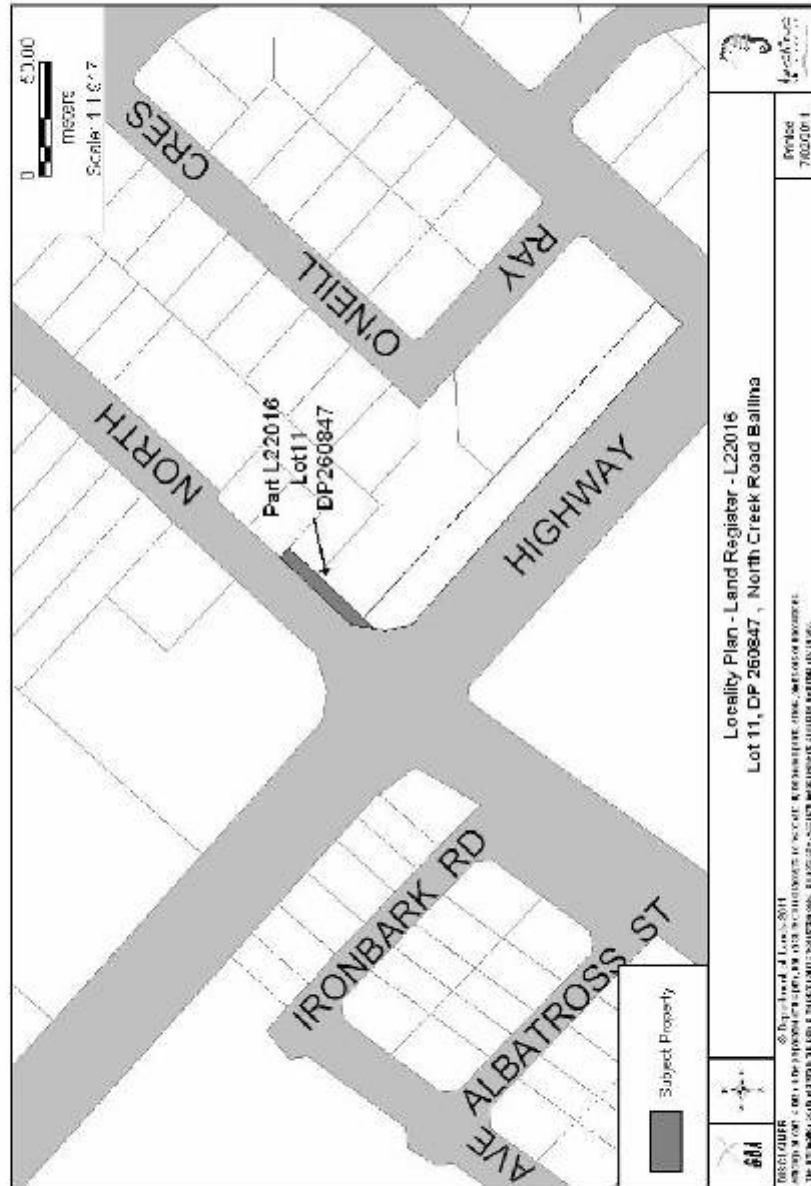


**APPENDIX II - LOCALITY PLANS & SITE ASSESSMENT REPORTS**

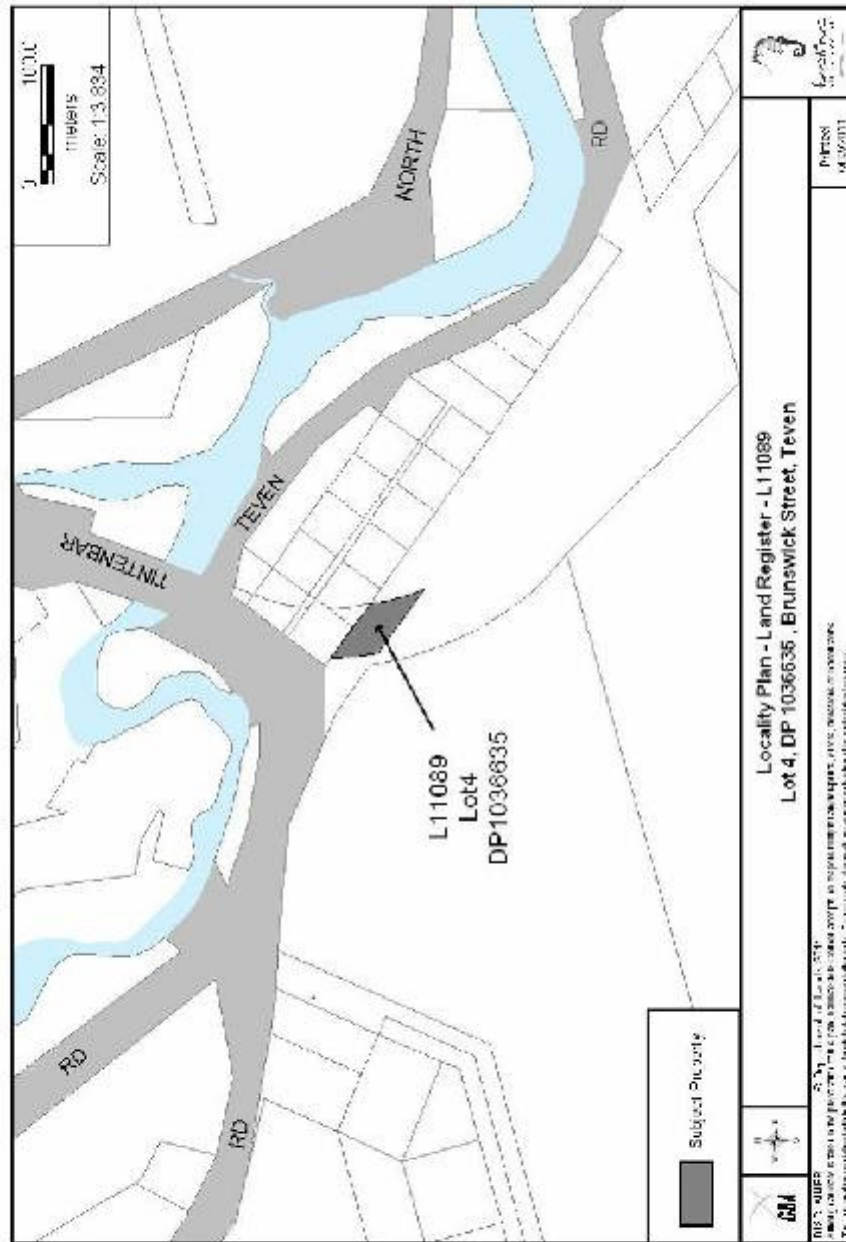


## 9.2 Reclassification of Community Land to Operational Land.DOC

**Proposed  
Classification or Reclassification of Land - Site Assessment      February 2011**

<b>Site</b>	<b>Part Lot 11 DP 260847, North Creek Road, Ballina (that part fronting North Creek Road)</b>
<b>Land Register ID</b>	Part L22016_01
<b>Current Classification</b>	Community Land
<b>Proposed Classification</b>	Operational Land
<b>Reason for classification/ reclassification</b>	This land is proposed to be classified as operation land to allow it to be made public road, which will allow legal access to the adjoining land (Lot 4 DP 260847).
<b>Reason for the Draft LEP</b>	To allow part Lot 11 to be made road to enable legal access to the adjoining property.
<b>Ownership of the land</b>	Ballina Shire Council
<b>Nature of Council's Interest</b>	Council owns the adjoining land. The community land classification of Lot 11 prevents legal access being obtained along this frontage and prevents its development for industrial purposes in accordance with its industrial zoning.
<b>Other parties with interests</b>	There is a commercial interest in the purchasing of part lot 4 DP 260847 subject to legal access being obtained.
<b>Change of interests resulting from classification/ reclassification</b>	The change in the classification will allow Council as the land owner of the adjoining property to gain legal access and thereby pursue the development/sale of the land for purposes consistent with the industrial zoning of the land.
<b>Special agreements applicable to the land</b>	No special agreements apply to the land.
<b>Financial issues</b>	The reclassification of this land will increase the value of the adjoining land by enabling legal access to be granted.
<b>Asset issues</b>	There is no infrastructure or buildings contained on the land proposed to be reclassified.

9.2 **Reclassification of Community Land to Operational Land.DOC**

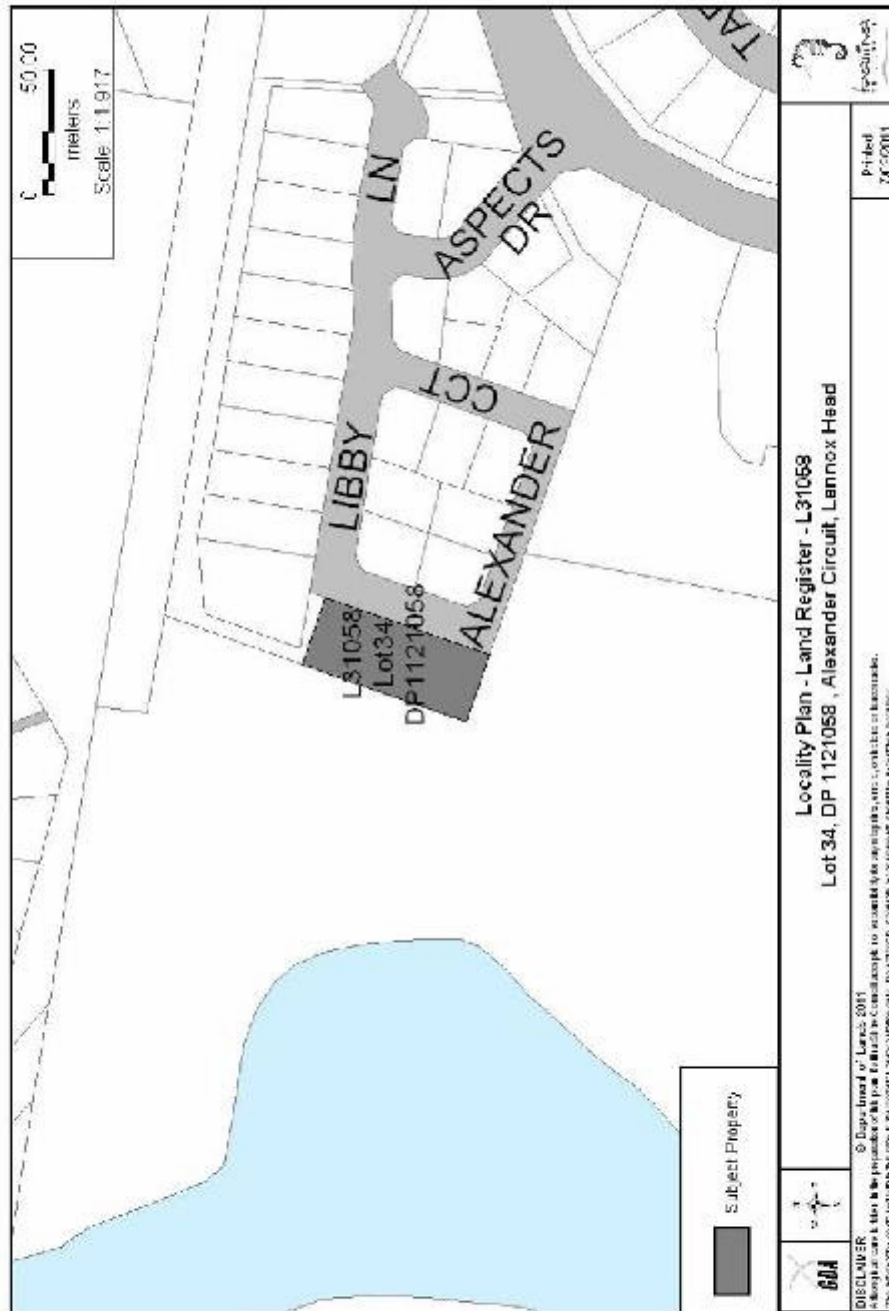


## 9.2 Reclassification of Community Land to Operational Land.DOC

**Proposed  
Classification or Reclassification of Land - Site Assessment      February 2011**

<b>Site</b>	<b>Lot 4 DP 1036635, Brunswick Street, Teven</b>
<b>Land Register ID</b>	L11089_01
<b>Current Classification</b>	Community Land
<b>Proposed Classification</b>	Operational Land
<b>Reason for classification/ reclassification</b>	This land has no public utility, as it is an isolated parcel of land in a rural area that was originally created with the closure of the Ballina-Eltham Railway. The optimum use of this land is for grazing with an adjoining property. The remaining sections of the railway reserve have been closed and sold to adjoining land owners.
<b>Reason for the Draft LEP</b>	The classification/ reclassification forms part of the shire wide LEP renewal process. This process is a requirement of the NSW Department of Planning.
<b>Ownership of the land</b>	Ballina Shire Council
<b>Nature of Council's Interest</b>	It is unclear how Council came to own this parcel of land.
<b>Other parties with interests</b>	There are no other parties with an interest in this land.
<b>Change of interests resulting from classification/ reclassification</b>	The reclassification will allow Council to dispose of this 1816 m <sup>2</sup> lot.
<b>Special agreements applicable to the land</b>	No special agreements apply to the land.
<b>Financial issues</b>	There are effectively no financial issues associated with the reclassification of this land. The cost of disposing of this land will likely consume any proceeds obtained from the sale of the land.
<b>Asset issues</b>	Vacant land.

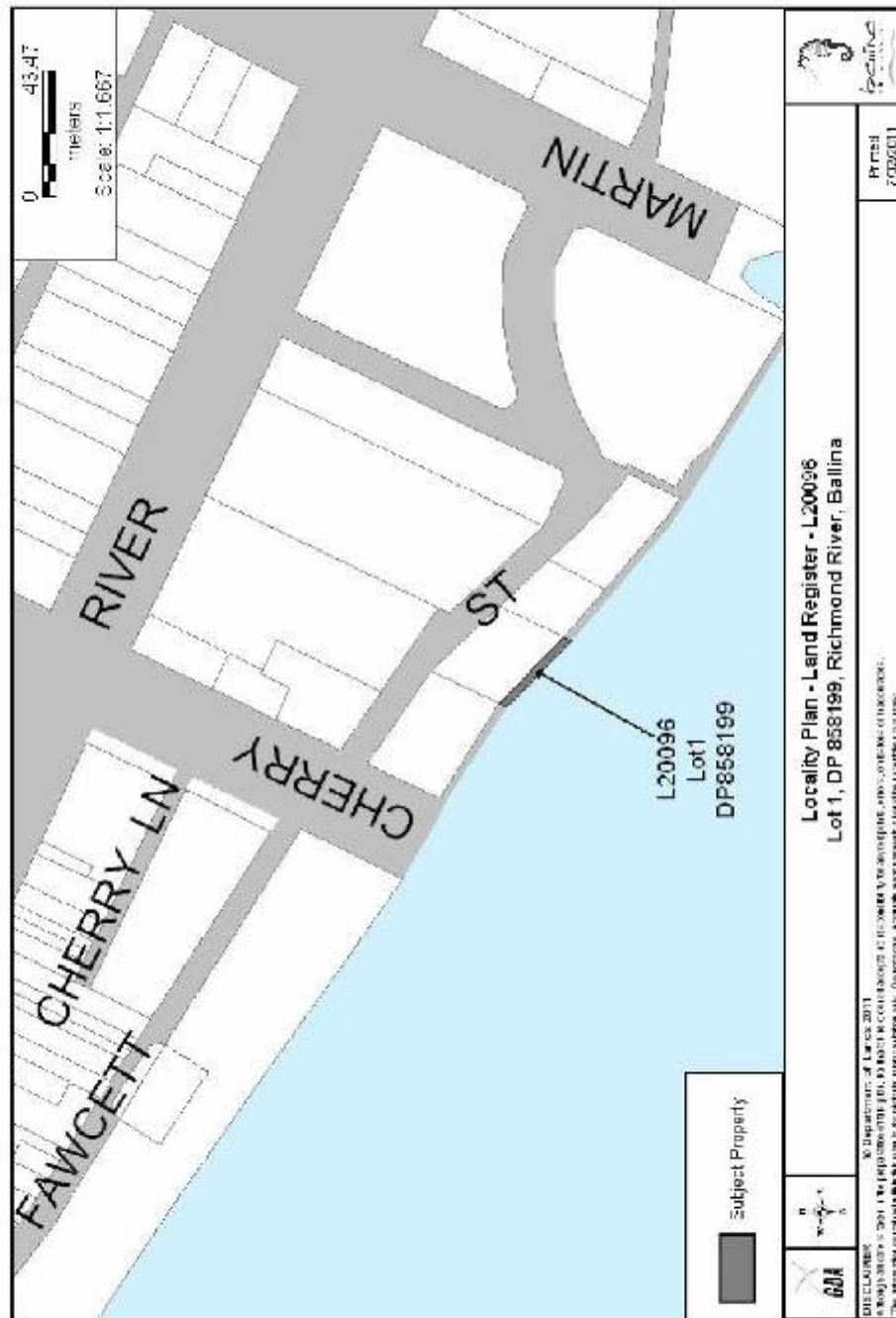
9.2 **Reclassification of Community Land to Operational Land.DOC**



**Proposed  
Classification or Reclassification of Land - Site Assessment      February 2011**

<b>Site</b>	<b>Lot 34 DP 1121058, Alexander Circuit, Lennox Head</b>
<b>Land Register ID</b>	No allocated
<b>Current Classification</b>	Community Land
<b>Proposed Classification</b>	Operational Land
<b>Reason for classification/ reclassification</b>	The land was dedicated as a drainage reserve as part of the Aspect Residential Estate. The operational classification is more suited to the purpose for which this land was dedicated.
<b>Reason for the Draft LEP</b>	The classification/ reclassification forms part of the shire wide LEP renewal process. This process is a requirement of the NSW Department of Planning.
<b>Ownership of the land</b>	Ballina Shire Council
<b>Nature of Council's Interest</b>	The land was dedicated as a drainage reserve as part of the Aspect Residential Estate with the registration of DP 1121058 on 20 December 2007.
<b>Other parties with interests</b>	There are no other parties with an interest in the land.
<b>Change of interests resulting from classification/ reclassification</b>	Not applicable because there are no other parties with an interest in the land.
<b>Special agreements applicable to the land</b>	No special agreements apply to the land.
<b>Financial issues</b>	There are no financial implications associated with the reclassification of this land, as there is no prospect that the land can be sold and used for a different purpose.
<b>Asset issues</b>	There is wastewater and stormwater treatment infrastructure constructed on the land.

9.2 **Reclassification of Community Land to Operational Land.DOC**

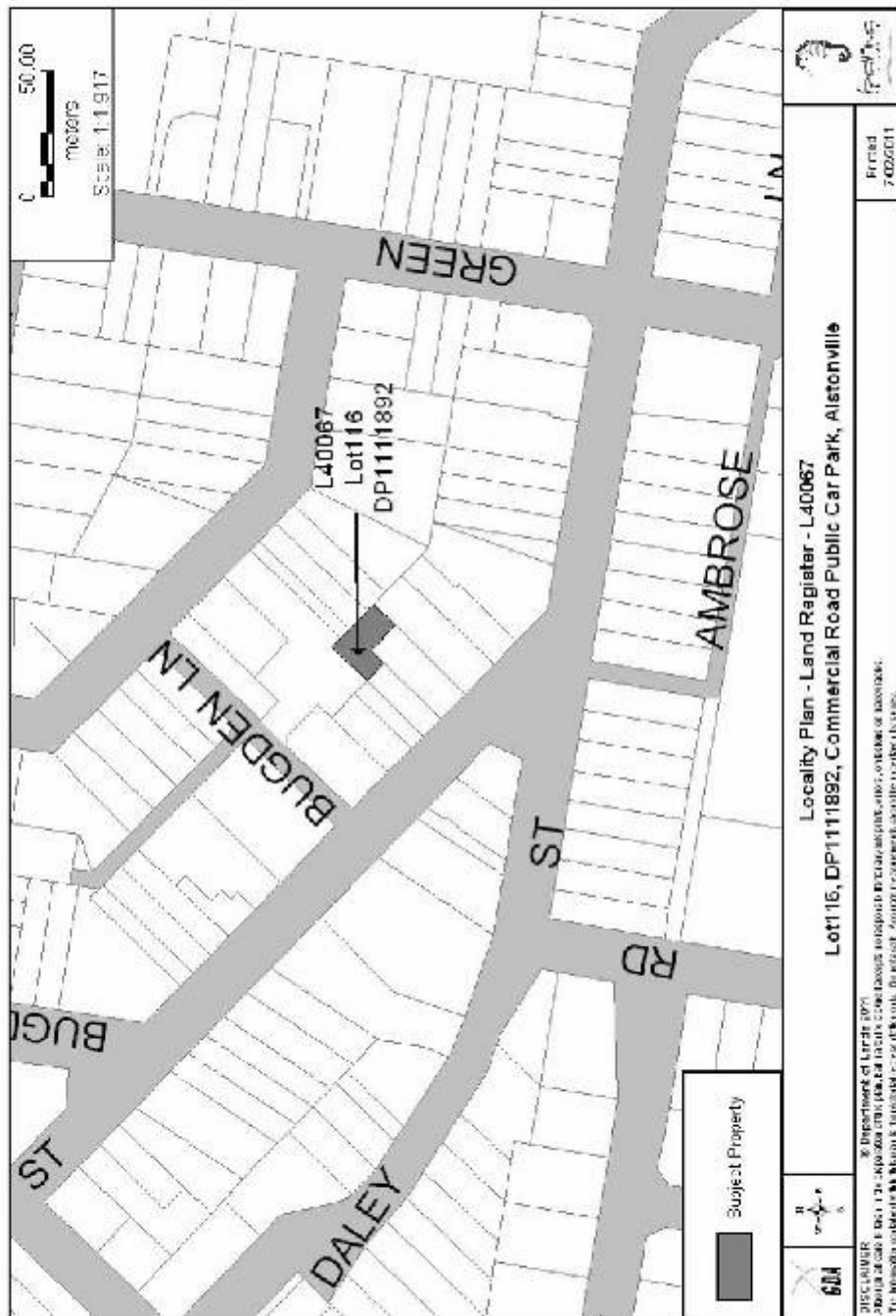


**Proposed  
Classification or Reclassification of Land - Site Assessment      February 2011**

<b>Site</b>	<b>Lot 1 DP 858199, Richmond River, Ballina</b>
<b>Land Register ID</b>	L20013_07
<b>Current Classification</b>	Community Land
<b>Proposed Classification</b>	Operational Land
<b>Reason for classification/ reclassification</b>	To enable the land to be subsequently dedicated as road under the <i>Roads Act 1993</i> , so that it is consistent with the land tenure of the remaining section of the river side pathway between Cherry Street and Martin Street.
<b>Reason for the Draft LEP</b>	The classification/ reclassification forms part of the shire wide LEP renewal process. This process is a requirement of the NSW Department of Planning.
<b>Ownership of the land</b>	Ballina Shire Council
<b>Nature of Council's Interest</b>	The land was created as a Torrens Title lot and dedicated to Council rather than dedicated as pathway or road.
<b>Other parties with interests</b>	There are no other parties with any interests in the land.
<b>Change of interests resulting from classification/ reclassification</b>	The reclassification of the land to operational land will allow Council to dedicate it as road under the <i>Roads Act 1993</i> , so that it is consistent with the land tenure of the remaining section of the river side pathway between Cherry Street and Martin Street.
<b>Special agreements applicable to the land</b>	No special agreements apply to the land.
<b>Financial issues</b>	There are presently no financial issues associated with the reclassification, as Council has no plans to dispose of the land. The reclassification will allow Council to provide consistency in land tenure for public land along this part of the river.
<b>Asset issues</b>	There is presently a walkway over this land, which is proposed to remain.



9.2 **Reclassification of Community Land to Operational Land.DOC**



## 9.2 Reclassification of Community Land to Operational Land.DOC

**Proposed  
Classification or Reclassification of Land - Site Assessment      February 2011**

<b>Site</b>	<b>Lot 116 DP 1111892, Commercial Road Public Car Park, Alstonville</b>
<b>Land Register ID</b>	140067_01
<b>Current Classification</b>	Part Operational part Community Land
<b>Proposed Classification</b>	Operational Land
<b>Reason for classification/ reclassification</b>	This land has been excised from the adjoining commercial properties and dedicated to Council for public car parking and to eventually provide road access through to Green Street.  The land needs to be classified as Operational Land to enable the progressive lane/parking dedications to the east.
<b>Reason for the Draft LEP</b>	To confirm the Operational Land classification that applies to the western section of the lot and to reclassify the eastern section as Operational to ensure the whole lot is classified as Operational Land. Action to classify the eastern section as Operational Land was overlooked at the time of transfer.
<b>Ownership of the land</b>	Ballina Shire Council
<b>Nature of Council's Interest</b>	The western section of Lot 116 initially comprised of Lot 113 DP 871435 and was classified as Operation Land on 23 July 1998. A boundary adjustment was undertaken with this lot and the rear of the adjoining land to form Lot 116. This additional land was dedicated to Council as part of its program to create a laneway between the Commercial Road Car Park and Green Street.
<b>Other parties with interests</b>	There are no other parties with an interest in this land.
<b>Change of interests resulting from classification/ reclassification</b>	There will be no change in interest arising from this classification/reclassification.
<b>Special agreements applicable to the land</b>	No special agreements apply to the land.
<b>Financial issues</b>	There are effectively no financial issues associated with the classification/reclassification of this land.
<b>Asset issues</b>	The land is currently used for access and car parking and this will remain unchanged.

INVOICE SENT  
TO ACCOUNTS

## Report-Public Hearing Reclassification of Public Land Draft Ballina Local Environmental Plan 1987 Amendment 114

I was engaged by Ballina Shire Council to conduct a Public Hearing ( part of the legislative process that is involved where Council desires to alter the Plan of Management for Community Land) in respect to the five parcels of land detailed below :

The holding of the Public Hearing was advertised by Council and held at the Council Chambers, Cherry Street, Ballina on Monday 27<sup>th</sup> February , 2012 commencing at 5 PM.

I am now able to report as follows:

1. Part Lot 11 DP 260847 North Creek Road Ballina (Reclassify as Operational)

No person attended at the Public Hearing in respect to this matter and thus no representations were received.

2. Lot 1 DP 858199 adjoining the Richmond River at Ballina (Reclassify as Operational)

No person attended at the Public Hearing in respect to this matter and thus no representations were received.

3. Lot 34 DP 1121058 Alexander Ct Lennox Head (Reclassify as Operational)

No person attended at the Public Hearing in respect to this matter and thus no representations were received.

4. Lot 4 DP 1036635 Brunswick Street, Teven (Reclassify as Operational)

The following representations were made

Mr M E Latham nearby land owner made reference to the flood prone nature of the land and to the errors in the description of the status and use of the land in Council reporting. ( Earlier reports had described the land as occupied by a dwelling whereas the land is vacant.)

Mr Latham expressed some reservations regarding the Council proposal to relocate Teven Road in the future.

Mr Latham posed the question as to why the reclassification had not been carried out earlier.

The opportunity was taken to clarify issues raised by Mr Latham and these explanations were to his satisfaction.

Mr D T Cook adjacent landowner (and his daughter Louise Seamer) attended and outlined that their interest was as an adjacent landowner and that should the subject parcel become available

**9.2 Reclassification of Community Land to Operational Land.DOC**

for purchase that they would be interested in negotiating to purchase and add to their landholding there.

5. Lot 1126 DP 1111892 Commercial Road, Alstonville (Reclassify as Operational)

No person attended at the Public Hearing in respect to this matter and thus no representations were received.



Gary Faulks

28<sup>th</sup> February, 2012