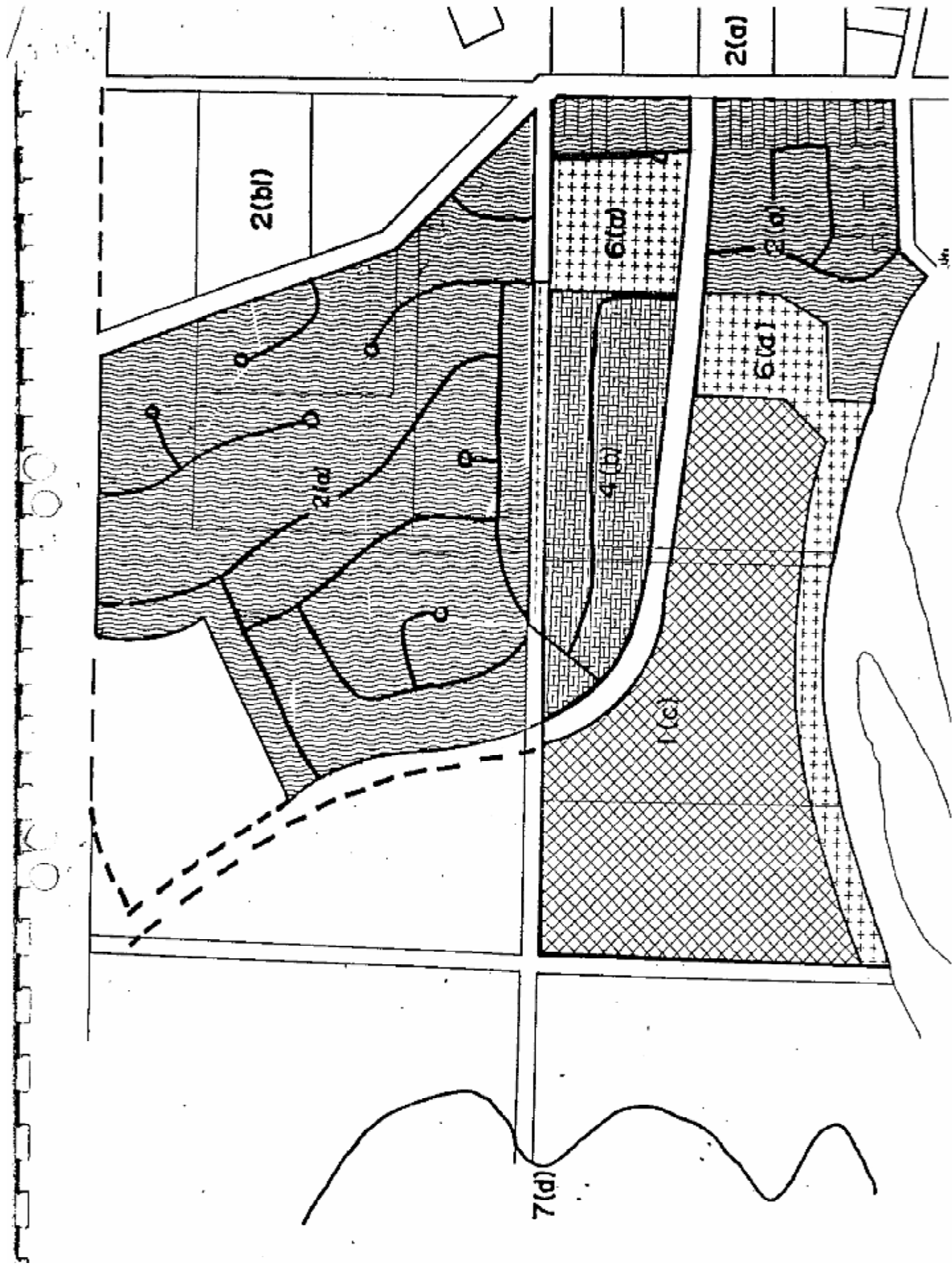


DCP 9

SOUTH WEST
ROCKS /
SPENCERVILLE



APPENDIX B
DEVELOPMENT CONTROL PLAN
SOUTH WEST ROCKS – SPENCERVILLE

1.0 BACKGROUND

This Control Plan follows on from an Environmental Study of the whole of Kempsey Shire, the gazettal of K.L.E.P. 1987, and the adoption of an Urban Release Strategy for the South West Rocks area.

The Study and the Strategy identify the Spencerville area as an area that requires special planning control for the following reasons –

1. It is and will always be the main and only entrance to the town of South West Rocks.
2. There is a long term need for a further western distributor road which will have to start at Spencerville and run west and northwest to the future Town Centre and School and onto the New Entrance area.
3. The area has been identified as the most suitable site for the short term provision of a light industrial area and major sporting fields.
4. There is an identified need to ensure that Spencers Creek is not further polluted so as to be harmful to the Oyster industry.
5. There is a need to develop a plan for the provision of services in the area particularly with regard to sewerage, distributor roads and the provision of open space.

2.0 LAND TO WHICH THIS PLAN APPLIES

This Development Control Plan applies to the land situated at South West Rocks in the Shire of Kempsey and edged with heavy broken black lines on the map attached and marked "Development Control Plan No. 9 South West Rocks – Spencerville".

3.0 ENVIRONMENTAL CONSTRAINTS – NATURAL

The study identified this area as one that was suitable for future Urban expansion of South West Rocks. No major areas that need special conservation or preservation were identified.

A more detailed survey of the area reveals that constraints deserving of consideration in the plan are:-

1. The esturine habitat along the bank of Spencers Creek.
2. Flooding of the creek flats in a 1 in 100 year flood.
3. The preservation of 2 Aboriginal burial grounds.

4. The preservation of significant trees particularly along Spencers Creek Road and on the ridge in the north eastern corner adjacent to Gregory Street. That is, the steep ridge in the north eastern corner.
5. The land form and its effect on the provision of drainage and sewerage.

4.0 ENVIRONMENTAL CONSTRAINTS – HUMAN

Spencerville located in the south eastern corner of the subject area has what could be described as a "Village" environment. It has been recognised for many years as not being part of South West Rocks.

The dwellings in the area are generally older and/or smaller than the present average dwelling in South West Rocks. They are mainly occupied by older residents and people involved with the fishing and Oyster industry. There is at least 2 light Industrial enterprises and evidence of a number of other activities that could be classed as home industries.

There is a need to ensure that this environment is protected or at least given the opportunity to change slowly.

5.0 AIMS AND OBJECTIVES OF PLAN

1. To facilitate the orderly and efficient development of the land for urban purposes in accordance with the environment constraints and the adopted Urban Release Strategy for the whole of South West Rocks.
2. To locate and provide for the necessary joint construction funding of a major distributor road.
3. To locate and provide for the necessary joint funding of a major active sporting area.
4. To locate a Light Industrial and Business Area.
5. To establish service road pattern to make best possible use of existing land form, vegetation and drainage.

6.0 DEVELOPMENT CONTROLS

These controls are in addition to any controls or requirements pursuant to the Local Government Act or Ordinances thereunder, the Environmental Planning and Assessment Act or LEP's thereunder and all pertinent Council policies unless specifically waived by this Development Control Plan.

6.1 WESTERN DISTRIBUTOR

The Western Distributor road is to be located as generally shown in the map. Minor deviations for engineering purposes are permitted.

The Road Reserve is to be 30 metres wide. The formation is to be above the highest recorded flood level of 3.0 ADH.

When fully developed the formation width will be * metres. Development fronting onto the road will provide (by construction or contribution) for formation and drainage of the standard normally required for similar development in other areas of the Shire. The balance of the works necessary is to be funded by Section 94 contributions. (see later)

Road intersection points are to be limited to the points shown in the map.

6.2 SPORTING FIELDS

The need for the major active sporting facility will be generated by increased development. The site will be acquired and developed with funds from Section 94 contributions for active recreation applied to all new developments within the South West Rocks area.

6.3 PUBLIC RESERVES

The public reserves shown along Spencers Creek and adjoining the 2(a) zone south of the Western Distributor are to be dedicated as part of development in lieu of the Section 94 contribution for passive recreation. Other small and appropriate areas within the area can be so dedicated. Council is particularly interested in retaining areas with significant tree stands.

6.4 LIGHT INDUSTRIAL AREA – ZONE 4(b)

The Light Industrial zone is to be located in the area indicated on the map.

All requirements of K.L.E.P. 1988 as amended are to be complied with.

Access to the area is to be from the Western Distributor as shown and all developments must front and have access to the internal service road. Council will give consideration to the use of Spencers Creek Road as access on a temporary basis but subject to the prior payment of contributions towards the construction of the Western Distributor and internal access road.

Each development is to provide and maintain suitable landscaping along the Western Distributor and Spencers Creek Road frontage except where site distance at intersections is a problem. Manproof fencing is to be provided to these frontages.

Each development is to provide landscaping and onsite parking in accordance with Council's adopted policies in these areas.

All stormwater drainage is to be directed to a point near the south eastern corner of the area and then directed under the Western Distributor and through a structure that will collect solid waste before it enters Spencers Creek. All industrial waste if any is to be directed to the sewerage system or other approved disposal point.

6.5 SPENCERS CREEK ROAD

The part of Spencers Creek Road adjoining the Light Industrial area is not to be re-constructed as a road and is to remain as a cycle and footway to provide access to the playing fields and a barrier between the residential zone and the light industrial zone.

The section of Spencers Creek Road fronting the playing fields and the existing lots is to be constructed as road as part of the adjoining development.

Once the road through the residential land to the north is constructed the intersection of Spencers Creek Road and the South West Rocks Road will be closed to traffic.

6.6 RESIDENTIAL 2(a) ZONE

All requirements of K.L.E.P. 1988 as amended are to be complied with as well as Council's adopted policies relating to residential development.

The Residential 2(a) zone is to be developed generally in accordance with road layout shown in the map. Variations will be permitted if it can be shown that there are insurmountable engineering problems or that the variation will not detract from the overall efficiency of the design.

Council will permit temporary roads pursuant to Section 327A of the LGA where access to a section of a planned road is not possible at the time of development. Care has been taken to minimise the possibility of this occurring. There may be a need for adjoining owners to exchange small parcels of land to obtain the best results from subdivision but once again an attempt has been made to keep this to a minimum.

6.7 PROPOSED RURAL RESIDENTIAL 1(c)

The Rural Residential 1(c) zone has been introduced to utilise the Western Distributor and the attractive but flood prone creek flats.

The requirements of K.L.E.P. 1988 and Council's adopted policies must be met and will ensure that each lot has flood free land and that dwellings are erected thereon.

6.8 SUBDIVISION OF EXISTING RESIDENTIAL LOTS

Provision has been made within the plan for the further subdivision of the large existing residential lots in Spencerville. Multiple access to the South West Rocks Road by right of way is not desirable in the long term. All lots will have to have access to the new service roads where possible. Council will consider access by right of way on a temporary basis in the early stages of development provided contributions towards the cost of the access road are finalised.

6.9 SEWERAGE

It is a requirement of K.L.E.P. 1988 that land shall not be subdivided in zone 2(a) unless sewerage is available to each lot or arrangements satisfactory to Council have been made for the future provision of sewerage.

Sewerage of the whole of the subject area as well as some adjoining 2(a) land to the east of South West Rocks Road will have to be directed to a pumping station in the Public Reserve south west of the playing fields and then pumped into the existing system near the north eastern corner of the area. Pumping stations will not work effectively unless there is an adequate discharge. Therefore Council will be looking to encourage development in the south eastern corner of the area in the first instance so that the pumping station and rising main can be installed and made operational.

Generally speaking development will be required to provide the internal reticulation as well as a Section 94 contribution towards the cost of the pump station, rising main and augmentation of the existing treatment works and pump stations.

7.0 WATER SUPPLY

Reticulated water is available to the area and each development will be required to provide necessary reticulated mains as well as a Section 94 contribution towards augmentation of the existing supply.