

Relevant LEP Definitions

Ballina LEP 1987	Ballina LEP 2012	Tweed LEP 2000	Tweed LEP 2014
<p>Rural industry means handling, treating, processing or packing of primary products and includes the servicing in a workshop of plant or equipment used for rural purposes in the locality.</p>	<p>Rural industry means the handling, treating, production, processing, storage or packing of animal or plant agricultural products for commercial purposes, and includes any of the following—</p> <ul style="list-style-type: none"> (a) agricultural produce industries, (b) livestock processing industries, (c) composting facilities and works (including the production of mushroom substrate), (d) sawmill or log processing works, (e) stock and sale yards, (f) the regular servicing or repairing of plant or equipment used for the purposes of a rural enterprise. <p>Note. Rural industries are not a type of industry—see the definition of that term in this Dictionary.</p>	<p>Rural industry means: handling, treating, processing or packing of primary products in the locality and includes the servicing in a workshop of plant or equipment used for rural purposes in the locality.</p>	<p>Rural industry means the handling, treating, production, processing, storage or packing of animal or plant agricultural products for commercial purposes, and includes any of the following—</p> <ul style="list-style-type: none"> (a) agricultural produce industries, (b) livestock processing industries, (c) composting facilities and works (including the production of mushroom substrate), (d) sawmill or log processing works, (e) stock and sale yards, (f) the regular servicing or repairing of plant or equipment used for the purposes of a rural enterprise. <p>Note. Rural industries are not a type of industry—see the definition of that term in this Dictionary.</p>
<p>Industry means:</p> <ul style="list-style-type: none"> (a) any manufacturing process within the meaning of the Factories, Shops and Industries Act 1962, or 	<p>Industry means any of the following—</p> <ul style="list-style-type: none"> (a) general industry, (b) heavy industry, (c) light industry, <p>but does not include—</p>	<p>Industry means:</p> <ul style="list-style-type: none"> (a) any manufacturing process within the meaning of the Factories, Shops and Industries Act 1962, or 	<p>Industry means any of the following—</p> <ul style="list-style-type: none"> (a) general industry, (b) heavy industry, (c) light industry, <p>but does not include—</p>

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Ballina LEP 1987	Ballina LEP 2012	Tweed LEP 2000	Tweed LEP 2014
(b) the breaking up or dismantling of any goods or any article for trade or sale or gain or as ancillary to any business, but does not include an extractive industry.	(d) rural industry, or (e) extractive industry, or (f) mining.	(b) the breaking up or dismantling of any goods or any article for trade or sale or gain or as ancillary to any business, but does not include an extractive industry.	(d) rural industry, or (e) extractive industry, or (f) mining.
Light Industry means an industry, not being an offensive or hazardous industry, in which the processes carried on, the transportation involved or the machinery or materials used do not interfere with the amenity of the neighbourhood by reason of noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit, oil, or otherwise.	Light industry means a building or place used to carry out an industrial activity that does not interfere with the amenity of the neighbourhood by reason of noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil, or otherwise, and includes any of the following— (a) high technology industry, (b) home industry, (c) artisan food and drink industry. Note. Light industries are a type of industry—see the definition of that term in this Dictionary.	Light industry an industry, not being an offensive or hazardous industry, in which the processes carried on, the transportation involved or the machinery or materials used do not interfere with the amenity of the neighbourhood by reason of noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil, or otherwise.	Light industry means a building or place used to carry out an industrial activity that does not interfere with the amenity of the neighbourhood by reason of noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil, or otherwise, and includes any of the following— (a) high technology industry, (b) home industry, (c) artisan food and drink industry. Note. Light industries are a type of industry —see the definition of that term in this Dictionary.
NA	Water supply system means any of the following— a water reticulation system, a water storage facility, a water treatment facility,	NA	Water supply system means any of the following— (a) a water reticulation system, (b) a water storage facility, (c) a water treatment facility,

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	a building or place that is a combination of any of the things referred to in paragraphs (a)–(c).		(d) a building or place that is a combination of any of the things referred to in paragraphs (a)–(c).
NA	NA	NA	Water bottling facility (clause 7.15 definition) (3) In this clause: Water bottling facility means a building or place at which groundwater from land in Zone RU2 Rural Landscape is extracted, handled, treated, processed, stored or packed for commercial purposes.



Mr Scot MacDonald MLC

Parliamentary Secretary for Planning, the Central Coast and the Hunter

MDPE18/4848

Cr David Wright
Mayor
Ballina Shire Council
PO Box 450
BALLINA NSW 2478

Dear Mayor

Thank you for your correspondence to the Hon Anthony Roberts MP, Minister for Planning, about the need for the planning framework to respond to issues around groundwater extraction for the bottled water industry. The Minister asked me to respond on his behalf.

I note your request for the NSW Government to provide greater clarity in the standard instrument local environmental plan (Standard Instrument) for assessing developments associated with this industry.

The Department of Planning and Environment confirms there are currently no planning policies specifically covering water extraction and bottling in NSW and that such developments are generally prohibited in rural areas. As you noted, the Tweed Shire Council has made amendments to its local environmental plan to allow water extraction and bottling facilities in a rural zone, defining 'water bottling facility' under the group definition of 'light industry'.

If you would like to speak to a Departmental officer about mechanisms available to Ballina Shire Council for allowing these types of developments, please contact Mr Jeremy Gray, Director, Northern Region, at the Department on 6641 6602.

I also note you have requested that a relevant planning framework be investigated as part of the NSW Chief Scientist & Engineer's independent review into the bottled water industry in the Northern Rivers region. The Department advises it will await the outcomes of this review, which will inform the next steps.

The Department appreciates Council's feedback on this issue and will keep it in mind for future reviews into the Standard Instrument. In the meantime, the Department advises that planning authorities assessing any proposed development must always consider the development's impacts on groundwater.

Parliament House, Macquarie Street, Sydney NSW 2000

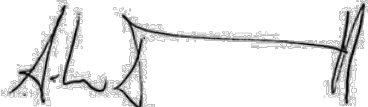
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If you have more questions about the Standard Instrument, please contact Ms Cassandra Au or Ms Alison Burton, Directors, Employment Policy and Systems, at the Department on 9274 6397 or 8289 6697 respectively.

Yours sincerely

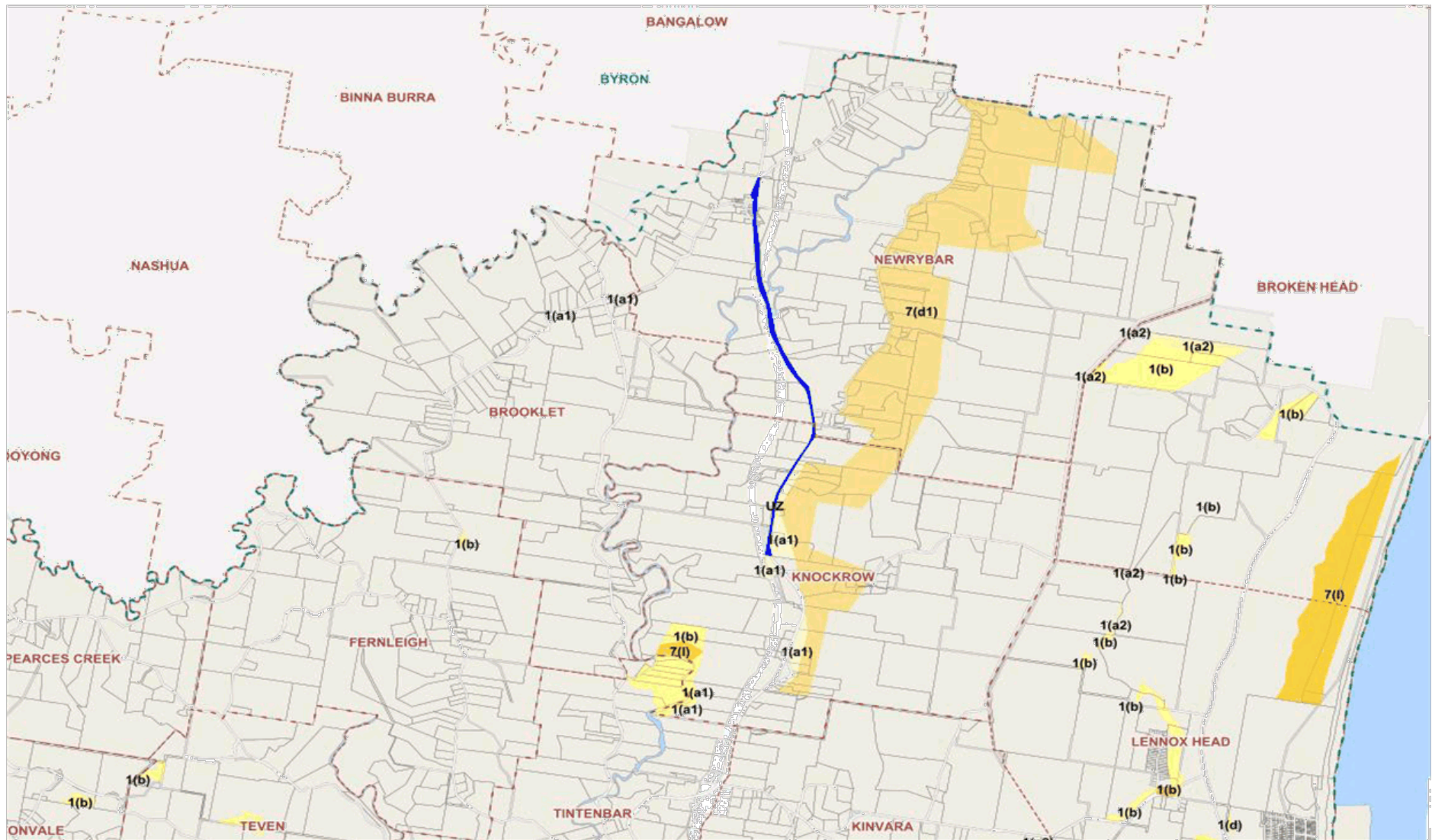


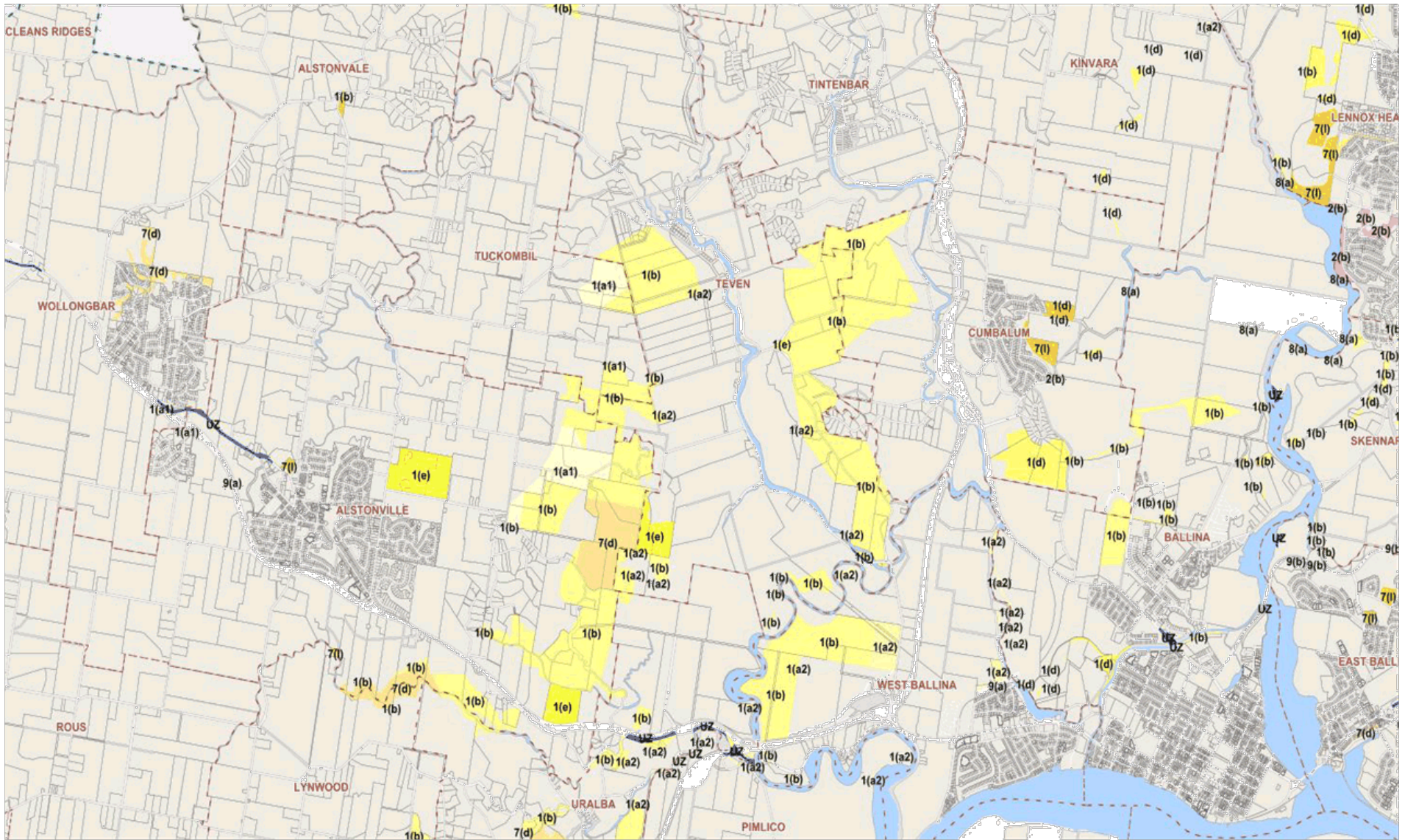
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Scot MacDonald MLC
Parliamentary Secretary for Planning, the Central Coast and the Hunter

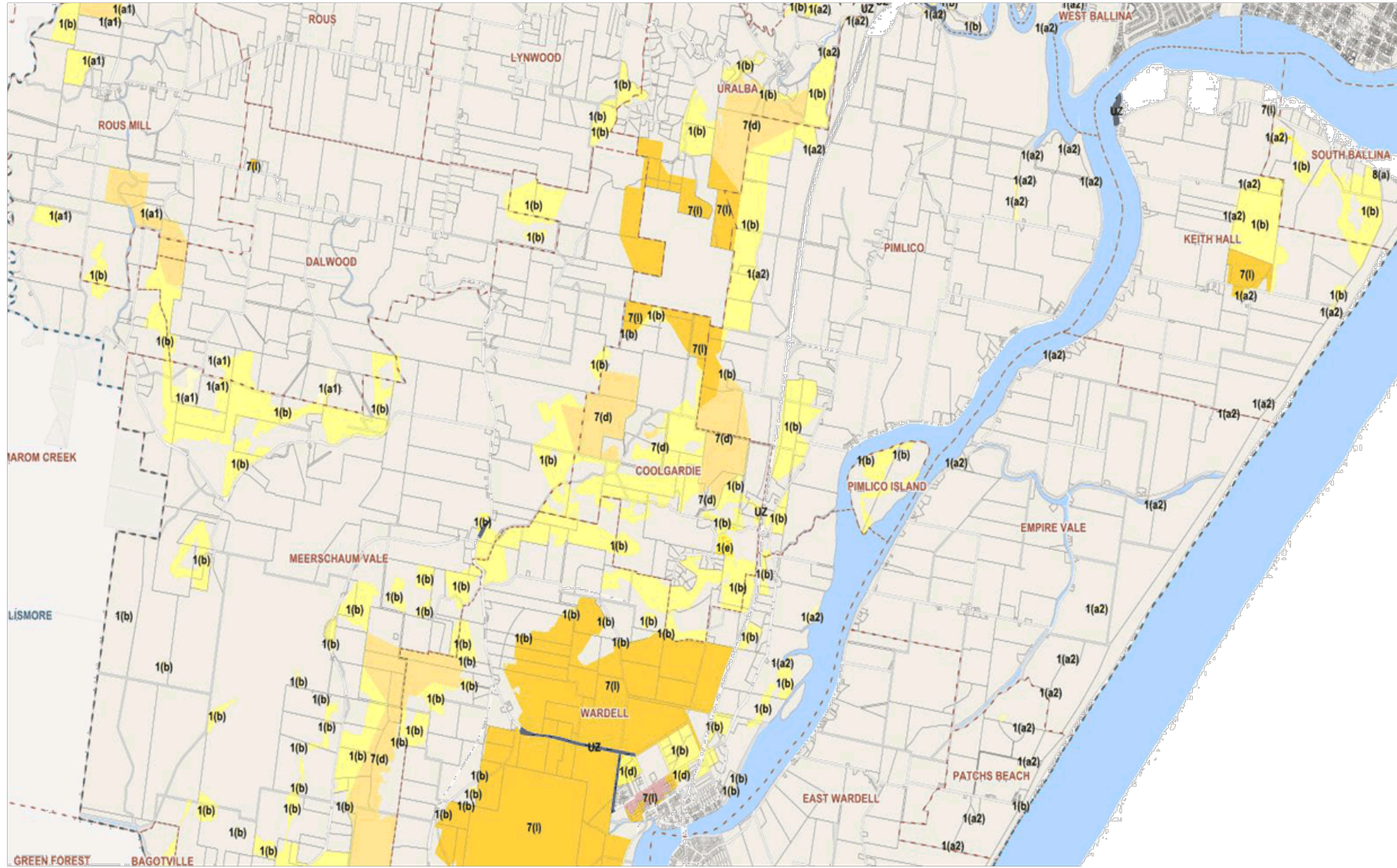
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Attachment 3 – Location of Ballina LEP 1987 zones referenced in Table 1

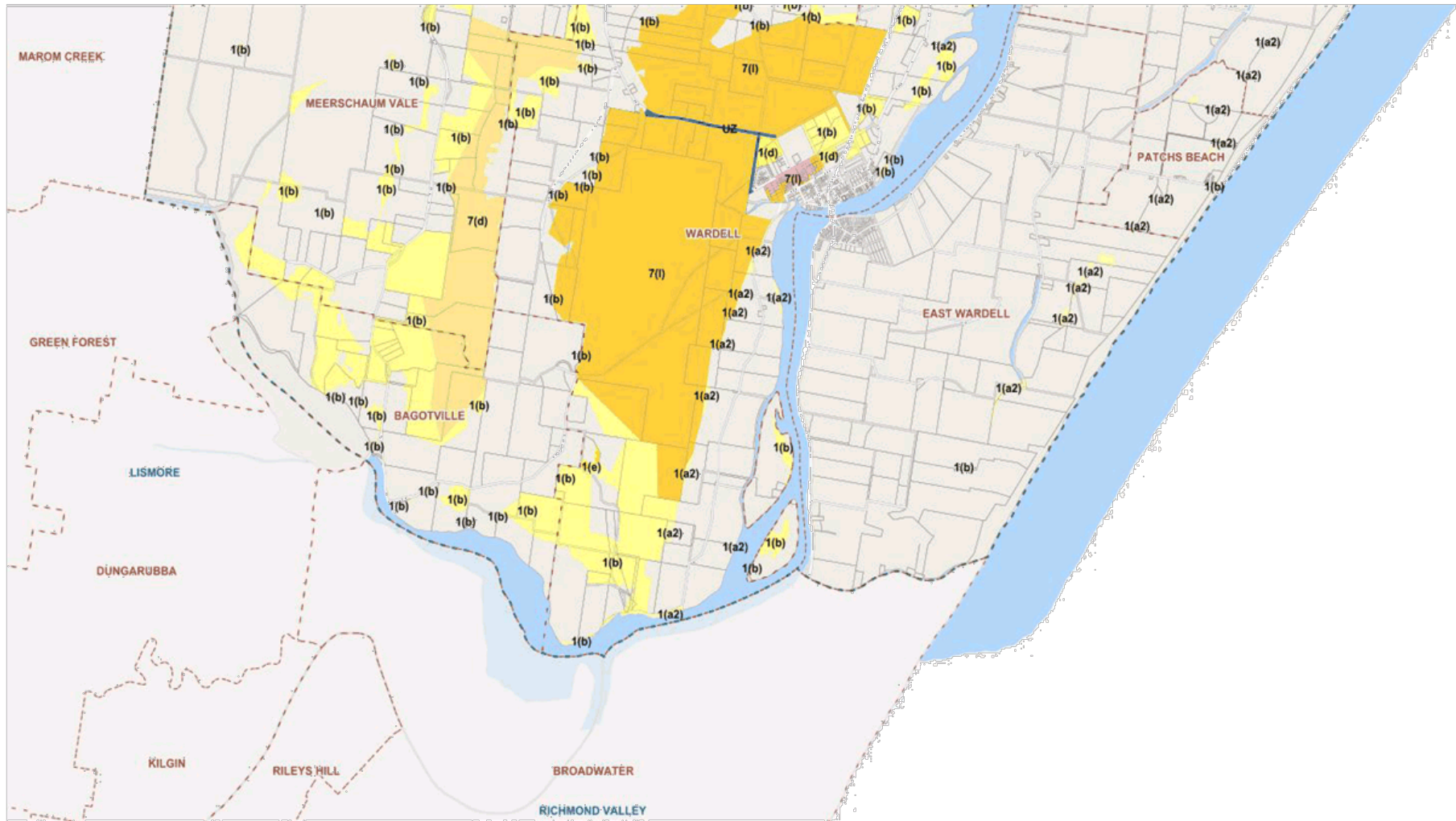




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Attachment 4 – Location of 1(b) Secondary Agriculture zone on Plateau and adjoining land

