



New South Wales

Ballina Local Environmental Plan 2012 (Amendment No 51)

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 51)

under the

Environmental Planning and Assessment Act 1979

1 Name of plan

This plan is *Ballina Local Environmental Plan 2012 (Amendment No 51)*.

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 certain land to which *Ballina Local Environmental Plan 2012* applies.

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**

Part 7 Additional local provisions

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

Use of certain land in Wollongbar

- (1) This clause applies to land identified as “Area O” on the Additional Permitted Uses Map that is in Zone R2 Low Density Residential.
- (2) Development for the purposes of dual occupancies (attached) is permitted with development consent on a lot that is at least 900m².
- (3) Development consent must not be granted unless the consent authority is satisfied the dual occupancies (attached) will not be on land the Council or a recognised consultant has determined, in accordance with *Planning for Bush Fire Protection*, is in bush fire attack level-40 (BAL-40) or the flame zone (BAL-FZ).

- (4) In this clause—

bush fire attack level-40 (BAL-40) has the same meaning as in the *Environmental Planning and Assessment Regulation 2021*, Part 14.

flame zone (BAL-FZ) has the same meaning as in the *Environmental Planning and Assessment Regulation 2021*, Part 14.

Planning for Bush Fire Protection has the same meaning as in the *Environmental Planning and Assessment Regulation 2021*.

recognised consultant has the same meaning as in the *Environmental Planning and Assessment Regulation 2021*, Part 14.