

Gateway Determination

Planning proposal (Department Ref: PP-2022-2242): to reclassify land from community to operational and extinguish interests at Lone Pine Road and Doon Doon Road, Doon Doon, King Street, Murwillumbah, and Rosewood Avenue, Bogangar.

I, the Director, Northern Region 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 2014 to reclassify land from community to operational and extinguish interests at Lone Pine Road and Doon Doon Road, Doon Doon, King Street, Murwillumbah, and Rosewood Avenue, Bogangar, should proceed subject to the following conditions:

1. Prior to agency and community consultation the planning proposal is to be amended to:
 - (a) update the explanation of provisions to clarify what interests are being extinguished on all the lands; and
 - (b) provide additional detail confirming that the King Street land will be retained for car parking or that it is surplus to car parking needs as there is other adequate parking in the area and how any funds accrued from its sale would be utilised.
2. Public exhibition is required under section 3.34(2)(c) and clause 4 of Schedule 1 to the Act as follows:
 - (a) the planning proposal must be made publicly available for a minimum of 30 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 *Local Environmental Plan Making Guidelines* (Department of Planning and Environment, 2021).
3. Consultation is required with the NSW Rural Fire Service under section 3.34(2)(d) of the EP&A Act. The NSW Rural Fire Service is to be provided with a copy of the planning proposal and any relevant supporting material and given at least 30 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 EP&A 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. Council must ensure that all relevant obligations in relation to the reclassification of public land through the LEP are undertaken in accordance with the LEP Making Guidelines, Practice Note PN 16-001 Classification and reclassification of public land through a local environmental plan.

6. The LEP should be completed on or before 1 August 2023.

Dated 1 day of August 2022.

A handwritten signature in black ink, appearing to read 'J. Gray', is positioned above the printed name and title.

Jeremy Gray
Director, Northern Region
Local and Regional Planning
Department of Planning and Environment

Delegate of the Minister for Planning