

Pre Lodgement Planning Proposal / Rezoning Request Meeting Notes

Details

Attendees

External: Consultant/ Landowner	Craig Campbell, Tony Thorne & Sam Walls
Council Staff	Megan Jones, Steve Schwartz & Peter Orr

Property Details

LA:	33861
Lot/DP:	9 DP1219664
Address:	157 Arakoon Road, South West Rocks
Current KLEP 2013 Zoning:	R5 Large Lot Residential
Proposed KLEP 2013 Zoning:	R1 General Residential
Proposed KLEP Amendment: (ie adjust lot size, add a landuse to landuse table)	Proposed residential subdivision which will require amendment to the following KLEP 2013 mapping: <ul style="list-style-type: none"> • Land Zoning Map • Height of Buildings Map (8.5m) • Lot Size Map (500m²)

Application Summary

Proposed Amendment Description:	Amend the KLEP 2013 land zone, height of buildings and minimum lot size mapping for the subject site to enable a future residential subdivision
Strategy Supported? Details.	The site is identified as an Urban Release Area (SWRUIA 4) within the <i>Kempsey Shire Rural Council Local Growth Management Strategy – Residential Component 2010</i> .

Summary of Discussion:

Identified Issues/Constraints.	<ul style="list-style-type: none"> • Ecological matters namely: Koala habitat, flora and fauna values: - The site contains areas of vegetation identified in the <i>Comprehensive Koala Plan of Management for the Eastern Portion of Kempsey Shire LGA (CKPoM)</i> as preferred Koala habitat (PKH) Secondary (Class A) and Secondary (Class B). Additionally, as the site is zoned R5 Large Lot Residential, <i>State Environmental Planning Policy (Koala</i>
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	<p><i>Habitat Protection</i>) 2021 currently applies to this site.</p> <ul style="list-style-type: none"> - The site is also mapped as containing potential high environmental values as defined in Direction 2 of the <i>North Coast Regional Plan 2036</i> - Discussions also covered the <i>Biodiversity Conservation Act 2016</i> and biodiversity offsets, as well as the sensitive lands mapping which can be accessed through the following website: https://www.lmbc.nsw.gov.au/Maps/index.html?viewer=BVMap <p>It was noted that the rezoning proposal may trigger the requirement of Koala habitat offsets in accordance with the CKPoM and biodiversity offsets in accordance with the <i>Biodiversity Conservation Act 2016</i>. There may be opportunity to provide all or some of these offsets on-site, however detailed investigation is required to determine this.</p> <ul style="list-style-type: none"> • Aboriginal cultural heritage: <ul style="list-style-type: none"> - Proponents were advised that the site may potentially contain Aboriginal cultural heritage. The extent and nature of this aspect is unknown. • Road access <ul style="list-style-type: none"> - It is understood that initial access to the site will be via Belle O'Connor Street. This access point will not conflict with Council's intention to ultimately establish a connection road between Belle O'Connor Street and Phillip Drive. Council will soon be undertaking a Structure Plan for South West Rocks. The alignment of the road linking Belle O'Connor Street and Phillip Drive will be explored further through this project. <p>An arrangement (through a Voluntary Planning Agreement) will be required to ensure that a second access point through to Arakoon Road is also provided at a stage agreed to with Council. Intersection works will be required at the development application stage (to obtain consent for the future subdivision). Engineering drawings are not required at this stage.</p> • Acid Sulfate Soils <ul style="list-style-type: none"> - Portions of the lot potentially contains Class 4 acid sulfate soils, which will need to be addressed at development application stage. • Section 9.1 Ministerial Directions:
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	<ul style="list-style-type: none"> - The Planning Proposal will need to address all relevant s9.1 directions.
Additional Studies Required	<p>In addition to the provision of a planning proposal prepared in accordance with clause 3.33(2) of the <i>Environmental Planning and assessment Act 1979</i>, please provide the following studies:</p> <ul style="list-style-type: none"> • Flora & fauna (including Koala) study. Reporting is also likely needed to determine the biodiversity credits required to offset future development impacts by applying Stage 1 of the Biodiversity Assessment Method (BAM) to areas of confirmed HEV land proposed for land use intensification. • A traffic report which includes an assessment based on access from Belle O'Conner Street and Arakoon Road. • Bushfire: a bushfire assessment will be required. • Aboriginal Heritage reporting: initially an AHIMS search and the provision of an Aboriginal Cultural Heritage Assessment Report from the Kempsey Local Aboriginal Land Council. Additional reporting will be required if the site is identified to be of Aboriginal cultural heritage significance. • A survey plan (if split zoning is proposed) and an indicative site plan for the subdivision proposed.
Summary of Information provided – including Fees etc.	<p>Council's <i>Application to Amend Kempsey LEP 2013</i> form can be downloaded through Council's website: http://www.kempsey.nsw.gov.au/pdfsForms/applic_rezoning_land.pdf</p> <p>Council's fees for a major LEP amendment comprise of two payments as follows (only the Stage 1 payment is to accompany lodgement of the planning proposal):</p> <p>Stage 1 – Includes initial assessment of Planning Proposal and report to Council for consideration and Council resolution to proceed, forwarding Planning Proposal to the NSW Department of Planning (DPIE), liaising with DPIE and LEP Review Panel to obtain Gateway Determination regarding further progress of the LEP Amendment. \$6,500</p> <p>Stage 2 – Gateway Determination to proceed. Includes the following consultation (as directed by the DPIE), State /Commonwealth Authorities, community consultation, consideration and reporting to Council of amendments, referral to DPE for final determination, and all advertising/notification. \$6,500</p>