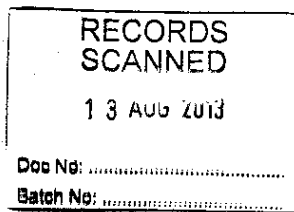




Date: 12 August 2013
Our Ref: 13/151

General Manager
Ballina Shire Council
PO Box 450
BALLINA NSW 2478

Attention: Mr Mathew Wood



Dear Sir,

Re: Teven Road Transport Precinct

Newton Denny Chapelle has been engaged by landowners on Teven Road, Ballina to consult with Ballina Shire Council in relation to their intention to lodge a Planning Proposal to permit additional permitted land uses orientated towards the transport and logistics industry upon the land.

Our clients are seeking to draw on the unique characteristics of the study area to promote the opportunity for the growth of the transport industry in this area. Our clients are committed to the submission of a Planning Proposal to Council, which would not seek to change the underlying zoning of the land, however draw on the characteristics of the study area to amend Schedule 1 of the Ballina LEP to permit additional transport orientated land uses.

The study area in question is located north of the Teven Road/Pacific Highway intersection. The Pacific Highway extends in a northerly fashion and thus wraps to the east of the area. Accordingly, the study area is bordered by Teven Road to the west and the Pacific Highway to the east. A plan detailing the study area is attached for Council's information.

The study area comprises a variety of land uses associated with rural industry, timber processing mechanical repairs, wholesale distribution, agriculture (low intensity) and storage premises (yard area).

With the development of the Pacific Highway upgrade and associated Ballina by-pass, we believe the study area presents the following unique features:

- Direct highway access from Teven Road which is developed with a controlled intersection with the Pacific Highway;
- The highway upgrade and alignment of Teven Road creates a clearly identifiable precinct which is already utilised for a number of commercial/industrial land uses;
- The site is located at the junction of the Pacific Highway and Bruxner Highway, thereby providing opportunities for distribution of goods in both a north-south and east-west alignment;
- The study area contains land being of a suitable area and configuration suitable for transport orientated businesses in respect to storage and holding bays;

JOHN NEWTON B. Surv. M.I.S. Aust. TONY DENNY B. Surv. (Hons) M.I.S. Aust. DAMIAN CHAPELLE BPP CPP
Office: Suite 1, 31 Carrington Street, Lismore. Postal Address: PO Box 1138 Lismore NSW 2480
Phone (02) 6622 1011 Fax (02) 6622 4069 Email office@newtondennychapelle.com.au
Also at: Cassino Court, 100 Barker Street, Cassino NSW 2470 Phone/Fax (02) 6662 5000

- The study area is not located in an area in close proximity to sensitive receivers and as such presents the opportunity for extended operating hours which is a critical element for transport logistic businesses;
- The existence of Highway exposure provides the opportunity of implementing design standards and associated visual treatment on the approaches to Ballina; and
- Portions of the study area have obtained development consent for the filling of the land.

Under the Ballina Local Environmental Plan the study area is mapped as being zoned RU2 - Rural Landscape. Pursuant to Clause 2.3 of the Ballina LEP, *Depots, Liquid Fuel Depots and Passenger Transport Facilities* are currently identified as being permissible land uses subject to the receipt of development consent. In light of the ability to entertain the aforementioned transport orientated land uses, our Clients seek to introduce the following additional permitted land uses for the study area.

- **freight transport facility** means a facility used principally for the bulk handling of goods for transport by road, rail, air or sea, including any facility for the loading and unloading of vehicles, aircraft, vessels or containers used to transport those goods and for the parking, holding, servicing or repair of those vehicles, aircraft or vessels or for the engines or carriages involved.
- **warehouse or distribution centre** means a building or place used mainly or exclusively for storing or handling items (whether goods or materials) pending their sale, but from which no retail sales are made.

The two land uses provide a logical extension of the transport orientated businesses currently permissible within the study area.

At this stage, our clients have not prepared a Master Plan for development of the site. Such plans will be developed as part of the Planning Proposal documentation, following receipt of "conceptual" support for the idea from the both Council Staff and the elected body. We are aware that any planning proposal over the site will need to be supported by a range of technical reports, including (as a minimum) flooding and geotechnical assessments.

We recognise previous submissions made to the Ballina LEP 2012 during the exhibition period identified Council's preference to limit the western expansion of urban development for Ballina. We believe the development of the highway upgrade and bypass has changed the way in which the Teven Road study area should be managed. Whilst the Highway has provided a form of delineation between urban and rural land, the road network has in fact opened opportunities for the study area to recognise the existing commercial/industrial uses through direct access to the Pacific Highway from Teven Road in a significantly improved fashion. As such we submit Teven Road now forms the logical western barrier to further expansion of urban development.

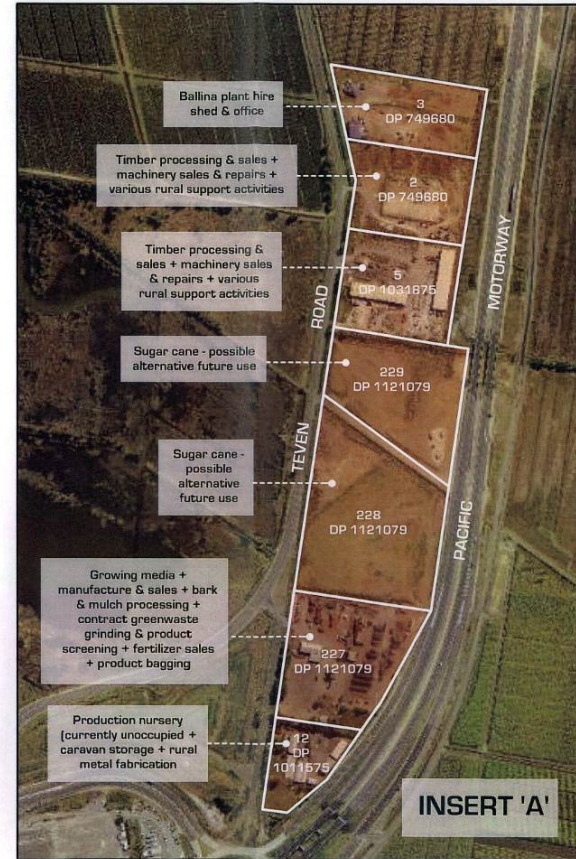
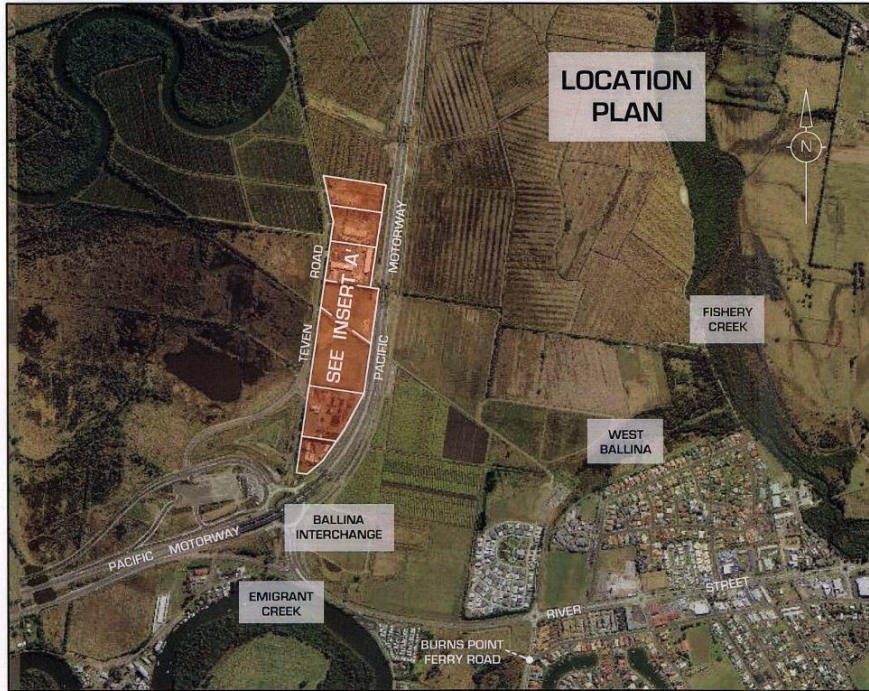
Given the above, we respectfully request that this matter be reported to the elected Council for consideration prior to the formal Planning Proposal being prepared. We would like to emphasise that our clients are not seeking to rezone the land. Rather, they are committed to seeking a modest expansion to the range of land uses permitted on the site to enable the unique locational features to be optimised.

Yours sincerely,
NEWTON DENNY CHAPELLE



DAMIAN CHAPELLE
Town Planner, BTP CPP.

9.2 LEP Amendment Request - Teven Road Transport Facility.DOC



Source of Base Plan - LPI Sixviewer dated 23.07.13
Cadastral boundaries are approximate only

Client: B & B TIMBERS, TEVEN PARK PTY LTD
& GARDEN MEDIUMS PTY LTD
TRADING AS GO GROW

Location:
TEVEN ROAD BALLINA

Amendments:	
Date	Changes
B	
C	
D	
E	
F	

NDS
Newton Denny Chapelle
Surveyors Planners Engineers
Email: office@newtondennychapelle.com.au
Lismore Casino
31 Carrington St, Lismore 2480 T: 6622 1011 F: 6622 4098
100 Barker St, Casino 2470 T & F: 6622 5000

STUDY AREA

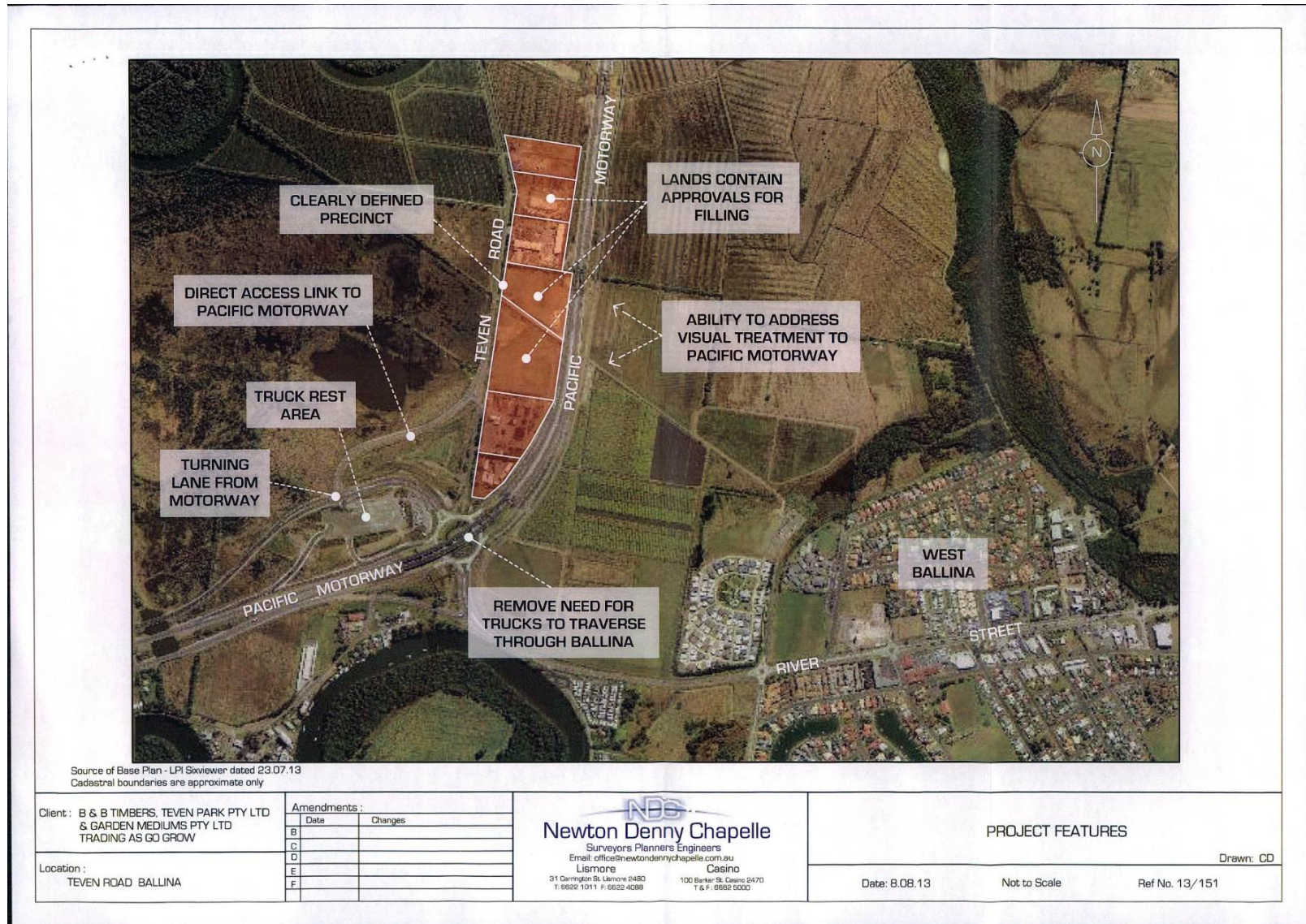
Drawn: CD

Date: 23.07.13

Not to Scale

Ref No. 13/151

9.2 LEP Amendment Request - Teven Road Transport Facility.DOC





Ballina Shire Council

Site Selection Investigation – Freight Transport Facilities, Warehousing and Distribution Centres

January 2014



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1. Background / Introduction

Council, at its meeting held on 24 October 2012, considered a request to amend the Ballina Local Environmental Plan 2012 (Ballina LEP 2012) to enable transport and logistics land uses on a 17 hectare parcel of 7 lots located on Teven Road, West Ballina. Council resolved to defer its decision pending independent advice being obtained in relation to current and projected need for, and preferred location of, freight and logistic land uses in Ballina Shire.

This report has been prepared following the evaluation of several sites and consideration of advice provided Roads and Maritime Services and by the Australian Logistics Council.

The report has been peer reviewed by Mike Svikis of Mike Svikis Planning and appropriate amendments made to the report in accordance with the comments provided. Mike Svikis is a planning consultant and the current chairperson of the Northern NSW branch of the Planning Institute of Australia (PIA).

1.1 Government planning policies, strategies and instruments

1.1.1 Draft NSW Freight and Port Strategy, Transport for NSW, November 2012

The draft policy notes that in 2011 freight and logistics contributed approximately \$58 billion or 13.8% of the NSW Gross State Product. There were approximately 500,000 people working in logistics in NSW or 14% of NSW employment.¹ Transport for NSW has estimated that by 2031 freight moved in NSW is expected to double to 794 million tonnes.

The draft policy notes that the challenge for the Northern Rivers is related to transport restrictions. These it is claimed affect both raw materials being transported into the area and finished product being transported out of the area, particularly to the key Brisbane market and port.

Due to terrain constraints, the number of east - west links between the north coast and the New England Tablelands and the Darling Downs is limited. There is only one approved east - west, B - Double route between Newcastle and the Queensland border which connects Grafton and Glen Innes.²

A proposed action within the draft strategy (Action 3A) related to the embedding of freight requirements in planning schemes. In support of this action it is claimed that growth in population centres and employment across NSW is driving the growth in freight movements. It is claimed that effective access arrangements for freight transport are needed to service supply chains, so as to meet just-in-time delivery demands.³

¹ Draft NSW Freight and Transport Strategy, Transport for NSW, November 2012, p7

² Draft NSW Freight and Transport Strategy, Transport for NSW, November 2012, p57

³ Draft NSW Freight and Transport Strategy, Transport for NSW, November 2012, p114

The draft policy notes that local plans are often silent on freight issues and potential solutions. This leaves councils with little evidence to support an integrated approach to freight logistics. This often led to 'blunt instrument' regulation, such as heavy vehicle bans or curfews that may not allow the wider community to benefit from better freight access.⁴

1.1.2 Metropolitan Road Freight Hierarchy on the State Road Network Practice Note – NSW Department of Transport, June 2011

This practice note states that all State Roads are available for general access vehicles, however some road such as motorways are more readily used by freight. Establishing a freight hierarchy on the urban State Road network gives due weight to the importance of freight movements and shows which State Roads are of primary, secondary and tertiary importance.⁵

The practice note also states that as the road freight industry strives to be more efficient, specialist high performance vehicles are emerging. Some of these may be longer than usual, or higher, or of higher mass. These vehicles have restricted access to the network and are only allowed on specifically designated routes.⁶

In terms of land use planning the practice note makes the observation that planning land use patterns with freight clearly in mind will lead to greater economic efficiency. It states that while planning to balance the desires of the general community against the economic need for the efficient movement of goods, we must recognise that community planning based on land use zoning will of necessity lead to significant freight movements in some locations.⁷

1.1.3 Northern Rivers Regional Action Plan NSW 2021 – Department of Premier and Cabinet, December 2012

The regional action plan notes that the Northern Rivers region is the fastest growing region in NSW. Population is projected to increase by 37% by 2036, from 287,809 to 367,300. Housing is also projected to increase from 129,300 to 161,400 housing units.⁸

It is stated that the regions competitive advantages include being located next door to South East Queensland and the Gold Coast with access to export markets in South East Asia and the Pacific.

Road transport initiatives incorporated within the regional action plan are:⁹

- Construction of a 4 lane Pacific Highway divided road from Ballina to the Queensland border by 2014,

⁴ Draft NSW Freight and Transport Strategy, Transport for NSW, November 2012, p114

⁵ Metropolitan Road Freight Hierarchy on the State Road Network Practice Note – NSW Department of Transport, p7

⁶ Metropolitan Road Freight Hierarchy on the State Road Network Practice Note – NSW Department of Transport, p7

⁷ Metropolitan Road Freight Hierarchy on the State Road Network Practice Note – NSW Department of Transport, p8

⁸ Northern Rivers Regional Action Plan NSW 2021 – Department of Premier and Cabinet, December 2012, p5

⁹ Northern Rivers Regional Action Plan NSW 2021 – Department of Premier and Cabinet, December 2012, p7

9.2 LEP Amendment Request - Teven Road Transport Facility.DOC

- Continue the Pacific Highway upgrade between Tintenbar and Ewingsdale and have it open to traffic in 2014,
- Continue to plan for the Pacific Highway upgrade from Woolgoolga to Ballina.

1.1.4 Far North Coast Regional Strategy (FNCRS), NSW Department of Planning, December 2006

The FNCRS specifies that the use of existing vacant industrial land should be considered prior to the release of any major new industrial areas. An exception to this is nominated as the Pacific Highway corridor which will require well located highway service centres with limited defined uses.¹⁰

The FNCRS indicates that councils should plan for future industrial needs within existing urban areas and take into account economic markets, South East Queensland pressures for employment lands, lifestyle opportunities, and transport improvements within and from the region. The strategy notes that certain industries will need to be located away from existing urban centres due to their type, scale and nature. Councils are encouraged to address this through their Local Growth Management Strategies.¹¹

1.1.5 Ballina Shire Growth Management Strategy (BSGMS), Ballina Shire Council, July 2012

The BSGMS indicates that the current supply of zoned industrial land is sufficient to accommodate anticipated demand to 2028. The strategy notes that by 2028 the land supply buffer (supply as a % above projected demand) is expected to decline from 40% to 28%. This decline it is suggested will require regular monitoring and review.¹²

1.1.6 Ballina Local Environmental Plan 2012 (Ballina LEP 2012)

Ballina LEP 2012 came into effect on 4 February 2013.

Ballina LEP 2012 contains the following definitions which have relevance when giving consideration to the permissibility of road freight logistic related land uses:

freight transport facility means a facility used principally for the bulk handling of goods for transport by road, rail, air or sea, including any facility for the loading and unloading of vehicles, aircraft, vessels or containers used to transport those goods and for the parking, holding, servicing or repair of those vehicles, aircraft or vessels or for the engines or carriages involved.

warehouse or distribution centre means a building or place used mainly or exclusively for storing or handling items (whether goods or materials) pending their sale, but from which no retail sales are made.

¹⁰ Far North Coast Regional Strategy, NSW Department of Planning, December 2006, p37

¹¹ Far North Coast Regional Strategy, NSW Department of Planning, December 2006, p36

¹² Ballina Shire Growth Management Strategy (BSGMS), Ballina Shire Council, July 2012

Ballina LEP 2012 has been examined to determine which rural, business or industrial zones permit with development consent freight transport facilities, warehouse or distribution centres. Table One below provides a summary of the zones in which such uses are permissible with development consent:

Table One: Permissibility with consent matrix - Ballina LEP2012

Zone	Freight Transport Facilities permitted with consent?	Warehouse or distribution centre permitted with consent?
RU 1 Primary Production	No	No
RU2 Rural Landscape	No	No
B1 Neighbourhood Centre	No	No
B2 Local Centre	Yes	No
B3 Commercial Core	Yes	No
B4 Mixed Use	Yes	No
B5 Business development	No	Yes
B6 Enterprise Corridor	No	Yes
IN1 General Industrial	Yes	Yes

The Table One indicates that it is only the *IN1 General Industrial* zone that permits, with development consent, *freight transport facilities*, and *warehouse or distribution centres* under the provisions of Ballina LEP 2012.

1.2 Location factors for large scale logistic industries in Western Sydney

It is considered relevant to review location factors that have influenced the location of large scale road freight logistic industries in other local government areas. The factors that influence the location of such industries can then be used to further consider the suitability of sites in other locations.

Informal advice received from the Department of Planning and Infrastructure indicates that the location of large scale road freight logistic industries, within the Western Sydney Employment Lands (WSEL), was not as a result of any government policy. The view expressed was that these industries located within the WSEL as a consequence of good access to the M2, M5, M7 and F4 motorways.

Sites developed for large scale road freight logistic industrial purposes within the Penrith, Blacktown, Liverpool and Fairfield local government area appear to have the following features in common:

- Relatively flat topography so as to minimise cut and fill,
- Sites are large generally covering several hectares,
- Sites have resulted from new subdivisions and were in one ownership,
- Sites have all services available,
- Sites are substantially flood free,
- Sites have good access to State and Regional roads, Local road access is minimised.

1.3 Consultation

1.3.1 The Australian Logistics Council

The Australian Logistics Council was requested to provide advice on the likely demand for a road freight logistic facility within Ballina Shire. The advice received forms Annexure Seven to this report and is reproduced below:

As the peak industry body for the freight logistics industry, the Australian Logistics Council supports greater investment in freight logistics infrastructure to meet Australia's rising freight task which is predicted to increase nationally from 500 billion tonne kilometres to 1000 billion tonne kilometres by 2030 and grow to 1400 billion tonne kilometres by 2050. In NSW, the freight task is predicted to double to 794 million tonnes by 2030. Over this time its contribution to NSW Gross State Product will continue to grow from the current levels of \$58 billion, or nearly 14 per cent.

In light of these figures, it is essential that governments and industry recognise the importance of intermodal terminals and distribution centres as integral parts of an efficient supply chain. This includes local government, which needs to take a proactive approach to the identification and preservation of strategically important parcels of land which can serve as intermodal hubs in the future.

Protecting key freight corridors and sites for intermodal facilities now is a cost effective way to plan for future freight growth which is inevitable, particularly in the growing region of northern NSW and southern Queensland.

A strategic approach to land preservation and investment is particularly relevant to a region such as Ballina – a key link in the north south / east west road corridor – given recent figures from the Bureau of Infrastructure, Transport and Regional Economics. BITRE predicts the interstate road freight task on the North–South corridor increased at an average annual growth rate of 7.3 per cent, from 4.7 billion tonne km (tkm) in 2007 to 56.2 billion tkm in 2007, while it is expected to grow in the future at an average growth rate of 3.8 per cent, from 61.4 billion tkm in 2008 to 139.2 billion tkm in 2030 (http://www.bitre.gov.au/publications/2010/files/report_120.pdf).

Based on ALC's strong support for: an enhanced role for intermodal terminals to support supply chain efficiency; and the need to preserve land now for future freight growth and noting the strategic location of the proposed hub at the junction of the Pacific Highway and Bruxner Highway, ALC supports the proposal to permit the establishment of freight and logistics hub in West Ballina.

1.3.2 Roads and Maritime Services

The RMS was invited to provide comments on whether the Teven Road site is an appropriate location for freight and logistic related land uses within Ballina Shire, whether in their view there was a demand for land which would support such land uses, and whether the area of the site was adequate. The response from the RMS dated 4 December 2013 forms Annexure Four to this report.

The RMS, whilst not providing specific advice in respect to the matters raised, have indicated that there may be a significant traffic issues for the Teven Road interchange with the Pacific Highway arising from freight logistic uses on Teven Road. Advice has been provided that potential traffic impacts associated with permitting logistic activities will need to be examined.

The RMS has provided specific details of the matters that should be addressed in a traffic study which would be required to examine the traffic impacts associated with the Teven Road proposal.

2. Demand for Road Freight and Logistics Land Uses

2.1 Quantitative demand estimation

The anticipated freight growth within NSW to 2031, as well as improvements to State Roads connecting Ballina Shire to South East Queensland and Sydney, will see a significant increase in freight moving along the Pacific Highway corridor. Ballina Shire is considered to be well placed to take advantage of any associated employment growth benefits if it facilitates the supply of suitable land for road freight logistic land uses.

There is, however, no definitive way to determine what demand exists, or is likely to exist, for land suitable to support road transport logistic land uses in Ballina Shire. Demand for such land is primarily driven by broader state and national locational considerations and industry growth factors. In addition the availability of land in adjoining local government areas may also influence what demand for land is likely to exist in Ballina Shire.

To a large degree the market will determine whether a road transport logistics hub is economically viable in Ballina Shire. If it is, then the Smith Drive, Russellton and Teven Road sites are considered to be the most viable sites due to locational factors and the strategic advantages associated with these sites.

The above described situation is different to land required for retailing, including bulky goods retailing, where the floor space demand models are driven by factors such as population levels, retail spending patterns and other local variables. In such cases local floor space demand can be reasonably well assessed through modelling which is not the case with transport logistic land uses in a local context.

3. Site Selection and Evaluation

3.1 Site Evaluation Methodology

The methodology used to undertake this site evaluation investigation was based on the following:

1. Review of relevant government policy documents,
2. Consultation with the Australian Logistics Council, Roads and Maritime Services and the Department of Planning and Infrastructure,
3. Consideration of appropriate site location characteristics that would encourage transport related land uses to locate within Ballina Shire,

4. Development of a Site Evaluation Tool to assist in the evaluation of sites for suitability to support freight and logistic land uses,
5. Ranking of sites after evaluation using the Site Evaluation Tool,
6. Nomination of preferred sites following consideration of the scores achieved through the ranking process.

The objective of the site evaluation process was to inform a planning proposal which would facilitate the designation of appropriate locations for road freight logistic land uses within Ballina Shire.

3.2 Criteria for the location of freight transport facilities, warehousing or distribution centres within Ballina Shire

A review of relevant government policies, strategies and instruments has concluded that there will be increased demand for freight transport facilities, warehouses and distribution centres up to at least 2031. This is the period up to which the *Draft NSW Freight and Port Strategy* has estimated the amount of freight shipped throughout NSW is likely to double in volume.

Ballina is well placed to take advantage of the projected freight increase due to extensive State Road infrastructure work currently underway within and adjoining the Shire. Such work will result in a dual carriageway Pacific Highway between Ballina and the Queensland border.

Ballina is also strategically located on the junction of the Pacific and Bruxner Highways. The Bruxner Highway providing one of the few heavy vehicle links, between the Pacific Highway coastal freight route, and inland locations such as Lismore, Casino, Tenterfield and beyond.

Ballina's location at the junction of major transport routes may ensure that there will continue to be demand from the road freight logistic industry for suitable development sites.

It is considered that the most suitable development sites for use by the road freight logistics industry would have the following attributes:

- Located in close proximity to a State Road preferable with direct access from a Regional Road,
- Land topography that minimises cut and fill,
- Large lot area normally several hectares in size with the ability to expand,
- Not be located near sensitive land uses such as residential,
- Vacant land with minimal building improvements,
- Availability of water, sewerage, power and telephone utilities,
- Not be subject to hazards such as flooding,
- Ideally be already appropriately zoned.

Giving consideration to the above attributes a tool has been developed to evaluate sites for suitability for large scale road freight logistic land uses. The Site Evaluation Tool forms Annexure One to this report.

3.3 Site selection

The following six sites were selected for evaluation using the Site Evaluation Tool:

- Site One – Teven Road, West Ballina
- Site Two – Russellton Industrial Estate, Alstonville
- Site Three – Smith Drive, West Ballina
- Site Four – Southern Cross Drive adjoin airport, Ballina
- Site Five – Southern Cross Drive Industrial and Business Area, Ballina
- Site Six – Clarke Street Industrial Estate, Ballina

Site One was selected as it was the subject of the application to Council. The remaining sites were selected as they were zoned *IN1 General Industrial* and would permit with development consent, and without rezoning, transport logistic land uses.

3.4 Site Evaluation

Evaluation of the suitability of existing appropriately zoned industrial sites is required by the FNCRS planning strategy prior to rezoning sites that do not currently permit such land uses.

Annexure Two contains the six site evaluation forms that were prepared in accordance with the evaluation tool.

Table Two below provides a summary of the results obtained:

Table Two: Summary of site evaluation results

Site	Score	Suitability	Comments
One - Teven Road, West Ballina	42 (70%)	Fair	Requires rezoning, significant filling up to 3 metres may be required on some lots. Some lots already filled. Teven Road at RL 1.4m AD below RL2.7m AHD 1:100 year flood level. (If site were already appropriately zoned then suitability ranking would have been Good.)
Two - Russellton, Alstonville	44 (73%)	Good	Topography and limited land supply issues would hamper development of this site for large scale road freight logistic uses.
Three - Smith Drive, West Ballina	48 (80%)	Good	Access to Pacific Highway via Smith Drive may require upgrade. Extensive filling required up to RL 2.3 AHD previously approved to be filled to RL 1.9 AHD Limited land supply will hamper future expansion.
Four - Southern Cross Drive near Airport, Ballina	32 (53%)	Low	Size of sites, regional accessibility and fragmented land ownership issues were main constraints.
Five - Southern Cross Drive Industrial and Business Park, Ballina	38 (63%)	Fair	Regional accessibility constraints due to distant highway access.
Six - Clark Street Industrial Estate Ballina	31 (52%)	Low	Lack of vacant land, fragmented ownership and regional accessibility are main constraints.

From the sites selected there were no sites that demonstrated a High level of suitability. Site Three (Smith Drive) and Site Two (Russellton Estate) received the highest scores.

Whilst the Smith Drive site received a "Good" suitability ranking, due to zoning and regional accessibility factors, it does have significant constraint issues relating to flooding.

In the case of the Russellton Estate it also received a "Good" suitability ranking. Site topography and limited land supply were the main constraints identified. It is noted however that a road freight operator, Flynn Transport, is already established within this estate.

Existing industrial areas within Ballina received "Low to Fair" suitability rankings due to the distance from direct highway access and for issues related to availability of sufficient vacant land and fragmented nature of land ownership (many smaller sites).

The evaluation of the Teven Road site found that the site scored reasonably well and received a "Fair" overall suitability rating. It would have received a "Good" suitability ranking had it already been suitably zoned. This would then make this site equivalent in suitability terms to the Smith Drive site.

Additional information submitted by the proponents for the Teven Road, West Ballina site

The proponent for the Teven Road site has submitted additional information relating to properties which have received development consent for filling. Also submitted were flood impacts letters prepared by BMT WBM, in June 2010 and April 2011, which provided an assessment of filling proposed on Lot 229 DP 1121079.

Lot 229 DP 1121079 is owned by Lynks Pty Ltd and has an area of 2.754ha. This lot has been approved to be partly filled to the 1:100 year flood level of 2.7m AHD (approx 3100m²) with the remainder of the site being approved for filling to 1m AHD.

Annexure Three provides details of the development consents granted for filling within the Teven Road, West Ballina site.

Information submitted by the owner of sites located with frontages to Smith Drive and Pacific Highway, West Ballina

In an email addressed to Councillors and dated 28 November 2013, Mr Simon Dougherty advised as follows:

I note with interest a recent request for amending the local LEP to incorporate a perceived demand for Transport and Logistics

I have recently acquired a site that is already Zoned Industrial in Smith Drive on the edge of Ballina (see attached) which I feel could be suitable for a multitude of transport related activities. I would consider leasing, selling or design and construct to accommodate any credible tenant or buyer from the logistics sector at very reasonable rates.

Please keep this site in mind when assessing a preferred location for freight and logistics in Ballina Shire

The information submitted under cover of this email forms Annexure Five to this report.

Annexure Six to this report provides information relating to Development Application No. 2007/71 which relates to the site the subject of Mr Dougherty's email. This application was

determined by Council on 13 December 2007, and consented to a bulky goods retailing centre (Ballina Home World), on Lot 15 DP 238008 and Lot 10 DP859893. Lot 16 DP 238008, which is zoned RU 2, was incorporated within this consent and was proposed to be developed by way of landscaping and for the relocation of an existing rural drain.

The Smith Drive and the Russellton industrial estates received the highest site suitability score of the sites assessed. The major constraints applicable to the Smith Drive site relate to flooding and access to the Pacific Highway.

If Council formed the view that the available vacant industrial zoned land located within the Smith Drive and Russellton industrial estates was sufficient to accommodate transport logistic land uses in Ballina Shire, then there would be no compelling argument to support a planning proposal for the Teven Road site.

Taking a longer term view of likely land demand for logistic land uses to 2031 supports the position that Smith Drive, Russellton and Teven Road are suitable locations. Albeit that the Teven Road site requires further assessment in terms of flooding and traffic impacts before its overall suitability can be confirmed.

4. Conclusions and Recommendations

4.1 Policy options for consideration

To provide more suitable sites for use by road freight logistic industries, and to enable anticipated future demand to be more readily satisfied the following policy options have been considered:

Option One - Insert *freight transport facilities, warehouse or distribution centre* as a use permitted with development consent within the RU2 Rural Landscape zone.

The RU2 zone already permits a diversity of significant industrial and commercial land uses and therefore there is no general inconsistency associated with permitting logistic related uses. The following uses are currently permitted with consent within the RU2 zone under the provisions of Ballina LEP 2012:

Agriculture; Airstrips; Animal boarding or training establishments; Boat launching ramps; Boat sheds; Camping grounds; Car parks; Caravan parks; Cellar door premises; Cemeteries; Charter and tourism boating facilities; Community facilities; Correctional centres; Crematoria; Depots; Dual occupancies (attached); Dwelling houses; Environmental facilities; Extractive industries; Farm buildings; Flood mitigation works; Forestry; Function centres; Helipads; Home businesses; Home industries; Home occupations (sex services); Information and education facilities; Jetties; Kiosks; Liquid fuel depots; Marinas; Markets; Mooring pens; Moorings; Mortuaries; Open cut mining; Passenger transport facilities; Public administration buildings; Recreation areas; Recreation facilities (major); Recreation facilities (outdoor); Restaurants or cafes; Roads; Roadside stalls; Rural industries; Rural supplies; Rural workers' dwellings; Sewerage systems; Signage; Storage premises; Tourist and visitor accommodation; Turf farming; Vehicle repair stations; Veterinary hospitals; Water recreation structures; Water supply systems; Wharf or boating facilities

This option is not recommended as it may give rise to development proposals on land that would otherwise be unsuitable for large scale logistic land uses. However this would be no different to the situation that is anticipated to arise with many of the uses permitted with development consent within the RU 2 zone.

Option Two - Require LEP amendment requests for specific sites so as to permit freight transport facilities, warehouse or distribution centre land uses if not currently permitted within a specified zone.

This option has the advantage of allowing Council staff to undertake a more detailed assessment of suitability but runs the risk that proponents will locate elsewhere due to anticipated time delays.

The risk of locating elsewhere would be mitigated to a degree in the event that a proactive policy approach is taken to facilitating the supply of sites, at suitable locations, such as Teven Road.

This option is the preferred option.

Option Three – Take no action with respect to amending the provisions of Ballina LEP 2012.

This option may result in road transport logistic land uses establishing within existing areas zoned for industrial or commercial / business purposes. Alternatively it may result in such land uses not establishing within the Ballina Shire but elsewhere such as Coffs Harbour or Grafton.

It could be concluded that as there are currently suitably zoned sites, Smith Drive and Russellton industrial estates, to support road transport logistic uses, that no further land is required to be made available. This is however considered to be a short term view and may well not accommodate demand for sites to 2031.

The overall consequences arising from taking no action are considered to be negative and as a result this option is not supported.

4.2 Outcomes

A review of government policy documents related to the transport logistics industry has found that the industry is anticipated to grow significantly over the next 20 year period. This anticipated growth has also been confirmed in correspondence received from the Australian Logistics Council.

Ballina Shire is well placed to take advantage of this growth due to its strategic location at the junction of the Pacific and Bruxner Highways, significant Pacific Highway upgrade work underway and its close proximity to the South East Queensland.

The site evaluation has found that the majority of *IN1 General Industrial* zoned land within Ballina Shire is not suitable for transport logistic land uses. Such sites are generally not located in close proximity to direct highway access, or have limited land area for development, or are constrained by site hazards such as flooding or topography or would result in local traffic conflicts.

The Smith Drive and Russellton industrial estates site received the highest scores using the Site Evaluation Tool and are considered suitable existing sites for development for road freight logistic land uses.

The Teven Road site has also been found to be suitable for redevelopment for road freight logistic land uses, although the land is not presently zoned to permit such uses.

The suitability of the Teven Road has been confirmed due to the following factors:

- Located in close proximity to two major highways,
- A significant portion of the land is vacant or contains low level building improvements,
- Some lots have been approved for partial filling to the 1:100 flood level, (Filling is higher here than Smith Drive due to DCP requirements.)
- Site not located near any sensitive land uses,
- No local traffic conflicts will result given proximity of highway access.

It is also noted that both the Smith Drive and the Teven Road sites attract additional locational benefits due to the close proximity of land designated for use as highway service centres.

Highway service centres have been inserted as an additional land use within RU2 zoned land on three sites adjoining the Ballina Pacific Highway bypass alignment at the Teven Road interchange. Highway service centre uses are more likely to require sewerage services which may then be more economically extended to service both Smith Drive and the Teven Road sites.

4.3 Recommended way forward

Inserting the additional requested land uses of *freight transport facilities, warehouse or distribution centre* within Ballina LEP2012, for the Teven Road site, is unlikely to create a precedent leading to requests for additional RU2 zoned land to be similarly treated. This is due to the nature of existing land uses on some of these lots which already gives this site a predominantly industrial character. It is this industrial character, as well as the locational factors, that differentiate the Teven Road site from other RU2 zoned sites.

Additional investigative work is however required to establish the consequences of raising all lots within the Teven Road site to the 1:100 year flood level of RL 2.7AHD, and to ensure that there is adequate capacity for traffic at the Teven Road interchange and intersection performance is not unduly compromised. These issues should be resolved prior to the progression of a planning proposal to Gateway determination in respect to the Teven Road site. This is because these issues are key issues that could significantly influence the suitability of the land for road freight logistic uses.

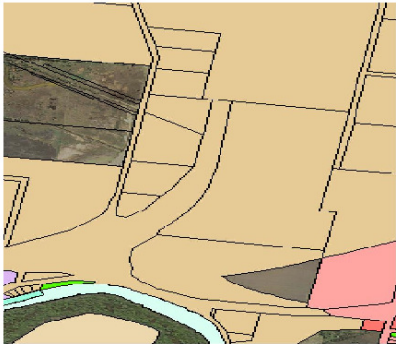

5. Annexures

Annexure One - Site Evaluation Tool

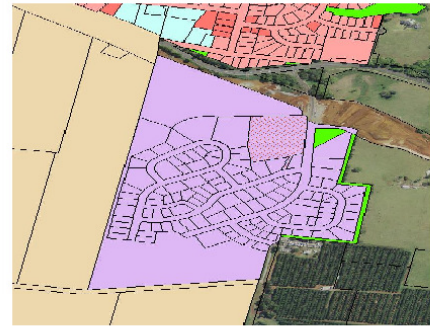

Criteria	Criteria Ranking
Site Size	< 2ha = 0; 2ha or > = 1; 4ha or > = 2; 6ha or > = 3; 8ha or > = 4; 10ha or > = 5
Site Boundaries	Adjoining non residential zones = 5 Adjoining residential zone or other sensitive land uses = 1
Topography	1 metre or less cut and fill = 5 Score reduces by 1 for each metre of cut or fill required. Minimum score = 0
Current Use	5 if vacant land or non significant building structures Score reduces by 1 for each 20% that is built upon land.
Regional Accessibility (Minimise access along Regional and Local Roads – ensure State Road access in close proximity to sites)	Pacific Highway 5 if within 1 kilometre of direct Pacific Highway access. Score reduces by 1 for each 200 metres to direct highway access above 1 kilometre. Minimum score of 0 applies.
Regional Accessibility (Minimise access along Regional and Local Roads – ensure State Road access in close proximity to sites)	Bruxner Highway 5 if within 1 kilometre of direct Bruxner Highway access. Score reduces by 1 for each 200 metres to direct highway access above 1 kilometre. Minimum score of 0 applies.
Land Zoning – Ballina LEP 2012	5 if within a zone that permits freight transport facilities, and warehouse / distribution centres 3 if only one of these lands uses permitted. 0 if none of these land uses permitted.
Farmland Classification	5 if non farmland 2 if Other Rural Land 1 if Regionally Significant Farmland 0 if State Significant Farmland
Ownership	5 if 10ha or more in 1 ownership Score reduces by 1 for each reduction of 2ha not in one ownership
Proximity to Services and utilities	5 if water, sewerage and power available 4 if water and power only available 3 if power only available 2 if site can be serviced 0 if site beyond economically feasible service distance
Land availability for development	< 1ha = 0; 1 to 4ha = 2; 5ha to 8ha = 3; 9ha to 12ha = 4; 13ha or > = 5
Flooding	5 if not subject to 1:100 year flood 3 if subject to 1:100 flood 2 if subject to 1:50 year flood 0 if subject to 1:20 year flood or within a floodway
Suitability for freight transport facilities, warehousing and distribution centre land uses	Scoring 0 – 29 (<50%)= Unsuitable 30 – 36 (50% - 60%) = Low suitability 37 – 42 (61% - 70%) = Fair suitability 43 - 48 (71% - 80%) = Good suitability 49 - 60 (81%+) = High suitability

Annexure Two – Site Evaluation Forms – Sites One to Six

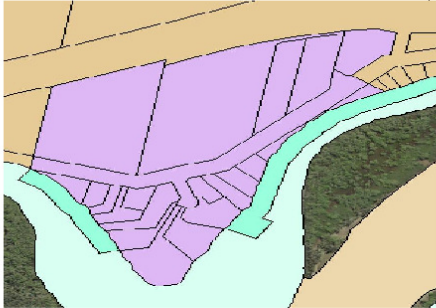

Site Evaluation Form – Site One - Teven Road, West Ballina

Site One – Teven Road, West Ballina		
Extract from land zoning map		2009 Aerial photo – Precinct in centre – 7 lots
		
Criteria	Score	Comments
Site Size	5	Site One has an area of approx 17 hectares.
Site Boundaries	5	Not located adjoining any residential or otherwise sensitive land uses
Topography	2	Filling required on lots to reach 1:100 year flood level. Flood modelling required to determine if filling is feasible. Some lots already approved to be filled to RL 2.7m AHD or 1:100 year flood level. Some filling already undertaken the extent of which is unknown.
Current Use	4	No significant buildings, one site already used a truck parking facility or depot.
Regional Accessibility Pacific & Bruxner Highways	5 +5 = 10	Within 1 kilometre of Bruxner and Pacific Highway access an interchange
Land Zoning – Ballina LEP 2012	0	RU 2 – Rural Landscape. Specified land uses not permitted
Farmland	2	Other Rural Land
Ownership	2	Largest land parcel 4.28ha
Proximity to Services and utilities	4	Power and water available to service site
Estimate of land available for development	5	> 10ha
Flooding	3	Majority of site is subject to 1:100 year flood. Annexure Three contains details of lots that obtained development consent for filling and status of filling approved.
Score and suitability assessment	Total Score = 42 (70%) Fair suitability	Fair Suitability for freight transport facilities, warehousing and distribution centre land uses subject to resolution of flooding constraint and examination of traffic impacts. If site were already appropriately zoned suitability would rate as Good and score increase to 47 (78%).



Site Evaluation Form – Site Two – Russellton Estate, Alstonville

Site Two – Russellton Estate, Alstonville		
Extract from land zoning map		2009 Aerial photo – Lot 2 bottom centre
		
Criteria	Score	Comments
Site Size	5	Site Two has an area of approx 43 hectares. The Russellton Estate is designated as an employment lands area in the Far North Coast Regional Strategy. Located at the southern end of Kays Lane and Northcott Crescent is Lot 2 DP 1169153. Lot 2 is vacant land owned by Ballina Shire Council which is intended to be subdivided and used for industrial purposes Lot 2 has an area of 8.099 ha.
Site Boundaries	5	Not located adjoining any residential or otherwise sensitive land uses
Topography	0	Extensive cut and fill may be required to support large scale logistics industry.
Current Use	2	Estimated that total precinct is 70% developed.
Regional Accessibility	5	Within 1 kilometre of Bruxner Highway Access
Land Zoning – Ballina LEP 2012	5	Zoned IN1 Zone permits proposed transport related uses
Farmland	5	Site not farmland
Ownership	4	Largest land parcel 8.099ha
Proximity to Services and utilities	5	All services available
Estimate of land available for development	3	< 8ha
Flooding	5	Not subject to flooding
Score and suitability assessment	Total Score = 44 (73%) Good suitability	Good overall suitability for freight transport facilities, warehousing and distribution centre land uses. Land topography issues may limit potential of some sites as does availability of suitable sites Lot 2 DP 1169153 does however have reasonable prospects for logistics type development over part of its area. It is also located immediately adjoining a freight transport facility.

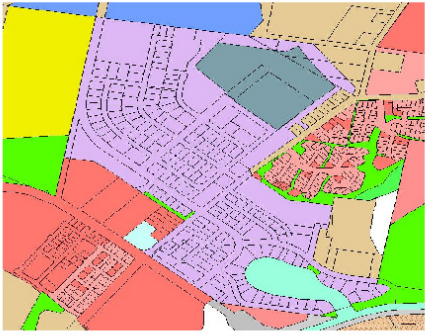

Site Evaluation Form – Site Three – Smith Drive, West Ballina

Site Three – Smith Drive, West Ballina		
Extract from land zoning map		2009 Aerial photo
		
Criteria	Score	Comments
Site Size	5	Site Three has an area of 15.88 hectares. The Smith Drive Estate is designated as an employment lands area in the Far North Coast Regional Strategy. Located at the northern end, with frontage to the Pacific Highway, are lot 15 DP 238008 and lot 110, DP 859893. These lots are vacant land and have a combined area of 7.239 hectares. Lot 16 DP 238008 which adjoins Lot 15 on its eastern side is in the same ownership and has an additional area of 1.025 hectares. This lot is zoned RU2.
Site Boundaries	5	Not located adjoining any residential or otherwise sensitive land uses
Topography	2	May require up to 2 - 3 metres of fill to bring site above 1:100 year flood level.
Current Use	3	Approximately 50% of precinct is vacant land.
Regional Accessibility Pacific & Bruxner Highways	5 + 5 = 10	Some lots have frontage to the Pacific Highway. Intersection of Smiths Drive and Pacific Highway may require upgrading for large scale logistics. Smith Drive also requires upgrading if logistics land uses proposed.
Land Zoning – Ballina LEP 2012	5	Zoned IN1 Zone permits proposed transport related uses Lot 16 zoned RU2.
Farmland	5	Site not farmland
Ownership	2	Lots 15 and 110 are the largest IN1 zoned lots in one ownership
Proximity to utilities	4	Power and Water available
Estimate of land available for development	4	Approximately 60% of the precinct or 9.5 hectares are considered suitable for redevelopment.
Flooding	3	Extensive filling may be required
Score and suitability assessment	Total Score = 48 (80%) Good suitability	Good suitability for freight transport facilities, warehousing and distribution centre land uses Flooding and highway access main constraints

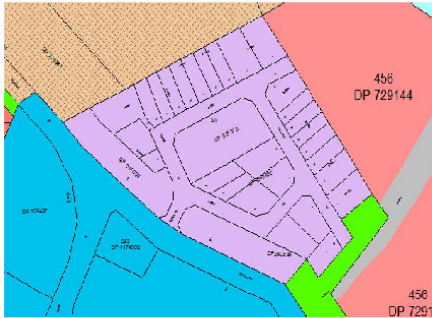

Site Evaluation Form – Site Four – Southern Cross Drive adjoining airport

Site Four – Southern Cross Drive, Ballina, adjoining airport		
Extract from land zoning map	2009 Aerial photo	
		
Criteria	Score	Comments
Site Size	1	Site Four has an area of 3.7 hectares Site Four is part of the Southern Cross Industrial Estate which is designated as an employment lands area in the Far North Coast Regional Strategy. There are 2 strata plans that apply to this site.
Site Boundaries	5	Adjoins non sensitive land uses
Topography	3	Land within flood planning area extent of filling required not known
Current Use	3	Approximately 60% unbuilt upon land.
Regional Accessibility	0	Excessive distance to Pacific Highway or Bruxner Highway access points
Land Zoning – Ballina LEP 2012	5	Zoned IN1 Zone permits proposed transport related uses
Farmland	5	Not farmland
Ownership	0	Site affected by 2 strata plans. Largest strata lot approx 1 hectare.
Proximity to Services and utilities	5	All services available
Estimate of land available for development	2	Approximately 2 hectares available
Flooding	3	Assumed to be subject to the 1:100 year flood
Score and suitability assessment	Total Score = 32 (53%) Low suitability	Low suitability for freight transport facilities, warehousing and distribution centre land uses - Site failed site area, regional accessibility and land ownership tests.

Site Evaluation Form – Site Five – Southern Cross Drive Industrial and Business Area, Ballina

Site Five – Southern Cross Drive Industrial and Business Area, Ballina		
Extract from land zoning map		2009 Aerial photo
		
Criteria	Score	Comments
Site Size	5	Site Five has an area of 89.7 hectares The Southern Cross Industrial Estate is designated as an employment lands area in the Far North Coast Regional Strategy.
Site Boundaries	5	Generally adjoins non sensitive land uses
Topography	3	Land within flood planning area extent of filling required not known
Current Use	1	Assumed that 20% of precinct is vacant
Regional Accessibility	0	Excessive distance to Pacific Highway or Bruxner Highway access points
Land Zoning – Ballina LEP 2012	4	Area zoned IN1 = 79 hectares Area zoned B5 = 10.7 hectares IN1 zone permits proposed transport related uses B5 zone permits warehouse and distribution centres not freight transport facilities
Farmland	5	Not farmland
Ownership	3	Generally fragmented largest vacant site approximately 7 hectares owned by Ballina Council – zoned B5
Proximity to Services and utilities	5	All services available
Estimate of land available for development	4	Assumed 9 to 12 hectares of land available for development
Flooding	3	Assumed to be subject to the 1:100 year flood
Score and suitability	Total Score = 38 (63%)	Fair level of suitability. Site failed the regional accessibility test.

Site Evaluation Form – Site Six – Clark Street Ballina Industrial Area

Site Six – Clark Street Ballina Industrial Area		
Extract from land zoning map	2009 Aerial photo	
		
Criteria	Score	Comments
Site Size	5	Site Six has an area of 7.9 hectares The Clark Street Industrial Estate is designated as an employment lands area in the Far North Coast Regional Strategy.
Site Boundaries	5	Does not adjoin non sensitive land uses
Topography	3	Land within flood planning area extent of filling required not known
Current Use	0	No vacant land
Regional Accessibility	0	Site more than 5 kilometres from Pacific Highway access point
Land Zoning – Ballina LEP 2012	5	Area zoned IN1 = 7.9 hectares IN1 zone permits proposed transport related uses
Farmland	5	Not farmland
Ownership	0	Fragmented – multiple owners. Largest site 0.8 hectares
Proximity to Services and utilities	5	All services available
Estimate of land available for development	0	No lots having an area greater than 1 hectare in estate
Flooding	3	Assumed to be subject to the 1:100 year flood
Score and suitability assessment	Total score = 31 (52%) Low suitability	Low suitability for freight transport facilities, warehousing and distribution centre land uses - Site failed current uses, regional accessibility, ownership and available land tests.

Annexure Three - Schedule of Filling Consents Teven Road Site

Consent Details	Property Information	Development	Comments
2003/1063 10 June 2003	Lot 2 DP 749680, Teven Road	Site filling of an area approximately 5200m ² and associated access driveway across existing raise for possible future dwelling-house and machinery shed	Condition 1.10 required filling to a minimum level of 2.3 metres AHD
2010/612 14 July 2010	Lot 229 DP 1121079, Teven Road (Lynks Pty Ltd)	To undertake site filling to maximum height of 1 metre AHD	Site levels prior to filling ranged from 0.89m on the Teven Road boundary, 0.31m at a mid site location and 3.0m at a point adjoining the rear eastern boundary.
2010/782 23 August 2010	Lot 228 DP 1121079, Teven Road (Teven Park Pty Ltd)	To undertake site to a maximum height of 2.7m AHD (within nominated areas of the site)	1:100 year flood level is 2.7AHD Nominate area approx two thirds of site
S96 DA 2010/782 13 December 2011	Lot 228 DP 1121079, Teven Road (Teven Park Pty Ltd)	Increased area of site to be filled to RL 2.7m AHD	Approximately 80% of site now filled. A triangular section in the north western corner was required to remain at RL 1m AHD Information contained on the approved plan indicated that the Garden Mediums site had an average height of 1.7m
2011/173 26 May 2011	Lot 229 DP 11211079, Teven Road (Lynks Pty Ltd)	Filling of site to a maximum height of 2.7m AHD of a triangular area of land (70m x 90m approximately) in the south eastern corner of the site	Remainder of site previously approved to be filled to RL 1.0m AHD via DA2010/612

Information provided by Mr Damian Chapelle, via email received on 19 November 2013, indicates that he has been advised the filling, whilst it has been substantially completed is not finalised with additional fill able to be received for both the Teven Park and Lynks properties. One exception relates to the triangular section located in the south-eastern corner of Lynks (Lot 229) property, with this area finished to the approved fill level.

Annexure Four – Roads and Maritime Services letter dated 4 December 2013



File no. NTH13/00109 CR2013/008228
Your Reference: LEP Amendment Request – Teven Road Transport Precinct

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

Attention Mr Klaus Kerzinger

Dear Sir

Proposed Teven Road Transport Precinct West Ballina.

I refer to your letter of 7 November 2013. A significant amount of community funds have been committed to the recently completed Ballina Bypass. With about 17 Ha under consideration for freight and logistics activities, there is a potentially significant traffic issue for the Teven Road Interchange with the Pacific Highway.

Any consideration for permitting logistic activities along Teven Road will have to examine potential traffic impacts. This would include the operation of the Teven Road Interchange and the traffic interaction between the Teven Road intersection with the Bruxner Highway and the interchange.

The design of the interchange has been prepared to manage future peak traffic flows. Any traffic assessment of the change in land use to logistics based activities will need to assess the likely impacts on the interchange in twenty years time with 100th highest hour traffic volumes. Freight and logistic centres have, depending on the type of activities carried out, a significant range of traffic generating potential. Without details of the type of activities intended, scenario testing of low, medium and high traffic generation potential should be considered.

To assess likely future traffic performance of the adjoining road network, a detailed traffic study should be undertaken that takes into account the key issues relevant to the scale of this proposal as set out in Table 2.1 of the Roads and Traffic Authority's current 'Guide to Traffic Generating Developments' (copy attached) for each proposal.

Roads & Maritime Services

31 Victoria Street, Grafton NSW 2460 | PO Box 576 Grafton NSW 2460
T 02 6640 1300 | F 02 6640 1304 | E development.northern@rms.nsw.gov.au

www.rms.nsw.gov.au | 13 17 82

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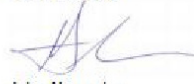
The traffic studies should include information relating to:

- Total impact of existing and proposed development on the state road network. Including the Pacific and Bruxner Highways
- Intersection sight distances
- Existing and proposed access conditions
- Improvements for road junctions / intersections
- Detail of servicing and parking arrangements
- Connectivity to existing developments
- Impact on Transport (Public and School Bus Routes)
- Provisions for pedestrians, alternative transport modes such as bicycles
- Road Traffic Noise

Current AUSTRROADS standards should be adopted for any necessary upgrading of the surrounding road infrastructure. The properties under consideration have direct frontage to the Ballina Bypass. Controlled access conditions exist across the road boundaries at this location. Direct access to the Pacific Highway will not be considered by Roads and Maritime at this time.

If you have any further enquiries regarding the above comments please do not hesitate to contact Michael Baldwin on 6640 1362 or email development.northern@rms.nsw.gov.au.

Yours faithfully



4 December 2013

John Alexander
Regional Manager Northern Region

Annexure Five – Information submitted by Mr Simon Dougherty in respect to Smith Drive site

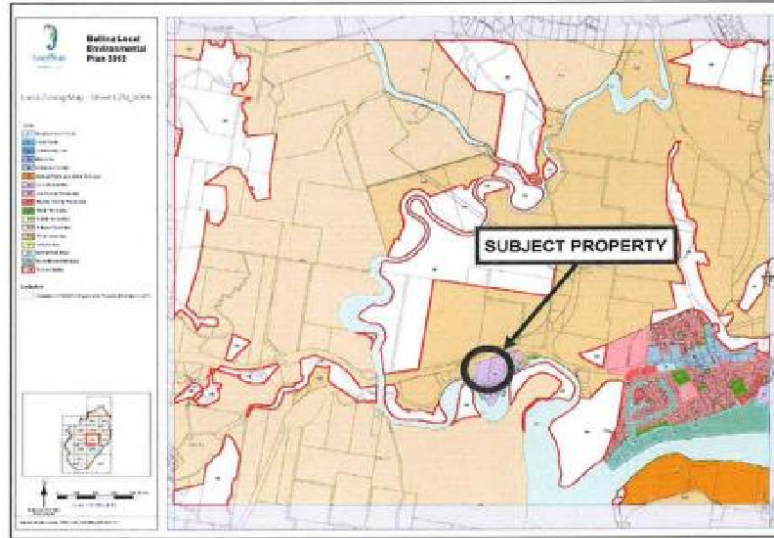
PROPERTY OVERVIEW

Property Specifications

Address	45 – 65 Smith Drive, West Ballina, NSW, 2478		
Real Property Details	Lot 15 on DP 238008:	3.303 ha (33,038.79m ²)*	
	Lot 110 on DP 859893:	3.935 ha (39,350m ²)*	
	Lot 16 on DP 238008:	1.024 ha (10,249.93m ²)*	Used for wetland
	Total Land Area being sold – 8.26 ha*		
Title Reference	Lot 15:	FOLIO: 15/238008	
	Lot 110:	FOLIO: 110/859893	
	Lot 16:	FOLIO: 16/238008	
Zoning	IN1 General Industrial and Rural 1 – Primary Production Zone		
Local Authority	Ballina City Council		
Land Area	82,638.72m ² **		
Development Approval	Current Development Approval (DA) for a bulky goods development in place. The DA comprises four separate buildings with a ground floor area of 29,289m ² .*		
	Please find attached the consent for DA attached at Annexure D.		



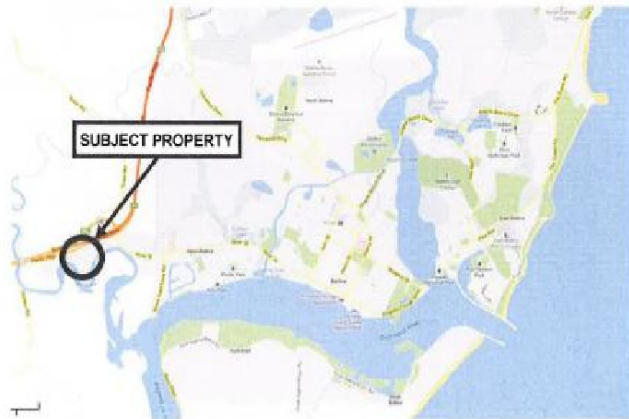
ZONING



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LOCATION PARTICULARS

Location Maps

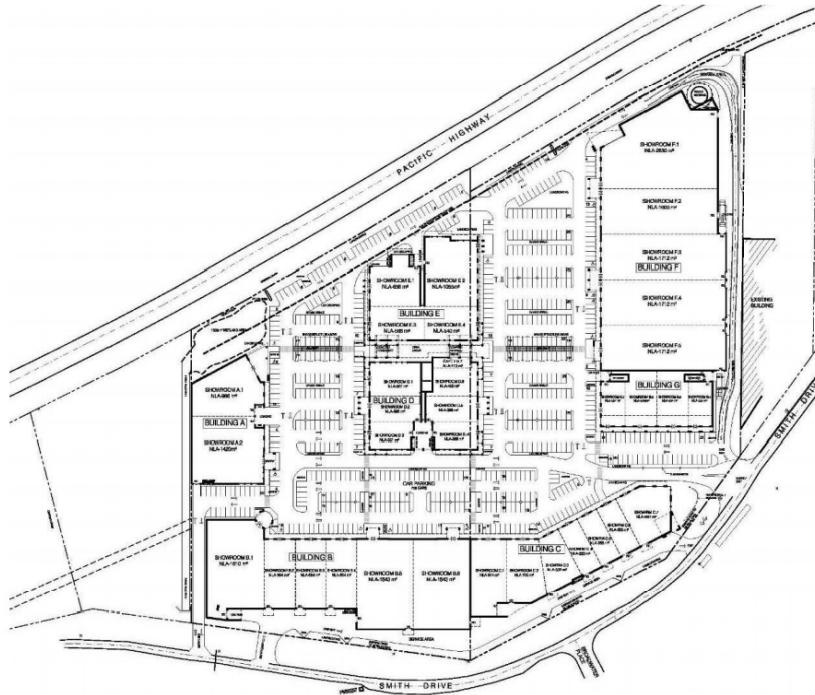


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Annexure Six – Information relating to Development Application 2007 /71

Issue	Information
<p>Sites subject to consent</p> <p>Land area of lots and zoning</p>	<p>Lots 15 and 16 DP 2380008 and Lot 110 DP 859893</p> <p>Lot 16 – 1.025ha – RU 2 Rural Landscape zone</p> <p>Lot 15 – 3.304ha – IN 1 General Industrial zone</p> <p>Lot 110 – 3.935ha – IN 1 General Industrial zone</p>
<p>Details of development consent granted</p>	<p>Construction of a Bulky Goods Retailing Centre, comprising approximately 29000m² of retail floor space and associated vehicular accesses, Carparking, landscaping, Earthworks and Infrastructure Works and Relocation of an adjacent rural drain (Homeworld Ballina).</p>
<p>Date of Determination</p>	<p>13 December 2007</p>
<p>Is consent still active?</p>	<p>The consent would have expired on 13 December 2012 unless works were physically commenced.</p> <p>Ernst and Young, appointed Receivers and Manager for Ballina Bulky Goods Pty Ltd have advised by letter dated 12 December 2012 that certain works undertaken on the site amount to physical commencement.</p> <p>Council has not given an indication as to whether physical commencement has occurred. To enable confirmation of physical commencement would require careful legal consideration of the nature of the works as well as the specific requirements of the development consent.</p>
<p>How much filling was required to be undertaken by consent conditions?</p>	<p>The site was required to be filled to RL 1.9 AHD. This would have required in the vicinity of 2 metres of fill over large parts of the site.</p> <p>(Note: Revised flood levels obtained by Council in 2008, as part of the Ballina Flood Study update, Map Flood Planning Map 1A of BDCP 2012, have increased the minimum fill level now</p>

applicable to new development to RL 2.3 AHD. This is below the level applicable to parts of the Teven Road site, which if assessed as vacant rural land has a fill level of RL 2.7 which incorporates an allowance for climate change sea level increase.)



Extract from Development Plan for Lot 15 and 10

Annexure Seven – Email from the Australian Logistics Council

(Received on 6 December 2013)

Dear Klaus

Thank you for your correspondence of 6 November regarding the **Proposed Teven Road Transport Prednet – West Ballina NSW**.

As the peak industry body for the freight logistics industry, the Australian Logistics Council supports greater investment in freight logistics infrastructure to meet Australia's rising freight task which is predicted to increase nationally from 500 billion tonne kilometres to 1000 billion tonne kilometres by 2030 and grow to 1400 billion tonne kilometres by 2050. In NSW, the freight task is predicted to double to 794 million tonnes by 2030. Over this time its contribution to NSW Gross State Product will continue to grow from the current levels of \$58 billion, or nearly 14 per cent.

In light of these figures, it is essential that governments and industry recognise the importance of intermodal terminals and distribution centres as integral parts of an efficient supply chain. This includes local government, which needs to take a proactive approach to the identification and preservation of strategically important parcels of land which can serve as intermodal hubs in the future.

Protecting key freight corridors and sites for intermodal facilities **now** is a cost effective way to plan for future freight growth which is inevitable, particularly in the growing region of northern NSW and southern Queensland.

A strategic approach to land preservation and investment is particularly relevant to a region such as Ballina – a key link in the north south / east west road corridor – given recent figures from the Bureau of Infrastructure, Transport and Regional Economics. BITRE predicts the interstate road freight task on the North-South corridor increased at an average annual growth rate of 7.3 per cent, from 4.7 billion tonne km (tkm) in 2007 to 56.2 billion tkm in 2007, while it is expected to grow in the future at an average growth rate of 3.8 per cent, from 61.4 billion tkm in 2008 to 139.2 billion tkm in 2030 (http://www.bitre.gov.au/publications/2010/files/report_120.pdf).

Based on ALC's strong support for:

- an enhanced role for intermodal terminals to support supply chain efficiency; and
- the need to preserve land now for future freight growth

and noting the strategic location of the proposed hub at the junction of the Pacific Highway and Bruxner highway, ALC supports the proposal to permit the establishment of freight and logistics hub in West Ballina.

Regards

Duncan

Duncan Sheppard

Director Communications and Policy

Australian Logistics Council

Tel: 02 6273 0755

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Annexure Eight – Peer Review Comments from Svikis Planning
(Note: December 2013 report amended following peer review)

MikeSvikisPlanning
Experience/Commitment/Quality



15 January 2014

Mr Klaus Kerzinger
Ballina Shire Council

Via Email

Dear Klaus

Peer Review of “Site Selection Investigation – Freight Transport Facilities, Warehousing and Distribution, December 2013”

Purpose of the Peer Review

I refer to your request of 16th December 2013 that Mike Svikis Planning undertake a peer review and provide comments on the Council report (identified above) and in particular the soundness of the methodology used to evaluate sites.

My response to this is to:

- assess the approach that the report writer has taken and the structure of your report;
- then review the content and methodology you have used; and
- then review the outcomes of the report.

I will suggest any improvements or changes relevant to these sections.

Report Approach and Structure

The report has a short background section that advises the reader that Council has produced it in response to a Council resolution that sought independent advice on the current and projected need for freight and logistics land use in Ballina Shire and the preferred location for such uses.

Based on this one would expect that the report would address the issue of demand for freight and logistics land use as well as some sort of site investigation.

The structure of the report could be improved in this regard. It is difficult to tell by the section headings where the report discusses the key issue of the current and projected demand for freight and logistics land use. Some of the Government Planning policies on page 4 to 6 discuss issues related to demand and then on page 7 the Australian Logistics Council specifically provides advice on demand. On page 8 there is some additional discussion of demand and then demand is discussed again in the context of sites on page 11.

The report would benefit from a restructure that brought the discussion of demand into one section, even if it cross references back to other consultation or policy matters. A suggested structure for the

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report that will guide a reader through the information to a logical conclusion (based on the work you have already done) is as follows:

1. Background / Introduction
 - Council decision on planning proposal, etc
 - Government policies
 - Location factors for logistics
 - Consultation
2. Demand for Freight and Logistics Land uses
 - Quantitative demand estimation
 - Qualitative demand estimation
3. Site Selection and Evaluation
 - Site evaluation methodology
 - Criteria for the location of transport facilities
 - Site selection
 - Site evaluation
4. Conclusion and Recommendations
 - Options 1-3
 - Outcomes
 - Recommended way forward
5. Annexures
 - Everything that you have in Annexures already

Report Content and Methodology

A lot of the material in the report is useful and provides the reader with an understanding of the logistics industry, its policy setting and what role Council plays in controlling it as a land use. The content of the report is satisfactory.

The methodology of using a site evaluation tool for a selection of sites is valid, but the application of that tool could be improved.

The site evaluation tool starts with a table that lists criteria and then explains how sites will be ranked against those criteria generally from 0 to 5. The scores are added together and a high score is regarded as better than a low score. This tool could be better explained. I don't think it's clear that a criteria can be a negative score, yet when applied to some sites I observe that negatives (as large as minus 20) have been applied.

If one criteria can be so bad as to go into a negative then why can't they all? This doesn't make sense and I suggest that the worst you should be able to score for any criteria is a zero. This will change your

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results but it is more equitable given that these are presented as raw scores and no weighting is assumed or discussed.

My next comment is about the weighting of scores. If flooding can be overcome by the filling of land, but access to a highway interchange (as a measure of distance) cannot be altered then why are the two criteria weighted the same? A criteria that is absolute and can't be changed is more important and should be more influential in ranking the sites. A standard practice is to compare each criteria to each other one and rate which one is more important. This technique is known as a *pair wise comparison technique* and is used to qualitatively rank criteria in order of importance (some can be ranked the same) and then allocate a weighting to that order of importance. It's best done by a number of stakeholders and the results combined so that there is general agreement on the ranking and weighting of criteria. Some times this technique may identify that a factor such as regional accessibility is of such importance that it's perhaps twice as important as any other factor. The score for this criteria would then be weighted accordingly.

On the actual criteria I think that regional accessibility needs to be split into two scores one for the Pacific Highway and one for the Bruxner Highway. This way a site with access to both (there are two) would get a 5 and a 3 for a total of 8 on regional accessibility. This will lift the maximum possible score (which should be stated) to 58. It's not clear why the Bruxner Highway only scores a maximum of 3, it's a de facto weighting and at raw score level it should be a 5. If you agree this would lift the maximum raw score to 60 with a maximum total of 10 on regional accessibility.

My final comment on the site evaluation tool is in the application of the thresholds for suitability at the end. These things can be somewhat subjective. However, if we consider that the maximum points a site can accumulate is 60, then the starting point for suitability should be half way, which is 50%. Using say 10% increments the thresholds would be as follows:

- < 50% = unsuitable
- 51% - 60% = Low suitability
- 61% - 70% = Fair suitability
- 71% - 80% = Good suitability
- 81% + = Highest suitability

Report Outcomes

On the issue of demand, I think the report needs to clearly state that there is no quantitative formula for how many freight and logistics sites are needed and whether they should be in Ballina Shire or not. There is a qualitative statement that demand will increase for logistics sites as freight volumes increase and Ballina is well placed to capture some of this expanding freight business (or not). Other Shires are also well placed to capture this market and it's not just selecting the best site/s in Ballina Shire as they will be compared to sites in other LGA's.

I also think there needs to be a clear statement that zoning or scheduling any site won't make it happen, but not zoning or scheduling any sites will ensure that it does not happen. Competition is important in increasing the likelihood of a land use being implemented. So having a range of sites zoned or scheduled is better than only one site because it reduces the likelihood of a site being valued not from a utility perspective, but from a scarcity perspective.

Of the three options canvassed on pages 11 and 12, I agree that Option two is the preferred policy position for the reasons stated in the report.

When I applied the revised site evaluation methodology explained in this review (ie no negative scores and Bruxner Highway gets a separate score out of 5) I concluded that three sites rated as fair or good. These are Teven Road, Russellton Estate and Smith Drive. I don't believe this poses a problem as competition for sites is important and the third site at Alstonville is likely to appeal to a different user than the sites closer to the Pacific Highway.

I agree that the Teven Road site should proceed as a planning proposal for a schedule amendment to Ballina LEP 2012 subject to additional information being supplied on traffic (in response to RMS concerns) and flooding prior to it proceeding to Gateway Determination.

I trust this peer review of Council's report meets your expectations.

Yours sincerely

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Principal Planner

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