

enquiries refer

Lachlan Sims

in reply please quote

Planning Proposal – Ballina Heights Estate, Stage 7a, Cumbalum (13/76931)

3 December 2013



PGF002027



Mr Steve Murray
Regional Director, North Coast
Department of Planning & Infrastructure
Locked Bag 9022
GRAFTON NSW 2460

Received

- 5 DEC 2013

13/20027

Northern Region

Dear Mr Murray

Re: Planning Proposal – Ballina Heights Estate, Stage 7a, Cumbalum

Council has resolved to progress a planning proposal with respect to land recently subdivided for residential purposes in the Ballina Heights Estate at Cumbalum. The proposal involves amendments to the zoning of the subject land to reflect the development outcomes envisaged by an existing subdivision approval. The planning proposal has been prepared following a request from the landholder and the Council's resolution at its Ordinary Meeting held on 28 November 2013.

The subject land is currently predominantly zoned R3 Medium Density Residential with small sections zoned part B2 Local Centre and part R2 Low Density Residential under the terms of the Ballina LEP 2012. The planning proposal seeks to have the majority of the site (28 residential allotments) zoned R2 Low Density Residential to acknowledge the development consent for the subdivision of the land. Two identified lots in the subdivision are proposed to be zoned R3 Medium Density Residential to facilitate dual occupancy developments on those lots in accordance with the subdivision consent.

In terms of residential housing, the R2 Low Density Residential zone will permit only dwellings and secondary dwellings on the land with development consent, whereas the current R3 Medium Density Residential zone would permit a broader range of residential development types than intended by the development approval relating to the land. It is proposed to restrict the medium density development options to the two allotments identified as "duplex lots" in the approved plan of subdivision.

More specifically, with respect to the above, Council considered the matter at its July 2013 Ordinary Meeting and resolved as follows:

1. *That the Council endorses the application of the R2 Low Density Residential zone to 28 lots and the R3 Medium Density Residential zone to two "duplex" lots consistent with the approved subdivision plan for Stage 7a of the Ballina Heights Estate as the basis for a planning proposal (as shown in the site plan contained in attachment 1)*
2. *That the Council authorises the preparation and submission of a planning proposal relating to the identified residential lots comprising Stage 7a of the Ballina Heights Estate to the NSW Department of Planning and Infrastructure for review and Gateway determination.*
3. *That upon an affirmative Gateway determination being received from the Department of Planning & Infrastructure, the procedural steps associated with progression of the planning proposal, including public exhibition, be undertaken.*

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4. *That a further report be presented to the Council in relation to this matter following mandatory community consultation.*

In accordance with the above resolution, please find enclosed a copy of the planning proposal for gateway determination in accordance with Section 56 of the *Environmental Planning & Assessment Act 1979*.

Further, given the relatively minor nature of the subject planning proposal, it is submitted that an exhibition period of 14 days would be appropriate in the circumstances.

I look forward to the consideration of this matter by the Gateway Panel. In the meantime, if you have any enquiries in regard to this matter please me on 6686 1284.

Yours faithfully



Lachlan Sims
Strategic Planner
Strategic and Community Facilities Group

Encl: Planning Proposal – Ballina Heights Estate Stage 7a (Gateway).