



Anthony Roberts MP

Minister for Planning, Minister for Housing, Special Minister of State

qA404310

Mr Ken Gainger
General Manager
Byron Shire Council
PO Box 219
MULLUMBIMBY NSW 2482

COPY

Dear Mr Gainger

I write regarding the finalisation of the West Byron Development Control Plan (DCP).

I have carefully reviewed this matter and note that for the Council meeting of 17 November 2016, a Council staff report recommended Council approve the draft DCP incorporating some post-exhibition amendments.

Council subsequently resolved to make a number of more significant amendments and to undertake an additional peer review of the DCP prior to it being finalised.

I am concerned that the proposed amendments will ultimately prevent the efficient and effective development of this important site.

It appears the proposed amendments, if pursued, would likely result in significant extra land-forming works and clearing to enable drainage, and a loss of dwelling yield across the site. I am also concerned the proposed peer review of the draft DCP will again delay finalising the DCP without adding any further value to the process. I do not support these delays.

I request Council respond to me within 28 days of this letter as to why it cannot immediately make the DCP incorporating only the proposed Council staff post-exhibition amendments.

I also request Council show cause as to why I should not direct Council under section 74F of the *Environmental Planning and Assessment Act 1979* to make the DCP if Council either does not respond to me by the required date or does not agree to immediately make the DCP incorporating only the proposed Council staff post-exhibition amendments.

I note that if I do issue such a direction, and Council does not comply with it, I may make the DCP myself.

If you have any further enquiries about this matter, I have arranged for Mr Craig Diss, Acting Director, Northern Region, at the Department to assist. Mr Diss can be contacted on 6641 6600.

Yours faithfully,

A handwritten signature in blue ink, appearing to read 'AR', is positioned above the printed name and titles of the signatory.

Anthony Roberts MP
Minister for Planning
Minister for Housing
Special Minister of State

30 MAR 2017