

To rezone Lot 4 DP 537419, Burns Point Ferry Rd, West Ballina for residential and employment uses and RU2 Rural Landscape

Proposal Title :	To rezone Lot 4 DP 537419, Burns Point Ferry Rd, West Ballina for residential and employment uses and RU2 Rural Landscape		
Proposal Summary :	To rezone Lot 4 DP 537419, Burns Point Ferry Rd, West Ballina for residential and employment uses and RU2 Rural Landscape		
PP Number :	PP_2014_BALLI_007_00	Dop File No :	14/15938

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
 - 2.1 Environment Protection Zones
 - 2.2 Coastal Protection
 - 2.3 Heritage Conservation
 - 2.4 Recreation Vehicle Areas
 - 3.1 Residential Zones
 - 3.2 Caravan Parks and Manufactured Home Estates
 - 3.3 Home Occupations
 - 3.4 Integrating Land Use and Transport
 - 4.1 Acid Sulfate Soils
 - 4.3 Flood Prone Land
 - 5.1 Implementation of Regional Strategies
 - 6.1 Approval and Referral Requirements
 - 6.2 Reserving Land for Public Purposes

Additional Information : It is recommended that;

1. The planning proposal should proceed.

2. The following further assessments to support the proposal and confirm the suitability of rezoning parts of the site shall be completed and included in the material placed on public exhibition:

- ecological / flora and fauna
- acid sulfate soils
- land contamination
- geotechnical
- stormwater impact
- entomological (mosquitoes)
- bushfire hazard
- archaeological / cultural heritage
- flooding

3. Existing and proposed maps of the following are to be prepared consistent with the Department's technical requirements and placed on public exhibition:

- Land Zoning
- Lot Size
- Height of Buildings
- Land Application Map
- Building Height Allowance Map
- Acid Sulfate Soils
- Flood Planning

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- Strategic Urban Growth Area

4. The planning proposal is to be completed within 18 months.

5. That a community consultation period of 28 days is required.

6. That the RPA consult with the following State Agencies:

- Roads and Maritime Services in relation to road access and maritime issues
- NSW Office of Environment and Heritage
- Department of Primary Industries – Fisheries and Aquaculture
- Department of Primary Industries – Agriculture

7. It is recommended that a delegate of the Director General agree that the inconsistencies of the proposal with S117 Directions 1.1, 1.2, 1.5, 2.1, 4.1 and 4.3 are justified in accordance with the provisions of the Directions.

8. That an authorisation to exercise delegation be issued to Council.

Supporting Reasons :

The proposal is supported as it is consistent with the Far North Coast Regional Strategy and as it will provide important residential and employment opportunities for West Ballina while facilitating positive environmental outcomes.

Panel Recommendation

Recommendation Date : 24-Sep-2014

Gateway Recommendation : Passed with Conditions

Panel Recommendation :

This planning proposal is considered minor and the Gateway determination is to be issued under delegation by the General Manager. Therefore the planning proposal will not be considered by the panel.

Gateway Determination

Decision Date : 25-Sep-2014

Gateway Determination : Passed with Conditions

Decision made by : General Manager, Northern Region

Exhibition period : 28 Days

LEP Timeframe : 18 months

Gateway
Determination :

The Planning Proposal should proceed subject to the following conditions:

1. 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 (Department of Planning and Environment 2013).

2. 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:

- Roads and Maritime Services in relation to road access and maritime issues
- NSW Office of Environment and Heritage
- Department of Primary Industries – Fisheries and Aquaculture
- Department of Primary Industries – Agriculture

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.

3. The following further assessments to support the proposal shall be completed and included in the material placed on public exhibition:

- ecological / flora and fauna

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- acid sulfate soils
- land contamination
- geotechnical
- stormwater impact
- entomological (mosquitoes)
- bushfire hazard
- archaeological / cultural heritage
- flooding

4. Existing and proposed maps consistent with the Department's technical requirements to support the proposal are to be prepared and placed on public exhibition for the following:

- Land Zoning
- Lot Size
- Height of Buildings
- Land Application Map
- Building Height Allowance Map
- Acid Sulfate Soils
- Flood Planning
- Strategic Urban Growth Area

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 18 months from the week following the date of the Gateway determination.

Signature:



Printed Name:

STEPHEN MURRAY

Date:

25 SEPTEMBER 2014