



#E2021/41694  
BSC File No: 26.2020.1.1  
Contact: Ben Grant

5 March 2021

Department of Planning, Industry & Environment  
Locked Bag 9022  
GRAFTON NSW 2460  
By Email: [northcoast@planning.nsw.gov.au](mailto:northcoast@planning.nsw.gov.au)

Dear Sir/Madam

**Request for gateway determination - Planning Proposal for short-term rental accommodation (26.2020.1.1)**

Please note that this Gateway request relates to an amended version of the above planning proposal that was originally submitted on 9 March 2020.

At the Planning Meeting of 19 November 2020, Council resolved to amend the planning proposal for short-term rental accommodation (STRA) to include 'precinct areas' that permit non-hosted STRA for 365 days in those areas that have already been taken up almost exclusively for STRA, and 90 days for those areas that have not.

***Resolved (20-021) that Council:***

1. *Notes the update provided on the status of the planning proposal and state management options for short term rental accommodation in Byron Shire.*
2. *Agrees to amend the planning proposal to include precinct areas that permit non-hosted STRA for 365 days in those areas that have already been taken up almost exclusively for STRA, and 90 days for those areas that have not. These precinct areas are shown in the maps in Attachment 1(#E2020/89860) with the exception of the Brunswick Heads map, which is to be amended and replaced with a map that deletes the 365 day area from land west of Tweed Street.*
3. *Authorises staff to submit an amended planning proposal to the Department of Industry and Environment for Gateway determination that satisfies item 2.*
4. *Pending gateway determination, undertakes public exhibition of the planning proposal and consult with government agencies in accordance with the gateway determination; and*
5. *Receives a report outlining the public exhibition outcomes.*

In summary, the resolution seeks to create a set of holiday letting 'precincts', where non-hosted STRA would be permitted for up to 365 days per year. Non-hosted STRA will be limited to 90 days per year where occurring outside one of the mapped precincts.



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ALL COMMUNICATIONS TO BE  
ADDRESSED TO THE GENERAL MANAGER  
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The planning proposal has been amended in accordance with the Council resolution and now includes a new mapping overlay known as the *Short-term Rental Accommodation Precinct Map* to identify areas where non-hosted STRA is permitted up to 365 days per year. Consequential amendments to the other planning controls have also been made where necessary.

In accordance with Section 3.34 of the *Environmental Planning and Assessment Act 1979*, Council submits the amended planning proposal for a Gateway determination. Given the likely forthcoming release of the Government's state-wide planning framework for short-term rental accommodation, Council considers it appropriate that the Department of Planning, Industry and Environment retain authority to make the LEP amendment.

As the planning proposal is not considered to be 'low impact' as outlined in the Department's, *A guide to preparing local environmental plans*, a 28 day public exhibition period is recommended.

Should you have any enquiries please contact me by phone (02) 6626 7066 or email [ben.grant@byron.nsw.gov.au](mailto:ben.grant@byron.nsw.gov.au).

Yours sincerely



Ben Grant  
Planner

Enc. Planning Proposal 26.2020.1.1 - # E2021/41694  
Council Minutes 19/11/2021