

Alteration of Gateway Determination

Planning Proposal (Department Ref: PP_2015_BYRON_003_00)

I, the Executive Director, Regions at the Department of Planning and Environment as delegate of the Minister for Planning, have determined under section 56(7) of the *Environmental Planning and Assessment Act 1979* (the Act) to alter the Gateway determination dated 31 August 2015 (as since altered) for the proposed amendment to the Byron Local Environmental Plan 2014 as follows:

1. Delete paragraph 2:

"I, the Acting Executive Director, Regions at the Department of Planning and Environment as delegate of the Minister for Planning, have determined under section 56(2) of the *Environmental Planning and Assessment Act 1979* (the Act) that an amendment to the *Byron Local Environmental Plan (LEP) 2014* to define short term rental accommodation, require development consent for short term rental accommodation and schedule certain forms of short term rental accommodation as exempt development, should proceed subject to the following conditions:"

and replace with a new paragraph 2:

"I, the Executive Director, Regions at the Department of Planning and Environment as delegate of the Minister for Planning, have determined under section 56(2) of the *Environmental Planning and Assessment Act 1979* (the Act) that an amendment to the *Byron Local Environmental Plan (LEP) 2014* to define short-term rental accommodation, require development consent for short-term rental accommodation and schedule certain forms of short-term rental accommodation as exempt development, should not proceed."

2. Delete conditions 1 to 5.

Dated 24th day of October 2017.


Stephen Murray
Executive Director, Regions
Planning Services
Department of Planning and
Environment

Delegate of the Minister for Planning

Mr Ken Gainger
General Manager
Byron Shire Council
PO Box 219
MULLUMBIMBY NSW 2482

Ken
Dear Mr ~~Gainger~~

**Planning Proposal PP_2015_BYRON_003_00 – Alteration of Gateway
Determination – Discontinuation of Planning Proposal**

I refer to your letter of 9 October 2017 requesting the discontinuation of planning proposal PP_2015_BYRON_003_00 which proposed the introduction of short-term rental accommodation provisions into Byron Local Environmental Plan 2014.

I have determined as the delegate of the Minister, in accordance with section 56(7) of the *Environmental Planning and Assessment Act 1979*, to alter the Gateway determination dated 31 August 2015 for PP_2015_BYRON_003_00 (as altered) such that the planning proposal is not to proceed. The Alteration of the Gateway Determination is enclosed.

In making this decision, I have considered Council's request that the proposal not proceed and note Council's intention to reconsider a new planning proposal following the outcome of the Government's consideration of the *Short-Term Holiday Letting in NSW Options Paper*.

If you have any questions in relation to this matter, I have arranged for Mr Paul Garnett to assist you. Mr Garnett can be contacted on 6641 6607.

Yours sincerely

 24 October 2017
Stephen Murray
Executive Director, Regions
Planning Services

Encl: Alteration to Gateway Determination