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Engineers | Planners | Surveyors
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7242 planning proposal cover letter (oct 2012).dotx



SCANNED

31 OCT 2012

29 October 2012

Doc. No.

The General Manager
Richmond Valley Council
Locked Bag 10
CASINO NSW 2470

DATE	30 / 10 / 12
AMOUNT \$	3500 -
REC. No.	4749

Attn: Mr Craig Rideout

Dear Craig

re: **Planning Proposal – Proposed rezoning of Approved Lot 100 (per DA 2012.050), Reardons Lane, Swan Bay to R5 – Large Lot Residential Zone**

I refer to recent communications in respect of the subject matter and confirm that APP has been requested by Laurie and Paula Newman to prepare a planning proposal seeking to re-activate the proposed 2007 rezoning of the subject land to enable its future subdivision and development for rural residential purposes.

Provided herewith is the following:

- 2 x paper copies of the Planning Proposal
- 1 x CD copy of the Planning Proposal
- cheque for \$3500.00 payable to Richmond Valley Council, as advised by you on the 23rd October 2012, being the remainder of the rezoning processing fee (with \$1500.00 paid to Council on the 19th March 2007)
- owner's consent to the lodgment of the planning proposal

Should you have any questions in respect of this matter, please contact me on 6686 3280.

Yours faithfully

Paul Snellgrove
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ARDILL PAYNE & PARTNERS

Civil & Structural Engineers - Project Managers - Town Planners - Surveyors

ABN 11 386 152 212

WE Payne BE, MIE Aust ET Eford L & E S D TJ Cromack B.Tech (Eng), TMIE Aust PM Snellgrove BTP



APP Land Owner Authority.doc

LAND OWNER AUTHORITY

This is to advise that Ardill Payne & Partners
of 79 Tamar Street, Ballina NSW has been engaged by:

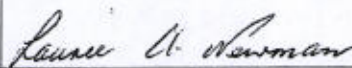
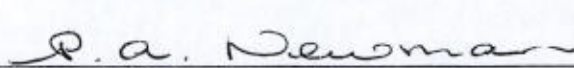
Landowner's name	LAURIE ALAN NEWMAN & PAULA ANN NEWMAN
Landowner's address	205 REARDONS LANE VIA WOODBURN 2472
Landowner's phone number	02 66 822387

Subject land:

Street	Reardons Lane
Town	Swan Bay
Real property description	Lot 1 DP 613382, Lot 4 DP 703190, Lots 1 & 2 DP 1140364

The owner(s) of the aforementioned land(s) hereby authorises Ardill Payne & Partners or its agents to:

1. Inspect all relevant Council records.
2. Obtain copies of submissions made to Council or other government authorities.
3. Carry out searches and site inspections.
4. Lodge a development application, subdivision certificate application, construction certificate application or any other like application with Richmond Valley Council.

Signed		
Name	LAURIE ALAN NEWMAN	PAULA ANN NEWMAN
Date	31/8/2011	31.8.2011

ARDILL PAYNE & PARTNERS

Civil & Structural Engineers – Project Managers – Town Planners – Surveyors



PLANNING PROPOSAL

Submission to Richmond Valley Council

To rezone land to permit
future rural residential subdivision

Approved Lot 100 (resub Lots 1 & 2 DP 1140364, Lot 4
DP 703190 and Lot 1 DP 613382), Reardons Lane,
Swan Bay

for:
Laurie and Paula Newman

October 2012

Document Control Sheet

Filename:	7242 Planning Proposal (October 2012).doc
Job No.:	7242
Job Captain:	Paul Snellgrove
Author:	Paul Snellgrove
Client:	Laurie and Paula Newman
File/Pathname:	

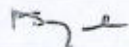
Revision No:	Checked By		Issued By	
	Name	Signed	Name	Signed
0			Paul Snellgrove	
1				
2				

Table of Contents

1	INTRODUCTION	3
1.1	Introduction	3
1.2	Background	4
2	OBJECTIVES AND INTENDED OUTCOMES OF PROPOSAL	6
2.1	Objectives	6
2.2	Outcomes	7
3	EXPLANATION OF PROVISIONS IN RVLEP 2012	8
4	JUSTIFICATION	9
4.1	Need for Planning Proposal	9
4.1.1	Is the planning proposal a result of any strategic study or report?9	
4.1.2	Is the planning proposal the best means of achieving the objectives or intended outcomes, or is there a better way?.....	10
4.1.3	Is there a net community benefit.....	10
4.1.4	Sustainable Considerations	11
4.2	Relationship to Strategic Planning Framework	12
4.2.1	Far North Coast Regional Strategy 2006-31 (FNCRS).....	12
4.2.2	Richmond Valley Local Environmental Plan 2012.....	12
4.2.3	Northern Rivers Farmland Protection Project (NRFPP)	12
4.2.4	State Environmental Planning Policies (SEPPs).....	12
4.2.5	Local Planning Directions	14
4.3	Environmental, social and economic impacts	17
4.3.1	Critical Habitat and Threatened Species.....	17
4.3.2	Environmental Effects and Management	17
4.3.3	Social and Economic Effects	18
4.4	State and Commonwealth interests.....	18
4.4.1	Public Infrastructure.....	18
4.4.2	State and Commonwealth Consultation	19
5	COMMUNITY CONSULTATION	20
6	APPENDICES	21

1.1 Introduction

The land to which this Planning Proposal relates is described as Approved Lot 100 in a re-subdivision of Lots 1 & 2 DP 1140364, Lot 4 DP 703190 and Lot 1 DP 613383, Reardons Lane, Swan Bay.

Approved Lot 100 was approved by Richmond Valley Council under the terms and conditions of Development Application No. 2012.050 on the 11th November 2011. Consent was granted to the "*Consolidation and Subdivision (Boundary Adjustment) to Create two Lots being Lot 100 – 20.13ha and Lot 101 – 56.29ha.*"

The final plan of subdivision containing the two lots approved under DA 2012.050 has not yet been registered. A copy of the final plan of subdivision is provided at **Appendix A**.

Approved Lot 100 is irregular in shape with a frontage of 380.545m to Reardons Lane, an average depth of approximately 467m and an area of 20.12ha.

As evidenced from the aerial photograph at **Appendix B**, existing on Approved Lot 100 is a dwelling house, metal farm machinery shed, a dam and other rural residential improvements.

The purpose of DA 2012.050 was to undertake the consolidation and boundary adjustment of 4 lots to create 2 modified lots, with one of the lots (being Lot 100 with an area of 20.13ha) being contained within the land mapped as "available rural residential land" on *Figure 2.5b – Detailed plan of suitable rural residential land in the western sector of the Western Catchment District* of the Richmond River Shire Council Rural Residential Development Strategy (March 1999) and which would be subject of a future rezoning proposal.

The land has been subject of prior detailed strategic planning investigation and consideration by Council under the provisions of a prior rezoning proposal (Council File No. P25777, 26003 LEP0021:CR), details of which are provided in **Section 1.2** of this Planning Proposal.

The land that is subject of this planning proposal is currently zoned RU1 – Primary Production Zone under the provisions of the Richmond Valley Local Environmental Plan 2012.

Under this planning proposal, the land is proposed to be zoned R5 – Large Lot Residential Zone under the RVLEP 2012.

This planning proposal has been prepared in support of the proposed rezoning of the land and has been done so in accordance with the following Department of Planning guidelines:

- 'A guide to preparing planning proposals' (July 2009)
- 'A guide to preparing local environmental plans' (July 2009)

1.2 Background

Harrison Shepherd was commissioned by Laurie and Paula Newman in 2006/2007 to prepare a rezoning submission to rezone approximately 20ha of the land from Zone No. 1(a) – Rural (Prime Agricultural Land) to Zone No. 1(c) – Rural Residential Zone under the provisions of the Richmond River LEP 1992.

A rezoning submission was prepared by Harrison Shepherd (dated February 2007) and was lodged with Council on the 12th March 2007. The land to which the original rezoning submission related was described as Part Lot 4 DP 703190 and Lot 1 DP 613382 (including proposed closed Crown roads), Reardons Lane, Swan Bay.

There were a number of issues with the rezoning submission which were not resolved at that time, sufficient to enable the matter to be reported to Council. The further progress of the rezoning was therefore ceased.

The detailed investigations that have been undertaken thus far in support of the rezoning and future rural residential subdivision of the land, which accompanied the Rezoning Submission prepared by Harrison Shepherd (February 2007) included:

- agricultural land classification and agricultural impacts
- visual amenity
- public utility services
- bushfire hazard
- cultural heritage

- community services, facilities and infrastructure
- acid sulfate soils
- flooding
- SEPP 55/contamination

A number of other specialist investigations/reports were also prepared being:

- Flora and fauna assessment – James Warren & Associates (February 2007)
- On-site wastewater management plan – Harrison Shepherd (November 2006)

As part of the rezoning process, Council consulted with and received comments from the following Government Departments, with copies of such being provided at **Appendix D**:

- RTA letter dated 26 February 2009
- NSW DPI (Agriculture, Mineral Resources, Forests, Fisheries) – letter dated 19 February 2009
- DECC (Cultural Heritage, Biodiversity) – letter dated 12 February 2009
- NSW RFS – letter dated 20 January 2009

Harrison Shepherd prepared a further submission dated 4 May 2009 to address the issues raised by the Government Departments comprising:

- land use conflict risk assessment
- accessibility, servicing and wastewater management
- Aboriginal cultural heritage (including AHIMS search)
- biodiversity conservation

Provided at **Appendix C** is "*Figure 2.5b – Detailed plan of suitable rural residential land in the western sector of the western catchment district*" of Council's Rural Residential Development Strategy 1999, which identifies the land the subject of this planning proposal as being "available rural residential land".

2.1 Objectives

The application seeks to rezone that part of the subject land identified on Figure 2.5b of Council's Rural Residential Development Strategy 1999 (RRDS) as being suitable for rural residential land (refer **Appendix B**), from an RU1 – Primary Production Zone to an R5 – Large Lot Residential Zone under the RVLEP 2012. The proposal also seeks to change the minimum lot size mapping for the proposed R5 land to 1ha.

The purpose of the rezoning is to enable the subdivision of the land pursuant to Clause 4.1 of the RVLEP 2012 into minimum 1ha lots and the subsequent erection of a dwelling house on each lot.

The objectives of this planning proposal are to:

- rezone approved Lot 100 to R5 – Large Lot Residential Zone under the RVLEP 2012
- map the land proposed to be zoned R5 on the minimum lot size map under the RVLEP 2012 as Y – 1ha
- provide land stocks to meet the demand for dwelling houses in rural localities
- provide greater housing choice and affordability in the area
- ensure that future development of the land for rural residential purposes does not adversely affect the rural environment of the area
- develop the land in a manner that recognises the constraints and opportunities of the site
- ensure that all requisite and essential infrastructure servicing is available to the land
- take advantage of the site's locational attributes and opportunities (ie close proximity to a number of reasonably sized larger urban centres and towns)

Provided at **Appendix E** is a plan showing conceptual lot and road layout for the proposed rezoning area and identifies a total of 14 lots ranging in size between 1.07-1.66ha, with the existing house being retained on proposed Lot 1 (1.66ha).

2.2 Outcomes

The outcomes of this planning proposal will be to enable the land to be subdivided and developed for rural residential purposes in accordance with the provisions of Richmond River Rural Residential Development Strategy 1999.

The proposal will enable the subdivision of the land into minimum 1ha sized lots, the construction of roads to service the new lots and the construction of future dwelling houses and ancillary improvements and structures.

The land that is subject of the planning proposal is currently zoned RU1 – Primary Production Zone under the provisions of the RVLEP 2012. The land is mapped as Y – 1ha on the minimum lot size mapping of the RVLEP.

This Planning Proposal seeks to rezone approved Lot 100 in the manner shown on the plan at **Appendix E**, as detailed below.

- rezone the whole 20.13ha lot to R5 – Large Lot Residential Zone (Land Zoning Map – Sheet LZN_009)
- approved Lot 101 to retain the RU1 – Primary Production Zone (Land Zoning Map – Sheet LZN_009)
- the land proposed to be zoned R5 to be mapped as Y – 1ha on the minimum lots size map (Lot Size Map – Sheet LSZ_009)

4.1 Need for Planning Proposal

The purpose of the Richmond River Rural Residential Development Strategy 1999 is *"To provide a comprehensive reasoned approach by which the Council can meet its goal of providing cost effective long term sustainable rural residential development of the Richmond River Shire in a manner which can act as a model for other rural Councils to follow."*

Part of the scope of the Strategy was to identify potential rural residential areas in the LGA and determine their suitability for development after considering the physical, social and service catchments in which they are located.

In order to rezone the land as proposed, a Planning Proposal is required to be prepared pursuant to the provisions of the EP & A Act 1979.

4.1.1 Is the planning proposal a result of any strategic study or report?

The Richmond River Rural Residential Development Strategy 1999 (RRDS) applies to that part of the subject land that is proposed to be rezoned. The RRDS was adopted by Council on the 15th December 1998 (File No. 20/4/44) and was approved by the Director-General of the Department of Urban Affairs and Planning on the 4th March 1999 (File No. G96/00096).

The land that is subject of this planning proposal is mapped on *Figure 2.5b – Detailed plan of suitable rural residential land in the western sector of the western catchment district* as being "Available Rural Residential Land", as shown on the plan at **Attachment C**.

Section 6.1.3(iii) of the Strategy states that:

".. the area to the west of Woodburn, on Reardons Lane, has the potential to be developed immediately."

Consideration of the following issues is required to be addressed in any application for rural settlement within the Woodburn catchment:

- *link to Woodburn village without impacting upon the Pacific Highway;*
- *retention of scenic elements and habitats;*
- *flooding; and*
- *impact on cane land, pine plantations and forest vegetation."*

4.1.2 Is the planning proposal the best means of achieving the objectives or intended outcomes, or is there a better way?

The objectives and intended outcomes of the Planning Proposal are best achieved by amending the RVLEP 2012 so that the land is rezoned so as to enable its subdivision into rural residential lots (minimum 1ha in area) and its future development for rural residential purposes, on land and in a manner that is consistent with the Rural Residential Development Strategy.

4.1.3 Is there a net community benefit

There will be significant positive community benefits resulting from the following:

- provision of increased stocks of rural residential zoned land which will increase choice and competition in the local market place
- provision of rural residential land to service the local and broader community
- protection of environmental and ecologically sensitive areas
- multiplier effect on the local community resulting from increased development and building activity (during subdivision and house construction) and increased demands for goods and services from increased population base

4.1.4 Sustainable Considerations

4.1.4.1 Environment

Having regard to the detailed environmental investigations that have been undertaken in support of the original amended rezoning proposal, it is evident that the proposed rezoning and future development of the land can be undertaken in a manner that will not have significant adverse environmental impacts.

Preliminary planning investigations into the land have revealed that there are a number of potential constraints, however these are such that will be able to be reasonably and practically managed and mitigated.

The land that is proposed to be rezoned to R5 is appropriate having regard to such constraints and opportunities.

4.1.4.2 Social

The rejection of this gateway proposal will potentially delay the provision of additional rural residential land which will enable future development that will stimulate and have multiplier effects on the economy and increase employment opportunities.

The proposed rezoning is consistent with a long-standing Council strategy document (1999) and has already been generally supported by Council and relevant Government Departments.

4.1.4.3 Economic

The rejection of the gateway proposal will potentially delay the economic benefits that would be associated with the development of the land, particularly the subdivision and construction of future dwelling houses and ancillary improvements and structures.

There will be a multiplier effect on the local community resulting from increased development and building activity (during subdivision and house construction) and increased demands for goods and services from an increased population base which will benefit the local and broader regional economy.

4.2 Relationship to Strategic Planning Framework

4.2.1 Far North Coast Regional Strategy 2006-31 (FNCRS)

The purpose of the FNCRS is to manage the Region's expected high growth rate in a sustainable manner. The Strategy aims to protect the unique environmental assets, cultural values and natural resources of the Region whilst ensuring that future planning maintains the character of the Region and provides for economic opportunities.

The Strategy provides that for land that is in the non-coastal area, rural residential land release will occur in accordance with existing rural residential strategies.

The proposed rezoning and future rural residential development of the land is thus consistent with the Strategy. Detailed investigations have been undertaken into the constraints and opportunities of the site and will inform and support any rezoning proposal

4.2.2 Richmond Valley Local Environmental Plan 2012

The land that is subject of the planning proposal is currently zoned RU1 – Primary Production Zone under the provisions of the RVLEP 2012. The land is mapped as Y – 1ha on the minimum lot size mapping of the RVLEP.

4.2.3 Northern Rivers Farmland Protection Project (NRFPP)

The NRFPP does not apply to the subject land due to the fact that the subject land is identified for rural settlement in a currently enforced rural settlement strategy approved by the Director-General of the DoP under Clause 20 of the North Coast REP, being the Richmond River Rural Residential Development Strategy 1999.

4.2.4 State Environmental Planning Policies (SEPPs)

A number of SEPPs apply to the local area. The following identifies each and provides brief comment in regards to such.

SEPP 14 – Coastal Wetlands

There are no mapped SEPP 14 wetlands on the subject land or in the immediate locality.

SEPP 26 – Littoral Rainforests

There are no mapped SEPP 26 littoral rainforests on the subject land or in the immediate locality.

SEPP 44 – Koala Habitat Protection

The land is subject to the provisions of the policy as the land is greater than 1ha in area. A detailed flora and fauna assessment (including of SEPP 44 assessment) was prepared in 2007 to support and inform the rezoning.

This assessment concluded that Koala food trees listed under Schedule 2 of the Policy do not comprise greater than 15% of the total number of trees in the upper and lower strata of the tree component and the site does not support core Koala habitat.

SEPP 55 – Remediation of Land

Preliminary contaminated site investigations were undertaken in 2006 to support and inform the rezoning to assess the likelihood of the site being contaminated and establish the need for further investigations.

The investigation concluded that the subject land does not appear to be contaminated as a consequence of prior or current land uses.

SEPP 71 – Coastal Protection

The subject land is not contained within the coastal zone and is thus not subject to SEPP 71 – Coastal Protection.

SEPP (Rural Lands) 2008 (RLSEPP)

The land is subject to the provisions of the RLSEPP. The SEPP contains a number of rural subdivision principles and matters to be considered in determining applications for rural subdivisions or rural dwellings.

The proposed planning proposal is not considered to be contrary to the provisions of the SEPP, particularly as a consequence of

the land being contained within a long-standing rural residential development strategy and is within an area that is characterised by a number of other rural residential estates.

4.2.5 Local Planning Directions

A number of Ministerial Directions made under Section 117 of the Environmental Planning and Assessment Act 1979 apply to the land. The following identifies each of the key local planning directions which are relevant to the land and planning proposal and makes brief comment in regards to each.

Direction 1.2 – Rural Zones

The approved lot that is subject of the planning proposal is identified in Richmond River Rural Residential Development Strategy (March 1999) as “available rural residential land” which was adopted by RVC on the 15th December 1998 and approved by the Director-General of the DoP on the 4th March 1999.

The proposed rezoning of the land for rural residential purposes is therefore consistent with this strategic planning document and thus with the provisions of Direction 1.2.

Direction 1.5 – Rural Lands

The approved lots that is subject of the planning proposal is identified in Richmond River Rural Residential Development Strategy (March 1999) as “available rural residential land” which was adopted by RVC on the 15th December 1998 and approved by the Director-General of the DoP on the 4th March 1999.

The proposed rezoning of the land for rural residential purposes is therefore consistent with these strategic planning documents and thus with the provisions of Direction 1.5.

Direction 2.1 – Environment Protection Zones

The proposed zoning of the land will not compromise the continued protection of any high conservation vegetation in the locality. The proposed rezoning does not seek to modify or reduce any environmental protection zones or standards applying to the land.

Direction 2.3 - Heritage Conservation

The subject land is not identified in the RVLEP 2012 or North Coast REP 1988 as comprising/containing items, areas or objects of environmental heritage significance.

A cultural heritage assessment was undertaken in 2006 to support and inform the rezoning. This assessment involved a site inspection by Bogal LALC representatives on the 16th November 2006. The Bogal LALC advised by letter dated 19 February 2007 that they had no objection to the proposed rezoning.

An AHIMS search was undertaken on the 2nd April 2009 which showed no Aboriginal objects or places in or near the subject land.

Direction 4.1 – Acid Sulfate Soils

Approved Lot 100 is mapped as being Class 5 acid sulfate soils. This planning proposal has been configured such that the proposed rezoning area comprises land above the 1 in 100 year flood level and thus acid sulfate soils should not be disturbed.

The future development on the land will be required to comply with the Acid Sulfate Soils Planning Guidelines and Clause 6.1 of the RVLEP 2012.

Direction 4.3 – Flood Prone Land

This planning proposal has been configured such that the proposed rezoning area comprises land above the 1 in 100 year flood level.

Direction 4.4 – Planning for Bushfire Protection

The western section of approved Lot 100 is mapped as being bushfire prone. Development of bushfire prone land is managed and controlled by the provisions of Section 79BA of the Environmental Planning and Assessment Act 1979 and Section 100B of the Rural Fires Act 1997.

A bushfire hazard assessment was prepared by Harrison Shepherd (February 2007) to support and inform the original rezoning proposal having regard to the provisions of Planning for Bushfire Protection 2006.

A response from the NSW RFS to the original rezoning proposal is provided at **Appendix D**.

Direction 5.1 – implementation of Regional Strategies

The Strategy provides that for land that is in the non-coastal area, rural residential land release will occur in accordance with existing rural residential strategies.

The proposed rezoning and future rural residential development of the land is consistent with the Strategy as it is consistent with the long-standing Richmond River Rural Residential Development Strategy 1999.

The proposed rezoning of the land for rural residential purposes is therefore consistent with the Strategy and thus with the provisions of Direction 5.1.

Direction 5.3 – Farmland of State and Regional Significance on the NSW Far North Coast

The NRFPP does not apply to the subject land due to the fact that the subject land is identified for rural settlement in a currently enforced rural settlement strategy that has been approved by the Director-General of the DoP under Clause 20 of the North Coast REP, being the Richmond River Rural Residential Development Strategy 1999.

The proposed rezoning is thus consistent with the provisions of Direction 5.3.

Direction 6.1 – Approval and Referral Requirements

The proposed rezoning of the land does not seek any additional concurrence, consultation or referral of development applications to the Minister or other public authority or any designated development provisions.

The proposed rezoning is thus consistent with the provisions of Direction 6.1.

6.3 – Site Specific Provisions

No specific standards or controls are provided in the Planning Proposal. The Planning Proposal is consistent with the Direction.

4.3 Environmental, social and economic impacts

4.3.1 Critical Habitat and Threatened Species

Detailed ecological investigations were undertaken on the site in 2007 (James Warren & Associates, February 2007) to inform the prior rezoning submission (including Threatened species assessment). The subject land is largely cleared land that has been disturbed by prior activities.

Prior investigations confirm that the potential impact of the proposal concluded that there would be no significant effect on threatened species, populations or ecological communities or their habitats due to the disturbed nature of the site and preservation of the remnant woodland.

4.3.2 Environmental Effects and Management

The key possible environmental effects of the use of part of the land for rural residential purposes are as follows:

Acid Sulfate Soils

The rezoning land is likely not subject to acid sulfate soils. The land is mapped as Class 5 acid sulfate soils. The rezoning is above the 1 in 100 year flood event and will thus not likely impact acid sulfate soils.

Land contamination

A preliminary land contamination investigation has been undertaken to support and inform the rezoning proposal which reported that contamination is not likely and will not preclude or compromise the rural residential subdivision and development of the land.

Flooding

The rezoning area is above the 1 in 100 year flood level.

Land use conflict

A LUCRA was prepared to support and inform the rezoning. Land use conflict will not be a significant issue due to the fact

that the site is within a planned strategy for rural residential with a number of other rural residential estates existing in the locality.

Cultural heritage

A cultural heritage assessment was undertaken in 2006/2007 to support and inform the rezoning. The Bogal LALC inspected the site and raised no objections to the proposed rezoning.

Bushfire

A bushfire hazard assessment was prepared (2007) to support and inform the original rezoning proposal having regard to the provisions of Planning for Bushfire Protection 2006. The conceptual subdivision layout provides for 2 way constructed roads, specific APZ's for certain lots etc.

4.3.3 Social and Economic Effects

The proposed rezoning will provide additional land for rural residential purposes which will have positive social and economic impacts for the community.

A social and economic assessment and cultural heritage assessment will be undertaken to support and inform the rezoning proposal.

4.4 State and Commonwealth interests

4.4.1 Public Infrastructure

The subject land is within an area that is serviced reticulated electricity and telephone services and public roads. There is no reticulated water or sewerage services.

Prior investigations have confirmed that any future lots can be serviced with on-site wastewater disposal and potable water supply.

A detailed public infrastructure servicing assessment will be undertaken to support and inform the rezoning proposal.

4.4.2 State and Commonwealth Consultation

This section of the planning proposal will be completed following consultation with State and Commonwealth agencies identified in the "gateway exhibition and determination process".

The proposal is considered likely to be a “low impact planning proposal” and should thus be subject to a minimum 14 day community consultation exhibition period (per Section 4.5 – Community Consultation of “*A guide to preparing local environmental plans*”, DoP 2009).

The requirement for community consultation will ultimately be a matter for Council, however it is suggested that a minimum 14 day exhibition period would suffice in this instance.

Appendix A	Copy of final plan of subdivision
Appendix B	Aerial photograph of subject and adjoining land
Appendix C	Figure 2.5b – Detailed plan of suitable rural residential land in the western sector of the western catchment district
Appendix D	Consultation letters from Government Departments to original rezoning proposal
Appendix E	Conceptual subdivision layout plan

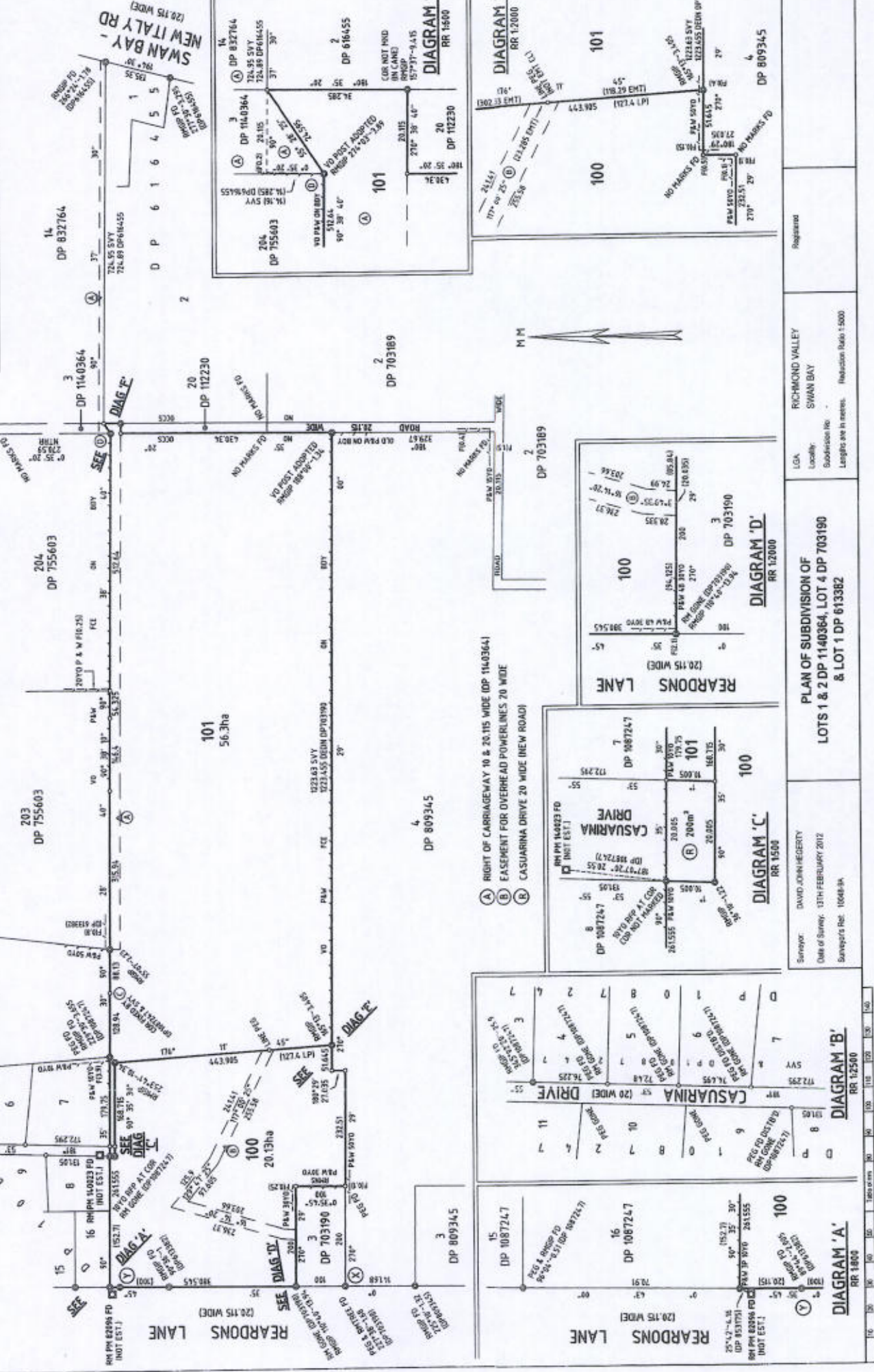
APPENDIX A

Appendix A
Copy of final plan of
subdivision

SURVEYING & SPATIAL INFORMATION REGULATION 2004 - CLAUSE 35(1)(b)
MGA COORDINATES - ZONE 54

MARK	EASTING	NORTHING	CLASS	ORDER	METHOD	ORIGIN
PM 02036	6 783 441	U	U	U	SCHMS	SCHMS
PM 14023	6 783 444	U	U	U	SCHMS	SCHMS

MGA COORDINATES ADAPTED FROM SCHMS 15 JANUARY 2012



APPENDIX B

Appendix B
Aerial photograph of subject
and adjoining land



Design	RMcG	Scale as A3	NTS	Date	27/09/2012
Drawn	RMcG	Datum	AHD		
Checked		Acad file	7242 Locality Plan		
Approved		Code file			
Job No.	7242	Dwg. No.	FIG.1	Issue	



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Client:	L. Newman
Title:	Locality Plan

Project: Proposed Boundary Adjustment Subdivision
 Readons Lane, Swan Bay

Do not scale drawing. Use written dimensions only.
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APPENDIX C

Appendix C
Figure 2.5b – Detailed plan of
suitable rural residential land in
the western sector of the
western catchment district



Figure 2.5b DETAILED PLAN OF SUITABLE RURAL RESIDENTIAL LAND IN THE WESTERN SECTOR OF THE WESTERN CATCHMENT DISTRICT

APPENDIX D

Appendix D
Consultation letters from
Government Departments to
original rezoning proposal

File No. 389.5351/N01450 09/31
Greg Sciffer



The General Manager
Richmond Valley Council
Locked Bag 10
CASINO NSW 2470

e-mailed

26 FEB 2009

SCANNED

2 MAR 2009

Richmond Valley Council. Rezoning. Lot 4 DP703190.
Proposed Rural Residential Subdivision. Reardon's Lane. Swan Bay

Doc. No.

Dear Sir

I refer to your letter dated 9 January 2009 concerning the rezoning to allow rural residential subdivision.

The Roads and Traffic Authority (RTA) does not object to this proposal.

If council has any further enquiries regarding this matter please contact Greg Sciffer on 6640 1300 or email land_use_northern@rta.nsw.gov.au.

Yours faithfully

A handwritten signature in black ink, appearing to read 'David Bell', written over a light blue horizontal line.

26 FEB 2009

David Bell
Regional Manager, Northern Region

Roads and Traffic Authority

31 Victoria Street, Sydney
PO Box 371, Central Station
www.rta.nsw.gov.au | 02 9589 1300



Our Ref: 03/3227 OUT09/2044
Your Ref: P25777, 26003, LEP0021:CR

SCANNED

23 FEB 2009

19 February 2009

The General Manager
Richmond Valley Council
Locked Bag 10
CASINO NSW 2482

Doc. No.

Attention: Mr Craig Rideout

Dear Sir

**Draft Richmond River LEP 1992 Amendment
Proposed rezoning of Part Lot 4 DP 703190 & Lot 1 DP 613382
Reardons Lane, Woodburn**

I refer to your letter of 9 January 2009 accompanied by a rezoning submission on CD prepared by Harrison Shepherd Pty Ltd for comment.

The Draft LEP amendment and proposal to rezone 19.53 ha of rural land from 1(a) Rural Prime Agricultural Land to 1(c) Rural Residential to permit the creation of rural residential allotments has been reviewed and the following comments are offered by NSW Department of Primary Industries.

The documentation submitted appears to be two years old and there are a number of planning references that are outdated or not included. The supporting documentation should have regard to all relevant current policies, planning instruments and guidelines. The substantive issues are identified in the specific comments below.

Agricultural Issues

The subject land is located in a rural area where agriculture is a major land use. The subject land is not classified as farmland of State or regional significance though the land to be rezoned is located on the periphery of a large contiguous area of regionally significant farmland which is primarily used for sugar cane production and other crops in rotation.

The North Coast REP, the Far North Coast Regional Strategy and the Northern Rivers Catchment Action Plan require that risk of land use conflict with key resources and rural production is assessed and addressed in future land use change decisions. Chapters 5 and 6 of the North Coast *Living and Working in Rural Areas* handbook outlines the principles and development control mechanisms including land use conflict risk assessment and buffers that ought to be considered to reduce risk of future impact on key environmental assets and rural production from change of land use. At the very least, future dwellings at this location should be located in such a position so as to not cause conflict with adjoining agricultural lands and rural activities. The minimum separation distances recommended in the *Living and Working in Rural Areas* handbook should be followed as a guide. Lesser setbacks should be accompanied by an evidence based risk assessment and submission for variation.

The rezoning submission presents only basic information on the land uses surrounding the subject land. Recent training of professional planning staff in this region in the use and application of land use conflict risk assessment as a tool was undertaken by NSW DPI,

SCANNED

16 FEB 2009

Your reference : P25777,26003, LEP0021:CR
Our reference : DOC09/1255, FIL07/14259
Contact : Helen Mulligan, 6659 8222
Date : 12 February 2009

Doc. No.

Mr B Wilkinson
General Manager
Richmond Valley Council
Locked Bag 10
CASINO NSW 2470

Attn: Mr Craig Rideout

Dear Mr Wilkinson

Draft Richmond River LEP 1992 Amendment Rezoning of Land at Reardons Lane Swan Bay Part Lot 4 DP703190 and Lot 1 DP13382 Section 62 and section 34A(2) consultation

I refer to your letter dated 9 January 2009 inviting the Department of Environment and Climate Change (DECC) to provide comments on the above draft Local Environmental Plan (LEP). It is understood that the purpose of this draft LEP is to enable a 14 lot rural residential development, with a residue lot, by rezoning the land from Rural Prime Agricultural 1(a) to Rural Residential 1(c).

General Comments

DECC has noted that this proposal falls within land identified as being suitable for rural residential use in both the Far North Coast Regional Strategy and the Richmond River Rural Residential Strategy and also acknowledges that there is a demand for this lifestyle option. There are however, a number issues associated with the development of rural residential lands that Council should address. These include the very low-density nature of these developments and the need to take account of their long term and cumulative impacts when determining the future use of a proposed area. Issues such as accessibility, lack of employment and services for residents, vehicle dependence and reliance on fossil fuels, which exacerbate greenhouse emissions, should be explicitly considered. Council should also address the proliferation of on-site effluent disposal systems and attendant potential for degradation of in-stream water quality associated with rural residential development.

Council should be mindful of the potential for land use conflicts between predominantly residential land uses and adjacent rural commercial enterprises. You may wish to consult the recently released Department of Primary Industries – Agriculture document "Living and Working in Rural Areas" which can be found at <http://www.dpi.nsw.gov.au/pubs/north-coast-land-use>.

The Department of Environment and Conservation NSW is now known as
the Department of Environment and Climate Change NSW

Locked bag 914
Federation House, Level 7, 24 Moonee Street
Coffs Harbour NSW 2450
Tel: (02) 6651 5946 Fax: (02) 6651 6187

Department of Environment and Climate Change

If you would like to discuss any of the issues raised above or would like further clarification, please contact Helen Mulligan, Conservation Planning Officer on telephone 6659 8222 or email helen.mulligan@environment.nsw.gov.au

Yours sincerely

A handwritten signature in black ink, appearing to be 'Brett Nudd', with a stylized flourish at the end.

BRETT NUDD
Acting Manager
Planning and Aboriginal Heritage Section – North East Branch
Environment Protection and Regulation Group

All communications to be addressed to:

Head Office
NSW Rural Fire Service
Locked Mail Bag 17
Granville NSW 2142

Telephone: (02) 8741 5555

Head Office
NSW Rural Fire Service
15 Carter Street
Homebush Bay NSW 2127

Facsimile: (02) 8741 5550



The General Manager
Richmond Valley Council
Locked Bag 10
CASINO NSW 2470

SCANNED

20 JAN 2009

Your Ref: LEP0021:CR

Our Ref: LEP/0105
A09/0014

Attention: Craig Rideout

20 January 2009

Dear Mr Rideout,

Re: Draft Richmond River LEP 1992 Amendment (LEP – Rezoning of Land at Reardons Lane, Swan Bay – Newman – Part Lot 4 DP 703190 & Lot 1 DP 613382)

I refer to your letter dated 9 January 2009 seeking the Rural Fire Service advice in accordance with Section 62 of the *Environmental Planning & Assessment Act 1979*.

The NSW Rural Fire Service (RFS) notes that the property has lands that are identified as bush fire prone on the Richmond Valley Bush Fire Prone Land Map. Development applications for all development on bushfire-prone lands will be required to comply with either section 79BA of the *Environmental Planning and Assessment Act 1979* or Section 100B of the *Rural Fires Act 1997* depending upon the nature of the proposed development.

For any enquiries regarding this correspondence please contact Jason Hulston on 8741 5555.

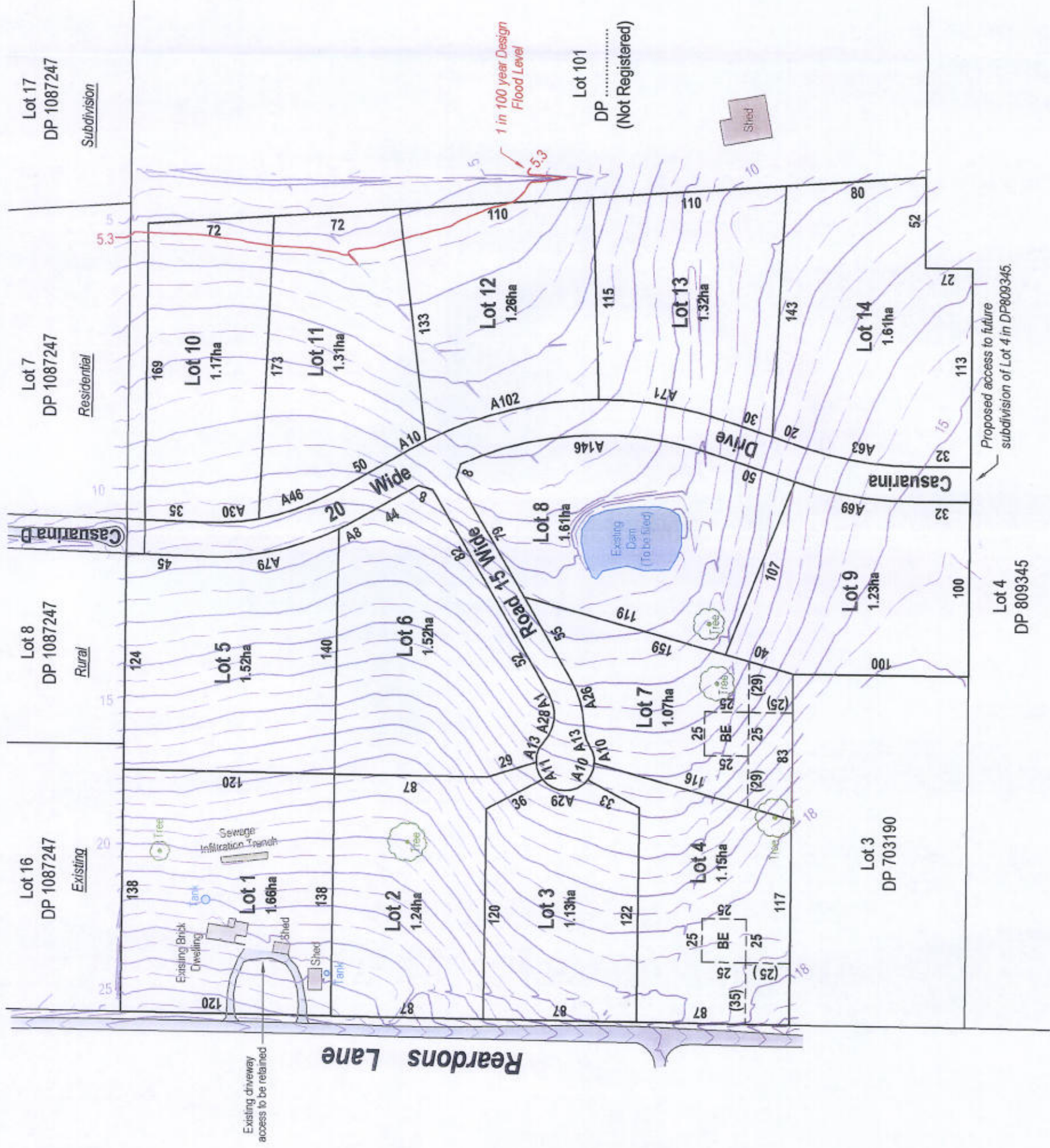
Yours sincerely

 **Nika Fomin**
Development Control Co-ordinator

The RFS has made getting additional information easier. For general information on *Planning for Bush Fire Protection 2006*, visit the RFS web page at www.rfs.nsw.gov.au and search under *Planning for Bush Fire Protection 2006*.

APPENDIX E

Appendix E
Conceptual subdivision layout
plan



BE BUILDING ENVELOPE

Notes:

- This is a concept plan only, and may be subject to revision during the rezoning application process. All dimensions & areas are subject to D.A. approval & final survey.
- Lengths expressed to nearest metre & areas to nearest 0.01ha
- Existing easement for overhead powerlines 20 wide has not been shown. It is intended to release this easement on registration of the subdivision plan.
- The 1 in 100 year flood level of 5.3m AHD provided by Richmond Valley Council Flood Information Inquiry dated 20/09/2012



Locality: SWAN BAY
LGA: RICHMOND VALLEY
Datum: AHD
Origin: PM 82096 RL 25.407
Source: RVC DA2004.0285 WAE PLAN

Reference: 12065-1B
Date: 16.10.2012
Red Ratio: 1:2500 @ A3
FB, LB: 1178
Contour Int: 0.5m

Surveyor: PF
Drawn: SB
Checked: CAA/PP
Data Files: M02
Sheet: 1 of 1

CONCEPT PLAN OF
PROPOSED RURAL RESIDENTIAL SUBDIVISION
OF LOT 100 IN DP (Unregistered)
235 Reardons Lane
Client: L & P NEWMAN



BE BUILDING ENVELOPE

Notes:

- This is a concept plan only, and may be subject to revision during the rezoning application process.
- All dimensions & areas are subject to D.A. approval & final survey.
- Lengths expressed to nearest metre & areas to nearest 0.01ha.
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Locality:	SWAN BAY
LGA:	RICHMOND VALLEY
Datum:	AHD
Origin:	PM 82096 RL 25.407
Source:	RVC DA2004.0285 WAE PLAN

Reference:	12065-1C
Date:	16.10.2012
Red Ratio:	1:2500 @ A3
FB, LB:	1178
Contour Int:	0.5m

Surveyor:	PF
Drawn:	SB
Checked:	CAA
Data Files:	M02
Sheet:	1 of 1

CONCEPT PLAN OF
PROPOSED RURAL RESIDENTIAL SUBDIVISION
OF LOT 100 IN DP (Unregistered)
235 Reardons Lane
Client: L & P NEWMAN