

Gateway Planning Proposal

To Rezone Land Adjacent to the
Bangalow Bowling Club &
Bangalow Tennis Courts

ON BEHALF OF
JESTERMOND PTY LTD

Site: Lot 10 DP 748099

Council Ref: 26.2014.2.1

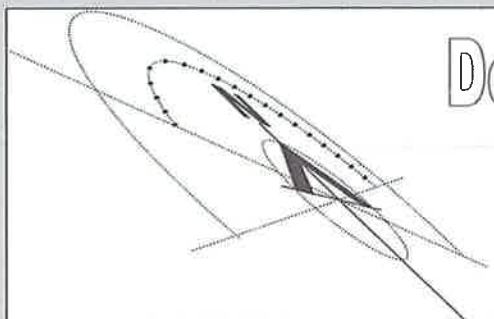
Our Ref: 13/472

Date: October 2014 (Revision 3)



Newton Denny Chapelle

SURVEYORS PLANNERS ENGINEERS



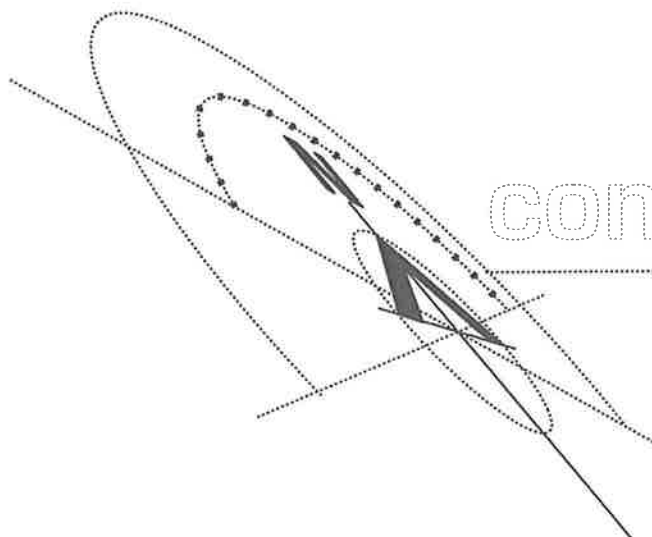
Document Control Sheet

Document and Project Details				
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Author:	Damian Chapelle & Karina Vikstrom			
Project Manager:	Damian Chapelle			
Date of Issue:	Original - 20 May 2014. Revision 1 - 27 June 2014. Revision 2 - 31 July 2014. Revision 3 - 9 October 2014.			
Job Reference:	13/472			
Project Outline:	<u>Original</u> - This document presents a Planning Proposal to modify the town planning provisions applying to part of the subject land to enable its future development for a motel and residential townhouses. <u>Revision 1</u> - Amendments made to Planning Proposal following feedback from Council Officers. Changes made to: - Part 3, Section 2 - Consistency with Council Strategic Planning. Information added relating to the DCP. - Part 6 - Project Timeline. <u>Revision 2</u> - Amend proposed land zonings to incorporate SP3 Tourist zoning and remove reference to Byron LEP 1988. Changes made to: - Main body of report. - Proposed LEP Maps.			
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Checked by:	Damian Chapelle Karina Vikstrom			

USAGE NOTE:

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The maps, development plans and exhibits shown in this report are suitable only for the purposes of this report. No reliance should be placed on this information for any purpose other than for the purposes of this report. All dimensions, number, size and shape of lots/buildings as shown on plans in this document are subject to detailed engineering design plans and final survey and may vary subject to conditions of consent issued by Council. The information contained in this report is based on independent research undertaken by Newton Denny Chapelle. To the best of our knowledge, it does not contain any false, misleading or incomplete information.



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Richard Lutze & Associates

Attachment 2 – Assessment Against S117 Ministerial Directions

Attachment 3 – Assessment Against State Environmental Planning Policies

Attachment 4 – Letter of Support from Board of the Bangalow Bowling Club

1. Background

1.1 Summary of Project

Newton Denny Chapelle (NDC) has been engaged by Jestermond Pty Ltd to prepare a 'Planning Proposal' for lodgement with Byron Shire Council for land located in the vicinity of the Bangalow Bowling Club and the Bangalow Tennis Courts in Bangalow.

The land is known as Lot 10 DP 748099 and is currently owned by the Bangalow Bowling Club. Our clients are prospective purchasers of the site, whilst the Bangalow Bowling Club have fully endorsed the proposal by resolution of the Board.

The purpose of the Planning Proposal is to change the town planning provisions applying to the eastern portion of the site (next to the tennis courts) to enable its future development for the purpose of a motel and residential townhouses. The Planning Proposal, involves the rezoning the eastern portion of the site to SP3 Tourist and R2 Low Density Residential Zone pursuant to the Byron Local Environmental Plan 2014. Changes are also required to the Floor Space Ratio map and Lot Size map.

The zoning framework for the western portion of the site will remain unchanged.

1.2 Description of Site and Locality

The land the subject of this Planning Proposal is known as Lot 10 DP 748099, Parish of Byron, County of Rous. The site has a total area of 4,023m². Whilst the formal property address is 10 Byron Bay Road, Bangalow, access to the site is achieved via the shared driveway to the open space precinct comprising the Bangalow Bowling Club, tennis courts and playing fields.

The subject land is illustrated on the following plans:

- **NDC Plan 1** provides a locality plan of the site;

- **NDC Plan 2** contains a detail survey of the property prepared by Northern Rivers Surveying Pty Ltd; and
- **NDC Plan 3** provides a photo montage of the site as existing.

As illustrated in the above plans, the site is located on the eastern edge of the village of Bangalow. The allotment straddles the eastern access driveway to the Bowling Club open space precinct.

The eastern portion of the site has an area of 2,973m² and is of "L" shaped formation which "wraps around" a residential block containing a dual occupancy. This portion of the site formerly contained netball courts and accordingly is relatively gently sloping. In this regard, detail survey indicates that the site has elevations in the order of 47m AHD along the southern boundary (adjacent to Byron Bay Road) and 46.6m AHD along the northern boundary (adjoining the Bangalow Tennis Courts). As indicated on the detail survey, the tennis court fence encroaches onto the subject land. A row of trees and palms (presumably planted for landscape purposes) is located along the boundary to the access driveway.

The western portion of the property adjoins the Bowling Club greens and clubhouse. This part of the site is of rectangular formation and has an area of approximately 993m². It is currently utilised for stormwater drainage and informal car parking, both of which are directly associated with the Bowling Club.

The site is not impacted by key environmental or physical constraints such as habitat, flooding, landslip, agricultural land or bushfire.

1.3 Development Concept

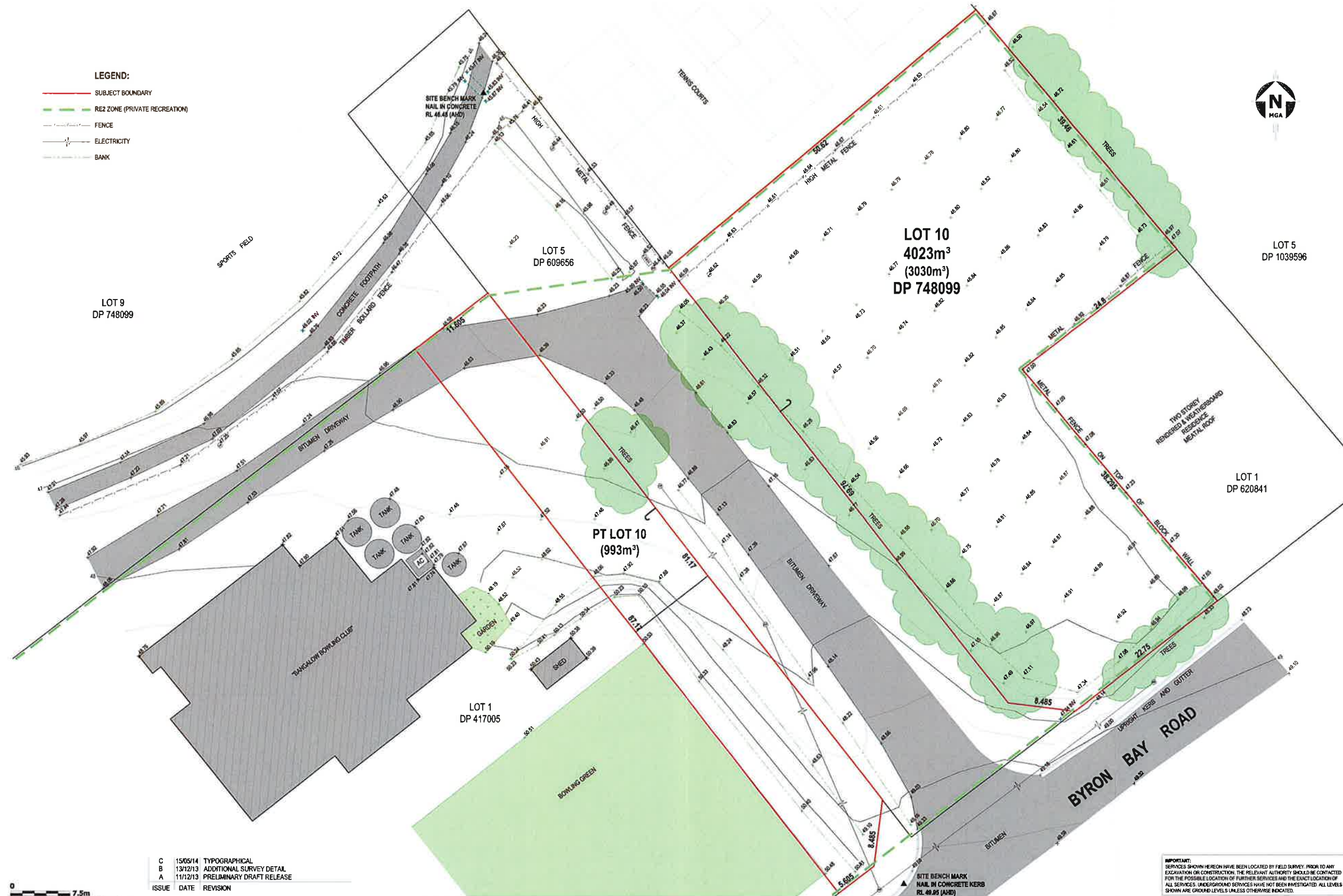
The broad development concept being considered by our client involves the development of a two-storey motel and townhouse development on the eastern portion of the land.

The motel is being proposed to be complementary to the operation of the Bangalow Bowling Club. The project intent is to attract people to the Club and provide accommodation for members and visitors alike. Once constructed, it will be the only



Client : JESTERMOND PTY LTD		SUBJECT SITE	
Location : LOT 10 DP 748099 BYRON BAY ROAD BANGALOW NSW		PLAN 1 - LOCATION PLAN	
SOURCE PLAN: www.maps.six.nsw.gov.au - accessed 13.05.14		Scale: NTS	Date: 13.05.14
		Ref No. 13472	Drawn: BK
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CLIENT: JESTERMOND PTY LTD

LOCATION:
LOT 10 DP 748099
BYRON BAY ROAD
BANGALOW NSW

SOURCE PLAN - Northern Rivers Surveying Pty Ltd REF 13018-01 DATED 13 DECEMBER 2013

Amendments :

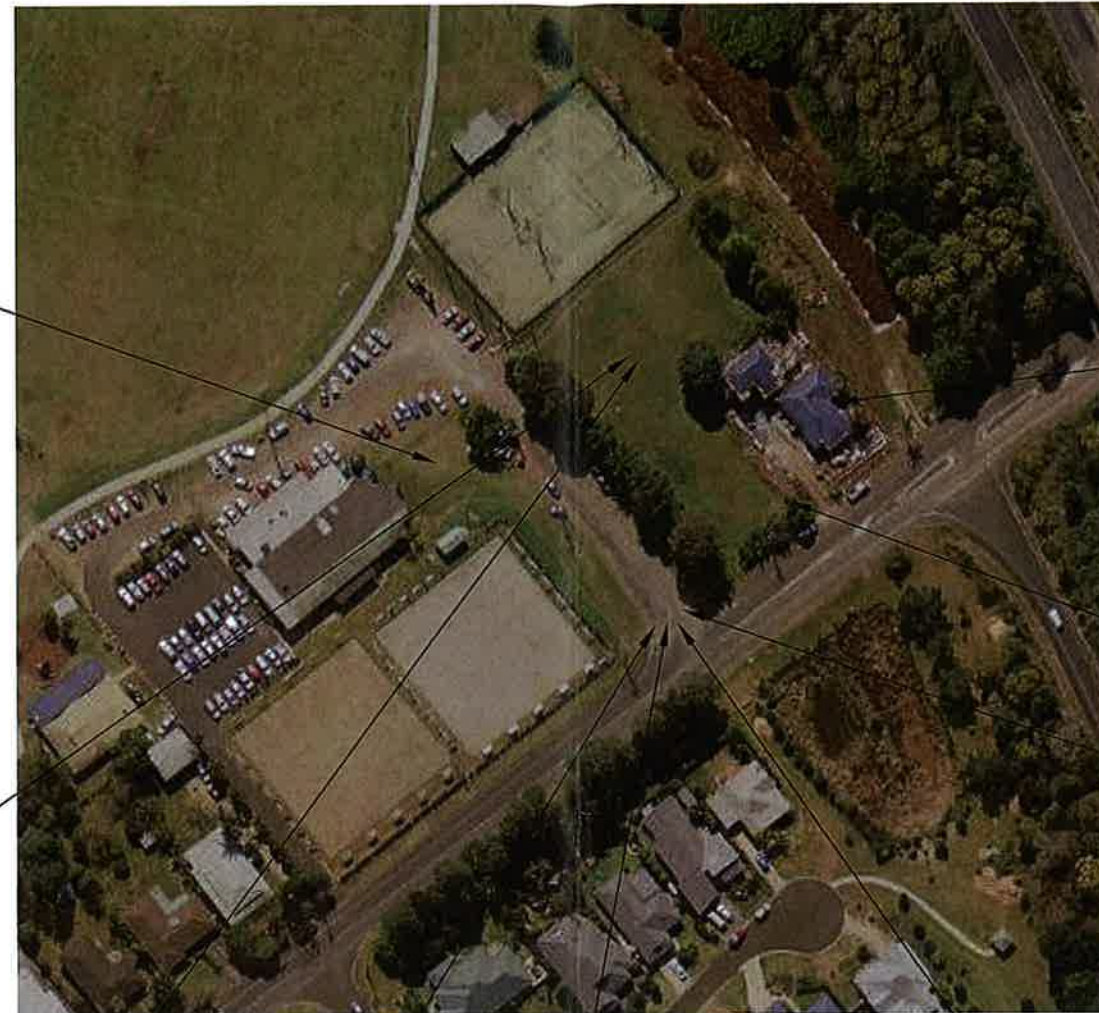
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E	
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Lismore Casino
31 Carrington St. Lismore 2480 100 Barker St. Casino 2470
T: 6622 1011 F: 6622 4088 T & F: 6662 5000

PLAN 2 - DETAIL SURVEY

DATE: 13.05.14 SCALE: NTS REF: 13472 DRAWN: BK

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ACCESS DRIVEWAY

WESTERN PORTION OF SITE

CLIENT:
JESTERMOND PTY LTD

Amendments :

	Date	Changes
B		
C		
D		
E		
F		

LOCATION:
LOT 10 DP 748099
BYRON BAY ROAD
BANGALOW NSW

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PLAN 3 - PHOTOS OF SITE AND SURROUNDS

DATE: 13.05.14 SCALE: NTS REF: 13472 DRAWN: BK

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motel in Bangalow and will provide an important addition to the available supply of holiday accommodation in Bangalow. Anecdotal evidence from the Club is that there has been a large amount of "leakage" to Byron Bay for events held in Bangalow, meaning that Bangalow is not able to capitalise fully on the economic benefits associated with hosting a successful event. This lack of accommodation has also contributed to an increasing number of dwellings being made available to holiday letting.

Preliminary Architectural Plans by Richard Lutze & Associates (RLA) illustrate the development concept for the site and are provided at **Attachment 1**. As illustrated, the proposal involves the following:

- The northern portion of the site (adjacent to the tennis courts) will contain a two-storey motel containing 18 motel units. The motel units will be designed such that sleeping areas are separated from the tennis courts by bathrooms. This arrangement will ensure that possible land use conflicts (such as noise and lights associated with the tennis courts) are avoided;
- The central portion of the site will contain a two-storey caretakers unit and associated garage and laundry. Car parking to service the development will be located between the caretaker's unit and the motel accommodation. Landscape buffering is provided to the dual occupancy development on adjoining the land; and
- The southern portion of the site is proposed to contain 4 x 2 storey townhouses.

It must be emphasised that the RLA Plans are preliminary in nature and have been prepared to illustrate the possible future development of the site, should the Planning Proposal be adopted by Council. The development of the site will be subject to a future Development Application. Any such application will need to include detailed technical assessment of the following:

- Light spill associate with the tennis courts;
- Noise impacts associated with the tennis courts and Bowling Club;
- Stormwater management; and
- Traffic management.

The indicative development concept also presents opportunities to address a number of matters including:

- the encroachment of the tennis court fencing onto the eastern portion of the site;
- the current stormwater discharge from the Bowling Club and Clover Hill Estate onto the access driveway and the western portion of the subject land; and
- the use of part of the western portion of the land for public car parking associated with the Bangalow Sporting Fields and the Bowling Club.

In this regard, our clients are willing to consider options involving adjustments to property boundaries to address the above matters, subject to future negotiation with Council and the Bowling Club.

1.4 Why Rezone the Land?

The existing zoning of the land (namely RE2 Private Recreation) enables a narrow range of land uses on the site. The range of permitted land uses provide very limited opportunity to utilise the property in a manner which is commensurate to the strategic location of the property.

In September 2013, Council identified that the provision of tourist accommodation on the subject land in association with the Bowling Club could be considered ancillary to the Club activities. Since this time, the Club has decided to dispose of the land. Once the property is in separate ownership, it can no longer be argued (from a town planning perspective) that the tourist accommodation is reasonably ancillary to the Club. Accordingly, it is necessary to rezone the land to facilitate the development of the site as a motel.

Furthermore, our clients are seeking to "protect" the investment in the land in the event the Club does not continue to trade successfully. Hence the project seeks to also provide a residential component on the site.

NDC has attended a meeting with Council's Mr Ray Darney and Mr Alex Caras to discuss the project in early 2014. Verbal advice provided by staff at the meeting was

that, subject to detailed assessment, the proposed changes to the planning controls for the site appeared to have merit.

Various options have subsequently been explored with Council staff with respect to the preferred zoning framework for the land. The approach contained within this Planning Proposal involves the following:

- the south-eastern portion of the site (fronting Byron Bay Road) will be zoned R2 Low Density Residential as it aligns with the zone applied to the dual occupancy land adjoining the site (Lot 1 DP 620841) as well as Clover Hill Estate (to the south of Byron Bay Road). A 1,000m² minimum lot size is to be applied so as to remove opportunity for further Torrens Title subdivision of this part of the site.
- the north-eastern portion of the site (adjoining the tennis courts) is to be zoned SP3 Tourist as this reflects the intended use of the land as a motel. A 2,000m² minimum lot size will be applied which will effectively remove opportunity for further Torrens Title subdivision of this part of the site.

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2. Planning Proposal

Part 1 Objectives and Intended Outcomes

The objective of this Planning Proposal is to amend the planning controls applicable to the eastern portion of Lot 10 DP 478099 located at Byron Bay Road, Bangalow to enable the development of the site for the purpose of a motel and townhouse development.

Part 2 Explanation of Provisions

As explained in the introduction, the purpose of this Planning Proposal is to change the town planning provisions applying to the eastern portion of Lot 10 DP 748099 to enable its future development for the purpose of motel accommodation and residential townhouses. The Planning Proposal involves the rezoning the eastern portion of the site to SP3 Tourist and R2 Low Density Residential Zone pursuant to the Byron Local Environmental Plan 2014. Changes are also proposed to the Floor Space Ratio map and Lot Size map.

Part 3 Justification

1. Is the Planning Proposal a result of a strategic study or report?

No. We note, however, that tourism activity represents a major contributor to the economy of Byron Shire. We note also that Byron Shire Council has been grappling with the issue of holiday letting for a number of years. The proposed motel development will contribute to the available supply of visitor accommodation in the Shire, in a location which will not adversely impact on the amenity of residential areas.

S117 Ministerial Directions

The Planning Proposal is consistent with the provisions of applicable S117 Ministerial Directions. An assessment of the project against these requirements is provided at **Attachment 2.**

State Environmental Planning Policies

The Planning Proposal is consistent with the provisions of applicable State Environmental Planning Policies. An assessment of the project against these policies is provided at **Attachment 3**.

2. Is the Planning Proposal consistent with the local Council's community plan or other local strategic plan?

A. Byron Shire Council Community Strategic Plan 2022

Council's Community Strategic Plan 2022 advises that the "principle economic driver in the Shire is tourism, with an estimated value of \$370 million in 2006 from about 1.3 million visitors". In 2009 the total tourism spending was estimated be \$411million.

The Community Strategic Plan goes on to establish the Community Strategies and Measures as provided at **Plate 1**.

Community Outcome EC2: A sustainable tourism industry that respects and promotes our natural environment and community values	
Community Strategies	
EC2.1	Build a tourism industry that delivers local and regional benefits in harmony with the community's values.
EC2.2	Develop Byron Shire as a leader in responsible and sustainable tourism and encourage sustainable business practices within the tourism industry.
EC2.3	Support and promote a collaborative shire-wide approach to managing tourism.
Measures	
a.	Increased community and tourist satisfaction with local tourism industry.
b.	Decrease in number of tourism related community complaints.
c.	Reduction in energy consumption, waste production and water usage for tourism operators.
d.	Implementation of priority strategies and actions within the Tourism Management Plan.
e.	Increased funding from State and Federal Governments for tourism management.

Plate 1 – Extract from Community Strategic Plan 2022

The development of the subject site as proposed will provide a form of tourism accommodation not currently provided in Bangalow (ie. motel accommodation). The characteristics of the site are such that the project will provide important synergies with the sporting, community and entertainment activities at the Bowling Club. The provision of the motel accommodation will help increase the proportion of tourism spending in Bangalow and stem the financial "leakage" to Byron Bay.

Furthermore, the project is able to be designed in a manner which minimises adverse impacts on adjoining landholders, particularly the tennis courts and the dual occupancy fronting Bangalow Road. Accordingly, it is considered that the project is directly consistent with the following aspects of the Community Strategic Plan:

- **Community Strategy EC2.1** – Build a tourism industry which delivers local and regional benefits in harmony with the community's values; and
- **Measure “b”** – Decrease in number of tourism related community complaints.

B. Bangalow Settlement Strategy 2003

The Planning Proposal involves rezoning the site to enable development for the purpose of a Motel and residential Townhouses. The subject site is located within the established boundaries of Bangalow and will not result in an expansion of the village footprint. The site is not constrained by issues such as agricultural production, flooding, flooding, topography or habitat.

With respect to the Motel, this aspect of the project will contribute to economic activity in the community and will strengthen the social, sporting and community functions already provided by the Bowling Club. The location of the site is such that it will minimise impacts on residential character and amenity. Accordingly, the project is considered to be not inconsistent with the objectives of the Strategy.

The residential component is intended to be a relatively minor component of the overall project. We note that the Strategy enables infill development as one mechanism to accommodate residential demand in Bangalow. The proposed planning framework to be applied to the land is consistent with that applied to other residential land in the vicinity of the site. Any future application will be required to comply with Council's Development Control Plan for the site.

Given the above, the proposal is considered to be not inconsistent with the provisions of the Bangalow Settlement Strategy.

C. Byron Shire Development Control Plan 2010 – Chapter 12, Bangalow

Chapter 12 of the DCP establishes Council's detailed planning framework for Bangalow. Development Guidelines Map 12 identifies a parcel of land on the southern

side of Byron Bay Road approximately 300m to the west of the subject site for potential tourist accommodation (subject to rezoning). This site has now been developed for aged accommodation (Feros Village) and accordingly is no longer available for tourist accommodation purposes. The land the subject of this Planning Proposal provides an alternate site for this activity in close proximity to the site nominated within Council's DCP. This proposal is therefore deemed to be consistent with Council's strategic intent for tourist accommodation in Bangalow.

3. If the provisions of the Planning Proposal include the extinguishment of any interests in the land, an explanation of the interests why the interests are proposed to be extinguished should be provided.

No interests are proposed to be extinguished as part of the Planning Proposal.

4. Does the landowner concur with the lodgement of the planning proposal? (where the land is not owned by the relevant planning authority)

The subject land is owned by the Bangalow Bowling Club. **Attachment 4** contains a letter from the Club which advises that the Board of the Bangalow Bowling Club supports the Planning Proposal and subsequent development of the eastern portion of the land for the purpose of a motel and residential development.

Part 4 Mapping

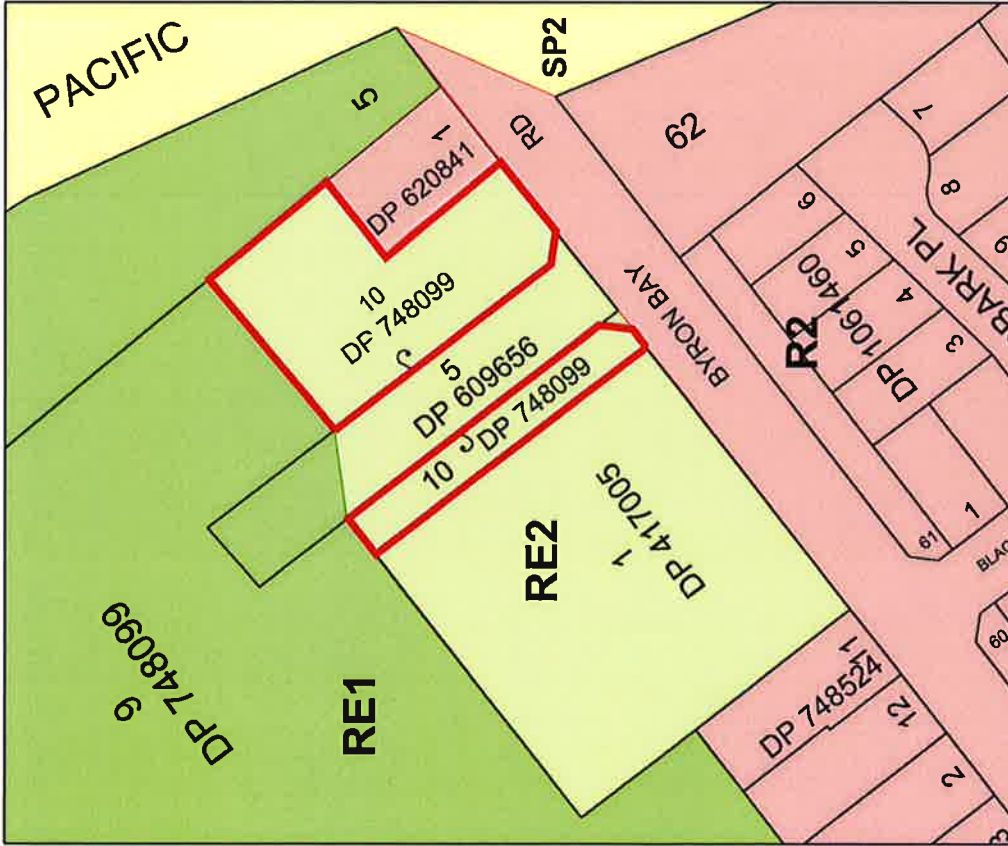
A. Introduction

The planning framework for the site has recently been modified through the gazettal of the Byron Local Environmental Plan 2014 (BLEP 2014). Accordingly, this Planning Proposal provides for amendments to the BLEP 2014.

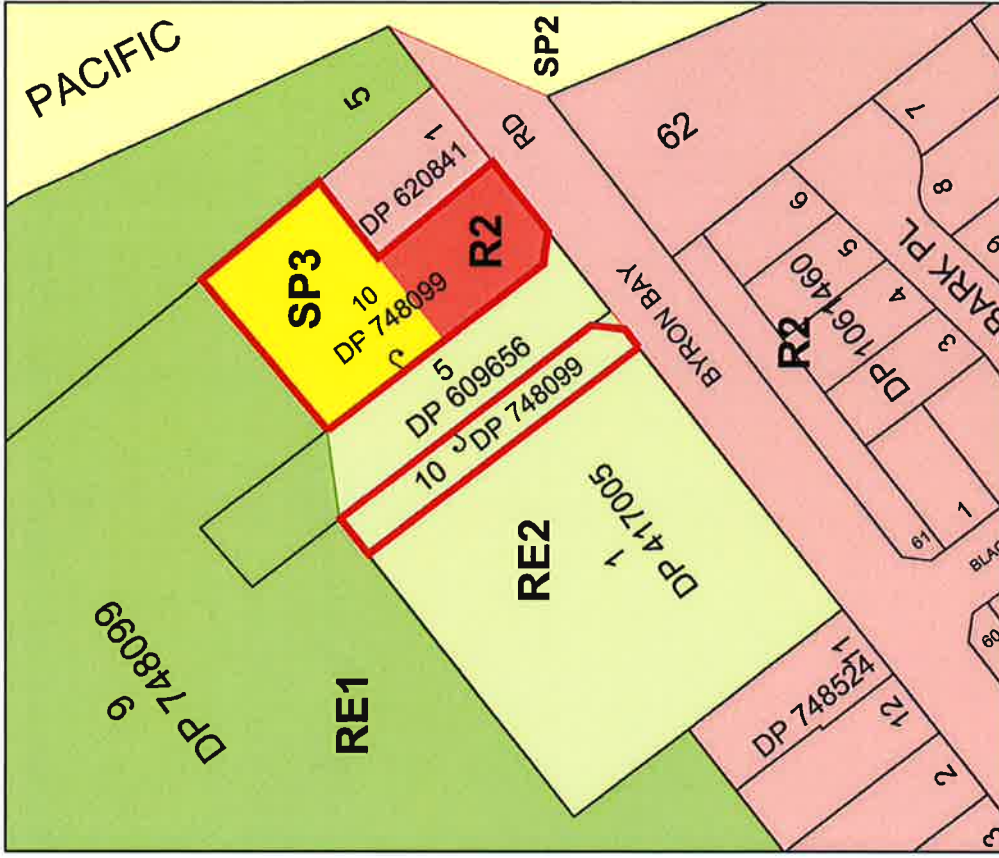
B. Proposed Changes to Adopted Byron Local Environmental Plan 2014

i. Land Zoning Map

NDC Plan 4 illustrates the proposed changes to the zoning framework pursuant to the BLEP 2014.



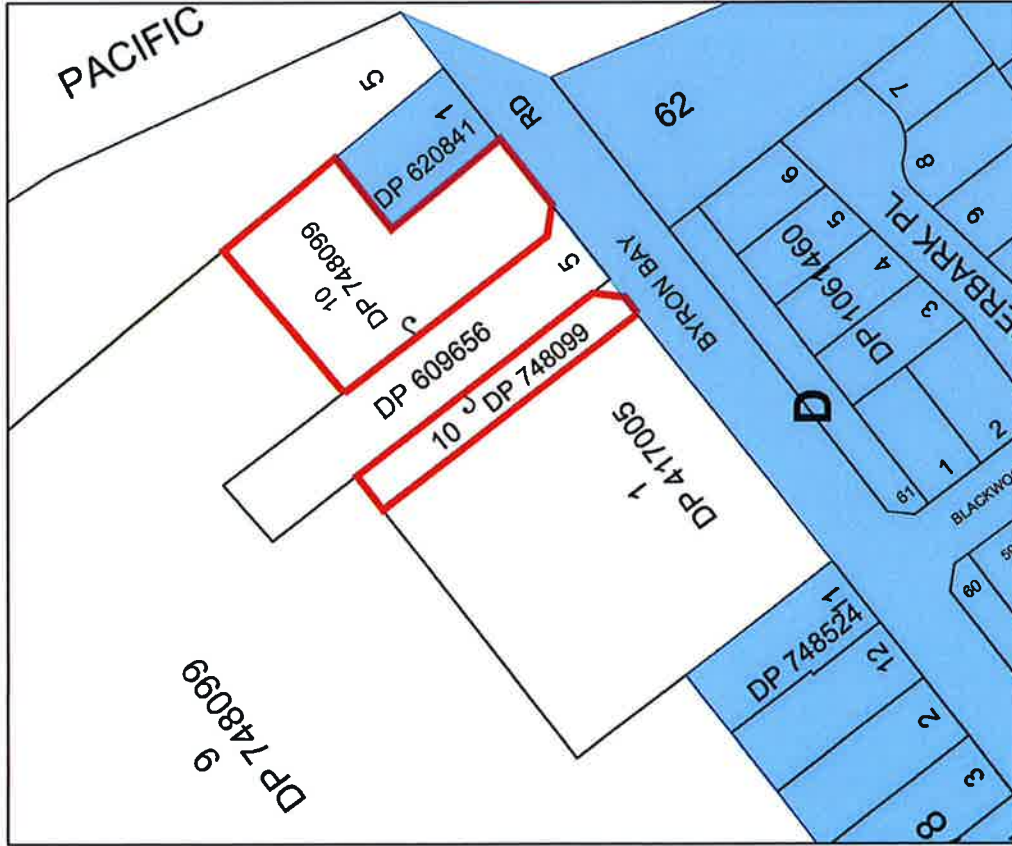
EXISTING ZONING BLP 2014



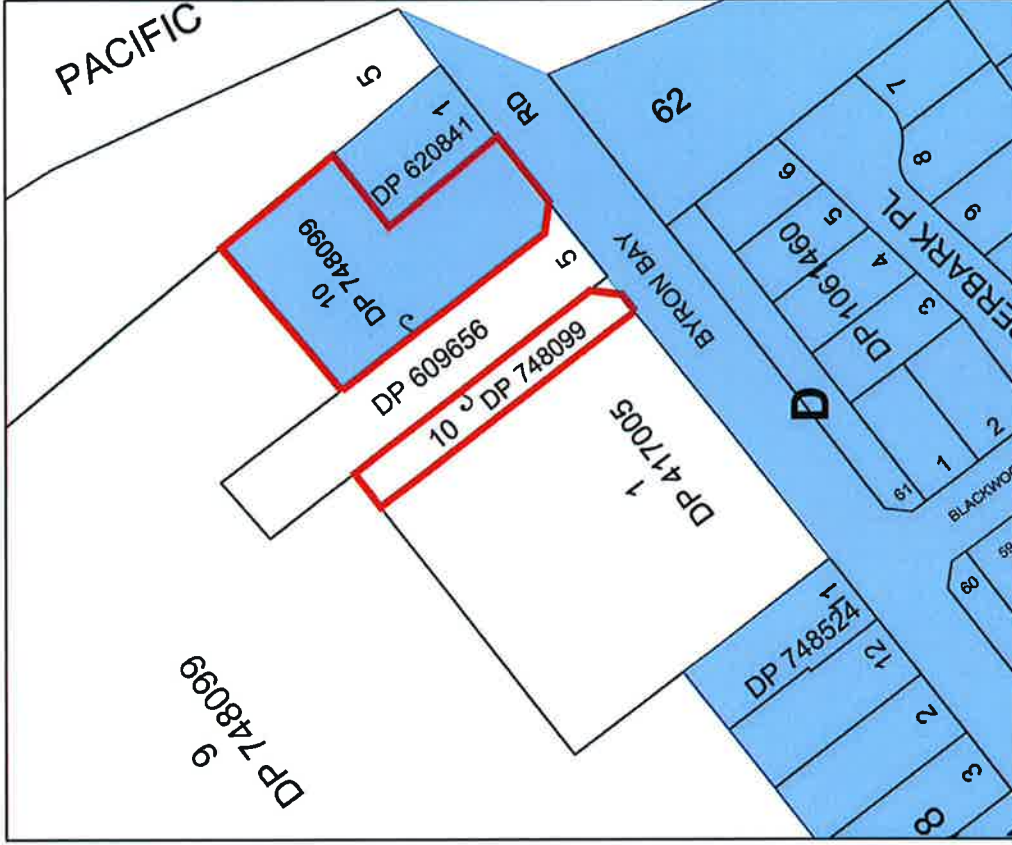
PROPOSED ZONING BLP 2014



Client: JESTERMOND PTY LTD Location: LOT 10 DP 748099 BYRON BAY ROAD BANGALOW NSW	LEGEND RE LOW DENSITY RESIDENTIAL RE1 PUBLIC RECREATION RE2 PRIVATE RECREATION SP2 INFRASTRUCTURE SP3 TOURIST ☒ SUBJECT SITE	PLAN 4 - EXISTING & PROPOSED ZONING BYRON LOCAL ENVIRONMENTAL PLAN 2014 Newton Denny Chapelle Surveyors Planners Engineers Email: office@newtondennychapelle.com.au Lismore 31 Carrington St. Lismore 2480 T: 0822 1071 F: 0822 4086 T & F: 0862 5000 Scale: NTS Date: 07/10/14 Ref No. 13472 Drawn: BK SOURCE: Draft Byron Local Environmental Plan 2013 - Land Zoning map - Sheet LSZ_00303B
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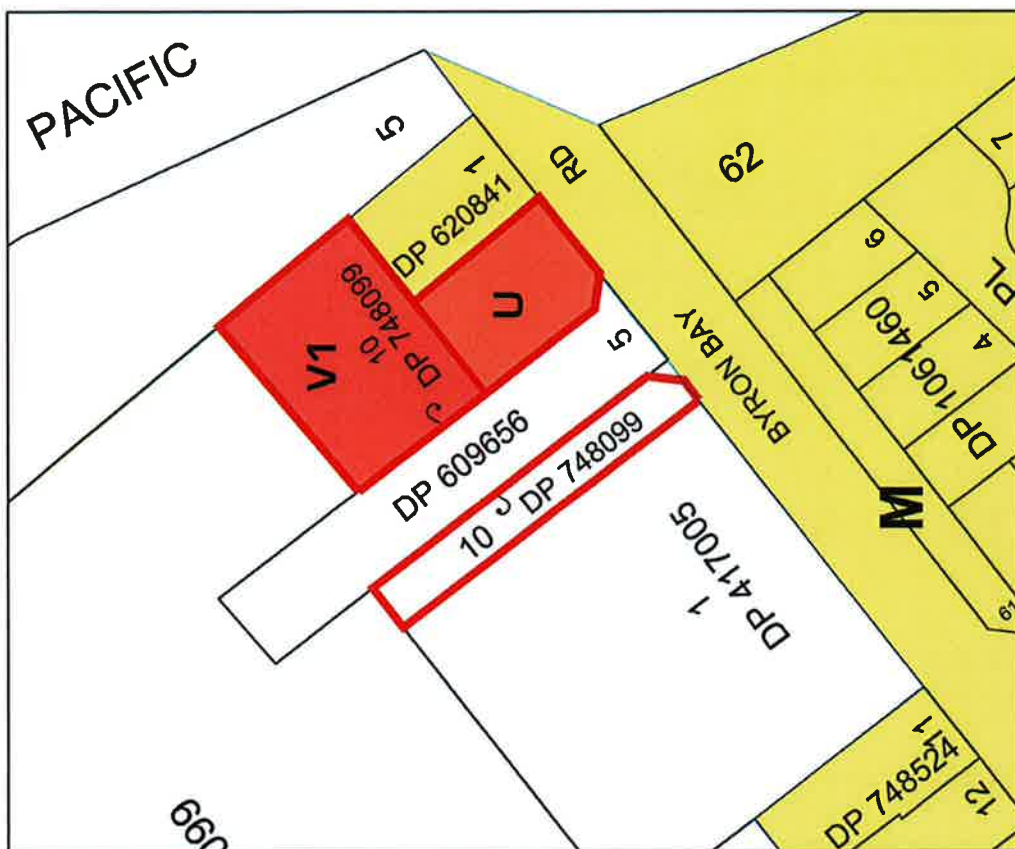
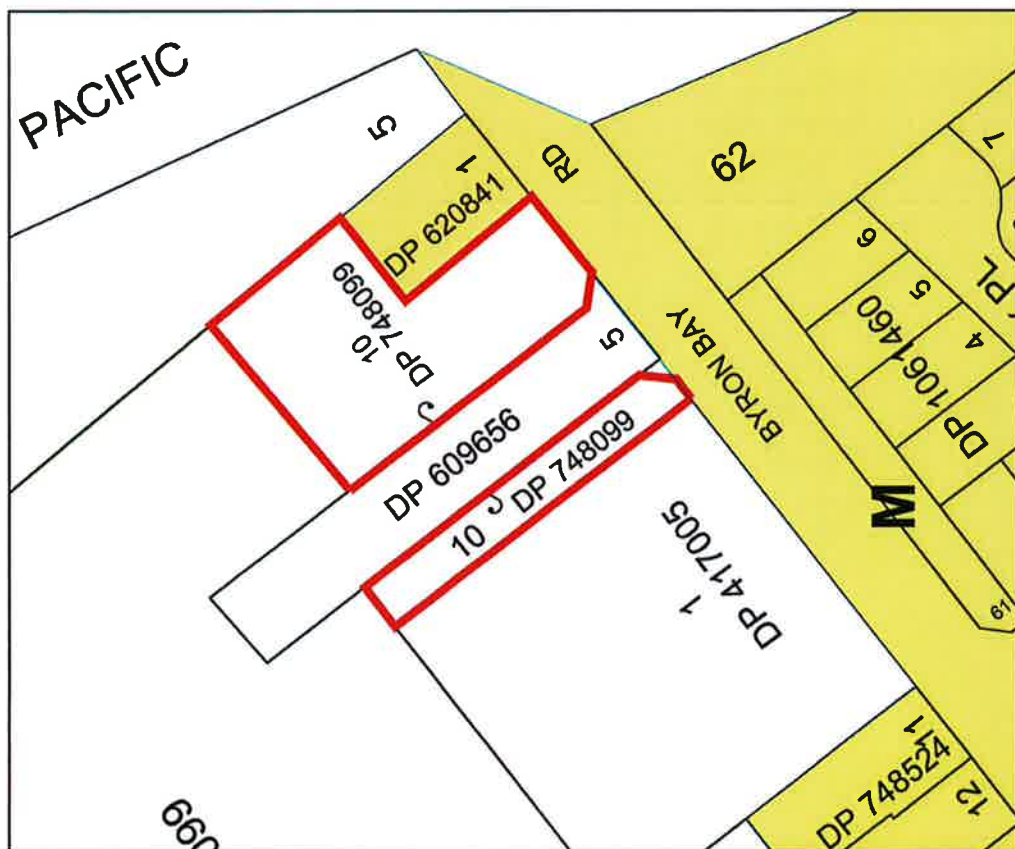
EXISTING FSR BLEP 2014



PROPOSED FSR BLEP 2014



Client: JESTERMOND PTY LTD	PLAN 5 - EXISTING & PROPOSED FSR BYRON LOCAL ENVIRONMENTAL PLAN 2014	
Location: LOT 10 DP 748099 BYRON BAY ROAD BANGALOW NSW	Newton Denny Chapelle Surveyors Planners Engineers Email: office@newtondennychapelle.com.au Lismore 31 Carrington St. Lismore 2480 T: 0852 1071 F: 0852 4068 100 Barker St. Casino 2470 T & F: 0862 5000	
SOURCE: Draft Byron Local Environmental Plan 2013 - FSR map - Sheet FSR_00003	LEGEND SUBJECT SITE FLOOR SPACE RATIO (FSR) - 0.5	
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Client : JESTERMOND PTY LTD

Location : LOT 10 DP 748099
BYRON BAY ROAD
BANGALOW NSW

LEGEND

SUBJECT SITE

LOT SIZE MAP - MIN LOT SIZE 600 (m²)

ADS

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**PLAN 6 - EXISTING & PROPOSED LOT SIZE MAP
BYRON LOCAL ENVIRONMENTAL PLAN 2014**

Scale: NTS Date: 07.10.14 Ref No. 13472 Drawn: BK

ii. Floor Space Ratio Map

NDC Plan 5 illustrates the proposed changes to the Floor Space Ratio map pursuant to the BLEP 2014.

iii. Lot Size Map

NDC Plan 6 illustrates the proposed changes to the Lot Size map pursuant to the BLEP 2014.

Part 5 Community Consultation

A. Community Consultation

It is expected that the Planning Proposal will be exhibited for a period of 28 days in accordance with standard procedures.

B. Agency Consultation

No issues have been identified through the preparation of this Planning Proposal which warrant consultation with State government agencies.

Part 6 Project Timeline

Plan Making Step	Estimated Completion (Before)
Council Resolution	August 2014
Gateway Determination [Anticipated]	October 2014
Government Agency Consultation	Nil Proposed
Public Exhibition Period	November 2014
Public Hearing	Nil Proposed
Submissions Assessment	November 2014/December 2014
RPA Assessment of Planning Proposal and Exhibition Outcomes	December 2014/January 2015
Submission of Endorsed LEP to DP&I for finalisation	January 2015/February 2015
Anticipated date RPA will make plan (if delegated)	March 2015
Forwarding of LEP Amendment to DP&I for notification (if delegated)	March 2015

REFERENCES

- A Guide to Preparing Local Environmental Plans NSW Planning and Infrastructure April 2013.
- Byron Shire Council, Community Strategic Plan 2022.



ATTACHMENT 1

**Preliminary Architectural Plans
Richard Lutze & Associates**



**RICHARD LUTZE
+ ASSOCIATES**

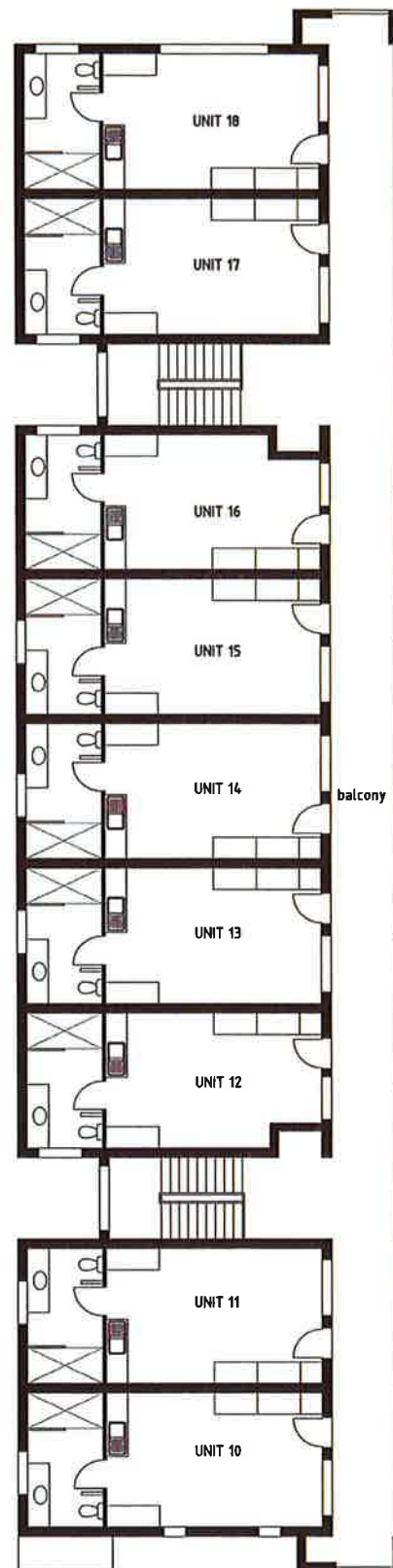
bda BUILDING
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AUSTRALIA NSW

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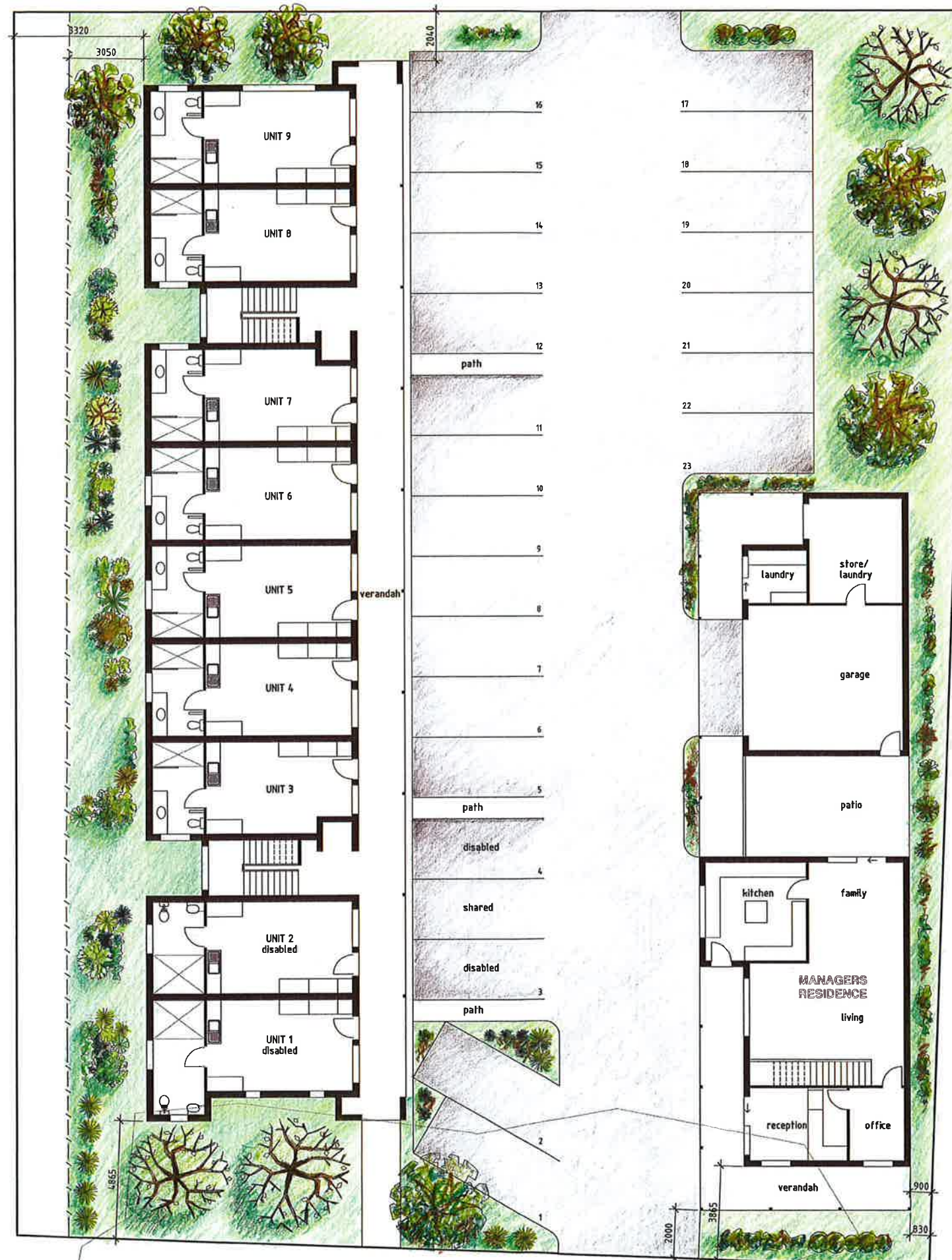
CLIENT
JESTERMOND Pty Ltd

PROJECT
**PROPOSED DEVELOPMENT
LOT 10 DP 478099
BYRON BAY ROAD
BANGALOW**

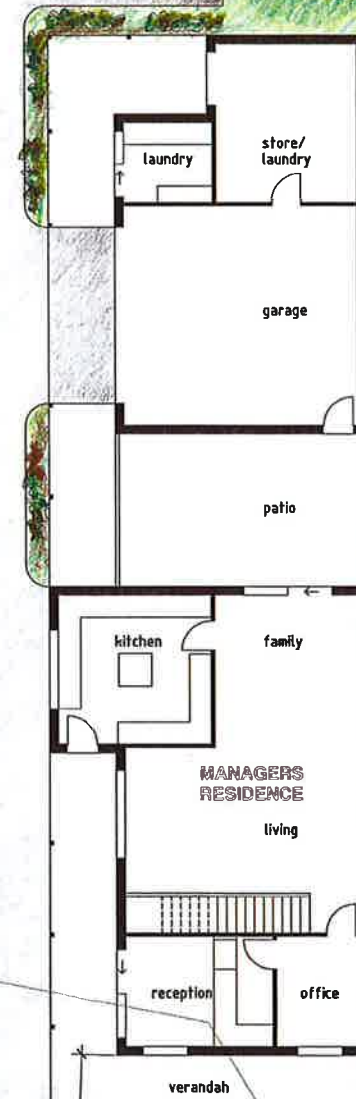
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date APRIL 2014	building class 3
SHEET 1 OF 4	DWG No.
ISSUE	740/1



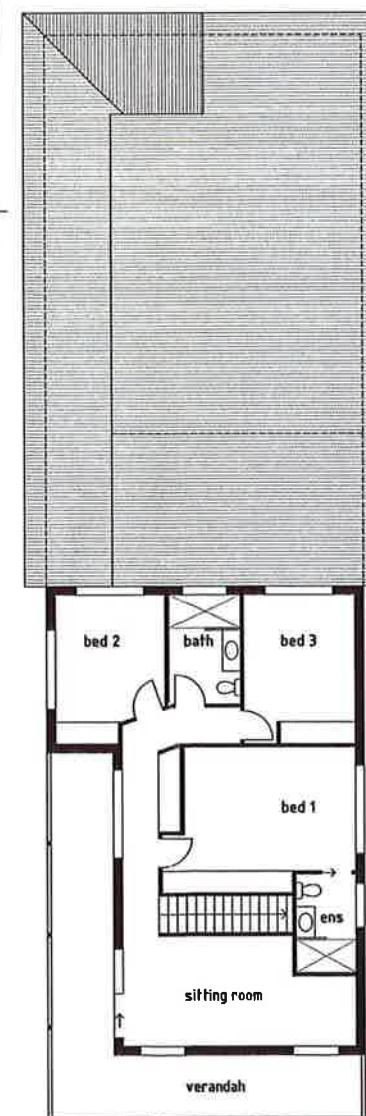
MOTEL FIRST FLOOR PLAN



SITE & GROUND FLOOR PLAN
SITE AREA 1975sqm



MANAGERS RESIDENCE
FIRST FLOOR PLAN



**RICHARD LUTZE
+ ASSOCIATES**

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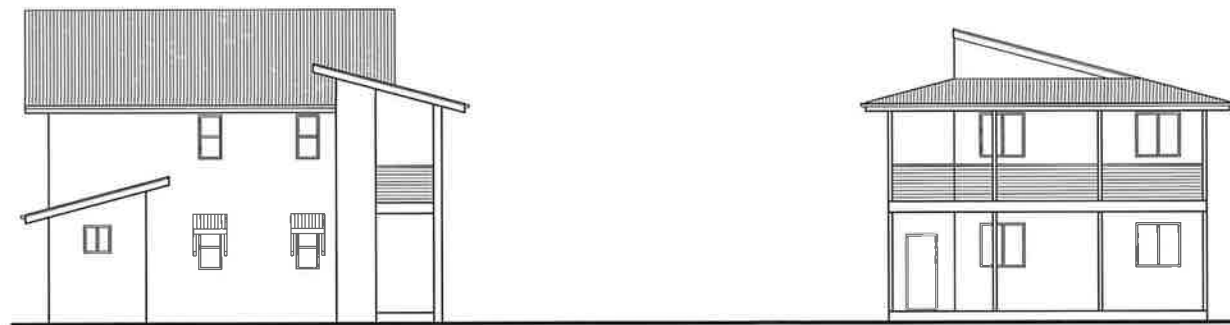
CLIENT
JESTERMOND Pty Ltd

PROJECT
**PROPOSED DEVELOPMENT
LOT 10 DP 478099
BYRON BAY ROAD
BANGALOW**

scale 1:100 at A1	council BYRON SHIRE
date APRIL 2014	building class 3
SHEET 2 OF 4	DWG No.
ISSUE	740/2



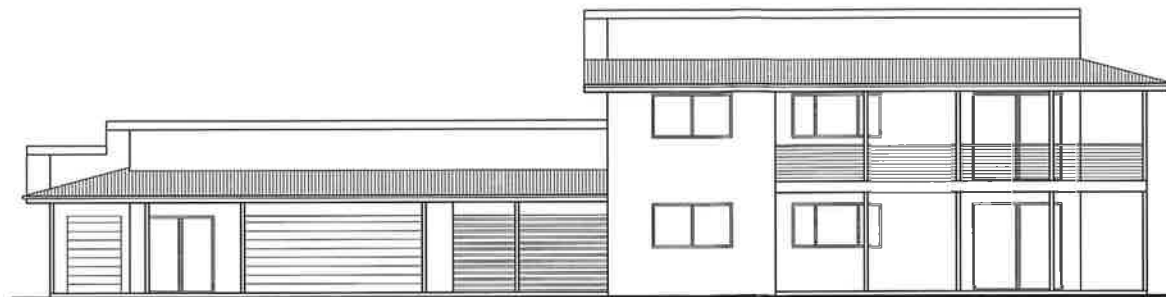
SOUTH EAST ELEVATION
MOTEL



MOTEL

SOUTH WEST ELEVATION

MANAGERS RESIDENCE



NORTH WEST ELEVATION
MANAGERS RESIDENCE

**RICHARD LUTZE
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PROJECT
**PROPOSED DEVELOPMENT
LOT 10 DP 478099
BYRON BAY ROAD
BANGALOW**

scale 1:100 at A1	council BYRON SHIRE
date APRIL 2014	building class 3
SHEET 3 OF 4 ISSUE	DWG No. 740/3



SOUTH WEST ELEVATION



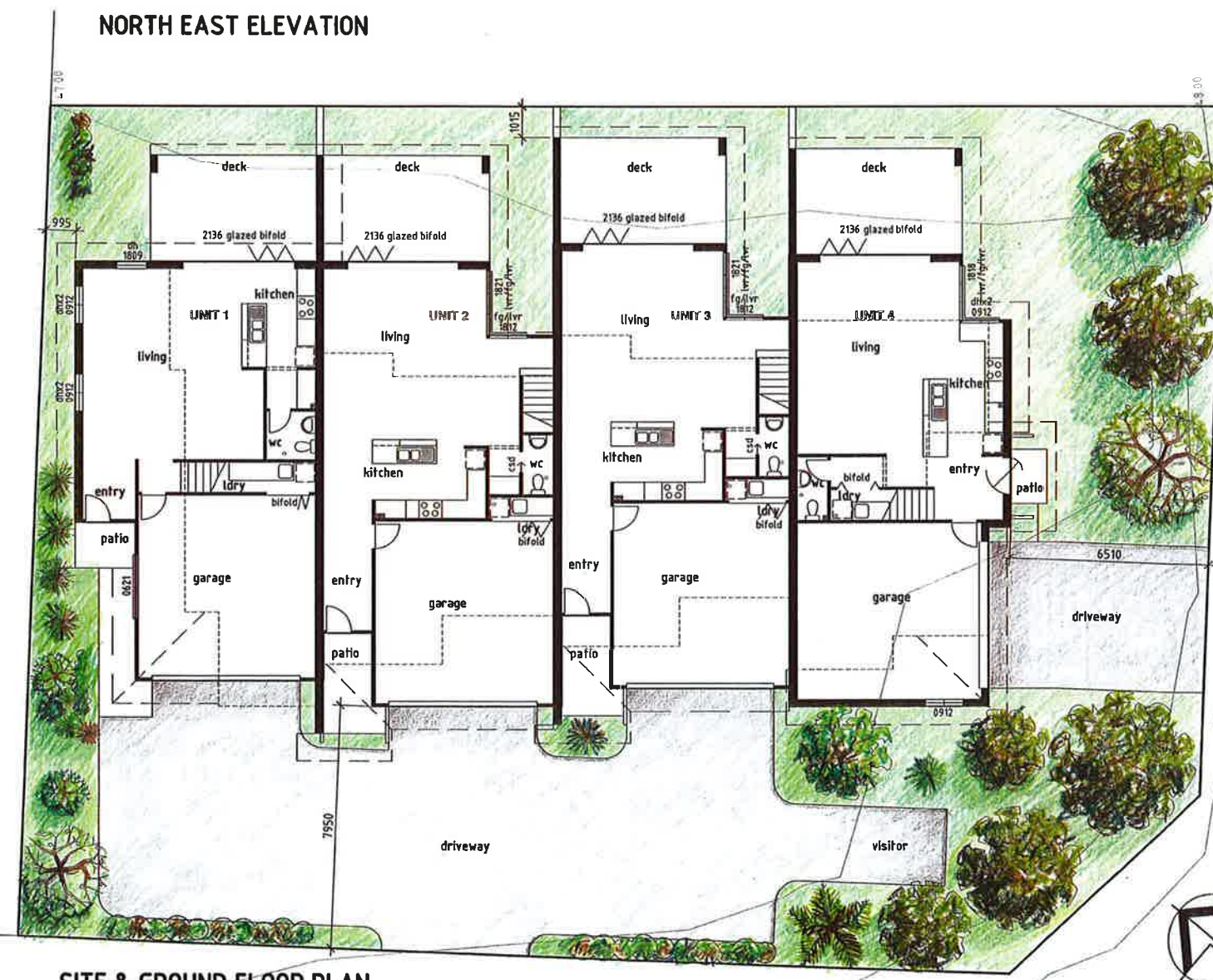
SOUTH EAST ELEVATION



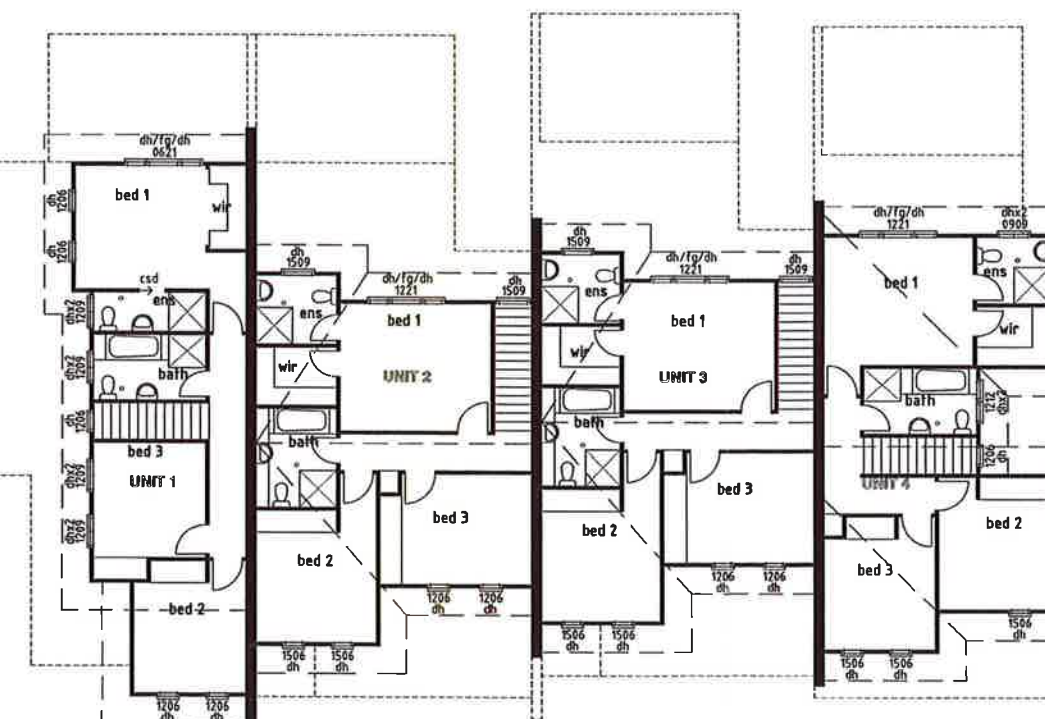
NORTH EAST ELEVATION



NORTH WEST ELEVATION



SITE & GROUND FLOOR PLAN
SITE AREA 1055sqm



FIRST FLOOR PLAN

UNIT 1 GROUND FLOOR AREAS
Living 57.3 sqm
Garage 34.5 sqm
Patio + deck 21.8 sqm

FIRST FLOOR AREA
Living 58.1 sqm

UNIT 2 GROUND FLOOR AREAS
Living 62.4 sqm
Garage 34.7 sqm
Patio + deck 24.7 sqm

UNIT 2 FIRST FLOOR AREA
Living 64.4 sqm

UNIT 3 GROUND FLOOR AREAS
Living 62.0 sqm
Garage 34.4 sqm
Patio + deck 24.6 sqm

UNIT 3 FIRST FLOOR AREA
Living 64.0 sqm

UNIT 4 GROUND FLOOR AREAS
Living 54.0 sqm
Garage 34.7 sqm
Patio + deck 21.1 sqm

UNIT 4 FIRST FLOOR AREA
Living 59.7 sqm

TOTAL AREAS 712.4 sqm

RICHARD LUTZE
+ ASSOCIATES

bda BUILDING DESIGNERS AUSTRALIA NSW

ACCREDITED & CHARTER MEMBER OF BDA NSW CHAPTER
SUITE 3/4 No. 90 MAIN STREET PH 0266 285 048
PO BOX 216 ALSTONVILLE 2477 FAX 0266 285 099
EMAIL info@rlabuildingdesign.com.au

CLIENT
JESTERMOND Pty Ltd

PROJECT
**PROPOSED DEVELOPMENT
LOT 10 DP 478099
BYRON BAY ROAD
BANGALOW**

scale 1:100 at A1	council BYRON SHIRE
date APRIL 2014	building class 3
SHEET 4 OF 4	DWG No.
ISSUE	740/4

ATTACHMENT 2

**Assessment Against
S117 Ministerial Directions**

Assessment Against S117 Ministerial Directions

Section 117 Direction	Applies?	Comments
1. Employment and Resources		
1.1 Business and Industrial Zones	N/A	-
1.2 Rural Zones	N/A	-
1.3 Mining, Petroleum Production and Extractive industries	N/A	-
1.4 Oyster Aquaculture	N/A	-
1.5 Rural Lands	N/A	-
2. Environment and Heritage		
2.1 Environmental Protection Zones	N/A	-
2.2 Coastal Protection	N/A	-
2.3 Heritage Conservation	N/A	-
2.4 Recreation Vehicle Areas	N/A	-
3. Housing, Infrastructure and Urban Development		
3.1 Residential Zones	Applies	The Planning Proposal involves the application of a zoning framework consistent with residential development in the locality (particularly Clover Hill Estate). The zone provides for a range of residential land uses (including dwellings, dual occupancies and multi dwelling housing). Whilst located on the edge of the village, the site is clearly within the existing urban footprint and does not constitute urban sprawl. The Byron LEP contains provisions requiring the adequate servicing of land and accordingly such a clause is not required within the current Planning Proposal. Council's Development Control Plan establishes detailed requirements for the design of residential development.
3.2 Caravan Parks and Manufactured Home Estates	N/A	-
3.3 Home Occupations	N/A	-
3.4 Integrated Land Use and Transport	N/A	-
3.5 Development Near Licensed Aerodromes	N/A	-

4. Hazard and Risk		
4.1 Acid Sulfate Soils	N/A	-
4.2 Mine Subsidence and Unstable Land	N/A	-
4.3 Flood Prone Land	N/A	-
4.4 Planning for Bushfire Protection	N/A	-
5. Regional Planning		
5.1 Implementation of Regional Strategies	Applies	<u>Far North Coast Regional Strategy</u> The subject land is located within the "existing urban footprint" as illustrated on Sheet 2 of the Town and Village Growth Boundary Map. Other elements of the FNCRS of particular relevance to the proposal are as follows: <u>Section 4 Environment and Natural Resources</u> Section 4 incorporates a series of requirements which seek to ensure that land with significant environmental qualities are zoned appropriately. In this instance, the site comprises former netball courts and accordingly, does not exhibit significant environmental qualities. <u>Section 7 Settlement and Housing</u> Section 7 includes a requirement that Local Environmental Plans will ensure that new development reinforces the existing urban and rural centres, towns and villages. The planning proposal is located within the existing footprint of Bangalow Village and is consistent with this requirement. <u>Section 9 Economic Development and Employment Growth</u> Section 9 includes a requirement that LEPs should ensure that appropriate land is available for a range of tourism experiences. The proposal to include the SP3 zoning to permit a "motel" on the site is consistent with this requirement.
5.2 Sydney Drinking Water Catchments	N/A	-
5.3 Farmland of State and Regional Significance on the NSW Far North Coast	N/A	-
5.4 Commercial and Retail Development along the Pacific Highway, North Coast	N/A	-

5.5 Development in the Vicinity of Ellalong, Paxton and Milfield (Cessnock LGA).	N/A	-
5.6 Sydney to Canberra Corridor	N/A	-
5.7 Central Coast	N/A	-
5.8 Second Sydney Airport: Badgerys Creek	N/A	-
6. Local Plan Making		
6.1 Approval and Referral Requirements	Applies	No referral or concurrence requirements proposed within the Planning Proposal.
6.2 Reserving Land for Public Purposes	N/A	-
6.3 Site Specific Provisions	N/A	-
7. Metropolitan Planning		
7.1 Implementation of the Metropolitan Plan for Sydney 2036	N/A	-



Newton Denny Chapelle

SURVEYORS PLANNERS ENGINEERS

ATTACHMENT 3

Assessment Against State Environmental Planning Policies

Assessment Against State Environmental Planning Policies

State Environmental Planning Policy	Applies?	Comments
SEPP 1 Development Standards.	N/A	-
SEPP 4 Development Without Consent and Miscellaneous Complying and Exempt Development.	N/A	-
SEPP 6 Number of Storeys in a Building.	N/A	-
SEPP 14 Coastal Wetlands.	N/A	-
SEPP 15 Rural Land-Sharing Communities.	N/A	-
SEPP 19 Bushland in Urban Areas.	N/A	-
SEPP 21 Caravan Parks.	N/A	-
SEPP 22 Shops and Commercial Premises.	N/A	-
SEPP 26 Littoral Rainforests.	N/A	-
SEPP 29 Western Sydney Recreation Area.	N/A	-
SEPP 30 Intensive Agriculture	N/A	-
SEPP 32 Urban Consolidation (Redevelopment of Urban Land).	N/A	-
SEPP 33 Hazardous & Offensive Development.	N/A	-
SEPP 36 Manufactured Home Estates.	N/A	-
SEPP 39 Split Island Bird Habitat.	N/A	-
SEPP 44 Koala Habitat Protection.	N/A	-
SEPP 47 Moore Park Showground.	N/A	-
SEPP 50 Canal Estate Development.	N/A	-
SEPP 52 Farm Dams & Other Works in Land & Water Management Plan Areas.	N/A	-
SEPP 55 Remediation of Land.	Applies	No contamination is known to exist on the subject lands. A Preliminary Contaminated Land Assessment in accordance with the requirements of SEPP 55 will be prepared prior to the exhibition of the Planning Proposal.

State Environmental Planning Policy	Applies?	Comments
SEPP 59 Central Western Sydney Economic & Employment Area.	N/A	-
SEPP 60 Exempt & Complying Development.	N/A	-
SEPP 62 Sustainable Aquaculture.	N/A	-
SEPP 64 Advertising & Signage.	N/A	-
SEPP 65 Design Quality of Residential Flat Buildings.	N/A	-
SEPP 70 Affordable Housing (Revised Schemes).	N/A	-
SEPP 71 Coastal Protection	N/A	-
SEPP (Affordable Rental Housing) 2009	N/A	-
SEPP (Building Sustainability Index: BASIX) 2004	N/A	-
SEPP (Exempt and Complying Development Codes) 2008	N/A	-
SEPP (Housing for Seniors or People with a Disability) 2004	N/A	-
SEPP (Infrastructure) 2007	N/A	-
SEPP (Kosciuszko National Park — Alpine Resorts) 2007	N/A	-
SEPP (Kurnell Peninsula) 1989	N/A	-
SEPP (Major Development) 2005	N/A	-
SEPP (Mining, Petroleum Production and Extractive Industries) 2007	N/A	-
SEPP (Penrith Lakes Scheme) 1989	N/A	-
SEPP (Port Botany and Port Kembla) 2013	N/A	-
SEPP (Rural Lands) 2008	N/A	-
SEPP (SEPP 53 Transitional Provisions) 2011	N/A	-
SEPP (State and Regional Development) 2011	N/A	-

State Environmental Planning Policy	Applies?	Comments
SEPP (Sydney Drinking Water Catchment) 2011	N/A	-
SEPP (Sydney Regional Growth Centres) 2006	N/A	-
SEPP (Temporary Structures) 2007	N/A	-
SEPP (Urban Renewal) 2010	N/A	-
SEPP (Western Sydney Employment Area) 2009	N/A	-
SEPP (Western Sydney Parklands) 2009	N/A	-
Deemed SEPP North Coast Regional Environmental Plan		-

ATTACHMENT 4

**Letter of Support from
Board of the Bangalow Bowling Club**



LANDOWNER AUTHORITY

To Whom It May Concern:

The Board of the Bangalow Bowling Club provides its consent and backing for the rezoning and subsequent development of the eastern land portion of the club, being the former netball courts.

The development of a motel and residential development is supported. With reference to the motel, the development will be ancillary to the Bowling Club functions. The development will provide a significant public benefit to Bangalow given the lack of accommodation which has led to a leakage of events being staged at the Club or the adjoining sports fields. The development will also be of a great benefit directly to the Club in respect to providing accommodation for members and/or their guests who may be attending functions.

The Board of Directors as the landowner have resolved to provide landowners authorisation Newton Denny Chapelle

To:

1. Inspect records.
2. Carry out searches and site inspections.
3. Lodge applications, Subdivision Certificates, objections or appeals

Landowner Name: Bangalow Bowling and Sports Club

Postal Address: 21 Byron Bay Road, Bangalow 2479

Contact Phone Number: Club: 66872741 or A/Chairman 0427 227 281

Property Address: Lot 1 DP 417005 & Lot 10 DP 748099
Byron Bay Road, Bangalow

I/We acknowledge that building and subdivision construction work cannot commence until a Construction Certificate and a PCA has been nominated in relation to such works, and that undertaking such works without a Construction Certificate is an offence under the provisions of the Environmental Planning & Assessment Act 1979.

Consent is also provided for authorised Council officers to enter the land to carry out inspections relating to any application made with Council. It is acknowledged that information will be made publicly available in accordance with Council's DA form and checklists.


.....
Tony Hutchinson
A/Chairman

19/4/14
.....
Date