

Gateway Determination

Planning proposal (Department Ref: PP-2023-2669): to facilitate the delivery of private health services, tertiary education, essential worker housing and certain supporting land uses at 741 Cudgen Road, Cudgen.

I, the Acting Executive Director, Local Planning and Council Support at the Department of Planning, Housing and Infrastructure, as delegate of the Minister for Planning and Public Spaces, 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 facilitate the delivery of private health services, tertiary education, essential worker housing and supporting land uses at 741 Cudgen Road, Cudgen should proceed subject to the following:

The LEP should be completed within 12 months of the Gateway Determination.

Gateway Conditions

1. Prior to agency and community consultation, the planning proposal shall be updated to:
 - (a) reference the address and legal description of the planning area throughout the proposal as “part of Lot 6 DP 727425”;
 - (b) remove draft LEP clauses and outline the intent of the proposed provisions only in plain English; and
 - (c) revise the concept masterplan to remove detailed information and illustrate only high-level land use outcomes for the site.
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 is categorised as complex as described in the *Local Environmental Plan Making Guideline* (Department of Planning and Environment, August 2023) and must be made publicly available for a minimum of 30 working 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 the *Local Environmental Plan Making Guideline* (Department of Planning and Environment, August 2023).
3. Consultation is required with the following public authorities and government agencies under section 3.34(2)(d) of the Act and/or to comply with the requirements of applicable directions of the Minister under section 9 of the Act:
 - NSW Rural Fire Service
 - Transport for NSW
 - NSW Department of Health
 - Department of Primary Industries and Regional Development – Agriculture

- Department of Primary Industries and Regional Development – NSW Resources
- Department of Climate Change, Energy, the Environment and Water
- Tweed Shire Council
- Tweed Byron Local Aboriginal Land Council

Each public authority is to be provided with a copy of the planning proposal and any relevant supporting material via the NSW Planning Portal and given at least 40 working 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 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).

Dated 23 May 2025



Daniel Thompson
Acting Executive Director
Local Planning and Council Support
Department of Planning, Housing and
Infrastructure

Delegate of the Minister for Planning and
Public Spaces