

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

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



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

Proponent Details

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

Proponent's Name **Mr and Mrs Michael Edward and Denise Elsbeth Latham**

Address **505 North Teven Road, Teven , NSW 2478**

Postal Address **P.O. Box 567, Ballina, NSW 2478**

Telephone (w) _____ (h) _____ Mobile **0417267732**

Email Address _____ Fax _____

Signature *[Handwritten signatures]* Date **11/12/2019**

Consultant / Representative Details

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

Name **Sally McGarry**

Address **20 Fig Tree Lane, Myocum NSW 2481**

Telephone (w) _____ Mobile **0417267732** Fax _____

Email Address **sally.mcgarry1@gmail.com**

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

Description of the Land

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

Property Address **Teven Road, Teven**

Lot/Portion **3** Section **1** DP **758964**

Property Address **Teven Road, Teven**

Lot/Portion **2-5 & 9- 11** Section **5** DP **758964**

Property Address **Teven Road, Teven**

Lot/Portion **18** Section _____ DP **1005893**

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

8.3 LEP Amendment Request - Teven Road, Teven

Landholder Details and Consent

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

Owner's Name(s) **Michael Edward and Denise Elsbeth Latham**

Address **505 North Teven Road, Teven, NSW, 2478**

Lot/Portion Section DP

Telephone (w) (h) **0266878587** Mobile **0427878587**

Email Address **baltev@telstra.com** Fax

I/we being the owner(s) of the property identified above, consent to the submission of this planning proposal/LEP amendment.

Signature  Date **11/12/2019**

Summary of the LEP Amendment Request / Planning Proposal

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

To reinstate a dwelling entitlement on Lot 3 Section 1 DP 758964 and seek the inclusion of an additional 10 lots on the "Dwelling Opportunity Reinstatement Map" to enable a suitable development site for a dwelling.

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

Privacy Protection Notice

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

Disclosure of Political Donations and Gifts

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

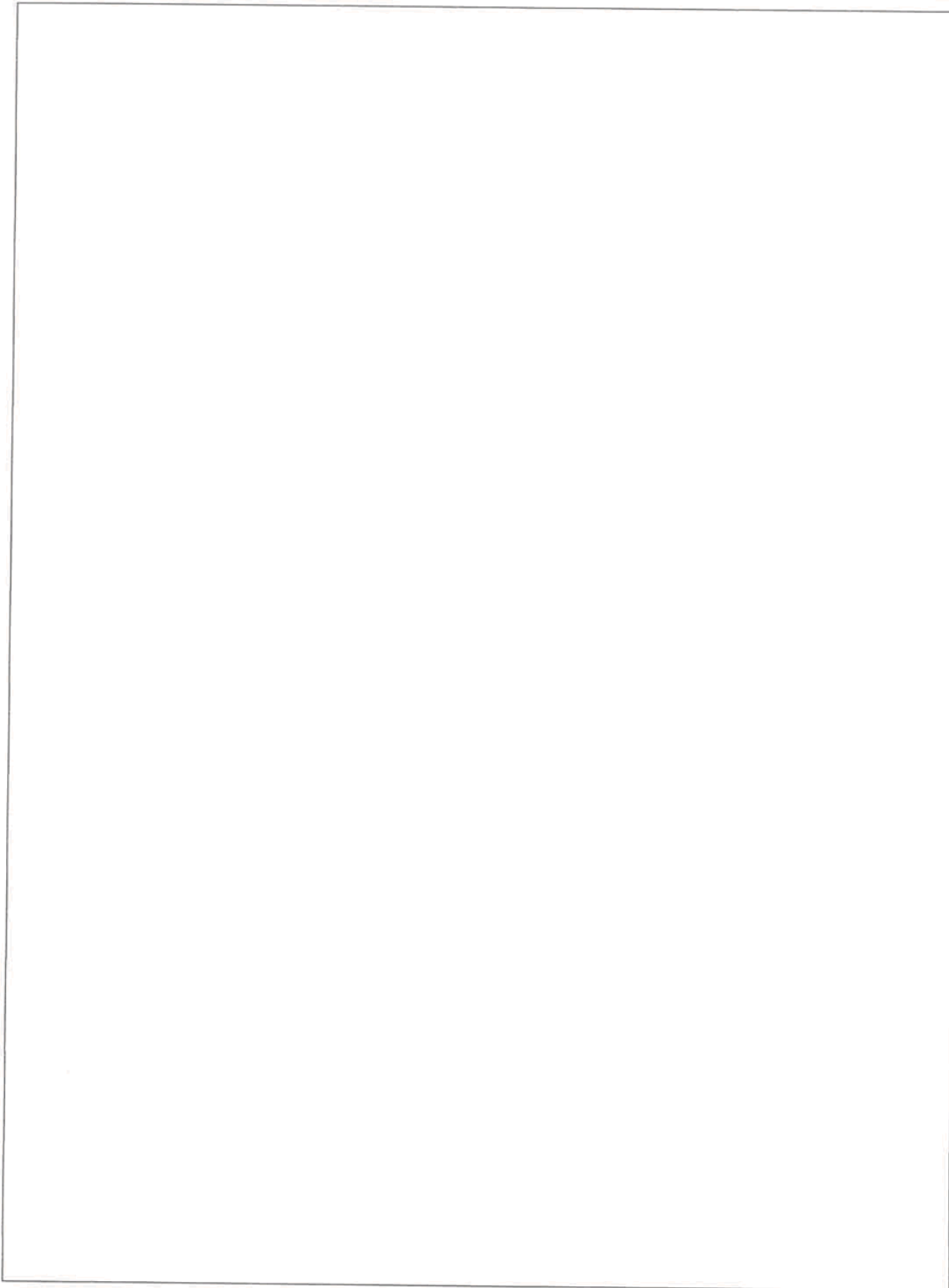
- All reportable political donations made to any Ballina Shire Councillor; and
- All gifts made to any local Councillor or employee of Ballina Shire Council.

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

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

Is a disclosure statement to accompany your application? Yes No

Additional Information





Planning Proposal

**» Dwelling entitlement
reinstatement and
inclusion of additional
lots, Teven Road, Teven**

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Ballina Shire Council

1. Introduction

1.1 Summary of Planning Proposal

This planning proposal applies to the reinstatement of a dwelling entitlement on Lot 3 Section 1 DP 758964, Teven Road, Teven through its inclusion on the Dwelling Opportunity Reinstatement Map. It is also proposed to transfer the dwelling entitlement to an aggregation of lots also on Teven Road and under the same ownership. The purpose of including the additional lots is to ensure a more suitable development site be available to build a future dwelling.

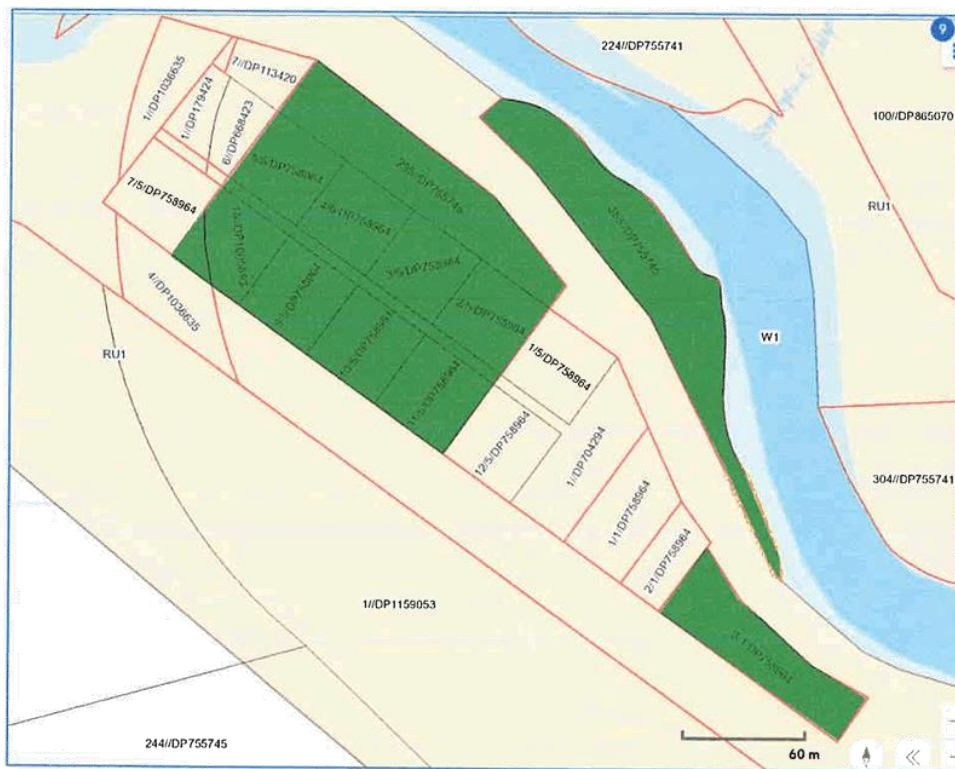


Figure 1 – Land to which this proposal applies

Planning Proposal – Dwelling Entitlement Reinstatement, Teven Road, Teven.

The land is zoned RU1 Primary Production under the provisions of the Ballina Local Environmental Plan 2012. The minimum lot size nominated for the subject land is 40 ha. Unfortunately, the aggregation of the lots is below this, with an approximate area of 1.8ha and does not automatically receive a dwelling entitlement if consolidated under the provisions of Clause 4.2A of the Ballina Local Environmental Plan 2012 (BLEP 2012).

A letter from Council dated 18 July 1995 identified that a dwelling entitlement exists for Lot 3 Section 1 DP 758963 (refer to Appendix 1). To this date, no dwelling has been built on the subject lot, which would subsequently extinguish the entitlement. The letter also noted that due to site constraints, namely flooding and the ability to satisfactorily accommodate a septic system on the site, it would be difficult to obtain development consent for a dwelling house on this Lot. Subsequently, there are 10 more lots under the same ownership that could satisfactorily accommodate a dwelling and all other necessary infrastructure out of the high velocity flood affected area.

This planning proposal seeks to reinstate the dwelling entitlement applying to Lot 3 Section 1 DP 758964 through its inclusion on the Dwelling Opportunity Reinstatement Map in the Ballina LEP 2012. It is also proposed to include the 10 additional lots (as per figure 2 below) on the Dwelling Opportunity Reinstatement Map as a “group of lots” to which a dwelling entitlement applies. This will enable a dwelling house to be built in a more suitable area of the site.

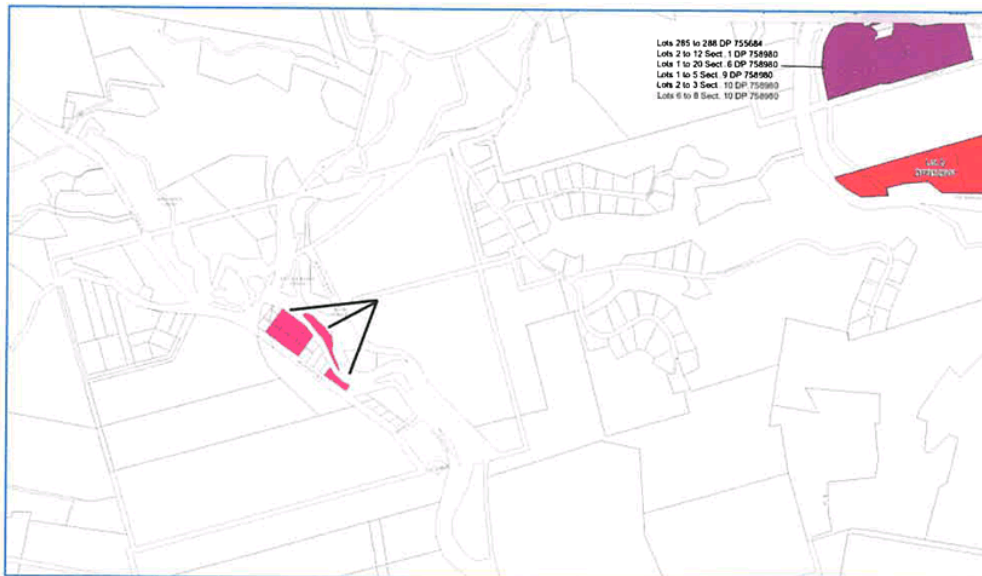


Figure 2 – Lots to be included on the Dwelling Opportunity Reinstatement Map

1.2 Background

On the 18th July 1995, Council advised that Lot 3 Section 1 DP 758964 contains a dwelling entitlement under Clause 12 of the Ballina Local Environmental Plan 1987 (BLEP 1987) which may be exercised by obtaining development consent. To date, no application has been made to exercise this entitlement.

Ballina Shire Council

Clause 12 of the BLEP 1987 established criteria for when a rural property has a "dwelling entitlement". If a property complies with the provisions of Clause 12, this means that a dwelling is permissible with development consent. At the time the letter was sent by Council, the subject lot complied with the provisions of Clause 12 of the BLEP 1987.

At Council's Ordinary Meeting held on 26 June 2008, it was resolved to amend the provisions of Clause 12 to clarify the circumstances in which properties within rural and environmental protection zones have dwelling entitlements due to court cases at the time highlighting the difficulties in the interpretation of the clause. At the time, the review was considered necessary as it would provide a template for its interpretation that would carry forward into the new BLEP 2012.

Council resolved to adopt Amendment No. 110 which stated;

"Council include a schedule in the new comprehensive shire wide Local Environmental Plan to "protect" the dwelling entitlements for rural properties which do not comply with the revised dwelling entitlement clause, but for which Council has previously acknowledged an entitlement in writing".

Consequently, the dwelling entitlement on Lot 3 Section 1 DP 758964 was protected as Council had already acknowledged the dwelling entitlement in its letter dated 18 July 1995. Through the preparation of the BLEP 2012, landowners who had not yet exercised their dwelling entitlements were able to request to have their lots included on the Dwelling Opportunity Reinstatement Map in the new BLEP 2012. For land owners that missed this request, Clause 4.2A noted;

"Subclause 3(f) preserves dwelling entitlements that were extinguished by Ballina Local Environmental Plan 1987 (Amendment No 110) but were acknowledged by the Council in writing as being preserved before that amendment was made"

As noted above, Council had confirmed in writing that a dwelling entitlement existed in July 1995.

As currently there is no dwelling house on Lot 3 Section 1 DP 758964 and the former BLEP 1987 provisions no longer allowed for a dwelling entitlement, the requirements of Amendment 110 applied to the site. Accordingly, Lot 3 Section 1 DP 758964 met this criteria due to Council's previous letter dated 18 July 1995 recognising a dwelling entitlement. This is further protected through the provisions of Subclause 3(f) of the BLEP 2012.

In its letter dated 18 July 1995, Council also noted that Lot 3 Section 1 DP 758964 would have difficulties gaining development consent for a dwelling due to the sites proximity to a high velocity flood area. Additionally, the sites ability to accommodate a septic system due to its size, shape and proximity to the creek was also identified as a potential constraint.

There are an additional 10 lots under the same land ownership also located along Teven Road (as shown in Figure 1). The aggregation of these lots total an area of approximately 1.8ha and considerably less constrained than those of Lot 3 Section 1 DP 758964.

Planning Proposal – Dwelling Entitlement Reinstatement, Teven Road, Teven.

1.3 Council Resolutions

The Council resolved as follows:

1. *To reinstate a dwelling entitlement on the Ballina Local Environmental Plan 2012 (BLEP 2012) through its inclusion on the Dwelling Opportunity Reinstatement Map, which will enable a dwelling entitlement over Lot 3 Section 1 DP 758964, Lots 2 – 5 Section 758964, Lot 1 SP 721324, Lot 9 – 11 Section 5 DP 758964, Lot 18 DP 100593 & Lot 295 DP 755745 with a future condition for the lots to be consolidated.*
2. *That the planning proposal be forwarded to the Department of Planning, Industry and Environment for a Gateway determination.*
3. *That the Department of Planning, Industry and Environment be advised that Council wishes to exercise its delegated plan making functions for this LEP amendment.*
4. *That upon an affirmative Gateway determination being received from the Department of Planning, Industry and Environment, the procedural steps associated with progression of the planning proposal be undertaken, including public exhibition.*
5. *That Council receive a further report on the matter following the completion of the public exhibition of the planning proposal.*

1.4 Gateway Determination

(To be completed after Gateway determination)

2. Objectives & Intended Outcomes

To amend Ballina LEP 2012 to reinstate a dwelling entitlement through its inclusion on the Dwelling Opportunity Reinstatement Map to enable a dwelling entitlement over Lot 3 Section 1 DP 758964.

To transfer the dwelling entitlement to Lots 2 – 5 Section 758964, Lot 1 SP 721324, Lot 9 – 11 Section 5 DP 758964, Lot 18 DP 100593 & Lot 295 DP 755745, which are also under the same ownership and contain a more suitable development outcome. To achieve this, it is requested that the 11 subject lots be included as a "group of lots" on the Dwelling Opportunity Reinstatement Map.

3. Explanation of the Proposal

3.1 Land to Which the Planning Proposal Applies

This planning proposal applies to the following 11 lots located on Teven Road, Teven;

Ballina Shire Council

Lot Number	Inclusions on the Dwelling Opportunity Reinstatement Map
Lot 3 Section 1 DP 758963	Yes (subject lot)
Lot 295 DP 755745	Yes
Lot 2 Section 5 DP 758964	Yes
Lot 3 Section 5 DP 758964	Yes
Lot 4 Section 5 DP 758964	Yes
Lot 5 Section 5 DP 758964	Yes
Lot 9 Section 5 DP 758964	Yes
Lot 10 Section 5 DP 758964	Yes
Lot 11 Section 5 DP 758964	Yes
Lot 18 DP 1005894	Yes
Lot 353 DP 755745	Yes

3.2 The Proposal – Explanation of Provisions

This planning proposal seeks to reinstate a dwelling entitlement on the Dwelling Opportunity Reinstatement Map to enable a dwelling entitlement over Lot 3 Section 1 DP 758964 and its subsequent transfer to the aggregation of remaining lots in the same ownership also located on Teven Road.

The proposed outcome may be achieved by:

- Inclusion of Lot 3 Section 1 DP 758964, Lots 2 – 5 Section 758964, Lot 1 SP 721324, Lot 9 – 11 Section 5 DP 758964, Lot 18 DP 100593 & Lot 295 DP 755745 on the Dwelling Opportunity Reinstatement Map in the Ballina LEP 2012.
- Any future development application is to require the consolidation of Lots 2 – 5 Section 758964, Lot 1 SP 721324, Lot 9 – 11 Section 5 DP 758964, Lot 18 DP 100593 & Lot 295 DP 755745 with Lot 3 Section 1 DP 758964.

4. Justification

4.1 Section A – Need for the Planning Proposal

Q1 Is the planning proposal a result of an endorsed local strategic planning statement, strategic study or report?

Yes, the planning proposal resulted as a consequence of Amendment 110 which sort to protect dwelling entitlements on rural land.

Where a dwelling entitlement no longer complied with the revised dwelling entitlement clause, Council resolved to protect a dwelling entitlement where it had previously been acknowledged in writing.

Q2 Is the planning proposal the best means of achieving the objectives or intended outcomes, or is there a better way?

Yes. A planning proposal is the appropriate mechanism through which to permit the proposed changes into the Ballina LEP 2012 and to include the lot on the Dwelling Opportunity Reinstatement Map.

4.2 Section B – Relationship to Strategic Planning Framework

Q3 Will the planning proposal give effect to the objectives and actions of the applicable regional, or district plan or strategy (including any exhibited draft plans or strategies)?

The North Coast Regional Plan 2036 (NCRP)

The planning proposal supports the following directions listed under Goal 4 – *Great housing choice and lifestyle opportunities*.

Direction 23:1 *Increased housing diversity and choice* – The proposal will provide additional housing choice options for rural residents.

Direction 25:1 *Delivering more opportunities for affordable housing* – The proposal will enable the creation of additional housing within the Shire's rural areas.

Q4 Will the planning proposal give effect to a council's endorsed local strategic planning statement, or another endorsed local strategy or strategic plan?

The Ballina Local Environmental Plan 2012

The planning proposal applies to land within the RU1 Primary Production Zone. The objectives of the zone are as follows;

- *To encourage sustainable primary industry production by maintaining and enhancing the natural resource base.*
- *To encourage diversity in primary industry enterprises and systems appropriate for the area.*
- *To minimise the fragmentation and alienation of resource lands.*

Ballina Shire Council

- To minimise conflict between land uses within this zone and land uses within adjoining zones.
- To maintain the rural, cultural and landscape character of the locality.
- To enable development that is compatible with the rural and environmental nature of the land.
- To ensure that there is not unreasonable or uneconomic demands for the provision of public infrastructure.

It is considered that reinstating the dwelling entitlement and relocating it to a less constrained area under the same ownership does not give rise to any automatic inconsistencies with the zone objectives. A future development application for the dwelling will need to be assessed against zone objectives to determine whether any inconsistencies with the zone objectives may arise and determine potential mitigation.

Ballina Shire Growth Management Strategy 2012 (BSGMS)

The purpose of the BSGMS is to provide the framework for managing population and employment growth for Ballina Shire’s urban areas over the planning period of 2012-2031. Whilst not directly applicable to the subject planning proposal consistency with the following Growth Management Strategy Principles is considered to be also achieved:

Growth Management Principle	Comment
Facilitate greater housing choice through an adequate mixture of dwelling types.	Reinstating a rural dwelling entitlement and its subsequent relocation to a suitably unconstrained locality will facilitate new housing opportunities for the rural locality.
Provide for affordable housing stock.	It is considered that the planning proposal will provide an additional opportunity for affordable housing in a rural area.

Q5 Is the planning proposal consistent with applicable State Environmental Planning Policies?

The proposal is considered to be generally consistent with applicable State Environmental Planning Policies (SEPPs).

SEPP 55 – Remediation of Land

SEPP Title	Compliance of Planning Proposal
SEPP No. 55 Remediation of Land	The planning proposal does not propose to rezone land. Sensitive land uses such as dwelling houses and rural dual occupancies are already permitted with development consent. Therefore, no significant increase in sensitive land uses are proposed. The assessment of land contamination issues will be considered

Planning Proposal – Dwelling Entitlement Reinstatement, Teven Road, Teven.

	as part of the development application process as is the case with other sensitive land uses currently permitted within the RU1 zones.
SEPP (Rural Lands) 2008	The proposal is considered to be consistent with the rural planning principles contained within the SEPP. Principle (f), reproduced below, is of particular relevance to this planning proposal: (f) the provision of opportunities for rural lifestyle, settlement and housing that contribute to the social and economic welfare of rural communities.

Q6 Is the planning proposal consistent with applicable Ministerial Directions (s.9.1 directions)?

Yes. A number of section 9.1 directions are relevant to the planning proposal. A section 9.1 checklist is provided at Appendix 2.

4.3 Section C – Environmental, Social and Economic Impact

Q7 Is there any likelihood that critical habitat or threatened species, population or ecological communities, or their habitats, will be adversely affected as a result of the proposal?

No. The site contains no vegetation of significance.

Q8 Are there any other likely environmental effects as a result of the planning proposal and how are they proposed to be managed?

Yes.

All lots are located within a "Flood Planning Area". This will be assessed in detail at the development application stage. There is a portion of the site already filled above the flood level that can suitably accommodate a dwelling and associated access above the flood level.

Ballina Shire Council

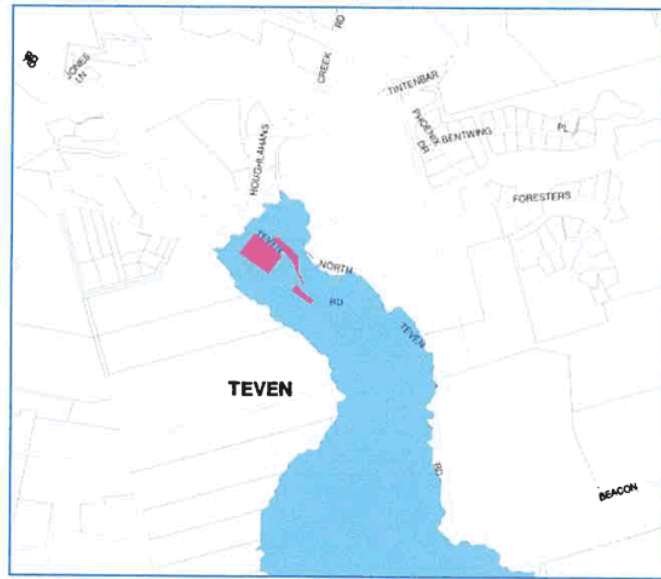


Figure 3 – Flood Planning Area Map (BLEP 2012)

The site is mapped as containing Class 4 Acid Sulfate Soils. This can be addressed at the development application stage.

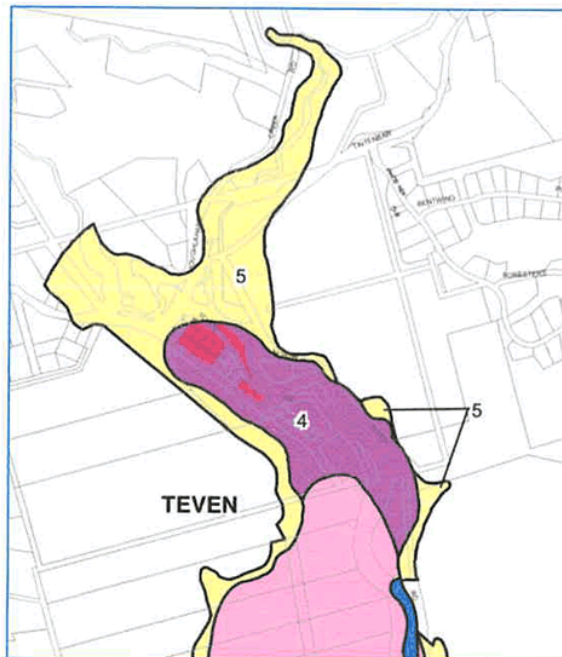


Figure 4 – Acid Sulfate Soils (BLEP 2012)

Planning Proposal – Dwelling Entitlement Reinstatement, Teven Road, Teven.

A small area of mapped bushfire buffer is nominated on the edge of the site, however this will not impact on the location of a future dwelling.

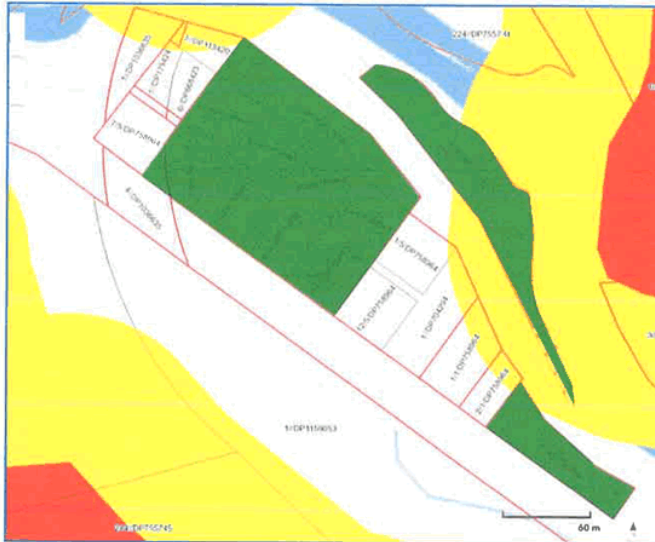


Figure 5 – Planning for Bushfire Protection Map (NSW Planning Portal)

Q9 Has the planning proposal adequately addressed any social and economic effects?

The social and economic outcomes resulting from the inclusion of the subject lots on the Dwelling Opportunity Reinstatement Map are generally positive in terms of enabling additional housing which under the current circumstances would not be possible. Not only will this add value to the land but also the flow on economic effects during the building process.

4.4 Section D – State and Commonwealth Interests

Q10 Is there adequate public infrastructure for the planning proposal?

All required public infrastructure is available to the locality and therefore the proposed development area can be adequately serviced.

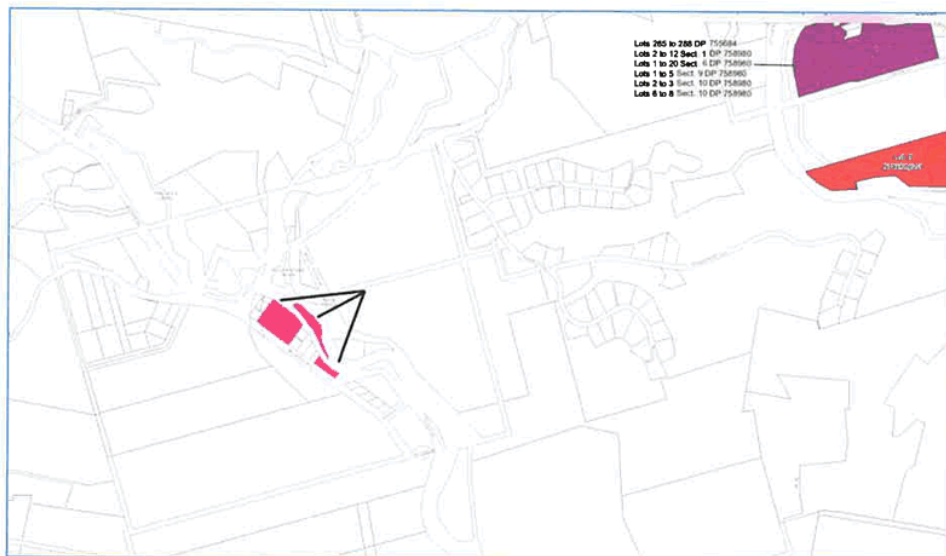
Q11 What are the views of state and Commonwealth public authorities consulted in accordance with the Gateway determination?

At this stage no consultation with public authorities is proposed.

5. Mapping

A map showing the aggregation of lots on the Dwelling Opportunity Reinstatement Map.

Ballina Shire Council



6. Community Consultation

This planning proposal is proposed to be publically exhibited for a period of 28 days), in accordance with the Gateway determination and the terms of the *Environmental Planning and Assessment Act 1979*.

7. Timeline

The proposed timeline for completion of the planning proposal is as follows:

Plan Making Step	Estimated Completion (Before)
Gateway Determination	January 2020
Completion of Technical Information	February 2020
Government Agency Consultation if required.	March 2020
Public Exhibition Period	March 2020
Public Hearing	N/A
Submissions Assessment	April 2020
Local Plan Making Authority (LPMA) Assessment of Planning Proposal and Exhibition Outcomes	May 2020
LPMA Decision to Make the LEP Amendment (if delegated)	June 2020
Submission of Endorsed LEP to DPI&E for Finalisation	June 2020

It is requested that Council exercise plan finalisation functions under delegation as the Local Plan Making Authority.

Planning Proposal – Dwelling Entitlement Reinstatement, Teven Road, Teven.

8. Appendices

Ballina Shire Council

Appendix 1 – Letter from Council dated 18 July 1995

MR. D. KITSON

PM 10431 95/4121.

18th July, 1995.

**Nycka Partners
Solicitors
PO BOX 900
BALLINA 2478**

Dear Sir,

re : **LOT 3, SECTION 1, VILLAGE OF TEVEN.**

I refer to your letters dated the 19th June, 1995 and the 6th July, 1995, enquiring as to whether the abovementioned property has a dwelling entitlement.

Based on the information contained in Council's rate records, it would appear that the subject land has a dwelling entitlement under Clause 12 of the Ballina Local Environmental Plan, which may be exercised by obtaining development consent.

You are, however, advised that some difficulties are envisaged in obtaining a development consent for the erection of a dwelling on this land, having regard to its location in a high velocity flood area adjacent to the Teven Creek and the land's size and shape.

The ability to satisfactorily accommodate the on-site disposal of effluent on the subject land is also of some concern, having regard to the land's flood prone nature and the limited options for the siting of septic disposal trenches. Council's existing guidelines recommend such trenching be located a minimum of 50 metres from a creek. Septic trenches are also not recommended on land subject to a high water table and which is subject to periodic flooding. You should also be aware that Council's normal building line for rural lots is 20 metres, although, Council may consider a 10 metre building line in some circumstances.

In conclusion, Council will have to be satisfied with respect to flooding and effluent disposal issues prior to the granting of consent to a development application for the erection of a dwelling on this land.

I trust the above information clarifies the matters you have raised. Should you wish to discuss the matter further please contact Council's Mr. David Kitson of Council's Town Planning Department.

Yours Faithfully,


G.J. Faulks,
GENERAL MANAGER.
DK:dk

Planning Proposal – Dwelling Entitlement Reinstatement, Teven Road, Teven.

Appendix 2 – Section 9.1 Direction Checklist

Section 9.1 Direction Checklist	
Planning Proposal – 246 – 250 Lismore Road, Wollongbar	
Direction No.	Compliance of Planning Proposal
1. Employment and Resources	
1.1 Business and Industrial Zones	Does not apply to the planning proposal
1.2 Rural Zones	Consistent. The planning proposal is considered to be of minor significance and will meet the objective of protecting the agricultural production value of rural land.
1.3 Mining, Petroleum Production and Extractive Industries	Consistent. The planning proposal will not result in the prohibition or restriction of mining and extraction activities.
1.4 Oyster Aquaculture	Does not apply to planning proposal.
1.5 Rural Land	Consistent. The direction applies as the land is within an existing rural zone and is considered to be of minor significance.
2. Environment and Heritage	
2.1 Environmental Protection Zones	Consistent. The planning proposal does not involve the development of land identified as being of environmental significance.
2.2 Coastal Protection	Does not apply to planning proposal. The land is not within the coastal zone.
2.3 Heritage Conservation	Consistent. The planning proposal does not involve the development of land on which a heritage item is located, within a heritage conservation area or within the vicinity of a heritage item or conservation area.
2.4 Recreation Vehicle Areas	Consistent. The planning proposal does not involve the development of land for the purpose of a recreation vehicle area.
2.5 Application of E2 and E3 Zones and Environmental Overlays in Far North Coast LEPs	Does not apply to planning proposal.
3. Housing, Infrastructure and Urban Development	
3.1 Residential Zones	Consistent. The planning proposal will not result in significant residential development.
3.2 Caravan Parks and Manufactured Home Estates	Consistent. The proposal will not result in any restrictions on the permissibility of Caravan Parks or Manufactured Home Estates.
3.3 Home Occupations	Consistent. The planning proposal will not enable home occupations to require prior development consent.
3.4 Integrated Land Use and Transport	Consistent. The planning proposal is considered to be of minor significance.
3.5 Development Near Licensed Aerodromes	Does not apply to planning proposal. The land is not near a regulated airfield.

Ballina Shire Council

Section 9.1 Direction Checklist	
Planning Proposal – 246 – 250 Lismore Road, Wollongbar	
Direction No.	Compliance of Planning Proposal
3.6 Shooting Ranges	Does not apply to planning proposal.
3.7 Reduction in non-hosted short term rental accommodation period	Does not apply to planning proposal.
4. Hazard and Risk	
4.1 Acid Sulfate Soils	Consistent. The planning proposal is of minor significance.
4.2 Mine Subsidence and Unstable Land	Does not apply to planning proposal.
4.3 Flood Prone Land	Does not apply to planning proposal. The planning proposal will not rezone the land.
4.4 Planning for Bushfire Protection	Does not apply to planning proposal. The land is not identified as being bushfire prone land.
5. Regional Planning	
5.1 Implementation of Regional Strategies	Does not apply to Ballina Shire.
5.2 Sydney Drinking Water Catchments	Does not apply to Ballina Shire.
5.3 Farmland of State and Regional Significance on the NSW Far North Coast	Does not apply to planning proposal.
5.4 Commercial and Retail Development along the Pacific Highway, North Coast	Does not apply to planning proposal.
5.5 Development in the vicinity of Ellalong Paxton and Millfield (Cessnock LGA).	Revoked.
5.6 Sydney to Canberra Corridor (Revoked 10 July 2008. See amended Direction 5.1)	Revoked.
5.7 Central Coast (Revoked 10 July 2008. See amended Direction 5.1)	Revoked.
5.8 Second Sydney Airport: Badgerys Creek	Does not apply to Ballina Shire.
5.9 North West Rail Link Corridor Strategy	Does not apply to Ballina Shire.
5.10 Implementation of Regional Plans	Consistent. No inconsistencies with the North Coast Regional Plan 2036 have been identified.
5.11 Development of Aboriginal Land Council land	Does not apply to this planning proposal.
6. Local Plan Making	
6.1 Approval and Referral Requirements	Consistent. The planning proposal does not introduce any new concurrence or consultation provisions or any additional designated development types.

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Planning Proposal – Dwelling Entitlement Reinstatement, Teven Road, Teven.

Section 9.1 Direction Checklist	
Planning Proposal – 246 – 250 Lismore Road, Wollongbar	
Direction No.	Compliance of Planning Proposal
6.2 Reserving Land for Public Purposes	Consistent. The planning proposal does not create, alter or reduce existing zonings or reservations of land reserved for public purposes.
6.3 Site Specific Provisions	Consistent. The planning proposal seeks to include the subject land as a group of lots on the Dwelling Opportunity Reinstatement Map. This is consistent with subclause (4)(c) as the planning proposal will amend the Ballina LEP 2012 to allow for a dwelling, without the need for any additional development standards to be imposed other than those already contained in principle planning instrument.
7. Metropolitan Planning	
7.1 to 7.10	These Directions do not apply to Ballina Shire.