



To amend Byron LEP 2014 land use tables and certain clauses in relation to tourism

Proposal Title :	To amend Byron LEP 2014 land use tables and certain clauses in relation to tourism		
Proposal Summary :	<p>This Planning Proposal amends Byron LEP 2014 to</p> <ul style="list-style-type: none"> - insert additional permissible tourism-related uses in the land use tables for RU1 Primary Production, RU2 Rural Landscape and B4 Mixed Use zones; - extends permissibility of bed and breakfast establishments from a maximum 3 bedroom dwelling to a maximum 5 bedroom dwelling; and - schedule single-bedroom bed and breakfasts as exempt development. 		
PP Number :	PP_2015_BYRON_004_00	Dop File No :	15/11818

Planning Team Recommendation

Preparation of the planning proposal supported at this stage : Recommended with Conditions	
S.117 directions:	<ul style="list-style-type: none"> 1.1 Business and Industrial Zones 1.2 Rural Zones 1.5 Rural Lands 2.1 Environment Protection Zones 2.2 Coastal Protection 3.4 Integrating Land Use and Transport 3.5 Development Near Licensed Aerodromes 4.1 Acid Sulfate Soils 4.3 Flood Prone Land 4.4 Planning for Bushfire Protection 5.1 Implementation of Regional Strategies
Additional Information :	<p>It is recommended that;</p> <ol style="list-style-type: none"> 1. The planning proposal should proceed as a 'routine' planning proposal. 2. A community consultation period of 28 days is necessary. 3. Council consult with the NSW Department of Primary Industries -Agriculture; the Office of Environment and Heritage; and the Commissioner of the NSW Rural Fire Services; 4. A delegate of the Secretary agree that inconsistencies of the proposal with S117 Directions 1.1, 1.5, 4.1 and 4.3 are justified in accordance with the terms of the directions. 5. A delegate of the Secretary note that inconsistency with section 117 direction 4.4 may be resolved following consultation with the Rural Fire Service; 6. The planning proposal is to be completed within 12 months. 7. Written Authorisation for Council to exercise delegation be granted to finalise the planning proposal.
Supporting Reasons :	<p>This planning proposal is the culmination of strategic work and consultation by the Council to try to resolve issues resulting from the issue of ad hoc tourist accommodation. The proposal should enhance tourism opportunities particularly in rural zones with benefit to the local economy.</p> <p>The proposal has no direct impact on State policy and is appropriate to proceed.</p>

Panel Recommendation

Recommendation Date :	Gateway Recommendation :
Panel Recommendation :	

Gateway Determination

To amend Byron LEP 2014 land use tables and certain clauses in relation to tourism

Decision Date : **10-Aug-2015** Gateway Determination : **Passed with Conditions**

Decision made by : **Regional Director, Northern Region**

Exhibition period : **28 Days** LEP Timeframe : **9 months**

Gateway Determination : **The planning proposal should proceed subject to:**

1. Community consultation is required under sections 56(2)(c) and 57 of the Act as follows:

(a) the planning proposal must be made publicly available for a minimum of 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 and Infrastructure 2013).

2. Consultation is required with the following public authorities and agencies prior to public exhibition under section 56(2)(d) of the Act and/or to comply with the requirements of relevant S117 Directions:

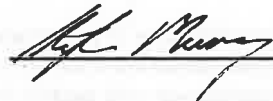
- NSW Rural Fire Service;
- NSW Department of Primary Industries - Agriculture; and
- the Office of Environment and Heritage.

Each public authority and agency is to be provided with a copy of the planning proposal and any relevant supporting material, and given at least 21 days to comment on the proposal.

3. A public hearing is not required to be held into the matter by any person or body under section 56(2)(e) of the 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).

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

Signature:



Printed Name:

STEPHEN MURRAY

Date:

10 AUGUST 2015