
TOWN PLANNING REPORT

Statement of Environmental Effects

Development Application for the following works:

Stage One: Demolition of the existing structures within the site

Stage Two: Construction of an industrial development containing 12 x light industrial units and associated vehicle access, parking, provision of services and landscaping

No. 3-7 Mogo Place, Billinudgel
Lot 1372 in Deposited Plan 253095

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Table of Contents

1.0	Introduction	2
2.0	Description of the site	3
3.0	Description of the proposal	6
4.0	Statutory considerations.....	8
4.1	NSW Environmental Planning and Assessment Regulation 2021	8
4.2	Section 1.7 of the Environmental Planning and Assessment Act 1979	8
4.3	Section 4.14 of the Environmental Planning & Assessment Act 1979.....	8
4.4	Matters for Consideration under Section 4.15 of the Environmental Planning & Assessment Act 1979	8
4.3.1	Section 4.15(1)(a)(i) The Provisions of any Environmental Planning Instrument.....	8
4.3.2	Section 4.15(1)(a)(ii) The Provisions of any Draft Environmental Planning Instrument.....	13
4.3.3	Section 4.15(1)(a)(iii) The Provisions of any Development Control Plans .	13
4.3.4	Section 4.15(1)(b) The likely Impacts of the Proposed Development	18
4.3.5	Section 4.15(1)(c) Suitability of the Site for the Proposed Development .	19
4.3.5	Section 4.15(1)(d) The Public Interest.....	19
5.0	Conclusion	20

Annexures

- A. Minutes from Development Advice Panel Meeting
- B. Acid Sulfate Soils Investigation and Management Plan
- C. Bush Fire Assessment Report
- D. Fire Service Design Statement, Fire Coverage Plan & Water Pressure Certificate
- E. Sediment & Erosion Control Plan
- F. Site Based Stormwater Management Plan & Engineering Services
- G. Site Plan & Flood Storage Calculations
- H. Site Waste Management Plan
- I. Survey Plan
- J. Traffic Impact Assessment
- K. Vehicle Manoeuvring Plan
- L. Development Plans

1.0 Introduction

This Town Planning Report includes a Statement of Environmental Effects to accompany a Development Application to Byron Shire Council to carry out demolition works and construct a new building, access, parking and landscaping within the subject property. The proposed building contains twelve light industrial units.

The following sections of this report relate to the matters summarised below:

Section 2 – provides a description of the development site.

Section 3 – provides a description of the proposed development.

Section 4 – provides consideration of the proposed development having regards to the statutory requirements applying to the site.

Section 5 – provides a conclusion to this report.

In addition to these sections, Annexures include documentation of relevance to the proposed development and its site, including the plans of the proposed development. Figures are included throughout the document to provide details of the development and the development site.

This Statement of Environmental Effects has been prepared in accordance with Schedule 1, Part 1, Clause 2(4) of the Environmental Planning and Assessment Regulation 2000, which requires a Statement of Environmental Effects to indicate the following matters, where relevant to the proposal:

- (a) the environmental impacts of the development,
- (b) how the environmental impacts of the development have been identified,
- (c) the steps to be taken to protect the environment or to lessen the expected harm to the environment.

Note on the use of this document

This document has been prepared for the use of Byron Shire Council, as the consent authority, for determining a Development Application for carrying out development on the site. The document is to be used to assist in the assessment of a Development Application and is not intended to be used for any other purpose. This document is protected by copyright.

2.0 Description of the site

General

The proposed development relates to a single allotment of land that is located at No. 3-7 Mogo Place within the Billinudgel Industrial Estate. The allotment is formally described as Lot 1372 in Deposited Plan 253095. It has a land area of 3,706 square metres.

The subject allotment has direct vehicle access from Mogo Place to the east. The land is generally level due to previous construction works. A gentle slope provides fall to the front and rear property boundaries.

Refer to Figure 1 for an extract of Deposited Plan 253095. Refer to Figure 2 for a Locality Plan and to Figure 3 for an Aerial Photograph of the Site and Surrounds.

Improvements and Land Uses

Lot 1372 currently contains a large shed structure that is used as a hardware and building supplies business. Storage sheds and racks are located within the side and rear yard areas. Some product display areas are located within the front setback area to Mogo Place. The property is fenced.

Zoning

The subject allotment is located within the E4 General Industrial Zone under Byron Local Environmental Plan 2014.

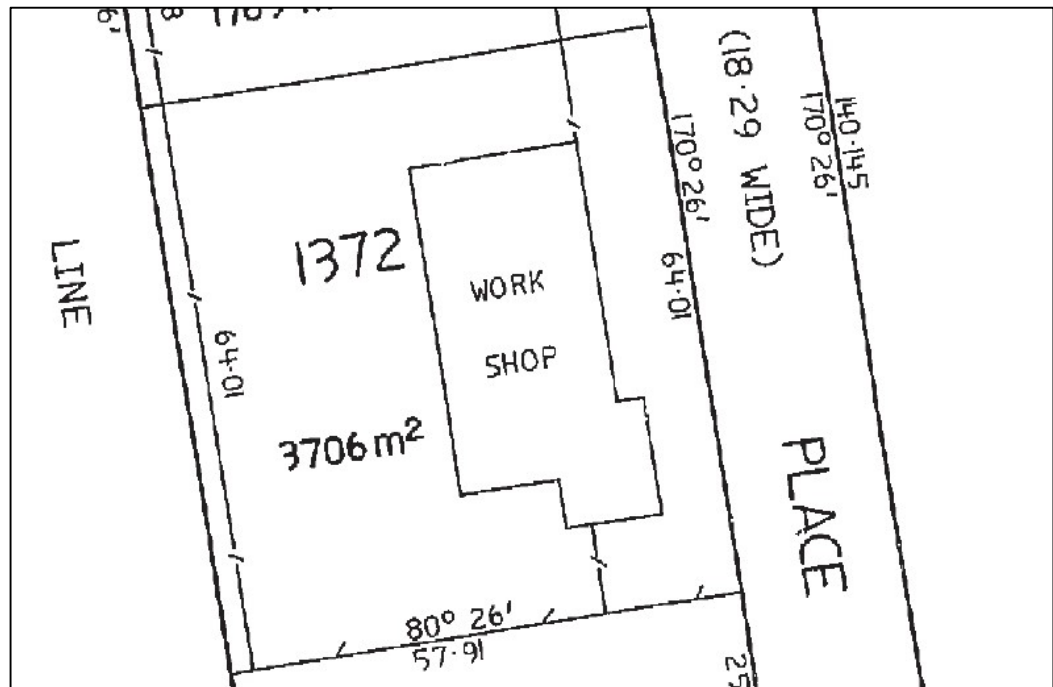


Figure 1 – Extract of Deposited Plan 253095

Surrounding Land Uses

Industrial buildings containing various land uses surround the site. A smash repairs business is located to the south. A fencing contractor adjoins to the north. Storage units are located on the opposite side of Mogo Place to the east. The currently unused North Coast Railway Line adjoins to the west.

Services

The allotments have access to the following services:

- Water Supply – the property has access to Council's reticulated water supply.
- Sewerage Connection – the property is connected to Council's sewer network.
- Telecommunications – available to the existing allotments from the road reserve.
- Electricity – accessible from overhead transmission lines administered by Essential Energy.
- Stormwater drainage – stormwater drains to Mogo Place.
- Waste and Recyclables Collection – available to the site.

Constraints

Mapping by NSW Planning and Environment indicates that the property is located within a bush fire buffer area and contains Class 3 potential acid sulfate soils. The site is also within an area that is affected by flooding.

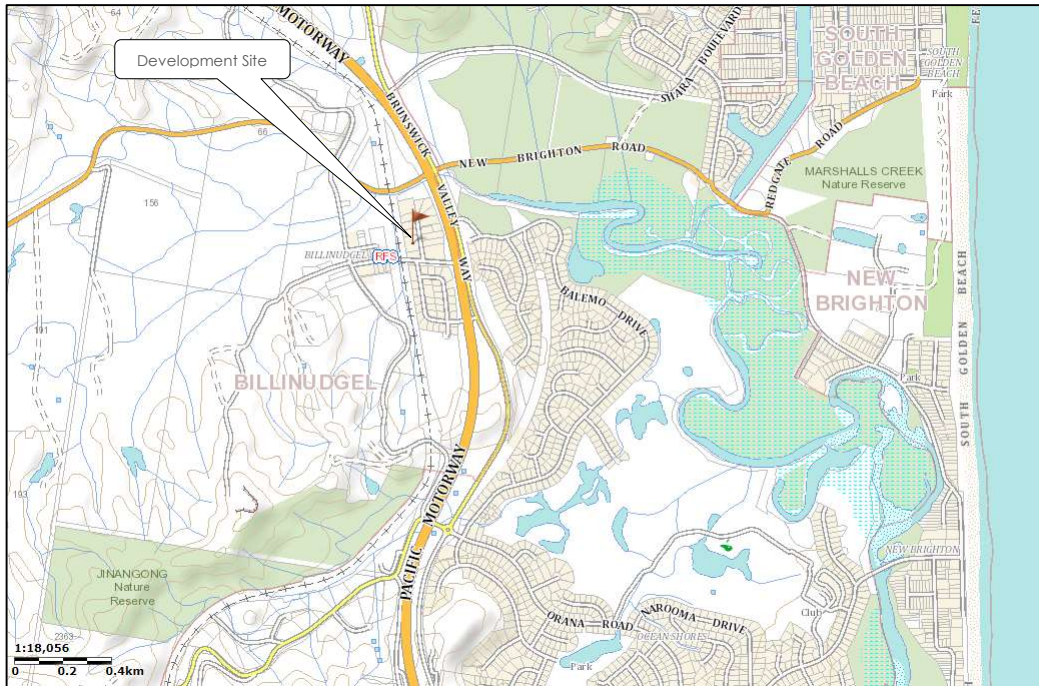


Figure 2 – Locality Plan (NSW LPI)

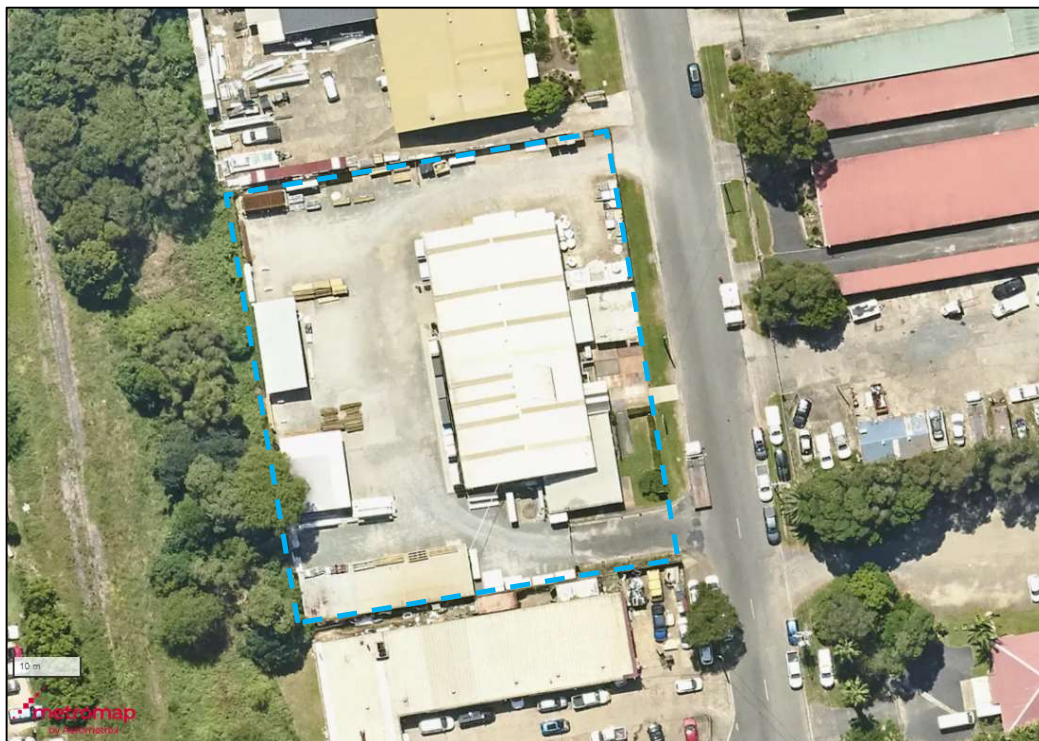


Figure 3 – Aerial Photograph of Site & Surrounds (Metromap)

3.0 Description of the proposal

Development consent is sought to demolish the existing structures within the site and construct a new industrial building containing 12 x light industrial units with associated access and vehicle parking areas. The development is to be carried out in three stages: 1) Demolition works; 2) Construction works.

A pre-lodgement meeting was held with Byron Shire Council staff to discuss the proposed development. The minutes of this meeting are provided as an Annexure to this Town Planning Report.

The proposed building is to be constructed of concrete tilt up wall panels and steel sheet roofing. Steel roller doors are proposed for each individual unit. Personal doors and windows are proposed on the internal and street elevations.

A summary of the floor areas and parking generation of the proposed units is provided in the table below:

Summary of Proposed Units			
Unit	Floor Area (sqm)		Parking Demand
1	143.4		2
2	123		2
3	200		2
4	130		2
5	150		2
6	150		2
7	150		2
8	150		2
9	130		2
10	200		2
11	123		2
12	120.4		2
TOTAL	1,769.8 sqm		24
FSR	Site	3,706 sqm	0.48:1

Each unit contains a single level with access via a roller door and a personal door. A small bathroom and a wash up sink are located within each unit.

Each of the proposed units is to be used for light industrial purposes in accordance with the following definition from Byron Local Environmental Plan 2014:

light industry means a building or place used to carry out an industrial activity that does not interfere with the amenity of the neighbourhood by reason of noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil, or otherwise, and includes any of the following -

(a) high technology industry,

(b) home industry,

(c) artisan food and drink industry,

(d) creative industry.

Note - Light industries are a type of industry—see the definition of that term in this Dictionary.

To be clear, it is not proposed to create any artisan food and drink industries. The units will be let to tenants, and will typically be used as factory/creative units for small scale manufacturing in accordance with the following industrial activity definition:

industrial activity means the manufacturing, production, assembling, altering, formulating, repairing, renovating, ornamenting, finishing, cleaning, washing, dismantling, transforming, processing, recycling, adapting or servicing of, or the research and development of, any goods, substances, food, products or articles for commercial purposes, and includes any storage or transportation associated with any such activity.

The proposed development includes a parking area for 25 vehicles, including 1 x accessible space. Garbage bin storage is proposed within each individual unit. Two access driveways are to be provided to the property from Mogo Place. Loading bays are provided within the site for access by a small and a medium rigid vehicle. Landscaping is provided across the street frontage and adjacent to the vehicle parking area in accordance with Council's development control plan. The building is setback a minimum of 6.0 metres from the street frontage.

The Development Application is supported by the following documents:

- Development Plans
- Acid Sulfate Soils Investigation and Management Plan
- Bush Fire Assessment Report
- Fire Service Design Statement, Fire Coverage Plan & Water Pressure Certificate
- Sediment & Erosion Control Plan
- Site Based Stormwater Management Plan & Engineering Services
- Site Plan & Flood Storage Calculations
- Site Waste Management Plan
- Survey Plan
- Traffic Impact Assessment
- Vehicle Manoeuvring Plan

4.0 Statutory considerations

4.1 NSW Environmental Planning and Assessment Regulation 2021

The proposal does not raise any significant issues under the NSW Environmental Planning and Assessment Regulation 2021. A Construction Certificate will be issued prior to the commencement of construction works, providing certification with the requirements of the Building Code of Australia. Refer to the Annexures of this Town Planning Report for a Fire Service Design Statement, a Fire Coverage Plan and a Water Pressure Certificate.

4.2 Section 1.7 of the Environmental Planning and Assessment Act 1979

Section 1.7 of the EP&A Act 1979 provides that the Act has effect subject to the provisions of Part 7 of the Biodiversity Conservation Act 2016 and Part 7A of the Fisheries Management Act 1994 that relate to the operation of this Act in connection with the terrestrial and aquatic environment.

The proposed development is located within a previously cleared and filled subdivision. No significant vegetation removal is required to carry out the proposed works. Erosion and sediment controls will be put in place during construction works.

Given the circumstances of the site, the proposal raises no significant impacts in relation to the on the Biodiversity Conservation Act 2016 or the Fisheries Management Act 1994.

4.3 Section 4.14 of the Environmental Planning & Assessment Act 1979

Mapping issued by NSW Planning and Environment indicates that the subject property is located within a buffer area to bush fire hazards. Refer to the Annexures of this Town Planning Report for a Bush Fire Assessment prepared by Bush Fire Certifiers.

4.4 Matters for Consideration under Section 4.15 of the Environmental Planning & Assessment Act 1979

4.3.1 Section 4.15(1)(a)(i) The Provisions of any Environmental Planning Instrument

SEPP (Resilience and Hazards) 2021: Chapter 4 Remediation of land

The subject allotment was registered as part of Deposited Plan 253095 which was created on 14 December 1976. The subject allotment is part of an industrial subdivision. No residential uses are proposed. Given the nature of the proposed development, further investigations of the property with regards to site contamination are not considered warranted at the Development Application stage.

Byron Local Environmental Plan (LEP) 2014

LEP 2014 Land Use Table – Zone E4 General Industrial Zone

The site of the proposed development is located within the E4 General Industrial Zone under Byron Local Environmental Plan 2014. The proposal comprises 12 x units to be used to carry out industrial activities. A review of the definitions within the dictionary of Byron Local Environmental Plan 2014 indicates that the proposed development is best defined as 'light industry', as below:

light industry means a building or place used to carry out an industrial activity that does not interfere with the amenity of the neighbourhood by reason of noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil, or otherwise, and includes any of the following -

- (a) high technology industry,
- (b) home industry,
- (c) artisan food and drink industry,
- (d) creative industry.

Note - Light industries are a type of industry—see the definition of that term in this Dictionary.

It is not proposed to create any artisan food and drink industries within the property. The units will be let to tenants, and will typically be used as factory units for small scale manufacturing in accordance with the following industrial activity definition:

industrial activity means the manufacturing, production, assembling, altering, formulating, repairing, renovating, ornamenting, finishing, cleaning, washing, dismantling, transforming, processing, recycling, adapting or servicing of, or the research and development of, any goods, substances, food, products or articles for commercial purposes, and includes any storage or transportation associated with any such activity.

The Objectives of the zone are as follows:

- To provide a range of industrial, warehouse, logistics and related land uses.
- To ensure the efficient and viable use of land for industrial uses.
- To minimise any adverse effect of industry on other land uses.
- To encourage employment opportunities.
- To enable limited non-industrial land uses that provide facilities and services to meet the needs of businesses and workers.
- To provide for creative industrial uses such as artisan and cultural industries.

The proposed development will provide spaces for new industrial activity within the Billinudgel industrial estate. The location is such that impacts on adjoining properties will be minimal. The development will support and protect industrial land for industrial use. The proposed development is consistent with the objectives of the E4 General Industrial Zone.

LEP 2014 Clause 2.6 – Subdivision

Clause 2.6 requires development consent to be sought for subdivision, other than strata subdivision in certain circumstances. In this case, the exact timing of the strata subdivision is uncertain, but it will occur after the completion of the construction works. The Development Application does not seek consent to strata title the 12 x units as exempt and complying development options are available once the development is completed.

LEP 2014 Clause 4.3 – Height of Buildings

The Local Environmental Plan prescribes a maximum overall height limit of 9 metres within the subject site. The proposed development meets this requirement.

LEP 2014 Clause 4.4 – Floor Space Ratio

Clause 4.4 provides that the maximum floor space ratio for development within the site is 0.75:1. The proposed development meets this requirement as set out in the table below:

Site Area	3,706 square metres
Total GFA	1,769.8 square metres
FSR	0.48:1

LEP 2014 Clause 5.21 – Flood Planning

Like much of Billinudgel, the subject property is located within an area that is impacted by flooding. The requirements of Clause 5.21 are set out in the table below with a comment provided in relation to each:

Objectives	Comment
i. to minimise the flood risk to life and property associated with the use of land,	The development has been designed in response to the flood impacts of the locality.
ii. to allow development on land that is compatible with the flood function and behaviour on the land, taking into account projected changes as a result of climate change,	The proposal is submitted with recognition that this clause specifically allows for development that is compatible with flood function and behaviour. The development has

	been designed to meet applicable flood controls.
iii. to avoid adverse or cumulative impacts on flood behaviour and the environment,	The proposal will not result in adverse or cumulative impacts on flood behaviour or the environment.
iv. to enable the safe occupation and efficient evacuation of people in the event of a flood.	The proposed building will only be used by workers during regular trading hours. No residential, tourist or other uses that are sensitive to flooding are proposed. It is not anticipated that the property will be attended when flooding is forecasted as workers will not travel to a flood affected property. As a precautionary measure, it is anticipated that a flood evacuation plan will be required as a condition of consent.

Consent Considerations	Comment
Development consent must not be granted to development on land the consent authority considers to be within the flood planning area unless the consent authority is satisfied the development—	
(a) is compatible with the flood function and behaviour on the land, and	The proposed development is located within a previously filled allotment that was created for industrial development. Careful consideration has been given to proposed earthworks. The development will not result in adverse impacts on flood behaviour and function.
(b) will not adversely affect flood behaviour in a way that results in detrimental increases in the potential flood affectation of other development or properties, and	As above.
(c) will not adversely affect the safe occupation and efficient evacuation of people or exceed the capacity of existing evacuation routes for the surrounding area in the event of a flood, and	The proposed building will only be used by workers during regular trading hours. No residential, tourist or other uses that are sensitive to flooding are proposed. It is not anticipated that the property will be attended when flooding is forecasted as workers will not travel to a flood affected property. As a precautionary measure, it is anticipated that a flood evacuation plan will be required as a condition of consent.

(d) incorporates appropriate measures to manage risk to life in the event of a flood, and	The floor levels and positioning of the proposed development outside high hazard flood areas provide a sufficient level of safety for the occupants during a flood (should they be at the site during a flood).
(e) will not adversely affect the environment or cause avoidable erosion, siltation, destruction of riparian vegetation or a reduction in the stability of river banks or watercourses.	The proposed development is located within cleared and gently sloping land. The proposal does not compromise any riparian vegetation or the stability of any river bank.
In deciding whether to grant development consent on land to which this clause applies, the consent authority must consider the following matters—	
(a) the impact of the development on projected changes to flood behaviour as a result of climate change,	The proposed construction within a previously modified property will not cause any projected changes to flood behaviour.
(b) the intended design and scale of buildings resulting from the development,	The proposed development does not exceed the maximum floor space ratio controls for the site. The development is consistent with that envisaged for the property at the time the subdivision was created.
(c) whether the development incorporates measures to minimise the risk to life and ensure the safe evacuation of people in the event of a flood,	Refer to comments under Item (c) in the table above and the discussion under Byron Development Control Plan 2014 below.
(d) the potential to modify, relocate or remove buildings resulting from development if the surrounding area is impacted by flooding or coastal erosion.	The proposal is submitted as a permanent development that should not require removal if the locality is impacted by flooding.

LEP 2014 Clause 6.1 – Acid Sulfate Soils

The proposed development is located within a site that is mapped as a Class 3 potential acid sulfate soils. Refer to the Annexures to this Town Planning Report for an Acid Sulfate Soils investigation and management plan prepared by Geotech Investigations Pty Ltd.

LEP 2014 Clause 6.2 – Earthworks

The proposed development includes only minor earthworks associated with footings and plumbing works during construction. Erosion and sedimentation controls will be applied to ensure that the development does not impact on natural waterways and environmentally sensitive areas.

LEP 2014 Clause 6.6 – Essential services

The subject site has access to required services as discussed in the table below:

Required arrangements	Comment
The supply of water	The existing allotment is supplied by town water.
The supply of electricity	Underground electricity is supplied to the property from the overhead network administered by Essential Energy.
The disposal and management of sewage	The proposed development will connect to Council's sewer network.
Stormwater drainage or on-site conservation	Refer to the Annexures of this report for a Site Based Stormwater Management Plan for the proposed development.
Suitable vehicular access	Direct vehicle access is available to the site from Mogo Place. Refer to the Annexures of this Town Planning Report which include vehicle parking and manoeuvring plans.

4.3.2 Section 4.15(1)(a)(ii) The Provisions of any Draft Environmental Planning Instrument

No draft environmental planning instruments have relevant implications for the proposal.

4.3.3 Section 4.15(1)(a)(iii) The Provisions of any Development Control Plans

Byron Development Control Plan (DCP) 2014

DCP 2014 Chapter B3 – Services

DCP 2014 Chapter B3.2.1 – Provision of Services

Refer to comments under Clause 6.6 of Byron Local Environmental Plan 2014.

DCP 2014 Chapter B3.2.3 – Stormwater Management

Refer to the Annexures of this report for a Site Based Stormwater Management Plan for the proposed development.

DCP 2014 Chapter B4 – Traffic Planning, Vehicle Parking, Circulation and Access

The proposed development includes 24 x employee parking spaces including 1 x accessible space. The proposal has been designed in accordance with AS2890 and meets the requirements of Chapter B4 of Byron Development Control Plan 2014.

The design plans show that provision has been made for both a small rigid vehicle and a medium rigid vehicle to park within the site. Turning templates have been provided to show that the MRV vehicle can exit the site in a forward direction.

It is noted that Table B4.2 of Byron Development Control Plan 2014 recommends that loading facilities for a small, medium and heavy rigid vehicle should be provided to service a development that has a floor space area of between 1,600 square metres and 2,399 square metres. However, despite the proposed development having a floor space of 1,769.8 square metres, it is submitted that only a small and a medium rigid vehicle loading bay is required.

Each of the proposed tenancies within the industrial development has a floor area of between 120.4 and 200 square metres. The average floor area over the 12 tenancies is 147.5 square metres. The locality includes a number of existing industrial buildings with units of similar floor spaces. These existing buildings are adequately serviced by small and medium rigid vehicles. The small tenancies proposed at 3-7 Mogo Place do not require a heavy rigid vehicle to service their light industrial uses. Further, the physical limitations of the property do not allow access for a heavy rigid vehicle. It is requested that Byron Shire Council grant a variation in this instance.

DCP 2014 Chapter B8 – Waste Minimisation and Management

This Chapter includes a requirement for a Site Waste Minimisation and Management Plan for new development. This has been provided as an Annexure to this report.

DCP 2014 Chapter B9 – Landscaping

The following design criteria apply to industrial developments:

1. For effective landscaping a minimum garden bed width of 2 metres is required for the front boundary. The garden bed must contain low shrubs and ground covers and clear trunked canopy shade trees with a minimum spacing of 6m between each tree;
2. At least 80% of the planting of industrial sites is to be at the front of the site.

The development plans include landscaping details which meet the above criteria. Native landscape plantings are proposed at the front of the site and adjacent to the vehicle parking areas.

DCP 2014 Chapter C2 – Areas Affected by Flood

The proposed development is located within an approved industrial allotment. It is proposed to construct the new buildings using suspended concrete slabs over much of the floor area. The suspended slab design will minimise impacts on flooding in the locality.

The proposed earthworks have been carefully modelled to increase flood storage area, rather than reduce it. Refer to the calculations below from the Engineering Plans prepared by DNBS Consulting Engineers. These confirm that the proposal will not have any adverse impacts on flooding.

FLOOD STORAGE VOLUMES	
LOT 1372 ON DP253095	FLOOD LEVEL 3.89mAHD
EXISTING FLOOD STORAGE BELOW	3244
PROPOSED FLOOD STORAGE BELOW	3279
NET GAIN IN FLOOD STORAGE	35

Refer also to the attached Site Based Stormwater Management Plan and Engineering Services Report, prepared by DNBS Consulting Engineers, which includes the following comments:

The regional flood levels of Marshalls Creek for the subject site have been confirmed as between 3.89 and 3.80mAHD with all proposed floor levels of the Industrial units being set at a minimum of 4.20mAHD to achieve a minimum 300mm freeboard. The proposed development layout will largely consist of a suspended concrete slab for the external pavement area and the industrial factory units and the minor filling and loss of flood plain storage required at the front of the site for access has been offset by a compensatory cut area from the rear of the site. The natural flood plain storage over the site to the DFL of 3.89mAHD has been increased from 3244m³ to 3279m³ for a gain of 35m³ as a result of the development. Refer drawings in Appendix A for details and a copy of the council flood search is included in Appendix C.

The proposed light industrial units have been designed with finished floor levels as follows:

Unit	Finished Floor Level (metres AHD)
1	4.2
2	4.51
3	4.6
4	4.6
5	4.6
6	4.6
7	4.6
8	4.6
9	4.6
10	4.6
11	4.51
12	4.2

Byron Development Control Plan 2014 nominates the following provisions for floor levels within flood affected properties for industrial development:

Commercial and Industrial floor levels are generally required to achieve the Projected 2050 Flood Planning Level. Where this cannot occur, Council will consider flood proofing and emergency storage above the Projected 2050 Flood Planning Level to minimise damage that may occur during flooding (refer to sections C2.3.4 Flood Proofing and C2.3.5 Special Provisions).

The attached Flood Information Certificate for the site nominates a 2050 Flood Planning Level of 4.51m AHD.

It is noted that all but two of the twelve proposed units provide floor levels that meet Council's nominated Flood Planning Level. Units 1 and 12 have finished floor levels of 4.2m AHD, which are 0.31m below the 2050 Flood Planning Level (but above the 1 in 100 year flood level). Units 1 and 12 are located at the front of the site which has limitations on raising floor levels due to maximum driveway gradients from the fixed level of Mogo Place. The proposed infill development is constrained by the levels of the historic subdivision. It is not possible to raise the floor levels of Units 1 and 12 without having a step into the tenancies from the driveway area. This would provide an impractical unit layout in terms of deliveries and moving of goods.

In accordance with the DCP provisions, it is proposed to provide mezzanine floors within these two units. These mezzanines are regarded as the 'habitable rooms' for the units and provide flood free storage for valuable items. Despite the ground floor levels being just under the Flood Planning Level, the proposed mezzanines are considered to be an acceptable response to flooding impacts for these two units.

DCP 2014 Chapter D5 – Industrial Development

DCP 2014 Chapter D5.2.1 – Building Lines

The proposed development has been designed to meet the primary 10 metre building line and the secondary 6 metre building line requirements.

DCP 2014 Chapter D5.2.2 – Building Criteria

The Prescriptive Measures of Chapter D5.2.2 require details of building materials to be submitted with the Development Application. The proposed development includes the use of concrete tilt-up panel walls with steel sheet roofing. Steel roller doors are also proposed. Personal doors and windows are proposed on the street and internal elevations.

The proposed building is considered to be consistent with the objectives of Chapter D5.2.2 as discussed below:

1. *To encourage a high standard of industrial building which is functional, compatible with the existing and desired future character of the precinct and does not detract from other buildings or development in the locality.*

The development comprises a high standard of building, designed to meet the functional requirements of the landowner. The site is located near to similar styled developments within the Billinudgel Industrial Estate. As such, the proposal will not detract from other buildings. The proposed materials are similar to established buildings located within the Lucky Lane and Bonanza Drive.

2. *To minimise the risk of threats and damage to industrial development from flood.*

Refer to comments above in relation to Chapter C2.

3. *To ensure that provision is made for employee facilities.*

Each unit within the development includes employee sink and amenities. Each individual unit will be fitout to meet occupant requirements.

DCP 2014 Chapter D5.2.3 – Water and Sewer Services

The proposed development will connect to Council's water and sewer services.

Chapter D5.2.4 – Energy Efficient Industrial Development

Each of the proposed units includes openings on the lower levels to allow for air circulation. Energy efficient lighting, appliances and equipment will also be used within the building. The layout of each unit with few internal walls will create an adaptable and flexible building for future alternate uses. Adequate area is available within each unit to provide bicycle parking for employees where required.

Chapter D5.2.5 – Water Sensitive Urban Design and Industrial Development

The Performance Criteria for Chapter D5.2.5 encourage development to allow for water sensitive urban design. The plans of the proposed development prepared for Funkygrin Pty Ltd include a stormwater detention design to capture and control stormwater from impervious areas. The site will retain an impervious area and appropriately manages stormwater to meet Council requirements. Refer to the Site Based Stormwater Management Plan provided with the Development Application.

4.3.4 Section 4.15(1)(b) The likely Impacts of the Proposed Development

In assessing the subject proposal, Council must consider the likely impacts of the development, including environmental impacts, on both the natural and built environments, and social and economic impacts in the locality.

This Section of the Statement of Environmental Effects indicates the following matters, where relevant to the proposal:

- (a) the environmental impacts of the development,
- (b) how the environmental impacts of the development have been identified,
- (c) the steps to be taken to protect the environment or to lessen the expected harm to the environment.

The following actions were applied to assist in identifying potential impacts from the proposed development:

- An inspection of the site.
- Review of aerial photography to identify vegetation cover and the position of development within the site and surrounding properties.
- Review of environmental planning tools including vegetation mapping, koala habitat mapping, BDAR mapping, stream mapping, constraints mapping and zoning mapping.

Review of historic planning approvals to confirm existing and past land uses within the site and adjoining properties.

Economic Impacts

The proposal will result in positive economic impacts during the construction phase and operational phase of the business. Each of the proposed units will contain separate business enterprises that will typically employ up to 2 persons.

Social impacts

The development site is located within the Billinudgel Industrial Estate. Industrial land uses surround the site. The development is suited to this location. The proposal will have no adverse social impacts.

Impacts on the Built Environment

As the proposed development will make use of an established industrial allotment that adjoins light industrial uses. The development has been designed to suit the requirements of the landowner to provide for future independent business operations. The building design incorporates materials that are typical within the Billinudgel Industrial Estate. Landscape plantings are proposed

to enhance the built form. No adverse impacts on the built environment are likely to arise from the proposal.

Impacts on Traffic and Car Parking

Adequate area is available within the site for employee parking as required by Council's Development Control Plan. The proposed building also includes sufficient area to provide loading bays associated with the development. The adjacent road network is of sufficient capacity to handle vehicle movements to and from the site. Refer to the Traffic Impact Assessment prepared by Greg Alderson & Associates which confirms that the development meets the requirements of AS2890.1 and is satisfactory in terms of traffic impacts.

Impacts on the Natural Environment

An inspection of the property confirms that the site of the proposed development has previously been cleared and contains an existing hardware supplies business. The site does not contain any significant vegetation. No native vegetation removal is proposed. A 3 metre buffer is provided to the rear property boundary to provide an impervious area fronting the adjacent railway corridor. Landscaping is proposed within the front of the site and adjacent to the vehicle parking areas to complement the development. Erosion control measures will be applied during construction. The proposal will result not result in significant adverse impacts on the natural environment.

4.3.5 Section 4.15(1)(c) Suitability of the Site for the Proposed Development

The development site comprises a 3,706 square metre allotment located within the Billinudgel Industrial Estate. The land is located within the E4 General Industrial Zone under Byron Local Environmental Plan 2014.

The allotment was constructed with direct street access. All urban services are provided to the property including underground power, water and sewer connections. The development can be constructed with minimal impacts on the environment.

The site is considered to be suitable for the proposed development.

4.3.5 Section 4.15(1)(d) The Public Interest

The proposal is generally consistent with the development control requirements of Byron Shire Council and does not compromise the public interest.

5.0 Conclusion

The proposal seeks to construct a new industrial building with associated driveways, vehicle parking areas and landscaping within the subject site. The proposed development has considered the requirements of Byron Local Environmental Plan 2014 and Development Control Plan 2014.

The proposal is permissible within the E4 General Industrial Zone under Byron Local Environmental Plan 2014. It is consistent with the objectives of the zone and does not detract from the surrounding land uses.

The proposal is consistent with the planning controls of Byron Shire Council. The site is 3,706 square metres in area and is considered to be suitable for the proposed development.

This report addresses the matters for consideration under Section 4.15 of the Environmental Planning and Assessment Act 1979 and relevant planning instruments. It is considered that sufficient information has been provided to assess the proposal as a Development Application in light of the issues identified. However, please advise the Applicant should further information be required to address any issues that may arise during assessment.

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Joe Davidson

Annexures