

Ballina LEP - Teven Road, West Ballina, Transport and Logistics Precinct

Proposal Title :	Ballina LEP - Teven Road, West Ballina, Transport and Logistics Precinct		
Proposal Summary :	Amendment to Schedule 1 Additional Permitted Uses and associated maps of the Ballina Local Environmental Plan 2011, to permit freight transport facility, and warehouse and distribution centre on land located at Teven Road, West Ballina (Lots 2 and 3 DP 749680, Lot 5 DP 1031875, Lots 227, 228 and 229 DP 1121079 and Lot 12 DP 1011575)		
PP Number :	PP_2014_BALLI_001_00	Dop File No :	14/06157

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
- 2.2 Coastal Protection
- 4.1 Acid Sulfate Soils
- 4.3 Flood Prone Land
- 4.4 Planning for Bushfire Protection
- 6.3 Site Specific Provisions

Additional Information :

It is recommended that;

1. The planning proposal should proceed as a minor planning proposal.
2. The planning proposal is to be completed within 9 months.
3. That a community consultation period of 28 days is necessary.
4. It is recommended that a delegate of the Director General agree that the inconsistency of the proposal with S117 Directions 1.1, 1.2 , 1.5, and 4.1 are justified in accordance with the provisions of the directions.
5. That the RPA, consult with the NSW Roads and Maritime Services prior to public exhibition of the planning proposal and as per previous correspondence with NSW Roads and Maritime Services, a traffic study is to be undertaken and the planning proposal amended in accordance with any comments received.
6. That Council note that the inconsistency with Direction 4.3 Flood Prone Land has not been justified at this stage and a flood investigation is to be undertaken prior to public exhibition of the planning proposal and the planning proposal should be amended accordingly.
7. As required by S117 Direction 4.4, prior to public exhibition of the planning proposal consultation with the NSW Rural Fire Service is to be undertaken and the planning proposal amended in accordance with any comments received.
8. A written authorisation to exercise delegation is issued to Ballina Shire Council in this instance to enable Council to make the plan.

Supporting Reasons :

The planning proposal aims to permit additional uses with development consent on the subject site for a transport logistics land uses. In addition, the subject site is isolated and the proposed use is complementary to the existing quarry.

Therefore the reasons for the recommendation are as follows;

1. The proposed amendments provides for additional employment land which is consistent with the actions of the FNCRS however the site requires further investigation to confirm it is appropriate for such a development.
2. The inconsistencies of the proposal with the strategic planning framework are either of minor significance or require further investigation to assess the extent of the inconsistency.

Panel Recommendation

Ballina LEP - Teven Road, West Ballina, Transport and Logistics Precinct

Recommendation Date : **10-Apr-2014**

Gateway Recommendation : **Passed with Conditions**

Panel

The planning proposal should proceed subject to the following conditions:

Recommendation :

1. Council is to undertake a traffic study which considers the operation and potential traffic issues of the Tavern Road interchange with the Pacific Highway, given previous concerns raised by Roads and Maritime Services. The planning proposal is to be updated to take into consideration the outcomes of the study and the study is to be placed on public exhibition with the planning proposal.

2. Prior to undertaking public exhibition, flood investigations are to be carried out to address the proposal's inconsistency with S117 Direction 4.3 Flood Prone Land. Council is to update the planning proposal to take into consideration the outcomes of this investigation.

3. 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 (Planning and Infrastructure 2013).

4. 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:

- Transport for NSW - Roads and Maritime Services
- NSW Rural Fire Service (S117 Direction 4.4 Planning for Bushfire Protection)

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.

5. 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).

6. The timeframe for completing the LEP is to be 9 months from the week following the date of the Gateway determination.

Plan making delegations:

Council has accepted delegation for plan making functions. The LEP Review Panel has recommended Council be issued with plan making delegation.

Signature:



Printed Name:

JAMES MATTHEWS

Date:

15/4/14