

Ballina LEP 2012 – General Amendments (2).

Proposal Title : **Ballina LEP 2012 – General Amendments (2).**

Proposal Summary : **The planning proposal seeks to make 30 housekeeping amendments to Ballina LEP 2012. The amendments relate to mapping anomalies, corrections of zones and other planning controls, updates to property descriptions for heritage items in Schedule 5, reinstatement of dwelling entitlements, minor drafting amendments and the permissibility of 'agricultural produce industry' in the IN1 General Industrial zone.**

PP Number : **PP_2014_BALLI_009_00** Dop File No : **14/19177**

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**
- 1.3 Mining, Petroleum Production and Extractive Industries**
- 1.4 Oyster Aquaculture**
- 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**
- 3.5 Development Near Licensed Aerodromes**
- 4.1 Acid Sulfate Soils**
- 4.3 Flood Prone Land**
- 4.4 Planning for Bushfire Protection**
- 5.1 Implementation of Regional Strategies**
- 5.3 Farmland of State and Regional Significance on the NSW Far North Coast**
- 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 as a 'routine' planning proposal.**
- 2. A community consultation period of 14 days is necessary.**
- 3. The planning proposal is to be completed within 9 months.**
- 4. A written authorisation to exercise delegation be issued to Ballina Shire Council for this planning proposal.**
- 5. A delegate of the Secretary agree that the inconsistency of the proposal with S117 Direction 3.1 is justified in accordance with the terms of the direction.**
- 6. The RPA consult with the Commissioner of the NSW Rural Fire Services in accordance with S117 Direction 4.4 Planning for Bush Fire Protection.**
- 7. The RPA consult with the Crown Lands Division of NSW Trade and Investment on the proposal to rezone Brunswick St Reserve Ballina , and land at Lake Ainsworth Caravan Park, Lennox Head to RE1 Public Recreation in accordance with S117 Direction 6.2 Reserving Land for Public Purposes.**

Supporting Reasons : **The reasons for the recommendation are as follows;**

- 1. The proposed amendments are consistent with the strategic planning framework and the inconsistencies with the S117 directions are of minor significance or are justified in accordance with the terms of the directions.**
- 2. The proposed amendments will improve the function, content and consistency of the Ballina LEP 2012 to reflect the community's expectations.**

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Panel Recommendation

Recommendation Date :

Gateway Recommendation :

Panel Recommendation : This planning proposal is considered to be of local significance and the Gateway Determination is to be issued under delegation by the General Manager, Northern Region. Therefore the planning proposal will not be considered by the panel.

Gateway Determination

Decision Date : 25-Nov-2014

Gateway Determination : Passed with Conditions

Decision made by : General Manager, Northern Region

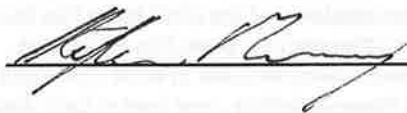
Exhibition period : 14 Days

LEP Timeframe : 9 months

Gateway Determination : That an amendment to the Ballina Local Environmental Plan (LEP) 2012 to make general housekeeping amendments to the LEP, should proceed subject to the following conditions:

1. Council is to consult with the NSW Rural Fire Service as per the requirements of S117 Direction 4.4 Planning for Bushfire Protection and amend the planning proposal, if necessary, to take into consideration any comments made prior to undertaking public exhibition.
2. 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 is classified as low impact as described in A Guide to Preparing LEPs (Department of Planning and Environment 2013) and must be made publicly available for a minimum of 14 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).
3. Consultation is required with the Crown Lands Division of NSW Trade and Investment in relation to the proposed rezoning of Lots 489 and 490 DP 729290, Brunswick Street Reserve, Ballina and Lots 1 and 2 DP 517499, in Lake Ainsworth Caravan Park, Lennox Head, under section 56(2)(d) of the EP&A Act. Crown Lands Division 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.
4. 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).
5. The timeframe for completing the LEP is to be 9 months from the week following the date of the Gateway determination.

Signature:



Printed Name:

STEPHEN MURRAY

Date:

25 NOVEMBER 2014