

20 December 2010

Ms Jenny Gwynne
Department of Planning
Locked Bag 9022
Grafton NSW 2460

Dear Jenny,

Planning Proposal for dwelling entitlement to Lot 158 DP 755695 Skinners Shoot Rd, Byron

Following the Gateway determination for 16 Dwelling entitlements (Your Ref: PP_2010_BYRON_004_00 (10/08036), 3 allotments were required to be removed from the Planning Proposal before public exhibition. Subsequently, Council requested that these three allotments be re-considered in the proposal due to past anomalies and incorrect 149(5) Certificates being issued by Council.

Council recently received a Gateway determination from the Department that these three allotments were not to proceed under the Gateway. Following discussions between the land owners for the above mentioned property and yourselves, Council were then instructed to lodge a separate Planning Proposal for this allotment. In Accordance with Section 56 of the *Environmental Planning and Assessment Act 1979*, Council submits the attached planning proposal.

The objective of this proposal is to grant a dwelling entitlement to the identified site by amending the Byron Local Environmental Plan 1988. The granting of a dwelling entitlement to this allotment is supported by the *Byron Shire Local Environmental Study, 2008* (relevant extracts included in proposal).

Should you have any enquiries please contact Matt Walker, Council's Planner in the Land and Natural Environment Department on 02 6626 7169.

Yours sincerely,



Ray Darney
Executive Manager Environment and Planning

Attachments:

- Planning Proposal – Dwelling entitlement for Lot 158 Skinners Shoot Road, Byron Bay