

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

Dear Mr Green

**Planning proposal PP_TWEED_2018_003_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* in respect of the planning proposal to make zoning, permitted use, and development standard amendments to various public lands and make permitted a "dwelling" on a private allotment.

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 1.1 Business and Industrial Zone, 1.2 Rural Zones, 2.2 Coastal Protection, 2.3 Heritage Conservation, 3.5 Development Near Licensed Aerodromes Direction, 4.1 Acid Sulfate Soils, 4.3 Flood Prone Land, and 5.3 Farmland of State and Regional Significance on the NSW Far North Coast are minor or 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 Department's Secretary to comply with the requirements of section 9.1 Direction 6.2 Reserving Land for Public Purposes and Direction 4.4 Planning for Bushfire Protection. Council should ensure this occurs prior to community consultation.

I have determined not to condition the Gateway for Council to be the local plan-making authority to provide for transparency in the plan making process for the public land.

The amending Local Environmental Plan is to be finalised within six 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 for the Department of Planning and Environment to draft and finalise the LEP should be made eight weeks prior to the projected publication date.

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 further enquiries about this matter, I have arranged for Ms Heidi Naylor to assist you. Ms Naylor can be contacted on 6641 6604.

Yours sincerely



11-5-2018

Jeremy Gray
Director Regions, Northern
Planning Services

Encl: Gateway Determination