

Gateway Determination

Planning proposal (Department Ref: PP_2019_TWEED_006_00): to identify a medical centre as an additional permitted use on Part Lot 3 SP 74283 and Lot 5 SP 83483, 49-61 Bells Boulevard, Kingscliff.

I, the Director at the Department of Planning, Industry and Environment, as delegate of the Minister for Planning and Public Spaces, have determined under section 3.34(2) of the *Environmental Planning and Assessment Act 1979* (the Act) that an amendment to the Tweed Local Environmental Plan (LEP) 2014 to identify a medical centre as an additional permitted use on Part Lot 3 SP 74283 and Lot 5 SP 83483, 49-61 Bells Boulevard, Kingscliff should proceed subject to the following conditions:

1. Prior to community consultation the proposal is to be amended to include the existing and proposed Additional Permitted Use maps.
2. Public exhibition is required under section 3.34(2)(c) and schedule 1 clause 4 of the Act as follows:
 - (a) the planning proposal is classified as low impact as described in *A guide to preparing local environmental plans* (Department of Planning, Industry and Environment 2016) and must be made publicly available for a minimum of **14 days**; and
 - (b) the planning proposal 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 6.5.2 of *A guide to preparing local environmental plans* (Department of Planning, Industry and Environment, 2018).
3. No consultation is required with public authorities/organisations under section 3.34(2)(d) of the Act
4. A public hearing is not required to be held into the matter by any person or body under section 3.34(2)(e) of the 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).
5. The planning proposal authority is authorised as the local plan-making authority to exercise the functions under section 3.36(2) of the Act subject to the following:
 - (a) the planning proposal authority has satisfied all the conditions of the Gateway determination;
 - (b) the planning proposal is consistent with section 9.1 Directions or the Secretary has agreed that any inconsistencies are justified; and
 - (c) there are no outstanding written objections from public authorities.

6. The time frame for completing the LEP is to **9 months** following the date of the Gateway determination.

Dated 25 day of October 2019.

A handwritten signature in black ink, appearing to read 'J Gray', with a stylized, cursive script.

Jeremy Gray
Director, Northern Region
Planning and Assessment
Department of Planning, Industry and
Environment

Delegate of the Minister for Planning
and Public Spaces