



ENGINEERS PLANNERS SURVEYORS ENVIRONMENTAL PROJECT MANAGEMENT

Ref/Job Number: 8849
8849 - Cover letter - Planning Proposal - Ballina Home Makers Centre

28 February 2019

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

Dear Sir/Madam

re: **Planning Proposal/LEP Amendment Request**
Lot 951 DP 1165266, No. 26 Boeing Avenue, Ballina

I refer to prior communications with Council's Strategic Planners, Messrs Simon Scott and Klaus Kerzinger during November/December 2018 in respect of the subject matter.

Ardill Payne & Partners has been commissioned by Calardu Ballina No. 1 Pty Ltd to provide town planning services in the preparation and lodgement of a Planning Proposal/LEP Amendment Request with Ballina Shire Council in respect of the subject land.

Attached herewith is the following:

- completed Planning Proposal/LEP Amendment Request – Proponent & Proposal Information Form
- signed landowner's consent to the making of the Planning Proposal
- 2 x paper copies and 1 x CD copy of the Planning Proposal
- cheque for \$3790.00 payable to Ballina Shire Council (Commencement Fee – Stage 1)
- copy of Klaus Kerzinger's email dated 27th February 2019 identifying the application fees

Should you have any questions in respect of this matter, please contact me on 6686 3280 or pauls@ardillpayne.com.au.

Yours faithfully

A handwritten signature in blue ink, appearing to read "Paul Snellgrove".

Paul Snellgrove

ARDILL PAYNE & PARTNERS

s:\01_jobs\8800-8899\8849 prepare planning proposal submission - 26 boeing avenue, ballina\03 town planning\8849 - cover letter - planning proposal - ballina home makers centre.docx

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02 6686 3280

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GUNNEDAH
Germane House
285 Conadilly Street
GUNNEDAH NSW 2380
02 6742 9955

**Planning Proposal / LEP Amendment Request
Proponent & Proposal Information Form**

Lodge Applications at Ballina Shire Council • 40 Cherry Street • Ballina (Mon-Fri 8.15am to 4.30pm)
mail PO Box 450 Ballina 2478 • f 02 6686 7035 • e council@ballina.nsw.gov.au
t 1300 864 444 • w www.ballina.nsw.gov.au • abn 53 929 887 369

This form is to be completed and submitted when a request for an LEP amendment or planning proposal is lodged with Council.



Proponent Details

All correspondence will be forwarded to this name and address unless alternative details are specified below.

Proponent's Name

Address

Postal Address

Telephone (w) (h) Mobile

Email Address Fax

Signature Date

Consultant / Representative Details

Details of consultants/representatives acting on behalf of the proponent are required. Please nominate whether the consultant/representative will be the principal contact for the proposal.

Name

Address

Telephone (w) Mobile Fax

Email Address *Paul Snowdon*

Please tick if consultant/representative is to be the principal point of contact with Council. *to be*

Description of the Land

Property descriptions of all land holdings the subject of the LEP amendment request/planning proposal are required. Additional properties the subject of the proposal should be documented in the additional information field at the end of the form.

Property Address

Lot/Portion Section DP

Property Address

Lot/Portion Section DP

Property Address

Lot/Portion Section DP

Office Use Only		
Proposal Name:	Type: <input type="checkbox"/> Major <input type="checkbox"/> Minor	Pre-Lodgement Discussion: <input type="checkbox"/> Y <input type="checkbox"/> N
Fee Paid: <input checked="" type="checkbox"/> Y <input type="checkbox"/> N Amount: \$ 3790.00	Date Received: 14/3/19	Receipt No: 1053487
Code 6, Job No: 20001.1001.061		

Landholder Details and Consent

Details of all landholders are to be provided. If landholders do not sign this form, evidence of the consent of landholders for the nomination of their landholding as part of the LEP amendment/planning proposal is required in conjunction with this form. Space is provided at the end of this form for additional landholder details.

Owner's Name(s)	Refer attached signed landowner authority				
Address					
Lot/Portion		Section		DP	
Telephone (w)		(h)		Mobile	
Email Address				Fax	
<input type="checkbox"/> I/we being the owner(s) of the property identified above, consent to the submission of this planning proposal/LEP amendment.					
Signature				Date	

Summary of the LEP Amendment Request / Planning Proposal

Brief outline of the concept or idea underpinning the LEP amendment request / planning proposal.

Refer attached town planning report



List of Information Provided in Support of the LEP Amendment Request / Planning Proposal

Refer attached town planning report

Privacy Protection Notice

The completed application form contains personal information which is being collected for the purpose of assessing this LEP amendment request/planning proposal. Please be aware that information contained in this documentation is public information and may be accessed by other government agencies, service providers, the general community or other organisations. The information will be processed by Council officers and may be made available to public enquiries under the Government Information (Public Access) Act. The information will be stored in Council's electronic document management system.

Disclosure of Political Donations and Gifts

A person who submits an LEP amendment request/planning proposal to Council is required to disclose the following reportable political donations and gifts (if any) made by any person with a financial interest in the proposal within the period commencing two years before the request is made and ending when the proposal is determined:

- All reportable political donations made to any Ballina Shire Councillor; and
- All gifts made to any local Councillor or employee of Ballina Shire Council.

A reference to a reportable political donation made to a 'Councillor' includes a reference to a donation made at the time the person was a candidate for election to the Council.

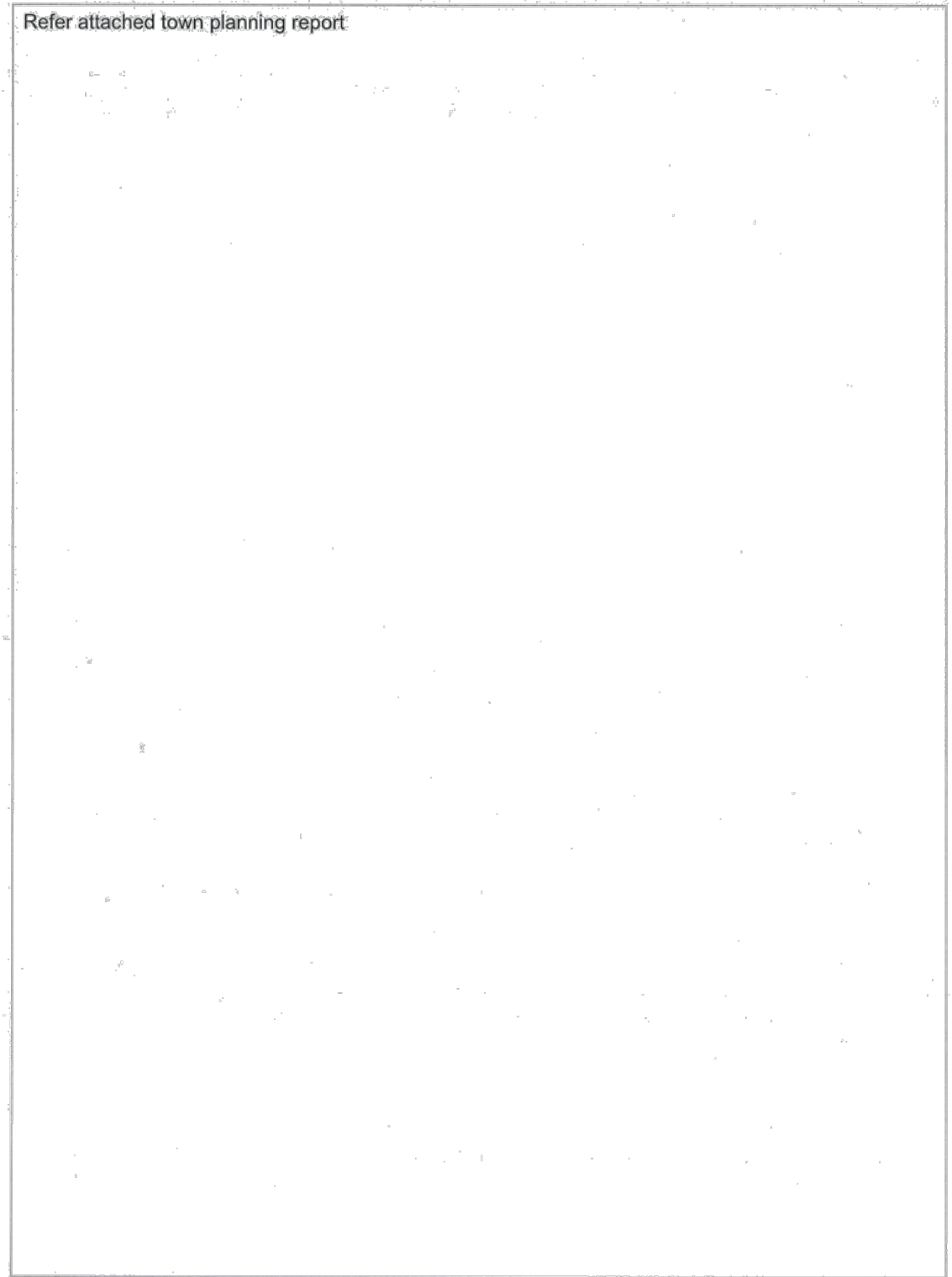
Significant penalties apply to non-disclosure. For more information and to obtain a political donations and gifts disclosure statement go to the Department of Planning and Infrastructure website at www.planning.nsw.gov.au.

Is a disclosure statement to accompany your application? Yes No



Additional Information

Refer attached town planning report





ENGINEERS PLANNERS SURVEYORS ENVIRONMENTAL PROJECT MANAGEMENT

APP Land Owner Authority.doc

LAND OWNER AUTHORITY

This is to advise that Ardill Payne & Partners

of 45 River Street, Ballina NSW has been engaged by:

Landowner's name	CALAROU BALLINA No.1 Pty LTD
Landowner's address	A1 Richmond Road Homebush west NSW 2140

To prepare certain applications in respect of land known as:

Street	26 Boeing Avenue
Town	Ballina
Real property description	Lot 951 DP 1165266

The owner(s) of the aforementioned land(s) hereby authorises Ardill Payne & Partners or its agents to:

1. Inspect all relevant Council records.
2. Obtain copies of submissions made to Council or other government authorities.
3. Carry out searches and site inspections.
4. Lodge a planning proposal/LEP amendment request or any other like application with Ballina Shire Council.

Signed	X X
Name	CHRIS MENTIS - Director John Ewyn Stack-Smith - Director
Date	30.01.2019
Phone	02 9201-6236
Email	c/o frank.lavorato@av.haveynorman.com

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285 Conadilly Street
GUNNEDAH NSW 2380
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Paul Snellgrove

From: Klaus Kerzinger <Klaus.Kerzinger@ballina.nsw.gov.au>
Sent: Wednesday, 27 February 2019 8:37 AM
To: Paul Snellgrove
Cc: 'Murray, Doug'
Subject: RE: 8849 - Planning Proposal

Good Morning Paul.

The fees for a minor amendment are as follows:

Stage 1 - \$3,790
Stage 2 - \$6,290
Stage 3 - \$6,490

It would appear that what you are proposing is a minor amendment. If however specialist reports or advice are required, ie economic impact, then this will incur additional costs.

Regards

Klaus Kerzinger
Acting Manager Strategic Planning

Klaus Kerzinger
Strategic Planner



ballina.nsw.gov.au | discoverballina.com
p: (02) 6686 1201 | f: (02) 66867 035 |



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From: Paul Snellgrove [mailto:PaulS@ardillpayne.com.au]
Sent: Tuesday, 26 February 2019 10:21 AM

To: Klaus Kerzinger
Cc: 'Murray, Doug'
Subject: 8849 - Planning Proposal

Klaus

I refer to prior discussions that I have had with you and Simon in respect of a planning proposal (PP) relating to the Harvey Norman Homemakers Centre (Lot 951 DP 1165266, 26 Boeing Ave, Ballina) involving a proposed amendment to the BLEP 2012 to permit a number of additional uses at the site/in the building under Clause 2.5 and Schedule 1.

I am of the opinion that the PP would comprise a minor amendment and that the Stage 1 Commencement Fee is \$3790.00. Can you please provide me with a PP fee quote for Stage 1.

Thanks.

Kind regards,

Paul Snellgrove
Principal Town Planner



02 6666 3280 | 45 River Street, Ballina NSW 2478
02 6742 9955 | 288 Conadilly Street, Gunnedah NSW 2380
PO Box 20, Ballina NSW 2478

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**Ardill Payne
& PARTNERS**

ENGINEERS PLANNERS SURVEYORS ENVIRONMENTAL PROJECT MANAGEMENT

PLANNING PROPOSAL/LEP AMENDMENT REQUEST

Submission to Ballina Shire Council

Lot 951 DP 1165266
No. 26 Boeing Avenue, Ballina

for:
Calardu Ballina No. 1 Pty Ltd

February 2019

BALLINA:
45 River Street
PO Box 20
BALLINA NSW 2478
02 6686 6280

GUNNDAH:
Germane House
285 Conadilly Street
GUNNDAH NSW 2380
02 6742 9955





Document Control Sheet

Filename:	8849 - Planning Proposal - Ballina Home Makers Centre				
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Job Captain:	Paul Snellgrove				
Author:	Paul Snellgrove				
Client:	Calardu Ballina No. 1 Pty Ltd				
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		Name	Signed	Name	Signed
0	27.2.19	Joanne Kay	<i>JKay</i>	P.Snellgrove	<i>PSnellgrove</i>
1	1.3.19	Joanne Kay	<i>JKay</i>	P.Snellgrove	<i>PSnellgrove</i>
2					



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1. Introduction

This section introduces the proposal and provides a general overview of the Planning Proposal.

1.1 Introduction

This submission comprises a Planning Proposal/LEP Amendment Request which explains the intended effect of and provides justification for, a proposed amendment to the Ballina Local Environmental Plan 2012 (BLEP).

The proposed amendment relates to land described as Lot 951 DP 1165266, No. 26 Boeing Avenue, Ballina and involves amending the BLEP 2012, particularly *Clause 2.5 – Additional Permitted Uses for Particular Land* and *Schedule 1 – Additional Permitted Uses* to include the following:

7 Use of certain land at Boeing Avenue, Ballina

- (1) *This clause applies to land at Boeing Avenue, Ballina, being Lot 951 DP 1165266 and identified as "Area H" on the Additional Permitted Uses Map.*
- (2) *Development for the purposes of a recreation facility (indoor), artisan food and drink premises, health services facility, medical centre and veterinary hospital is permitted with development consent.*

This Planning Proposal has been prepared having regard to Division 3.4 of the *Environmental Planning and Assessment Act 1979 (EP&A Act)* and:

- *Planning Proposals – A Guide to Preparing Planning Proposals* (Department of Planning and Environment, August 2016)
- *Planning Proposals and Local Environmental Plan Amendments: Process Guidelines v3.0* (Ballina Council, 23 June 2015)

This submission comprises and supports the Phase 1: LEP Amendment Initiation process of the Planning Proposal and addresses all of the information contained on Council's *Planning Proposal/LEP Amendment Request – Proponent & Proposal Information Form*.

This submission has been prepared on behalf of the owners of the subject land, Calardu Ballina No. 1 Pty Ltd.

There is no Political Donations and Gifts Disclosure required to accompany this request.

1.2 Structure and Scope of this Report

This Planning Proposal/LEP Amendment Request contains the following:

- | | |
|------------------|---|
| Section 2 | Context and characteristics of subject land. |
| Section 3 | A statement of the Objectives and Intended Outcomes of the proposed LEP amendment (Section 2, Part 1 of DoP&E Guide). |
| Section 4 | An Explanation of the Provisions that are to be included in the proposed LEP amendment (Section 2, Part 2 of DoP&E Guide). |
| Section 5 | The Justification for those objectives, outcomes and provisions and the process for their implementation (Section 3, Part 2 of DoP&E Guide). |
| Section 6 | Details of the existing and proposed LEP mapping (Section 4, Part 2 of DoP&E Guide). |
| Section 7 | Details of the Community Consultation in respect of the Planning Proposal (Section 5, Part 2 of DoP&E Guide). |

A number of appendices form part of this report being:

- | | |
|-------------------|---------------------------|
| Appendix A | Locality plan |
| Appendix B | Copy of deposited plan |
| Appendix C | Letter from Harvey Norman |

1.3 Site History

A search of Council's DAs Online has revealed the following applications that have been determined by Council in respect of Lot 87 DP 1118585 and Lot 1 DP 237752, which are the "parent" lots of Lot 951 DP 1165266:



Details	2009/3253	Occupation Certificate	27/07/2017	26 Boeing Ave, Ballina 2478 NSW Section 96 Application to Modify Consent.
Details	2009/3253	Construction Certificate	11/07/2016	26 Boeing Ave, Ballina 2478 NSW Section 96 Application to Modify Consent.
Details	2009/3251	Occupation Certificate	19/07/2017	26 Cassina Cr, Ballina 2478 NSW 54 North Creek Rd, Ballina 2478 NSW 80 North Creek Rd, Ballina 2478 NSW Corks La, Ballina 2478 NSW To undertake the construction of a Bulky Goods Retail Complex comprising two Buildings containing 13 Units/Tenancies, one Warehouse.
Details	2009/3253	Construction Certificate	18/08/2011	26 Cassina Cr, Ballina 2478 NSW 54 North Creek Rd, Ballina 2478 NSW 80 North Creek Rd, Ballina 2478 NSW Corks La, Ballina 2478 NSW Modified Construction Certificate Havey
Details	2009/3253	SSR	01/03/2011	26 Boeing Ave, Ballina 2478 NSW Section 96 Application to Modify Consent.
Details	2009/3251	Construction Certificate	26/07/2016	26 Cassina Cr, Ballina 2478 NSW 54 North Creek Rd, Ballina 2478 NSW 80 North Creek Rd, Ballina 2478 NSW Corks La, Ballina 2478 NSW To undertake the construction of a Bulky Goods Retail Complex comprising two Buildings containing 13 Units/Tenancies, one Warehouse.
Details	2009/3251	Section 96	10/05/2019	26 Cassina Cr, Ballina 2478 NSW 54 North Creek Rd, Ballina 2478 NSW 80 North Creek Rd, Ballina 2478 NSW Corks La, Ballina 2478 NSW To undertake the construction of a Bulky Goods Retail Complex comprising two Buildings containing 13 Units/Tenancies, one Warehouse.
Details	2009/3252	SSR	31/01/2010	26 Cassina Cr, Ballina 2478 NSW 54 North Creek Rd, Ballina 2478 NSW 80 North Creek Rd, Ballina 2478 NSW Corks La, Ballina 2478 NSW s.98 Amendment - Cond. 1.1, Cond. 2.15, Cond. 4.3
Details	2009/3251	Development Application	13/02/2009	26 Cassina Cr, Ballina 2478 NSW 54 North Creek Rd, Ballina 2478 NSW 80 North Creek Rd, Ballina 2478 NSW Corks La, Ballina 2478 NSW To undertake the construction of a Bulky Goods Retail Complex comprising two Buildings containing 13 Units/Tenancies, one Warehouse.

As evidenced above, the existing building/complex on the subject land was approved and constructed under the terms and conditions of DA and CC 2009/435, with the consent having been the subject of numerous subsequent Section 96 modifications.

A search of Council's DAs Online has revealed the following applications that have been determined by Council in respect of Lot:951 DP:1165266, No. 26 Boeing Avenue, Ballina:



Details	2017099	Occupation Certificate	27/07/2017	26 Boeing Ave, Ballina 2478 NSW Section 95 Application to Modify Consent
Details	2017099	Occupation Certificate	27/07/2017	26 Boeing Ave, Ballina 2478 NSW Section 95: Conversion to Refreshment Room/Restaurant - Tenancy 9 Amend condition No.7 of consent; inclusion of an alfresco dining area on a private pedestrian footpath and erection of an awning fascia sign
Details	2017099	Occupation Certificate	26/05/2017	26 Boeing Ave, Ballina 2478 NSW Conversion to Refreshment Room/Restaurant - Tenancy 9 Commercial alterations to accommodate a food/drink premises
Details	2017099	SIG	27/07/2017	26 Boeing Ave, Ballina 2478 NSW Section 95: Conversion to Refreshment Room/Restaurant - Tenancy 9 Amend condition No.7 of consent; inclusion of an alfresco dining area on a private pedestrian footpath and erection of an awning fascia sign
Details	2017099	Section 95	02/03/2017	26 Boeing Ave, Ballina 2478 NSW Conversion to Refreshment Room/Restaurant - Tenancy 9 Commercial alterations to accommodate a food/drink premises
Details	2017099	Construction Certificate	02/03/2017	26 Boeing Ave, Ballina 2478 NSW Conversion to Refreshment Room/Restaurant - Tenancy 9 Commercial alterations to accommodate a food/drink premises
Details	2017099	Section 95	02/03/2017	26 Boeing Ave, Ballina 2478 NSW Conversion to Refreshment Room/Restaurant - Tenancy 9 Commercial alterations to accommodate a food/drink premises
Details	2017099	Development Application	04/02/2017	26 Boeing Ave, Ballina 2478 NSW Conversion to Refreshment Room/Restaurant - Tenancy 9 Commercial alterations to accommodate a food/drink premises
Details	2017099	Section 95	16/02/2017	26 Boeing Ave, Ballina 2478 NSW Commercial Bldg (retail/wholesale trade) - Homemaker Centre Commercial alterations (shop fitout) tenancy 9
Details	2017099	Sampling Development	07/02/2017	26 Boeing Ave, Ballina 2478 NSW Commercial Bldg (retail/wholesale trade) - Homemaker Centre Commercial alterations (shop fitout) tenancy 9
Details	2016199	Occupation Certificate	20/11/2016	26 Boeing Ave, Ballina 2478 NSW Change of Use & Signage - Change of Use to Public Administration Building (Service NSW) and Associated Signage (Building B, Tenancy No. 11 only)
Details	2016199	Section 95	24/09/2016	26 Boeing Ave, Ballina 2478 NSW Alterations/Additions to Shop
Details	2016199	Construction Certificate	11/07/2016	26 Boeing Ave, Ballina 2478 NSW Section 95 Application to Modify Consent
Details	2016199	Sampling Development	09/07/2016	26 Boeing Ave, Ballina 2478 NSW Alterations/Additions to Shop
Details	2016199	Occupation Certificate	24/09/2016	26 Boeing Ave, Ballina 2478 NSW Alterations/Additions to Shop
Details	2016199	Occupation Certificate	22/07/2016	26 Boeing Ave, Ballina 2478 NSW Shop Fitout Units - The School Locker
Details	2016199	Development Application	23/05/2016	26 Boeing Ave, Ballina 2478 NSW Change of Use & Signage - Change of Use to Public Administration Building (Service NSW) and Associated Signage (Building B, Tenancy No. 11 only)
Details	2016199	Sampling Development	09/12/2016	26 Boeing Ave, Ballina 2478 NSW Shop Fitout Units - The School Locker
Details	2011706	Development Application	18/03/2016	26 Boeing Ave, Ballina 2478 NSW The occupation and use of tenancy 7-8 of the Harvey Norman complex for the purpose of a Bulky Goods Retail Outlet (Spotlight)
Details	2011706	Development Application	16/03/2016	26 Boeing Ave, Ballina 2478 NSW The occupation and use of Tenancy No.2 of the Harvey Norman Bulky Goods Retail Complex for the purpose of a Bulky Goods Retail Outlet (Pet Stock Store)



Details	2009/435/3	S96	04/03/2011	26 Boeing Ave. Ballina 2478 NSW Section 95 Application to Modify Consent
Details	2010/337/3	Development Application	03/09/2010	26 Boeing Ave. Ballina 2478 NSW To erect a pylon sign for the ARC (Australian Reinforcing Co.) to undertake the Erection of a 3.6m x 1.5m Pylon Sign and a 1.4m x 2.4m Awning
Details	2010/336/4	Development Application	17/05/2010	26 Boeing Ave. Ballina 2478 NSW REFUSED : Change of Use To Undertake the Establishment of a Bulky Goods Retail Outlet, being a Wholesale Showroom and Warehouse for Good Price Pharmacy Warehouse
Details	2010/335/2	S96	03/03/2010	26 Boeing Ave. Ballina 2478 NSW s.95 Application to Modify Consent Condition 2.1
Details	2010/198/3	Development Application	21/03/2010	26 Boeing Ave. Ballina 2478 NSW Subdivision & Construction of Industrial Building To undertake s two (2) lot Subdivision to create 1 x 8,563m2 (Proposed Lot 1) and 1 x 1,077m2 (Proposed Lot 2) allotments, and the Construction of an Industrial Building to be used by Australian Reinforcing Company (ARC) for the purpose of Manufacturing, Recycling, Distribution and Sale of Steel and Related Products
Details	2009/350/1	Development Application	20/10/2007	26 Boeing Ave. Ballina 2478 NSW Two lot industrial subdivision by way of boundary adjustment subdivision

2. Context and Characteristics of Subject Land

This section describes the subject land and identifies the geographical context of the site and its relationship to the surrounding locality.

2.1 Property Description and Location

This Planning Proposal relates to a single lot which is described in real property terms as Lot 951 DP 1165266 and is commonly known as 26 Boeing Avenue, Ballina (refer locality plan at Appendix A).

As shown on the deposited plan at Appendix B, the subject land is generally rectangular in shape with the following dimensions and area:

- 207.41m north-eastern boundary to Lot 952 DP 1165266
- 180.63m south-eastern boundary to Lot 952 DP 1165266
- 202.13m south-western boundary to Stinson Street
- 175.47m north-western boundary to Boeing Avenue
- area 3.674ha

As shown below, existing on the subject land is the Ballina Home Makers Centre (approved under DA 2009/435, as amended) that contains specialised retail premises and a Service NSW service centre.



Source Google Maps (22 January 2019)



Vehicular access to the site is via existing separate ingress and egress kerb crossing/driveways to Boeing Avenue which is a constructed urban road with a bitumen seal, kerb and gutter and concrete footpath for the full property frontage.

The land is situated within a developed urban area that is characterised by industrial uses (Southern Cross Industrial Estate) to the south-west, residential uses to the south-east and grass/stands of bushland to the north-west and north-east.

2.2 Constraints

Preliminary planning investigations (including interrogation of Council's GIS mapping) have confirmed as follows:

2.2.1 Flooding

The subject land is mapped as being subject to the 1 in 100 year flood event. The existing building/complex was constructed in accordance with the required fill and floor levels applicable at the time of construction in accordance with the terms and conditions of DA 2009/435 (as amended).

2.2.2 Acid Sulfate Soils

The subject land is identified on Council's Acid Sulfate Soils Planning Map as being Class 2 land. Consent is thus required for:

- works below the natural ground surface, or
- works by which the watertable is likely to be lowered

2.2.3 Other Matters

The subject land is not:

- mapped as being bushfire prone
- identified as being a heritage item, an archaeological site or being in a heritage conservation zone under the BLEP 2012
- identified as being subject to tidal inundation, subsidence or slip

- mapped as being in a drinking water catchment
- likely to be contaminated as a consequence of prior and current uses
- affected by any road widening or realignment proposal under either Division 2 of Part 3 of the *Roads Act 1993*, any environmental planning instrument or any resolution of Council
- identified as being subject to acquisition by a public authority under the provisions of any environmental planning instrument, deemed or draft environmental planning instrument

2.3 Strategic Planning Context

2.3.1 Ballina Shire Growth Management Strategy 2012 (BSGMS)

The subject land is mapped on the 'North Ballina' map sheet as 'Urban zoned undeveloped land', which is obviously a mapping error/anomaly due to the existence of the building/complex on the subject land.

2.3.2 North Coast Regional Plan 2036 (NCRP)

The subject land is mapped on 'Figure 13: Urban growth area map for Ballina Local Government Area' of the NCRP as 'Existing Employment Land/Urban Growth Area'.

2.3.3 Southern Cross Precinct Masterplan 2008 (SCMP)

The subject land is mapped on the 'Detailed Masterplan' (Illustration 4.2) of the SCMP as '2. Bulky goods retail precinct'.

2.3.4 Relevant Provisions of BLEP 2012

The subject land is mapped under the BLEP 2012 as follows:

- Acid Sulfate Soils Map – Sheet ASS_006 – Class 2 acid sulfate soils
- Building Height Allowance Map – Sheet ASS_006C – C – 2.0m AHD minimum level
- Flood Planning Map – Sheet FLD_006 – Flood planning area
- Height of Buildings Map – Sheet HOB_006 – K – 10.0m maximum building height



- Lot Size Map – LSZ_006C – Y – 10000sqm (1ha) minimum lot size
- Land Zoning Map – Sheet LZN_006C – B5 – Business Development zone
- Strategic Urban Growth Area Map – SGA_006C – Land adjoining strategic growth area



3. Objectives or Intended Outcomes of Proposed LEP

3.1 Objectives of Planning Proposal

The objectives of this Planning Proposal are to enable an increased range of 'employment land' land uses on an existing developed lot that contains an existing bulky goods/home maker's complex. The proposal seeks to achieve this by:

- enabling a number of specific additional uses (particularly *recreation facility (indoor), artisan food and drink premises, health services facility, medical centre and veterinary hospital*) whilst maintaining the integrity, objectives and primary permitted land uses in the B5 – Business Development zone

The outcomes of this Planning Proposal will be to:

- provide an increase in the range of permitted uses (with consent) of an existing developed B5 zoned lot (Lot 951 DP 1165266) that is mapped as 'employment lands'
- provide an increase in business opportunities/operations within an existing developed bulky goods complex/home makers centre



4. Explanation of Provisions

The proposed amendments to the BLEP 2012 relate expressly to *Clause 2.5 – Additional permitted uses* and to one single block of land (being Lot 951 DP 1165266, No. 26 Boeing Avenue, Ballina) and involve the inclusion of an extra item in *Schedule 1 – Additional Permitted Uses* as detailed below:

7 *Use of certain land at Boeing Avenue, Ballina*

- (1) *This clause applies to land at Boeing Avenue, Ballina, being Lot 951 DP 1165266 and identified as "Area H" on the Additional Permitted Uses Map.*
- (2) *Development for the purposes of a recreation facility (indoor), artisan food and drink premises, health services facility, medical centre and veterinary hospital is permitted with development consent.*

The above will also require a change to the Additional Permitted Uses Map – Sheet APU_006C, so that the subject land is clearly identified and is notated as "Area H" (or whichever area designation is appropriate at that time).

There are no proposed or consequential changes to any other provision or map of the BLEP 2012.

The proposed modifications will simply increase the number of uses that are permitted with consent on the subject land and within the existing building/complex.

5. Justification for the Proposed Amendments

5.1 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 or consequence of any strategic study or report. The planning proposal is the result of the property owners experiencing on-going problems with securing tenants based on the current land use restrictions under the B5 zone and receiving on-going enquiries for a range of other uses within the building/complex (as a result of recent changes to the market place and contemporary demands for uses in such buildings/complexes).

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

It is submitted that an LEP amendment to Schedule 1 (in respect of Clause 2.5) is the best means of achieving the proposed outcomes, as the objective of the proposal is to permit a number of additional specific land uses (with consent) on the subject land/within the existing building/complex.

There would be scope to apply to rezone the subject land to IN1 – General Industrial Zone, however, from a strategic and statutory planning perspective, it is considered important to retain the underlying B5 – Business Development zoning over the subject land/existing building/complex.

The proposed amendment is consistent with one of the components of the BLEP 2012 amendment (Ref.: Planning Proposal 16/003 and PP_2017_BALLI_003_00) that resulted in *Item 6 – Use of certain land at Boeing Avenue, Ballina* being incorporated into Schedule 1, viz:

6. Use of certain land at Boeing Avenue, Ballina

(1) This clause applies to land at Boeing Avenue, Ballina, being part of Lot 952, DP 1165266 and part of Lots 2-5, DP 123781 and identified as "Area F" on the Additional Permitted Use Map.

(2) Development for the purposes of a specialised retail premises is permitted with development consent.

A planning proposal is considered to be the appropriate mechanism to integrate these changes into the BLEP 2012.

3. *Is there a net community benefit?*

There is a potential net community benefit that will result from the proposal being:

- additional economic activity generated by increasing the range of uses within the building/complex
- potential employment generation from new businesses setting up and operating from the building/complex

1.4 Section B – Relationship to strategic planning framework

4. *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)?*

North Coast Regional Plan 2036

The NCRP is the State Government's *"blueprint for the next two decades that reflects community and stakeholder aspirations and opportunities from leveraging the North Coast's position between two of the fastest growing population corridors in the nation."*

The proposed Planning Proposal is considered to be consistent with the following:

Direction 6: Develop successful centres of employment

Action 6.1 is to *"Facilitate economic activity around industry anchors such as health, education and airport facilities by considering new infrastructure needs and introducing planning controls that encourage clusters of related activity."*

Action 6.3 is to *"Reinforce centres through local growth management strategies and local environmental plans as primary mixed-use locations for commerce, housing, tourism, social activity and regional services."*

Action 6.5 is to *"Promote and enable an appropriate mix of land uses and prevent the encroachment of sensitive uses on employment land through local planning controls."*

Action 6.6 is to *"Deliver an adequate supply of employment land through local growth management strategies and local environmental plans to support job growth."*



Urban Growth Area Maps – Ballina Shire – Regional Priorities – Economy and Employment
 “Maximise the opportunities associated with the growth of the Southern Cross Industrial Precinct to deliver jobs.”
 “Support employment lands and jobs at Ballina, Wollongbar and Lennox Head.”

5. *Is the planning proposal consistent with the local council’s Community Strategic Plan, or other local strategic plan?*

Ballina Shire Council Community Strategic Plan 2017-2027

The proposal is considered to be generally consistent with the following Prosperous Economy and Engaged Leadership outcomes contained in Council’s Community Strategic Plan 2017-2027:

prosperous economy (PE)



REF:	OUR OUTCOMES AND WHAT COUNCIL WILL DO	WHAT THE BENEFITS WILL BE
PE1	WE ATTRACT NEW BUSINESS AND VISITORS	
PE1.1	Promote our area as an attractive place to visit and live	Enhanced experiences for residents and visitors Increased population and visitation growth
PE1.2	Provide opportunities for new business	Economy expands over time
PE1.3	Encourage diversification and enhance image of the local economy	Increased resilience of the local economy
PE2	MY BUSINESS CAN GROW AND DIVERSIFY	
PE2.1	Enhance transport and other business networks	Increased business opportunities and growth
PE2.2	Facilitate a range of Council business activities to support economic development	Council contributes to the local economy Council understands the business environment Viable commercial portfolio
PE2.3	Provide efficient and cost effective regulatory environment for doing business	Easier to do business Enhance business relationships
PE3	IMPROVE LIVEABILITY IN THE SHIRE	
PE3.1	Support residential development that delivers services close to home	Lower cost of living
PE3.2	Facilitate and provide affordable infrastructure	More affordable housing
PE3.3	Improve connectivity within the shire	Reduced transport costs



Ballina Retail Strategy 2003 (BRS)

The key premise of the BRS is to ensure that the Ballina Town Centre and the Kerr Street Retailing Precinct continue to be the major retail centres in the Shire. The BRS provides that any decisions relating to future development of retail activity in the Shire should be based on the principal of protecting the position of these facilities at the top of the retail hierarchy.

The BRS also recommends that in an attempt to focus the industrial zones for their intended purpose, that the Southern Cross Industrial Estate (and the Clark Street Industrial Area) be identified for the establishment of bulky goods retailing facilities and that a bulky goods retailing precinct be considered and established as part of the future expansion of the estate (which was subsequently done).

The proposed inclusion of five additional land uses as being "permissible with consent" on the subject land/within the existing complex is considered to be such that will not compromise or prejudice the existing and continued operation of both the Ballina Town Centre and Kerr Street Retailing Precinct at the top of the Shire's retail hierarchy. Further the proposal will not change the fundamental use of the subject land/existing complex as a specialised retail premises (previously defined as bulky goods) and is thus considered to be generally consistent with the BRS.

In support of the above proposed additional uses, it should be note that:

- "artisan food and drink premises" are a type of "light industry"
- there are a number of approved "recreation facilities (indoor)", being gymnasiums operating within industrial estates in the Shire
- there is a veterinary hospital in the industrial estate in Racecourse Road

Southern Cross Precinct Master Plan 2008 (SCPMP)

The land to which this Planning Proposal relates is situated in an area marked on the Detailed Masterplan – Illustration 4.2 of the SCPMP as "2. Bulky goods retail precinct". The SCPMO provides a framework for the detailed planning and release of land in the study area and identifies proposed future land use components within the estate.

The proposed inclusion of five additional land uses as being "permissible with consent" on the subject land/within the existing complex will not compromise or prejudice the existing and continued use/existence of the bulky goods retail precinct. Further the proposal will not change the fundamental use of the subject land/existing complex as a specialised retail



premises (previously defined as bulky goods) and is thus considered to be generally consistent with the SCPMP.

Ballina Shire Growth Management Strategy 2012 (BSGMS)

The BSGMS provides the strategic planning context for urban development in the Shire and includes the following 'locality objectives' and 'strategic actions' in respect to the North Ballina locality:

Locality Objectives:	Strategic Actions:
<ul style="list-style-type: none"> • Provide for future development opportunities that exist for the locality as a major employment area. • Provide for a balanced land use pattern, by avoiding, mitigating and managing potential land use conflicts associated with the mixture of commercial, industrial, infrastructure and residential land uses. • Protect important public infrastructure from incompatible development. • Conserve ecologically valuable vegetation communities. • Manage Aboriginal cultural heritage values in accordance with best practice guidelines. 	<ul style="list-style-type: none"> • Investigate the potential impacts of climate change, particularly sea-level rise, on the locality. • Investigate, through the rezoning process, land development opportunities and the provision of public infrastructure identified in the Southern Cross Precinct Masterplan and the West Ballina Structure Plan. • Establish a more detailed planning framework for the long term use and development of industrial areas through Council's development control plan. • Enhance entry treatment including associated with the Ballina/Byron Gateway Airport. • Establish a clustered bulky goods retailing precinct. • Investigate future road connection between Ballina and Lennox Head via North Creek Road. • Manage and/or promote Aboriginal and European cultural heritage values in accordance with relevant stakeholders.

The increase in the number of permitted uses on the subject land/within an existing complex in the manner proposed is considered to be generally consistent with the Strategy in that it will provide for an increased number and variety of employment land use outcomes.

Ballina Major Regional Centre Strategy 2015-2035 (BMRCs)

The BMRCs aims to provide Council with a framework to build on the best aspects of Ballina and the region, to lead the progress of Ballina, to tackle key challenges and to maximise opportunities that arise to the best benefit of Council and the Shire community.

The Strategy will help inform Council about what can be done to achieve balance between prosperity, social well-being, lifestyle and environmental outcomes as Ballina grows and changes over the next 20 years.

The Strategy includes the following Strategic Actions that relate to economic development within the Shire:

B1.5	Actively seek to attract key businesses to the shire that provide for long-term employment and innovation.	Increased local employment.	- Actively marketing the Southern Cross Industrial Estate and Airport Precinct as an innovation and employment hub.
B2.5	Promote opportunities associated with the availability of industrial land in proximity to the Ballina-Byron Gateway Airport and the Pacific and Bruxner highways.	Growing employment opportunities.	<ul style="list-style-type: none"> - Preparing an Economic Development Strategy which identifies opportunities to promote the clustering of industrial land uses that are compatible with the ongoing growth of the Ballina-Byron Gateway Airport. - Establishing a program to identify and encourage new industries that provide employment and harness opportunities around emerging technologies, food production, alternative energy production, advanced specialist manufacturing (eg. 3D printing) and the like.

The increase in the number of permitted uses on the subject land/within an existing complex as proposed is considered to be generally consistent with the Strategy in that it will provide for an increased number and variety of employment land use outcomes.

Ballina Shire Bulky Goods Retailing Investigation 2012

Council commissioned the Ballina Shire Bulky Goods Retailing Investigation (Hill PDA, January 2012) which involved an investigation of the demand for bulky goods and large format retail (LFR) premises in Ballina Shire over the period 2011-2026, in order to establish a planning framework for such premises in the emerging Ballina Standard Instrument LEP.

The study reported that:

- it would be advantageous for bulky goods and LFR floorspace to be concentrated in one location
- Council should seek to encourage a bulky goods and LFR cluster in the Southern Cross Precinct around the Harvey Norman Centre
- this would include the Harvey Norman Centre itself and vacant land to the north and west
- bulky goods premises and LFR floorspace should thus be restricted elsewhere in Ballina Shire
- Council may seek to achieve this by zoning the Harvey Norman Centre and its surrounds B5 Business Development in the emerging BLEP



Ballina Shire Bulky Goods Retailing Demand Update 2016

During Council's consideration of Planning Proposal 16/003, which had the effect of rezoning Approved Lots 2 & 3 (approved under DA 2009/258) from B5 – Business Development to IN1 – General Industrial with an enabling clause to permit bulky goods development as an additional permitted use of the land, Council commissioned the Ballina Shire Bulky Goods Retailing Demand Update (Hill PDA, December 2016).

The recommendations of the update study, which was commissioned as a consequence of Planning Proposal 16/003 are:

- *Rezoning of the subject area to an IN1 – General Industrial zone, with the addition of bulky goods retailing as a permissible use;*
- *As advised by Council's commercial services department, the provision of an additional five years of industrial zoned land is provided by the subject area. This would allow for the development of any short term demand, while allowing for the development Southern Cross expansion precinct and associated road network;*
- *Advancement of the proposed Airport Boulevard link should be prioritised. This would create a corridor with high exposure from the new road, ideal for future bulky goods development (Figure 4);*
- *An appropriate zoning running parallel to the proposed Airport Boulevard. This zoning is recommended to permit the development of bulky goods retailing. This would allow for any future demand to be accommodated in an appropriate location; and*
- *The exclusion of residential accommodation is advised within the area to reduce the potential of land use conflicts and preserve land for employment uses.*

Having regard to the above, the proposed planning proposed is not inconsistent with the updated study.

6. *Is the planning proposal consistent with applicable state environmental planning policies?*

There are a number of SEPP's that are of relevance to the subject land and/or proposal, details of which are as follows:

SEPP Title	Compliance of Planning Proposal
SEPP 44 – Koala Habitat Protection	<p>The subject land is a 3.674ha industrial/business type lot that is devoid of significant native vegetation and does not contain any Koala food trees. The Gateway Determination will advise as to whether an ecological/F&F investigation is required to support Stage 2.</p> <p>It is therefore submitted that the Planning Proposal is consistent with the provisions of and is not contrary to the intent of the SEPP.</p>
SEPP 55 – Remediation of Land	<p>Clause 6(1) of this SEPP requires the planning authority when preparing a Draft LEP to consider whether the land is contaminated and whether the land is suitable for such purpose (as not being contaminated or requiring remediation to make it suitable).</p> <p>The subject land is a developed industrial type lot that contains a bulky goods/home maker complex which is not a use that would have likely contaminated the land. Further, the land does not adjoin and is not proximate to any intensive horticulture or other potentially contaminating uses. The Gateway Determination will advise as to whether a contamination investigation is required to support Stage 2.</p> <p>It is therefore submitted that the Planning Proposal is consistent with the provisions of and is not contrary to the intent of the SEPP.</p>
SEPP (Coastal Management) 2018	<p>The subject land is situated in the coastal zone and is thus subject to the provisions of SEPP-CM. The subject land is <u>not</u> mapped on the:</p> <ul style="list-style-type: none"> • Coastal Wetlands and Littoral Rainforests Area Map and thus Part 2, Division 1 does not apply • Coastal Vulnerability Area Map (NB: no map at this time) and thus Part 2, Division 2 does not apply • Coastal Use Area Map and thus Part 2, Division 4 does not apply <p>The eastern section of the subject land is mapped on the Coastal Environment Area Map and thus Division 3 of Part 2 applies. As per Clause 13, the potential increase in future land uses proposed by the planning proposal are not such that have any adverse impact on:</p> <ul style="list-style-type: none"> • the integrity and resilience of the biophysical, hydrological (surface and groundwater) and ecological environment • coastal environmental values and natural coastal processes • the water quality of the marine estate (within the meaning of the <i>Marine Estate Management Act 2014</i>) or any sensitive coastal lakes • marine vegetation, native vegetation and fauna and their habitats, undeveloped headlands and rock platforms • existing public open space and safe access to and along the foreshore, beach, headland or rock platform for members of the public, including persons with a disability • Aboriginal cultural heritage, practices and places • the use of the surf zone <p>As per Clause 15, the proposed development will not cause increased risk of coastal hazards on the subject or any other land.</p> <p>As per Clause 16, the proposed development is not subject to any coastal management program or coastal zone management plan that applies to the land.</p>

	<p>The subject land is physically and spatially removed from any coastal foreshore area, being in excess of 450m from the riparian vegetation adjacent to the Richmond River. The future potential uses of the subject land/existing building will not have any adverse or tangible impacts on any part of the coastal foreshore or any public land and will not impact existing or be able to provide new or improved public access to any foreshore area.</p> <p>It is therefore submitted that the Planning Proposal is consistent with the provisions of and is not contrary to the intent of the SEPP.</p>
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7. Is the planning proposal consistent with applicable Ministerial Directions (s.117 directions)?

Section 117 (now s9.1) of the *EP & A Act 1979* provides directions that relevant planning authorities must have regard to when preparing planning proposals for new LEPs. The following table identifies which of these directions are applicable to the proposed rezoning and how the Planning Proposal is consistent with their provisions:

Direction Number	Compliance of Planning Proposal
1. Employment and Resources	
1.1. Business and Industrial Zones	Consistent – The planning proposal will not change the underlying B5 – Business Development Zone under the BCEP 2012. The planning proposal will increase the number of potential land uses on the subject land/within the existing building/complex. There will not be any reduction in the size of the existing employment zoned land. The LEP amendment will facilitate the future broader use of the subject land/existing building/complex for bulky goods/specialised retail and other nominated comparable uses.
1.2. Rural Zones	Does not apply to Planning Proposal.
1.3. Mining, Petroleum Production and Extractive Industries	Does not apply to Planning Proposal.
1.4. Oyster Aquaculture	Does not apply to Planning Proposal.
1.5. Rural Lands	Does not apply to Planning Proposal.
2. Environment and Heritage	
2.1. Environmental Protection Zones	Consistent – The Planning Proposal does not involve or relate to land that is identified as having any environmental significance. The subject land is a fully developed existing employment zoned lot.
2.2. Coastal Protection	Consistent – The Planning Proposal will enable a number of other nominated uses on an existing developed employment zoned lot, within an existing building/complex and is not contrary to any of the planning principles established under the <i>Coastal Management Act 2016</i> , the NSW Coastal Policy, the NSW Coastal Design Guidelines, the NSW Coastline Management Manual or SEPP (Coastal Management) 2018.
2.3. Heritage Conservation	Consistent – The subject land is not identified as containing or comprising a heritage item or place or being in a heritage conservation area (per

	Schedule 5 of the RVLEP 2012) or being proximate to such item, place or area.
2.4: Recreation Vehicle Areas	Consistent – The Planning Proposal does not involve the development of the land for the purpose of a recreation vehicle area.
2.5: Application of E2 and E3 Zones and Environmental Overlays in Far North Coast LEPs	Does not apply to Planning Proposal.
3. Housing, Infrastructure and Urban Development	
3.1: Residential Zones	Does not apply to Planning Proposal.
3.2: Caravan Parks and Manufactured Home Estates	Does not apply to Planning Proposal.
3.3: Home Occupations	Does not apply to Planning Proposal.
3.4: Integrated Land Use and Transport	Consistent – The Planning Proposal will not change the underlying B5 – Business Development Zone under the BLEP 2012. The planning proposal will increase the number of potential land uses on the subject land/within the existing building/complex. There will be no change to the nature of the land (existing employment zoned land) or the existing accessibility from a transport or access perspective.
3.5: Development Near Licensed Aerodromes	Justifiably consistent – The Ballina Byron Gateway Airport exists in the local area, approx. 600m to the north. The subject land is already zoned for urban purposes (existing B5 zone) and contains an existing building/complex. There will not be any consequential changes to the footprint, bulk, scale, height etc of the existing building resulting from the proposed increase in the nominated permissible uses on the land. The proposal has not yet been referred to the relevant airport authorities for consultation in accordance with the Direction. It is expected that the proposal will be duly referred to the relevant airport authorities in accordance with the requirements of the Gateway determination.
3.6: Shooting Ranges	Does not apply to Planning Proposal.
4. Hazard and Risk	
4.1: Acid Sulfate Soils	Justifiably consistent – The subject land is mapped as Class 2 acid sulfate soils. The subject land is currently zoned B5 and Clause 7.1 of the BLEP 2012 includes provisions in respect of acid sulfate soils and potential disturbance of such. There will not be any consequential acid sulfate soils impacts as the proposal will simply increase the number of nominated uses that are permitted with consent on the subject land/within the existing building/complex.
4.2: Mine Subsidence and Unstable Land	Does not apply to Planning Proposal.
4.3: Flood Prone Land	Justifiably consistent – The subject land is mapped as being subject to the 1 in 100 year flood event. The subject land is currently zoned B5 and Clause 7.3 of the BLEP 2012 includes provisions in respect of flood planning. There will not be any consequential flooding issues or impacts as the proposal will simply increase the number of nominated uses that are permitted with consent on the subject land/within the existing building/complex.
4.4: Planning for Bushfire Protection	Does not apply to Planning Proposal.
5. Regional Planning	

5.1 Implementation of Regional Strategies	Consistent – The Planning Proposal is generally consistent with the North Coast Regional Plan 2036.
5.2 Sydney Drinking Water Catchments	Does not apply to Planning Proposal.
5.3 Farmland of State and Regional Significance on the NSW Far North Coast	Does not apply to Planning Proposal.
5.4 Commercial and Retail Development along the Pacific Highway, North Coast	Does not apply to the Planning Proposal.
5.5 Development in the Vicinity of Ellalong, Paxton and Millfield (Cessnock LGA)	Revoked 18 June 2010.
5.6 Sydney to Canberra Corridor	Revoked 10 July 2008.
5.7 Central Coast	Revoked 10 July 2008.
5.8 Second Sydney Airport, Badgerys Creek	Revoked 20 August 2018.
5.9 North West Rail Link Corridor Strategy	Does not apply to the Planning Proposal.
5.10 Implementation of Regional Plans	Consistent – The Planning Proposal is generally consistent with the North Coast Regional Plan 2036.
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 Planning Proposal does not create, alter or reduce existing zoning or reservations of land reserved for public purposes.
6.3 Site Specific Provisions	Consistent – The Planning Proposal does not seek to change the underlying B5 zone or further restrict the permitted uses in the B5 zone. Rather the Planning Proposal seeks to increase the number of specific nominated uses that are permitted with consent on the subject land within the existing building/complex.
7. Metropolitan Planning	
7.1 Implementation of A Plan for Growing Sydney	Does not apply to Planning Proposal.
7.2 Implementation of Greater Macarthur Land Release Investigation	Does not apply to Planning Proposal.
7.3 Parramatta Road Corridor Urban Transformation Strategy	Does not apply to Planning Proposal.
7.4 Implementation of North West Priority Growth Area Land Use and Infrastructure Implementation Plan	Does not apply to Planning Proposal.
7.5 Implementation of Greater Parramatta Priority Growth Area	Does not apply to Planning Proposal.

Interim Land Use and Infrastructure Implementation Plan	
7.6 Implementation of Wilton Priority Growth Area Interim Land Use and Infrastructure Implementation Plan	Does not apply to Planning Proposal.
7.7 Implementation of Glenfield to Macarthur Urban Renewal Corridor	Does not apply to Planning Proposal.
7.8 Implementation of Western Sydney Aerotropolis Interim Land Use and Infrastructure Implementation Plan	Does not apply to Planning Proposal.
7.9 Implementation of Bayside West Precincts 2036 Plan	Does not apply to Planning Proposal.
7.10 Implementation of Planning Principles for the Cooks Cove Precinct	Does not apply to Planning Proposal.

1.5 Section C – Environmental, social and economic impact

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

As evidenced from the aerial photograph at Appendix A, the subject land is a developed urban lot that is zoned for business purposes and which contains the Harvey Norman Homemakers Centre.

As a consequence there are no likely impacts on critical habitat, threatened species, populations or ecological communities arising as a result of the proposed extra permissible land uses.

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

There are no other significant environmental impacts identified as a result of the proposed extra permissible land uses – existing developed lot. The proposed extra land uses would be subject to consent and would be contained within existing tenancies in the existing complex. Any development application for these uses would need to ensure any proposed use did not result in any land use conflicts. Notwithstanding such, the proposed additional uses are considered compatible with the existing and permissible land uses on-site.



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

The current zoning and approved use of the site is for business purposes and primarily bulky goods. An increase in the number of permitted uses on the site/in the complex will allow a greater number of potential uses whilst still allowing and encouraging bulky goods premises.

The planning proposal is considered to be such that will provide benefits to the community via increased economic activity and employment through an increase number of permissible uses within the bulky goods premises.

The reticulated public infrastructure services are available in the immediate locality and there are no significant economic issues with the servicing of any of the proposed future extra uses.

As such, there will likely be positive social and economic outcomes resulting from the proposal.

1.6 Section D – State and Commonwealth interests

11. Is there adequate public infrastructure for the planning proposal?

The existing locality and building is connected to and serviced by all necessary reticulated public infrastructure services. There is sufficient capacity for any of the proposed additional land uses to be efficiently and economically connected to and serviced by such services.

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

The views of the Department of Planning & Infrastructure and other relevant Governmental bodies would be obtained should Council resolve to enable the Planning Proposal to proceed.



6. Community Consultation

There has not been any community consultation undertaken in respect of this Planning Proposal at this point in time.

It is expected that a requirement for community consultation will be contained in any Gateway Determination, with such community consultation and advertising having to be duly undertaken by Council in the further processing of this Planning Proposal.



7. Scope of Engagement

This Planning Proposal has been prepared by Ardill Payne & Partners (APP) at the request of Calardu Ballina No. 1 Pty Ltd for lodgement with Ballina Shire Council, and is not to be used for any other purpose or by any other person or corporation.

This report has been prepared from the information provided to us and from other information obtained as a result of enquiries made by us. APP accepts no responsibility for any loss or damage suffered howsoever arising to any person or corporation who may use or rely on this document for a purpose other than that described above.

No part of this report may be reproduced, stored or transmitted in any form without the prior consent of APP.

APP declares that it does not have, nor expects to have, a beneficial interest in the subject project.

To avoid this advice being used inappropriately it is recommended that you consult with APP before conveying the information to another who may not fully understand the objectives of the report. This report is meant only for the subject site/project and should not be applied to any other.



8. Appendices

Appendix A	Locality plan
Appendix B	Copy of deposited plan
Appendix C	Letter from Harvey Norman



APPENDIX A

Appendix A: Locality plan





APPENDIX B

Appendix B: Copy of deposited plan





APPENDIX C

Appendix C: Letter from Harvey Norman

Harvey Norman

Yoogali Pty Limited | A.C.N. 002 269 132

26 February 2019

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

Dear Sir/Madam,

Re: Ballina Homemaker Centre – Typical Uses

To whom it may concern, we write to outline the retail categories typically seen in homemaker centres throughout NSW and Australia.

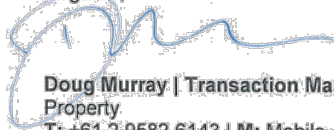
Please note that this list is non-exhaustive and should be used as terms of reference to highlight the broad range of categories now typical of properties similar to the one in question.

Large Format Retail Categories
Bathroom Retailing
Bricks, Pavers and Outdoor Tile Retailing
Domestic Hardware Retailing
Electrical and Lighting Retailing
Floor Covering Retailing
Food (Dine in and Take-away, Liquor Stores)
Furniture & Bedding Retailing
Garden Equipment Retailing and Nurseries
General Retail
Hardware and Building Supplies (Bunnings, Mitre 10)
Household Goods (Manchester, Homewares, Haberdashery)
Kitchen Retailing
Large scale Fresh Food and/or Health food retailing
Leisure (Gyms, Play Centres)
Retail requiring large Footprint - Outdoor Goods Retailing, Baby/Children's Retailing, Auto Supplies, Pets Goods & Veterinary Clinics, Discount Stores, Chemists)
Medical Uses
Outdoor Furniture and BBQ Retailing
Paint Retailing
Pools - Sales, Supplies and Service
Window Covering Retailing
Windows and Doors Retailing

Further to the above we provide examples in NSW and elsewhere where many of these uses are typified, please see Appendices attached herein.

We look forward to your co-operation and ongoing support as has been extended to us in the past.

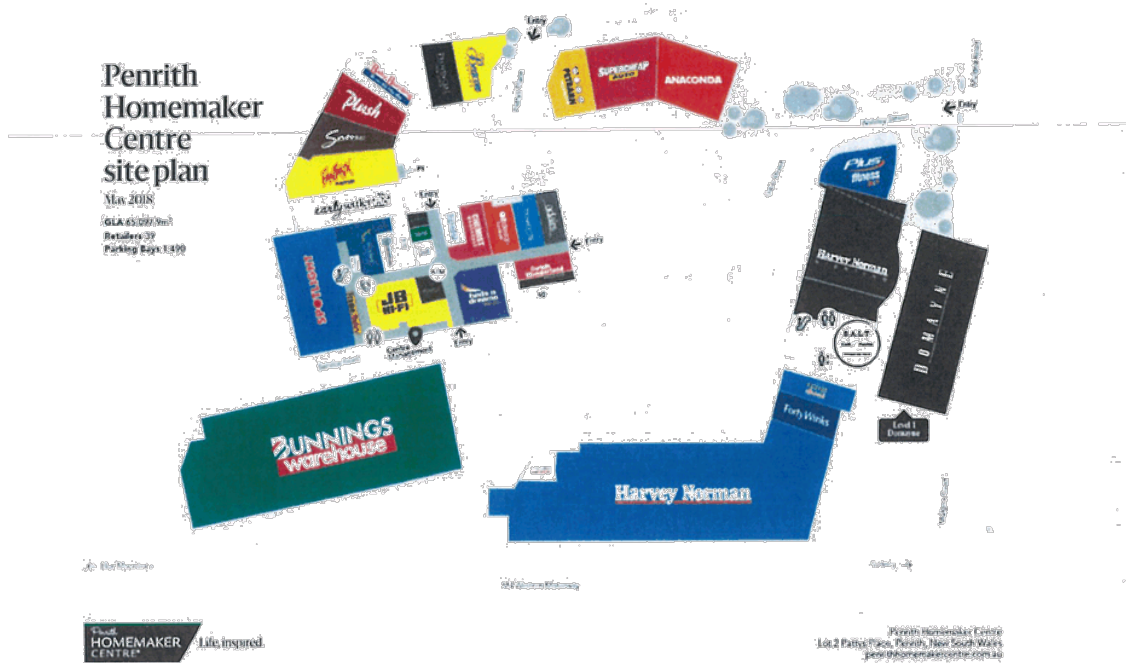
Regards,



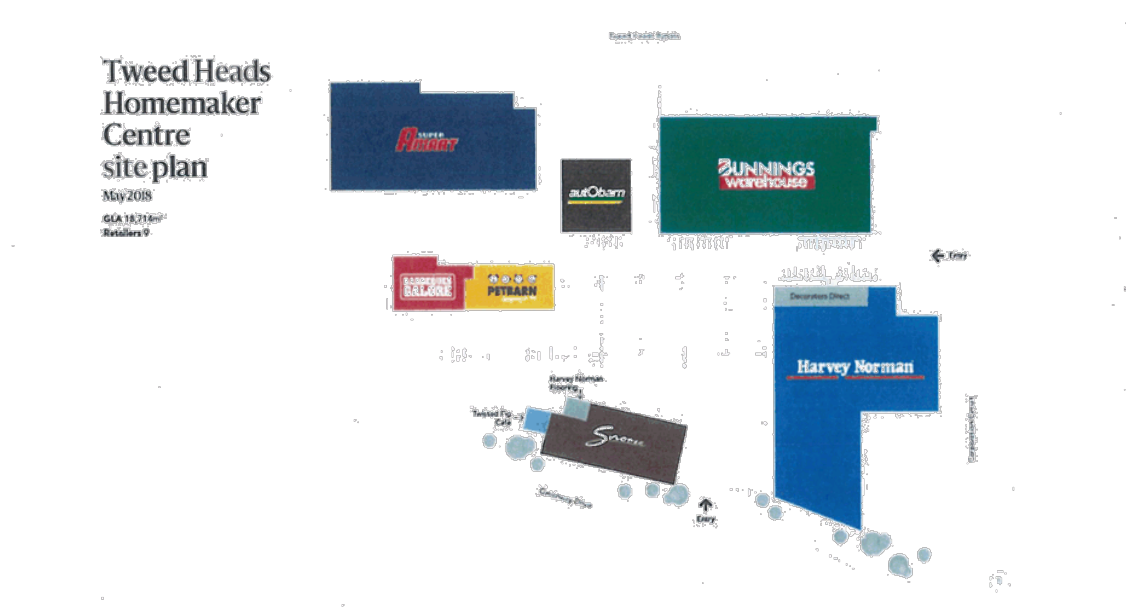
Doug Murray | Transaction Manager
Property
T: +61 2 9582 6143 | M: Mobile +61 438 998 806
E: Doug.Murray@au.harveynorman.com

AT Richmond Road, Homebush West NSW 2140. | Locked Bag 2, Silverwater BC NSW 1811 | Phone: (02) 9201 6111 | Fax: (02) 9201 6250.

Appendix 1. Tenancy Mix Plan of Penrith Homemaker Centre (NSW).



Appendix 2. Tenancy Mix Plan of Tweed Heads Homemaker Centre (NSW).



A1 Richmond Road, Homebush West NSW 2140 | Locked Bag 2, Silverwater BC NSW 1811 | Phone: (02) 9201 6111 | Fax: (02) 9201 6250

Appendix 3. Tenancy Mix Plan of Bendigo Homemaker Centre (VIC).

