

Ballina Shire Development Control Plan 2012

Amendment No. 1 – General Amendments

Exhibition Documentation

1 May 2013 – 3 June 2013

Submissions close 3 June 2013



TABLE OF CONTENTS

| | |
|--|-----------|
| EXHIBITION NOTICE | 1 |
| DRAFT AMENDMENT NO. 1 – OVERVIEW | 2 |
| DRAFT AMENDMENT NO. 1 – AMENDMENT DETAILS..... | 4 |
| FREQUENTLY ASKED QUESTIONS | 11 |
| HOW THE DCP WORKS | 12 |
| SUBMISSIONS | 14 |
| APPENDICES | 15 |
| Appendix A – Schedule of Miscellaneous Corrections | |
| Appendix B – Draft Amended Chapter 1 Administration | |
| Appendix C – Draft Amended Chapter 3 Urban Subdivision | |
| Appendix D – Draft Amended Chapter 4 Residential & Tourist Development | |
| Appendix E – Draft Amended Chapter 5 Industrial Development | |
| Appendix F – Draft Amended Chapter 7 Rural Living & Activity | |
| Appendix G – Draft Amended Building Line Map | |
| Appendix H – Draft Amended Dwelling Density Map | |



Note:

This exhibition document only contains details of the relevant amendments to the DCP as proposed in Draft Amendment No. 1. A full copy of the current adopted DCP is available on Council's website at www.ballina.nsw.gov.au or can be viewed by arrangement through Council's Strategic and Community Services Group on telephone 6686 1284.

EXHIBITION NOTICE

Ballina Shire Development Control Plan 2012 Draft Amendment No.1 – General Amendments

Council has prepared Draft Amendment No.1 (General Amendments) to the Ballina Shire Development Control Plan 2012 (the DCP). This amendment will result in various adjustments to the contents of the DCP, primarily to clarify the interpretation and policy intention of parts of the plan.

The proposed amendments relate to provisions associated with tourist and visitor accommodation, lane frontages, dwelling density, building lines, eco-tourist facilities, the B5 Business Development zone and savings provisions for development applications. There are also several minor corrections to the content of the plan proposed.

Draft Amendment No.1 to the DCP is on public exhibition at Council's Customer Service Centre from 1 May 2013 to 3 June 2013 and may be inspected between the hours of 8.30 am and 4.30 pm Monday to Friday (exclusive of public holidays). Draft Amendment No.1 may also be viewed at Council's Community Access Points or at www.ballina.nsw.gov.au during the exhibition period.

Any person may make a submission in relation to Draft Amendment No.1 to the DCP. Submissions must be made in writing to the General Manager and can be lodged electronically, by mail or fax before close of business on 3 June 2013.

Enquiries: Lachlan Sims, Strategic and Community Services Group Ph: (02) 6686 1284

DRAFT AMENDMENT NO. 1 - OVERVIEW

The Ballina Shire Development Control Plan 2012 (DCP) was adopted by Council on 20 December 2012 and commenced operation in conjunction with the *Ballina Local Environmental Plan 2012* (LEP) on 4 February 2013. The new DCP superseded the Ballina Shire Combined Development Control Plan 2006.

The LEP establishes the overarching local planning policy of Council, with a focus on land use permissibility and development standards that direct land use outcomes.

The DCP operates in a secondary role to the LEP and complements the LEP by providing a greater level of detail in relation to preferred development outcomes. The DCP incorporates a variety of planning objectives and development guidelines that form Council's local planning policy when used in conjunction with the LEP.

Since the commencement of the DCP on 4 February 2013, a number of issues have been identified that relate to the interpretation, optimal function and application of several intended development outcomes.

The amendments proposed in Draft Amendment No.1 seek to address these issues in order to reinforce intended outcomes and achieve a consistent and desirable level of planning control and management for development across the shire.

The proposed amendments in Draft Amendment No.1 are summarised as follows.

- **Tourist and Visitor Accommodation**
A number of changes are proposed to the objectives and controls applicable to various building elements in Chapter 4 Residential and Tourist Development. These changes seek to clarify and confirm the various design requirements that are applicable to buildings containing residential accommodation and/or tourist and visitor accommodation.
- **Residential Development with Lane Frontage**
Draft Amendment No. 1 proposes to include additional requirements for residential or tourist development with a lane frontage to ensure these development are provided with adequate access to essential services such as waste collection and postal delivery.
- **Dwelling Density in Residential Zones**
Draft Amendment No. 1 proposes the removal of the residential density ratio (number of dwellings per site area) applying to newly established and expanding residential areas. This will have the effect of causing the minimum lot size provisions for different types of housing to apply to development in these areas and will enable greater weight to be applied to lot sizes and subdivision form in urban expansion areas when considering the suitability of proposed development.
- **Building Lines in Residential Areas**
This amendment proposes additional details to clarify the application of building lines in urban residential areas.
- **Eco-tourist Facilities**
Draft Amendment No. 1 proposes the addition of a note in Chapter 7 Rural Living to clarify the current regulatory situation regarding eco-tourist facilities in the shire.

- **Planning Provisions for Zone B5 Business Development**

Council has recently endorsed the application of Zone B5 Business Development to an area of land in the Southern Cross Industrial Estate. This amendment will provide direction as to the relevant development objectives and controls applicable in this zone when it is adopted into the LEP.

- **Savings Provisions**

It is proposed to incorporate provisions into Chapter 1 of the DCP that clarify the application of the DCP to development applications lodged prior to the commencement date of the 2012 DCP. The proposed amendment clearly indicates that such applications would remain subject to the previous DCP provisions.

- **Miscellaneous Minor Corrections**

Since the commencement of the DCP in February 2013, a number of minor typographical and composition errors have been identified. It is proposed to correct these as part of Draft Amendment No. 1. A schedule of these corrections is contained in Appendix A.

DRAFT AMENDMENT NO. 1 – AMENDMENT DETAILS

The proposed amendments under Draft Amendment No. 1 are detailed as follows.

Tourist and Visitor Accommodation

Chapter 4 of the DCP contains a combined set of development objectives and outcomes for both residential accommodation (permanent residential dwellings) and tourist and visitor accommodation (short term holiday accommodation) in all business and residential zones within the shire.

Generally, this chapter seeks to apply the same standards to both forms of accommodation except in circumstances where differences are warranted. Discrepancies have been identified in the adopted provisions of Chapter 4 where objectives and controls are not clearly applied to residential accommodation and tourist and visitor accommodation, as intended.

This is inconsistent with the intention of the DCP, being to standardise the requirements for certain residential and tourist related developments. A number of recommended changes to the content of the general controls for building elements in section 3.1 of Chapter 4 seek to resolve this issue to clarify the types of development the objectives and controls apply to. The recommended amendments to Chapter 4 as detailed below are contained in Appendix D (highlighted yellow) and are summarised in the Table 1.

| Table 1 – Proposed Amendments Relating to Tourist and Visitor Accommodation | |
|--|--|
| Building Element (Chapter 4, Section 3.1) | Proposed Change |
| <i>Element C – Building Envelopes</i> | <p>The objectives and controls under this element seek to minimise the impacts of residential and tourist developments on adjoining properties and to maintain neighbourhood amenity. This is achieved through the application of building envelope parameters that establish relevant front, side and rear setbacks for buildings.</p> <p>It is the intention under the DCP that the building envelope controls only apply within residential zones (R2 Low Density Residential and R3 Medium Density Residential) and not within business zones which are subject to separate development controls in DCP Chapter 6. The current wording in the Element C controls incorrectly implies that the building envelope controls apply in all zones. Draft Amendment 1 proposes to correct this by specifying that the building envelope controls only apply to development within the R2 and R3 zone.</p> |
| <i>Element D – Articulation Zone</i> | <p>The standards specified in Element D ensure that the built form contributes to the character of the streetscape through articulation of building features. The types of development to which these standards are to be applied is currently not clearly specified.</p> <p>It is proposed in Draft Amendment No. 1 to clarify this by specifying that the standards in Element D apply to both residential accommodation and tourist and visitor accommodation in residential zones.</p> |

| Table 1 – Proposed Amendments Relating to Tourist and Visitor Accommodation | |
|--|--|
| Building Element (Chapter 4, Section 3.1) | Proposed Change |
| <i>Element E – Building Lines</i> | <p>The objectives and controls of this element contain standards that establish building lines in certain areas to ensure buildings are setback from road frontages and other boundaries to promote the visual quality of the streetscape and open space. The building line provisions in the DCP are currently supported by maps that specify the required building line or setback for a development from its applicable street, road or other frontage.</p> <p>Although it is intended that the building line provisions apply to both residential accommodation and tourist and visitor accommodation, the current wording of the controls can be read such that the provision only applies to residential accommodation.</p> <p>It is proposed in Draft Amendment No. 1 to reinforce the application of building line provisions to both residential accommodation and tourist and visitor accommodation.</p> |
| <i>Element G – Landscaping and Open Space</i> | <p>The objectives and controls under this element ensure a minimum standard for the provision of landscaped areas and private open space (outdoor living areas) for various forms of residential and tourist oriented development.</p> <p>The current landscaping and private open space standards specified in Chapter 4 are oriented generally to residential developments. While it is intended that these standards also apply to some forms of tourist oriented developments, the current specifications in Element G do not clearly provide for this. It is proposed in Draft Amendment No. 1 to modify these requirements and apply the provision for landscaping and open space to tourist and visitor accommodation developments generally.</p> <p>Draft Amendment No. 1 also modifies the general landscaping standards in relation to where they apply. Certain standards will not apply to developments such as backpacker's accommodation, bed and breakfast accommodation, farm stay accommodation and hotel or motel accommodation, where provision of private open space is not normally required.</p> |
| <i>Element J – Solar Access</i> | <p>The development standards applied under this element seek to ensure new dwellings are designed to achieve adequate exposure to sunlight and to ensure existing buildings are not unreasonably restricted from access to sunlight from new development.</p> <p>The current solar access standards in Element J are oriented generally only to developments for residential accommodation. While it is intended that these standards are applied to some forms of tourist and</p> |

| Table 1 – Proposed Amendments Relating to Tourist and Visitor Accommodation | |
|---|--|
| Building Element (Chapter 4, Section 3.1) | Proposed Change |
| | <p>visitor accommodation, the current specifications in Element J do not clearly provide for this.</p> <p>Draft Amendment No. 1 proposes to modify these standards to include requirements for the provision of solar access for tourist and visitor accommodation generally. There are proposed exceptions for developments such as backpacker's accommodation, bed and breakfast accommodation, farm stay accommodation and hotel or motel accommodation, where compliance with solar access requirements is not normally required.</p> |
| <i>Element P – Slope Sensitive Design and Element Q - Earthworks</i> | <p>The slope sensitive design and earthworks requirements under these elements are to ensure development on sloping land is appropriately sited and designed to minimise the need for excavation and filling.</p> <p>The content of these current standards and controls for slope sensitive design and earthworks are similar and are applied generally only to residential development without clearly including tourist oriented development.</p> <p>Draft Amendment No. 1 proposes that the standards and controls for slope sensitive design and earthworks be amalgamated for clarity. It is also proposed that the wording be adjusted to reinforce the application of the provisions to both residential developments and tourist oriented developments.</p> |

Residential Development with Lane Frontage

The adopted development standards for residential development and tourist oriented development in Chapter 4 of the DCP allow for development to have direct frontages to urban lanes. In addition, the subdivision provisions in Chapter 3 of the DCP allow for the potential subdivision of lots with an urban lane frontage only.

Council's policy in the past has been to require the provision of a minimum 1.2 metre wide pedestrian access pathway to the street frontage of the site for any dwelling fronting a lane. These requirements were to ensure that all dwellings were provided with adequate access to essential services such as waste collection and postal delivery.

Because a significant number of urban lane frontages, particularly in Ballina and Lennox Head, are now provided with waste collection and postal delivery services, it is considered no longer essential that a pedestrian access pathway be required for residential development fronting lanes where all essential services are provided.

The current development standards for residential and tourist oriented development fronting lanes do not require the provision of a pedestrian access to the street frontage for each dwelling. In addition, there are no specific prescriptive requirements to ensure residential and tourist oriented developments fronting a lane have access to essential services such as waste collection and postal delivery, although this is implied through the relevant objectives.

There are a number of urban lanes in the shire that are currently not provided with waste collection or postal delivery services. Because of this, it is considered appropriate that in such circumstances all dwellings or occupancies in a residential or tourist oriented development are provided with practical and legal pedestrian access to the street frontage of the site to enable access to these services.

Draft Amendment No. 1 proposes that an objective and development control be added to Chapter 4, Section 3.1.3, Element F to specifically require any development with a lane frontage to be adequately serviced. It is also recommended that a specific development control be added to the subdivision services and infrastructure requirements in Chapter 3 to ensure any subdivision for lots with a frontage to an urban lane is adequately serviced.

When adopted, these controls will require any development proposal for residential or tourist oriented uses or for subdivisions with lots that front an urban lane to demonstrate that the lane frontage currently has vehicular access and is serviced by waste collection and postal delivery vehicles.

In cases where waste collection and postal delivery services are not currently provided or are not available to the lane frontage of the site, a 1.2 metre wide pedestrian access pathway is to be provided on the site to allow each dwelling access to the street frontage of the site. Draft amendments reflecting the above in relation to DCP Chapters 3 and 4 are contained in the Appendix C and Appendix D respectively (highlighted yellow).

Dwelling Density in Residential Zones

Chapter 4 (Section 3.1.3, Element N) of the DCP applies minimum lot areas for various forms of residential accommodation which seeks to regulate urban density by ensuring appropriate lot sizes for medium density residential development (see Table 2).

In addition, the DCP also incorporates the maximum residential density ratio provisions for existing urban areas as contained in the former 2006 DCP (see Table 3) and extends these provisions to also include undeveloped expansion areas (such as the Wollongbar Urban Expansion Area and the Pacific Pines area at Lennox Head).

| Table 2 - Minimum Lot Areas for Residential Accommodation | |
|--|--|
| Type of Residential Accommodation | Minimum Lot Area |
| <i>Dwelling house</i> | 450m ² 550m ² - corner lots |
| <i>Dual occupancy</i> | 450m ² - attached 600m ² - detached |
| <i>Semi-detached dwelling</i> (per <i>dwelling</i>) | 300m ² |
| <i>Attached dwelling</i> (per <i>dwelling</i>) | 300m ² |
| <i>Multi dwelling housing</i> | 1000m ² |
| <i>Residential flat building</i> | 1000m ² |

| Table 3 – Maximum Residential Density | |
|--|--|
| Locality | Maximum Residential Density |
| Ballina, Cumbalum, East Ballina & West Ballina | 1 dwelling per 200m ² site area |
| Lennox Head & Skennars Head | 1 dwelling per 250m ² site area |
| Alstonville, Wardell & Wollongbar | 1 dwelling per 300m ² site area |

The combination of these two standards has the unintended effect of weakening the preferred minimum lot size for medium density residential developments (Table 2) in new urban expansion areas, particularly those that are not yet subdivided for residential development.

The maximum residential density ratios have been retained to preserve density provisions in existing and established urban areas but are not considered appropriate in newly established or undeveloped urban areas where it is desired that the minimum lot size provisions prevail. The application of the minimum lot size provisions sends a signal as to the type of development that can be expected on a lot and as result, are a key planning provision for new urban areas.

On this basis, it is proposed that the maximum residential density provisions in the 2012 DCP be modified to strengthen the effect of the minimum lot size standards. This can be achieved by amending the Dwelling Density Map referenced in the controls for Element O – Dwelling Density contained in section 3.1.3 of Chapter 4.

Amending the Dwelling Density Map to remove the density ratio requirements for certain newly established and establishing areas allows the minimum lot size provisions to regulate development type and density as originally intended.

In these areas, density (in terms of the number of dwellings possible on a site) will be determined based on the merit of a proposal and application of other relevant planning provisions such as car parking, setbacks and landscaped area.

The areas where it is proposed to remove the dwelling density provisions are as follows:

- Wollongbar Urban Expansion Area
- Ballina Heights Estate, Cumbalum
- Henderson Farm area, Lennox Head
- Pacific Pines Estate, Lennox Head
- Lennox Palms Estate (off Kellie-Ann Crescent), Lennox Head
- RMS Depot, West Ballina
- Ferngrove Estate, Ballina
- Riveroaks Estate, Ballina
- North Angels Beach Estate, East Ballina

Copies of the draft amended Dwelling Density Map sheets are attached in Appendix H.

Building Lines in Residential Areas

The DCP establishes building lines to ensure buildings are set back from road frontages to promote the visual quality of the streetscape and open space. The building line provisions in the DCP are currently supported by maps that specify the required building line to which buildings must be set back from specified boundaries in rural and residential areas of the shire.

The building line provisions for rural areas are detailed in Section 3.7 of Chapter 7 of the DCP which provides standard minimum building setbacks except where otherwise specified on the Building Line Map. There are currently no such default building lines for urban residential areas.

Although the current Building Line Map is intended to comprehensively cover all residential areas of the shire and clarify specific building line requirements, it is proposed in Draft Amendment No. 1 to include a default set of building lines for residential areas. As detailed in Table 4 below, it is proposed to include these default residential building line specifications under Element E in Section 3.1 of Chapter 4 similar to those currently applied to rural areas in Chapter 7. A copy of the proposed modifications to Chapter 4 is included in Appendix D (highlighted yellow).

| Table 4 - Minimum Building Line – R2 & R3 Zone | |
|---|--|
| Boundary | Building Line (distance from boundary) |
| Primary Road | 6.0m |
| Parallel Road | 6.0m |
| Public Reserve or Foreshore | 6.0m |
| Lane | 3.5m |
| Side or Rear | None specified |

In addition to the above, planning proposal BSCPP12/001 has recently resulted in the rezoning of Nos. 160-190 North Creek Road Lennox Head to R3 Medium Density Residential and planning proposal BSCPP12/004 (endorsed by Council for finalisation) is proposing the application of an R2 Low Density Residential zone to land on Blue Seas Parade at Lennox Head. It is proposed in Draft Amendment No. 1 to apply a 6.0m building line to these properties on the Building Line Map to reflect the residential land use and for consistency with the surrounding locality. A copy of the proposed amended building line map is in Appendix G.

Eco-tourist Facilities

During the exhibition of the Draft Ballina Development Control Plan 2012, a submission was received requesting further consideration of eco-tourist provisions in Chapter 7 – Rural Living and Activity. The attachment to the report presented to Council's Ordinary Meeting held on 20 December 2012 included the recommendation that Section 3.3 of Chapter 7 relating to Rural Tourist and Visitor Accommodation be amended to address eco-tourism facilities. The recommendation was that information would be added to Chapter 7 following the further review of definition-related matters.

While eco-tourism is a defined land use in the LEP, no development standards have been adopted for this type of use and, as such, eco-tourist facilities are not a permissible land use in the current instrument. Notably though, tourist and visitor accommodation, which can include nature-based tourism, is permitted widely in the shire.

One of the reasons for the request to include provisions for eco-tourist facilities in the DCP relates to bush fire protection requirements. Section 100B of the *Rural Fires Act 1997* specifies certain development proposals that must be issued with a bush fire safety authority by the NSW Rural Fire Service (RFS).

These developments include those defined as a 'special fire protection purpose' under the *Rural Fires Act 1997*. 'Hotel, motel or other tourist accommodation' are identified as a 'special fire protection purpose' and, for the purposes of the *Rural Fires Act 1997*, eco-tourist facilities are included as a form of tourist development, within this definition. The RFS document *Planning for Bushfire Protection 2006* contains the guidelines and standards for the issue of a bush fire safety authority and specifies a number of concessions for developments identified as eco-tourist facilities.

For a development proposal to be eligible for these concessions, the RFS has advised that it is the responsibility of Council to determine whether or not a development proposal constitutes eco-tourism prior to any proposal being submitted to the RFS for a bush fire safety authority.

However, because eco-tourist facilities are not a permissible land use under the current provisions of the BLEP 2012, any development requesting recognition as an eco-tourist facility, even if only for the purposes of obtaining a bush fire safety authority, is considered to be in conflict with the provisions of the BLEP 2012.

To address this issue it is proposed to include a note in Section 3.3.3 of Chapter 7 - Rural Living and Activity to advise prospective applicants as to why development cannot be determined as eco-tourist facilities for the purposes of the RFS Planning for Bushfire Protection provisions. A copy of the proposed addition to Chapter 7 is included in Appendix F (highlighted yellow).

Planning Provisions – B5 Business Development Zone

Council has recently given its support to the application of a B5 Business Development zone to land in the Southern Cross Industrial Estate in Ballina. If the B5 zone is applied by the Minister for Planning and Infrastructure, the DCP will need to be adjusted to ensure suitable planning provisions apply to development in this zone. Given this, it is proposed that text identifying that development in the B5 Business Development zone is subject to the provisions of Chapter 5 be inserted into the DCP in anticipation of the completion of the Council endorsed LEP amendment

This will have the effect of applying the planning provisions for industrial development to bulky goods and large format retailing development and other related uses in the proposed B5 Business Development zone on Boeing Avenue in the Southern Cross Industrial Estate.

The industrial provisions have been identified on the basis that the B5 zone is within the Southern Cross Industrial Estate and it is intended that bulky goods development in this locality be compatible with the character of the estate.

A copy of the proposed amendments to Chapter 5 is included in Appendix E (highlighted yellow).

Savings Provisions

The DCP was introduced and commenced operation on the basis that it applies to development applications lodged after the introduction of the plan. Applications lodged prior to the introduction of the DCP 2012 are assessed under the provisions of the former Ballina Shire Combined DCP 2006. This is consistent with the manner in which the *Ballina Local Environmental Plan 2012* is applied.

For clarity, it is proposed to include a savings provision as part of Part 1 of the DCP stating its application to development applications lodged after the date of the DCP's implementation.

A copy of the proposed amendments to Chapter 1 is included in Appendix B (highlighted yellow).

FREQUENTLY ASKED QUESTIONS

Q. What should I do if I have concerns with Draft Amendment No. 1 to the DCP?

If you have concerns with any of the proposals detailed in Draft Amendment No. 1 to the DCP you are invited to contact Council's Strategic and Community Services Group to discuss the matter further. Should you choose, you may make a written submission to Council detailing your concern. Council will consider all written submissions received prior to finalising the draft DCP amendment. Details of how to make a submission are contained below.

Q. Which parts of the DCP apply to me?

Various parts of the DCP will apply to your land depending on its zoning and the land use proposed. You should check the zoning of your land and the permissibility of any proposed development in the applicable LEP to determine the specific parts of the DCP that will apply. The DCP only applies to development that requires development consent.

Q. How does the DCP affect my property?

This depends on the zoning of your property. You should check the relevant map under the applicable LEP for the zoning, then read the relevant parts of the DCP for further information. Contact Council for further information on the zoning of land and the applicable LEP.

Q. How are Local Environmental Plans and Development Control Plans related?

LEPs and DCPs both direct the way in which land uses can be undertaken in Ballina Shire. A LEP provides the base information such as zoning, floor space ratio and height limits. The DCP provides guidance in support of the LEP such as design and amenity controls.

HOW THE DCP WORKS

What is a Development Control Plan (DCP)?

A DCP is a Council policy document that contains the detailed design controls applicable to development in a local government area.

DCPs are part of a hierarchy of planning documents that establish requirements and direction for development. These documents provide the basis for development assessment in Ballina Shire and are outlined below.

- State Environmental Planning Policies (SEPPs)
- Local Environmental Plans (LEPs)
- Development Control Plan (DCP)

Under the local planning framework, the LEP and DCP provide the basis for development assessment. The LEP establishes the overarching local planning policy of Council, focusing on the permissibility of land uses in different areas of the shire and development standards that direct land use outcomes. The DCP provides a greater level of detail in relation to the delivery of development outcomes and incorporates a variety of planning objectives and development controls that form Council's local planning policy when used in conjunction with the LEP.

Councils are responsible for the preparation and content of DCPs and, unlike the LEPs, there is no requirement for State Government endorsement.

The Ballina Shire Development Control Plan 2012 is the current DCP in operation in Ballina Shire.

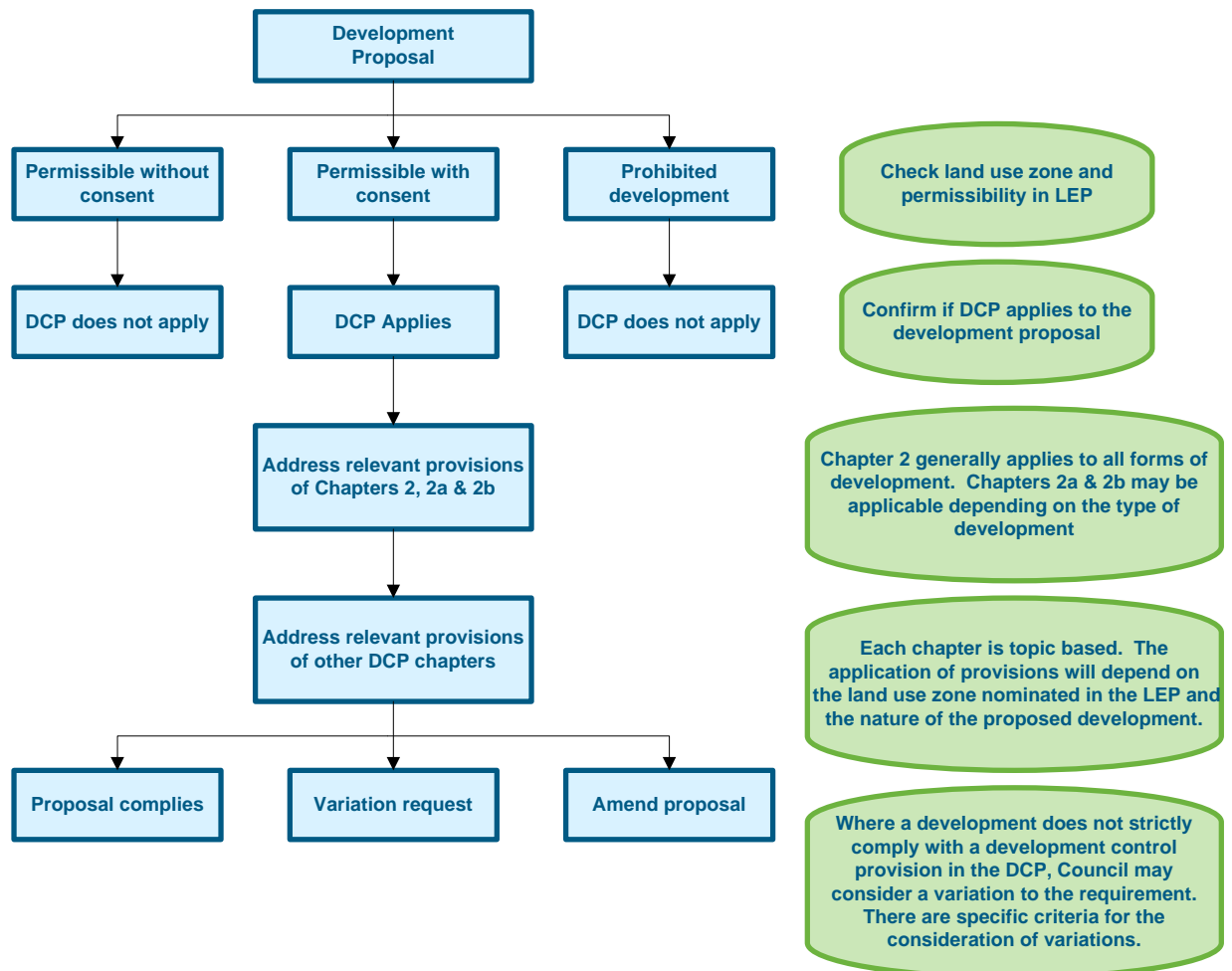
How does the DCP affect what I can do on my land?

The DCP contains the specific provisions which guide how particular forms of development can be undertaken.

The Ballina Shire Development Control Plan 2012 is designed to apply in conjunction with the two LEPs applicable to land in Ballina Shire.

The steps in determining the application of the DCP are provided in the flowchart on the next page. The DCP only applies when development consent is required.

Development Control Plan Flowchart



SUBMISSIONS

Exhibition & Information Viewing Details

Draft Amendment No. 1 to the Ballina Shire Development Control Plan 2012 will be publicly exhibited for a minimum period of 28 days in accordance with legislative requirements.

Exhibition Duration: 1 May 2013 to 3 June 2013

DCP Amendment No. 1 is on public exhibition at Council's Customer Service Centre and may also be viewed online at Council's website www.ballina.nsw.gov.au or at Council's Council's Community Access Points as detailed below.

Community Access Points

BALLINA

Council's Customer Service Centre, 40 Cherry Street
Ballina Library, 8 River Street

ALSTONVILLE

Alstonville Library, 42-46 Commercial Road

LENNOX HEAD

Lennox Head Library, 3 Park Lane

Submissions

Public submissions and engagement with Council in relation to Draft Amendment No. 1 to the DCP are encouraged. Submissions must be made in writing to the General Manager and can be lodged electronically, by mail or by fax as detailed below.

Email council@ballina.nsw.gov.au

Mail **General Manager**
Ballina Shire Council
PO Box 450
BALLINA NSW 2478

Fax **(02) 6686 7035**

Further Information

If you require any further information in relation to Draft Amendment No. 1 to the DCP, please contact Lachlan Sims in Council's Strategic & Community Services Group on (02) 6686 1284

Appendix A – Schedule of Miscellaneous Corrections

Ballina Shire Development Control Plan 2012 Amendment No 1 Schedule of Proposed Minor Corrections

- [1] **Chapter 2a**
3.1 Development consent requirements applying to urban zones
3.1.2 Development Control
Note
- Change “Section 3.4” to “Section 3.3”
- [2] **Chapter 4**
3.1 General controls applying to residential and tourist development
3.1.3 Development Controls
G. Element – Landscaping and Open Space
Objective (e)
- Change “planning” to “planting”
- [3] **Chapter 4**
3.1 General controls applying to residential and tourist development
3.1.3 Development Controls
T. Element – Tourist Accommodation Building Design
Control (i)
- Change “or” to “and” to achieve consistency with provisions of SEPP 65 (Clause 3(1))
- [4] **Chapter 6**
3.1 General controls applying to business and commercial development
3.1.1 Application
- Add the following explanatory note at the end of the section:**
- “Development proposals in the above zones involving mixed uses that comprise residential *accommodation* and/or *tourist and visitor accommodation* will need to have regard for the development standards and controls specified in Chapter 4 of this DCP.”
- [5] **Chapter 6**
4.1 General controls applying to mixed use development
4.1.1 Application
- Add the following explanatory note at the end of the section:**
- “Development proposals in the above zones involving mixed uses that comprise *residential accommodation* and/or *tourist and visitor accommodation* will need to have regard for the development standards and controls specified in Chapter 4 of this DCP.”

Appendix B – Draft Amended Chapter 1 Administration

Appendix C – Draft Amended Chapter 3 Urban Subdivision

Appendix D – Draft Amended Chapter 4 Residential & Tourist Development

Appendix E – Draft Amended Chapter 5 Industrial Development

Appendix F – Draft Amended Chapter 7 Rural Living & Activity

Appendix G – Draft Amended Building Line Map

Appendix H – Draft Amended Dwelling Density Map