



RFS



Byron Shire Council
PO Box 219
MULLUMBIMBY NSW 2482

Your reference: (REF-3094) PP-2023-1376
Our reference: SPI20240904000166

ATTENTION: Kristie Hughes

Date: Wednesday 2 October 2024

Dear Sir/Madam,

**Strategic Planning Instrument
Rezoning
Byron Shire LEP 2014 - Rezoning - Residential Land Uses**

I refer to your correspondence dated 02/09/2024 inviting the NSW Rural Fire Service (NSW RFS) to comment on the above Strategic Planning document.

The NSW RFS has considered the information submitted and subsequently raise no concerns or issues in relation to bush fire.

For any queries regarding this correspondence, please contact Alan Bawden on 1300 NSW RFS.

Yours sincerely,

Allyn Purkiss
**Manager Planning & Environment Services
Built & Natural Environment**

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Our Ref: APE.21012025.01
Your Ref: 26.2023.5.1

21 January 2025

General Manager
Byron Shire Council
PO Box 219
MULLUMBIMBY NSW 2482

Attention: Ms Kristie Hughes - Project Planning Officer

Dear Kristie

Planning Proposal PP2023-1376: 68 Rankin Drive, Bangalow NSW

Regarding the planning proposal to extend the R2 Low Density Residential Zone, and rezone part of the land to R3 Medium Density Residential Zone in Rankin Drive, we offer the following feedback.

In relation to the catchment management aspects of the proposal, it is noted that the *Planning Proposal – Alteration as per Gateway Determination, 4 July 2024* (or supporting documentation) makes no reference to Clause 6.5 of the Byron LEP that sets out the catchment management objectives for any development within the Shire:

6.5 Drinking water catchments

- (1) The objective of this clause is to protect drinking water catchments by minimising the adverse impacts of development on the quality and quantity of water entering drinking water storages.
- (2) This clause applies to land identified as “Drinking water catchment” on the [Drinking Water Catchment Map](#).
- (3) In deciding whether to grant a development application for development on land to which this clause applies, the consent authority must consider the following—
 - (a) whether or not the development is likely to have any adverse impact on the quality and quantity of water entering the drinking water storage, having regard to the following—
 - (i) the distance between the development and any waterway that feeds into the drinking water storage,
 - (ii) the on-site use, storage and disposal of any chemicals on the land,
 - (iii) the treatment, storage and disposal of waste water and solid waste generated or used by the development,
 - (b) any appropriate measures proposed to avoid, minimise or mitigate the impacts of the development.
- (4) Development consent must not be granted to development on land to which this clause applies unless the consent authority is satisfied that—
 - (a) the development is designed, sited and will be managed to avoid any significant adverse impact on water quality and flows, or
 - (b) if that impact cannot be reasonably avoided—the development is designed, sited and will be managed to minimise that impact, or
 - (c) if that impact cannot be minimised—the development will be managed to mitigate that impact.

The proposed development site flows to Byron Creek and is situated within the Wilsons River drinking water catchment zone and therefore subject to the provisions of Clause 6.5. These matters should be worked through or used as a checklist as part of any subsequent approval process.

Ecological matters

It is noted in the *Flora-Fauna-Report* prepared by Peter Parker Environmental Consultants Pty Ltd that the proposal has been designed to retain all koala food trees and has identified a suitable area for additional plantings. The Planning Proposal also states that "The un-named water course through the property will be enhanced by strategic planting of appropriate vegetation."

This is all supported; however, it is recommended that a restoration plan (that aims to establish an appropriately vegetated riparian zone inclusive of the koala trees) be made so that this commitment is detailed and requirements clearly laid out as part of any subsequent approval.

Water quantity and quality

A key element in meeting stormwater quality and quantity objectives has been to maximise at source treatment via dwelling rainwater reuse (i.e., tanks) and propose water gardens (i.e., bio-retention areas) to be constructed on each allotment. It is noted that the approach that has been outlined demonstrates compliance with Councils pollutant reduction target and would result in a reduction in average annual runoff volume from the site.

Again, it is important that these approaches are actually implemented so as to achieve these mitigations, and so it is also recommended that this approach to stormwater management be detailed and these requirements clearly specified as part of any subsequent approval.

Separate to this Rezoning proposal, Rous Officers remain in negotiations with the proposed developer regarding infrastructure changes which would be required for arterial water mains and easement realignment if the subdivision development was to go ahead.

Yours faithfully



Andrew Leach
Asset Planning Engineer