



Planning Proposal 24/004 (PP-2024-2212)

» *Aureus Village Centre, Skennars Head*

Ballina Local Environmental Plan 2012

December 2024 (V1 Commencement - 24/77588)

ballina
shire council



40 cherry street • po box 450 • ballina nsw 2478
t 1300 864 444 • e council@ballina.nsw.gov.au

ballina.nsw.gov.au

DISCLAIMER © NSW Spatial Services 2022. Although all care is taken in the preparation of plans within this document and its attachments, Ballina Shire Council accepts no responsibility for any misprints, errors, omissions or inaccuracies. The information contained within each plan is for pictorial representation only. Do not scale. Accurate measurements should be undertaken by survey.

Contents

Contents	1
1. Introduction.....	1
1.1 Summary	1
1.2 Background to Planning Proposal	3
1.3 Council Resolutions	4
1.4 Gateway Determination	5
2. Planning Proposal	6
Part 3 – Justification	6
Section A – Need for the planning proposal.....	6
Section B – Relationship to strategic planning framework	7
Section C – Environmental, social and economic impact	10
Section D – Infrastructure (Local, State and Commonwealth)	11
Section E – State and Commonwealth Interests	11
Part 4 – Mapping	11
Part 5 – Community Consultation	12
Part 6 – Timeline	12
Appendices	13
Appendix 1 – Council Reports	14
Appendix 2 – Gateway	15
Appendix 3 – Section 9.1 Direction Checklist.....	16
Appendix 4 – Mapping.....	24
Appendix 5 – Proponent’s Planning Proposal Request Submission.....	25
Appendix 6 – Coastal Zone Assessment	26

1. Introduction

1.1 Summary

This planning proposal (PP) primarily seeks to rezone part of Lot 346 DP 1271483 (Lot 346), 21 Aureus Boulevard, Skennars Head, from its current E1 Local Centre (E1) zoning, to R3 Medium Density Residential (R3) under the provisions of Ballina LEP 2012 (BLEP2012).

The planning proposal also seeks to correct a zoning anomaly, created through the misalignment of cadastral boundaries and zoning map data. Correction of the anomaly will result in the rezoning of that part of Lot 346 zoned 7(d) Environmental Protection (Scenic / Escarpment) under the provisions of Ballina LEP 1987 (BLEP1987) to E1 or R3. Minor adjustment of zones along road boundaries will also result through the correction of zone map boundaries to match cadastral boundaries.

Consequential changes to the Floor Space Ratio map, and Land Application map if required, are also proposed.

Lot 346 is located on the eastern side of the Aureus Estate at Skennars Head, between Aureus Boulevard and the coastal parkland public open space. Figure 1 below shows the location of Lot 346.

Figure 1 - Site Locality Aerial Photo



Lot 346 has an area of 1.305 hectares. This planning proposal primarily relates to part of Lot 346 which has an area of 6,650m², bordered by Aureus Boulevard to the west, Wave Break Circuit to the south, and public open space to the east. The remainder of Lot 346, located north of the rezoning area, will retain an E1 zoning.

Figures 2 and 3 below shows the existing and proposed zones to be applied to Lot 346.

Figure 2 – Existing Site Zoning

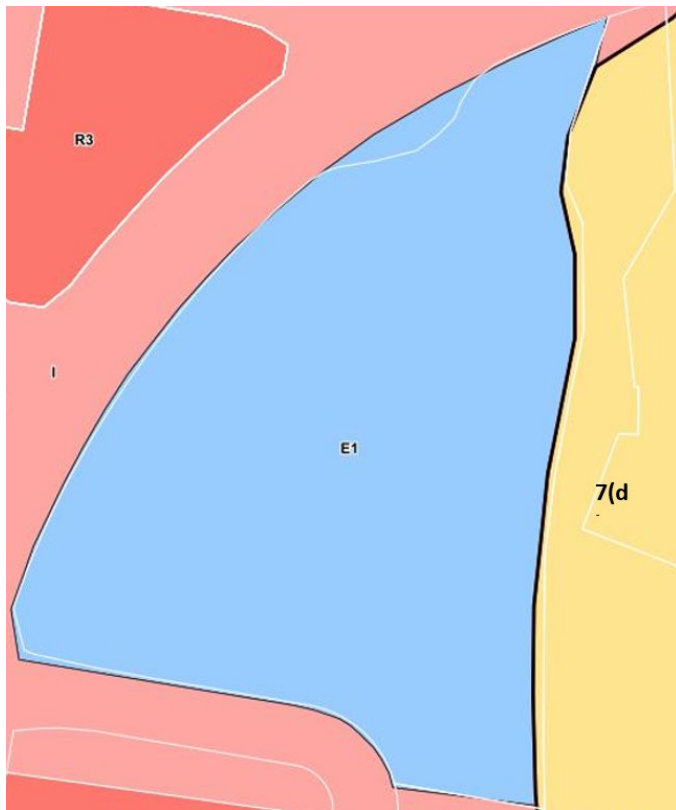


Figure 3 – Proposed Site Zoning



The proposed rezoning also seeks to facilitate the development of medium density housing, enhancing the site's residential diversity while maintaining the viability of commercial activities.

In support of the planning proposal, the proponent has offered to enter into a planning agreement to ensure the timely completion of part of the proposed commercial development.

The planning proposal is considered to be consistent with the strategic planning framework applicable to the site and to have local and strategic planning merit. Specifically, the proposal seeks to amend the Ballina Local Environmental Plan 2012 (BLEP 2012) to rezone the southern portion of Lot 346, covering 6,650m² to R3. The northern portion, comprising 6,402m², will retain a E1 zoning.

Zone boundary mapping anomalies are also proposed to be corrected. This will remove a sliver of 7(d) zoned land from the eastern side of Lot 346, and align lot zone boundaries with road boundaries.

This planning proposal also proposes to amend the Floor Space Ratio (FSR) map. The FSR map is proposed to be amended to remove that part of Lot 346 proposed to be rezoned R3 from the map.

This planning proposal has been prepared following consideration by the Council of a request to prepare a planning proposal submitted on behalf of the property owners.

1.2 Background to Planning Proposal

The Aureus Estate was initially zoned for urban development in April 2014 via Amendment No. 8 to the BLEP 2012. This amendment applied an R2 Low Density Residential zoning to the site, with a small portion of land near Headlands Drive in the northern section zoned as B1 Neighbourhood Centre.

In December 2019, BLEP2012 Amendment No. 38 was made. This amendment amongst other matters increased the area of B1 zoned land within the Aureus Estate from 870m² to its current size of 1.305ha. The B1 area was also relocated to a more central location adjoining open space. At that time the planning controls permitted the construction of a neighbourhood centre having a maximum 5,400m² gross leaseable floor area.

The objective of Amendment No 38 was to facilitate the development of a neighbourhood centre, providing small-scale retail, business, and community services to meet the needs of the surrounding residents.

In December 2021, the State Government implemented reforms to employment zones. This changed the zoning of the site from substantially B1 Neighbourhood Centre to substantially E1 Local Centre. The E1 Local Centre zone being the same zone as is applicable to the Epiq Centre, and the Lennox Head and East Ballina commercial centres.

Economic analysis conducted in 2018, as part of the process leading to BLEP2012 Amendment No. 38 identified sufficient retail demand to support the proposed uses, including a local supermarket, specialty stores, and supporting development such as gyms and childcare facilities. This analysis was based on Council's retail hierarchy and the economic conditions at the time.

A *Retail Needs Assessment* submitted in support of the current planning proposal request (Appendix 5) highlights significant changes since the 2018 analysis. The most notable

change being the completion of the Epiq Marketplace in Hutley Drive at Lennox Head. This centre now attracts a substantial portion of local retail spending.

Although Epiq Marketplace was approved at the time of the 2018 analysis, it was then not operational. It has since been fully developed. It contains a full-line Woolworths supermarket, specialty shops (including a bottle shop and medical facilities), a gym, and cafes. This marketplace has become a major retail destination, significantly reducing the demand for additional commercial development in the surrounding area, including Skennars Head. Additions approved in 2024 to the Epiq Marketplace have increased retail floorspace within this centre to approximately 6,500m².

The *Retail Needs Assessment* also points to shifts in consumer behavior, particularly the growth of online shopping and home delivery services, which it is argued have further reduced demand for traditional brick-and-mortar retail.

Given these economic shifts, the *Retail Needs Assessment* concluded that the original allocation of a 13,500m² E1 zoned site was excessive. The retail demand analysis indicates a market gap of between 1000 – 1500m² of retail floor space at Skennars Head. This would typically require a site area of between 3000 – 5,000m².

Consequently, this planning proposal seeks to reduce the size of the proposed Skennars Head local centre and rezone that part of the site no longer required for commercial purposes by applying an R3 zone. This will facilitate this area being developed for medium density residential development. Preliminary site planning suggests that this area could accommodate 20 to 30 medium-density townhouses, depending on the final unit mix.

1.3 Council Resolutions

Council at its meeting on 12 December 2024 resolved as follows (121224/43):

1. That Council endorses the proposed amendments to the Ballina Local Environmental Plan 2012 relating to the application of a R3 zone to part of Lot 346 DP1271483, the correction of the zoning anomaly as it relates to the 7(d) zone, and consequential changes to the Floor Space Ratio Map, and Land Application Map if required, as detailed in planning proposal (BSCPP 24/004 Aureus Village Centre) contained in Attachment 6.
2. That Council submit planning proposal BSCPP 24/004 Aureus Village Centre to the NSW Department of Planning Housing and Infrastructure for Gateway determination.
3. That the Department of Planning Housing and Infrastructure be advised that Council is seeking to be authorised as the Local Plan Making Authority for this LEP amendment and to exercise its delegated plan making functions.
4. That upon an affirmative Gateway determination being received the procedural steps associated with progression of the planning proposal be undertaken, including public exhibition.
5. That Council endorse the preparation of a draft Planning Agreement as detailed in this report with amendments as proposed.
6. The draft planning agreement (or other suitable legal mechanism) once finalised be publicly exhibited concurrently with the planning proposal.
7. That the planning proposal and associated planning agreement be reported to Council for further consideration following the completion of the public exhibition period.
8. That in relation to the planning agreement Council expresses a preference for the following:
 - That no residential lots are registered, or occupation certificates sought in the R3 zone area until an occupation certificate has been issued for at least 600m² of the approved commercial floor space.

1.4 Gateway Determination

[Insert details when available]

2. Planning Proposal

Section 3.33(2) of the *Environmental Planning and Assessment Act 1979* (the Act) outlines requirements that must be provided for when preparing PPs. The following sections provide details of the Planning Proposal (PP) as it relates to Section 3.33(2) of the Act.

Part 1 – Objectives and intended outcomes

The objective of this PP is to amend the BLEP 2012 to provide a fit for purpose urban structure and to facilitate the development of part of the site for medium density residential purposes. This will be achieved by:

1. Amending the BLEP 2012 Land Zoning Map by rezoning part of Lot 346 from E1 to R3.
2. Correcting a zoning anomaly and rezoning that part of Lot 346 zoned 7(d) to match the proposed zone to the west (R3 or E1) as well as better aligning zone boundaries with road and lot boundaries.
3. Amending the BLEP 2012 Floor Space Ratio Map to remove FSR provisions from that part of Lot 346 proposed to be rezoned R3.
4. Amending the Land Application Map if required to include that part of the land subject to a 7(d) zone (designated as a deferred matter) within Ballina LEP 2012 if required.

Part 2 – Explanation of provisions

The amendments contained in this planning proposal are detailed below.

The amendments are mapping only amendments. They do not require the preparation of an LEP amendment by the NSW Parliamentary Counsel's Office.

It is proposed to rezone part of Lot 346 from E1 to R3, remove the 7(d) zone as it affects this lot and better align lot and road boundaries with zone boundaries. This will require Land Zoning Maps – Sheet LZN_006C and Sheet LZN_005D to be amended.

It is also proposed to remove the floor space ratio restriction applicable to that part of Lot 346 proposed to be zoned R3. This will require the Floor Space Ratio Maps – Sheet FSR_006C and Sheet FSR_005D to be amended so as to reconfigure Area J.

No change is proposed to BLEP2012 clause 7.11 Floor space ratio—Skennars Head Expansion Area. This clause will continue to apply to that part of Lot 346 which will retain an E1 zone.

A minor change to the Land Application Map LAP_001 may also be required to incorporate the area currently zoned 7(d) under Ballina LEP 1987 within Ballina LEP2012 as it affects Lot 346.

Part 3 – Justification

Section A – Need for the planning proposal

Q1 Is the planning proposal a result of an endorsed local strategic planning statement, strategic study or report?

No.

The planning proposal is a result of a *Retail Needs Assessment* report. The report concludes that there is insufficient commercial /retail demand to support the development of the whole of Lot 346 for neighbourhood shopping facilities.

The *Retail Needs Assessment* report also concludes, based on the analysis of catchment demand, existing supply, and information on similar centres, that there is an opportunity for the establishment of a retail centre with a total floorspace ranging from 900m² to 1,200m² within the Aureus estate. The report states that site coverage benchmarks would indicate that this quantum of floorspace would typically require a site area of between 3,000m² and 5,000m².

Based on the analysis undertaken in the *Retail Needs Assessment*, it is proposed to make provision for an E1 zoned local centre with a site area of 6,402m² within Lot 346. The remaining area of Lot 346 (6,650m²) is proposed to be zoned R3 and is the subject of this planning proposal.

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

Yes.

A planning proposal is the appropriate mechanism for achieving the proposed changes to the Ballina LEP 2012 Land Zoning, Floor Space Ratio Map, and Land Application Map if required.

Section B – Relationship to strategic planning framework

Q3 Will the planning proposal give effect to the objectives and actions of the applicable regional or district plan or strategy (including any exhibited draft plans or strategies)?

Yes.

The *North Coast Regional Plan 2041* is the current top level strategic planning document applicable to the Ballina Shire. It provides the regional framework for the consideration of policy development and the overall vision of the future.

The site is located within the “*urban growth area boundary*” as mapped in the North Coast Regional Plan 2041.

“*Support the delivery of housing supply and greater diversity in strategic and local centres, including higher density housing within and close to Ballina CBD*” is a specific action of this Plan.

This planning proposal will directly deliver on this action, while also ensuring that an appropriate area of E1 Local Centre zoning remains on the site to facilitate a local mixed-use village scale commercial development to meet the needs of residents and visitors.

Q4 Is the planning proposal consistent with a council LSPS that has been endorsed by the Planning Secretary or CSC, or another endorsed local strategy or strategic plan?

Yes.

Ballina Shire Local Strategic Planning Statement 2020-2040 (LSPS)

The planning proposal is consistent with the intent of relevant planning priorities contained within the LSPS.

LSPS Planning Priority 5 states:

Maintain a supply of suitably located employment land, close to population centres at Alstonville – Wollongbar and Ballina – Lennox Head, so as to foster local employment opportunities and reduce journey to work travel distances.

The *Retail Needs Assessment* (Appendix 5) demonstrates that the current area of E1 zoned land is well in excess of the area required to support a level of commercial / retail floor space that can be sustained at Skennars Head. Rezoning the southern part of the site will therefore ensure that an economically viable and sustainable neighbourhood centre can be delivered. This is consistent with the intent of the LSPS Planning Priority 5.

LSPS Planning Priority 6 states:

Incorporate diverse housing choice options, including infill development options, when preparing placed based strategic plans.

The proposed R3 zone will provide for a local increase in housing diversity, to add to the existing townhouse supply within the Aureus estate. Shop top housing is also proposed as part of the commercial development proposed for the retained E1 zoned portion of the site.

The planning proposal is also consistent with the *Ballina Shire Housing Strategy 2024*. The preparation of this strategy is referenced as Action Item 6.4 of the LSPS. The Housing Strategy principles support the delivery of diverse housing options on infill sites.

Ballina Shire Council Community Strategic Plan 2022-2032 (CSP)

The planning proposal is consistent with the elements and specified outcomes contained within Council's CSP as its objectives align with the principles of good governance and ensuring that planning instruments are operating optimally.

Q5 Is the planning proposal consistent with any other applicable State and regional studies or strategies?

N/A

There are no other relevant state or regional studies or strategies relevant to the planning proposal.

Q6 Is the planning proposal consistent with applicable State Environmental Planning Policies (SEPPs)?

Yes

The planning proposal is generally consistent with applicable State Environmental Planning Policies as demonstrated in the table below.

SEPP	Comments	Consistency
SEPP (Biodiversity and Conservation) 2021	Chapter 3 Koala habitat protection 2021 This Chapter aims to encourage the conservation and management of areas of natural vegetation that provide habitat for koalas to support a permanent free-living population over their present range and reverse the current trend of koala population decline.	The site is not located within the Koala Planning Area mapped with Ballina Shire Koala Management Strategy, 2017. The site does not contain any native vegetation that could be considered potential koala habitat.
SEPP (Housing) 2021		While the delivery of additional diverse housing options at the site is consistent with the principles of this Policy, there are no provisions directly relevant to the proposed rezoning.
SEPP (Planning Systems) 2021	Chapter 2 deals with State and regional development and is applicable at DA stage rather than rezoning.	There are no provisions directly applicable. Future residential development within the rezoned parcel could be regionally significant, depending on the estimated cost.
SEPP (Resilience and Hazards) 2021	Chapter 2 Coastal Management The aim of this Chapter is to promote an integrated and co-ordinated approach to land use planning in the coastal zone in a manner consistent with the objects of the Coastal Management Act 2016.	The site is not mapped under the SEPP as containing any areas of coastal wetland or littoral rainforest, nor is it mapped within areas proximate to those attributes. An area of mapped wetland is located approx. 350m to the west of the site. The site is not identified as a Coastal Vulnerability Area and is not within the Coastal Environment Area. It is mapped within the Coastal Use Area. Considerations for a future Development Application in this area relate to access to foreshore areas, protection of coastal amenity, and protection of cultural and built environmental heritage. The location of the site is such that its future development can be designed in a way that it will not impact on these coastal values.
	Chapter 4 Remediation of land This Chapter aims to promote the remediation of contaminated land for the purpose of reducing the risk of	The potential for soil contamination was comprehensively addressed as part of the original subdivision

	<p>harm to human health or any other aspect of the environment:</p> <p><i>(a) by specifying when consent is required, and when it is not required, for a remediation work, and</i></p> <p><i>(b) by specifying certain considerations that are relevant in rezoning land and in determining development applications in general and development applications for consent to carry out a remediation work in particular, and</i></p> <p><i>(c) by requiring that a remediation work meet certain standards and notification requirements.</i></p>	<p>application for the Aureus Estate.</p> <p>A Remediation of Contaminated Soil – Validation Report (Appendix 5) was prepared in 2019 and details how a minor area of contamination was remediated. That area of concern was located south of the Aureus Village site.</p> <p>The Validation Report demonstrates that the whole of the area is suitable for residential use.</p>
SEPP (Sustainable Buildings) 2022	The Policy aims to encourage the design and delivery of sustainable buildings.	<p>There are no provisions of this Policy directly applicable at rezoning stage.</p> <p>Future residential development at the site will be designed in accordance with the principles and requirements of this SEPP.</p>
SEPP (Transport and Infrastructure) 2021		There are no provisions of this SEPP directly applicable at rezoning stage.

Q7 Is the planning proposal consistent with applicable Ministerial Directions (s9.1 Directions)?

Yes, or justifiably inconsistent.

A number of section 9.1 Directions are relevant to the planning proposal. A section 9.1 Direction checklist is provided at Appendix 3.

Section C – Environmental, social and economic impact

Q8 Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected because of the proposal?

No.

Lot 346 has been cleared and was subject to extensive earthworks as part of subdivisional works for the broader Aureus estate. The land does not contain native vegetation or other vegetation having biodiversity value.

Q9 Are there any other likely environmental effects of the planning proposal and how are they proposed to be managed?

No

There are no likely adverse environmental effects associated with the planning proposal.

Q10 Has the planning proposal adequately addressed any social and economic effects?

Yes

The planning proposal is considered likely to achieve positive social and economic effects by:

- Providing additional R3 zoned land which will add to the potential housing diversity within this residential estate via the provision of 20 to 30 townhouse style dwelling units.
- Provide an E1 Local Centre zoned site of a size able to be supported by the local Skennars Head population. Refer to the *Retail Needs Assessment* which forms a part of the proponent's planning proposal request submission contained within Appendix 5.

Section D – Infrastructure (Local, State and Commonwealth)

Q11 Is there adequate public infrastructure for the planning proposal?

Yes

The adequacy of public infrastructure consisting of water, sewer and stormwater drainage has been confirmed in a Technical Memorandum from OSKA Consulting Group. This document forms a part of the planning proposal request submission contained in Appendix 5.

Section E – State and Commonwealth Interests

Q12 What are the views of state and federal public authorities and government agencies consulted in order to inform the Gateway determination?

Consultation is proposed to be undertaken with the Ballina Byron Gateway Airport and any other relevant agencies as required by the Gateway determination.

Part 4 – Mapping

The following map sheets of the BLEP 2012 are proposed to be amended as outlined in response to Part 2, as part of this PP:

- Land Zoning Map – Sheet LZN_006C and LZN_005D
- Floor Space Ratio Map – Sheet FSR_006C and FSR_005D
- Land Application Map – Sheet LAP_001

Part 5 – Community Consultation

This proposal will be exhibited in accordance with the Gateway determination, the terms of the *Environmental Planning and Assessment Act 1979* and Council's Community Participation Plan 2019.

A minimum exhibition period of 28 days is required as the planning proposal will be exhibited concurrently with a planning agreement and associated explanatory statement.

Part 6 – Timeline

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

Plan Making Step	Estimated Completion (Before)
Gateway Determination	January 2025
Government Agency Consultation	January - February 2025
Public Exhibition Period	January - February 2025
Public Hearing	N/A
Submissions Assessment	March 2025
Local Plan Making Authority (LPMA) Assessment of Planning Proposal and Exhibition Outcomes	April 2025
Submission of Endorsed LEP to DPHI for Finalisation	May 2025
PPA Decision to Make the LEP Amendment (if delegated) #	May 2025
Forwarding of LEP Amendment to DPHI for Notification (if delegated)	May 2025

Appendices

Appendix 1 – Council Reports

Appendix 2 – Gateway

Appendix 3 – Section 9.1 Direction Checklist

Section 9.1 Ministerial Direction Checklist Planning Proposal – BSCPP2024-004	
Direction No.	Compliance of Planning Proposal
Focus area 1: Planning Systems	
Implementation of Regional Plans	Consistent The Planning Proposal is consistent with the North Coast Regional Plan 2041. The site is located within the Urban Growth Area Map for Ballina LGA.
Development of Aboriginal Land Council land	Does not apply to this Planning Proposal
Approval and Referral Requirements	Consistent This Planning Proposal does not contain provisions requiring concurrence, consultation or referral of development applications.
Site Specific Provisions	Consistent The Planning Proposal proposes to rezone part of Lot 346 to an existing zone in BLEP 2012, which allows the proposed land use without imposing any development standards or requirements in addition to those already contained in that zone.
1.4A Exclusion of Development Standards from Variation	Does not apply to this Planning Proposal.
Focus area 1: Planning Systems – Place-based	
1.5 to 1.22	These Directions do not apply to Ballina Shire.
Focus area 2: Design and Place	
Focus area 3: Biodiversity and Conservation	
Conservation Zones	Consistent. The proposal does not relate to an environmentally sensitive area or land within a conservation zone.
Heritage Conservation	Consistent. The proposal does not relate to an environmentally sensitive area or land within a conservation zone.
Sydney Drinking Water Catchments	Does not apply to this Planning Proposal.
Application of C2 and C3 Zones and Environmental Overlays in Far North Coast LEPs	Not applicable. The proposal does not involve the introduction of an environmental zones.
Recreation Vehicle Areas	Consistent. The proposal does not enable land to be developed for the purposes of a recreational vehicle area.
Strategic Conservation Planning	Consistent. This planning proposal does not relate to land identified as avoided land or a strategic conservation area.
Public Bushland	Does not apply to Ballina Shire.
Willandra Lakes Region	Does not apply to Ballina Shire.
Sydney Harbour Foreshores and Waterways Area	Does not apply to Ballina Shire.
Water Catchment Protection	Consistent. This planning proposal does not affect land in a regulated catchment.
Focus area 4: Resilience and Hazards	
Flooding	Consistent. This planning proposal does not seek to create, remove or alter a zone or provision that affects flood prone land.

Section 9.1 Ministerial Direction Checklist Planning Proposal – BSCPP2024-004	
Direction No.	Compliance of Planning Proposal
Coastal Management	Consistent. See detailed assessment below.
Planning for Bushfire Protection	Not applicable. The site is not mapped as bushfire prone land
Remediation of Contaminated Land	Consistent. See detailed assessment below.
Acid Sulfate Soils	Consistent. The site is not mapped as containing Acid Sulfate Soils.
Mine Subsidence and Unstable Land	Does not apply to this Planning Proposal.
Focus area 5: Transport and Infrastructure	
Integrating Land Use and Transport	Consistent. See detailed assessment below.
Reserving Land for Public Purposes	Consistent. This planning proposal does not create, alter or reduce existing zonings or reservations of land for public purposes.
Development Near Regulated Airports and Defence Airfields	Justifiably Inconsistent at this stage. This planning proposal relates to land within the Obstacle Limitation Surface Control area for Ballina Byron Gateway Airport. This airport is a regulated airport which will require that consultation take place with the lessee/operator of the airport during the preparation of the planning proposal. At this stage consultation with the airport operator has not taken place. It is proposed that consultation take place post Gateway determination during the public exhibition phase of this planning proposal. It is noted that no changes to permitted building heights are proposed.
Shooting Ranges	Does not apply to this planning proposal.
Focus area 6: Housing	
Residential Zones	Consistent. The Planning Proposal will provide for increased housing diversity / choice and make efficient use of existing services and infrastructure.
Caravan Parks and Manufactured Home Estates	Does not apply to this Planning Proposal.
Focus area 7: Industry and Employment	
Employment Zones	Justifiably Inconsistent. See detailed assessment below.
Reduction in non-hosted short term rental accommodation period	Does not apply to planning proposal.
Commercial and Retail Development along the Pacific Highway, North Coast	Does not apply to this Planning Proposal.
Focus area 8: Resources and Energy	
Mining, Petroleum Production and Extractive Industries	Does not apply to this Planning Proposal.
Focus area 9: Primary Production	
Rural Zones	Does not apply to this Planning Proposal.
Rural Lands	Does not apply to this Planning Proposal.
Oyster Aquaculture	Does not apply to this Planning Proposal.

Section 9.1 Ministerial Direction Checklist Planning Proposal – BSCPP2024-004	
Direction No.	Compliance of Planning Proposal
Farmland of State and Regional Significance on the NSW Far North Coast	Does not apply to this Planning Proposal.

Detailed Assessment Comments Relating to Identified Directions

Direction 4.2 – Coastal Management

Direction 4.2 applies when a Planning Proposal affects land within the coastal zone that is identified in the mapping associated with State Environmental Planning Policy (Resilience and Hazards) 2021.

The provisions of this direction are addressed below:

(1) *A Planning Proposal must include provisions that give effect to and are consistent with:*

(a) *The objects of the Coastal Management Act 2016 and the objectives of the relevant coastal management areas.*

The objects of the Act are addressed below:

(a) *to protect and enhance natural coastal processes and coastal environmental values including natural character, scenic value, biological diversity and ecosystem integrity and resilience, and*

The subject site is located to the west of the Coast Road, and west of the recently developed coastal parkland provided as part of the Aureus Estate. It is located well outside of the active coastal zone.

Development of medium density residential development within the rezoned portion of the site will not detract from the scenic or coastal amenity and will be consistent in character with the existing development within the Aureus Estate.

(b) *to support the social and cultural values of the coastal zone and maintain public access, amenity, use and safety, and*

Not directly applicable to this Planning Proposal.

(c) *to acknowledge Aboriginal peoples' spiritual, social, customary and economic use of the coastal zone,*

A detailed Cultural Heritage Assessment was undertaken as part of the original subdivision application and concluded that development of the estate would not result in cultural heritage impacts.

(d) *to recognise the coastal zone as a vital economic zone and to support sustainable coastal economies, and*

Not directly applicable to this Planning Proposal.

(e) *to facilitate ecologically sustainable development in the coastal zone and promote sustainable land use planning decision-making, and*

The site does not contain any areas identified as having high biodiversity values.

- (f) to mitigate current and future risks from coastal hazards, taking into account the effects of climate change, and*

The location of the subject site, well west of the active coastal zone, will ensure that future development will not be subject to coastal hazards.

- (g) to recognise that the local and regional scale effects of coastal processes, and the inherently ambulatory and dynamic nature of the shoreline, may result in the loss of coastal land to the sea (including estuaries and other arms of the sea), and to manage coastal use and development accordingly, and*

Not directly applicable to this Planning Proposal request.

- (h) to promote integrated and co-ordinated coastal planning, management and reporting, and*

The Planning Proposal request and supporting studies demonstrate consistency with this objective.

- (i) to encourage and promote plans and strategies to improve the resilience of coastal assets to the impacts of an uncertain climate future including impacts of extreme storm events, and*

The location of the site provides an adequate buffer from coastal storms now and into the future.

- (j) to ensure co-ordination of the policies and activities of government and public authorities relating to the coastal zone and to facilitate the proper integration of their management activities, and*

Not directly applicable to this Planning Proposal request.

- (k) to support public participation in coastal management and planning and greater public awareness, education and understanding of coastal processes and management actions, and*

The Planning Proposal will be publicly exhibited to gain community feedback.

- (l) to facilitate the identification of land in the coastal zone for acquisition by public or local authorities in order to promote the protection, enhancement, maintenance and restoration of the environment of the coastal zone, and*

Not directly applicable to this Planning Proposal request.

- (m) to support the objects of the Marine Estate Management Act 2014.*

Not directly applicable to this Planning Proposal request.

- (b) the NSW Coastal Management Manual and associated Toolkit*

The Manual provides guidance to local councils in the preparation and implementation of coastal management programs. The Toolkit provides additional technical information to assist in this process.

Council is undertaking a coastal management program, but it is not likely that it would contain policies or actions directly applicable to the subject site.

(c) Section 3.2 of the NSW Coastal Design Guidelines 2023

Appendix 6 to this Planning Proposal contains an assessment checklist against the provisions of Chapter 3 of the NSW Coastal Design Guidelines 2023.

(d) any relevant Coastal Management Program that has been certified by the Minister, or any Coastal Zone Management Plan under the Coastal Protection Act 1979 that continues to have effect under clause 4 of Schedule 3 to the Coastal Management Act 2016, that applies to the land

Council has not yet finalised a Coastal Management Program.

(2) A Planning Proposal must not rezone land which would enable increased development or more intensive land-use on land:

(a) within a coastal vulnerability area identified by chapter 2 of the State Environmental Planning Policy (Resilience and Hazards) 2021

The site is not identified as being within a coastal vulnerability area.

(b) that has been identified as land affected by a current or future coastal hazard in a local environmental plan or development control plan, or a study or assessment

The site is not identified as being affected by a current or future coastal hazard.

(3) A Planning Proposal must not rezone land which would enable increased development or more intensive land-use on land within a coastal wetlands and littoral rainforests area identified by chapter 2 of the State Environmental Planning Policy (Resilience and Hazards) 2021.

The site does not contain any areas identified within the SEPP as Coastal Wetland or Littoral Rainforest.

(4) A Planning Proposal for a local environmental plan may propose to amend the following maps, including increasing or decreasing the land within these maps, under chapter 2 of the State Environmental Planning Policy (Resilience and Hazards) 2021:

This Planning Proposal does not propose to amend any of the SEPP maps.

Direction 4.4 – Remediation of Contaminated Land

This direction applies when a Planning Proposal applies to land where specified land uses have been known to have been carried out.

(1) A Planning Proposal authority must not include in a particular zone (within the meaning of the local environmental plan) any land to which this direction

applies if the inclusion of the land in that zone would permit a change of use of the land, unless:

- (a) the Planning Proposal authority has considered whether the land is contaminated, and*
- (b) if the land is contaminated, the Planning Proposal authority is satisfied that the land is suitable in its contaminated state (or will be suitable, after remediation) for all the purposes for which land in the zone concerned is permitted to be used, and*
- (c) if the land requires remediation to be made suitable for any purpose for which land in that zone is permitted to be used, the Planning Proposal authority is satisfied that the land will be so remediated before the land is used for that purpose.*

In order to satisfy itself as to paragraph 1(c), the Planning Proposal authority may need to include certain provisions in the local environmental plan.

- (2) Before including any land to which this direction applies in a particular zone, the Planning Proposal authority is to obtain and have regard to a report specifying the findings of a preliminary investigation of the land carried out in accordance with the contaminated land planning guidelines*

A detailed contamination assessment of the site was undertaken as part of the Aureus Estate subdivision application.

A *Remediation of Contaminated Soil – Validation Report* (Appendix 5) was prepared in 2019 demonstrating how a minor area of contamination was remediated. That area of concern was located south of the Aureus Village site. The Validation Report demonstrates that the whole of the estate is suitable for residential use.

Direction 5.1 – Integrating Land Use and Transport

This direction applies to a Planning Proposal that creates, alters or removes a zone relating to urban land, including for employment purposes.

- (1) A Planning Proposal must locate zones for urban purposes and include provisions that give effect to and are consistent with the aims, objectives and principles of:*
 - (a) Improving Transport Choice – Guidelines for planning and development (DUAP 2001), and*
 - (b) The Right Place for Business and Services – Planning Policy (DUAP 2001).*

Improving Transport Choice – Guidelines for planning and development includes the following design guidelines that are relevant to this Planning Proposal:

Street networks should allow permeability for buses and pedestrians.

Permeability has been provided throughout the Aureus Estate, with main internal roads wide enough to allow a bus to circulate. Footpaths are provided on all internal roads, with connections out to the shared paths constructed along the Coast Road and near the wetland area to the west.

Future residential development of the site will provide appropriate connections to this existing network.

Pedestrian amenity, such as footpaths to bus stops and sandwich shops, should be given a higher priority in employment/industrial areas.

As indicated above, footpaths and bus circulation are provided internally within the Aureus Estate, with connections to the external public infrastructure.

Intensification and a greater mix of uses, including residential development, should be encouraged along the public transport routes and corridors that serve these areas to support more frequent bus services.

Medium density residential development in the site is consistent with this principle. Minimum setbacks from the street and between adjoining buildings should be employed. Room to expand, and staff and visitor parking, can be accommodated at the rear of properties.

Council DCP controls will govern development of the lots that would be created at this site.

Direction 7.1 – Employment Zones

This direction applies where a Planning Proposal affects land within an existing or proposed employment zone.

A Planning Proposal must:

(a) give effect to the objectives of this direction

The objectives are to protect employment land, encourage employment growth in suitable locations and support the viability of identified centres.

The *Retail Needs Assessment* (Appendix 5) contains a detailed assessment of the existing retail/ commercial demand and the associated extent of commercial floor space that is considered to be viable at the subject site, supporting the reduced area of the existing E1 Local Centre zoning.

The assessment also notes that the development of excess commercial floor at this site would result in detrimental impacts on existing local centres in the Lennox Head / Ballina area.

(b) retain the areas and locations of Employment zones

The Planning Proposal seeks to reduce the area current zoned E1 Local Centre. This is justified by a *Retail Needs Assessment* (Appendix 5) which gives consideration to the objectives of this direction and demonstrates that the proposed rezoning is an appropriate response to local economic circumstances.

(c) not reduce the total potential floor space area for employment uses and related public services in Employment Zones

See above.

(d) not reduce the total potential floor space area for industrial uses in E4, E5 and W4 zones

(e)

Not directly relevant to this Planning Proposal.

- (f) ensure that proposed employment areas are in accordance with a strategy that is approved by the Planning Secretary.

The proposal is consistent with the retail hierarchy as detailed in the *Ballina Shire Local Strategic Planning Statement 2020 - 2040* (LSPS). The LSPS nominated a planned centre at Skennars Head within the Shire's commercial centre hierarchy but did not nominate a size for such a centre.



Source: Ballina Shire Economic Development Strategy 2019

Appendix 4 – Mapping

Appendix 5 – Proponent's Planning Proposal Request Submission

(Under Separate Cover)

Appendix 6 – Coastal Zone Assessment

Appendix

Assessment checklist for planning proposals

Hierarchy of coastal management areas:

1. CWLRA = coastal wetlands and littoral rainforests area
2. CVA = coastal vulnerability area
3. CEA = coastal environment area
4. CUA = coastal use area

Outcome A. Protect and enhance coastal environmental values			
Requirement	Relevant coastal management area(s)	Applicable to planning proposal (Y/N)	Planning proposal is consistent with guidelines (Y/N) If 'No', justify this
Outcome A.1 Protect coastal ecosystems			
A.1a Avoid development on undeveloped headlands and significant coastal landforms.	CVA, CEA	N	The rezoning site is located well away from any headland or significant coastal landform.
A.1b Do not increase development or intensify land uses where there is existing development on headlands and significant coastal landforms.	CVA, CEA	N	The rezoning site is located well away from any headland or significant coastal landform.
A.1c Identify, protect and enhance sensitive coastal ecosystems including coastal wetlands, littoral rainforests and other coastal threatened ecological communities that may be affected by development.	CWLRA, CEA	N	The rezoning site does not contain any sensitive coastal ecosystems.
A.1d Maintain and protect the presence of beaches, rock platforms, coastal dunes, riparian vegetation and the natural features of foreshores, including along estuaries and coastal lakes.	CWLRA, CVA, CEA	N	The rezoning site is located well away from beaches, rock platforms or coastal dunes.
A.1e Use environmental buffers and limit the number of access points and pathways to protect coastal ecosystems. In some cases, it may not be appropriate to allow public access to areas with highly sensitive ecosystems or animal populations.	CWLRA, CEA, CUA	N	The proposed rezoning has no implications for coastal access.
A.1f Consider if the planning proposal is needed or if development zones could be better located to minimise effects on biodiversity.	CWLRA, CEA, CUA	N	The proposed rezoning will have no impact on biodiversity values.
A.1g Avoid development that may disturb, expose or drain areas of Class 1 and Class 2 acid sulfate soils.	CWLRA, CEA, CUA	M	The site is not mapped as containing Acid Sulfate Soils.
A.1h Consider direct and indirect effects of development, including any necessary infrastructure, on water quality, water quantity and hydrological flows of waterways and groundwater.	CEA, CUA	N	Indirect impacts of development can be addressed and adequately managed at a subsequent development application stage.

Outcome A. Protect and enhance coastal environmental values			
Requirement	Relevant coastal management area(s)	Applicable to planning proposal (Y/N)	Planning proposal is consistent with guidelines (Y/N) If 'No', justify this
Outcome A.2 Protect coastal wetlands and littoral rainforests			
A.2a Identify coastal wetlands and littoral rainforests, including areas that could be rehabilitated or restored in the future, and do not increase development or intensify land uses in these areas.	CWLRA	N	The rezoning site does not contain any areas of coastal wetland or littoral rainforest.
A.2b Allow for the adaptive management of stormwater run-off so that the quality of water leaving the site is better than pre-development quality to lessen effects on coastal wetlands or other sensitive receiving environments.	CWLRA, CEA, CUA	N	Adequate stormwater measures will be developed as part of a subsequent design of the residential development.
A.2c Provide environmental buffers and riparian corridors that enable the long-term management and protection of areas of biodiversity and ecosystem integrity.	CWLRA, CVA, CEA, CUA	N	Buffers are not required in this case as the site does not contain, nor is adjacent to, any areas of high biodiversity value.
A.2d Identify and protect areas that allow for landward migration pathways for coastal wetlands to respond to climate change.	CWLRA, CEA	N	The site does not contain nor is adjacent to areas of coastal wetland.
A.2e Exclude land uses that affect the natural state of coastal wetlands and littoral rainforests or that will make it harder to rehabilitate these ecosystems in the future.	CWLRA		
Outcome A.3 Protect marine parks and aquatic reserves			
A.3a Avoid development and land uses that affect the environmental, economic, social and cultural values of marine parks and aquatic reserves.	CEA, CUA	N	The site does not adjoin any marine parks or aquatic reserves.
A.3b Protect the ecological health of marine parks and aquatic reserves, including providing for riparian vegetation and buffers in their catchments.	CEA, CUA	N	The site does not adjoin any marine parks or aquatic reserves.

Outcome B. Ensure the built environment is appropriate for the coast and local context			
Requirement	Relevant coastal management area(s)	Applicable to planning proposal (Y/N)	Planning proposal is consistent with guidelines (Y/N) If 'No', justify this
Outcome B.1 Respond to and protect elements that make the place special			
B.1a Integrate development within the natural topography of the site and ensure land use, building scale and height respond sympathetically to coastal landforms.	CWLRA, CVA, CEA, CUA	Y	The site is generally flat and adjoins existing medium density development to the west, a future neighbourhood centre to the north and coastal parkland to the east.
B.1b Ensure the intended form and footprint of development does not dominate coastal elements, including foreshores, public spaces and other areas of natural beauty.	CWLRA, CVA, CEA, CUA	Y	Future residential development will not dominate the adjoining coastal parkland.
B.1c Incorporate adaptive, water-sensitive urban design into the development footprint to reduce run-off and manage water quality within receiving environments.	CWLRA, CEA, CUA	Y	A Stormwater Management Plan will be developed as part of the residential design for the site.
B.1d Ensure that lot sizes, building heights and density are appropriate for the coastal settlement, and complement the existing or desired local character, supported by place-based strategies.	CEA, CUA	N	The proposed rezoning does not alter existing controls in relation to building heights and residential densities.
B.1e Avoid development that would harm geological features and geoheritage.	CEA, CUA	N	The reasoning site does not contain any areas of significance in this regard.
Outcome B.2 Ensure urban development complements coastal scenic values			
B.2a Limit ribbon development and urban sprawl wherever possible. In certain locations, place-based strategies may support increased development density and building heights as a better response to urban growth.	CEA, CUA	Y	The rezoning site is within an existing urban estate. The medium density zone will support an increase in local density and housing choice.
B.2b Use greenbelts to create, maintain and mark out separation between settlements.	CEA, CUA	N	The rezoning site does not impact on any greenbelt separation areas.
B.2c Consider effects on scenic values and maintain publicly accessible views to significant landmarks.	CEA, CUA	Y	The site can be development in a manner that will not significantly impact on views to the adjoining coastal areas.
B.2d Ensure that building heights consider the effect on views from different vantage points.	CEA, CUA	N	The rezoning does not alter allowable building heights.
B.2e Retain or create views from public spaces. Prioritise this over creating views from private property.	CEA, CUA	Y	The site can be development in a manner that will not significantly impact on views to the adjoining coastal areas.
B.2f Provide for active transport links along foreshores, including along estuaries and coastal lakes, and between settlements to increase public access and amenity.	CWLRA, CVA, CEA, CUA	N	The proposed rezoning does not alter existing transport links or create additional demands for new links.

Outcome C. Protect and enhance the social and cultural values of the coastal zone			
Requirement	Relevant coastal management area(s)	Applicable to planning proposal (Y/N)	Planning proposal is consistent with guidelines (Y/N) If 'No', justify this
Outcome C.1 Protect and promote heritage values			
C.1a Ensure development does not harm heritage values or sites.	CWLRA, CVA, CEA, CUA	N	The site does not contain heritage values.
C.1b Work collaboratively with local Aboriginal people before and throughout the planning proposal process.	CWLRA, CVA, CEA, CUA	N	Previous cultural heritage assessment demonstrated that the site does not contain cultural heritage values.
C.1c With permission and guidance from local Traditional Custodians, identify and emphasise significant features of coastal land and sea Country.	CWLRA, CVA, CEA, CUA	N	As above.
C.1d With permission and guidance from local Traditional Custodians, identify and protect sacred and significant areas through the appropriate siting of development.	CWLRA, CVA, CEA, CUA	N	As above.
C.1e Ensure land use, building type, scale and height respond to heritage items and areas.	CEA, CUA	N	As above.
Outcome C.2 Provide public access to significant coastal assets			
C.2a Protect and, where practical, improve, public amenity, access to and use of beaches, foreshores, rock platforms, geoheritage sites and headlands, unless you must restrict access for public safety or for environmental or cultural protection. In doing so, consider both current and projected future coastal hazards.	CVA, CEA	N	The rezoning site does not create any implications for beach access.
C.2b Identify opportunities to maintain and improve existing public access to beaches, foreshores, coastal waters and coastal lakes that support active and passive recreation activities, where this does not interfere with existing coastal industries.	CWLRA, CVA, CEA, CUA	N	As above.
C.2c Consolidate access points and consider alternative access to protect sacred and significant Aboriginal cultural areas.	CWLRA, CVA, CEA, CUA	N	As above.
C.2d Maintain and improve foreshore access and connections to existing or proposed networks of public open spaces. This includes waterways, riparian areas, bushland and parks for active and passive recreation.	CWLRA, CVA, CEA, CUA	N	As above.
C.2e Consider opportunities to protect and improve habitat connectivity through settlements, such as those described in the <i>Greener Places Design Guide</i> .	CWLRA, CEA, CUA	N	The site does not contain or adjoin any habitat areas.

Outcome C. Protect and enhance the social and cultural values of the coastal zone			
Requirement	Relevant coastal management area(s)	Applicable to planning proposal (Y/N)	Planning proposal is consistent with guidelines (Y/N) If 'No', justify this
C.2f Avoid development on coastal dunes and foreshore reserves unless it is for essential public purposes, such as surf life-saving club buildings. Any building or structure located on dunes must be of lightweight construction and relocatable.	CVA, CEA	N	The rezoning site is not located on dunes or with a coastal reserve area.
C.2g Define the boundaries of development sites with a public edge—for example, a pedestrian pathway or public laneway.	CEA, CUA	Y	The rezoning site is bounded by public places in the form of roads and the adjoining coastal parkland.
C.2h Prevent the privatisation of coastal open space by ensuring development next to foreshores is set back, maintains public access and accessibility, and provides links and connections to other public accessways.	CEA, CUA	N	Development within the rezoning site will not impede public access to important coastal areas.
Outcome C.3 Protect public amenity			
C.3a Avoid development that will overshadow the beach, foreshore or public domain. Apply the standard that there must be no overshadowing before 4 pm (midwinter) and 7 pm (Eastern Daylight Saving Time).	CEA, CUA	N	Development within the rezoning area will not overshadow the beach, and will be designed to ensure that the adjacent coastal parkland is not overshadowed.
C.3b Protect the amenity of public spaces from buildings, structures or land uses that may be visually and/or acoustically intrusive or create wind funnels.	CEA, CUA	N	Development within the rezoning area will be designed to minimise any impacts on the adjacent coastal parkland.

Outcome D. Support sustainable coastal economies			
Requirement	Relevant coastal management area(s)	Applicable to planning proposal (Y/N)	Planning proposal is consistent with guidelines (Y/N) If 'No', justify this
Outcome D.1 Support sustainable industries and recreational activities that depend on the coast			
D.1a Ensure that development will not harm sustainable coastal industries needing waterfront access, or recreational use of the coastal environment.	CEA, CUA	N	The rezoning area does not adjoin areas required for waterfront access.
D.1b Protect and improve essential facilities such as access ramps and jetties for sustainable coastal industries needing waterfront access.	CEA, CUA	N	As above.
D.1c Ensure access ramps, jetties, pontoons, groynes and other structures do not impede navigation on the water or harm coastal landforms or impair processes such as surf breaks.	CWLRA, CVA, CEA, CUA	N	Development in the rezoning site will not result in any such impacts.
D.1d Ensure that the proposal considers how development in a waterway may affect the land.	CEA, CUA	N	There are no waterway components of the proposal.
Outcome D.2 Promote green infrastructure			
D.2a Do not allow development that is likely to significantly reduce connectivity of existing green infrastructure.	CEA, CUA	N	The rezoning site adjoins the coastal parkland, but does not impact an connectivity of or access to that open space.
D.2b Provide for diverse green infrastructure that can support the changing needs of current and future communities, and provide tourism and recreational opportunities.	CEA, CUA	N	The proposed rezoning will not generate demand for additional green infrastructure.

Outcome E. Respond to coastal hazards			
Requirement	Relevant coastal management area(s)	Applicable to planning proposal (Y/N)	Planning proposal is consistent with guidelines (Y/N) If 'No', justify this
Outcome E.1 Respond to coastal processes			
E.1a Planning proposals that affect land within a coastal hazard and risk area must not alter coastal processes in a way that harms the natural environment or other land.	CWLRA, CVA, CEA, CUA	N	The rezoning site is not mapped within a coastal hazard / risk location.
E.1b Exclude development in areas affected by a current or projected future coastal hazard that is likely to increase the risk of coastal hazards on that land or other land.	CWLRA, CVA, CEA, CUA	N	As above.
E.1c Locate or consolidate development in areas with little or no exposure to current and projected future coastal hazards, to ensure public safety and prevent risks to life.	CWLRA, CVA, CEA, CUA	N	As above.
E.1d Do not increase development potential or intensify land uses in a coastal hazard or risk area.	CWLRA, CVA, CEA, CUA	N	As above.
Outcome E.2 Account for natural hazard risks			
E.2a Identify areas on and near the proposal that are affected by current or projected future coastal hazards. Ensure that the proposal is compatible with any identified threat or risk.	CWLRA, CVA, CEA, CUA	N	As above.
E.2b Account for potential interaction between coastal hazards and other current and future natural hazards. This includes flooding, bushfires, landslip, heatwaves, severe storms, east coast lows and cyclones. Refer to the <i>Strategic Guide to Planning for Natural Hazards</i> .	CWLRA, CVA, CEA, CUA	N	As above.
E.2c Manage natural hazard risk within the development site. Avoid using public space or adjoining land to lessen risk.	CWLRA, CVA, CEA, CUA	N	As above.
Outcome E.3 Account for climate change			
E.3a Demonstrate that the proposal applies a 100-year planning horizon for the full range of climate change projections for coastal hazards. This approach recognises that sea level is projected to continue to rise for centuries because of climate change.	CWLRA, CVA, CEA, CUA	N	As above.
E.3b Consider how climate change could affect the risk profile of existing natural hazards and create new vulnerabilities and exposure for the proposal in the future.	CWLRA, CVA, CEA, CUA	N	As above.

Outcome E. Respond to coastal hazards			
Requirement	Relevant coastal management area(s)	Applicable to planning proposal (Y/N)	Planning proposal is consistent with guidelines (Y/N) If 'No', justify this
Outcome E.4 Provide sustainable defences to coastal hazards			
E.4a Reduce exposure to coastal hazards by protecting, restoring or improving natural defences. This includes coastal dunes, vegetation, coastal floodplains and coastal wetlands, where suitable.	CWLRA, CVA, CEA, CUA	N	As above.
E.4b If natural defences are not possible, reduce exposure to coastal hazards without significantly degrading: <ul style="list-style-type: none"> biological diversity and ecosystem integrity ecological, biophysical, geological and geomorphological coastal processes beach and foreshore amenity, or the social and cultural value of these areas public safety and access to, or use of, beaches or headlands. 	CWLRA, CVA, CEA, CUA	N	As above.
Outcome E.5 Protect essential infrastructure			
E.5a Locate and design essential infrastructure to reduce vulnerability to current and projected future coastal hazards. Consider the effects of climate change over at least a 100-year planning horizon.	CWLRA, CVA, CEA, CUA	N	As above.
E.5b Where exposure to coastal hazards cannot be avoided, prepare adaptation plans for essential service infrastructure. These plans should be consistent with any applicable coastal management program.	CWLRA, CVA, CEA, CUA	N	As above.
E.5c Consult local Aboriginal land management experts and emergency management agencies on how to strategically locate access routes and other essential infrastructure.	CWLRA, CVA, CEA, CUA	N	As above.
Outcome E.6 Change land uses to manage legacy issues and avoid creating new ones			
E.6a Ensure the proposal will not require coastal management interventions to remain viable over its expected lifespan.	CWLRA, CVA, CEA, CUA	N	As above.
E.6b Consider the potential legacy effects of the proposal and if the proposed land uses or development will create a social, environmental, economic or cultural burden for future generations.	CWLRA, CVA, CEA, CUA	N	As above.
E.6c Consider if the proposed change of land use could remove redundant legacy infrastructure or reduce existing legacy effects.	CWLRA, CVA, CEA, CUA	N	As above.