



Our ref:# E2024/117056
Contact: Steve Daniels

27 September 2024

Alexander Galea
Manager, Planning Proposal Authority
NSW Department of Planning, Housing and Infrastructure

Dear Alexander,

RE Request for a rezoning review – Broken Head Road, Suffolk Park (RR-2024-25)

I refer to your letter dated 5 September 2024 inviting Council to comment on the above proposal and/or provide a response detailing why the original request to Council was not progressed.

I can confirm that the proposal submitted for the rezoning review is the same proposal that was considered by Council.

Council at its 13 June Planning Meeting resolved the following (Res 24-271):

1. *Council does not support the subject planning proposal (as contained in Attachment 1) seeking to amend Byron LEP 2014 to rezone the former Broken Head Quarry site on the western side of Broken Head Road for residential development.*
2. *Both the applicant and the Department of Planning, Housing and Infrastructure be notified of Council's decision to not support the planning proposal.*
3. *Council writes to the Department of Planning to clarify whether the owner of the site has met their obligations under the 2018 Enforceable Undertaking and receives a further update from staff.*

Reasons underpinning Council's decision to not support the planning proposal are provided in the attached Council Report dated 13 June 2024. Additional information is included in the Council Report attachment titled *Merit Assessment of Planning Proposal for Broken Head Rd Ex-Quarry Site*.

Please find the Council Report and Merit Assessment attached with this letter.

Regarding Item 3 of the above Council Resolution (Res 24-271), Council has sought clarification on this matter and advised the Department in a letter dated 1 July 2024 that it remains unclear whether the landowner (Leadshine Pty Limited) has fulfilled their obligations under the 2018 Enforceable Undertaking. Accordingly, Council requested the Department's confirmation regarding the status of this matter.

A subsequent letter was issued by the Department dated 12 July 2024. The Department confirmed that some terms of the Enforceable Undertaking have not been met but are in the process of being closed out.

Please find the abovementioned correspondence attached with this letter. There are no records of any further correspondence on this matter.



TRADITIONAL HOME OF
THE BUNDJALUNG PEOPLE

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

Yours sincerely

A handwritten signature in black ink, appearing to read 'Steve Daniels', with a stylized flourish at the end.

Steve Daniels | Acting Land Use Planning Coordinator