



New South Wales

Ballina Local Environmental Plan 2012 (Amendment No 46)

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

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1 Name of Plan

This Plan is *Ballina Local Environmental Plan 2012 (Amendment No 46)*.

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 Zones RU1 Primary Production and RU2 Rural Landscape under *Ballina Local Environmental Plan 2012*.

4 Amendment of Ballina Local Environmental Plan 2012

Schedule 1 Additional permitted uses

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

Use of certain land in Zones RU1 and RU2

- (1) This clause applies to land in Zones RU1 Primary Production and RU2 Rural Landscape.
- (2) Development for the purposes of an industrial retail outlet is permitted with development consent, but only if—
 - (a) the development is associated with rural industry, and
 - (b) the retail floor area does not exceed the lesser of—
 - (i) 25% of the gross floor area of the rural industry located on the same land as the retail outlet, or
 - (ii) 100 square metres.

Note. This clause is subject to clause 7.9, Rural and nature-based tourism development. The consent authority must also be satisfied of the matters specified in that clause before development consent can be granted.