



New South Wales

Ballina Local Environmental Plan 2012 (Amendment No 47)

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 47)*.

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 zoned RU2 Rural Landscape under *Ballina Local Environmental Plan 2012*.

Schedule 1 Amendment of Ballina Local Environmental Plan 2012

[1] Clause 2.8 Temporary use of land

Omit “52” from clause 2.8(2). Insert instead “14”.

[2] Land Use Table

Omit “Function centres;” from item 3 of the matter relating to Zone RU2 Rural Landscape.

[3] Land Use Table, Zone RU2 Rural Landscape, item 4

Insert “Function centres;” in appropriate order.

[4] Clause 7.14

Insert after clause 7.13—

7.14 Temporary use of land in Zone RU2 for purpose of function centre

- (1) The objectives of this clause are to ensure—
 - (a) development is compatible with the primary production potential, rural character and environmental capabilities of the land, and
 - (b) development for the occasional holding of events in rural areas does not adversely impact the rural amenity, agricultural production, scenic or environmental values of the surrounding lands.
- (2) Development consent may be granted for development on land within Zone RU2 Rural Landscape for the purpose of a function centre for a maximum period of 3 years from the date of consent.
- (3) Development consent must not be granted under subclause (2) unless the consent authority is satisfied that—
 - (a) the development is not for the purpose of a convention centre, exhibition centre or for holding a music festival within the meaning of the *Music Festivals Act 2019*, and
 - (b) the development is small scale and low impact, and
 - (c) the development will not generate noise, traffic, parking or light spill that will significantly impact on surrounding residential areas, and
 - (d) the development will not impair the use of the surrounding land for agriculture or rural industries, and
 - (e) no more than 1 event will be held at the function centre on a weekend, and
 - (f) no more than 20 events will be held at the function centre in any period of 12 months, and
 - (g) no more than 150 guests will be permitted to attend an event at the function centre at any one time, and
 - (h) the development will not be used for the purpose of a function centre under this clause after 3 years from the date of consent.