



New South Wales

# **Ballina Local Environmental Plan 2012 (Amendment No 52)**

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*.

LUKE WALTON

As delegate for the Minister for Planning

## **Ballina Local Environmental Plan 2012 (Amendment No 52)**

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### **1 Name of Plan**

This Plan is *Ballina Local Environmental Plan 2012 (Amendment No 52)*.

### **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—

- (a) Lot 41, DP 1045745, 57 Gallans Road, Ballina, and
- (b) Lot 1, DP 309610, 3 Sinclair Street, Wardell.

## **Schedule 1      Amendment of Ballina Local Environmental Plan 2012**

### **Part 7 Additional local provisions**

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

#### **Community facilities and local distribution premises in Ballina**

- (1) The objective of this clause is to facilitate the provision of temporary support services to flood-affected communities in Ballina.
- (2) This clause applies to Lot 41, DP 1045745, 57 Gallans Road, Ballina.
- (3) Development for the purposes of community facilities or local distribution premises may be carried out on land to which this clause applies as exempt development if—
  - (a) the development complies with the requirements of Part 3, and
  - (b) the development is carried out by or on behalf of a public authority or non-profit community organisation, and
  - (c) the development is carried out in an existing building, and
  - (d) the use of the land for the specified purposes ceases before 1 September 2023.

#### **Community facilities and local distribution premises in Wardell**

- (1) The objective of this clause is to facilitate the provision of temporary support services to flood-affected communities in Wardell.
- (2) This clause applies to Lot 1, DP 309610, 3 Sinclair Street, Wardell.
- (3) Development for the purposes of community facilities or local distribution premises may be carried out on land to which this clause applies as exempt development if—
  - (a) the development complies with the requirements of Part 3, and
  - (b) the development is carried out by or on behalf of a public authority or non-profit community organisation, and
  - (c) the development does not involve the use of more than 1 shipping container, and
  - (d) for development involving a shipping container, the container—
    - (i) is not located within 0.9m of a lot boundary, and
    - (ii) is installed in a way that is safe and structurally stable, including to mitigate the risk of the shipping container moving because of a flood, and
  - (e) the use of the land for the specified purposes ceases before 1 September 2024, and
  - (f) the land is, as far as is practicable, restored before 1 September 2024 to the condition in which it was before the commencement of the development.