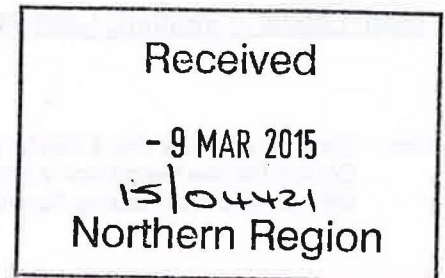




BSC File No: 26.2014.9.1
#E2015/4148
Contact: Julie Francombe

5 March 2015

Department of Planning & Environment
Locked Bag 9022
GRAFTON NSW 2460
Attention: Mr Jim Clark



Dear Jim

Planning Proposal to amend Byron LEP 2014 to rezone part Lot 7 DP 626084 Lismore Road, Bangalow from Zone RU1 Primary Production to Zone IN1 General Industrial

Council at its Ordinary Meeting of 8 August 2013 discussed the need to amend its new LEP to create more industrial land at Bangalow and resolved as follows:

"13-371 Resolved that in relation to the draft Byron LEP 2012 Council adopt the following that was discussed during Committee:

23. Amend proposed zoning of the eastern part of Lot 7 DP 626084 (204 Lismore Road, Bangalow) from RU1 Primary Production to IN1 General Industrial as illustrated in Map 16 tabled at this meeting."

This resolution resulted in Council submitting its draft LEP to the Department of Planning and Environment with the eastern part of Lot 7 DP 626084 shown as being zoned IN1 General Industrial with a Minimum Lot Size of 0.1 hectares and a FSR of 0.75:1.

The Department of Planning and Environment indicated that because the Industrial zone on the subject land was not exhibited as part of the draft LEP it would not support it being part of the plan to be gazetted. It removed the IN1 zone from the subject land and made it RU1 Primary Production consistent with surrounding land. It did not remove the MLS of 0.1 hectares or the 0.75:1 FSR. It advised Council that the matter should be pursued through a planning proposal after the gazettal of Byron LEP 2014.

'Planning Resolutions' on behalf of the owner of the subject land prepared a planning proposal dated 24 September 2014 and submitted it to Council for its consideration. This planning proposal has been reviewed by Council staff and is still supported subject to further information being supplied on traffic and access to satisfy the concerns of RMS and Council. A Council Review Report of the planning proposal is also enclosed.

In accordance with Section 56 of the *Environmental Planning and Assessment Act 1979*, Council submits the enclosed planning proposal for a Gateway determination. It is requested that plan making functions be delegated to Council as the planning proposal is only of local significance. In this regard please find attached the completed evaluation checklist.

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 Julie Francombe by phone (02) 6626 7118 or email julie.francombe@byron.nsw.gov.au.



TRADITIONAL HOME OF
THE BUNDJALUNG PEOPLE

ALL COMMUNICATIONS TO BE
ADDRESSED TO THE GENERAL MANAGER
PO Box 219 Mullumbimby NSW 2482 (70-90 Station Street)
DX20007 Mullumbimby E: council@byron.nsw.gov.au
P: 02 6626 7000 F: 02 6684 3018
www.byron.nsw.gov.au ABN: 14 472 131 473
Printed on 100% recycled paper

Council looks forward to your early response on this matter.

Yours sincerely



Alex Caras

Team Leader – Strategic Land Planning

Enc. Planning Proposal Doc # E2015/13504
Council Review Report Doc # E2015/4178
Delegation of Plan Making Functions Evaluation Checklist Doc # E2015/13317