



Rezoning of Lot 10 DP748099, 10 Byron Bay Road, Bangalow from RE2 Private Recreation to SP3 Tourist and R2 Low Density Residential and reclassify Lot 5 DP 609656 from Community to Operational Land.

Proposal Title : Rezoning of Lot 10 DP748099, 10 Byron Bay Road, Bangalow from RE2 Private Recreation to SP3 Tourist and R2 Low Density Residential and reclassify Lot 5 DP 609656 from Community to Operational Land.

Proposal Summary : The Planning Proposal aims to rezone Lot 10 DP 748099, 10 Byron Bay Road, Bangalow from RE2 Private Recreation to part SP3 Tourist and part R2 Low Density Residential for the purpose of tourist accommodation and low density residential use and to reclassify Lot 5 DP 609656 from Community to Operational Land (no interests changed). The proposal will also apply a floor space ratio of 0.5 and a minimum lots size of 1000m² to the R2 zone land and 2000m² to SP3 zone land.

PP Number : PP_2014_BYRON_007_00 **Dop File No :** 14/15142

Planning Team Recommendation

Preparation of the planning proposal supported at this stage : **Recommended with Conditions**

S.117 directions: **3.1 Residential Zones**
 5.1 Implementation of Regional Strategies
 6.1 Approval and Referral Requirements

Additional Information : It is recommended that:

- 1. The Planning Proposal be supported;**
- 2. That the Planning Proposal be amended prior to exhibition:**
 - to include the reclassification of Lot 5 DP 609656 from community to operational;
 - so that the project time line addresses all the additional steps to be completed by Council due to an authorisation to exercise delegation being issued; and
 - so that mapping prepared in accordance with the Department's standard technical requirements for LEP maps is included;
- 3. The Planning Proposal be exhibited for 28 days;**
- 4. That a public hearing on the reclassification of the subject land in accordance with section 29 of the Local Government Act 1993 and section 57 of the Environmental Planning and Assessment Act 1979 be held after completion of the public exhibition period;**
- 5. The Planning Proposal be completed within 9 months; and**
- 6. That an authorisation to exercise delegation be issued to Council.**

Supporting Reasons : The Planning Proposal will undertake rezoning and reclassification of land in the village of Bangalow. This will in turn allow Council to consider tourist related development and to provide a greater choice of housing type for the community. It is considered that the impacts of this Planning Proposal will be positive both for both Bangalow and the wider Byron community.

Panel Recommendation

Recommendation Date : 17-Dec-2014

Gateway Recommendation : Passed with Conditions

Panel Recommendation : This planning proposal is considered minor and the Gateway determination is to be issued under delegation by the General Manager. Therefore the planning proposal will not be considered by the panel.

Rezoning of Lot 10 DP748099, 10 Byron Bay Road, Bangalow from RE2 Private Recreation to SP3 Tourist and R2 Low Density Residential and reclassify Lot 5 DP 609656 from Community to Operational Land.

Gateway Determination

Decision Date : 17-Dec-2014 Gateway Determination : Passed with Conditions
Decision made by : General Manager, Northern Region
Exhibition period : 28 Days LEP Timeframe : 9 months
Gateway Determination : 1. Community consultation is required under sections 56(2)(c) and 57 of the Environmental Planning and Assessment Act 1979 ("EP&A Act") as follows:

(a) the planning proposal is classified as low impact as described in A Guide to Preparing LEPs (Department of Planning and Environment 2013) and must be made publicly available for a minimum of 28 days; and

(b) the relevant planning authority must comply with the notice requirements for public exhibition of planning proposals and the specifications for material that must be made publicly available along with planning proposals as identified in section 5.5.2 of A Guide to Preparing LEPs (Department of Planning and Environment 2013).

2. No consultation is required with public authorities under section 56(2)(d) of the EP&A Act.

3. A public hearing on the reclassification of Lot 5 DP 609656, Byron Bay Road in accordance with section 29 of the Local Government Act 1993 and section 57 of the Environmental Planning and Assessment Act 1979 be held after the completion of the public exhibition period. No other form of public hearing is required under section 56.

4. The Planning Proposal is to be amended prior to public exhibition to make the following changes:

(a) include the reclassification of Lot 5 DP 609656 from Community land to Operational land;

(b) amend the project time line to address all the additional steps to be completed by Council due to an authorisation to exercise delegation being issued; and

(c) ensure that mapping prepared in accordance with the Department's standard technical requirements for LEP maps is included.

5. The timeframe for completing the LEP is to be 9 months from the week following the date of the Gateway determination.

Signature:



Printed Name:

STEPHEN MURRAY

Date:

17 DECEMBER 2014