



New South Wales

Byron Local Environmental Plan 1988 (Amendment No 117)

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*. (G04/00107/S69)

FRANK SARTOR, M.P.,
Minister for Planning

2005 No 551

Clause 1 Byron Local Environmental Plan 1988 (Amendment No 117)

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under the

Environmental Planning and Assessment Act 1979

1 Name of plan

This plan is *Byron Local Environmental Plan 1988 (Amendment No 117)*.

2 Aims of plan

The aims of this plan are:

- (a) to allow, with the consent of the Council, the subdivision under the *Community Land Development Act 1989* of the land to which this plan applies into rural residential allotments and common property, and
- (b) to allow, with the consent of the Council, the erection of dwellings on the rural residential allotments, and common buildings and facilities on the common property.

3 Land to which plan applies

This plan applies to the land at Lot 1, DP 189704, Blackbutt Road and Lot 7, DP 718014, Broken Head Road, Broken Head, within the local government area of Byron.

4 Amendment of Byron Local Environmental Plan 1988

Byron Local Environmental Plan 1988 is amended as set out in Schedule 1.

Schedule 1 Amendment

(Clause 4)

Schedule 8 Land referred to in clause 29

Insert in appropriate order in Schedule 8:

- 49 Lot 1, DP 189704, Blackbutt Road and Lot 7, DP 718014, Broken Head Road, Broken Head, for the purpose of a rural community title (town catchment) settlement that complies with the provisions of section 6.2 of the *Byron Rural Settlement Strategy 1998* adopted by the council, as in force at the commencement of *Byron Local Environmental Plan 1988 (Amendment No 117)*, but only if:
- (a) the council is satisfied that:
 - (i) the land is to be subdivided under the *Community Land Development Act 1989* to create a neighbourhood scheme under which a maximum of 12 neighbourhood lots and one lot that is neighbourhood property are created on each property, being both Lot 1, DP 189704 and Lot 7, DP 718014, and
 - (ii) the neighbourhood lots are to be developed for rural residential purposes, and no more than one dwelling is to be erected on each of the neighbourhood lots, and
 - (iii) the neighbourhood property is to be developed for the purpose of agriculture, environmental repair and ancillary utilities or community facilities, and
 - (iv) no part of the neighbourhood property is to be developed (including by further subdivision) for the purpose of holiday cabins or rural tourist facilities, and
 - (v) development of the land is in accordance with a neighbourhood management statement that includes provision for environmental management and enhancement, and
 - (b) an application for development consent pursuant to this item is made to the council within the period of 5 years immediately after the commencement of *Byron Local Environmental Plan 1988 (Amendment No 117)*.

BY AUTHORITY