

NORTH COAST REGIONAL PLAN 2036
URBAN GROWTH AREA VARIATION PRINCIPLES

| Urban Growth Area Variation Principles | | Planning Proposal Response |
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| Policy | <p>The variation needs to be consistent with the objectives and outcomes in the North Coast Regional Plan 2036 and any relevant Section 117 Directions and State Environmental Planning Policies, and should consider the intent of any applicable local growth management strategy.</p> | <p>Compliance with the relevant provisions of the NCRP 2036, S117 Directions and SEPPs is provided within the Planning Proposal report. Variations, where necessary, have been justified and are summarised within this Attachment-</p> <ul style="list-style-type: none"> • The proposal will provide for greater housing supply within the town of Casino. It is a priority of the NCRP 2036 to deliver new housing and enhance the variety of housing options in Casino. • Direction 1 of the NCRP 2036 provides guidelines to vary urban growth areas as new information becomes available or to fix anomalies. In this regard, the new information available is in the form of LIDAR data combined with flood modelling and a cost-benefit analysis that demonstrate the land can be effectively and economically filled to similar ground levels as adjoining residential areas and thus eliminate the potential inundation of the land by 1 in 100 year flood events. See Hazards for more details. • The variation sought as per Direction 1 is warranted given the proximity of the site to existing urban infrastructure and the relative ease of servicing the site for residential purposes. See Infrastructure for more details. • The rural use of the land has been abandoned for a significant period of time and residential use of the land is considered its best and most efficient use. • The proposal meets the intent of Council's Urban Settlement Strategy as it will provide additional residential land to cater for the projected population growth of the town. The land was not considered for inclusion in this |

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| | | <p>Strategy, or in subsequent Future Urban Growth Boundaries, because insufficient information was available to evaluate the land's capabilities. Recent releases of LIDAR imagery and flood modelling, combined with a feasibility study now demonstrates this land should be considered for future urban release.</p> <ul style="list-style-type: none"> • It has been demonstrated in the document titled 'Casino Urban Land Availability: 2018', prepared by Richmond Valley Council's Tony McAteer, that land immediately available for urban development within Casino represents less than 4 years of projected demand. A majority of the identified greenfield sites that are already zoned have significant constraints preventing immediate residential subdivision. Likewise, pursuit of rezoning additional lands identified within the Future Urban Growth Boundaries mapping has been hampered by estimated upfront infrastructure provision costs, and/or a lack of willingness by developers to bring those lands online. • The subject site provides for additional land to increase the availability of residential land within Casino to meet the immediate projected housing targets. It also provides for an optimal use of infrastructure that currently services the land. |
| Infrastructure | <p>The variation needs to consider the use of committed and planned major transport, water and sewerage infrastructure, and have no cost to government.</p> <p>The variation should only be permitted if adequate and cost-effective infrastructure can be provided to match the expected population.</p> | <ul style="list-style-type: none"> • The land is adjacent to existing residential land and in close proximity to available services. Preliminary discussions regarding the availability of services is provided within the Engineering Report in Attachment 1 of the Planning Proposal. • The land is well suited to residential development given the close proximity to these existing services. In this regard, the land can be easily serviced by water, sewer, telecommunications and electricity. These services are considered to have unconstrained capacity within the area and the |

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| | | <p>development of the land for residential purposes is an efficient use of these existing services, demonstrating consistency with s117 Direction 3.1 Housing, Infrastructure and Urban Development.</p> <ul style="list-style-type: none"> Local bus services already service the development precinct, demonstrating consistency with s117 Direction 3.4 Integrating Land Use and Transport. A traffic impact assessment is not deemed to be required in this instance. Given the above availability of services, the land is able to be readily serviced without the need for cost prohibitive infrastructure extensions that are needed to service other greenfield development sites, including those within Future Urban Growth Areas. ALTA Engineering has undertaken preliminary costings for the development of the land. ALTA estimates that civil construction costs for each allotment is approximately \$56,450/lot. These figures include a generous allowance of \$632,500 for imported fill (supply, place, compact and trim). Preliminary feasibility studies undertaken, and based on the above per lot construction cost and recent sales prices achieved in Casino, suggest the project is economically viable. This is largely due to the location of the site adjacent to an established residential area and the availability of essential infrastructure services. |
| Environmental and farmland protection | <p>The variation should avoid areas:</p> <ul style="list-style-type: none"> of high environmental or heritage value; mapped as important farmland, unless consistent with the interim variation criteria prior to finalising the farmland mapping review. | <ul style="list-style-type: none"> The site comprises heavily disturbed disused farmland dominated by tall mixed weedy grassland and scattered clumps of native vegetation regrowth, generally consisting of eucalypt species. An Ecological Assessment has been prepared by Blackwood Ecological Services and is |

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| | | <p>provided in Attachment 2 of the planning proposal. This assessment concludes the site has limited biodiversity value.</p> <ul style="list-style-type: none"> • Whilst the land is mapped as Regionally Significant Farmland, the Agricultural Assessment, provided in Attachment 4 of the Planning Proposal, demonstrates the land is not suitable for agricultural activities for a variety of reasons including size, location and soil type. As such the proposal will not occupy productive agricultural land. • The Agricultural Assessment concludes that the land can only sustain a maximum annual income of \$1,147.34 which is insufficient to support a family. • The parcel of land is in 5 separate titles and not contiguous in ownership with any other farmland in the locality. The land is also physically separated from other significant farmland by a constructed bitumen road. As such there is no future potential for this land to be merged with adjoining properties or to be used for agricultural production. • The land has not supported agricultural activities for a significant period of time due to the reasons described above and within the Agricultural Assessment. |
| Land use conflict | <p>The variation must be appropriately separated from incompatible land uses, including agricultural activities, sewage treatment plants, waste facilities and productive resource lands.</p> | <ul style="list-style-type: none"> • The land is located immediately adjacent to an existing urban environment, to its north and west, with a stormwater detention area, to the south, and low input grazing land, to the east. There are no incompatible land uses in close proximity to the site. Appropriate buffers to the adjacent agricultural land is provided by virtue of the existing road network. |

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| | | <ul style="list-style-type: none"> The proposal will reduce the interface between rural land and urban land by virtue of reducing the frontage to rural land from 400 metres to 200 metres. |
| Avoiding risk | <p>The variation must avoid physically constrained land identified as:</p> <ul style="list-style-type: none"> flood prone; bushfire-prone; highly erodible; having a severe slope; and having acid sulfate soils. | <ul style="list-style-type: none"> The site is located within the 'Low Hazard - LH' designation under the Casino Floodplain Hazard Category Map. Minor filling of the land will achieve minimum ground levels throughout the proposal that are above the 1 in 100-year flood planning level. Filling of the land will eliminate the flood hazard from this residential estate and therefore be consistent with the principles of the NSW Floodplain Development Manual. The feasibility study undertaken by ALTA Engineering has determined that filling of the land can be economically achievable (see estimates above). The subject land is not mapped as bushfire prone land or containing acid sulfate soils. The land is relatively flat thus avoiding steep slopes and highly erodible land. Minor lead paint contamination from a former dwelling on the land is isolated to a small area of the property, generally contained to the surface layer of soil, and relatively easily remediated. |
| Heritage | <p>The variation must protect and manage Aboriginal and non-Aboriginal heritage.</p> | <ul style="list-style-type: none"> The site does not contain items of Local Environmental Heritage pursuant to the RVLEP 2012 mapping. A Cultural Heritage Assessment was undertaken by Everick Heritage Consultants and provided in Attachment 3 of the planning proposal. This assessment found no Indigenous cultural heritage sites, or relics, or items of local historic significance within the Project Area. |

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| Coastal area | Only minor and contiguous variations to urban growth areas in the coastal area will be considered due to its environmental sensitivity and the range of land uses competing for this limited area. | <ul style="list-style-type: none"> • The land is not located within the coastal area. |
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NORTH COAST REGIONAL PLAN 2036

IMPORTANT FARMLAND INTERIM VARIATION CRITERIA

| Important Farmland Interim Variation Criteria | | Planning Proposal Response |
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| Land may be suitable for uses other than farmland if: | | |
| Agricultural capability | The land is isolated from other important farmland and is not capable of supporting sustainable agricultural production. | <ul style="list-style-type: none"> • The land is isolated from other important farmland by virtue of existing roads and residential development. • Farmland in the general locality is typically utilised for low input cattle grazing. The property consists of 4.2 hectares and is isolated from adjoining farmland, both physically and by ownership, therefore, the land's capacity to be efficiently farmed is diminished. • The land is in 5 separate titles and is isolated from other nearby farmland in terms of land ownership. Furthermore, as far as Council's records are concerned, the land has never been in the same ownership as other agricultural holdings in the district. • The Agricultural Assessment provided demonstrates the land is not suitable for commercial agricultural activities for a variety of reasons including size, location and soil type. A maximum annual income of \$1,147.34 has been estimated for this land, which is insufficient to support a family. As such the proposal will not occupy productive agricultural land. • The soil type of the land i.e. Weisenboden soils, is not suited to cultivation. The Weisenboden soil type is not listed as an associated soil type, within the Northern Rivers Farmland Protection Project soil landscapes and variants, selected for inclusion as important farmland. • The rezoning of this, low quality agricultural land, may take pressure off other areas of land for residential development |

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| | | <p>which may have a higher long term agricultural potential.</p> <ul style="list-style-type: none"> • The land has not been utilised for agricultural activities of any kind for a significant period of time. Given the issues with the land in terms of agricultural pursuits, it is highly unlikely that agricultural activities will resume over the land. |
| Land use conflict | <p>The land use does not increase the likelihood of conflict and does not impact on current or future agricultural activities in the locality.</p> | <ul style="list-style-type: none"> • The land is bounded by residential streets with residential development to the north and west of the site, a Council maintained stormwater detention basin located on land to the south, and low input grazing land to the east. Appropriate buffers can be provided to agricultural land to the east of the site via existing road reserves and building setbacks. • No intensive agricultural activities are undertaken in close proximity to the site. • Given the existing interface between urban and rural land, the proposal is not expected to increase the likelihood of land use conflict. |
| Infrastructure | <p>The delivery of infrastructure (utilities, transport, open space, communications and stormwater required to service the land is physically and economically feasible at no cost to State and Local Government.</p> | <ul style="list-style-type: none"> • The land is adjacent to existing residential land and in close proximity to available services. Preliminary discussions regarding the availability of services is provided within the Engineering Report in Attachment 1 of the Planning Proposal. • The land is well suited to residential development given the close proximity to these existing services. In this regard, the land can be easily serviced by water, sewer, telecommunications and electricity. These services are considered to have unconstrained capacity within the area and the development of the land for residential purposes is an efficient use of these existing services, demonstrating consistency with s117 Direction 3.1 Housing, Infrastructure and Urban Development. |

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| | | <ul style="list-style-type: none"> Local bus services already service the development precinct, demonstrating consistency with s117 Direction 3.4 Integrating Land Use and Transport. A traffic impact assessment is not deemed to be required in this instance. Given the above availability of services, the land is able to be readily serviced without the need for cost prohibitive infrastructure extensions that are needed to service other greenfield development sites, including those within Future Urban Growth Areas. ALTA Engineering has undertaken preliminary costings for the development of the land. ALTA estimates that civil construction costs for each allotment is approximately \$56,450/lot. These figures include a generous allowance of \$632,500 for imported fill (supply, place, compact and trim). Preliminary feasibility studies undertaken, and based on the above per lot construction cost and recent sales prices achieved in Casino, suggest the project is economically viable. This is largely due to the location of the site adjacent to an established residential area and the availability of essential infrastructure services. |
| Environment and heritage | The proposed land uses do not have an adverse impact on areas of high environmental value, Aboriginal or historic heritage significance. | <ul style="list-style-type: none"> The site comprises heavily disturbed disused farmland dominated by tall mixed weedy grassland and scattered clumps of native vegetation regrowth, generally consisting of eucalypt species. An Ecological Assessment has been prepared by Blackwood Ecological Services and is provided in Attachment 2 of the planning proposal. This assessment concludes the site has limited biodiversity value. The site does not contain items of Local Environmental Heritage pursuant to the RVLEP 2012 mapping. |

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| | | <ul style="list-style-type: none"> • A Cultural Heritage Assessment was undertaken by Everick Heritage Consultants and provided in Attachment 3 of the planning proposal. This assessment found no Indigenous cultural heritage sites, or relics, or items of local historic significance within the Project Area. |
| Avoiding risk | <p>Risks associated with physically constrained land are identified and avoided, including:</p> <ul style="list-style-type: none"> • flood prone; • bushfire-prone; • highly erodible; • severe slope; and • acid sulfate soils. | <ul style="list-style-type: none"> • The site is located within the 'Low Hazard - LH' designation under the Casino Floodplain Hazard Category Map. Minor filling of the land will achieve minimum ground levels throughout the proposal that are above the 1 in 100-year flood planning level. • Filling of the land will eliminate the flood hazard from this residential estate and therefore be consistent with the principles of the NSW Floodplain Development Manual. • The feasibility study undertaken by ALTA Engineering has determined that filling of the land can be economically achievable (see estimates above). • The subject land is not mapped as bushfire prone land or containing acid sulfate soils. • The land is relatively flat thus avoiding steep slopes and highly erodible land. • Minor lead paint contamination from a former dwelling on the land is isolated to a small area of the property, generally contained to the surface layer of soil, and relatively easily remediated. |