

24 February 2016

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Dear Mr Murray

Planning Proposal PP15/0004: Water Extraction and Bottling Facilities

Please find enclosed an updated version of Planning Proposal PP15/0004 for water extraction and bottling facilities, seeking Gateway re-determination.

Planning Proposal PP15/0004 (LEP Amendment No. 16) enabling water extraction and bottling facilities was considered by Council at its Meeting of 18 February 2016. It was there resolved to amend the scope of the proposal by excluding zone RU1 Primary Production and removing references to Biophysical Strategic Agricultural Land (BSAL) and State and Regionally Significant Farmland. According to this revised approach, the planning proposal seeks amendment to the Tweed LEP 2014 facilitating water extraction and bottling facilities as a land use permitted with consent on land in RU2 Rural Landscape zone.

As detailed within the attached Report, the previous approach originating from Council resolution of 10 December 2015 inadvertently could have resulted in a significant area of Tweed's rural lands being alienated from a merit assessment as to their suitability for commercial water bottling, which had been a long established and permitted rural industry in the Shire prior to April 2014, when the new Shirewide LEP took effect.

Recognising concerns about adverse impact of ground water extraction on agricultural land Council resolved to limit the application of the planning proposal to land zoned RU2 Rural Landscape, and to include two heads of consideration for development application for water extraction and bottling facilities; the first being that a development application is to address impacts on natural water systems associated with the development of the land; secondly, the impact on the resource access to productive farmland is also to be taken into account.

Both the revised planning proposal and Council report of 18 February 2016 are attached to this letter. Should you have any further enquiries please contact me on (02) 6670 2585 or by email: MZenkteler@tweed.nsw.gov.au.

Yours faithfully



Matthew Zenkteler
Strategic Planner