



Mr T Green
General Manager
Tweed Shire Council
PO Box 816
MURWILLUMBAH NSW 2484

Our ref: 11/15355
Your ref: PP11/0002

Dear Mr Green

Planning Proposal PP_2011_TWEED_002_00 – Alteration of Gateway Determination

I refer to your letter of 28 July 2015 in relation to variations to Planning Proposal PP_2011_TWEED_002_00 for the rezoning of land from rural to industrial and environmental protection at Lot 12 Kudgerie Ave, Cudgera Creek.

I have determined as the delegate of the Minister, in accordance with section 56(7) of the *Environmental Planning and Assessment Act 1979*, to alter the Gateway determination dated 13 September 2011 for PP_2011_TWEED_002_00 (as altered). The Alteration of the Gateway Determination is enclosed.

As delegate of the Secretary, I have agreed that the planning proposal's inconsistency with S117 Direction 4.4 Planning for Bushfire Protection is justified in accordance with the terms of the Direction.

If you have any questions in relation to this matter, I have arranged for Mr Paul Garnett to assist you. Mr Garnett can be contacted on (02) 6641 6607.

Yours sincerely

 10 August 2015
Stephen Murray
General Manager, Northern Region
Planning Services

Encl:
Alteration of Gateway Determination

Alteration of Gateway Determination

Planning proposal Department Ref: PP_2011_TWEED_002_00

I, the General Manager, Northern Region at the Department of Planning and Environment as delegate of the Minister for Planning, have determined under section 56(7) of the *Environmental Planning and Assessment Act 1979* (the Act) to alter the Gateway determination dated 13 September 2011 (as since altered) for the proposed amendment to the Tweed Local Environmental Plan 2014 as follows:

1. Change the description of the Planning Proposal:

from "...to the Tweed Local Environmental Plan 2014 to rezone land west of Pottsville on the Tweed Coast (Lot 12 DP 1015369) to enable industrial land uses on part of the land..."

to "...to the Tweed Local Environmental Plan 2014 to rezone land west of Pottsville on the Tweed Coast (Lot 12 DP 1015369) to enable industrial land uses on part of the land, permit 'hardware and building supplies' and 'garden centres' as additional permitted uses on that part of the land being zoned IN1 General Industrial, and amend the Lot Size Map, Acid Sulfate Soils Map, and Land Application Map..."

2. Insert new condition: [9]

9. Prior to undertaking further community consultation as required by condition 10, the planning proposal is to be amended to include:

- (a) an explanation of the changes to the Land Application Map and Acid Sulfate Soils Map in 'Part 2 Explanation of Provisions';
- (b) a proposed Land Zoning Map, Lot Size Map, Acid Sulfate Soil Map, and Land Application Map which include the existing planning controls for the surrounding land as well as Lot 12.

3. Insert new condition: [10]

10. Further community consultation is required under sections 56(2)(c) and 57 of the EP&A Act as follows:

- (a) the amended planning proposal must be made publicly available for a minimum of 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 5.5.2 of A Guide to Preparing LEPs (Department of Planning and Infrastructure 2013).

4. Delete:

Condition [7] - "The LEP is to be completed by 20 September 2015."

And replace with:

New Condition [7] - "The LEP is to be completed by 20 March 2016."

Dated 10th day of August 2015


Stephen Murray
General Manager, Northern Region
Planning Services
Department of Planning and Environment

Delegate of the Minister for Planning