

enquiries refer

Simon Scott

in reply please quote

LEP Amendment – BSCPP 19/004 Farm Gate Retail (19/67517)



4 September 2019

Mr Jeremy Gray
Director Regions, Northern Planning Services
Department of Planning, Infrastructure & Environment
Locked Bag 9022
GRAFTON NSW 2460
Emailed to: northcoast@planning.nsw.gov.au

Dear Sir

Re: Planning Proposal – Ballina LEP 2012 – Farm Gate Retail Activity on Rural Land

At its Ordinary Meeting held on 25 July 2019, Ballina Shire Council considered a report relating to an LEP amendment relating to providing for small-scale retail activity in conjunction with rural industry.

In respect to this matter the Council resolved as follows:

1. *That Council prepare a planning proposal to introduce provisions into the Ballina Local Environmental Plan 2012 to enable 'industrial retail outlet' as permissible with development consent on land within the RU1 Primary Production zone and RU2 Rural Landscape zone.*
2. *That the planning proposal include 'industrial retail outlet' as a land use subject to clause 7.9 of the Ballina Local Environmental Plan 2012.*
3. *That the planning proposal introduce floor space area controls to apply to industrial retail outlets located on rural land consistent with the parameters outlined in this report.*
4. *That the planning proposal be forwarded to the Department of Planning, Industry and Environment for a Gateway determination.*
5. *That the Department of Planning, Industry and Environment be advised that Council wishes to exercise its delegated plan making functions for this LEP amendment.*
6. *That upon an affirmative Gateway determination being received from the Department of Planning, Industry and Environment, the procedural steps associated with progression of the planning proposal be undertaken, including public exhibition.*
7. *That Council receive a further report on the matter following the completion of the public exhibition of the planning proposal.*

8. *That Council prepare complimentary amendments to the Ballina Shire Development Control Plan 2012 and include provisions to clarify the scope of activities considered to be ancillary to agriculture.*
9. *That the draft amendments to the Ballina Shire Development Control Plan 2012 be reported to Council for further consideration prior to proceeding with the public exhibition of the amendments.*

In accordance with the above resolution, please find enclosed the abovementioned planning proposal for Gateway determination in accordance with Section 56 of the Environmental Planning & Assessment Act 1979.

Council is seeking to exercise the functions of the local plan-making authority under section 3.36(2) of the Environmental Planning and Assessment Act 1979 for this LEP amendment. The Evaluation Criteria for the Delegation of Plan Making Functions checklist is enclosed for your reference.

If you have any enquiries in regard to this matter please contact me on telephone (02) 6686 1432 or by email simon.scott@ballina.nsw.gov.au.

Yours faithfully



Simon Scott
Strategic Planner
Strategic and Community Facilities Group

Encl: Planning Proposal – BSCPP 19/004 Farm Gate Retail Activity on Rural Land (Gateway)
Attachment 4: Evaluation criteria for the delegation of plan making functions checklist