

**BALLINA SHIRE COUNCIL**

**ATTACHMENT TO ITEM 9.1**

**BALLINA SHIRE GROWTH MANAGEMENT  
STRATEGY**

**Ordinary meeting 26/7/12**

**Attachment 2 - Government agency submissions**

<b>Submission No.</b>	<b>Submission</b>
1	NSW Department of Primary Industries
2	NSW Rural Fire Service
3	NSW Trade & Investment
4	Rous Water
5	NSW Department of Primary Industries, Fisheries
6	NSW Department of Primary Industries, Catchments & Lands



Department of  
Primary Industries

OUT12/13648

The General Manager  
Ballina Shire Council  
PO Box 450  
Ballina NSW 2478

Attention: Simon Scott

Dear Mr Scott

**Draft Ballina Shire Growth Management Strategy**

In response to your letter dated 31 May 2012 requesting comment from DPI Agriculture in relation to the above strategy we provide the following comments.

Agriculture is a dynamic and changing industry which is critical to the future food security of our community. The two core issues for sustainable agricultural development are the protection of the land resource base and the minimisation of conflict.

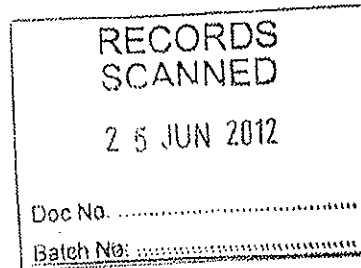
DPI Agriculture is responsible for ensuring the rural land resources are protected and managed in order to maintain resource access for agricultural industry development, to attract investment and to optimise the benefits that agriculture delivers to local and regional communities.

Agriculture is a significant land use within the Ballina Shire, producing more than 40% of the far north coast's macadamia production and contributing to 32% of the regions sugar cane production (ABS 2006). Agriculture also provides opportunities for supporting local businesses such as, tourism, transport providers, rural contractors and retail outlets. The continual development and protection of this industry is essential throughout the strategic planning process.

Further recognition of these important natural resources, that support a vibrant agricultural community and are specific to Ballina Shire, need to be incorporated into the strategic actions of the Growth Management Strategy (GMS). The Northern Rivers Farmland Protection Project map is evidence that a large proportion of the state significant farmland within the region is located within Ballina Shire. This demonstrates the local and regional significance of these natural resources. Therefore adding a sub-section and respective map to section 5.6 *Natural Resources* that reflects the above information is recommended.

The presence of a contiguous corridor of regionally significant farmland stretching north in the Cumbalum locality, specifically Precinct B, also needs to be included into the *key issues* information on page 38. This locality supports important agricultural land and therefore needs to be recognised as a constraint for future development. It is also suggested to include an additional *strategic action* to conduct a comprehensive conflict risk assessment, particularly for the north and north-west boundaries of the site which adjoin agricultural operations.

The village of Wollongbar is surrounded by state and regionally significant farmland, similar to that of Alstonville, which would constrain future expansion, particularly to the south. This information should be included into the *key issues* for the Wollongbar locality on page 48.

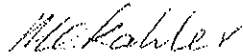


Given the significance and value of agriculture within the Ballina Shire, it would be advised to include this information within the shire wide *strategic actions* on page 52 to ensure these values are protected and managed accordingly.

In conclusion, the Ballina Growth Management Strategy provides a clear overview of population and urban growth trends over the coming years. The principles outlined within this strategy are comprehensive and recognise the importance of avoiding and mitigating land use conflict between urban and non-urban land uses, of which DPI Agriculture support.

Please contact me on 6650 3125 if you require further information.

Yours faithfully



Melissa Kahler  
Resource Management Officer – North Coast

21 June 2012

All communications to be addressed to:

Headquarters  
NSW Rural Fire Service  
Locked Mail Bag 17  
GRANVILLE NSW 2142

Customer Service Centre  
NSW Rural Fire Service  
PO Box 203  
URUNGA NSW 2455

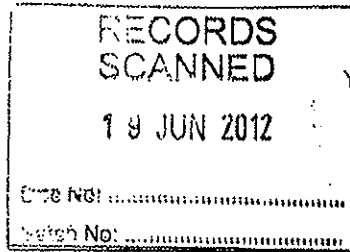
Telephone: (02) 6655 7002  
e-mail: csc@rfs.nsw.gov.au

Facsimile: (02) 6655 7008



The General Manager  
Ballina Shire Council  
PO Box 450  
**BALLINA NSW 2478**

Attention: Simon Scott



Your Ref: Simon Scott

Our Ref: L12/0003

DA 12060783623 AB

15 June 2012

Dear Sir,

**Re: Draft Ballina Growth Management Strategy May 2012**

I refer to your letter dated 13 May 2012 requesting the NSW Rural Fire Service (RFS) comments in respect to the draft Ballina Growth Management Strategy (GMS) dated May 2012. The Rural Fire Service (RFS) comments are provided below.

1. Page 4 of GMS provides comment on NSW Climate Change Policy (CCP). It is noted that the CCP also states

*"The effects of fire are complex and governed by components such as frequency, intensity and season. While short-term effects of individual fires are important, it is necessary to evaluate the long-term impacts of fire on social, economic, ecological and natural resource values. Such an evaluation can be used to quantify the risks to particular values.*

*Research conducted for the Impacts of Climate Change on Natural Hazard Profiles demonstrates that increases in the number and intensity of days of high temperature, low humidity and higher evaporation levels are projected to influence both fire frequency and fire intensity, with the frequency of occurrence of days of very high to extreme fire-risk possibly increasing by 10-50 percent in all State Plan regions of NSW. The fire season is likely to be extended in most regions, but research towards a much better understanding of future changes to the frequency and intensity of El Nifio, ignition rates and fuel accumulation is needed to project the extent of the increase. Also, further research is needed to resolve the effects of future changes in moisture and elevated carbon dioxide levels on the frequency and intensity of fires".*

The GMS should identify the likely increase in Bush Fire threat to the natural and built landscape.

2. The RFS notes that bush fire hazard is to be addressed as part of any future rezoning applications. New land releases may be constrained by the presence of bush fire hazard or the removal of significant vegetation to meet 'Planning for Bush Fire protection' guidelines.

For any enquiries regarding this correspondence please contact Alan Bawden on 6655 7002.

Yours faithfully,

A handwritten signature in black ink, appearing to read 'Bawden', written in a cursive style.

Alan Bawden

**Team Leader – Development Assessment and Planning  
Customer Service Centre – Coffs Harbour**

For information on *Planning for Bush Fire Protection 2006* visit the RFS web page [www.rfs.nsw.gov.au](http://www.rfs.nsw.gov.au)



**Trade &  
Investment**  
Resources & Energy

V12/2767, OUI12/15015

4<sup>th</sup> July 2012

The General Manager  
Ballina Shire Council  
PO Box 450  
Ballina NSW 2478

Attn: Mr S Scott

Dear Sir/Madam,

**Re: Draft Ballina Growth Strategy 2012**

I refer to your letter of 31<sup>st</sup> May 2012. Thank you for the opportunity to comment on your draft Growth Strategy.

This is a response from NSW Trade & Investment – Mineral Resources Branch (MRB). The Department of Primary Industries, incorporating advice from Agriculture, Fisheries and Forests NSW will respond separately.

**Mineral Resources Issues**

MRB strongly supports the highly consolidated nature of the draft strategy, which is largely focussed in and around existing areas of closer settlement. It also applauds Council's inclusion of advice from its recent Resource Audit.

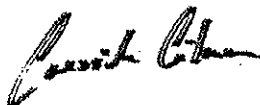
The Resource Audit forwarded in 2011 only considered mineral and extractive resources, but future advice is expected to include energy resources. The western half of the Shire is underlain by the coal-bearing Clarence-Moreton Basin of Mesozoic age. That basin in adjacent LGAs has historically produced coal and commercial production of gas (coal seam gas and potentially conventional petroleum gas) is proposed. There is also ongoing exploration for suitable sources of geothermal energy beneath the basin. Consequently, exploration and the potential for future development of energy resources, especially gas, need to be appropriately considered in any strategic planning for the Shire. However, Council's highly consolidated Growth Strategy raises no immediate concerns for MRB.

In earlier correspondence concerning Council's Sustainability Strategy, MRB expressed concern about the long term sustainability of supply of extractive materials in the Shire and surrounding region. Available resources in the Shire may not be sufficient to satisfy all future maintenance needs arising from existing development, let alone also satisfy both the development and maintenance needs arising from future growth. This issue is not confined to Ballina Shire but is a general issue over much of the North Coast, reflecting a combination of geological (including geomorphological), settlement, transport and growth factors. Consequently, MRB recommends that any planning strategy for the Shire and/ or the surrounding region include an assessment of long-term extractive material demand, the capacity of existing sources to meet that demand and the potential for future developments to meet any shortfall.

NSW Department of Trade and Investment, Regional Infrastructure and Services  
RESOURCES & ENERGY DIVISION  
PO Box 344 Hunter Region Mail Centre NSW 2310  
Tel: 02 4931 6666 Fax: 02 4931 6726  
ABN 51 734 124 190  
[www.dtriris.nsw.gov.au](http://www.dtriris.nsw.gov.au)

For further information regarding mineral issues please contact Mr Jeff Brownlow in the Department's Armidale Office (Tel 02 6738 8513 or email [jeff.brownlow@industry.nsw.gov.au](mailto:jeff.brownlow@industry.nsw.gov.au)).

Yours sincerely

A handwritten signature in black ink, appearing to read "David Allan". The signature is written in a cursive style with a large initial 'D'.

Team Leader Land Use



Our Ref: BF/VG: 439/09 (88637) (40730)  
Your Ref: Ballina Growth Management Strategy

E-MAILED  
Date 29/6 By [Signature]

27 June 2012

General Manager  
Ballina Shire Council  
PO Box 450  
BALLINA NSW 2478

RECORDS  
SCANNED  
- 2 JUL 2012  
Doc No.....12/19006.....  
Batch No.....

Attention: Mr Simon Scott

Dear Sir

**DRAFT BALLINA GROWTH MANAGEMENT STRATEGY 2012**

Thank you for your letter dated 31 May 2012 inviting comments on the Draft Ballina Growth Management Strategy 2012 (GMS).

Section 1.3 of the GMS reviews the relationship of the GMS within the regional planning context, including the *Far North Coast Strategy* released by the Department of Planning (December 2006). One of the critical Actions listed under 'Water and Energy Resources' in the *Far North Coast Strategy* states that "Local environmental plans will recognise and protect the regional water supply system through appropriate planning provisions."

As stated in the GMS it is recognized that the NSW Government's 'Standard LEP Instrument' prevented the Strategic Urban Growth Areas to be defined through the Local Environmental Plan (LEP) process. However, it is assumed that the GMS is similarly committed to "recognizing and protecting the regional water supply system through appropriate planning provisions" as identified within the *Far North Coast Strategy* and it may be appropriate for this objective to be specifically referenced in the document.

Similarly, whilst the *Far North Coast Strategy* states that "there will be sufficient water to meet population forecasts in the medium term", the GMS provides no consideration of the availability of water resources as a potential constraint to the expansion being catered for in the GMS – further comments in this regard are provided below.

Rous Water has comments relating to water quality, water quantity (supply), and water supply infrastructure. These are addressed under the headings below:

**Water quality**

Section 5.6.2 of the GMS identifies the existing water supply sources for residents of Ballina Shire, and indicates that the catchment areas for these sources are protected by Clause 7.5 of the Ballina LEP 2011. Mapping of these catchment areas is provided on page 27 of the GMS.



Rous Water has reviewed the areas mapped as *Strategic urban growth area* or *Urban zoned un-developed land*, and notes that none of these areas are located within the identified and mapped drinking water catchment areas. Accordingly, Rous Water has no comments in relation to potential impacts on water quality.


It is noted that whilst the expansion of Wollongbar to the north and west of existing urban areas extends right to the catchment boundary of the Wilsons River source catchment in the vicinity of Sneaths Road (as shown in the mapping on Page 49 of the GMS), provided that there is no extension of this area, then there will be no impact on this catchment.

**Water quantity/supply**

Rous Water is currently developing its Future Water Strategy to ensure that there will be sufficient water to meet the region's future water needs. This includes consideration of a range of population forecasts and settlement strategies relevant to the Rous Water supply area.

The information presented in the Ballina GMS will be considered and included in future demand forecasts for the Rous Water supply area. Rous Water's capacity to provide the necessary water quantity to meet future demand will depend upon the successful implementation of regional demand management initiatives and the identification of viable future water sources.

Yours faithfully,



Belinda Fayle  
Acting Technical Services Director



## Department of Primary Industries

Our Ref: TRIM 12/130  
INW12/16690; OUT12/14577

The General Manager  
Ballina Shire Council  
PO Box 450  
BALLINA NSW 2478

RECORDS SCANNED  11 JUL 2012 Doc No..... Batch No.....
---

6 July 2012

Attention: Mr Simon Scott

Dear Mr Scott

**Re: Draft Ballina Shire Growth Management Strategy 2012**

Thank you for your letter of 31 May 2012 providing Fisheries NSW, a branch within the Department of Primary Industries, the opportunity to provide comment on Council's development of the above-mentioned plan. I apologise for the delay in my response.

Fisheries NSW is responsible for ensuring that fish stocks are conserved and that there is "no net loss" of key fish habitats upon which they depend. To achieve this, the Aquatic Habitat Protection Unit assesses activities under Part 5 of the *Environmental Planning and Assessment Act 1979* in accordance with the objectives of the *Fisheries Management Act 1994*, the aquatic habitat protection and threatened species conservation provisions in Parts 7 and 7A of the Act, and the associated *Policy and Guidelines for Aquatic Habitat Management and Fish Conservation*. In addition Fisheries NSW is responsible for ensuring the sustainable management of commercial, quality recreational fishing and viable aquaculture within NSW.

Fisheries NSW endorses the approach being taken by Ballina Shire Council to plan for considerable population growth over the next 25 years. The Growth Management Strategy provides a useful overview incorporating Council's more locality specific work such as the Southern Cross Precinct Master Plan and the West Ballina Structural Plan.

The Growth Management Strategy highlights the need within the Shire to develop and adopt strong and sound controls to ensure that both greenfield, infill and redevelopments mitigate impacts on the Richmond River estuary and other important environmental assets deeply valued by the community.

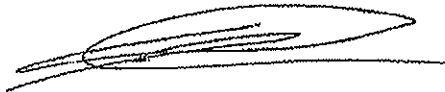
Division of Primary Industries, Fisheries NSW  
1243 Bruxner HWY WOLLONGBAR NSW 2477  
Tel: 02 6626 1397 Fax: 02 6626 1377 ABN 72 189 919 072 [www.dpi.nsw.gov.au](http://www.dpi.nsw.gov.au)

The draft plan could benefit from inclusion of maps that indicate 1:100 yr flood level. For parts of Ballina, Wardell and Lennox these maps could also highlight the proximity and influence of the coastal zone which itself necessitates early consideration in planning to both mitigate threats from the estuary and coastal zone, but also to ameliorate deleterious impacts on those sensitive environments.

Cognisant of this Fisheries NSW note the Grow Management Strategy that Council does not propose to establish restrictions on the sequencing of development. Fisheries NSW understands the implications of intervention in the market via this relatively blunt tool. There are however instances, particularly when lands need to be filled prior to development. The alternative to sequencing can result in a costly legacy, particularly associated with drainage and stormwater management infrastructure. The legacy impact can encompass overly deep drains, ongoing exposure of acid sulphate soil, poorly functioning infrastructure, increased maintenance of stormwater infrastructure and less climate change ready and robust infrastructure (and community reliant on the infrastructure).

I am happy to elaborate on the points I have raised and if you have any further enquiries please contact me on (02) 6626 1397.

Yours sincerely



Patrick Dwyer  
**Fisheries Conservation Manager (North)**

Division of Primary Industries, Fisheries NSW  
1243 Bruxner HWY WOLLONGBAR NSW 2477  
Tel: 02 6626 1397 Fax: 02 6626 1377 ABN 72 189 919 072 [www.dpi.nsw.gov.au](http://www.dpi.nsw.gov.au)

2 of 2

*The original copy of this letter has been printed on both sides of the page to reduce waste of valuable natural resources*



General Manager  
Ballina Shire Council  
PO Box 450  
BALLINA NSW 2478

Crown Lands NSW  
38 Marina Drive  
COFFS HARBOUR NSW 2460  
PO Box 4291  
COFFS HARBOUR JETTY NSW 2460  
telephone (02) 66 919611  
facsimile (02) 66 51 9975  
[www.lands.nsw.gov.au](http://www.lands.nsw.gov.au)

Attention: Simon Scott

File 12/04830 TRIM Doc 12/084524  
Your Reference: Ballina Growth Management  
Strategy

Date 16 July 2012

Dear Sir

**Re: Draft Ballina Shire Growth Management Strategy 2012**

Thank you for your letter advising that Council has prepared the Draft Ballina Shire Growth Management Strategy 2012. The Department has reviewed the draft strategy and provides the following comments for your consideration.

- The draft report identifies a number of Crown reserves and parcels of Crown land in the Ballina Shire as included in the strategic urban growth areas. These include land adjacent to Clark Street Industrial Estate (Old Depot), Boat Harbour adjacent to Fishery Creek and a number of Crown Roads throughout the study area. The Department does not object to the inclusion of these lands in strategic urban growth areas.
- Any activities or developments within Crown reserves must be consistent with their notified purposes unless changes to the purposes are made by the Minister or plans of management approved by the Minister allow for the additional purposes.
- Any road reserves included within the expansion areas would need to be closed and their comprised lands purchased prior to any development of or activity on the roads. If the roads are to be constructed, then they would have to be transferred to Council's control.
- Council should be aware that Aboriginal land claims may exist over some of these parcels of Crown land.
- The Department is still investigating its options for Crown lands at East Ballina and Wardell which have not been identified in the Draft Ballina Shire Growth Management Strategy 2012.

If you have any queries regarding the comments made above, please call me on 02 6691 9616.

Yours faithfully

**Kersten Tuckey**  
Natural Resource Management Project Officer

CROWN LANDS  
HEAD OFFICE  
Level 4  
437 Hunter Street  
Newcastle NSW 2300

PO Box 2185  
Dangar NSW 2309  
1300 052 637  
ABN 33 537 762 019 | [www.ipma.nsw.gov.au](http://www.ipma.nsw.gov.au)

