



New South Wales

Byron Local Environmental Plan 1988 (Amendment No 115)

under the

Environmental Planning and Assessment Act 1979

I, the Minister for Planning, make the following local environmental plan under the *Environmental Planning and Assessment Act 1979*. (10/08082)

TOM GELLIBRAND
As delegate for the Minister for Planning

2010 No 595

Clause 1 Byron Local Environmental Plan 1988 (Amendment No 115)

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1 Name of Plan

This Plan is *Byron Local Environmental Plan 1988 (Amendment No 115)*.

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 on the east side of Jonson Street (between Kingsley and Browning Streets), Byron Bay, as shown coloured light blue, edged heavy black and lettered “3 (a)” on the map marked “Byron Local Environmental Plan 1988 (Amendment No 115)” deposited in the office of Byron Shire Council.

Schedule 1 Amendment of Byron Local Environmental Plan 1988

[1] Clause 39C

Insert after clause 39B:

39C Building height on east side of Jonson Street, Byron Bay

- (1) This clause applies to certain land on the east side of Jonson Street (between Kingsley and Browning Streets), Byron Bay, being land within Zone No 3 (a), as shown coloured light blue, edged heavy black and lettered “3 (a)” on the map marked “Byron Local Environmental Plan 1988 (Amendment No 115)”.
- (2) Despite any other provision of this plan (including clause 40 (2) (a)), the council must not consent to the erection of any building on land to which this clause applies if:
 - (a) the floor of the topmost floor level of the building exceeds 4.5 metres above the existing ground level, or
 - (b) the vertical distance between the topmost part of the building and the existing ground level below exceeds 9 metres.

[2] Dictionary

Insert in appropriate order in the definition of *the map*:

Byron Local Environmental Plan 1988 (Amendment No 115)