



IRF25/852

Alteration of Gateway determination report – PP 2024-1754

Federal heritage conservation area

April 25

Published by NSW Department of Planning and Environment

dpie.nsw.gov.au

Title: Alteration of Gateway determination report – PP 2024-1754

Subtitle: Federal heritage conservation area

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Acknowledgment of Country

The Department of Planning and Environment acknowledges the Traditional Owners and Custodians of the land on which we live and work and pays respect to Elders past, present and future.

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1 Planning proposal

1.1 Original Gateway determination

Byron Shire Council has prepared a planning proposal to introduce a heritage conservation area and include additional local heritage items at the village of Federal.

The Gateway determination issued on 1 October 2024 (**Attachment A**) determined that the proposal should proceed subject to conditions.

1.2 Council requests to discontinue

At the Council Meeting of 13 March 2025, Council resolved to not proceed with the planning proposal. As such, Council staff have requested the planning proposal be discontinued (**Attachment C**) and has withdrawn the proposal from the planning portal.

Based on feedback from affected landowners, Council has determined that it will instead continue to utilise the heritage controls contained in Chapter E6 of the Byron Development Control Plan (DCP) 2014 and conduct a further review of the DCP as part of its Operational Plan and Action 5 of the Federal Village Masterplan.

2 Community consultation

Community consultation occurred between 31 October 2024 and 28 November 2024.

There were 45 public submissions received during the exhibition period and an additional 3 submissions received after the closing date of the exhibition period.

3 Agency consultation

Agency responses were received from the NSW Rural Fire Service and Heritage NSW in accordance with the Gateway Determination. The RFS correspondence raised no concerns or issues in relation to bush fire for the proposal. Heritage NSW advised that the 30 listing of the proposed local heritage items rests with Council.

4 Recommendation

It is recommended that the delegate of the Minister:

- **Agree** under section 3.34(7) of the *Environmental Planning and Assessment Act 1979* (the Act) to alter the Gateway determination for planning proposal PP- 2024-1754 in accordance with this Gateway alteration report and the Alteration of Gateway determination document (**Attachment A**) to not proceed;
- **Sign** the Alteration of Gateway determination (**Attachment A**); and
- **Sign** the letter to Byron Shire Council (**Attachment B**).



14 April 2025

(Signature)

(Date)

Lucy Walker
Manager, Hunter and Northern Region
Local Planning and Council Support



14 April 2025

(Signature)

(Date)

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Attachments

Attachment	
Attachment A	Alteration of Gateway determination
Attachment B	Letter to Council
Attachment C	Gateway determination
Attachment D	Council request