

25 January 2019

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Please address all communications
to the General Manager

ABN: 90 178 732 496

Department of Planning and Environment
Locked Bag 9022
GRAFTON NSW 2460

ATTENTION: Tamara Prentice

Dear Tamara

**Planning Proposal PP_2018_TWEED_001_ Draft Tweed LEP Amendment 26 –
Review Development Standards – Request to amend Gateway Determination**

I make reference to the Draft Tweed LEP Amendment 26 – Review Development Standards Gateway Determination dated 8 August 2018.

Following a review of the gateway conditions please find attached a revised planning proposal with a reduced scope. It has been determined that as some associated strategic processes relating to the previous planning proposal are still being progressed, several of the conditions cannot currently be satisfied.

As such a request is now made to amend the gateway determination in alignment with the amended scope of the attached planning proposal. In addition, further clarification which was sought by the department on certain matters which are discussed below:

Consultation with NSW Rural Fire Service

The letter attached to the Gateway determination refers to the need to obtain the agreement of the Department of Planning and Environment's Secretary to comply with the requirements of section 9.1 Direction 4.4 Planning for Bushfire Protection prior to public consultation.

The Gateway Determination stipulates a more general requirement which could occur during public consultation. Following our conversation this morning it is assumed that consultation with NSW Rural Fire Service will occur as part of the normal consultation process.

It is therefore requested that confirmation be provided that the notification requirements for the NSW Rural Fire Service be conducted during the public consultation period and not prior to.

Written communication with affected landowners

One of the Gateway conditions requires that Council write to all affected landowners providing notice of the proposal and public exhibition in regard to the proposed changes to minimum lot size.

As Tweed has been granted a temporary deferral of the provisions of the LRMD SEPP and that the intent of this amended planning proposal is to embed the lot size and density development standards currently within the Tweed DCP into the TLEP there is no lot size and density development standard change. As such at this time no landowners are affected.

However, if the LRMD SEPP lot size development standards was in effect approximately 7315 properties would be affected in the R2 Low Density residential zone.

This figure has been determined as the difference between the 400m² provision of the Code SEPP, and the 900 m² requirement for Dual Occupancy development in the R2 zone generally, and 500 m² within 300 metres of a 'business' zone, currently within the Tweed Development Control Plan, and subject of this planning proposal.

Council supports the intent of having potentially affected landowners notified; however, Council undertakes a comprehensive notification and consultation process utilising local communication channels such as the Tweed Link, a weekly Council newspaper, online through Council's website and its numerous social media platforms.

As such, it is considered that Council's existing consultation processes are adequate to notify landowners, and the cost of formally writing to more than 7300 landowners is considered excess and not warranted in this case.

It is therefore requested that the Gateway Determination be amended to remove the requirement to write to all affected landowners.

Should you have any queries please contact Senior Strategic Planner Stuart Russell on (02) 6670 2455 or at srussell@tweed.nsw.gov.au.

Yours faithfully



Jonathan Lynch
ACTING COORDINATOR STRATEGIC PLANNING & URBAN DESIGN