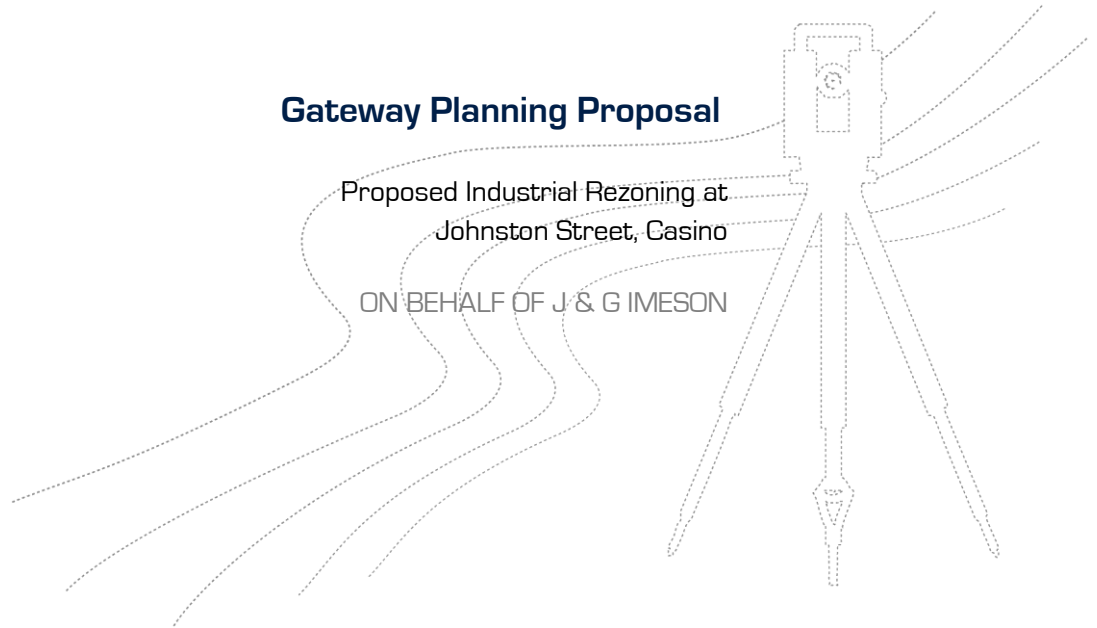


## Gateway Planning Proposal

Proposed Industrial Rezoning at  
Johnston Street, Casino

ON BEHALF OF J & G IMESON

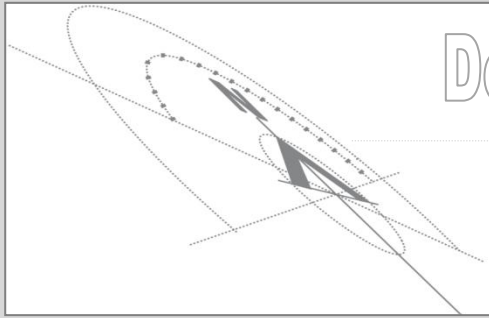


Site: Lots 1 – 12 Section 6 DP 976660,  
Lots 14-20 Section 6 DP 976660 &  
Lot 1 DP 783330 and Unformed Road Reserve

Our Ref: 17/044

Date: May 2019 (Rev B)





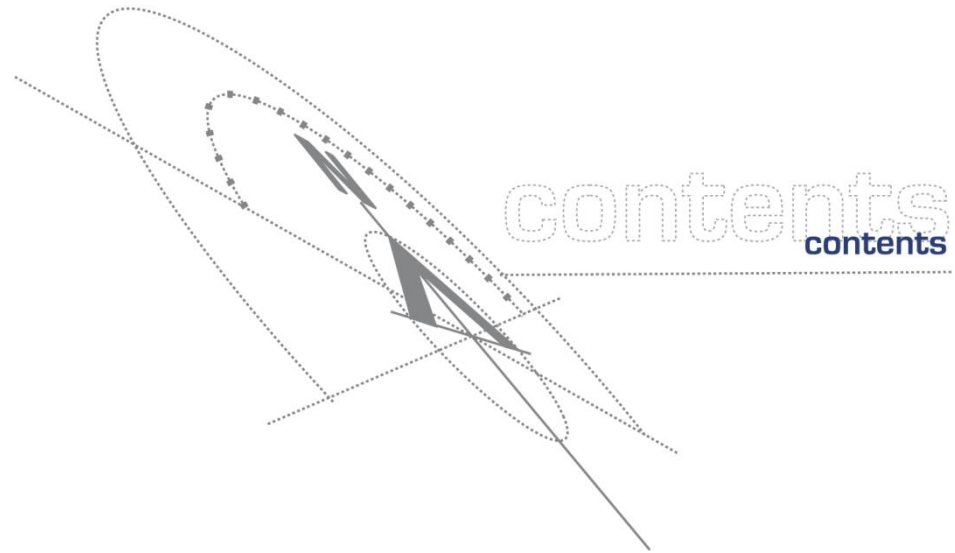
# Document Control Sheet

Document and Project Details				
Document Title:	Gateway Planning Proposal – Proposed Industrial Rezoning at Johnston Street, Casino			
Author:	Karina Vikstrom			
Project Manager:	Damian Chapelle			
Date of Issue:	1 <sup>st</sup> May 2019			
Job Reference:	2017/044			
Project Outline:	This document presents a Planning Proposal for proposed changes to the zoning at subdivision standards for land located at Johnston Street, Casino to enable the future development of the site for industrial purposes.			
Document Distribution				
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Checked by:	Karina Vikstrom, Damian Chapelle, Grant and Jeff Imeson, Tony McAteer (RVC)			

## USAGE NOTE:

This document was prepared for the exclusive use of Grant and Jeff Imeson for the development of land described herein and is not to be used for any other purpose or by any other person or corporation. Newton Denny Chapelle accepts no responsibility for any loss or damage suffered howsoever arising to any person or corporation who may use or rely on this document for a purpose other than that described above.

The maps, development plans and exhibits shown in this report are suitable only for the purposes of this report. No reliance should be placed on this information for any purpose other than for the purposes of this report. All dimensions, number, size and shape of lots/buildings as shown on plans in this document are subject to detailed engineering design plans and final survey and may vary subject to conditions of consent issued by Council. The information contained in this report is based on independent research undertaken by Newton Denny Chapelle. To the best of our knowledge, it does not contain any false, misleading or incomplete information.



<b>1. Background .....</b>	<b>1</b>
1.1 Summary of Project.....	1
1.2 Description of Site and Locality .....	1
1.3 Indicative Development Layout .....	3
1.4 Nearby Planning Proposal Request (Proposed Residential Lands).....	3
<b>2. Planning Proposal .....</b>	<b>5</b>
Part 1 Objectives and Intended Outcomes .....	5
Part 2 Explanation of Provisions.....	5
Part 3 Justification.....	5
Part 4 Mapping .....	22
Part 5 Community Consultation .....	22
Part 6 Project Timeline.....	22

## **APPENDICES**

Appendix A	Assessment Against State Environmental Planning Policies
Appendix B	Assessment Against S9.1 Ministerial Directions
Appendix C	Preliminary Ecological Assessment
Appendix D	Preliminary Engineering Services Report
Appendix E	Cultural Heritage Assessment
Appendix F	Traffic Impact Assessment
Appendix G	Preliminary Land Use Conflict Risk Assessment

## **PLANS**

Plan 1i	Location Plan Rev C
Plan 2i	Site Analysis Rev C
Plan 3i	Photographic Plates Rev C
Plan 4i	Proposed LEP Amendment Rev C
Plan 5i	Indicative Layout Rev C

# 1. Background

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## 1.1 Summary of Project

Newton Denny Chapelle (NDC) has been engaged by Jeff and Grant Imeson to prepare a Gateway 'Planning Proposal' for lodgement with Richmond Valley Council for land located at Johnston Street, Casino.

The land is located at the eastern entrance to Casino adjacent to the Cassino Drive Industrial Estate. It currently comprises open farmland used for cattle grazing.

The Planning Proposal seeks to rezone the land from RU1 Primary Production Zone to IN1 General Industry Zone pursuant to the Richmond Valley Local Environmental Plan 2012 (RVLEP2012). The proposal also seeks to amend the subdivision standards for the site. Following completion of the changes to RVLEP2012, a development application may be lodged to subdivide the land for future industrial purposes.

## 1.2 Description of Site and Locality

The subject land is located fronting Johnston Street at the eastern entrance to Casino. Johnston Street in this location forms part of the Bruxner Highway. The property has frontage of approximately 300m to this road. **NDC Plan 1i** illustrates the location of the property relative to surrounding land uses.

The subject land comprises a total of 20 individual parcels of land plus an unformed road reserve. The land has a total area of 14.355ha as follows:

**Table 1 – Site Area**

Property	Area	Total
Lot 14 Section 6 DP 976660	2.03ha	2.030ha
Lots 15 -19 Section 6 DP 976660	1.619ha (each)	8.095ha
Lot 20 Section 6 DP 976660	1.244ha	1.244ha
Lots 1 - 12 Section 6 DP 976660	2016m <sup>2</sup> (0.205ha) (each)	2.460ha
Lot 1 DP 783330	2007m <sup>2</sup> (0.201ha)	0.201ha
Unformed Road Reserve	3250m <sup>2</sup> (approx.) 0.325ha	0.325ha
<b>Total</b>		<b>14.355ha</b>

**NDC Plan 2i** provides a Site Analysis of the property, whilst **NDC Plan 3i** provides Photographic Plates of the land. As illustrated, the site currently comprises open grazing land with scattered paddock trees. The land is surrounded by the following land uses:

- **North** – Cattle grazing.
- **East** – Unformed road reserve, then cattle grazing and associated rural dwelling.
- **South** – Johnston Street / Bruxner Highway, then cattle grazing and the Richmond River. A separate Planning Proposal will be lodged in the near future to rezone this land to provide for a future residential subdivision.
- **West** – Cassino Drive Industrial Estate.

The following technical assessments have been completed as part of the preparation of this application:

- Cultural Heritage Assessment;
- Preliminary Ecological Assessment;
- Preliminary Land Use Conflict Risk Assessment;
- Traffic Impact Assessment; and
- Preliminary Engineering Services Report.

The key findings of these assessments are addressed within the relevant sections of this Planning Proposal. In summary, the assessments completed to date have not identified any issues which would indicate that the land is not suitable for the proposed industrial zoning.

The key findings of these assessments are addressed within the relevant sections of this Planning Proposal. In summary, the assessments completed to date have not identified any issues which would indicate that the land is not suitable for the proposed residential zoning, subject to more detailed investigations post Gateway Determination regarding incorporation of the required fill footprint within the integrated Casino Flood Model.

### **1.3 Indicative Development Layout**

**NDC Plan 5i** illustrates the conceptual development layout for the site, which has been developed having regard to the above technical reports. As illustrated, the concept layout involves the following broad parameters:

- Rezoning the site to enable future industrial development on the whole of the land;
- The site will be filled to achieve required floor levels and provide adequate stormwater drainage (which will be directed to both the north and south of the site; and
- The proposed road layout provides an east / west connection between the existing Cassino Drive Industrial Estate and the future development area to the east identified in Casino Urban Land Release Strategy. A new connection to the surrounding regional road network via the Bruxner Highway will also be provided as the primary access point for the development.

### **1.4 Nearby Planning Proposal Request (Proposed Residential Lands)**

Newton Denny Chapelle has also been engaged to prepare a separate planning proposal request for the land located to the south of the current industrial planning proposal (ie the land located between the Bruxner Highway and the Richmond River). That proposal is seeking to rezone the land in question to enable its development for residential purposes. Whilst the two projects are being managed separately, given the proximity of the sites to each other, from time to time this Report references the residential project.

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## 2. Planning Proposal

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### Part 1 Objectives and Intended Outcomes

The objective of this Planning Proposal is to amend the planning controls applicable to Lots 1 – 12 Section 6 DP 976660, Lots 14-20 Section 6 DP 976660, Lot 1 DP 783330 and Unformed Road Reserve located at Johnston Street, Casino to enable the future subdivision and development of the subject land for industrial purposes.

### Part 2 Explanation of Provisions

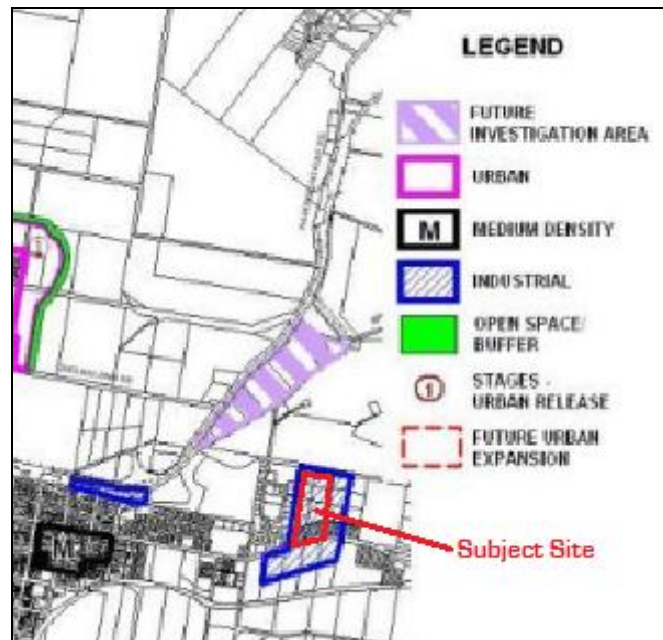
The proposed outcome will be achieved by:

- Amending the Richmond Valley Local Environmental Plan 2012 Land Zoning Maps (LZN\_006 & LZN\_006A) to change the zoning of the subject land from RU1 Primary Production Zone to IN1 General Industrial Zone.
- Amending the Richmond Valley Local Environmental Plan 2012 Lot Size Maps (LSZ\_006 & LSZ\_006A) to change the minimum subdivision standards applying to the land from 40 hectares to 750m<sup>2</sup>.

### Part 3 Justification

#### 1. Is the Planning Proposal a result of a strategic study or report?

Yes. The subject land is identified within Casino Urban Land Release Strategy 2005 [CULRS] for investigation to ascertain its suitability for future industrial land release. **Plate 1** provides an extract from the Strategy. The current Planning Proposal involves rezoning the subject and to enable its future development for industrial purposes and, accordingly, is considered to be directly compatible with the Land Release Strategy. We note that the Planning Proposal does not preclude future rezoning and development of other land identified in the CULRS being rezoned and developed for urban purposes in the future.



**Plate 1** – Extract Casino Urban Land Release Strategy 2005

**2. Is the Planning Proposal the best means of achieving the objectives, or is there a better way?**

Yes. Amending the zoning and subdivision standards as proposed is the most effective way to amend the planning controls to enable the future development of the land for industrial purposes.

**3. Is the Planning Proposal consistent with the objectives and actions of the applicable regional or subregional Strategy?**

Yes. The North Coast Regional Plan 2036 has been prepared by the Department of Planning and Environment to manage expected growth in a sustainable manner. The Regional Plan applies to the Far North Coast and Mid North Coast of NSW (being an area which stretches from Port Macquarie in the south to Tweed Heads in the north). The Plan includes Richmond Valley Council and is therefore applicable to the current proposal.

As illustrated in **Plate 2**, the Regional Plan identifies the subject land as 'Investigation Area – Employment Land.



**Plate 2** – Extract Figure 17 of NCRP 2036

The Regional Plan has a number of Directions of relevance to the current Planning Proposal:

- **Richmond Valley Local Government Narrative** - The Regional Plan identifies that new employment opportunities will be delivered at Casino, Woodburn, Broadwater and Evans Head. The current proposal is directly consistent with this Narrative.
- **Direction 1 – Deliver Environmentally Sustainable Growth** – Council via its strategic planning processes have identified the subject land as having the environmental and locational characteristics which indicate that it is suitable for detailed investigation for development as proposed. No particular environmental characteristics have been identified via the preparation of the current proposal which indicate that the land is not suited to the rezoning for employment lands.
- **Direction 2 – Enhance biodiversity, Coastal and Aquatic Habitats, and Water Catchments** – The land is physically removed from the coastal strip and is not located in close proximity to mapped significant habitat or wildlife corridors. An ecological assessment (**Appendix C**) completed as part of the preparation of the Planning Proposal has confirmed that the site does not exhibit significant environmental qualities.

With respect to catchment health and stormwater, preliminary modelling has been undertaken as part of the Engineering Assessment. This modelling has shown that the Richmond Valley Council stormwater quality and attenuation targets can be achieved for the site.

It is anticipated stormwater will be discharged to the north and the south of the proposed development.

- Stormwater discharged to the south will be piped under the Bruxner Highway and either discharged into an open swale or pipe network within the private land to the south of the highway. This network would then discharge to the Richmond River to the south. This land is associated with the proposed development and it is anticipated that suitable easements will be easily obtained.
- Stormwater discharged to the north will be attenuated prior to discharge across the northern boundary to ensure there is no increase in peak stormwater flows as required by the DCP. As identified in the Engineering Assessment opportunity exists to integrate the stormwater management of the north of the site and convey flows to Barlings Creek and its associated lagoons. To this end preliminary discussions have been had with Richmond Valley Council (as the owner of the land immediately to the north) as to possible drainage coordination through their land.
- **Direction 3 – Manage Natural Hazards and Climate Change** – As outlined in the Preliminary Engineering Services Report at **Attachment D**, the subject land is located within the mapped flood plain (as is the vast majority of the township of Casino). However, in this instance it is proposed to fill the site to reduce the flood hazard to a Rare Low or Low flood hazard similar to the nearby Settlers Estate and adjacent Cassino Drive industrial estate.

The site is not located on land as mapped as being bushfire prone or subject to land slip. As such, the project is consistent with this direction.

- **Direction 6 – Develop Successful Centres of Employment** – Sub direction 6.6 Identifies that the Region shall deliver an adequate supply of employment land through local growth management strategies and local environmental plans to support jobs growth. The current proposal is directly consistent with this Direction.
- **Direction 11: Protect and Enhance Productive Agricultural Lands** – The land is mapped as regionally significant agricultural land. However, as the land is already identified as an investigation area for possible employment lands in both the Casino Urban Growth Management Strategy 2005 and Map 17 of the Regional Plan, it is considered reasonable to assume that the strategic planning processes used to develop these strategies have determined that the locational characteristics of the site are such that urban land uses are a preferred outcome for the land.

Furthermore, we note that S9.1 Planning Direction No. 5.3 (which relates to mapped Farmland of State and Regional Significance on the NSW Far North Coast) specifically does not apply to land identified as an ‘urban growth area’ within the North Coast Regional Plan 2036.

- **Direction 18: Respect and Protect the North Coast’s Aboriginal Heritage** - The Cultural Heritage Assessment completed by Everick Consulting and contained at **Appendix E** has not identified issues of particular concern from an Aboriginal cultural heritage perspective.
- **Direction 19: Protect Historic Heritage** - The Cultural Heritage Assessment completed by Everick Consulting and contained at **Appendix E** has not identified issues of particular concern from a European cultural heritage perspective.
- **Direction 21 – Coordinate Local infrastructure Delivery** – The subject land is located adjacent to an established industrial estate. Initial investigations with respect to service provision indicate that the land is able to be serviced in a cost effective manner with all required reticulated urban infrastructure services. Such infrastructure connection will be completed at the expense of a future developer. Details with respect to the proposed approach to servicing the future subdivision are provided within **Appendix D**.

**4. Is the Planning Proposal consistent with the local Council's community plan or other local strategic plan?**

Yes. As advised above, the subject land is identified within Casino Urban Land Release Strategy for potential future industrial land release.

**5. Is the Planning Proposal consistent with applicable State Environmental Planning Policies?**

Yes. The Planning Proposal is considered generally consistent with the provisions of applicable State Environmental Planning Policies. An assessment of the project against these policies is provided at **Appendix A**.

**6. Is the Planning Proposal consistent with applicable Ministerial Directions (S9.1 Directions)?**

The following S9.1 Directions are of particular relevance to the proposal:

- Direction 1.1 - Business and Industrial Zones
- Direction 1.2 – Rural Zones
- Direction 4.2 – Hazard and Risk, Flood Prone Land
- Direction 5.3 – Farmland of State and Regional Significance on the NSW Far North Coast

An assessment of the project against these specific Directions is provided below. A checklist referencing other S9.1 Directions is provided at **Appendix B**.

**A. Direction 1.1 - Business and Industrial Zones**

**Application**

This Direction applies when a relevant planning authority prepares a planning proposal that will affect land within an existing or proposed business or industrial zone (including the alteration of any existing business or industrial zone boundary). The following comments are made against the heads of consideration within Section 4 of the Direction.

**What a relevant planning authority must do if this direction applies**

*(4) A planning proposal must:*

*(a) give effect to the objectives of this direction,*

**Comment:** The objectives of this direction are to:

- (a) encourage employment growth in suitable locations,
- (b) protect employment land in business and industrial zones, and
- (c) support the viability of identified strategic centres.

The proposal seeks to rezone approximately 13.4ha of land from a rural to an industrial zone. The site is located immediately adjacent to an existing industrial estate and has been identified in both local and regional planning strategies as being an investigation area for future industrial uses. Accordingly, the proposal is considered to give effect to the planning objectives of the S9.1 Direction.

*(b) retain the areas and locations of existing business and industrial zones,*

**Comment:** No changes will be made to existing zoned industrial areas within Casino.

*(c) not reduce the total potential floor space area for employment uses and related public services in business zones,*

**Comment:** Not Applicable.

*(d) not reduce the total potential floor space area for industrial uses in industrial zones,*

**Comment:** The Planning Proposal will increase, rather than decrease, the available zoned industrial land within Casino.

*(e) ensure that proposed new employment areas are in accordance with a strategy that is approved by the Director-General of the Department of Planning.*

**Comment:** Complies. The subject land has been identified for potential future industrial or employment lands within both the Casino Urban Land Release Strategy 2005 and the North Coast Regional Plan 2036.

## **B. Direction 1.2 – Rural Zones**

### **Application**

This Direction applies when a relevant planning authority prepares a planning proposal that will affect land within an existing or proposed rural zone (including the alteration of any existing rural zone boundary).

### **What a relevant planning authority must do if this direction applies**

*(4) A planning proposal must:*

*(a) not rezone land from a rural zone to a residential, business, industrial, village or tourist zone.*

*(b) not contain provisions that will increase the permissible density of land within a rural zone (other than land within an existing town or village).*

### **Consistency**

*(5) A planning proposal may be inconsistent with the terms of this direction only if the relevant planning authority can satisfy the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General) that the provisions of the planning proposal that are inconsistent are:*

*(a) justified by a strategy which:*

*(i) gives consideration to the objectives of this direction,*

*(ii) identifies the land which is the subject of the planning proposal (if the planning proposal relates to a particular site or sites), and*

*(iii) is approved by the Director-General of the Department of Planning, or*

*(b) justified by a study prepared in support of the planning proposal which gives consideration to the objectives of this direction, or*

*(c) in accordance with the relevant Regional Strategy, Regional Plan or Sub-Regional Strategy prepared by the Department of Planning which gives consideration to the objective of this direction, or*

*(d) is of minor significance.*

**Comment:** As advised above, the current Planning Proposal has been identified as an 'Urban Growth Area' by the North Coast Regional Plan 2036. Accordingly, the inconsistency with the S9.1 Direction is justified in the circumstances.

## **C. Direction 3.4 – Integrating Land Use and Transport**

### **Application**

This direction applies when a relevant planning authority prepares a planning proposal that will create, alter or remove a zone or a provision relating to urban land, including land zoned for residential, business, industrial, village or tourist purposes.

### **What a relevant planning authority must do if this direction applies**

*(4) A planning proposal must locate zones for urban purposes and include provisions that give effect to and are consistent with the aims, objectives and principles of:*

*(a) Improving Transport Choice – Guidelines for planning and development (DUAP 2001), and*

*(b) The Right Place for Business and Services – Planning Policy (DUAP 2001).*

### **Consistency**

*(5) A planning proposal may be inconsistent with the terms of this direction only if the relevant planning authority can satisfy the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General) that the provisions of the planning proposal that are inconsistent are:*



*(a) justified by a strategy which:*

*(i) gives consideration to the objective of this direction, and*

*(ii) identifies the land which is the subject of the planning proposal (if the planning proposal relates to a particular site or sites), and*

*(iii) is approved by the Director-General of the Department of Planning, or*

*(b) justified by a study prepared in support of the planning proposal which gives consideration to the objective of this direction, or*

*(c) in accordance with the relevant Regional Strategy, Regional Plan or Sub-Regional Strategy prepared by the Department of Planning which gives consideration to the objective of this direction, or*

*(d) of minor significance.*

**Comment:** Transport linkages to the site have been a key design consideration for the project. As outlined in the Traffic Impact Assessment provided at **Appendix F**, the proposed industrial development will be provided with a new road access linking to the Bruxner Highway. Suitable connections will also be provided to the existing industrial estate located immediately to the west of the site.

The future road network will be designed at development application stage. This will be designed in accordance with Council's Development Control Plan and the Northern Rivers Design Guidelines as they relate to industrial estates. This will ensure that suitable movement corridors are available for heavy vehicles through the estate.

The proposal is consistent with the relevant location and design guidelines applicable to industrial development contained within the document 'Improving Transport Choice' as follows:

- a) The proposed industrial estate is located on the eastern fringe of the Casino urban area.
- b) The proposed IN1 zoned estate will have capacity to:
  - contain industries that have legitimate needs for land and freight movement, and those with low employment densities;
  - support smaller, modern, light industrial uses;
  - design and provide an internal street network so as to be permeable for buses and pedestrians;
  - provide for pedestrian amenity within the internal street network such as footpaths and bus stops;
  - employ minimum setbacks from the street and between adjoining buildings;

- design building layouts within the industrial lots so as to enable room for expansion and staff and for visitor parking.

The proposal is also consistent with the relevant aims and objectives of 'The Right Place for Business and Services' as follows:

- The subject site is not located within an isolated area. In this regard, the proposal provides for an extension of the existing IN1 General Industrial zone situated directly to the west of the site;
- The rezoning will create an industrial estate that enables the opportunity of undertaken a range of activities and services that are permissible within the IN1 General Industrial zone; and
- The subject lands are identified as 'Proposed Employment Lands' within both the Casino Urban Growth Area Strategy and the North Coast Regional Plan 2036.

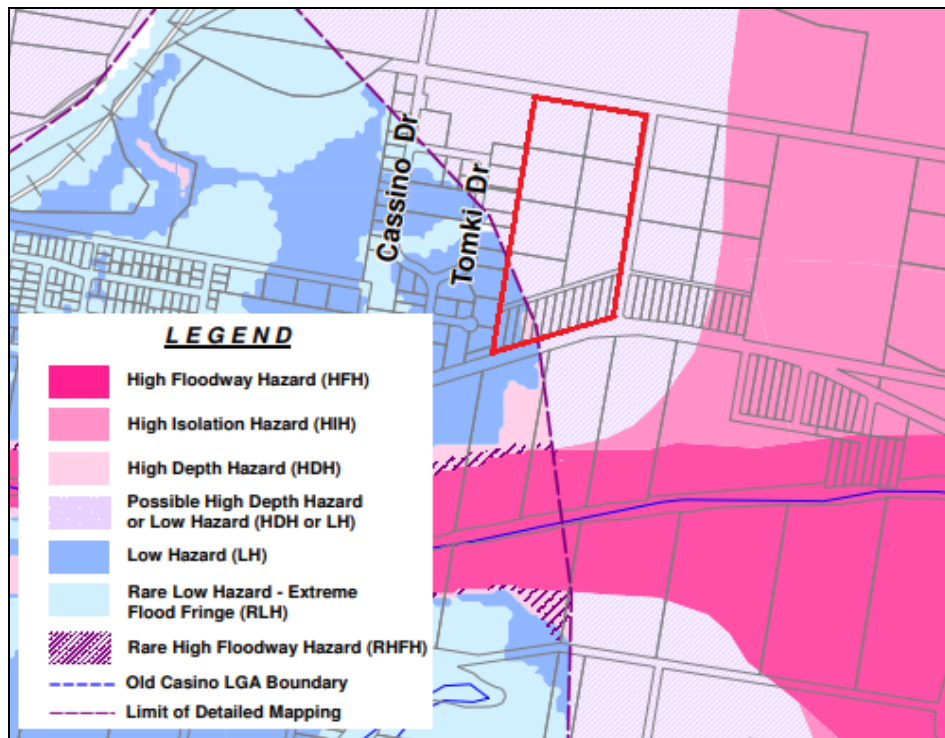
#### **D. Direction 4.3 – Hazard and Risk, Flood Prone Land**

##### **Application**

This direction applies when a relevant planning authority prepares a planning proposal that creates, removes or alters a zone or a provision that affects flood prone land. The following comments are made against the heads of consideration within Section 4 of the Direction:

##### **Description of Hazard**

As illustrated in **Plate 3**, the site is located immediately adjacent to the limit of the available detailed flood mapping. The bulk of the site falls within an area for which the flood planning status is unclear with it identified as either 'Possible High Depth Hazard' or 'Low Hazard' whilst small portions of the site are mapped as 'Low Hazard'.



**Plate 3** – Extract from Casino Floodplain Hazard Category Map

At this stage, detailed flood assessments have not occurred for the Planning Proposal. The proposed industrial area will need to be filled to achieve both drainage and improved flood immunity. As such, it is considered that means are available to achieve ground levels within the future subdivision which can accord with Council's flood planning requirements (as has been achieved within the industrial estate immediately next door).

Richmond Valley Council have completed the following assessment with respect to expected costs associated with filling the land.

*"The Casino Floodplain Risk Management Plan (2002) contain results from the modelled design floods of 1 in 20yr, 1 in 50 yr, 1 in 100yr and 1 in 500yr Average Recurrence Interval (ARI), plus the Probable Maximum Flood (PMF). Cost Benefit Analysis determined the most appropriate design flood for planning purposes was to 1 in 100 year event.*

*The flood planning matrix, Appendix E within the Casino Floodplain Risk Management Plan adopts FL2a as the floor level for new commercial or industrial development. FL2a provides the minimum floor levels to be greater than or equal to the 100 year flood level.*

100 year Flood Levels – the 1 in 100 year ARI flood events for the site are –

- South west corner – 21.2m AHD
- North-east corner – 21.0m AHD

LIDAR ground levels – Ground levels have been estimated but should be confirmed on site –

- South west corner – 20.8m AHD
- North-east corner – 20.0m AHD

Filling of the land – To achieve minimum floor levels provided in the flood matrix, the site would need to be filled to –

- South west corner – 20.8m up to 21.2m = 0.4m of fill
- North east corner – 20.0m up to 21.0m = 1.0m of fill.

Majority of the site has a flood level of 21.1m AHD and an average ground level of 20.4m AHD, therefore 0.7m of fill [required].

- Fill requirements are estimated at 100,870m<sup>3</sup> (0.7m of fill over 14.41ha. At a cost of \$30.00/m<sup>3</sup> it is estimated to cost \$3,026,100 to fill the land.
- The fill requirements for this land is equivalent to that undertaken to establish the Cassino Drive industrial estate (to the west)."

**What a relevant planning authority must do if this direction applies**

[4] A planning proposal must include provisions that give effect to and are consistent with the NSW Flood Prone Land Policy and the principles of the Floodplain Development Manual 2005 (including the Guideline on Development Controls on Low Flood Risk Areas).

**Comment:** As advised above, it is proposed to fill the proposed industrial land to achieve compliance with the Council's Policies which have been prepared in accordance with the Floodplain Development Manual 2005. Following receipt of the Gateway Determination, it is intended to incorporate this land into the broader Casino Flood Model and to confirm offsite flood impacts (if any). Should offsite impacts be significant, the fill pad will be reduced to mitigate these impacts to a level which is compliant.

[5] A planning proposal must not rezone land within the flood planning areas from Special Use, Special Purpose, Recreation, Rural or Environmental Protection Zones to a Residential, Business, Industrial, Special Use or Special Purpose Zone.

*[6] A planning proposal must not contain provisions that apply to the flood planning areas which:*

*[a] permit development in floodway areas,*

*[b] permit development that will result in significant flood impacts to other properties,*

*[c] permit a significant increase in the development of that land,*

*[d] are likely to result in a substantially increased requirement for government spending on flood mitigation measures, infrastructure or services, or*

*[e] permit development to be carried out without development consent except for the purposes of agriculture (not including dams, drainage canals, levees, buildings or structures in floodways or high hazard areas), roads or exempt development.*

**Comment:** The Planning Proposal seeks to rezone mapped flood prone land from a rural zone to an industrial zone. The proposed development is, however, foreshadowed in both the Casino Urban Land Release Strategy and the North Coast Regional Plan 2036 for potential future industrial / employment lands. Accordingly, it is considered reasonable to advance a rezoning of the subject land as proposed notwithstanding the known flood characteristics of the site.

*[7] A planning proposal must not impose flood related development controls above the residential flood planning level for residential development on land, unless a relevant planning authority provides adequate justification for those controls to the satisfaction of the Director-General (or an officer of the Department nominated by the Director-General).*

**Comment:** Not applicable. Residential development is not proposed in this instance.

*[8] For the purposes of a planning proposal, a relevant planning authority must not determine a flood planning level that is inconsistent with the Floodplain Development Manual 2005 (including the Guideline on Development Controls on Low Flood Risk Areas) unless a relevant planning authority provides adequate justification for the proposed departure from that Manual to the satisfaction of the Director-General (or an officer of the Department nominated by the Director-General).*

**Comment:** Flood planning levels for the site will be determined in accordance with the Floodplain Development Manual 2005.

*[9] A planning proposal may be inconsistent with this direction only if the relevant planning authority can satisfy the Director-General (or an officer of the Department nominated by the Director-General) that:*

*(a) the planning proposal is in accordance with a floodplain risk management plan prepared in accordance with the principles and guidelines of the Floodplain Development Manual 2005, or*

*(b) the provisions of the planning proposal that are inconsistent are of minor significance.*

**Comment:** Detailed flood modelling to be completed post Gateway Determination will inform the parameters of the fill footprint (and ensure that potential offsite impacts are acceptable). This will ensure that the proposed development is consistent with the framework of the Floodplain Development Manual 2005.

### **E. Direction 5.3 – Farmland of State and Regional Significance on the NSW Far North Coast**

**Comment:** This Direction applies to land within the Richmond Valley Local Government Area which is mapped as ‘State Significant Farmland’, ‘Regionally Significant Farmland’ or ‘significant non-contiguous farmland’ except within areas contained within the ‘urban growth areas’ mapped in the North Coast Regional Plan 2036. As the current planning proposal is located within an identified urban growth area within the Regional Plan, S9.1 Direction 5.3 does not apply to the current project.

### **7. Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected as a result of the proposal?**

Blackwood Ecological Services have completed a Preliminary Ecological Assessment, a copy of which is provided at **Appendix C**.

*“The Subject site has limited biodiversity value due to historical land clearing, fragmentation and ongoing grazing and occupation and is considered suitable for rezoning for industrial subdivision. It is considered that future industrial development of the site is unlikely to significantly affect any threatened species or communities. No areas of SEPP 14 Coastal wetland or SEPP 26 Littoral rainforest are likely to be affected and the Subject site does not provide potential Koala habitat as defined by SEPP 44.”*

**8. Are there any other likely environmental effects as a result of the Planning Proposal and how are they proposed to be managed?**

The following environmental hazards and/or planning constraints have been identified on the land:

**A. Flooding**

Refer to the assessment against S9.1 Direction 4.2.

**B. Interface with Dwelling to East of Property**

The Preliminary Land Use Conflict Risk Assessment (LUCRA) provided at **Appendix G** has identified a potential future land use conflict with a dwelling located immediately to the east of the site. The LUCRA recommends that an acoustic assessment be completed as part of any future development to confirm design measures required to mitigate any future noise impacts on that dwelling.

We note that the land containing the dwelling in question is also identified within the Casino Urban Area Growth Management Strategy 2005 for potential rezoning and development for industrial purposes. As such, it is plausible that this land use conflict will not exist into the longer term.

**9. Has the Planning Proposal adequately addressed any social and economic effects?**

The Planning Proposal seeks to enable the future development of the locality for industrial purposes. This objective implements the local and regional strategic plans which have identified the subject land for future industrial and/or employment lands. The provision of such land is expected to provide an increase in employment opportunities for the local community.

The Cultural Heritage Assessment provided at **Appendix E** has not identified any matters of concern with respect to Aboriginal or European cultural heritage.

#### 10. Is there adequate public infrastructure for the planning proposal?

The subject land is located immediately adjacent to an existing industrial estate which is fully serviced with reticulated urban infrastructure. Any future development application for the subdivision of the site will need to extend the services throughout the proposed industrial area, at the full cost of the developer. Based on a preliminary review of infrastructure availability, it is expected that services will be provided as follows:

- **Roads** – The principal road connection to the estate may be provided via a new intersection with Johnston Street. As per the Traffic Impact Assessment (including SIDRA Analysis) provided at **Appendix F**, the intersection may be achieved via Channelised Right-turn (CHR) and Auxiliary Left-turn treatment (AUL) treatments. A secondary connection will be provided to Irving Drive within the existing Cassino Drive Industrial Area. This will enable connectivity between the two adjoining industrial areas.
- **Water** – It is anticipated that the existing adjacent water reticulation network will be extended to service the development. It is expected that the primary connection point will be via the extension of the existing Ø150mm main within Irving Drive. If required, the existing Ø150mm main within Cassino Drive can be extended east along the Bruxner Highway to provide an additional connection for the southern side of the site and interconnection between the surrounding water reticulation network.
- **Stormwater** – The site will be shaped to provide for the diversion of stormwater in two directions:
  - Northward to a future onsite detention area; and
  - Southward to the existing stormwater discharge to the river (located at the Southern end of Kent Street.

The Engineering Services Report confirms that options are available for the attenuation and treatment of stormwater on site in accordance with Council requirements. The details of the final approach will be designed at Development Application stage.

It is anticipated that stormwater discharged to the south will be piped under the Bruxner Highway and either discharged into an open swale or pipe network within the private land to the south of the Highway. This network would then discharge to the Richmond River to the south. This land is associated with the proposed development and it is anticipated that suitable easements will be easily obtained.



Stormwater discharged to the north will be attenuated prior to discharge across the northern boundary to ensure there is no increase in peak stormwater flows as required by the DCP. As identified in the Engineering Assessment, opportunity exists to integrate the stormwater management of the north of the site and convey flows to Barlings Creek and its associated lagoons. To this end preliminary discussions have been had with Richmond Valley Council (as the owner of the land immediately to the north) as to possible drainage coordination through their land.

- **Sewer** – The development will be provided with a connection to the greater Casino gravity sewer network. Due to the flat nature of the site it is proposed to install a private pressure sewer network within the development site which will discharge into the existing gravity manhole in front of 10 Irving Drive. Alternatively, a conventional gravity sewerage network and pump station similar to the Cassino Drive Industrial Estate could be provided for the site.
- **Electricity and Telecommunications** - Connections will be made as required to the existing networks in Irving Drive and Cassino Drive. Detailed electrical design will be required at Construction Certificate stage to ascertain requirement or otherwise for upgrades to the electricity networks. Preliminary consultation will occur during the exhibition of Planning Proposal relating to these matters.

No significant impacts are expected with respect to State and Commonwealth infrastructure services. If required, and as part of future development application processes, contributions will be paid to Council with respect to Council infrastructure in accordance with the adopted S94 and S64 Contributions Plans.

#### **11. What are the views of State and Commonwealth public authorities consulted in accordance with the Gateway determination.**

The views of government agencies have not been sought during the preparation of the Gateway Planning Proposal request. It is expected that consultation will occur with the NSW Roads and Maritime Services and the Office of Environment and Heritage as part of the Gateway Determination process.

## **Part 4 Mapping**

**NDC Plan 4i** illustrates the proposed changes to the Land Zoning Map and Lot Size Map pursuant to the RVLEP2012.

## **Part 5 Community Consultation**

It is expected that the Planning Proposal will be exhibited for a period of 28 days in accordance with standard procedures.

## **Part 6 Project Timeline**

<b>Plan Making Step</b>	<b>Estimated Completion (Before)</b>
Council Resolution	March 2019
Gateway Determination	May 2019
Government Agency Consultation	June 2019
Public Exhibition Period	September 2019
Submissions Assessment	October 2019
Council adopt Planning Proposal	November 2019
Submission of Endorsed LEP to DPE for finalisation	Dec 2019 (if no Plan Making Delegation)
Anticipated date RPA will make plan (if delegated)	February 2020
Forwarding of LEP Amendment to DP&I for notification (if delegated)	March 2020
<b>REFERENCES</b>	
<ul style="list-style-type: none"><li>• A Guide to Preparing Planning Proposals NSW Planning and Infrastructure April 2013.</li><li>• North Coast Regional Plan 2036.</li><li>• Casino Urban Land Release Strategy 2005.</li></ul>	