

From: Jonathan.Stone@planning.nsw.gov.au
To: [Daniels, Steve](#)
Subject: RE: Planning Proposal - Manfred St Reclassification
Date: Thursday, 2 March 2017 9:43:25 AM
Attachments: [image001.png](#)
[4974_001.pdf](#)

Thanks Steve,

I look forward to hearing from you soon.

The reason for seeking this info is that I am just anticipating feedback Council/Dept may receive during this PP process from the public based on the previous attempt to reclassify this land and determine whether Council has considered all options to rectify the encroachment. I understand a part lot reclassifications can be undertaken where, in this instance, only the encroaching driveway and dwelling are reclassified. This could then match the future boundary adjustment leaving the remainder of the land still classified as community and providing greater certainty that another dwelling would not be built or access to the beach inhibited. I am not sure if Council has considered this. I also note from the survey plan in the PP that part of the current beach access also encroaches on to Lot B, this maybe something that needs to be considered too. Attached is a rough outline of what I have described.

Anyway, I look forward to hearing from you.

Regards

Jon

From: Daniels, Steve [mailto:Steve.Daniels@byron.nsw.gov.au]
Sent: Wednesday, 1 March 2017 2:10 PM
To: Jon Stone <Jonathan.Stone@planning.nsw.gov.au>
Subject: RE: Planning Proposal - Manfred St Reclassification

Hi Jon,

Please find attached original Planners North PP & Attachments.

Unfortunately Planners North have not provided any plans detailing an appropriate subdivision/lot configuration. I've followed up with Planners North to contact me to discuss their interpretation of how a boundary adjustment might be configured.

I should note that under Clause 32 BLEP 1988, subdivision by way of a boundary adjustment is permissible in the 7(f2) zone only where no additional allotments would be created. Therefore some form of lot consolidation would be necessary to rectify the encroachments.

Following discussion with Planners North, I'll follow up on your question relating to sale of the land and Council's intentions in this regard.

Will be in touch ASAP.

Thanks.

Steve Daniels
Byron Shire Council | P: 02 6626 7315

From: Jonathan.Stone@planning.nsw.gov.au [<mailto:Jonathan.Stone@planning.nsw.gov.au>]
Sent: Monday, 27 February 2017 12:27 PM
To: Daniels, Steve
Subject: RE: Planning Proposal - Manfred St Reclassification

Hi Steve,

I've been looking at the Council reports etc on this PP and was hoping to get a copy of the PP that Planners North prepared for Council. I note that part of that project was to determine an appropriate subdivision/lot configuration and I was hoping to see what they came up with. I've also got copies of the Department's old files from when this land was part of Amendment 86 back in 2002 and I note this site was in and out of the LEP Amendment from time to time following the consideration of submissions and the recommendation of the Public Hearing and eventually deferred by the Minister based on the advice of the Coastal Council and DLWC.

Is it Council's intention to sell all of Lots B, 7 and 6 to the owner of the house that encroaches onto Lot 6 or is it to only reconfigure the lots in some way to reflect the encroachment of the house and driveway but then retain the rest for public access to the beach.

I look forward to your advice.

Thanks

Jon

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From: Daniels, Steve [<mailto:Steve.Daniels@byron.nsw.gov.au>]
Sent: Thursday, 23 February 2017 10:40 AM
To: Jon Stone <Jonathan.Stone@planning.nsw.gov.au>
Subject: Planning Proposal - Manfred St Reclassification

Hi Jon,

Following up on your query, I can confirm that Lot 1 DP 52103 & Lot 2 DP 521030 are both classified as 'Community' land.

Kind Regards

Steve Daniels | Planner | BYRON SHIRE COUNCIL

P: 02 6626 7315 | F: 02 6684 3018 | E: [Steve.Daniels@byron.nsw.gov.au]

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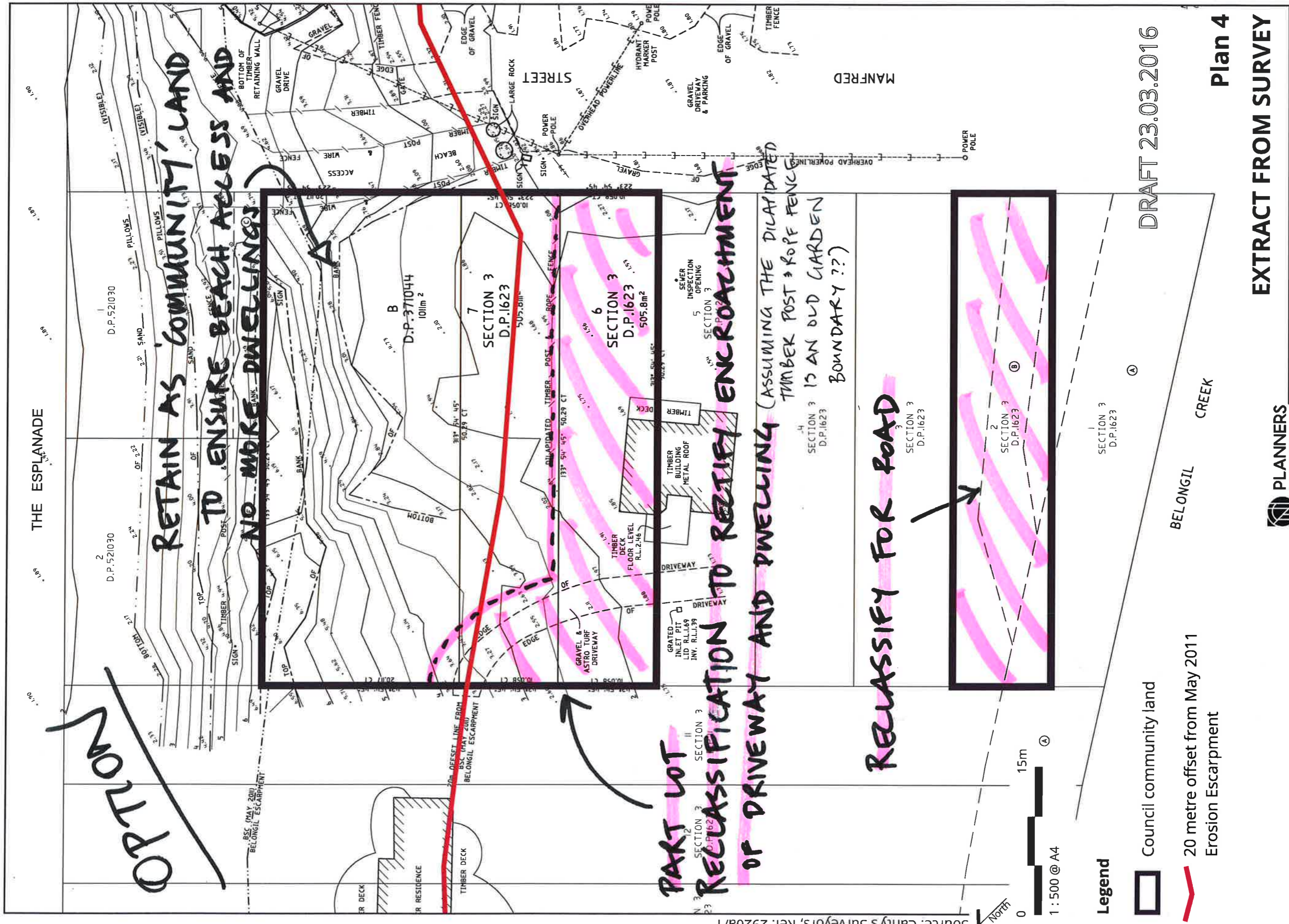
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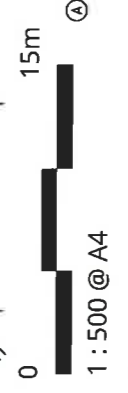
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Attachment A - Locality Plans

MANFRED STREET, BYRON BAY



Source: Canty's Surveyors, Ref. 2920a/1



Legend

□ Council community land

— 20 metre offset from May 2011 Erosion Escarpment

DRAFT 23.03.2016

Plan 4

EXTRACT FROM SURVEY

