

Attachment '3'
Planning Meeting Report – 12 December 2019
Byron Shire Business and Industrial Lands Strategy
Submissions Summary Report

1. Purpose

Council has prepared a Business and Industrial Lands Strategy (BILS) with a strategic policy framework and action plan for guiding business and industrial land development over the next 20 years in Byron Shire.

At the Ordinary Meeting of 20 April 2017 Council resolved (*Res 19-281*) to update and reformat the strategy, see Attachment 1 to the Council Report for a full copy of the resolution. Item 14 of **Res 19-281** required:

‘That prior to reporting a final strategy back to Council for adoption before the end of the year:

- a) staff consult with the community and relevant government agencies in regard to the Gulgan North Precinct ‘A’ & ‘B’ (part of Lot 2 DP 1159910, 66 The Saddle Road, Brunswick Heads), as identified in ‘Table 1’ of this report,; and*
- b) update the Employment Lands Strategy to reflect the outcomes of this consultation, as applicable. ‘*

In accordance, a 4 week consultation was held from 1– 28 August 2019. In addition, **Res 19–281** Item 16 supported the inclusion of additional industrial land, Lot 4 DP 635505, 150 Lismore Road, Bangalow. This land not previously exhibited, was included in the consultation on the recommendation of the Department of Planning, Industry and Environment. Figure 1 provides images of the two investigation areas.

This report provides an overview of the engagement, responses, and provides updates as part of the pathway to finalising the strategy.



Figure 1: 66 The Saddle Road Brunswick Heads

150 Lismore Road Bangalow

2. Overview of engagement

This engagement builds on from earlier engagement that helped inform the preparation of a draft Business and Industrial Lands Strategy, namely:

- Enterprising Byron 2025 - Economic Development Strategy adopted by Council in 2016 <https://www.byron.nsw.gov.au/Business/Research-reports-and-news/Economic-Development-Strategy-Enterprising-Byron>

- Byron Shire Council Business Survey conducted from October - November 2017
<https://www.byron.nsw.gov.au/Business/Research-reports-and-news/Business-Survey>
- State government agency and internal stakeholder workshop - May 2018.
- Meeting with land owners of potential employment (industrial) lands
- Exhibition of the draft strategy August – November 2018.

A structured program was undertaken over a 4-week period (1 August – 28 August 2019). Engagement involved activities and methods of communication outlined below:

- Open community information session
- Notification letters to surrounding Tweed Byron Local Aboriginal Land Council, Arakwal, state government agencies, landowners in proximity to the additional land areas at Brunswick Heads and Bangalow
- Public media, Council website, and an e-newsletter to advertise engagement
- One on one meetings and responses to emails & phone calls.

The strategy updates provided at the end of this report (and detailed in Tables 1 – 3) respond to matters raised in submissions received during exhibition.

3. Submission Profile

A total of 55 submissions were received - grouped into two types:

- State government agencies
- Community groups and broader community members.

This report is organised in the above order.

4. NSW State government and traditional owner agencies response

The following agencies received formal notification:

- Department of Planning, Industry & Environment (DPIE)
 - Planning Division
 - Biodiversity and Conservation Division (BCD) (Formerly OEH)
- Department of Primary Industries (DPI)
- Road and Maritime Services (RMS)
- Tweed Byron Local Aboriginal Land Council (TBLALC)
- Bundjalung of Byron Bay Aboriginal Corporation (Arakwal).

Table 1 provides a summary of the key matters raised in submissions, together with a response. Submissions were received from traditional owner agencies. TBLALC staff acknowledged by email the previous involvement of traditional owner agencies in The Saddle Road Aboriginal Cultural Heritage program as part of an earlier planning proposal and that the land is proximal to areas of Aboriginal Cultural Significance. The Arakwal provided a comprehensive and confidential response. Recommended updates to the strategy in response to the state government input are contained in Table 1.

Table 1 – Government agency submissions and response

Government Agency	Matters Raised	Response
DPIE – Planning Division	<p>The submission referred specifically to the Gulgan North Investigation Area. No issues were raised in relation to the Bangalow East industrial estate expansion.</p> <p>The Division noted that this site was part of a planning proposal for residential development that did not proceed.</p> <p>The Division identified site constraints to be considered including:</p> <ul style="list-style-type: none"> • mapped as regionally significant farmland • partly constrained by slope • containing high environmental value vegetation <p>The DPIE also stated that:</p> <ul style="list-style-type: none"> • Council would need to clarify how these, and any other constraints, would be addressed if the site was included as an investigation area • The draft Strategy will need to demonstrate how the proposed site is consistent with the North Coast Regional Plan (NCRP) 2036, since it is mapped as containing high environmental value vegetation and important farmland. <p>Inconsistencies with associated section 9.1 Directions and State Environmental Planning Policies, will also need to be addressed.</p>	<p>As required by Res 19-281 – Item 1(a), The State Policy Consistency Check (Attachment 5 to the Council Report) has been updated to include an assessment of the Gulgan North and Bangalow East investigation areas. This document will be provided to the DPIE as part of the BILS package for endorsement.</p> <p>The State Consistency Check includes a strategic level appraisal of the investigation areas against the Important Farmland Variation Criteria. It concludes that the site is suitable for inclusion in the BILS as an investigation area, noting that it is appropriate for further detailed investigations to take place at the planning proposal stage.</p> <p>It is considered that constraints relating to high environmental value vegetation have been largely identified. The environmental zoning process is reasonably advanced with capacity to identify land likely to be designated an E Zone. Mapping included in the BILS has been refined to remove potential E-zone land as per Res 19-281 – Item 5(c).</p> <p>Other environmental constraints such as riparian corridors, koala habitat and movements across the site, slope and geotechnical constraints require detailed investigations more appropriately undertaken at the planning proposal stage. These investigations should inform the preparation of a structure plan for the site.</p> <p>Strategy update to address:</p> <ul style="list-style-type: none"> • That Actions under Direction 3 require the preparation of a structure plan at the planning proposal stage for all industrial and business park investigation areas.

Government Agency	Matters Raised	Response
<p>DPIE</p> <p>Biodiversity and Conservation Division</p> <p>(Formerly OEH)</p>	<p>Based on preliminary information, the BCD consider the investigation areas are likely to be highly constrained and therefore, are unlikely to be suitable for inclusion in the Draft Employment Lands Strategy.</p> <p>The BCD therefore recommends consideration be given to the points below in relation to the Gulgah North investigation lands and their inclusion in the Draft Employment Lands Strategy:</p> <ol style="list-style-type: none"> 1. The outcomes of the on-site verification of biodiversity values present by a suitably qualified and experienced ecologist. 2. The requirements of Directions 1, 2 and 18 of the NCRP. <p><u>Direction 1</u> – Deliver environmentally sustainable growth</p> <p><u>Direction 2</u> – Enhance biodiversity, coastal and aquatic habitat and water catchment</p> <p><u>Direction 18</u> – Respect and protect the North Coast's Aboriginal heritage</p> <p>As required by Action 2.1 of the NCRP, development should be directed away from areas of biodiversity sensitivity and consideration be given to the 'avoid, minimise, offset' hierarchy to biodiversity, including areas of high environmental value.</p> <ol style="list-style-type: none"> 3. Areas containing high environmental value (such as EEC and threatened species habitat) should be excluded from the Draft Employment Lands Strategy. <p>Implications of including land with biodiversity values in the Draft Employment Lands Strategy, particularly at development application</p>	<p>Noted – see response provided in Attachment 5 – State Policy Consistency Check which addresses these matters at a strategic land use level.</p> <p>It is considered that constrained land due to biodiversity sensitivity has been largely identified. The environmental zoning process is reasonably advanced with capacity to identify land likely to be designated an E Zone. Mapping included in the BILS has been refined to remove anticipated E-zone constraints.</p> <p>Table 9 (Direction 3) in the BILS notes that biodiversity and ecological sensitivities including prime koala habitat (verification by qualified and experienced ecologist) are key issues for further investigation. It is appropriate that further detailed investigations take place at the planning proposal stage.</p> <p>Table 9 (Direction 3) in the BILS notes that Aboriginal and nonindigenous cultural sensitivities are key issues for further investigation. It is appropriate that further detailed investigations take place at the planning proposal stage.</p> <p>Strategy update to address:</p> <ul style="list-style-type: none"> • That investigations pertaining to Aboriginal and non-indigenous cultural sensitivities be included as a key issue for further investigation in the BILS under Table 9 (Direction 3). • That investigations pertaining to biodiversity and ecological sensitivities including prime koala habitat (verification by qualified and experienced ecologist) be included as a key issue for further investigation in the BILS under Table 9

Government Agency	Matters Raised	Response
	<p>stage. It is probable that any future development application would trigger the Biodiversity Offset Scheme, which again would trigger the avoid, minimise, offset hierarchy.</p>	<p>(Direction 3).</p> <ul style="list-style-type: none"> • That the BILS incorporate an action requiring cultural heritage investigations using a protocol for working with the Arakwal.
<p>Department of Primary Industry</p>	<p>Both additional investigation areas are mapped as Regionally Significant Farmland, and their use for urban purposes is inconsistent with the NCRP 2036 and NSW Right to Farm Policy that seek to strengthen land use planning outcomes for agriculture and direct development away from important farmland.</p> <p>DPI Agriculture does not support the development of this land for non-primary production purposes. The land is identified as regionally significant farmland and part of a larger agricultural landscape that is considered a highly important agricultural resource for the region. There is concern that development of this nature could potentially create an incremental creep of changing land use upon this landscape increasing the risk of land use conflict and loss of important agricultural land. The inclusion of this land within the strategy is not supported.</p> <p>If progressed for inclusion by Council, DPI requests that the draft Strategy be amended so a comparison of the merits of all proposed release areas can be undertaken. This is of particular importance as the inclusion of either of these sites would negate the need for inclusion of other land based on Councils consultant's demand and supply analysis.</p>	<p>Noted – see response provided in Attachment 5 – State Policy Consistency Check which addresses these matters at a strategic land use level.</p> <p>Staff do not concur with the DPI position that:</p> <p><i>...inclusion of either of these sites would negate the need for inclusion of other land based on Councils consultant's demand and supply analysis.</i></p> <p>Inclusion of additional land beyond projections provided in the consultant's demand analysis is warranted. The consultant's background report notes that it is prudent to provide and plan for an additional supply of land (or contingency) above that projected in the interests of price competition.</p> <p>It is worth noting that in the time since the consultant's analysis, business registrations continue to grow with around 70 new registered businesses in Byron Shire over the last 12 months.</p> <p>In addition, detailed investigations at the planning proposal stage may find that some industrial and business park investigation areas are not viable for development, or that the developable area is smaller than anticipated. For example, a pending flood study (Action 21) may determine that options to provide further flooding and storm water management measures for the Billinudgel industrial area are limited,</p>

Government Agency	Matters Raised	Response
		<p>and therefore the capacity for expansion less than projected.</p> <p>It is also possible that landowners may choose not to proceed with a rezoning proposal for their land.</p> <p>For these reasons, the Strategy designates a potential land supply above the projected high growth trend requirement of 24.7 Ha.</p>
Department of Transport – Roads and Maritime Services	<p>Traffic Impact Assessment not provided</p> <p>Access onto Gulgan Road would be the preferred option rather than access onto The Saddle Road</p> <p>Roads and Maritime would be willing to review the Traffic Impact Assessment for Council at the relevant stage of development (i.e. planning proposal stage).</p>	<p>Noted.</p> <p>Strategy update to address:</p> <ul style="list-style-type: none"> • That investigations pertaining to traffic impacts and safe access points to Gulgan Rd be included as key issues for further investigation in the BILS under Table 9 (Direction 3).
Arakwal	<p><u>Gulgan North Investigation Area</u></p> <p>Matters raised based on on-ground site investigations:</p> <ul style="list-style-type: none"> • Presence of sites of cultural significance • Need for further investigations prior to final determination of the investigation area boundaries • Application of a 100 metre exclusion zone around some sites • Lands containing a site of a buffer to a site not to be rezoned for business or industrial purposes • Ongoing involvement of traditional owners throughout each stage of planning and development. <p><u>Bangalow Industrial Estate Expansion Investigation Area</u></p> <ul style="list-style-type: none"> • Site visit requested in order to provide comment on the proposed site. 	<p>Noted.</p> <p>Strategy update to address:</p> <ul style="list-style-type: none"> • That investigations pertaining to Aboriginal Cultural Sensitivities be included as a key issue or further investigations in the BILS under Table 9 and Table 11 (Direction 3). • Sites and a 100m buffer (where requested by the Arakwal) are to be excluded from inclusion in a business or industrial zone.

5. Community groups and broader community response

A total of 50 submissions were received with private individuals accounting for 47 submissions, the remainder submissions were from community group organisations. It should be noted that locality based community group submissions do not always represent the views of all community members.

5.1 Community submissions supporting inclusion of the Gulgan North Investigation Area

A total of 21 submissions were received that indicated support for inclusion of the Gulgan North Investigation Area in the BILS. Points raised in support are summarised below:

- Would provide much needed business and industrial space in the north of the Shire.
- Site is easily accessible being located close to the Pacific Highway interchange which has additional traffic capacity.
- Located close to residential areas (Bayside Brunswick 0.5 kms, Brunswick Heads 1.4 kms and Mullumbimby 2.5 kms).
- Contained by roads and natural features thus ensuring it remains small scale.
- Partly screened by vegetation and able to be effectively screened.
- Flood free.
- Walking and cycling distance to Brunswick Heads.
- Businesses would benefit from the opportunity to collaborate in a business / industrial park setting.

5.2 Matters raised by the community in relation to the Gulgan North Investigation Area

A total of 25 submissions raised issues in relation to inclusion of the Gulgan North Investigation Area in the Strategy. The key feedback points are summarised in Table 2 together with a staff comment on how to best address the matter.

Table 2: Gulgan North - Matters Raised

Key matters raised	Comment
The proposed Investigation area contravenes: <ul style="list-style-type: none">• NSW State Policy Compliance Checks,• the NSW Relevant Ministerial S. 117 Directions,• the North Coast Regional Plan and• the Settlement Planning Guidelines for the Far and Mid North Coast.	The State Policy Consistency Checks (Attachment 5) have been updated to include an assessment of the Gulgan North and Bangalow Industrial Estate Expansion investigation areas. It concludes that the sites are suitable for inclusion in the BILS as investigation areas, noting that it is appropriate for further detailed investigations to take place at the planning proposal stage. The NCRP plan also notes that not all land identified within urban growth areas will be suitable for development and further detailed assessment will be required.

Key matters raised	Comment
<p>The Gulgan Rd North Investigation Area does not comply with the State and Regionally Significant Farmland Interim Variation Criteria or the Urban Growth Area Variation Principles as outlined in the North Coast Regional Plan 2016.</p>	<p>A regional priority in the NCRP was to identify additional employment investigation areas. Action 9.1 of the NCRP seeks to:</p> <p><i>Enhance the competitive value of the region by encouraging business and employment activities that leverage major inter-regional transport connections, such as the Pacific Highway, to South East Queensland and the Hunter.</i></p> <p>Gulgan Road is identified as an intra-regional connection road and is therefore positioned to deliver additional employment land that satisfies Action 9.1.</p> <p>The Gulgan North investigation area is mapped as non contiguous Regionally Significant Farmland and is not mapped as State Significant Farmland. A strategic level appraisal of the investigation area against the Important Farmland Variation Criteria is included in Attachment 5 - State Policy Consistency Check.</p> <p>It is appropriate that detailed investigations take place at the planning proposal stage.</p>
<p>Background Briefing Report for the Draft Employment Lands Strategy (2018) recommended only 10 Hectares of new Industrial and Business Land.</p> <p>The existing Draft Strategy (including the former Sunnybrand Ewingsdale Road Site) contains over 40 hectares of new land, so why is additional land at Gulgan Road North required?</p>	<p>It is highly unlikely that all land mapped as an investigation area will equal the ultimate developable area. The NCRP plan also notes that not all land identified within urban growth areas will be suitable for development and further detailed assessment will be required.</p> <p>The growth projections in the Background report provide the following scenarios and additional land requirements:</p> <p>Scenario 1 (low growth trend) - additional 7.1 to 10.7 Ha</p> <p>Scenario 2 (medium growth trend) – additional 14.6 to 22.0 Ha</p> <p>Scenario 3 (high growth Trend) - additional 16.5 to 24.7 Ha</p> <p>The background report also notes that it is prudent to provide and plan for an additional supply of land (or contingency) above that projected in the interests of price competition.</p> <p>Detailed investigations at the planning proposal stage may find that some Employment Precinct Investigation Areas are not viable for development, or that the developable area is smaller than anticipated.</p> <p>For these reasons the Strategy designates a potential land supply above the high growth trend requirement of 24.7 Ha.</p> <p>It is worth noting that if effected, the planning proposal to reduce the current zoned industrial and business land at West Byron, (Res 19-137) could lead to a heightened requirement in the short term for industrial land elsewhere.</p> <p>Strategy update to address:</p> <ul style="list-style-type: none"> • Information be contained in the strategy that explains the use of the term 'potential developable land'.

Key matters raised	Comment
<p>The GRN area as exhibited on the Byron Council website is not 2.6 Hectares of developable area. When superimposed using GIS software the developable area as exhibited is actually 10.6 Hectares. By Council stating on their web site that only 2.6 Hectares is developable they are being deliberately deceptive.</p>	<p>Exhibited mapping of the Gulgan North investigation area provided an indicative location. A high level desktop review of site constraints, primarily slope and vegetation, indicated an estimated 2.6 Ha developable area. This is an estimate only and detailed studies would be required at the planning proposal and development application stages to determine the actual area suitable for subdivision for industrial or business purposes. The NCRP, in its explanation of urban growth areas, notes that not all land identified in a strategy will be suitable for development and further detailed assessment is required.</p> <p>However, the Environmental zoning process is reasonably advanced with capacity to identify land likely to be designated an E Zone. Mapping included in the BILS has been refined to remove anticipated E-zone land. These changes reduce the investigation area to 6.1 Ha.</p> <p>Strategy update to address:</p> <ul style="list-style-type: none"> • Information be contained in the strategy that explains the use of the term 'potential developable land'.
<p>Not suitable for an eco village, why suitable for business/industrial use?</p>	<p>Suitability of the site for an eco village has not been determined and is identified as an action for investigation under the Byron Rural Land Use Strategy.</p>
<p>Development of this site would replicate the same traffic issues which have been created at the Ewingsdale interchange where large scale development (ie.The Farm & hospital) is too close to the HWY interchange.</p> <p>The potential access point (intersection/ roundabout) is less than 350m from the Hwy interchange, which is less than the Byron Hospital access at 370m</p>	<p>A detailed traffic impact assessment has not been undertaken for the site.</p> <p>It is appropriate that a detailed traffic impact assessment be undertaken at the planning proposal stage. The submission received from RMS indicates support for this approach.</p> <p>Strategy update to address:</p> <p>That investigations pertaining to traffic impacts and safe access points to Gulgan Rd be included as key issues for further investigation in the BILS under Table 9 (Direction 3).</p>
<p>The Saddle Rd and Gulgan Rd are not suitable for heavy vehicle traffic / increased traffic volume, and residents of Saddle Road would be impacted.</p>	<p>Gulgan Rd already services heavy vehicles generated from the Mullumbimby Manns Rd Industrial Estate and from agricultural production taking place in the rural hinterland. As noted above, the impact of additional traffic on Gulgan Rd would be informed by a detailed traffic impact assessment undertaken at the planning proposal stage.</p> <p>The Saddle Rd is a rural road constrained by sloping topography and</p>

Key matters raised	Comment
	<p>potential traffic impact on Saddle Rd residents. Should it be a potential option, the road would need to be upgraded and a structure plan and traffic impact assessment would need to inform how these issues could be resolved. It is usual practice that these investigations take place at the planning proposal stage.</p>
<p>Additional Truck traffic along Gulgan Road from the Brunswick Heads South Interchange to the Tyagarah Interchange will pose a risk to cyclists and pedestrians using Gulgan Road.</p>	<p>The Gulgan North Investigation Area links with the proposed new on-road cycle lane on Mullumbimby Road between Manns Road and the Gulgan North Pacific Highway interchange.</p> <p>There is existing pedestrian access from Brunswick Heads to the North Gulgan Hwy interchange, and capacity to extend pedestrian access to the North Gulgan site would be considered under a detailed assessment.</p>
<p>Potential impacts on acoustic and scenic amenity have not been considered.</p> <p>The Saddle Road ridgeline can be seen from a number of popular vantage points in the Byron Shire.</p> <p>Industrial/business use of the site is not compatible with tourism and will diminish the entrance to Brunswick Heads.</p>	<p>The subject land is not proximate to residential zoned areas, i.e. sensitive receivers. The current zoning of the land allows for agricultural production which also has the potential for acoustic impacts on nearby rural residents. The Saddle Rd currently receives existing traffic noise generated from Gulgan Rd and the Hwy.</p> <p>Due to the slope constraint, it is expected that visually sensitive development on elevated land close to the ridgeline would be unlikely. Potential visual impacts that may detract from the entrance to Brunswick Heads via Gulgan Rd could potentially be managed through landscaping, sympathetic design considerations and vegetation screening.</p> <p>The road reserve adjoining the North Gulgan Hwy interchange is elevated and heavily vegetated. This natural screening effectively blocks visual access to the site for commuters entering and exiting Brunswick Heads via the interchange roundabout – see image below:</p>  <p>Strategy update to address:</p> <p>That investigations pertaining to visual impacts be included as a key issue for further investigation in the BILS under Table 9 (Direction 3).</p>

Key matters raised	Comment
<p>Insufficient consideration has been given to environmental constraints on the site and the potential impacts of development on biodiversity. Specific concerns include:</p> <ul style="list-style-type: none"> - threatened ecological communities, threatened species and remnant rainforest - Koala movements and habitat - Proximity to Saddle Road Dip Site which has been decommissioned but not rehabilitated - Watercourses and riparian corridors traversing the site 	<p>The Environmental zoning process is reasonably advanced with capacity to identify land likely to be designated an E Zone.</p> <p>As noted above, Employment Precinct Investigation Areas identified in the Strategy, including Gulgan North, have been amended to remove land with a potential environmental zoning.</p> <p>The Strategy notes in Table 9 (Direction 3) that ecological sensitivities including prime koala habitat are a key issue for further investigations.</p> <p>With regard to the Saddle Road Dip Site, a SEPP 55 contaminated lands assessment would be required to accompany a planning proposal. The planning proposal could not be submitted for a Gateway determination unless the Council had considered the likelihood of contamination and was satisfied that the land could be rehabilitated to a standard suitable business and industrial development.</p> <p>Strategy update to address:</p> <p>That a SEPP 55 assessment of dip site implications be included as a key issue for further investigation in the BILS under Table 9 (Direction 3).</p>
<p>Insufficient consideration has been given to impacts on Aboriginal and non-Aboriginal environmental heritage.</p>	<p>It is noted that the landowner has previously undertaken significant cultural heritage investigations in consultation with Aboriginal stakeholders.</p> <p>The Strategy notes in Table 9 (Direction 3) that cultural heritage sensitivities are a key issue for further investigation. These investigations would take place at the planning proposal stage, and if development were to proceed, it is anticipated that an Aboriginal stakeholder representative would be present on site to oversee any works.</p> <p>Further details are provided in Table 1.</p> <p>A protocol framework for working with the Aboriginal community is appended to the BILS.</p>
<p>Insufficient consideration has been given to the impact of flooding on the investigation area and Gulgan Rd.</p>	<p>Council's flood mapping indicates that the site is not impacted by flooding in a 1 in 100 year flood event, and is not impacted by flooding under the 100 year climate change scenario. It is noted that flooding occurs on low lying areas to the east of Gulgan Rd, with Gulgan Rd itself experiencing minor flood impacts.</p> <p>It is usual practice for a flood impact assessment and stormwater management strategy to be required at the planning proposal stage to ensure that any increase in hard surfaces does not result in adverse impacts on the receiving catchment.</p>

Key matters raised	Comment
Insufficient consideration has been given to the viability of delivering water and sewer infrastructure to the site, as well as the capacity of existing infrastructure to manage increased loading.	<p>Noted.</p> <p>It is usual practice that detailed investigations regarding infrastructure servicing take place at the planning proposal stage.</p> <p>Strategy update to address:</p> <p>That investigations pertaining to distance from existing water and sewerage infrastructure and connection to existing infrastructure be included as key issues for further investigation in the BILS under Table 9 (Direction 3).</p>
Insufficient consideration has been given to buffers relating to rural industries/hazardous industries and buffers to regionally significant farmland.	<p>Buffer requirements would need to be considered in the preparation of a structure plan and/or at the development application stage.</p> <p>Due to the limited potential footprint, buffer requirements may preclude certain land uses from being viable on the site. For example hazardous industries require a 1km buffer to residential areas. It is worth noting that the site is approximately 500m from the nearest residential zoned land at Bayshore Brunswick.</p> <p>Strategy update to address:</p> <ul style="list-style-type: none"> • That Actions under Direction 3 require the preparation of a structure plan at the planning proposal stage for all industrial and business park investigation areas.
<p>Existing B1 zoned land in Bayside Brunswick heads is not viable for development, effectively sterilising fully serviced urban land.</p> <p>The B1 zoned land should be rezoned to residential in light of additional land being proposed at Gulgan north.</p>	<p>It should be noted that the Gulgan North investigation area is for a business and industrial park, not a B1 zoned neighbourhood centre. Page 47 of the BILS notes that in the northern trade catchment, there is a predicted undersupply of B1 zoned land. This undersupply includes the existing zoned land at Bayside.</p> <p>The landowner of the Bayside centre has made previous representations to have their land reallocated from a business centre to residential, Council advised.</p> <p><i>State planning controls require Council to be cautious in reducing the amount of land available for employment purposes and the removal of this business zone should not be done in isolation of the availability of business land in the Brunswick area generally as well as the local situation".</i></p> <p>This Council position is still relevant. The Bayside area is a future residential growth area with capacity for over 250 additional homes, potentially more, dependent on the outcomes of the Low Rise Medium Density Code.</p>

5.3 Submissions supporting inclusion of the Bangalow Industrial Estate expansion Investigation Area

A total of 4 submissions were received that indicated support for inclusion of the Bangalow Industrial Estate expansion Investigation Area in the Strategy. Points raised in support are summarised below:

- The RU1 zoned land has little value as farmland being only 1.4 Ha.
- Unlike other Industrial Zoned land adjacent to the Bangalow Industrial Estate this portion of land has clear access from Dudgeons Lane and requires no consideration for future access.
- This portion of land seems a natural extension to the existing industrial estate.
- There is opportunity to reinstate the creek back to Riparian buffer zone through sympathetic planting thus improving water quality back into Byron Creek.
- Population of Bangalow has grown however no new industrial land has been made available.
- Rental costs for business premises are becoming increasingly restrictive for local businesses that have to look elsewhere.
- Opportunity for mixed use concept like 'Habitat' in Byron Bay.

5.4 Matters raised in relation to the Bangalow Industrial Estate expansion Investigation Area

One submission was received that raised issues in relation to inclusion of the Bangalow Industrial Estate expansion Investigation Area in the BILS. The key feedback points are summarised in Table 3 together with a staff comment on how to best address the matter.

Table 3: Bangalow Industrial Estate expansion Investigation Area - Matters Raised

Key matters raised	Comment
The land is zoned RU1 and should be utilised for grazing.	<p>The State Policy Consistency Checks (Attachment 5) have been updated to include an assessment of the Gulgan North and Bangalow Industrial Estate expansion investigation areas.</p> <p>The Bangalow Industrial Estate expansion investigation area is mapped as Regionally Significant Farmland and is not mapped as State Significant Farmland.</p> <p>A strategic level appraisal of the investigation area against the Important Farmland Variation Criteria is included in Attachment 5 - State Policy Consistency Check.</p> <p>It is usual practice that detailed investigations take place at the planning proposal stage.</p>
Development of the land will impact on the adjoining creek and riparian landscape.	<p>The creek traverses land currently utilised for grazing. A desktop analysis indicates that the riparian corridor is in poor condition due to clearing of vegetation and grazing activities.</p> <p>If the site is to be developed for industrial purposes, a riparian buffer would need to be established. There is also opportunity to rehabilitate the riparian corridor through revegetation.</p> <p>Strategy update to address:</p>

Key matters raised	Comment
	That a investigations pertaining to riparian buffers, flooding and stormwater drainage be included as key issues for further investigation in the BILS under Table 11 (Direction 3).
<p>Concern regarding traffic impacts on local roads as there is no direct HWY access.</p> <p>Expansion may require direct access to the HWY to be secured, resulting in more loss of farmland / impact on rural character and environment</p>	<p>Noted.</p> <p>It is unlikely that development of the land for industrial purposes would warrant the need to secure direct access to the HWY. Such works would be cost prohibitive to the development proceeding.</p> <p>Strategy update to address:</p> <p>That investigations pertaining to traffic flow implications for Lismore Road be included as a key issue for further investigation in the BILS under Table 11 (Direction 3).</p>

6. Strategy updates to reflect the outcomes of the consultation

Ensure that the BILS captures the following key issues and further investigations detailed below.

General updates to the BILS:

- **That Actions under Direction 3 require the preparation of a structure plan at the planning proposal stage for all industrial and business park investigation areas.**
- **That the BILS incorporate an action requiring cultural heritage investigations using a protocol for working with the Arakwal.**
- **Information be contained in the strategy that explains the use of the term 'potential developable land'.**

Updates specific to the Gulgan North Investigation Area:

- **That investigations pertaining to Aboriginal and non-indigenous cultural sensitivities be included as a key issue for further investigation in the BILS under Table 9 (Direction 3).**
- **That investigations pertaining to biodiversity and ecological sensitivities including prime koala habitat (verification by qualified and experienced ecologist) be included as a key issue for further investigation in the BILS under Table 9 (Direction 3).**
- **That investigations pertaining to traffic impacts and safe access points to Gulgan Rd be included as key issues for further investigation in the BILS under Table 9 (Direction 3).**
- **That investigations pertaining to Aboriginal Cultural Sensitivities be included as a key issue or further investigations in the BILS under Table 9 and Table 11 (Direction 3).**
- **Sites and a 100m buffer (where requested by the Arakwal) are to be excluded from inclusion in a business or industrial zone.**

- That investigations pertaining to traffic impacts and safe access points to Gulgan Rd be included as key issues for further investigation in the BILS under Table 9 (Direction 3).
- That investigations pertaining to visual impacts be included as a key issue for further investigation in the BILS under Table 9 (Direction 3).
- That a SEPP 55 assessment of dip site implications be included as a key issue for further investigation in the BILS under Table 9 (Direction 3).
- That investigations pertaining to distance from existing water and sewerage infrastructure and connection to existing infrastructure be included as key issues for further investigation in the BILS under Table 9 (Direction 3).

Updates specific to the Bangalow Industrial Estate expansion Investigation Area:

- That investigations pertaining to Aboriginal Cultural Sensitivities be included as a key issue or further investigations in the BILS under Table 9 and Table 11 (Direction 3).
- That a investigations pertaining to riparian buffers, flooding and stormwater drainage be included as key issues for further investigation in the BILS under Table 11 (Direction 3).
- That a investigations pertaining to traffic flow implications for Lismore Road be included as a key issue for further investigation in the BILS under Table 11 (Direction 3).