

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

Dear Mr Green

Planning proposal PP_2019_Tweed_001_00 to amend Tweed Local Environmental Plan 2014

I am writing in response to Council's request for a Gateway determination under section 3.34(1) of the *Environmental Planning and Assessment Act 1979* (the Act) in respect of the planning proposal to rezone land at Lot 1 DP 777875 Dry Dock Road, Tweed Heads South, Palms Village Caravan Park from R2 Low Density Residential to RE2 Private Recreation increase the maximum height limit from 9 metres to 10 metres, and remove Floor Space Ratio and Minimum Lot Size controls for the site under the Tweed Local Environmental Plan 2014.

As delegate of the Minister for Planning, I have now determined that the planning proposal should proceed subject to the conditions in the enclosed Gateway determination.

I have also agreed, as delegate of the Secretary, the planning proposal's inconsistencies with section 9.1 Directions 2.1 Environmental Protection Zones, 2.3 Heritage Conservation, 3.1 Residential Zones, and 4.1 Acid Sulfate Soils are justified in accordance with the terms of the Direction. No further approval is required in relation to these Directions.

Council may still need to obtain the agreement of the Secretary to comply with the requirements of relevant section 9.1 Directions 3.5 Development Near Regulated Airports and Defence Airfields. Council should ensure this occurs prior to the plan being made, following consultation with the airport lessee/operator.

I have considered the nature of Council's planning proposal and have conditioned the Gateway for Council to be authorised as the local plan-making authority.

The amending local environmental plan (LEP) is to be finalised within nine months of the date of the Gateway determination. Council should aim to commence the exhibition of the planning proposal as soon as possible. Council's request to draft and finalise the LEP should be made directly to Parliamentary Counsel's Office six weeks prior to the projected publication date. A copy of the request should be forwarded to the Department of Planning and Environment.

The state government is committed to reducing the time taken to complete LEPs by tailoring the steps in the process to the complexity of the proposal, and by providing clear and publicly available justification for each plan at an early stage. In order to meet these commitments, the Minister may take action under section 3.32(2)(d) of the Act if the time frames outlined in this determination are not met.

Should you have any enquiries about this matter, I have arranged for Ms Katrina Burbidge to assist you. Ms Burbidge can be contacted on 6641 6606.

Yours sincerely



22-3-2019

Jeremy Gray
Director Regions, Northern
Planning Services

Encl: Gateway determination