

enquiries refer

Simon Scott

in reply please quote

Planning Proposal – 60 Crane Street Ballina (Trim: 13/32926)

11 June 2013



PGF001858



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

Received

13 JUN 2013

13/09/86

Northern Region

Dear Mr Murray

Re: Planning Proposal – 60 Crane Street, Ballina.

Council has identified that a mapping anomaly exists with respect to the current zoning of Lot 2 DP 506103 located at 60 Crane Street, Ballina, under the terms of the Ballina LEP 2012. The subject land was zoned for commercial purposes under the Ballina LEP 1987 as made. However, it appears that during the digitisation of the Ballina LEP 1987 in the mid 1990s the subject land was incorrectly mapped, and as a consequence received a residential zoning under the Ballina LEP 1987. This mapping anomaly has been subsequently incorporated into the Ballina LEP 2012.

It is noted that the current and historic use of the subject land is associated with the use of an adjacent land parcel that is zoned for commercial purposes, being the Ballina Fire Shed. Consequently, the Council has resolved to advance a planning proposal that seeks to apply the appropriate commercial zone to the land, consistent with the zoning of the adjacent land parcel with which its development history and use is associated.

More specifically, with respect to the above, Council considered a planning proposal at its May 2013 Ordinary Meeting. Council resolved as follows:

- "1. That the Council endorses the application of a B3 Commercial Core zone as the basis for a planning proposal applying to Lot 2 DP 506103, 60 Crane Street, Ballina (as shown in Map 1 of the planning proposal contained in Attachment 1).*
- 2. That the Council submit the planning proposal relating to Lot 2 DP 506103, 60 Crane Street, Ballina to the NSW Department of Planning & 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 consultation, be undertaken.*
- 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 planning proposal that seeks to amend the Ballina LEP 2012 as outlined above. The planning proposal is submitted for gateway determination in accordance with Section 56 of the *Environmental Planning & Assessment Act 1979*.

Please note, Council is not seeking delegation of plan making functions in this instance as the Council has a commercial interest in the land, as outlined in the enclosed planning proposal. Notwithstanding, due to the minor nature of the matter and the background to the need for the planning proposal, the Council is not proposing any special arrangements for processing the planning proposal in this instance. It is noted that Council's Commercial Services Section (the applicant) is separate to the Strategic and Community Services Group, which is responsible for processing LEP amendments.

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 contact Simon Scott on telephone 6686 1284.

Yours faithfully



Matthew Wood
Manager Strategic Planning
Strategic and Community Services Group

Encl: Planning Proposal – 60 Crane Street, Ballina (Gateway).