
14.7 PLANNING PROPOSAL PP2016/0006 - REZONE LAND AT RILEYS HILL**Responsible Officer:**Andrew Hanna (Manager Development and Environment)

RECOMMENDATION

Recommended that Council:

1. Support Planning Proposal PP2016/0006 proposing to amend the *Richmond Valley Local Environmental Plan 2012* by rezoning Lot 100 DP1201719 from Zone *RU1 – Primary Production* to Zone *RU5 – Village* and by amending the subdivision minimum lot size from 40 Ha to 600 m²;
2. Submit Planning Proposal PP2016/0006 to the NSW Department of Planning and Environment for a Gateway Determination; and
3. Seek delegation of Ministerial plan making functions for Council and the General Manager.

211117/12 RESOLVED (Cr Simpson/Cr Hayes)

That the above recommendation be adopted.

FOR VOTE - All Council members voted unanimously.

Executive Summary

Ardill Payne and Associates have prepared and submitted a Planning Proposal to rezone land at Riley's Hill on behalf of the owner Monal Pty Ltd. The land is identified within the Richmond Valley Local Government Area for 'Future Urban Growth' and therefore is within a recognised immediate future release area, as identified in the North Coast Regional Plan. Some additional assessment relative to the site's attributes is anticipated as a requirement of a Gateway Determination.

Delivery Program Links

Growing our Economy

EC1 Driving Economic Growth

EC1.8 Provide sustainable Urban Development Opportunities

Budget Implications

The staged progression of the Planning Proposal is subject to Council's Revenue Policy to cover staff resources for processing and assessment. The overall budget implications for this reason are expected to be 'nil', however an

investigation for all future provision of essential infrastructure for Rileys Hill should be undertaken.

Report

Council received Planning Proposal PP2016/0006 to rezone Lot 100 DP1201719, Hills Road, Rileys Hill in early June this year. The property is wholly located within an area identified to be immediately adjacent to existing RU5 (Village) zoned land at Rileys Hill and is identified in the North Coast Regional Plan as potential Urban Growth Area. The Rileys Hill village area currently comprises around 70 residential lots and the 8.268 Hectare area proposed for rezoning could potentially double the suburban Rileys Hill village area with a potential yield of around a further 70 lots.

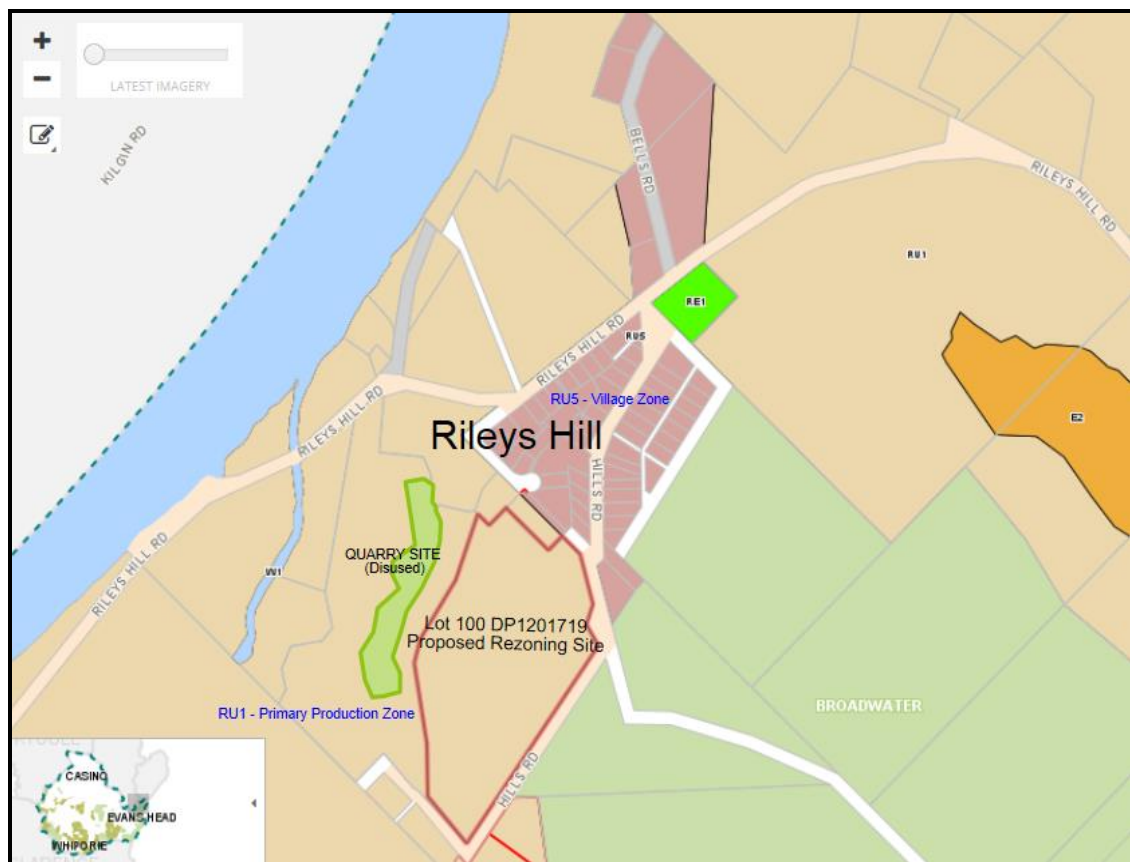


Figure 1: Map of Rileys Hill locality showing land proposed rezoning site.

A conceptual plan for the proposal has been provided, but is indicative only as the potential estimated yield will be subject to more detailed constraints investigations as well as accurate survey and design in accordance with Gateway Determination requirements. The minimum lot size of 600m² generally attributed to RU5 – Village zoned land will apply, and the attached conceptual Subdivision Layout indicates a yield of 70 lots with some variance allowing conceptual lots up to 1000m².

The lower portion of the property is identified as marginally flood prone (as affected by a one-in-one-hundred year (1/100 ARI) average return interval flood event). The flood risk mapping categorises the site as 'Rare Low Hazard' (above a 100-year design flood). Indicative ground levels indicate that the levels are

borderline, with some areas being at a similar level as a 1/100 year flood event. The proponent has supplied 0.5 metre interval height contours with the proposal as an indicative tool.

A more detailed survey would be able to provide for a road layout and stormwater design that could provide fill and drainage to make developable areas 'flood-free'. Stormwater collection and treatment will be required onsite prior to discharge under the adjoining Council road reserve through a possibly upgraded culvert. The natural drainage route will continue offsite toward the adjoining National Park opposite the site.

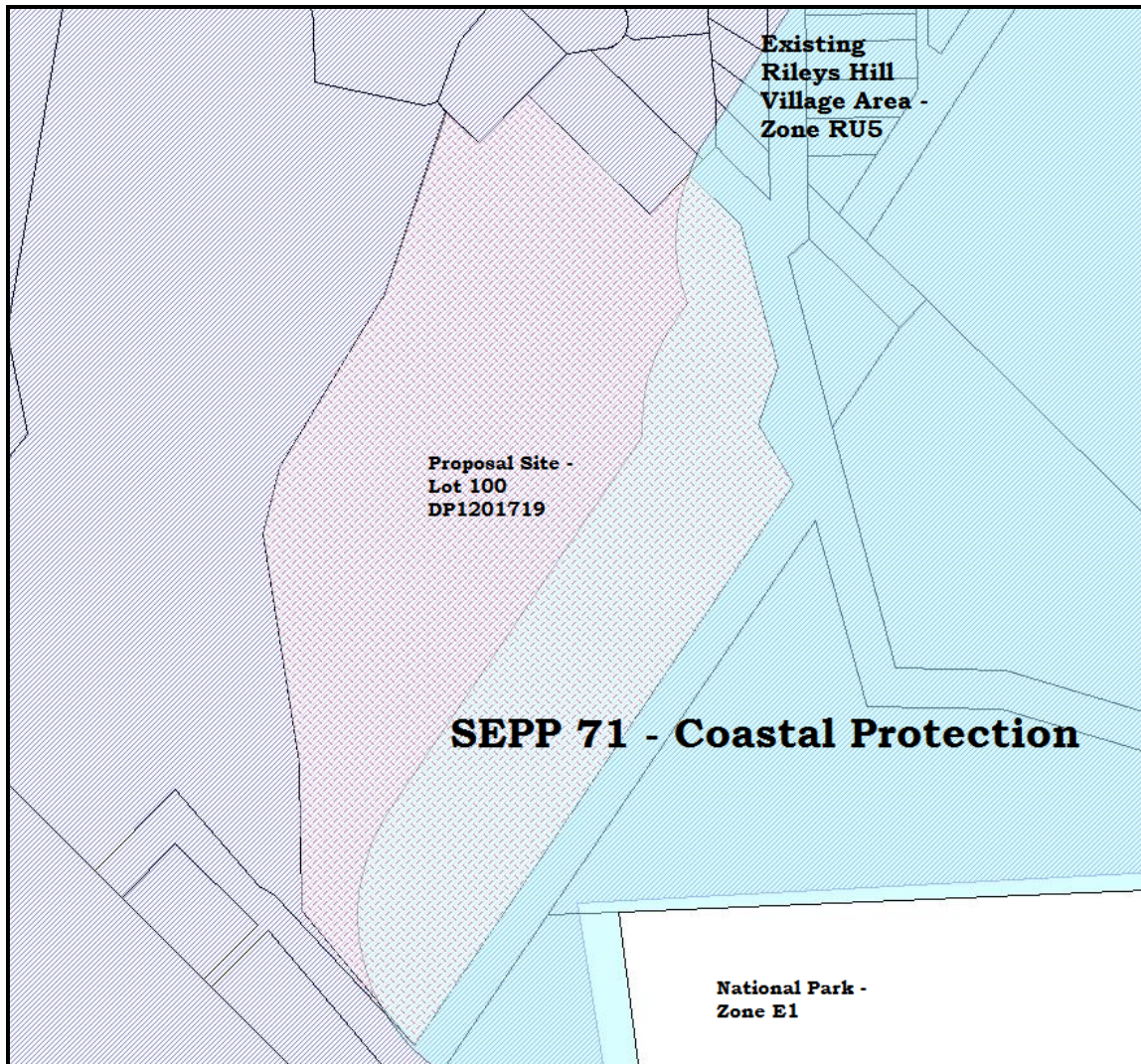


Figure 2: Map showing SEPP 71 – Coastal Protection area buffer to National Park (E1) across from the proposed rezoning site Rileys Hill.

Consultation

All adjoining property owners will be notified for consultation purposes following a Gateway Determination and National Parks and Wildlife Service (NPWS) will be given an opportunity to provide comment.

An initial review of the property revealed the land to be located within a required buffer distance (at 1 km), or within the 'Transition Area' of the Rileys Hill quarry. The old quarry is indicated within identified land mapping for the purpose of

section 117 Ministerial Direction as a Regional resource. The rezoning matter was immediately referred to the Department of Primary Industries (DPI – Minerals) for a response concerning the status of the potential resource as it had not been known to have been actively worked for in excess of 50 years.

An electronic correspondence received on 4 July 2017 from the Senior Geoscientist – Land Use Assessment, Division of Resources and Geoscience stated: “We do not have any information that the resource at this site is likely to be extracted in the future.” A 1 km influence buffer to the site of past quarrying activity includes the land proposed for rezoning.

It is expected that a Gateway Determination will require consultation with the following agencies:

- DPI - Minerals (Land Use Assessment). A more formal response requested to verify there will be no future potential impact from the Rileys Hill quarry site.
- OEH - referral to verify vegetation (as subject to new Biodiversity Assessment) for residual vegetation on site, National Parks and Wildlife Service, Cultural Heritage and for comment concerning flooding, and
- RFS - for potential bushfire requirements for residential development on the site.
- DoPE - Department of Planning and Environment – referral to seek advice as to whether the proposal is required to provide a Masterplan pursuant to the current SEPP 71 – Coastal Protection, or as otherwise required under the soon to be legislated Coastal SEPP. The lower portion of the property, Lot 100 DP1201719 is mapped to be within SEPP 71 area possibly due to the proximity to the National Park across Hills Road from the proposal site (see Figure 2).

Infrastructure – Rileys Hill

An Infrastructure Servicing Plan should be undertaken to determine what upgrades may be required over time to the existing Sewage Treatment Works and/or water supply system at Rileys Hill. The proponent may be required to enter into a voluntary agreement to enable future upgrades to treatment works and reticulated water services to provide for the increased number of lots and persons in the locality.

Conclusion

The Planning Proposal to rezone land identified for future village (Urban Growth area) in the North Coast Regional Plan from the existing RU1 – Primary Production zoning, has merit to progress through to the Department of Planning and Environment (DoPE) for a Planning Proposal Gateway Determination.

The determination will provide scope for any additional consultation and studies to progress this zone RU5 – Village rezoning. The Planning Proposal and the content of this report serve to inform the Department and LEP Panel on this rezoning proposal.



15 MATTERS FOR INFORMATION

RECOMMENDATION

Recommended that the following reports submitted for information be received and noted.

211117/13 RESOLVED (Cr Morrissey/Cr Lyons)

That the above recommendation be adopted.

FOR VOTE - All Council members voted unanimously.

15.1 COMMUNITY FINANCIAL ASSISTANCE PROGRAM

Responsible Officer:

Vaughan Macdonald (General Manager)

Report

Council allocates an amount of financial assistance each year for requests from individuals, groups and organisations seeking financial assistance. Council's Policy 1.2 Community Financial Assistance Program provides for two rounds of funding allocations each year. The policy also sets out the method of determining allocations in accordance with the strategies, eligibility and selection criteria outlined in the policy.

Council has allocated \$70,000 in the 2017/18 budget for financial assistance funding. The policy provides for two approximately equal funding rounds. There is currently \$35,000.00 worth of funding available. The first round of funding was advertised in September 2017 and Council received 21 applications.

All of the applications received have been reviewed in accordance with the policy. All 21 of the applications fit the eligibility requirements and selection criteria. Eighteen of these were able to be partially or fully funded.

In determining eligibility, consideration has been given to Council's Community Strategic Plan and the deliverables in the Delivery Program and Operational Plan, as well as eligibility requirements and selection criteria.

A Councillor Workshop was held on 8 November 2017 and applications were assessed, with the General Manager approving the allocation of funds for Section 356 Community Financial Assistance funds as indicated in the following tables under delegation from Council as resolved at Council's 15 November 2016 Ordinary Meeting.