

Tweed LEP 2000 Amendment No. 96 (Expansion of Tweed City Shopping Centre)

Proposal Title : Tweed LEP 2000 Amendment No. 96 (Expansion of Tweed City Shopping Centre)

Proposal Summary : The proposal seeks to rezone 1.37 ha of land at Tweed Heads South from 2(b) Medium Density Residential, 3(c) Commerce and Trade and 6(b) Private Recreation, to 3(b) General Business, to facilitate the expansion of the adjoining Tweed City Shopping Centre.

The land to be rezoned consists of a former service station site, three vacant sites previously used for residential purposes, and six lots each with a dwelling.

PP Number : PP_2012_TWEED_001_00 **Dop File No :** 12/09647

Planning Team Recommendation

Preparation of the planning proposal supported at this stage : **Recommended with Conditions**

S.117 directions :

- 1.1 Business and Industrial Zones
- 1.3 Mining, Petroleum Production and Extractive Industries
- 2.2 Coastal Protection
- 2.3 Heritage Conservation
- 3.1 Residential Zones
- 3.4 Integrating Land Use and Transport
- 4.1 Acid Sulfate Soils
- 4.3 Flood Prone Land
- 4.4 Planning for Bushfire Protection
- 5.1 Implementation of Regional Strategies
- 6.1 Approval and Referral Requirements
- 6.2 Reserving Land for Public Purposes
- 6.3 Site Specific Provisions

Additional Information : It is recommended that:

1. The Planning Proposal be supported;
2. The Planning Proposal be exhibited for 14 days;
3. The Planning Proposal be completed within 6 months;
4. That consultation be undertaken with the NSW Office of Environment and Heritage and the NSW Roads and Maritime Services;
5. The Director-General's delegate agree the inconsistencies with s117 Direction 3.1 Residential Zones, 4.1 Acid Sulphate Soils and 6.2 Reserving Land For Public Purposes are justified as matters of minor significance; and
6. Prior to exhibition the proposed zoning maps are be amended to include the rezoning of Part Lot 1 DP 524806, 58-62 Minjungbal Drive, from 3(c) to 3(b).

Supporting Reasons : The Planning Proposal seeks to rezone 1.37ha of land to facilitate the expansion of the adjoining Tweed City Shopping Centre. The rezoning is consistent with the approved strategic planning framework applying to the land, and is likely to provide a positive economic outcome to the locality. The Planning Proposal is supported.

Panel Recommendation

Recommendation Date : 14-Jun-2012 **Gateway Recommendation :** Passed with Conditions

Panel Recommendation : The Planning Proposal should proceed subject to the following conditions:

1. Council is to clarify its intention as to whether the entirety or part of Lot 1 DP 524806 58-62 Minjungbal Drive is to be included in the proposed rezoning. Council needs to amend the 'Explanation of Provisions' section or the zoning maps at Figures 5 and 6 of the planning proposal accordingly and provide the Department's Northern Region Planning Team with a

copy of the revised planning proposal.

2. Council is to amend the 'Explanation of Provisions' section of the planning proposal to describe how the re-zoning will amend either the Tweed LEP 2000 or the draft Tweed LEP 2010, depending on the timing of Council's Standard Instrument LEP. Council needs to address this prior to commencement of community consultation.

3. Community consultation is required under sections 56(2)(c) and 57 of the Environmental Planning and Assessment Act 1979 ("EP&A Act") as follows:

- (a) the planning proposal is classified as low impact as described in A Guide to Preparing LEPs (Department of Planning 2009) and must be made publicly available for 14 days; and
- (b) the relevant planning authority must comply with the notice requirements for public exhibition of planning proposals and the specifications for material that must be made publicly available along with planning proposals as identified in section 4.5 of A Guide to Preparing LEPs (Department of Planning 2009).

4. Consultation is required with the following public authorities under section 56(2)(d) of the EP&A Act:

- Office of Environment and Heritage
- Transport for NSW – Roads and Maritime Service

Each public authority is to be provided with a copy of the planning proposal and any relevant supporting material. Each public authority is to be given at least 21 days to comment on the proposal, or to indicate that they will require additional time to comment on the proposal. Public authorities may request additional information or additional matters to be addressed in the planning proposal.

5. A public hearing is not required to be held into the matter by any person or body under section 56(2)(e) of the EP&A Act. This does not discharge Council from any obligation it may otherwise have to conduct a public hearing (for example, in response to a submission or if reclassifying land).

6. The timeframe for completing the LEP is to be 9 months from the week following the date of the Gateway determination.

Signature:



Printed Name:

Neil McGaffa

Date:

27.6.12