



BYRON SHIRE COUNCIL
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Office Use Only
 S.96 No: 10.2011.413.5
 Parcel No(s): 213520
 Zoning: L9 Ld R2 R1 Dm
 Notations: (EPL) DIP ASS HER BPL (HCV)
 PR123 (Precinct:
 Date Received: 18/9/15
 #763951 (Updated 10/8/2015)

Section 96 Application to modify a development consent

Issued under Sections 96(1) or 96(2) of the Environmental Planning and Assessment Act 1979

Use this form to apply to **modify an existing development consent**. Council can only approve this application if it is satisfied that the development as modified would be substantially the same development as that approved. Please place a cross in the relevant boxes and fill out all appropriate blank Steps. Please ensure you have submitted all relevant information to minimise delays. Once your application has been assessed you will be advised in writing of Council's determination

Step 1 Details of original development consent ie. the consent being modified

Development Consent No. (ie. 10.2005.500.1) Date of determination (as noted on the front page of your consent)
 10.2011.413.1 28 JUNE 2012

Description of development consented
 SUBDIVISION TO CREATE 43 RESIDENTIAL LOTS

Step 2 Description of land

Unit No.	House No.	Street Name	Street Type e.g. St, Rd
	59	Lismore	Road
Suburb or Town			Postcode
Bangalow			
Lot No.	DP No.	Sec No.	Owner/s
1	127485		KP + MJ DALY

Step 3 Details of the applicant/s

Given name		Surname / Company Name	
		GEOLINK	
Given name		Surname / Company Name	
Unit No.	House No.	Street Name / PO Box	Street Type e.g. St, Rd
		119	
Suburb or Town		State	Postcode
LEMMOX HEAD		NSW	2478
Contact name		Daytime telephone	Fax
TRAVICK SIMP7			
Mobile		E-mail	
0419237983			

Step 4 Type and details of modification

Describe the modification that you propose:
 SECTION 96 TO AMEND LOTS

- | | | |
|--|--|---|
| <input type="checkbox"/> Modification involving minor error, misdescription or miscalculation (S96(1)) | <input type="checkbox"/> Modification involving minimal environmental impact (s96(1A)) | <input type="checkbox"/> Other modifications (S96(2)) |
|--|--|---|

Details continued:

S96(1) Modification involving minor error, misdescription or miscalculation:

Outline the specific error that you would like to amend i.e. condition number and error or change to approved plans that you seek to change

S96(1A) Modification involving minimal environmental impact:

Outline how the proposed modification is of minimal environmental impact

S96(1A) and S96(2) Substantially the same development:

Outline why the proposed modified development is considered substantially the same development as the development for which the consent was originally granted

18 September 2015
Ref No: 2337-1122

The General Manager
Byron Shire Council
PO Box 219
MULLUMBIMBY NSW 2481

Dear Sir

Property: The Meadows Estate, Bangalow
Parcel: Lot 1, DP 127485
Application: Section 96(1A) application to modify DA 10.2011.413.4 –
subdivision to create 43 residential lots, a recreational reserve
and a balance lot

ABN 79 896 839 729
ACN 101 084 557

Return address:
PO Box 119
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NSW 2478

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T 02 6687 7666
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ARMIDALE
T 0488 677 666

LISMORE
T 02 6621 6677

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DA 10.2011.413.1 was originally approved by Council on 28 June 2012 for the subdivision to create 42 residential lots, a recreational reserve and a balance lot. Conditions of the approval relating to agricultural spray buffer requirements were amended via DA 10.2011.413.3. A further modification was approved (DA 10.2011.413.4) regarding minor variation of lot sizes within Stages 2A and 2B of the development.

This application seeks to amend the development consent plan dated 25 September 2015 (DA 10.2011.413.4) to enable minor lot adjustments relating to Stage 2C of the subdivision; including the addition of one lot. The proposal would be contained within the existing footprint of the approved subdivision. All remaining aspects of the approved development will remain unaltered.

Proposed Modification

The proposed amendments to the development consent plan would result in minor variations to lot sizes and layouts of stage 2C of the approved subdivision; including the addition of one lot within that stage. The amendments would be located within the footprint of the approved subdivision plan. Any variation of the stage 2C lots is shown in **Table 1** (over page). Variation of the lots would not impact the ability to service the lots. Attachment 1 provides a copy of the 10.2011.413.4 approved plan. Attachment 2 provides the revised lot layout to be endorsed by Council under the requested Section 96 approval process.

Mr K.P & Mrs M J Daly
59 Lismore Road
BANGALOW NSW 2479

17 December 2013

The Manager
Byron Shire Council
PO Box 219
MULLUMBIMBY NSW 2482

Dear Sir/Madam,

**LANDOWNERS CONSENT for Application for a Construction Certificate and
for Construction of Development.
Byron Shire Council Development Consent No. 10.2011.413.1 for the
subdivision of Lot 1 in DP 127485, 59 Lismore Rd , Bangalow.
OWNERS: K.P. and M.J. Daly**

As owners of the above property we hereby authorise the Purchaser, Bangalow
Property Investments Pty Ltd (ACN 164 838 331), and that Company's appointed
consultants including but not limited to Geolink Environmental Management and
Cantys Surveying, to:

1. Prepare and submit to Byron Shire Council for approval an application for a
Construction Certificate.
2. Obtain all necessary supplementary approvals, including but not limited to:
Byron Shire Council's approvals pursuant to S138 of the Public Roads Act and
S68 of the Local Government Act re water and sewer services; NSW Office of
Water re a Controlled Activity approval for work adjacent to Byron Creek;
approvals from Country Energy, Telstra and NBN.

Construct the subdivision in stages and to prepare linen plans of subdivision and to
submit those plans to Byron Shire Council for approval.

Yours faithfully


KP & MJ Daly



Railway Reserve
Lismore Road

Catholic Church

Robinson Street

Thomas Street

Little Thomas Street

Charles Street

Pedestrian connection

Meadows Close

Charlotte Street

Easement to be provided over stormwater drainage outlet

Easement to be provided over stormwater drainage outlet

- LEGEND**
- Stage 2A
 - Stage 2B
 - Stage 2C
 - 24 Lot Numbers shown on DA
 - (22) Revised Lot Numbers as shown on CC.
 - Proposed landscape buffer
 - ⇒ ⇒ ⇒ Drainage outlet

BYRON COUNCIL
SECTION 96 MODIFICATION
CONSENT NO: 10.2011.413.4
DATE: 25/8/2015
[Signature]
 Development Officer

Rev/Description	Date	Des.	App.	Chk.	Amendments
A Landscape buffer and easements over SW added	26/08/15	TRE	TRE	RS	

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 info@geolink.net.au

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 COFFS HARBOUR NSW 2450
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 F 02 8651 7733

quality solutions sustainable future

Project Title
The Meadows, Bangalow

Client
Bangalow Property Investments Pty Ltd

Designed	Drawn	Checked
TRE	RE	DK
Approved	Date	XREF No
[Signature]	July 2015	

Scale
 metres 0 8 16 24 32 40

Drawing Title
Layout Plan for S96 Application
Revised lot sizes
STAGE 2
 Drawing Number
2337/190
 Revision
A

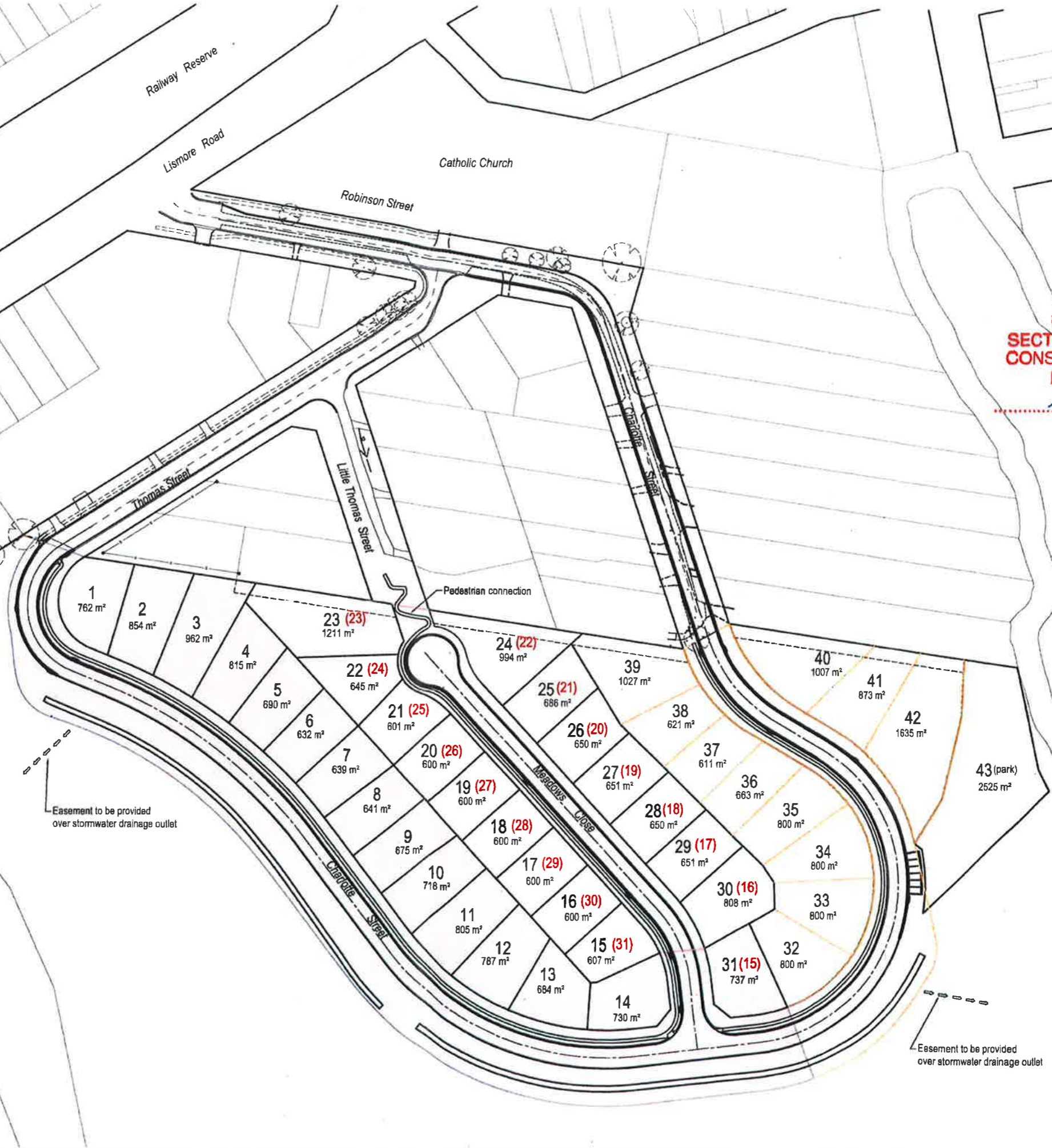


Table 1 Proposed Lot Variations to Stage 2C

Current Approved Lot Area	Proposed Lot Area	Variation (approx.)
Lot 32 – 800 m ²	Lot 32 – 800 m ²	Nil
Lot 33 – 800 m ²	Lot 33 – 800 m ²	Nil
Lot 34 – 800 m ²	Lot 34 – 800 m ²	Nil
Lot 35 – 800 m ²	Lot 35 – 800 m ²	Nil
Lot 36 – 663 m ²	Lot 36 – 800 m ²	+ 20 %
Lot 37 – 611 m ²	Lot 37 – 647 m ²	+ 4 %
Lot 38 – 621 m ²	Lot 38 – 647 m ²	+ 4 %
Lot 39 – 1027 m ²	Lot 39 – 826 m ²	- 21 %
Lot 40 – 1007 m ²	Lot 40 – 893 m ²	- 11 %
Lot 41 – 873 m ²	Lot 41 – 862 m ²	- 2 %
Lot 42 – 1635 m ²	Lot 42 – 832 m ²	Combined area 1752 m ² (Additional lot created)
	Lot 43 – 920 m ²	
Lot 43 – 2525 m ²	Lot 44 – 2525 m ²	Nil

The modification proposed has minimal environmental impact and raises no significant or adverse impacts to those previously considered by the Council in its assessment and approval of the original Development Application. The modification, therefore, is consistent with requirements for consent modification under section 96 (1A) of the Act.

We have enclosed a Section 96 Application form and a cheque to the value of \$930 for Council's assessment fees and advertising fees (\$645 for S96 and \$285 for advertising). We have also enclosed a letter from the land owners authorising GeoLINK to obtain all necessary supplementary approvals required for the development (refer to Point 2). This letter, therefore, constitutes land owner authority for the lodgement of this Section 96 application.

Should you wish to discuss the matters set out in this document, please do not hesitate to contact me on 02 6687 7666 or scochran@geolink.net.au.

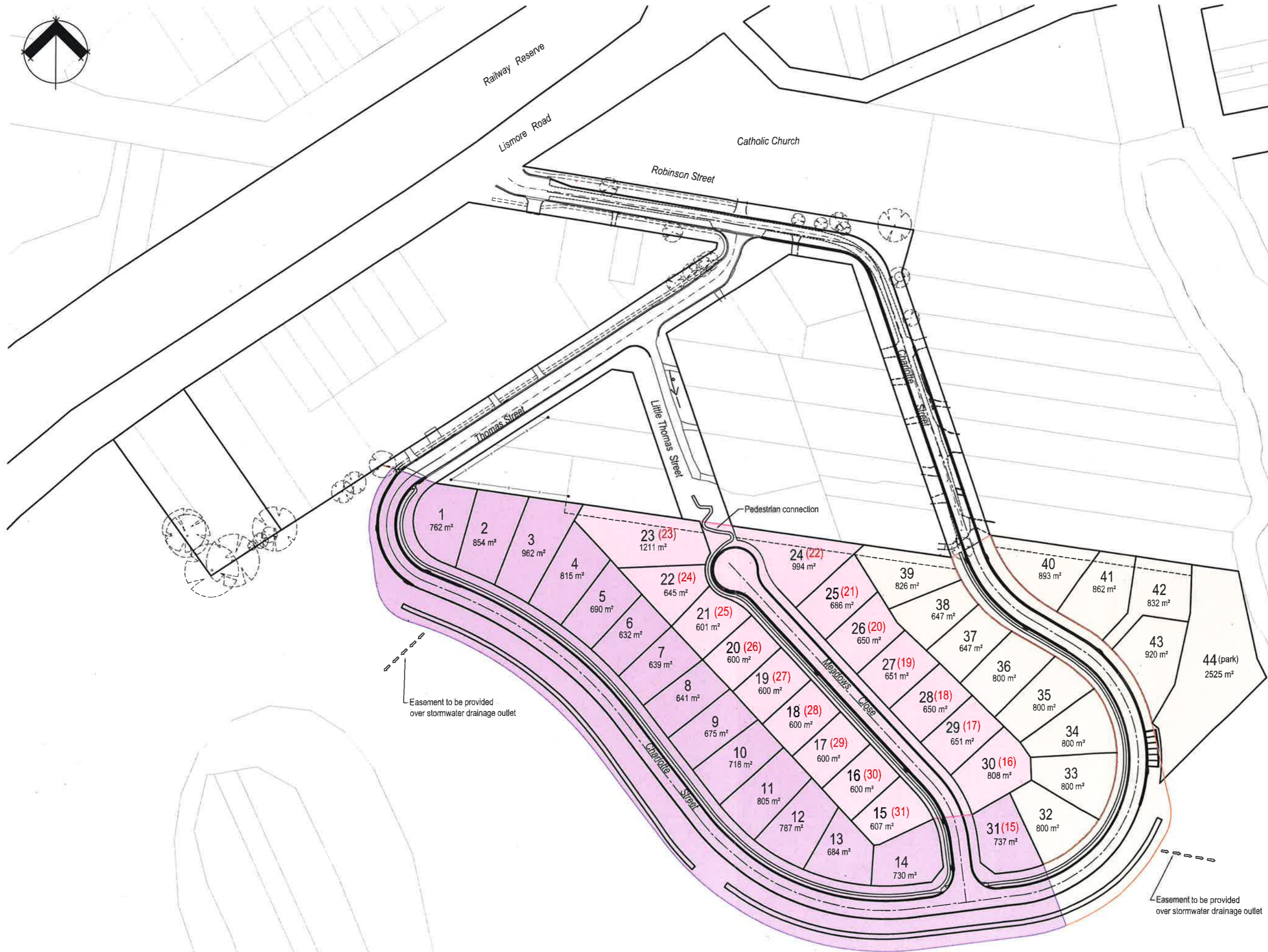
Yours sincerely
GeoLINK



Sean Cochran
Planner

Copy to: Bangalow Property Investments Pty Ltd

Attach: S96 Application form and GeoLINK cheque (\$930)
Landowners authority
Attachment 1 – DA 10.2011.413.4 approved plan
Attachment 2 – Revised subdivision plan



LEGEND

- Stage 2A
- Stage 2B
- Stage 2C
- 24 Lot Numbers shown on DA
- (22) Revised Lot Numbers as shown on CC.
- Proposed landscape buffer
- ⇒ ⇒ ⇒ Drainage outlet

Rev.	Description	Date	Des.	App.	Chk.

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 environmental management and design

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quality solutions sustainable future

Project Title
The Meadows, Bangalow

Client
Bangalow Property Investments Pty Ltd

Designed	TRE	Drawn	RE	Checked
Approved	<i>[Signature]</i>	Date	Sept 2013	<i>[Signature]</i>
XREFs				XREF No.

Scale
 metres 0 8 16 24 32 40

Drawing Title
Layout Plan Stage 2

Drawing Number
2337/191

Revision
 2337-1120

Easement to be provided over stormwater drainage outlet

Easement to be provided over stormwater drainage outlet