



Mr Craig Milburn
General Manager
Kempsey Shire Council
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Dear Mr Milburn

Kempsey Shire Council Local Strategic Planning Statement

I am writing in response to Kempsey Shire Council's public exhibition of its Local Strategic Planning Statement (LSPS), which has been prepared to meet the requirements of Division 3.1 of the Environmental Planning and Assessment Act 1979.

I would like to commend Council for the extensive work that has gone into the preparation of the LSPS and for the commitment to land use planning that is evident in the LSPS. The draft LSPS includes a number of important initiatives, in response to the planning challenges and opportunities in the Kempsey Shire in the next 20 years.

The Department's Local and Regional Planning - Northern Region team has reviewed the draft LSPS and found that it generally provides a good response to the directions and actions in the North Coast Regional Plan. Specific comments in relation to the draft LSPS are included in the attached schedule.

The aim is that the LSPS will be a key resource to guide the implementation of strategic and statutory planning at the local level, including the assessment of planning proposals.

Please ensure that the content of the final LSPS is consistent with State planning, including the North Coast Regional Plan 2036, State Environmental Planning Policies and section 9.1 Ministerial Directions. This includes any actions referenced in other plans and strategies in the LSPS. I also look forward to working with Council as part of the NSW government's commitment to a strategic-led planning framework.

As the legislated local strategic planning statement completion date has now passed, Council should ensure that the statement is finalised and forwarded to the Department by no later than 30 September 2020.

Should you have any enquiries about this matter, I have arranged for Mr Peter Cameron to assist you. Mr Cameron can be contacted on (02) 65885518.

Yours sincerely

24-8-2020

Jeremy Gray
Director, Northern Region
Local and Regional Planning

Schedule

Community Strategic Plan

The LSPS includes references to the Kempsey Community Strategic Plan (CSP) on p.10. However, Section 3.9(2)(b) of the Environmental Planning and Assessment Act requires that Local Strategic Planning Statements must include or identify the planning priorities for the area that are consistent with any applicable community strategic plan under section 402 of the *Local Government Act 1993*. To address this requirement, it is recommended that Council update Section 13 of the LSPS to detail how the identified priorities correspond with the specific directions of Council's CSP.

LSPS Presentation and Actions

To further improve the legibility of the document, it is suggested that Council insert a summary map or maps in the final LSPS, including rural residential areas, to show the relationships between areas and to avoid the need for readers to consult other documents. Council may also wish to consider minimising the number of actions within the statement to focus on those with a land use planning outcome.

Local Growth Planning

The existing residential strategy for the Kempsey Shire was approved by the Department in 2011. The Department strongly supports Action C2.1 in the LSPS, to prepare a local growth management strategy for the Shire to outline how Council will plan for population growth over the next 20 years. The Department also supports Action S1.1 to prepare a Housing Strategy to inform the LGMS review and to consider supply, diversity, affordability and resilience.

Council should ensure that it refers to the North Coast Settlement Planning Guideline 2019 and NSW Housing Strategy Guideline when undertaking the LGMS and Housing Strategy actions.

The draft LSPS is based on population projections that were prepared for Council in 2017. Council should ensure that it uses current projections as the basis for strategic planning in the Kempsey Shire.

In addition, there is potential for confusion related to Action W1.3, which is to: *'Investigate opportunities for the release of residential land in strategic areas to maximise transport corridors and proximity to other population centres'*. It is not clear what would constitute a strategic area and what form the investigations might take.

It is recommended that investigations for new residential land should be undertaken strategically, in accordance with the existing, approved LGMS or as part of the proposed LGMS review (Action C2.1) and that Council consider relocating Action W1.3 to Theme 4 – Safe and Sustainable Housing. It is also important to note that there are a number of important considerations when determining suitable areas for housing (i.e. not just maximising transport corridors and proximity to population centres). This is addressed in the North Coast Settlement Planning Guidelines 2019.

Rural Residential

Rural residential development is fundamentally a residential form of subdivision, covered by a Residential zone (R5 Large Lot Residential) in the standard instrument LEP. The supply of land for rural residential development will therefore be a key consideration in the Department's review of housing supply and residential planning in the Kempsey Shire.

The proposed LGMS and Housing Strategy (Actions S1.1 and C2.1) should therefore include a review of Council's rural residential planning. As a minimum, it is recommended that the

LGMS and Housing Strategy consider rural residential development as part of the overall supply and demand for housing, to enable Council to determine priorities for development, infrastructure and servicing in the Kempsey Shire.

On page 10 of the LSPS, it is noted that: *'In the longer term, growth opportunities in the village of Kundabung may warrant investigation as to the viability of residential development'*. This statement should be removed or reworded so as not to pre-empt the outcomes of the LGMS and Housing Strategy.

Part E – Our Character - Actions

The Department would like to commend Council for the character statements for the main centres in the Kempsey Shire in Part E of the LSPS. The statements provide a useful guide for future land use planning in local communities throughout the Kempsey Shire.

Part E also includes a number of important initiatives, such as the preparation of structure plans for key local centres, for implementation in accordance with LSPS Action C6.1: *In taking action and making decisions, Council will consider and act on the character statements and commitments outlined in Part E (Ongoing)*.

Council should clarify whenever possible which of the Part E actions will be delivered in the short to medium term (i.e. in the next 5 years) to improve the community's understanding of priorities in the LSPS.

Action timeframes

The timeframes for implementation of actions in the LSPS are described as Short term – 2 years; Medium term – 3 to 5 years; Long term – 10+ years; and Ongoing. Council may need to address the 5-10 year timeframe in reviewing the LSPS to avoid any confusion regarding the delivery of actions in that period.