



Planning Proposal

October 2014

General Amendments (2)

14/67898 Council

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Planning Proposal – October 2014
General Amendments (2)

INTRODUCTION

Summary of Planning Proposal

This planning proposal contains a number of amendments to the *Ballina Local Environmental Plan 2012* (BLEP 2012) that have been identified following a review of the plan's function and content after 12 months of operation (following its commencement in February 2013).

A total of 32 separate amendments are included in this proposal which relate primarily to the efficient functioning of the plan and to ensure consistency across its provisions. The amendments are summarised in Table 1.

The various amendments in this planning proposal affect the entire Ballina local government area.

No.	Location	Affects	Details
1	Alstonville Showground	LZN Map, LSZ Map	Apply RE2 zone
2	Ballina High School	LZN Map, LSZ Map	Apply R3 zone
3	Brunswick Street Reserve, Ballina	LZN Map, LSZ Map	Apply RE1 zone
4	Coastal Grove Reserve, Lennox Head	LZN Map, LSZ Map	Extend RE1 zone to all public reserve areas
5	Dalmacia Drive Bushland, Wollongbar	LZN Map, LSZ Map	Apply RE1 to full reserve area
6	Lake Ainsworth Caravan Park, Lennox Head	LZN Map, LSZ Map	Adjust RE1 zone to include Ross Street lots
7	Latta Ave Waterfront, Ballina	LZN Map, LSZ Map	Remove RE1 zoning, apply R3 zone
8	Links Avenue Reserve, East Ballina	LZN Map, LSZ Map	Adjust RE1/R2 zone boundary to match cadastre
9	Palisade Way Buffer, Lennox Head	LZN Map, LSZ Map	Apply RE1 zone
10	Ballina Racecourse	LZN Map, LSZ Map	Apply RE2 zone (extend IN1 over road reserve)
11	Jabiru Park, East Ballina	LZN Map, LSZ Map	Apply RE1 zone
12	Wollongbar Public School	LZN Map, LSZ Map	Apply R2 zone
13	Spring Creek Place, Wollongbar	LZN Map, LSZ Map	Correct edge discrepancies (zone and lot size areas)
14	Heritage items (various)	Sch 5	Corrections to property descriptions and mapping data (various existing items)
15	Treelands Reserve, Ballina	LZN Map, LSZ Map	Adjust RE1/B3 zone to match cadastre (western boundary of reserve)
16	Meldrum Park/North Creek foreshore, Ballina	LZN Map, LSZ Map	Adjust zone boundaries to match cadastre - eastern end Meldrum Park
17	30A-30B Smiths Lane, Wollongbar	LSZ Map	Adjust 800m ² min lot size for lots 2 & 3
18	19 Megan Cr, Lennox Head	LZN Map, LSZ Map	Apply R3 zone & 800m ² to entire lot (SP 83365)
19	Ferngrove Estate, Ballina	LZN Map,	Adjust zone boundaries to match cadastre
20	Tallow Wood Place Bushland, Lennox Head	LZN Map, LSZ Map	Apply RE1 zone to public reserve
21	Alstonville Swimming Pool	LZN Map, LSZ Map	Apply RE1 zone

22	Pacific Highway, Tintenbar	LZN Map	Realign RU1/RU2 boundary to reflect highway boundary near Sandy Flat Road (used highway alignment as basis for RU1/RU2 boundary)
23	Stewart Farm, Skennars Head	SGA Map	Remove land and immediate surrounds from strategic growth area designation.
24	Dwelling entitlement reinstatement, East Wardell	DWE Map	Add Lot 10 DP 654898, Pacific Highway, East Wardell based on previous Council acknowledgement of entitlement
25	Kellie Ann Crescent, Lennox Head	LZN Map, LSZ Map	Adjust R2/R3 boundary and lot size provisions to match cadastre
26	Old Ballina Council Chambers	HER Map	Adjust heritage area, remove Lot 2 DP 1153927 and adjoining road reserve
27	Meadows Estate, Lennox Head	LZN Map, LSZ Map	Adjust R3 & R2 boundaries and associated minimum lot size to match cadastre
28	Warrawee Drive, Lennox Head	LZN Map, LSZ Map	Adjust R3 & R2 boundaries and associated minimum lot size to match cadastre
29	Kingsford Smith Park & Serpentine area, Ballina	LZN Map, LSZ Map	Adjust zone and minimum lot size for RE1, R3, R2 & W2 for consistency and clarity
30	Drinking water catchments (shire wide provisions)	CI 7.4	Change reference from 'water supply authority' to 'supplier of drinking water'
31	Land use table - IN1 zone (shire wide provisions)	Land use table	Add 'agricultural produce industries' to list of permissible uses in IN1 zone
32	Dwelling entitlement reinstatement, Wardell	DWE Map	Add Lot 67 DP 755688, 1010 Pimlico Road, Wardell based on previous Council acknowledgement of entitlement

PART 1 – OBJECTIVES & INTENDED OUTCOMES

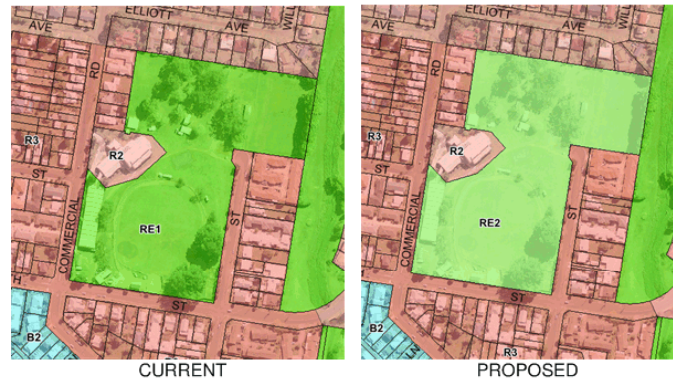
The objective of this planning proposal is to implement amendments to improve the function, content and consistency of the *Ballina Local Environmental Plan 2012* (BLEP 2012). The amendments seek to ensure the BLEP 2012 functions efficiently and that its provisions are up-to-date and reflect the community's expectations.

PART 2 – EXPLANATION OF THE PROPOSAL

The amendments contained in this planning proposal are detailed as follows.

1. Alstonville Showground

The land containing the Alstonville Showground (Lot 2 DP 1031929) located at 22-40 Commercial Road, Alstonville is currently zoned RE1 Public Recreation. The land does not comprise public open space and is owned and managed by a private organisation. In this regard, it is considered zone RE2 Private Recreation is more appropriate for this site. It is further considered that the regulatory impacts of this change are minimal with the zone change providing additional permitted uses for the site and aligning the zone objectives more towards the actual use of the land. In conjunction with the above zone change, it is proposed to apply a minimum lot size restriction of 40 hectares to the land to regulate its subdivision potential.



2. Ballina High School

The land containing the playing fields associated with the Ballina High School (Lot 477 DP 729251) was zoned 6(a) – Open Space under the Ballina Local Environmental Plan 1987. This was transferred to the RE1 Public Recreation zone under the BLEP 2012. This land comprises a former Crown Reserve (Clement Park) that was revoked and the land sold to the Department of Education for integration into the Ballina High School site. While the land remains open space, it no longer functions as a public reserve and is fenced to exclude public access.

For these reasons, it is considered no longer appropriate to zone this land RE1 Public Recreation as its use and public exclusion do not satisfy the zone objectives. Because the land is part of the Ballina High School, it is proposed to change the zoning of the site to R3 Medium Density Residential and apply a minimum lot size to the land of 800m². This is consistent with the direction given by the (then) Department of Planning to zone school sites in accordance with surrounding land use zones. The remainder of the Ballina High School site and the majority of the surrounding land is zoned R3 Medium Density Residential.



3. Brunswick Street Reserve, Ballina

This site contains two parcels of Crown land that function as public open space. The land is described as follows:

Description	Crown Reserve	Reserve Type	Status
Lot 489 DP 729290	R59029	Public Recreation	Devolved to Council
Lot 490 DP 729290	Part R755684	Future Public Requirements	Unassigned

Because the land comprises public land that functions as open space, it is considered appropriate to apply the RE1 Public Recreation zone to the site and remove existing minimum lot size provisions (consistent with the approach to lot size standards for RE1 zoned land).



4. Coastal Grove Reserve, Lennox Head

The current boundaries between the RE1 Public Recreation and R2 Low Density Residential zone in the vicinity of the public reserve in the Coastal Grove Estate do not align with the cadastre. It is proposed to adjust the zone boundaries and associated minimum lot size provisions to ensure the entire area of public reserve in Council ownership is within the RE1 Public Recreation zone consistent with the approach taken for other public reserves. This change will reflect the extent of land dedicated to Council for open space post completion of the zone mapping for the BLEP 2012.



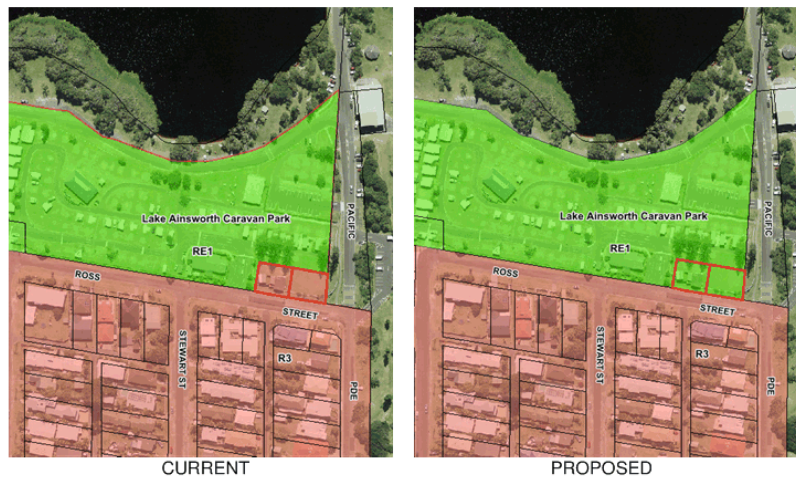
5. Dalmacia Drive Bushland, Wollongbar

A small parcel of land in Council ownership (Lot 126 DP 814523) is included in the R2 Low Density Residential zone. This parcel is contiguous with a larger public reserve parcel in Council's ownership. It is proposed to include Lot 126 in the RE1 Public Recreation zone and remove the minimum lot size provisions consistent with the adjoining public reserve.



6. Lake Ainsworth Caravan Park, Lennox Head

Two lots (Lots 1 & 2 DP 517499) formerly owned by Council have been recently integrated with the surrounding Crown reserve and are now occupied by the NSW Crown Holiday Parks Trust as part of the Lake Ainsworth Caravan Park. Consistent with the rest of the caravan park zoning, it is proposed to amend the zoning of these lots from R3 Medium Density Residential to RE1 Public Recreation and remove the existing minimum lot size provisions (also consistent with the standards applying to the adjoining open space zoned area).



7. Latta Avenue Waterfront, Ballina

This land (Lot 7053 DP 1113374) is unassigned Crown land. Council has no management or maintenance responsibility for this land. The land does not function as public open space and is occupied by the adjoining landowners. It is proposed to remove the RE1 Public Recreation zone from this land and assign the R3 Medium Density Residential zone and apply a minimum lot size of 800m² consistent with the surrounding land.



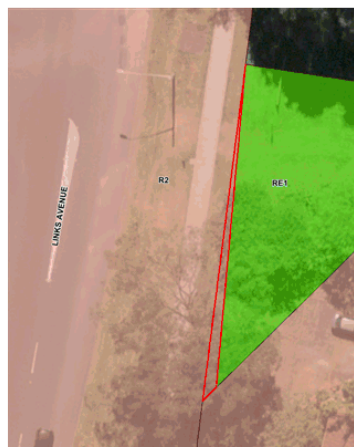
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8. Links Avenue Reserve, East Ballina

This amendment corrects an anomaly in the zoning boundary between the RE1 Public Recreation zone and the R2 Low Density Residential zone. It is proposed to adjust the RE1 boundary and associated minimum lot size provisions to ensure the entire Council owned public reserve is within that zone.



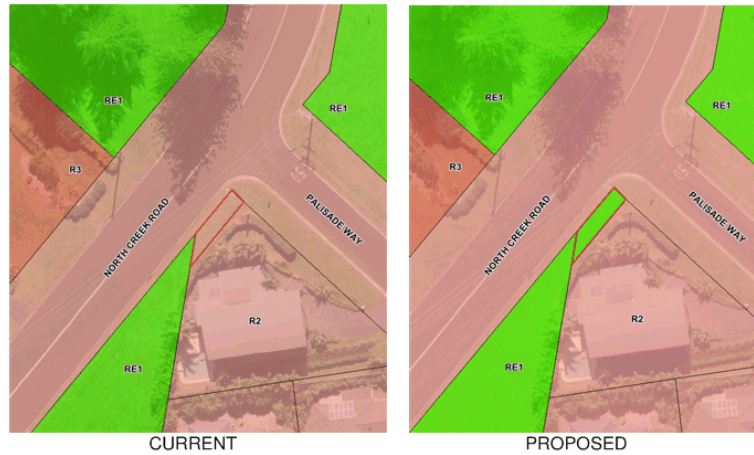
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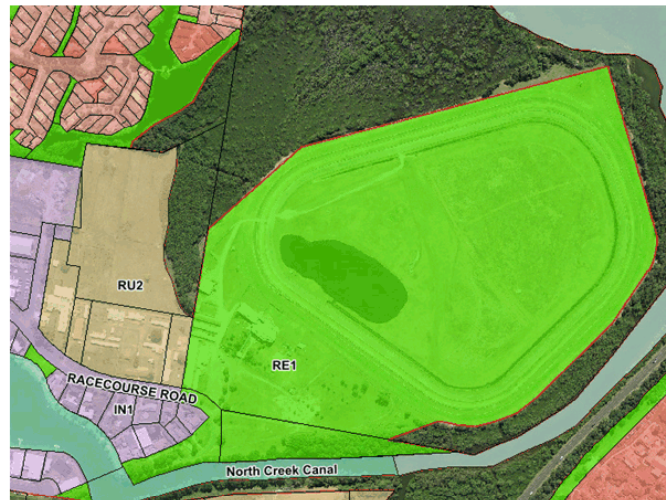
9. Palisade Way Buffer, Lennox Head

It is proposed to change the zoning of this small parcel of Council owned public reserve from the R2 Low Density Residential zone to the RE1 Public Recreation zone and remove existing minimum lot size provisions consistent with the surrounding public reserve.

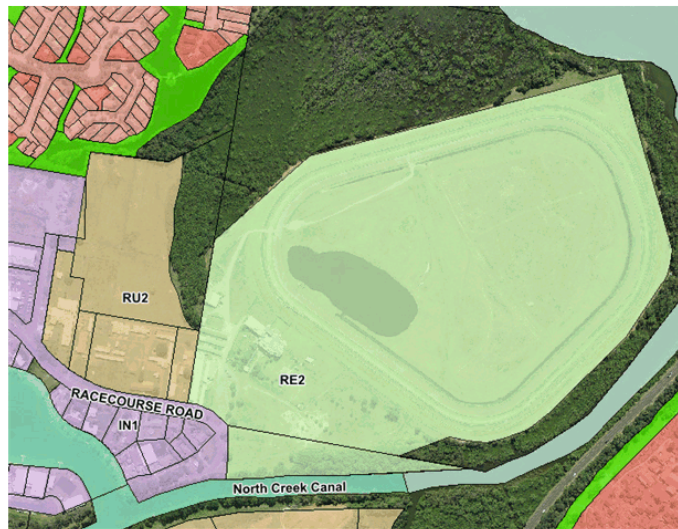


10. Ballina Racecourse

The Ballina Racecourse and adjoining land and road reserve is currently zoned RE1 Public Recreation. It is proposed to zone the racecourse site RE2 Private Recreation to better reflect the actual use of the land with the adjoining road reserve zoned IN1 General Industrial consistent with the adjoining land to better recognise the existing and expected future land uses for this site. Associated with the above change, it is proposed to apply a minimum lot size of 40 hectares to the racecourse site and extend the 1000m² minimum lot size to the adjusted IN1 General Industrial zone.



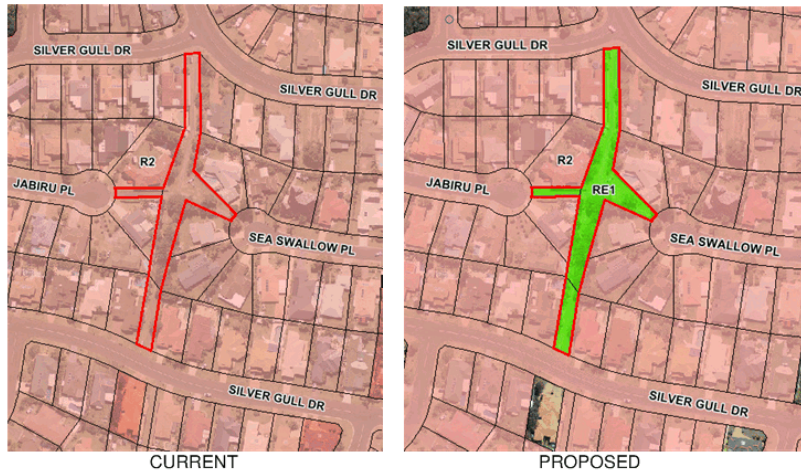
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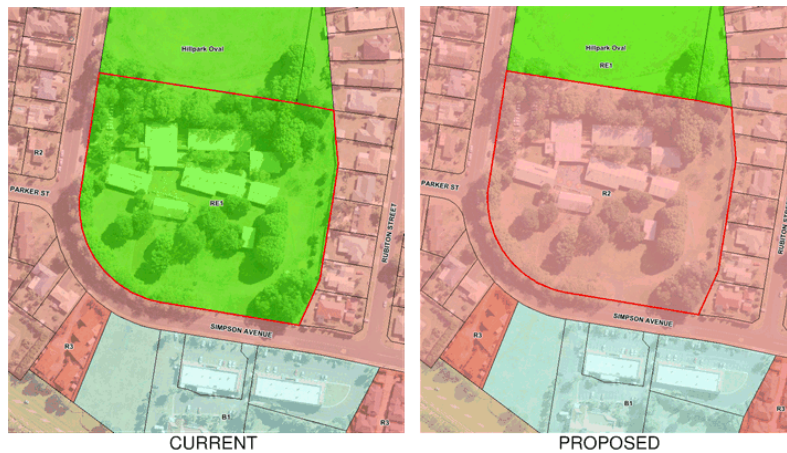
11. Jabiru Park, East Ballina

This area of public reserve is currently zoned R2 Low Density Residential. It is considered more appropriate to zone this reserve RE1 Public Recreation and remove existing minimum lot size provisions consistent with the approach taken elsewhere in the Shire.



12. Wollongbar Public School

The Wollongbar Public School site is currently zoned RE1 Public Recreation. The site does not comprise a public reserve with public access restricted. It is proposed to change the zoning of the site to R2 Low Density Residential and apply a minimum lot size of 600m². This is consistent with the direction given by the (then) Department of Planning in relation to zoning schools in accordance with surrounding zones. It is also consistent with the approach taken to zoning of other schools in the Shire.



13. Spring Creek Place, Wollongbar

This recently completed residential subdivision contains three designated dual occupancy lots zoned R3 Medium Density Residential. Because the zone boundaries were gazetted prior to the cadastral boundaries, there are minor misalignments between the zone and cadastral boundaries. It is proposed to adjust the land use zoning and associated minimum lot size provisions to correctly align with the recently gazetted cadastral boundaries. Due to the minor nature of this adjustment, no imagery is provided.

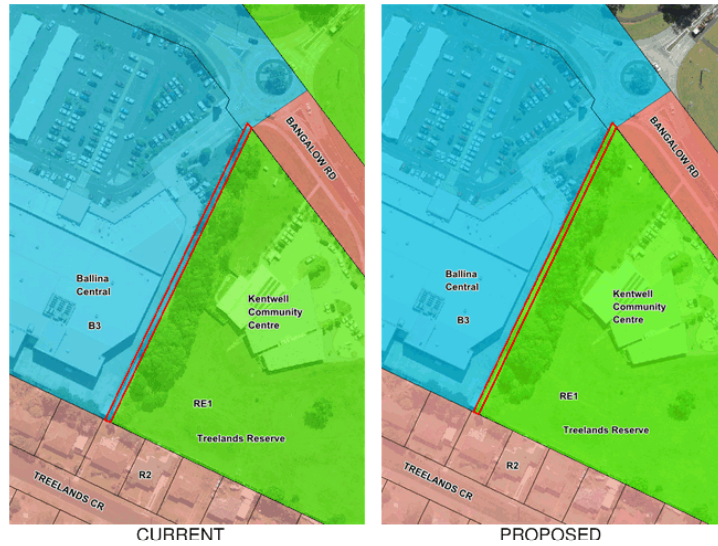
14. Heritage Items (Various)

The BLEP 2012 schedule of heritage items has been reviewed with a number of discrepancies and improvements identified (many in relation to the inclusion of 'section' in property descriptions). It is proposed to adjust this information based on the data in the table below.

Item No.	Description	Proposed Change
I9	RSL Sub Branch Hall, Alstonville	Correct Lot/DP to Lot 2, Section 1, DP 1315
I13	Saw Miller's Cottage, 3 Green St, Alstonville	Correct Lot/DP to Lot 8, Section 2, DP 1315
I25	St Bartholomew's Anglican Manse, Alstonville	Correct Lot/DP to Lots 39, 40 and 41, Section 1, DP 4536
I31	Former Ballina Council Chambers	Correct mapping to reflect cadastral boundaries, remove adjoining lot
I37	Ballina Public School (1913 building)	Correct Lot/DP to Lots 5 and 6, Section 12, DP 758047
I40	Anglican Church Palms, Ballina	Correct Lot/DP to Lot 2, Section 29, DP 758047
I50	Federation house, 54 Swift St, Ballina	Correct Lot/DP to Lot 7, Section 17, DP 758047
I51	Cabbage Tree Island	Correct reference to include entire island – Lot 94, part Lot 258, Lot 260, Lot 261, DP 755691
I52	Fenwick House, East Ballina	Correct property reference – Lots 1-2, SP 45324
I53	Monument to HMAS Lismore, East Ballina	Update map to reference correct site, correct property reference to Lot 527, DP 729677
I54	Shaws Bay ship wreck sites, East Ballina	Update Lot/DP to Lots 4-6, DP 1197191
I55	Ballina lighthouse	Correct Lot/DP to Lot 5, Section 78, DP 758047
I60	East Ballina Cemetery	Adjust boundary and add central road reserve to site area. Change mapping and property reference to "Part of Lots 467 and 468, DP 729067 and intermediate road reserve"
I73	Henderson Family Graves, Meerschaum Vale	Correct Lot/DP to Lot 4, DP 253873
I84	Tintenbar Cemetery	Correct Lot/DP to Lot 1, DP 123581; Lot 1, DP 123582; Lot 480, DP 728690; Lots 7313 and 7314, DP 1165924
I91	Catholic church precinct, Wardell	Correct Lot/DP to Lot 8, Section 5, DP 759050; Lots 10 and 14, DP 217966
I92	Royal Hotel, Wardell	Correct Lot/DP to Lot 1, Section 2, DP 759050

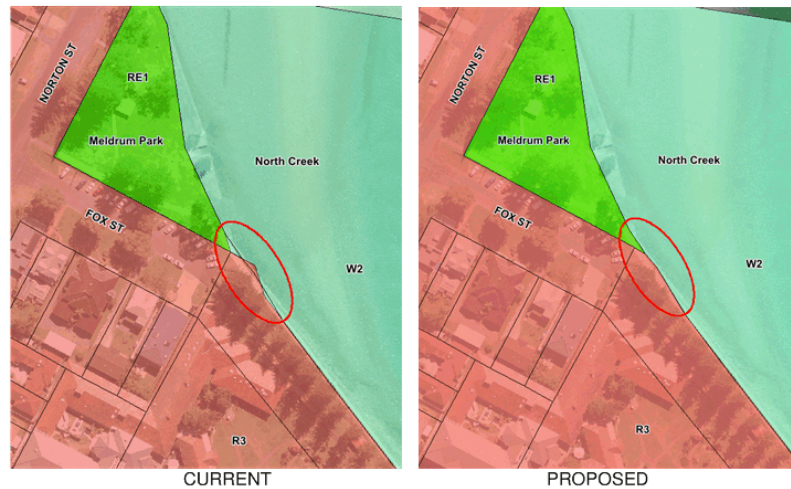
15. Treelands Reserve, Ballina

This amendment corrects an anomaly in the zoning boundary between the B3 Commercial Core zone and the RE1 Public Recreation zone. It is proposed to adjust the RE1 zone boundary and associated minimum lot size provisions to ensure the entire Council owned public reserve (Treelands Reserve) is within that zone.



16. Meldrum Park & North Creek Foreshore, Ballina

A minor zoning discrepancy has been identified at the edge of Meldrum Park and on the North Creek foreshore. It is proposed to correct the zone boundaries (and associated minimum lot size provisions) to align with the cadastre.



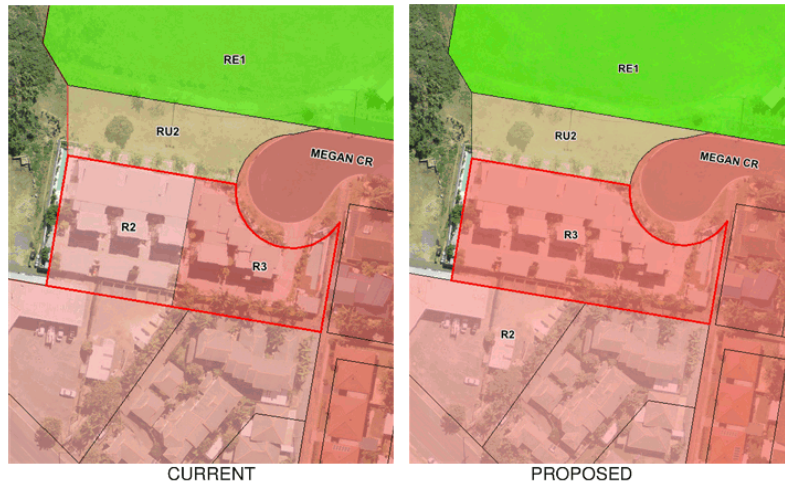
17. 30A & 30B Smiths Lane, Wollongbar

An anomaly in the boundaries for the minimum lot size areas has been identified for the subject lots. It is proposed to adjust the 800m² minimum lot size area to cover 30A and 30B Smiths Lane in their entirety in accordance with the zoning of the subject lots.



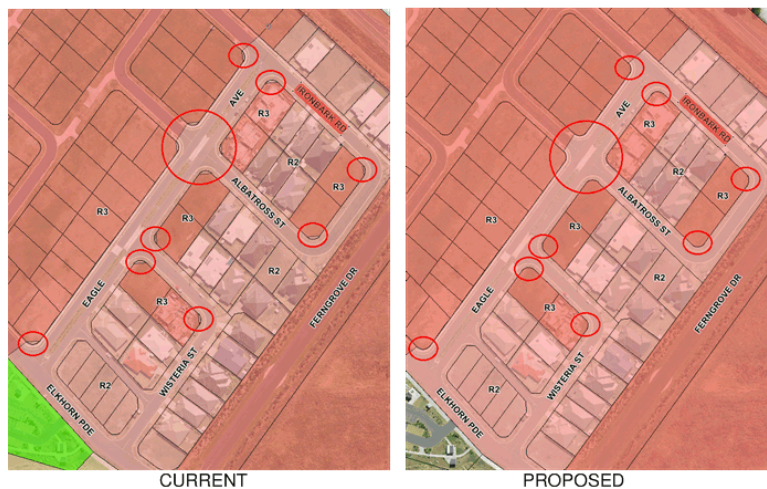
18. 19 Megan Crescent, Lennox Head

A zoning discrepancy has been identified for this land with the site split between two zones. It is proposed to correct this to include the entire site within the R3 Medium Density Residential zone and adjust the associated minimum lot size provisions. This also reflects the approved residential land use on the site.



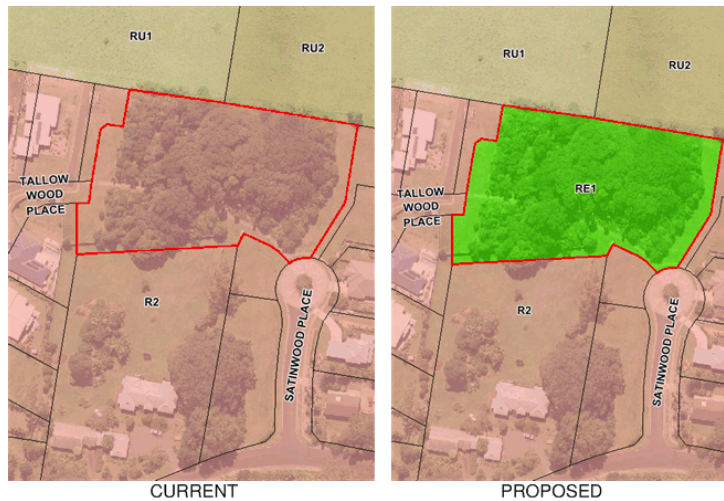
19. Ferngrove Estate, Ballina

A number of minor anomalies have been identified between cadastral and zoning boundaries in the Ferngrove Estate. It is proposed to rectify these as part of this amendment. This has arisen due to updates to the cadastral boundaries.



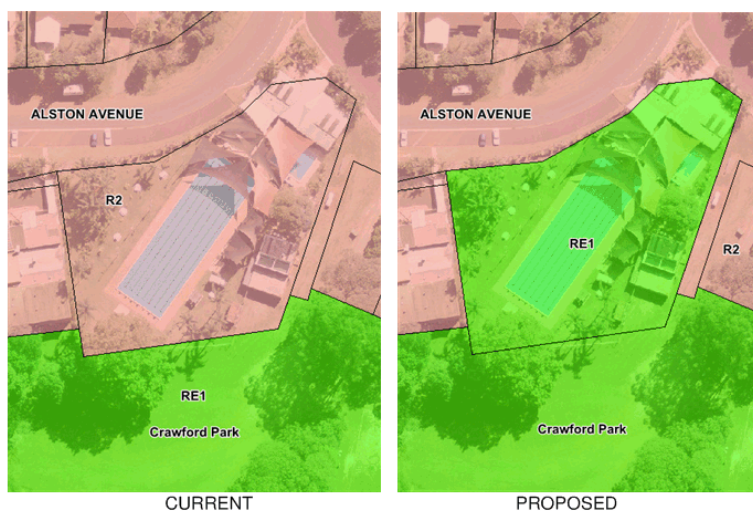
20. Tallow Wood Place Bushland, Lennox Head

This area of public reserve (Lot 105) within the Greenwood Grove Estate was dedicated to Council in 2013. It is proposed to amend the zoning of this land to RE1 Public Recreation remove the minimum lot size provision to reflect its public reserve status.



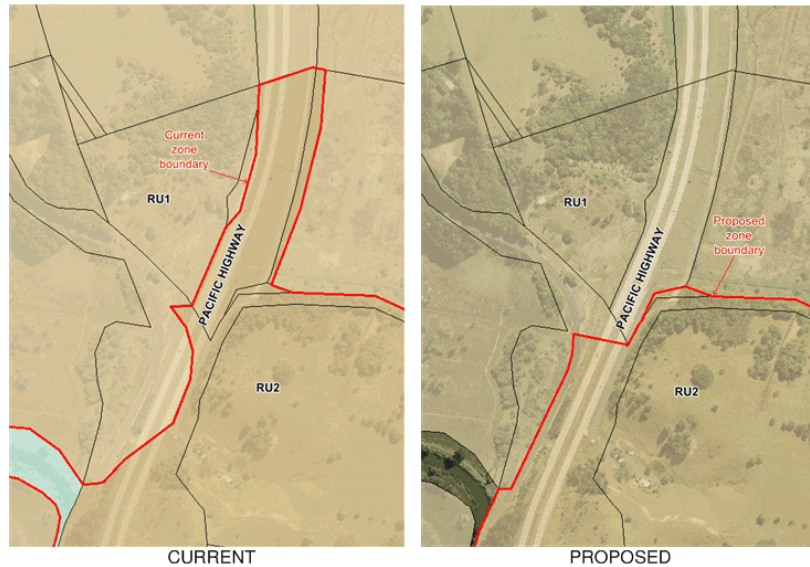
21. Alstonville Swimming Pool

It is proposed to change the zoning of the Alstonville Swimming Pool site from R2 Low Density Residential to RE1 Public Recreation to reflect the nature of the use of the site. This approach is consistent with that taken for other similar community facilities in the Shire.



22. Pacific Highway, Tintenbar

An unintended discrepancy in the boundary between the RU1 Primary Production and RU2 Rural Landscape zones has been identified in Tintenbar near the Sandy Flat Road underpass of the Pacific Highway. This relates to a realignment of cadastral boundaries as a result of the completion of the highway upgrade. It is proposed to amend the zone boundary to reflect a clearer, more logical alignment in this vicinity.



23. Stewart Farm, Skennars Head

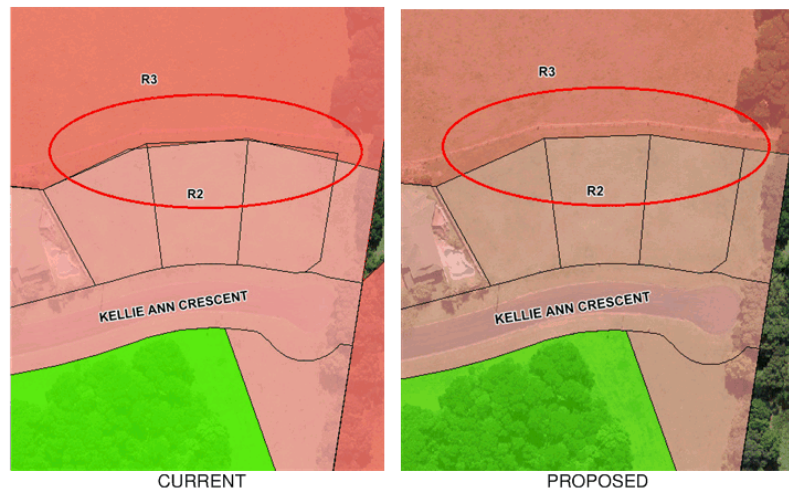
Following the recent gazettal of the Stewart Farm urban zoning, it is proposed to modify and remove the identification of the land and its immediate surrounds as a strategic urban growth area from the Strategic Urban Growth Area Map in this locality. Now that the future urban footprint for this area has been finalised and zoned for urban purposes, the identification of the land and its surrounds as a potential growth area is no longer necessary.

24. Lot 10 DP 654898, Pacific Highway, East Wardell

Following a request from the landowner, it is proposed to identify this land as having a dwelling entitlement on the Dwelling Opportunity Reinstatement Map. This is consistent with Council's policy position on the retention of dwelling entitlements previously recognised by Council.

25. Kellie Ann Crescent, Lennox Head

Recently gazetted cadastral boundaries in this vicinity have resulted in a discrepancy with the zone boundaries. It is proposed to adjust the zone boundaries and associated minimum lot size provisions to align with the cadastral boundaries.

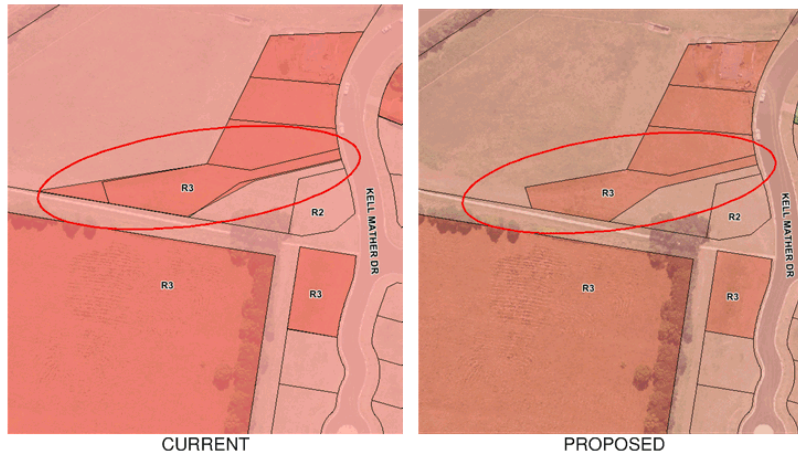


26. Old Ballina Council Chambers

Following the preparation of the BLEP 2012, the site containing the Old Ballina Council Chambers has been subdivided with the section containing the adjoining old library building now on a separate lot. To ensure Schedule 5 and the Heritage Map accurately identify heritage items, it is proposed to adjust the Heritage Map to remove reference to the adjoining lot and correct the property description for the site in Schedule 5.

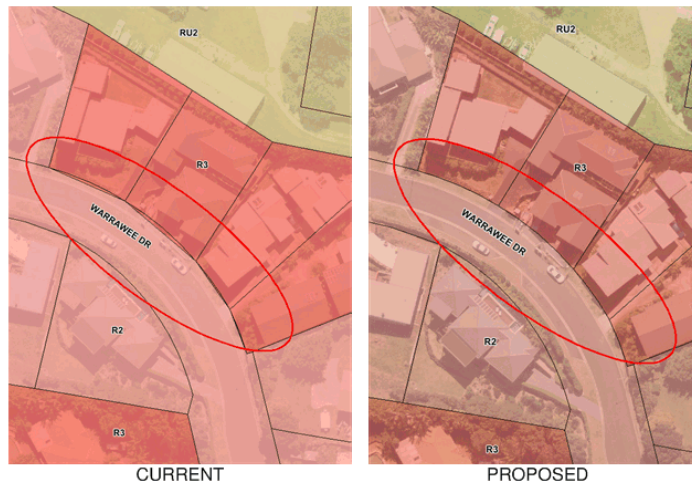
27. Meadows Estate, Lennox Head

A discrepancy between the cadastral boundaries, zone boundaries and minimum lot size area boundaries has been identified in relation to several lots in the Meadows Estate. It is proposed to adjust the zone boundaries and associated minimum lot size provisions to align with the cadastral boundaries. This has arisen due to updates to the cadastre upon registration of new land parcels.



28. Warrawee Drive, Lennox Head

A discrepancy between the cadastral boundaries, zone boundaries and minimum lot size area boundaries has been identified in relation to several lots in Warrawee Drive. It is proposed to adjust the zone boundaries and associated minimum lot size provisions to align with the cadastral boundaries.



29. Kingsford Smith Park & The Serpentine Areas, Ballina

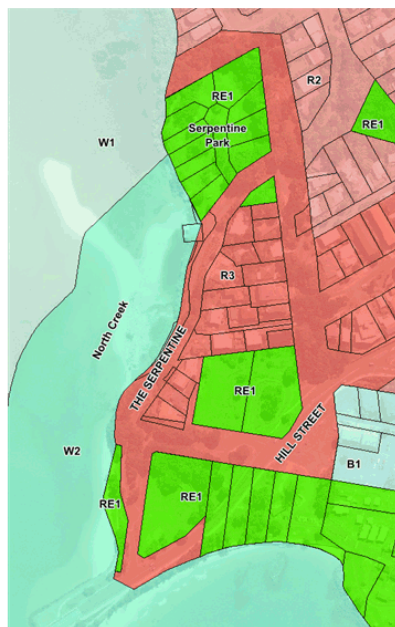
The review has identified roads dissecting open space areas that have been zoned R3 Medium Density Residential. It is considered more appropriate to zone roads the same as surrounding land. It is proposed to remove the R3 zone from roads in the Kingsford Smith Park and Serpentine areas and align the zoning to match existing and desired future land uses of the surrounding areas. In association with the adjusted zone boundaries above, it is also proposed to adjust the minimum lot size provisions to reflect the standard applied for similar sites in the BLEP 2012.



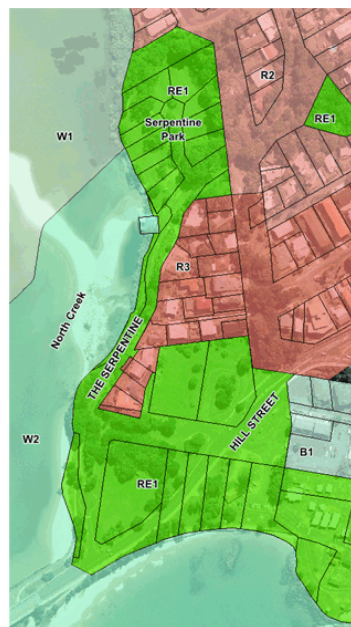
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30. Drinking Water Catchments (Clause 7.4)

Feedback has been received from Rous Water, the regional county council bulk water supply authority in relation to the provisions of clause 7.4. This clause currently includes a requirement for development on land within a drinking water catchment that a consent authority must consider comments provided by a "water supply authority". The clause includes the definition of "water supply authority" from the Water Management Act 2000. The definition of "water supply authority" as detailed above excludes reference to county council entities supplying bulk water such as Rous Water.

An alternative to the above is to change the reference from "water supply authority" as defined under the Water Management Act 2000 to "supplier of drinking water" as defined in the Public Health Act 2010. This definition includes entities such as Rous Water through reference to "a local council or county council exercising water supply functions".

Based on the above, it is proposed to amend clause 7.4 of the BLEP 2012 by changing the reference in subclause (3)(d) from "water supply authority" to "supplier of drinking water" and to change subclause (5) to reference "supplier of drinking water has the same meaning as it has in the *Public Health Act 2010*". This is consistent with the original intent of the provision (i.e. to seek feedback from Rous Water on certain types of development proposals in drinking water catchment areas).

31. Land Use Table – IN1 General Industrial Zone

The range of permissible land uses in the IN1 General Industrial Zone has been raised for review in relation to permissibility of "agricultural produce industries". The BLEP 2012 defines "agricultural produce industry" as:

agricultural produce industry means a building or place used for the handling, treating, processing or packing, for commercial purposes, of produce from agriculture (including dairy products, seeds, fruit, vegetables or other plant material), and includes wineries, flour mills, cotton seed oil plants, cotton gins, feed mills, cheese and butter factories, and juicing or canning plants, but does not include a livestock processing industry.

Under the current BLEP 2012 provisions, land uses falling under this definition are prohibited in the IN1 General Industrial zone. Historically, land uses falling under this definition, such as cheese and butter factories or macadamia nut processing facilities, have been considered appropriate and permitted land uses in industrial zones. Consistent with the historic permissibility, it is proposed to enable these land uses in the IN1 General Industrial zone by amending the zoning table to provide "agricultural produce industries" as a permissible land use in the zone. This provides an alternative location for such uses outside rural zoned land parcels.

32. Lot 67 DP 755688, 1010 Pimlico Road, Wardell

Following a request from the landowner, it is proposed to identify this land as having a dwelling entitlement on the Dwelling Opportunity Reinstatement Map. This is consistent with Council's policy position on the retention of dwelling entitlements previously recognised by Council.

PART 3 – JUSTIFICATION

Section A - Need for the Planning Proposal

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

The planning proposal is not the result of a strategic study or report. The proposed amendments result from a review of the function and operation of the BLEP 2012 12 months after its commencement and generally comprise housekeeping actions and rectifications of identified anomalies.

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

The proposed amendments are considered the best way to achieve the updates and adjustments identified.

Section B - Relationship to the Strategic Planning Framework

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

In general, the proposed amendments are consistent with the Far North Coast Regional Strategy (FNCRS), which provides the regional framework for the consideration of policy development and the overall vision of the future. The elements of this proposal are not in conflict with the outcomes or actions of the strategy.

4. Is the planning proposal consistent with the local Council's Community Strategic Plan, or other local strategic plans?

The proposal is consistent with the principles of Council's Community Strategic Plan and other local strategies in that it seeks to enhance the function, content and consistency of the BLEP 2012. The amendments contained in the proposal will achieve a more functional local environmental plan that will better serve the community's needs.

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

The proposal is generally consistent with applicable State Environmental Planning Policies (SEPP).

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

The proposal is consistent with the relevant Section 117 Directions. A Section 117 Direction checklist for the planning proposal is contained in Appendix A.

Section C - Environmental, Social and Economic Impact

7. **Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats will be adversely affected as a result of the proposal?**

The amendments contained in this proposal are not expected to impact on critical habitats, threatened species, populations or ecological communities or their habitats.

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

No significant adverse environmental impacts are likely to arise as a result of the planning proposal.

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

As a consequence of its relatively minor nature, no broad positive or negative social or economic impacts are likely to arise as a result of the planning proposal.

Section D - State and Commonwealth interests.

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

The planning proposal does not create the need for any additional public infrastructure.

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

Consultation will be undertaken with relevant agencies as required by the Gateway determination during the public exhibition stage of the LEP amendment.

PART 4 – MAPPING

The amendments included in this planning proposal will necessitate updates to the following BLEP 2012 maps:

- Dwelling Opportunity Reinstatement Map (DWE_003, DWE_003A)
- Heritage Map (HER_006C)
- Lot Size Map (LSZ_001B, LSZ_002A, LSZ_005C, LSZ_005D, LSZ_006C)
- Land Zoning Map (LZN_001B, LZN_002A, LZN_005B, LZN_005C, LZN_005D, LZN_006C)
- Strategic Urban Growth Area Map (SGA_005D, SGA_006C)

Copies of the full draft amended map tiles referenced above maps are included in Appendix B.

PART 5 – COMMUNITY CONSULTATION

It is proposed that this planning proposal will be exhibited in accordance with the Gateway determination and the terms of the *Environmental Planning and Assessment Act 1979*.

PART 6 – TIMELINE

The proposed timeline for completion of the planning proposal is as follows:

Plan Making Step	Estimated Completion (Before)
Gateway Determination	November 2013
Government Agency Consultation	January 2014
Public Exhibition Period	February 2014
Public Hearing	N/A
Submissions Assessment	March 2014
RPA Assessment of Planning Proposal and Exhibition Outcomes	March 2014
Submission of Endorsed LEP to DP&I for Finalisation	April 2014
RPA Decision to Make the LEP Amendment (if delegated)	April 2014
Forwarding of LEP Amendment to DP&I for Notification (if delegated)	April 2014

APPENDICES

Appendix A – Section 117 Direction Checklist

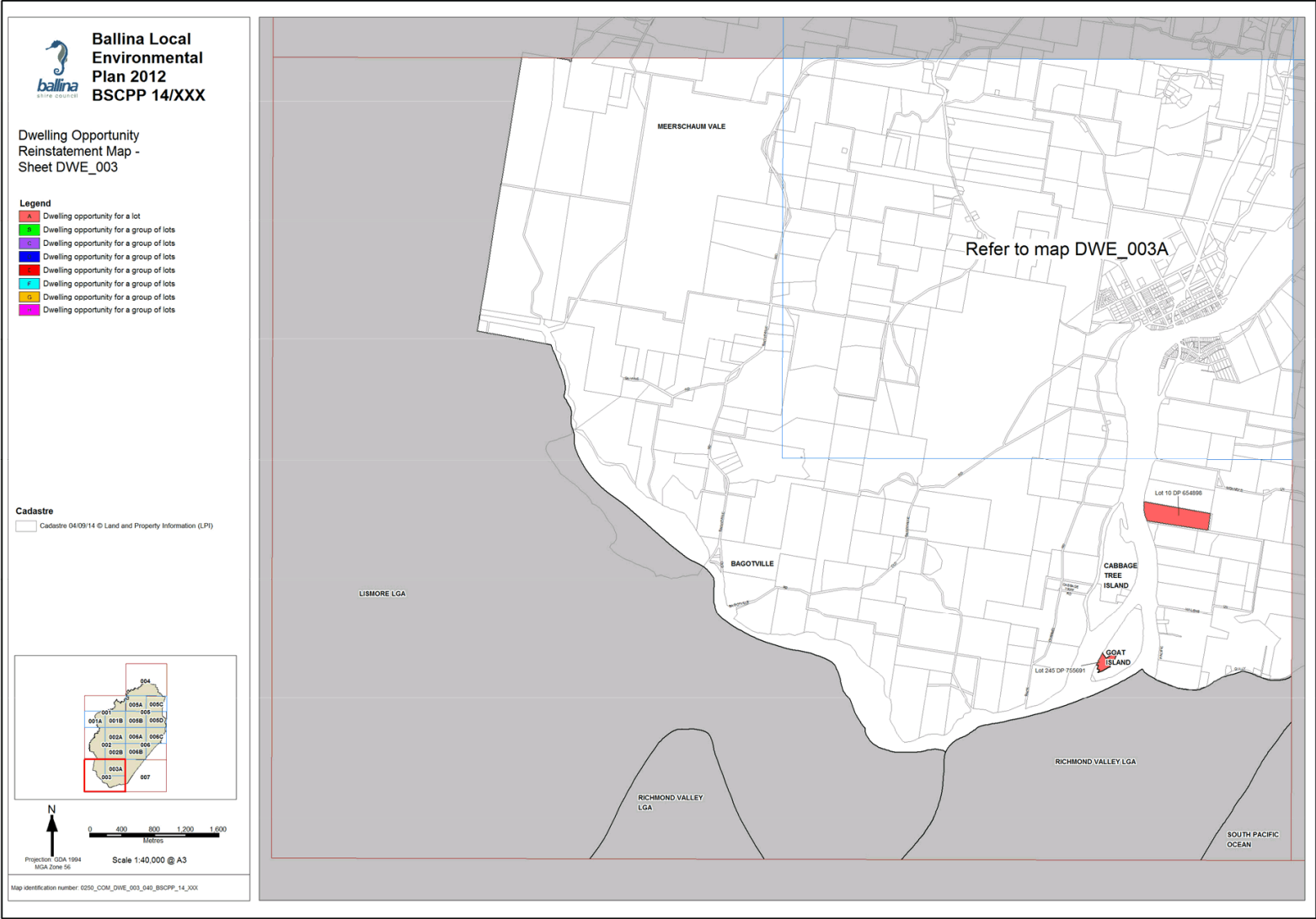
Section 117 Direction Checklist Planning Proposal – General Amendments (2)	
Direction No.	Compliance of Planning Proposal
1. Employment and Resources	
1.1 Business and Industrial Zones	Consistent. Some of the amendments in this planning proposal include minor adjustments to the boundaries of business and industrial zones in Ballina Shire. The proposed amendments comprise adjustments to ensure zone boundaries reflect cadastral and actual land use areas and refines these boundaries for clarity. The proposed adjustments will not result in any material loss or gain to any existing zoned business or industrial areas.
1.2 Rural Zones	Consistent. This proposal includes minor adjustments to the boundaries of rural zones. The proposed amendments comprise adjustments to ensure zone boundaries reflect cadastral and actual land use areas and refines these boundaries for clarity. The proposed adjustments will not affect the agricultural production value of rural land.
1.3 Mining, Petroleum Production and Extractive Industries	Consistent. This proposal does not include any amendments that will result in compromising any future extraction of coal, minerals, petroleum or other resources.
1.4 Oyster Aquaculture	Consistent. None of the amendments included in this proposal will negatively impact on Priority Oyster Aquaculture Areas.
1.5 Rural Land	Consistent. This proposal includes minor adjustments to the boundaries of rural zones. The proposed amendments comprise adjustments to ensure zone boundaries reflect cadastral and actual land use areas and refines these boundaries for clarity. The proposed adjustments will not affect the agricultural production value of rural land nor will they affect the orderly and economic development of rural land.
2. Environment and Heritage	
2.1 Environmental Protection Zones	Consistent. The proposal is not expected to result in adverse impacts on environmentally sensitive areas.
2.2 Coastal Protection	Consistent. The proposal is generally consistent with the principles of the NSW Coastal Policy.
2.3 Heritage Conservation	Consistent. The proposal contains amendments to Schedule 5 of the BLEP 2012 and associated Heritage Map. The amendments seek to refine and clarify references to identified items of environmental heritage.
2.4 Recreation Vehicle Areas	Consistent. The proposal will not result in any adverse impacts from recreation vehicles on sensitive land or land with significant conservation values .

3. Housing, Infrastructure and Urban Development	
3.1 Residential Zones	Consistent. This proposal includes minor adjustments to the boundaries of residential zones. The proposed amendments comprise adjustments to ensure zone boundaries reflect cadastral and actual land use areas and refines these boundaries for clarity. The proposed adjustments will not result in any material loss or gain to any existing zoned residential areas.
3.2 Caravan Parks and Manufactured Home Estates	Consistent. This proposal will not result in any reduction in the existing availability of land for caravan parks or manufactured home estates.
3.3 Home Occupations	Consistent. The proposal will not affect any existing permissibility or exemptions for home occupations.
3.4 Integrated Land Use and Transport	Consistent. This proposal will not result in any negative impacts on accessibility or transport movements.
3.5 Development Near Licensed Aerodromes	Consistent. The proposal does not significantly impact on land in the immediate vicinity of the Ballina Byron Gateway Airport or its associated noise and obstacle navigation areas.
3.6 Shooting Ranges	Does not apply to planning proposal.
4. Hazard and Risk	
4.1 Acid Sulfate Soils	Consistent. The proposal does not increase or alter existing development provisions and controls relating to land having the probability of containing acid sulfate soils.
4.2 Mine Subsidence and Unstable Land	Does not apply to planning proposal.
4.3 Flood Prone Land	Consistent. The proposal does not increase or alter existing development provisions and regulatory controls relating to flood prone land or the requirements for consideration of potential flood impacts.
4.4 Planning for Bushfire Protection	Consistent. The proposal does not increase or alter existing development provisions and regulatory controls relating to bushfire prone land or the requirements for consideration of bushfire risk.
5. Regional Planning	
5.1 Implementation of Regional Strategies	The planning proposal is generally consistent with the planning framework set out under the Far North Coast Regional Strategy.
5.2 Sydney Drinking Water Catchments	Does not apply to Ballina Shire.
5.3 Farmland of State and Regional Significance on the NSW Far North Coast	Consistent. The proposal does not propose the rezoning of identified significant farmland for residential purposes.
5.4 Commercial and Retail Development	Does not apply to planning proposal.
5.5 Development in the vicinity of Ellalong Paxton and Millfield (Cessnock LGA).	Revoked.
5.6 Sydney to Canberra Corridor (Revoked 10 July 2008. See amended Direction 5.1	Revoked.

9.2 Ballina Local Environmental Plan 2012 - 12 Month Review.DOC

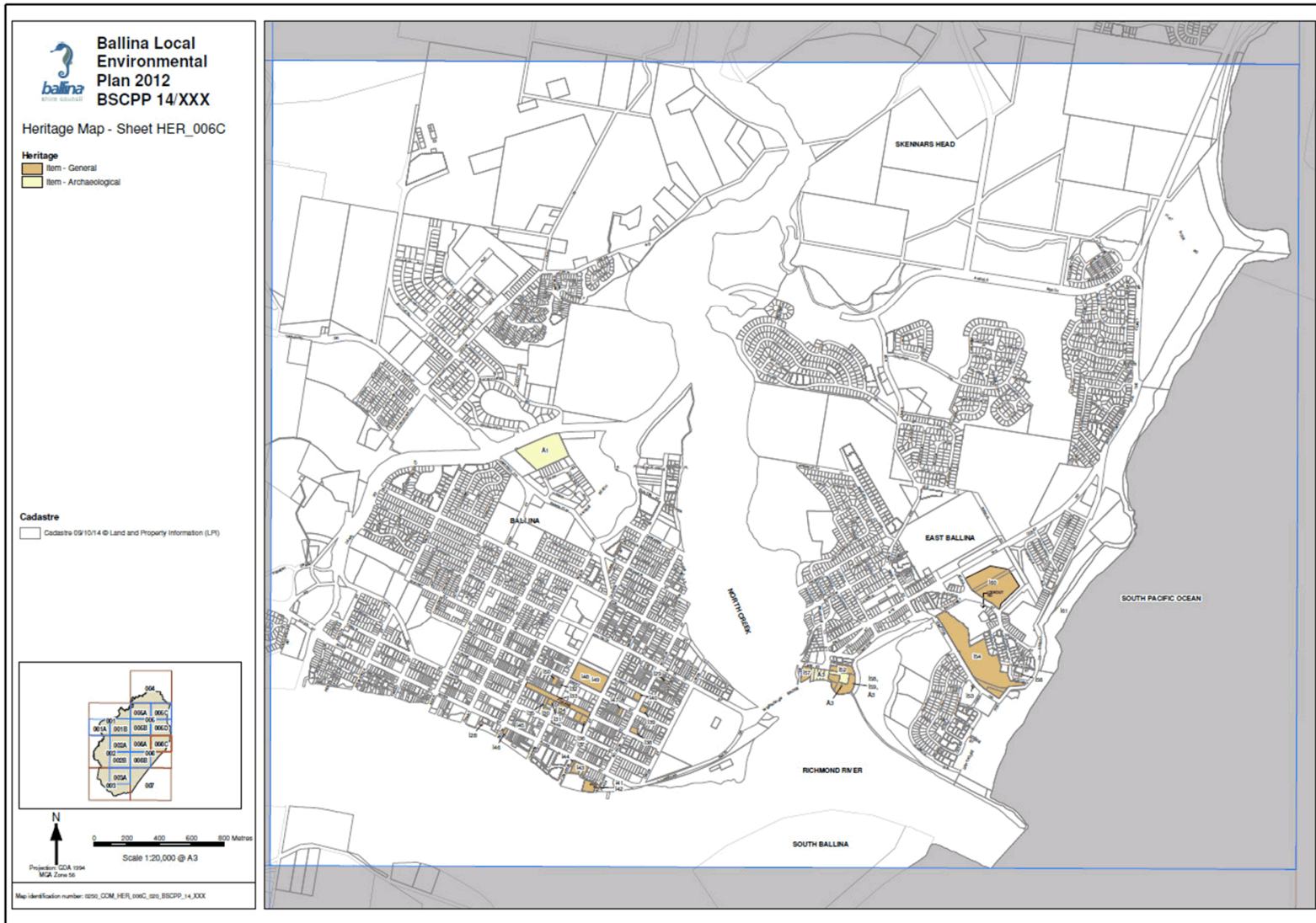
5.7 Central Coast (Revoked 10 July 2008. See amended Direction 5.1)	Revoked.
5.8 Second Sydney Airport: Badgerys Creek	Does not apply to Ballina Shire
5.9 North West Rail Link Corridor Strategy	Does not apply to Ballina Shire
6. Local Plan Making	
6.1 Approval and Referral Requirements	Consistent. The planning proposal does not introduce any new concurrence or consultation provisions or any additional designated development types.
6.2 Reserving Land for Public Purposes	Consistent. The proposal includes amendments to several areas of public reserve through the addition to or alteration of zone boundaries for public recreation areas already in public ownership. The proposed changes do not promote the acquisition of land.
6.3 Site Specific Provisions	Does not apply to planning proposal.
7. Metropolitan Planning	
7.1 Implementation of the Metropolitan Strategy	Does not apply to Ballina Shire.

Appendix B – Maps

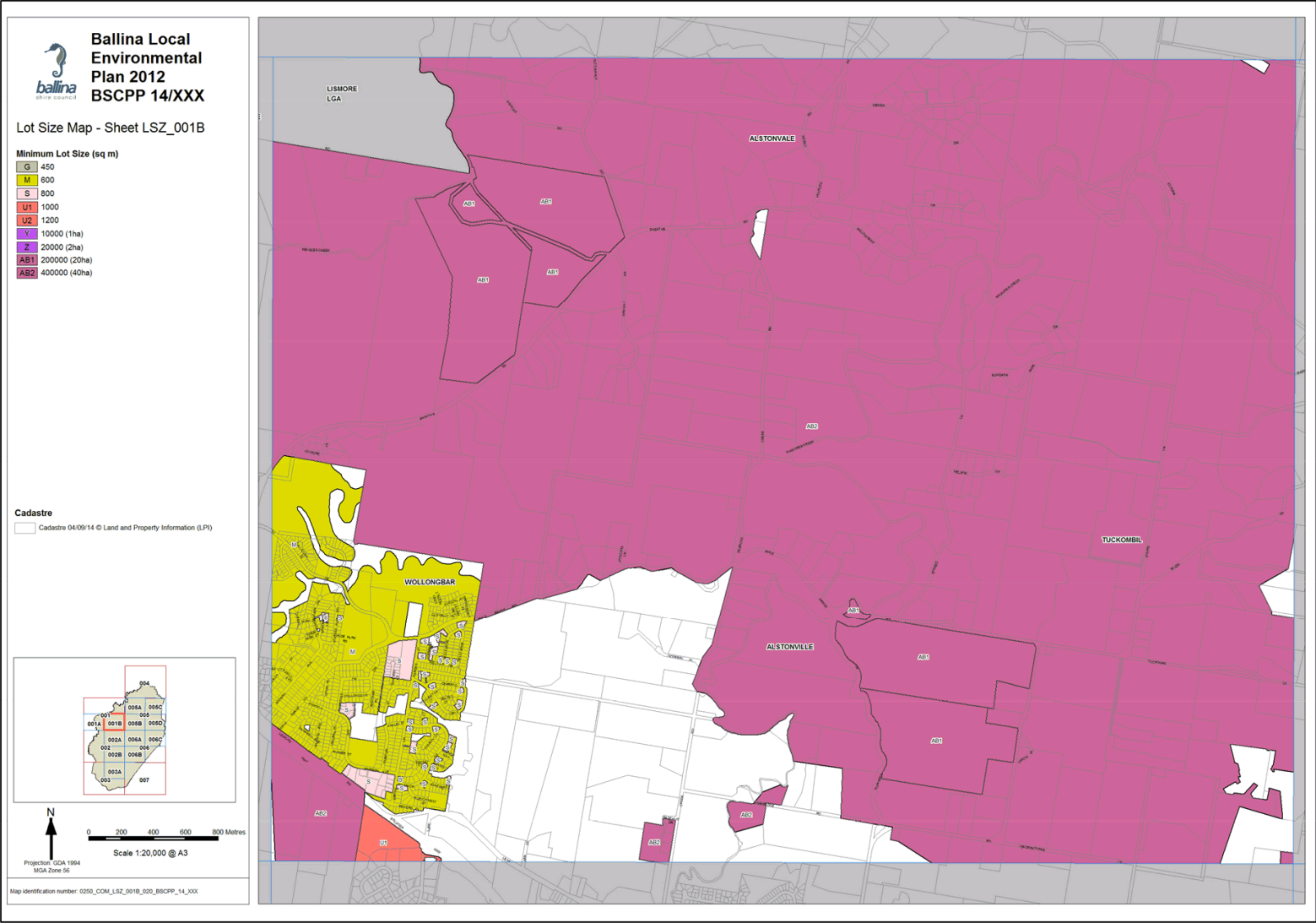




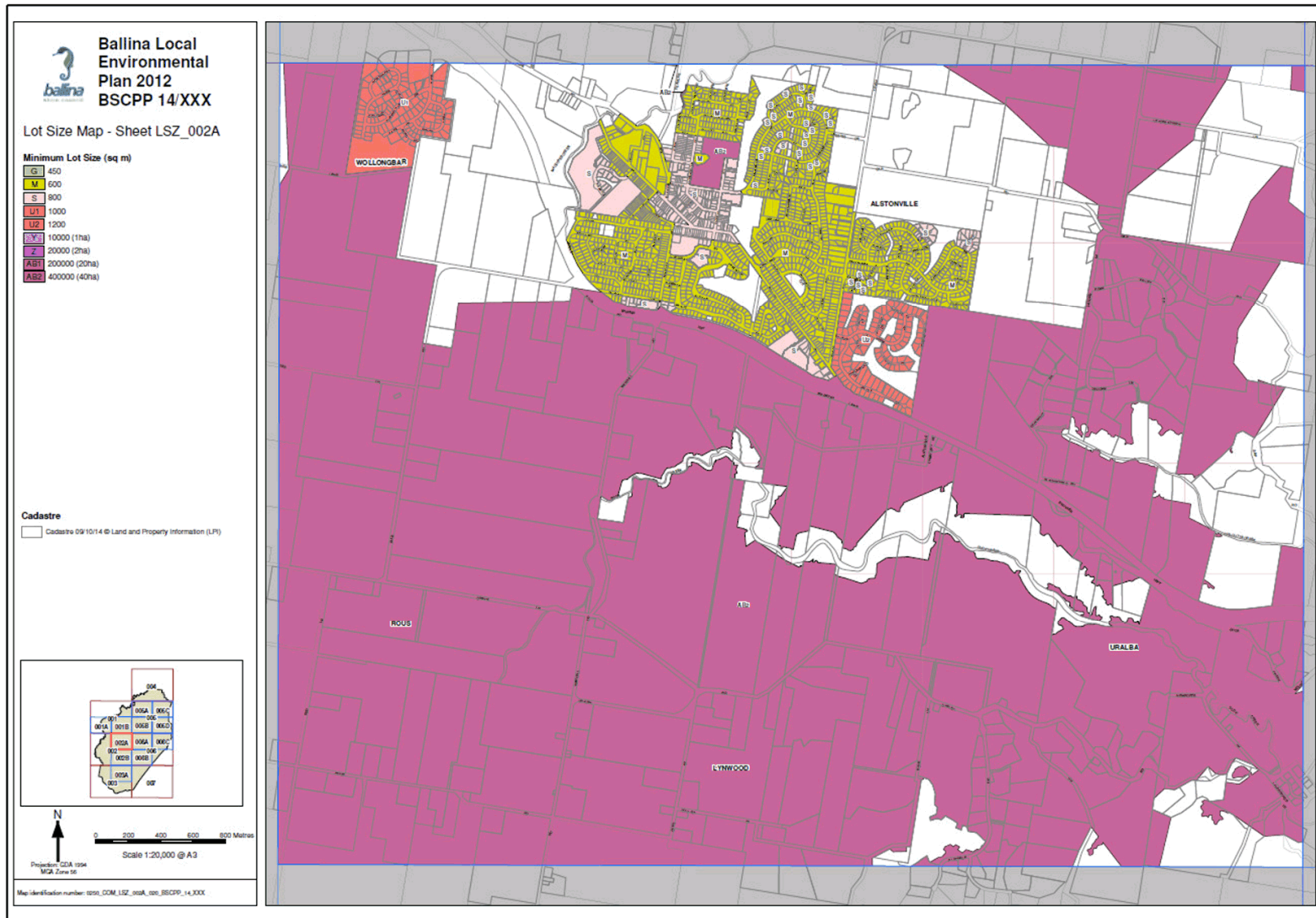
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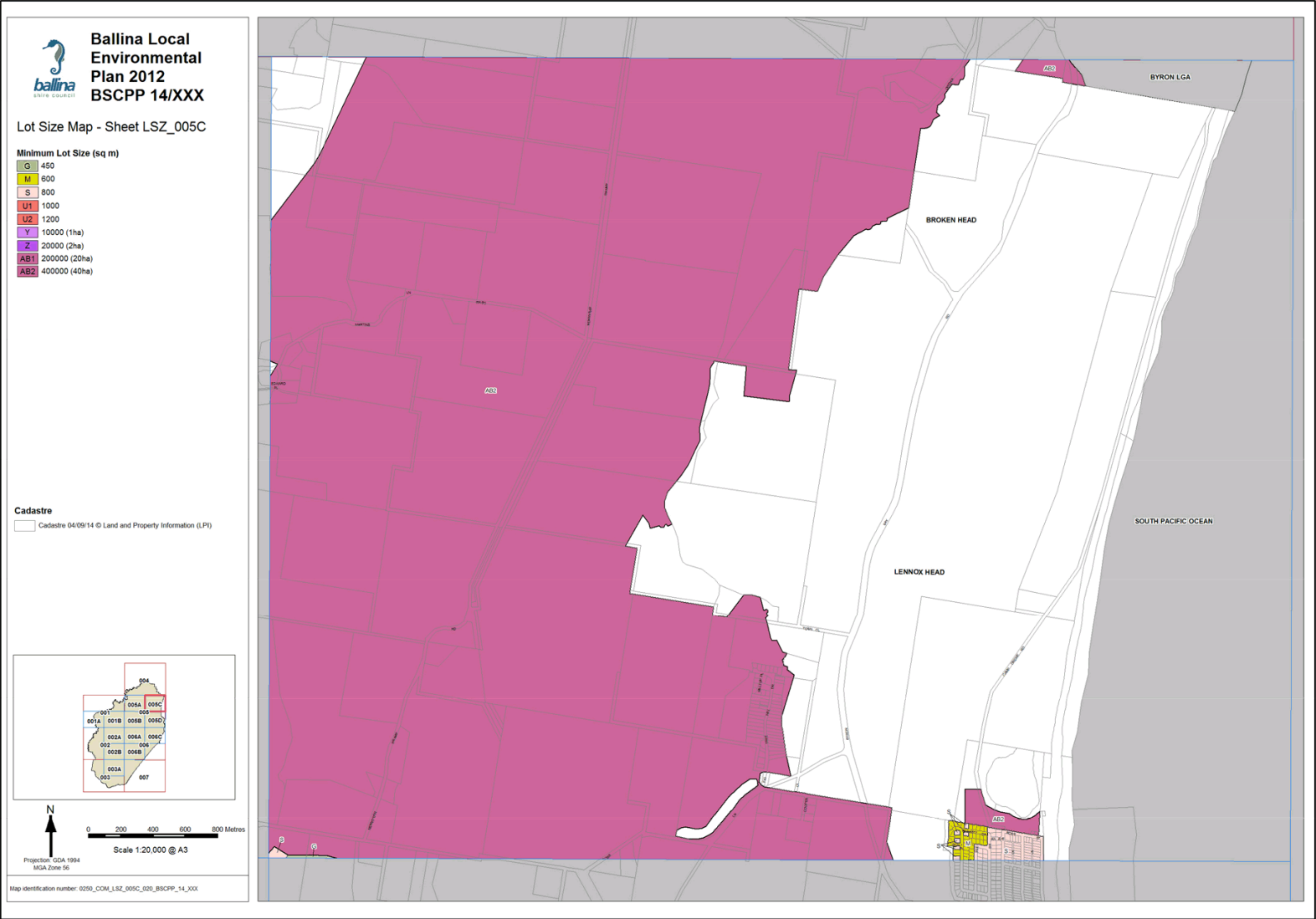
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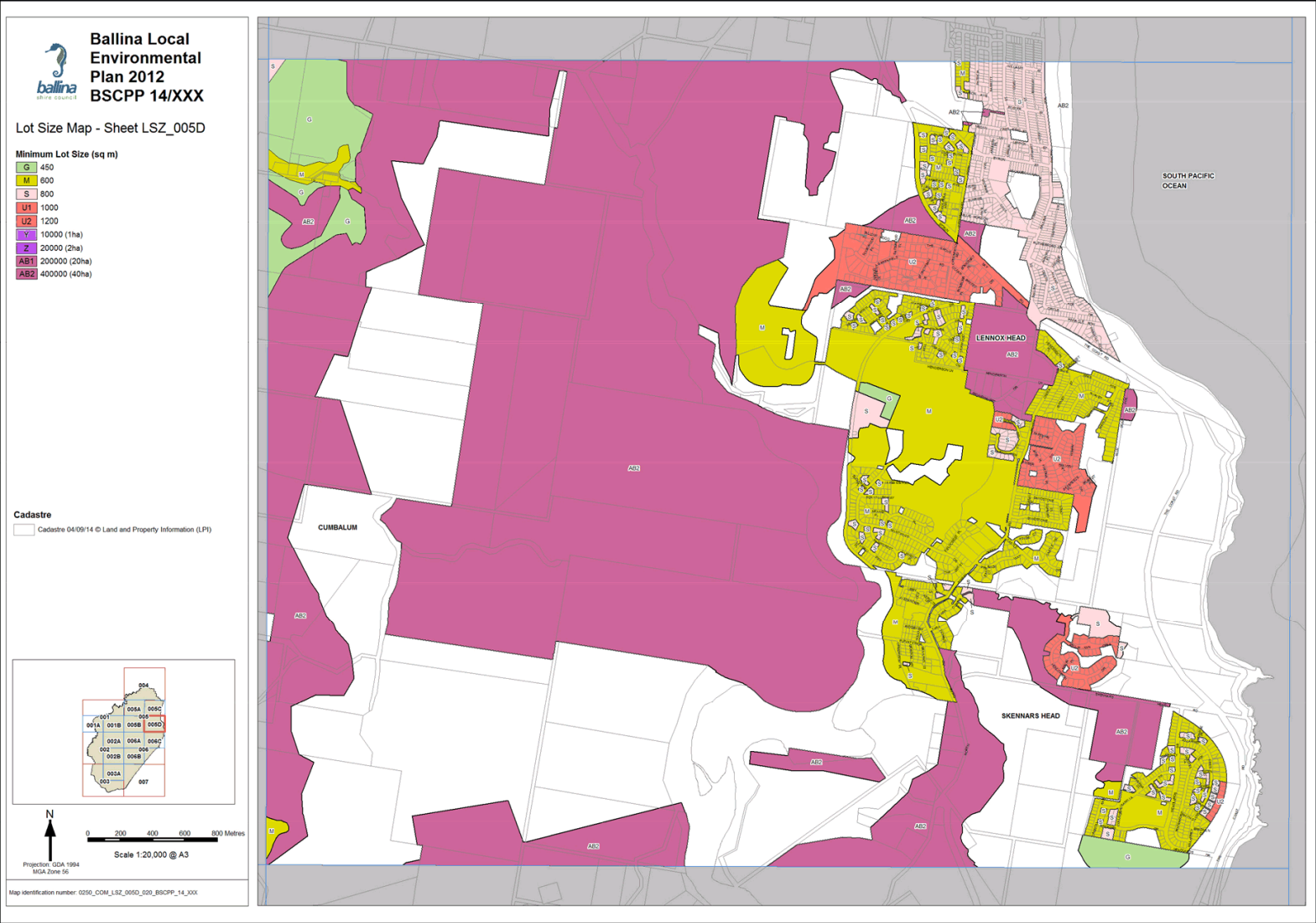
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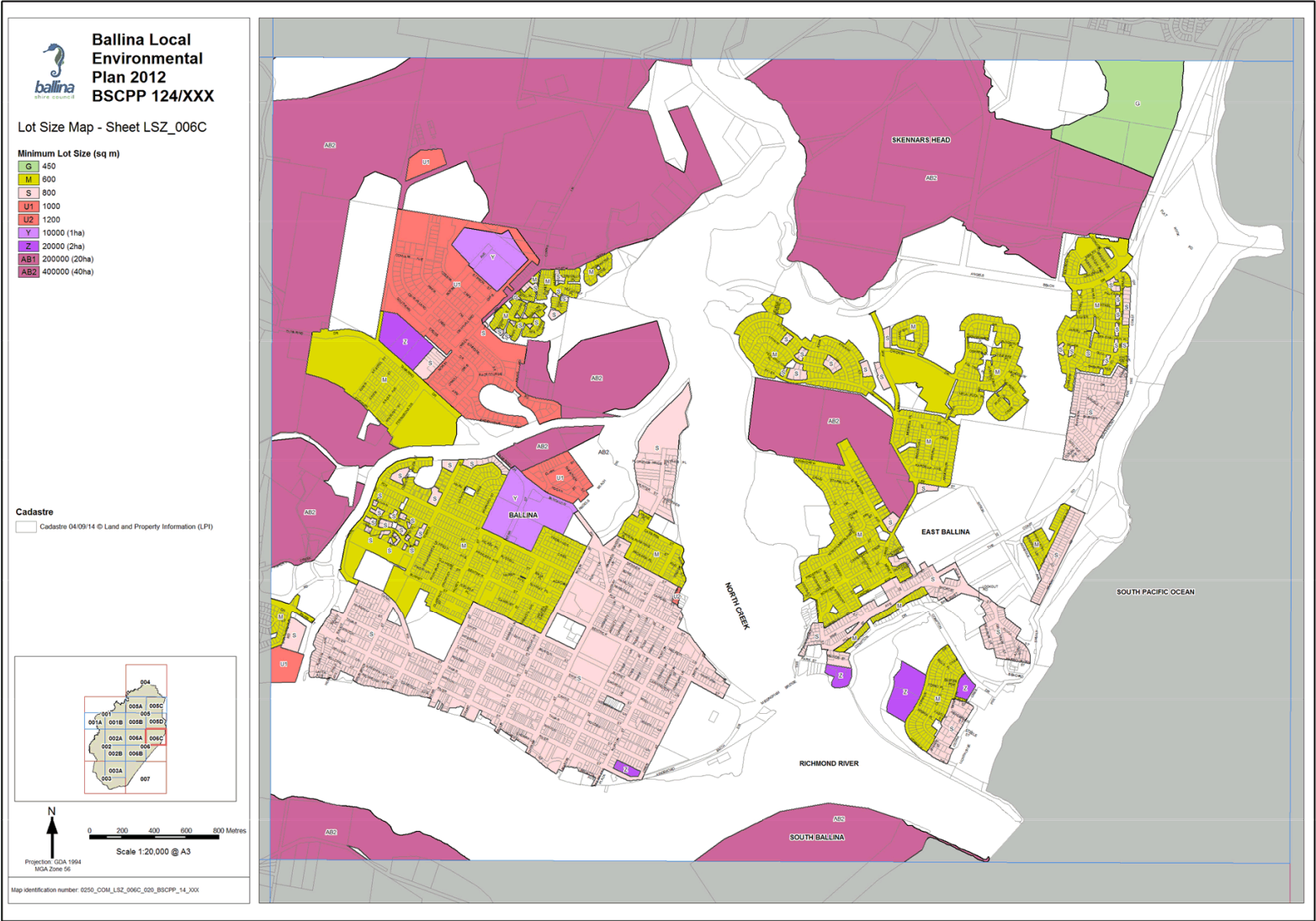
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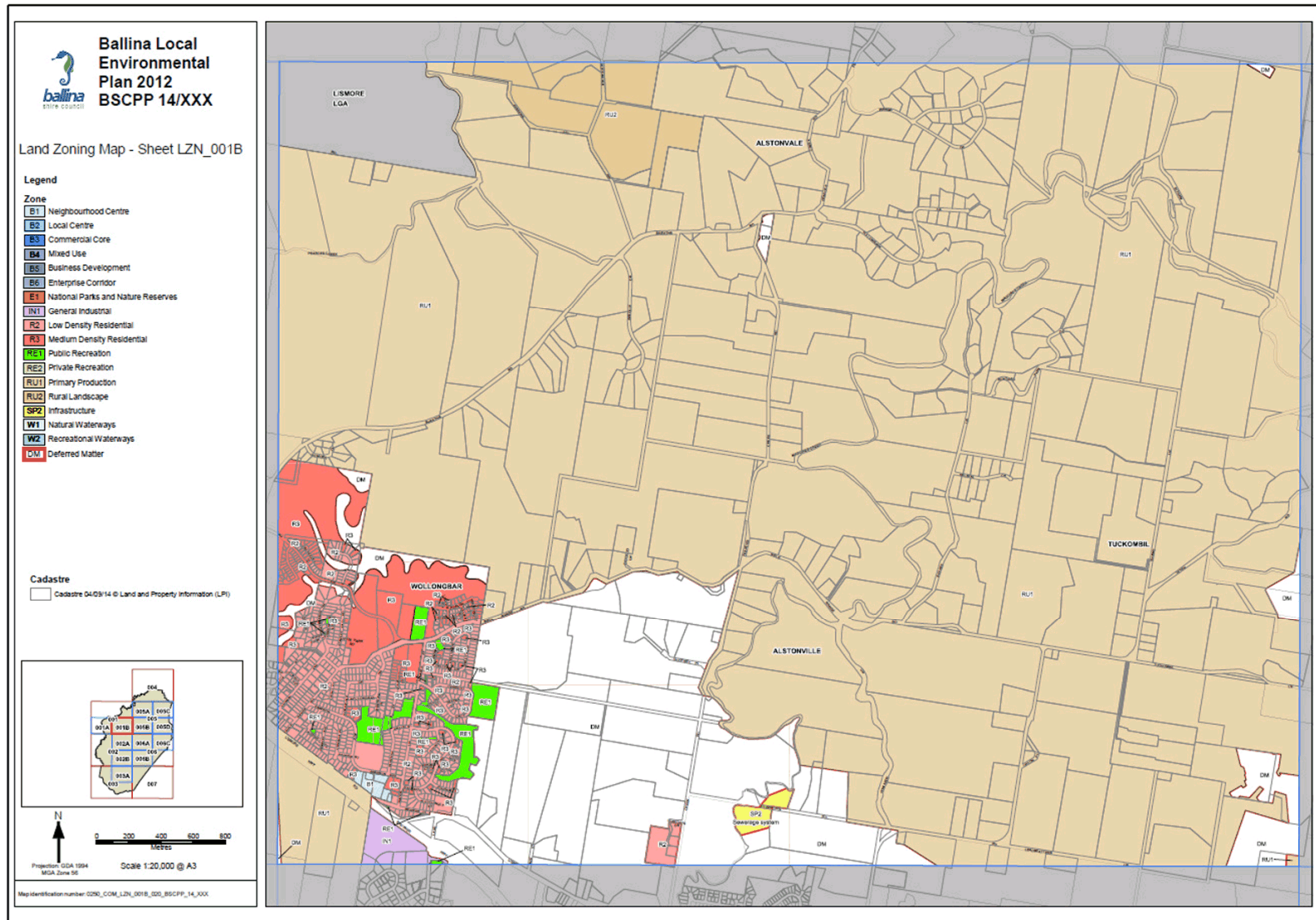
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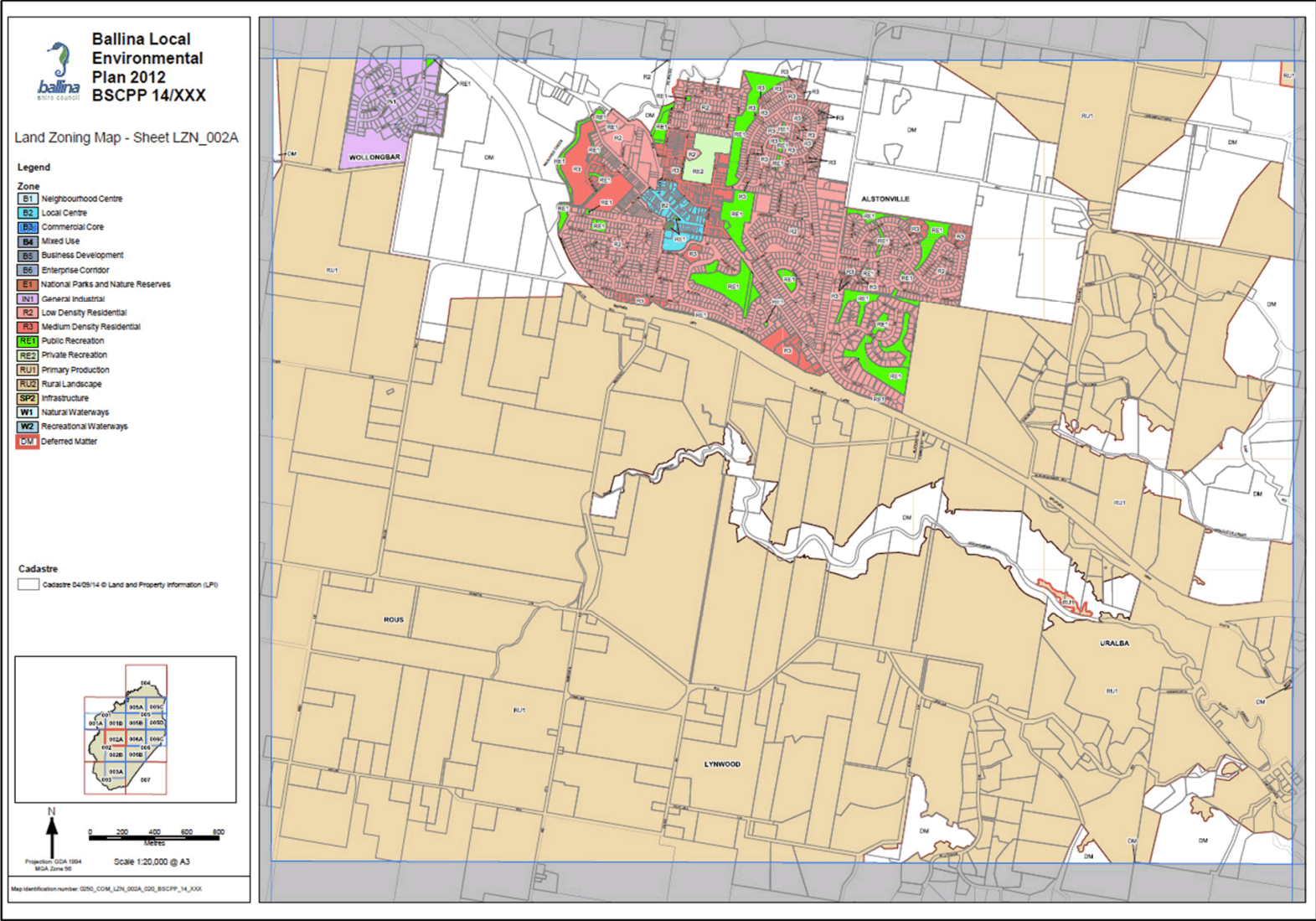
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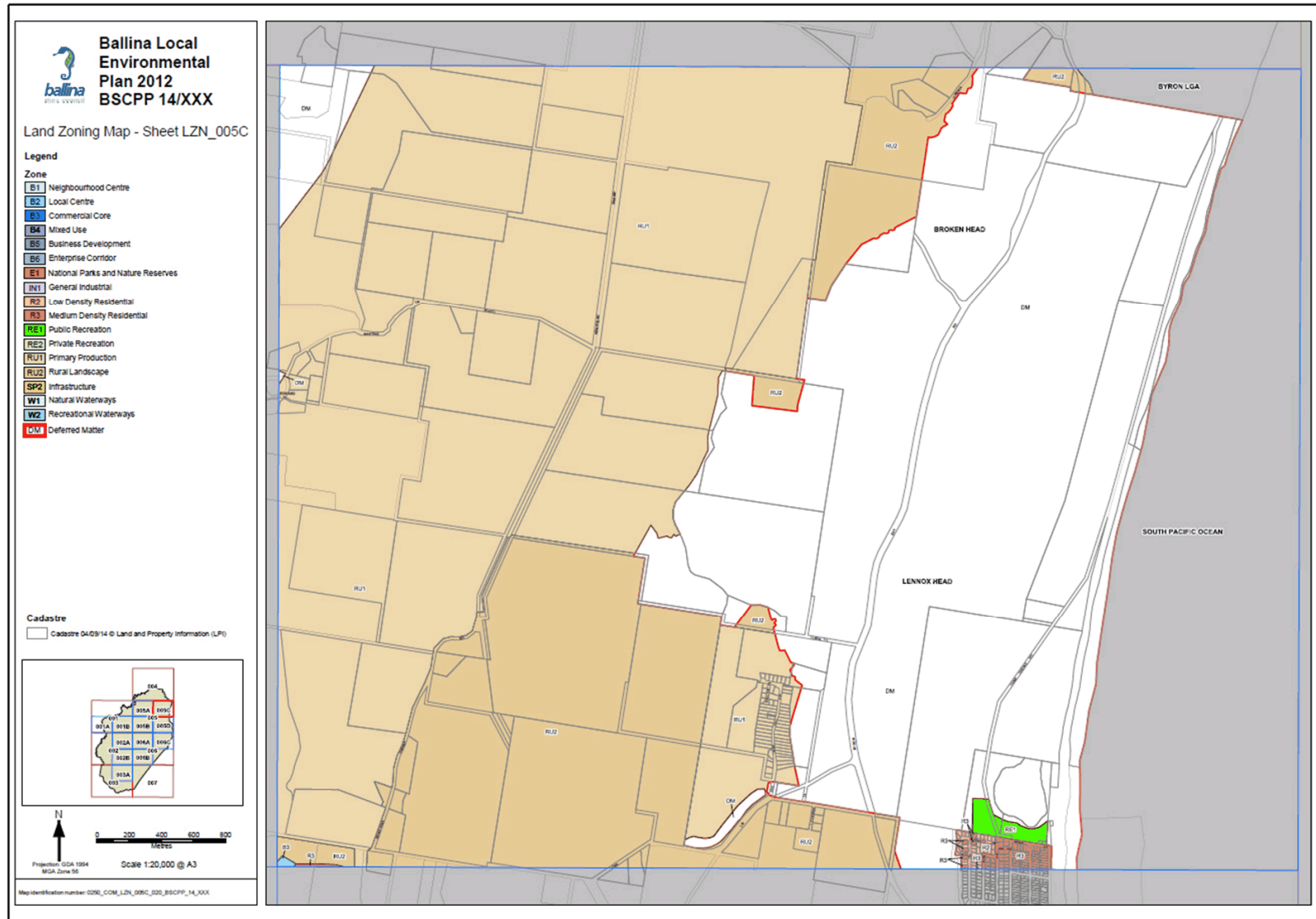
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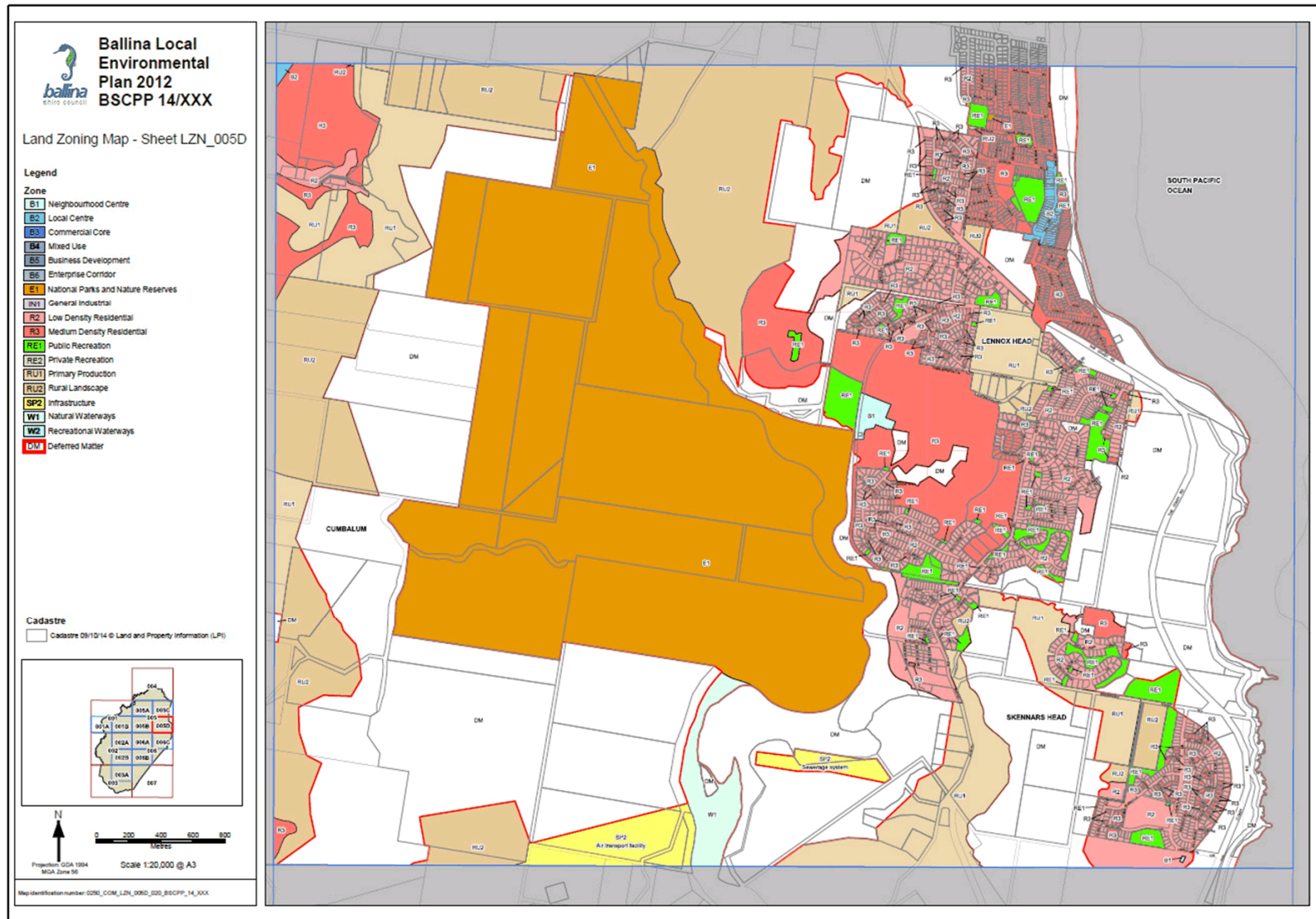
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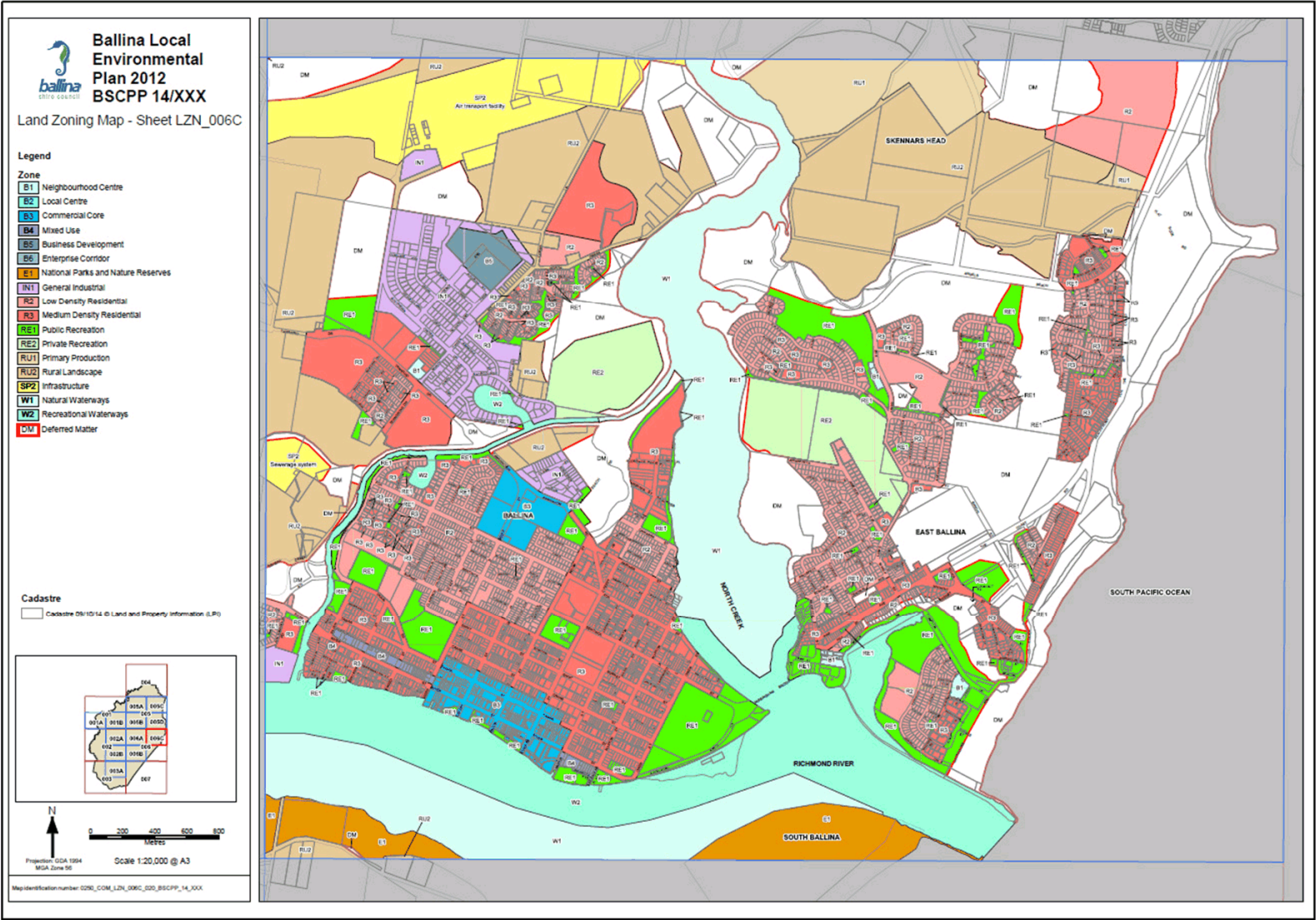
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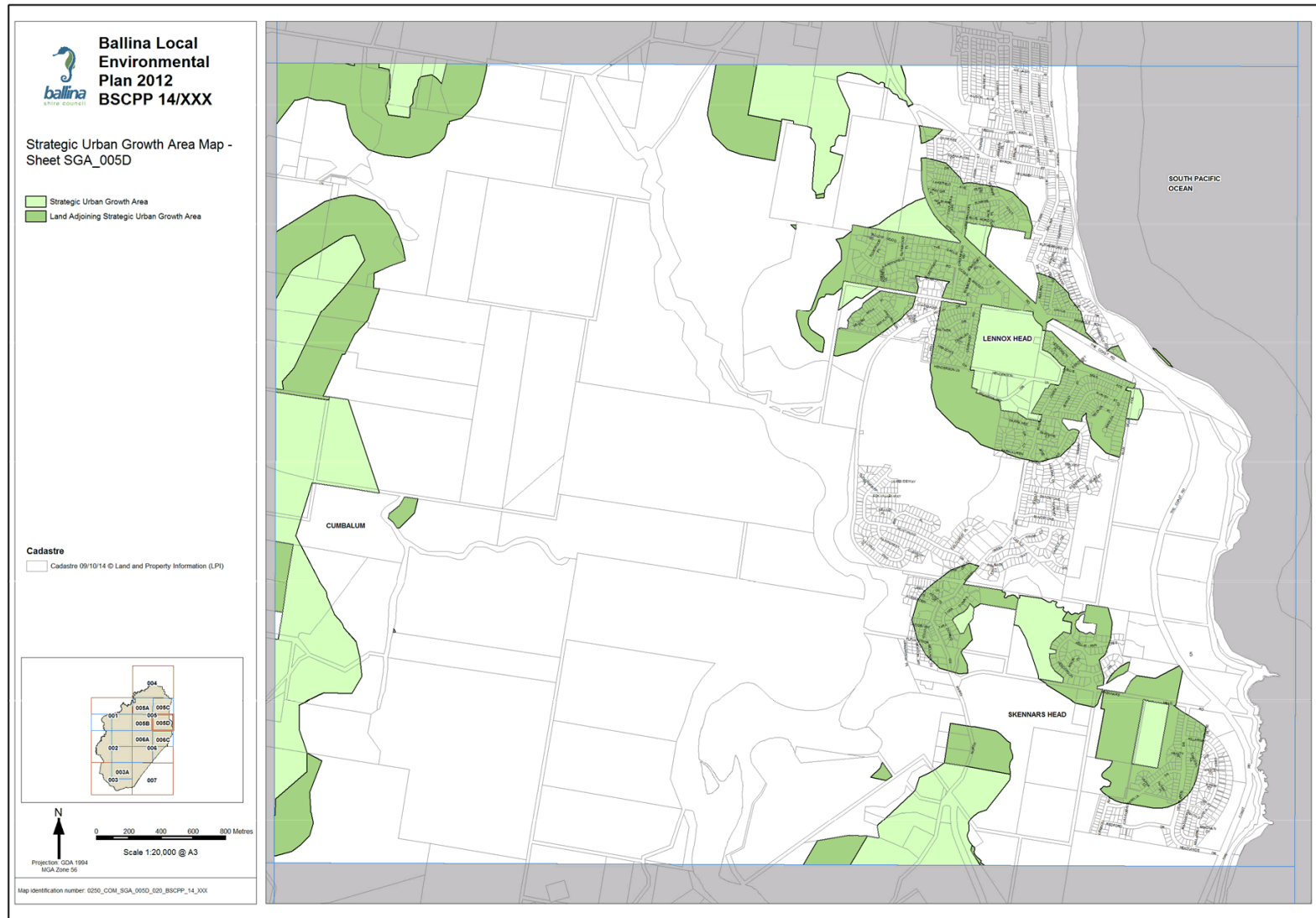
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