

Attachment Two – Submissions BSCPP 16/004 – 111 Friday Hut Road Tintenbar



OUT17/15689

19 April 2017

General Manager
Ballina Shire Council
PO Box 450
BALLINA NSW 2478
Klaus.Kerzinger@ballina.nsw.gov.au

Dear Sir/Madam

BSCPP 16/004 111 Friday Hut Road Tintenbar (Trim 1840)

Thank you for the opportunity to provide comment for the above proposal as per your correspondence dated 13 March 2017. The NSW Department of Primary Industries (NSW DPI) Agriculture has reviewed the supporting documents and provides the following comments:

DPI Agriculture is supportive of the growth of agricultural industries and recognises the success and level of investment in the organics seedlings facility established on the subject site. When considered individually, the planning proposal has merit however the proposal raises a number of concerns in a strategic context as follows.

- Approving this application based on the merit of the existing land use, does not give due consideration of the needs of any future potential use/owner of the land and increased potential for land use conflict risk upon sale of the retained dwelling parcel. This is particularly important given that the subject land is identified as regionally significant farmland.
- There is concern that the inconsistency of this proposal with state policies, minimum lot size considerations, and general LEP provisions, could set precedence for further subdivisions within the Ballina LGA.
- The proposed subdivision is inconsistent with the principles of DPI's farm subdivision guideline given that one lot would effectively be rural residential in perpetuity unless an application to consolidate the lots was received in the future. Refer to: http://www.dpi.nsw.gov.au/_data/assets/pdf_file/0005/313565/farm-subdivision-assessment-guideline.pdf
- the North Coast Regional Plan provides for flexibility within the planning framework to support small lot agriculture, however the intent is for councils to consider this at the strategic level such as when preparing rural land use strategies.

Should you require clarification on any of the information contained in this response please contact Resource Management Officer, Selina Stillman, on 02 66261215.

Yours sincerely

A handwritten signature in blue ink that reads 'Liz Rogers'.

Liz Rogers
Manager Agricultural Land Use Planning

NSW Department of Primary Industries - Agriculture
Locked Bag 21, Orange NSW 2800 | 161 Kite St, Orange NSW 2800
Tel: 02 6391 3331 | Email: landuse.ag@dpi.nsw.gov.au | www.dpi.nsw.gov.au | ABN: 72 169 519 072

All communications to be addressed to:

Headquarters
15 Carter Street
Lidcombe NSW 2141

Headquarters
Locked Bag 17
Granville NSW 2142

Telephone: 1300 NSW RFS
e-mail: csc@rfs.nsw.gov.au

Facsimile: 8741 5433



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

Your Ref: BSCPP 16/004
Our Ref: L12/0003
DA17031406412.AB

ATTENTION: Klaus Kerzinger

12 April 2017

Dear Mr Kerzinger

**Planning Instrument for Consultation Of Ballina LEP 2012 -Planning Proposal
16/004 - 111 Friday Hut Road Tintenbar 2478**

I refer to your letter dated 13 March 2017 seeking advice for the above Planning Instrument in accordance with the 'Environmental Planning and Assessment Act 1979'.

The Service has reviewed the plans and documents received for the proposal and subsequently raise no concerns or issues in relation to bush fire.

For any queries regarding this correspondence please contact Alan Bawden on 1300 NSW RFS.

Yours sincerely

A handwritten signature in black ink that reads 'John Ball'. The signature is written in a cursive style and is contained within a rectangular box.

John Ball
Manager



Mr P Hickey
General Manager
Ballina Shire Council
PO Box 450
BALLINA NSW 2478

Our ref: PP_2017_BALLI_002_00 (16/15250)
Your ref: 1840

Attention: Klaus Kerzinger

Dear Mr Hickey

Planning Proposal PP_2017_BALLI_002_00 - Lot 339 DP 755684, 111 Friday Hut Road, Tintenbar.

I refer to Council's correspondence of 26 April 2017 requesting the Secretary's agreement that the inconsistency of the above proposal with section 117 Direction 4.4 Planning for Bushfire Protection is justified.

I have considered these matters, and as a delegate of the Secretary, I have agreed that the proposal's inconsistency is justified in accordance with the terms of the Direction. No further approval is required in relation to this Direction.

Council can now continue with its assessment of the proposal.

If you have any questions in relation to this matter, I have arranged for Ms Kate Hanson to assist you. Ms Hanson can be contacted on (02) 6641 6604.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Craig Diss', followed by the date '1 May 2017' written in a cursive style.

Craig Diss
Acting Director Regions, Northern
Planning Services

From: Kent Kitchens [<mailto:kentkitchens@gmail.com>]
Sent: Saturday, 20 May 2017 11:27 AM
To: Ballina Shire Council
Subject: BSCPP 16/004 111 Friday Hut Rd

We just wanted to touch base to say we have no opposition to the planned changes to Lot 339.

Great idea! And good luck to them :)

Bianka Kent
Kent Kitchens
PO Box 7168 Toowoomba South Q 4350
M: 0410 586 259

Jared Kent
Kent Kitchens
PO Box 7168 Toowoomba South Q 4350
M: 0404 294 550

E: kentkitchens@gmail.com
W: www.kentkitchens.com.au

From: josh dooley [<mailto:jjdooley1@hotmail.com>]
Sent: Sunday, 28 May 2017 6:58 PM
To: Ballina Shire Council
Subject: We would like to express your support for Planning Proposal BSCPP 16/004 - 111 Friday Hut Rd Tintenbar.

You would like to express your support for Planning Proposal BSCPP 16/004 - [111 Friday Hut Rd](#) Tintenbar.

We are local organic farmer/growers who currently relies on the Seedlings produced by Seedlings Organic for our existing farm enterprise. And we know the future security of the Seedling business will benefit the future expansion and growth of our business and organic farming in the region. We also support the ongoing respect for the land that has been given so far. Regards greens from the farm.

From: noreply@ballina.nsw.gov.au [<mailto:noreply@ballina.nsw.gov.au>]
Sent: Monday, 29 May 2017 12:05 PM

To: Ballina Shire Council

Subject: Feedback Received Monday, May 29 2017 at 12:05:27 PM

My Feedback Is:

Hi Concerning the 'Ballina Local Environmental Plan 2012 Planning Proposal BSCPP 16/004 - 111 Friday Hut Road, Tintenbar'. I would like to express my support for the continual operation of this business that is reliant on the proposed sub division for continual operation. My business Green Man Garden Project relies on Seedlings Organic located at 111 Friday Hut road for ongoing supply of quality organic seedlings to keep my business operational. I believe the practices that are used in organic farming are the way of the future in that they work co inside with nature and the environment, operating under natural procedures. Green Man Garden Project relies heavily on Seedlings Organic for the continual livelihood of our local sole trader business. I fully support the subdivision and continual operation of Seedlings Organic at 111 Friday Hut Road, Tintenbar.

Cawdor Ross Green Man Garden Project

From: Elizabeth Gray [mailto:spiceyfarming@gmail.com]

Sent: Monday, 29 May 2017 7:48 AM

To: Klaus Kerzinger

Subject: seedlings organic / 111 Friday Hut Rd. Tintenbar

hello Klaus,

Bob & I are long time organically certified farmers

being certified ACO1031

and farming @134A Mafeking Rd. Goonengerry. (Byron Shire)

We regularly buy our seedlings from Luke
who reliably grows healthy vibrant seedlings.

He is a great contributor to organic farming in our North Coast area.

We are strong supporters of his business
and believe he will continue to be a great component of the organic farming industry,
providing much needed quality seedlings.

We support his DA application
and wish him every success with owning his enterprise
a very important matter of financial security.

yours truly,

Elizabeth Gray

Robert and Elizabeth Gray

GENERAL RESPONSE INFORMATION

Response Start Time: 5/30/2017 5:58:00 PM Response End Time: 5/30/2017 6:07:14 PM IP Address:

120.150.211.154 Completed Survey: Yes

Respondent: Anonymous

Haley Burgess - SURVEY RESPONSES

9.5 Planning Proposal - 111 Friday Hut Road, Tintenbar.DOC

1. Name of exhibited document you want to make comment on.
Planning Proposal BSCPP 16/004 - 111 Friday Hut Rd Tintenbar
2. Your name (anonymous submissions may be disregarded by Council) Haley Burgess
3. Phone number (optional)
0403582103
4. Email (confirmation of your email address is required to provide feedback from Council)
haley.burgess@outlook.com
5. Having read the document, is it easy to read and understand?
Yes
6. Please provide any suggestions for improvement.
?
7. Do you support the overall objectives and content of the document?
I would like to strongly support Planning Proposal BSCPP 16/004 - 111 Friday Hut Rd Tintenbar.
8. Please provide further comments if you wish.
I am a local organic farmer who currently relies heavily on the seedlings produced by Seedlings Organic for my existing business enterprise. I feel the future security of the seedling business being operated at this location will benefit the future expansion and growth of my business and organic farming in the region generally. I strongly support developments like this that encourage land being utilised in the region for viable commercial farming enterprises instead of locked up as unused large residential blocks can only benefit the shire in the long term.

From: figtreerestaurant@gmail.com [<mailto:figtreerestaurant@gmail.com>] **On Behalf Of** Fig Tree Restaurant
Sent: Wednesday, 31 May 2017 9:57 AM
To: Ballina Shire Council
Subject: Planning proposal BSCPP 16/004 :: 111 Friday Hut Rd, Tintenbar

To Whom It May Concern

RE: Planning proposal BSCPP 16/004 :: 111 Friday Hut Rd, Tintenbar

I am writing to you in support of the application for Seedlings Organic development proposal.

By way of background, the Fig Tree Restaurant was first opened in 1981 by my parents. I took up the reins of running the restaurant in 2005, proudly continuing the fundamental ethos of my parents in terms of using local produce and supporting the local community and local business. Since its inception the Fig Tree Restaurant has always worked hard to support local business, in particular to showcase the depth, diversity and innovative produce grown in the region.

We have a thriving award winning garden on the property at the Fig Tree Restaurant and rely on using Seedling Organics for much of the seedling that we plant seasonally in our garden. The garden provides a large portion of garden fresh produce used in the kitchen at the restaurant. To maintain the high standards for which our restaurant is renowned, it is important for us to not only support local but also (in this case) to use premium seedlings to uphold the quality of produce grown in our garden.

9.5 Planning Proposal - 111 Friday Hut Road, Tintenbar.DOC

I have personally always found the Seedling Organic to be a professional business operation that pride themselves of supplying a quality product. I believe loosing a local business that innovate and consistently deliver a high level of service and product would be to the determinate of the local business community, including the growing local hospitality industry.

I trust the above information is beneficial for you and your colleagues to assess the planning proposal for Seedlings Organic.

Please feel free to contact me if you require any additional information or clarification.

Yours sincerely

Che Devlin

From: Sue Mangan [mailto:suemangan@hotmail.com]
Sent: Thursday, 1 June 2017 9:16 AM
Subject: Planning Proposal BSCPP 16/004 - 111 Friday Hut Rd Tintenbar.

Dear Klaus,

I would like to express my support for Planning Proposal BSCPP 16/004 - 111 Friday Hut Rd Tintenbar.

We are local certified organic farmers (ACO 2346) who currently rely on the Seedlings produced by Seedlings Organic for our existing farm enterprise. We have certified organic for over 30 years and have buying seedlings from Luke for many years now and absolutely depend on his quality seedlings for around 75 % of our fresh bunched and salad vegetable markets.

As we are continually expanding and as more farmers in this region are becoming certified organic as demand grows we feel it is imperative for future food security of the region that the seedling business is allowed to continue and grow so Luke is able to continue supporting the farmers.

Ownership should provide Luke with greater confidence for increasing his business infrastructure and planning for future expansion which is going to be a critical for the regions farmers.

Luke needs enough space and infrastructure to provide tens of thousands of seedlings each week for farmers and growers who have established growing areas in the Byron, Tweed, Kyogle, Clarence and Ballina Shires - it requires a massive input of resources and ownership will give Luke and the local farming industry that depends on his seedlings the security and confidence that our enterprises can continue to grow and provide employment for local people.

Yours sincerely Sue Mangan - OrganicForrest Farm, Federal.