

#E2024/94068
Contact: Cameron Thiessen



13 August 2024

Department of Planning, Housing, and Infrastructure
Grafton NSW 2460
via NSW Planning Portal

Dear Sir/Madam

**Planning Proposal for Public Road Subdivision as Exempt Development.
Amendment of Byron Local Environmental Plan 2014**

Council at its planning meeting of 1 August 2024 received a report on the above-mentioned planning proposal and resolved as follows:

Res 24-347

1. Proceeds with the planning proposal that would amend the Byron LEP 2014 to include subdivision of Council-owned roads as an item within Schedule 2 Exempt Development.
2. Forwards the planning proposal to the NSW Department of Planning, Industry and Environment for a Gateway determination; and
3. Pending a positive gateway determination, undertakes public exhibition of the Planning Proposal in accordance with the determination requirements; and
4. Considers a submissions report post-exhibition that includes any recommended changes to the Planning Proposal for final adoption.

In accordance with Section 3.34 of the Environmental Planning and Assessment Act 1979, Council submits the enclosed planning proposal for a Gateway determination. As the planning proposal is likely to be categorised as a standard planning proposal and is considered of local significance, Council requests to be delegated as the local plan making authority.

Please note that the planning proposal recommends a 14-day community consultation exhibition period due to the minor and non-controversial nature of the LEP amendment. This is inconsistent with the Roads Act 1993, [s.38B\(2\)\(c\)](#) nomination of a minimum 28-day submission period. Can you please ensure that the correct consultation period is reflected in the gateway determination or advise otherwise.

The proposed amendments contained within this planning proposal include the addition of Council-owned roads as an item within Schedule 2 Exempt Development. Should you have any enquires please contact by phone (02) 6626 7262 or email cthiessen@byron.nsw.gov.au.



Yours sincerely

A handwritten signature in black ink, appearing to read 'C. Thiessen', with a stylized, cursive script.

Cameron Thiessen

Planner

Encl.

- Planning Proposal for Subdivision of Public Land (#E2024/94025)
- 1 August 2024 Planning Report (Item 13.8)