

**GOOLAWAH COOPERATIVE**

**Rural Land Sharing (SEPP15) Community**

**Section 96 Application - December 2016 Amendment**

**(of October 2016 Application)**

*Further Modification of*

*Development Consent T6-02-109*

**Conditions 4 (a) & (c)**

*(23 May 2014)*

*Dual Access Roads to Community:  
Nevertire Road & Illa Langi Road*

**Goolawah Cooperative Limited**

**Lot 1 DP 1191860**

**200 Illa Langi Road**

**Crescent Head NSW**

## **Background**

1. Following receipt by Council of Goolawah Co-operative's October 2016 Section 96 Application, a meeting was called by Robert Pitt (Kempsey Shire Council Director Sustainable Development) on 01 December to discuss the proposal with Co-operative representatives.
2. Mr. Pitt informed Co-operative directors present that Council would now accept the adoption of both Illa Langi Road and Nevertire Road as access roads to the community, as all-weather (unsealed) two wheel drive, designed and constructed by the Co-operative to the required standard; and requested the Co-operative to amend its Section 96 Application accordingly.
3. In addition, Mr Pitt asked that engineering construction plans for both roads be prepared by the Co-operative's consultant engineer Mike Dutton to a standard in line with traffic levels, and that would mitigate any substantial neighbour concerns.
4. Shane Reinhold (KSC) subsequently sent the Co-operative a summary of neighbour objections received by Council to the Co-op's applications, to help Co-op planning and analysis.

## **Traffic**

1. Co-op residents obviously use both access roads: to travel north to Crescent Head/Kempsey via Nevertire Road and south to Port Macquarie via Illa Langi Road.
2. The Co-operative's 2016 traffic surveys recorded 20-21 vpd (vehicles per day) for Nevertire and 23-25 vpd for Illa Langi. The community has a high proportion of home workers and retired folk who do not 'commute'.
3. Currently 27 households established at the Co-op (with 33 vehicles) generate 0.78 vpd per dwelling for Nevertire and 0.92 for Illa Langi (combined average 0.89). Total combined vpd per dwelling is 1.78 for both roads.
4. Although the Co-op has 78 approved dwelling sites, 'multiple occupancy' developments typically reach much less than full capacity. Presently 68 Co-op shareholders own all those shares.
5. Even assuming 50% more dwellings in the medium term to reach 40 households, the resulting traffic generation would be 31 vpd for Nevertire and 37 vpd for Illa Langi.

## **Neighbour Concerns**

1. The Co-op has reviewed the list of neighbour objections to the October 2016 Section 96 Application supplied by Council. The detailed analysis is attached.
2. The Co-op also emphasises that it has continued to grade and maintain both access roads since its inception and Illa Langi Road was improved, with no funding contributions from neighbours.
3. Analysis of the twenty-nine neighbour objections received by Council shows that fourteen are incorrect, six are irrelevant to issues of road access, four are statements of opinion and five others are addressed by the Co-operative in the attachment.

## Proposal

1. To modify **condition 4(a)**

**from:**

“Nevertire Road shall be designed and constructed to a Type 3 Local Road Standard having the characteristics listed in Development Design Specification D1 of Chapter B3 of Kempsey Development Control Plan 2013.”

**to:**

**“Nevertire Road shall be designed and constructed to an all-weather (unsealed) two wheel drive access road, in accordance with Council’s Adopted Engineering Standard.”**

2. To modify **condition 4(c)**

**from:**

“Illa-Langi Road and the combined right of carriageway shall be designed and constructed to an all-weather (unsealed) two wheel drive access road to be maintained in perpetuity by the owner/s of Lot DP1191860 to the standard required by emergency services, including the NSW Rural Fire Service and the State Emergency Service.

Illa-Langi Road shall be dedicated to Council at no cost to Council prior to occupation of the premises.

Council’s agreement to accept dedication is subject to the owner of the land the subject of this consent entering into a deed of agreement with Kempsey Shire Council to maintain this Road section and the combined right of carriageway to this standard, which is to be registered as a Caveat over the Lot 1 DP1191860 binding any/all successive owner/s of that property.”

**to:**

**“Illa Langi Road and the combined right of carriageway shall be designed and constructed to an all-weather (unsealed) two wheel drive access road, in accordance with Council’s Adopted Engineering Standard, and maintained by Council.**

Council will accept dedication of Illa Langi Road following the review of Crown Lands currently under way in NSW.”