


**Central Coast Council's submission on Kariong Independent proposal review received 26/3/2020**

Council submission	Department's comment
<p><b>Strategic context</b></p> <p>Council adopted the <i>Somersby to Erina Corridor Strategy</i> in December 2019.</p> <p>The adopted strategy does not make any recommendations for the supply of additional land to support housing or job supply targets within the planning horizon for the life of the strategy (i.e. up to 2036) within the Mount Penang or Kariong localities (figure1).</p> <p>The rezoning of additional land for residential purposes would be contrary to a current (and very recently) adopted strategy of Council. This could create potential matters of precedence for rezoning of land which was similarly situated.</p>	<p>The Department provided comment to Council on its draft <i>Somersby to Erina Corridor Strategy</i>. In particular, the Department requested Council's draft be amended to take account of the Kariong proposal which had been identified in the Interim Darkinjung Development Delivery Plan and mapped in the Aboriginal Land SEPP.</p> <p>Council responded by amending the draft to include text referring to Darkinjung proposals (p.53 of Council's strategy) which recognises the potential for amendments to population 'targets' in Council's strategy.</p> <p>In terms of the potential to create a precedent, there is no other land identified in the IDDDP and AL SEPP at Kariong.</p> <p>There is no inconsistency between this proposal and Council's strategy.</p>
<p><b>Extent of proposed rezoning footprint</b></p> <p>if the RPP supports a rezoning of land for residential purposes in this locality, Council recommends the inclusion of those lands north of Lot 512 and 513 DP 727686 to be considered for rezoning</p> 	<p>The logic of including the northern lands is noted however these lands are not owned by Darkinjung, are not included in the IDDDP or ALSEPP and are not included in the current proposal.</p> <p>In Council's exhibited draft Consolidated LEP these properties are proposed to be rezoned E4 with a 2ha minimum lot size. Council's current position on whether it will proceed to finalise its consolidated LEP, with or without these lands, is unclear.</p> <p>Options for potential consideration of rezoning of this land include Council's proposed comprehensive review of planning controls.</p>
<p><b>Proposed Land Use Zone/Minimum Lot Size</b></p>	<p>The Department's principles to guide the Kariong rezoning suggested a variety of zonings and development types may be appropriate for the site</p>

<p>Council does not support the proposed density particularly the smaller (500m<sup>2</sup>) lots.</p> <p>This density does not promote an appropriate transition between an urban area (i.e. the subject site) and the adjoining land located on the southern and eastern boundaries of the site, which comprises sensitive ecological and cultural heritage values.</p> <p>A proposal which included generally larger lots and a commensurate zoning (e.g. R5 Large Lot Residential) as a transition to adjoining land, particularly on the southern and eastern interfaces, would be more appropriate.</p> <p>Should the RPP support a rezoning in this locality, a revised proposal be considered which:</p> <ul style="list-style-type: none"> <li>a) Incorporates land holdings north of the site</li> <li>b) Introduces larger minimum lot sizes generally across the site, but particularly on the southern and eastern boundaries.</li> </ul>	<p>including E2, E3, E4, R5 and R2. The response submitted by Darkinjung proposes R2 and E2.</p> <p>Council's advice does not suggest an appropriate minimum lot size for both the Darkinjung land and the land to the north or how an appropriate lot size could be determined.</p> <p>Further consideration on densities and planning controls could be considered at the planning proposal stage.</p> <p>The Regional Planning Panel could support the rezoning proposal proceeding to the next stage but require further work on density including, should it consider it appropriate, parameters for determining appropriate zones and minimum lot sizes.</p>
<p><b>Biodiversity</b></p> <p>The lands form part of a regionally significant Biodiversity Corridor, as defined by the CCRP.</p>	<p>The proposed corridor map in the CCRP is indicative. The north-south corridor at this point is over 1.3 km wide (distance between water tanks and development to the east in Tascott) excluding this site. The proposal has been designed to maintain any connectivity between the east and west.</p>
<p>The subject site is currently zoned E2 Environmental Conservation under GLEP 2014 and has vegetation predominantly in moderate to good condition.</p>	<p>Prior to GLEP 2014 the land was zoned 5(a) Community Use and had been considered as a potential site for a school. While Darkinjung requested an alternative zone during preparation of GLEP 2014, Council opted for E2.</p> <p>Given the zoning history, the intention of the ALR Act to provide economic development for Aboriginal Land Councils, the potential for offsetting, and the attributes of the site, rezoning of part of the site should be considered.</p>
<p>The subject land is identified as proposed Coastal Open Space System Land</p>	<p>The Rezoning Proposal (p. 7) documents discussion with Council's COSS Manager where the potential for COSS objectives to be achieved through</p>

	Biodiversity Stewardship arrangements without the need for acquisition by the Council.
Inconsistent with section 9.1 direction 2.1, SEPP 19 and CCRP Direction 12	These matters can be considered at planning proposal stage.
<p>If RPP supports a rezoning, consider:</p> <ul style="list-style-type: none"> <li>a) Buffers from development areas to the National Park land boundaries to reduce edge effects from development encroaching into National Parks estate;</li> <li>b) Larger minimum lot sizes generally across the site, but particularly on the southern and eastern boundaries to encourage retention of some vegetation</li> </ul>	The eastern and southern parts of the site adjoining the National Park are proposed to have an E2 zoning with 40ha MLS.
<p><b>Serviceability</b></p> <p>Should a rezoning of the subject site be supported by the RPP, a revised servicing strategy is required which demonstrates how the subject site will be connected to Council's existing water and sewerage infrastructure. Such a strategy is to be prepared in consultation with Council.</p>	Noted. This can occur at planning proposal stage.
Any proposed development in the area would be required to provide the required infrastructure, required land, and all costs would be borne by the developer.	The Servicing Report acknowledges this would be the case.
The developer would be required to obtain any consents from the owners of any property required to be entered upon to construct sewer works, including Council owned land.	
<p><b>Accessibility</b></p> <p>Further assessment required to provide more detail on the most appropriate access location and design including consideration of the following:</p> <ul style="list-style-type: none"> <li>a) Discussion with Council regarding the proposed use of Lot 1 DP 589198</li> <li>b) A traffic impact assessment which includes other matters as listed in Council's comments</li> </ul>	<p>The Department's principles to guide the Kariong proposal required consideration of access options however the potential for access from the north-east is not discussed.</p> <p>Further consideration of access options would be required in a planning proposal, including all the matters referred to by Council.</p>

<p><b>Cultural heritage</b></p> <p>A cultural landscape assessment of the site in context with its surrounds should be undertaken. This assessment should establish the cultural heritage significance of both the site and the locality.</p>	<p>Further Aboriginal Cultural Heritage Assessment is proposed at planning proposal stage.</p>
<p><b>Bushfire</b></p> <p>In the event the RPP were to support a rezoning in this locality, a revised proposal be considered which:</p> <ul style="list-style-type: none"> <li>a) Was supported by a Strategic Bushfire Study prepared in accordance with the NSW RFS PBP 2019</li> <li>b) Other matters as listed in Council's comments</li> </ul>	<p>A preliminary bushfire risk assessment has been undertaken. Further detailed assessment and consultation with Rural Fire Service would be required at planning proposal stage.</p>
<p><b>Potential contamination</b></p> <p>Prior to supporting a rezoning of the subject site, a Stage 1 Preliminary Contamination Assessment is required to undertaken in accordance with the relevant guidelines.</p>	<p>Noted</p>