

# Planning Proposal



## Bangalow Industrial Estate extension

**Lot 7 DP 626084 Lismore Road Bangalow**

**Prepared for:**

John McIntosh

**Prepared by:**

Chris Pratt, Planning Resolutions

Land Use Planner

PO Box 1133

Byron Bay NSW 2481

**Phone** (02) 66859957

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## Executive Summary

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This planning proposal requests an expansion of the Bangalow Industrial Estate as was originally proposed by Council as part of the Byron Local Environmental Plan 2014.

This is a logical and obvious expansion to the industrial area in that:

- ☐ The Bangalow Industrial Estate was originally subdivided from this property and is located immediately adjoining the proposed expansion,
- ☐ There is direct access to urban services,
- ☐ The land is not constrained in terms of ecology, slope, flooding or bushfire,
- ☐ The land is relatively isolated from neighbouring residents and farmland,
- ☐ This is the only opportunity to expand the estate given surrounding land uses and flood prone land,
- ☐ There are a number of options for gaining vehicular access through the existing industrial estate,
- ☐ The existing industrial estate is full,
- ☐ There is sufficient residual land to relocate the existing weatherboard dwelling house on the lot, and
- ☐ Additional employment lands are urgently required for the increasing population.

While not specifically identified in any local or regional strategy; the justification for more employment lands is well documented in a number of local and regional strategies. The Bangalow Settlement Strategy should have specifically addressed the adequate provision of employment lands while expanding residential areas in Bangalow. This proposal provides justification for the rezoning of part of Lot 7 without the requirement for Council to prepare a local growth management strategy or separate industrial lands strategy for Bangalow. The proposal satisfies the sustainability criteria set out in the Far North Coast Regional Strategy.

This 2.7 hectare expanded area already has minimum lot size of 1000m<sup>2</sup> and a Floor Space Ratio of 0.75:1 under Byron Local Environmental Plan 2014; ready for the industrial use of the land.

It is requested that Council request in the Gateway submission to the Department:

- a. a determination that no further studies are required prior to placing the Planning Proposal on public exhibition,
- b. consultation with Road and Maritime Services during public exhibition, and
- c. an exhibition period for the Planning Proposal of 28 days.

# Table of Contents

|                                                                                                                                                                                                              |           |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------|
| <b>PRELIMINARY</b>                                                                                                                                                                                           | <b>5</b>  |
| A Background .....                                                                                                                                                                                           | 5         |
| B The Land .....                                                                                                                                                                                             | 5         |
| <b>OBJECTIVES OR INTENDED OUTCOMES</b>                                                                                                                                                                       | <b>14</b> |
| 1.1 Objectives or Intended Outcomes .....                                                                                                                                                                    | 14        |
| <b>EXPLANATION OF PROVISIONS</b>                                                                                                                                                                             | <b>15</b> |
| 2.1 Amendment of Byron LEP 2014 .....                                                                                                                                                                        | 15        |
| <b>JUSTIFICATION</b>                                                                                                                                                                                         | <b>16</b> |
| 3.1 Justification .....                                                                                                                                                                                      | 16        |
| 1 Is the planning proposal a result of any strategic study or report? .....                                                                                                                                  | 16        |
| 2 Is the planning proposal the best means of achieving the objectives or intended outcomes, or is there a better way? .....                                                                                  | 21        |
| 3 Is the planning proposal consistent with the objectives and actions of the applicable regional or sub-regional strategy (including the Sydney Metropolitan Strategy and exhibited draft strategies)? ..... | 21        |
| 4 Is the planning proposal consistent with the local council's local strategy or other local strategic plan? .....                                                                                           | 21        |
| 5 Is the planning proposal consistent with applicable State Environmental Planning Policies? .....                                                                                                           | 21        |
| 6 Is the planning proposal consistent with applicable Ministerial Directions (s.117 directions)? .....                                                                                                       | 21        |
| 7 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? .....               | 22        |
| 8 Are there any other likely environmental effects as a result of the planning proposal and how are they proposed to be managed? .....                                                                       | 23        |
| 9 How has the planning proposal adequately addressed any social and economic effects? .....                                                                                                                  | 23        |
| 10 Is there adequate public infrastructure for the planning proposal? .....                                                                                                                                  | 23        |
| 11 What are the views of State and Commonwealth public authorities consulted in accordance with the gateway determination? .....                                                                             | 23        |
| <b>MAPPING</b>                                                                                                                                                                                               | <b>24</b> |
| 4.1 Current zoning .....                                                                                                                                                                                     | 24        |
| 4.2 Proposed zoning .....                                                                                                                                                                                    | 24        |
| <b>COMMUNITY CONSULTATION</b>                                                                                                                                                                                | <b>27</b> |
| 5.1 Community Consultation .....                                                                                                                                                                             | 27        |
| <b>PROJECT TIMELINE</b>                                                                                                                                                                                      | <b>28</b> |
| 6.1 Project Timeline .....                                                                                                                                                                                   | 28        |

## List of Plans

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|        |                                   |    |
|--------|-----------------------------------|----|
| Plan 1 | Site Locality Plan.....           | 6  |
| Plan 2 | Site Context .....                | 7  |
| Plan 3 | Air Photo Looking East.....       | 8  |
| Plan 4 | Air Photo Looking South East..... | 9  |
| Plan 5 | Flood Planning Area Map .....     | 10 |
| Plan 6 | Relevant Byron LEP 2014 maps..... | 25 |
| Plan 7 | Proposed Zone IN1 .....           | 26 |

## List of Appendices

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|   |                                                                                                |
|---|------------------------------------------------------------------------------------------------|
| A | Deposited Plan                                                                                 |
| B | State Environmental Planning Policy, Regional Strategy and Section 117<br>Direction Checklists |
| C | Letters from two landowners in Bugam Place re access from Bugam Place                          |

# Preliminary

## A Background

This planning proposal has been drafted in accordance with Section 55 of the Environmental Planning and Assessment Act, 1979 and the Department of Planning and Infrastructure's "A guide to preparing planning proposals" (October 2012). A gateway determination under Section 56 of the Act is requested.

Council at its meeting held on 8 August 2013 resolved in part:

**13-371 Resolved** that in relation to the draft Byron LEP 2012 Council adopt the following that was discussed during Committee:

*23. Amend proposed zoning of the eastern part of Lot 7 DP 626084 (204 Lismore Road, Bangalow) from RU1 Primary Production to IN1 General Industrial as illustrated in Map 16 tabled at this meeting.*

Subsequently on 31 October 2013, Council endorsed the Draft Byron LEP 2013 to be sent to the then NSW Department of Planning and Infrastructure for their review prior to legalising the Plan. The plan sent to the Department included this zoning extension to the Bangalow Industrial Estate. This proposed zoning was removed by the Department of Planning & Environment prior to finalisation of the LEP.

In discussions with Mr Clark from the Department of Planning & Environment it seems that the primary reasons for removal of the proposed zoning change from the LEP was the lack of public exhibition of the change and the lack of consultation with the Road and Maritime Services. It also appears that not all of the information submitted to Council by the landowner was readily available to the Department of Planning & Environment when making their decision.

While the industrial zoning extension has been removed from the zoning map the extended area (approximately 2.7 ha) proposed by Council appears on the Lot Size Map (1000 sqm) and Floor Space Ratio Map (0.75:1). This simplifies the LEP amendment process.

## B The Land

Lot 7 DP626084 - 204 Lismore Road, Bangalow comprises a triangular parcel of land that immediately adjoins the existing Bangalow Industrial Estate and is bounded by the Lismore Road (Road B62) and the abandoned Murwillumbah Branch Railway Line. Lot 7 has an area of 5.02 ha. Lot 7 was created in 1982 when Byron Shire Council subdivided the original holding into two lots (Lot 6) to create the Bangalow Industrial Estate. **Appendix A** includes a copy of that deposited plan. Lot 7 currently contains an existing weatherboard dwelling house with direct access from the Lismore Road.

## Planning Resolutions

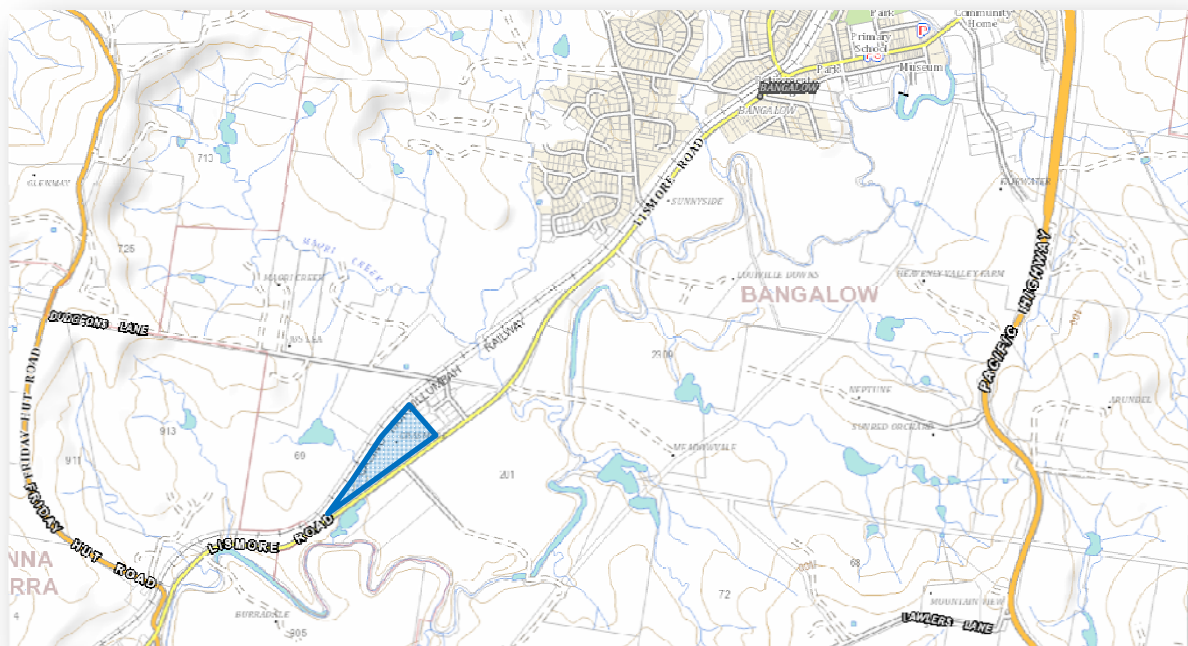
The land around the existing dwelling house and between the dwelling house and existing industrial area is essentially flat. The land to the south of the dwelling has moderate slopes but would be easily adapted for industrial use.

Most of the land is pasture with planted trees around the existing dwelling house. Many of the trees located on the boundaries of the land are Camphor Laurels.

**Plan 1** is a locality plan. **Plan 2** is an aerial photograph of Lot 7 indicating the position of the land in relation to adjoining land uses. The Bangalow Sewerage Treatment Plant (STP) is located to the north off Dudgeons Lane. The nearest neighbouring dwelling house is on Lismore Road opposite the land. This dwelling house is associated with an existing landscape supply business. The next nearest dwelling is along Slattery's Lane to the south west. This dwelling is about 190 metres from the land. The noise from Lismore Road would have a greater noise impact on these two dwellings than the expanded industrial area. The land is well screened from these dwellings.

There is a dwelling house off Dudgeons Lane opposite the STP. The expanded industrial area would be no closer to this dwelling than the existing industrial area.

### Plan 1 Site Locality Plan



Source: <http://maps.google.com.au/maps>

**Plans 3 & 4** are oblique aerial photographs of the site looking to the north east towards Bangalow and to the south west. **Plan 4** shows the approximate area of the proposed industrial zone extension.

## Plan 2 Site Context

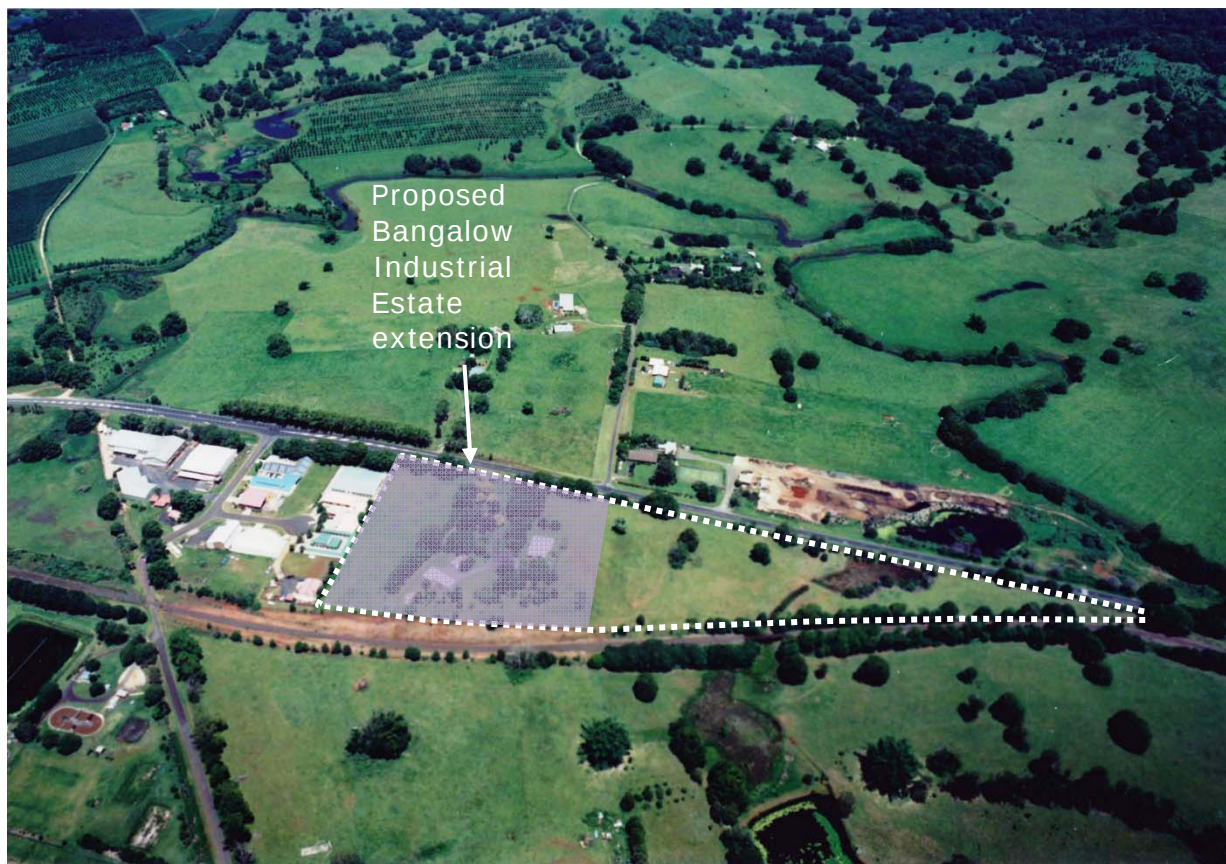


Source: Department of Lands web maps: <https://six.lands.nsw.gov.au> (17 September 2014)

Plan 3 Air Photo Looking East



Plan 4 Air Photo Looking South East

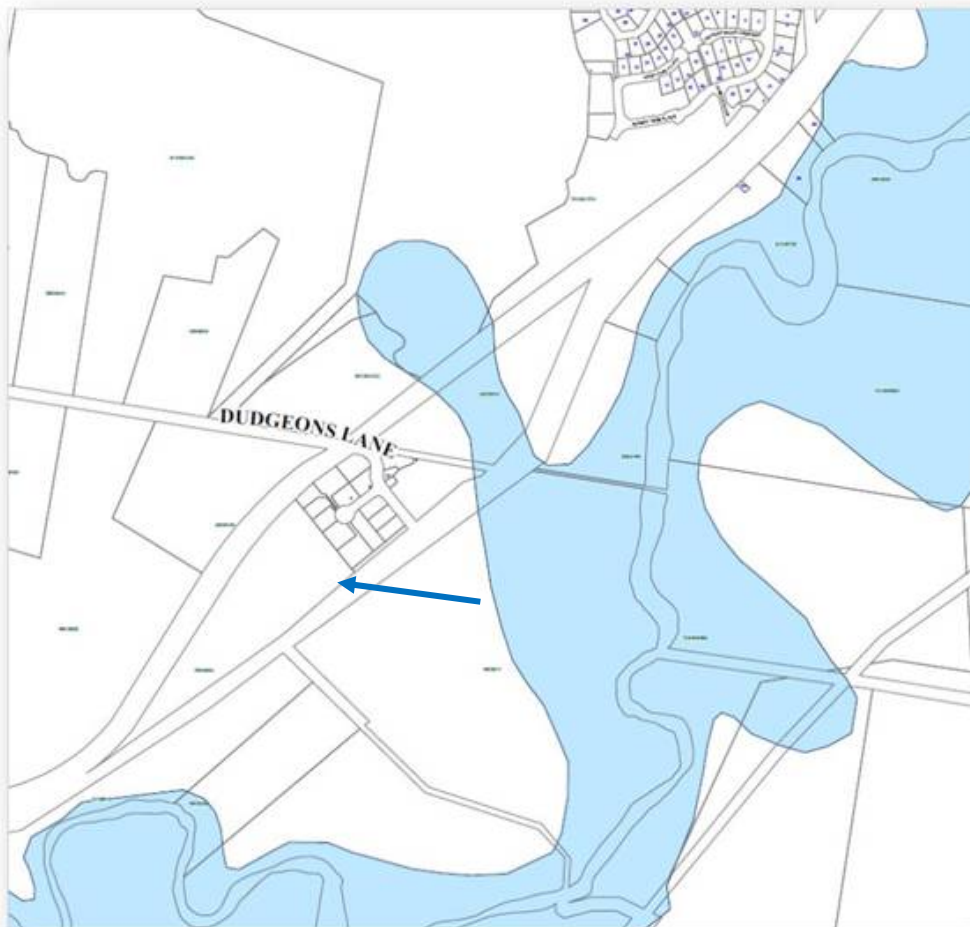


## Planning Resolutions

**Plan 5** below is an extract from Council's flood planning map which indicates that Lot 7 is not affected by flooding. The land is not identified as bushfire prone land.

This is the only direction that the estate can viably expand due to flood liable land, the Lismore Road to the south east and the Bangalow STP to the north. The property is visually screened by existing vegetation from the Lismore Road.

### Plan 5 Flood Planning Area Map



Source: Exhibited Byron Draft LEP 2012

Lot 7 is identified as farmland of regional significance on the Far North Coast Farmland map. The land is an existing rural residential holding of only 5 hectares. The land is far too small to be able to accommodate a viable agricultural enterprise. The railway corridor and the Lismore Road constrain any opportunity to increase the land area to create a viable agricultural land unit.

The subject property is physically capable for light industrial landuse and particularly locationally suitable. The site should be seen as committed urban land.

## Planning Resolutions

In terms of road access while Lot 7 has an existing access from the Lismore Road. The owner of Lot 7 has been negotiating alternative access to the land from Bugam Place in the existing industrial area to avoid direct access onto the Lismore Road. **Appendix C** contains letters from two landowners in Bugam Place indicating a willingness to provide access from Bugam Place through their land to Lot 7. The access would easily be achieved by the removal of the single storey yellow factory unit to the left of the centre of the cul de sac as shown in the photo below. The access could be further facilitated by the landowner undertaking a lot boundary adjustment with the industrial neighbour to compensate for land lost for the access to the expanded industrial estate.



There is sufficient land to the west of planned expanded industrial estate to relocate the existing weatherboard dwelling house on the land.



Likely access point from the industrial area to the land



The rear of the industrial area from the land



The flat area between the existing industrial area and the house



Area for relocation of the existing dwelling house beyond the planned industrial area extension

## Objectives or Intended Outcomes

### 1.1 Objectives or Intended Outcomes

The objective of the Planning Proposal is to rezone part of the land to *IN1 General Industrial* to enable the expansion of the existing industrial area.

## Explanation of Provisions

### 2.1 Amendment of Byron LEP 2014

The objective of the proposal will be achieved by amending the Byron Local Environmental Plan 2014 to rezone part of the land to *IN1 General Industrial*. The area will match the areas shown on the FSR and Lot Size Maps. This is an area of approximately 2.7 hectares.

This will be achieved by amending map 1350\_COM\_LZN\_003A\_040\_20140311.

## Justification

### 3.1 Justification

Within this Section justification is provided for the planning proposal in accordance with a standard set of specific questions set out in the Department of Planning and Environment's "A guide to preparing planning proposals" (October 2012).

#### Section A - Need for the planning proposal.

##### 1 Is the planning proposal a result of any strategic study or report?

###### **Demand for employment lands**

There are a number of regional strategies and plans that identify the ongoing demand and need for planning for employment lands as part of the industry and economic strategies within the region.

*Northern Rivers Regional Industry and Economic Plan 2006 (updated)*

The Northern Rivers RIEP identifies that the future of industry and economic development in the region is determined by a number of factors including:

- ☐ The Northern Rivers region's future population.
- ☐ The region's labour force participation rate and how it will change as the economy of the Northern Rivers region matures.
- ☐ The unemployment rate – what is a reasonable target given the likely make-up of the region's population and the economy in the future?
- ☐ The level of employment self-sufficiency (i.e. jobs located in the Northern Rivers region as a proportion of residents employed).
- ☐ The split between jobs driven by population growth and jobs in the 'driver' sectors of the Northern Rivers regional economy.

Importantly the Northern Rivers RIEP identifies a number of key drivers within the region, apart from population growth, that require support including:

- ☐ Encouraging industry clusters
- ☐ Supporting local supply connections

## Planning Resolutions

The Northern Rivers Regional Industry and Economic Plan (RIEP) identifies that the Northern Rivers Region will require some 68,000 full time equivalent jobs, between 2006 and 2031, as the population grows. Of these, some 18,500 jobs will likely need to be derived from growth in export (out of region) based enterprise rather than population driven activity (e.g. education, retail, personal services).

The physical provision of land close to existing industrial lands would appear to be a continuing regional priority. The industrial area is also ideally located on the link road between Lismore and the coast/Pacific Hwy.

### *Far North Coast Regional Strategy*

The Far North Coast Regional Strategy adopted by the NSW State Government in December 2006 identified:

*The projected population increase of 60,400 from 2006 to 2031 has the potential to lead to 32,500 new jobs. Around 23,500 of these new jobs will be linked to service and construction industries, with the remainder export-driven employment. This anticipated employment growth translates to a need for about 156 hectares of additional industrial land and about 76 hectares of additional commercial land (a total of 232 hectares).*

*Councils should plan for future industrial needs within existing urban areas and take into account economic markets, South East Queensland pressures for employment lands, lifestyle opportunities, and transport improvements within and from the Region. Certain industries will need to be located away from existing urban centres due to their type, scale and nature. Councils will address this need through their Local Growth Management Strategies.*

The Regional Strategy specifically supports the utilisation of existing vacant commercial and industrial land, where appropriate to the proposed use, prior to the release of further lands. The Strategy further provides that .....*"Any future development proposals on greenfield sites in the non-coastal area located outside of the Town and Village Growth Boundaries are subject to satisfying the Sustainability Criteria (Appendix 1)".* This Sustainability Criteria was developed specifically for proposals such as this proposal; to provide flexibility in the regional strategy process. The Sustainability Criteria has been addressed in Table 4 to Appendix B.

In the case of the Bangalow Industrial Area Council has identified, as early as 2007, that the industrial estate at Bangalow had reached full capacity. This is further discussed below.

**Importantly the Regional Strategy requires that Councils identify sufficient new commercial and industrial land to match the needs of the growing economy.**

### *Settlement Planning Guidelines August 2007 - Mid and Far North Coast Regional Strategies*

These guidelines identify in respect of employment lands:

## Planning Resolutions

*Industrial land should be made available in a variety of locations to encourage new opportunities as they arise in all major regional centres, major towns and towns. However, location and availability should recognise the linkages between employment land and: settlement areas; markets, transport and access; environmental constraints; and cost effective provision of necessary services and infrastructure.*

The regional strategies have been developed in close association with the Regional Industry and Economic Plans (RIEP), already prepared by the Northern Rivers Regional Development Board and currently being prepared by the Mid North Coast Regional Development Board.

*The Settlement Planning Guidelines August 2007 - Mid and Far North Coast Regional Strategies* is the primary regional planning policy for councils within the North Coast region. These Guidelines require that Councils prepare a local growth management strategy as the main mechanism supporting effective and integrated planning across the local government area.

Council identified in 2009 that this strategy would address the needs for future industrial and commercial land within Byron Shire. Council is yet to prepare a Local Growth Management Strategy for Byron Shire. While Council has not progressed with this strategy the planning for industrial land supply should not be deferred. This is a logical and obvious expansion to the industrial area. Clearly Council should have in 1982 acquired the entire land area of Lots 6 and 7 to properly plan for the future industrial needs of Bangalow.

To enable Council to proceed with this planning proposal the transitional arrangements under the Settlement Planning Guidelines identifies:

*Any current local settlement strategy that has been approved by the Director General of the Department may be used as an interim local growth management strategy, but only to the extent that the existing strategy is consistent with the relevant regional strategy and these guidelines.*

### **Planning for future employment lands in Bangalow**

Council has already commenced local planning for employment lands in Byron Shire and Bangalow. The following strategies support the rezoning of Lot 7 for additional employment lands to service Bangalow and the wider region.

#### *Byron Shire Community Economic Development Strategy and Action Plan 2011 – 2020*

Council has prepared an Economic Development Strategy which identifies as a key priority the delivery of infrastructure and services. Council has specifically identified that: *infrastructure needs to be of a quality to support the investment of private capital in the Shire. This includes roads, water and sewerage, **fully-serviced industrial lands** and, in the case of tourism, suitable and clean public amenity (town centres, parking, toilets etc).*

Council has identified a number of key focus areas in this strategy that support the rezoning of Lot 7 for employment lands including:

- ☐ Encouraging diversity in the range of successful employment sectors while building on the strength of existing business activity to promote jobs, and
- ☐ identifying potential employment land sites for green industry

## Planning Resolutions

### *Byron Shire Industrial Lands Study*

Council has previously examined the status of industrial lands in Byron Shire in 2007. This study was prepared by Michel Boyle, Byron Shire Community Economic Development Officer in October 2007.

The study identified *that the Bangalow estate is relatively small and largely unchanged since 2000. The low level of development is largely explained by capacity constraints at the local sewerage treatment plant. Those constraints are scheduled to be lifted in early 2008.*

This study included a profile of the Industrial Estate at Bangalow identified below.

### **Appendix 1 – Profile of the Bangalow Industrial Estate**

| Land Details        | Developed and Occupied |                    | Developed and Vacant |                  | Area not Developed (ha) | Total Area (ha)   |
|---------------------|------------------------|--------------------|----------------------|------------------|-------------------------|-------------------|
|                     | Area (ha)              | No. of Lots        | Area (ha)            | No. of Lots      |                         |                   |
|                     | 2.0                    | 11                 | 0.7                  | 6                | 0                       | 2.7               |
| Lot Sizes           | Smallest Area m²       |                    | Largest Area m²      |                  | Average Area m²         |                   |
|                     | 225                    |                    | 8427                 |                  | 1590                    |                   |
| Zoning              | Zone                   |                    |                      | Zone Name        |                         |                   |
|                     | 4(a)                   |                    |                      | Industrial       |                         |                   |
| Services            | Water Supply           | Sewerage           | Power                | Trade Waste      | Communications          |                   |
|                     | Yes                    | Yes                | Yes                  | Yes              | Yes                     |                   |
| Physical Attributes | Potential Contam'd     | Enviro Significant | Flooding             | Site Slope < 7%  | Site Slope > 7%         | Other Constraints |
|                     | No                     | No                 | No                   | 100%             | 0%                      | No                |
| Access              | Arterial Roads         | Rail Terminal      | Airport              | Labour Force     | Retail Facilities       |                   |
|                     | Lismore Rd 0.5km       | Casino 56km        | Ballina 20km         | Region/ Bangalow | Region/ Bangalow        |                   |

While the rates of development were identified as low in 2007 the profile completed at that stage clearly identified that in 2007 the estate was fully occupied. With no additional land being made available the ability for this industrial estate to meet the strategic demands of Council and the local community cannot be achieved.

**As identified in this Planning Proposal the full utilisation of the estate is consistent with the requirements of the Far North Coast Regional Strategy to enable Council to justify further expansion.**

The subsequent upgrading of the Bangalow STP in 2007 and the construction of a new MBR plant sized to meet an ADWF of 850 kL/day the plant provides sufficient capacity to support the expansion of the industrial estate.

### *Bangalow Settlement Strategy (2003)*

The Bangalow Settlement Strategy (2003 Strategy) was endorsed by Council on 2 December 2003. This strategy dealt with a range of issues within Bangalow including the expansion of the village, the management of the future village interface as well as the business and economic future of the village.

While the future of the Bangalow Industrial Estate was not specifically identified in the Strategy it has acknowledged by default that the future development of the village is in fact impacted by the future of the existing industrial estate.

Firstly the vision statement within the 2003 Strategy identifies both the need for the community to live and work within the local area as well as maintaining a viable local economy. This includes continuing to support local employment opportunities both within the commercial and industrial areas of the village. For example from the 2006 ABS for Bangalow urban area:

- ❑ 49.9% of the people living in Bangalow are employed full time, 43.4% are working on a part time basis. Bangalow has an unemployment rate of 6%, and
- ❑ the main occupations of people from Bangalow are Professionals 29.1%, Managers 17%, Technicians and Trades Workers 11.4%, Clerical and Administrative Workers 10.9%, Labourers 9.5%, Community and Personal Service Workers 8.8%, Sales Workers 8.1%, Machinery Operators And Drivers 3.4%.

Secondly Council considered as a priority the need to contain the expansion of Bangalow within defined physical boundaries as well as the separation of village development from surrounding land uses. The 2003 Strategy identifies the need for *strategies to manage the village/agricultural edge*. This edge **must** also include the relationship of the village to the existing industrial estate. The types of conflicts identified for agricultural land at this village edge are no different to industrial development including noise, odour, health concerns, water, smoke, dust and ash, visual intrusion and nuisance. The existing estate is ideally located in this regard.

The 2003 strategy supported a number of extensions to the village. These village extensions were included in Byron LEP 88 (Amendment No 137) on 30 August 2010. The expected lot yield from this amendment to the LEP is approximately 150 new lots. A number of development consents have already been issued for these new residential areas. To support this strategy the extension of the industrial estate to the south-west to include Lot 7 represents a logical way to maintain the necessary employment lands to support these new village areas.

The Strategy also established clear physical constraints for future development. These constraints influence the type of and direction for, future expansion of the existing estate and included:

- ❑ the protection of prime agricultural land as a valuable resource avoiding flood liable land for new development
- ❑ avoiding slopes in excess of 20%
- ❑ avoiding contaminated or potentially contaminated lands

## Planning Resolutions

- ☐ protecting significant vegetation
- ☐ service availability and capacity
- ☐ stormwater management

In terms of these physical constraints Lot 7 meets the necessary standards to be considered as suitable for development of employment lands.

### **2 Is the planning proposal the best means of achieving the objectives or intended outcomes, or is there a better way?**

Yes. Council is yet to prepare a Local Growth Management Strategy for Byron Shire. While Council has not progressed with this strategy the planning for industrial land supply should not be deferred. This is a logical and obvious expansion to the industrial area. Clearly Council should have in 1982 acquired the entire land area of Lots 6 and 7 to properly plan for the future industrial needs of Bangalow.

## **Section B - Relationship to strategic planning framework.**

### **3 Is the planning proposal consistent with the objectives and actions of the applicable regional or sub-regional strategy (including the Sydney Metropolitan Strategy and exhibited draft strategies)?**

See the detailed response in Section A1 above.

### **4 Is the planning proposal consistent with the local council's local strategy or other local strategic plan?**

See the detailed response in Section A1 above.

### **5 Is the planning proposal consistent with applicable State Environmental Planning Policies?**

The proposal is consistent with applicable SEPPs. – refer to the checklist against these policies at **Appendix B**.

### **6 Is the planning proposal consistent with applicable Ministerial Directions (s.117 directions)?**

The proposal is consistent with applicable Section 117 Directions except for Directions 1.1 and 5.1 – refer to the checklist against these Directions in **Appendix B**.

**Direction 1.1** provides in part:

*A planning proposal must:*

*(e) ensure that proposed new employment areas are in accordance with a strategy that is approved by the Director-General of the Department of Planning.*

Firstly the inconsistency is justified in that the Planning Proposal is consistent with the objectives of the Direction. The objectives provide:

*(1) The objectives of this direction are to:*

*(a) encourage employment growth in suitable locations,*

## Planning Resolutions

The success of the industrial area location is signified by the fact that the estate has been completely developed since 2007. This proposal builds on that existing estate. The original estate establishment should have included this land.

*(b) protect employment land in business and industrial zones, and*

The existing estate is protected. This is the only direction that the estate can viably expand due to flood liable land, the Lismore Road to the south east and the Bangalow STP to the north.

*(c) support the viability of identified strategic centres.*

The viability of the existing industrial centre will be reinforced by the planned expansion.

Subclause 5 provides in part that an inconsistency may be justified where:

*(b) justified by a study (prepared in support of the planning proposal) which gives consideration to the objective of this direction, or*

*(d) of minor significance.*

Pursuant to Subclause 5(b) the inconsistency has been justified by reference to extensive strategies and studies that support further employment lands. The extension is also of minor significance in terms of Subclause 5(d).

**Direction 5.1** provides in part:

*(4) Planning proposals must be consistent with a regional strategy released by the Minister for Planning.*

Subclause 5 provides in part that an inconsistency may be justified where:

*the extent of inconsistency with the regional strategy:*

*(a) is of minor significance, and*

*(b) the planning proposal achieves the overall intent of the regional strategy and does not undermine the achievement of its vision, land use strategy, policies, outcomes or actions.*

As setout above the extension of this industrial estate is entirely logical. The land is suitable both in terms of location and site attributes, the existing estate is full, additional employment lands are required for the growing population and this is the only opportunity to expand the estate.

## Section C - Environmental, social and economic impact.

### **7 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?**

No. The land has been extensively used for cattle grazing as part of the rural residential occupation of the land.

## Planning Resolutions

### **8 Are there any other likely environmental effects as a result of the planning proposal and how are they proposed to be managed?**

The industrial area expansion will be connected to the sewer. Additionally there is sufficient land to provide an adequate stormwater management system to ensure the nearby creek is not polluted. There is also adequate area to ensure the estate expansion can be screen with new plantings when viewed from the south, west and north.

### **9 How has the planning proposal adequately addressed any social and economic effects?**

Economically and socially the estate will have a positive impact providing for local employment. Utilisation of the existing services and facilities is in the public interest.

## **Section D - State and Commonwealth interests.**

### **10 Is there adequate public infrastructure for the planning proposal?**

The land can be fully serviced by extending sewer, water, electricity services and telephone service from the adjoining industrial estate.

There is sufficient area on Lot 7 to provide a separate stormwater management system to the south west.

The proposed industrial estate extension would be developed utilising the existing intersection from the Lismore Road. This intersection has both acceleration and deceleration lanes.

### **11 What are the views of State and Commonwealth public authorities consulted in accordance with the gateway determination?**

Road and Maritime Services would be consulted during the public exhibition of the Planning Proposal. The zoning occurs on the understanding that access to the land **must** be via the existing industrial estate.

#### 4.1 Current zoning

The land is currently within *RU1* under the provisions of *Byron Local Environmental Plan 2014 (Byron LEP 2014)*. The land is also mapped as follows:

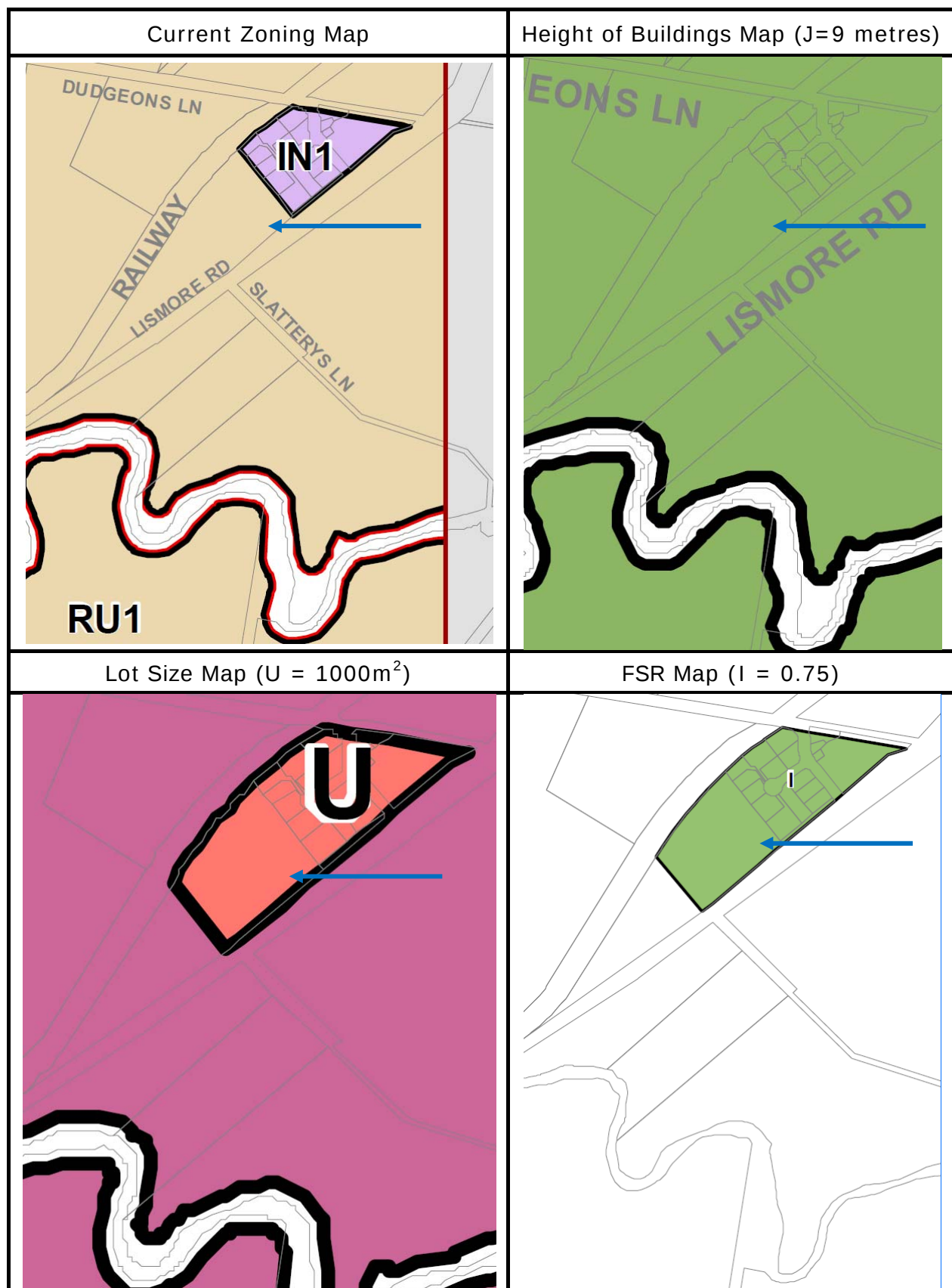
- ☐ Lot Size Map with a minimum lot size of 1000m<sup>2</sup>,
- ☐ Height of Buildings Map as maximum height of 9 metres and
- ☐ Floor Space Ratio Map with a maximum FSR of 1:0.75.

Extracts of the relevant Byron LEP 2014 maps are included in [Plan 6](#) over the page.

#### 4.2 Proposed zoning

It is proposed to rezone part of the land from *RU1 Primary Production* to *IN1 General Industrial*. [Plan 7](#) below is an extract of the plan prepared by Council for the change of zoning as part of the preparation of Byron LEP 2014.

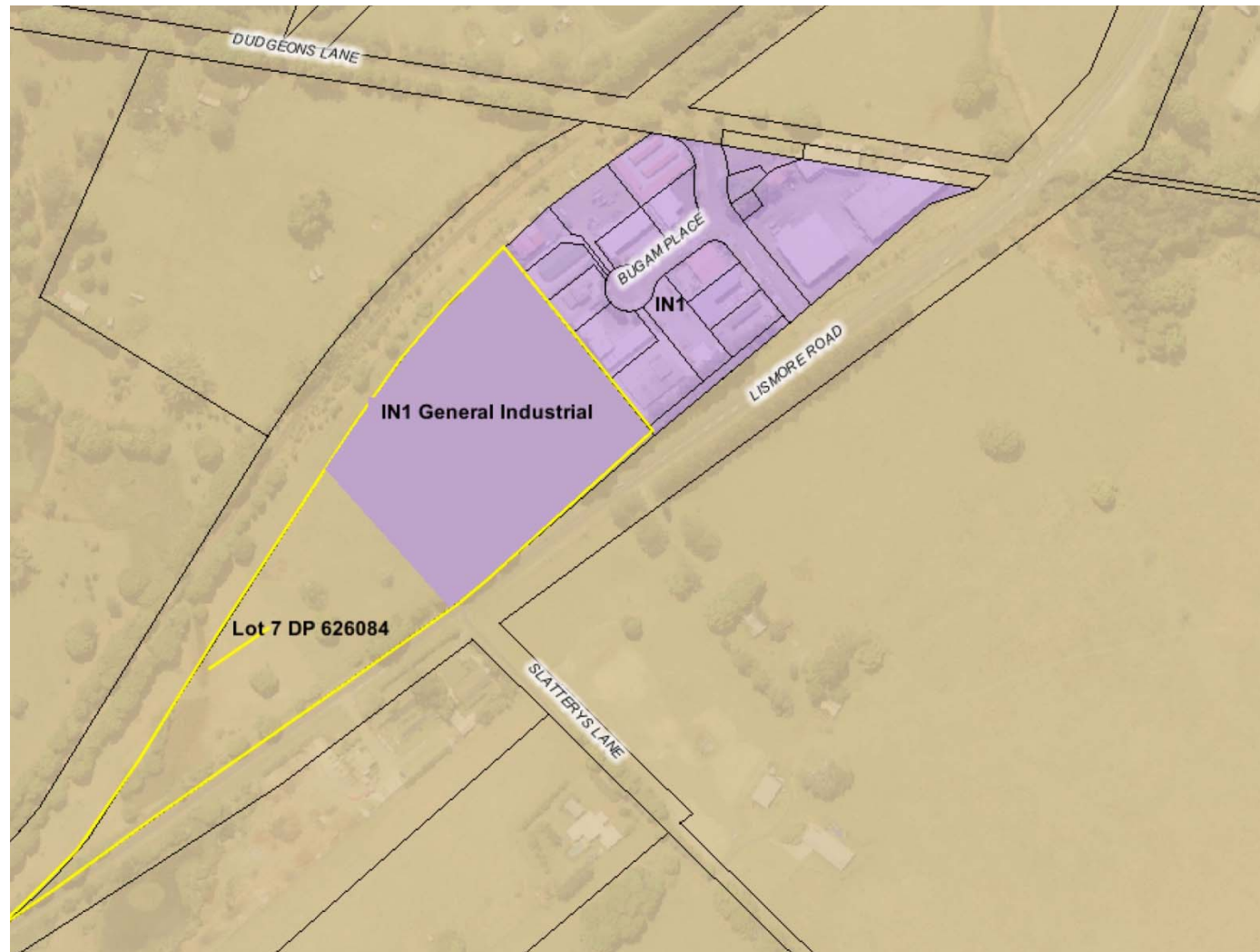
Plan 6 Relevant Byron LEP 2014 maps



Source: <http://www.legislation.nsw.gov.au>

## Planning Resolutions

### Plan 7 Proposed Zone IN1



Source: Extract of Map 16 referred to in Resolution No.13-371 -Council meeting held on 8 August 2013

## Community Consultation

### 5.1 Community Consultation

It is intended that the planning proposal be advertised for 28 days in accordance with Section 4.5 of "A guide to preparing local environmental plans". The community consultation would include writing to adjoining landowners.

A public hearing is not considered necessary.

There is sufficient information with the Planning Proposal to permit the public exhibition of the Planning Proposal. No other detailed assessments are required.

## Project Timeline

### 6.1 Project Timeline

- anticipated commencement date  
**20 April 2015**
- anticipated timeframe for the completion of required technical information  
**Not applicable**
- timeframe for government agency consultation  
**27 April 2015 to 22 May 2015 (32 days)**
- commencement and completion dates for public exhibition period  
**27 April 2015 to 18 May 2015 (28 days)**
- timeframe for consideration of submissions  
**8 June 2015**
- timeframe for the consideration of a proposal post exhibition  
**16 July 2013**
- date of submission to the department to finalise the LEP  
**Not applicable**
- anticipated date RPA will make the plan (if delegated)  
**28 August 2015**
- anticipated date RPA will forward to the Department for notification.  
**18 September 2015**

For further information, or clarification of any matter raised by this Planning Proposal, Council is requested to consult with Chris Pratt on 02 66859957.



**Chris Pratt** FPIA CPP  
Land Use Planner



# Appendix

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# A

## Deposited Plan



## Appendix

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# B

## State Environmental Planning Policy and Sec 117 Direction Checklists

**Table 1: Consideration of State Environmental Planning Policies**

| No. | SEPP Title                                                                                              | Applicable to Planning Proposal                                                                                                                                                                          | Consistency    |
|-----|---------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------|
| 1   | State Environmental Planning Policy – Development Standards                                             | Not applicable.                                                                                                                                                                                          | Not applicable |
| 14  | State Environmental Planning Policy – Coastal Wetlands                                                  | No coastal wetlands have been identified on the land                                                                                                                                                     | Not applicable |
| 15  | State Environmental Planning Policy – Rural Land sharing Communities                                    | Not applicable                                                                                                                                                                                           | Not applicable |
| 19  | State Environmental Planning Policy – Bushland in Urban Areas                                           | Not applicable                                                                                                                                                                                           | Not applicable |
| 21  | State Environmental Planning Policy – Caravan Parks                                                     | Not applicable                                                                                                                                                                                           | Not applicable |
| 26  | State Environmental Planning Policy – Littoral Rainforests                                              | No littoral rainforest has been identified on the land                                                                                                                                                   | Not applicable |
| 30  | State Environmental Planning Policy – Intensive Agriculture                                             | Not applicable                                                                                                                                                                                           | Not applicable |
| 32  | State Environmental Planning Policy – Urban Consolidation (Redevelopment of Urban Land)                 | Not applicable                                                                                                                                                                                           | Not applicable |
| 33  | State Environmental Planning Policy – Hazardous & Offensive Industry                                    | Not applicable                                                                                                                                                                                           | Not applicable |
| 36  | State Environmental Planning Policy – Manufactured Home Estate                                          | Not applicable                                                                                                                                                                                           | Not applicable |
| 44  | State Environmental Planning Policy – Koala Habitat Protection                                          | The land is mostly clear and doesn't contain the required density of Koala feed trees                                                                                                                    | Consistent     |
| 47  | State Environmental Planning Policy – Moore Park Showground                                             | Not applicable                                                                                                                                                                                           | Not applicable |
| 50  | State Environmental Planning Policy – Canal Estate Development                                          | Not applicable                                                                                                                                                                                           | Not applicable |
| 52  | State Environmental Planning Policy – Farm Dams and Other Works in Land and Water Management Plan Areas | Not applicable                                                                                                                                                                                           | Not applicable |
| 55  | State Environmental Planning Policy – Remediation of Land                                               | The land has been used for cattle grazing. Industrial land is not a sensitive land use. A detailed SEPP 55 land contamination assessment can be undertaken as part of any future development assessment. | Consistent     |
| 59  | State Environmental Planning Policy – Central Western Sydney Regional Open Space and Residential        | Not applicable                                                                                                                                                                                           | Not applicable |
| 62  | State Environmental Planning Policy – Sustainable Aquaculture                                           | Not applicable                                                                                                                                                                                           | Not applicable |
| 64  | State Environmental Planning Policy – Advertising & Signage                                             | Not applicable                                                                                                                                                                                           | Not applicable |
| 65  | State Environmental Planning Policy – Design Quality of Residential Flat Development                    | Not applicable                                                                                                                                                                                           | Not applicable |
| 70  | State Environmental Planning Policy – Affordable Housing (Revised Schemes)                              | Not applicable                                                                                                                                                                                           | Not applicable |
| 71  | State Environmental Planning Policy – Coastal Protection                                                | Not applicable                                                                                                                                                                                           | Not applicable |
|     | State Environmental Planning Policy (Affordable Rental Housing) 2009                                    | Not applicable                                                                                                                                                                                           | Not applicable |
|     | State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004                         | Not applicable                                                                                                                                                                                           | Not applicable |
|     | State Environmental Planning Policy (Exempt & Complying Development Codes) 2008                         | Not applicable                                                                                                                                                                                           | Not applicable |
|     | State Environmental Planning Policy (Housing for Seniors & People with a Disability) 2004               | Not applicable                                                                                                                                                                                           | Not applicable |
|     | State Environmental Planning Policy (Infrastructure) 2007                                               | Adequate services can be provided to the land by extending services from the adjoining industrial estate.                                                                                                | Consistent     |
|     | State Environmental Planning Policy (Kosciuszko National Park – Alpine Resorts) 2007                    | Not applicable                                                                                                                                                                                           | Not applicable |
|     | State Environmental Planning Policy (Major Development) 2005                                            | Not applicable                                                                                                                                                                                           | Not applicable |
|     | State Environmental Planning Policy (Mining, Petroleum Production & Extractive                          | Not applicable                                                                                                                                                                                           | Not applicable |

| No. | SEPP Title                                                                 | Applicable to Planning Proposal                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | Consistency    |
|-----|----------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------|
|     | Industries)<br>2007                                                        |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                |
|     | State Environmental Planning Policy (Penrith Lakes Scheme) 1989            | Not applicable                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | Not applicable |
|     | State Environmental Planning Policy (Rural Lands) 2008                     | <p>The SEPP requires that before granting consent the consent authority must consider any impacts the development will have on other uses in the locality including development of residential land adjoining rural lands.</p> <p>When considering an application to which this clause of the SEPP applies the council should have regard to current and emerging trends in agriculture, including current trends to transition from extensive agriculture to intensive agriculture such as horticulture and intensive livestock in some locations.</p> <p>Given the adjoining industrial estate, the separation due to the main road and railway line, small land size and the proximity of the STP the land should be viewed as committed urban land.</p> | Consistent     |
|     | State Environmental Planning Policy (SEPP 53 Transitional Provisions) 2011 | Not applicable                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | Not applicable |
|     | State Environmental Planning Policy (State and Regional Development) 2011  | Not applicable                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | Not applicable |
|     | State Environmental Planning Policy (Sydney Drinking Water Catchment) 2011 | Not applicable                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | Not applicable |
|     | State Environmental Planning Policy (Sydney Region Growth Centres)<br>2006 | Not applicable                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | Not applicable |
|     | State Environmental Planning Policy (Temporary Structures)<br>2007         | Not applicable                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | Not applicable |
|     | State Environmental Planning Policy (Urban Renewal) 2010                   | Not applicable                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | Not applicable |
|     | State Environmental Planning Policy (Western Sydney Employment Area) 2009  | Not applicable                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | Not applicable |
|     | State Environmental Planning Policy (Western Sydney Parklands) 2009        | Not applicable                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | Not applicable |
|     | State Environmental Planning Policy (Three Ports) 2013                     | Not applicable                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | Not applicable |

**Table 2: Consideration of North Coast Regional Environmental Plan (Deemed SEPP)**

| North Coast Regional Environmental Plan (Deemed SEPP) | Consistent      | Comment                                                                                                                                                                                                      |
|-------------------------------------------------------|-----------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Part 2 Rural Development</b>                       |                 |                                                                                                                                                                                                              |
| <b>Agricultural Resources</b>                         |                 |                                                                                                                                                                                                              |
| 7 Prime Crop or Pasture Land                          | Yes             | The land has a size of only 5 hectares. The land is separated from adjoining agricultural land and adjoins an industrial estate. About 2.7 hectares of the land has a minimum lot size of 1000m <sup>2</sup> |
| 8 Minimum lot size                                    | Yes             | The minimum lot size for that part of the land to be included in the <i>IN1</i> zone is already 1000m <sup>2</sup> .                                                                                         |
| 10 Concessional lots                                  | Not applicable  | Not applicable                                                                                                                                                                                               |
| 11 Cluster farming                                    | Not applicable  | Not applicable                                                                                                                                                                                               |
| 12 Intensive animal industries                        | Not applicable  | Not applicable                                                                                                                                                                                               |
| <b>Catchment Management</b>                           |                 |                                                                                                                                                                                                              |
| 14 Wetlands or fishery habitats                       | Yes             | The land does not contain any rivers, streams, wetlands or fishery habitats.                                                                                                                                 |
| <b>Geological Resources</b>                           |                 |                                                                                                                                                                                                              |
| 17 Extractive materials                               | Yes             | There are no major deposits of extractive materials on the land or nearby.                                                                                                                                   |
| <b>Rural Housing</b>                                  |                 |                                                                                                                                                                                                              |
| 20 Rural Land Release Strategy                        | Not applicable  | Not applicable                                                                                                                                                                                               |
| 21 Dwellings on rural land                            | Not applicable  | Not applicable                                                                                                                                                                                               |
| 22 Dual occupancy                                     | Not applicable. | Not applicable                                                                                                                                                                                               |
| <b>Forestry</b>                                       |                 |                                                                                                                                                                                                              |
| 25 State forests                                      | Not applicable  | Not applicable                                                                                                                                                                                               |
| 26 Areas other than State Forests                     | Not applicable  | Not applicable                                                                                                                                                                                               |
| 27 Timber processing plants                           | Yes             | The planning proposal does not rezone land adjoining or adjacent to timber processing plants.                                                                                                                |

## Planning Resolutions

| North Coast Regional Environmental Plan (Deemed SEPP)   | Consistent     | Comment                                                                                                                                                                                                                                                                                                                                                                  |
|---------------------------------------------------------|----------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Part 3 Conservation and the Environment</b>          |                |                                                                                                                                                                                                                                                                                                                                                                          |
| <b>The Natural Environment</b>                          |                |                                                                                                                                                                                                                                                                                                                                                                          |
| 29 Natural areas and water catchments                   | Yes            | The tree clearing provisions of the <i>Byron LEP 2014</i> will not be altered by the planning proposal.                                                                                                                                                                                                                                                                  |
| <b>Coastal Development</b>                              |                |                                                                                                                                                                                                                                                                                                                                                                          |
| 31 Coastal hazard areas                                 | Not applicable | Not applicable                                                                                                                                                                                                                                                                                                                                                           |
| 32 Coastal foreshore areas                              | Not applicable | Not applicable                                                                                                                                                                                                                                                                                                                                                           |
| 32A Coastal lands                                       | Not applicable | Not applicable                                                                                                                                                                                                                                                                                                                                                           |
| <b>Part 4 Urban Development</b>                         |                |                                                                                                                                                                                                                                                                                                                                                                          |
| <b>Strategic Planning</b>                               |                |                                                                                                                                                                                                                                                                                                                                                                          |
| 38 Urban Land Release Strategy                          | Yes            | The planning proposal does not propose significant urban growth. It is a minor area urban land zoning to provide a much needed extension to the existing full Bangalow Industrial Estate.                                                                                                                                                                                |
| 39 Retail, commercial or business activities            | Yes            | The planning proposal does not propose significant expansion of business opportunities in the area. In any event <i>the expansion is adjacent to or adjoins the existing commercial centre.</i>                                                                                                                                                                          |
| 40 Principles for urban zones                           | Not applicable | Not applicable                                                                                                                                                                                                                                                                                                                                                           |
| <b>Urban Housing</b>                                    |                |                                                                                                                                                                                                                                                                                                                                                                          |
| 42 Principles for housing                               | Not applicable | Not applicable                                                                                                                                                                                                                                                                                                                                                           |
| <b>Environmental hazards</b>                            |                |                                                                                                                                                                                                                                                                                                                                                                          |
| 45 Hazards                                              | Yes            | The land is not subject to any hazards                                                                                                                                                                                                                                                                                                                                   |
| 45A Flood liable land                                   | Yes            | The land is not flood liable                                                                                                                                                                                                                                                                                                                                             |
| <b>Commercial and Industrial development</b>            |                |                                                                                                                                                                                                                                                                                                                                                                          |
| 47 Principles for commercial and industrial development | Yes            | Part 1(c) requires:<br><i>(c) there should be an adequate supply of zoned industrial land located where it is physically capable of development for industrial purposes, is not environmentally fragile and can be serviced at a reasonable cost.</i><br>The land is adjacent to the existing industrial area, isn't environmentally fragile and can be easily serviced. |
| 48 Maintenance of industrial development zonings        | Yes            | This Planning Proposal is for the expansion of the existing industrial area rather than any reduction.                                                                                                                                                                                                                                                                   |
| <b>Tall Buildings</b>                                   |                |                                                                                                                                                                                                                                                                                                                                                                          |
| 50 Height Controls                                      | Yes            | The <i>Byron LEP 2014</i> contains local provisions regulating the heights of buildings.                                                                                                                                                                                                                                                                                 |

| North Coast Regional Environmental Plan<br>(Deemed SEPP)   | Consistent     | Comment                                                                                                                                                                                                                                                                                                             |
|------------------------------------------------------------|----------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Part 5 Regional Infrastructure</b>                      |                |                                                                                                                                                                                                                                                                                                                     |
| <b>Transport</b>                                           |                |                                                                                                                                                                                                                                                                                                                     |
| 53 Primary arterial roads                                  | Not applicable | Not applicable                                                                                                                                                                                                                                                                                                      |
| 54 Secondary arterial roads                                | Yes            | The relevant provisions are provided in <i>State Environmental Planning Policy (Infrastructure) 2007</i> .                                                                                                                                                                                                          |
| 55 Existing controls for main or arterial roads            | Yes            | The relevant provisions are provided in <i>State Environmental Planning Policy (Infrastructure) 2007</i> .                                                                                                                                                                                                          |
| 55A Development of new airports                            | Not Applicable | Not applicable                                                                                                                                                                                                                                                                                                      |
| 56 Land in the vicinity of aerodromes                      | Not applicable | Not applicable                                                                                                                                                                                                                                                                                                      |
| 56A Bus services                                           | Yes            | Northern Rivers Buslines provide a limited bus service past the site both in and out of school holidays. Expansion of the estate is likely to increase the viability of the existing bus services to the estate.                                                                                                    |
| <b>Utility services</b>                                    |                |                                                                                                                                                                                                                                                                                                                     |
| 58 Servicing urban areas                                   | Yes            | The land can be serviced by existing water, sewer, mains electricity, telephone services and weekly garbage service. Council provides a weekly garbage and fortnightly recycling service to the Bangalow Industrial Estate. The LEP contains existing controls in regard to land located in the drinking catchment. |
| <b>Health and Education</b>                                |                |                                                                                                                                                                                                                                                                                                                     |
| 61 Health and education facilities                         | Not applicable | Not applicable                                                                                                                                                                                                                                                                                                      |
| 63 Community use of schools and other facilities           | Not applicable | Not applicable                                                                                                                                                                                                                                                                                                      |
| <b>Community Services</b>                                  |                |                                                                                                                                                                                                                                                                                                                     |
| 65 Provision of community, welfare and child care services | Not applicable | Not applicable                                                                                                                                                                                                                                                                                                      |
| <b>Part 6 Tourism and Recreation</b>                       |                |                                                                                                                                                                                                                                                                                                                     |
| <b>Tourism</b>                                             |                |                                                                                                                                                                                                                                                                                                                     |
| 69 Environmental features and hazards                      | Not applicable | Not applicable                                                                                                                                                                                                                                                                                                      |
| 70 Principles for location of tourism development          | Not applicable | Not applicable                                                                                                                                                                                                                                                                                                      |
| 71 Provision of services to tourism development            | Not applicable | Not applicable                                                                                                                                                                                                                                                                                                      |
| 72 Large scale resort development                          | Not applicable | Not applicable                                                                                                                                                                                                                                                                                                      |
| 73 Residential development and tourism                     | Not applicable | Not applicable                                                                                                                                                                                                                                                                                                      |

Planning Resolutions

| North Coast Regional Environmental Plan<br>(Deemed SEPP) | Consistent     | Comment        |
|----------------------------------------------------------|----------------|----------------|
| 74 Tourism development on farms                          | Not applicable | Not applicable |
| Recreation                                               |                |                |
| 78 Public recreation areas                               | Not applicable | Not applicable |
| 79 Recreation vehicle areas                              | Not applicable | Not applicable |
| 80 Existing zones for public open space                  | Not applicable | Not applicable |

**Table 3: Consideration of Ministerial Directions under Section 117**

| No.                                                        | Title                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | Applicable | Consistency                                                                                                                                                                                                                                                                                                                                                                                                        |
|------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>1. Employment and Resources (effective 1 July 2009)</b> |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |            |                                                                                                                                                                                                                                                                                                                                                                                                                    |
| 1.1                                                        | <p><i>Business and Industrial Zones</i></p> <p>A planning proposal must:</p> <ul style="list-style-type: none"> <li>• give effect to the objectives of this direction</li> <li>• retain the areas and locations of existing business and industrial zones</li> <li>• not reduce the total potential floor space area for employment uses and related public services in business zones</li> <li>• not reduce the total potential floor space area for industrial uses in industrial zones, and</li> <li>• ensure that proposed new employment areas are in accordance with a strategy that is approved by the Director-General of the Department of Planning.</li> </ul> | Yes        | See Part 3 Section A1 in the planning proposal above.                                                                                                                                                                                                                                                                                                                                                              |
| 1.2                                                        | <p><i>Rural Zones</i></p> <p>A planning proposal must not rezone land from a rural zone to a residential, business, industrial, village or tourist zone.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | Yes        | The planning proposal is of minor significance. The land is an existing rural residential holding of only 5 hectares. The land is far too small in land area to be able to accommodate a viable agricultural enterprise. The railway corridor and the Lismore Road constrain any opportunity to increase the land area to create a viable agricultural land unit. The site should be seen as committed urban land. |
| 1.3                                                        | <p><i>Mining Petroleum Production and Extractive Industries</i></p> <p>This direction applies when a relevant planning authority prepares a planning proposal that would have the effect of:</p> <ul style="list-style-type: none"> <li>• prohibiting the mining of coal or other minerals, production of petroleum, or winning or obtaining of extractive materials, or</li> <li>• restricting the potential development of resources of coal, other minerals, petroleum or extractive materials which are of State or regional significance by permitting a land use that is likely to be incompatible with such development.</li> </ul>                               | No         | Not applicable                                                                                                                                                                                                                                                                                                                                                                                                     |
| 1.4                                                        | <p><i>Oyster Aquaculture</i></p> <p>This direction applies when a relevant planning authority prepares any planning proposal that proposes a change in land use which could result in:</p> <ul style="list-style-type: none"> <li>• adverse impacts on a Priority Oyster Aquaculture Area or a “current oyster aquaculture lease in the national parks estate”; or</li> <li>• incompatible use of land between oyster aquaculture in a Priority Oyster Aquaculture Area or a “current oyster aquaculture lease in the national parks estate” and other land uses.</li> </ul>                                                                                             | Yes        | The land is remote from any oyster growing area                                                                                                                                                                                                                                                                                                                                                                    |
| 1.5                                                        | <p><i>Rural Lands</i></p> <p>This direction applies when:</p> <ul style="list-style-type: none"> <li>• a relevant planning authority prepares a planning proposal that will affect land within an existing or proposed rural or environment protection zone (including the alteration of any existing rural or environment protection zone boundary) or</li> <li>• a relevant planning authority prepares a planning proposal that changes the existing minimum lot size on land within a rural or environment protection zone.</li> </ul>                                                                                                                               | Yes        | The planning proposal is consistent with the Rural Planning Principles listed in State Environmental Planning Policy (Rural Lands) 2008. See Table 1 above.                                                                                                                                                                                                                                                        |
| <b>2. Environment and Heritage (effective 1 July 2009)</b> |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |            |                                                                                                                                                                                                                                                                                                                                                                                                                    |
| 2.1                                                        | <p><i>Environment Protection Zones</i></p> <ul style="list-style-type: none"> <li>• A planning proposal must include provisions that facilitate the protection and conservation of environmentally sensitive areas.</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                           | Yes        | There are no environmentally sensitive areas on the land.                                                                                                                                                                                                                                                                                                                                                          |

| No.                                                                                                                                       | Title                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | Applicable | Consistency    |
|-------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------|----------------|
|                                                                                                                                           | <ul style="list-style-type: none"> <li>A planning proposal that applies to land within an environment protection zone or land otherwise identified for environment protection purposes in a LEP must not reduce the environmental protection standards that apply to the land (including by modifying development standards that apply to the land). This requirement does not apply to a change to a development standard for minimum lot size for a dwelling in accordance with clause (5) of Direction 1.5 "Rural Lands".</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |            |                |
| 2.2                                                                                                                                       | <p><i>Coastal Protection</i></p> <p>A planning proposal must include provisions that give effect to and are consistent with:</p> <ul style="list-style-type: none"> <li>the NSW Coastal Policy: A Sustainable Future for the New South Wales Coast 1997, and</li> <li>the Coastal Design Guidelines 2003, and</li> <li>the manual relating to the management of the coastline for the purposes of section 733 of the Local Government Act 1993 (the NSW Coastline Management Manual 1990).</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | No         | Not applicable |
| 2.3                                                                                                                                       | <p><i>Heritage Conservation</i></p> <p>A planning proposal must contain provisions that facilitate the conservation of:</p> <ul style="list-style-type: none"> <li>items, places, buildings, works, relics, moveable objects or precincts of environmental heritage significance to an area, in relation to the historical, scientific, cultural, social, archaeological, architectural, natural or aesthetic value of the item, area, object or place, identified in a study of the environmental heritage of the area,</li> <li>Aboriginal objects or Aboriginal places that are protected under the National Parks and Wildlife Act 1974, and</li> <li>Aboriginal areas, Aboriginal objects, Aboriginal places or landscapes identified by an Aboriginal heritage survey prepared by or on behalf of an Aboriginal Land Council, Aboriginal body or public authority and provided to the relevant planning authority, which identifies the area, object, place or landscape as being of heritage significance to Aboriginal culture and people.</li> </ul> | No         | Not applicable |
| 2.4                                                                                                                                       | <p><i>Recreation Vehicle Areas</i></p> <p>A planning proposal must not enable land to be developed for the purpose of a recreation vehicle area (within the meaning of the Recreation Vehicles Act 1983):</p> <ul style="list-style-type: none"> <li>where the land is within an environmental protection zone,</li> <li>where the land comprises a beach or a dune adjacent to or adjoining a beach,</li> <li>where the land is not within an area or zone referred to in paragraphs (4)(a) or (4)(b) unless the relevant planning authority has taken into consideration:</li> </ul> <p>(i) the provisions of the guidelines entitled Guidelines for Selection, Establishment and Maintenance of Recreation Vehicle Areas, Soil Conservation Service of New South Wales, September, 1985, and</p> <p>(ii) the provisions of the guidelines entitled Recreation Vehicles Act, 1983, Guidelines for Selection, Design, and Operation of Recreation Vehicle Areas, State Pollution Control Commission, September 1985.</p>                                     | No         | Not applicable |
| <b>3. Housing Infrastructure and Urban Development (effective 1 July 2009 - Except for new Direction 3.6 –effective 16 February 2011)</b> |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |            |                |
| 3.1                                                                                                                                       | <p><i>Residential Zones</i></p> <p>This direction applies when a relevant planning authority prepares a planning proposal that will affect land within:</p> <ul style="list-style-type: none"> <li>an existing or proposed residential zone (including the alteration of any existing residential zone boundary)</li> <li>any other zone in which significant residential development is permitted or proposed to be permitted.</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | No         | Not applicable |
| 3.2                                                                                                                                       | <p><i>Caravan Parks and Manufactured Home Estates</i></p> <p>This direction applies when a relevant planning authority prepares a planning proposal.</p> <p>In identifying suitable zones, locations and provisions for caravan parks in a planning proposal, the relevant planning authority must:</p> <ul style="list-style-type: none"> <li>retain provisions that permit development for the purposes of a caravan park to be carried out on land, and</li> <li>retain the zonings of existing caravan parks, or in the case of a new principal LEP zone the land in accordance with an appropriate zone under the Standard Instrument (Local Environmental Plans) Order 2006 that would facilitate the retention of the existing caravan park.</li> </ul>                                                                                                                                                                                                                                                                                                | No         | Not applicable |

## Planning Resolutions

| No.                                                                                                                                                      | Title                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | Applicable | Consistency                                                                                                                                                                                                                                                                    |
|----------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 3.3                                                                                                                                                      | <p><i>Home Occupations</i></p> <p>This direction applies when a relevant planning authority prepares a planning proposal.</p> <p>Planning proposals must permit home occupations to be carried out in dwelling houses without the need for development consent.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | Yes        | Yes - The Planning proposal does not change the existing provisions for home occupations.                                                                                                                                                                                      |
| 3.4                                                                                                                                                      | <p><i>Integrating Land Use and Transport</i></p> <p>This direction applies when a relevant planning authority prepares a planning proposal that will create, alter or remove a zone or a provision relating to urban land, including land zoned for residential, business, industrial, village or tourist purposes.</p> <p>A planning proposal must locate zones for urban purposes and include provisions that give effect to and are consistent with the aims, objectives and principles of:</p> <ul style="list-style-type: none"> <li>Improving Transport Choice – Guidelines for planning and development (DUAP 2001), and</li> <li>The Right Place for Business and Services – Planning Policy (DUAP 2001).</li> </ul>                 | Yes        | Yes – Northern Rivers Buslines provide a limited bus service past the site both in and out of school holidays. Expansion of the estate is likely to increase the viability of the existing bus services to the estate. The estate is easily accessed by bicycle from Bangalow. |
| 3.5                                                                                                                                                      | <p><i>Development Near Licensed Aerodromes</i></p> <p>This direction applies when a relevant planning authority prepares a planning proposal that will create, alter or remove a zone or a provision relating to land in the vicinity of a licensed aerodrome.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | No         | Not applicable                                                                                                                                                                                                                                                                 |
| 3.6                                                                                                                                                      | <p><i>Shooting Ranges</i></p> <p>This direction applies when a relevant planning authority prepares a planning proposal that will affect, create, alter or remove a zone or a provision relating to land adjacent to and/ or adjoining an existing shooting range.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | No         | Not applicable                                                                                                                                                                                                                                                                 |
| <b>4. Hazard and Risk (effective 1 July 2009)</b>                                                                                                        |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |            |                                                                                                                                                                                                                                                                                |
| 4.1                                                                                                                                                      | <p><i>Acid Sulfate Soils</i></p> <p>This direction applies when a relevant planning authority prepares a planning proposal that will apply to land having a probability of containing acid sulfate soils as shown on the Acid Sulfate Soils Planning Maps.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | No         | Not applicable                                                                                                                                                                                                                                                                 |
| 4.2                                                                                                                                                      | <p><i>Mine Subsidence and Unstable Land</i></p> <p>This direction applies when a relevant planning authority prepares a planning proposal that permits development on land that:</p> <ul style="list-style-type: none"> <li>is within a mine subsidence district, or</li> <li>has been identified as unstable in a study, strategy or other assessment undertaken</li> </ul>                                                                                                                                                                                                                                                                                                                                                                 | No         | Not applicable                                                                                                                                                                                                                                                                 |
| 4.3                                                                                                                                                      | <p><i>Flood Prone Land</i></p> <p>This direction applies when a relevant planning authority prepares a planning proposal that creates, removes or alters a zone or a provision that affects flood prone land.</p> <p>A planning proposal must include provisions that give effect to and are consistent with the NSW Flood Prone Land Policy and the principles of the Floodplain Development Manual 2005 (including the Guideline on Development Controls on Low Flood Risk Areas).</p> <p>A planning proposal must not rezone land within the flood planning areas from Special Use, Special Purpose, Recreation, Rural or Environmental Protection Zones to a Residential, Business, Industrial, Special Use or Special Purpose Zone.</p> | No         | Not flood prone land.                                                                                                                                                                                                                                                          |
| 4.4                                                                                                                                                      | <p><i>Planning for Bushfire Protection</i></p> <p>This direction applies when a relevant planning authority prepares a planning proposal that will affect, or is in proximity to land mapped as bushfire prone land.</p> <p>In the preparation of a planning proposal the relevant planning authority must consult with the Commissioner of the NSW Rural Fire Service following receipt of a gateway determination under section 56 of the Act, and prior to undertaking community consultation in satisfaction of section 57 of the Act, and take into account any comments so made.</p>                                                                                                                                                   | No         | Not applicable                                                                                                                                                                                                                                                                 |
| <b>5. Regional Planning (effective 1 July 2009 - Except for new Direction 5.4 effective 29 November 2009 &amp; Direction 5.2 effective 3 March 2011)</b> |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |            |                                                                                                                                                                                                                                                                                |
| 5.1                                                                                                                                                      | <p><i>Implementation of Regional Strategies</i></p> <p>This direction applies to land to the <i>Mid North Coast Regional Strategy</i>.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | Yes        | See Part 3 Section A1 in the planning proposal above.                                                                                                                                                                                                                          |

## Planning Resolutions

| No.                                                 | Title                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | Applicable | Consistency                                                                                                                                                                                                                                                                                                                                                        |
|-----------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 5.2                                                 | <i>Sydney Drinking Water Catchments</i><br>This Direction applies to the Sydney drinking water catchment.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | No         | Not applicable                                                                                                                                                                                                                                                                                                                                                     |
| 5.3                                                 | <i>Farmland of State and Regional Significance on the NSW Far North Coast</i><br>This direction applies to Byron Shire Council                                                                                                                                                                                                                                                                                                                                                                                                                                                           | Yes        | The land is an existing rural residential holding of only 5 hectares. The land is far too small in land area to be able to accommodate a viable agricultural enterprise. The railway corridor and the Lismore Road constrain any opportunity to increase the land area to create a viable agricultural land unit. The site should be seen as committed urban land. |
| 5.4                                                 | <i>Commercial and Retail Development along the Pacific Highway, North Coast</i><br>This Direction applies to those council areas on the North Coast that the Pacific Highway traverses, being those council areas between Port Stephens Shire Council and Tweed Shire Council, inclusive                                                                                                                                                                                                                                                                                                 | No         | Not applicable                                                                                                                                                                                                                                                                                                                                                     |
| 5.5                                                 | <i>Development in the vicinity of Ellalong, Paxton and Millfield (Cessnock LGA)</i><br>(Revoked 18 June 2010)                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | No         | Not applicable                                                                                                                                                                                                                                                                                                                                                     |
| 5.6                                                 | <i>Sydney to Canberra Corridor (Revoked 10 July 2008. See amended Direction 5.1)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | No         | Not applicable                                                                                                                                                                                                                                                                                                                                                     |
| 5.7                                                 | <i>Central Coast (Revoked 10 July 2008. See amended Direction 5.1)</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | No         | Not applicable                                                                                                                                                                                                                                                                                                                                                     |
| 5.8                                                 | <i>Second Sydney Airport: Badgerys Creek</i><br>This direction applies to land shown within the boundaries of the proposed airport site and within the 20 ANEF contour as shown on the map entitled "Badgerys Creek–Australian Noise Exposure Forecast–Proposed Alignment–Worst Case Assumptions", this being found in Appendix U of the Second Sydney Airport Site Selection Program Draft Environmental Impact Statement within Fairfield City Council, Liverpool City Council, Penrith City Council and Wollondilly Shire Council local government areas.                             | No         | Not applicable                                                                                                                                                                                                                                                                                                                                                     |
| 5.9                                                 | <i>North West Rail Link Corridor Strategy</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | No         | Not applicable                                                                                                                                                                                                                                                                                                                                                     |
| <b>6. Local Plan Making (effective 1 July 2009)</b> |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |            |                                                                                                                                                                                                                                                                                                                                                                    |
| 6.1                                                 | <i>Approval and Referral Requirements</i><br>This direction applies when a relevant planning authority prepares a planning proposal.<br>A planning proposal must: <ul style="list-style-type: none"> <li>minimise the inclusion of provisions that require the concurrence, consultation or referral of development applications to a Minister or public authority, and</li> <li>not contain provisions requiring concurrence, consultation or referral of a Minister or public authority unless the relevant planning authority has obtained the approval of that Authority.</li> </ul> | Yes        | Yes - No concurrence provisions are proposed.                                                                                                                                                                                                                                                                                                                      |
| 6.2                                                 | <i>Reserving Land for Public Purposes</i><br>This direction applies when a relevant planning authority prepares a planning proposal.<br>A planning proposal must not create, alter or reduce existing zonings or reservations of land for public purposes without the approval of the relevant public authority and the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General).                                                                                                                                              | No         | Not applicable                                                                                                                                                                                                                                                                                                                                                     |
| 6.3                                                 | <i>Site Specific Provisions</i><br>This direction applies when a relevant planning authority prepares a planning proposal that will allow a particular development to be                                                                                                                                                                                                                                                                                                                                                                                                                 | No         | Not applicable                                                                                                                                                                                                                                                                                                                                                     |

| No.                                                  | Title                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | Applicable | Consistency    |
|------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------|----------------|
|                                                      | <p>carried out.</p> <p>A planning proposal that will amend another environmental planning instrument in order to allow a particular development proposal to be carried out must either:</p> <ul style="list-style-type: none"><li>allow that land use to be carried out in the zone the land is situated on, or</li><li>rezone the site to an existing zone already applying in the environmental planning instrument that allows that land use without imposing any development standards or requirements in addition to those already contained in that zone, or</li><li>allow that land use on the relevant land without imposing any development standards or requirements in addition to those already contained in the principal environmental planning instrument being amended.</li></ul> <p>A planning proposal must not contain or refer to drawings that show details of the development proposal.</p> |            |                |
| 7. Metropolitan Planning (effective 1 February 2010) |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |            |                |
| 7.1                                                  | Implementation of the Metropolitan Plan for Sydney 2036                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | No         | Not applicable |

**Table 4: Consideration of 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                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | Consistency                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>1. Infrastructure provision</b><br><br>Mechanisms in place to ensure utilities, transport, open space and communication are provided in a timely and efficient way | <ul style="list-style-type: none"> <li>Development is consistent with the outcomes of the Far North Coast Regional Strategy, any subregional strategy, regional infrastructure plan and relevant section 117 direction/s.</li> <li>The provision of infrastructure (utilities, transport, open space and communications) is costed and economically feasible based on Government methodology for determining infrastructure development contributions.</li> <li>Preparedness to enter into development agreement.</li> </ul>                                                                                                                                                                                                                             | <p>The land can be fully serviced by extending sewer, water, electricity services and telephone service from the adjoining industrial estate.</p> <p>There is sufficient area on Lot 7 to provide a separate stormwater management system to the south west.</p> <p>The proposed industrial estate extension would be developed utilising the existing intersection from the Lismore Road. This intersection has both acceleration and deceleration lanes.</p> <p>The landowner is prepared to provide the necessary infrastructure to the site from the adjoining industrial area.</p> |
| <b>2. Access</b><br><br>Accessible transport options for efficient and sustainable travel between home, jobs, services and recreation to be existing or provided      | <ul style="list-style-type: none"> <li>Accessibility of the area by public transport and/or appropriate road access in terms of: <ul style="list-style-type: none"> <li>Location/land use – to existing networks and related activity centres.</li> <li>Network – the area's potential to be serviced by economically efficient transport services.</li> <li>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.</li> </ul> </li> <li>No negative impact on performance of existing subregional road, bus, rail, ferry and freight network.</li> </ul> | <p>The industrial estate is located on the important regional road connecting Lismore and Byron Shire. The removal of the Binna Burra railway overhead bridge has seen an increasing use of the road by regional truck transport companies.</p> <p>Northern Rivers Buslines provide a limited bus service past the site both in and out of school holidays. Expansion of the estate is likely to increase the viability of the existing bus services to the estate.</p> <p>The industrial area is within easily cycling distance of Bangalow township.</p>                              |
| <b>3. Housing Diversity</b><br><br>Provide a range of housing choices to ensure a broad population can be housed                                                      | <ul style="list-style-type: none"> <li>Contributes to the geographic market spread of housing supply, including any government targets established for aged, disabled or affordable housing.</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | <p>While not providing housing the expansion of the industrial estate will increase housing choices by increasing the attractiveness of the housing in Bangalow. That is providing employment opportunities for residents of the recently approved housing estates.</p>                                                                                                                                                                                                                                                                                                                 |
| <b>4. Employment Lands</b><br><br>Provide regional/local employment opportunities to support the Far North Coast's expanding role in wider regional and NSW economies | <ul style="list-style-type: none"> <li>Maintain or improve the existing level of subregional employment self-containment.</li> <li>Meets subregional employment projections.</li> <li>Employment related land is provided in appropriately zoned areas.</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | <p>This planning proposal aims to increase the sub-regional employment lands. The new employment lands will be located in an appropriately zoned area. This industrial estate services Bangalow and the western rural area of Byron Shire.</p> <p>As setout above this expansion to the industrial estate is required given the recent approval of a number of housing estates in Bangalow and given the existing estate is full.</p>                                                                                                                                                   |
| <b>5. Avoidance of Risk</b><br><br>Land use conflicts and risks to human health and life, avoided                                                                     | <ul style="list-style-type: none"> <li>No residential development within 1:100 floodplain.</li> <li>Avoidance of physically constrained land, e.g. <ul style="list-style-type: none"> <li>High slope</li> <li>Highly erodible</li> </ul> </li> <li>Avoidance of land use conflicts with adjacent existing or future land use as planned under relevant subregional or regional strategy.</li> <li>Where relevant available safe evacuation route (flood and</li> </ul>                                                                                                                                                                                                                                                                                   | <p>The land is free from the hazards of flooding and bushfire.</p> <p>The land to be utilized for industrial development is essentially flat.</p> <p>In terms of potential land use conflict the area adjoins the existing industrial estate. Further afield; the Bangalow Sewerage Treatment Plan (STP) is located to the north off Dudgeons Lane. The nearest neighbouring dwelling house is on Lismore Road opposite the land. This</p>                                                                                                                                              |

| Threshold Sustainability Criteria for any proposed development site outside designated areas in regional strategies                                                             | Measurable explanation of criteria                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | Consistency                                                                                                                                                                                                                                                                                                                                                                                                                           |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                                                                                                                                                                                 | bushfire).                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | dwelling house is associated with an existing landscape supply business. The next nearest dwelling is along Slattery's Lane to the south west. This dwelling is about 190 metres from the land. The noise from Lismore Road would have a greater noise impact on these two dwellings than the expanded industrial area. The land is well screened from these dwellings.                                                               |
| <b>6. Natural Resources</b><br><br>Natural resource limits not exceeded/environmental footprint minimised                                                                       | <ul style="list-style-type: none"> <li>• Demand for water within infrastructure capacity to supply water and does not place unacceptable pressure on environmental flows.</li> <li>• Demonstrates most efficient/suitable use of land. <ul style="list-style-type: none"> <li>o Avoids identified significant agricultural land.</li> <li>o Avoids productive resource lands – extractive industries, coal, gas and other mining and quarrying.</li> </ul> </li> <li>• Demand for energy does not place unacceptable pressure on infrastructure capacity to supply energy – requires demonstration of efficient and sustainable supply solution.</li> </ul>                                                                                                                                                                                                                                                                                              | The proposal seeks to make better use of existing services; building upon the existing well established (and full) industrial estate.                                                                                                                                                                                                                                                                                                 |
| <b>7. Environmental Protection</b><br><br>Protect and enhance biodiversity, air quality, heritage and waterway health                                                           | <ul style="list-style-type: none"> <li>• Consistent with Government approved Regional Conservation Plan (if available).</li> <li>• 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.</li> <li>• Maintain or improve existing environmental condition for air quality.</li> <li>• Maintain or improve existing environmental condition for water quality. <ul style="list-style-type: none"> <li>o Consistent with community water quality objectives for recreational water use and river health (DEC and CMA).</li> <li>o Consistent with catchment and stormwater management planning (CMA and council).</li> </ul> </li> <li>• Protects areas of Aboriginal cultural heritage value (as agreed by DEC).</li> </ul> | <p>The land has been extensively used for cattle grazing as part of the rural residential occupation of the land. The land does not contain any remnant vegetation communities. The land is highly modified rural residential land.</p> <p>In terms of air quality it is expected that the expanded estate will continue to be developed for light industrial purposes. Therefore there should be minimal impacts on air quality.</p> |
| <b>8. Quality and Equity in Services</b><br><br>Quality health, education, legal, recreational, cultural and community development and other government services are accessible | <ul style="list-style-type: none"> <li>• Available and accessible services. <ul style="list-style-type: none"> <li>o Do adequate services exist?</li> <li>o Are they at capacity or is some capacity available?</li> <li>o Has Government planned and budgeted for further service provision?</li> <li>o Developer funding for required service upgrade/access is available</li> </ul> </li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | The proposal is aimed at providing employment lands for already approved housing estates in Bangalow. Existing services are available to the existing industrial estate. It is understood that the expansion is possible utilizing these existing services.                                                                                                                                                                           |

## Appendix

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# C

## Letters from two landowners in Bugam Place re access from Bugam Place

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18/12/12.  
Neil Cockerill  
27-28 Bugam Place.  
Bangalow.  
M. 0418197018.

Without Prejudice.

John McIntosh.  
Lismore rd.  
Bangalow.  
M.0412516152.

Dear John,

Thank you for your phone enquiry today Re: Industrial Land Development in Bangalow.

I am happy to discuss any future ideas that may involve the extension of Bugam Place, for access to your property for industrial development.

Regards,



Neil Cockerill.

**Bangalow Work Space.**

**26.Bugam Pl.**

**Bangalow 2479.**

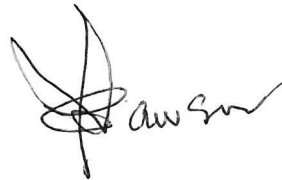
**10/12/2012.**

**To whom it may concern.**

**This is to confirm that I Chris Lawson and Mr. John McIntosh my neighbour, have had discussions to possibility of collaboration to provide access through my property for the expansion of the Bangalow Industrial precinct.**

**Yours faithfully**

**Chris Lawson.**

A handwritten signature in black ink, appearing to read 'Chris Lawson', with a stylized flourish above the name.