

Ms Dianne Lesson
Chair
Northern Regional Planning Panel

Our ref: IRF23/1352

Via email: enquiry@planningpanels.nsw.gov.au
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Dear Ms Lesson

Planning proposal PP-2021-5615 to amend Tweed Local Environmental Plan 2014

I am writing in response to the planning proposal you, as Chair of the Northern Regional Planning Panel (the Panel) and planning proposal authority, have forwarded to the Minister under section 3.34(1) of the *Environmental Planning and Assessment Act 1979* (the Act) in respect of the planning proposal to rezone part of Lot 16 DP 856265, 225 Terranora Road, Banora Point and apply appropriate development provisions to facilitate 3 large lot residential allotments and an associated residue under the Community Land Development Act 2021.

As delegate of the Minister for Planning and Public Spaces, I have 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 inconsistency of the planning proposal with applicable directions of the Minister under section 9.1 of the Act 3.1 Conservation Zones and 4.2 Coastal Management are justified in accordance with the terms of the Direction. No further approval is required in relation to the Directions.

The Panel may still need to obtain the agreement of the Secretary to comply with the requirements of relevant applicable directions of the Minister under section 9.1 of the Act including Direction 4.3 Planning for Bushfire Protection. The Panel should ensure this occurs prior to the LEP being made.

I have determined not to authorise the Panel to be the local plan-making authority in this instance. This will allow the Department as the local plan-making authority to utilise its resources to finalise the proposal as efficiently as possible.

The proposed local environmental plan (LEP) is to be finalised on or before 9 months following 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 in advance of the date the LEP is projected to be made.

The NSW Government has committed to reduce the time taken to complete LEPs. To meet these commitments, the Minister may appoint an alternate planning proposal authority if Council does not meet the timeframes outlined in the gateway determination.

The Department's categorisation of planning proposals in the *Local Environmental Plan Making Guideline* (Department of Planning and Environment, August 2023) is supported by category specific timeframes for satisfaction of conditions and authority and Government

agency referrals, consultation, and responses. Compliance with milestones will be monitored by the Department to ensure planning proposals are progressing as required.

Should you have any enquiries about this matter, I have arranged for Mr Jon Stone to assist you. Mr Stone can be contacted on 5778 1488.

Yours sincerely



24/11/2023

Jeremy Gray
Director, Northern Region
Local and Regional Planning

Encl: Gateway determination