

COUNCIL ASSESSMENT REPORT

NORTHERN REGIONAL PLANNING PANEL

PANEL REFERENCE & DA NUMBER	PPSNTH-418 – DA 2025/142 (PAN-534018)
PROPOSAL	Additions to Educational Establishment (TAFE) comprising the construction of a 'multi trades hub' building and associated demolition, earthworks, vegetation removal, infrastructure works and landscaping.
ADDRESS	Lots 10, 11 and 12 in DP 874987 61 Sneaths Road, WOLLONGBAR, NSW 2477
APPLICANT	Monteath & Powys
OWNER	TAFE NSW (TAFE Finance Shared Services)
DA LODGEMENT DATE	14 May 2025
APPLICATION TYPE	Development Application/CROWN DA
REGIONALLY SIGNIFICANT CRITERIA	Section 2.19 (1) and Clause 4 of Schedule 6 of State Environmental Planning Policy (Planning Systems) 2021, declares the proposal regionally significant development as: Crown Development over \$5 million
CIV	\$36,623,599 (excluding GST)
CLAUSE 4.6 REQUESTS	Nil
KEY SEPP/LEP	• State Environmental Planning Policy (Biodiversity and Conservation) 2021 • State Environmental Planning Policy (Planning Systems) 2021 • State Environmental Planning Policy (Resilience and Hazards) 2021 • State Environmental Planning Policy (Sustainable Buildings) 2022 • State Environmental Planning Policy (Transport and Infrastructure) 2021 • Ballina Local Environmental Plan 2012 • Ballina Development Control Plan 2012.
AGENCY REFERRALS	Transport NSW Essential Energy NSW Rural Fire Service

TOTAL & UNIQUE SUBMISSIONS	Nil public submissions
DOCUMENTS SUBMITTED WITH THE DA	• Statement of Environmental Effects (Final – Version 2, Dated 4/04/2025) • Revised Architectural Plans (Dated 25/02/2025) • Civil Engineering Services Plans (Dated 18/12/2024) • Landscape Documentation and Plans (Dated 11/07/2025) • Acoustic Assessment (Dated 27/11/2024) • Traffic Impact Assessment (Dated 4/04/2025) • Civil Engineering Design Report (Dated 18/12/2024) • Construction Environmental Management Plan (Dated January 2025) • Site Waste Minimisation and Management Plan (Dated 30/01/2025) • Arboricultural Impact Assessment Report (Dated 10/12/2024) • Bushfire Certificate Report (Dated 24/02/2025) • Koala Habitat Impact Assessment (Dated 9/12/2024) • Survey Plans (Dated 6/04/2023) • Hydraulic Drawings (Dated 6/12/2024 and 15/01/2025)
SPECIAL INFRASTRUCTURE CONTRIBUTIONS (\$7.24)	Nil
RECOMMENDATION	Approval subject to conditions
DRAFT CONDITIONS TO APPLICANT	Yes
SCHEDULED MEETING DATE	9 March 2026
PLAN VERSION	25 February 2025 Revision G
PREPARED BY	Saxon Irvine – Consultant Planner Naomi McCarthy – Coordinator Development Assessment Ballina Shire Council
DATE OF REPORT	2 March 2026

EXECUTIVE SUMMARY

The development application (DA 2025/142 PPSNTH-418) seeks consent for additions to Educational Establishment (TAFE) comprising the construction of a 'multi trades hub' building and associated demolition, earthworks, vegetation removal, infrastructure works and landscaping ('the proposal'). The subject development site is located within the boundary of the existing TAFE educational facility at No. 61 Sneaths Road, Wollongbar.

The site is located in the RU1 Primary Production zone pursuant to Clause 2.2 of the *Ballina Local Environmental Plan 2012* ('LEP 2012'). The proposal for an *educational establishment* is a prohibited land use within the zone pursuant to Part 2 Land Use Table under the LEP 2012. The proposal is made permissible via State Environmental Planning Policy (Transport & Infrastructure) 2021, Chapter 3, Part 3.6, Section 3.53.

The subject site (Lots 10, 11 and 12 in DP 874987) currently contain an existing educational establishment (TAFE), with existing buildings currently utilised for the purposes of tertiary trade education. The site has frontage to the Bruxner Highway and Sneath's Road, with formalised vehicular access to the site only via a Sneath's Road.

The locality is characterised by agricultural uses to the north, west and south and residential uses to the far east.

The application is referred to the Northern Regional Planning Panel ('the Panel') as the development is '*regionally significant development*', pursuant to Section 2.19 (1) and Clause 4 of Schedule 6 of State Environmental Planning Policy (Planning Systems) 2021 as the proposal is development carried out by or on behalf of the Crown with an EDC over \$5 million. Ballina Shire Council has undertaken an assessment of the DA and prepared the following report.

There were no concurrence requirements from agencies for the proposal and the application is not integrated development pursuant to Section 4.46 of the *Environmental Planning and Assessment Act 1979* ('EP&A Act'). A referral to Essential Energy and Transport NSW pursuant to *State Environmental Planning Policy (Transport and Infrastructure) 2021* was sent and no objections were raised. The application was referred to the NSW Rural Fire Service under section 4.14 of the EP&A Act 1979, with conditions recommended.

The development has been assessed against the relevant matters for consideration pursuant to Section 4.15 of the Environmental Planning and Assessment Act 1979 including the relevant clauses within applicable Environmental Planning Instruments, public interest and suitability of the site and is able to be supported.

The principal planning controls relevant to the proposal include the *Ballina Local Environmental Plan 2012* and the *Ballina Development Control Plan 2012* ('DCP').

A detailed assessment has been completed against the provisions of the Ballina Development Control Plan 2012, and the proposal is considered to be consistent with the relevant controls relating to building height, car parking, setbacks, and vegetation offsetting. This is discussed in greater detail within the body of the report under Section 3.

Jurisdictional prerequisites to the grant of consent imposed by the following controls have been satisfied including:

- Section 4.6 of SEPP (Resilience and Hazards) 2021 for consideration of whether the land is contaminated;

- Section 2.48(2) of SEPP (Transport and Infrastructure) 2021 in relation to electricity infrastructure.
- Section 3.6 of SEPP (Biodiversity and Conservation) 2021 in relation to the land not comprising a potential koala habitat.

The application was placed on public exhibition from 22 May 2025 to 5 June 2025 and was advertised on the Ballina Shire Council Website on 22 May 2025, with no submissions received.

A briefing was held with the Panel on 15 September 2025, where key issues were discussed, including car parking and sustainability.

Overall, the development is considered to be a satisfactory response to the site and its surroundings. All recommendations within internal and external referrals, can be satisfactorily addressed via conditions of consent.

Following a detailed assessment of the proposal, pursuant to Section 4.16(1)(b) of the *EP&A Act*, DA 2025/142 is recommended for approval subject to conditions contained in **Attachment A** of this report.

1. THE SITE AND LOCALITY

1.1 The Site

The subject site is located within the existing TAFE education establishment, identified as Lots 10, 11 and 12 in DP 874987, known as No. 61 Sneaths Road, Wollongbar. The site is benefited by a number of buildings currently used for the purposes of the existing tertiary trade school.

The site is zoned RU1 Primary Production under the Ballina Local Environmental Plan 2012 and has a total area of 65.93 hectares. The site has frontage to the Bruxner Highway and Sneaths Road and has vehicular access via Sneaths Road.

The topography of the land is generally flat and falls primarily north to south, with the highest point of the site located in the north at a level of 174.4m AHD and the low point at a level of 173.45m AHD. A detailed Survey of the site was provided within Appendix J of the submitted documentation.

The subject site contains a numerous stands of mature native and exotic vegetation. There are 14 trees within the proposal site, 10 of which are proposed to be removed to facilitate the development. The trees proposed to be removed comprise 4 x Brushbox and 6 x Australian Teak, with 4 x Australian Teak trees to be retained.

The subject site is partially mapped as bushfire prone – Vegetation Category 3 and Buffer. It is noted that the proposal is outside the area of the site mapped as bushfire prone.



Figure 1 - Aerial view of subject site. Source: POZI BSC Website

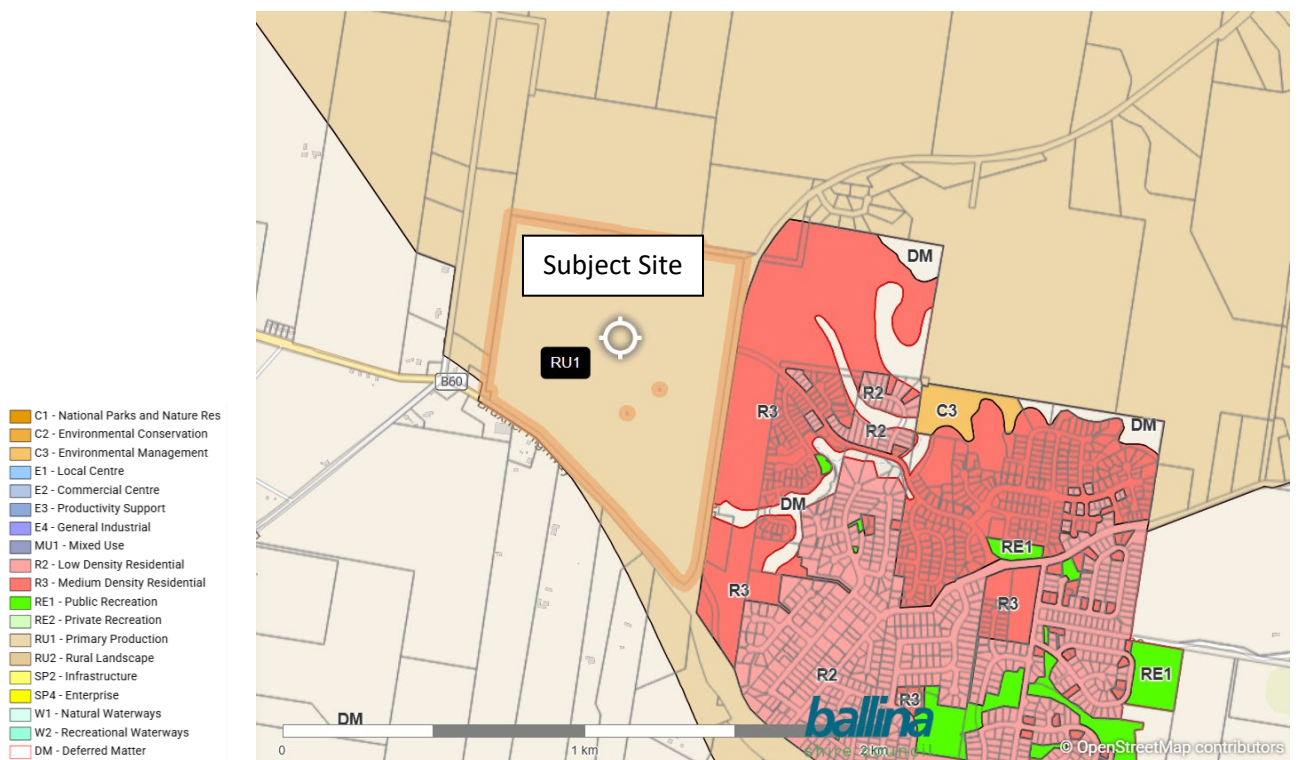


Figure 2 – Land Zone Map. Source: POZI BSC Website



Figure 3 – Street View analysis over the development site

1.2 The Locality

The subject site, identified as Lots 10, 11 and 12 in DP 874987, 61 Sneaths Road, Wollongbar. The subject site is located on the western fringe of the Wollongbar village and is benefited by an existing educational facility, being TAFE NSW.

The subject site and land to the north and adjoining to the west are zoned RU1 Primary Production. The land on the eastern side of Sneaths Road is zoned R3 Medium Density Residential land BLEP 2012. The land to the south and far west of the subject site is identified as a Deferred Matter under the BLEP 2012 with the applicable planning instrument being the BLEP 1987 and a zoning of 7(c) - Environmental Protection (Water Catchment).

The surrounding lands to the north, south and west are primarily used for agricultural uses (grazing and some horticulture), whilst the land on the eastern side of Sneaths Road comprises the remaining undeveloped portion of the Wollongbar Urban Expansion Area (refer to Figure 1).

2. THE PROPOSAL AND BACKGROUND

2.1 The Proposal

The proposal seeks consent for the construction of a new Multi-Trades Hub, which includes the following components:

- Partial demolition of existing pathways, tennis court and a rotunda.
- Removal of 10 trees (4 x Brushbox and 6 x Australian Teak).
- Relocation of an existing fire hydrant.
- Construction of a single-storey building with an appropriate gross floor area of 3,844m².
- Installation of utility services.
- Associated landscaping works, including vegetation plantings/offsetting.

The Multi-Trades Hub Building is proposed to be located within the existing Wollongbar TAFE NSW campus and is located centrally to the existing buildings and in close proximity to the existing carpark, as shown within **Attachment B – Proposed Approved Plan/Document Set**.

The proposed Multi-Trades Hub building will provide for a contemporary educational building for the delivery of construction courses, comprising carpentry, cabinet making, electrotechnology and plumbing courses. The building is designed to be fit for purpose to meet the future needs of learners and the specific requirements of the relevant industries.

The current operating hours for the TAFE NSW Wollongbar Campus are Monday to Friday 7:30am to 5:00pm, with the campus being closed Saturday and Sunday. There are no proposed changes to the current hours of operation.

The key development data is provided in **Table 1**.

Table 1: Key Development Data

Control	Proposal
Site area	65.93 hectares
GFA	3,844m ² (for proposed building)
Clause 4.6 Requests	No
No of Storeys	1 storey with a mezzanine.
Max Height	8.492m (to the top of plant deck) from the existing ground level and 181.92m AHD
Vegetation offsetting	50 Native trees to offset 10 trees removed
Car Parking spaces	500 spaces required for the existing educational establishment (excluding the proposal). 556 spaces are provided on the site (No additional spaces proposed)

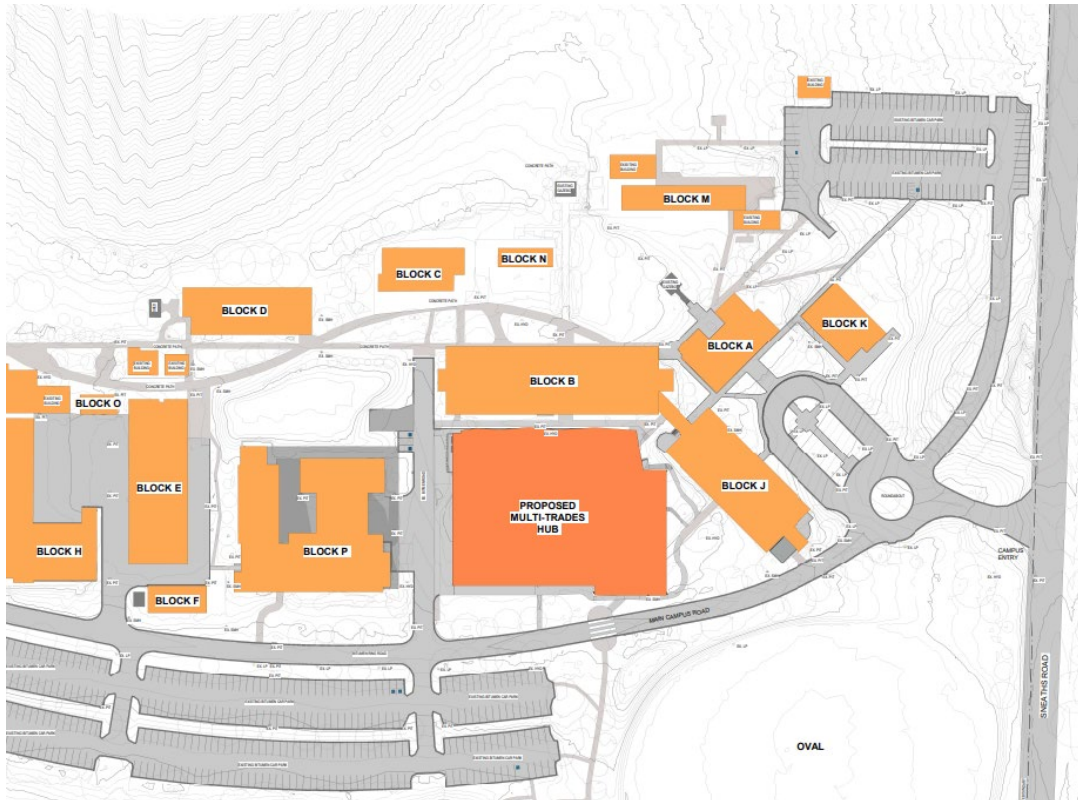


Figure 4 - Proposed Site Plan Source: TSA Riley

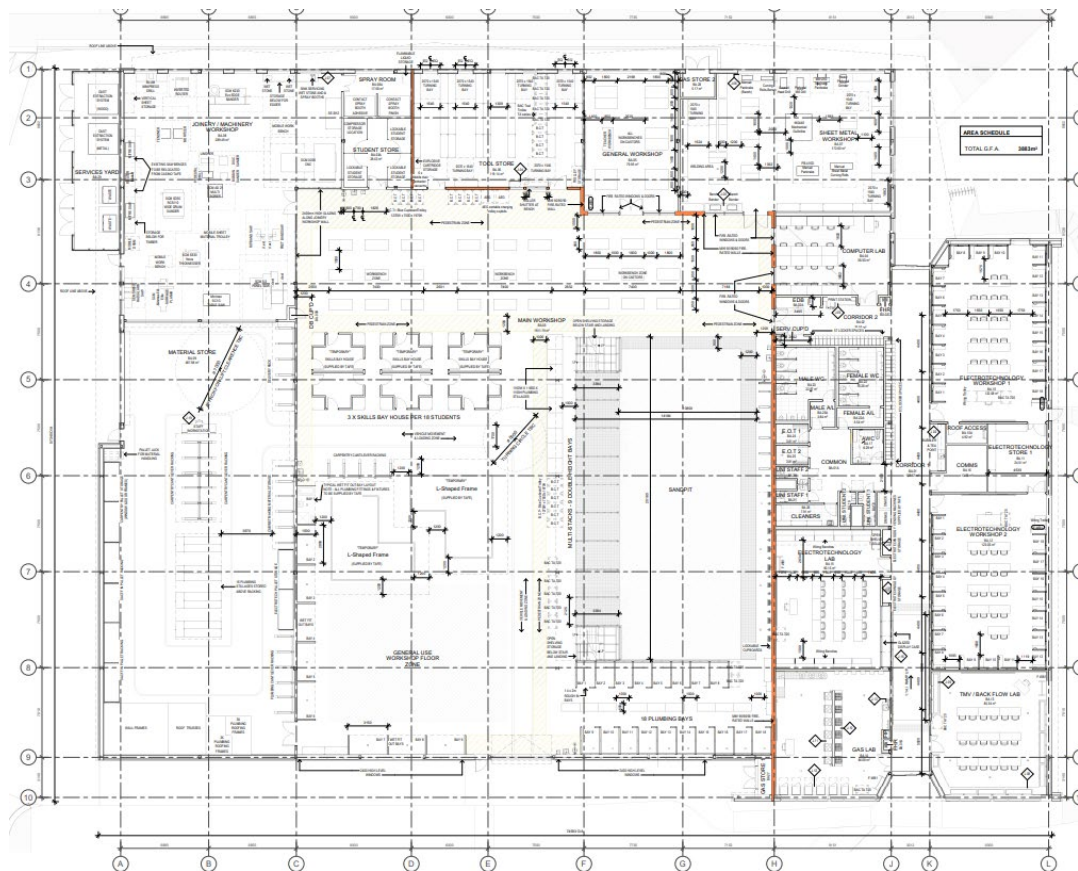


Figure 5 – Floor Plan. Source: TSA Riley

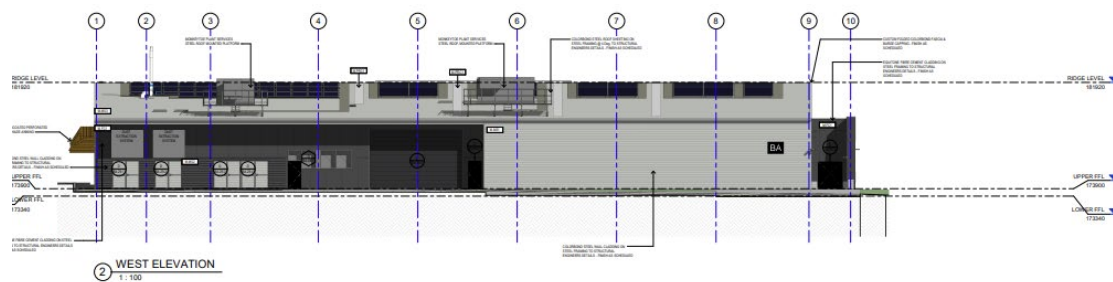
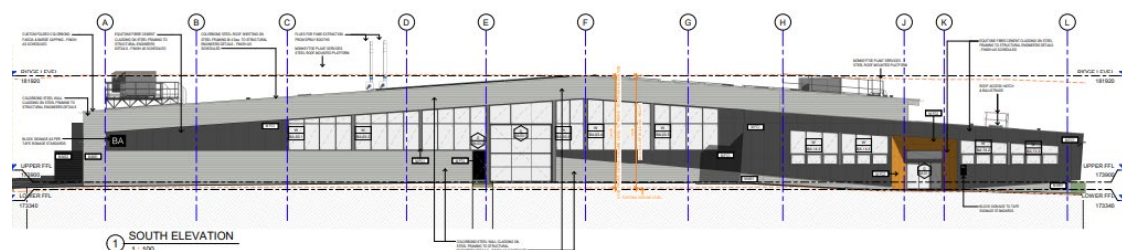
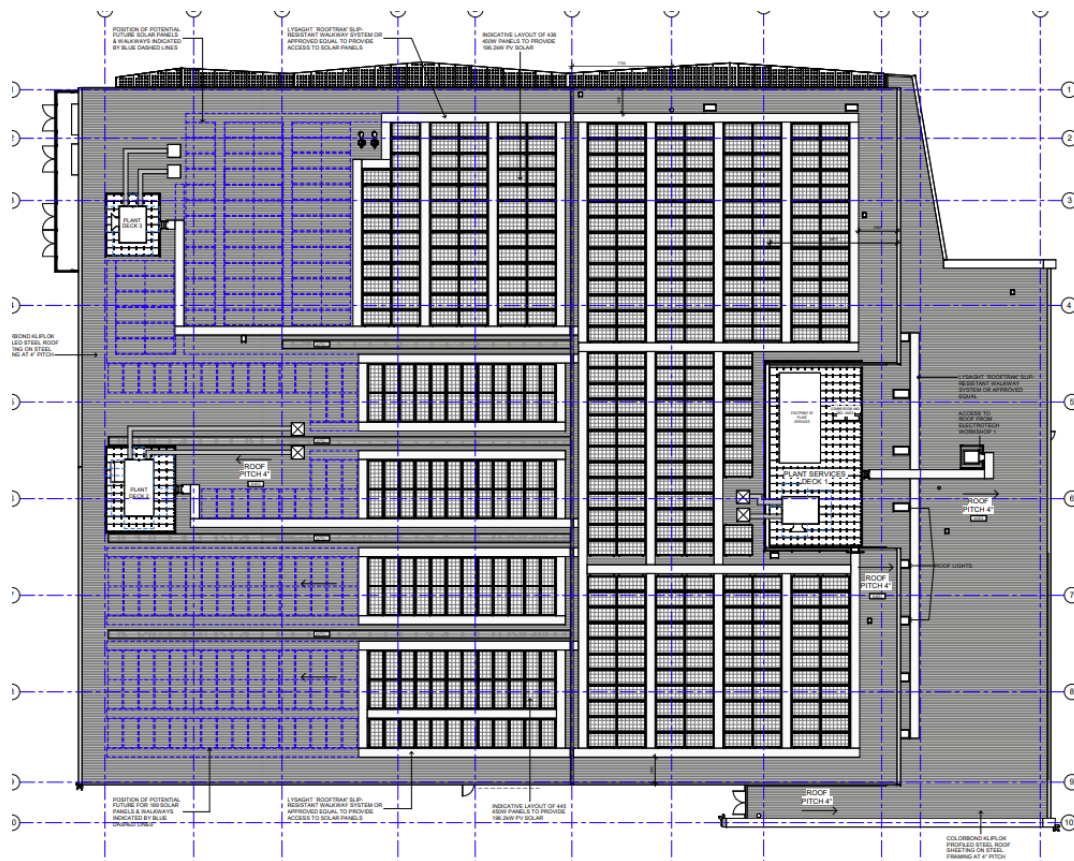


Figure 7- South/West Elevations and Concept Plan

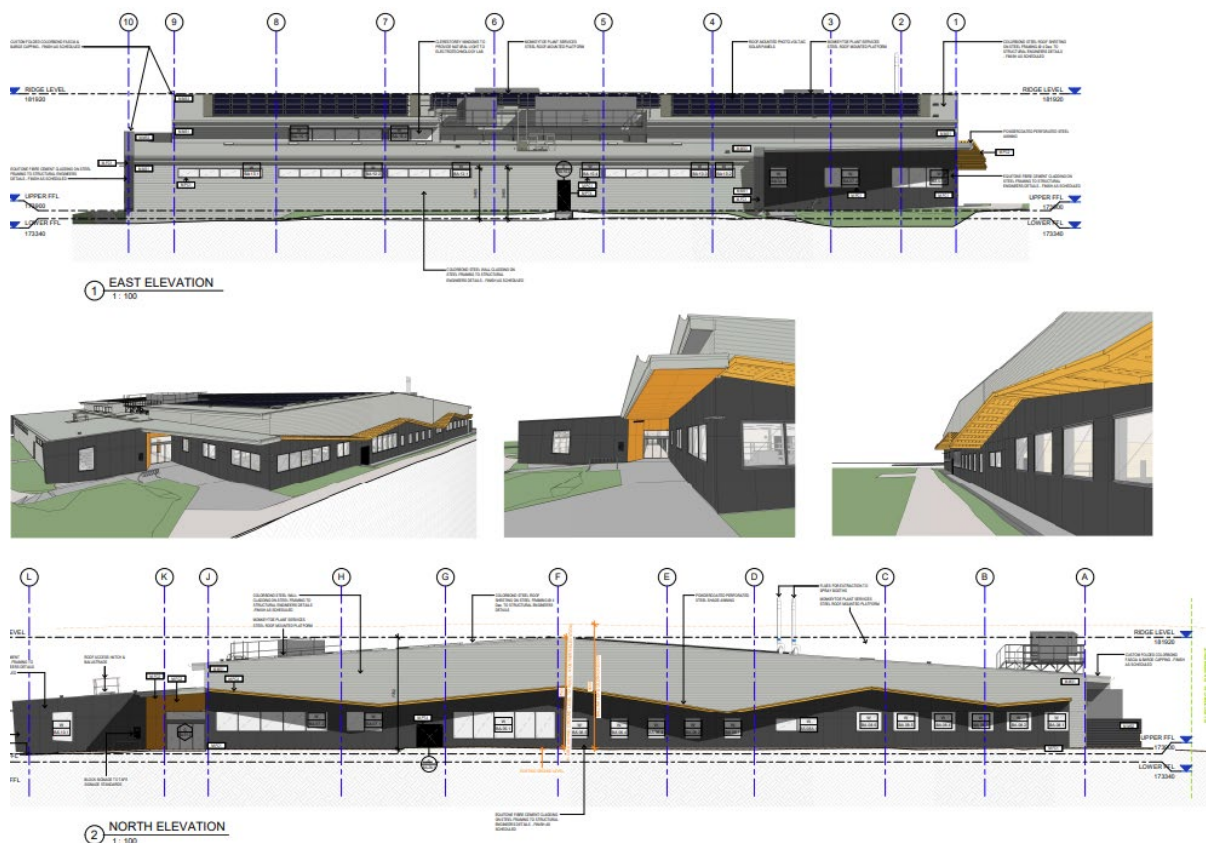


Figure 8 East/North Elevations and Concept Plan

2.2 Background

A pre-DA lodgement meeting was held prior to the lodgement of the application on 7 November 2024. A summary of the key issues and how they have been addressed by the proposal is outlined below:

- **Height.** The proposal is shown to comply. Conditions has been recommended in relation to the overall height (general condition) and Survey Certificate (during construction) to ensure the development complies with the standard.
- **Vegetation management.** Offsetting is proposed to account for the removal of native vegetation.
- **Bush Fire Prone Land.** Referral to NSW RFS complete. Recommendations made by NSW RFS are included within the recommended draft conditions.
- **Traffic management.** Supported by Transport for NSW with no conditions recommended.
- **Infrastructure.** The application is supported by a number of consultant reports. Council's technical officers have reviewed and support the outcomes of the reports. Conditions have been formulated on this basis and included within the draft proposed conditions.

The development application was lodged on **14 May 2025**. A chronology of the development application since lodgement is outlined in **Table 2** below, including the Panel's involvement with the application:

Table 2: Chronology of the DA

Date	Event
14 May 2025	DA lodged
21 May 2025	DA referred to external agencies
22 May 2025	Exhibition of the application
1 July 2025	Request for Information from Council to applicant RE: traffic-generating development, student numbers and compensatory vegetation offsetting.
11 July 2025	Response received from applicant.
7 August 2025	Referral to Transport for NSW
28 August 2025	Response received from Transport for NSW
15 September 2025	Panel briefing. Advised that a determination meeting will not be necessary. Instructed to complete the report and draft conditions.
26 September 2025	Response from Applicant – provision of SIDRA file
1 October 2025	Council Site Inspection
8 October 2025	Request for Information from Council to applicant re: proposed Master Plan for TAFE site in context with response from Transport for NSW (Council to be satisfied as to the safety and efficiency of the State road network)
29 October 2025	Response received from Applicant
19 February 2026	Draft conditions issued to the applicant
27 February 2026	Response received from Applicant – agreement to Draft conditions
9 March 2026	Panel Determination Meeting

2.3 Site History

In recent years, there have been no relevant development applications or planning proposals relating to the subject land. The subject site is benefited with a number of historic development applications (DA's), with the applications that have established the existing facility identified and outlined in **Table 3**.

Table 3: Development History

DA Number	Proposal	Comments
1990/208	Stage 1A siteworks – construction of an access road and onsite carpark as a precursor to the establishment of a Regional College of Technical and Further Education	Approved 15 October 1990
1991/310	Wollongbar College of TAFE – Stage 1	Approved 23 July 1992
1993/218	Wollongbar College of TAFE – Stage 2	Approved 1 March 1994
2001/138	Extensions to the existing Wollongbar TAFE (single storey tourism and hospitality building and single storey student services and amenity building)	Approved 28 November 2000
2002/128	Extensions and Alterations to the Wollongbar Campus of the North Coast Institute of TAFE (Stage 3B) (Metal Fabrication Building, Electrical, Building and Construction Building, Refurbishment of Two Existing Buildings)	Approved 15 March 2002
2003/816	Extensions to Building H at the Wollongbar TAFE – panel beating workshop	16 May 2003

3. STATUTORY CONSIDERATIONS

When determining a development application, the consent authority must take into consideration the matters outlined in Section 4.15(1) of the *Environmental Planning and Assessment Act 1979* ('EP&A Act'). These matters are of relevance to the development application include the following:

- (a) *the provisions of any environmental planning instrument, proposed instrument, development control plan, planning agreement and the regulations*
 - (i) *any environmental planning instrument, and*
 - (ii) *any proposed instrument that is or has been the subject of public consultation under this Act and that has been notified to the consent authority (unless the Planning Secretary has notified the consent authority that the making of the proposed instrument has been deferred indefinitely or has not been approved), and*
 - (iii) *any development control plan, and*
 - (iiia) *any planning agreement that has been entered into under section 7.4, or any draft planning agreement that a developer has offered to enter into under section 7.4, and*
 - (iv) *the regulations (to the extent that they prescribe matters for the purposes of this paragraph),**that apply to the land to which the development application relates,*
- (b) *the likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality,*
- (c) *the suitability of the site for the development,*

- (d) any submissions made in accordance with this Act or the regulations,
- (e) the public interest.

These matters are further considered below.

It is noted that the proposal is not considered to be:

- Integrated Development (s4.46)
- Designated Development (s4.10)
- Requiring concurrence/referral (s4.13)

The proposal is a Crown DA (s4.33).

Table 4: Concurrence and Referrals to agencies

Agency	Concurrence/ referral trigger	Comments (Issue, resolution, conditions)	Resolved
Concurrence Requirements (s4.13 of EP&A Act)			
None Applicable			
Referral Agencies			
Essential Energy	SEPP (Transport and Infrastructure) 2021 – S2.48	No objection to the proposed development	Y
Transport NSW	SEPP (Transport and Infrastructure) 2021 – S3.48	No requirements for the proposed development	Y
NSW RFS	S4.14 General Referral (Referred under Section 8.3.11 (public assembly buildings) of Planning for Bushfire Protection 2019	Supported with recommendations	Y
Integrated Development (S 4.46 of the EP&A Act)			
None Applicable			

3.1 Environmental Planning Instruments, proposed instrument, development control plan, planning agreement and the regulations

The relevant environmental planning instruments, proposed instruments, development control plans, planning agreements and the matters for consideration under the Regulation are considered below.

(a) Section 4.15(1)(a)(i) - Provisions of Environmental Planning Instruments

The following Environmental Planning Instruments are relevant to this application:

- *State Environmental Planning Policy (Biodiversity and Conservation) 2021*
- *State Environmental Planning Policy (Industry and Employment) 2021*
- *State Environmental Planning Policy (Planning Systems) 2021*
- *State Environmental Planning Policy (Resilience and Hazards) 2021*

- *State Environmental Planning Policy (Transport and Infrastructure) 2021*
- *Ballina Local Environmental Plan 2012*

A summary of the key matters for consideration arising from these State Environmental Planning Policies are outlined in **Table 5** and considered in more detail below.

Table 5: Summary of Applicable Environmental Planning Instruments

EPI	Matters for Consideration (Brief summary)	Comply (Y/N)
State Environmental Planning Policy (Biodiversity and Conservation) 2021	Chapter 2: Vegetation in non-rural areas The proposal will result in the removal of 10 native trees. The clearing does not require approval under Chapter 2 and does not trigger the clearing threshold under the Biodiversity Off-set Scheme. Chapter 3: Koala Habitat Protection 2020 The application was supported by a Koala Habitat Impact Assessment Report. The report assessed the Ballina Shire Core Koala Habitat Comprehensive Koala Plan of Management (CKPoM) and addressed the matters for consideration set out in section 5.5 of the CKPoM. The conclusions of the assessment are agreed with and that the land is not potential Koala Habitat.	Y
State Environmental Planning Policy (Industry and Employment) 2021	Chapter 3: Advertising and Signage <i>Part 3.2 > Section 3.6 > Schedule 5</i> The proposal seeks to install wayfinding signage, including block signage for the new Multi-Trades Hub building and wayfinding entry signage.	N/A
State Environmental Planning Policy (Planning Systems) 2021	Chapter 2: State and Regional Development • <i>Section 2.19(1)</i> declares the proposal regionally significant development pursuant to Clause 4 of Schedule 6, being development for the purposes of development carried out by or on behalf of the Crown with an EDC of more than \$5 million. • The application is referred to the Northern Regional Planning Panel ('the Panel') pursuant to Section 2.19(1) and Clause 4 of Schedule 6 of <i>State Environmental Planning Policy (Planning Systems) 2021</i>.	Y
State Environmental Planning Policy (Resilience & Hazards) 2021	Chapter 4: Remediation of Land • <i>Section 4.6 - Contamination</i> has been considered and the land is suitable for the proposed land use.	Y

State Environmental Planning Policy (Sustainable Buildings) 2022	Chapter 3: Standards for Non-Residential Development This chapter does not apply in accordance with Section 3.1 (b)(i) as development on land wholly within RU1 zoned land	N/A
State Environmental Planning Policy (Transport and Infrastructure) 2021	Chapter 2: Infrastructure <i>Section 2.48 (2) (Determination of development applications — other development) – electricity transmission.</i> Essential Energy has provided a response, advising that the proposal is supported with recommendations to be included as an advisory note on any consent granted. Chapter 3: Educational establishments and child care facilities <i>Section 3.53 – TAFE establishments – development permitted with consent</i> declares under subsection (1) that development for the purpose of a TAFE establishment may be carried out by any person with development consent on land in a prescribed zone. Under Section 3.51 (1) prescribed zone means— (a) any land within the boundaries of an existing TAFE establishment, or (b) any of the following land use zones— (i) Zone RU1 Primary Production, <i>Section 3.58 - Traffic-generating development.</i> Council referred the application to Transport for NSW (TfNSW) to confirm whether the development triggers the provisions of Section 3.58 (1) (a) of the SEPP. TfNSW provided a response and have no requirements for the proposed development and that Council is to be satisfied that development traffic will not adversely impact the safety and efficiency of the State road network.	Y
Ballina Environmental Planning Policy (BLEP) 2012	<i>Clause 2.3 – Permissibility and zone objectives</i> The proposed development is prohibited within the zone, however receives permissibility via Section 3.53 of SEPP Transport and Infrastructure 2021. <i>Clause 4.3 – Height of Buildings</i> Maximum height of buildings – 8.5m. The proposed development has a maximum height of 8.492m (to the top of the plant deck).	Y

	• <i>Clause 7.2 Earthworks</i> The development site is relatively flat, with only minor earthworks required. • <i>Clause 7.4 Drinking Water Catchments</i> The subject site is partially located within the Wilsons River Catchment, however the site of the proposal (including all proposed and associated works) is not located within the catchment. • <i>Clause 7.7 Essential services</i> ○ vehicular access. ○ stormwater drainage ○ connection to sewer and water ○ electricity and telecommunication Council's Developments Engineer has assessed the proposed development and is satisfied all essential services are available to the site and the proposed development is acceptable subject to conditions.	
Proposed Instruments	Climate Change and Natural Hazards State Environmental Planning Policy No permissibility or compliance issues identified. Ballina Local Environmental Plan 2012 – General Amendments (PP2025-1660) No permissibility or compliance issues identified	Y
Ballina Development Control Plan 2012	Chapter 2 – General Environmental Considerations • <i>Clause 3.3 – Natural Areas and Habitat</i> The Bruxner Highway frontage of the site is located within the buffer to the Natural Areas and Habitat Map. The application was supported by a Koala Habitat Impact Assessment Report and documentation to address on-site offsetting for the removal of 10 trees as part of the development. Conditions are proposed in relation to these works. • <i>Clause 3.3A – Koala Habitat Management</i> A small area of the subject site contains preferred koala habitat – Secondary A, approximately 350m from the site of the proposal. The application was supported by a Koala Habitat Impact Assessment Report. The conclusions of the assessment are agreed with. • <i>Clause 3.4 Potentially Contaminated Land</i> No concerns raised. Refer to SEPP (Resilience and Hazards) for further comments.	Y

	<i>Clause 3.6 Mosquito Management</i> Land is mapped as elevated land on the mosquito management map. No issues raised by Council's Environmental Health Officer due to proposed use. <i>Clause 3.7 Waste Management</i> The application was supported with a Site Waste Minimisation and Management Plan. Council's Environmental Health Officer satisfied with the submitted waste management plan, with the imposition of applicable conditions of any consent. <i>Clause 3.9 Stormwater Management</i> The application was supported with a Civil Engineering Design Report and stormwater management plan. Council's Developments Engineer has assessed this matter and considers the proposal satisfactory subject to conditions. <i>Clause 3.10 Sediment and Erosion Control</i> The proposal is satisfactory subject to conditions. <i>Clause 3.11 Provision of Services</i> The proposal is satisfactory subject to conditions. Refer to Clause 7.7 of the LEP for further comment. <i>Clause 3.12 Heritage</i> The subject site is not identified as containing an item of Environmental Heritage pursuant to BLEP2012. <i>Clause 3.13 Drinking Water Catchments</i> The subject site is partially located within the Wilsons River Drinking Water Catchment, however the site of the proposal (including all proposed and associated works) is not located within the catchment. <i>Clause 3.15 Crime Prevention through Environmental Design</i> The application was supported with a CPTED assessment. The proposed Multi-Trades Hub effectively incorporates CPTED principles, minimising crime risk while enhancing safety and usability. The proposal is satisfactory <i>Clause 3.19 Car Parking and Access</i> The existing educational establishment provides carparking in excess of the requirement under the Ballina DCP 2012. Council's Development Engineer has assessed the applicable parking provisions, and the development is satisfactory.	
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	Clause 3.20 Vibration The proposal is not considered to result in any adverse impacts in regard to vibration. The proposal is satisfactory subject to conditions. Clause 3.21 Bushfire Protection Portions of the site are mapped as bushfire prone land, being Vegetation Buffer and Vegetation Category 3. The development site, including the sites access points are not mapped as bushfire prone land. The development does not trigger development for the purposes of a Special Fire Protection Purpose under Planning for Bushfire Protection 2019 and therefore does not require a Bushfire Safety Authority under section 100B of the Rural Fires Act 1997. The application is supported by a Bushfire Certificate, prepared by Newcastle Bushfire Consulting. The NSW Rural Fire Service has considered the proposal under Section 4.14 of the EP&A Act 1979 and has provided recommended conditions. Chapter 2a - Vegetation Management - Not applicable (given the proposal occurs on RU1 zoned land). Chapter 7 – Rural Living and Activity Clause 3.8 Building lines and setbacks The development has achieved the minimum setback requirements for all boundaries. Clause 3.9 Roads, Vehicular Access and Parking Council's Development Engineer has assessed the applicable road, access and parking provisions and the development is satisfactory. Chapter 8 – Other Uses – Signage Clause 3.4 Signage The signage associated with the proposal is for wayfinding purposes only. This includes block signage on the new building and wayfinding signage within the existing grounds of the TAFE establishment. The signage does not require consent under the SEPP nor the DCP.	
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State Environmental Planning Policy

SEPP (Biodiversity and Conservation) 2021

Chapter 2: Vegetation in non-rural areas

To facilitate the development, the proposal will result in the removal of 10 native trees. The clearing does not require approval under Chapter 2 and does not trigger the clearing threshold under the Biodiversity Off-set Scheme. Council has a DCP which includes requirements for vegetation removal in certain zones, which excludes the RU1 zone. Refer to the BDCP 2012, Chapter 2, Section 3.3 and commentary with regard to the Ballina Shire Biodiversity Habitat Offset Policy in relation to the vegetation removal, including off-setting requirements.

Chapter 3: Koala Habitat Protection 2020

The application was supported by a Koala Habitat Impact Assessment Report, in accordance with the requirements of the SEPP (the land has an area over 1ha) and given that a small area of the subject site contains Council mapped preferred koala habitat – Secondary A, approximately 350m from the site of the proposal, comprising a row of windbreak trees (planted Eucalypts).

The development footprint is confined to an existing maintained lawn area. There is no preferred or potential Koala habitat within the development footprint area and no Koala feed trees within the site of the proposed development. The report advises that from a search of trees within the study area, no Koalas or Koala scats were recorded.

The submitted report assessed the Ballina Shire Core Koala Habitat Comprehensive Koala Plan of Management (CKPoM) and addressed the matters for consideration set out in section 5.5 of the CKPoM.

The report concludes that:

- No Koala food trees and/ or Koala habitat would be directly and/ or indirectly impacted by the proposal.
- No Koala food trees occur within the study area.
- No Koala food trees are proposed to be removed, lopped or permanently isolated from Koala use.

In terms of indirect impacts, the report concludes:

- All Koala habitat on site would be retained and mapped preferred Koala habitat is available in the locality. The home range (and breeding cycle) of Koalas associated with the local population would not be impacted by the proposed development.
- Retained Koala feed trees on site (outside of the study area) will continue to provide foraging opportunities, shade and refuge for any dispersing animals in the locality.
- Connectivity for Koala will be maintained by the retention of all Koala habitat within the broader site. The proposal is located within the existing urbanised TAFE campus and is unlikely to impede habitat connectivity.
- The proposed development will not increase the potential for vehicle strike on Koala.
- Any Koalas which may occasionally traverse the site are unlikely to be subject to increased risk of starvation, exposure and loss of shade or shelter.

Mitigation measures have been outlined as within the assessment to be implemented throughout the construction phase. The report will be listed as an approved document within the conditions of consent and conditions are also to be imposed regarding any koala sitings during works.

The Proposal is consistent with Chapter 3.

State Environmental Planning Policy (Industry and Employment) 2021

Chapter 3: Advertising and Signage

The proposal includes wayfinding block signage on the building and directional signage within the boundary of the existing TAFE establishment. With regard to Section 3.4, the signage is not visible from any public place or public reserve, and therefore, this chapter does not apply to the proposal.

State Environmental Planning Policy (Planning Systems) 2021

Chapter 2: State and Regional Development

The proposal is declared regionally significant development pursuant to Section 2.19(1) as it triggers the criteria in Clause 4 of Schedule 6 of the Planning Systems SEPP, being development carried out by or on behalf of the Crown with an EDC of more than \$5 million.

Accordingly, the Northern Regional Planning Panel is the consent authority for the application.

State Environmental Planning Policy (Resilience and Hazards) 2021

Chapter 4: Remediation of Land

The provisions of Chapter 4 of *State Environmental Planning Policy (Resilience and Hazards) 2021* ('the Resilience and Hazards SEPP') have been considered in the assessment of the development application. Section 4.6 of Resilience and Hazards SEPP requires consent authorities to consider whether the land is contaminated, and if the land is contaminated, it is satisfied that the land is suitable in its contaminated state (or will be suitable, after remediation) for the purpose for which the development is proposed to be carried out.

Council's Environmental Health officer assessed the application in relation to this matter and provided the following advice:

The property is not:

- recorded on Council's Contaminated Land Register or Mapping Layer.
- impacted by a dip site or investigation area.
- listed on the EPA List of Contaminated Sites.
- listed Contaminated Land Record.
- listed as a licensed premises, notices, orders, audits or pollution protection programs.
- identified as a site likely to be impacted by large quantities of PFAS under the NSW Government PFAS Investigation Programs.
- identified as containing loose fill asbestos on the NSW Fair Trading Loose Fill Asbestos Register.

Consent authorities must consider the potential for land to be contaminated when proposing land use changes (including changes to permitted land uses or through rezoning proposals) and when assessing development applications. The decisions that a consent authority will need to make relate to the planning function being undertaken.

- Assessing and determining a development application under Part 4, or an application under Part 5.1, of the EP&A Act – decision - Is the land suitable, or can and will it be made suitable, for the proposed development?

The proposal is to build a new building on an existing education facility site, and the existing land use will continue.

Based on the information available, the land is suitable for the existing education facility to accommodate the proposed new building. No testing for land contamination is considered necessary. A condition is proposed to be imposed on any consent granted with regard to unexpected finds.

State Environmental Planning Policy (Transport and Infrastructure) 2021

Chapter 2 - Infrastructure

The aim of Chapter 2 Infrastructure is to facilitate the effective delivery of infrastructure across the State.

Section 2.48 Determination of development applications – other development

Pursuant to Clause 2.48, a referral to Essential Energy was required as the development is within close proximity to two electricity easements that traverse the property. These easements are to the west and south of the proposed building and associated works.

Essential Energy have reviewed the proposed development and raised no objections. General comments were provided and can be included as advisory notes in any consent issued.

Chapter 3 – Educational establishments and child care facilities

Section 3.53 – TAFE establishments – development permitted with consent

This section declares under subsection (1) that development for the purpose of a TAFE establishment may be carried out by any person with development consent on land in a prescribed zone.

Under Section 3.51 (1) prescribed zone means—

- (a) any land within the boundaries of an existing TAFE establishment, or
- (b) any of the following land use zones—
 - (i) Zone RU1 Primary Production,

The subject land is zoned RU1, which is a prescribed zone.

Development consent for the proposed development is reliant on Chapter 3 of State Environmental Planning Policy (Transport and Infrastructure) 2021, as this instrument allows for the consideration of an expansion of an existing TAFE establishment within the RU1 Primary Production zone, despite educational establishments being prohibited within the zone under the BLEP 2012.

The proposed development is consistent with these provisions of the SEPP.

Section 3.58 Traffic-generating development

Pursuant to section 3.58, the proposed development does not meet the relevant size or capacity outlined in Schedule 3. Despite this, given the size of the building and the overall use of the building is capable of being well above 50 additional students, Council referred the application to Transport NSW for comment.

Transport NSW have reviewed the proposal and raised no objection to the development and has made no recommendations, subject to Council being satisfied that development traffic will not adversely impact the safety and efficiency of the State road network.

Council's Developments Engineer has carried out an assessment of the proposal with regard to development traffic and the existing road network. The submitted Traffic Impact Assessment (TIA) prepared by SECA solution, dated 4 April 2025, is a detailed assessment and review of the development demands and impacts, and relevant to the impact on the road network, the report states the following:

- *Daily Traffic Flows*
Peak hour flows in urban environments typically equate to 8-12% of daily traffic flows. Allowing for the peak hour flows on Sneaths Road to represent 10% of the daily flows, flows on this road south of the TAFE access would be in the order of 3,400 vehicles per day.
- *Daily Traffic Flow Distribution*
The daily traffic volumes are reasonably balanced on Sneaths Road. There is bias in the movements southbound in the morning peak period with the reverse likely in the afternoon, however the inbound (northbound) demands towards the TAFE in the morning and outbound (southbound) in the afternoon affects this flow pattern.
- *Current Road Network Operation*
Observations on site during the peak periods shows that traffic movements in the vicinity of the campus generally operate well. SIDRA outputs indicates that the intersections, including the campus access, operate well with minimal delays and queuing on all approaches during the peak hours providing an overall level of service A.
- *Impact on Road Safety*
It is considered that the additional traffic volumes associated with the project will have a minimal and acceptable impact upon traffic safety. The additional demands for right turns at the intersection of Sneaths Road and the Bruxner Highway is 8 vehicles per hour in the AM peak and 41vph, which represents a 15% increase in demands, in the PM peak. This is within the capacity of this intersection which currently operates to an acceptable level of safety given the high volume of vehicles through this intersection. Accident data indicates a low number of serious accidents (1 in the past five years) consistent with its function and there are no noted safety concerns with this intersection layout. It is considered the additional vehicle movements associated with the proposed development will not have an adverse impact upon the current level of road safety in this location.

Additional information provided from the applicant in response to questions around projected student numbers at the TAFE has been accepted. It is noted that TAFE NSW has further completed a campus capacity study for Wollongbar, which identifies a total capacity of 2,311 occupants (2,078 students and 233 staff). However, based on spot checks completed by the TAFE Services Coordinator, the realistic number of occupants on site is closer to 600 in total (approximately 500 students and 100 staff) - significantly lower than the overall campus capacity.

Council's Developments Engineer has commented that the audit of the premises suggests that the Campus is operating well below its potential capacity and that the new upgrades in isolation (being that proposed as part of the Multi-Trades Hub) appear to increase demands but remains well below the site capacity. Overall, the documentation provided is satisfactory and the content is supported. The existing external road network is constructed to a suitable standard to service the proposed development.

The development is considered to satisfy Section 3.58.

Ballina Local Environmental Plan 2012

The relevant local environmental plan applying to the site is the *Ballina Local Environmental Plan 2012* ('the LEP').

Table 6: BLEP 2012

Ballina Local Environmental Plan 2012	
Clause 1.2 – Aims of BLEP 2012	The proposed development is generally consistent with the aims and objectives of the BLEP.
Clause 2.3 – Zoning and Permissibility	The site is located within the RU1 Primary Production Zone pursuant to Clause 2.2 of Part 2 of the BLEP 2012. According to the definitions in Clause 1.4 (contained in the Dictionary), the proposal satisfies the definition of <i>educational establishment</i> <i>educational establishment</i> means a building or place used for education (including teaching), being— (a) a school, or (b) a tertiary institution, including a university or a TAFE establishment, that provides formal education and is constituted by or under an Act. An educational establishment is prohibited within the RU1 zone under the Land Use Table in Clause 2.3). Despite this, the use of the land is made permissible via State Environmental Planning Policy (Transport & Infrastructure) 2021.
Clause 2.3 – Zone Objectives	The RU1 zone objectives include the following (pursuant to the Land Use Table in Clause 2.3): • <i>To encourage sustainable primary industry production by maintaining and enhancing the natural resource base.</i> • <i>To encourage diversity in primary industry enterprises and systems appropriate for the area.</i> • <i>To minimise the fragmentation and alienation of resource lands.</i> • <i>To minimise conflict between land uses within this zone and land uses within adjoining zones.</i> • <i>To maintain the rural, cultural and landscape character of the locality.</i> • <i>To enable development that is compatible with the rural and environmental nature of the land.</i> • <i>To ensure that there is not unreasonable or uneconomic demands for the provision of public infrastructure.</i> The proposed development is not inconsistent with the zone objectives. The proposed development relates to the expansion of an existing educational establishment and does not create further conflicts with other land zones and land uses, nor does the development alienate or sterilise agricultural lands.

Clause 4.3 – Height of Buildings	Maximum height of buildings – 8.5m. The proposed development has a maximum height of 8.492m measured from the existing ground level to the top of the plant deck. This has been confirmed in the section plans as contained in the submitted plan set. A condition is proposed to be applied with regard to compliance with the maximum height standard and the provision of survey certificates at key stages of the construction to ensure the development remains compliant with the maximum building height standard.
Clause 7.2 – Earthworks	The objective of this clause is to ensure that earthworks, for which development consent is required, will not have a detrimental impact on environmental functions and processes, neighbouring uses, cultural or heritage items or features of the surrounding land. Clause 7.2 (3) requires that the consent authority must consider the following matters: <i>(a) the likely disruption of, or any detrimental effect on, drainage patterns and soil stability in the locality of the development,</i> The development is located on an existing flat area and is not known to be affected by landslips or overland flow paths. No significant earthworks are required. The proposal is therefore not expected to have any adverse impact on drainage patterns or soil stability. <i>(b) the effect of the development on the likely future use or redevelopment of the land,</i> The development is considered to provide orderly and economical use of the land. The proposal is consistent with the likely future use of the land as an educational establishment. <i>(c) the quality of the fill or the soil to be excavated, or both,</i> Standard conditions can be imposed in the instance that soil is required to be brought onto or removed from the site. <i>(d) the effect of the development on the existing and likely amenity of adjoining properties,</i> The proposed development is within an existing educational establishment. The proposal is not expected to have any unreasonable impact on the amenity of adjoining properties within the locality. <i>(e) the source of any fill material and the destination of any excavated material,</i> Standard conditions can be imposed to manage any fill material brought onto or removed from the site. <i>(f) the likelihood of disturbing relics,</i>

	The development is unlikely to require any extensive earthworks and, therefore, unlikely to uncover any heritage items. Nevertheless, standard conditions can be imposed in the instance that any Aboriginal or non-Aboriginal heritage items are identified. <i>(g) the proximity to, and potential for adverse impacts on, any waterway, drinking water catchment or environmentally sensitive area,</i> The development is not in proximity to any waterway or environmentally sensitive area. The northern portion of the wider TAFE site is within the Wilsons River Drinking Water Catchment, however the site of the proposal (including all proposed and associated works) is not located within the catchment – approximately 145m to the south east of the edge of the catchment. Given the topography of the land and isolation of the works to an overall small portion of the site and with the imposition of sediment and erosion control conditions during construction, no concerns are raised as to impacts on the Wilsons River Drinking Water Catchment. <i>(h) any appropriate measures proposed to avoid, minimise or mitigate the impacts of the development.</i> Impacts during the construction phase can be managed through conditions. No issues are anticipated once the development is operational.
Clause 7.4 – Drinking Water Catchments	The northern portion of the wider TAFE site is within the Wilsons River Drinking Water Catchment, however the site of the proposal (including all proposed and associated works) is not located within the catchment – approximately 145m to the south east of the edge of the catchment. Subclause (3) provides that before determining a development application for development on land to which this clause applies, the consent authority must consider the following — <i>(a) whether or not the development is likely to have any adverse impact on the quality and quantity of water entering the drinking water storage, having regard to the following—</i> <i>(i) the distance between the development and any waterway that feeds into the drinking water storage,</i> <i>(ii) the on-site use, storage and disposal of any chemicals on the land,</i> <i>(iii) the treatment, storage and disposal of waste water and solid waste generated or used by the development,</i> Given the distance between the site of the proposal and the Wilsons River Drinking Water Catchment and the topography of the land (relatively flat but with minor sloping to the south and east towards Sneaths Road and the Bruxner Highway), there are not considered to be any adverse impacts on the quality and quantity of water entering the drinking water storage. It is noted that a 20,000kL rainwater tank will contribute to rainwater re-use for the development, which reduces overall water needs for the proposal from the relevant drinking water supplies. There are no concerns raised with regard to use, storage and disposal of chemicals, with the proposal including the appropriate measures to

	address applicable standards and legislation, and where required, reinforced through proposed conditions. Waste Management has been appropriately addressed through connection to Council's sewage system (refer to comments below regarding Clause 7.7 of the BLEP 2012) and the Site Waste Minimisation and Management Plan prepared by HMC Consulting Pty Ltd. <i>(b) the cumulative impacts of development on water quality and quantity in the catchment,</i> There is not expected to any detrimental cumulative impacts on water quality or quantity within the catchment. The proposal includes water sensitive urban design measures including detention and retention tanks to address water quantity and quality, which have been accepted as suitable by Council's Developments Engineer. <i>(c) any appropriate measures proposed to avoid the impacts of the development,</i> As mentioned above, the retention and detention tanks to address water quantity and quality are considered appropriate to reduce the overall water use and quality of water leaving the site. The Civil Engineering Design Report prepared by ADP Consulting: Engineering has demonstrated that the pollutant residual load for the post-development scenario is less than the pre-development and the report outcomes have been accepted by Council's Developments Engineer. <i>(d) any comments that have been provided in relation to the development by the relevant water supply authority or local or county council exercising water supply functions under Division 2 of Part 3 of Chapter 6 of the Local Government Act 1993,</i> The application was not required to be referred to Rous Water for comment, given that only the northern portion of the wider TAFE site is within the Wilsons River Drinking Water Catchment and the site of the proposal (including all proposed and associated works) is not located within the catchment – approximately 145m to the south east of the edge of the catchment. <i>(e) whether or not the development would be more suitably carried out on an alternative site.</i> The subject site is considered to be appropriate for the proposal, in the context of it's relatively undeveloped nature and central location within the TAFE site. The site of the proposal is not within the Wilsons River Drinking Water Catchment. <i>(4) Development consent must not be granted to development on land to which this clause applies unless the consent authority is satisfied that the development is designed, sited and will be managed to avoid any significant adverse impact on water quality and flows.</i> As stated above, the proposal incorporates suitable measures to address water quality and flows and has been appropriately located and designed the context of the Wilsons River Drinking Water Catchment.
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Clause 7.7 – Essential Services	Subclause (2) provides that development consent must not be granted unless the supply of the following services is satisfied: <i>(a) the supply of water,</i> The development is capable of being connected to Council's reticulated water network. The proposal also includes rainwater reuse as part of the stormwater management system. <i>(b) the supply of electricity,</i> No issues raised. The development is capable of being connected to the necessary infrastructure. The site is burdened by easements in favour of electricity infrastructure. The proposal shows the buildings clear of the easements. A referral was made to Essential Energy as the beneficiary of the easements. No objection was made. <i>(b) the disposal and management of sewage,</i> The development is capable of being connected to Council's reticulated sewer network. <i>(d) stormwater drainage or on-site conservation,</i> Stormwater management is addressed within the Ballina Shire Development Control Plan 2012, Chapter 2 section of this report. <i>(e) suitable vehicular access,</i> The proposal includes suitable vehicular access to the site and existing car parking area. The proposed new building does not impact on the existing car parking and vehicular arrangements throughout the site. Refer to the Ballina Shire Development Control Plan 2012, Chapter 2 section of this report for further comment. <i>(f) telecommunication services.</i> The development is capable of being connected to necessary infrastructure.
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(b) Section 4.15 (1)(a)(ii) - Provisions of any Proposed Instruments

Draft Climate Change and Natural Hazards State Environmental Planning Policy

The explanation of intended effect was placed on public exhibition on 17 February 2026. There are no specific provisions outlined in a draft policy document, with the explanation documentation providing key concepts and issues to be addressed in developing a new policy for the State.

The key concepts and issues are addressed below:

1. *A clearer, simpler and consistent approach to climate change and natural hazards*

Comment: The proposal has considered natural hazards (i.e. bushfire) in its design and development, in accordance with the applicable legislation (Planning for Bushfire 2019). No issues are identified with the proposal with regard to its approach to climate risk and natural hazards.

2. *Climate Change*

Comment: The subject site is elevated and not subject to any flooding or coastal erosion hazards or risks. The proposed development is considered to be appropriately designed and can be constructed and operated with regard to any future impacts of climate change. The proposal is considered to be consistent with the draft Climate Change Scenario Guidelines.

3. *Urban Heat*

Comment: The design of the proposal is considered to appropriately consider urban heat principles, through the large openings to the north and south elevations (for ventilation), provision of a water retention system (water sensitive urban design), a durable and resilient material choice (metal sheeting and fibre cement) with a muted colour palette (largely comprising light grey with accents of charcoal and yellow) and the provision of extensive landscape and offset plantings (to account for the 10 trees to be removed to facilitate construction). The proposal also includes the installation of 445 x 450W solar panels (with the potential for a further 189 panels to be installed in the future). The proposal is considered to be largely consistent with the draft NSW Urban Heat Policy for Land Use Planning (Urban Heat Policy).

4. *Bush fire*

Comment: Bush fire risk has been appropriately considered in the design of the proposal, in context with Section 4.14 of the EP&A Act 1979 and Planning for Bushfire Protection 2019. Refer to comments in the Ballina Development Control Plan 2012, Chapter 2 – General and Environmental Considerations section of this report. The proposal is considered to be consistent with the proposed objectives of the Climate Change and Natural Hazards SEPP with regard to bush fire.

5. *Coastal hazards*

Comment: not applicable

6. *Flooding*

Comment: not applicable

7. *Rebuilding after natural disasters*

Comment: not applicable

8. *Consequential amendments*

Comment: no issues identified

No permissibility or compliance issues identified with regard to the draft Climate Change and Natural Hazards SEPP.

Ballina Local Environmental Plan 2012 – General Amendments 25/001 (PP2025-1660)

The current status of Planning Proposal 25/001 – General Amendments is imminent, with Council resolving in December 2025 to finalise the planning proposal under delegated plan making authority. At the time of preparation of this report, the Parliamentary Counsel process has been engaged and minor mapping adjustments are being made.

PP2025-1660 applies to the RU1 zoned in the following ways:

- Clause 4.2A(4A) [Erection of dwelling houses and dual occupancies on land in certain rural and conservation zones] – introduction of an additional subclause that requires consideration of the impact of dual occupancies on scenic amenity and rural character.
- RU1 Land Use table and deletion of Clause 4.1C [Erection of rural workers' dwellings in certain rural zones] - remove rural workers' dwellings as a permitted use.

Comment – the amendments are not directly applicable to the proposal and no permissibility or compliance issues have been identified.

(c) Section 4.15(1)(a)(iii) - Provisions of any Development Control Plan

The following Development Control Plan is relevant to this application:

Ballina Development Control Plan 2012 ('the DCP')

Chapter 2 – General and Environmental Considerations

This chapter of the DCP identifies Council's requirements relating to general and environmental planning elements that have a broad application to land within Ballina Shire.

Table 7: Ballina DCP 2012

Chapter 2 – General and Environmental Considerations	
Clause 3.3 – Natural Areas and Habitat	The Bruxner Highway frontage of the site is located within the buffer to the Natural Areas and Habitat Map. The site of the proposed building and associated works are located outside the mapped Natural Areas and Habitat and buffer. The application was supported by a Koala Habitat Impact Assessment Report and documentation to address on-site offsetting for the removal of 10 trees as part of the development. Under the Ballina Shire Council Biodiversity - Compensatory Habitat and Offsets Policy, the proposal has not fully achieved the principles of “avoid, minimise and mitigate the removal of the vegetation by way of design”, which would retain all of the vegetation identified as native, within the site of the proposal Under the subject policy, Council requires that a minimum offset of 5:1 be provided at a rate of five trees for every one tree removed. The proposal seeks to remove 10 native trees within the development site, requiring 50 trees to be offset on the site. Conditions have been imposed in relation to protection of Koalas and the required off-set planting. The proposal has been sited and designed and will be managed to avoid potential adverse impacts on natural areas.
Clause 3.3A – Koala Habitat Management	A small area of the subject site contains preferred koala habitat – Secondary A, approximately 350m from the site of the proposal. The application was supported by a Koala Habitat Impact Assessment Report. Refer to the assessment included in the SEPP (Biodiversity

	and Conservation) 2021, Chapter 3: Koala Habitat Protection 2020 section of this report. The proposal is considered to minimise the potential for adverse impact on koalas within current and future areas of koala habitat.
Clause 3.4 – Potentially Contaminated Land	Land contamination has been addressed in this report. Refer to SEPP (Resilience and Hazards) 2021 section. No concerns are raised in relation to potentially contaminated land.
Clause 3.6 – Mosquito Management	The subject land is mapped as Elevated Lands on the mosquito management map. The subject land is not mapped within an area of High Risk. As the proposed use does not relate to residential, nor is it a development for urban subdivision or stormwater management devices, there is no requirement for a mosquito management assessment. Given that the land use does not relate to a high risk use (child care facility, seniors housing, residential, etc), there is no requirement that the openings be screened. The development is suitable with respect to mosquito management without the inclusion of specified conditions.
Clause 3.7 Waste Management	The application was supported with a Site Waste Minimisation and Management Plan. This Plan addresses waste during construction and also operation. It is noted that TAFE management will manage the operational waste in accordance with their existing operations. Council's Environmental Health Officer is satisfied with the submitted waste management plan, with the imposition of applicable conditions of any consent.
Clause 3.9 – Stormwater Management	A Civil Engineering Design Report has been prepared by ADP Consulting, which includes an assessment of the proposal with regard to stormwater management, stormwater quantity and quality and includes a reuse water component for non-portable uses. The report also includes a Stormwater Management Plan (SMP), as Appendix A to the document. The SMP includes an on-site detention system and rainwater tank, and a basin treatment system. Council's Developments Engineer has reviewed the Civil Engineering Design Report and SMP and accepts the conclusions of the report. Conditions are proposed to be applied in relation to stormwater management, with detailed design prepared before the issue of the Crown Certificate.
Clause 3.10 – Sediment and Erosion Control	The applicant has indicated that appropriate sediment and erosion control measures will be installed and effectively maintained to control stormwater run-off throughout construction and operation, so that there is no impact on the surrounding environments. Conditions

	are proposed to ensure appropriate sediment and erosion control measures are in place prior to the commencement of works on the site and maintained until the land has been stabilised.
Clause 3.11 – Provision of Services	The site is connected to existing reticulated urban infrastructure required to service the proposed new educational building. The servicing of the site has been addressed previously in this report under Clause 7.7 of the BLEP 2012, such that the controls in Clause 3.11 are satisfied.
Clause 3.12 – Heritage	The subject land is not mapped as containing a heritage listed item.
Clause 3.13 – Drinking Water Catchments	The northern portion of the wider TAFE site is within the Wilsons River Drinking Water Catchment, however the site of the proposal (including all proposed and associated works) is not located within the catchment – approximately 145m to the south east of the edge of the catchment. The impact of the proposal on the Wilsons River Drinking Water Catchment has been addressed previously in this report under Clause 7.4 of the BLEP 2012, such that the controls in Clause 3.13 are satisfied. The development is not considered to adversely impact on water quality within drinking water catchments or groundwater resource areas that are part of the public water supply network.
Clause 3.15 – Crime Prevention through Environmental Design	The submitted Statement of Environmental Effects includes an assessment of the Crime Prevention through Environmental Design (CPTED) principles relative to the proposal. The key CPTED principles contained in Crime Prevention and The Assessment of Development Applications (Department of Urban Affairs and Planning) have been addressed below. <u>Natural Access Control</u> The proposal incorporates natural access control through clearly defined entry and exit points to the Multi-Trades Hub. Wayfinding via directional signage, pathways, foot paving and landscaping is designed to direct pedestrians and vehicles efficiently and safely. <u>Natural Surveillance</u> The Proposal maximises natural surveillance through the strategic placement of the large window to the south and multiple windows along the eastern and northern side of the building. Along the western side of the building is a large roller shutter door and a small roller door for waste storage. The building orientation and layout provide clear sightlines across common areas, enhancing visibility. <u>Territorial Reinforcement</u> The Proposal strengthens territorial reinforcement through the implementation of the proposed key signage and wayfinding as per the TAFE standards for the existing educational establishment. <u>Space and Activity Management</u> Effective space and activity management through regular maintenance of external areas, landscaping and replacement of

	broken lighting, etc., will be undertaken at the operational stage. It is considered that the development is consistent with the principles of CPTED.															
Clause 3.19 – Car Parking and Access Parking Numbers	The application has been supported by a Traffic Impact Assessment (TIA) as prepared by SECA Solution. The TIA is a detailed assessment and review of the development demands and impacts, including an audit which identified that the educational establishment (in terms of car parking) is operating well below its potential capacity, and the new building, whilst increasing demands, remains well below the car parking capacity. The assessment made by Council’s Developments Engineer with regard to the controls in Clause 3.19 is provided below. <u><i>Pedestrian and Cyclist Requirements</i></u> The existing TAFE establishment is serviced by a concrete shared footpath connecting to Wollongbar and also serves to cater for cyclists. Sneaths Road is signposted at 60 kph and can be used by cyclists. No issues have been raised in this regard and the existing pathway connections are sufficient in the context of the proposal. <u><i>Internal Roads and Traffic</i></u> <i>Site Access, Internal Driveways and Parking Design</i> Sight distances at access points: Satisfactory Driveway widths, landscape and fencing splays: Satisfactory <i>Provisions for Service and Delivery Vehicles</i> There is provision for service and delivery vehicles to enter the site in a forward direction, safely manoeuvre and unload on site and leave the site in a forward direction. The proposal makes no change to the existing access points. <i>Parking</i> Current parking requirements/provision: <table><tr><th>Student/Teacher Numbers</th><th>DCP Rate</th><th>Minimum Parking Requirement</th><th>Car Parking provided</th></tr><tr><td>Students – 2,502 x 88% ** = 2,202 (NB: 88% of students advise that they attend the Wollongbar Campus)</td><td>1 space per 5 students</td><td>440</td><td rowspan="2">556 (NB: excludes 12 pick up and drop off spaces)</td></tr><tr><td>Staff – 120</td><td>1 space per 2 employees</td><td>60</td></tr><tr><td colspan="2">Total</td><td>500</td><td>556</td></tr></table>	Student/Teacher Numbers	DCP Rate	Minimum Parking Requirement	Car Parking provided	Students – 2,502 x 88% ** = 2,202 (NB: 88% of students advise that they attend the Wollongbar Campus)	1 space per 5 students	440	556 (NB: excludes 12 pick up and drop off spaces)	Staff – 120	1 space per 2 employees	60	Total		500	556
Student/Teacher Numbers	DCP Rate	Minimum Parking Requirement	Car Parking provided													
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Staff – 120	1 space per 2 employees	60														
Total		500	556													

	Parking requirements for new building:			
	Council Requirement		Proposed Gross Floor Areas	Required Number of Parking Spaces
	Use	Rate		
	Education Facility	1 space per 5 students Plus 1 space per 2 employees	Capacity: 216 Students 14 Teachers (as per the TIA)	Students = 43.2 spaces Staff = 7 spaces Total = 50.2 (or 51) spaces The site has a surplus of existing carparking (56 spaces).
			Total required	No new spaces are required.
	The detail in the TIA provides the following analysis			
	Situation			No. of Spaces
	Available parking at peak parking demand (27% vacancy)			135 spaces
	Additional parking demand associated with proposal			-51 spaces
	Net loss of parking associated with the Multi-Trades Hub			-4 spaces
	Net available parking supply			80 spaces
	Based on the TIA analysis, it has been demonstrated that there is available parking across the campus to cater for the development of the Multi-Trades Hub, with 80 spaces still remaining unused allowing for the application of the parking demands per the DCP. This makes no concession for the existing students on site.			
	Council's Developments Engineer is satisfied that no additional parking spaces are required under this application to satisfy the DCP parking requirements.			
Clause 3.20 - Vibration	The proposal is not considered to result in any adverse impacts in regard to vibration. The proposal is satisfactory subject to conditions.			
Clause 3.21 – Bushfire Protection	Portions of the site are mapped as bushfire prone land, being Vegetation Buffer and Vegetation Category 3. The development site, including the site's access points are not mapped as bushfire prone land.			

	The development does not trigger development for the purposes of a Special Fire Protection Purpose under Planning for Bushfire Protection 2019 and therefore does not require a Bushfire Safety Authority under section 100B of the Rural Fires Act 1997. The application is supported by a Bushfire Certificate, prepared by Newcastle Bushfire Consulting. The Certificate report establishes that the development is capable of complying with the acceptable solutions of Planning for Bush Fire Protection (2019). There is potential for bushfire attack, and a list of recommendations has been included in the assessment to reduce that risk. The recommendations include a Bushfire Attack Level rating of 12.5, the provision of an 81m Asset Protection Zone, services and infrastructure (water, electricity and gas) and landscaping are to comply with Section 6 of Planning for BushFire Protection (2019), and the preparation of Emergency/Evacuation Plans. The NSW Rural Fire Service has considered the proposal under Section 4.14 of the EP&A Act 1979 [referred under Section 8.3.11 (public assembly buildings) of Planning for Bushfire Protection 2019] and has provided recommended conditions as included within Attachment A.
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Chapter 7 – Rural Living and Activity

Clause 3.8 – Building Lines and Setbacks	All buildings and structures in rural areas must comply with the minimum building line or setback requirements set out in Table 7.2 except as otherwise specified on the Building Line Map. <table border="1"> <tr> <th colspan="2">Table 7.2 - Minimum Setbacks - Rural Land General</th></tr> <tr> <th>Location</th><th>Setback</th></tr> <tr> <td>Front Boundary</td><td>20m from a sealed road. 50m from an unsealed road (applies only to uses which are likely to be adversely impacted by dust nuisance such as dwellings and visitor accommodation). 28m from Pacific Highway and Bruxner Highway.</td></tr> <tr> <td>Side Boundary</td><td>10m</td></tr> <tr> <td>Secondary Frontage Setback</td><td>10m</td></tr> <tr> <td>Water and Sewer Mains</td><td>Refer to Policy for Building over Council Assets</td></tr> </table> The location of the Multi-Trade Hub building is centrally located on the site and achieves the minimum side and front boundary setbacks.	Table 7.2 - Minimum Setbacks - Rural Land General		Location	Setback	Front Boundary	20m from a sealed road. 50m from an unsealed road (applies only to uses which are likely to be adversely impacted by dust nuisance such as dwellings and visitor accommodation). 28m from Pacific Highway and Bruxner Highway.	Side Boundary	10m	Secondary Frontage Setback	10m	Water and Sewer Mains	Refer to Policy for Building over Council Assets
Table 7.2 - Minimum Setbacks - Rural Land General													
Location	Setback												
Front Boundary	20m from a sealed road. 50m from an unsealed road (applies only to uses which are likely to be adversely impacted by dust nuisance such as dwellings and visitor accommodation). 28m from Pacific Highway and Bruxner Highway.												
Side Boundary	10m												
Secondary Frontage Setback	10m												
Water and Sewer Mains	Refer to Policy for Building over Council Assets												
Clause 3.9 – Roads, Vehicular Access and Parking	The existing site access is considered adequate to support the proposed development, as confirmed by Transport for NSW as part of their referral. Refer to comments within the SEPP Transport and Infrastructure 2021, Chapter 3. The existing car parking configuration, including the total parking numbers, is capable of supporting the new building. Refer to the comments within Ballina Development Control Plan 2012, Chapter 2 of this report for a more detailed assessment of car parking and access.												

Chapter 8 – Other Uses			
Clause	3.4	-	The proposal does not include any additional advertising or business identification signage. The signage associated with the proposal is for wayfinding purposes only. This includes block signage on the new building and wayfinding signage within the existing grounds of the TAFE establishment. The signage does not require consent under the SEPP nor the DCP. No further assessment of the provisions contained within Chapter 8 is considered necessary.

The following developer charges are relevant pursuant to Section 64 of the Local Government Act 1993 and have been considered in the recommended conditions (notwithstanding Contributions plans are not DCPs they are required to be considered):

- Ballina Shire Council Water Supply Infrastructure Development Servicing Plans, 2024
- Ballina Shire Council Wastewater and Recycled Water Infrastructure Development Servicing Plans 2024,
- Rous County Council Development Servicing Plan for Bulk Water Supply 2023.

Water and sewer charges have been applied in the draft conditions within Attachment A, based on the additional demands (additional students) presented in the Statement of Environmental Effects. In Council's Development Servicing Plans (DSPs) for water & wastewater, there are no exemptions to the application of water & wastewater charges, where a development increases demands on those services.

Under the DSPs, demands are calculated in terms of ET's (Equivalent Tenements) in accordance with the Water Directorate Guidelines as an Educational Facility. Council's contributions software system (Novoplan) calculates the charges based on the number of people creating the additional demands. In this case $36+2 = 38$ people.

There are no charges for Rous County Council (RCC) Bulk Water Supply, as within their DSP, RCC have exemptions for Crown developments and Public Education facilities.

Certain Crown developments are exempt from section 7.11 (EP&A Act 1979) contributions, including educational establishments, where the development provides a community service and is unlikely to generate demand for public amenities or services in the same way as private development. In this regard, Section 7.11 developer contributions are not proposed to be levied.

(d) Section 4.15(1)(a)(iia) – Planning agreements under Section 7.4 of the EP&A Act

There have been no planning agreements entered into, and there are no draft planning agreements being proposed for the site.

(e) Section 4.15(1)(a)(iv) - Provisions of Regulations

The Environmental Planning and Assessment Regulation 2021 (EP&A Reg) provisions are considered as follows:

Section 61 of the 2021 EP&A Regulation contains matters that must be taken into consideration by a consent authority in determining a development application, with the following matters being relevant to the proposal:

The provisions of AS 2601-2001: The demolition of structures

Comment: Conditions will be recommended to ensure the demolition works are completed in accordance with AS 2601-2001.

Section 62 - Consideration of fire safety of the 2021 EP&A Regulation.

Comment: Section 62 does not apply as the proposal does not relate to a change of use.

Section 63 - Considerations for temporary structures.

Comment: Section 63 does not apply as the proposal does not relate to temporary structures.

Section 64 - Upgrade of buildings

Comment: Section 64 does not apply as the proposal does not involve rebuilding or alteration of an existing building.

Section 4.15(1)(b) - Likely Impacts of Development

The likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality, must be considered. In this regard, potential impacts related to the proposal have been considered in response to SEPPs, LEP and DCP controls outlined above and the Key Issues section below.

The consideration of impacts on the natural and built environments are considered in Table 8 below:

Table 8: Section 4.15(1)(b) assessment of the likely impacts of the development

Component of Natural and Building Environment	Comment
i) Context and Settings	The proposal is considered to be generally consistent with the context of the site, in that the development relates to the construction of a new multi trades hub, associated with the existing TAFE establishment. In this regard, the proposed development is consistent with the context and setting of the subject land. The development is in keeping with the current and desired character and amenity of the surrounding locality and positively contributes to Wollongbar and the surrounding community. The development will generate employment opportunities and economic growth.
ii) Site Design and Internal Design	The proposed multi-trades hub building is located within the existing Wollongbar TAFE campus.

		The building is single storey with an approximate gross floor area of 3844m². The internal floor plan separates a number of trades schools, including cabinet making, woodwork/joinery, plumbing, electrotechnology labs and workshops. The trade hub building is centrally sited in context to the car park area and the existing buildings on-site.
iii)	Ecologically Sustainable Building Design	The proposed development has had regard for the minimisation of energy consumption by way the installation of 445 x 450W solar panels (with the potential for a further 189 panels to be installed in the future). The development includes roof catchment water tanks totalling 20,000kl of rainwater storage to be reused within the development.
iv)	Access, Transport and Traffic	The development is acceptable in terms of car parking, access and traffic generation. Refer to the SEPP Transport and Infrastructure 2021 and Ballina Development Control Plan 2012 sections of this report for detailed comment.
v)	Public Domain	The proposal does not affect public areas and will not be visible from Sneaths Road or the Bruxner Highway.
vi)	Utilities	The proposed development has access to all essential services. No concerns have been raised in this regard.
vii)	Heritage	The site is not identified within Schedule 5 of the BLEP 2012 as containing an item of heritage significance. The site is not within the vicinity of any heritage items or heritage conservation areas. An Aboriginal Heritage Information Management System (AHIMS) search carried out has revealed that no Aboriginal sites or places have been recorded or declared within or near the subject site. No concerns are raised in relation to impacts on a heritage item.
viii)	Construction	Construction works can be managed by way of standard conditions. These have been applied to the draft conditions list within Attachment A.
Environmental Impacts		
ix)	Other land resources	It is not considered that the proposal will impact upon the conservation and/or use of productive agricultural land, mineral and extractive resources or water supply catchments. As previously stated within this report, the proposal is permissible by virtue of SEPP Transport and Infrastructure 2021. Refer to the commentary provided in the Ballina Local Environmental Plan 2012 section of this report with regard to the Wilsons River Drinking Water Catchment.

x)	Water	<u>Water</u> No particular issues are raised with respect to the servicing of the proposed development. Council's Developments Engineer has reviewed the proposal and considered that the existing infrastructure available to the subject land is suitable for servicing the proposed development. <u>Stormwater management</u> A stormwater management plan has been provided to support the application. Council's Developments Engineer has reviewed the design and considered that the proposed management is appropriate. <u>Trade waste</u> Council's Trade Waste Officer has reviewed the design and has not raised any concerns in relation to the proposed development. Conditions have been recommended.
xi)	Soils	<u>Contamination</u> No issues are raised with respect to the contamination of land on the subject site. Refer to the assessment under SEPP (Resilience and Hazards) 2021 section of this report for discussion. <u>Sediment and erosion control</u> Conditions are recommended with respect to sediment and erosion control, and ensuring fill material imported to the site is free of contaminants and sediment and erosion control measures are in place to ensure no impacts to adjoining properties.
xii)	Air and Microclimate	The proposed development is unlikely to adversely impact air quality and microclimate conditions, given that the nature of the use is not anticipated to produce odours, fumes, gases or pollutants. It is noted that there is potential for dust generation during construction works, which can be managed via conditions.
xiii)	Flora and Fauna	The proposed development involves the removal of 10 native trees within the development footprint. The proposal is required to comply with the Council's Biodiversity Offset Policy. Under the policy, offsetting of 5:1 applies. The applicant has acknowledged the policy requirements and conditions have been formulated in this regard.
xiv)	Waste	Waste management is considered acceptable and has been previously addressed within the Ballina Development Control Plan 2012 section of this report. Conditions are proposed to be applied to any consent granted.
xv)	Energy	The subject land has an existing connection to electricity. The proposed development will be required to be connected, and consultation with the local energy provider may be required.

		The proposed development was referred to Essential Energy. No concerns were raised, with advisory notes recommended to be imposed on any consent granted.
Hazards		
xvi)	Noise and Vibration	Council's Environmental Health Officer has assessed the proposal with regard to noise and vibration both during construction and during the operation of the development, and has recommended standard conditions. No further issues have been identified.
xvii)	Natural Hazards	The subject land is mapped as bushfire prone. Refer to the Ballina Development Control Plan section of this report for further comment. Conditions are to be imposed to address bushfire protection measures and compliance with Planning for Bushfire Protection 2019.
xviii)	Technological Hazards	<u>Industrial and technological hazards</u> Having regard for the activities proposed within the proposed development, it is not considered that the proposal will result in any risks to people, property or the biophysical environment from industrial and technological hazards.
xix)	Safety, Security and Crime Prevention (CPTED)	An assessment has been carried out with respect to the proposal's compliance with CPTED principles. Refer to the Ballina Development Control Plan section of this assessment for discussion. The proposal is considered to have an appropriate consideration of safety, security and crime prevention principles.
Social and Economic Impacts		
xx)	Social Impacts in the Locality	The proposal is considered to have ongoing positive social impacts in the locality through the provision of additional and improved educational facilities.
xxi)	Economic Impact in the Locality	<u>Employment generation</u> The proposal is considered to create employment in the local area during the construction period, to provide potential for more educators and to provide for future employment opportunities for students.
Cumulative Impacts		
xxii)	Cumulative Impacts	The proposed development is not considered to have any unacceptable negative cumulative impacts on the surrounding locality by way of noise, odour, car parking and traffic generation, subject to adherence with the recommended conditions of consent. The proposed development will provide for an improved educational facility for the ongoing use of the TAFE.

Accordingly, it is considered that the proposal will not result in any significant adverse impacts in the locality as outlined above.

3.2 Section 4.15(1)(c) - Suitability of the site

It is considered that the application adequately demonstrates that the site is suitable for the proposed development. The proposal is permitted via SEPP Transport and Infrastructure 2021, within an existing educational establishment. The site has the benefit of existing vehicular access and car parking and can readily connect to existing on site services.

It is considered that the application adequately demonstrates that the site is suitable for the proposed development for the following reasons:

- The proposed works will achieve an appropriate response to the constraints of the site.
- The built form and landscape outcomes for the site respond to the character of the surrounding locality.
- The proposal will result in improved educational facilities for students of the TAFE.
- The removal of 10 existing native trees are proposed to be offset via the planting of 50 local indigenous rainforest trees, which is reiterated through conditions of consent.

3.3 Section 4.15(1)(d) - Public Submissions

No submissions were made.

3.4 Section 4.15(1)(e) - Public interest

Public Interest

The proposed development is consistent with the objects of the Environmental Planning and Assessment Act 1979 in that it promotes the economic and social welfare of the community and facilitates good design and amenity of the built environment.

The proposed development is in the interests of the Federal, State and Local Governments, and also the community.

Accordingly, the application is in the public interest and is considered that development consent should be granted on this basis.

Social Impact

The proposal is considered to have positive social impacts in the locality through the provision of improved educational facilities for the ongoing use of the tertiary educational facility.

Economic Impact

The proposal is considered to have a positive economic impact through the construction works to be carried out (materials use and employment) and the ongoing use of the site.

4. REFERRALS AND SUBMISSIONS

4.1 Agency Referrals and Concurrence

The development application did not require referral to any other government agencies for comment/concurrence/referral as required by the EP&A Act and outlined below in Table 9.

There are no outstanding issues arising from these concurrence and referral requirements, subject to the imposition of the recommended conditions of consent.

Table 9: Concurrence and Referrals to agencies

Agency	Concurrence/ referral trigger	Comments (Issue, resolution, conditions)	Resolved
Concurrence Requirements (s4.13 of EP&A Act)			
None Applicable			
Referral Agencies			
Essential Energy	SEPP (Transport and Infrastructure) 2021 – S2.48	No objection to the proposed development	Y
Transport NSW	SEPP (Transport and Infrastructure) 2021 – S3.48	No requirements for the proposed development	Y
NSW RFS	S4.14 General Referral (Referred under Section 8.3.11 (public assembly buildings) of Planning for Bushfire Protection 2019	Supported with recommendations	Y
Integrated Development (S 4.46 of the EP&A Act)			
None Applicable			

4.2 Council Officer Referrals

The development application has been referred to various Council officers for technical review as outlined in **Table 10** below.

Table 10: Consideration of Council Referrals

Officer	Comments	Resolved
Developments Engineer	Council's Development Engineer reviewed the application and considered that there were no objections to the proposal, subject to conditions.	Y
Building	Council's Building Surveyor reviewed the application and considered that there were no objections to the proposal, subject to conditions.	Y
Plumbing and Drainage	Council's Plumbing and Drainage Officer reviewed the application and raised no concerns, subject to conditions.	Y
Health and Environment	Council's Environmental Health Officer reviewed the application and raised no concerns, subject to conditions.	Y
Trade Waste	Council's Trade Waste Officer reviewed the application and considered that there were no objections to the proposal, subject to conditions.	Y

Environmental Scientist	Council's Ecologist reviewed the application and considered that there were no objections to the proposal, subject to conditions.	Y
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4.3 Community Consultation

The proposal was notified in accordance with the Council's Community Participation Plan from 22 May 2025 until 5 June 2025

The notification included the following:

- One sign placed on the site;
- Notification letters sent to adjoining and adjacent properties;
- Notification on the Council's website.

During the exhibition period, the Council did not receive any submissions.

5. CONCLUSION

This development application has been considered in accordance with the requirements of the EP&A Act and the Regulations as outlined in this report. It is recommended that the proposed development be approved subject to conditions.

6. RECOMMENDATION

That Development Application DA No 2025/142 for Additions to Educational Establishment (TAFE) comprising the construction of a 'multi trades hub' building and associated demolition, earthworks, vegetation removal, infrastructure works and landscaping at 61 Sneaths Road, Wollongbar be APPROVED pursuant to Section 4.16(1)(a) of the *Environmental Planning and Assessment Act 1979* subject to the draft conditions of consent attached to this report at **Attachment A**.

The following attachments are provided:

- Attachment A: Draft Conditions of consent
- Attachment B: Proposed Approved Plan/Document Set