

**Rezone Sangsurya Health Retreat for tourist and environmental purposes**

Proposal Title : **Rezone Sangsurya Health Retreat for tourist and environmental purposes**

Proposal Summary : **The planning proposal seeks to rezone Lot 1 DP 857013 at Suffolk Park from 1(a)(General Rural Zone) to part 2(t) (Tourist Area Zone) to enable the continued operation of the health retreat facility on the land; and the remainder of the land to part 7(b)(Coastal Habitat Zone) to conserve the coastal habitat present on the site.**

PP Number : **PP\_2013\_BYRON\_001\_00** Dop File No : **13/01672**

**Planning Team Recommendation**

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

S.117 directions : **1.2 Rural Zones  
1.5 Rural Lands**

Additional Information : **It is recommended that:**

- 1) The planning proposal be supported;
- 2) The planning proposal be exhibited for a period of 28 days;
- 3) The planning proposal should be completed within 9 months;
- 4) The Director General (or an officer nominated by the Director General) agree that the inconsistencies with s117 Directions 1.2 Rural Zones and 1.5 Rural Lands are justified as of minor significance;
- 5) Consultation with Transport of NSW be undertaken prior to exhibition;
- 6) the request to delegate the plan making function to Byron Council be approved.

**Council should be advised to exhibit draft maps which indicate amendments to the current LEP and the draft comprehensive LEP.**

Supporting Reasons : **The rezoning proposal will allow the zoning to better reflect the current land uses (tourist facility and vegetation protection) and confirm the permissibility of these uses.**

**Panel Recommendation**

Recommendation Date : **24-Jan-2013** Gateway Recommendation : **Passed with Conditions**

Panel Recommendation : **The Planning Proposal should proceed subject to the following conditions:**

1. Prior to undertaking public exhibition, Council is to prepare and exhibit a land zoning map showing the proposed zoning of the subject land under draft Byron LEP 2012.
2. It is noted that a flora and fauna survey, soil contamination report and a traffic impact assessment has been prepared to accompany the development application for the subject site. Council is to place this additional information on public exhibition with the planning proposal.
3. 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 must be made publicly available for 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 & Infrastructure 2012).
4. Consultation is required with the following public authorities under section 56(2)(d) of

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the EP&A Act:

- Transport for NSW

Each public authority is to be provided with a copy of the planning proposal and any relevant supporting material. Each public authority is to be given at least 21 days to comment on the proposal, or to indicate that they will require additional time to comment on the proposal. Public authorities may request additional information or additional matters to be addressed in the planning proposal.

5. A public hearing is not required to be held into the matter by any person or body under section 56(2)(e) of the EP&A Act. This does not discharge Council from any obligation it may otherwise have to conduct a public hearing (for example, in response to a submission or if reclassifying land).

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

Signature:



Printed Name:

Neil McCaffin

Date:

21.2.13