



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

Our ref: PP_2015_TWEED_005_00 (15/13546)
Your ref: PP 15/0004

Attention: Matthew Zenkteler

Dear Mr Green

**Planning Proposal PP_2015_TWEED_005_00 – Alteration of Gateway
Determination**

I refer to your correspondence of 19 January 2016 seeking approval to the variation of Planning Proposal PP_2015_TWEED_005_00 to enable water extraction and bottling facilities in rural zones under Tweed Local Environmental Plan 2014.

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 23 September 2015 for PP_2015_TWEED_005_00. The Alteration of the Gateway determination is enclosed.

If you have any questions in relation to this matter, I have arranged for Mr Luke Blandford to assist you. Mr Blandford can be contacted on (02) 6641 6612.

Yours sincerely


Stephen Murray
Director Regions, Northern
Planning Services

27 January 2016

Encl:
Alteration of Gateway Determination

Alteration of Gateway Determination

Planning Proposal (Department Ref: PP_2015_TWEED_005_00)

I, the Director Regions, Northern 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 23 September 2015 for the proposed amendment to the Tweed Local Environmental Plan 2014 as follows:

1. Change the description of the Planning Proposal:

from “..to enable water extraction and bottling facilities in the RU1 Primary Production and RU2 Rural Landscape Zones.”

to “..to enable water extraction and bottling facilities on certain rural land under the Tweed LEP 2014”.

2. Delete Condition 5 and replace with new Condition 5:

5. The Local Environmental Plan is to be completed by **30 September 2016**.

3. Insert new condition 6:

6. Prior to undertaking further community consultation, the Planning Proposal is to be amended to include additional detail regarding the exclusion of land that is mapped as State and regionally significant farmland and biophysically strategic agricultural land areas. This is to include:
- discussion regarding what constitutes State and regionally significant and biophysical strategic agricultural land areas and a review of the policies and strategies that these areas are designated under;
 - justification for excluding water extraction and bottling facilities from these mapped areas; and
 - an Additional Permitted Use Map which identifies all land in the LGA where water extraction and bottling facilities will be permitted.

The Department of Planning and Environment's mapping data for State and regionally significant farmland and biophysically strategic agricultural land areas is to be used for mapping these exclusion areas.

4. Insert new Condition 7:

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



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- (a) the Planning Proposal must be made publicly available for a further **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 and Infrastructure 2013)*.

Dated 27th day of January 2016


Stephen Murray
Director Regions, Northern
Planning Services
Department of Planning and Environment

Delegate of the Minister for Planning