

Tweed LEP 2014 – Rezoning of 16A Anconia Avenue, Tweed Heads West.

Proposal Title : Tweed LEP 2014 – Rezoning of 16A Anconia Avenue, Tweed Heads West.

Proposal Summary : The planning proposal seeks to amend Tweed LEP 2014 to correct an error in the zoning of Lot 1 DP 1126205, 16A Anconia Avenue, Tweed Heads West. The subject land is privately owned, contains an existing dwelling and is used for residential purposes. It has been incorrectly zoned E1 National Parks and Nature Reserves. The proposed amendment will rezone the land R2 Low Density Residential and also correct the Height of Buildings Map, Floor Space Ratio Map and Lot Size Map for the subject land.

PP Number : PP_2015_TWEED_002_00 Dop File No : 15/06169

Planning Team Recommendation

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

S.117 directions:

- 1.5 Rural Lands
- 2.1 Environment Protection Zones
- 2.2 Coastal Protection
- 2.3 Heritage Conservation
- 3.1 Residential Zones
- 3.3 Home Occupations
- 3.4 Integrating Land Use and Transport
- 3.5 Development Near Licensed Aerodromes
- 4.1 Acid Sulfate Soils
- 4.4 Planning for Bushfire Protection
- 5.1 Implementation of Regional Strategies
- 6.1 Approval and Referral Requirements
- 6.2 Reserving Land for Public Purposes
- 6.3 Site Specific Provisions

Additional Information : It is recommended that;

1. The planning proposal should proceed as a 'routine' planning proposal.
2. No community consultation period is necessary.
3. The planning proposal is to be completed within 6 months.
4. A written authorisation to exercise delegation is not to be issued to Tweed Council in this instance.
5. A delegate of the Secretary agree that the inconsistencies of the proposal with S117 Directions 2.1, 3.5, and 4.1 are justified in accordance with the terms of the directions.
6. Council consult with the Commissioner of the NSW Rural Fire Services in accordance with S117 Direction 4.4 Planning for Bush Fire Protection.

Supporting Reasons : The reasons for the recommendation are as follows;

1. The proposed LEP amendment will correct an error in the zoning applied to private land which has already been development for residential purposes.
2. The proposal is consistent with the Far North Coast Regional Strategy and the RPAs Local Strategy and the inconsistency with S117 Directions is of minor significance.

Panel Recommendation

Recommendation Date :

Gateway Recommendation :

Panel Recommendation : This planning proposal is considered of local significance and the Gateway Determination is to be issued under delegation by the General Manager, Northern Region. Therefore the planning proposal will not be considered by the panel.

Gateway Determination

Tweed LEP 2014 – Rezoning of 16A Anconia Avenue, Tweed Heads West.

Decision Date :	15-Apr-2015	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 EP&A Act.		
	2. Consultation is required with the Commissioner of the NSW Rural Fire Service under section 56(2)(d) of the EP&A Act in relation to S117 Direction 4.4 Planning for Bush Fire Protection. The NSW Rural Fire Services 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 6 months from the week following the date of the Gateway determination.		

Signature:



Printed Name:

STEPHEN MURRAY

Date:

15 APRIL 2015