

Council Reference: PP19/0003  
Your Reference:



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2 October 2020

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Murwillumbah NSW 2484

Please address all communications  
to the General Manager

ABN 90 178 732 496

Mr Jeremy Gray  
Director Regions, Northern Planning Services  
Department of Planning, Industry and Environment  
Locked Bag 9022  
**Grafton NSW 2460**

Dear Jeremy,

**Request for Gateway determination in accordance with Section 3.33 of the *Environmental Planning and Assessment Act. 1979 – Lundberg Drive, South Murwillumbah***

In accordance with Tweed Shire Council's resolution on 4 July 2019 please find attached a planning proposal seeking to amend the Tweed Local Environment Plan 2014 Schedule 1 Additional permitted uses to enable a Council Pound and Rehoming Centre without development consent at 92 Lundberg Drive, South Murwillumbah (part Lot 1 DP 232745 & part lot 2 DP 1139059).

Council notes the previous planning proposal submitted to the Gateway on 13 September 2019 seeking to permit a Council Pound and Rehoming centre without consent in any zone, and subsequent response from the Department on 7 November 2019 requesting a revised planning proposal be submitted providing additional information. While Council was considering a response to the Departments letter, Council has subsequently identified a suitable site for the Council Pound and Rehoming Centre being Council owned land at part Lot 1 DP 232745 and part Lot 2 DP 1139059, 92 Lundberg Drive, South Murwillumbah, which is the subject of this revised planning proposal.

The objective of this planning proposal is to amend Schedule 1 of the *Tweed Local Environmental Plan 2014*, to permit an additional permitted use without development consent, being a Council Pound and Rehoming Centre, on the subject site.

This would enable the subject land to be developed for the purpose of a Council Pound and Rehoming Centre without development consent, subject to the determining authority undertaking a Part 5 assessment taking into account "to the fullest extent possible all matters affecting or likely to affect the environment".

As a public infrastructure facility owned and controlled by the Council the appropriate planning approval / assessment pathway is established under Part 5 *Infrastructure and environmental impact assessment* of the *Environmental Planning and Assessment Act 1979* (NSW). This assessment pathway is tailored to public infrastructure and is widely accepted as being more suited to public works

infrastructure and activities because of its inherently quicker and more flexible application and the associated efficiency gains, while maintaining the highest standards of environmental assessment; including where the council considers appropriate in the specific circumstances, public notification of the proposal under assessment; practices well established within Tweed Council.

It is requested that this planning proposal be referred to the LEP Review Panel for a Gateway determination in accordance with Section 3.33 of the *Environmental Planning and Assessment Act. 1979*.

Any enquiries should be directed to myself on (02) 6670 2585, or by email at [rheath@tweed.nsw.gov.au](mailto:rheath@tweed.nsw.gov.au)

Yours Faithfully



Rachel Heath  
**Acting Unit Coordinator**  
**Strategic Planning & Urban Design**

Attachments

1. PP19/0003 Version 1 for Gateway