

5 September 2022

Dan Simpkins
Director, Central Coast and Hunter
Planning and Land Use Strategy
PO Box 1226
NEWCASTLE 2300

Your ref: RR-2022-15
Ref: Nth Diamond Beach
Enquiries: Louise Morris

Dear Mr Simpkins,

Notification of request for pre-Gateway review – North Diamond Beach

Thank you for your correspondence dated 16 August 2022, inviting Council to comment on the Proponent's pre-Gateway review application to rezone an area of land in North Diamond Beach from tourist to residential.

At its Ordinary Meeting of 29 June 2022, Council resolved;

That the matter be deferred for two months pending further consultation with the Community and Councillors, including a community meeting facilitated by Council Staff.

This resolution was in response to significant community concern around the proposal and more generally the future development within the Hallidays Point area. Council was also presented with a petition, tabled at the subsequent July Ordinary Meeting, opposing the planning proposal.

Council's deferral of the matter meant that it did not consider the proposal within the required 90-day timeframe, providing the Proponent the opportunity to request a rezoning review.

The planning proposal assigned to the rezoning review is not the version presented to Council. The proposal in the planning portal was uploaded by the Proponent in March 2022. It was based on the recommendation from the MidCoast Housing Strategy (2020) to rezone all the SP3 Tourist zone to R3 Medium Density Residential with an 'Additional Permitted Use' in Schedule 1 over 391 Diamond Beach Road to permit small lot housing. Council staff reviewed and amended this document after further investigations into the site. This amended version was presented to Council at its meeting of 29 June 2022. It is also noted that the proponent has referred to the amended planning proposal in the application for this rezoning review.

The amended version of the planning proposal along with the Council report is enclosed with this correspondence. They set-out the background to the proposal and document the strategic merit used to recommend that the proposal be progressed to a Gateway Determination. The amended proposal seeks to amend Greater Taree LEP 2010 by;

- Introducing the R3 Medium Density Residential zone.
- Rezoning land from Tourist (SP3) to a combination of General Residential (R1) and Medium Density Residential (R3).



- Adding a Part 4 Principal Development Standards clause which allows single dwellings on lots down to 200m² in the R3 zone, where it is integrated developed.
- Removal of Additional Permitted Uses 4, 5 and 6 in Schedule 1 which relates to the SP3 zone providing up to 30% permanent residential accommodation

The community meeting that resulted from the Council resolution of 29 June 2022 was held at 7.30 pm in Black Head on 23 August 2022 and attended by approximately 140 people. An information report is scheduled to be considered by Council at its meeting on the 7 September 2022 along with a recommendation on whether Council wishes to remain the Principal Planning Authority (PPA). A copy of the report is enclosed with this correspondence. The results of this decision will be forward to the Department following this meeting for consideration in the review.

For further assistance on this issue please contact Ms Louise Morris of the Land Use Planning Department. Ms Morris can be contacted on 7955 7284.

Yours sincerely

A handwritten signature in dark ink, appearing to read 'Richard Pamplin', with a stylized flourish at the end.

Richard Pamplin
Principal Land Use Planner

Enclosed:

MidCoast business report from Ordinary Meeting held 29 June 2022 and attached planning proposal for North Diamond Beach

MidCoast business report scheduled for Ordinary Meeting on 7 September 2022 and attachments.



12 September 2022

Dan Simpkins
Director, Central Coast and Hunter
NSW Department of Planning & Environment
Planning and Land Use Strategy
PO Box 1226
NEWCASTLE 2300

Your ref: RR-2022-15
Ref: Nth Diamond Beach
Enquiries: Louise Morris

Dear Mr Simpkins,

Principal Planning Authority (PPA) – Rezoning Review North Diamond Beach PP (RR-2022-15)

Further to our correspondence dated 5th September 2022 on the rezoning review request for the North Diamond Beach Planning Proposal, Council advises that it considered this matter at its 7 September 2022 Ordinary Meeting and resolved to request to remain the Principal Planning Authority for the Planning Proposal, should it proceed to a Gateway Determination.

For further assistance on this issue please contact Ms Louise Morris of the Land Use Planning Department. Ms Morris can be contacted on 7955 7284.

Yours sincerely



Richard Pamplin
Principal Land Use Planner

