



29 June 2018

Department of Planning & Environment  
Locked Bag 9022  
GRAFTON NSW 2460  
By Email: [northcoast@planning.nsw.gov.au](mailto:northcoast@planning.nsw.gov.au)

Dear Sir/Madam

### Planning Proposal for Environmental Zone Implementation Program – Stage 1

Council at its Ordinary Meeting of 22 March 2018 received a report and resolved as follows:

*18-188 Resolved that Council:*

1. *Note that land currently zoned under LEP 2014 (i.e. not Deferred Matter land) where the landowner received an E Zone notification letter but did not request an E Zone designation, will be excluded from further consideration under the E Zone review process.*
2. *Prepare Planning Proposal #1: (PP1) reflecting early agreements reached between landowners and Council staff on how environmental zones are to be applied and submit to the Department of Planning & Environment for Gateway determination.*
3. *Prepare Planning Proposal #2: (PP2) for:*
  - (i) *Deferred Matter areas that do not meet the criteria for an environmental zoning and will have a suitable rural zone applied (excluding LEP 1988 7(d) zoned land); or*
  - (ii) *Deferred Matter areas that currently have a residential, rural residential, commercial or industrial zoning in LEP 1988 that will transition to an equivalent LEP 2014 zone; or*
  - (iii) *reflecting further agreements reached between landowner and Council staff on how environmental zones are to be applied;**and submit to the Department of Planning & Environment for Gateway determination.*
4. *Endorse the introduction of a new LEP 2014 zone, RU6 Transition, to be applied to land currently zoned 7(d) Scenic Escarpment LEP 1988 that does not meet the criteria for an environmental zoning.*
5. *Subject to Council's endorsement of the proposed RU6 Transition Zone, prepare and undertake an informal exhibition of the related RU6 provisions for feedback from affected land owners who have not already agreed to this zone, and report the outcomes back to Council.*
6. *Receive a report on draft Planning Proposal #3: (PP3) for:*
  - (i) *Parcels where there is no agreement reached between the landowner and Council staff on proposed environmental zone/s; or*
  - (ii) *Deferred Matter areas that meet the criteria for an environmental zoning (in part or all) and where there has been no response from the landowner; or*
  - (iii) *remaining LEP 1988 7(d) zoned land to be zoned RU6 Transition (subject to Council endorsement).**as soon as practical after Council's adoption of Planning Proposal #2.*



7. Note that a further report on the use of mapped overlays as mechanism to protect environmental values will be provided to Council upon finalisation of the E zone Planning Proposals identified in Table 2.
8. Consider the allocation of \$50,000 as part of the forward budget process 2018/19 (alongside other Council program and budget priorities) to support a staged planning proposal program supported by robust community engagement to better inform the final E Zone Planning Proposal/s.

In accordance with Section 3.34 of the *Environmental Planning and Assessment Act 1979*, Council submits the enclosed planning proposal (#1) for a Gateway determination. Council requests that the Department of Planning and Environment retain delegated Authority to make the LEP amendment.

As the planning proposal is not considered to be 'low impact' as outlined in the Department of Planning and Infrastructure's, *A guide to preparing local environmental plans*, a 28 day public exhibition period is recommended.

Due to the size of the planning proposal, please use the Drop Box [link](#) below to download this document.

<https://www.dropbox.com/s/7iiu6q57sgweaxl/E2018%2053419%20%2026.2016.5.1%20%20%20E%20zone%20Implementation%20Program%20-%20Planning%20Proposal%20Stage%201%20BLEP%202014%20%E2%80%93%20%2029June%202018%20%28Gateway%20v1%29.pdf?dl=0>

Should you have any enquiries please contact Alex Caras by phone (02) 6626 7097 or email [Alex.Caras@byron.nsw.gov.au](mailto:Alex.Caras@byron.nsw.gov.au).

Yours sincerely



Alex Caras  
Land Use Planning Coordinator – Environmental & Economic Planning

