

Frequently Asked Questions

Exhibition of Planning Proposal at 741 Cudgen Road, Cudgen (PP-2023-2669)

This document answers frequently asked questions about the Planning Proposal at 741 Cudgen Road, Cudgen.

What is being proposed on the site?

The concept scheme (Figure 1) supports the creation of a health and education precinct, which includes a private hospital, university, and a private mental health hospital. A medi-hotel is proposed to the south of the precinct, providing important short-term accommodation to the public and patients. Long term residential accommodation buildings are located to the west, to be managed by a community housing provider or State Agency.

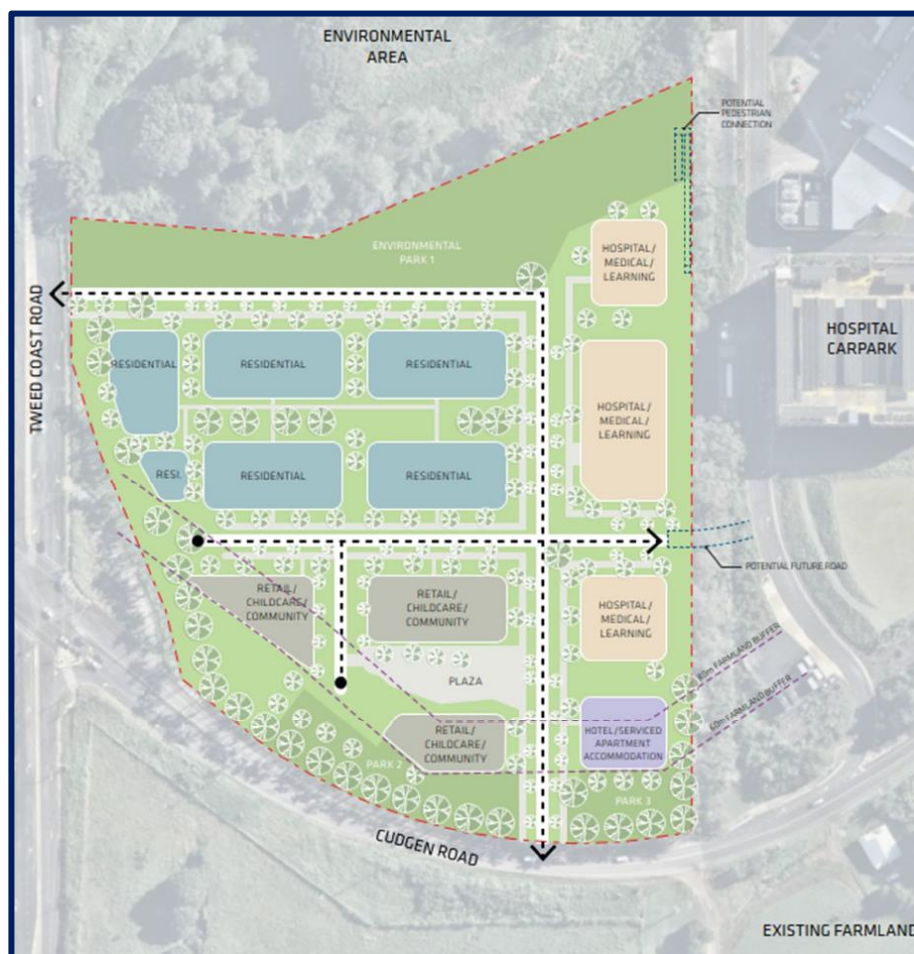


Figure 1 Concept Masterplan (Planning Proposal, 2025)

This proposed concept scheme is indicative only and subject to a further development assessment process should the planning proposal be supported. This proposal does not approve any development on the site.

What are the proposed site access arrangements?

Detailed site access arrangements have not yet been confirmed. Site access is proposed to be via a new roundabout on Tweed Coast Road. Detailed investigations will occur as part of a future Development Application (DA) to explore bus, vehicle, pedestrian and cycle links.

On-street parking will be further explored at the DA stage, including detailed consideration of visitors, deliveries and 'kiss-and-ride' etc. Preliminary investigations have identified the site can accommodate approximately 1,000 car parking spaces.

Does the site have agricultural significance?

The site is identified as State Significant Farmland. However, the North Coast Regional Plan 2041 recognises that agricultural production may not be suitable on some small pockets of mapped State Significant Farmland due to non-biophysical factors that make the land more suited to other uses. The proposal has been assessed against the Urban Growth Area Variation Principles (Appendix B of the North Coast Regional Plan) which are used to assess the suitability of these pockets of land for non-agricultural land use. The proposal's supporting agricultural studies conclude that the site meets the requirements of these principles based on several factors, which include the site:

- has minimal agricultural capability;
- is separated from other farmland by urban development or major roadways;
- presents constraints for buffering pesticide application due to conflicting neighbouring land uses with the Tweed Valley Hospital;
- has farm machinery accessibility issues;
- represents only 1% of the important farmland on the Cudgen plateau; and
- does not make a tangible contribution to or dilutes the wider value-add supply chain for agriculture in the local government area.

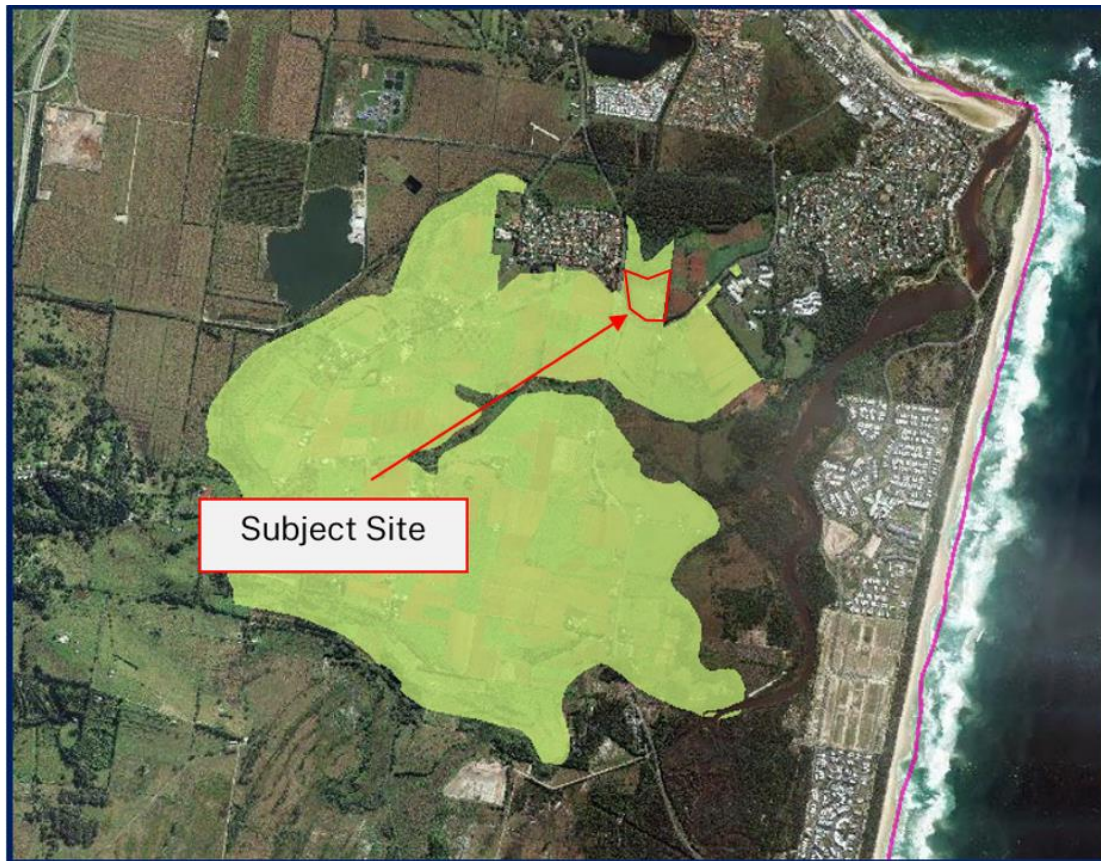


Figure 2 State Significant Farmland – Cudgen Plateau (Gateway determination report, 2025)

What is a planning proposal?

A planning proposal (or “PP”) explains the intended effect of a proposed LEP or proposed amendments to an LEP. It describes the intended outcomes and proposed LEP provisions, identifies and addresses the potential impacts that the changes may have and provides justification for making the LEP.

A planning proposal is a key part of the LEP making process because it describes how a new or amended LEP will ‘give effect’ to strategic and site-specific planning outcomes. It is the first step in making the statutory link between strategic plans and planning controls which apply to development.

Note: Any physical development of the land occurs under separate planning processes.

What is an LEP?

An LEP provides a statutory framework for the way land can be developed and used.

An LEP contains land use zones which establish where residential, commercial, recreation and other uses can occur. It has development controls for buildings and land, including controls for maximum building heights, floor space, subdivision and lot size.

LEPs also include provisions which address local matters, hazards and constraints, such as flooding, protection of biodiversity, heritage conservation, or land that is being reserved by the government to build more public infrastructure in the future.

An LEP is made under the *Environmental Planning and Assessment Act 1979*.

What are the Council's, the Northern Regional Planning Panel (Panel) and the Departments role in the process?

The Council's role for this planning proposal

This planning proposal originally was submitted to Tweed Shire Council in December 2023. On 13 May 2024, the proponent lodged a rezoning review request for the proposal because Council refused to support the proposal. This resulted in the Northern Regional Planning Panel supporting the proposal's progression for Gateway determination (subject to conditions) on 6 September 2024 and appointing itself as the Planning Proposal Authority (PPA). Council is now considered a key stakeholder and will be consulted as part of the public exhibition.

The proponent is seeking to work with Council on drafting a site-specific development control plan associated with this planning proposal. This document will be exhibited by Council at a later date. The Panel and the Department of Planning, Housing and Infrastructure do not participate in the development and adoption of this document.

Northern Regional Planning Panel's role for this proposal

The Northern Regional Planning Panel acts as the independent body in rezoning reviews within the Tweed Shire. As Council did not support the progression of the planning proposal, the Panel was requested by the proponent to review the rezoning request.

The Panel determined that the proposal demonstrated strategic and site-specific merit and should proceed to Gateway determination. The Panel was appointed as the Planning Proposal Authority and is therefore responsible for preparing the package of planning proposal documents for public exhibition and running the public consultation. The Panel will consider public submissions on the planning proposal prior to making a recommendation about whether the planning proposal should proceed to finalisation.

The Department's role for this planning proposal

The Department assesses and guides planning proposals through the LEP making process. This includes active management of the planning proposal through the LEP making process, issue resolution, and finalising the LEP (if the Minister is the local plan-making authority).

On 6 March 2025, the planning proposal was submitted to the Department for Gateway determination. An assessment of the proposal was undertaken, and a Gateway determination was issued on 23 May 2025 stating the proposal should proceed subject to the conditions, including the public exhibition of the proposal.

A final assessment of the planning proposal will be undertaken by the Department after the public exhibition. At this stage further amendments may be made to respond to matters raised by community members or public authorities.

What is a Local Plan-Making Authority (LPMA)?

The LPMA is the authority responsible for making the LEP as identified by the Gateway determination. This may be the Minister (or delegate) or the relevant council. The LMPA undertakes the statutory functions in making the LEP.

What is a Planning Proposal Authority (PPA)?

In the planning proposal process, the PPA is responsible for preparing the package of planning proposal documents and submitting them to the Department for a Gateway determination.

A Gateway determination is an approval required before the proposal can proceed to public exhibition. This approval is usually subject to conditions.

The PPA is responsible for satisfying the conditions of the Gateway determination, public exhibition of the planning proposal.

An alternate PPA may be appointed under certain circumstances, where directed by the Minister. As the planning proposal is the result of a rezoning review, the Northern Regional Planning Panel is the PPA and the Department will be the Local Plan-Making Authority.