



#E2016/82354
BSC File No: 26.2015.7.1
Contact: Steve Daniels

15 September 2016

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

Dear Sir/Madam

Planning Proposal to amend Byron LEP 2014 – Rezoning of land at 268 Ewingsdale Road Byron Bay

Council at its Ordinary Meeting of 25 August 2016 received a report and resolved as follows:

16-474 Resolved that Council:

- a) *Forward the Planning Proposal to amend Byron LEP 2014 (Attachment 1) to the NSW Department of Planning and Environment for a Gateway Determination, conditional on the applicant:*
 - i) *as part of the planning proposal, formally entering into a voluntary planning agreement to upgrade the Cavanbah roundabout to a 'dual lane, concrete roundabout' with a fourth leg to the south required to service the proposed industrial development of the subject land; and*
 - ii) *completing site specific studies on flooding impacts (including filling and drainage), traffic, water and sewerage, bushfire hazard, acid sulfate soils, ecology, Aboriginal heritage and land contamination from past use. These studies must be prepared to Council's satisfaction prior to public exhibition of the Planning Proposal; and*
- b) *Request the Department of Planning and Environment retain delegated authority to make the LEP Amendment, as the subject land is not identified as a future urban release area and is outside the Town and Village Growth Boundary for Byron Bay in the Far North Coast Regional Strategy. (Ibrahim/Wanchap)*

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 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.

Should you have any enquiries please contact Steve Daniels by phone (02) 6626 7315 or email Steve.Daniels@byron.nsw.gov.au.

Yours sincerely

Steve Daniels
Planner – Environmental & Economic Planning

Enc. Planning Proposal - #E2016/63752
Market Report Byron Industrial lands - #E2016/63614
Council Report - #I2016/740



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