



26 September 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 to amend Byron LEP 2014 – Byron Bay Town Centre Planning Controls**

Council at its Ordinary Meeting of 20 September 2018 received a report - *PLANNING - 26.2017.6.1 Byron Bay Town Center Planning Controls – Results of Preliminary Community Engagement*

18-609 - Resolved:

1. *Forward the Planning Proposal at Attachment 1 (#E2018/72394) to the NSW Department of Planning and Environment for a Gateway Determination, to amend Byron Local Environmental Plan 2014 in relation to various town planning controls applicable to the Byron Bay Town Centre with the following amendments;*
  - a. *delete and replace Section 2.2 Height of Buildings with the following:*

**2.2 Height of Buildings**

    1. *Amend the Height of Buildings Map by extending the area within the Byron Bay Town Centre that is subject to a maximum height of 11.5m, to include:*
      - a) *the area bounded by Bay Lane to the north, Lawson Street to the south, Jonson Street to the west and Middleton Street to the east; and*
      - b) *the area bounded by Kingsley Street to the north and Browning Street to the south, Jonson Street to the west and Middleton Lane and unnamed lane to the east.*
  - b. *include backpackers accommodation as a permissible use in the B3 Core Business Zone.*
2. *Agree that staff can proceed to public exhibition of the Planning Proposal and government agency consultation based on the Gateway Determination.*
3. *For the purposes of community engagement, endorse the proposed amendment to Byron Development Control Plan 2014 at Attachment 2 (#E2018/72398), to introduce a new Chapter dealing with the Byron Bay Town Centre, to provide more detailed design and building height controls, together with the appropriate amendments to Part A of the DCP, and exhibit the draft Town Centre Chapter in conjunction with the Planning Proposal.*

(Spooner/Hunter)

In accordance with Section 56 of the *Environmental Planning and Assessment Act 1979*, Council submits the enclosed planning proposal for a Gateway determination. Council requests delegated Authority to make the LEP amendment – please see below the completed delegation evaluation.

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.



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Should you have any enquiries please contact Rob Van Iersel by phone (02) 6626 7054 or email [rob.vaniersel@byron.nsw.gov.au](mailto:rob.vaniersel@byron.nsw.gov.au)

Yours sincerely,



Shannon Burt  
Director – Sustainable Environment and Economy

Enc. Evaluation criteria for the delegation of plan making functions - #E2018/79137  
Planning Proposal 26.2017.6.1 - #E2018/78514  
Council Report 20 September 2018 - #I2018/1175



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