



New South Wales

Byron Local Environmental Plan 2014 (Amendment No 29)

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*.

**SHANNON BURT, DIRECTOR - SUSTAINABLE ENVIRONMENT AND ECONOMY
BYRON SHIRE COUNCIL**
As delegate for the local plan-making authority

Byron Local Environmental Plan 2014 (Amendment No 29)

under the

Environmental Planning and Assessment Act 1979

1 Name of Plan

This Plan is *Byron Local Environmental Plan 2014 (Amendment No 29)*.

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 land to which *Byron Local Environmental Plan 2014* applies, including certain land in Bangalow, Brunswick Heads, Byron Bay, Federal, Mullumbimby and Talofa.

4 Maps

The maps adopted by *Byron Local Environmental Plan 2014* 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 Byron Local Environmental Plan 2014

[1] Land Use Table

Insert “Artisan food and drink industries;” in alphabetical order in item 3 of the matter relating to Zone RU2 Rural Landscape.

[2] Clause 4.1A, heading

Omit “**rural and residential**”.

[3] Clause 4.1A(2)(d)–(f)

Insert after clause 4.1A(2)(c)—

- (d) Zone SP1 Special Activities,
- (e) Zone SP3 Tourist,
- (f) Zone E3 Environmental Management.

[4] Clause 4.1AA Minimum subdivision lot size for community title schemes

Insert after clause 4.1AA(2)(c)—

- (d) Zone SP1 Special Activities,
- (e) Zone SP3 Tourist,
- (f) Zone E3 Environmental Management,

[5] Clause 4.1D Exceptions to minimum subdivision lot sizes for certain split zones

Omit “or Zone SP3 Tourist” from clause 4.1D(2)(b) and (3)(a)(ii).

Insert instead “, Zone SP3 Tourist, Zone E2 Environmental Conservation or Zone E3 Environmental Management”.

[6] Clause 4.1E, heading

Omit “**dual occupancies, manor houses, multi dwelling housing and residential flat buildings**”.

Insert instead “**certain residential accommodation**”.

[7] Clause 4.1E, table

Insert in appropriate order—

Attached dwelling	Zone R2 Low Density Residential	1,000 square metres
Attached dwelling	Zone R3 Medium Density Residential	800 square metres

[8] Clause 4.1E, table

Insert “, Zone R5 Large Lot Residential” after “Landscape” in the matter relating to Dual occupancy (detached).

[9] Clause 4.2A, heading

Insert “**and environment protection**” after “**rural**”.

[10] Clause 4.2A(1)(b)

Insert “and environment protection” after “rural”.

[11] Clause 4.2A(2)(c)

Insert after clause 4.2A(2)(b)—

(c) Zone E3 Environmental Management.

[12] Clause 6.13 Use of certain land at Skinners Shoot

Re-number the clause as 6.15.

[13] Schedule 2 Exempt development

Insert in alphabetical order—

Roadside stalls

- (1) Must be for the sale of agricultural produce only.
- (2) Must be on land in Zone RU1 Primary Production or Zone RU2 Rural Landscape.
- (3) Must not have a gross floor area of more than 4m².
- (4) Must be located on private property.
- (5) Must be located at least 5m from an adjoining property boundary.
- (6) Must not be located on land adjacent to a classified road.
- (7) Only 1 stall per landholding.
- (8) Must provide customer parking on the side of a road or within the property.
- (9) If parking is provided on the side of a road—must provide for vehicles to park at least 3m from the road.
- (10) If parking is provided within the property—must provide for vehicles to access and leave the property in a forward direction.