



New South Wales

## **Ballina Local Environmental Plan 1987 (Amendment No 59)**

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*. (G94/00207/PC)

BOB DEBUS, M.P.,  
for Minister Assisting the Minister for Infrastructure  
and Planning (Planning Administration)

## 2005 No 398

Clause 1 Ballina Local Environmental Plan 1987 (Amendment No 59)

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## Ballina Local Environmental Plan 1987 (Amendment No 59)

under the

Environmental Planning and Assessment Act 1979

### 1 Name of plan

This plan is *Ballina Local Environmental Plan 1987 (Amendment No 59)*.

### 2 Aims of plan

The aims of this plan are:

- (a) to rezone the land to which this plan applies to Zone No 1 (b) Rural (Secondary Agricultural Land) Zone, Zone No 2 (a) Living Area Zone, Zone 6 (a) Open Space Zone and Zone 7 (a) Environmental Protection (Wetlands) Zone under the *Ballina Local Environmental Plan 1987*, and
- (b) to allow, with the consent of the Council, the subdivision of part of the land to which the plan applies into several allotments and the subsequent development of that land for specified purposes, and
- (c) to allow, with the consent of the Council, the creation of not more than 2 allotments with dwelling entitlements on part of the land to which this plan applies, and
- (d) to assist in the conservation of a new item of environmental heritage on the land.

### 3 Land to which plan applies

- (1) To the extent that this plan rezones land and lists a new item of environmental heritage it applies to Lots 1–5, DP 253428, Lots 1 and 3, DP 253429, Lot 8, DP 747825 and Lots 9 and 10, DP 851865, North Creek Road, Lennox Head, as shown by distinctive colouring, edging and lettering on the map marked “Ballina Local Environmental Plan 1987 (Amendment No 59)” deposited in the office of Ballina Shire Council.

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- (2) To the extent that this plan allows the subdivision and subsequent development of the land, it applies to so much of the land that is rezoned to Zone 7 (a) Environmental Protection (Wetlands) Zone or Zone 1 (b) Rural (Secondary Agricultural Land) Zone.
  - (3) To the extent that this plan allows the creation of not more than 2 allotments with dwelling entitlements, it applies to so much of the land that is rezoned Zone 1 (b) Rural (Secondary Agricultural Land) Zone or Zone 7 (a) Environmental Protection (Wetlands) Zone.

**4 Amendment of Ballina Environmental Plan 1997**

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

## 2005 No 398

Ballina Local Environmental Plan 1987 (Amendment No 59)

Schedule 1 Amendments

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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 59)

**[2] Clause 33A**

Insert before clause 34:

**33A Development of land adjacent to North Creek Road, Lennox Head**

- (1) This clause applies to the land zoned Zone 7 (a) Environmental Protection (Wetlands) Zone or Zone 1 (b) Rural (Secondary Agricultural Land) Zone as shown by distinctive colouring, edging and lettering on the map marked “Ballina Local Environmental Plan 1987 (Amendment No 59)” deposited in the office of the council.
- (2) Despite any other provision of this plan, the council may consent to the subdivision of the land to which this clause applies into:
  - (a) not more than 2 allotments with dwelling entitlements provided that the council is satisfied that any dwellings to be constructed on such land are to be located within land zoned Zone 1 (b) Rural (Secondary Agricultural Land) Zone, and
  - (b) any number of allotments for uses such as environmental protection works, infrastructure and the like.

**[3] Schedule 1**

Insert after item 32:

- 33** Dry stone wall, adjacent to Lots 1, 2 and part Lot 3, DP 253428, North Creek Road, Lennox Head.

BY AUTHORITY

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