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Gateway Planning Proposal

Springrove Road, Springrove

Site: Lot 41 DP 1084516

Our Ref: 07/684 Date: January 2016



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EXECUTIVE SUMMARY

1. Background

This Planning Proposal has been prepared on behalf of SB Dougherty in respect to land described as Lot 41 in DP 1084516, on the Far North Coast of NSW.

The Planning Proposal aims to result in a Local Environment Plan (LEP) which alters the zoning of the subject land to allow for large lot residential housing. This Planning Proposal will assess the social, economic and planning arguments for large lot residential development.

This Planning Proposal has been completed in accordance with the Department of Planning & Infrastructure's guide to preparing Planning Proposals. A Gateway determination under Section 56 of the Environmental Planning and Assessment Act is sought.

As detailed further within this report, the land, in part, has been previously examined for its potential for development as part of the Council's Richmond River Rural Residential Development Strategy (RRRRDS) (March 1999).

As shown in **Plan 1** of this report, the subject lands are located within the Springrove (North Casino) locality being approximately 10 km east of Casino and 30 km west of Lismore.

Lot 41 DP 1084516 contains a land area of 40 ha and is embellished with a dwelling house, dam and associated farmyards, with vehicular access obtained from Springrove Road to the north which contains a bitumen sealed surface of variable widths.

The surrounding land uses comprises a mixture of agricultural, rural residential development and an educational establishment. Rural land utilised for grazing purposes is the predominant land use of the locality with the land being adjoined to the north, west and east by rural allotments.



Plate 1: The land subject to the Planning Proposal within a local context (Source Sixmaps 2015)



Plate 2: The subject land within a regional context (Source Sixmaps 2015)

Springrove Road, Spring Grove

Planning Proposal 2

Part 1 Proposal Objective

The objective of this proposal is to enable the future large lot residential development of the land through the rezoning of, part thereof, the land to R5 – Large Lot Residential as illustrated in the "Proposed Zoning Plan".

The aims of the Planning Proposal having regard to the land location and infrastructure availability are outlined below.

- Increase the supply and diversity of residences that meet a broad range of housing needs.
- Provide land conducive for well designed larger lot residential development. maximise the use of existing infrastructure and services including schools, hospitals, retail, specialist services and road networks.
- Assist in achieving the aims of the Far North Coast Regional Strategy 2006-2031
- Provide land with high levels of residential amenity including northern and north eastern aspects;
- Draw on the strategic location of the land between Casino and Lismore,

The rezoning of the land to provide for the introduction of large lot residential zone permits a subdivision creating a mixture of lots ranging from $7,000m^2$ to 1.63 hectares with an expected yield of 23 lots.

Part 2 Explanation of Provisions

The land is zoned RU1 – Primary Production pursuant to the Richmond Valley Local Environmental Plan 2012 as outlined within **Plate 3**.



Plate 3: Proposed land zoning under the Richmond Valley LEP 2012 (Source www.legislation.nsw.gov.au)

The Minimum Lot Size Map is proposed for amendment so that the minimum lot size to be applied to the R5 land is 7,000m². A minimum lot size of 20 hectares will apply to the balance of the land to permit the residue parcel to be subdivided from the large lot residential zoned land.

Reference is made to Council's proposal to introduce a clause within the RVLEP to permit split lot subdivision proposals to cover circumstances as that which will occur through this proposal. In the event the split lot clause is introduced, it may be a requirement to ensure a 7,000m² R5 zoned portion of land is annexed to the RU1 zone residue.

The Height of Buildings Map is not required to be amended in this instance.

This Planning Proposal will comprise an amendment to the Richmond Valley Local Environmental Plan 2012 (RVLEP 2012) to enable the subdivision and development of the subject land for residential purposes. The sought amendments to the RVLEP 2012 are proposed;

- Land Zoning Map (Sheet LZN-006) Application of an R5 Large Lot Residential zoning
- Lot Size Map (Sheet LSZ-006) Application of a 7,000m² Minimum Lot size for residential lots.
- Height of Buildings Map No change.
- Floor Space Ratio Map No change.
- Key Sites Map No change.
- Land Application Map No change.
- Land Reserved for Acquisition Map No change.
- Heritage Map No change.
- Acid Sulphate Soils Map No change.
- Drinking Water Catchments Map No change.
- Terrestrial Biodiversity Map No change.
- Landslide Risk Map No change.

Part 3 Justification

Section A - Need for the Planning Proposal

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

The Richmond River Rural Residential Development Strategy (RRRRDS) was prepared to satisfy the requirements of the North Coast Regional Environmental Plan (1988) through the provision of a rural release strategy to coordinate closer rural settlement in the Richmond Valley local government area.

The subject land is partly mapped for rural residential subdivision being the north-west land area fronting Springrove Road. In this respect the mapped land area is directly <u>adjoining</u> property identified within the RRRRDS for the North Casino area as being suitable for rural residential settlement. To permit the proposed rural residential subdivision of the subject lands, it is requested

Richmond Valley Council extend the catchment district for the identified 'rural residential land' to include Lot 41 DP 1084516.



Plate 4: RRSRRDS - Casino Lands identified for Rural Residential

In reviewing the potential of the subject land for rural residential development, the location constraint mapping criteria found within Section 2.4.1 of the RRRRDS have been relied upon. The listed constraints are:

- Was located in a high bushfire hazard area;
- Was likely to be affected by the operations of a nearby quarry;
- Was likely to create conflicts with adjoining land-uses;
- Had restricted access due to flooding;
- Would have a negative impact upon the landscape;
- Was considered to be remote from the nearest service centre; and
- Would have a negative impact upon agricultural production.

Based on an assessment of the above constraints and their impact on the subject land, we submit no constraint impacting the identified land area for rural residential development exists. In specific regard to flood hazard, we note all dwelling sites and wastewater disposal areas are capable of being above the prescribed flood height of RL 20.1 metres (Ref: RVC Plan Y1 – Minimum Habitable Floor Levels 2001).

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

Yes. In order for a development application to be considered for the subdivision and development of the land for large lot residential purposes it is necessary to first amend the planning framework applying to the land – particularly those elements of the Local Environmental Plan relating to zoning and subdivision (minimum lot size).

As outlined in Section B the rezoning of the subject site for urban purposes is consistent with a range of local and regional planning strategies.

3. Is there a community benefit?

Yes. The proposed rezoning of the land will enable the site to be subdivided and developed for large lot residential purposes. This will provide for additional rural residential land that will assist Richmond Valley Council in meeting the housing and population targets established in the Far North Coast Regional Strategy 2006.

Casino is seen as providing an alternative residential market to the three key strategic growth centres of Tweed Heads, Ballina and Lismore. As such, the release of rural residential land east of Casino and towards Lismore, provides the opportunity for Richmond Valley Council to draw on the strategic alliance with the housing and employment sectors of Lismore as identified under the Far North Coast Regional Strategy (FNCRS).

Accordingly, this proposal not only draws on the accessibility of the social and economic infrastructure available within Casino, future residents will also have accessibility to the high provision of social and economic infrastructure, with medical and educational facilities in particular found within Lismore.

Importantly, the land provides a strong conduit for housing in Casino and transport links to Lismore where a high percentage of residents commute for employment. By rezoning the land which falls between Casino and Lismore, it is a clear opportunity to permit residents to stay within the Richmond Valley LGA, whilst being employed in Lismore due to the shorter commute and affordability of housing.

The Identification of the subject land as a large lot residential release area will allow for increased residential development for Casino, which will have a positive impact on population growth levels over the short to medium term. The increase in population provided by the development of the subdivision will provide population growth as allocated under the FNCRS, allow for a more effective utilisation of existing infrastructure provided in Casino, and also result in a larger working population.

In summary, the following net community benefits will be achieved by the Planning Proposal:

- The site contains land mapped under the Northern Rivers Farmland Protection Project as 'other lands' and 'regionally significant land'. The primary area proposed to be zoned 'Large Lot Residential' is mapped as 'other lands' and as such does not result in the loss of productive agricultural land.
- The proposal is located adjacent to the existing Springrove rural residential area as illustrated in **Plate 3** of this report. Accordingly, the proposal will not detract from the existing visual and land use character of the area.
- Additional economic activity will be generated by urban development of the land both during the construction and operational phases.
- An increased level of housing choice with ideal aspects and elevation.
- High levels of access for retail, education, employment, health, recreation, transport, religious and professional services within the Casino and Lismore areas.
- The land can be developed in an orderly cost effective manner.

Section B – Relationship to Strategic Planning Framework

4. Is the Planning Proposal consistent with the objectives and actions contained within the applicable regional or sub-regional strategy?

In December 2006 the Minister for Planning released the Far North Coast Regional Strategy 2006-2031. The purpose of the Strategy is to provide land use planning policy guidance for the sustainable development of the Far North Coast region between 2006 and 2031.

Section 7 of the Far North Coast Regional Strategy (FNCRS) identifies that rural residential development will continue as a housing choice for people in the region. The FNCRS further advises that for land in the non-coastal area, rural residential land release will occur in accordance with existing local rural strategies. As advised in Part 3, the subject site is, in part, located within the Richmond Valley Shire Council Rural Residential Development Strategy 1999.

In accordance with the FNCRS, rural residential land release will occur in accordance with existing local rural residential strategies or in a review negotiated between councils and the Department of Planning, consistent with the FNCRS. The Strategy details a prohibition of rural residential development within the Coastal Corridor. In respect to the subject land, it is noted the property is not within the Coastal Corridor.

Where land is not within the Town and Village Growth Boundary, Chapter 3 of the FNCRS outlines the appropriate process for rezoning land located outside of this map:

...any development proposals for greenfield sites west of the Coastal Area and outside of the Town and Village Growth Boundary be subject to satisfying the Sustainability Criteria.

As a portion of the land area sought to be rezoned is outside the mapped areas for housing, a compliance table detailing consistency with the Far North Coast Regional Strategy's Sustainability Criteria is located at **Attachment 1** of this report.

Specifically the FNCRS sets out the following principles which relate to rural residential development and the subject land:-

Future rural residential land will only be released in accordance with a Local Growth Management Strategy agreed to by Council and the Department of Planning, and consistent with the Settlement Planning Guidelines.

COMMENT: As the subject land is, in part, within the catchment district for RRRRDS we seek Council's support for rezoning the designated land area outlined within this Planning Proposal for large lot residential subdivision.

No new rural residential development will be permitted within the Coastal Area, other than development already zoned or within an approved rural residential release strategy.

COMMENT: The subject property is located in the non-coastal North Casino/Springrove area and as such this provision does not relate to the current proposal.

Planning for rural residential land must be integrated with the supply of relevant infrastructure and transport provision.

COMMENT: Due to the subject property being adjoined to the north by existing rural residential developments, it is envisaged that Lot 41 DP 1084516 will be easily integrated with the existing supply of relevant infrastructure and transport services.

The planning proposal is consistent with the Far North Coast Regional Strategy's outcomes and actions subject to further studies.

5. Is the Planning Proposal consistent with the local council's Community Strategic Plan, or other local strategic plan?

Yes. The Planning Proposal is consistent with the Richmond River Council Rural Residential Development Strategy as discussed below.

Springrove Road, Spring Grove

Richmond River Council Rural Residential Development Strategy 1999

The Richmond River Council Rural Residential Development Strategy 1999 was prepared to satisfy Clause 20 (Part 2, Division 4) of the North Coast Regional Environmental Plan 1988 (NCREP).

The Northern Sector of the Casino/Rural Catchment District contained within the Strategy identifies part thereof the subject land as being available rural residential land based on the required selection criteria.

Section 2.4.3i. of the Strategy provides the following commentary concerning the Northern Sector of the Casino/Rural Catchment District locality relevant to this application.

It is considered that the identified Potential Rural Residential lands within the Casino/Rural Catchment have more than adequate access to a broad range of essential social services. A comprehensive public transportation system creates linkages to education, health and community services as well as open space and recreation located within the town centre. Many extension services, particularly for the aged provide mobile services to both the town centre and surrounding areas.

The Strategy identifies preferred lands that are suitable for rural housing as required by Clause 20(3) of the NCREP which:

- (a) are physically capable of supporting rural housing, and
- (b) are close to existing settlements which already have services and community facilities, or can otherwise be efficiently and economically serviced, and
- (c) are physically suitable for septic effluent disposal, and
- *(d)* are not required or likely to be required for future urban expansion of existing settlements, and
- (e) do not comprise prime crop or pasture land, and
- (f) are not subject to significant environmental hazards, and
- (g) are not of significant value for the conservation of wildlife.

The proposed rezoning of the subject land is situated within the area identified within the Strategy for closer rural settlement. In particular, the subject land contains inherent qualities (location, access, toporgraphy) rendering the land suitable for rural residential purposes. Accordingly, it is these qualities which have resulted in Council identifying the land for future rural residential development and in association the land being mapped predominantly as 'other lands' under the Northern Rivers Farmland Protection Project.

The conceptual subdivision design (refer **Attachment 5**) incorporates lot sizes (exclusive of residue) ranging from a minimum 0.5 hectares to lots exceeding 1 hectare. Each proposed lot is capable of accommodating an individual on-site effluent management system without detrimentally impacting the environment or amenity of the area.

The Strategy identifies expected take up rates for rural residential housing and as such nominates the preferred staging for the release of land for large lot residential development.

The subject land falls within the Stage 1 release area for the Northern Sector of the Casino/Rural Catchment District. In supporting the release of the subject land, the following lot release and land stock details are provided:

- There is in the order of 831 hectares of land mapped for rural residential subdivision with the Richmond Valley LGA which results in a theoretical numeric yield of some 505 lots.
- Richmond Valley Council currently has some 68 rural residential lots vacant and available to the market.
- 138 rural residential lots are potentially available through subdivision release.
- Only 30 lots are available in the Casino locality and of the 30 lots a limited supply of 11 lots are found within the Springrove area.

Based on the above numbers provided by Richmond Valley Council, it is evident the primary release areas have been east of Casino within the Swan Bay locality and as such limited supply of new rural residential development has occurred in Casino. The Strategy identifies in the order of 200 lots to be released for Casino and to date this number has not materialised. The rezoning of the subject land will provide a yield in line with the desired annual lot release of 20 lots per annum.

It is considered that this Planning Proposal is consistent with the objectives of the strategy and the proposal is a viable large lot residential development site.

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

Yes. A number of State Environmental Planning Policies (SEPP) are relevant to the development of the Planning Proposal. A SEPP checklist for the Planning Proposal is contained within **Attachment 2**.

7. Is the Planning Proposal consistent with applicable Ministerial Directions (S.117 directions)?

Yes. A number of Section 117 Directions are relevant to the development of the Planning Proposal. A Section 117 Directions Checklist for the Planning Proposal is contained in **Attachment 3**.

Section C – Environmental, Social and Economic Impact

8. 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?

With respect to vegetation, the property is best described as being embellished with grassland (pastureland) and paddock trees reflecting the historic grazing use of the site. The surrounds of the dwelling houses have been embellished with planted landscaped species.

Based on the current vegetation cover and the location of the future subdivision, there does not appear to be any significant ecological impediments to the proposal proceeding to the next stage of the Gateway process. It is recommended that the applicant provide a flora and fauna assessment that includes an analysis of terrestrial habitats for the rezoning area post Gateway Determination and prior to the making of the plan.

The flora and fauna assessment should be prepared by a suitably qualified person and will be assessed in accordance with both the structure and content guidelines specified in the following NSW State Government guidelines:

- DEC (2004). Threatened Biodiversity Survey and Assessment: Guidelines for Developments and Activities (working draft), Department of Environment and Conservation NSW, Hurstville, NSW.
- DECC (2007). Threatened species assessment guidelines: The assessment of significance, Department of Environment and Climate Change NSW, Sydney South, NSW.

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

Land contamination

A review of the land use history of the subject land and surrounding properties has not identified any potentially contaminating land use which may impede this proposal.

Notwithstanding the result of the land use history search, it is recommended that a preliminary contaminated land assessment is undertaken for the land area proposed for residential zoning post Gateway Determination and prior to the making of the plan. The assessment is to be undertaken in accordance with Guidelines made or approved by NSW EPA in accordance with the *Contaminated Land Management Act 1997*.

Bush fire

The subject land is not mapped as being bushfire prone.

Land use conflict

The planning proposal will result in the creation of an interface between existing rural and proposed residential land uses which has the potential to generate land use conflict. It is noted the rezoning of the land will be consistent to the zonings proposed to the north and as such the extent of potential land use conflict is significantly reduced through the proposed rezoning of the PRP.

Notwithstanding this, it is recommended that a *Land Use Conflict Risk Assessment* (LUCRA) be undertaken. The methodology for the assessment should be consistent with that presented in the publication *'Living and Working in Rural Areas – A handbook for managing land use conflict issues on the NSW North Coast'*.

LUCRA is aimed at complementing development control and buffer requirements by providing a more thorough understanding of the likely land use conflict issues at the development level so as to inform the application of land use conflict and avoidance and buffer measures.

Notwithstanding the preparation of a LUCRA report, the concept subdivision layout illustrates the opportunity of complying with the prescribed 50 metre separation buffer between grazing land and dwellings contained under the Part I [111.3] of the Richmond Valley Council Development Control Plan 2012.

Geotechnical

Whilst no visible signs of slip have been identified during the site inspection, it is recommended that a geotechnical report is submitted post gateway determination that reflects the proposed more intensive rural residential use. We submit this matter may be completed post the rezoning of the land and as part of the Development Application process.

10. How has the Planning Proposal adequately addressed any social and economic effects?

The rezoning of more land for urban purposes will have positive social and economic effects. In particular, the development of the land for housing will assist in meeting regional dwelling targets.

Further assessment is required of European and Aboriginal cultural heritage in order to demonstrate consistency with section 117 of the EP&A Act 1979, Ministerial Direction 2.3 – Heritage Conservation. A search of the DECC Aboriginal Heritage Information Management System (AHIMS) showed that no Aboriginal objects and Aboriginal places were recorded in or near the above location. Reference should be made to **Attachment 6** which contains the AHIMS documentation.

The Richmond Valley LEP 2012 mapping does not identify the subject land as containing a heritage item.

In this regard it is recommended that a European and Aboriginal heritage assessment is undertaken for the rezoning area within the subject land.

Given the scale of the proposal, it is not recommended that a social impact assessment is deemed necessary to be conditioned within the Gateway Determination.

The subject land is mapped by Richmond Valley Council as being, in part, impacted by flood inundation. The land is mapped as 'Possible High Depth Hazard or Low Hazard'. Council's flood matrix permits habitable structures in this area with a FFL of 20.1m AHD.

The flooding area proposed for rezoning is predominantly free of the flood hazard as detailed on the Site Analysis Plan (see **Attachment 5**). In this respect, all dwellings will be located on flood free land being above RL 20.1m AHD with the lowest parts of the allotments being at RL 24.0m AHD.

Section D - State and Commonwealth Interests

11. Is there adequate public infrastructure for the Planning Proposal?

<u>Water</u>

The subject land is not serviced by an articulated water supply. Accordingly, potable water will be sourced through harvesting of roofwater and retention onsite through 40,000 litre water tanks.

<u>Sewer</u>

All wastewater will be managed through an on-site wastewater management system located upon each proposed allotment. Sufficient land area exists on to satisfy Richmond Valley Council's On-site Sewage & Wastewater Management Strategy (2001).

A detailed on-site sewerage and wastewater assessment report will be prepared to accompany the Planning Proposal as a requirement of the Gateway Determination.

<u>Traffic</u>

The rezoning of part of the subject land to enable the future rural residential subdivision and use will, upon occupation of any new dwelling on any lot so created, result in an increase in vehicle movements in the locality.

Having regard to the conceptual subdivision layout containing 23 lots, it is estimated that a total of 207 daily vehicle movements will be generated once all lots are developed and occupied. This figure has been calculated using the figure of 9 daily vehicle trips/dwelling (RTA Guide to Traffic Generating Developments).

Springrove Road is designed so as to be of sufficient standard to cater for the increase in traffic movements in a safe and efficient manner. Furthermore, sufficient sight distance exists to access the subject land to service the proposed lots pursuant to AustRoads design standards. Stormwater The nature of the proposed land use and associated density is such that stormwater may be managed so as to prevent any increase in stormwater discharged from the rezoned area, whilst also ensuring water quality targets are also achieved. Accordingly, the proposal will require the completion of a detailed stormwater management plan as condition of the Gateway Determination.

To assess stormwater management associated with rural residential development of the land a detailed stormwater management plan is required. The stormwater management plan is to be consistent with the Northern Rivers Catchment Management Authority and Council's guidelines and requirements. Stormwater management is to be integrated throughout the site and based on water sensitive urban design principles including but not limited to:

- retention of storm surface runoff as a mechanism for achieving the goal of hydrological similarity to natural catchment behaviour
- the use of permeable surfaces
- off stream stormwater detention
- source treatment including gross pollutant traps in gully pits
- use of on-road swales/buffers
- on-road bio-retention.

12. What are the views of State and Commonwealth public authorities consulted in accordance with the Gateway Determination?

This section of the Planning Proposal will be completed following consultation with the State and Commonwealth Public Authorities identified in the Gateway Determination.

The following table provides a summary of the relevant public authorities, which in the opinion of Council, should be consulted in accordance with the Gateway determination.

Public authority/stakeholder	Issue requiring comment
Housing NSW	Housing choice and housing needs
Department of Primary Industries	Use of existing agricultural land for large lot residential development
Local public transport providers	Road network
Members of the local Aboriginal community	Aboriginal heritage
Essential Energy	Electricity supply
Office of Environment and Heritage	Environment and cultural heritage
Roads and Maritime Services	Roads
Department of Education and Communities	Capacity of schools
NSW Health	Capacity of hospital

The proposed agency consultation will be confirmed with the Gateway determination. The outcomes of the consultation will be reported back to Council post public consultation.

Part 4 - Mapping

Reference should be made to **Attachment 4** for the following maps relevant to the sought rezoning:

MAP 1 - Proposed Land Zoning Map & Lot Size Map MAP 2 – Indicative Subdivision Layout with Land Zoning overlay.

Part 5 – Community Consultation

Council will commence community consultation post Gateway Determination. For the purposes of public notification, Council considers that a twenty eight (28) day public exhibition period is appropriate.

Notification of the exhibited planning proposal will include:

- a newspaper advertisement that circulates in the area affected by the planning proposal
- the website of Richmond Valley Council and the Department of Planning and Environment.
- letter to adjoining landholders.

The written notice will:

- provide a brief description of the objectives or intended outcomes of the planning proposal
- indicate the land that is the subject by the planning proposal
- state where and when the planning proposal can be inspected
- provide detail that will enable members of the community to make a submission.

Exhibition material:

- the planning proposal, in the form approved for community consultation by the Director General of the Department of Planning and Environment.
- the Gateway determination.
- any studies required as part of the planning proposal.

Key stakeholders will be identified and contacted directly to ensure that they are aware of the planning proposal. The gateway determination will confirm the public consultation requirements.

Part 6 Project Timeline

The timeline below has been updated from the previously submitted timeline to take into account the time to collate the information necessary to respond to the request for additional information.

Plan Making Step	Estimated Completion (Before)
Council Resolution	December 2015
Gateway Determination	February 2016
Preparation of additional information	March 2016
Government Agency Consultation	21 Days - April 2016
Public Exhibition Period	28 Days - May 2016
Public Hearing	Nil Proposed
Submissions Assessment	June 2016
RPA Assessment of Planning Proposal and Exhibition Outcomes	June 2016
Submission of Endorsed LEP to DP&I for finalisation	N/A
Submission of Draft LEP Mapping to DP&I for checking prior to PC Opinion	July 2016
Parliamentary Counsel's Opinion and drafting of LEP	August 2016
Anticipated date RPA will forward the Plan (under delegation)	August 2016
Anticipated date RPA will forward the Plan to the Department for notification	August 2016

Conclusion and Recommendations

The objective of this proposal is to enable the future large lot residential development through the rezoning of part thereof Lot 41 DP 1084516 to R5 – Large Lot Residential and the associated amendment to the Minimum Lot Size map (map 6). This Planning Proposal reflects Council's Strategic Planning for the release of rural residential lots within the North Casino Sector.

The proposed LEP Amendment may be justified on the following grounds:

- 1. The Planning Proposal demonstrates compliance with relevant Local, Regional and State plans and policies;
- The proposed land use can be adequately serviced with all necessary infrastructure services;
- 3. The planning opportunities and constraints presented by the subject land are such that will facilitate future subdivision and development for large lot residential purposes in a manner that is not detrimental to the natural or man-made environment;
- 4. The future development of the land will satisfy the demand for quality dwellings in a rural area and specifically North Casino.

It is recommended that the Richmond Valley Local Environmental Plan 2012 be amended so that the nominated area of Lot 41 DP 1084516 is "R5 Large Lot Residential".



ATTACHMENT 1

Far North Coast Sustainability Criteria

FAR NORTH COAST REGIONAL STRATEGY SUSTAINABILITY CRITERIA

Threshold Sustainability Criteria for any Proposed Development Site Outside Designated Areas in Regional Strategies	Measurable Explanation of Criteria	Planning Proposal Response
1. Infrastructure Provision Mechanisms in place to ensure utilities, transport, open space and communication are provided in a timely and efficient way	 Development is consistent with the outcomes of Far North Coast Regional Strategy, regional infrastructure plan and relevant section 117 direction/s. The provision of infrastructure (utilities, transport, open space, and communications) is costed and economically feasible based on Government methodology for determining infrastructure development contributions. Preparedness to enter into development agreement 	 A portion of the subject land is nominated for rural residential land within the Richmond River Council Rural Residential Development Strategy 1999. The planning proposal is consistent with relevant FNCRS outcomes, in particular with regard to infrastructure provision. Where more detail is needed, further assessment and studies are required post gateway determination including a Stormwater Management Plan. The proposed large lot residential land is generally free of natural hazards with the exception of low lying inundation on the southern extremity of the proposed R5 zoned land. The land is adjacent to existing large lot residential land and in close proximity to available services demonstrating consistency with s117 Direction 3.1 Residential Zones. Local bus services will be able to service the development, demonstrating consistency with s117 Direction 3.4 Integrating Land Use and Transport. A traffic impact assessment is not deemed to be required in this instance. The planning proposal will assist in achieving the settlement and housing targets set by the FNCRS. Applicable Section 94 contributions will be levied in accordance with Council's S94 Plan.
2. Access Accessible transport options for efficient and sustainable travel between homes, jobs, services and recreation to be existing or provided	 Accessibility of the area by public transport and/or appropriate road access in terms of: Location/land use to existing networks and related activity 	 The subject land is strategically located on Springrove Road which provides opportunities for connectivity to Casino and east to Lismore. The land is located within 10 kilometres of the Casino CBD which contains supermarkets and specialty shops. The proposed

	 centres. Network - the area's potential to be serviced by economically efficient transport services. Catchment - the area's ability to contain, or form part of the larger urban area which contains adequate transport services. Capacity for land use/ transport patterns to make a positive contribution to achievement of travel and vehicle use goals. No net negative impact on performance of existing subregional road, bus, rail, ferry and 	large lot residential land is accessible to health, education, retail, recreation, religious and other services located within Casino. The land is also located so as to provide access to Lismore being a regional centre.
3. Housing Diversity Provide a range of housing choices to ensure a broad population can be housed	freight network. • Contributes to the geographic market spread of housing supply, including any government targets established for aged, disabled or affordable housing.	The proposal will provide additional large lot residential housing within the Northern Sector of Casino pursuant to Council's Rural Residential Strategy. The supply of large lot residential lots offers the residents of Casino greater diversity in housing options that respond to the topographical characteristics of the land.
4. Employment Lands Provide regional/local employment opportunities to support the Far North Coast's expanding role in the wider regional and NSW economies	 Maintain or improve the existing level of sub-regional employment self-containment. Meets subregional employment projections. Employment-related land is provided in appropriately zoned areas. 	 The proposal is for large residential development and does not include any future commercial or industrial land use zones. The location is considered more suitable for residential uses consistent with the surrounding settlement pattern. It is submitted adequate employment generating lands are identified within the FNCRS, some of which are being rezoned to business or industrial as part of the Richmond Valley LEP 2012. Moreover, Richmond Valley Council is in the preliminary stages of developing a Local Growth Management Strategy which may identify potential future employment lands.

E Aveidance of Diak	NI LI	
5. Avoidance of Risk Land use conflicts, and risk to human health and life, avoided.	 No residential development within 1:100 floodplain. Avoidance of physically constrained land, eg. High slope. Highly erodible. Avoidance of land use conflicts with adjacent existing or future land use as planned under relevant subregional or regional strategy. Where relevant available safe evacuation route (flood and bushfire). 	 Parts of the land is subject to flood inundation. In this regard, the proposal provides for land to be rezoned and housing above RL 20.1 metres The land is not constrained by acid sulfate soils nor is the land in the coastal zone. Land contamination A preliminary contaminated lands assessment was undertaken with respect to the land use history of the property. No previous land uses have been identified which would be associated with land contamination. Accordingly, a detailed contaminated land assessment, inclusive of soil sampling, may be completed as part of any Gateway Determination. Bushfire The subject land is not mapped as being bushfire prone. Buffer areas Notwithstanding the preparation of a LUCRA report, the concept subdivision layout illustrates the opportunity of complying with the prescribed 50 metre separation buffer between grazing land and dwellings contained under the Part I (I11.3) of the Richmond Valley Council Development Control Plan
6. Natural Resources Natural resource limits not exceeded/ environmental footprint minimised	 Demand for water within infrastructure capacity to supply water and does not place unacceptable pressure on environmental flows. Demonstrates most efficient/suitable use of land. Avoids identified significant agricultural land. Avoids productive resource lands - extractive industries, coal, gas and other mining, and quarrying. Demand for energy 	 Future housing will access potable water through the harvesting of roof water. The land area proposed to be rezoned is not identified as State Significant farmland under the Northern Rivers Farmland Protection Project 2005. The predominant land classification over the rezoning area is identified as 'other lands' and as such the proposal will not occupy productive agricultural land. A small section of the rezoning area (i.e. north-western corner is mapped as 'regionally significant', however the proposal occupies only a small section of this land and will not impact the agricultural viability

	does not place unacceptable pressure on infrastructure capacity to supply energy-requires demonstration of efficient and sustainable supply solution.	 of the property. Reference is also made to the fact the 'regionally significant' land is identified for future potential housing under the Council's Rural residential Strategy. Consequently, the use of the land for large lot residential development is consistent with the recommendations of the Farmland Protection Project. The land is not zoned or mapped for the purposes of an extractive industry. The favourable location of the site is such that the use of solar aspect and sea breezes will maximise thermal comfort without unreasonable demands on existing energy infrastructure.
7. Environmental Protection Protect and enhance biodiversity, air quality, heritage, and waterway health	 Consistent with government-approved Regional Conservation Plan (if available). Maintains or improves areas of regionally significant terrestrial and aquatic biodiversity (as mapped and agreed by DEC). This includes regionally significant vegetation communities, critical habitat, threatened species, populations, ecological communities and their habitats. Maintain or improve existing environmental condition for air quality. Maintain or improve existing environmental condition for water quality: Consistent with community water quality objectives for recreational water use and river health (DEC and CMA). Consistent with catchment and stormwater management planning (CMA and Council). Protects areas of Aboriginal cultural 	 The Planning Proposal is consistent with the outcomes of the Far North Coast Regional Conservation Plan. The proposed large lot residential zone is located well clear of riparian areas and generally clear of isolated areas of regrowth endemic woody vegetation. Measures to address the cultural heritage issues have been identified to occur as part of the detailed design process for a future Development Application. Stormwater management incorporating water sensitive urban design principles will be used within the development. A Stormwater Management Plan is recommended to accompany the Planning Proposal as a condition of the Gateway Determination.

	heritage value (as agreed by DEC).	
8. Quality and Equity in Services Quality health, education, legal, recreational, cultural and community development and other government services are accessible	 Available and accessible services. Do adequate services exist? Are they at capacity or is some capacity available? Has Government planned and budgeted for further service provision? Developer funding for required service upgrade/access is available. 	 The development of the site for large lot residential purposes would result in an increase in population in the area. Adequate services exist within the locality as shown below. Casino provides a wide range of education, health, recreational, legal, religious, retail, cultural and community services which are sufficient to meet the needs of the population increase proposed on the site. The area is in close proximity to the following services: Shopping Centres (Woolworths, Aldi etc (10km). Casino & District Memorial Hospital (10km) and Lismore Base and St Vincent's Hospital (23km). Schools: 3 high schools; numerous primary schools. Southern Cross University (24km). Casino CBD retail and banking facilities, industrial centres, professional services, churches (10km). Sports fields/recreation facilities including soccer, rugby league, netball, tennis, rugby union, swimming, golf course, lawn bowls, cinemas, (10km)



ATTACHMENT 2

State Environmental Planning Policy Checklist

State Environmental Planning Policy (SEPP) Checklist

State Environmental Planning Policy	Consistency
SEPP No. 1 – Development Standards	N/A
SEPP No. 4 – Development Without Consent and Miscellaneous Exempt and Complying Development	N/A
SEPP No. 6 – Number of Storeys in a Building	N/A
SEPP No. 10 – Retention of Low Cost Rental Accommodation	N/A
SEPP No 14 – Coastal Wetlands	N/A
SEPP No. 15 – Rural Landsharing Communities	N/A
SEPP No. 19 – Bushland in Urban Areas	N/A
SEPP No. 21 – Caravan Parks	N/A
SEPP No. 22 – Shops and Commercial Premises	N⁄A
SEPP No. 26 – Littoral Rainforests	N/A
SEPP No. 29 – Western Sydney Recreation Area	N⁄A
SEPP No. 30 – Intensive Agriculture	N/A
SEPP No. 32 – Urban Consolidation (Redevelopment of Urban Land)	N⁄A
SEPP No. 33 – Hazardous and Offensive Development	N⁄A
SEPP No. 36 – Manufactured Home Estates	N/A
SEPP No. 39 – Spit Island Bird Habitat	N/A
SEPP No. 41 – Casino Entertainment Complex	N/A
SEPP No. 44 – Koala Habitat Protection	 Woody vegetation on the land includes limited/scattered species listed under SEPP 44, however it is not envisaged the species comprises 15% of species in the upper or lower strata of the tree component given the dominance of camphor laurel specifies on the site. Consequently, the preliminary assessment identifies the land does not contain potential Koala habitat in accordance with Clause 4 of the SEPP and the land is not core Koala habitat pursuant to Clause 7 & 8 of the SEPP. There is no requirement under the SEPP for the land to be included in an environmental protection zone. Notwithstanding the classification of the vegetation

Notwithstanding the classification of the vegetation

State Environmental Planning Policy	Consistency
	under the SEPP, a detailed flora and fauna assessment will be required to be completed for the Planning Proposal.
SEPP No. 47 – Moore Park Showground	N⁄A
SEPP No. 50 – Canal Estate Development	N⁄A
SEPP No. 52 – Farm Dams and Other Works in Land and Water Management Plan Areas	N⁄A
SEPP No. 53 – Metropolitan Residential Development	N⁄A
SEPP No. 55 – Remediation of Land	Consistent.
	The proponent has owned the land since 1990. The use of the land has been for the purpose of a dwelling and low scale cattle grazing with no identified potentially contaminated land uses undertaken upon the land.
	Further, a Preliminary Contaminated Land Assessment for the land is considered to be an appropriate measure through the Gateway Determination process.
SEPP No. 59 – Central Western Sydney Regional Open Space and Residential	N/A
SEPP No. 60 – Exempt and Complying Development	N/A
SEPP No. 62 – Sustainable Aquaculture	N⁄A
SEPP No. 64 – Advertising and Signage	N/A
SEPP No. 65 – Design Quality of Residential Flat Development	N/A
SEPP No 70 – Affordable Housing (Revised Schemes)	N/A
SEPP No. 71 – Coastal Protection	N⁄A
SEPP (Affordable Rental Housing) 2009	Consistent.
	Rezoning land from rural and large lot residential will enable the development of various forms of affordable housing, inclusive of secondary dwellings.
SEPP (Building Sustainability Index: BASIX) 2004	Consistent
SEPP (Exempt and Complying Development Codes) 2008	Consistent
SEPP (Housing for Seniors or People with a Disability) 2004	 Consistent. Rezoning land from rural to residential will increase the
	opportunity for the development of housing for seniors

State Environmental Planning Policy	Consistency
	or people with a disability.
SEPP (Infrastructure) 2007	 Consistent. The planning proposal is consistent with the aims of the SEPP. The proposed R5 is a prescribed zone within which various forms of infrastructure are either permissible with or without development consent. It is also worth noting that the proposed R5 zone will prohibit various forms of infrastructure that are deemed incompatible with residential development. These include research stations, sewage treatment plants, water recycling facilities, waste or resource management facilities and water treatment facilities.
SEPP (Kosciuszko National Park – Alpine Resorts) 2007	N/A
SEPP (Major Development) 2005	N/A
SEPP (Mining, petroleum Production and Extractive Industries) 2007	N/A
SEPP (Rural Lands) 2008	 Consistent. The Planning Proposal is consistent with the Rural Planning Principles and Rural Subdivision Principles. The Planning Proposal identifies land adjacent to existing large lot residential land and further land identified for rezoning under Council's rural residential Strategy. This approach will also serve to minimise potential land use conflicts. Large lot residential land proposed to adjoin rural land will be of sufficient dimensions to accommodate required DCP buffer distances. The subject land is, in part, mapped for large lot residential housing under Council's rural residential strategy. Moreover, the planning proposal has been assessed for consistency with the Far North Coast Regional Strategy Sustainability Criteria. The land is not listed as Significant Agricultural Land under Schedule 2 of the SEPP.
SEPP (Sydney Region Growth Centres) 2006	N/A
SEPP (Temporary Structures) 2007	N/A
SEPP (Western Sydney Employment Area) 2009	N/A
SEPP (Western Sydney Parklands) 2009	N/A


Consistency with S117 Directions

CONSISTENCY WITH SECTION 117 DIRECTIONS

Ministerial Directions	Comment
1. Employment and	Resources
1.1 Business and Industrial Zones	N/A
1.2 Rural Zones	Justifiably Inconsistent.
	The inconsistency is justified because the subject land has been identified for future housing use since 1999 through the lands inclusion within Council's Rural Residential Strategy (1999).
	The inconsistency is further justified by the assessment of the Planning Proposal against the sustainability criteria in the FNCRS. The sustainability criteria compliance table indicates that the Planning Proposal is consistent with the relevant requirements as follows:
	A small section of the land is identified as Regionally Significant Farmland in the north western portion of the site. This land is identified for future potential urban use in the Council's Rural Residential Strategy (1999), consequently the use of the land for residential development is consistent with the recommendations (Section 4) of the Farmland Protection Project.
1.3 Mining	Consistent.
Petroleum Production and Extractive Industries	The Planning Proposal does not have the effect of prohibiting mining of coal or other minerals, production of petroleum, or winning or obtaining extractive materials. Pursuant to Clause 7 SEPP (Mining, Petroleum Production and Extractive industries) 2007, mining, petroleum production and extractive industries can occur where agriculture or industry may be carried out (with or without development consent). Home industries (a form of industry) are permissible in rural and residential zones, therefore a Planning Proposal to change the zone from rural to large lot residential is consistent with the direction as it maintains the permissibility status quo.
1.4 Oyster Aquaculture	N/A
1.5 Rural Lands	Consistent.
	The Planning Proposal identifies land adjacent to existing large lot residential land that will minimise the fragmentation of agricultural land. Furthermore, the future subdivision is able to adhere to the prescribed buffers between large lot residential lots and adjoining agricultural land.
	This approach will also serve to minimise potential land use conflicts. Large Lot Residential land proposed to adjoin rural land will be of sufficient dimensions to accommodate required DCP buffer distances.

Ministerial Directions	Comment
2. Environment and	l Heritage
2.1 Environment Protection Zones	Consistent. The proposal relates to land which has historically been utilised for grazing purposes and as such has little vegetation cover, and is best described as being embellished with scattered paddock trees. A Flora and Fauna Assessment is recommended to be conditioned within the Gateway Determination for this proposal. The Planning Proposal does not involve existing or proposed environmental protection zones.
2.2 Coastal Protection	N/A
2.3 Heritage Conservation	European and Aboriginal heritage assessment is recommended within the Gateway Determination. No registered sites are located upon the subject land.
2.4 Recreation Vehicle Areas	N/A
3. Infrastructure ar	nd Urban Development
3.1 Residential Zones	 Consistent. A range of housing types and densities will be permitted. Adjacent to existing infrastructure. Range of lot sizes responding to the topography of the site, including. 5,000m^e minimum lot size are proposed. LEP 2012 contains provisions that require the provision of services prior to development consent for residential development.
3.2 Caravan Parks and Manufactured Home Estates	N/A
3.3 Home Occupations	 Home occupations are permitted without development consent under RVEP 2012 and SEPP (Exempt and Complying Development Codes) 2008.
3.4 Integrating Land Use and Transport	Consistent. The site has sufficient capacity to provide access to transport for residents. The street layout will accommodate buses, cars, bikes and pedestrians.

Ministerial Directions	Comment
	Streets will generally be connected to maximise access.
	 The site is proximal to all existing services including education, retail, recreation, medical, religious, sporting, trade and professional services.
3.5 Development Near Licensed Aerodromes	N⁄A
4. Hazard and Risk	
4.1 Acid Sulfate Soils	N/A
4.2 Mine	Consistent.
Subsidence and Unstable	• The land is not within a mine subsidence area.
Land	 It is recommended that a geotechnical report is provided for the Development Application process.
	• The proposed R5 zone is limited to land with a slope of less than 20°.
4.3 Flood Prone Land	Consistent. Minor flood inundation occurs associated with the low lying central to southern areas of the subject land. The proposal provides for all housing to be located on flood free land.
4.4 Planning for Bushfire Protection	N/A
5. Regional Plannin	g
5.1 Implementation of Regional Strategies	 Consistent. Refer to the Far North Coast Regional Strategy – Sustainability Criteria compliance table for detail.
5.2 Sydney Drinking Water Catchments	N/A
5.3 Farmland of	Justified inconsistency.
State and Regional Significance	 A small area of Regionally Significant Farmland is located in the north- Western section of the land.
on the NSW Far North	 Refer to the Far North Coast Regional Strategy – Sustainability Criteria compliance table for detail.
Coast	 The mapped land is mapped for future housing under Council's Rural Residential Strategy (1999). The balance of the land to be rezoned is

Ministerial Directions	Comment
	mapped as 'other lands'.
5.4 Commercial and Retail development along the Pacific Highway, North Coast	N/A
5.8 Second Sydney Airport: Badgerys Creek	N/A
6. Local Plan Makir	ng
6.1 Approval and referral requirements	 Consistent The Planning Proposal does not introduce concurrence, consultation or referral requirements. Not designated development.
6.2 Reserving Land for Public Purposes	Consistent No land is proposed to be zoned for public recreational purposes.
6.3 Site Specific Provisions	 Consistent. The proposed R5 zone is the most appropriate for future residential development on the land. No additional development standards are applied that are not already in use for other R5 zone in the LGA.
7. Metropolitan Pla	anning
Implementation of the Metropolitan Strategy	N/A



LEP Mapping





	PROPOSED LEP & LOT SIZE MAP LOT 41 DP 1084516	
apelle	CLIENT: S DOUGHERTY	
eers pelle.com.au PH: 6622 1011	LOCATION: LOT 41 DP 1084516 SPRINGROVE ROAD SPRINGROVE NSW	
H: 6662 5000	DATE: 12.01.16 REF: 07/684 SCALE: 1 : 2500 @ A3 DRAWN: bk	



Site Analysis & Concept Layout



Newton Denny Ch Surveyors Planners Engir Email: office@newtondennycha LISMORE 31 Carrington St. Lismore 248 CASINO 100 Barker St. Casino 2470 ABN: 36 220 045 465

SOURCE PLAN: www.maps.six.nsw.gov.au - accessed 07.06.15 k:\jobs\2007\07684\plans\auto cad\07684d.dwg - plan - site analysis

AMENDMENT

REV DATE



NOTE:

This preliminary layout has been completed in accordance with the instructions provided by S Dougherty. In this respect preliminary desktop data has been used to form this layout. The final layout is subject to the completion of a detailed survey & engineering plans. Accordingly, the conclusions reached within this report may be modified by the author upon the completion of the final design plans & site inspection. Newton Denny Chapelle accepts no responsibility for any loss or damage suffered, however so arising, to any person or corporation who may use or rely on this report.

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PH: 6662 5000 9	DATE: 07 SCALE: 1 :	′.06.15 7500 @ A3	REF: DRAWN:	07/684 bk	× 0 v c ©







 SOURCE PLAN:
 N/A

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NOTE:

This preliminary layout has been completed in accordance with the instructions provided by S Dougherty. In this respect preliminary desktop data has been used to form this layout. The final layout is subject to the completion of a detailed survey & engineering plans. Accordingly, the conclusions reached within this report may be modified by the author upon the completion of the final design plans & site inspection. Newton Denny Chapelle accepts no responsibility for any loss or damage suffered, however so arising, to any person or corporation who may use or rely on this report.

NOTE: CONTOURS SOURCED FROM ENVIROLINK REF - 0047

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0 PH: 6662 5000 69	DATE: 12 SCALE: 1 :	.01.16 2500 @ A3	REF: (DRAVVN:	D7/684 bk	



AHIMS Search



Date: 08 July 2015

Damian Chapelle Po Box 1138 LISMORE New South Wales 2480 Attention: Damian Chapelle Email: dchapelle@newtondennychapelle.com.au

Dear Sir or Madam:

<u>AHIMS Web Service search for the following area at Lot : 41, DP:DP1084516 with a Buffer of 0 meters,</u> <u>conducted by Damian Chapelle on 08 July 2015.</u>

The context area of your search is shown in the map below. Please note that the map does not accurately display the exact boundaries of the search as defined in the paragraph above. The map is to be used for general reference purposes only.



A search of the Office of the Environment and Heritage AHIMS Web Services (Aboriginal Heritage Information Management System) has shown that:



Date: 08 July 2015

Damian Chapelle Po Box 1138 LISMORE New South Wales 2480 Attention: Damian Chapelle Email: dchapelle@newtondennychapelle.com.au

Dear Sir or Madam:

<u>AHIMS Web Service search for the following area at Lot : 41, DP:DP1084516 with a Buffer of 50 meters,</u> <u>conducted by Damian Chapelle on 08 July 2015.</u>

The context area of your search is shown in the map below. Please note that the map does not accurately display the exact boundaries of the search as defined in the paragraph above. The map is to be used for general reference purposes only.



A search of the Office of the Environment and Heritage AHIMS Web Services (Aboriginal Heritage Information Management System) has shown that:



Date: 08 July 2015

Damian Chapelle Po Box 1138 LISMORE New South Wales 2480 Attention: Damian Chapelle Email: dchapelle@newtondennychapelle.com.au

Dear Sir or Madam:

<u>AHIMS Web Service search for the following area at Lot : 41, DP:DP1084516 with a Buffer of 200 meters,</u> <u>conducted by Damian Chapelle on 08 July 2015.</u>

The context area of your search is shown in the map below. Please note that the map does not accurately display the exact boundaries of the search as defined in the paragraph above. The map is to be used for general reference purposes only.



A search of the Office of the Environment and Heritage AHIMS Web Services (Aboriginal Heritage Information Management System) has shown that:



Date: 08 July 2015

Damian Chapelle Po Box 1138 LISMORE New South Wales 2480 Attention: Damian Chapelle

Email: dchapelle@newtondennychapelle.com.au

Dear Sir or Madam:

AHIMS Web Service search for the following area at Lot : 41, DP:DP1084516 with a Buffer of 1000 meters, conducted by Damian Chapelle on 08 July 2015.

The context area of your search is shown in the map below. Please note that the map does not accurately display the exact boundaries of the search as defined in the paragraph above. The map is to be used for general reference purposes only.



A search of the Office of the Environment and Heritage AHIMS Web Services (Aboriginal Heritage Information Management System) has shown that: