



New South Wales

## **Ballina Local Environmental Plan 1987 (Amendment No 81)**

under the

Environmental Planning and Assessment Act 1979

I, the Minister Assisting the Minister for Infrastructure and Planning (Planning Administration), make the following local environmental plan under the *Environmental Planning and Assessment Act 1979*. (G01/00014/PC)

DIANE BEAMER, M.P.,

Minister Assisting the Minister for Infrastructure  
and Planning (Planning Administration)

## 2004 No 129

Clause 1 Ballina Local Environmental Plan 1987 (Amendment No 81)

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# Ballina Local Environmental Plan 1987 (Amendment No 81)

under the

Environmental Planning and Assessment Act 1979

## 1 Name of plan

This plan is *Ballina Local Environmental Plan 1987 (Amendment No 81)*.

## 2 Aims of plan

This plan aims:

- (a) to amend *Ballina Local Environmental Plan 1987* to ensure that only minor adjustments to common property boundaries for land in rural and environmental protection zones are permissible without compliance with the subdivision controls set out in clause 11 of that plan, and
- (b) to rezone certain land (being land shown edged heavy black on the map marked “Ballina Local Environmental Plan 1987 (Amendment No 82)”) to Zone No 7 (d1) Environmental Protection (Newrybar Scenic/Escarpment) under *Ballina Local Environmental Plan 1987*. (This rezoning was intended to take place at the time of the making of *Ballina Local Environmental Plan 1987 (Amendment No 82)*.)

## 3 Land to which plan applies

This plan applies to land within Zones Nos 1 (a1), 1 (a2), 1 (b), 1 (d), 1 (e), 7 (a), 7 (c), 7 (d), 7 (d1), 7 (f), 7 (i) and 7 (l) under *Ballina Local Environmental Plan 1987* and to the land shown edged heavy black on the map marked “Ballina Local Environmental Plan 1987 (Amendment No 82)”.

## 4 Amendment of Ballina Local Environmental Plan 1987

*Ballina Local Environmental Plan 1987* is amended as set out in Schedule 1.

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## Schedule 1 Amendments

(Clause 4)

### [1] Clause 5 Interpretation

Insert in appropriate order in the definition of *the map* in clause 5 (1):

Ballina Local Environmental Plan 1987 (Amendment No 82)

### [2] Clause 11 Subdivision of land within Zone No 1 (a1), 1 (a2), 1 (b), 1 (d), 1 (e), 7 (a), 7 (c), 7 (d), 7 (d1), 7 (f), 7 (i) or 7 (l)

Omit clause 11 (6) (b). Insert instead:

- (b) minor adjustments to common property boundaries, but only if the council is satisfied that any such adjustment will not lead to:
  - (i) the creation of any additional allotments or additional dwelling entitlements or both, and
  - (ii) a substantial change to the land area contained in each allotment or a substantial change to the configuration of each allotment, and
  - (iii) an increase in the size of an allotment that would provide in the future for the creation of additional allotments or additional dwelling entitlements, and
  - (iv) an outcome contrary to the terms of any development consent granted in respect of any of the land concerned, and
  - (v) an increase in the likelihood of potential for land use conflict.