

## Gateway Determination

***Planning proposal (Department Ref: PP\_2018\_TWEED\_005\_00): to rezone and amend development standards at Part Lot 4738 DP 1231020, and amend Schedule 1 within Tweed LEP 2014 to facilitate development of a rail trail between Crabbes Creek and Murwillumbah.***

I, the Director Regions, Northern at the Department of Planning and Environment, as delegate of the Minister for Planning, 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 rezone and amend development standards at Part Lot 4738 DP 1231020, and amend Schedule 1 within Tweed LEP 2014 to facilitate development of a rail trail between Crabbes Creek and Murwillumbah should proceed subject to the following conditions:

1. The Explanation of Provisions within the planning proposal is required to be updated prior to community consultation to include the required amendments to the Land Application, Height of Building, and Minimum Lot Size maps.
2. 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 5.5.2 of *A guide to preparing local environmental plans* (Department of Planning and Environment 2016).
3. 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 Industries - NSW Crown Land
  - NSW Rural Fire Service
  - Office of Environment and Heritage
  - Transport for NSW

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.

4. 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).
5. The time frame for completing the LEP is to be **18 months** following the date of the Gateway determination.

Dated 3 day of August 2018.



**Jeremy Gray**  
**Director Regions, Northern**  
**Planning Services**  
**Department of Planning and**  
**Environment**

**Delegate of the Minister for Planning**