

Gateway Determination

Planning proposal (Department Ref: PP_2018_TWEED_003_00): to make zoning, permitted use, and development standard amendments to various public lands and make permitted a “dwelling” on a private allotment.

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 that an amendment to the Tweed Local Environmental Plan (2014) to make zoning, permitted use, and development standard amendments to various public lands and make permitted a “dwelling” on a private allotment, should proceed subject to the following conditions:

1. The following minor changes are to be made to the planning proposal prior to community consultation:
 - Correct the reference to “Direction 2.1” to read “Direction 3.1” on page 14;
 - Correct the reference to “Direction 61” to read “Direction 6.1” on page 17;
 - Section B, Question 3 is to include an assessment of the Interim Variation Criteria for Regionally significant farmland;
 - The outcome to enable a dwelling on 224 Carool Road, Carool, is to be written in plain English. Parliamentary Counsel will advise of the most appropriate amendment method to achieve this purpose; and
 - The outcome to permit a Council Pound and Rehoming Facility/Centre at 719 Eviron Road, Eviron is to be written in plain English, or the preferred method of achieving this determined.
2. Landowners adjoining Item 1. - 5 Yao Street, Kingscliff, Item 9. - 19 Eviron Road, Eviron and Item 10. - 224 Carool Road, Carool are to be individually notified that the planning proposal is on public exhibition. The letter is to reference the Item that their property is adjacent to.
3. The resolution of Council for the submission of the planning proposal is to be exhibited with the planning proposal, to satisfy Direction 6.2 Reserving Land for Public Purposes
4. Community consultation 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).

5. Consultation is required with the following public authorities and / organisations under section 3.34(2)(d) of the Act and/or to comply with the requirements of relevant section 9.1 Directions:
6. Consultation is required with the following public authorities:
 - NSW Transport - Roads and Maritime Services (as the relevant public authority for Items 2 and 3)
 - NSW Health (as the relevant public authority for Item 8)
 - NSW Rural Fire Service

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.

7. 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).
8. The time frame for completing the LEP is to be **6 months** following the date of the Gateway determination.

Dated 11 day of May 2018.



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

Delegate of the Minister for Planning