



27 September 2011

Mr Jim Clark
Department of Planning & Infrastructure
Locked Bag 9022
Grafton NSW 2460

Dear Sir

Planning Proposal for Amendment to Schedule 7 of the Byron Local Environmental Plan 1988 for the purposes of a Dwelling Entitlement at Lot 2 DP 537488, 2 Tickles Road, Upper Coopers Creek

At the Ordinary meeting held on 10 February 2011, Council considered the report "*PLANNING – Bi-annual Planning Proposal – Dwelling entitlement for 2 Tickles Road, Upper Coopers Creek*". Council made the following resolution:

11-18 Resolved:

1. *That Council support an amendment to Schedule 7 of Byron LEP 1988 in order to provide a dwelling entitlement to Lot 2 DP 537488 – 2 Tickles Road, Upper Coopers Creek.*
2. *That Council advise the land owner of the need to prepare a Planning Proposal in accordance with Section 55 of the EPA Act 1979 for submission to the Minister under Section 56 of the EPA Act 1979 through the LEP "Gateway" process and that the Planning Proposal be submitted to Council within 12 months of the resolution.*
3. *That the Planning Proposal be submitted to the Department of Planning for a 'Gateway' determination without the need to report back to Council, and that the Minister be advised that further studies are likely to be required to address Bushfire, Contamination (SEPP 55 Remediation of Contaminated Lands) and Onsite Effluent Disposal to enable Byron LEP 1988 to be amended.*

In accordance with Section 56 of the *Environmental Planning and Assessment Act 1979*, Council submits the enclosed planning proposal prepared by Malcolm Scott (Consultant Town Planner) to amend Schedule 7 of the Byron Local Environmental Plan 1988 to identify Lot 2 DP 537488, 2 Tickles Road, Upper Coopers Creek, for the purposes of a dwelling entitlement.

Should the Department of Planning & Infrastructure issue a gateway determination for the planning proposal to proceed Council believes that the following studies should be undertaken prior to public exhibition of the planning proposal:

- Site contamination assessment.
- Bushfire assessment.
- Details of on-site effluent disposal.

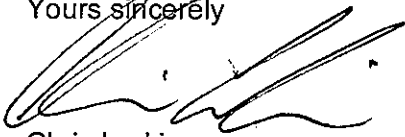
ALL COMMUNICATIONS TO BE ADDRESSED TO THE GENERAL MANAGER

PO Box 219 Mullumbimby NSW 2482 (70-90 Station Street)
Tel: (02) 6626 7000 DX 20007 Mullumbimby
Fax: (02) 6684 3018 Email: council@byron.nsw.gov.au
Web: www.byron.nsw.gov.au ABN:14 472 131 473

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If you have any queries in regard to the above matter please do not hesitate to contact the below
signed on ph: 6626 7136 or email: chris.larkin@byron.nsw.gov.au.

Yours sincerely

A handwritten signature in black ink, appearing to be 'Chris Larkin', written over the closing 'Yours sincerely'.

Chris Larkin
Senior Planner – Strategic Land Planning

Enc:

Planning Proposal – Amendment to Schedule 7 of the Byron Local Environmental Plan 1988 for the purpose of
dwelling entitlement at Lot 2 DP 537488