

# Planning Resolutions

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The Acting Secretary  
Department of Planning  
& Environment  
GPO Box 39,  
Sydney NSW 2001

Dear Madam,

## **Submission to Northern Councils E Zone Review**

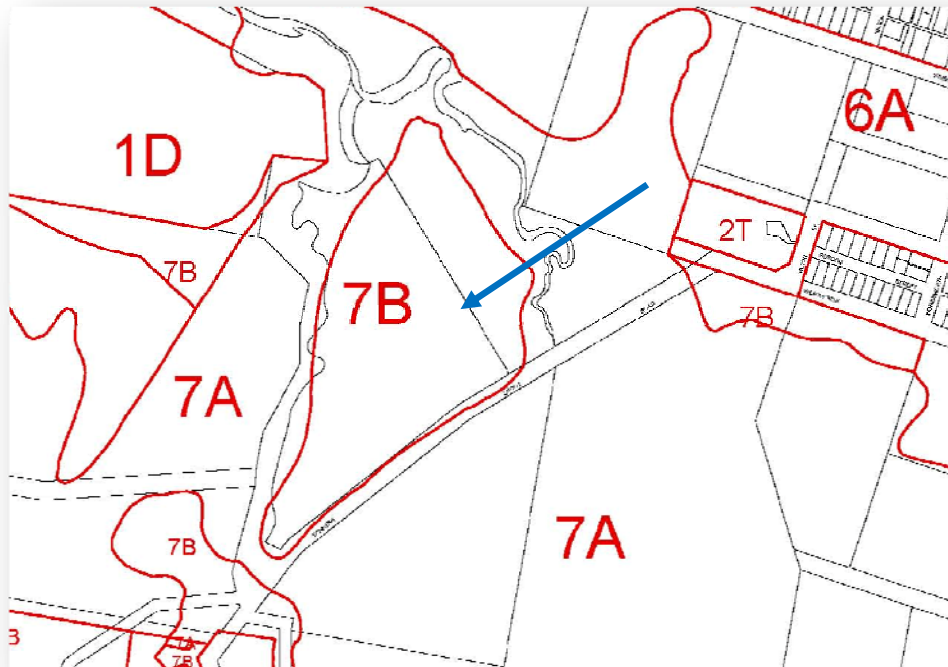
This submission relates to the following recommendations by the consultants in relation to the Byron Draft LEP:

- *The following environmental protection zones under Byron LEP 1988:*
  - 5(b) Rural (High Flood Hazard Liable)*
  - 7(a) Environmental Protection (Wetlands)*
  - 7(b) Environmental Protection (Coastal Habitat)*
  - 7(j) Environmental Protection (Scientific)*
  - 7(k) Environmental Protection (Habitat)**should be transferred directly to the E2 zone under draft Byron LEP 2014.*
- *If it is demonstrated that the mapped area of the above zones is inaccurate, and that area is subsequently updated in accordance with the recommended criteria, then the E2 zone should be applied to the updated mapped area.*

As stated in the Department's response "*E2 and E3 zoning should only be applied where there is proven evidence of significant environmental values that meet the specific criteria listed by the consultant*". Existing zones should not be automatically transferred to E2 and then only be reviewed if there is a demonstrated inaccuracy. The existing environmental zones should be subject to the same criteria as the new proposed E Zones.

The following is an example of an environmental zone that should not be automatically transferred to E2. Lot 318 DP755695 (50 Skinners Shoot Road Skinners Shoot) is mapped as partly in *Zone No. 7(a) (Wetlands Zone)* and partly in *Zone No. 7(b) (Coastal Habitat Zone)* under the provisions of Byron Local Environmental Plan 1988.

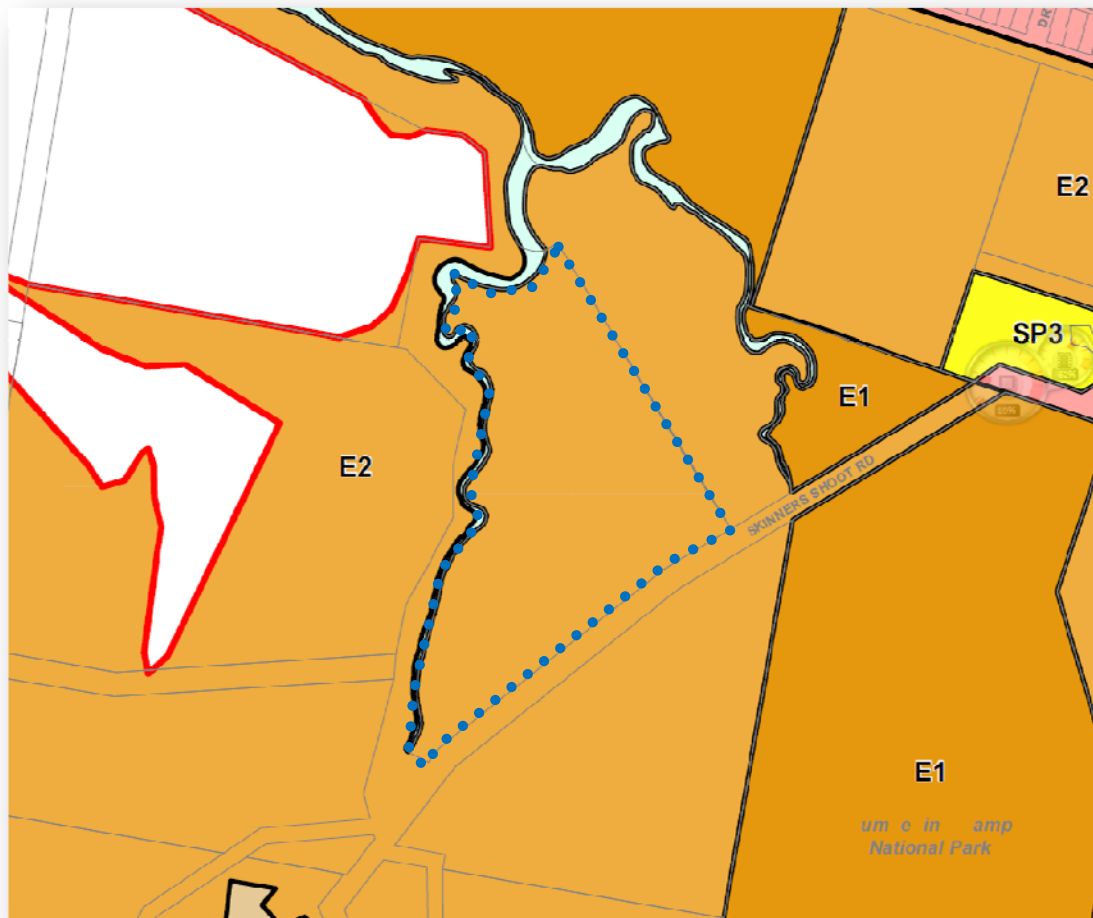
Plan 1 Byron LEP 1988 Map



Source: Byron Shire Council website

The exhibited Draft LEP proposed that the entire lot be within Zone E2.

Plan 2 Extract DLEP Map



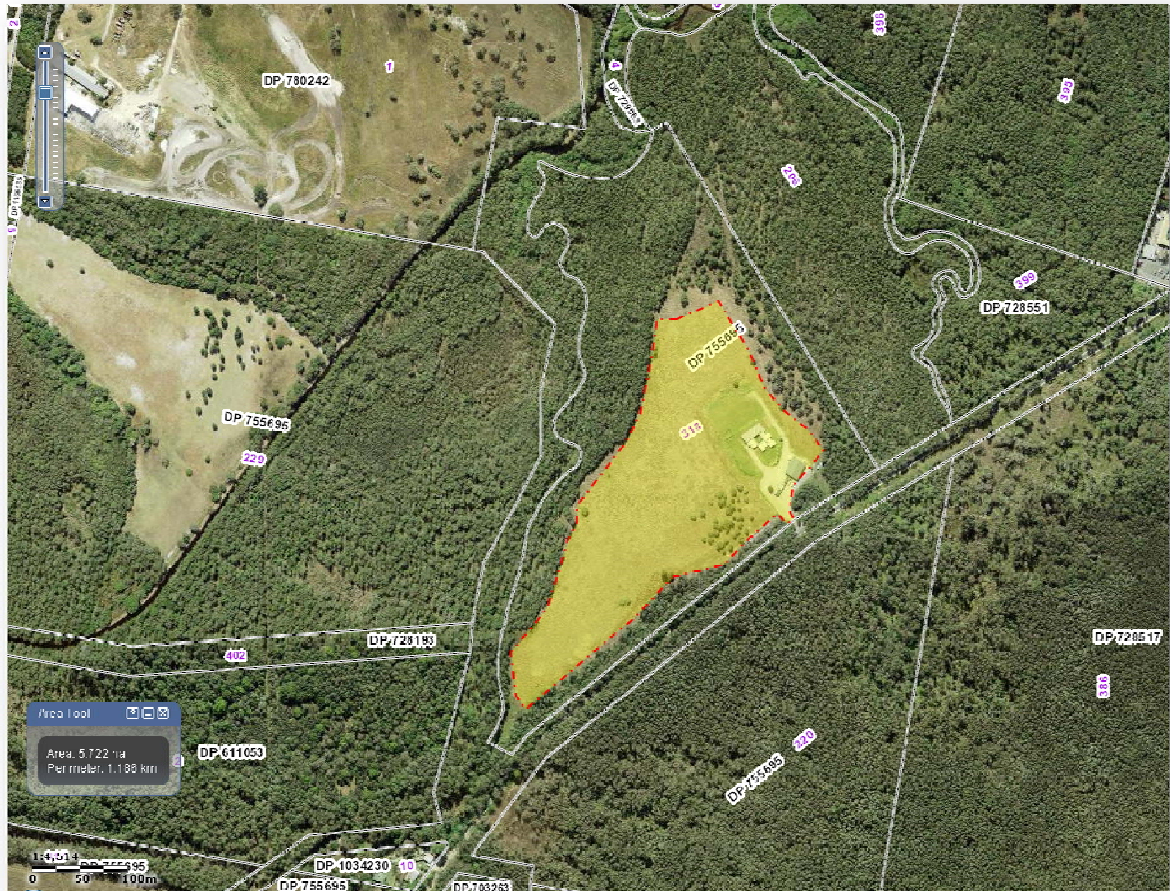
The orthophoto map over the page shows that about 5.7 hectares of the land is cleared with high value vegetation on the edges of the cleared area. The land was used as stock holding yards for the nearby piggery slaughter house when it was in operation.

Erected on the land is a dwelling house and shed. The development consent for the dwelling house included the construction of a large flood free pad.

The landowners use the cleared areas of the land to produce stock fodder. Occasionally cattle are also grazed on the property.

The landowners have recently obtained development consent for a primitive camping ground on the cleared land. This primitive camping ground is nearing completion.

### Plan 3 Orthophoto Map



Source: <http://maps.six.nsw.gov.au/#>

Should you require further information or clarification in regard to any of the above matters please do not hesitate to contact me on 66859957.

Yours Sincerely,  
Chris Pratt FPIA CPP  
Planning Resolutions  
5 June 2014

