

**Planning Proposal
to enable 'medical centre' as an additional permitted
use at Salt Village, Kingscliff (PP19/0005)**

Version 1 for Gateway Determination
September 2019

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Part 1 Objectives and intended outcomes

Introduction

Salt Village is located at South Kingscliff and comprises the 364 room Peppers Resort, 318 room Mantra Resort, the Salt Village Commercial precinct (comprising the Salt Tavern, shops, restaurants and offices) as well as approximately 540 surrounding lots/dwellings.

Tweed Shire Council received a request for a Planning Proposal from DAC Planning Pty Ltd on behalf of Salt Village Pty Ltd in May 2019 to add 'medical centre' as an amendment to Schedule 1 Additional Permitted Use of the *Tweed Local Environmental Plan 2014* (Tweed LEP 2014).

This planning proposal applies to Part Lot 3 SP 74283 and Lot 5 SP 83483 being the commercial tenancies on the southern side of the Salt Village commercial complex, which is within common property under the Strata Scheme (refer to Figure 1).

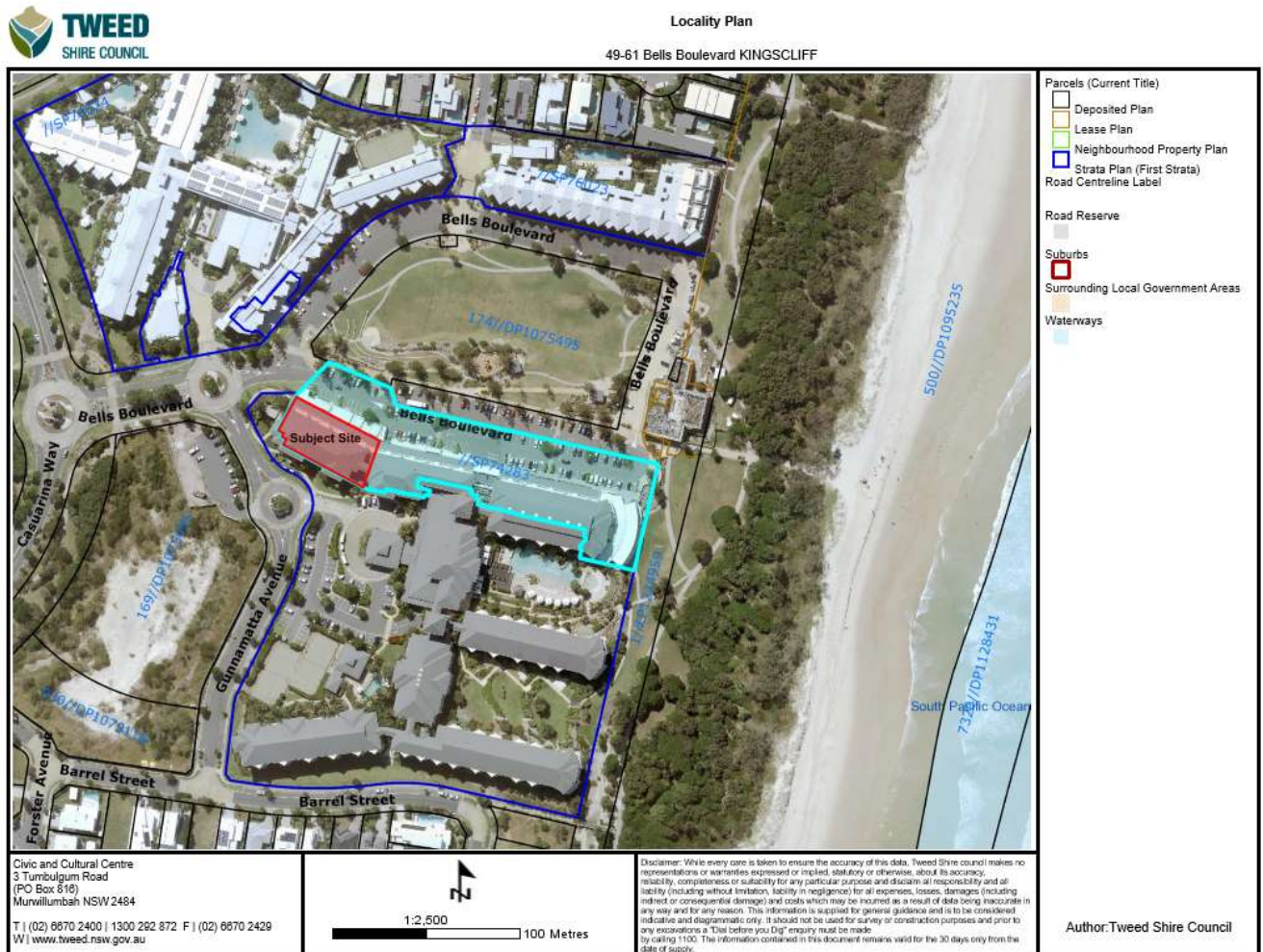


Figure 1 – Subject Site and Locality Plan

The subject site is currently zoned SP3 Tourist under the Tweed LEP 2014 (refer to Figure 2). Development for the purposes of a medical centre is prohibited in the SP3 Tourist zone.

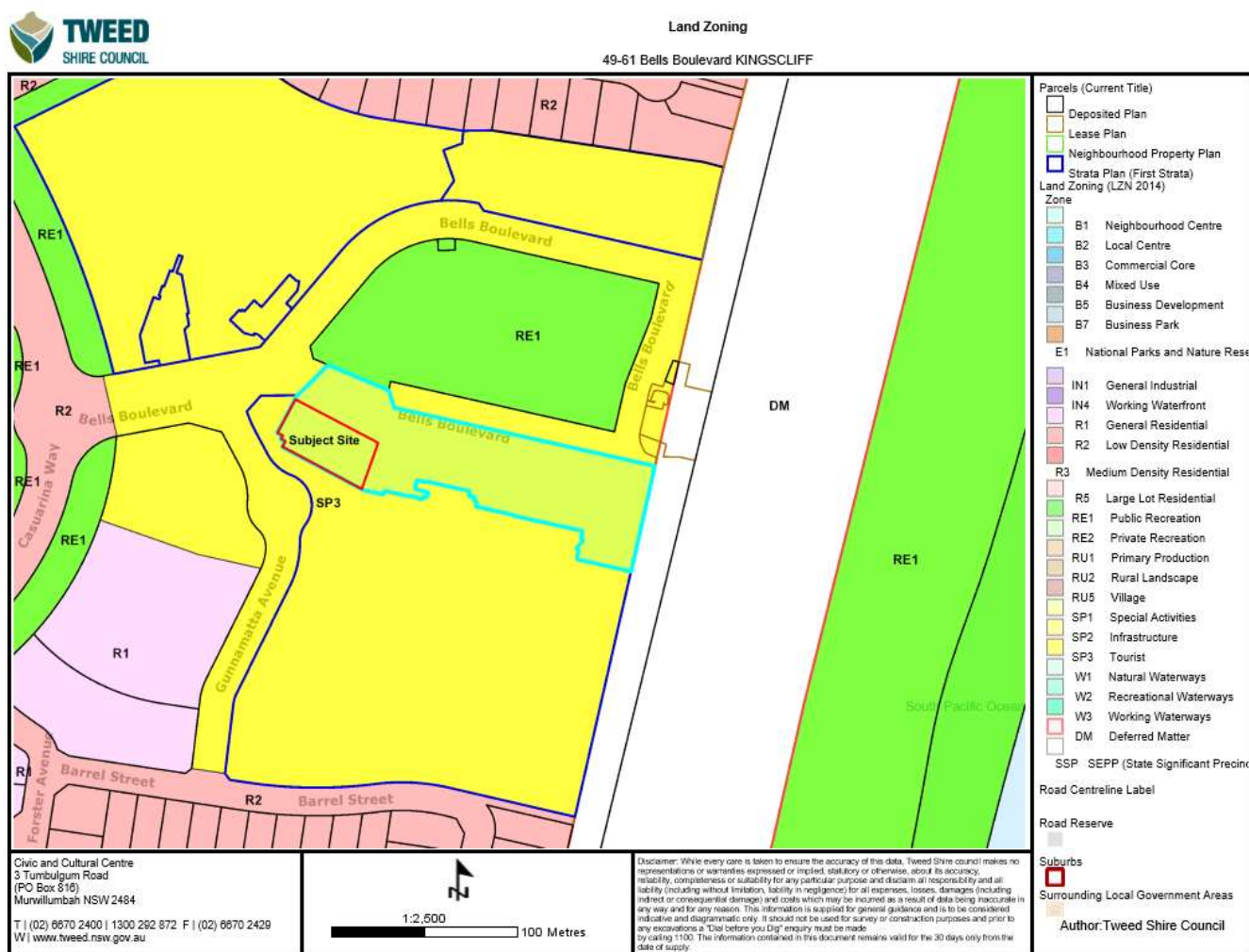


Figure 2 – Land zoning (LEP 2014)

On 4 July 2019, Council resolved that:

1. "The intent of the amendments to Tweed Local Environmental Plan 2014 and Tweed City Local Environmental Plan 2012 detailed in this report are endorsed;
2. The planning proposals once prepared are to be referred to the NSW Department of Planning & Environment for a Gateway Determination, in accordance with s3.34 of the Environmental Planning and Assessment Act 1979;
3. On receipt of the Minister's Gateway Determination Notice to proceed all, if any, Gateway conditions or other identified study or work is to be duly completed and included within the material for public exhibition;
4. Public exhibition is to occur consistent with the Gateway Determination and for a minimum of 28 days."

It is noted this Council report addressed two planning proposals for the inclusion of an additional use for medical centre, being this one at Salt Village and another within the City Centre LEP 2012 on the site of the Tweed Heads Bowls Club. The Tweed Heads Bowls Club will be the subject of a separate report.

The inclusion of 'medical centre' as an additional permitted use across existing retail units within the Salt precinct will provide additional land use flexibility to deliver medical services to the local community and visitors to the locality.

Objectives and Intended Outcomes

The objective of this planning proposal is to provide additional land use flexibility to deliver medical services to the local community and visitors to the locality by enabling 'medical centre' as an additional permitted use over the existing floor area of Part Lot 3 SP 74283 and Lot 5 SP 83483, at 49-61 Bells Boulevard, Kingscliff.

This would enable the subject land to be developed for the purpose of a medical centre, subject to a development application being assessed on its planning merits.

It is proposed to rely on the *Standard Instrument – Principal Local Environmental Plan* dictionary definitions for the additional use, being a medical centre which 'means premises that are used for the purpose of providing health services (including preventative care, diagnosis, medical or surgical treatment, counselling or alternative therapies) to out-patients only, where such services are principally provided by health care professionals. It may include the ancillary provision of other health services.'

Part 2 Explanation of provisions

The planning proposal seeks to amend Schedule 1 of Tweed Local Environmental Plan 2014 to include the following clause:

"16. Use of certain land at 49-61 Bells Boulevard, Kingscliff

- 1) This clause applies to the land at 46-61 Bells Boulevard, Kingscliff, being Part Lot 3 SP 74283 and Lot 5 SP 83483, identified as "26" on the Additional Permitted Uses Map.
 - a. Development for the purpose of a medical centre is permitted with development consent."**

Inclusion of this clause in Schedule 1 of Tweed LEP 2014 will provide increased land use flexibility to deliver medical services to the local community and tourist resort guests.

Part 3 Justification

Section A Need for the planning proposal

1. Is the planning proposal a result of any strategic study or report?

Under the provision of the *North Coast Regional Plan 2036*, the subject land is within an Urban Growth Area and as the proposal is considered to be not inconsistent with this Plan.

The proposal is not the direct result of any strategic study or report however as part of the Kingscliff Locality Plan process it was recognised that the Salt and adjacent Casuarina developments now consists of a significant permanent resident population and that a wider offer of retail, commercial and service related uses would be beneficial to meet the needs of those residents as well as the significant tourist population. In this regard, the addition of such medical services is not inconsistent with this finding.

2 Is the planning proposal the best means of achieving the objectives or intended outcomes, or is there a better way?

It is considered that an amendment to Schedule 1 of the Tweed LEP 2014 to enable additional permitted uses is the best means of achieving the objectives and intended outcomes of this Planning Proposal.

Rezoning the land to a Business zone to permit a broader range of commercial uses could result in competition against the retail and other existing permitted uses more compatible with the primary land use being tourist-oriented development.

The intent of the planning proposal is to only enable medical centres to service the resident population of Salt and guests of the tourist resorts. As such the option of including a specific enabling provision in Schedule 1 of the Tweed LEP 2014 is considered the most appropriate option.

Section B Relationship to strategic planning framework

1 Is the planning proposal consistent with the objectives and actions contained within the applicable regional or sub-regional strategy (including the Sydney Metropolitan Strategy and exhibited draft strategies)?

The North Coast Regional Plan 2036 was approved by the Minister for Planning in March 2017 and is the principal regional strategy guiding growth across the North Coast Region.

Under the provisions of the North Coast Regional Plan, the subject land is within an Urban Growth Area, being the village of “Salt” and part of wider Kingscliff. The goals under the Regional Plan which are directly applicable to this Planning Proposal are:

- Goal 1: The most stunning environment in NSW;
- Goal 2: A thriving, interconnected economy;
- Goal 3: Vibrant and engaged communities; and
- Goal 4: Great housing choice and lifestyle options.

Goal 1 - The most stunning environment in NSW

The Regional Plan lists important planning principles to ensure the protection and improvement of the Region’s highly valued environment, being:

- Principle 1: Direct Growth to Identified Urban Growth Areas;
- Principle 2: Manage the Sensitive Coastal Strip; and
- Principle 3: Provide Great Places to Live and Work in a Unique Environment.

Directions 1, 2 and 3 under the Regional Plan also contain actions specific to guiding development to the urban growth area boundary and unconstrained land.

Salt Village is mapped within the Urban Growth Area and is an internationally recognised destination for tourists and local residents which accommodates up to approximately 2,600 people. A change in permitted use controls over the site as proposed would enable convenient medical services to be delivered to residents and tourist resort guests in an efficient manner and improve the liveability of the area. The planning proposal relates to existing developed commercial tenancies and as such, impacts on the sensitive coastal strip in terms of the natural environment would be negligible.

Amending Schedule 1 of Tweed LEP 2014 as proposed in this Planning Proposal is therefore consistent with Goal 1 of the Regional Plan.

Goal 2 - A thriving, interconnected economy

Direction 6 seeks to encourage the growth and role of centres throughout the region, however it recognises the importance of commercial precincts outside of these centres for serving local communities and delivering positive social and economic benefits and regional economy.

Direction 8 is specific to the promotion and growth of tourism in the region and contains actions directly applicable to this proposal, such as 'facilitating tourism and visitor accommodation' and 'supporting land uses in coastal locations through local environmental plans'.

The subject site is already being used for tourism accommodation purposes and the proposed amendment to Schedule 1 of Tweed LEP 2014 would contribute to current operations by improving access to essential medical facilities for tourist resort guests and local residents.

In summary, the proposal is considered to be consistent with Goal 2 under the Regional Plan.

Goal 3 - Vibrant and engaged communities

Goal 3 acknowledges the region's identity as being shaped by its culture, environment and communities and seeks to ensure growth in the region respects and builds upon and around this legacy.

An amendment to Schedule 1 of Tweed LEP 2014 as proposed will facilitate medical facilities within the Salt Village, bringing benefits for social cohesion and interaction with the existing tourist resorts and surrounding residential areas. It will contribute to the existing walkable retail and tourist node at Salt, promoting activity, social interaction and healthy lifestyles.

Actions under Direction 18 indicate that Aboriginal Cultural Heritage Assessments are to be undertaken to ensure impacts to Aboriginal cultural heritage are minimised and appropriate heritage management mechanisms are identified.

As indicated in Section C(2), there are no registered Aboriginal objects or declared places on the subject site and the site is not mapped as an *Aboriginal Place of Heritage Significance* or Predictive Aboriginal Cultural Heritage area under the Tweed Aboriginal Cultural Heritage Management Plan. In addition the existing built infrastructure would be used for the medical centre.

Direction 21 seeks to ensure the cost-effective and efficient use of infrastructure by directing development towards existing infrastructure. The site is in an existing urban area and serviced by all required trunk infrastructure.

Local Government Narratives – Tweed

The Regional Plan recognises that Tweed needs to support ongoing growth in the tourism industry, to showcase its significant natural features and take advantage of its proximity to the nationally significant tourist area of the Gold Coast.

Salt Village is the major tourist destination on the Tweed Coast as it provides a range of accommodation, recreation and entertainment facilities. Amendment to Schedule 1 of Tweed LEP 2014 as proposed would strengthen the Salt Village commercial area and is consistent with this Local Government Narrative.

2 Is the planning proposal consistent with the local Council's Community Strategic Plan, or other local strategic plan?

Tweed Community Strategic Plan (CSP) 2017-2027

The Tweed Community Strategic Plan (CSP) 2017-2027 establishes the following vision: "*The Tweed will be recognised for its desirable lifestyle, strong community, unique character and environment and the opportunities its residents enjoy*".

A goal of the CSP is to plan for sustainable development which balances economic, environmental and social considerations. This is to be achieved through several actions, including planning for well-located and connected centres that meet the business, health and social needs of the community.

Another goal of the CSP is to provide social, cultural and economic opportunities enabling healthy, safer and more inclusive communities. This includes improving local and regional healthcare infrastructure and services and providing more opportunities for people in the Tweed to work.

The intended outcome of this planning proposal responds to the actions and objectives of the Tweed CSP.

Tweed Urban and Employment Land Release Strategy 2009

The Tweed Urban and Employment Land Release Strategy 2009 outlines an urban land release program for the Shire until 2031, with a focus on existing zoned and some greenfield development. It was adopted by Council on 17 March 2009.

This Strategy does not identify tourism opportunities in new locations but does acknowledge that tourism is a significant part of the Tweed economy.

The planning proposal is considered to be consistent with the Tweed Urban and Employment Land Release Strategy 2009.

3 Is the planning proposal consistent with the applicable State Environmental Planning Policies (SEPPs)?

The planning proposal is consistent with relevant State Environmental Planning Policy applying to the Tweed local government area, being:

State Environmental Planning Policy No 55 - Remediation of Land

The aim of this Policy is to promote the remediation of contaminated land for the purpose of reducing the risk of harm to human health or any other aspect of the environment.

As outlined in Section C(2) of this report, contaminated land issues were addressed and resolved as part of the original Salt development (DA04/1422) issued on 24 April 2003. The tenancies within Part Lot 3 SP 74283 and Lot 5 SP 83483 have previously been used for commercial and retail purposes which do not involve any potential contaminating activities.

State Environmental Planning Policy (Coastal Management) 2018

The aim of this Policy is to promote an integrated and co-ordinated approach to land use planning in the coastal zone in a manner consistent with the objects of the *Coastal Management Act 2016*.

The subject site is located within the Coastal Environment Area and Coastal Use Area. It is mapped as landward of the 2100 coastal erosion line. The site is highly modified and urbanised and retains no significant natural values.

The site is serviced by existing reticulated sewerage system and stormwater management facilities which address both water quality and runoff volumes. The site is not located in close proximity to any of the coastal lakes identified in Schedule 1. Pedestrian access to the public foreshore is provided to the east of the site via the existing public foreshore reserve.

In summary, the proposal is not inconsistent with this state policy.

4 Is the planning proposal consistent with applicable Ministerial Directions (s9.1 Directions)?

The planning proposal is consistent with the Ministerial s9.1 Directions, as outlined in Table 1.

Table 1- Consistency with s9.1 Directions

S9.1 Direction	Application	Relevance to this planning proposal	Consistency with direction
1. Employment and Resources			
1.1 Business and Industrial Zones	<p><u>Summary of Objectives</u> To protect, encourage and support employment / strategic centres.</p> <p><u>Application</u> When a relevant planning authority prepares a planning proposal that will affect land within an existing or proposed business or industrial zone (including the alteration of any existing business or industrial zone boundary).</p>	This planning proposal does not apply to land with a business or industrial zone.	Not applicable.
1.2 Rural Zones	<p><u>Objectives:</u> The objective of this direction is to protect the agricultural production value of rural land.</p> <p><u>Application:</u> A planning proposal must:</p> <ul style="list-style-type: none"> (a) not rezone land from a rural zone to a residential, business, industrial, village or tourist zone. (b) not contain provisions that will increase the permissible density of land within a rural zone (other than land within an existing town or village). 	This planning proposal does not apply to land with a rural zone.	Not applicable.
1.3 Mining, Petroleum Production and Extractive Industries	<p><u>Objectives:</u> The future extraction of State or regionally significant reserves of coal, other minerals, petroleum and extractive materials is not compromised by inappropriate development.</p> <p><u>Application:</u></p>	This planning proposal does not include provisions that would trigger the application of this direction.	Consistent.

Table 1- Consistency with s9.1 Directions

S9.1 Direction	Application	Relevance to this planning proposal	Consistency with direction
	When a relevant planning authority prepares a planning proposal that would have the effect of: (a)prohibiting the mining of coal or other minerals, production of petroleum, or winning or obtaining of extractive materials, or (b)restricting the potential development of resources of coal, other minerals, petroleum or extractive materials which are of State or regional significance by permitting a land use that is likely to be incompatible with such development.		
1.4 Oyster Aquaculture	<u>Objectives:</u> To protect Priority Oyster Aquaculture Areas (POA) and oyster aquaculture outside such an area, from adverse impacts on water quality, the health of the oysters and oyster consumers. <u>Application:</u> When there is a change in land use that could result with adverse impact or incompatibility of land uses.	This planning proposal does not apply to land that would be known or identified as a Priority Oyster Aquaculture Area.	Not applicable.
1.5 Rural Lands	<u>Objectives:</u> To protect the agricultural production value of rural land and to facilitate the orderly and economic development of rural lands for rural and related purposes. <u>Applies when:</u> (a)a relevant planning authority prepares a planning proposal that will affect land within an existing or proposed rural or environment protection zone, or (b) a relevant planning authority prepares a planning proposal that changes the existing minimum lot size on land within a rural or environment protection zone.	This planning proposal does not apply to land with a rural zone.	Not applicable.
2. Environment and Heritage			
2.1 Environment Protection Zones	<u>Objective</u> To protect and conserve environmentally sensitive areas. <u>Application</u>	The subject land does not contain any environmentally sensitive areas and is not subject to an environment protection zone.	Not applicable.

Table 1- Consistency with s9.1 Directions

S9.1 Direction	Application	Relevance to this planning proposal	Consistency with direction
	When a relevant planning authority prepares a planning proposal.		
2.2 Coastal Protection	<p><u>Objective</u> To implement the principles in the NSW Coastal Policy.</p> <p><u>Application</u> When a relevant planning authority prepares a planning proposal that applies to land in the coastal zone.</p>	The subject site is located within the coastal zone. Coastal protection was addressed and resolved as part of the original Salt development (DA04/1422) issued on 24 April 2003. This planning proposal relates to existing developed commercial tenancies and as such, impacts on the sensitive coastal strip would be negligible.	Consistent.
2.3 Heritage Conservation	<p><u>Objective</u> To conserve items, areas, objects and places of environmental heritage significance and indigenous heritage significance.</p> <p><u>Application</u> When a relevant planning authority prepares a planning proposal.</p>	No known items of heritage significance or cultural value are known to occur within or immediately adjoining the subject site.	Consistent.
2.4 Recreation Vehicle Areas	<p><u>Objective</u> To protect sensitive land or land with significant conservation values from adverse impacts from recreation vehicles.</p> <p><u>Application</u> When a relevant planning authority prepares a planning proposal.</p>	This planning proposal does not seek to change the regulation of recreation vehicles or land on which a recreation vehicle access or development may occur.	Not applicable.
2.5 Application of E2 and E3 Zones and Environmental Overlays in Far North Coast LEPs	<p><u>Objective:</u> To ensure that a balanced and consistent approach is taken when applying environmental protection zones and overlays to land on the NSW Far North Coast.</p> <p><u>Application:</u> When a relevant planning authority prepares a planning proposal that introduces or alters an E2 or E3 zone, or an overlay with associated clause.</p>	The subject land does not contain any environmentally sensitive areas and is not subject to an environment protection zone.	Not applicable.

Table 1- Consistency with s9.1 Directions

S9.1 Direction	Application	Relevance to this planning proposal	Consistency with direction
	A relevant planning authority must apply the proposed E2, E3 or the overlay and associated clause consistent with the Northern Councils E Zone Review Final Recommendations.		
3. Housing, Infrastructure and Urban Development			
3.1 Residential Zones	<p><u>Summary of Objectives:</u></p> <p>(a) to encourage a variety and choice of housing types, (b) to make efficient use of existing infrastructure and services, (c) to minimise the impact of residential development on the environment and resource lands.</p> <p><u>Application</u></p> <p>When a planning proposal affects land within:</p> <p>(a) an existing or proposed residential zone, or (b) any other zone in which significant residential development is permitted or proposed to be permitted.</p>	This planning proposal does not apply to land with a residential zone.	Not applicable.
3.2 Caravan Parks and Manufactured Home Estates	<p><u>Objectives:</u></p> <p>(a) to provide for a variety of housing types, and (b) provide opportunities for caravan parks and manufactured home estates.</p> <p><u>Application:</u></p> <p>When a relevant planning authority prepares a planning proposal.</p>	The planning proposal does not aim to alter permissibility of caravan parks on the subject land and can be considered as consistent with the provisions of this direction.	Consistent.
3.3 Home Occupations	<p><u>Objective:</u></p> <p>To encourage the carrying out of low-impact small businesses in dwelling houses.</p> <p><u>Application:</u></p> <p>When a relevant planning authority prepares a planning proposal.</p> <p><u>If this direction applies:</u></p>	This planning proposal will not alter provisions regulating home occupations, which will remain a land use permitted without development consent.	Consistent.

Table 1- Consistency with s9.1 Directions

S9.1 Direction	Application	Relevance to this planning proposal	Consistency with direction
	Planning proposals must permit home occupations to be carried out in dwelling houses without the need for development consent		
3.4 Integrating Land Use and Transport	<p><u>Summary of Objectives:</u> To ensure that urban structures, building forms, land use, subdivision and street layouts achieve the following objectives:</p> <ul style="list-style-type: none"> (a) improving access to housing, jobs and services by walking, cycling and public transport, and (b) increasing the choice of available transport and reducing dependence on cars, and (c) reducing travel demand including the number of trips generated by development and the distances travelled, (d) supporting the efficient operation of public transport services, and (e) providing for the efficient movement of freight. <p><u>Application:</u> This direction applies when a relevant planning authority prepares a planning proposal that will create, alter or remove a zone or a provision relating to urban land.</p>	The subject site is in a tourist area and adjacent to the residential community of Salt Village. The proposal will contribute to the creation of a vibrant walkable commercial and tourist node in this coastal village.	Consistent.
3.5 Development Near Licensed Aerodrome	<p><u>Summary of Objectives:</u></p> <ul style="list-style-type: none"> (a) ensure the effective and safe operation of aerodromes, (b) ensure that their operation is not compromised by development, (c) ensure development for residential purposes or human occupation, if situated on land within the Australian Noise Exposure Forecast contours of between 20 and 25, incorporates appropriate mitigation measures. <p><u>Application:</u> When a planning authority prepares a planning proposal that will create, alter or remove a zone or a provision relating to land in the vicinity of a licensed aerodrome.</p>	The site subject to this planning proposal is not located in the vicinity of a licensed aerodrome.	Not applicable.

Table 1- Consistency with s9.1 Directions

S9.1 Direction	Application	Relevance to this planning proposal	Consistency with direction
	<p><u>What must be done</u> Summary: a planning proposal that sets controls for the development of land in the vicinity of a licensed aerodrome must be subject to prescribed consultation and take certain prescribed matters into account.</p>		
3.6 Shooting Ranges	<p><u>Objectives:</u> (a) to maintain public safety and amenity, (b) to reduce land use conflicts, (c) to identify issues for consideration when rezoning land adjacent to an existing shooting range.</p> <p><u>Application:</u> When a planning authority prepares a planning proposal that will affect, create, alter or remove a zone or a provision relating to land adjacent to a shooting range.</p> <p><u>What must not be done</u> A planning proposal must not seek to rezone land adjacent to and/ or adjoining an existing shooting range that has the effect of permitting more intensive land uses than those which are permitted under the existing zone or permitting land uses that are incompatible with the noise emitted by the shooting range.</p>	The site subject to this planning proposal is not adjacent to an existing shooting range.	Not applicable.
3.7 Reduction in non-hosted short term rental accommodation period	Applies to Byron local government area.	Not relevant to this planning proposal.	Not applicable.
4. Hazard and Risk			
4.1 Acid Sulfate Soils	<p><u>Objective</u> To avoid significant adverse environmental impacts from the use of land that has a probability of containing acid sulfate soils.</p> <p><u>Application:</u></p>	The site is mapped as potentially containing Class 4 acid sulfate soils. Acid sulfate soils was addressed and resolved as part of the original Salt development (DA04/1422) issued on 24 April 2003. Acid sulfate soils do not impose a significant constraint because excavation below 2 metres is unlikely to be required.	Consistent.

Table 1- Consistency with s9.1 Directions

S9.1 Direction	Application	Relevance to this planning proposal	Consistency with direction
	When a relevant planning authority prepares a planning proposal that will apply to land having a probability of containing acid sulfate soils.		
4.2 Mine Subsidence and Unstable Land	<p>To prevent damage to life, property and the environment on land unstable or potentially subject to mine subsidence.</p> <p><u>Application:</u></p> <p>When a relevant planning authority prepares a planning proposal that permits development on land that is within a mine subsidence district, or has been identified as unstable in a study, strategy or other assessment.</p>	The subject site is not within a mine subsidence district and has not been identified as unstable in a study, strategy or other assessment.	Not applicable.
4.3 Flood Prone Land	Applies when a relevant planning authority prepares a planning proposal that creates, removes or alters a zone or a provision that affects flood prone land.	The subject site is not subject to flooding in the design flood event, climate change event or probable maximum flood event.	Not applicable.
4.4 Planning for Bushfire Protection	<p><u>Objective</u></p> <p>(a) to protect life, property and the environment from bush fire hazards, by discouraging the establishment of incompatible land uses in bush fire prone areas, and</p> <p>(b) to encourage management of bush fire prone areas.</p> <p><u>Application:</u></p> <p>When a relevant planning authority prepares a planning proposal that will affect, or is in proximity to land mapped as bushfire prone land.</p>	The subject site is not mapped as bushfire prone land.	Not applicable.
5. Regional Planning			
5.1 Implementation of Regional Strategies	<p><u>Objective</u></p> <p>To give legal effect to the vision, land use strategy, policies, outcomes and actions contained in regional strategies.</p> <p><u>Application:</u></p>	Compliance of this planning proposal with the general directions of the North Coast Regional Plan, 2036 has been demonstrated in Section B1 of this report.	Consistent.

Table 1- Consistency with s9.1 Directions

S9.1 Direction	Application	Relevance to this planning proposal	Consistency with direction
	When a relevant planning authority prepares a planning proposal.		
5.2 Sydney Drinking Water Catchments	Local government areas not including Tweed.	Not relevant.	Not applicable.
5.3 Farmland of State and Regional Significance on the NSW Far North Coast	<p><u>Objective</u></p> <p>(a) to ensure that the best agricultural land will be available for current and future generations to grow food and fibre, (b) to provide more certainty on the status of the best agricultural land, and (c) to reduce land use conflict.</p> <p><u>Application:</u></p> <p>When a relevant planning authority prepares a planning proposal for land mapped as: State significant farmland, regionally significant farmland, or significant non-contiguous farmland. A planning proposal must not rezone land identified as "State Significant Farmland", "Regionally Significant Farmland" or "significant non-contiguous farmland" for urban or rural residential purposes.</p>	The subject site is not mapped as state or regionally significant farmland or as non-contiguous farmland.	Not applicable.
5.4 Commercial and Retail Development along the Pacific Hwy, North Coast	<p><u>Objective</u></p> <p>To manage commercial and retail development along the Pacific Highway to preserve and protect the safe function of the highway and its users.</p> <p><u>Application:</u></p> <p>When a relevant planning authority prepares a planning proposal for land in the vicinity of the existing and/or proposed alignment of the Pacific Highway.</p>	Not relevant to this planning proposal.	Not applicable.
5.8 Second Sydney Airport: Badgerys Creek	Applies to other local government areas than Tweed.	Not relevant to this planning proposal.	Not applicable.
5.9 North West Rail Link Corridor Strategy	Applies to other local government areas than Tweed.	Not relevant to this planning proposal.	Not applicable.

Table 1- Consistency with s9.1 Directions

S9.1 Direction	Application	Relevance to this planning proposal	Consistency with direction
5.10 Implementation of Regional Plans	<p><u>Objective</u> To give legal effect to the vision, land use strategy, goals, directions and actions contained in Regional Plans.</p> <p>Applies when preparing a planning proposal.</p>	Compliance of this planning proposal with the general directions of the North Coast Regional Plan, 2036 has been demonstrated in Section B1 of this report.	Consistent.
5.11 Development of Aboriginal Land Council Land	<p><u>Objective</u> To provide for the consideration of development delivery plans prepared under State Environmental Planning Policy (Aboriginal Land) 2019.</p> <p><u>Application:</u> When a relevant planning authority prepares a planning proposal for land shown on the Land Application Map of State Environmental Planning Policy (Aboriginal Land) 2019.</p>	The subject site is not mapped on the Land Application Map of State Environmental Planning Policy (Aboriginal Land) 2019.	Not applicable.
6. Local Plan Making			
6.1 Approval and Referral Requirements	<p><u>Objective</u> To ensure that LEP provisions encourage the efficient and appropriate assessment of development.</p> <p><u>Application:</u> When a relevant planning authority prepares a planning proposal.</p> <p><u>What must be done:</u> Ensure provisions minimise concurrence roles, consultation or referral of DAs to public authority.</p>	This planning proposal does not propose an amendment of the kind referred to in the Direction.	Consistent.
6.2 Reserving Land for Public Purposes	<p><u>Objective</u> (a) to facilitate the provision of public services and facilities by reserving land for public purposes, and (b) to facilitate the removal of reservations of land for public purposes where the land is no longer required for acquisition.</p>	This planning proposal does not create, reduce or alter existing zoned reserves, and is not the subject of a direction of the Minister or public authority for that purpose.	Not applicable.

Table 1- Consistency with s9.1 Directions

S9.1 Direction	Application	Relevance to this planning proposal	Consistency with direction
6.3 Site Specific Provisions	<p><u>Objective</u> To discourage unnecessarily restrictive site specific planning controls.</p> <p><u>Application</u>: When a relevant planning authority prepares a planning proposal that will allow a particular development.</p>	This planning proposal is consistent with this Direction as it does not alter the existing zone but rather, permits additional uses, with consent.	Consistent.
7. Metropolitan Planning			
7.1 Implementation of A Plan for Growing Sydney	Applies to local government areas other than Tweed.	Not relevant to this planning proposal.	Not applicable.
7.2 Implementation of Greater Macarthur Land Release Investigation	Applies to local government areas other than Tweed.	Not relevant to this planning proposal.	Not applicable.
7.3 Parramatta Road Corridor Urban Transformation Strategy	Applies to local government areas other than Tweed.	Not relevant to this planning proposal.	Not applicable.
7.4 Implementation of North West Priority Growth Area Land Use and Infrastructure Implementation Plan	Applies to local government areas other than Tweed.	Not relevant to this planning proposal.	Not applicable.
7.5 Implementation of Greater Parramatta Priority Growth Area Interim Land Use and Infrastructure Implementation Plan	Applies to local government areas other than Tweed.	Not relevant to this planning proposal.	Not applicable.
7.6 Implementation of Wilton Priority Growth Area Interim Land Use and Infrastructure Implementation Plan	Applies to local government areas other than Tweed.	Not relevant to this planning proposal.	Not applicable.

Table 1- Consistency with s9.1 Directions

S9.1 Direction	Application	Relevance to this planning proposal	Consistency with direction
7.7 Implementation of Glenfield to Macarthur Urban Renewal Corridor	Applies to local government areas other than Tweed.	Not relevant to this planning proposal.	Not applicable.
7.8 Implementation of Western Sydney Aerotropolis Interim Land Use and Infrastructure Implementation Plan	Applies to local government areas other than Tweed.	Not relevant to this planning proposal.	Not applicable.
7.9 Implementation of Bayside West Precincts 2036 Plan	Applies to local government areas other than Tweed.	Not relevant to this planning proposal.	Not applicable.
7.10 Implementation of Planning Principles for the Cooks Cove Precinct	Applies to local government areas other than Tweed.	Not relevant to this planning proposal.	Not applicable.

Section C Environmental, Social and Economic Impact

1 Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats will be adversely affected as a result of the proposal?

Tweed Shire Council's Vegetation Mapping identifies the site as highly modified and disturbed and the site is not mapped on the Biodiversity Value Map. The site is highly urbanised and does not contain native vegetation or habitat values.

The planning proposal relates to existing developed commercial tenancies and as such, would not result in any adverse effects to environmental values.

2 Are there any other likely environmental effects as a result of the planning proposal and how are they proposed to be managed?

The key constraints associated with the subject site, including acid sulfate soils and coastal erosion hazards can be appropriately managed and mitigated as outlined below.

Acid Sulfate Soils

The subject site is mapped as Class 4 acid sulphate soils (refer to Figure 3). An Acid Sulfate Soil Management Plan is required to accompany any application for excavation greater than 2 metres in depth.

The purpose of this planning proposal is to enable development of a medical centre within existing developed commercial tenancies and as such, it would not result in any adverse effects to acid sulfate soils.

Coastal Erosion

As shown on Figure 4 the subject site is not impacted by the immediate coastal hazard line and is landward of the 2100 coastal hazard area. Therefore coastal hazards do not impose a constraint on the development potential of the site.

Flooding

The subject site is not subject to flooding in the design flood event, climate change event or probable maximum flood event. As such, flooding does not impose a constraint on the development potential of the site.

Contaminated Land

Contaminated land issues were addressed and resolved as part of the original Salt Village development (DA04/1422) issued on 24 April 2003. The tenancies within Lot 3 SP 74283 and Lot 5 SP 83483 have previously been used for commercial and retail purposes which do not involve any potential contaminating activities.

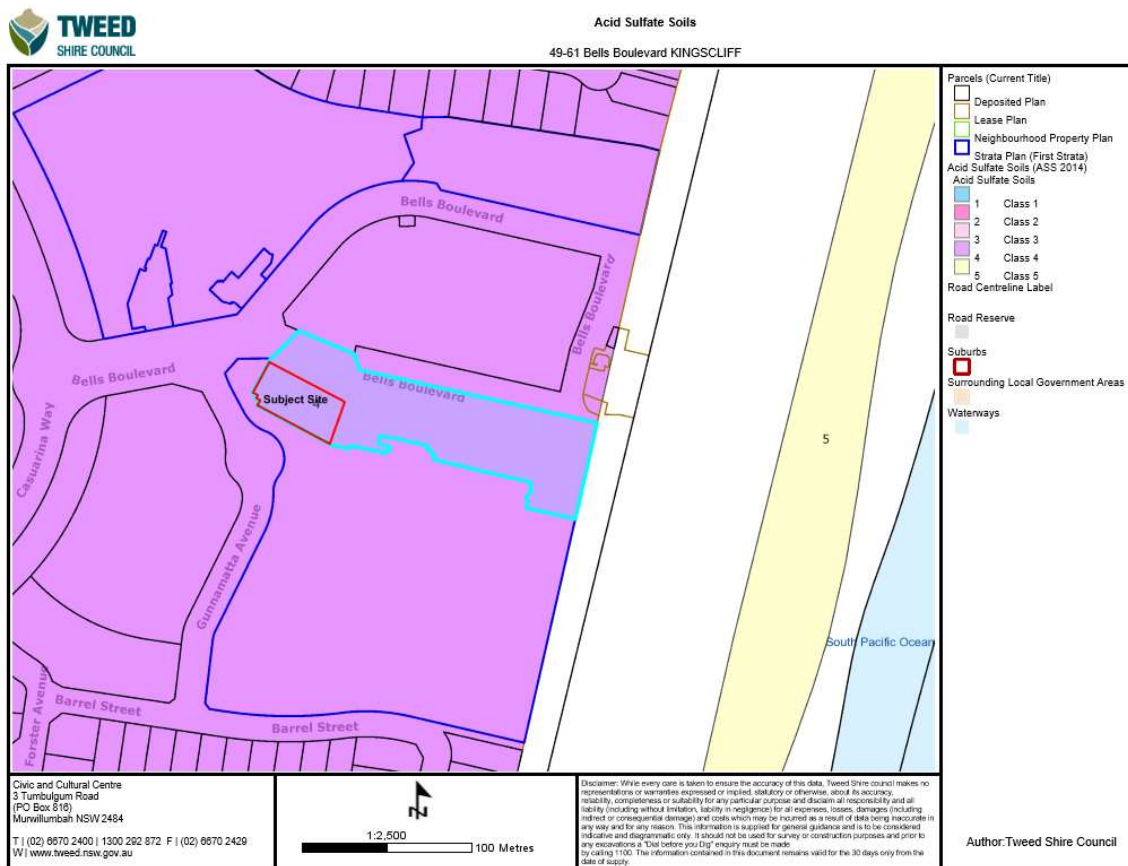


Figure 3 – Acid Sulfate Soils

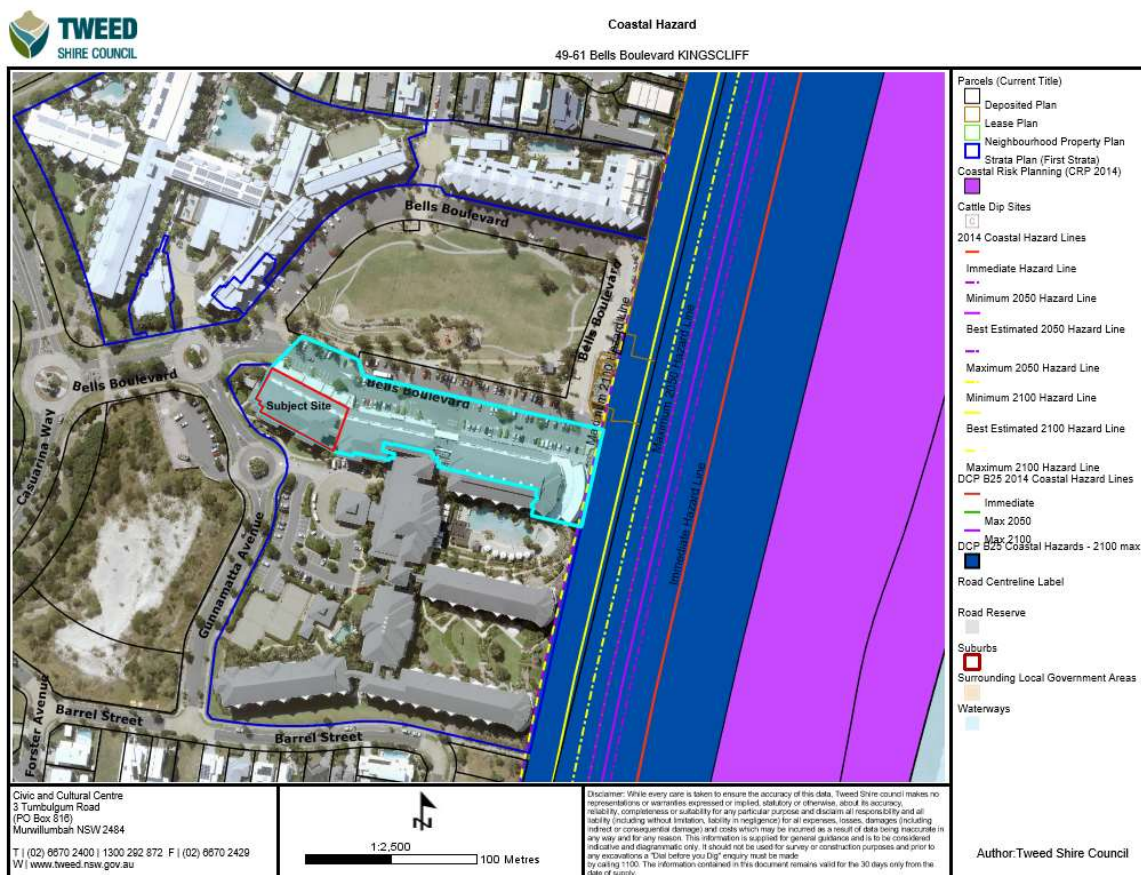


Figure 4 – Coastal Hazard Lines

Bushfire Prone Land

As shown on Figure 5, the subject site is not mapped a bushfire prone. As such, bushfire risk does not impose a constraint on the development potential of the site.

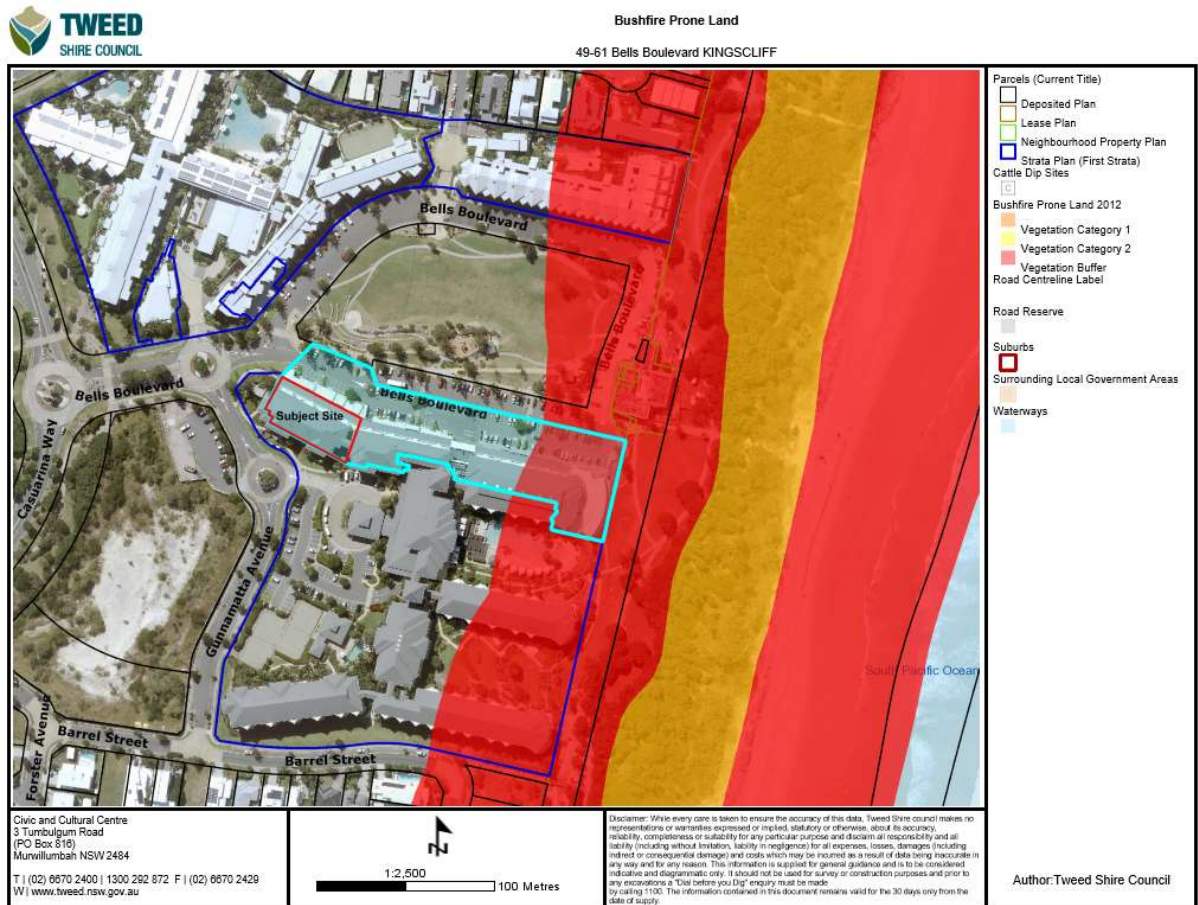


Figure 5 – Bushfire Prone Land

Cultural and Historic Heritage

A search of the Aboriginal Heritage Information Management System (AHIMS) maintained by the Office of Environment and Heritage indicated that there are no registered Aboriginal objects or declared places on or immediately adjacent to the subject site. The site is not mapped as an *Aboriginal Place of Heritage Significance* or Predictive Aboriginal Cultural Heritage under the *Tweed Shire Council Aboriginal Heritage Management Plan 2018*.

The historic heritage database provided under Schedule 5 of the Tweed LEP 2014 indicated that no items of historic heritage significance are known to occur within or immediately adjoining the subject site.

The subject site has been significantly modified as a result of the existing tourist resort development and ancillary services. The site is largely cleared of native vegetation. It is considered unlikely that the planning proposal and any future development of the site would impact on Aboriginal cultural heritage or historic heritage values.

Biodiversity

The subject site has substantially been cleared of native vegetation as part of the existing tourist resort development and ancillary services. It is mapped as 'highly modified/disturbed' under the Tweed Vegetation Management Strategy 2009. It is considered unlikely that the planning proposal and any future development of the site would impact on biodiversity values.

3 How has the planning proposal adequately addressed any social and economic effects?

During community consultation undertaken as part of the Kingscliff Locality Plan process it was recognized that the broader Salt and Casuarina catchment now consists of a significant permanent resident population and that a wider offer of retail, commercial and service related uses would be beneficial to meet the needs of those residents as well as the significant tourist population.

The Planning Proposal is consistent with this finding and would have positive social and economic effects by providing convenient medical services to local residents and tourist resort guests in the Salt precinct.

Section D State and Commonwealth interests

1 Is there adequate public infrastructure for the planning proposal?

This planning proposal does not trigger the provision of any significant additions to or upgrading of public infrastructure within the area.

The proposed medical centre is intended to primarily service the local residents of Salt and guests in the tourist resorts. The site is within walking distance for all guests and most residents and the existing road network has adequate capacity to accommodate any additional traffic.

The site is on the route of the local bus service into Tweed Heads, with services approximately every hour.

Reticulated water supply and sewer is available to the subject site. There are no known capacity constraints in the existing systems.

The subject site is currently serviced by existing power and telecommunications infrastructure. Power supply and the provision of telecommunication services are not expected to be a constraint. The adequacy of existing services will be addressed as part of any future development application for the subject site.

A public hospital and emergency department is located in Tweed Heads approximately 15 kilometres north of the site. Emergency services including a police station, fire brigade and ambulance station are located at Kingscliff approximately 2 kilometres north of the site.

Cabarita/Bogangar has a local primary school. The nearest high school is located in Kingscliff, along with a further two primary schools and a TAFE.

In summary, given that there is no increase in the potential population, it is considered that all existing public infrastructure has adequate capacity to meet the anticipated demand generated by the future development.

2 What are the views of State and Commonwealth public authorities consulted in accordance with the gateway determination?

A Gateway determination has not yet been issued for this planning proposal. Relevant authorities will be consulted in accordance with the requirements of the Gateway Determination.

The views of consulted public authorities will be summarised and addressed as appropriate in the final Planning Proposal.

Part 4 Mapping

The Planning Proposal will require an amendment to the map pursuant to Clause 2.5 (Additional Permitted Land Uses Map) to identify land subject to this Planning Proposal as item number “26”, being:

- Part Lot 3 SP 74283; and
- Lot 5 SP 83483.

All other maps will remain unchanged.

Part 5 Community consultation

Council will place the Planning Proposal on public exhibition for a period of not less than 28 days and undertake consultation with all stakeholders as directed, in accordance with conditions of the Gateway Determination.

Community consultation will be commenced with placing a public notice in the local newspapers and on the Tweed Shire Council website. In addition, adjoining landowners will be notified in writing.

Part 6 Timeframe

The following project timeline is intended to be a guide only and may be subject to changes in response to the public consultation process and/or community submissions.

Task	Timeframe	Completed
Referral of the planning proposal for a Gateway determination	September 2019	
Gateway Determination	October 2019	
Undertake requirements of the Gateway Determination and prepare V2 planning proposal	October 2019	
Public exhibition	November 2019	
Agency consultation	November 2019	
Review submissions, respond and prepare V3 planning proposal for Council's consideration	December/January 2019	
Council report to finalise and refer the plan to the DPE to be made	February 2020	
Referral of the Plan to the DPE for making	March 2020	
Plan to be made within 9 months of Gateway	April 2020	

Summary and conclusions

This planning proposal seeks to provide additional land use flexibility to deliver medical services to the local community by enabling 'medical centre' as an additional permitted use over Part Lot 3 SP 74283 and Lot 5 SP 83483, at 49-61 Bells Boulevard, Kingscliff.

This would enable the subject land to be developed for the purpose of a medical centre, subject to a development application being assessed on its planning merits.

This planning proposal will be subject to agency and community consultation. The outcomes of the consultation process will be provided in the final version of the planning proposal.



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

tsc@tweed.nsw.gov.au
www.tweed.nsw.gov.au

Fax (02) 6670 2429
PO Box 816
Murwillumbah NSW 2484