

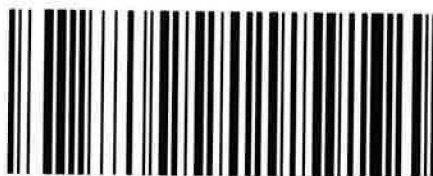
enquiries refer

Matthew Wood

in reply please quote

LEP Amendment – Special Events (12/47700)

20 November 2012



PGF001648



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

Received
23 NOV 2012
12/18830
North Coast

Dear Mr Murray

Re: Planning Proposal – Special Events (Exempt Development)

Council has identified complexity and the potential for duplication in process in relation to the framework for special event activities in Ballina Shire under the Standard Instrument LEP. Given this, Council considered the local planning framework for special events at its June 2012 Ordinary Meeting and resolved as follows:

1. *That Council endorse the new Events on Public Land Policy (which is a revision of the Special Events Policy), as attached to this report and place this policy on exhibition for public comment. If no submissions are received this decision will be taken to be Council's adoption of the new policy.*
2. *That a review of the special events identified in the Event Guidelines be undertaken to determine their suitability for identification as exempt development in accordance with the provisions of the Environmental Planning & Assessment Act 1979.*
3. *That on the basis of the above review, Council proceed with the preparation of a planning proposal to amend Schedule 2 of the Ballina LEP 2011 to include special events as exempt development.*
4. *That Council proceeds to submit the planning proposal to the NSW Department of Planning & Infrastructure for gateway determination.*

In accordance with the above resolution, a revised local planning framework for special events has been identified and is the subject of the attached planning proposal. The planning proposal is submitted for gateway determination in accordance with Section 56 of the *Environmental Planning & Assessment Act 1979*. The planning proposal has been prepared with regard for the Department's new guidelines for the preparation of planning proposals and local environmental plans.

Council now awaits the Gateway determination. In the meantime, if you have any enquiries in regard to this matter please contact me on telephone (02) 6686 1284.

Yours faithfully

A handwritten signature in black ink, appearing to read 'Matthew Wood'.

Matthew Wood
Manager Strategic Planning
Strategic and Community Services Group

Encl: Planning Proposal – Special Events (Exempt Development)



Ballina Shire Council

Planning Proposal – November 2012

Special Events (Exempt Development)

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Gateway



Introduction

Summary of Planning Proposal

This planning proposal relates to all public land within Ballina Shire.

The planning proposal intends to amend schedule 2 of the draft Ballina Local Environmental Plan 2011 (draft LEP) when made in the following three (3) ways:

- Listing special events as exempt development where an approval has been obtained from Council under its adopted Events on Public Land Policy (Appendix 1).
- To expand and clarify clause 10(e) of schedule 2 which determines when temporary signs for events can be erected as exempt development.
- To add to schedule 2 to enable event signage as exempt development on public land (whether on the site of an event or not) when installed by or on behalf of a public authority.

Planning Context

Council resolved at its Ordinary Meeting held on 28 June 2012 as follows:

1. *That Council endorse the new Events on Public Land Policy (which is a revision of the Special Events Policy), as attached to this report and place this policy on exhibition for public comment. If no submissions are received this decision will be taken to be Council's adoption of the new policy.*
2. *That a review of the special events identified in the Event Guidelines be undertaken to determine their suitability for identification as exempt development in accordance with the provisions of the Environmental Planning & Assessment Act 1979.*
3. *That on the basis of the above review, Council proceed with the preparation of a planning proposal to amend Schedule 2 of the Ballina LEP 2011 to include special events as exempt development.*
4. *That Council proceeds to submit the planning proposal to the NSW Department of Planning & Infrastructure for gateway determination.*

This planning proposal has been prepared in response to Council's June 2012 resolution and specifically, items 2, 3 and 4 above. The planning proposal has also been prepared having regard for Council's adopted 'Events on Public Land' policy.

Ballina LEP 1987

Clause 35(1) of Ballina LEP 1987 states the following in relation to exempt development:

- (1) *Development of minimal environmental impact listed as exempt development in Part 1 of Ballina Shire Development Control Plan—Exempt and Complying Development is **exempt development**, despite any other provision of this plan*

Ballina Development Control Plan – Exempt and Complying Development

Chapter 7 of Ballina Shire Development Control Plan currently permits special events as exempt development subject to the following:

Special Events (such as Street Parades, Processions or Marches, Fun Runs, Cycling Races, Festivals, Cultural Celebrations, Sporting Events, Open Air Theatre, Concerts, Balls, Dance Parties or the like).

- *Where they are held in a public place or public reserve or on a public road; and*
- *When an approval has been obtained from Council under its adopted "Special Events Policy"; and*
- *Provided no permanent structures are erected; and*
- *Provided no clearing or disturbance to native vegetation is required.*

The proposed amendment to the draft LEP as outlined in this planning proposal is consistent with the provisions of the existing Ballina LEP 1987 and associated DCP.

Draft Ballina LEP 2011

The draft LEP provides a list of additional exempt development not covered by SEPP (Exempt and Complying Development Codes) 2008 or other State policies within schedule 2. The schedule currently identifies two types of exempt development, being various types of signage and commercial use of footpaths. The schedule does not presently provide for special events to occur as exempt development.

Signage - Clause 10 of schedule 2 currently reads as follows:

- (10) *Temporary signs for religious, cultural, political, social or recreational events must comply with the following:*
 - (a) *maximum area - 1.5m.*
 - (b) *1 sign per street frontage.*
 - (c) *must not include commercial advertising apart from name of the event's sponsor.*
 - (d) *must not be displayed earlier than 28 days before, or later than 14 days after, the event.*
 - (e) *must not be used in relation to recurring events.*

Signage - Clause 12 of schedule 2 currently reads as follows:

- (12) *Public identification, interpretive and directional signage must comply with the following, but need not comply with subclauses 1(b) or 1(c):*
- (a) *must be constructed and installed by or on behalf of a public authority.*

Clause 10 is relevant to the consideration of special events as this provision relates to the provision of temporary signage on the event site. Of particular note in this regard is that Clause 10(e) could be interpreted as limiting the application of exempt development for event signage to events that only occur once.

Clause 12 is relevant to the consideration of special events as this provision relates to the provision of signage located on land other than the land on which an activity is being undertaken.

The above clauses are addressed further in this planning proposal with respect to the provision of signage associated with special events.

Council's Events on Public Land Policy

This policy provides safeguards for events to ensure that any reasonably foreseeable environmental impact created by the event is kept to a minimum level. When event organisers propose an event on public land in accordance with this policy, they are required to apply for an approval under section 68 of the Local Government Act.

The assessment of the application and the approval, if issued, is subject to conditions that relate to possible environmental impacts such as noise, vegetation removal, hours of operation, car parking and other relevant matters. The consideration of this policy and the applied conditions ensures that the potential environmental impacts of a special event are managed and mitigated where necessary.

State Environmental Planning Policies

State Environmental Planning Policy (Exempt and Complying Development Codes) 2008, State Environmental Planning Policy (Temporary Structures) 2007 and State Environmental Planning Policy No.64 (Advertising and Signage) are relevant to the proposed amendment.

State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 does not currently address special events and includes only limited provisions relating to signage. However, the current draft revisions to the SEPP include provisions for 'Community notice and public information signs' as exempt development but the signs must be located wholly within the property boundary of the place where the event is to be held. This planning proposal is seeking a wider application of exempt development provisions for event signage to enable such infrastructure to be erected on land separate to a special event in certain circumstances.

The final form of the revisions to the Codes SEPP may influence the form or need for aspects of the proposed LEP amendments outlined in this planning proposal.

State Environmental Planning Policy (Temporary Structures) 2007 provides exempt development provisions for the erection and use of certain temporary structures for private and community events but does not provide exempt controls for signage related to the community event. This planning proposal seeks to expand the scope of exempt development associated with temporary land uses (in this case being special events) on public land.

State Environmental Planning Policy No.64 (Advertising and Signage) addresses the permissibility of a wide variety of signage. The SEPP applies a number of limitations to signage. However, the SEPP does not apply to signage that is identified as exempt development under another planning instrument. This planning proposal seeks to utilise this aspect of the SEPP to provide for special event signage as exempt development in certain circumstances to ensure its permissibility and establish a simple framework for determining when such signage may be erected.

Part 1 - Objectives or Intended Outcomes

The objective of this planning proposal is to enable special events to occur as exempt development. This is to encourage community based economic and social activities. In some instances, employment opportunities will be increased.

The proposal also seeks to remove duplication of approvals processes, (i.e., the potential need for both a development application and an application under the Local Government Act) thereby providing a single process for the consideration of a special event on public land. Council is seeking to reduce 'red tape'.

Part 2 - Explanation of the Proposal

This planning proposal relates to all land within Ballina Shire that is public land.

This planning proposal seeks to enable special events and associated signage (in certain circumstances) to be undertaken as exempt development.

The planning proposal intends to enable this by amending schedule 2 of the draft LEP by specifically listing special events as exempt development where an approval has been obtained from Council under its adopted Events on Public Land Policy, amend clauses 10(e) and 12 in relation to signage.

More specifically, it is proposed that the draft LEP be amended as follows (or in a similar manner to enable the intended outcome of this planning proposal):

A. Insert provision enabling special events as exempt development.

Insert the following in alphabetical order in schedule 2 – exempt development:

Special Events

- (1) *Must be located on public land or on a public road under the management of Council; and*
- (2) *Must be subject to an approval from Council under the terms of the Local Government Act; and*
- (3) *Must not include the erection of permanent structures on the land; and*
- (4) *Must not include clearing or disturbance of native vegetation; and*
- (5) *In the case of land zoned for environmental protection purposes, must not include the location of more than 500 people on the land at any one time.*
- (6) *In this clause, special events means events such as street parades, processions or marches, fun runs, cycling races, festivals, cultural celebrations, sporting events, open air theatre, concerts, dances and the like.*

This provision is proposed to specifically enable certain special events to occur without the need for development consent as exempt development.

The requirement for an application under the Local Government Act enables Council to apply its Events on Public Land Policy. The 500 person threshold under (5) has been selected as this is the upper threshold in terms of people for a minor event used in Council's Events on Public Land Policy.

B. Amend Signage Clause 10(e) in schedule 2:

Insert the following to replace the existing text in 10(e) "must not be used in relation to events that occur more than once per year". Clause 10(e) as amended would be as follows:

- (10) *Temporary signs for religious, cultural, political, social or recreational events must comply with the following:*
 - (a) *maximum area - 1.5m.*
 - (b) *1 sign per street frontage.*
 - (c) *must not include commercial advertising apart from name of the event's sponsor.*
 - (d) *must not be displayed earlier than 28 days before, or later than 14 days after, the event.*
 - (e) *must not be used in relation to events that occur more than once per year.*

This amendment is proposed to remove ambiguity associated with the existing provision. At present, this clause could be interpreted as meaning that temporary signage cannot be exempt development if an event occurs more than once (e.g, annually). The amended text clarifies the scope of the provision and enables temporary signage for annual events that meet the other criteria associated with the provision.

C. Insert reference to 'event' into Signage Clause 12.

Insert a reference to 'event' within Signage Clause 12 as follows:

- (12) *Public identification, interpretive, event and directional signage must comply with the following, but need not comply with subclauses 1(b) or 1(c):*
- (a) *must be constructed and installed by or on behalf of a public authority*

The above amendment will permit event signage (where constructed and installed by or on behalf of a public authority) as exempt development, whether located within an event site or not. This is particularly beneficial in enabling event signage in locations separate to an event (e.g. an entry to town) in a manner consistent with the provisions of State Environmental Planning Policy No.64 (Advertising and Signage).

Part 3 - Justification

Section A - Need for the Planning Proposal

1. Is the planning proposal a result of any strategic study or report?

The proposal is consistent with Ballina Local Environmental Plan 1987 and the associated existing and historic exempt development provisions contained within the current Ballina Shire Development Control Plan – Exempt and Complying Development.

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

State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 provides the most current instrument for exempt development within NSW. The SEPP does not identify 'special events' as exempt development or otherwise. As such Council's current local planning framework via its DCP applies.

When the draft LEP is gazetted and comes into force, Ballina Shire Development Control Plan – Exempt and Complying Development will no longer apply to the shire. If schedule 2 of the draft LEP is not amended to include 'special events' as exempt development, all special events that currently and historically have been classified as exempt development will require the lodgement of development applications. Council is seeking to avoid this situation.

Signage Clause 10(e) requires amendment to provide clarity in its intent as it currently reads as all recurring events cannot have a temporary sign as exempt development.

Signage Clause 12 requires amendment to provide certainty in relation to the circumstances where erection of signage on public land advertising an event can occur as exempt development. This amendment is required to clarify and expand the extent of the provision and enable signage to be erected on land separate to the site of a special event.

The proposed amendments are considered to be an effective means of identifying the circumstances where special events and associated signage can occur as exempt development, enabling such events to occur without the need for development consent.

Importantly, special events will remain subject to review and consideration in relation to potential impacts through the approval process under Council's 'Events on Public Land Policy' (which is administered under the *Local Government Act*). The advantage of this process is that it removes the potential duplication of approvals processes and is likely to be faster and less costly than the development assessment process, whilst still maintaining the opportunity for Council to assess and mitigate impacts associated with an event.

Section B - Relationship to the Strategic Planning Framework

3. Is the planning proposal consistent with the objectives and actions contained within the applicable regional or sub-regional strategy (including the Sydney Metropolitan Strategy and exhibited draft strategies)?

The proposal is consistent with the Far North Coast Regional Strategy (FNCRS), which provides the regional framework for the consideration of policy development and the overall vision of the future. The proposal is not in conflict with the outcomes or actions of the strategy and supports Ballina as a Developing Major Regional Centre.



DEVELOPING MAJOR REGIONAL CENTRE

BALLINA

As a major regional centre, Ballina will be supported by new land releases in Lennox Head and Cumbalum. Employment, retail and tourism are important functions of the centre.



MAJOR TOWN

Major towns and towns provide a level of services and employment to support the surrounding catchments of villages and rural settlement.



TOWN



VILLAGE - COASTAL

4. Is the planning proposal consistent with the local Council's Community Strategic Plan, or other local strategic plans?

The planning proposal is consistent with the following key local plans:

The Ballina Local Environmental Plan 1987

Clause 35(1) of Ballina LEP 1987 states the following in regard to exempt development:

- (1) *Development of minimal environmental impact listed as exempt development in Part 1 of Ballina Shire Development Control Plan—Exempt and Complying Development is **exempt development**, despite any other provision of this plan*

The provisions of the DCP are consistent with the objectives of this planning proposal as outlined below.

Ballina Development Control Plan – Exempt and Complying Development

The Ballina Shire Development Control Plan – Exempt and Complying Development currently permits special events as exempt development subject to the following:

Special Events (such as Street Parades, Processions or Marches, Fun Runs, Cycling Races, Festivals, Cultural Celebrations, Sporting Events, Open Air Theatre, Concerts, Balls, Dance Parties or the like).

- *Where they are held in a public place or public reserve or on a public road; and*
- *When an approval has been obtained from Council under its adopted "Special Events Policy"; and*
- *Provided no permanent structures are erected; and*
- *Provided no clearing or disturbance to native vegetation is required.*

Given that Council's existing planning framework permits 'special events' as exempt development, this planning proposal to make 'special events' exempt development into the future is consistent with Council's historic planning policy.

With respect to signage, temporary signs are currently permitted on the land that the sign relates to without any consideration of recurring events. It is considered that Signage Clause 10(e) is subject to a drafting error that requires amendment to clarify the provision to reflect its actual intent. This is considered to be consistent with Council's historic planning policy.

Provision for event signage installed by or on behalf of a public authority, subject to the proposed requirements, is considered to be consistent with Council's historic planning policy.

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

Yes, the proposal is generally consistent with applicable State Environmental Planning Policies (SEPP).

6. Is the planning proposal consistent with the applicable Ministerial Directions (S. 117 directions)?

Yes, the proposal is consistent with the relevant Section 117 Directions. A Section 117 Direction checklist for the planning proposal is contained in Appendix 2.

Section C - Environmental, Social and Economic Impact

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

To currently qualify as exempt development, the applicant must comply with the following:

Special Events (such as Street Parades, Processions or Marches, Fun Runs, Cycling Races, Festivals, Cultural Celebrations, Sporting Events, Open Air Theatre, Concerts, Balls, Dance Parties or the like).

- *Where they are held in a public place or public reserve or on a public road; and*
- *When an approval has been obtained from Council under its adopted "Special Events Policy"; and*
- *Provided no permanent structures are erected; and*
- *Provided no clearing or disturbance to native vegetation is required.*

As previously stated, Council has adopted a new policy in relation to 'special events' being the 'Events on Public Land Policy'. This policy must be considered when Council issues a permit for a 'special event'. It is also proposed to include the same exempt development provisions as currently specified in Council's DCP within the amendment to schedule 2 of the draft LEP.

Considering that special events will not be classified as exempt development unless no clearing or disturbance to native vegetation is required and the application of Council's events policy and licensing requirements to proposals, it is unlikely that special events carried out under the revised provisions will have any adverse impact on critical habitat or threatened species.

There are no significant ecological implications associated with the proposed signage provisions.

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

The requirements for approval under Council's 'Events on Public Land' policy and the other limitations of the proposed exempt development provisions seek to safeguard the environment. Therefore no significant adverse environmental impacts are likely to arise as a result of the planning proposal.

9. How has the planning proposal adequately addressed any social and economic effects?

Amending schedule 2 of the draft LEP to permit special events as exempt development is likely have positive social and economic effects. In particular, enabling events to be able to obtain approval without going through the development application process will likely make the shire more attractive to event organisers which will likely have a positive economic impact on the locality. The proposal also removes the potential for duplication of processes. Employment implications are envisaged to be positive.

Additionally, the 'Events on Public Land' policy requires a thorough assessment to be undertaken by Council prior to the issue of a permit for the event. The assessment takes into consideration all factors that are usually considered during the development assessment process. This approach is intended to ensure that environmental impacts created by an event are minimal.

Clarification of signage provisions will also likely have positive social and economic effect as it will provide for a reasonable amount of event signage as exempt development, thereby supporting event activities.

Section D – State and Commonwealth Interests

10. Is there adequate public infrastructure for the planning proposal?

The planning proposal does not create the need for any additional public infrastructure.

11. What are the views of State and Commonwealth public authorities consulted in accordance with the gateway determination?

Consultation will be undertaken with relevant agencies following the gateway determination stage of the LEP amendment.

Part 4 - Mapping

The proposed amendment relates only to the written component of Council's local planning instrument (Draft Ballina LEP 2011). As such, no mapping is proposed as part of the amendment.

Part 5 – Community Consultation

Council has not undertaken any community consultation concerning this specific planning proposal. It is anticipated that this will occur as part of the formal exhibition of the planning proposal or as directed through the gateway determination process.

Part 6 – Project Timeline

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

Plan Making Step	Estimated Completion (Before)
Gateway Determination (Anticipated)	December 2012
Completion of Technical Assessment	January 2013 and February 2013
Government Agency Consultation	January 2013
Public Exhibition Period	February 2013
Public Hearing (if required)	February 2013
Submissions Assessment	March 2013
RPA Assessment of Planning Proposal and Exhibition Outcomes	March 2013
Submission of Endorsed LEP to DP&I for Finalisation	April 2013
RPA Decision to Make the LEP Amendment (if delegated)	N/A – proposal not subject to delegation
Forwarding of LEP Amendment to DP&I for Notification (if delegated)	N/A – proposal not subject to delegation

** The above timeline is contingent of the implementation of Council's Draft Standard Instrument LEP which is currently with the Department of Planning and Infrastructure for finalisation.*

Appendices

Appendix 1 – Ballina Shire Council Events on Public Land Policy

POLICY NAME: EVENTS ON PUBLIC LAND
POLICY REF: E05
MEETING ADOPTED: 23 August 2012
Resolution No. 230812/26
POLICY HISTORY: *(Previously Special Events Policy)*



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OBJECTIVE

The objectives of this policy are to;

- Provide a documented process on how event organisers may obtain approval to hold an event on public land in Ballina Shire such as parks, open spaces or streets under the ownership and/or control of Ballina Shire Council.
- Ensure that event organisers are aware of Council's requirements so as to assist and encourage the efficient organisation of events; and
- Ensure that event organisers receive requisite approvals in a timely and orderly manner.

BACKGROUND

Events are conducted regularly in Ballina Shire, from street parades and marches, fun runs, cycle races, music festivals, cultural celebrations, sporting events, open air theatres, concerts, circuses and the like.

Ballina Shire Council values the importance of local events that aim to showcase the rich cultural diversity and history of our local Ballina Shire community and that deliver economic, social and environmental benefits. However council also recognises that events can have significant environmental and public safety implications. The premise to this policy is to promote good practice by event organisers so that the benefits to the community can be maximised and negative social impacts minimised or eliminated.

Event organisers are made to comply with a number of requirements as set out by Council's regulatory framework when conducting an event. Council anticipates that the following policy will be beneficial in providing a formal process to ensure such requirements are met.

This policy does not cover events held on private land; lodgment is required through a Development Application.

DEFINITIONS

The following definitions are applicable for the purpose of this policy:

Council	Ballina Shire Council
Event	Often one time, or infrequent occurrences of limited duration that provide the general public with leisure and social opportunities beyond everyday experiences. Events are distinct and organised programs usually of sporting, cultural, community or special interest group significance.
Public Land	Land under the ownership or care and control of Council
Private Land	Any land that is not public land

Event Guidelines	A document designed to assist event organisers with the Regulations and procedures associated with staging events on public land in Ballina Shire.
Long term	Greater than one year and a maximum of three years

SCOPE OF POLICY

This policy applies to:

- Council employees
- Councillors
- Community members
- Not for profit community groups
- Commercial organisations
- Event organisers
- Sporting organisations

RELATED DOCUMENTATION

Related documents, policies and legislation:

This policy should be read in conjunction with;

- Application Form - Events on Public Land
- Event Guidelines
- Policy – Donations
- Policy – Festival & Event Support Program
- Policy - Markets

POLICY

Events held on public land in Ballina Shire such as parks, open spaces or streets under the ownership and/or control of Ballina Shire Council will require lodgement of a completed Events on Public Land Application Form. Applicants must refer to the Event Guidelines when completing an application.

Event applications may be subject fees and charges and/or ground bonds in accordance with Council's Adopted Fees & Charges.

Applications will be assessed with approval conditions issued in accordance with the Event Guidelines.

Assessment

In assessing applications staff will consider a range of assessment criteria including, but not limited to:

- Environmental impacts – potential damage to local flora and fauna and impact on the Council infrastructure
- Social impacts – impact on residential amenity, conflicts with other user groups and organisations, availability of land

- Economic impacts – likely economic benefits and dis-benefits to the locality and the Shire.

When matters such as these cannot be resolved operationally, the event assessment may be reported to Council for determination.

Long Term Event Approvals

Existing events in the Ballina Shire requiring long term approval (for a maximum of three years) are to be processed operationally by way of the Events on Public Land Policy each year.

New events to the Ballina Shire requiring long term approval (for a maximum of three years) requires advice to Councillors and is to be processed operationally by way of the Events on Public Land Policy each year.

Provisions for Financial Support

Festival and Event Support Program

Council's Festival and Event Support Program provides funding to support festivals and events held within Ballina Shire. The annual allocation is based on the financial year, with community organisations and non-profit groups planning such festivals encouraged to apply. Applications typically open in December each year with funding announced in March. Refer to Council's Festival & Event Support Program Policy.

Community Donations Program

Council provides an annual allocation of funding through the Community Donations Program to assist community groups in the provision of services that benefit the community. Applications typically open in April each year with funding announced early in the financial year. Refer to Council's Donations – Financial Assistance Policy.

REVIEW

The Events on Public Land Policy is to be reviewed every 4 years.

Appendix 2 - Section 117 Direction Checklist

Section 117 Direction Checklist Planning Proposal – Special Events (Exempt Development)	
DIRECTION NO.	Compliance of Planning Proposal
1. Employment and Resources	
1.1 Business and Industrial Zones	Does not apply to planning proposal.
1.2 Rural Zones	Does not apply to planning proposal.
1.3 Mining, Petroleum Production and Extractive Industries	Does not apply to planning proposal.
1.4 Oyster Aquaculture	Does not apply to planning proposal.
1.5 Rural Land	Does not apply to planning proposal.
2. Environment and Heritage	
2.1 Environmental Protection Zones	Does not apply to planning proposal.
2.2 Coastal Protection	Consistent.
2.3 Heritage Conservation	Consistent. This proposed expansion to exempt development will not apply to items of environmental heritage as exempt development cannot be undertaken on such land.
2.4 Recreation Vehicle Areas	Does not apply to planning proposal.
3. Housing, Infrastructure and Urban Development	
3.1 Residential Zones	Does not apply to planning proposal.
3.2 Caravan Parks and Manufactured Home Estates	Does not apply to planning proposal.
3.3 Home Occupations	Does not apply to planning proposal.
3.4 Integrated Land Use and Transport	Does not apply to planning proposal.
3.5 Development Near Licensed Aerodromes	Does not apply to planning proposal.
4. Hazard and Risk	
4.1 Acid Sulphate Soils	Consistent. Some public land contains acid sulphate soils. However, the requirement for approval for a special event under Council's 'Events on Public Land' policy enables assessment of this issue prior to an event occurring. Potential impacts on acid sulphate soils associated with signage are considered to be minimal.
4.2 Mine Subsidence and Unstable Land	Does not apply to planning proposal.
4.3 Flood Prone Land	Does not apply to planning proposal.
4.4 Planning for Bushfire Protection	Does not apply to planning proposal.
5. Regional Planning	
5.1 Implementation of Regional Strategies	Consistent. The proposal is consistent with the FNCRS. In particular the policy supports Ballina as a Developing Major Regional Centre.
5.2 Sydney Drinking Water Catchments	Does not apply to Ballina Shire.

5.4 Commercial and Retail Development	Does not apply to planning proposal.
5.5 Development in the vicinity of Ellalong Paxton and Millfield (Cessnock LGA).	Repealed
5.6 Sydney to Canberra Corridor (Revoked 10 July 2008. See amended Direction 5.1)	Repealed
5.7 Central Coast (Revoked 10 July 2008. See amended Direction 5.1)	Repealed
5.8 Second Sydney Airport: Badgerys Creek	Does not apply to Ballina Shire
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.
6.2 Reserving Land for Public Purposes	Consistent.
6.3 Site Specific Provisions	Does not apply to planning proposal.
7. Metropolitan Planning	
7.1 Implementation of the Metropolitan Strategy	Does not apply to Ballina Shire.

