

6 August 2021

Byron Shire Council
70 Station Street
MULLUMBIMBY

Dear Sir/Madam,

RE: McAuleys Lane Planning Proposal and Voluntary Planning Agreement (VPA)

I refer to Council's email of 17th May 2021 relating to the proponent entering into a VPA with Byron Shire Council for the undertaking of road and intersection upgrade works triggered by the proposed development.

I can confirm that I have discussed this matter with the proponents and that I have been granted authorisation to agree to such a VPA.

Parties to the agreement

- Byron Shire Council
- Joint Partnership - Tareeda Developments Pty Ltd and Boreas Group Pty Ltd

Land to which the VPA relates

- 53 McAuleys Lane, Myocum
- Lot 8 DP 589795

Development to which the VPA relates

- The anticipated increase in R5 Large Lot Residential and Community Title allotments resulting from the following proposed LEP amendment;
- DPIE Planning Portal Reference number: PP-2020-4089
- Byron Shire Council Planning Proposal Reference number: 26.2021.1.1

It is acknowledged that:

- The planning agreement will require the developer to construct the intersection upgrade works as specified in the Barker Ryan Stewart report.
- The planning agreement will also include:
 - a) Safety upgrades to accommodate pedestrian and cycle links from the development site to Mullumbimby Road.
 - b) Integration of pedestrian and cycle links with the proposed McAuleys Lane / Mullumbimby Road intersection upgrade.

- c) provision of a slip lane for turning into Saddle Road from Mullumbimby Road that provides better safety and access for cyclists, pedestrians, and all road users.
- The works would need to be constructed prior to release of a subdivision certificate.
- The cost of the intersection upgrade is the responsibility of the developer.
- Developer contributions under the provisions of section 7.11 would still apply.
- Where the works extend beyond Mullumbimby Road into McCauley's Lane and onto the area of failed pavement Council would be willing to offset the cost of the pavement reconstruction against the rural roads component of the section 7.11 developer contributions.
- It is agreed that further details will be articulated in the VPA pertaining to engineering standards, safety standards and design outcomes. These details are to be determined by Council engineers following the issue of a Gateway determination and ahead of the public exhibition period for the planning proposal. In determining further detail, it is also agreed that Council engineers will give consideration to matters identified in the Road Safety Audit (prepared by Barker Ryan Stewart) that carry a high risk rating, including the "slip" on Myocum Rd at Ch. 1250 (Item 17)
- The planning agreement will be exhibited contemporaneously with the LEP amendment.

Please contact me directly if you require clarification on the above.

Yours faithfully



Dwayne Roberts

Principal

ARDILL PAYNE & PARTNERS