



New South Wales

Ballina Local Environmental Plan 2012 (Amendment No 40)

under the

Environmental Planning and Assessment Act 1979

The following local environmental plan is made by the local plan-making authority under the *Environmental Planning and Assessment Act 1979*.

TARA MCGREADY, MANAGER STRATEGIC PLANNING, BALLINA SHIRE COUNCIL
As delegate for the local plan-making authority

Ballina Local Environmental Plan 2012 (Amendment No 40)

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1 Name of Plan

This Plan is *Ballina Local Environmental Plan 2012 (Amendment No 40)*.

2 Commencement

This Plan commences on the day on which it is published on the NSW legislation website.

3 Land to which Plan applies

This Plan applies to land comprised in Lot 1, DP 124173, Burns Point Ferry Road, West Ballina.

4 Maps

The maps adopted by *Ballina Local Environmental Plan 2012* are amended or replaced, as the case requires, by the maps approved by the local plan-making authority on the making of this Plan.

Schedule 1 Amendment of Ballina Local Environmental Plan 2012

[1] Clause 4.6 Exceptions to development standards

Insert after clause 4.6 (8) (ca):

- (cb) clause 7.12.

[2] Clause 7.12

Insert after clause 7.11:

7.12 Home businesses at Burns Point Ferry Road, West Ballina

- (1) This clause applies to land at Burns Point Ferry Road, West Ballina that is:
 - (a) in Zone R2 Low Density Residential, and
 - (b) identified with the letter “H” on the Floor Space Ratio Map.
- (2) Despite clause 4.4 (2A), a dwelling used for the purposes of carrying on a home business on land to which this clause applies may exceed a floor space ratio of 0.5:1, if:
 - (a) the floor space ratio of those parts of the dwelling that are used for the purposes of a home business does not exceed 0.2:1, and
 - (b) the floor space ratio of any other parts of the dwelling does not exceed 0.5:1.
- (3) Despite clause 5.4 (2), the floor area of those parts of a dwelling used for the purposes of carrying on a home business on land to which this clause applies may exceed 50 square metres, but must not exceed 120 square metres.
- (4) A reference in this clause to a part of a dwelling used for the purposes of carrying on a home business includes a reference to any building that is used for those purposes and is ancillary to the dwelling.