

**COPY**  
sent 5/9/16.

Date: 29 August 2016  
Our Ref: 14/227  
Your Ref: PP2016/0003

General Manager  
Richmond Valley Council  
Locked Bag 10  
CASINO NSW 2470

Attn: Mr Craig Rideout

Dear Craig,

**Re: Gateway Planning Proposal  
Reardons Lane, Swan Bay**

Thank you for the opportunity to provide a response to Council's request for additional information and our subsequent meeting at Richmond Valley Council's office in Casino. Please find below a response to the matters raised.

**1. Supply and Demand**

We have undertaken a review of the supply and demand of lot release within the Swan Bay precinct and provide the following justification and respectfully request Council continue processing the Planning Proposal. The information below has been prepared following a meeting with Richmond Valley Council Strategic Planning staff and discussions with the Proponent of the proposed development Mr Noel Newman.

As Council is aware, Table 6.2 of the Richmond River Shire Rural Residential Development Strategy implements a lot allocation of 80 lots for the first ten years between 1999 - 2009 for the Woodburn catchment district. However, further discussion with Council has identified that DUAP (Department of Urban Affairs and Planning) previously stipulated that an average 40 lot supply be available at any one time within each 5 year period.

The below estimated supply and demand projections for the next 5 year period are based on a realistic take up rate of lots within the Swan Bay precinct and has accounted for 'lead time' in which a subdivision development typically requires for the preparation, lodgement and assessment of a Development Application, construction of the subdivision and registration of the lots at the NSW Land Titles Office together with the marketing and sales period. The below projection also takes into account lead time for the completion of the current Planning Proposal being assessed under PP2016/0003.

The projected number of lots over the next 5 year period is calculated at 42 lots which is consistent with the 40 lot average previously stipulated by DUAP. However, by the time the

current Planning Proposal has progressed through to the sale and development of the lots post the development application and registration period at the NSW LTO, it is reasonable to consider that the current supply of lots will have further dwindled due to demand.

The below table should be read in conjunction with the attached supply and demand diagram.

**Projected Supply and Demand of Lots within Swan Bay**

Area	Lots approved via a Planning Proposal/Development Application	Projected supply of lots over the next 5 years which accounts for 'lead time into the development', marketing and sales period
1	<p>Land is rezoned for 56 lots however a Development Application has not been lodged.</p> <p>NDC understands that our client Mr Noel Newman has spoken with the developer and advises that whilst the land has been rezoned, the Proponent of Area 1 intends to only likely develop 10 lots over the next few years. However, a conservative figure of 15 lots has been assumed.</p>	Assumed <b>15 lots</b>
2	<p>Area 2 has been approved for 16 lots that were registered in 2005 therefore falling within the 1st 10 year allocation of rural residential lots within the Woodburn Catchment.</p> <p>The Proponent of Area 2 Mr Noel Newman, has advised that all but 2 lots have houses constructed on them. Therefore 2 lots have been factored into this assessment.</p>	<b>2 lots</b>
3	<p>This land is owned by Noel Newman's brother and involves 14 lots. Noel has advised that it is his brother's intention to put 4 lots on the market in the first instance and 1 lot per year thereafter. Therefore 8 lots have been assumed over the next 5 years.</p>	Assumed <b>8 lots</b>
4	<p>Noel Newman's existing subdivision development approved via Development Application 2014.221 for 20 lots. Subdivision yet to be registered at the NSW Land Titles Office.</p> <p>Currently, Noel has advised that 5 lots have been sold off the plan and 3 more have interested buyers. Based on this scenario, and discussion with the developer it is reasonable to assume</p>	Assumed <b>5 lots</b>

	<p>that 15 lots could be sold and developed over the next 1-3 years.</p> <p>Accordingly 5 lots have been factored into this assessment at the time the lots subject to the current Planning Proposal PP2016/0003 become available for development post the development application and registration period at the NSW LTO.</p>	
5	<p>Current Planning Proposal being assessed under PP2016/0003 for 76 lots.</p> <p>The Proponent Noel Newman has indicated that he intends on staging the construction of the subdivision which will involve 10 - 12 lots in the first stage which could occur 1.5 - 2 years post Development Application lodgement. Therefore 12 lots have been factored into this assessment once the marketing and sales period are taken into account.</p>	Assumed <b>12 lots</b>
6	<p>It is understood that this area involves 14 lots however we are advised by Council this is a 'sleeper' development and is therefore not included within the supply and demand calculation.</p>	Assumed <b>Nil.</b>
<b>Assumed Total</b>		<b>42 Lots</b>

Based on the above estimated supply and demand projection of lots within Swan Bay over the next 5 year period, it is considered appropriate for Richmond Valley Council to continue processing the Planning Proposal in the manner presented. In this regard, the estimated projected supply is calculated at 42 lots which is consistent with the 40 lot average previously stipulated by DUAP. Importantly as submitted above, by the time the current Planning Proposal has progressed through to the sale and development of the lots post the development application and registration period at the NSW LTO, the current supply of lots will have further dwindled due to demand.

**Point 1 Agricultural Assessment**

The Proponent will engage an Agricultural Consultant to address the agricultural matter raised by Council. This report will be submitted to Council under separate cover.

**Point 2 Amended Zoning Plan**

Enclosed is an amended split zoning plan identifying the R5 - Large Lot Residential zone and RU1 - Primary Production zone which aligns with the 1 in 100 year flood level.

To justify having parts of the lots located over both the R5 and RU1 zone, the following points of justification are provided:

- The extension of lots into the RU1 zone provides acreage to those lots within the subdivision. The creation of larger acreage lots provides a good variety of lot sizes within the estate in conjunction with smaller sized lots which is considered to improve the viability and marketability with regard to future sale of the lots. The mix of lot sizes will accommodate different user requirements and preferences of future land owners.
- The viability of the land will be realised through siting future dwellings within the lots on land located above the 1 in 100 year flood line in accordance with Council's flood controls.

**Point 3 On-site Wastewater**

The Proponent will consider the engagement of a suitable on-site wastewater consultant upon receiving confirmation from Richmond Valley Council that the Planning Proposal has satisfied the lot supply and demand matter, and the other matters raised by Council.

The aim of preparing this wastewater assessment will be to justify that future lots ranging between 5,000m<sup>2</sup> and 1 hectare still have capacity to support on-site wastewater management systems.

As per justification provided above under point 2, the creation of these smaller sized lots below 1 hectare affords a greater variety and mix of lot sizes which will improve the marketability of future land sales. The development will accommodate different user requirements and preferences of future land owners who wish to own smaller rural residential sized lots without the burden of having to maintain larger acreage sized lots greater than 1 hectare.

**Point 4 Reduced Minimum Lot Size Map**

We confirm that those lots proposed with lot sizes less than 1 hectare are located above the mapped 1 in 100 year flood limit. For clarity the enclosed minimum lot size map overlays the 1 in 100 year flood limit.

**Point 5 Cultural Heritage Assessment**

An updated cultural heritage assessment can be provided post gateway determination.

Should you have any questions regarding this matter or require changes to the Planning Proposal documentation, please do not hesitate contacting Mr Damian Chapelle or Luke Fittock of this office.

Yours sincerely,

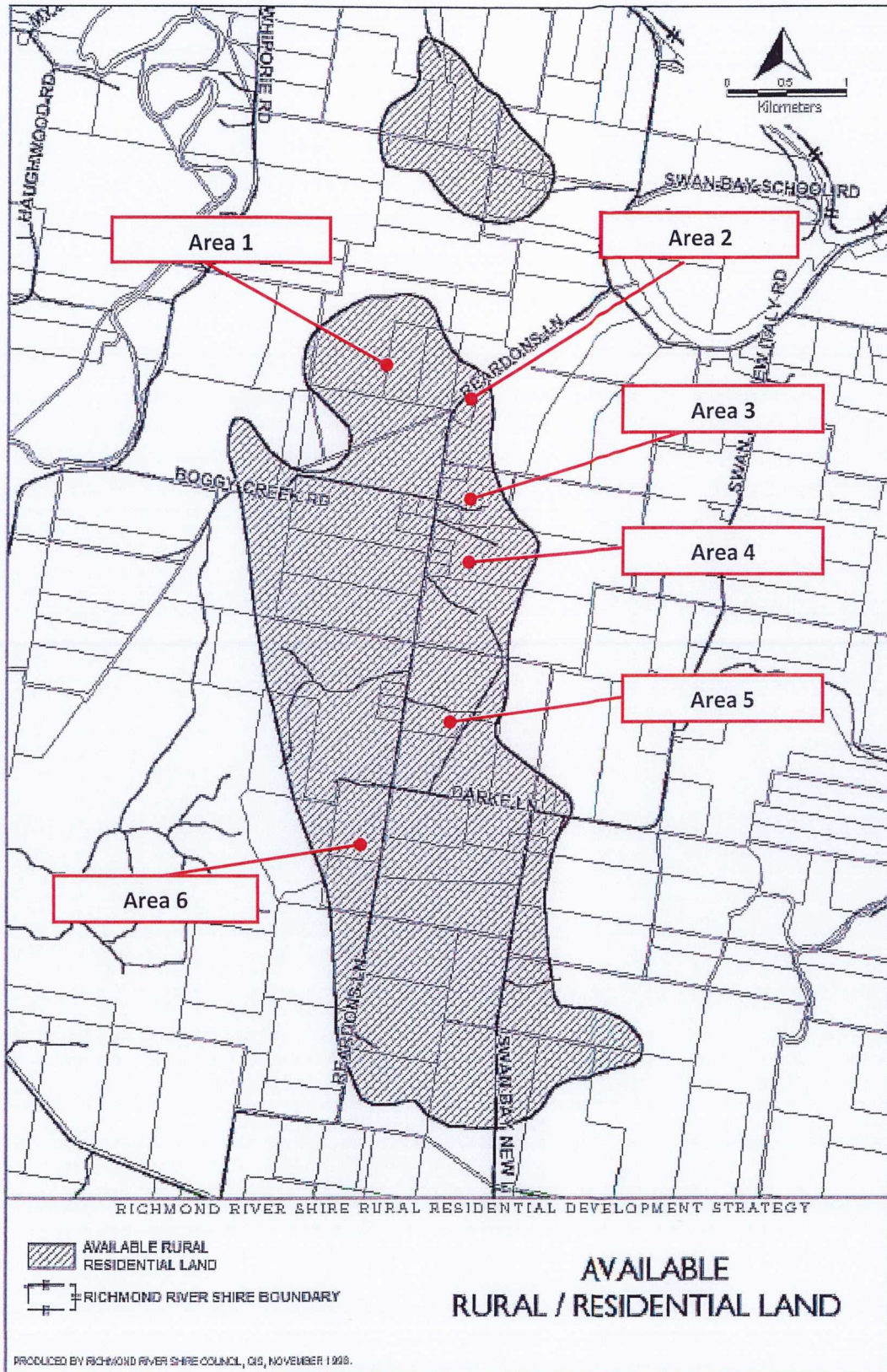
**NEWTON DENNY CHAPELLE**



**DAMIAN CHAPELLE**

Town Planner. BTP. CPP.





**Plan:** Supply and Demand Diagram

**Base Map Source:** Richmond River Shire Rural Residential Development Strategy 1999

