

Byron LEP 2014 – Rezoning of land for North Ocean Shores Sports Field.

Proposal Title : **Byron LEP 2014 – Rezoning of land for North Ocean Shores Sports Field.**

Proposal Summary : **The planning proposal seeks to amend Byron LEP 2014 by rezoning part of Lot 5 DP 880917, Shara Boulevard, North Ocean Shores to RE1 Public Recreation to enable the development of a sports field and associated amenities.**

PP Number : **PP_2015_BYRON_001_00** Dop File No : **15/01946**

Planning Team Recommendation

Preparation of the planning proposal supported at this stage : **Recommended with Conditions**

S.117 directions: **1.2 Rural Zones
2.1 Environment Protection Zones
2.2 Coastal Protection
4.3 Flood Prone Land
4.4 Planning for Bushfire Protection**

Additional Information : **It is recommended that;**

- 1. The planning proposal should proceed as a 'routine' planning proposal.**
- 2. A community consultation period of 28 days is necessary.**
- 3. The planning proposal is to be completed within 9 months.**
- 4. A written authorisation to exercise delegation be issued to Byron Shire Council for this planning proposal.**
- 5. A delegate of the Secretary agree that the inconsistency of the proposal with S117 Directions 2.1 and 4.1 and 5.3 are justified in accordance with the terms of the direction.**
- 6. Council consult with NSW Office of Environment and Heritage, NSW Roads and Maritime Services, Local Aboriginal Land Council.**
- 7. Council consult with the Commissioner of the NSW Rural Fire Service in accordance with S117 Direction 4.4 Planning for Bush Fire Protection.**
- 8. The Secretary's delegate, as required by S117 Direction 6.2 Reserving Land for Public Purposes, agree to rezoning areas of the subject land RE1 Public Recreation.**

Supporting Reasons : **The reasons for the recommendation are as follows;**

- 1. The proposal will provide much needed sporting/recreation facilities in a suitable location for residents of the northern apportion of the Byron Shire.**
- 2. The proposal to rezone the subject land to RE1 to enable its use for sporting fields is consistent with the Far North Coast Regional Strategy, Council's strategies and the inconsistencies with the S117 directions are of minor significance or are justified in accordance with the terms of the directions.**

Panel Recommendation

Recommendation Date : Gateway Recommendation :

Panel Recommendation : **This planning proposal is considered of local significance and the Gateway Determination is to be issued under delegation by the General Manager, Northern Region. Therefore the planning proposal will not be considered by the panel.**

Gateway Determination

Decision Date : **06-Feb-2015** Gateway Determination : **Passed with Conditions**

Decision made by : **General Manager, Northern Region**

Exhibition period : **28 Days** LEP Timeframe : **9 months**

Gateway Determination : **The planning proposal should proceed subject to the following conditions:**

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1. Community consultation is required under sections 56(2)(c) and 57 of the Environmental Planning and Assessment Act 1979 ("EP&A Act") as follows:

- (a) the planning proposal must be made publicly available for a minimum of 28 days; and
- (b) the relevant planning authority must comply with the notice requirements for public exhibition of planning proposals and the specifications for material that must be made publicly available along with planning proposals as identified in section 5.5.2 of A Guide to Preparing LEPs (Department of Planning and Infrastructure 2013).

2. Consultation is required with the following public authorities under section 56(2)(d) of the EP&A Act and/or to comply with the requirements of relevant S117 Directions:

- NSW Office of Environment and Heritage
- NSW Roads and Maritime Services
- The Local Aboriginal Land Council

Each public authority is to be provided with a copy of the planning proposal and any relevant supporting material, and given at least 21 days to comment on the proposal.

3. A public hearing is not required to be held into the matter by any person or body under section 56(2)(e) of the EP&A Act. This does not discharge Council from any obligation it may otherwise have to conduct a public hearing (for example, in response to a submission or if reclassifying land).

4. The timeframe for completing the LEP is to be 9 months from the week following the date of the Gateway determination.

Signature:



Printed Name:

STEPHEN MURRAY

Date:

6 FEBRUARY 2015