

## Assessment Against S9.1 Ministerial Directions

Section 9.1 Direction	Applies?	Comments
<b>Focus area 1: Planning Systems</b>		
1.1 Implementation of Regional Plans	Applies	The Planning Proposal is consistent with the North Coast Regional Plan 2041 as addressed within Question 3 of this Planning Proposal.
1.2 Development of Aboriginal Land Council land	N/A	-
1.3 Approval and Referral Requirements	Applies	<p>The Gateway Determination will specify the duration and extent of public exhibition for the Planning Proposal. Pursuant to the NSW DPIE Local Environmental Plan Making Guideline (August 2023), it is expected that the Planning Proposal will be publicly exhibited for 20 working days in line with a 'standard application'.</p> <p>The Gateway Determination will also specify consultation requirements with public authorities and government agencies.</p>
1.4 Site Specific Provisions	N/A	-
1.4A Exclusion of Development Standards from Variation	N/A	-
<b>Focus area 1: Planning Systems – Place-based</b>		
1.5 Parramatta Road Corridor Urban Transformation Strategy	N/A	-
1.6 Implementation of North West Priority Growth Area Land Use and Infrastructure Implementation Plan	N/A	-
1.7 Implementation of Greater Parramatta Priority Growth Area Interim Land Use and Infrastructure Implementation Plan	N/A	-
1.8 Implementation of Wilton Priority Growth Area Interim Land Use and Infrastructure Implementation Plan	N/A	-

1.9 Implementation of Glenfield to Macarthur Urban Renewal Corridor	N/A	-
1.10 Implementation of the Western Sydney Aerotropolis Plan	N/A	-
1.11 Implementation of Bayside West Precincts 2036 Plan	N/A	-
1.12 Implementation of Planning Principles for the Cooks Cove Precinct	N/A	-
1.13 Implementation of St Leonards and Crows Nest 2036 Plan	N/A	-
1.14 Implementation of Greater Macarthur 2040	N/A	-
1.15 Implementation of the Pyrmont Peninsula Place Strategy	N/A	-
1.16 North West Rail Link Corridor Strategy	N/A	-
1.17 Implementation of the Bays West Place Strategy	N/A	-
1.18 Implementation of the Macquarie Park Innovation Precinct	N/A	-
1.19 Implementation of the Westmead Place Strategy	N/A	-
1.20 Implementation of the Camellia-Rosehill Place Strategy	N/A	-
1.21 Implementation of South West Growth Area Structure Plan	N/A	-
1.22 Implementation of the Cherrybrook Station Place Strategy	N/A	-

Focus area 2: Design and Place		
-	-	This Focus Area was blank when the Directions were made
Focus area 3: Biodiversity and Conservation		
3.1 Conservation Zones	N/A	-
3.2 Heritage Conservation	Applies	<p>The following comments are provided:</p> <ul style="list-style-type: none"> <li>○ The subject land is not identified as being an item of heritage significance nor as being located within a heritage conservation area pursuant to the Richmond Valley LEP 2012.</li> <li>○ An Aboriginal Cultural Heritage Assessment has been completed for the proposal and is contained within <b>Attachment 7</b>.</li> </ul>
3.3 Sydney Drinking Water Catchments	N/A	-
3.4 Application of C2 and C3 Zones and Environmental Overlays in Far North Coast LEPs	N/A	-
3.5 Recreation Vehicle Areas	N/A	-
3.6 Strategic Conservation Planning	N/A	-
3.7 Public Bushland	N/A	-
3.8 Willandra Lakes Region	N/A	-
3.9 Sydney Harbour Foreshores and Waterways Area	N/A	-
3.10 Water Catchment Protection	N/A	-
Focus area 4: Resilience and Hazards		
4.1 Flooding	N/A	The Richmond Valley Flood Study 2023 does not identify the land as being subject to flooding.
4.2 Coastal Management	N/A	-

4.3 Planning for Bushfire Protection	Applies	Mapped bushfire hazard is contained to the northern portion of the site. A bushfire hazard assessment has been completed and is contained within <b>Attachment 4</b> .
4.4 Remediation of Contaminated Land	Applies	<p>A preliminary contaminated land assessment has been completed and is contained within <b>Attachment 6</b>. The report concludes the following:</p> <p><i>“This report comprises a Stage 1 Preliminary Contaminated Site Investigation in respect of 70 Manifold Rd, North Casino, Lot 21 DP601461.</i></p> <p><i>The objective of this investigation is to support a planning proposal to rezone the land to an R5 – Large Lot Residential Zone and to determine if the site is appropriate for residential purposes and has not been contaminated from current or prior land uses.</i></p> <p><i>The investigations consisted of a site history review and site condition assessment to assess historical and current land uses.</i></p> <p><i>The property has previously been used for agricultural activities (livestock grazing) and residential purposes since at least 1958 but likely back several decades earlier than this. Chemical usage for extensive grazing operations is most likely to have only occurred sporadically in small amounts (e.g. weed control, pest control) for general property maintenance. Livestock treatment chemicals are likely to have been applied in the race and crush of the cattle yards.</i></p> <p><i>There was some evidence of potential pasture improvement or cropping of paddocks that had been undertaken in the past. These activities typically involve more extensive use of fertilisers and potentially pesticides and herbicides.</i></p> <p><i>The existing dwelling, garage/carport and recently demolished structures may have contained asbestos containing materials, lead paint or under slab termite treatments.</i></p> <p><i>There is only further grazing land upslope of the investigation area and no potential for stormwater run-on from other contamination sources. No visible contamination indicators were identified within or surrounding the Investigation Area at the time of site inspection. There were no cattle dip sites within 500m of the subject property.</i></p> <p><i>The likelihood of contamination and risk of harm to end users in terms of land contamination across the subject property is considered low, however individual sampling will be required from within each future building envelope at subdivision development stage to confirm contaminant levels are below the NEPM health investigation guidelines.</i></p>

		<p><i>The recommended sampling and analysis for individual lots and building envelopes at subdivision development stage is a health investigation level soil assessment for metals and pesticides (organochlorines and organophosphates). Future building envelopes located in areas where previous buildings had been demolished or material from these buildings has been spread should also be comprehensively visually assessed for traces of asbestos. If asbestos is observed the soil may also need to be tested for asbestos contamination.</i></p> <p><i>The subject property is considered suitable for the proposed rezoning to R5 Large Lot Residential with soil sampling of individual lots to be undertaken at subdivision stage to confirm the land within the building envelopes has contaminant levels below the NEPM health investigation levels."</i></p>
4.5 Acid Sulfate Soils	N/A	The land is not mapped within the RVLEP 2012 as being impacted by Acid Sulfate Soils.
4.6 Mine Subsidence and Unstable Land	N/A	-
<b>Focus area 5: Transport and Infrastructure</b>		
5.1 Integrating Land Use and Transport	Applies	<p><u><i>Improving Transport Choice</i></u> Access to and from the site will be achieved from the public road network.</p> <p>The proposal relates to a form of rural residential subdivision, and is not a typical urban residential style development in an urban area to which the Improving Transport Choice document relates. In this regard, the proposal is not inconsistent with the relevant location and design guidelines (Part 3) contained within the document 'Improving Transport Choice' with regard to housing.</p> <p><u><i>The Right Place for Business and Services</i></u> 'The Right Place for Business and Services' document relates to business and services and does not directly apply to the current Planning Proposal for rural residential development.</p>
5.2 Reserving Land for Public Purposes	N/A	-
5.3 Development Near Regulated Airports and Defence Airfields	N/A	-
5.4 Shooting Ranges	N/A	-
5.5 High Pressure Dangerous Goods Pipelines	N/A	-

Focus area 6: Housing		
6.1 Residential Zones	Applies	<p>The following comment are provided:</p> <ul style="list-style-type: none"> <li>○ The Planning Proposal involves the application of a zoning framework consistent with large lot residential zoning already existing within the immediate North Casino locality;</li> <li>○ The subject land is nearby land that has been developed for rural residential purposes within the North Casino Rural Residential Lands precinct. An established R5 Large Lot Residential zone is located to the south, west, and north west of the subject site. Following rezoning, the subdivision will support the delivery of housing options on lots with minimum lot sizes of 7,500m<sup>2</sup>.</li> <li>○ The site's location and attributes are consistent with the northerly expansion of the North Casino Rural Residential Lands precinct.</li> <li>○ The rezoning of the land for rural residential purposes will have positive social and economic effects. The development of the land for housing will assist in meeting housing supply goals identified in the Richmond Valley Growth Management Strategy. Significant community benefit associated with the proposed development will be found in the provision of additional housing to service the population needs of the Richmond Valley LGA.</li> <li>○ The proposal is responsive to and consistent with the Richmond Valley LSPS as addressed within the Planning Proposal report;</li> <li>○ The proposal is consistent with the NCRP 2041 with regards to the provision of rural residential development. The proposal accords with the Richmond Valley Local Government Narrative under the North Coast Regional Plan 2041.</li> <li>○ The lots will be required to be serviced by all necessary utility infrastructure that will be addressed at the development application stage. The lots will be self sufficient with regards to water supply for potable and fire-fighting purposes (via rainwater storage tanks), and on-site wastewater systems for the disposal of wastewaters.</li> <li>○ The development site is readily accessible and within good proximity to Casino which contains a range of community facilities together with social, commercial/retail, administrative, health, education, transport, open space/recreation (active and passive) and sporting services.</li> </ul>
6.2 Caravan Parks and Manufactured Home Estates	N/A	-
Focus area 7: Industry and Employment		
7.1 Employment Zones	N/A	-

7.2 Reduction in non-hosted short-term rental accommodation period	N/A	-
7.3 Commercial and Retail Development along the Pacific Highway, North Coast	N/A	-
<b>Focus area 8: Resources and Energy</b>		
8.1 Mining, Petroleum Production and Extractive Industries	Applies	<p><b>Justified Inconsistency</b></p> <p>Direction 8.1 applies to the Planning Proposal as it will have the effect of prohibiting extractive industries on the subject land once zoned R5.</p> <p>Given that the proposal will enable a subdivision within an established rural residential area identified within Council's strategic planning framework, the inconsistency is considered to be of minor significance. Consultation with NSW Mining, Exploration and Geoscience is expected to occur as part of the Planning Proposal assessment process.</p>
<b>Focus area 9: Primary Production</b>		
9.1 Rural Zones	Applies	<p><b>Justified Inconsistency</b></p> <p>In addressing Clause 1(a) of the Direction:</p> <ul style="list-style-type: none"> <li>The Planning Proposal seeks to rezone land zoned RU1 Primary Production to an R5 Large Lot Residential Zone.</li> </ul> <p>To address the inconsistency of Clause 1(a) in rezoning land from rural to residential, the following is submitted.</p> <ul style="list-style-type: none"> <li>The Planning Proposal is consistent with the relevant local Planning strategies as demonstrated within Question 4 of this Planning Proposal;</li> <li>The Planning Proposal is consistent with the North Coast Regional Plan 2041 as identified within Question 3 of this Planning proposal.</li> </ul> <p>Agricultural land class in regards to the subdivision has been addressed earlier. In this regard the following points are provided:</p> <ul style="list-style-type: none"> <li>The Planning Proposal does not propose to rezone State Significant farmland identified within the Northern Rivers Farmland Protection Project Final Map 2005.</li> <li>The Planning Proposal does not propose to rezone Regionally Significant farmland identified within the Northern Rivers Farmland Protection Project Final Map 2005.</li> </ul>

		<ul style="list-style-type: none"> <li>To address land use conflict and the proposed development, reference should be made to the LUCRA report prepared by Tim Fitzroy &amp; Associates contained within <b>Attachment 8</b>. The LUCRA has concluded that the risks associated with the Planning Proposal, are either minor or negligible. Based on the Planning Proposal for Lot 21 DP601461 no specific mitigation measures are proposed to mitigate potential land use conflicts.</li> </ul>
9.2 Rural Lands	Applies	<p>The Planning Proposal seeks to rezone land currently zoned RU1 Primary Production to an R5 Large Lot Residential Zone. The Planning Proposal also seeks to amend the minimum lot size to 7,500m<sup>2</sup> for the land proposed to be rezoned to R5.</p> <p>To address the requirements of sub-clauses 1 &amp; 2 in regards to rezoning land from rural to residential, and amending the minimum lot size, the following is submitted:</p> <ul style="list-style-type: none"> <li>The Planning Proposal is consistent with the Richmond Valley Growth Management Strategy, and Richmond Valley 2040 Community Strategic Plan as demonstrated within Question 4 of this Planning Proposal.</li> <li>The Planning Proposal is consistent with the NCRP 2041 as identified within Question 3 of this Planning Proposal.</li> <li>The Planning Proposal is consistent with the Richmond Valley LSPS as identified within Question 4 of this Planning Proposal.</li> <li>The Planning Proposal does not propose to rezone State Significant farmland identified within the Northern Rivers Farmland Protection Project Final Map 2005.</li> <li>The Planning Proposal does not propose to rezone Regionally Significant farmland identified within the Northern Rivers Farmland Protection Project Final Map 2005.</li> <li>The relevant site and surrounding environmental aspects, natural and physical constraints have been identified within this report and attached technical reports.</li> <li>To address land use conflict and the proposed development, reference should be made to the LUCRA report prepared by Tim Fitzroy &amp; Associates contained within <b>Attachment 8</b>. The LUCRA has concluded that the risks associated with the Planning Proposal, are either minor or negligible. Based on the Planning Proposal for Lot 21 DP601461 no specific mitigation measures are proposed to mitigate potential land use conflicts.</li> <li>The proposal maintains consistency with the already developed land within the North Casino rural residential precinct and does not fragment the surrounding agricultural landscape.</li> <li>Given the above, the future subdivision is not considered likely to adversely affect the operation and viability of existing and future rural land uses and related enterprises. Similarly, the proposal is considered to be able to</li> </ul>

		<p>satisfactorily address the provisions of Clause 5.16 of the Richmond Valley LEP 2012.</p> <ul style="list-style-type: none"> <li>• The subject land is not identified as being an item of heritage significance nor as being located within a heritage conservation area pursuant to the Richmond Valley LEP 2012.</li> <li>• An Aboriginal Cultural Heritage Assessment has been completed for the proposal and is contained within <b>Attachment 7</b>.</li> <li>• With respect to biodiversity and vegetation, reference should be made to the information provided under Question 8 of the Planning Proposal.</li> <li>• Social and economic impacts have been identified within this Planning Proposal.</li> <li>• The rezoning of the land for rural residential purposes will have positive social and economic effects. The development of the land for housing will assist in meeting housing supply goals identified in the Richmond Valley Growth Management Strategy. Significant community benefit associated with the proposed development will be found in the provision of additional housing to service the population needs of the Richmond Valley LGA.</li> <li>• The development site is readily accessible and within good proximity to Casino which contains a range of community facilities together with social, commercial/retail, administrative, health, education, childcare, transport, open space/recreation (active and passive) and sporting services.</li> <li>• Services to the development have been considered and addressed within Question 11 of this Planning Proposal.</li> <li>• The development of the land for housing will assist in addressing the implied dwelling demand identified within the Richmond Valley GMS.</li> </ul>
9.3 Oyster Aquaculture	N/A	-
9.4 Farmland of State and Regional Significance on the NSW Far North Coast	Applies	<p>The Planning Proposal does not propose to rezone State Significant farmland identified within the Northern Rivers Farmland Protection Project Final Map 2005.</p> <p>The Planning Proposal does not propose to rezone Regionally Significant farmland identified within the Northern Rivers Farmland Protection Project Final Map 2005.</p> <p>To address land use conflict and the proposed development, reference should be made to the LUCRA report prepared by Tim Fitzroy &amp; Associates contained within <b>Attachment 8</b>. The LUCRA has concluded that the risks associated with the Planning Proposal, are either minor or negligible. Based on the Planning Proposal for Lot 21 DP601461 no specific mitigation measures are proposed to mitigate potential land use conflicts.</p> <p>The Planning Proposal is consistent with the NCRP 2041.</p>