

Council Reference: DA09/0466.02 LN71624
Your Reference: MP08_0234 MOD 3



7 February 2025

Customer Service | 1300 292 872 | (02) 6670 2400

Attention: Michael Doyle
Development Assessment and Systems
NSW Department of Planning, Housing & Infrastructure

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PO Box 816
Murwillumbah NSW 2484

Please address all communications
to the General Manager

ABN 90 178 732 496

E: Michael.doyle@dpie.nsw.gov.au

Dear Sir,

MP08_0234 MOD 3 (Council reference DA09/0466.02) - Modification to approved Concept Plan comprising residential, retirement living, retail, commercial, school and open space precincts at Lot 31 DP 850230; Conmurra Avenue BILAMBIL; Lot 1 DP 1033807 & Lot 1 DP 1033810 & Lot 1 DP 595529 & Lot 2 DP 867486 & Lot 32 DP 1085109 & Lot 33 DP 1085109 & Lot 4 DP 822786; Marana Street BILAMBIL HEIGHTS; Lot 2 DP 555026; No. 147 McAllisters Road BILAMBIL HEIGHTS

I refer to Council's email of 20 December 2024 attaching the draft submission regarding MP08_0234 MOD3.

Council at its meeting of 6 February 2025, resolved to endorse the draft submission which was forwarded to the Department on 20 December 2024 with the following additional point:

- a. *Questions raised by the neighbouring landowner as to the consideration of the Right of Way listed on their property titles burdening the proponents land remains outstanding and needs further consideration if Council's argument as to a rejection of the modification under the test for s4.55(2) is rejected. Neighbour submission attached.*

Please find attached:

1. Council's final submission;
2. The adjoining neighbours submission; and
3. Email from the Director Planning and Regulation to the Councillors with detailed research by Council's legal services officer and the applicants response to the ROW enquiry by the owner of Lot 3 in DP877662.

For further information regarding this matter please contact Hannah Van de Werff on (02) 6670 2564.

Yours faithfully

A handwritten signature in black ink that reads "D Galle".

Denise Galle
Director Planning and Regulation

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