



New South Wales

Ballina Local Environmental Plan 2012 (Amendment No 56)

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*.

CRAIG DISS

As delegate for the Minister for Planning and Public Spaces

Ballina Local Environmental Plan 2012 (Amendment No 56)

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1 Name of plan

This plan is *Ballina Local Environmental Plan 2012 (Amendment No 56)*.

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 the following land at 540 Gap Road, Alstonville—

- (a) Lot 3, DP 1130300,
- (b) Lots 21 and 22, DP 1243105.

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] **Clause 2.1 Land use zones**

Insert “Zone SP4 Enterprise” in appropriate order under the heading **Special Purpose Zones**.

[2] **Land Use Table**

Insert in appropriate order—

Zone SP4 Enterprise

1 Objectives of zone

- To provide for development and land uses that support enterprise and productivity.
- To provide opportunities for new and emerging creative and high technology industries and recreational land uses.

2 Permitted without consent

Environmental protection works

3 Permitted with consent

Artisan food and drink industries; Building identification signs; Business identification signs; Car parks; Community facilities; Creative industries; High technology industries; Plant nurseries; Recreation areas; Recreation facilities (outdoor); Roads; Take away food and drink premises

4 Prohibited

Any development not specified in item 2 or 3

[3] **Clause 5.4 Controls relating to miscellaneous permissible uses**

Insert “Zone SP4 Enterprise,” after “Zone E5 Heavy Industrial,” in clause 5.4(10).

[4] **Part 7 Additional local provisions**

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

Development at 540 Gap Road, Alstonville

- (1) This clause applies to the following land at 540 Gap Road, Alstonville in Zone SP4 Enterprise—
 - (a) Lot 3, DP 1130300,
 - (b) Lots 21 and 22, DP 1243105.
- (2) In deciding whether to grant development consent on land to which this clause applies, the consent authority must consider the following—
 - (a) the potential for development to create conflict with any adjoining agricultural land uses,
 - (b) whether the development achieves a high standard of architectural design, materials and detailing and incorporates sustainable design principles, including the following—
 - (i) sunlight,

- (ii) natural ventilation,
 - (iii) reflectivity,
 - (iv) visual and acoustic privacy,
 - (v) safety and security,
 - (vi) resource, energy and water efficiency,
 - (vii) durability and adaptability.
- (3) Development for the following purposes is permitted with development consent on land to which this clause applies if the development is associated with creative industries or high technology industries—
- (a) hotel or motel accommodation,
 - (b) serviced apartments.