

Rifle Range Rd and Plateau Drive Wollongbar

Proposal Title : Rifle Range Rd and Plateau Drive Wollongbar

Proposal Summary : The proposal is to reconfigure the boundary between land zoned RE1 Public Recreation and R3 Medium Density at Rifle Range Road Wollongbar, including rezoning an additional 8000m2 area from RE1 to R3. A corresponding amendment to the Minimum Lot Size Map is also proposed. Additionally, rezoning of a small area designated for road widening from RE1 Public Recreation to R2 Low Density Residential is proposed.

PP Number : PP_2014_BALLI_005_00

Dop File No :

14/10988

Proposal Details

Date Planning
Proposal Received : 02-Jul-2014

LGA covered : Ballina

Region : Northern

RPA : Ballina Shire Council

State Electorate : BALLINA

Section of the Act : 55 - Planning Proposal

LEP Type : Spot Rezoning

Location Details

Street : Rifle Range Rd & Plateau Drive

Suburb : City : Wollongbar Postcode : 2478

Land Parcel : Lots 5 & 6 DP 1161720

DoP Planning Officer Contact Details

Contact Name : Jenny Johnson

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RPA Contact Details

Contact Name : Klaus Kerzinger

Contact Number : 0266861201

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DoP Project Manager Contact Details

Contact Name : Jim Clark

Contact Number : 0266416604

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Land Release Data

Growth Centre :

Release Area Name :

Regional / Sub
Regional Strategy : Far North Coast Regional
Strategy

Consistent with Strategy : Yes

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MDP Number :		Date of Release :	
Area of Release (Ha) :	0.08	Type of Release (eg Residential / Employment land) :	N/A
No. of Lots :	0	No. of Dwellings (where relevant) :	0
Gross Floor Area :	0	No of Jobs Created :	0

The NSW Government Lobbyists Code of Conduct has been complied with : **Yes**

If No, comment :

Have there been meetings or communications with registered lobbyists? : **No**

If Yes, comment :

Supporting notes

Internal Supporting Notes :	No special arrangements are proposed for processing the planning proposal, due to the minor nature of the matter.
External Supporting Notes :	The land is owned by Ballina Council. Accordingly, the Council has indicated that it will not be using delegation.

Adequacy Assessment

Statement of the objectives - s55(2)(a)

Is a statement of the objectives provided? **Yes**

Comment : The objectives show that the proposal aims to reconfigure the residential and public recreation zones that currently apply to the land, amend the Minimum Lot Size Map accordingly, and to resolve a minor zoning anomaly over land required for road widening.

Explanation of provisions provided - s55(2)(b)

Is an explanation of provisions provided? **Yes**

Comment : The explanation adequately addresses the intended method of achieving the objectives of the planning proposal. The provisions are to zone land at Lots 5 and 6 from R3 Medium Density to RE1 Public Recreation, and to zone land at Lot 6 from RE1 to R3.

Additionally, the Minimum Lot Size map will be amended to remove the minimum lot size requirement on land proposed to be rezoned to RE1, and to apply a 600m2 minimum lot size to land proposed to be rezoned to R3. Also, land at lot 6 adjacent to Rifle Range Road, which is proposed for road widening, will be zoned from RE1 to R2 – Low Density Residential to reflect an appropriate zoning for the road.

Justification - s55 (2)(c)

a) Has Council's strategy been agreed to by the Director General? **Yes**

b) S.117 directions identified by RPA :

* May need the Director General's agreement

2.2 Coastal Protection
2.3 Heritage Conservation
3.1 Residential Zones
3.2 Caravan Parks and Manufactured Home Estates

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- 3.3 Home Occupations
- 3.4 Integrating Land Use and Transport
- 4.4 Planning for Bushfire Protection
- 5.1 Implementation of Regional Strategies
- 6.2 Reserving Land for Public Purposes

Is the Director General's agreement required? **No**

c) Consistent with Standard Instrument (LEPs) Order 2006 : **Yes**

d) Which SEPPs have the RPA identified?

e) List any other matters that need to be considered : **No other matters need to be considered. S117 Direction 6.2 Reserving Land for a Public Purpose has been considered in the proposal. It does not apply, as Ballina Council owns the land.**

Have inconsistencies with items a), b) and d) being adequately justified? **N/A**

If No, explain : **No inconsistencies arise.**

Mapping Provided - s55(2)(d)

Is mapping provided? **Yes**

Comment : **A Land Zoning Map and a Lot Size Map are provided. Additionally, a site identification map is provided. The maps are adequate.**

Community consultation - s55(2)(e)

Has community consultation been proposed? **Yes**

Comment : **The RPA recommends the proposal is to be exhibited in accordance with the Gateway determination. A 14 day public exhibition period is recommended.**

Additional Director General's requirements

Are there any additional Director General's requirements? **No**

If Yes, reasons :

Overall adequacy of the proposal

Does the proposal meet the adequacy criteria? **Yes**

If No, comment : **The planning proposal satisfies the adequacy criteria by:**
1. Providing adequate objectives and intended outcomes;
2. Providing a suitable explanation of the provisions proposed for the LEP to achieve the outcomes;
3. Providing an adequate justification for the proposal;
4. Providing a project timeline, which envisages the finalised proposal being forwarded to the Department by October 2014 - however, while the proposal may be finalised by that time, the Council is to be given 6 months to finalise in case of unexpected delays.
5. The Council has not requested delegation to finalise the proposal, for the reason that Council owns the land. As the land is to be sold by Council for residential and semi-commercial (child care) proposals, it is appropriate delegation to Council not be issued.

Proposal Assessment

Principal LEP:

Due Date :

Comments in relation to Principal LEP : **Ballina LEP 2012 is the principal LEP. The planning proposal will amend the zoning map LZN_001B and the Lot Size Map LSZ_001B.**

Assessment Criteria

Need for planning proposal : The proposal relates to a proposed subdivision in the Wollongbar Urban Expansion Area. It is needed in order to align the residential and open space zoning of the land with the proposed subdivision plan, providing medium density and open space in a more functional way than current zones allow.

Consistency with strategic planning framework : The land is identified in the Far North Coast Regional Strategy Town and Village Growth Boundary map for urban use. The proposal, by rationalising medium density and open space, assists to achieve the desired outcomes of the Strategy. The proposal is consistent with the Ballina Growth Management Strategy 2012 approved by the Director General on 7/5/2013, and applies to the Strategy's identified Wollongbar Urban Expansion Area.

The proposal is considered to be consistent with all applicable SEPPs and s117 Directions except Direction 6.2 Reserving Land for Public Purposes as discussed below.

6.2 Reserving Land for Public Purposes

The proposed rezoning of land from RE1 Public Recreation to R3 Medium Density and R2 Low Density Residential is inconsistent with this Direction as it reduces an existing reservation of land for public purposes without the approval of the Director General. The inconsistency with this Direction is considered to be of minor significance because of the small area of the land involved and due to the acquisition and development of the Wollongbar Sport Field site in the same locality.

Environmental social economic impacts : The land is in an established residential area. Lot 6 has an area of 3.7 ha. It is currently zoned partly RE1 (1.8 ha) and partly R3. Lot 5 has an area of 4.2 ha, and is currently zoned R3.

Environmental impacts:

Lot 6 is the site of a former drive-in. Lot 5 has been cleared for grazing. No adverse ecological impacts are likely. A contamination assessment carried out over Lot 6 found that no significant risk of harm was likely to affect end users as a result of the proposal.

Social impacts:

The Ballina Shire Open Space Study (BSOSS) recommends 0.5 ha per 1000 people for a district park, with a minimum size of 1 hectare. The proposal will create a 1 hectare area of RE1 land, a reduction of 8000m2 from the current situation. While the 1 ha minimum size would be achieved, the proposal creates a 0.25 shortfall in the recommended open space, which in this case should be 1.25 ha. However, the Council, subsequent to adopting the BSOSS, acquired 13 ha of land elsewhere in Wollongbar for sports fields. The proposal suggests that the shortfall in open space is justified in the context of the additional land acquisitions elsewhere in the village.

Economic impacts:

No adverse economic impacts are likely.

Assessment Process

Proposal type :	Consistent	Community Consultation Period :	14 Days
Timeframe to make LEP :	6 months	Delegation :	DG
Public Authority Consultation - 56(2) (d) :			

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Is Public Hearing by the PAC required? **No**

(2)(a) Should the matter proceed ? **Yes**

If no, provide reasons : **The planning proposal is supported at this stage. Recommended with conditions.**

Resubmission - s56(2)(b) : **No**

If Yes, reasons :

Identify any additional studies, if required. :

If Other, provide reasons :

Identify any internal consultations, if required :

No internal consultation required

Is the provision and funding of state infrastructure relevant to this plan? **No**

If Yes, reasons :

Documents

Document File Name	DocumentType Name	Is Public
Planning Proposal - Lots 5 and 6 Rifle Range Road Wollongbar.pdf	Proposal	Yes
2014-07-09 Gateway Determination Report - signed.pdf	Determination Document	Yes

Planning Team Recommendation

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

S.117 directions:

- 2.2 Coastal Protection**
- 2.3 Heritage Conservation**
- 3.1 Residential Zones**
- 3.2 Caravan Parks and Manufactured Home Estates**
- 3.3 Home Occupations**
- 3.4 Integrating Land Use and Transport**
- 4.4 Planning for Bushfire Protection**
- 5.1 Implementation of Regional Strategies**
- 6.2 Reserving Land for Public Purposes**

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

- 1) The planning proposal be supported;**
- 2) The planning proposal be exhibited for 14 days;**
- 3) The planning proposal be completed within 6 months.**
- 4) No consultation with agencies is required**
- 5) The Council's decision not to use delegation is supported**
- 6) The Director-General's delegate determines that the inconsistency with S117 Direction 6.2 Reserving Land for Public Purposes is of minor significance**

Supporting Reasons :

- 1) The proposal is minor in nature and scale, and can improve the function of open space and medium density land in the context of a proposed subdivision**
- 2) Reconfiguring the open space and residential zones is unlikely to result in**

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environmental, social or economic impacts.

3) Rezoning the small area of land for road-widening to the road's R2 zone is minor in nature and scale, and is unlikely to result in environmental, social or economic impacts.

3) While the proposal is of a minor nature, in light of the Council's ownership of the land and the 8000m² reduction in open space, a community consultation period should be undertaken.

4) In light of the Council's ownership of the land, the Council should not use its delegation to make the plan.

Signature:



Printed Name:

JIM CLARK

Date:

9 July 2014