



New South Wales

Ballina Local Environmental Plan 2012 (Amendment No 42)

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 42)

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1 Name of Plan

This Plan is *Ballina Local Environmental Plan 2012 (Amendment No 42)*.

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 in Zone B3 Commercial Core under *Ballina Local Environmental Plan 2012*.

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] Land Use Table

Insert the following at the end of item 1 of the matter relating to Zone B3 Commercial Core—

- To promote active frontages.

[2] Clause 7.13

Insert after clause 7.12—

7.13 Active frontages

- (1) The objective of this clause is to promote uses that attract pedestrian traffic along certain ground floor street, park and waterfront frontages in Zone B3 Commercial Core.
- (2) This clause applies to land identified as “Active frontage” on the Active Frontages Map.
- (3) Development consent must not be granted to the erection of a building on land to which this clause applies unless the consent authority is satisfied that all premises on the ground floor of the building facing the street, park or waterfront are to be used for the purposes of centre-based child care facilities, commercial premises, community facilities, educational establishments, entertainment facilities, function centres, hotel or motel accommodation, information and education facilities, medical centres, passenger transport facilities, public administration buildings, recreation facilities (indoor), registered clubs or respite day care centres after the erection of the building.
- (4) Development consent must also not be granted to a change of use of premises on the ground floor of a building on land to which this clause applies unless the new use is one of the uses identified in subclause (3).

[3] Schedule 1 Additional permitted uses

Insert at the end of the Schedule, with appropriate clause numbering—

Use of certain land in Ballina CBD

- (1) This clause applies to land at River Street, Tamar Street, Kerr Street, Grant Street, Moon Street, Cherry Street and Martin Street, Ballina and identified as “Area I” on the Additional Permitted Uses Map.
- (2) Development for the purpose of residential flat buildings is permitted with development consent.

[4] Dictionary

Insert in alphabetical order—

Active Frontages Map means the Ballina Local Environmental Plan 2012 Active Frontages Map.