

Council's Reference: PP2016/01

Your Reference:

Telephone Enquiries to: Tony McAteer

3 February 2016

The Regional Director, Northern Region
NSW Department of Planning and Environment
PO Box 9022
GRAFTON NSW 2460

Attention Luke Blandford

Dear Luke,

PP2016/01 – Justification of Inconsistency with Section 117 Directive 5.3 – Regionally Significant Farmland

I refer to your email of 29 January 2016 requesting addition justification for rezoning approximately 3ha of Regionally Significant Farmland as part of Planning Proposal PP2106/01 at Spring Grove via Casino.

Council received this Planning Proposal from a property owner that has for some time shown a strong desire to rezone and develop part of this land for large lot residential. This interest has been on record with Council since 2007 and was also raised as a submission when the Comprehensive LEP was being publicly exhibited in 2010. Until recently, Council has had sufficient supply of large lot residential land in the Casino Catchment but this supply is dwindling.

The *Richmond River Rural Residential Development Strategy* identifies extensive areas in the Casino Catchment for immediate rezoning consideration, and also identifies areas for future release once the immediate release areas have been exhausted. Within the immediate release areas, to the north and north-east of Casino, there is interest in pursuing large lot residential developments but Council is not in receipt of an application at this time, or is currently working with the applicants to overcome constraint issues. Council will consider such applications when and if they arise in the future.

Council is keen to ensure that it has a 5 year supply of large lot residential land available. It also supports as a priority the establishment of additional large lot residential developments where they adjoin existing large lot residential estates. To this end, Council believes this proposal is both timely and appropriately located.

The identified encroachment of this Planning Proposal onto Regionally Significant Farmland is considered by Council to be minor, notwithstanding that if the

isolated fragments of land (forming the majority of the encroachment) were to be retained they would result in unsustainably small, narrow, areas of land with no agricultural potential.

You have noted that the Planning Proposal is inconsistent with *Section 117 Direction 5.3 Farmland of State and Regional Significance on the Far North Coast* because it will rezone approximately 3ha of Regionally Significant Farmland outside a Settlement Strategy. Council believes that this inconsistency can be justified in accordance with Section 4 of the report entitled *Northern Rivers Farmland Protection Project – Final Recommendations, February 2005* as there appears to be sufficient data available to conclude that almost all of the rezoning proposal should not have been mapped as Regionally Significant Farmland. This conclusion is justified as follows-

The Regionally Significant Farmland Mapping was derived by manipulating soil attributes within the David Moran Soil Landscapes mapping project (1994). Moran's Soil Landscapes publications are a taxonomic cataloguing and mapping of different soil landscapes across the North Coast. This mapping was originally captured at 1:25,000 scale, using topographic information that was available at the time, before being published at a 1:100,000 scale.

The Moran Soil Landscape mapping identifies the subject property as having 2 soil landscape types, they being:

- **Yorklea** (variant 'a') (**yoa**) – consisting of very low undulating rises on Grafton Formation sediments and tertiary gravels, having a relief of 2-10 metres, and slopes of 2-5%.
- **Leycester** (**le**) – consisting of level to gently undulating broad to extensive alluvial plain of extreme to low relief, having slopes ranging from 0-2%.

The Leycester soil landscape was captured as being Regionally Significant Farmland. It represents the dark chocolate soils of the flood plain found on the southern part of this property.

The Yorklea soil landscape was not selected as Regionally Significant Farmland. It represents the relatively shallow clay-loam soils that overlay a hill of sandstone bedrock found on the northern section of the property, where the rezoning is proposed. Figure 1 shows that the distribution of these Soil Landscapes on the subject property, matches the boundaries of the Regionally Significant Farmland mapping.

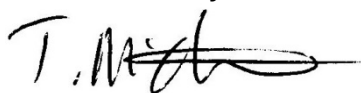
A detailed analysis of the soil landscapes mapping shows the boundary between the Leycester and Yorklea Soil Landscapes (and that of the Regionally Significant Farmland and Locally Significant Farmland) has been mapped so it closely follows just below the 30 metre contour (the contour being derived from the 1:25,000 topographic mapping with 10 metre contour intervals). This appears to be an attempt to pick up the foot of the hill to establish the edge of flood plain where these 2 soil types would converge. As seen in Figure 2, the topographic 10 metre contours are grossly inaccurate in this locality when compared to the more recent 1 metre contours derived from NSW Lands Department's LIDAR mapping. As such the Soil Landscape boundary does not accurately depicted the edge of the flood plain. Noting that the Leycester soil landscape should be limited to the flood plain, and the Yorklea SL limited to the hill terrain.

To define the exact location of the edge of flood plain, Council has referenced levels from the Casino Flood Study (1999). The Study estimates a 1 in 100 year ARI flood event would have a level of between 19.6 to 20.6 metres AHD (noting the higher level to be on the western side of the hill. Assumed a worst case scenario, the 21 metre contour from LIDAR has been selected to estimate the approximate upper edge of the flood plain, and therefore define the boundaries for the Leycester Soil Landscape and the Regionally Significant Farmland, see Figure 3.

The results show that almost the entire rezoning proposal is above the 21 metre contour and therefore will not encroach into the Leycester Soil Landscape or Regionally Significant Farmland.

If you would like to further discuss this matter please do not hesitate to contact myself on 02 66600276 or by email at tony.mcateer@richmondvalley.nsw.gov.au

Yours sincerely



Tony McAteer

Coordinator of Strategic Planning & Environment

Encl.

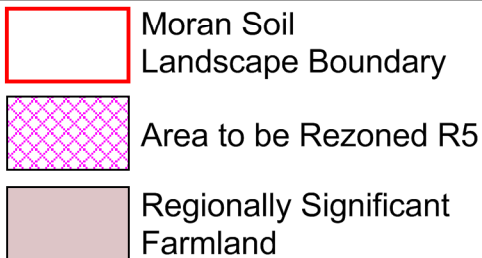
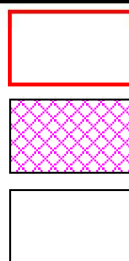
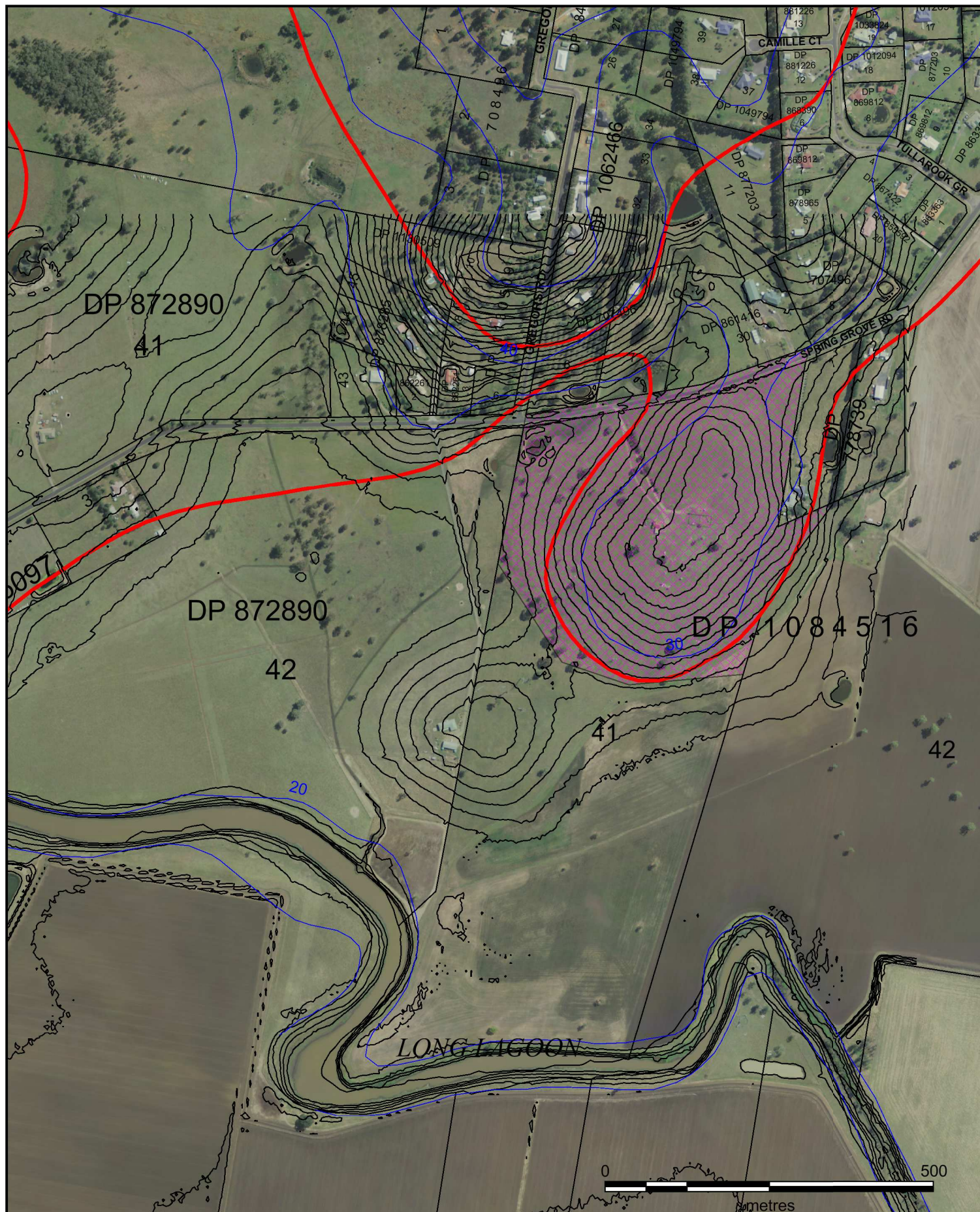


Figure 1 - Soil Landscapes, Farmland Mapping, and proposed Rezoning (with 10m contours from 1:25000)



Moran Soil
Landscape Boundary

Area to be Rezoned R5

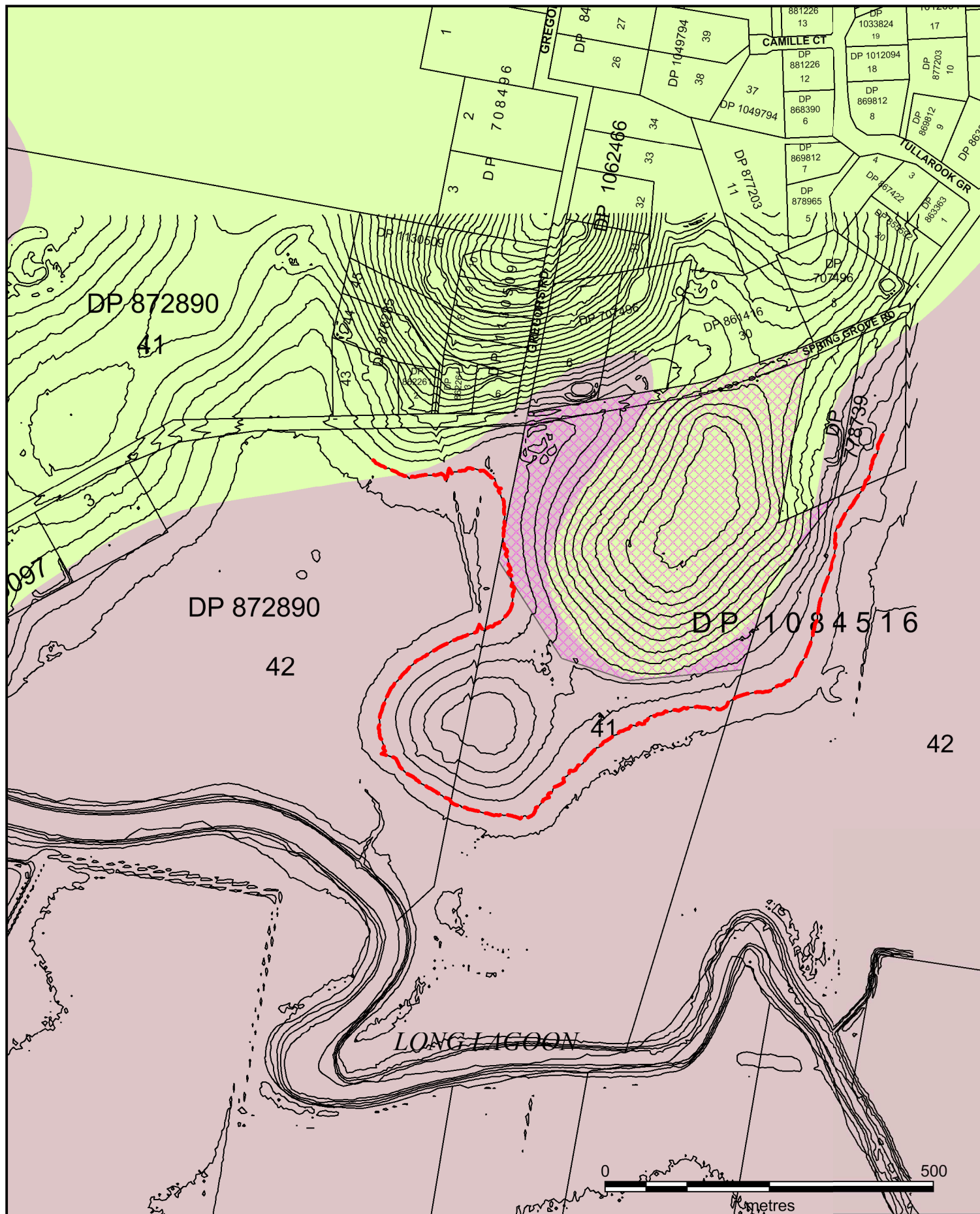
1 metre contours
(LIDAR)

PP2016/01 - Large Lot Residential Rezoning
of Lot 41 DP1084516, 1145 Spring Grove
Road, Spring Grove

Figure 2 - 2009 Aerial with 1 metre contours,
topo 10 metre contours and Soil Landscape
boundaries.

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Edge of Floodplain



Area to be Rezoned R5



Regionally Significant Farmland

PP2016/01 - Large Lot Residential Rezoning of Lot 41 DP1084516, 1145 Spring Grove Road, Spring Grove

Figure 3 - Edge of floodplain, showing where Regionally Significant Farmland boundary should be located

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