

Pre-Lodgement Meeting – Wed 26th June 2024, 11.30am – 12.30pm.

Application Number:	DRA2400069
Property Address:	286-310 Gregory Street, South West Rocks – Lot 3 DP 801467
Applicant:	Willow Tree Planning
Attendees:	Andrew Cowan – Willow Tree Planning Toby Young – Broadlands Chris West – Corio Projects Roy Miller – MI Engineers Alex Stokes – MI Engineers Jim McBirnie – Corio Projects Melissa Ziade – Kempsey Shire Council Geoff Metcalfe – Kempsey Shire Council Ruben de Roa Herrero – Kempsey Shire Council Phil Veneris – Kempsey Shire Council Jade McDonald – Kempsey Shire Council
Proposal:	Proposed Multi-Dwelling Housing (Land Lease Community Estate) and Associated Works
Documents provided:	- Cover Letter dated 18 June 2024; - Proposed Master Plan prepared by MI Engineers, Issue B, Drawing Nos. C005 & C1010, dated 18/06/2024; - Broadlands Company Introduction; and - Legal Opinion – Hickson Lawyers, dated 2 July 2024.

(Council Ref DRA2400069 - 286-310 GREGORY STREET SOUTH WEST ROCKS NSW 2431 (greenlightopm.com))





Area: 4.164 hectares

Land Zoning: R1 General Residential & R3 Medium Density Residential

Zone R1 General Residential

1 Objectives of zone

- To provide for the housing needs of the community.
- To provide for a variety of housing types and densities.
- To enable other land uses that provide facilities or services to meet the day to day needs of residents.
- To encourage urban infill and redevelopment in areas that surround existing or proposed facilities and services.

2 Permitted without consent

Environmental protection works; Home-based child care; Home occupations

3 Permitted with consent

Attached dwellings; Boarding houses; Centre-based child care facilities; Community facilities; Dwelling houses; Group homes; Home industries; Hostels; Multi dwelling housing; Neighbourhood shops; Oyster aquaculture; Places of public worship; Pond-based aquaculture; Residential flat buildings; Respite day care centres; Roads; Semi-detached dwellings; Seniors housing; Shop top housing; Tank-based aquaculture; Any other development not specified in item 2 or 4



4 Prohibited

Agriculture; Air transport facilities; Airstrips; Amusement centres; Animal boarding or training establishments; Backpackers' accommodation; Biosolids treatment facilities; Boat building and repair facilities; Camping grounds; Car parks; Caravan parks; Cemeteries; Commercial premises; Correctional centres; Crematoria; Depots; Eco-tourist facilities; Entertainment facilities; Extractive industries; Farm buildings; Farm stay accommodation; Forestry; Freight transport facilities; Function centres; Heavy industrial storage establishments; Helipads; Highway service centres; Industrial retail outlets; Industrial training facilities; Industries; Information and education facilities; Local distribution premises; Mortuaries; Passenger transport facilities; Public administration buildings; Recreation facilities (indoor); Recreation facilities (major); Recreation facilities (outdoor); Registered clubs; Restricted premises; Rural industries; Rural workers' dwellings; Service stations; Sewage treatment plants; Sex services premises; Storage premises; Transport depots; Truck depots; Vehicle body repair workshops; Vehicle repair stations; Veterinary hospitals; Warehouse or distribution centres; Waste or resource management facilities; Wholesale supplies.

And;

Zone R3 Medium Density Residential

1 Objectives of zone

- To provide for the housing needs of the community within a medium density residential environment.
- To provide a variety of housing types within a medium density residential environment.
- To enable other land uses that provide facilities or services to meet the day to day needs of residents.
- To encourage urban infill and redevelopment in areas that surround existing or proposed facilities and services.

2 Permitted without consent

Environmental protection works; Home-based child care; Home occupations

3 Permitted with consent

Attached dwellings; Boarding houses; Centre-based child care facilities; Community facilities; Group homes; Home industries; Multi dwelling housing; Neighbourhood shops; Oyster aquaculture; Places of public worship; Respite day care centres; Roads; Seniors housing; Tank-based aquaculture; Any other development not specified in item 2 or 4

4 Prohibited

Agriculture; Air transport facilities; Airstrips; Amusement centres; Animal boarding or training establishments; Biosolids treatment facilities; Boat building and repair facilities; Camping grounds; Caravan parks; Cemeteries; Commercial premises; Correctional centres; Crematoria; Depots; Eco-tourist facilities; Emergency services facilities; Entertainment facilities; Exhibition villages; Extractive industries; Farm buildings; Farm stay accommodation; Forestry; Freight transport facilities; Function centres; Heavy industrial storage establishments; Helipads; Highway service centres; Industrial retail outlets; Industrial training facilities; Industries; Information and education facilities; Local distribution premises; Marinas; Mooring pens; Mortuaries; Passenger transport facilities; Public administration buildings; Recreation facilities (indoor); Recreation



facilities (major); Recreation facilities (outdoor); Registered clubs; Restricted premises; Rural industries; Rural workers' dwellings; Service stations; Sewage treatment plants; Sex services premises; Storage premises; Transport depots; Truck depots; Vehicle body repair workshops; Vehicle repair stations; Veterinary hospitals; Warehouse or distribution centres; Waste or resource management facilities; Wholesale supplies

Current use of the site: Vacant land.

Current DA approvals: T6-14-333 – Forty Six (46) Lot Subdivision.

Bushfire: The site is identified as Bushfire prone.

Flood Mapping: The site is not identified as flood prone.

Resilience and Hazards SEPP: The site is identified in the Coastal Environment Area.

Aboriginal Heritage: The site is not identified as an aboriginal place of heritage significance. However, the existing DA (T6-14-333) includes conditions of consent to ensure compliance with any significant aboriginal artefacts during construction works. An AHIMS report shall be submitted with any application.

Notes:

Planning:

- Multiple manufactured homes and moveable dwellings can be installed on residential land as multi dwelling housing (provided multi dwelling housing is permitted under the LEP). Council expects any design to be consistent with any other design for conventionally built multi dwelling housing. The residential development shall not present like a manufactured home estate or caravan park in any way. The proposal will be assessed on its merits as per any standard multi dwelling housing development and the residential standards of Council's development Control Plan (specifically Chapter C1) would be applied.
- A Construction Certificate would be required for the road construction, infrastructure and any community buildings associated with the development.
- The standards for each manufactured home will follow the Local Government Act 1993 pursuant to Section 68 requirements. The installation of the manufactured homes will be subject to compliance with design and construction requirements contained in the *The Local Government (Manufactured Homes Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2021*.
- DA 86-14-433 approval for the 46 Lot Subdivision will need to be surrendered if this application is to proceed.
- Council asked the question as to whether DA T6-14-333 was operative as works had started? Council was advised the owner has a record of the consent being operative. Geoff Metcalfe confirmed Stage 1 Construction plans had been approved and Stage 2 Construction plans have been submitted but no approval at this stage.
- Scenic Protection Area – Council's Mapping System identifies a small portion of the south east corner of the site in the scenic protection area, therefore the provisions of KSC LEP Clause 7.6 shall be addressed:





However, it appears that this scenic protection area does not align with the zone boundaries. Therefore, if you would like a review of this mapping, a formal request will need to be made to Council's Strategic Planning Team.

- The following reports will be required to be submitted with any future DA (at a minimum):
 - Architectural Plans – Site Plan, Floor Plans, Elevation Plans, Section Plans etc....
 - SEE – explain the proposal in detail; adequately addresses all potential hazards and impacts; and demonstrates compliance with all relevant legislation, policy and guidelines. Key consideration to address within the SEE is how the development complies with Chapter C1 of the Kempsey Development Control Plan 2013 and any justification must be provided for any proposed variations to the DCP requirements;
 - Stormwater Management Plan;
 - Pedestrian Access Management Plan (PAMP) and Bike Plan (including pedestrian refuge requirements in Gregory Street);
 - Construction Site Management Plan;
 - Earthworks Plan – detailing any cut/fill, retaining walls etc..
 - Landscape Plan;
 - Streetscape Plan;
 - Bushfire Assessment Report; and
 - Construction Management Plan can be a condition of consent prior to CC.

Engineering:

- Gregory Street is a classified road and requires referral to TfNSW under SEPP(Transport and Infrastructure) 2021 – Schedule 3;
- Traffic impact Assessment required. (suggest for multi-housing using 5 vpd for 2 bedders and 6.5 vpd for 3 bedders);

- A Stormwater Management Concept Plan that designs will satisfy Councils AUSPEC Design and construction Specifications (currently adopting Port Macquarie Hastings Councils – D5 and D7 version):
 - Existing capacity of stormwater system downstream needs to be considered in design (Councils Grant Dennis may be able to assist with this);
 - Design to cater for overland flow from adjoining upstream property to the east;
- Pedestrian Access Management Plan (PAMP) and Bike Plan (including pedestrian refuge requirement in Gregory St):
 - Any plans require submission to Local Traffic Committee(LTC) for their concurrence
 - Full infrastructure works constructed across the Gregory St frontage including footpath;
- Gated community - entry and exit for public residents only.;
- Construction Site Management Plan required;
- Security bond will be required up front at the time, prior to any construction works being approved for completing any public work (such as road work, kerbing and guttering, footway construction, utility services, stormwater drainage and environmental controls) required in connection with any consent issued;
- Additional bond will be required on any haulage requirement;
- All infrastructure to be constructed to current adopted Aus-Spec Design and Construction specifications including AUSTROADS; and
- Advise if development will be staged – If so, recommend all infrastructure works are completed during Stage 1.

Water & Sewer:

- Please re-calculate water and sewer ETs for the new subdevelopment.
 - It was noted during the pre-lodgement meeting that even though the number of lots were more than doubling, the usage would likely not change. This needs to be calculated as per WSA.
- Please provide water and sewer servicing strategies to prove serviceability of water and sewer infrastructure.
 - Council can provide RFI data as requested (to Ruben and Phil). Please nb: a GIS data sharing agreement will need to be signed before sharing data + hydraulic model.
- Council requires designs / strategies to adhere to latest versions of WSA.
 - WSA 02-2014-3.2 - Gravity Sewerage Code of Australia (Jan 2022)
 - WSA 03-2011-3.2 - Water Supply Code of Australia (Jan 2022)
 - WSA 04-2022-3.1 - Sewage Pumping Station Code of Australia (Apr 2022)

Environmental Planner:

- If the applicant has activated the consent, they will need to ensure they meet the 'Ecological requirements' of the current Development Consent [D17/49160] i.e. protection in perpetuity of the trees identified as K4 and K5.
- If the applicant chooses to surrender the current Development Consent prior to the removal of vegetation, then under the new Development Assessment the following environmental constraints apply:
 - If the area of clearing is above the area threshold, the development will trigger entry into the Biodiversity Offsets Scheme (BOS) under the *Biodiversity Conservation Act*



2016. The proponent is required to engage an accredited assessor to obtain a Biodiversity Development Assessment Report (BDAR).

- The site has 'Secondary B' Koala Habitat under Comprehensive Koala Plan of Management for the Eastern Portion of Kempsey Shire LGA (CKPoM). The proponent is required to complete a Habitat Assessment as per the Kempsey CKPoM 'Development and Rezoning Assessment Pathway' (p.13; CKPoM, 2011).

