



*Planning Proposal 17/010*

# » ***Skennars Head Expansion Area***

January 2018 (V2a. Gateway) 18/4205

***ballina***  
shire council



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# 1. Introduction

## 1.1 Summary of Planning Proposal

This planning proposal proposes to apply the B1 Neighbourhood Centre zone and R3 Medium Density zone to land within the Skennars Head Expansion Area, on land described as Lot 6 of DP 1225206.

The proposal involves the application of the B1 Neighbourhood Centre zone to an area of 13,600m<sup>2</sup> and the application of the R3 Medium Density zone to an area of approximately 27,670m<sup>2</sup>. The proposal also includes zoning an area of land approximately 870m<sup>2</sup> that is currently zoned B1 Neighbourhood Commercial zone to combination of R3 Medium Density zone and R2 Low Density zone.

The following table outlines the existing and proposed land use budget for the subject land (Lot 6 of DP 1225206).

Zone	Existing	Proposed
R2 Low Density Zone	28.29 Ha	24.26 Ha
R3 Medium Density Zone	Nil	2.77 Ha
B1 Neighbourhood Commercial Zone	0.087 Ha	1.35 ha
7(d) Environmental Protection (Scenic/Escarpment) – Ballina LEP 1987	5.58 Ha	5.58 Ha
<b>TOTAL</b>	<b>33.96 Ha</b>	<b>33.96 Ha</b>

This planning proposal has been prepared in response to the Council's resolution of 26 October 2017 relating to the Skennars Head Expansion Area.

## 1.2 Land to Which the Planning Proposal Applies

This planning proposal relates to Lot 6 of DP 1225206 that is zoned R2 Low Density zone and B1 Neighbourhood Commercial zone under the terms of the *Ballina Local Environmental Plan 2012*. The subject land is located within the Skennars Head Expansion Area.

## 1.3 Council Resolutions

The Council considered the subject planning proposal at its Ordinary Meeting held on 14 December 2017. The Council resolved as follows [Minute No. 141217/11]:

1. *That Council endorses the proposed amendments to the Ballina Local Environmental Plan 2012 relating to the application of B1 and R3 zones as outlined in the planning proposal (BSCPP 17/010 Skennars Head Expansion Area) contained in Attachment One.*
2. *That Council submit BSCPP 17/010 Skennars Head Expansion Area to the NSW Department of Planning & Environment for Gateway determination.*
3. *That the Department of Planning and Environment be advised that Council wishes to exercise its delegated plan making functions for this LEP amendment.*
4. *That upon an affirmative Gateway determination being received from the Department of Planning and Environment, the procedural steps associated with progression of the planning proposal be undertaken, including public exhibition.*

5. *That the planning proposal be reported to the Council for further consideration following the completion of the public exhibition of the proposed LEP amendments.*

A copy of the report considered by the Council is provided in Appendix 1.

## 1.4 Gateway Determination

To be completed following the Gateway determination.

# 2. Objectives & Intended Outcomes

The proposed amendment to the Ballina LEP 2012 seeks to:

- Apply a neighbourhood commercial zoning (B1 Neighbourhood Centre zone) to an area of approximately 13,600m<sup>2</sup>;
- Apply a medium density zoning to parts of the site with a total combined area of 27,670m<sup>2</sup>.
- Apply a floor space ratio of 0.8:1 to the area subject to the neighbourhood commercial zoning (consistent with the existing FSR applicable to the current B1 Neighbourhood Centre zone on the land).

The intended outcomes of this planning proposal are:

- To facilitate medium density residential development on parts of the site, within proximity to the future commercial area and open space areas.
- To provide for the commercial needs of future residents of Skennars Head and visitors to Sharpes Beach and adjacent coastal reserve;
- To improve the physical layout of the future residential area with respect to the proposed neighbourhood commercial area.

# 3. Explanation of Provisions

## 3.1 Background

The Skennars Head Expansion Area has been the subject of detailed strategic planning consideration since an initial request in 2004 to amend the Council's Local Environmental Plan (LEP) to enable residential development on part of the land referred to locally as the Stewart Farm. The rezoning of the land from rural (RU2 Rural Landscape Zone) to a mixture of residential (R2 Low Density Residential Zone) and commercial (B1 Neighbourhood Centre Zone) purposes was ultimately completed in 2014, and was finalised by the Joint Regional Planning Panel.

The initial commercial and residential zoning of the site did not include any medium density zoning and provided for a relatively small area of neighbourhood commercial zoning (comprising approximately 870m<sup>2</sup>).

A development proponent (Intrapac Property) has lodged a subdivision application (DA 2017/244) which is currently being assessed by Council's Development and Environmental Health Group. The subdivision application will be determined in due course by the JRPP.

The proponent lodged a planning proposal request with Council which was considered at its Ordinary Meeting held on 26 October 2017. The proponents request comprised the following key aspects:

1. Relocate and expand the B1 Neighbourhood Centre (commercial) zone (from 870m<sup>2</sup> to approximately 13,600m<sup>2</sup>);
2. Apply a building height standard of 10m in the proposed zoned commercial area (increasing from an 8.5m standard which currently applies); and
3. Facilitate medium density development on parts of the site through application of the R3 Medium Density Residential zone and application of a 300m<sup>2</sup> minimum lot size standard.

In the consideration of the proponent's request, the Council responded as follows to the above aspects:

1. The relocation and expansion of the B1 Neighbourhood Centre zone was supported.
2. Increasing the building height of the neighborhood commercial area was not supported, due the scenic values of the land and the inconsistency of the proposal with Council's policy framework for building height in the shire.
3. The application of the R3 Medium Density Residential zone was supported. The application of the 300m<sup>2</sup> minimum lot size standard was not supported, however, on the basis that the same medium density outcome can be achieved through reliance upon clause 4.1A of the Ballina LEP 2012, which provides for integrated development of housing and subdivision of lots to 300m<sup>2</sup>. The Council also omitted an area of land proposed for medium density zoning, due to concerns with the adequacy of the proposed vehicle access arrangements.

With respect to item 1 above, Council considered a report submitted by the proponent which addressed the additional commercial floor space proposed on the land, in terms of the potential impact on nearby commercial centres and noted that the report did not fully align with the area sought for commercial zoning through the planning proposal. Subsequently, the proponent has offered to provide further information regarding the potential impact of the proposed additional commercial floor space. It is proposed that this additional information be required to be provided post Gateway determination and prior to public exhibition occurring.

### **3.2 The Proposal**

This planning proposal seeks to achieve the following amendments to Ballina LEP 2012:

- Apply a neighbourhood commercial zoning (B1 Neighbourhood Centre zone) to an area of approximately 13,600m<sup>2</sup>;
- Apply a medium density zoning to parts of the site with a total combined area of 27,670m<sup>2</sup>.

- Apply a floor space ratio of 0.8:1 to the area subject to the neighbourhood commercial zoning (consistent with the existing FSR applicable to the current B1 Neighbourhood Centre zone on the land).

With respect to the area of the proposed B1 Neighbourhood Centre zone, further information will be sought from the proponent in relation to the need for, and impact of, provision of additional commercial zoned land within the expansion area post Gateway determination. Assessment of this additional information may result in changes to the proposed zoning and floor space ratio arrangements.

### 3.3 Mapping Overview

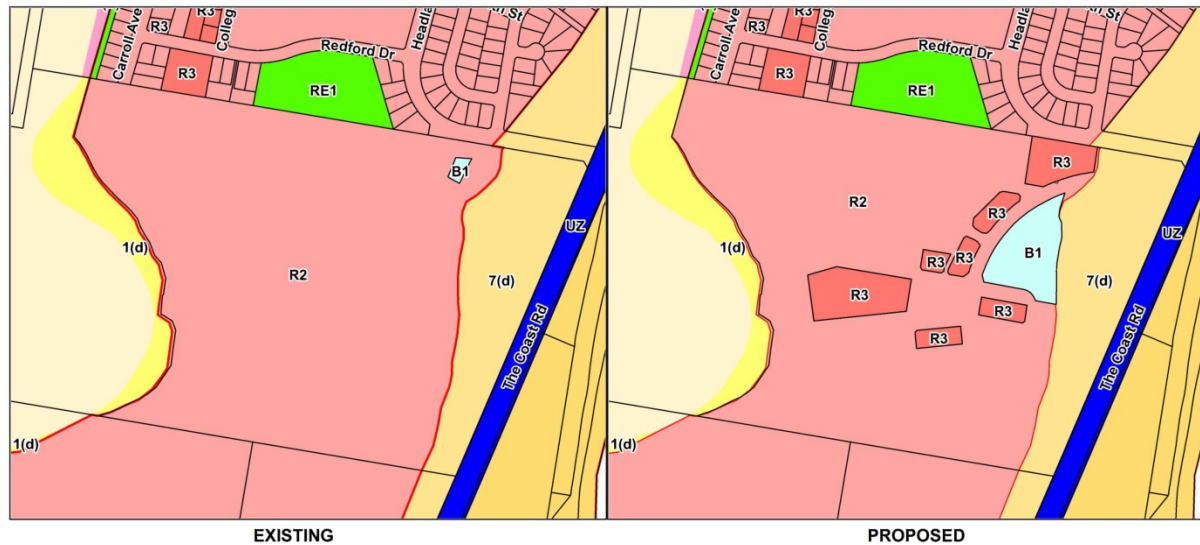
The proposal will require changes to the Land Zoning Map and Floor Space Ratio Map. The proposed change to the zoning map is shown in Figure 2 below. It is intended that the FSR map will be adjusted to apply an FSR of 0.8:1 to match the FSR currently applicable to the existing B1 Neighbourhood Centre zone on the land.

Mapping will also be provided in Appendix 4 following Gateway determination.

**Figure 1 - Site Plan: The subject land (outlined in red).**



**Figure 2 - Land Zoning Map Existing and Proposed**



## 4. Justification

### 4.1 Section A – Need for the Planning Proposal

**Q1 Is the planning proposal a result of any strategic study or report?**

No. This planning proposal was not directly the result of strategic study or report.

The zoning of the land to enable residential subdivision is consistent with the Ballina Shire Growth Management Strategy (BSGMS 2012). The land was zoned from RU2 Rural Landscape zone to a combination of R2 Low Density Residential zone and B1 Neighbourhood Commercial zone in 2014.

The subject planning proposal is the result of a request from the landholder seeking to amend the zoning configuration to enable medium density development on parts of the land and to relocate and expand the extent of neighbourhood commercial uses.

**Q2 Is the planning proposal the best means of achieving the objectives or intended outcomes, or is there a better way?**

Yes a LEP amendment is required to achieve the zoning outcomes proposed.

### 4.2 Section B – Relationship to Strategic Planning Framework

**Q3 Is the planning proposal consistent with the objectives and actions of the applicable regional, sub-regional or district plan or strategy (including any exhibited draft plans or strategies)?**

The proposal is considered consistent with the North Coast Regional Plan 2036 (NCRP), particularly in relation to the following directions.

*Direction 6: Develop successful centres of employment* – The proposal will facilitate the provision of a neighbourhood scale commercial centre that complements the shire's commercial hierarchy.

*Direction 15: Develop healthy, safe, socially engaged and well-connected communities* – The proposal will improve safety for pedestrians accessing the commercial precinct and adjacent coastal reserve. The proposal will also facilitate the provision of commercial and community uses within a neighbourhood centre with benefits for social cohesion and interaction.

*Direction 22: Deliver greater housing supply* – The proposal will increase the supply of residential dwellings within a residential growth area identified in Council's local growth management strategy.

*Direction 23: Increase housing diversity and choice* – The proposal will increase the diversity of housing options available in the locality.

**Q4 Is the planning proposal consistent with a council's local strategy or other local strategic plan?**

*Ballina Shire Council Community Strategic Plan 2017-2027 (CSP)*

The planning proposal is consistent with the elements and specified outcomes of the CSP as indicated in the table below:

Element and Reference	Outcomes	Benefits
<b>PE3 Prosperous Economy</b>	<b>Improve liveability in the shire</b>	
PE1.2	Provide opportunities for new business	Economy expands over time
PE1.3	Encourage diversification and enhance image of the local economy	Increased resilience of the local economy
PE3.1	Support residential development that delivers services closer to home	Lower cost of living
PE3.3	Improve connectivity with the shire	Reduced transport costs
<b>HE3 Healthy Environment</b>	<b>Our built environment blends with the natural environment</b>	
HE1.3	Enhance our open spaces, reserves, natural areas and their heritage values	Increased use of our open spaces Increased satisfaction levels

The planning proposal is consistent with key local plans and strategies as outlined below:

*Ballina LEP 2012*

The subject land was identified as a Strategic Urban Growth Area prior to its initial rezoning to permit residential development in 2014. The subject land is identified as an Urban Release Area and is subject to Part 6 of the Ballina LEP 2012.

*Ballina Shire Growth Management Strategy 2012 (BSGMS)*

The purpose of the BSGMS is to provide the framework for managing population and employment growth for Ballina Shire's urban areas over the planning period of 2012 - 2031.

The BSGMS identified the subject land as a Strategic Urban Growth Area.

**Q5 Is the planning proposal consistent with applicable State Environmental Planning Policies?**

The proposal's consistency with applicable State Environmental Planning Policies (SEPPs) is detailed in the table below:

SEPP Title	Compliance of Planning Proposal
SEPP No.71 Coastal Protection	The land is located within the coastal zone and the subdivision and development of the land will involve significant coastal development for the purposes of SEPP 71. The Minister for Planning has waived the requirement that a Master Plan be prepared.

The consistency of the proposal having regard for the matters of consideration set out in clause 8 of SEPP No.71 is provided in the table below:

SEPP No. 71 - Matters for Consideration (clause 8)	Compliance of Planning Proposal
a) The aims of the policy.	The proposal is consistent with the aims of the SEPP.
b) Maintaining existing foreshore public access.	The proposal does not directly affect existing pedestrian access to the adjacent coastal foreshore.
c) Improving foreshore public access.	The proposal will facilitate good quality pedestrian public linkages between the future subdivision and the adjacent coastal foreshore.
d) Suitability of the development given the context.	The proposal is considered in keeping with the scale and character of surrounding development and the scenic values of the site's coastal context.
e) Any detrimental impacts on the amenity of the coastal foreshore.	The proposal will facilitate the provision of commercial facilities which may be visible from the coastal foreshore, however their scale is planned to be consistent with existing built form in the area and as such is not expected to detract from the coastal amenity. The proposal is not expected to result in any significant overshadowing of the coastal foreshore.
f) The scenic qualities of the NSW coast.	The proposal will not significantly affect the scenic qualities of the state's coastal environment.
g) The conservation of animals and their habitats.	The proposal does not affect environmental outcomes associated with the development of the land in terms of native animals and their habitats.
h) Measures to conserve fish and marine vegetation.	The proposal does not affect fish or marine vegetation.
i) The impact of development on wildlife corridors.	The proposal does not affect existing wildlife corridors.
j) The impact of coastal processes and hazards.	The proposal does not affect and is not directly threatened by coastal processes and hazards.
k) Land use conflict between land based and water based activities.	The proposal does not impact on water based and land based land use conflicts.

l) Protection of Aboriginal cultural values.	The proposal does not affect Aboriginal cultural values.
m) Impact on coastal waterbodies.	The proposal does not affect any coastal waterbodies in the locality.
n) Items of heritage, archaeological or historic significance.	The proposal does not affect the protection of archaeological or cultural heritage items.
o) Encouraging compact cities	The proposal facilitates more compact urban settlements through the provision of medium density development on the land.
p) Development assessment matters	This matter does not apply to the planning proposal.

**Q6 Is the planning proposal consistent with applicable Ministerial Directions (s.117 directions)?**

A number of inconsistencies, considered to be of minor significance and justifiable in the circumstances, have been identified. A Section 117 Direction checklist for this planning proposal is provided at Appendix Two.

**4.3 Section C – Environmental, Social and Economic Impact**

**Q7 Is there any likelihood that critical habitat or threatened species, population or ecological communities, or their habitats, will be adversely affected as a result of the proposal?**

Based on information currently available the planning proposal is not considered to give rise to any direct adverse impacts on critical habitat or threatened species, population or ecological communities, or their habitats.

Detailed ecological assessment of the sites flora and fauna characteristics was undertaken when the land was zoned for residential purposes and have been undertaken with respect to DA 2017/244.

**Q8 Are there any other likely environmental effects as a result of the planning proposal and how are they proposed to be managed?**

There are no other significant environmental impacts identified as a result of the planning proposal.

**Q9 Has the planning proposal adequately addressed any social and economic effects?**

The social and economic outcomes resulting from the proposed rezoning are considered to be generally positive. The table below provides a summary of potential positive impacts associated with the planning proposal.

Potential Positive Economic Impacts
Provides for additional commercial development opportunities through expansion of the proposed neighbourhood commercial area
Provides broader economic benefits to the shire through increasing the population capacity of the future estate through the provision of medium density development in parts of the site.

Potential Positive Social Impacts
Improves public safety associated with vehicle access to the estate and reduces the potential for pedestrian-vehicle conflicts associated with the neighbourhood commercial centre.
Provides for improved housing choice through the provision of medium density development opportunities.

#### 4.4 Section D – State and Commonwealth Interests

**Q10 Is there adequate public infrastructure for the planning proposal?**

Yes. The proposal is able to be serviced by existing infrastructure.

**Q11 What are the views of state and Commonwealth public authorities consulted in accordance with the Gateway determination?**

Consultation is proposed to be undertaken with the Roads and Maritime Service and NSW Rural Fire Service and airport authorities post Gateway determination.

## 5. Mapping

The following maps will be prepared to support this planning proposal and will be included in Appendix 4 prior to public exhibition:

Map 1 – Site Plan (Aerial);

Map 2 – Current Land Zoning Map Ballina LEP 2012;

Map 3 – Proposed Land Zoning Map Ballina LEP 2012;

Map 4 – Current Floor Space Ratio Map Ballina LEP 2012; and

Map 5 – Proposed Floor Space Ratio Map Ballina LEP 2012.

## 6. Community Consultation

This planning proposal will be exhibited in accordance with the Gateway determination and the terms of the EP&A Act. A minimum public exhibition period of 28 days is proposed which will incorporate the following elements:

- Advertisement within the Ballina Shire Advocate;
- Letters to adjoining and nearby property owners;
- Notice on Council's web site; and
- Exhibition at Council's Customer Service Centre and libraries.

## 7. Timeline

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

Plan Making Step	Estimated Completion (Before)
Gateway Determination	January 2018
Government Agency Consultation	February 2018
Public Exhibition Period	March 2018
Public Hearing	N/A
Submissions Assessment	April 2018
RPA Assessment of Planning Proposal and Exhibition Outcomes	May 2018
Submission of Endorsed LEP to DP&E for Finalisation	N/A
RPA Decision to Make the LEP Amendment (if delegated)	May 2018 <sup>#</sup>
Forwarding of LEP Amendment to DP&E for Notification (if delegated)	May 2018

<sup>#</sup> Council is proposing to exercise plan finalisation functions under delegation.

## 8. Appendices

## Appendix 1 – Council Reports

### **9.2 Planning Proposal - Skennars Head Village Expansion**

**141217/11      RESOLVED**

(Cr Sharon Cadwallader/Cr Ben Smith)

1. That Council endorses the proposed amendments to the Ballina Local Environmental Plan 2012 relating to the application of B1 and R3 zones as outlined in the planning proposal (BSCPP 17/010 Skennars Head Expansion Area) contained in Attachment One.
2. That Council submit BSCPP 17/010 Skennars Head Expansion Area to the NSW Department of Planning & Environment for Gateway determination.
3. That the Department of Planning and Environment be advised that Council wishes to exercise its delegated plan making functions for this LEP amendment.

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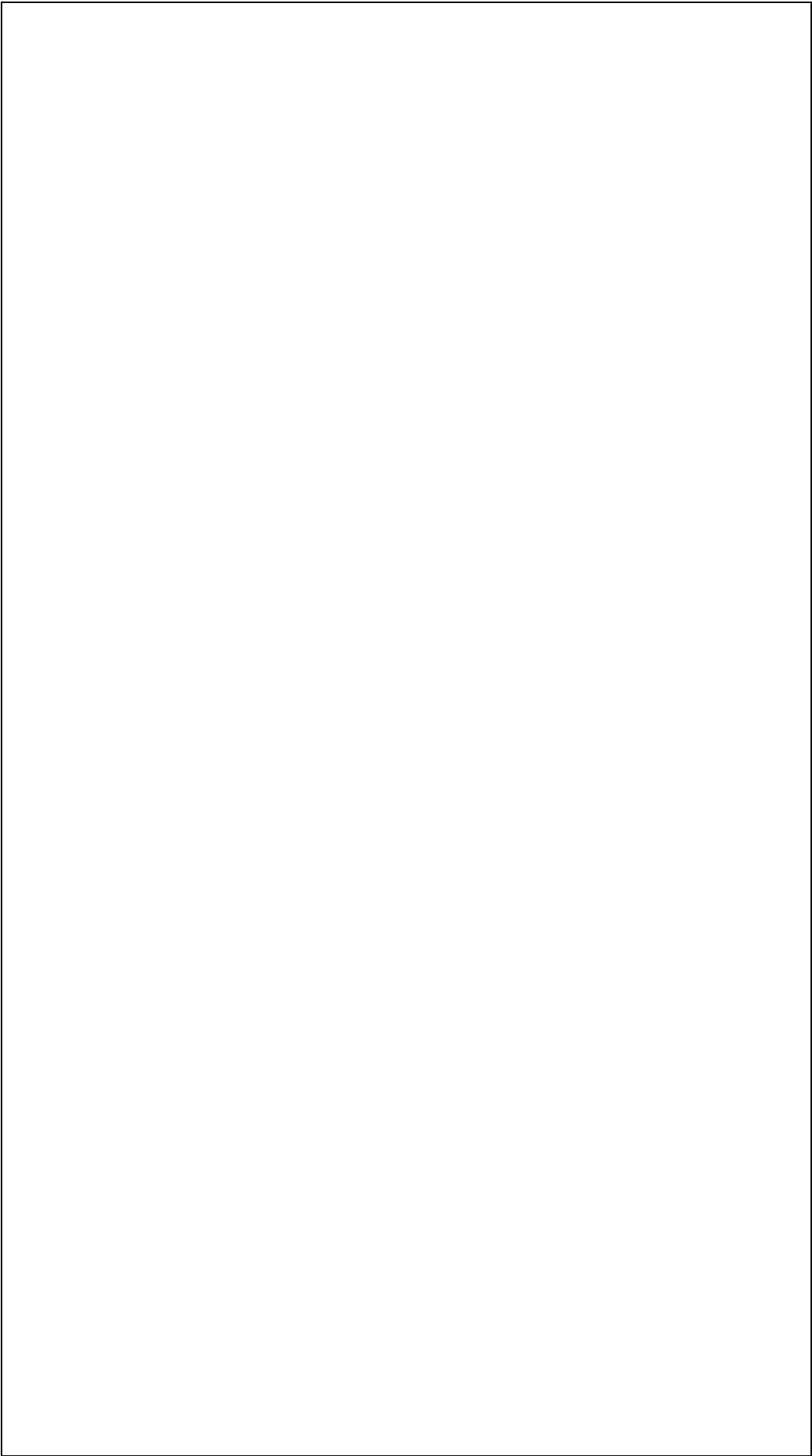
Page 8 of 15 of the Minutes of the Ordinary Meeting of Ballina Shire Council – 14/12/17

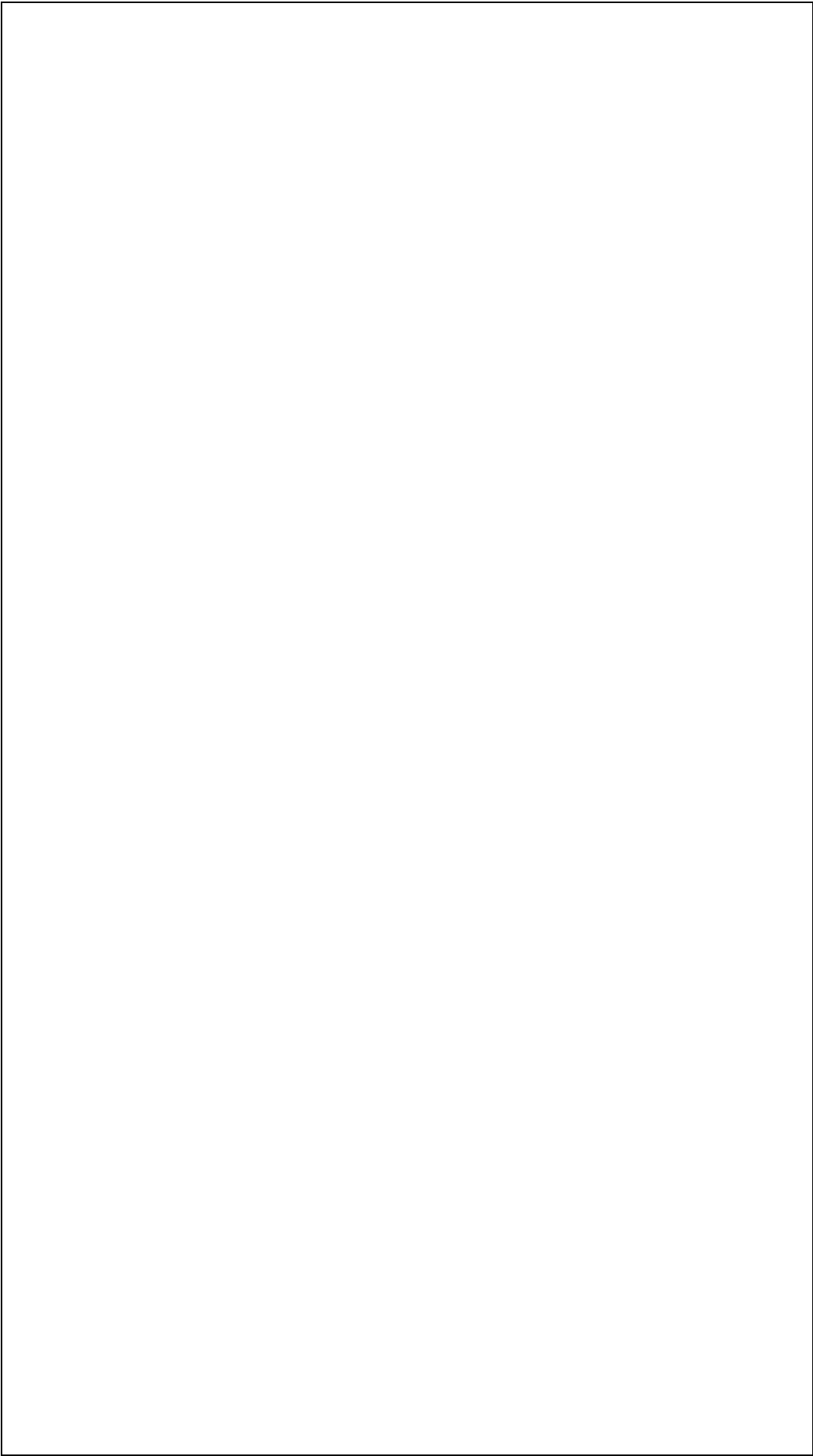
### **MINUTES OF THE ORDINARY MEETING OF BALLINA SHIRE COUNCIL HELD IN THE BALLINA SHIRE COUNCIL CHAMBERS 40 CHERRY STREET BALLINA, ON 14/12/17 AT 9.00 AM**

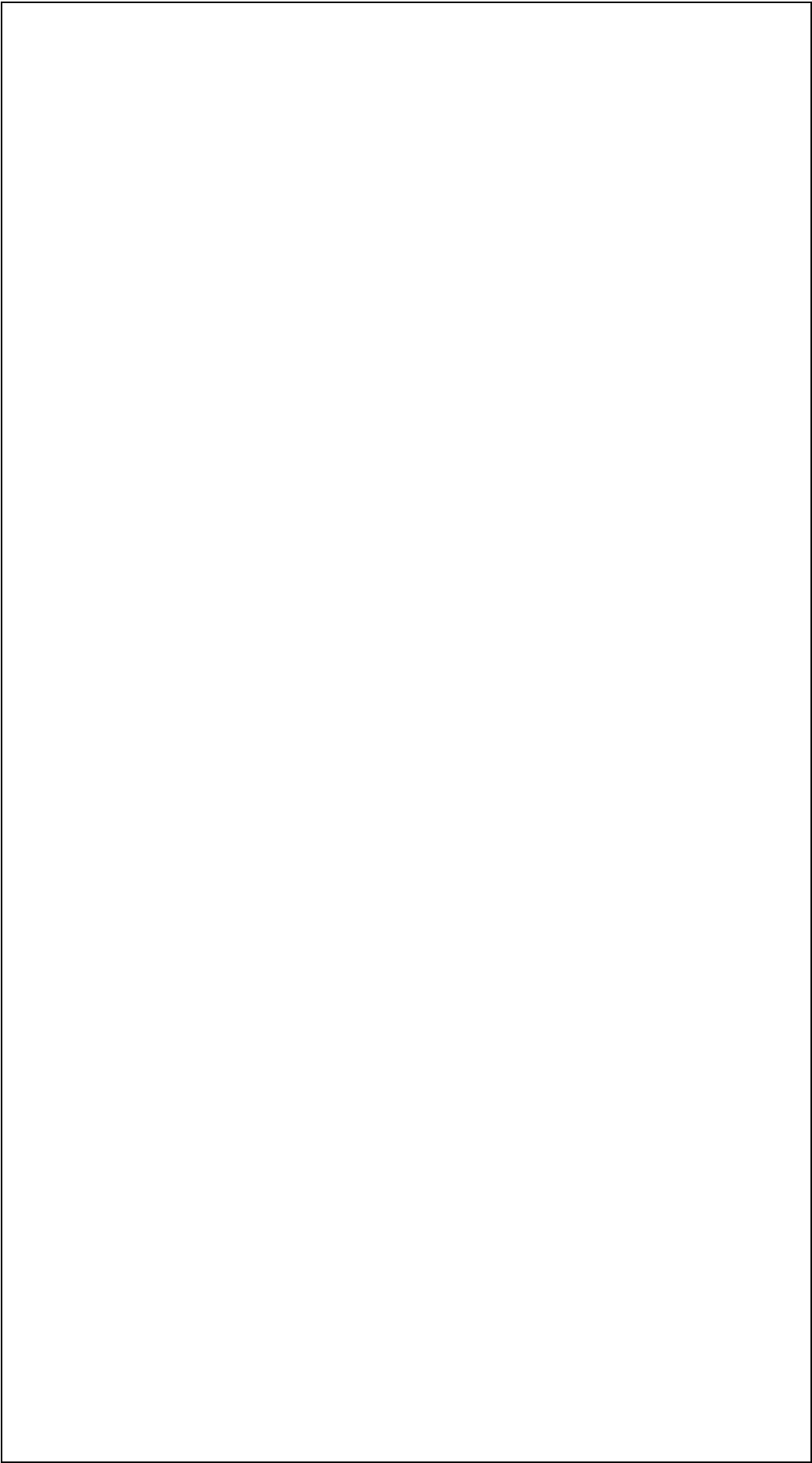
4. That upon an affirmative Gateway determination being received from the Department of Planning and Environment, the procedural steps associated with progression of the planning proposal be undertaken, including public exhibition.
5. That the planning proposal be reported to the Council for further consideration following the completion of the public exhibition of the proposed LEP amendments.

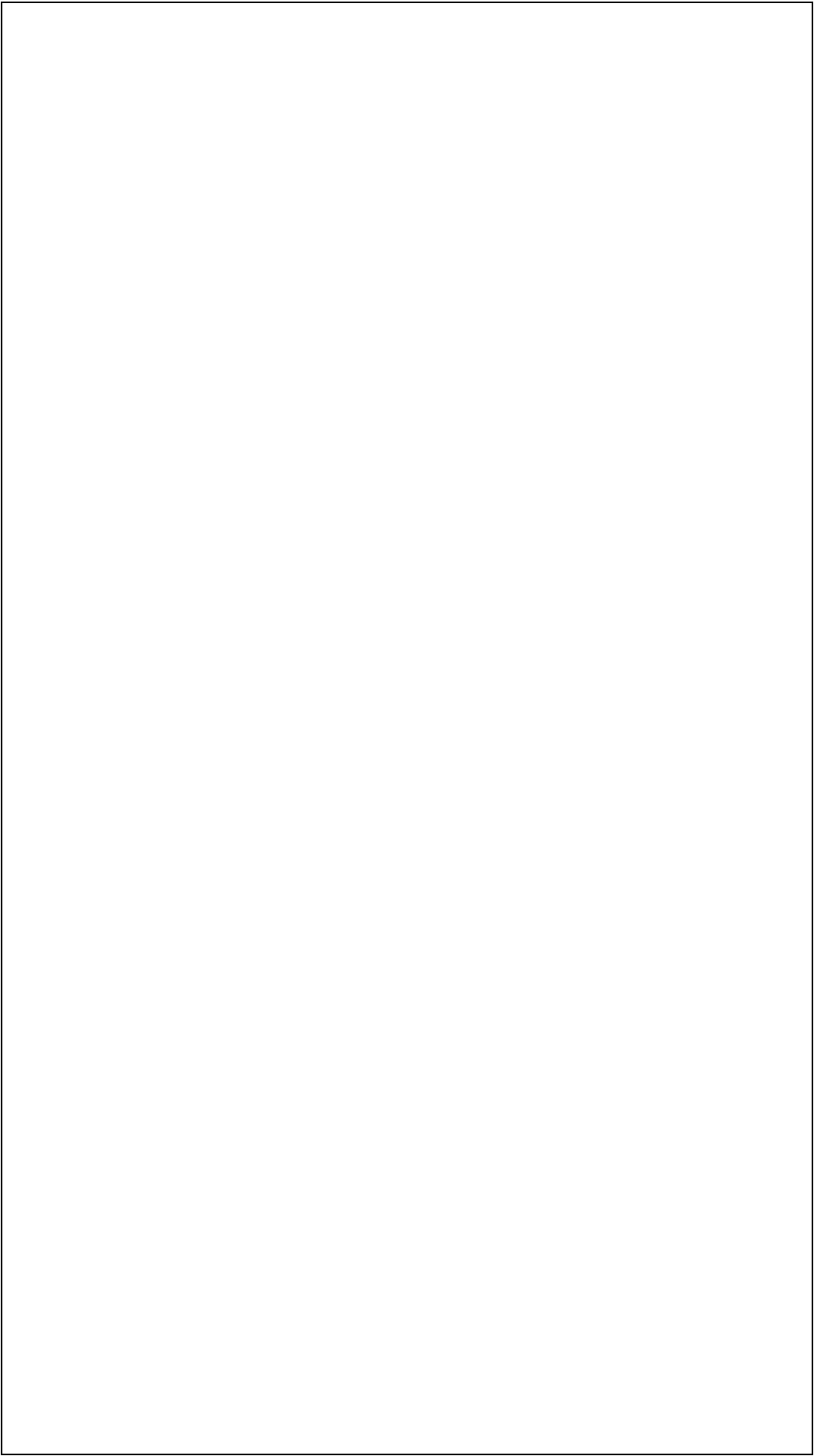
FOR VOTE - All Councillors voted unanimously.

Paul Hickey, General Manager, returned at 11.47 am









# Appendix 2 – Section 117 Direction Checklist

Section 117 Direction Checklist – (Updated Directions Dated 15 May 2017) Planning Proposal – Skennars Head Expansion Area	
Direction No.	Compliance of Planning Proposal
<b>1. Employment and Resources</b>	
1.1 Business and Industrial Zones	<p>Justifiably Inconsistent – The proposal involves the relocation and expansion of commercial zoning on the site. The proposal involves an area of existing business zone (870m<sup>2</sup> in area) being converted to residential zoning in association with a larger area of residential zone (13,600m<sup>2</sup> in area) being converted to business zoning (B1 Neighbourhood Commercial).</p> <p>It is expected that the proponent will provide further information addressing the extent of the proposed business zoning be provided to justify inconsistency with Direction 1.1. The proponent has offered to provide such information, post-Gateway determination and prior to public exhibition of the planning proposal.</p>
1.2 Rural Zones	Consistent.
1.3 Mining, Petroleum Production and Extractive Industries	Consistent.
1.4 Oyster Aquaculture	Does not apply to planning proposal.
1.5 Rural Land	<p>Consistent.</p> <p>The planning proposal does not affect land within an existing rural or environmental protection zone.</p>
<b>2. Environment and Heritage</b>	
2.1 Environment Protection Zones	<p>Consistent.</p> <p>The planning proposal does not involve the development of land identified as being of environmental significance.</p>
2.2 Coastal Protection	<p>Consistent.</p> <p>The subject lots are located within the coastal zone.</p> <p><i>Clause 5.5 Development within the coastal zone</i> contained within Ballina LEP 2012 is applicable to development proposed within the coastal zone. Clause 5.5 included provisions that give effect to and are consistent with:</p> <p>(a) the <i>NSW Coastal Policy: A Sustainable Future for the New South Wales Coast 1997</i>, and</p> <p>(b) the <i>Coastal Design Guidelines 2003</i>, and</p> <p>(c) the manual relating to the management of the coastline for the purposes of section 733 of the <i>Local Government Act 1993</i> (the <i>NSW Coastline Management Manual 1990</i>).</p>
2.3 Heritage Conservation	<p>Consistent.</p> <p>Ballina LEP 2012 contains provisions (clause 5.10 and Schedule 5) which are consistent with this direction.</p> <p>The consideration of cultural heritage matters was undertaken in association with the initial planning proposal process when the land was zoned for urban purposes.</p>
2.4 Recreation Vehicle Areas	<p>Consistent.</p> <p>The planning proposal does not involve the development of land for the purpose of a recreation vehicle area.</p>
2.5 Application of E2 and E3 Zones and Environmental Overlays in Far North Coast LEPs	Does not apply to planning proposal.
<b>3. Housing, Infrastructure and Urban Development</b>	

Section 117 Direction Checklist – (Updated Directions Dated 15 May 2017) Planning Proposal – Skennars Head Expansion Area	
Direction No.	Compliance of Planning Proposal
3.1 Residential Zones	<p>Consistent.</p> <p>This proposal involves the rezoning of land from R2 Low Density zone to a combination of R3 Medium Density zone and B3 Neighbourhood Commercial zone. The proposal also involves the rezoning of a small area of B3 zone to R2. The outcome of the proposal will be to provide for greater housing diversity through providing for increased medium density residential development opportunities. BLEP 2012 includes an existing provision (Clause 7.7) that requires that adequate servicing be in place, or suitable arrangements to have been made for such servicing, before development proceeds.</p>
3.2 Caravan Parks and Manufactured Home Estates	<p>Consistent.</p> <p>This proposal will not result in any reduction in the existing availability of land for caravan parks or manufactured home estates.</p>
3.3 Home Occupations	<p>Consistent.</p> <p>The proposal will not affect any existing permissibility or exemptions for home occupations.</p>
3.4 Integrating Land Use and Transport	<p>Justifiably inconsistent</p> <p>The proposed rezoning is considered to be of minor significance.</p>
3.5 Development Near Licensed Aerodromes	<p>Justifiably inconsistent.</p> <p>The subject land is located within the Obstacle Limitation Surface (OLS) of the Ballina-Byron Gateway Airport which is a trigger for consultation with Commonwealth airport authorities. This consultation is proposed to take place post Gateway determination.</p> <p>Contours across the subject land (west to east) range from &lt;2m AHD to 18m AHD . The OLS surface level for the subject land is 46.5 metres. An 8.5 metre building height limit applies to the subject land. Therefore proposed residential development on the subject land will not breach the OLS level.</p> <p>The subject land is not located within an ANEF contour of 20 or greater.</p>
3.6 Shooting Ranges	Does not apply to planning proposal.
<b>4. Hazard and Risk</b>	
4.1 Acid Sulfate Soils	<p>Does not apply to planning proposal.</p> <p>The subject land is not mapped as containing acid sulfate soils on the Acid Sulfate Soil Maps which form a part of BLEP2012.</p>
4.2 Mine Subsidence and Unstable Land	<p>Does not apply to planning proposal.</p> <p>The subject land is not identified as geotechnical unstable.</p>
4.3 Flood Prone Land	<p>Justifiably inconsistent.</p> <p>Parts of the subject land are identified as flood prone. Flood susceptibility was considered in detail when the land was zoned for urban purposes, in a manner consistent with the NSW Flood Development Manual 2005. No residential development is proposed within flood affected areas.</p>
4.4 Planning for Bushfire Protection	<p>Justifiably inconsistent.</p> <p>Parts of the subject land are identified as bushfire prone. Bushfire hazards were considered in detail when the land was zoned for urban purposes.</p> <p>Consultation will be undertaken with the NSW Rural Fire Service post Gateway determination.</p>
<b>5. Regional Planning</b>	
5.1 Implementation of Regional Strategies	Revoked.
5.2 Sydney Drinking Water Catchments	Does not apply to Ballina Shire.

<b>Section 117 Direction Checklist – (Updated Directions Dated 15 May 2017)</b> <b>Planning Proposal – Skennars Head Expansion Area</b>	
<b>Direction No.</b>	<b>Compliance of Planning Proposal</b>
5.3 Farmland of State and Regional Significance on the NSW Far North Coast	<p>Justifiably inconsistent</p> <p>The subject land is designated as significant regionally non-contiguous farmland on maps marked “Northern Rivers Farmland Protection Project, Final Map 2005 (Section 117 (2) Direction)”.</p> <p>This planning proposal is consistent with the North Coast Regional Plan 2036 in so far as the subject land complies with the Urban Growth Area Variation Principles and meets the Important Farmland Variation Criteria contained within the plan. It is also consistent with the plan as the subject land is located within a designated Urban Growth Area. The subject land is currently zoned for urban purposes.</p>
5.4 Commercial and Retail Development along the Pacific Highway, North Coast	Does not apply to planning proposal.
5.5 Development in the vicinity of Ellalong Paxton and Millfield (Cessnock LGA).	Revoked.
5.6 Sydney to Canberra Corridor (Revoked 10 July 2008. See amended Direction 5.1	Revoked.
5.7 Central Coast (Revoked 10 July 2008. See amended Direction 5.1)	Revoked.
5.8 Second Sydney Airport: Badgerys Creek	Does not apply to Ballina Shire.
5.9 North West Rail Link Corridor Strategy	Does not apply to Ballina Shire.
5.10 Implementation of Regional Plans	<p>Consistent.</p> <p>The planning proposal is considered to be consistent with the North Coast Regional Plan 2036 as the subject land is located within a designated Urban Growth Area.</p> <p>The planning proposal is considered to achieve the overall intent of the regional strategy and supports the achievement of its vision, land use strategy, policies, outcomes and actions.</p>
<b>6. Local Plan Making</b>	
6.1 Approval and Referral Requirements	<p>Consistent.</p> <p>The planning proposal does not introduce any new concurrence or consultation provisions or any additional designated development types.</p>
6.2 Reserving Land for Public Purposes	<p>Consistent.</p> <p>The planning proposal does not create, alter or reduce existing zonings or reservations of land reserved for public purposes.</p>
6.3 Site Specific Provisions	<p>Consistent.</p> <p>The planning proposal does not introduce any new site specific provisions.</p>
<b>7. Metropolitan Planning</b>	
7.1 Implementation of the Metropolitan Strategy	Does not apply to Ballina Shire.
7.2 Implementation of Greater Macarthur Land Release Investigation	Does not apply to Ballina Shire.
7.3 Parramatta Road Corridor Urban Transformation Strategy	Does not apply to Ballina Shire.

## Appendix 3 – Gateway Determination

A copy of the Gateway determination will be included here.

## Appendix 4 – Mapping

## Appendix 5 – Proponent's Planning Proposal Submission

The proponent's planning proposal submission is provided under separate cover.