

Proposed expansion of the Southern Cross Industrial Estate, Ballina

Proposal Title : **Proposed expansion of the Southern Cross Industrial Estate, Ballina**

Proposal Summary : **The Planning Proposal seeks to rezone certain land at Corks Lane, Ballina (adjoining the Southern Cross Industrial Estate and the Ballina-Byron Gateway Airport) from RU2 Rural Landscape to part B6 Enterprise Corridor and part B7 Business Park. The B7 Business Park Zone would be a new additional zone for Ballina LEP 2012.**

The Planning Proposal also seeks to apply a minimum lot size for the land of 1000sqm on the Lot Size Map and remove the subject land from the Strategic Urban Growth Areas Map.

PP Number : **PP_2013_BALLI_005_00** Dop File No : **13/11378**

Planning Team Recommendation

Preparation of the planning proposal supported at this stage : **Recommended with Conditions**

S.117 directions : **1.1 Business and Industrial Zones
1.2 Rural Zones
1.5 Rural Lands
2.1 Environment Protection Zones
2.2 Coastal Protection
2.3 Heritage Conservation
3.5 Development Near Licensed Aerodromes
4.1 Acid Sulfate Soils
4.3 Flood Prone Land
4.4 Planning for Bushfire Protection
5.1 Implementation of Regional Strategies**

Additional Information : **It is recommended that:**

- 1) The Planning Proposal be supported subject to conditions;**
- 2) The Planning Proposal be exhibited for a period of 14 days;**
- 3) The Planning Proposal should be completed within 12 months;**
- 4) The Director General's delegate agree that the inconsistencies with s117 Directions 1.2, 1.5, and 4.3 are justified;**
- 5) That the potential unresolved inconsistencies with s117 Directions 3.5 and 4.4 be noted;**
- 6) That an authorisation to exercise plan making delegations not be issued to Council;**
- 7) Consultation with the following agencies and organisations should be required prior to public exhibition:**
 - NSW Rural Fire Service;**
 - NSW Department of Primary Industries - Agriculture;**
 - Transport for NSW - Roads and Maritime Services;**
 - Office of Environment and Heritage;**
 - Department of the Commonwealth responsible for aerodromes and the Lessee of the aerodrome; and**
 - the local Aboriginal Lands Council;**
- 8) The following studies/assessments and plans be undertaken:**
 - * detailed ecological/flora and fauna assessment;**
 - * acid sulfate soils assessment;**
 - * land contamination assessment;**
 - * geotechnical assessment;**
 - * stormwater impact assessment;**
 - * flood assessment;**
 - * entomological assessment (mosquitoes);**
 - * bushfire hazard assessment;**
 - * archaeological/cultural heritage assessment; and**
 - * aerodrome impact assessment, consideration of airport noise and obstacle limitation**

surfaces - Ballina Byron Gateway Airport and that the Airport operations will not be adversely affected by the development.

9) Part 1 - Objectives or intended outcomes of the Planning Proposal be expanded prior to public exhibition by providing greater detail on the intended future uses, zones and development standards for the subject land.

10) The proposed B7 Business Park Zone land use table be submitted to the Department for review prior to public exhibition.

Supporting Reasons : The land has been identified for employment based land use for several years and is consistent with the strategic planning for the locality.

The recommended conditions to the Gateway determination are required to provide adequate protection, where appropriate, for the issues outlined above.

Panel Recommendation

Recommendation Date : 18-Jul-2013

Gateway Recommendation : Passed with Conditions

Panel Recommendation : The planning proposal should proceed subject to the following conditions:

1. Prior to undertaking public exhibition, Council is to update the 'objectives or intended outcomes' within the planning proposal to advise of the intended future uses, zones and development standards proposed for the subject land. The proposed land use table for the new B7 Business Park zone and the Southern Cross Precinct Master Plan is to be placed on public exhibition with the planning proposal.

2. Additional information regarding the below matters is to be placed on public exhibition with the planning proposal:

- ecological, flora and fauna
- acid sulphate soils
- geotechnical
- stormwater impact and flooding
- entomological (mosquitoes)
- bushfire hazard
- archaeological/cultural heritage
- aerodromes impact (airport noise and obstacle limitation surfaces)

3. Council is to demonstrate that the planning proposal satisfies the requirements of State Environmental Planning Policy (SEPP) 55 - Remediation of Land. Council is to prepare an initial site contamination investigation report to demonstrate that the site is suitable for rezoning to the proposed zone. This report is to be included as part of the public exhibition material.

4. Community consultation is required under sections 56(2)(c) and 57 of the Environmental Planning and Assessment Act 1979 ("EP&A Act") as follows:

(a) the planning proposal must be made publicly available for a minimum of 28 days; and
(b) the relevant planning authority must comply with the notice requirements for public exhibition of planning proposals and the specifications for material that must be made publicly available along with planning proposals as identified in section 5.5.2 of A Guide to Preparing LEPs (Department of Planning & Infrastructure 2013).

5. Consultation is required with the following public authorities under section 56(2)(d) of the EP&A Act and/or to comply with the requirements of relevant S117 Directions:

- NSW Aboriginal Land Council
- Office of Environment and Heritage
- NSW Department of Primary Industries – Agriculture
- Transport for NSW – Roads and Maritime Services
- NSW Rural Fire Service (S117 Direction 4.4 Planning for Bushfire Protection)
- Department of the Commonwealth responsible for aerodromes and the lessee of the aerodromes (S117 Directions 3.5 Development Near Licensed Aerodromes)

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Each public authority is to be provided with a copy of the planning proposal and any relevant supporting material, and given at least 21 days to comment on the proposal.

6. A public hearing is not required to be held into the matter by any person or body under section 56(2)(e) of the EP&A Act. This does not discharge Council from any obligation it may otherwise have to conduct a public hearing (for example, in response to a submission or if reclassifying land).

7. The timeframe for completing the LEP is to be 12 months from the week following the date of the Gateway determination.

Signature:



Printed Name:

JEFF HORN

Date:

12/07/13