

Kempsey Shire Council
PO Box 3078
WEST KEMPSEY NSW 2440

Your reference: PP-2023-2105
Our reference: SPI20231117000150

ATTENTION: Peter Orr

Date: Monday 12 February 2024

Dear Sir/Madam,

Strategic Planning Instrument
LEP Amendment - Exhibition
Height of buildings development standard - South West Rocks

I refer to your correspondence dated 16/11/2023 inviting the NSW Rural Fire Service (NSW RFS) to comment on the above Strategic Planning document.

The NSW RFS has considered the information submitted and provides the following comments.

No objection to the LEP (building height map) amendment proposal. Future development applications to address bushfire threat and recommend measures (Planning for Bushfire Protection guidelines) to minimise bushfire risk.

For any queries regarding this correspondence, please contact Alan Bawden on 1300 NSW RFS.

Yours sincerely,

Timothy Carroll
Manager Planning & Environment Services
Built & Natural Environment

Postal address

NSW Rural Fire Service
Locked Bag 17
GRANVILLE NSW 2142

Street address

NSW Rural Fire Service
4 Murray Rose Ave
SYDNEY OLYMPIC PARK NSW 2127

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Your ref: PP2023-2105
Our ref: Insert CM 24/6867-8

General Manager
Kempsey Shire Council
PO Box 3078
WEST KEMPSEY NSW 2440

Attention: Ms Marnie Jeffery

Dear Mr Millburn

RE: PP-2023-2105 – Housekeeping Amendments - Application of building heights to various allotments in South West Rocks

Thank you for your email dated 8 January 2024 about the proposed introduction of building heights to several allotments at South West Rocks seeking comments from the Biodiversity, Conservation and Science Group (BCS) of the Department of Climate Change, Energy, the Environment and Water. I appreciate the opportunity to provide input and apologise for the delay in responding.

BCS has responsibilities relating to biodiversity (including threatened species and ecological communities, or their habitats), flooding, and coastal processes and associated hazards, and provides comment on issues affecting National Parks and Wildlife Service estate.

Whilst BCS welcomes the introduction of building heights, we note that some of the allotments subject to the planning proposal are zoned C2 Environmental Conservation and/or C3 Environmental Management under the Kempsey Local Environmental Plan 2013 (KLEP). Kempsey Shire Council should ensure any future development of those allotments is undertaken in a sustainable manner that ensures the existing environmental values are retained and enhanced. The BCS raises no further issues with this planning proposal.

If you have any further questions about this issue, please contact Mr Ian Gaskell, Senior Conservation Planning Officer North East, Biodiversity, Conservation and Science Group, on (02) 82896323 or at ian.gaskell@environment.nsw.gov.au.

Yours sincerely

DIMITRI YOUNG
Senior Team Leader Planning North East
Biodiversity, Conservation and Science

7 February 2024

Our ref: DOC24/1488

Your ref: Ref-2627

Ms Marnie Jeffery

Kempsey Shire Council

22 Tozer Street, WEST KEMPSEY 2440

marnie.jeffery@kempsey.nsw.gov.au

Subject: KLEP 2013 Housekeeping Amendment - South West Rocks Building Heights

Dear Ms Jeffery

Thank you for the opportunity to comment on the planning proposal for South West Rocks under *Kempsey LEP 2013*.

The planning proposal has been reviewed and the following comments are provided:

The subject site includes the State Heritage Register (SHR) listed 'South West Rocks Pilot Station Complex' (SHR 01788), located at 5 Ocean Drive South West Rocks NSW 2431.

It is understood that there are large sections of the South West Rocks area which are not currently subject to a building height restriction. This has been identified by Kempsey Shire Council as a potential risk to the character of the area and could result in permissible development which is not in keeping with the existing character of the area and could potentially pose a risk to the heritage values of the Pilot Station complex.

In order to protect both the character of South West Rocks and the heritage significance of the Pilot Station Kempsey Shire Council has proposed to impose a 8.5m height restriction on all currently unzoned land. It is noted that this height limit is the minimum height as identified within the standard instrument. There are no proposed changes to the existing zoning of the land and no proposed development within the area surrounding the Pilot Station Complex.

While it would be advisable that a lower height limit is proposed surrounding the Pilot Station, equivalent to a single storey, the current proposal is noted as being a housekeeping amendment which is intended to protect the character of South West Rocks and the heritage significance of the Pilot Station.

General Comments

Prior to finalisation of the proposal, Council should be satisfied that all necessary heritage assessments have been undertaken and that any impacts have been sufficiently addressed. Council's assessment should include, but not be limited to, a search of the State Heritage Inventory (<https://www.heritage.nsw.gov.au/search-for-heritage/search-for-nsw-heritage/>) and the Aboriginal Heritage Information Management System (<https://www.heritage.nsw.gov.au/protecting-our-heritage/record-aboriginal-sites/>).

If you have any questions, please contact Louise Doherty at louise.doherty@environment.nsw.gov.au on 9995 5313.

Yours sincerely

Rajeev Maini

Rajeev Maini

Manager, Assessments

Heritage NSW

as Delegate of the Heritage Council of NSW

1 February 2024