

Planning Services

IRF18/6935

Gateway determination report

LGA	Byron Shire
PPA	Byron Shire Council
NAME	Amend and introduce planning provisions applicable to the Byron Bay town centre
NUMBER	PP_2018_BYRON_008_00
LEP TO BE AMENDED	Byron Local Environmental Plan 2014
ADDRESS	Byron Bay Town Centre central business district
DESCRIPTION	Various
RECEIVED	21 March 2019
FILE NO.	IRF18/6935
POLITICAL DONATIONS	There are no donations or gifts to disclose and a political donation disclosure is not required.
LOBBYIST CODE OF CONDUCT	There have been no meetings or communications with registered lobbyists with respect to this proposal.

INTRODUCTION

Description of planning proposal

The planning proposal seeks to amend the Byron Local Environmental Plan (LEP) 2014 by:

- introducing the B3 Commercial Core zone into the Byron LEP 2014;
- rezoning the B2 Local Centre-zoned land in Byron Bay to B3 Commercial Core;
- increasing building height limits on land zoned B2 in the Byron Bay town centre bordered by Bay Lane, Lawson Street, Jonson Street and Middleton Street;
- introducing a new clause and building height allowance map to enable building height increases in flood-prone areas in the Byron Bay town centre;
- amending clause 6.7 Affordable Housing and Schedule 2 Exempt Development to insert appropriate references to the new B3 zone;
- amending Clause 4.6 Exceptions to Development Standards to exclude variations to height of building controls in the B3 zone if resulting in more than three storeys;
- removing floor space ratio (FSR) provisions for the land proposed to be zoned B3 in the Byron Bay town centre;
- introducing a local provision to enable residential uses above a ground-floor level where the ground-floor use is compatible,
- introducing a local design excellence clause and an active street frontages clause; and

- introducing a local provision relating to ancillary car parking in the proposed B3 zone in the Byron Bay town centre.

Site description

The proposed changes to the Byron LEP 2014 relate to the Byron Bay town centre, as shown in the planning proposal.

Existing planning controls

The planning controls applying to the subject land include:

- zoning as B2 Local Centre;
- maximum building height limits of 9m and 11.5m; and
- an FSR of 1.3:1.

Summary of recommendation

It is recommended that the planning proposal proceed subject to conditions. The proposal is generally supported as it implements the adopted recommendations of the Byron Bay Town Centre Masterplan, and most inconsistencies of the proposed LEP amendments with the strategic planning framework are considered to be of minor significance.

The introduction of storey-based exceptions from clause 4.6 is not supported. The Department's *Practice Note 08-001 Height and floor space ratio* lists the requirements for using the height of building clause and maps. It states that heights are to be shown in metres, and storey-based controls are more appropriately located in Council's development control plans (DCPs). An alternative mechanism to achieve improved roof design via additional heads of consideration in the draft design excellence clause in the Byron Bay town centre is proposed instead.

The introduction of a clause to set maximum limits on the number of car parking spaces that can be provided for a development in the B3 zone aligns with the strategic intent of reducing vehicles in the CBD. However, the proposed clause 6.13(5) requires car parking to be provided in accordance with the applicable DCP. DCPs are supporting documents that should be considered as a guide, rather than given statutory weight in an LEP. It is recommended that the proposed clause 6.13(5) be removed prior to public exhibition or that the car parking rates specified in the DCP are included in the clause.

PROPOSAL

Objectives or intended outcomes

The statement of objectives describes the intent of the planning proposal. The proposal seeks to introduce and amend planning controls in the Byron LEP 2014 to implement the strategic planning outcomes of the Byron Bay Town Centre Masterplan.

The aspects of the masterplan that Council wants to enable by potentially amending the controls include:

- facilitating well-designed development of appropriate height and scale, in line with the community's vision;
- defining the edges of the town centre 'business zone';
- protecting the character and vibrancy of the town; and,
- easing congestion and making the town centre more 'people friendly'.

Explanation of provisions

The planning proposal contains an explanation of provisions that adequately explains how the objective of the proposal will be achieved. The proposal will be implemented by:

- introducing the B3 Commercial Core zone into the land-use table of the Byron LEP 2014;
- rezoning land in the Byron Bay town centre from B2 Local Centre to B3 Commercial Core;
- amending the height of building map on land bordered by Bay Lane, Lawson Street, Jonson Street and Middleton Street in the Byron Bay town centre from 9m to 11.5m;
- introducing a new clause and a building height allowance map to enable building height increases in flood-prone areas in the Byron Bay town centre to account for the building height lost due to flood planning controls;
- amending Clause 4.6 Exceptions to Development Standards to exclude variations to height of building controls in the B3-zoned town centre if resulting in more than three storeys;
- removing FSR provisions from the land proposed to be zoned B3 Commercial Core in the town centre;
- making consequent amendments to Clause 6.7 Affordable Housing in Residential and Business Zones and Schedule 2 Exempt Development to reference the B3 Commercial Core zone; and
- amending Part 6 Additional Local Provisions to introduce provisions relating to:
 - compatible mixed-use development in the B3 Commercial Core zone;
 - design excellence for new builds and external alteration to buildings in the Byron Bay town centre;
 - active street frontages for buildings in the Byron Bay town centre; and
 - car parking ancillary to other development in the proposed B3 zone.

The planning proposal also includes draft amendments to the LEP instrument in Appendix 1 – Proposed LEP Amendments.

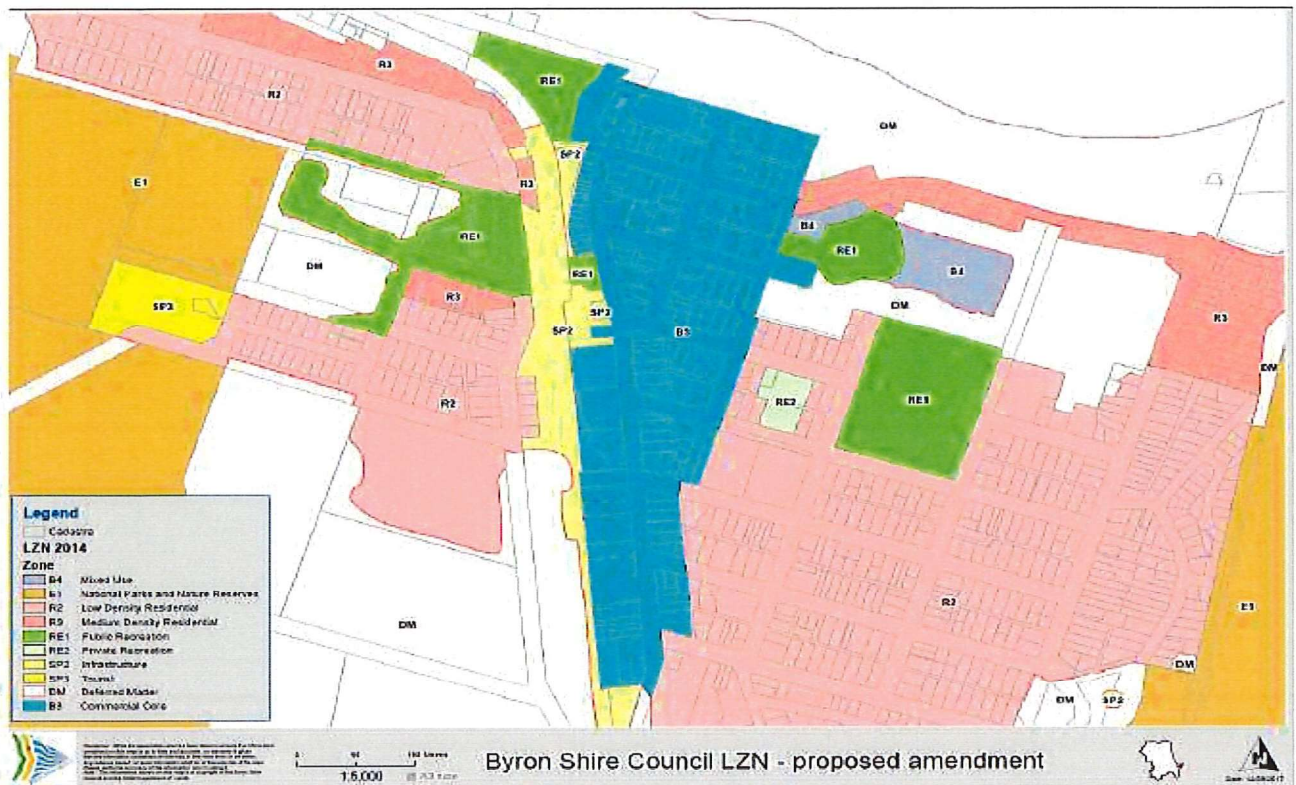


Figure 1: Proposed zoning.

Mapping

The planning proposal includes a proposed land zoning (LZN) map (Figure 1), which shows the area of the proposed B3-zoned land. This map is suitable for exhibition purposes.

The planning proposal also contains a proposed height of building (HOB) map. This map is suitable for exhibition purposes.

The planning proposal also seeks to introduce active street frontage (ASF) and building height allowance (BHA) maps into the Byron LEP 2014. A proposed ASF and BHA map has been included in the planning proposal. These maps are suitable for exhibition.

Amendments to the LZN, HOB, FSR, ASF and BHA maps are to be prepared in accordance with the Standard Technical Requirements for Spatial Datasets and Maps prior to finalisation of the LEP.

NEED FOR THE PLANNING PROPOSAL

The planning proposal is a result of the outcomes of the Byron Bay Town Centre Masterplan, which was adopted by Council in June 2016.

The masterplan developed strategic land-use outcomes, which require amendments to the LEP's planning controls to allow for the implementation of these outcomes.

Introducing the B3 zone and rezoning the city centre to B3 Commercial Core

The planning proposal seeks to introduce the B3 Commercial Core land-use zone into the Byron LEP 2014. The B3 zone has not been previously used in the Byron local government area (LGA). The use of the proposed B3 zone is intended to

distinguish Byron Bay's town centre as the largest business centre in the Byron Shire from the other smaller centres of Bangalow, Brunswick Heads, Mullumbimby and Ocean Shores.

The B3 zone is aimed at encouraging a more viable town centre by allowing more permissible types of residential development when combined with commercial premises or community uses to encourage employment generation in the centre and reduce reliance on private vehicles. Council concluded that changing the B2 Local Centre land-use table was unsuitable as it could lead to detrimental planning outcomes for the other local centres across the LGA.

The proposed B3 zone has similar permissible uses to the existing B2 zone. The following uses are permitted in the B2 zone, but will be prohibited in the B3 zone:

- farm stay accommodation;
- bed and breakfast accommodation;
- car parks;
- amusement centre;
- port facilities;
- resource recovery facilities; and
- waste disposal facilities.

The planning proposal clearly illustrates the comparison of permissible land uses between the existing B2 and proposed B3 zones in the Byron Bay town centre.

Council confirmed that there were no bed and breakfast, farm stay accommodation or amusement centres in this area and therefore the planning proposal will not create an existing-use rights situation.

Bed and breakfast accommodation will become a prohibited use in the proposed B3 zone, other than one-bedroom bed and breakfast accommodation which will remain exempt development under schedule 2 of the Byron LEP.

Increase in height of buildings (HOB)

The current maximum building height of 9m on the fringes of the B2 zone has been identified as restricting appropriate mixed-use development (Figure 2, next page) and does not enable a mix of ceiling heights to facilitate high quality commercial development.

Increasing the maximum building height to 11.5m is consistent with the rest of the Byron Bay town centre is not intended permit additional storeys of development. The additional height will facilitate the construction of buildings with modern floor to ceiling heights and provide better amenity to building occupants. For example, ceiling heights of 3.6-4m on the ground floor for commercial development and 2.7m for residential development above, consistent with the Apartment Design Guide (ADG), which is the supporting document for State Environmental Planning Policy No 65 – Design Quality of Residential Apartment Development.

Pitched roofs are characteristic in the town centre, however due to the 9m height limit Council is often considering clause 4.6 variations to height limits and/or flat-roofed buildings with poor design outcomes.

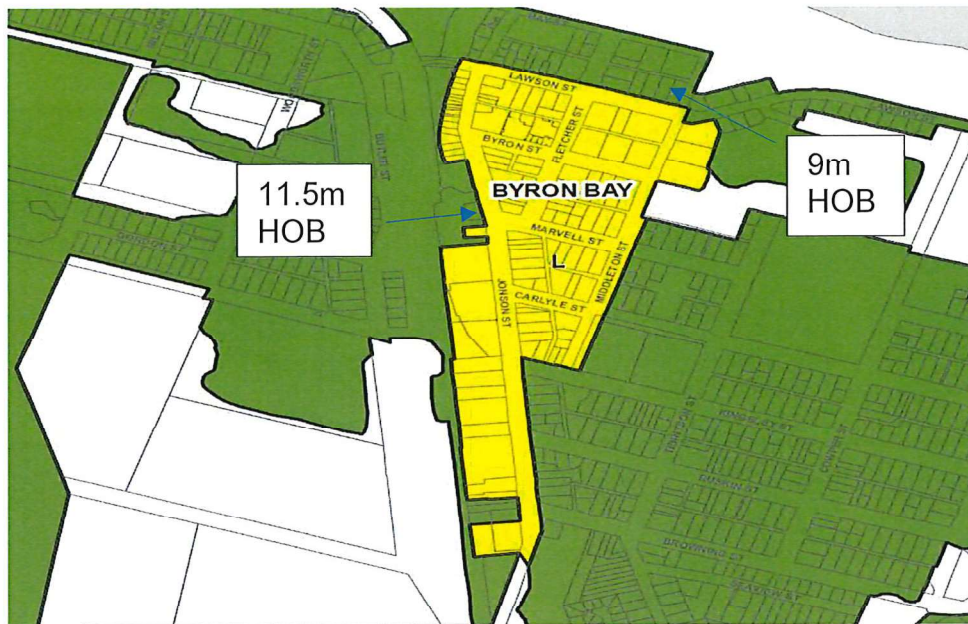


Figure 2: Existing HOB limits (Byron LEP 2014).

To address these concerns, it is proposed to increase the maximum building height for the northern fringe of the commercial core to 11.5m as shown in Figure 3 below. This increase will align with the existing 11.5m height of building control in the business zone.



Figure 3: Subject areas – HOB increase (11.5m).

The proposal to increase the maximum building height from 9m to 11.5m on land bordered by Bay Lane, Lawson Street, Jonson Street and Middleton Street will provide consistent height limits on both sides of Lawson Street, reflecting its primary street status and facilitating future commercial development.

It is also recommended that the proposed design excellence clause include additional heads of consideration that promote pitched roof design.

These areas of increased height limit are not visible from the beach and will not have a negative impact on foreshore views. Overshadowing of adjacent properties will be considered on an individual basis during the development application process.

Variation to building heights

A key aspect of the community consultation for the Byron Bay Town Centre Masterplan was that the community objected to height limits that would permit buildings of more than three storeys. The masterplan includes a vision for the Byron Bay town centre comprising 'varied and defined three-storey buildings which reinforce street rhythm and a village character'.

The proposed 11.5m height limit could permit buildings of up to four storeys to be constructed if they were designed with low ceiling heights and a flat roof. To fit within an 11.5m height limit, the commercial level on the ground floor and the levels for apartments above would need to have floor to ceiling heights less than is recommended by the ADG.

To address this issue, Council proposes to include provisions in clause 4.6 of the Byron LEP 2014 to prevent a variation to the maximum building height development standard on the proposed B3-zoned land where such a variation would result in a building containing more than three storeys.

This approach is not supported as it is inconsistent with the Department's *Practice Note 08-001 Height and Floor Space Ratio*. The practice note lists the requirements for using the HOB clause and maps. Heights are to be shown in metres, and storey-based controls are more appropriately located in Council's DCPs. A condition has been recommended in the Gateway determination to remove this clause from the proposal prior to public exhibition.

Council intends to discourage flat-roofed/low-ceiling types of design using development controls in its DCP. This is considered to be appropriate; however, it is also recommended that the design excellence clause proposed in this planning proposal include a provision encouraging pitched roofs in the Byron Bay town centre.

Building heights on flood-prone land in the Byron Bay town centre

The provisions of the Byron LEP 2014 require maximum building height limits to be measured from the ground level. This approach disadvantages buildings on flood-prone land as the floor level of the buildings must be above the flood planning level, meaning the maximum height of the buildings is effectively reduced.

Council intends to include provisions in the Byron LEP 2014 to enable buildings on flood-prone land in the Byron Bay town centre to have their maximum height limit measured from a nominated level, based on Australian height datum and shown on a proposed building height allowance map. The building height allowance will enable an increase in building heights of between 0.4m and 1.2m. The nominated level is derived from the Belongil Creek flood study, which accounts for long-term sea-level rise.

This approach is considered to be appropriate as it enables consistent design of floor levels and maximum building heights in urban areas where flood affectation can be addressed or mitigated.

Referral to the Office of Environment and Heritage is recommended to provide comments on increasing development in flood prone areas.

Compatible mixed-use development in the B3 Commercial Core zone

Shop-top housing by definition allows residential development above retail or business premises. Council has found this definition too restrictive, as housing above other compatible uses such as child care centres and community facilities is not permissible. To address this issue, Council has proposed a new local clause to enable residential development above other compatible uses in the city centre.

The proposed compatible mixed-use development provisions will enable residential uses above other compatible land uses including child care centres, community facilities, educational establishments and medical centres.

This clause is considered to be appropriate as it will increase activity and the residential population in the town centre and improve the vibrancy of the town centre after normal business hours.

Active street frontages

The planning proposal seeks to introduce a clause requiring active street frontages for buildings in certain locations in the Byron Bay town centre. The provisions will apply to land fronting certain streets or lanes as shown on the proposed active street frontages map.

The proposal adopts the departments model clause for active street frontage. The clause clarifies that several land uses other than retail or commercial are considered to also provide active street frontages. Such land uses include child care centres, community facilities, educational establishments, information and education facilities, medical centres and public administration buildings.

The proposed active street frontage provision is considered to be appropriate for the B3 zoning, where a concentration of employment land uses and pedestrian activity is encouraged.

Design excellence

The proposal seeks to introduce provisions into the Byron LEP 2014 to require design excellence for buildings in the proposed B3 Commercial Core zone in Byron Bay.

The proposed design excellence clause has been adapted from the Department's model clause and specifies matters that must be addressed to the consent authority's satisfaction.

The proposed design excellence clause and the matters to be addressed are considered to be appropriate for exhibition as they include consideration of public space and the form of the building and will result in a high level of design for new developments in the Byron Bay town centre.

It is noted that minor external alterations may be undertaken under the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 that will not be subject to the design excellence clause.

Car parking

Traffic congestion in the Byron Bay town centre is an issue Council is trying to address. The planning proposal intends to include a provision to set maximum limits on the number of car parking spaces that can be provided for a development. The intent of the provision is to minimise the amount of vehicular traffic generated by a development and encourage alternative transport modalities. This approach is

supported by the Byron Bay Town Centre Masterplan and is considered suitable for the area.

The draft clause 6.13(5) sets maximum car parking space provisions for residential and tourism development. It requires other land uses to comply with the relevant DCP requirement. DCPs are supporting documents that should be considered as a guide, rather than given statutory weight in an LEP. It is recommended that the proposed clause 6.13(5) be removed prior to public exhibition or that the car parking rates specified in the DCP are included in the clause.

The amendment to the instrument and maps is the most appropriate mechanism to achieve the objectives and intent of the proposal.

STRATEGIC ASSESSMENT

State

Standard Instrument LEP

The proposed B3 zone is consistent with the Standard Instrument LEP template (SILEP). The proposed B3 zone adopts the mandatory objectives and permissible land uses specified in the SILEP.

An additional objective is proposed as follows:

To encourage a vibrant centre by permitting residential accommodation, serviced apartments and hotel or motel accommodation above commercial premises and community uses, as part of a mixed-use development.

This is considered to be appropriate as the focus for the B3 zone is on commercial and business land uses, with tourist accommodation being a secondary use to complement the vibrancy of the town centre.

Regional

The planning proposal is consistent with the North Coast Regional Plan 2036 goals to provide a thriving, interconnected economy by developing employment opportunities through creative industries and developing successful centres of employment. The proposal delivers on these goals by concentrating retail and economic activity in the town centre and supporting commercial opportunities and upper-floor activity for residential living.

Local

The planning proposal is consistent with Council's Community Strategic Plan 2028 – Our Byron Our Future. The strategy's key themes are aligned with the Byron Bay Town Centre Masterplan. The planning proposal gives effect to the place principles in the masterplan.

The place principles of economic development and built form align with the community strategic plan objectives of managing growth and change and community-led decision-making.

Section 9.1 Ministerial Directions

The following section 9.1 Directions are applicable to the proposal: 1.1 Business and Industrial Zones; 2.1 Environment Protection Zones; 2.2 Coastal Management; 2.3 Heritage Conservation; 2.4 Recreation Vehicle Areas; 3.1 Residential Zones; 3.2 Caravan Parks and Manufactured Home Estates; 3.3 Home Occupations; 3.4 Integrating Land Use and Transport; 4.1 Acid Sulfate Soils; 4.3 Flood Prone

Land; 4.4 Planning for Bushfire Protection; 5.10 Implementation of Regional Plans; 6.1 Approval and Referral Requirements; 6.2 Reserving Land for Public Purposes; and 6.3 Site Specific Provisions.

Of the above Directions, the proposal is considered to be inconsistent with Directions 1.1, 2.2, 4.1, 4.3 and 4.4.

1.1 Business and Industrial Zones

This Direction provides that a planning proposal shall retain all business zones and not allow for a reduction in potential floor space in business zones.

The planning proposal seeks to include residential living above compatible uses by introducing a local clause. The proposal is inconsistent with this Direction as it enables residential living above compatible uses in addition to those already permissible above retail and commercial developments. The inconsistency is considered to be of minor significance as only limited additional floor space will become available for residential purposes. This space is on the first or second storeys of development, retaining active street frontages and encouraging vibrancy outside primary business hours. The inconsistency is considered to be of minor significance and justified in accordance with the terms of the Direction.

2.2 Coastal Management

This Direction provides that a planning proposal shall not rezone land to enable increased development or more intensive land uses on land that has been identified as being affected by coastal hazards.

The northern portion of the Byron Bay town centre was mapped as being subject to coastal hazards. This mapped area was derived from the 50-year erosion line from Council's DCP 2010 (Figure 4). These areas were zoned 7(f2) Urban Coastal Land in the Byron LEP 1988.

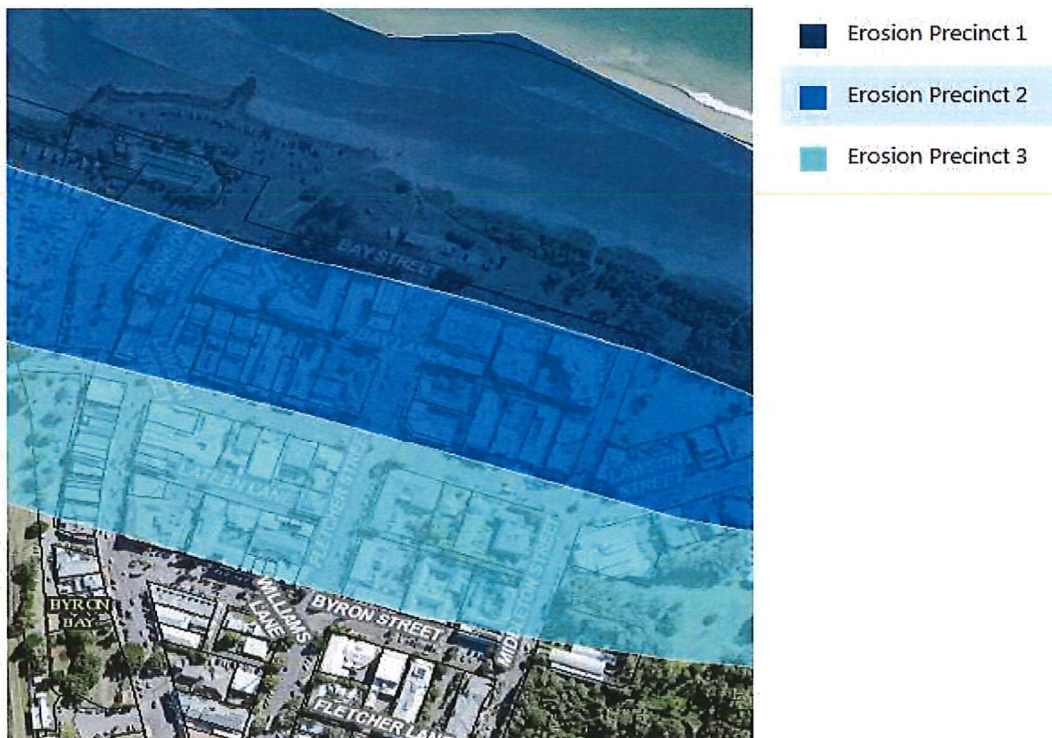


Figure 4: Coastal Study 2013

Council revised its erosion mapping during the preparation of the Byron LEP 2014 and included maps of these areas in its DCP (2014) (Figure 5).

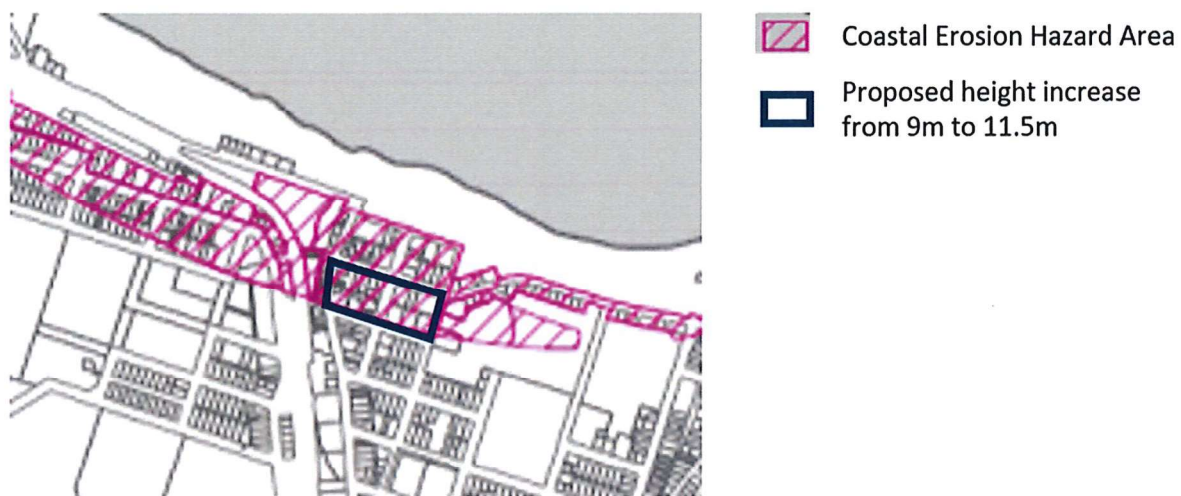


Figure 5: Coastal Erosion Hazard Map

The B3 zone will allow additional land uses compared with the B2 zone and this may result in the potential for an increase in development potential on the land. The proposal is inconsistent with the Direction as the land is mapped as being affected by current or future coastal hazards.

Consultation with the NSW Office of Environment and Heritage (OEH) in relation to coastal hazards is recommended prior to exhibition. The outcomes of this consultation will inform whether the Secretary's agreement to the inconsistency prior to making of the plan is required. Until this consultation has occurred, any inconsistency of the proposal with this Direction remains unresolved.

4.1 Acid Sulfate Soils

This Direction provides that a planning proposal must not propose an intensification of land uses on land identified as having a probability of containing acid sulfate soils unless an acid sulfate soils study has been undertaken.

The planning proposal impacts on lands identified with acid sulfate soil (ASS) risk classes 2, 3 and 5. The proposed B3 zone enables additional land uses compared to the B2 zone and the increase in the maximum building height may result in the potential for increased development on the land.

While the proposal is inconsistent with this Direction, the Byron LEP 2014 contains provisions to ensure the consideration of ASS during development assessment, and therefore the inconsistency is considered to be of minor significance and justified in accordance with the terms of the Direction.

4.3 Flood Prone Land

This Direction provides that a planning proposal shall not permit a significant increase in the development potential of flood-prone land.

The planning proposal seeks to rezone and adjust building heights on land that is in the flood planning area. The proposed B3 zone enables additional land uses compared to the B2 zone, and the increase in the maximum building height could result in the potential for increased development on the land.

It is considered that the inconsistency of the proposal with this Direction should not be agreed to until consultation with OEH has been undertaken in relation to flooding.

4.4 Planning for Bushfire Protection

This Direction is applicable to the proposal as the subject land has been identified as being bushfire prone. The Direction provides that the planning proposal authority must consult the NSW Rural Fire Service (RFS) and the draft plan must include provisions relating to bushfire control. Consultation with RFS is required after a Gateway determination is issued and before public exhibition. Until this consultation has occurred, the inconsistency of the proposal with this Direction remains unresolved.

State environmental planning policies (SEPPs)

The proposal is considered to be consistent with the following SEPPs that apply to the subject land.

SEPP (Coastal Management) 2018

The northern fringe of the Byron Bay town centre is mapped under this SEPP as coastal environment and coastal use areas. There are two small pockets in the business zone that are mapped coastal wetland and are in proximity to coastal wetlands (Figure 6 next page).

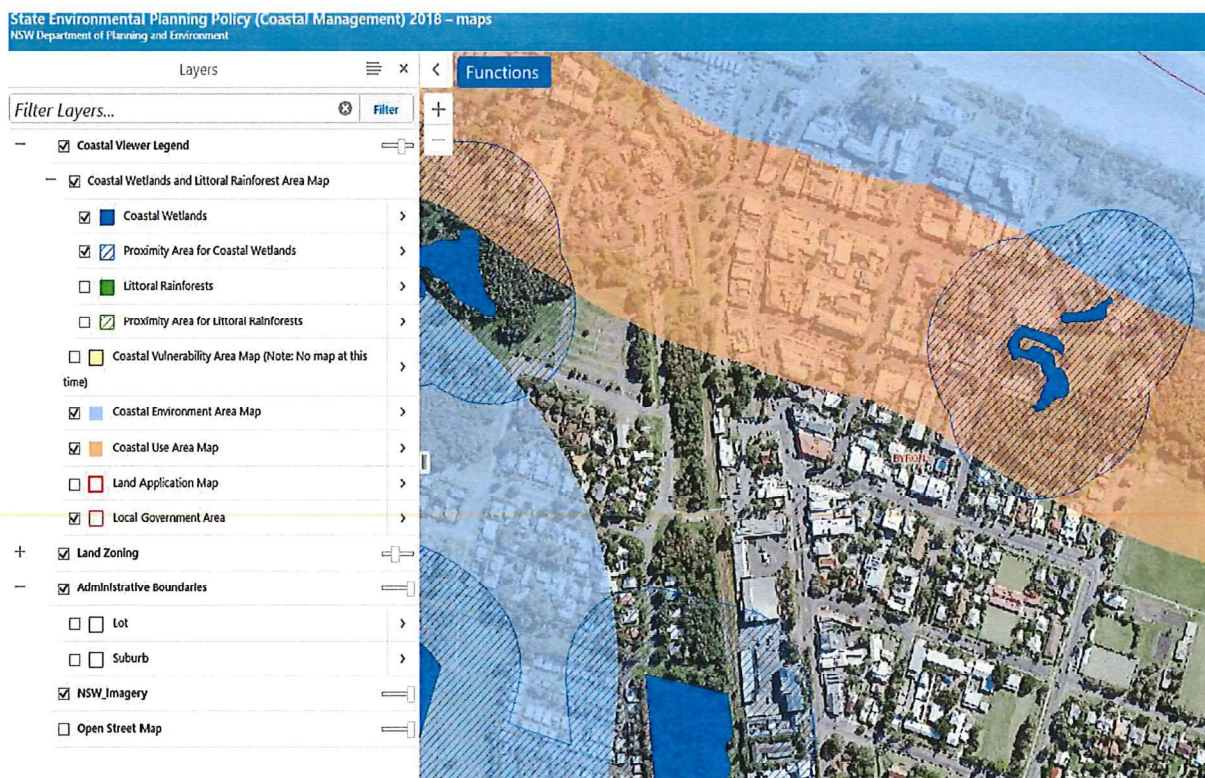


Figure 6: Coastal wetlands.

The proposal is considered to be consistent with the SEPP. Development in the business zone is most likely to be confined to the existing footprint and will not directly affect these vulnerable coastal areas. Impacts on or from the coastal zone can be assessed during the development assessment stage.

SEPP (Exempt and Complying Development Codes) 2008

The proposal is considered to be consistent with the SEPP. Certain external alterations to commercial buildings may be undertaken under the Codes SEPP unless the land is excluded, such as is the case for registered heritage items and environmentally sensitive land. The provisions of the Codes SEPP will continue to prevail over the proposed LEP amendments.

SITE-SPECIFIC ASSESSMENT

Social

Extensive community consultation occurred during the preparation of the Byron Bay Town Centre Masterplan. The consultation helped identify the priorities that this planning proposal seeks to implement. The intended changes to the Byron LEP 2014 will facilitate permanent residential accommodation in the town centre, improving safety and the area's vibrancy.

Environmental

The planning proposal applies to land entirely within an urban area and which is predominantly developed for commercial and residential purposes. The proposal to change the zoning and development controls for the land is not expected to have a significant impact on endangered species, populations or endangered ecological communities. Consultation with Office of Environment and Heritage (OEH) will help to resolve potential impacts from flooding and coastal hazards.

Economic

Positive economic benefits are expected from the proposal as it supports retail and promotes additional commercial development. The vibrancy and economic prosperity of the town are expected to be enhanced as the business centre flourishes. Increasing the residential components above commercial businesses is not expected to detract from the commercial enterprise of the town centre.

The prohibition of certain development types, particularly bed and breakfast accommodation, is unlikely to have a negative impact. There are no bed and breakfast establishments in the town centre area, demonstrating limited commercial interest in the area.

CONSULTATION

Community

The planning proposal indicates a 28-day public exhibition period. This proposal is not classified as low impact as described in *A guide to preparing local environmental plans* (Department of Planning and Environment 2016). This exhibition period is therefore considered to be appropriate.

Agencies

As some of the land has been identified as bushfire prone and to satisfy section 9.1 Direction 4.4 Planning for Bushfire Protection, referral to RFS will be required as part of the consultation process. Consultation with RFS is required after a Gateway determination is issued and before public exhibition.

Council has identified the need to consult the NSW Office of Environment and Heritage to consider comments on coastal hazards and flood-prone land.

Council will also consult Roads and Maritime Services for comment on impacts on Main Road 545 (the Ballina to Ewingsdale road), which is the main access point into the Byron Bay town centre.

It is considered that Council should also consult the NSW Department of Industry in relation to any Crown land that may be in the area of land subject to the proposal.

TIME FRAME

The planning proposal includes a project timeline, which suggests a completion time of six months. It is considered that a 12-month period from the date of the Gateway determination is more appropriate.

LOCAL PLAN-MAKING AUTHORITY

The proposed amendments are based on the actions identified in the Byron Bay Town Centre Masterplan, which was subject to extensive community consultation. As the amendments are to facilitate the implementation of a locally endorsed strategy, it is recommended that Council be authorised as the local plan-making authority to make the plan.

CONCLUSION

It is recommended that the planning proposal proceed subject to conditions.

The planning proposal is supported as it implements the adopted recommendations of the Byron Bay Town Centre Masterplan and helps to achieve the actions in the North Coast Plan; to support Byron's creative industries, which foster employment and provide a thriving interconnected economy for Byron Bay. Any inconsistencies of the proposed LEP amendments with the strategic planning framework are considered to be of minor significance.

The proposal:

- implements the actions of the Byron Bay Town Centre Masterplan;
- establishes Byron Bay as the commercial centre of the Byron Shire;
- promotes economic growth in the Byron Bay town centre; and
- supports the community and reduces the town's reliance on tourism-based economic development.

RECOMMENDATION

It is recommended that the delegate of the Secretary:

1. agree that inconsistencies with section 9.1 Directions 1.1 Business and Industrial Zones, and 4.1 Acid Sulfate Soils are justified in accordance with the terms of the Directions; and
2. note that consistencies with section 9.1 Directions 2.2 Coastal Management, 4.3 Flood Prone Land and 4.4 Planning for Bushfire Protection are unresolved and will require justification once consultation with state agencies has occurred.

It is recommended that the delegate of the Minister for Planning determine the planning proposal should proceed subject to the following conditions:

1. Prior to agency consultation and public exhibition, the planning proposal is to be amended as follows:

- a) include advice that the proposed LEP amendments will be subject to final drafting by Parliamentary Counsel's Office and that the amendments may differ from what is exhibited;
 - b) remove the proposed amendments to clause 4.6;
 - c) remove the proposed clause 6.13(5) that references DCP controls or the car parking rates specified in the DCP are included in the clause; and
 - d) include an additional head of consideration in the draft design excellence clause that promotes pitched roof designs.
2. Once the revisions detailed in Condition 1 have been completed and the planning proposal has been amended, the planning proposal is to be forwarded to the Department for approval of the form of the proposal for community consultation in accordance with Schedule 1(4) of the Act.
 3. The planning proposal should be made available for community consultation for a minimum of 28 days.
 4. Consultation is required with the following public authorities:
 - NSW Rural Fire Service;
 - NSW Office of Environment and Heritage;
 - NSW Department of Industry – Crown Land; and
 - Roads and Maritime Services.
 5. The time frame for completing the LEP is to be 12 months from the date of the Gateway determination.
 6. Given the nature of the planning proposal which is to facilitate the implementation of a locally endorsed strategy, Council should be the local plan-making authority.

 1/4/19

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11-6-2019

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