

Gateway Determination

Planning proposal (Department Ref: PP_2020_TWEED_004_00): to support the development of Potential Employment Land Area 6 – Wardrop Valley East through the introduction of appropriate zones and development controls.

I, the Executive Director at the Department of Planning, Industry and Environment, as delegate of the Minister for Planning and Public Spaces, have determined under section 3.34(2) of the *Environmental Planning and Assessment Act 1979* (the Act) that an amendment to the Tweed Local Environmental Plan (LEP) 2014 to support the development of Potential Employment Land Area 6 – Wardrop Valley East through the introduction of appropriate zones and development controls should proceed subject to the following conditions:

1. Prior to agency consultation and public exhibition, the proposal is to be amended to:
 - (a) remove the proposed R5 Large Lot Residential zone;
 - (b) incorporate the findings from updated studies including geotechnical investigation, traffic impact assessment, ecological assessment, cultural heritage assessment, flood impact, concept stormwater management plan, archaeological investigation and a revised statement of potential contamination sources; and
 - (c) provide all Local Environmental Plan maps, both current and proposed.
2. Once the revisions detailed in Condition 1 have been completed and the planning proposal has been amended, the planning proposal is to be forwarded to the Department for approval of the form of the proposal for community consultation in accordance with Schedule 1(4) of the Act.
3. Public exhibition is required under section 3.34(2)(c) and schedule 1 clause 4 of the Act as follows:
 - (a) the planning proposal must be made publicly available for a minimum of **28 days**; and
 - (b) the planning proposal 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 6.5.2 of *A guide to preparing local environmental plans* (Department of Planning and Environment, 2018).

4. Consultation is required with the following public authorities/organisations under section 3.34(2)(d) of the Act and/or to comply with the requirements of relevant section 9.1 Directions:
- Department of Planning, Industry and Environment – Primary Industries (Agriculture)
 - Department of Planning, Industry and Environment – Biodiversity and Conservation Division
 - NSW Rural Fire Service
 - Transport for NSW
 - Tweed Byron Local Aboriginal Land Council.

Each public authority/organisation 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.

5. A public hearing is not required to be held into the matter by any person or body under section 3.34(2)(e) of the 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).
6. The time frame for completing the LEP is to be **12 months** following the date of the Gateway determination.

Dated 16th day of October 2020.



Monica Gibson
Executive Director
Local and Regional Planning
Department of Planning, Industry and Environment

Delegate of the Minister for Planning and Public Spaces