













# NSW POLICE Richmond Local Area Command Crime Management Unit



5 Zadoc Street, Lismore NSW 2480 Telephone: - 02-66260569. Email: <u>ryan1lat@police.nsw.gov.au</u>

The General Manager Ballina Shire Council Tamar Street, Ballina NSW 2480

Attention: Mr Anthony Peters

## Proposed Redevelopment of Lot 12 DP 1086670, 323 River Street BALLINA Development Application No. 2016.25

Assessment of Development Application Using Crime Prevention Through Environmental Design (CPTED) Principals. Section 79C Planning and Assessment Act.

## Recommendations;

- CCTV surveillance cameras shall be strategically installed, operated and maintained throughout the premises with particular coverage to:
  - Principal entrance/s and exits;
  - All of the areas within the premise occupied by the public (excluding toilets);
  - The area within a 25m radius external to the public entrance(s) and surrounding the building.
  - A visual monitor shall be installed on each level of the premise to display clear live security CCTV footage of that area, to the attending patrons.

- A visual monitor shall be located at the principal entrance alerting customers to the use of CCTV facilities.

(a) Suitable and clearly visible signage shall be displayed at the principal entrance(s) to the premises, in lettering not less than 50mm in height with the words "Closed Circuit Television in use on these premises".

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(b) All CCTV recording equipment and cameras is to be of high grade digital quality capable of identification and facial recognition.

(c). A fixed digital video surveillance camera located at the principal entrance. Suitable signage to be appended at the entrance, alerting visitors that the facility exists and will be utilised if required.

(d) CCTV recording equipment shall be retained for 30 days before being re-used, destroyed or deleted. Copies must be handed to council and police.

(e) The CCTV recording equipment shall be able to immediately reproduce a copy of recorded footage on demand of council or police officers, or within 12 hours of the request being made.

### Disclaimer:

NSW Police has a vital interest in ensuring the safety of members of the community and their property. By using recommendations contained within this document, any person who does so acknowledges that:

- It is not possible to make areas evaluated by NSW Police absolutely safe for the community and their property.
- Recommendations are based upon information provided to, and observations made by NSW Police at the time the document was prepared.
- The evaluation/report is a confidential document and is for use by the person/organisation referred to on page one.
- The contents of this evaluation/report are not to be copied or circulated otherwise than for the purposes of the person/organisation referred to at the start of the Assessment.

NSW Police hopes that by using the recommendations contained within this document, criminal activity will be reduced and the safety of members of the community and their property will be increased. However, it does not guarantee that all risks have been identified, or that the area evaluated will be free from criminal activity if its recommendations are followed.

> Laleynya Ryan Senior Constable Crime Prevention Officer 18 May 2016

> > 2



File No: NTH 15/00026 Your Ref: DA: 2016/25.

General Manager Ballina Shire Council PO Box 450 BALLINA NSW 2478

Attention Anthony Peters

Dear Sir

DA 2015/25, 323 River Street Ballina. Demolition of Existing Buildings and Construction of Service Station and Ancillary Kiosk.

I refer to your letter of 24 February 2016 requesting comment from Roads and Maritime Services in relation to the abovementioned development application.

#### **Roles and Responsibilities**

The key interests for Roads and Maritime are the safety and efficiency of the road network, traffic management, the integrity of infrastructure assets and the integration of land use and transport.

River Street forms part of Main Road (MR545) which is a classified (regional) road, in accordance with Section 7 of the *Roads Act 1993* (the Act). Roads and Maritime's concurrence is required prior to Council's approval of works on this road under Section 138 of the *Roads Act 1993*.

Under State Environmental Planning Policy Intrastructure 2007 (ISEPP) Clause 104, Roads and Maritime is given the opportunity to review and provide comment about the subject development application as it meets the requirements under Schedule 3, Column 3.

#### **Roads and Maritime Comments**

Roads and Maritime as reviewed the traffic impact assessment supporting the proposed service station.

While ultimately Council's decision, the River Street access to the site appears to be inconsistent with the requirements of iSEPP clause 101 that limits direct access to a classified road if access to another road is practicable.

There is a significant grade change between the existing highway travel lanes and the proposed access on River Street, this change in grade is likely to cause problems and delay for vehicles accessing the site, particularly larger vehicles and vehicles towing trailers,

The Institute of Transport Engineers suggests bypass trade rates for service station traffic as 56% in the am peak and 42% in the pm peak. The service station assessment has adopted a 100% bypass trade rate for River Street, consequently there is a slight underestimation of traffic impacts. Given the long delay experienced by traffic exiting Brunswick Street, even small changes in volume are likely to significantly increase delay from this approach.

**Roads and Maritime Services** 

76 Viotoria Street, Grafton NSW 2460 | PO Box 576, Grafton NSW 2460 |

www.rms.new.gov.au | 13 22 13

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The existing left and right turns from Brunswick Street experience significant delay in the am and pm peaks, as a result of service station traffic this delay will be significantly increased. Delay is a risk factor in intersection creates. The risk of crashes is likely to increase as a result of the service station proposal. It is noted the traffic assessment supporting the service station has not examined the existing crash history around the proposal.

To manage the risks at this site, the intersection of Brunswick and River Streets appears to be candidate for the instellation of traffic signals. Unfortunately the traffic generated by the proposal and existing usage is insufficient on its own to justify signals. Council might like to consider the effect of induced traffic, i.e. traffic attracted to the Brunswick Street intersection because ease of access created by signals to determine if service station traffic as well as induced traffic justifies signalisation.

If Council considers traffic signals appropriate at this location, Roads and Maritimes approval under Section 87 of the Roads Act 1993 is required.

If you have any further enquiries regarding the above comments please do not hesitate to contact Liz Smith, Manager Land Use Assessment on (02) 6640 1362 or via email at: <u>development.northern@rms.nsw.gov.au</u>

Yours faithfully

and Sala

17 March 2016

for Monica Sirol Network & Safetý Manager



File No: NTH16/00026 Your Ref: 15184

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

Attention: Patrick Knight

Dear Sir

DA 2015/25, 323 River Street, Ballina Demolition of Existing Buildings and Construction of Service Station and Ancillary Klosk

I refer to your email of 11 May 2016 regarding additional information forwarded in relation to the abovementioned development application.

## Roles and Responsibilities

The key interests for Roads and Maritime are the safety and efficiency of the road network, traffic management, the integrity of intrastructure assets and the integration of land use and transport.

River Street (MR545) is a classified (regional) road. In accordance with Section 7 of the *Roads Apt 1993* Ballina Shire Council is the Roads Authority for this road and all other roads in this area. Any new connection to River Street would require the concurrence of Roads and Maritime prior to Council's approval in accordance with Section 138 of the Act."

Ballina Shire Council is the Consent Authority for this development application. Roads and Maritime provides advice to Council in accordance with Clause 104 and Schedule 3 of the State Environmental Planning Policy Infrastructure 2007 (ISEPP).

#### **Roads and Maritime Response**

Roads and Maritime has reviewed the referred information and provides the following comments to assist Council in determining the application:

- Council should be satisfied that any proposed engineering solution put forward by the applicant, to address the grade difference at the access to the service station from River Street, is achievable and appropriate. The Installation of any traffic control devices, including regulatory signs and markings, will require the endorsement of the Local Traffic Committee prior to Council approval.
- It is understood that recommendations from Council's Local Development Committee included comments in relation to access and circulation through the site. Council should consider how these matters may be addressed to limit impacts on the road network.
- Any new connection to River Street should be designed and constructed in accordance with the current Austroade Guidelines, Australian Standards and RMS Supplements.

#### **Roads and Maritime Services**

76 Victoria Street, Grafton NSW 2460 | PO Box 576, Grafton NSW 2460 |

www.rms.nsw.gov.au | 13 22 13

- The intersection of River and Brunswick streets was upgraded under the state blackspot program and worke wore completed in early 2016. The intent was to address crashes at the intersection. Therefore additional crash analysis is perhaps not relevant at this time, however Council may wish to monitor the intersection into the future, particularly if the development proceeds.
- Traffic Control Signals (TCS) are not currently warranted at the Intersection of River and Brunswick streets. Council may wish to request analysis of the impact of induced traffic to determine when warrants may be met into the future and to enable further consideration of timing and funding for any future upgrade.

Upon determination of the application it would be appreciated if Council could forward a copy of the Notice of Determination for our records. If you have any further enquiries regarding the above comments please do not hesitate to contact Liz Smith, Manager Lend Use Assessment on (02) 6540 1362 or via email at: <u>development.northern@ms.nsw.gov.au</u>

Yours faithfully

3 June 2016 for Monica Sirol Network & Safety Manager, Northern Region

Copy for: Attention: Graham Knight de Groot and Benson.

16/13814



QLD State Office 39 Kerry Rood Archerfeld QLD 4108 4 | 1877 3073 6250 5 | 1077 3216 7021 www.file.com.ay

Anthony Peters DA 2016/25 28th January 2016

Dear Anthony,

With reference to the above DA approval Beaumont Tiles has an interest due to our site situated at 325 River Street, Ballina.

Whilst we do not have an objection to the continued development of the area, we wish to draw attention to the following:

- 1. Traffic management needs to be addressed due to the congestion in the area
- 2. Addition of traffic lights to reduce potential hazards on this road would be beneficial.
- 3. Winton lane will require resurfacing to ensure the street can handle additional traffic flow
- 4. Surrounding business interests need to be considered whilst the process is occurring

If you have any queries please feel free to contact me on 07 3373 6250

Kind regards,

cm.

**Chris Roberts** 

**Business Operations Manager – QLD/Northern NSW** 

A Division of R. F.Benumont & Co Pty Lid A.C.N. 607 703 997

Page 1 of 1



Dear Sir/Madam,

I wish to register my objection to the proposed Coles Express Shell Petrol station on the corner of River and Brunswick Sts. Ballina. My objections are centred on health and safety concerns for residents of Brunswick Street and Winton Lane as well as the economic implications for the existing petrol stations in Ballina.

I live on Winton Lane directly behind the Liberty petrol station on River Street and I am very concerned about the proposed exit from the new petrol station onto Brunswick St. The Bagot St. exit onto River St is a left turn only exit so if I want to head west I have to exit Winton Lane via Brunswick St. It is already quite dangerous turning right out of Winton Lane onto Brunswick St as traffic turning into Brunswick St from River St is very hard to see coming. It is also already very, very difficult to make a right turn onto River St with the current amount of traffic. I feel that the added traffic exiting the proposed petrol station into Brunswick St will cause much greater danger to residents going about their daily business. Also when turning right onto River St from Brunswick St it is very hard to see traffic doming west along River St because of the cars parked outside existing businesses to the right. I often have to edge forward over the line to see oncoming traffic past the parked cars. If there are cars turning into the proposed petrol station or into Brunswick St or just parking outside the businesses.

The consequences of living this close to a petrol station are many and varied. From the noise of tankers delivering to the station at all hours of the day and night as well as the noise of compressors running 24 hours a day to power the fridges inside, to the grease and film that covers my house, especially the windows, all these factors are part of already living this close to a Petrol station, the last thing we all need is another one 30 metres away. Winton Lane is a residential street not just a commercial one, the residents should be your first priority.

As to the economic consequences, there are already 6 petrol stations in Ballina and a service centre slated for the highway. The independent Liberty Station on River St has recently spent an enormous amount of money to upgrade their station and they are already competing with multi-national companies and just holding their own. Also the Shell station on Kerr St has just upgraded their station. How is another Shell station on the same street going to affect both these businesses? If this proposal goes ahead there will be 3 petrol stations within 300 metres of each other.

The building of this station will only create some short term jobs in the construction. After construction the petrol station will, like most self-serve stations, only create one or two jobs and a large profit for a foreign owned multi-national company. This proposal will also impact on the parking situation for the tile business next to this proposed station. All of the businesses along this section of River St have already lost many, many car parking spaces due to the planting of trees with large root barriers around them.

I believe that this proposal is not well thought out and is only going to benefit the multinational Coles brand and not the businesses and residents of this area. I would ask that Council listen to residents and NOT approve this development as it is not wanted or needed by any of us.

Thank you for your time.

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Megan Myèrs 8/5 Bagot Street Ballina NSW 2478. スタ.ス.16 0415 06 3302

16/15705 ACKNOWLEDGED 515 Sughrand Rid, RESID . ANTHONY PETERS GOONELL APAIR RE D.A. 2016/ 25 sime council. 2480 BALLIAMA 3-3-16 FAMILY RENFING 318 RIVERSE BALLINIA . 2178 Deel what Piters sound of the ST., BARRINA an the at 318 RIVER ST. have l diagonally 94 is situated the sile 01 the station am a reposed ane. con concort alan 8 quable whe - and ou 1 quess sincerely But we lof those Us 085 22 66 241 0417 739 859. RECORDS SCANNED 4 MAR 2018 Doc No: .) Baich No: COUNTER

15711 L BRUNSWICK ST ACKNOWLEDGER 1478 16 5685 2.3.16 Ta BALLINA SHIRE COUNCIL RE DEVELOPMENT PROPAGAL FOR LOT 12 303 RIVER ST BALLINA. TO WHOM IT MAY CONCERN and in no porticular order 1) I am against the Development. 2 Harm to small busines in area (where else in Balling can you get your Petrol etc put in which a simile, from real hard working people. Believe me I have tried. Too Busy or cont leave till because they only have one staff momber on @ The small of Detral Dienil ail etc blowing in our windows all day - night and I can only imagine if there is a southerly blowing A Traffic what a nightmans. Since changing the road in River St Traffic condes along River St aithor Oddee Liturn in River St. Brunswick St corner, or turns into Brunswick St and then Turns which is an acciclent of the way to happen. I can only making if cars are pulling out of the Garage and turning back on to Histoway what it will be like? B Noise through day and at night, we do have a dog and it will bark at name at night. D Attrancting the beable walking home at night from Pubs Clube etc wisiting the krasky 8. D. Hop B. D. Hospi O I was born - bred Vin Balling (BORN 1950 CATHERINE ANN HOLMES) my foother Choules Halmes worked in RIVER ST of a gracery Shop (SHOE (SHOP OF WALLACES) of enuse when Woolworthe Coles etc opened all those little people had to close. DI have seen mony changes in Balling mostly positive but I would not like to acce this development passed. O view from my kitchen window will be last. CATHERINE Cothy Rightsi PNTONIO M PUGLISI

16 BRUNSWICK ST BALLINA 1478 2.3.16

BALLING SHIRE COUNCIL

RE DEVELOPMENT PROPOSAL

COLES (RETAIL FLEL DEVELOPMENT PTY LTD)

LOT 12 D.P 323 RIVER ST BALLINA)

TO WHOM IT MAY CONCERN.

() I do not want the Davelooment to be posted for a number of reasons (2) Vould you like to live behind it? 3 If passied. I woold like to know it a Memolition Study has been done? D Large vechale go down Winton Lone to the Typood Year Auto Care ETC and we get a lot at vibrotion etc.

The Demolition of existing building is of our concern as our property is il Brunewick. Et and sides on to Vintan Lane directly behind the Development Site.

should go ahead and there be any damage crack's sts sts. Council would be responsible and we would expect then to be repaired at no cost to us.

We are concerned that if a demalition

ANTONIO M PUGLISI afgt

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# To Anthony Peters at Ballina Shire Council RE:- DA 2016/25

We the undersigned oppose the development of 323 River St, Ballina We oppose the construction of a new Service Station in such close proximity to two long standing existing Service Stations.

NAME	ADDRESS	SIGNATURE
Brendon Puglisi	16 BRUNSWICK St BALLINA	1in
Tony Paghis	16 BRUNSWICK St BALLINA 1	Cefer .
JAMIE PUGLISI	16 BRUNSWICK ST BALLING	a
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	Anthony Peters DA 2016/25	RECORDS SCANNED 4 MAR 2015 Doc No: 1515531 Batefr No:	ACKNOWLEDGED Jane O'Connor 322 River St. Ballina' 2478
			2nd March' 2016

Subject: Objection to DA 010.2016.00000025.001- Development Applications for a New Commercial Building (retail/wholesale trade) Demolition of Existing Buildings and Construction of Service Station and Ancillary Kiosk.

Dear Sin

I would like it noted that I strongly object to the above development proposal of demolition of existing building & construction of a 24 hour service station & ancillary kiosk.

When I first moved to Ballina in 1977 there was an existing 24 hour service station across from my house on the opposite corner. Myself and my family remember the noise and the bright lights from that building that lit up our house, especially our front bedrooms and family room. Compression brakes from buses and trucks and the anti social behaviour which was constant at the service station and fuel tankers mainly late at night or early in the morning.

I am objecting to the above development proposal because we believe that it raises significant and serious threats to the local environment in the following ways:

\* A 24 hour operation will be an invasion of privicy.

\* A 24 hour operation of the type proposed will cause environmental concerns, cause noise & air pollution. Trucks and cars entering and leaving the service station at all hours day and night will significantly affect local residents.

- Anti social behaviour, as if it isn't bad enough now without this development proposal.
- Decrease of value of my house as comfirmed by our real estate agent.

I would like to ask the proposed developer if your proposal is successful (which I strongly hope that it isn't) would you be prepared to compensate me for loss of value of my house, the cost of block out blinds and awings which may help to stop our house looking like a xmas tree as the strong lights would shine into our three bedrooms at the front of our house and the extension of my fence to a height that may help to block out the noise.

Also I would like the developer to look at other properties out of town, eg West Ballina near the Good

Guys, and seriously look at the fact that we already have three fuel stations in River Street which I as well as alot of other people feel is enough.

To serve the general public what about building out on the highway, as late at night there is nothing between Grafton and Chinderah.

This 24 hour operation serves no other purpose other than to make large profit for a multi-national company.

With a bus shelter and now planted trees along this street and cars parked outside other businesses only makes for more congestion in River Street and Brunswick Street.

I feel this proposal needs a lot more thought from our Council and hopefully our council will listen to the residents and rate payers, as this development is not needed due to the fact this is a residential area with three other service stations in this street.

Yours Faithfully

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J 0' lemmor Jane D'Cannor 0411086284



Subject: Objection to DA 010.2016.00000025.001- Development Application for a New Commercial Building (retail/wholesale trade) Demolition of Existing Buildings and Construction of Service Station and Ancillary Kiosk.

## Dear Sir

I am objecting to the above development proposal. We live almost directly opposite the proposed development and we believe that the proposed development in our neighbourhood raises significant and serious threats to the local environment in the following ways:

\* A 24 hour operation will increase traffic congestion and parking problems both on the main road (River Street) and also for the other local streets close to the development.

\* The site is clearly unsuitable for this type of development.

\* A 24 hour operation of the type proposed is out of character and scale with the surroundings in the area that are mostly private housing and private units. There is no other 24 hour service stations similar to the one proposed in the area.

\* A 24 hour operation of the type proposed will cause noise or air pollution. Trucks and cars entering and leaving the service station at all hours of the evening will significantly affect local residents. As we indicated above, the surroundings of the site and area are mostly private housing and private units.

\* A 24 hour operation of the type proposed will decrease property values in the area.

\* A 24 hour operation of the type proposed is known to attract unsavoury types late at night in the area making the area potentially unsafe and unclean in addition to other significant social impacts. Any security we now feel in the area will be lost. It is certain that break-ins and assaults in the area will increase if the development goes ahead.

\* There are other likely impacts of the proposed development on the locality, including environmental impacts on both the natural and built environment and significant social and economic impacts.

\* The proposed development is not in the public interest. How is the public served by such a proposal? The site is not on the highway but in a quite corner of the town.

Please take the above objections into account when the development application is being considered.

Yours Faithfully

x \*\*

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Mr John O'Connor

ACKNOWLEDGED

## Anthony Peters

Ballina Shire Council

RE:- DA 2016/25

RECORDS SCANNED 4 MAR 2016 Das No: (15/15/91 Baich No:

Lot: 12 DP: 1086670, 323 River Street, Ballina

Dear Sir,

I wish to submit an objection to the above development.

I believe this development will have a negative impact on nearby residents & similar businesses in close proximity to said development.

This is a relatively quiet neighbourhood with many older residents all concerned with the noise, lights of a night time and the extra traffic in Brunswick St, Tamar St & the very narrow Winton Lane.

Please find attached signed pages of a petition of objection. I started this petition at the request of many residents in the area.

Regards

Allong

Veda Dorrough 337 River Street Ballina

Ballina District Citizens and Rate Payers Association A 'Non-Profit' Public Organisation Inc. 9891926

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# PETITION TO N.S.W. PARLIAMENT

To the Honourable Speaker and Members

Legislative Assembly, Parliament House

Macquarie Street, Sydney 2000

Dear Sir / Madam

REN. 1

This Public Petition of Undersigned Citizens, Residents and Rate Payers of Ballina Shire Area Would like to bring to Attention to the Legislative Assembly, Parliament House, Macquarie Street. The Crown Minister for Local Government, and Crown Minister Planning and Infrastructure that : We the undersigned Citizens, Residents and Rate Payers of Ballina Shire do uppose the construction of a new Service Station DA 2016/25 in such close preximity to two long standing existing Service Stations.

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B Robinson	50 Brandon SV Suffelk	A.
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G. M CARINY	4 FAWCETT R.	×.
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Dylan Steele	IBBITARA DOWNS	DE
Sue Inlach	12 Whipps Ave, ALSTONMILLE	Domeach
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To Anthony Peters at Ballina Shire Council RE:- DA 2016/25

We the undersigned oppose the development of 323 River St, Ballina We oppose the construction of a new Service Station in such close proximity to two long standing existing Service Stations.

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inma Farbrollen	8 Westland Place. W. Balling	. Aller
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TRACY BURKE	586 River St West Bulling.	7.1
d Spencer	19 Pacific Hway Broadwater	Alpar
Wiewke.	37 Reinfact way hernes Head	thent
Michelle Burvill	731 Fernleigh Rd Bang	Ulturide
D. Cook	51 Riverview Ave Ballina	D-Cook.
L.BELL	109 AWIFT ST BALLINA	Bell,
N-Hugles	Keith hall lane sth balling	p
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To Anthony Peters at Ballina Shire Council RE:- DA 2016/25

We the undersigned oppose the development of 323 River St, Ballina We oppose the construction of a new Service Station in such close proximity to two long standing existing Service Stations.

NAME	ADDRESS	SIGNATURE
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MIRA SLADIC	26/12 FLORENCE PR. RINCE Bellino	Miro, Alad
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Yeanne Britt	39 Beachhopr Ade East Ballica:	
10ni-ann stamp	1 Westland Place balling	T&all
Keziah Moss	15 Catherine Crescent, Bellina	
Geoff Devese.	21101 LINKS ENEMILE EAST BOULL	lition
Les crecco	145 GRANN RD MOREN CREEK	AS.
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23 Ap 7pp.1 To Anthony Peters at Ballina Shire Council RE:- DA 2016/25 We the undersigned oppose the development of 323 River St, Ballina We oppose the construction of a new Service Station in such close proximity to two long standing existing Service Stations. ADDRESS SIGNATURE NAME FORIZON DR WEST BOLLING Q. C JEFFERM Allch . Lev Dalaman Ć & that ogan mepike Simpson ave wollongbal UA 64 Pine Balling NA East Avenue. N-Blanch BStamp 1 Westland halling Gra ot ALACK 33 CAMERINE CRES Bra Mamilton Dallina in allina hade 101 STOWIN P Creek Rd. Avie 611 Pen DANJ CIERN BALENA welle CLARE GET BALLINA 9 GWERRER BUANS PT FERET ED BALLING balln dru )arms son ) A cle alle 10/00 Reid Low Hor ohe yuar? blin Ba a attered 73 Morelia Waldra Lone NONO TOM men 10 35-36 lŁ.

23 Apr. 13 02;47p

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To Anthony Peters at Ballina Shire Council			
To Anthony Peters at Ballina Shite Council RE:- DA 2016/25			
We the undersigned oppose the development of 323 River St, Ballina We oppose the construction of a new Service Station in such close proximity to two long standing existing Service Stations.			
Nane	ADDRESS	SIGNATURE	
Katty Black	1/33 Catherine Cres Balline	KM.Say.	
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r. Amy	3/107 Halinga St Bellina	Marine .	
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Robert Lytora	(13 simpson Ave welling Bu	nytod	

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S. manager