types of tourist accommodation are not currently permitted on the airport site. The other existing zones in the locality, being the RU1 Primary Production and R5 Large Lot Residential are not considered suited to the proposed indoor and outdoor recreation use at the airport site.

Under the Infrastructure SEPP a range of airport related uses are permitted however it is desired to be clear in the adopted planning controls for the airport site that both indoor and outdoor recreation facilities are permissible on the airport site with consent and additionally, and that a range of tourist and visitor accommodation uses are also permitted with development consent.

An APU is considered overall to be a less impactful option than seeking a site specific change to the land use zone and which would result in a zoning outcome less consistent with the zoning of existing surrounding properties in the locality. In these circumstances it is understood that an APU is the Department's preferred approach.

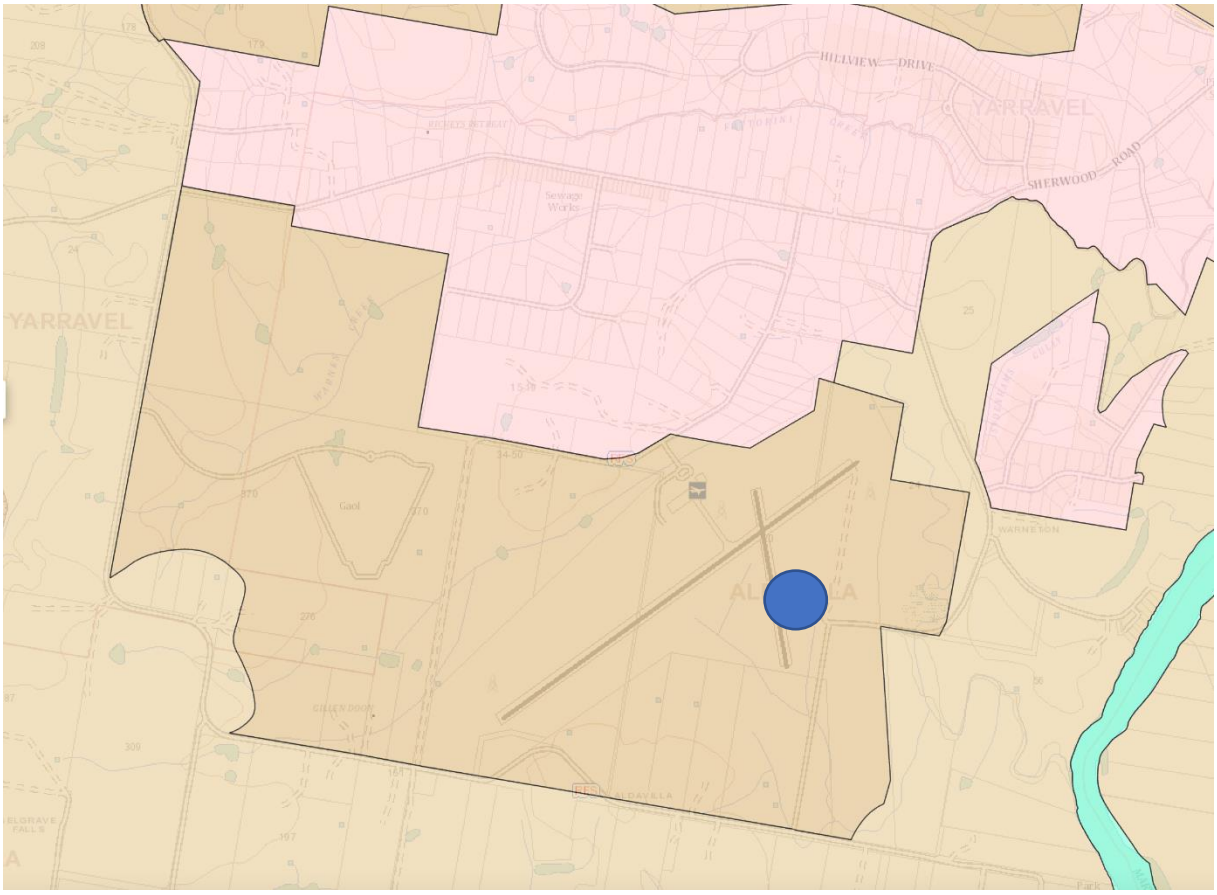



**Figure 7: Kempsey LEP 2013's existing land use zoning layer in and around the Kempsey Airport, showing the subject Rural Landscape RU2 zone for the site and which is also common in the locality (proposed site indicated with a blue dot), together with the nearby RU1 Rural zone and the R5 large lot residential zones in proximity**

### 3.A.2 Is the Planning Proposal the best means of achieving the objectives or intended outcomes, or is there a better way?

Yes, a Planning Proposal is the best means of achieving the intended outcome, being establishment of an Adventure and Recreation Park on the Kempsey Airport site.

The KLEP 2013 currently includes provisions that permit Outdoor Recreation Facility and some forms of Tourist and Visitor Accommodation as well as a Recreation Facility (Major), but Indoor Recreation Facility is currently a prohibited use as is Backpacker Accommodation, Serviced Apartments and Hotel and Motel Accommodation.

## Section B – Relationship to Strategic Planning Framework

### 3.B.1 Is the Planning Proposal consistent with the objectives and actions contained within the applicable regional or sub-regional strategy?

The Planning Proposal is consistent with relevant objectives and actions contained within the *North Coast Regional Plan 2036*. A summary of the Planning Proposal's consistency is provided in **Appendix A**.

In particular the subject Planning Proposal encourages a thriving interconnected economy, new tourism opportunity, vibrant community and increased lifestyle options. Further, the Airport site is not mapped as comprising high environmental values and the rural landscape zoned site is not utilised for any agricultural purpose.

Relevantly, the Planning Proposal will:

- Promote economic vibrancy
- Deliver economically sustainable new investment and construction opportunities
- Deliver ongoing employment
- Facilitate tourism growth
- Contribute to the recreational opportunities available in Kempsey and to the entire North Coast

### 3.B.2 Is the Planning Proposal consistent with the local council's Community Strategic Plan, or other local strategic plan?

The Kempsey 2036 Community Strategic Plan (CSP) is called Macleay Valley 2036 and is a roadmap for the future of Kempsey Shire.

The plan identifies the community's vision for the future, long-term goals, strategies to get there and how to measure progress towards that vision.

Kempsey Shire Council's vision is:

**We live in a community that provides opportunity to all, to prosper in an environment that supports well-being, connectedness and access to resources the community wants and needs.**

The key community values detailed in the CSP dated June 2017 are:

**Being healthy**

- Living a rich and fulfilling life
- Living in a healthy environment

**Being wealthy**

- Having a rich and valuable culture
- Having a wealth of experience
- Having finances to support the lifestyle that makes us happy

**Being safe**

- Our community is prepared and resilient to emergencies
- We feel safe at home and in public
- The risk of accidents is minimised

**Being connected**

- We are involved in our community
- We have vibrant and inviting spaces to meet and enjoy
- We work together to make the Macleay Valley a vibrant and welcoming place for everyone

The new development opportunities that will be created by the implementation of the planning proposal will complement this plan and in particular the key values of being healthy, wealthy and connected.

Overall, this Planning Proposal is consistent with the values of the CSP.

### 3.B.3 Is the Planning Proposal consistent with applicable state environmental planning policies?

A summary and discussion of the Planning Proposal's consistency with applicable State Environmental Planning Policies is provided in **Appendix B** of this Planning Proposal.

The SEPP (Coastal Management) 2018 does not apply to the subject site.

Overall it is considered that the Planning Proposal is not inconsistent with any of the relevant State Environmental Planning Policies.

### 3.B.4 Is the Planning Proposal consistent with applicable Ministerial Directions (s.9.1 directions)?

The Planning proposal is consistent with the s9.1 Directions or they are not applicable.

Further consideration of relevant Directions is provided below and in **Appendix C**.

<u>2.2 Coastal Protection</u>

The site does not fall within the Coastal Environment Area as mapped within SEPP (Coastal Management) 2018 and the site is not within a coastal vulnerability area identified by SEPP (Coastal Management) 2018.

2.3 Heritage Conservation

An AHIMS extensive search has been undertaken for both the subject lots. No heritage values were identified for the site. Refer to copies of the AHIMS reports submitted with this PP.

4.1 Acid Sulfate Soils

The site is mapped as Class 5, which is the lowest Acid Sulfate Soils classification. Only works requiring development consent is any work within 500m of an adjacent Class 1-4 land that is below 5m AHD and by which the water table is likely to be lowered below 1m AHD on the adjacent Class 1-4 land. A Geotechnical Assessment has been prepared for the site – refer Appendix D - but which has not considered Acid Sulfate Soils. The above provisions are not likely to be triggered and an Acid Sulphate Soils Assessment is therefore not required

5.10 Implementation of Regional Plans

The Planning Proposal is consistent with this Direction as it is consistent with the *North Coast Regional Plan 2036.* The Planning Proposal will contribute to increased economic diversity and employment opportunity in Kempsey.

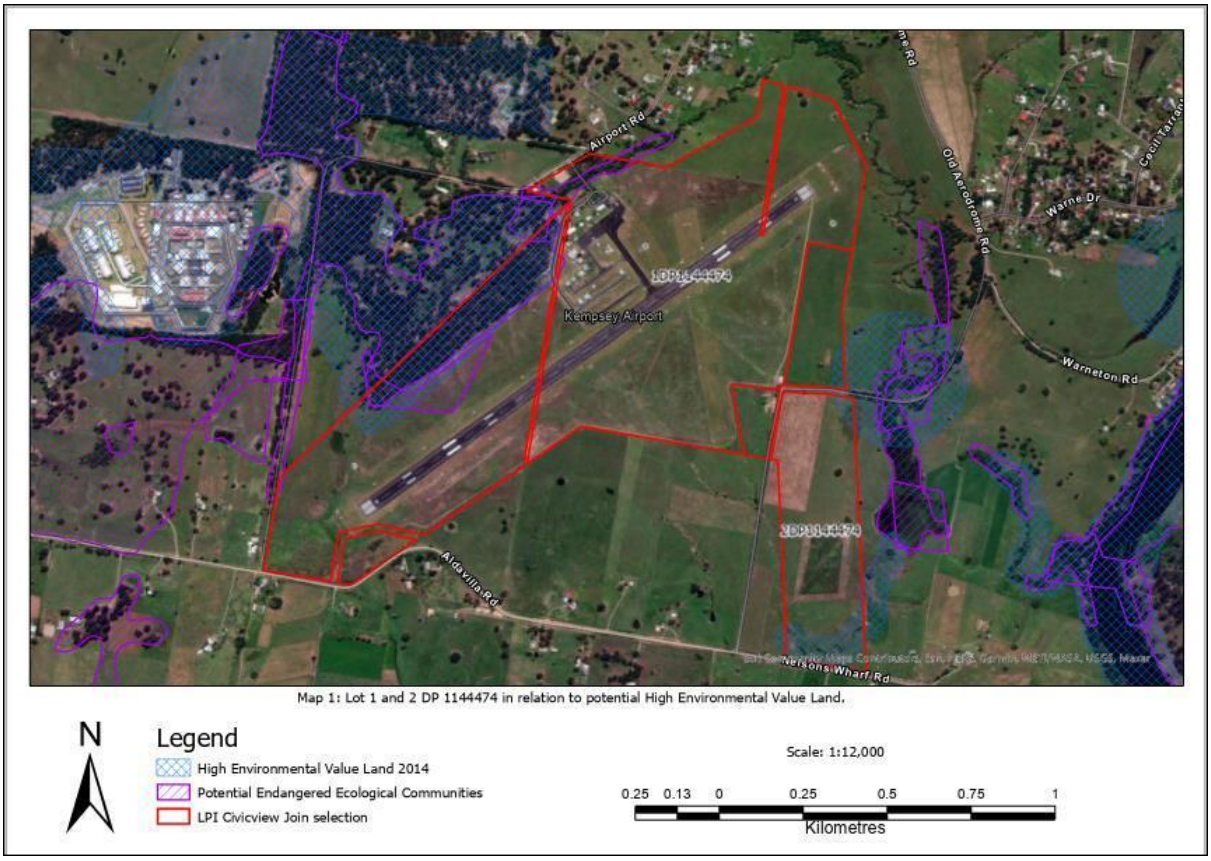
The site of the proposed development is not identified as being potential High Environmental Value land under the North Coast Regional Plan nor is the site mapped in Kempsey's Comprehensive Koala Plan of Management, refer map extracts above and below.

## Section C – Environmental, Social and Economic Impact

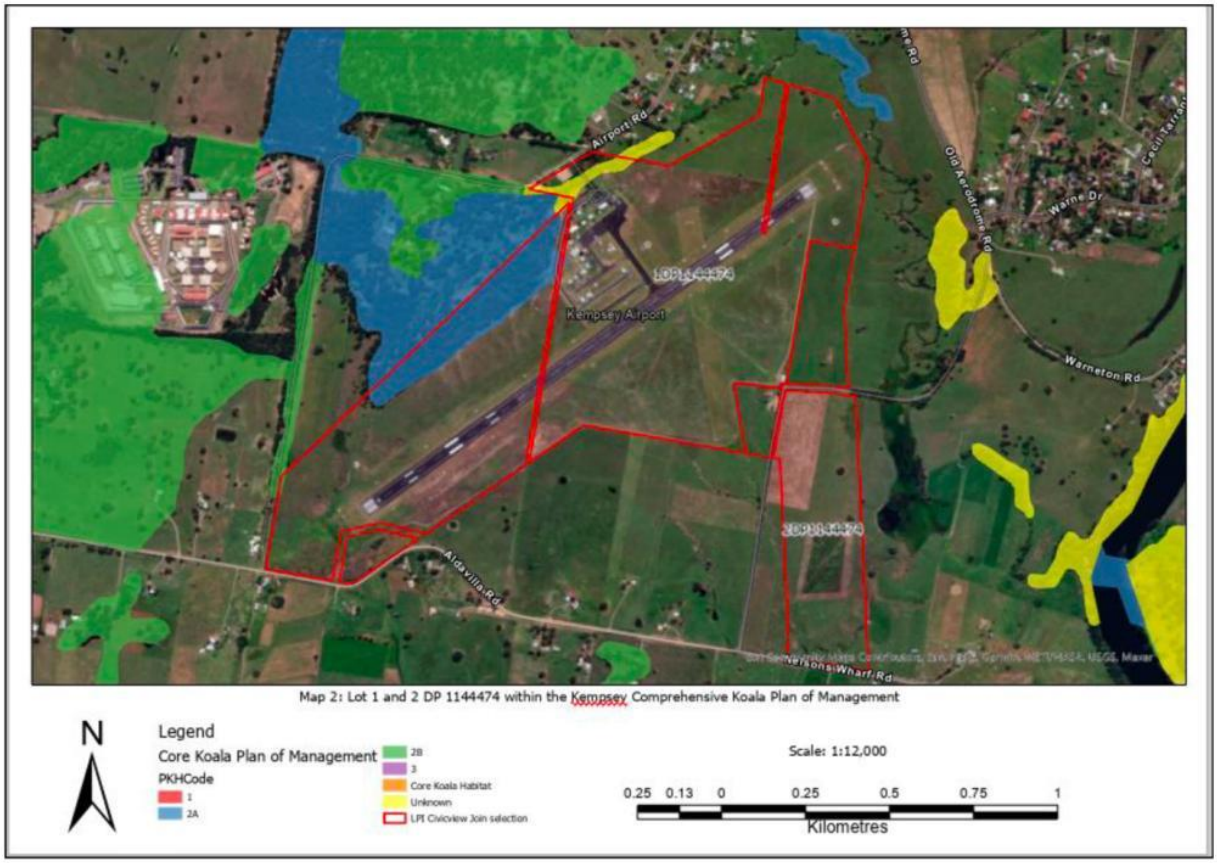
### 3.C.1 Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected as a result of the proposal?

The site has a long history of use for airport purposes and is developed for this use. The site is highly disturbed through regular use and land maintenance including mowing and slashing and is also carefully managed to minimise the risk of bird strike.

The site does not contain significant areas of native vegetation communities or other significant features. Refer Potential High Environmental Land and Koala Plan mapping relevant to the site following.




**Figures 8 (above) and 9 (below): Potential High Environmental Value Land Map, from the North Coast Regional Plan and a map extract from the Kempsey Comprehensive Koala Plan of Management**



## Environmental considerations

### *Contaminated land*

*The site is not identified in Council's contaminated land register and the airports old fuel tanks were removed and the site remediated and validated – refer certification at Appendix G. The potential for site contamination is therefore considered very low. Nonetheless, a* ***Phase 1 Site Contamination Assessment*** *is under preparation.* A letter from these consultants is included as Appendix G of this Planning Proposal which confirms no prohibitive constraint is anticipated in respect of contaminated land.

### *Flooding*

**A Flood Impact Assessment Report** is under preparation by Woolacotts Consulting Engineers for submission with the required Development Application, demonstrating proposed mitigation measures to ensure the safety of visitors/staff and compliance with Council's Flood Policy and the *NSW Floodplain Development Manual.*

A preliminary letter of advice from Woolacott's is included as Appendix F of this Planning Proposal, that confirms no prohibitive constraint is anticipated in respect of flooding.

### *Potential High Environmental Value land under the North Coast Regional Plan*

The subject Planning Proposal is not likely to impact on critical habitat, threatened species, populations or ecological communities.

The site is not mapped as having potential for high environmental value land under the North Coast Regional Plan – Refer Figure 8.

### *Comprehensive Koala Plan of Management*

The subject site for the proposed development is not identified in Council's Comprehensive Koala Plan of Management – refer map extract under Section 5.10.

## Economic and social considerations

A strong business case for the Macleay Valley Recreation Adventure Park has been made by Kempsey Shire Council. Council states in their business case study for the project that:

> *The Macleay Valley Recreation Adventure Park (MVRAP) is a multi-functional, integrated facility that will be the first in Australia incorporating the disciplines of skydiving and indoor rock climbing. Along with canopy piloting, other facilities at the MVRAP include BMX pump track, tourist accommodation and training facilities, and various other uses for the swoop pond, such as kayaking, disabled sailing and an inflatable water park.*
>
> *The facility will be designed to host State, National and International Sporting Competitions, including canopy piloting, with the swoop pond being the only one in Australia that would be long enough for world record attempts. The proposed activities cater to a wide demographic of participants from around the country and internationally. It is anticipated that the MVRAP will attract visitors to the Macleay Valley and NSW. Many of the events are also televised internationally which will promote the Macleay region to the world. The MVRAP will additionally provide significant new recreation activities to the local community, tourists and targeted sports groups alike.*

*Coffs Skydivers and Summit Climbing have expressed interest to Kempsey Shire Council to become a joint operator of the MVRAP. These companies may be involved as the head lessor or as a sub-lessor. Coffs Skydivers has been operating for over 23 years providing skydiving instruction and skydiving events in Coffs Harbour. According to Coffs Skydivers' business plan, there is potential for a large skydive training and events centre at Kempsey Airport with training at all levels, competitions, training camps, as well as national and international events. Coffs Skydivers has been operating at Kempsey Airport since February 2013, where it currently operates a skydive school for around 30 days of the year, as well as organising two club days every month.*

*Coffs Skydivers is attracted to the Kempsey Airport due to the lack of RPTS (commercial flights), the commercial runway and the assistance of Kempsey Shire Council, which has created a conducive environment for a skydive centre. Coffs Skydivers are constrained at their current location, being unable to expand their operations due to other users at Coffs Airport. Kempsey Airport, with its lack of commercial flights, is an attractive option. It is intended to attract training camps of all disciplines and be able to bid for the Australian nationals as well as state swoop competitions and the national swoop competition.*

*This expansion at Kempsey Airport would also lead to increased employment of direct 8 FTEs for Skydiving alone, increase in tourist spend of $1.34 million annually, and showcasing of NSW to the world.*

*There is also the possibility of running international swoop competitions, which could attract corporate sponsors and competitors from around the globe. The media attention for this would be beneficial for Kempsey and for New South Wales as a premier adventure sports destination, and for Australia. It is also intended to bid for a 'Mondial' world meet, a competition where all disciplines can be hosted at one venue. Currently there are only three locations in the world where this is possible. Coffs Skydivers is supported by the Australian Parachute Foundation which has assessed Kempsey Airport for its suitability to conduct skydiving operations, including safety aspects.*

*Summit Climbing too has vast experience in indoor climbing, Summit is currently base on the West Coast of Australia and is looking to expand their operations to the East Coast. In addition to the abovementioned skydiving events, the MVRAP will also be able to host world cup indoor rock-climbing events annually and bid on youth and para climbing events as well. The direct employment benefits to the Macleay Valley Rock Climbing centre are 14.8 FTE. Both these events types not only attract a large number of spectators to the region during the event, they are also televised around the world in many different media formats. This exponentially increases the likelihood of those wishing to visit NSW as the area is introduced to world.*

Council estimates the proposal will give new life to an under-utilised airport land asset, creating value for the Kempsey Shire Council. Specific benefits to be derived from the construction and operation on the Macleay Valley Recreation and Adventure Park include an uplift in the value of economic activity generated by increased visitation to the region, and associated employment creation. The regional economic and employment benefit analysis shows that, from a direct investment of $11.2 million it is estimated there will be:

- An uplift in total economic output of approximately $20.47 million.
- An uplift in value-added to Macleay Valley and NSW economy of $6.21 million; and

- The creation of 64 jobs.

Ongoing benefits once the Macleay Valley Recreation and Adventure Park project is complete and operational, and allowing for a five-year ramp-up period, will be:

- An uplift in added in visitor expenditure in the Macleay Valley of approximately $3.9 million, generating a total increase in output throughout the Macleay Valley economy of $6.47 million
- A corresponding uplift in value-added to the Macleay Valley economy of $2.51 million
- The creation of 39 new full-time equivalent jobs
- Promotion of the region through broadcasting of national and international events.

### 3.C.2 Are there any other likely environmental effects as a result of the Planning Proposal and how are they proposed to be managed?

The site is developed for purposes of an airport and does not contain significant natural environmental features. The Planning Proposal provides for an increase in the permissible uses on the site.

Potential development impacts will be examined in further detail at the DA stage.

The following assessment reports have been prepared in support of the proposed use of part of the site for an Adventure and Recreation Park:

- AHIMS Extensive Search
- Bushfire Assessment
- Acoustic Report
- Geotechnical Assessment
- Traffic Impact Assessment

These reports have been submitted as accompaniments to this Planning Proposal. Please note that some amendments to these reports are considered likely as work on the related Development Application for the Macleay Valley Adventure Recreation Park proceeds.

A Flood Impact Assessment and Preliminary Phase 1 Contaminated Land Assessment are additionally under preparation for submission with the Development Application for the MVARP. Letters from these consultants are included as Appendix F and G of this Planning Proposal that confirm no prohibitive constraint is anticipated in respect of these matters.

### 3.C.3 Has the Planning Proposal adequately addressed any social and economic effects?

In the 2016 Census, there were 28,885 people in the Kempsey LGA. Of these 50% were male and 50% were female. Aboriginal and/or Torres Strait Islander people made up 11.6% of the population, which is significantly higher that the NSW average (2.9%). The median age of people in Kempsey was 47 years.

8.5% of the population in 2016 reported being unemployed and 47.1% were working full time. This unemployment rate is higher than the NSW average (6.3%) and there are less persons working full time in Kempsey compared to NSW (59.2%). The median weekly income for

Kempsey residents in 2016 was $474 which is lower than for NSW ($664) during the same period. There is a higher reliance on cars to travel to work in Kempsey compared to NSW.

The Planning Proposal will enable increased opportunity for both indoor and outdoor recreation for local residents and other interested stakeholders, with associated health and economic benefits. The site is accessible by vehicle and will generate economic investment, tourism sector growth and ongoing local employment opportunity.

## Section D – State and Commonwealth Interests

### 3.D.1 Is there adequate public infrastructure for the Planning Proposal?

There are potential future road upgrade implications that are relevant to the Development Application stage, but not to the Planning Proposal.

Kempsey Shire Council has advised that there is suitable capacity in the water and sewer systems for the area to cater for the requirements for the site.

### 3.D.2 What are the views of State and Commonwealth public authorities consulted in accordance with the Gateway Determination?

Council will undertake further consultation with the following public authorities once a Gateway Determination has been provided.

- CASA – Civil Aviation Authority in respect of protection of airport operations
- NSW Rural Fire Service – Planning for Bushfire Protection

# Part 4 - Mapping

*(s.3.33(2)(d) Maps to be adopted by the proposed instrument)*

The proposed amendment to add additional land uses as permitted with consent to Schedule 1, new Area “A”, will require addition of one existing map layer as outlined below.

- Add Area “A” to the Map of Additional Permitted Uses

The Additional Permitted Uses map is included as Appendix E.

# Part 5 – Community Consultation

*(s.3.33(2)(e) details of community consultation)*

After “gateway” determination, subject to any completion of any matters as required beforehand, the Planning Proposal will be placed on public exhibition. The Planning Proposal will be notified to the public by way of:

- Notice in the local newspaper (2 notifications anticipated);

- Publishing on Council's website during the exhibition period;
- Exhibition material and relevant consultation documents to be made available at Council's Administration Building and libraries; and
- Consultation documents made available on Council's website; and
- Letters advising of the Planning Proposal and how to submit comments will be sent to adjoining landowners and other stakeholders that Council deem relevant to the matter.

During the exhibition period the following material will be available for inspection:

- The Planning Proposal, as approved by the Director General and as amended where requested;
- The Gateway Determination; and'
- All supporting specialist studies.

It is not anticipated nor intended that a public hearing will be held.

At the close of the consultation process, Council officers will assess all submissions received and present a report to Council for their endorsement before proceeding to finalise the Planning Proposal. This process may require additional assessment of issues and results, studies and the like associated with the additional assessment will be attached to the final Planning Proposal presented to Council.

The consultation process as outlined above does not prevent any additional consultation measures that may be determined appropriate as part of the "gateway" determination process.

## Part 6 - Project Timeline

In accordance with the Department of Planning and Environment guidelines, the following timeline is provided, which includes the tasks deemed necessary for the making of this local environmental plan.

| Task | Responsibility | Timeframe | Date (approximate) |
|---|---|---|---|
| Council resolution to support the Planning Proposal | Council | 2 months | October 2021 |
| Lodgement of Planning Proposal for Gateway Determination | Council | 1 week | February 2022 |
| Gateway Determination Issued | Minister for Planning | 1 month | February 2022 |
| Consultation with Public Authorities in accordance with Gateway Determination | Council | Minimum 21 days | March – April 2022 |

| Task | Responsibility | Timeframe | Date (approximate) |
|---|---|---|---|
| Completion of additional technical information | Proponent | 4 weeks | February 2022 |
| Public exhibition of Planning Proposal | Council | Minimum 28 days | March – April 2022 |
| Report to Council | Council | 3 months (including Christmas Period) | May 2022 |
| Lodgement of Planning Proposal (with any amendments as a result of submissions) | Council | 2 weeks | June - July 2022 |
| Making of local environmental plan | Minister for Planning | 6 – 8 weeks | July 2022 |

## 5. Conclusion

The primary aim of the Planning Proposal is to add two land uses (Indoor Recreation Facility and Tourist and Visitor Accommodation) as permissible development with consent at the Kempsey Airport site using Schedule 1 of the KLEP 2013.

The Planning Proposal is consistent with the State and local strategic planning framework and has strategic merit as it seeks to deliver a positive recreation and tourism outcome for the Kempsey community and which also has broader reach and benefits within the North Coast.

## Appendix A

*Consistency with North Coast Regional Plan Goals, Directions & Actions*

| **Goal 1 – the most stunning environment in NSW** | |
|---|---|
| **Direction 1: Deliver environmentally sustainable growth** | The Planning Proposal is not inconsistent with the direction. |
| **Direction 2: Enhance biodiversity, coastal and aquatic habitats and water catchments** | The Planning Proposal is not inconsistent with the direction. |
| **Direction 3: Manage natural hazards and climate change** | The Planning Proposal is not inconsistent with the direction. |
| **Direction 4: Promote renewable energy opportunities** | The Planning Proposal is not inconsistent with the direction. |
| **Goal 2 – A thriving interconnected economy** | |
| **Direction 5: Strengthen communities of interest and cross-regional relationships** | Whist this action refers to an area within KLGA it is not relevant to the Planning Proposal area. |
| **Direction 6: Develop successful centres of employment** | The subject development that will be facilitated through this Planning Proposal will deliver new employment opportunities for Kempsey. |
| **Direction 7: Co-ordinate the growth of regional centres** | Whist this action refers to an area within KLGA it is not relevant to the Planning Proposal area. |
| **Direction 8: Promote the growth of tourism** | Whist this action refers to an area within MCC LGA it is not relevant to the Planning Proposal area. |
| **Direction 9: Strengthen regionally significant transport corridors** | The Planning Proposal effectively leverages the inter-regional connections provided by the Pacific Highway to attract visitors and participants from Newcastle, Sydney, the North Coast and beyond. |
| **Direction 10: Facilitate air, rail and public transport infrastructure** | Whist this action refers to an area within KLGA it is not relevant to the Planning Proposal area. |
| **Direction 11: Protect and enhance productive agricultural lands** | Whist this action refers to an agricultural landscape zoned area within KLGA this direction is not relevant to the Planning Proposal area, which is used for purposes of an airport. |
| **Direction 12: Grow agribusiness across the region** | Whist this action refers to an area within KLGA it is not relevant to the Planning Proposal area. |
| **Direction 13: Sustainably manage natural resources** | Whist this action refers to an issue relevant to KLGA it is not relevant to the Planning Proposal area. |

| Goal 3 – Vibrant and engaged communities | |
|---|---|
| **Direction 14 – Provide great places to live and work** | The final development outcome will directly provide additional employment opportunities for the local community as well as add to the amenity of the LGA through the provision of additional recreational options. |
| **Direction 15: Develop healthy, safe, socially engaged and well connected communities** | As an Adventure and Recreation Facility the final development outcome will directly assist in developing health, safe, socially engaged and well connected communities. |
| **Direction 16: Collaborate and partner with Aboriginal Communities** | The Planning Proposal is not inconsistent with the direction. |
| **Direction 17: Increase the economic self-determination of Aboriginal communities** | The Planning Proposal is not inconsistent with the direction. |
| **Direction 18: Respect and protect the North Coast's Aboriginal Heritage** | AHIMS searches have been undertaken for the site (Lot 1 and 2) - refer to documentation accompanying the PP, which confirm no aboriginal heritage is identified within the project footprint or surrounds. |
| **Direction 19: Identify and protect the region's heritage** | The site contains no listed heritage items. |
| **Direction 20: Maintain the region's distinctive built character** | Not relevant. |
| **Direction 21: Co-ordinate local infrastructure delivery** | Not relevant. |
| **Goal 4 – Great housing choice and lifestyle options** | |
| **Direction 22: Create a compact settlement** | N/A |
| **Direction 23: Increase housing diversity and choice** | N/A |
| **Direction 24: Deliver well-planned rural residential housing areas** | N/A |
| **Direction 25: Deliver more opportunities for affordable housing** | N/A |

## Appendix B

*Consistency with State Environmental Planning Policies*

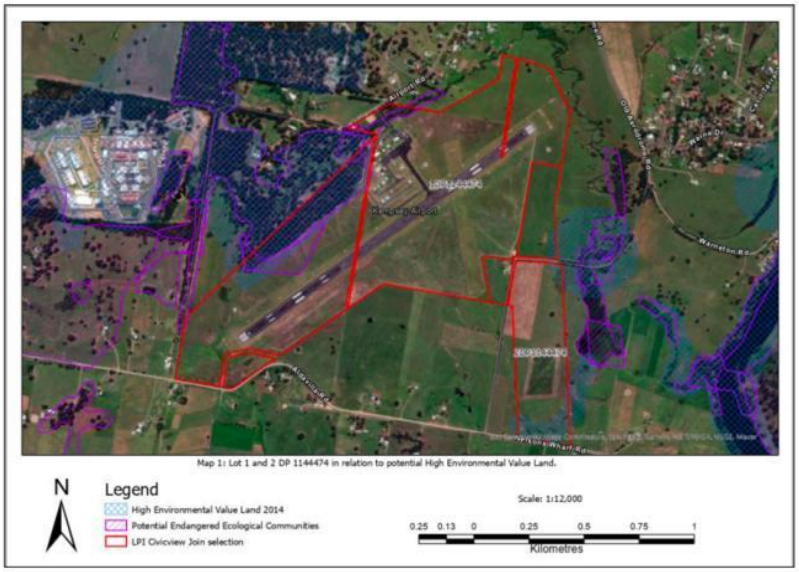
| State Environmental Planning Policy (SEPP) | Issue 1 |
|---|---|
| **SEPP No 19—Bushland in Urban Areas** | Not applicable (N/A). This SEPP does not apply to the Kempsey LGA. |
| **SEPP No 21—Caravan Parks** | N/A. Development consent is not being sought for a Caravan Park. |
| **SEPP No 33—Hazardous and Offensive Development** | N/A. The proposal does not involve an Offensive or Hazardous Development. |
| **SEPP No 36—Manufactured Home Estates** | N/A. The proposal does not involve a Manufactured Home Estate. |
| **SEPP No 47—Moore Park Showground** | N/A. |
| **SEPP No 50—Canal Estate Development** | N/A. |
| **SEPP No 55—Remediation of Land** | No residential use is proposed. A Phase 1 Site Contamination Investigation is being prepared as part of the suite of Development Application requirements. It is anticipated that this report should be available post Gateway should the Minister require.<br><br>A letter has been provided from the consultant (refer Appendix G) confirming no prohibitive contamination constraint is anticipated.<br><br>Kempsey Shire Council has additionally advised that the Kempsey Airport has been operating at its current location since 1936. On 24 May 1993, the Commonwealth of Australia transferred the deed of ownership, management and operation of Kempsey Aerodrome to the Shire of Kempsey. Whilst originally being constructed by the Department of Defence, over the years Kempsey Airport has predominately been utilised for general aviation (GA) and up until 2000, Regular Public Transport (RPT) passenger services.<br><br>To the best of Council's knowledge there is currently no known contaminated land at the Kempsey Airport and the site does not appear to be listed on any register of contaminated land.<br><br>The old underground fuel system at the Airport was decommissioned and extracted in 2020 with the site now being remediated. A 2021 Validation Report from Consulting Earth Scientists (CES) confirming the removal and validation of the underground fuel tanks at the Airport is available and the covering page certification for same is included as Appendix G. The existing above ground aviation fuel system is the only known fuel source located at the Airport. |
| **SEPP No 64—Advertising and Signage** | N/A. |
| **SEPP No 65—Design Quality of Residential Apartment Development** | N/A. |

| State Environmental Planning Policy (SEPP) | Issue 1 |
|---|---|
| **SEPP No 70—Affordable Housing (Revised Schemes)** | N/A. |
| **SEPP (Affordable Rental Housing) 2009** | N/A. |
| **SEPP (Aboriginal Land) 2019** | N/A. The subject site is not land owned by a Local Aboriginal Land Council. |
| **SEPP (Activation Precincts) 2020** | N/A. |
| **SEPP (Building Sustainability Index: BASIX) 2004** | N/A. |
| **SEPP (Coastal Management) 2018** | N/A. Site is outside area mapped as impacted by this SEPP. |
| **SEPP (Concurrences) 2018** | N/A. |
| **SEPP (Educational Establishments and Child Care Facilities) 2017** | N/A. |
| **SEPP (Exempt and Complying Development Codes) 2008** | N/A. The proposal does not seek development consent or to amend exempt and complying development requirements. |
| **SEPP (Gosford City Centre) 2018** | N/A. |
| **SEPP (Housing for Seniors or People with a Disability) 2004** | N/A. |
| **SEPP (Infrastructure) 2007** | N/A. Future development of the land may be identified as Traffic Generating Development under clause 104 of the SEPP. |
| **SEPP (Kosciuszko National Park—Alpine Resorts) 2007** | N/A. |
| **SEPP (Kurnell Peninsula) 1989** | N/A. |
| **SEPP (Mining, Petroleum Production and Extractive Industries) 2007** | N/A. |
| **SEPP (Miscellaneous Consent Provisions) 2007** | N/A. The proposal does not involve temporary structures and is not requesting development consent. |
| **SEPP (Penrith Lakes Scheme) 1989** | N/A. The site is not located in the applicable area. |
| **SEPP (State and Regional Development) 2011** | Not applicable at the Planning Proposal stage however future DA's maybe of a category that will identify the Regional Planning Panel as the determining authority. |

| State Environmental Planning Policy (SEPP) | Issue 1 |
|---|---|
| **SEPP (State Significant Precincts) 2005** | N/A. The site is not a State Significant Precinct therefore the provisions of this SEPP are not relevant to the proposal. |
| **SEPP (Sydney Drinking Water Catchment) 2011** | N/A. The site is not located in the applicable area. |
| **SEPP (Sydney Region Growth Centres) 2006** | N/A. The site is not located in the applicable area. |
| **SEPP (Exempt and Complying) 2009** | N/A. |
| **SEPP (Housing for Seniors or Persons with a Disability) 2009** | N/A. |
| **SEPP (Infrastructure) 2007** | N/A. Schedule 3 of the SEPP – Traffic-generating development – the state agency referral threshold is not proposed to be exceeded. A Traffic Impact Assessment forms part of the PP documentation. |
| **SEPP (Koala Habitat Protection) 2020 & 2021** | Combined site area is over 1 hectare however no vegetation removal is triggered under this proposal. Kempsey has adopted an LGA wide Koala Plan of Management and it is expected that consistency with this Plan can be demonstrated at DA stage. The site is not mapped as an Environmental Protection zone. |
| **SEPP (Three Ports) 2013** | N/A. |
| **SEPP (Urban Renewal) 2010** | N/A. |
| **SEPP (Vegetation in Non-Rural Areas) 2017** | N/A. The site is developed and hence highly disturbed. The site does not contain significant areas of native vegetation communities or other significant features. |
| **SEPP (Western Sydney Employment Area) 2009** | N/A. The site is not located in the applicable area. |
| **SEPP (Western Sydney Parklands) 2009** | N/A. The site is not located in the applicable area. |

## Appendix C

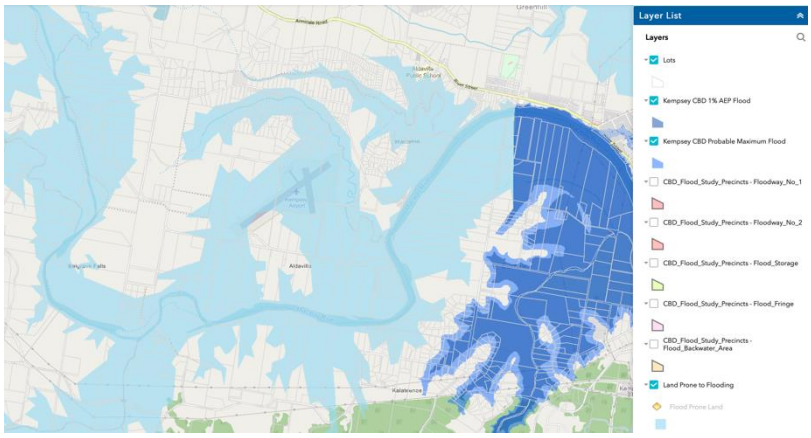
*Consistency with S9.1 Ministerial Directions*

| S117 Ministerial Direction | Issue |
|---|---|
| 1.1 Business and Industrial Zones<br><br>Encourages employment growth in suitable locations, while supporting the viability of centres and existing business and industry zones | N/A. The Planning Proposal does not affect land within an existing or proposed business or industrial zone. |
| 1.2 Rural Zones<br><br>Aims to protect the agricultural production value of rural lands. | The subject site is primarily zoned RU2 Rural Landscape however a small part of the subject Lot 2 is zoned RU1 Rural. The site has a long history of use as an operational airport.<br><br>The site has not been used for agricultural purposes since construction of the airport and furthermore, no change to the existing land use zone/s is proposed. The site is not in an identified LGA nominated under either Direction. |
| 1.3 Mining, Petroleum Production and Extractive Industries | N/A. The planning proposal does not affect the permissibility of mining or extractive industries on land. |
| 1.4 Oyster Aquaculture | N/A. The site is outside identified Priority Oyster Aquaculture Areas. |
| 1.5 Rural Lands<br><br>Aims to protect the agricultural production value of rural lands and facilitate orderly and economic development of rural lands for rural and related purposes. | The subject site is zoned RU2 Rural Landscape and a part of the subject Lot 2 is also zoned RU1 Rural. The site has a long history of use as an operational airport.<br><br>The site has not been used for agricultural purposes since construction of the airport and furthermore, no change to the existing land use zone is proposed. The site is not in an identified LGA nominated under either Direction.<br><br>  <br> |

| S117 Ministerial Direction | Issue |
|---|---|
| 2.1 Environmental Protection Zones<br><br>Aims to conserve and protect environmentally sensitive areas. | N/A. The site, being an operational airport, is highly disturbed.<br><br>The site does not contain any significant areas of native vegetation, mapped communities or other significant features, refer also larger environmental mapping extracts at Section 5.10 |
| 2.2 Coastal Protection<br><br>This direction requires Council to consider the provisions of the Coastal Management Manual and associated Guidelines. | The planning proposal is not a mapped Coastal Environment Area of the SEPP (Coastal Management) 2018 and the site is not identified as a coastal vulnerability area identified by SEPP (Coastal Management) 2018. |
| 2.3 Heritage Conservation<br><br>Aims to conserve items and places of heritage significance and indigenous heritage significance. | A detailed AHIMS search has been obtained for the subject site which has not identified any potential indigenous heritage within the confines of the project area.<br><br>The subject Planning Proposal is seeking a Schedule 1 addition to permitted uses on the site. It is not a comprehensive LEP review requiring review of the current LEP's heritage provisions |
| 2.4 Recreation Vehicle Areas<br><br>Aims to protect sensitive lands with significant vegetation value from the adverse impacts of recreational vehicles | N/A. The planning proposal is not located on sensitive land. |
| 2.5 Application of E2 and E3 Zones and Environmental Overlays in Far North Coast LEPs. | N/A. The site is not located in the applicable area. |

| S117 Ministerial Direction | Issue |
|---|---|
| 2.6 Remediation of Contaminated Lands –<br><br>(2)(b) states "land on which development for a purpose referred to in Table 1 of the contaminated land planning guidelines is being, or is known to have been, carried out". Airports are listed in Table 1 as an activity that may cause contamination and should be addressed under this Direction.<br><br>(5) provides that before including any land specified in paragraph (2) the PPA should obtain and have regard to a report specifying the findings of a preliminary site investigation of the land carried out in accordance with the contaminated land planning guidelines. | The Kempsey Airport is not listed on Council's Contaminated Land Register. Additionally, a Preliminary Phase 1 Site Contamination Investigation of the subject Airport site is being prepared and will form part of the DA documentation. A letter from the consultant is included at Appendix G, which confirms that no prohibitive contaminated land is anticipated to be identified.<br><br>The following details regarding potential for site contamination have been provided by Kempsey Shire Council.<br><br>The Kempsey Airport has been operating at its current location since 1936. On 24 May 1993, the Commonwealth of Australia transferred the deed of ownership, management and operation of Kempsey Aerodrome to the Shire of Kempsey. Whilst originally being constructed by the Department of Defence, over the years Kempsey Airport has predominately been utilised for general aviation (GA) and up until 2000, Regular Public Transport (RPT) passenger services.<br><br>To the best of Council's knowledge there is currently no known contaminated land at the Kempsey Airport and the site does not appear to be listed on any register of contaminated land. The old underground fuel system at the Airport was decommissioned and extracted in 2020 with the site now being remediated. A Validation Report dated 1st June 2021 prepared by Consulting Earth Scientists (CES) for the removal and validation of the underground fuel tanks at the Airport is included as Appendix G.<br><br>The existing above ground aviation fuel system is now the only known fuel source located at the Airport (pictured below).<br><br> <br><br>**Above: Existing airport aviation fuel tanks**<br><br>A preliminary letter of advice from Regional Geotechnical Solutions, the site contamination consultant for the MVARP, is included at Appendix G. |
| 3.1 Residential Zones<br><br>Aims to encourage a variety and choice of housing types for future housing needs and make use of existing infrastructure and services. | N/A |

| S117 Ministerial Direction | Issue |
|---|---|
| 3.2 Caravan Parks and Manufactured Home Estates<br><br>Aims to provide a variety of housing types including opportunities for caravan parks and manufactured home estates. | N/A |
| 3.3 Home Occupations<br><br>Aims to encourage low impact businesses in dwelling houses. | N/A |
| 3.4 Integrating Land Use & Transport<br><br>Aims to improve access by walking, public transport and other means that reduce private car travel dependencies. | N/A |
| 3.5 Development Near Licensed Aerodromes<br><br>Aims to ensure that Aerodromes operate safely and effectively and that development within the vicinity of aerodromes is suitable for occupation and does not compromise aerodrome operations. | The subject site is immediately adjacent to the operational Kempsey Airport.<br><br>The Planning Proposal is proposing to add provisions to permit construction of an Indoor Recreation Facility and Tourist and Visitor Accommodation on the airport site.<br><br>The proposed design has taken into consideration operational airspace and advice from the operator of the airport, which is Kempsey Shire Council. Kempsey Shire Council does not consider the proposal is incompatible with the current and future operation of the Kempsey Airport.<br><br>Further consultation with CASA and Council's Airport Operations Manager will occur post Gateway Determination. |
| 3.6 Shooting Ranges | N/A. The Planning Proposal will not affect, create, alter or remove a zone or a provision relating to land adjacent to and/ or adjoining an existing shooting range. |
| 4.1 Acid Sulfate Soils<br><br>Applies to land that has been identified as having a probability of containing acid sulfate soils. | The subject site is mapped as Class 5 under the KLEP 2013 which requires consideration of Acid Sulfate Soils only for works within 500m of an adjacent Class 1-4 land that is below 5m AHD and by which the water table is likely to be lowered below 1m AHD on the adjacent Class 1-4 land. Due to the nature of the proposed works and the distance to the nearest Class 1-4 land (being 2.73km) there is a low likelihood of the proposal triggering the ASS provisions. |
| 4.2 Mine Subsidence and Unstable Land | N/A. The land: (a) is not within a Mine Subsidence District or (b) has not been identified as unstable land. |

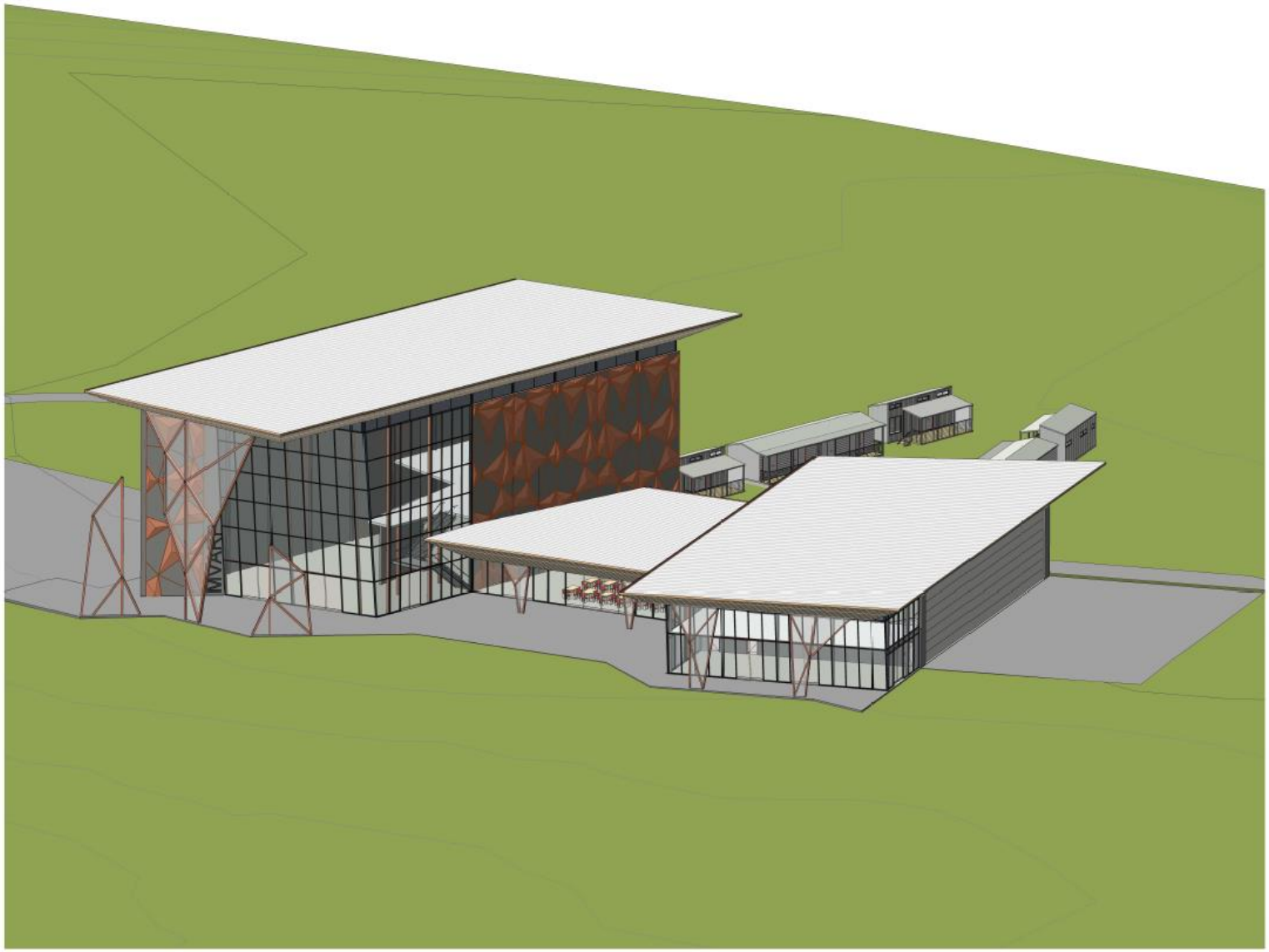
| S117 Ministerial Direction | Issue |
|---|---|
| 4.3 Flood Prone Land<br><br>The purpose of this Direction is to ensure the provisions of the LEP on flood prone land is commensurate with flood hazard and includes consideration of the potential of the flood impacts both on and off the subject land. | The site is identified within the Flood Planning Area map of KLEP 2013.<br>  <br><br>**Above: ESRI GIS map extract showing flood prone land in light blue at the Kempsey Airport**<br><br>The proposed development is being designed to account for occasional flood inundation of the ground floor level.<br><br>A letter of advice from the consulting flood engineers is included at Appendix F that confirms a design is underway that addresses the flood hazard and which confirms they do not anticipate any prohibitive flooding constraint. Woolacotts Consulting Engineers confirmed in their letter at Appendix F that:<br><br>*"The Flood Impact Assessment Report under preparation will be based on advice provided by Kempsey Shire Council that:*<br><br>*- The 1% AEP (1 in 100 year) flood level of the site is 14.50m AHD.*<br><br>*- The proposed ground floor of the main facility (not including the separate accommodation cabins) will be subject to inundation during the 1% AEP flood. Flood controls / freeboard requirements will not apply as this facility is not considered a habitable space.*<br><br>*2. The structural engineering design will account for flood impacts (immersion and impact of debris) to avoid risk of structural failure. All structural* elements will be designed of flood compatible material. " |
| 4.4 Planning for Bushfire Protection<br><br>The objectives of this Direction are to encourage the sound management of bushfire prone areas, and to protect life, property and the environment from bushfire hazards. | The site is mapped as bush fire prone in the Kempsey LEP 2013 Bush Fire Prone Land Map.<br><br>A detailed Bushfire Assessment has been obtained and has been submitted with the subject PP.<br><br>Consultation will occur with NSW RFS post Gateway Determination. |
| 5.1 Implementation of Regional Strategies | N/A. The site is outside the applicable area. |
| 5.2 Sydney Drinking Water Catchments | N/A. The site is outside the applicable area. |

| S117 Ministerial Direction | Issue |
|---|---|
| 5.3 Farmland of State and Regional Significance on the NSW Far North Coast | N/A. The site is not mapped as Regionally Significant Farmland. |
| 5.4 Commercial and Retail Development along the Pacific Highway, North Coast | N/A. The Council is within the applicable area however the direction is not applicable as the site is not in proximity to the Pacific Highway. |
| 5.5 Revoked | |
| 5.6 Revoked | |
| 5.7 Revoked | |
| 5.8 Revoked | |
| 5.9 North West Rail Link Corridor Strategy | N/A. The site is outside the applicable area. |
| 5.10 Implementation of Regional Plans<br><br>To give legal effect to the vision, land use strategy, goals, directions and actions contained in Regional Plans. | The Planning Proposal is consistent with the objectives and actions contained within the *North Coast Regional Plan 2036* as outlined in this Planning Proposal. |
| 6.1 Approval and Referral Requirements | The Planning Proposal will be consistent with this requirement. The planning proposal does not introduce any provisions that increase concurrence or referral requirements on the site. |
| 6.2 Reserving Land for Public Purposes | The Planning Proposal will be consistent with this requirement. The Planning Proposal does not seek to alter the provision of land available for public use. |
| 6.3 Site Specific Provisions | The Planning Proposal is consistent with Direction 6.3(4) as the development envisaged for the site will be enabled by the proposed schedule 1 additional permitted uses LEP amendment.<br><br>While concept drawings have been created for the development of the site, they do not form part of this proposal and the rezoning is not specific to those drawings. |
| 7.1 Implementation of A Plan for Growing Sydney | N/A. The site is outside the applicable area. |
| 7.2 Implementation of Greater Macarthur Land Release Investigation | N/A. The site is outside the applicable area. |
| 7.3 Parramatta Road Corridor Urban Transformation Strategy | N/A. The site is outside the applicable area. |
| 7.4 Implementation of North West Priority Growth Area | N/A. The site is outside the applicable area. |

| S117 Ministerial Direction | Issue |
|---|---|
| Land Use and Infrastructure Implementation Plan | |
| 7.5 Implementation of Greater Parramatta Priority Growth Area Interim Land Use and Infrastructure Implementation Plan | N/A. The site is outside the applicable area. |
| 7.6 Implementation of Wilton Priority Growth Area Interim Land Use and Infrastructure Implementation Plan | N/A. The site is outside the applicable area. |
| 7.7 Implementation of Glenfield to Macarthur Urban Renewal Corridor | N/A. The site is outside the applicable area. |
| 7.8 Implementation of Western Sydney Aerotropolis Interim Land Use and Infrastructure Implementation Plan | N/A. The site is outside the applicable area. |
| 7.9 Implementation of Bayside West Precincts 2036 Plan | N/A. The site is outside the applicable area. |
| 7.10 Implementation of Planning Principles for the Cooks Cove Precinct | N/A. The site is outside the applicable area. |

## Appendix D

*Macleay Valley Adventure & Recreation Park Architectural Plans*

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AMENDMENTS

| REV | DESCRIPTION | AUTH | CHK | DATE |
|---|---|---|---|---|
| A | Update design | AD | KM | 21.01.22 |
| B | Updated Design | AD | KM | 28.01.22 |

STATUS

0m 1 2 3 4 5


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KEMPSEY SHIRE COUNCIL

PROJECT
Macleay Valley Adventure Recreation Park
Old Aerodome Rd

DRAWING TITLE
3D VIEW 1

| DRAWN | CHECKED |
|---|---|
| Author | Checker |
| ISSUE 26/01/2022 5:40:21 PM | SCALE @ A1 / SCALE @ A3 1 : 200 |

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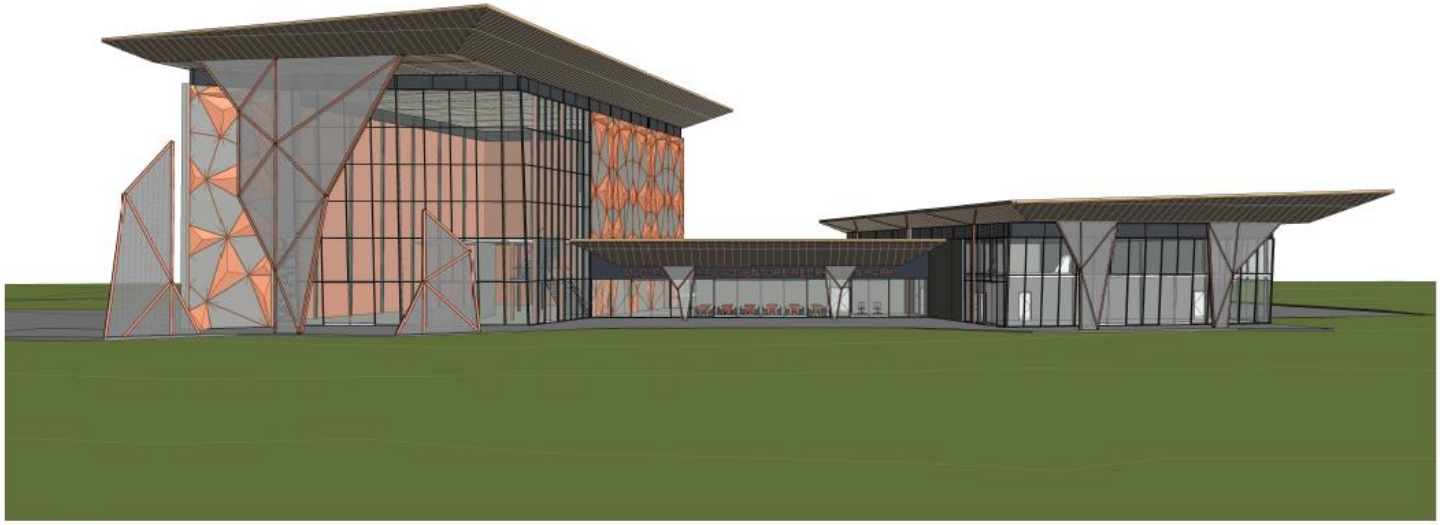


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|---|---|---|---|---|
| A | Reduced Areas | AD | KM | 01.12.21 |
| B | Reduced Areas | AD | KM | 10.12.21 |
| C | Jindlin design | AD | KM | 21.01.22 |
| D | Updated Design | AD | KM | 28.01.22 |

STATUS

0m 1 2 3 4 5


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PROJECT
Macleay Valley Adventure Recreation Park
Old Aerodome Rd

DRAWING TITLE
3D VIEW 2

DRAWN
Author

CHECKED
Checker

ISSUE
29/12/2022 5:40:36 PM

SCALE @ A1 1 : 200
SCALE @ A3

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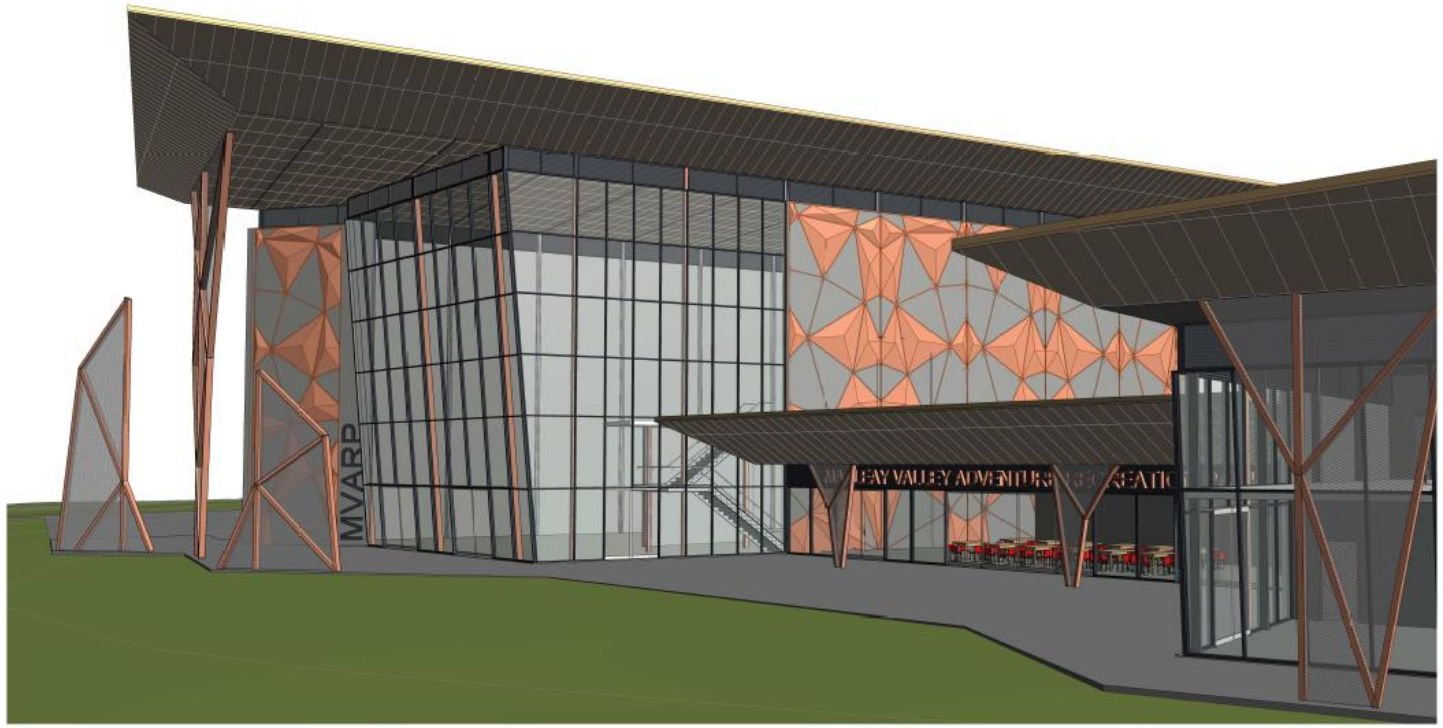


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| REV | DESCRIPTION | AUTH | CHK | DATE |
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| A | Jcdate design | AD | KM | 21.01.22 |
| B | Jcdetail Design | AD | KM | 28.01.22 |

STATUS

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PROJECT
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DRAWING TITLE
3D VIEW 3

| DRAWN | CHECKED | |
|---|---|---|
| Author | Checker | |
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| PROJECT No | STAGE | DRAWING No | REVISION |
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| REV | DESCRIPTION | AUTH | CHK | DATE |
|---|---|---|---|---|
| A | Update design | AO | KM | 27.01.22 |
| B | Updated Design | AO | KM | 28.01.22 |

STATUS

0m 1 2 3 4 5


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Old Aerodome Rd

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3D VIEW 4

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|---|---|---|---|
| Author | Checker | | |
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| REV | DESCRIPTION | AUTH | CHK | DATE |
|---|---|---|---|---|
| A | Update design | AD | KM | 21.01.22 |
| B | Updated Design | AD | KM | 28.01.22 |

STATUS

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DRAWING TITLE
3D VIEW 5

| DRAWN | CHECKED |
|---|---|
| Author | Checker |
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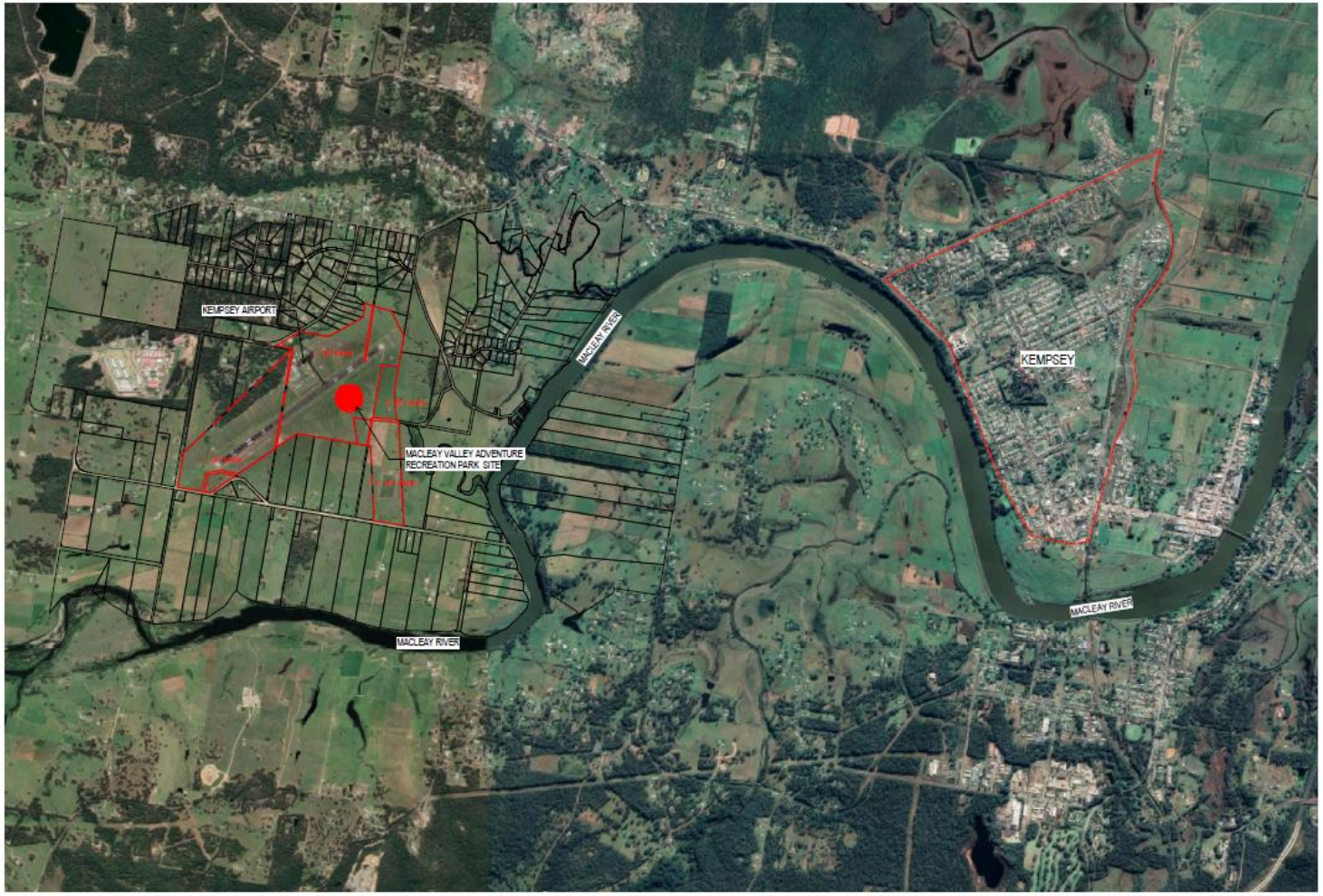



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| REV | DESCRIPTION | AUTH | CHK | DATE |
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| A | Revision A | AO | KM | 08.11.21 |
| B | Revision B | AO | KM | 11.11.21 |
| C | Reduced Areas | AO | KM | 15.12.21 |
| D | Reduced Areas | AO | KM | 10.12.21 |
| E | Update design | AO | KM | 21.01.22 |
| F | Updated Design | AO | KM | 26.01.22 |

STATUS
PRELIMINARY

0m 150 300 450 600 750

NORTH


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Old Aerodome Rd

DRAWING TITLE
LOCATION PLAN

| DRAWN | CHECKED | |
|---|---|---|
| AO | KM | |
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| REV | DESCRIPTION | AUTH | CHK | DATE |
|---|---|---|---|---|
| A | Bubble design | AO | KM | 21.01.22 |
| B | Bubbled Design | AO | KM | 28.01.22 |

STATUS

NORTH

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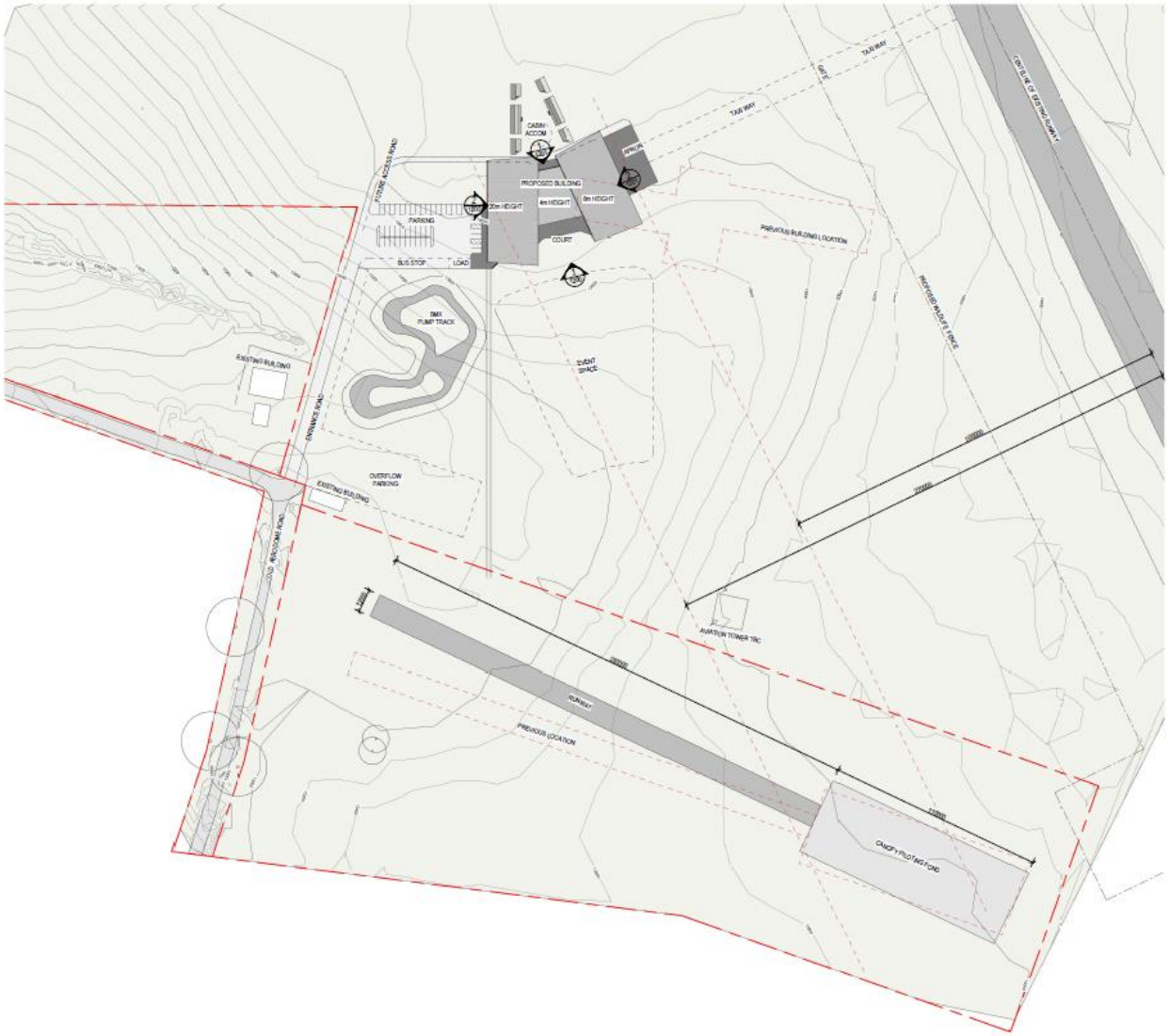



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| A | Revision A | AO | KM | 26.11.21 |
| B | Revision B | AO | KM | 11.11.21 |
| C | Reduced Areas | AO | KM | 01.12.21 |
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| E | Update design | AO | KM | 21.01.22 |
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STATUS
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0m 10 20 30 40 50

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DRAWING TITLE
SITE PLAN

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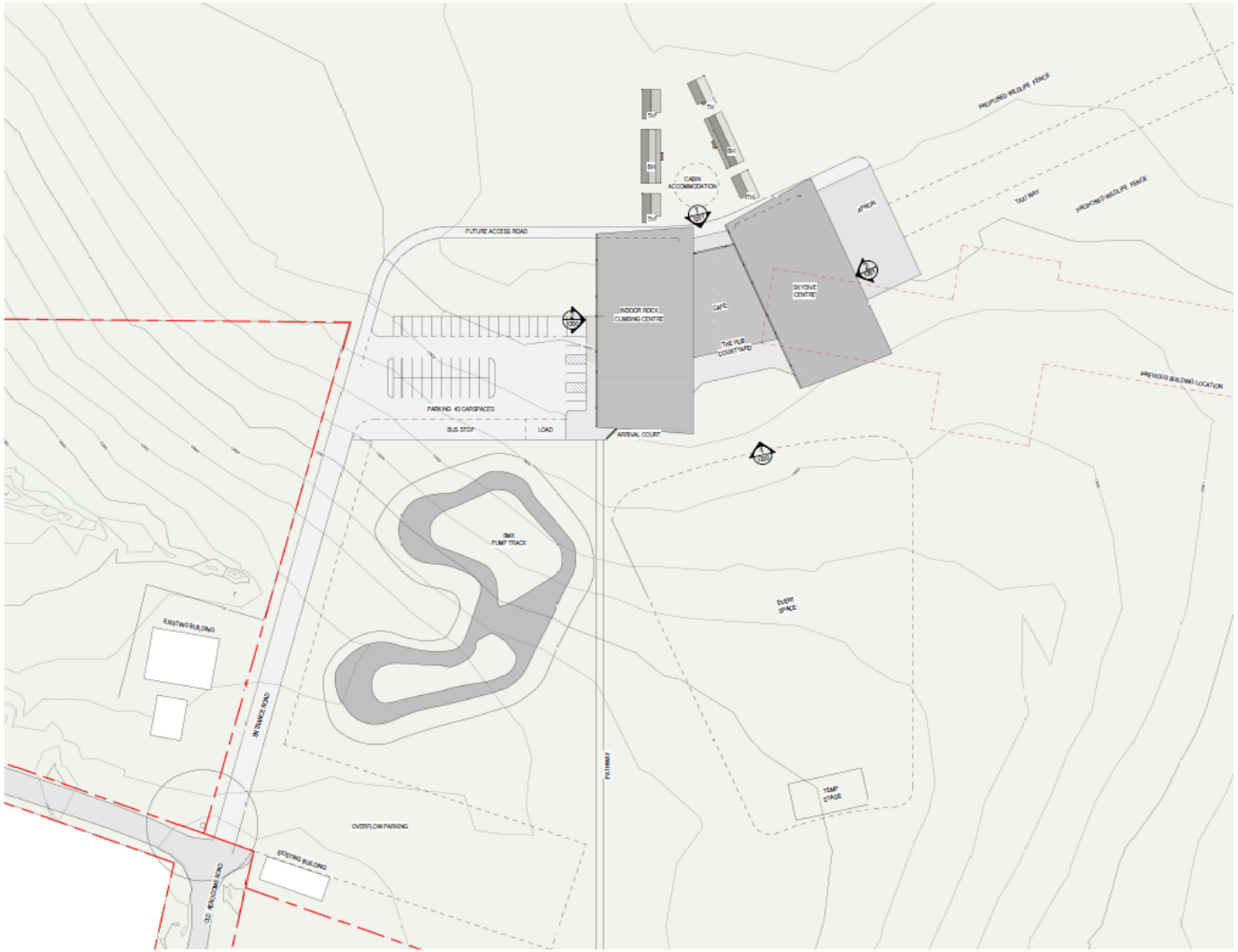


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|---|---|---|---|---|
| A | Revision A | AO | KM | 26.11.21 |
| B | Revision B | AO | KM | 11.11.21 |
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| D | Reduced Areas | AO | KM | 10.12.21 |
| E | Update design | AO | KM | 21.01.22 |
| F | Updated Design | AO | KM | 26.01.22 |

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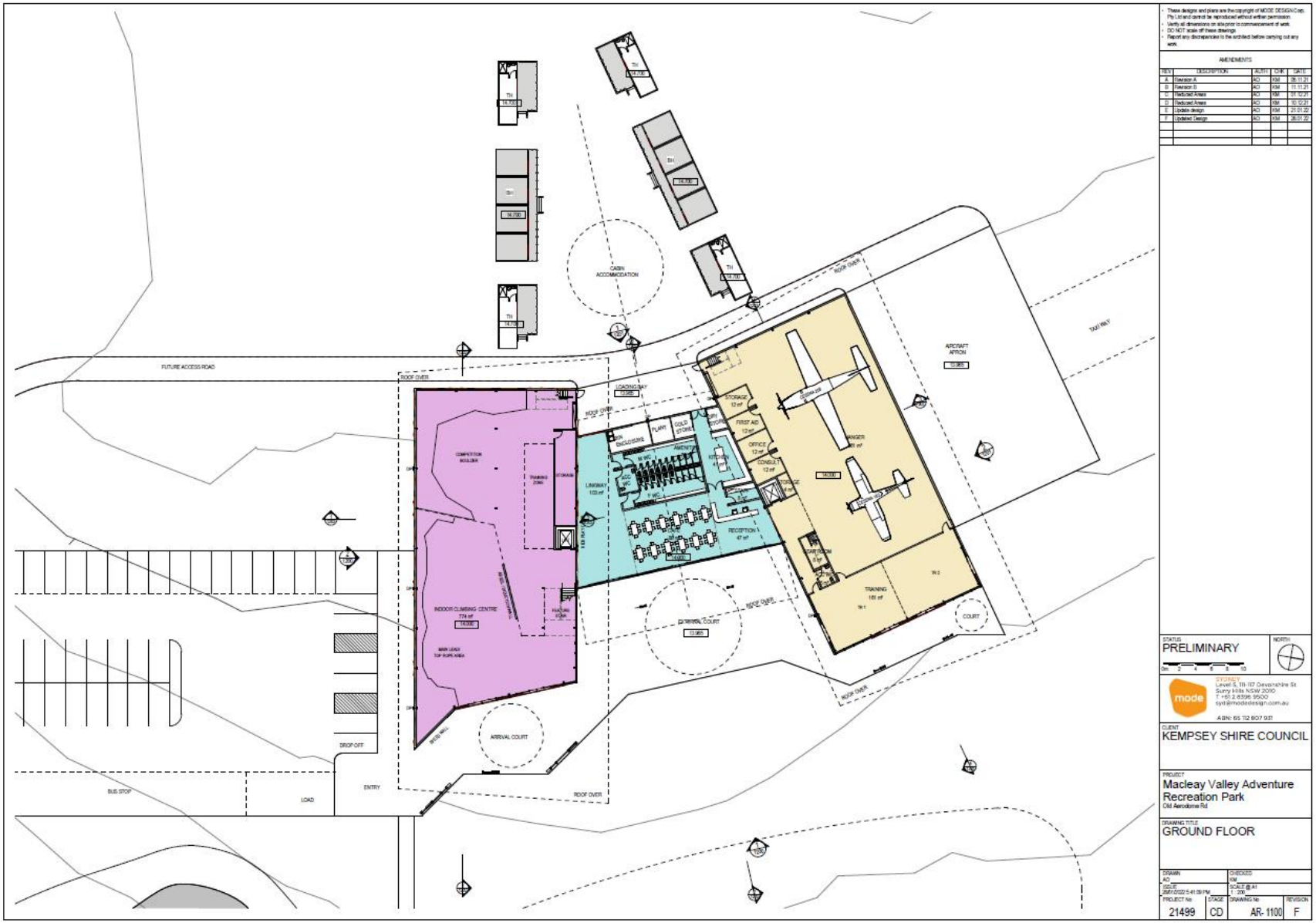
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CABIN ACCOMMODATION
ROOF OVER
LOADING BAY
AIRCRAFT APRON
TAXI WAY
STORAGE
FIRST AID
OFFICE
CONSULT
HANGER
FLIGHT
COLD STORE
AMENITIES
LINKWAY
RECEPTION
TRAINING
COURT
COMPETITION BOULDER
PARKING ZONE
STORAGE
INDOOR CLIMBING CENTRE
FACTORY YOGA
ARRIVAL COURT
DEPARTURE COURT
DROP OFF
BUS STOP
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ENTRY
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PROJECT
Macleay Valley Adventure Recreation Park
Old Aerodrome Rd
DRAWING TITLE
GROUND FLOOR
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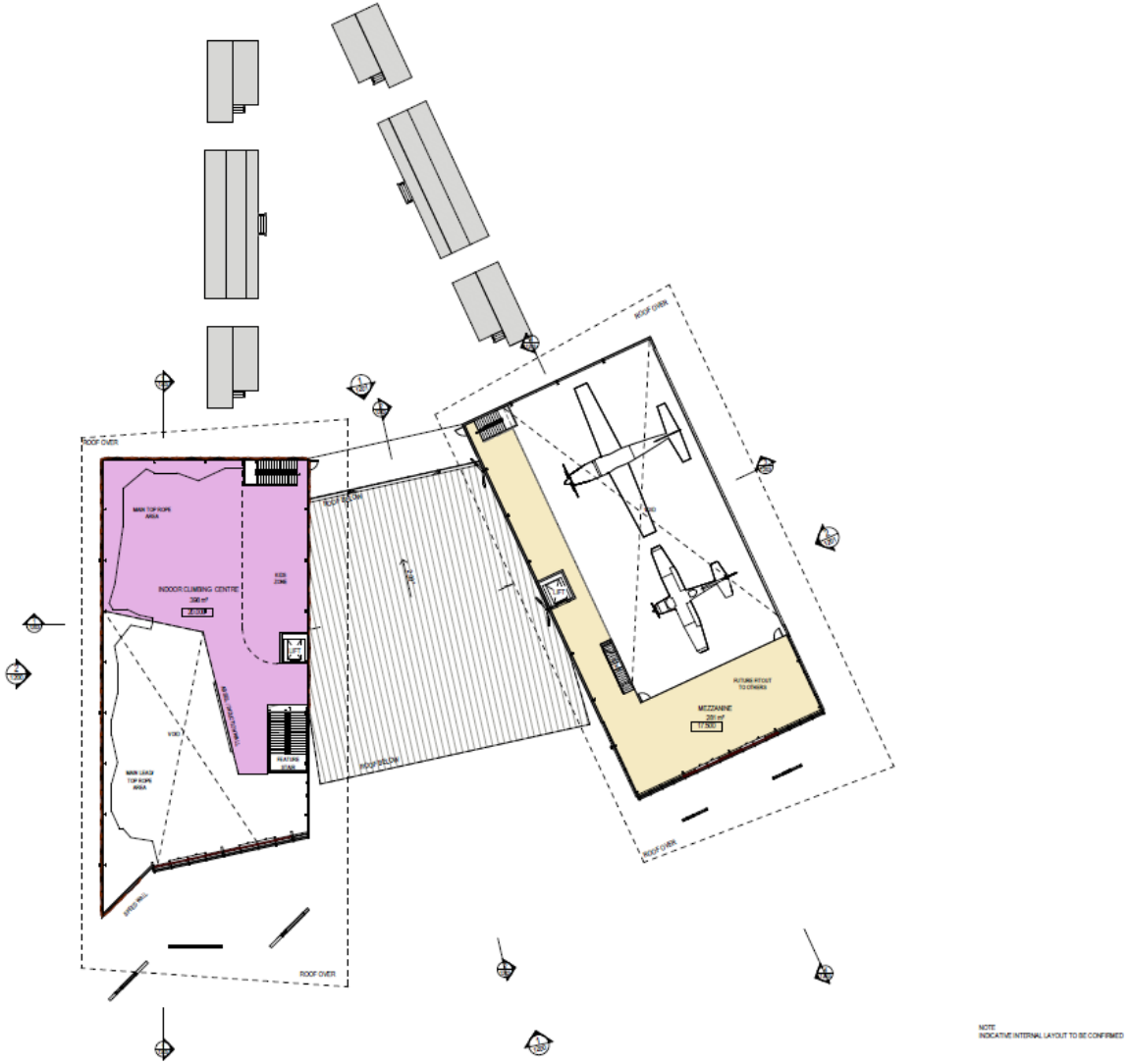



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| A | Revision A | AO | KM | 05.11.21 |
| B | Revision B | AO | KM | 11.11.21 |
| C | Reduced Areas | AO | KM | 01.12.21 |
| D | Reduced Areas | AO | KM | 10.12.21 |
| E | Update design | AO | KM | 21.01.22 |
| F | Updated Design | AO | KM | 26.01.22 |

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0m 2 4 6 8 10


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DRAWING TITLE
MEZANNINE PLAN

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| AO | KM |
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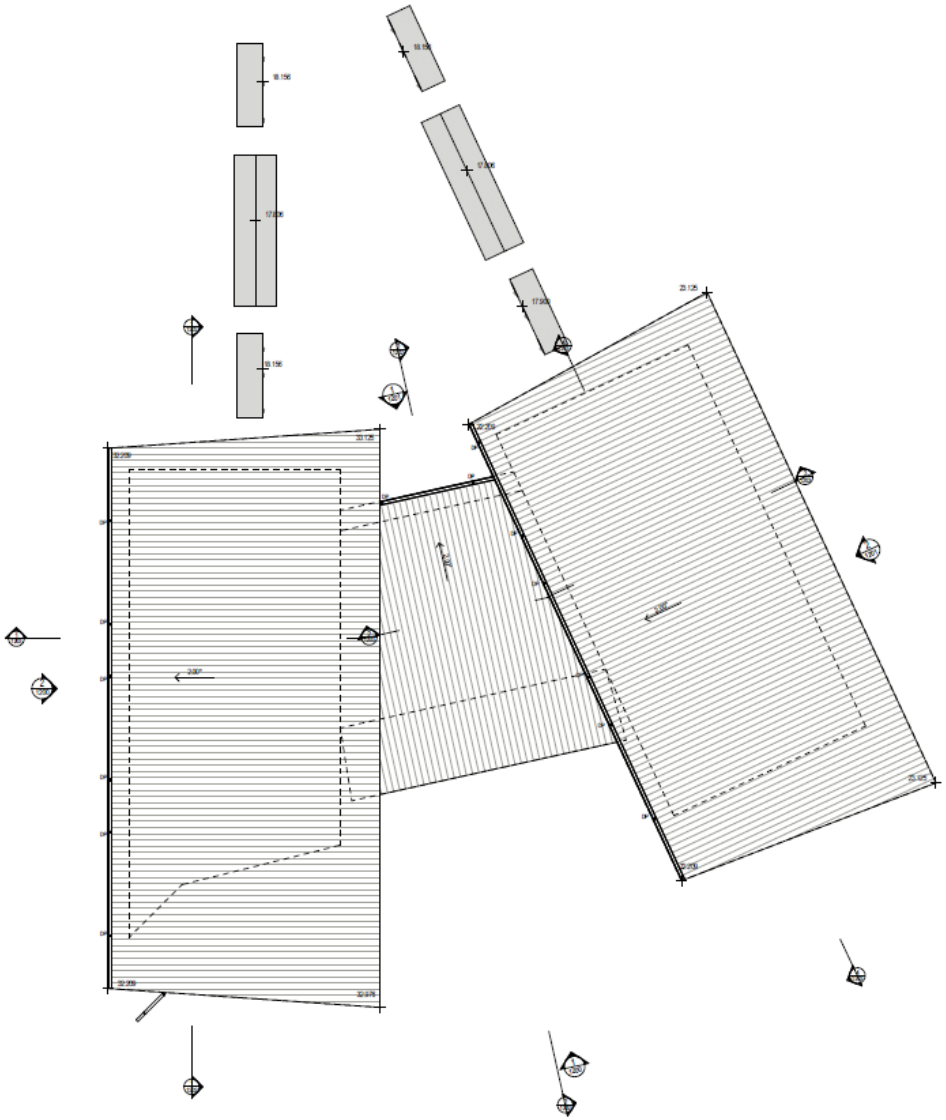

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| REV | DESCRIPTION | AUTH | CHK | DATE |
|---|---|---|---|---|
| A | Update design | AO | KM | 21.01.22 |
| B | Updated Design | AO | KM | 26.01.22 |

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0m 1 2 3 4 5


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PROJECT
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DRAWING TITLE
ROOF PLAN

| DRAWN | CHECKED |
|---|---|
| Author | Checker |
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| PROJECT No | STAGE | DRAWING No | REVISION |
|---|---|---|---|
| 21499 | CD | AR-1102 | B |

1 ELEVATION East Elevation
1:100 Scale: 1 : 200

2 ELEVATION South Elevation
1:100 Scale: 1 : 200

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| REV | DESCRIPTION | AUTH | CHK | DATE |
|---|---|---|---|---|
| A | Revision A | AO | KM | 05.11.21 |
| B | Revision B | AO | KM | 11.11.21 |
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| D | Reduced Areas | AO | KM | 10.12.21 |
| E | Jobbin design | AO | KM | 21.01.22 |
| F | Jobbin Design | AO | KM | 28.01.22 |

STATUS

0m 2 4 6 8 10

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PROJECT
Macleay Valley Adventure Recreation Park
Old Aerodrome Rd

DRAWING TITLE
ELEVATIONS

| DRAWN | CHECKED |
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| AO | Checker |
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| PROJECT No | STAGE | DRAWING No | REVISION |
|---|---|---|---|
| 21499 | CD | AR- 1200 | F |

1 ELEVATION West Elevation
1002 Scale: 1 : 200

2 ELEVATION North Elevation
1002 Scale: 1 : 200

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| REV | DESCRIPTION | AUTH | CHK | DATE |
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| A | Tender A | AO | KM | 26.11.21 |
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| E | Jobbie design | AO | KM | 21.01.22 |
| F | Jobbie Design | AO | KM | 26.01.22 |

STATUS

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DRAWING TITLE
ELEVATIONS

| DRAWN | CHECKED |
|---|---|
| AO | Checker |
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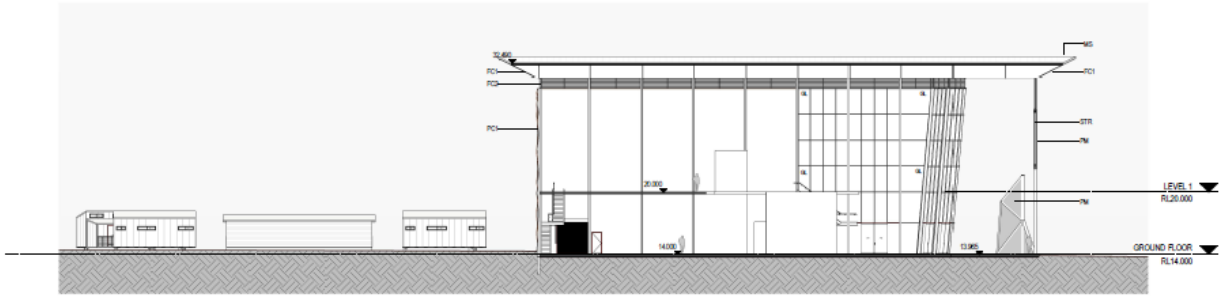


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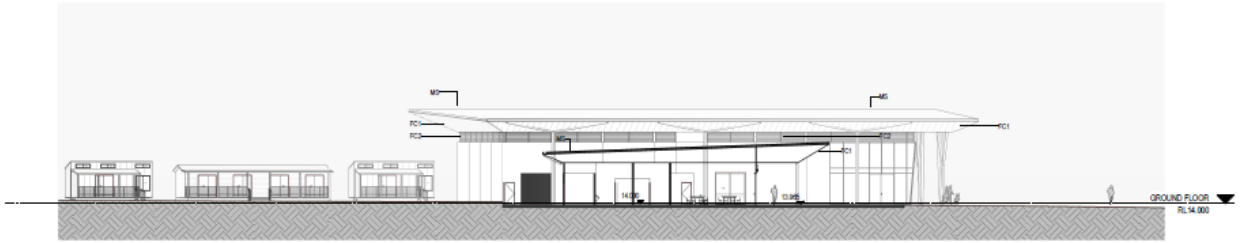


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AMENDMENTS

| REV | DESCRIPTION | AUTH | CHK | DATE |
|---|---|---|---|---|
| A | Revision A | AO | KM | 26.11.21 |
| B | Revision B | AO | KM | 11.11.21 |
| C | Reduced Areas | AO | KM | 01.12.21 |
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| E | Jobbin design | AO | KM | 21.01.22 |
| F | Jobbin Design | AO | KM | 26.01.22 |

STATUS

1m 2 4 6 8 10


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Old Aerodome Rd

DRAWING TITLE
SECTIONS

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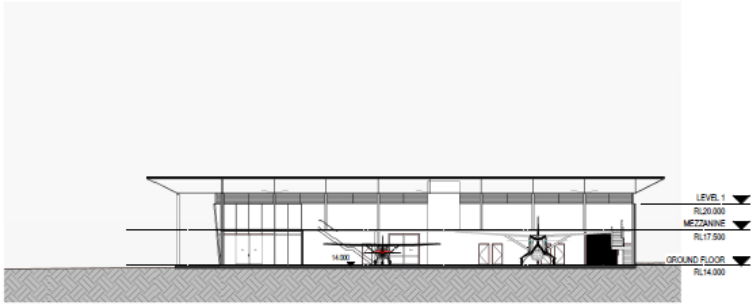


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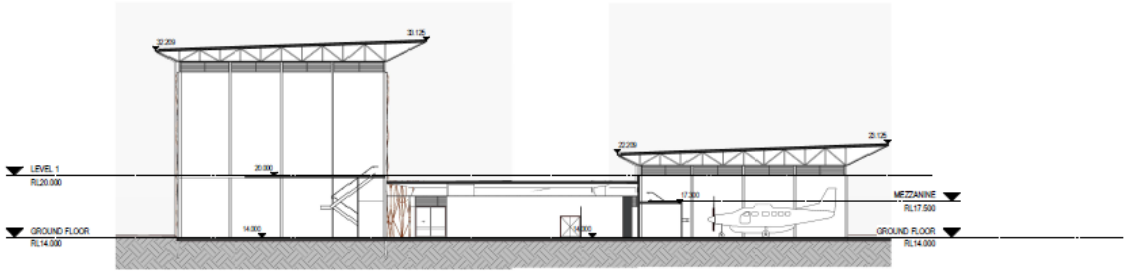


1 SECTION Section 4A
1:100 Scale 1 : 200


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- Verify all dimensions on site prior to commencement of work.
- DO NOT scale off these drawings.
- Report any discrepancies to the architect before carrying out any work.

AMENDMENTS

| REV | DESCRIPTION | ADRT | DRR | DATE |
|---|---|---|---|---|
| A | Revision A | AD | KM | 05.11.21 |
| B | Revision B | AD | KM | 11.11.21 |
| C | Reduced Areas | AD | KM | 01.12.21 |
| D | Reduced Areas | AD | KM | 10.12.21 |
| E | Update design | AD | KM | 21.01.22 |
| F | Updated Design | AD | KM | 28.01.22 |

STATUS

0m 2 4 6 8 10


mode
SYDNEY
Level 5, 75-87 Devonshire St
Surry Hills NSW 2010
T +61 2 8396 9500
sydd@modedesign.com.au
ABN: 63 112 807 931


CLIENT
KEMPSEY SHIRE COUNCIL

PROJECT
Macleay Valley Adventure Recreation Park
Old Aerodome Rd

DRAWING TITLE
SECTIONS

| DRAWN | CHECKED | | |
|---|---|---|---|
| AD | Checker | | |
| ISSUE 26/01/2022 5:41:35 PM | SCALE @ A1 1 : 200 | SCALE @ A3 1 : 200 | |
| PROJECT No | STAGE | DRAWING No | REVISION |
| 21499 | CD | AR- 1203 | F |

## Appendix E

*Additional Permitted Uses Map*

Kempsey Local Environmental Plan 2013
KEMPSEY Shire Council
Additional Permitted Uses Map - Sheet APU_011
Additional Permitted Uses
Refer to Schedule 1
Cadastre
Cadastre 4/02/2022 © NSW Spatial Services
Addendum Data 4/02/2022 © Kempsey Shire Council
CLYBUCCA
SUMMER ISLAND
COLLOMBATTI
SEVEN OAKS
BELLIMBOPINNI
SKILLION FLAT
GLADSTONE
KINCHELA
FREDERICKTON
AUSTRAL EDEN
YARRAVEL
GREENHILL
KEMPSEY
POLA CREEK
OLD STATION
Refer to Sheet APU_011A
EUROKA
ALDAVILLA
VERGES CREEK
BELMORE RIVER
Refer to Sheet APU_011B
DONDINGALONG
SOUTH KEMPSEY
KUNDABUNG
CRESCENT HEAD
SOUTH PACIFIC OCEAN
N
0 400 800 1,600 2,400 3,200 Metres
Scale: 1:80,000 @ A3
Projection: GDA 2020 MGA Zone 56
Map Identification Number:
4350_COM_APU_011_080_20220204

## Appendix F

*Preliminary Flood Assessment Engineering Advice*

Woolacotts.
CONSULTING ENGINEERS

Our reference: 21-291

12 November 2021

Public Works Advisory
Department of Regional NSW
Email<Kylie.Cameron@finance.nsw.gov.au

Dear Kylie Cameron,

**RE: MACLEAY VALLEY ADVENTURE RECREATION PARK**
**ENGINEERING ADVICE FOR PLANNING PROPOSAL**

Woolacotts Consulting Engineers has been engaged to undertake Structural and Civil engineering services for the above mentioned project. The following items will be addressed as part of our scope of works for Development Application (DA) submission:

1. A Flood Impact Assessment Report. This will be based on advice provided by Kempsey Shire Council that:
   - The 1% AEP (1 in 100 year) flood level of the site is 14.50m AHD.
   - The proposed ground floor of the main facility (not including the separate accommodation cabins) will be subject to inundation during the 1% AEP flood. Flood controls / freeboard requirements will not apply as this facility is not considered a habitable space.
2. The structural engineering design will account for flood impacts (immersion and impact of debris) to avoid risk of structural failure. All structural elements will be designed of flood compatible material.

Please request any further information you may require.

**Yours faithfully,**
**Woolacotts Consulting Engineers**

**Justin Chirillo**
**Principal Civil Engineer**

**WOOLACOTTS CONSULTING ENGINEERS PTY LTD**
ABN 61 139 113 036

Suite 6.02 Level 6, 67 Albert Avenue, Chatswood NSW 2067 | PO Box 5612, West Chatswood NSW 1515
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## Appendix G

*Preliminary Phase 1 Contamination Assessment Advice and Validation Certification of Removal of Underground Storage Tanks - Kempsey Airport Fuel Depot*

REGIONAL GEOTECHNICAL SOLUTIONS

Manning-Great Lakes
Port Macquarie
Coffs Harbour

RGS20981.4-AB

16 December 2021

MODE
Level 5, 111-117 Devonshire Street
SURRY HILLS NSW 2010

**Attention: Kirk MacDonnell**

Dear Kirk

**RE: Proposed Recreation Park – Kempsey Airport, Lot No's 1 & 2 DP114474**

**Site Contamination**

Regional Geotechnical Solutions Pty Ltd (RGS) have been asked to provide an opinion on the likelihood of the presence of soil contamination at the site of the proposed adventure park to be located at Kempsey Airport, within part of Lot 1 DP 1144474 and part of Lot 2 DP 1144474, Old Aerodrome Road, Aldavilla. Details of the proposed development, including location of the proposed structures is still to be confirmed.

The proposed development will include the following:

- A large structure approximately 150m in length, 35m wide and up to 20m high that will include an adventure centre, training area, aircraft hangar, dormitory and parkour area;
- Three car parks around the proposed large structure with a total of approximately 130 parking bays;
- A taxiway approximately 400m in length connecting the main runway to the proposed development. Details of the proposed taxiway have not been provided;
- Internal access roads and construction of a roundabout for site entry on Old Aerodrome Road;
- Skydiving target pond; and
- BMX pump track with car park.

The site is situated in an area of gently undulating topography situated on a Pleistocene alluvial terrace which can include silt, clay, fluvial sand and gravel. Reference to the Kempsey 1:25,000 Acid Sulfate Soil (ASS) Risk Map indicates the site is situated in an area of no known ASS occurrence.

The site is partly located within the operation footprint of the Kempsey Airport and comprises open grass paddocks. A shed structure is present in the 2020 satellite image on the alignment of the

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Web: www.regionalgeotech.com.au

proposed access road to the main building. A previous grassed runway crosses the south west corner of the proposed development footprint.

The general site location is shown in Plate 1.

***Plate 1:*** *Satellite image dated 2012 obtained from the NSW Government 'Six Maps' website with approximate limits of the proposed assessment outlined in red for the proposed Adventure Park, Kempsey Airport, Old Aerodrome Road Aldavilla.*

Based on the 2012 satellite image of the site, the historical land use appears to be of a rural nature. Details of historical airport operations in the site are not known. A small shed structure is located in the south of the site adjacent to Old Aerodrome Road.

From the brief summary above, the likelihood of soil contamination at the site appears to be low, however, a Preliminary Site Contamination Assessment in accordance with NSW EPA *Guidelines for Consultants Reporting on Contaminated Land (2020)* is recommended to provide recommendations regarding:

- Identification of Areas of Concern and Chemicals of Concern regarding site contamination;
- Conclusions regarding the presence of contamination at the site and its potential impacts on the proposed landuse;
- The requirement for remediation, further investigation, or ongoing management of site contamination

This report alone should not be used by contractors as the basis for preparation of tender documents or project estimates. Contractors using this report as a basis for preparation of tender documents should avail themselves of all relevant background information regarding the site before deciding on selection of construction materials and equipment.

If you have any questions regarding this project, or require any additional consultations, please contact the undersigned.

For and on behalf of

**Regional Geotechnical Solutions Pty Ltd**

**Tim Morris**

Associate Engineering Geologist

# CONSULTING EARTH SCIENTISTS

**Removal and Validation of Underground Storage Tanks**

**KEMPSEY AIRPORT FUEL DEPOT**

PREPARED FOR KEMSEY SHIRE COUNCIL

CES DOCUMENT REFERENCE: CES190404-KSC-AK


**Written by:** P. Garces
**Reviewed by:** M. Challoner

CEnvP:SCS

**Authorised by:** Mr. Duncan Lowe

**Client:** Kempsey Shire Council

22 Tozer Street | PO Box 3078

West Kempsey NSW 2440


**Date:** 1 June 2021


**Telephone**: 02 8569 2200 • **Fax**: 02 9552 4399 • Level 1, Suite 3

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