

Tweed LEP 2000 Draft Amendment No 95 Club Banora Retail Site

Proposal Title :	Tweed LEP 2000 Draft Amendment No 95 Club Banora Retail Site		
Proposal Summary :	Proposed rezoning of part of the Club Banora site at Banora Point, Tweed Heads from 6(b)Recreation to 3(b) General Business to facilitate commercial/retail development including a supermarket, speciality shops and carpark. The proposal is adjacent to the Banora Central Shopping Centre.		
PP Number :	PP_2013_TWEED_002_00	Dop File No :	13/06181

Planning Team Recommendation

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

- S.117 directions :
- 1.1 Business and Industrial Zones
 - 2.2 Coastal Protection
 - 3.4 Integrating Land Use and Transport
 - 3.5 Development Near Licensed Aerodromes
 - 4.1 Acid Sulfate Soils
 - 4.3 Flood Prone Land
 - 5.1 Implementation of Regional Strategies
 - 6.2 Reserving Land for Public Purposes

Additional Information : It is recommended that:

1. The planning proposal should proceed as a "routine" planning proposal.
2. A community consultation period of 28 days is necessary.
3. The planning proposal is to be completed within 12 months.
4. The Director-General's delegate agree that the inconsistencies with S117 Directions 3, 4.1 Acid Sulfate Soils, 4.3 Flood Prone Land and 6.2 Reserving Land for Public Purposes are justified as of minor significance.
5. The Director General note that the inconsistency with Direction 3.5 will be resolved through consultation with the Commonwealth Department of Infrastructure and Transport and Gold Coast Airport Pty Ltd before or during exhibition;
6. Delegation to finalise the Planning Proposal be issued to the Council.

Supporting Reasons : The reasons for the above recommendation for the planning proposal are as follows:

1. The proposed commercial development of the land will result in a net community benefit.
2. The inconsistencies of the proposal with the S117 directions are of minor significance.
3. The proposal is otherwise consistent with all relevant local and regional planning strategies, section 117 Directions and SEPPs.

Panel Recommendation

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Recommendation Date : **18-Apr-2013**

Gateway Recommendation : **Passed with Conditions**

Panel

The Planning Proposal should proceed subject to the following conditions:

Recommendation :

1. 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 must be made publicly available for a minimum of 28 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 & Infrastructure 2012).**

2. Consultation is required with the following public authorities under section 56(2)(d) of the EP&A Act and/or to comply with the requirements of relevant S117 Directions:

- **Gold Coast Airport Pty Ltd (S117 Direction 3.5 Development Near Licensed Aerodromes)**
- **Commonwealth Department of Infrastructure and Transport (S117 Direction 3.5 Development Near Licensed Aerodromes)**

Each public authority 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. 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).

4. The timeframe for completing the LEP is to be 12 months from the week following the date of the Gateway determination.

Signature:



Printed Name:

Neil Selman

Date:

19/4/2013