



BSC File No:26.2014.2.1 # E2014/77635

20 November 2014

Department of Planning & Environment
Locked Bag 9022
GRAFTON NSW 2460

Attention: Ms Gina Davis



Dear Madam,

Planning Proposal to permit additional uses at Lot 10 DP 748099, Byron Bay Road, Bangalow under Byron Local Environmental Plan 2014

I refer to your letter dated 12 September 2014 requesting further details from Council with respect to the proposal outlined above. The following details are provided to address your letter:

1. Zoning

The conflicting references within the Planning Proposal have been rectified within the attached revised documentation.

2. Lot Size

Council has reconsidered its desired lot size requirement for the subject property and has received revised mapping from the planning consultant for the project (see attached). Council's intention is to allow no more than two allotments to be created on the site. Council now seeks to apply minimum lot size mapping of 1000 square metres to the south-eastern portion of the property and 2000 square metres to the north-western portion of the property (Refer to Plan 6). I apologise for the earlier confusion.

3. Access over adjoining Lot 5 DP 609656

Following on from Council Resolution 14-426 on 28 September 2014, this issue was further considered by Council's Executive Team on 18 November 2014. I confirm that Council does intend to reclassify Lot 5 DP 609656 from Community to Operational Land as part of the current proposal.

4. Noise/Contamination

Byron Shire Council is satisfied for these issues to be dealt with post Gateway Determination as such requires more detailed assessment that is not considered necessary at this early stage. The Gateway Determination would give some greater certainty for the applicant to undertake these detailed investigations. It is noted that the Pacific Motorway is currently being relocated further to the east of the subject site. With the works scheduled for completion in the next 7 months, Council's initial concerns with respect to noise issues are likely to lessened. Further, it is noted that Council's contaminated land register does not flag the site as being of significance, however it is appropriate that more detailed investigations be undertaken post Gateway Determination.

I trust that this information is sufficient to enable you to proceed with the Planning Proposal.

Should you have any enquiries please contact Joe Davidson on 02 6626 7021.

Yours sincerely

Ray Darney
Director - Sustainable Environment and Economy

Enc: Planning Proposal - #S2014/11988



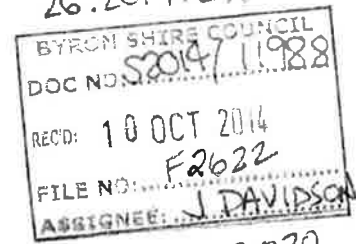
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143070

Date: 9 October 2014
Our Ref: 13/472

General Manager
Byron Shire Council
PO Box 219
MULLUMBIMBY NSW 2482

Attention: Mr Joe Davidson

Dear Sir,

**Re: Gateway Planning Proposal – Land Adjacent to Bangalow Bowling Club
Lot 10 DP 748099.**

We refer to the letter from the Department of Planning and Environment dated 12 September 2014 regarding the above matter and to subsequent [separate] conversations between Council's Mr Davidson and NDC's Mr Chapelle and Ms Vikstrom regarding this project.

With respect to the issues raised in the Department's letter, we advise as follows:

Items 1 & 2 – Zoning and Lot Size

Please find attached an updated version of the Planning Proposal [Revision 3, Dated 7 October 2014] which amends the Planning Proposal in the following ways:

- Adjustments to text generally (and Section 1.4 specifically) to ensure consistent references to the proposed zoning and subdivision framework;
- Adjustments to text on Plans 4 & 5 to reflect current planning status of BLEP 2014; and
- Adjustments to text and images on Plan 6 to:
 - to reflect the current planning status of BLEP 2014; and
 - to illustrate the proposed minimum lot size to be applied (R2 zoned land to be 1,000m² whilst SP3 zoned land to be 2,000m²).

We have attached 2 copies of the amended Planning Proposal together with an electronic copy of the documentation.

Item 3 – Access over Lot 5 DP 609656

We understand that Council's Property Unit will be advancing this matter separate to the current Planning Proposal.

Item 4 – Noise/Contamination

Whilst it is acknowledged that these assessments need to occur, it is our view that it is reasonable for this work occur following the receipt of the Gateway Determination for the project. This will provide our clients with a level of comfort that the project is supported by the Department (in a strategic context) before further studies and resources are allocated.

Should you have any questions regarding this matter, please do not hesitate contacting Mr Damian Chapelle of this office.

Yours sincerely,

NEWTON DENNY CHAPELLE

A handwritten signature in black ink that reads "Damian Chapelle". The signature is written in a cursive, flowing style.

DAMIAN CHAPELLE
Town Planner. BTP. CPP.