

Tweed LEP 2014 - Amendment No 8 to rezone part of Lot 2 DP 1084992, 1200 Clothiers Creek Rd, Tanglewood from RE2 to R5 to correct a mapping error

Proposal Title : Tweed LEP 2014 - Amendment No 8 to rezone part of Lot 2 DP 1084992, 1200 Clothiers Creek Rd, Tanglewood from RE2 to R5 to correct a mapping error

Proposal Summary : The Planning Proposal seeks to make zoning and various development standard changes for part of Lot 2 DP 1084992, 1200 Clothiers Rd, Tanglewood under Tweed LEP 2014 to correct a mapping error. The changes proposed are:
 * rezone from RE2 Private Recreation to R5 Large Lot Residential;
 * apply a minimum lot size of 1ha;
 * amend the building height from 10m to 9m; and
 * apply a floor space ratio of 0.55:1

PP Number : PP_2014_TWEED_004_00 **Dop File No :** 14/13970

Planning Team Recommendation

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

S.117 directions: 1.3 Mining, Petroleum Production and Extractive Industries
 2.1 Environment Protection Zones
 2.3 Heritage Conservation
 3.1 Residential Zones
 3.3 Home Occupations
 3.4 Integrating Land Use and Transport
 4.1 Acid Sulfate Soils
 4.4 Planning for Bushfire Protection
 5.1 Implementation of Regional Strategies
 5.4 Commercial and Retail Development along the Pacific Highway, North Coast

Additional Information : It is recommended that:

1. The Planning Proposal be supported;
3. The Planning Proposal be completed within 6 months;
4. That the RPA consult with the Commissioner of the NSW Rural Fire Service in accordance with the requirements of S117 Direction 4.4 Planning for Bushfire Protection;
5. That the Director General (or his delegate) note the current inconsistency with section 117 Direction 4.4 Planning for Bushfire Protection and that it is anticipated this inconsistency will need to be resolved prior to the proposal being finalised;
6. Land zoning, lot size, height of building and floor space ratio maps in accordance with the Department's technical mapping requirements are to be prepared prior to seeking the drafting of the amendment; and
7. Council is to consult with the landowner prior to seeking the drafting of the amendment to ensure that the Planning Proposal corrects the mapping error appropriately.

Supporting Reasons : The Planning Proposal aims to correct a mapping error that occurred during the making of Tweed LEP 2014. The subject land was originally zoned Rural 1(c) under Tweed LEP 2000 and this Planning Proposal will apply the intended equivalent zoning of R5 Large Lot Residential to the land.

Panel Recommendation

Recommendation Date : 22-Aug-2014 **Gateway Recommendation :** Passed with Conditions

Panel Recommendation : This planning proposal is considered minor and the Gateway determination is to be issued under delegation by the General Manager. Therefore the planning proposal will not be considered by the panel.

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Gateway Determination

Decision Date : **22-Aug-2014** Gateway Determination : **Passed with Conditions**

Decision made by : **General Manager, Northern Region**

Exhibition period : **Nil** LEP Timeframe : **6 months**

Gateway Determination : **The Planning Proposal should proceed subject to the following conditions:**

- 1. No community consultation is required under sections 56(2)(c) and 57 of the Environmental Planning and Assessment Act 1979 ("EP&A Act").**
- 2. Consultation is required with the NSW Rural Fire Service under section 56(2)(d) of the EP&A Act. The NSW Rural Fire Service is to be provided with a copy of the planning proposal and any relevant supporting material, and given at least 21 days to comment on the proposal.**
- 3. Land zoning, lot size, height of building and floor space ratio maps in accordance with the Department's technical mapping requirements are to be prepared prior to seeking the drafting of the amendment.**
- 4. The landowner is to be provided with a copy of the planning proposal and any relevant supporting material, and given at least 14 days to comment on the 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 6 months from the week following the date of the Gateway determination.**

Signature:



Printed Name:

STEPHEN MURRAY

Date:

22 August 2014