

DATE OF DECISION	29 March 2022
PANEL MEMBERS	Paul Mitchell (Chair), Penny Holloway, Stephen Gow and Ned Wales
APOLOGIES	Stephen Phillips
DECLARATIONS OF INTEREST	None

PLANNING PROPOSAL

2020NTH001 – Tweed Shire Council – RR_2020_TWEED_001_00 - AT 225 Terranora Road, Banora Point

The proposal seeks to amend Tweed Local Environmental Plan 2000 and Tweed Local Environmental Plan 2014. Planit Consulting is the applicant.

PANEL DECISION – FORWARDING OF PLANNING PROPOSAL FOR GATEWAY DETERMINATION

As the planning proposal authority, the Panel determined that the planning proposal should not be submitted for a Gateway Determination under section 3.34 of the *Environmental Planning and Assessment Act 1979*, at this time.

The Panel determined that the proposal was not consistent with its decision of 26 August 2020. Accordingly, the proposal is to be amended as given below:

1. A revised concept plan that removes reference to residential development on the residual lot is to be provided. This lot is not to be shown as having potential for residential development. The residual lot is to be managed for environmental conservation purposes as a community title lot with management responsibility being borne by the community association for the land.
2. A draft Environmental Management Plan is to be prepared to be implemented by the future community association. The draft EMP is to be a complete document that contains measures to protect the adjoining bushland and particularly the Critically Endangered Threatened Ecological Community Lowland Rainforest of Subtropical Australia and is to include measures to control weeds, runoff, seepage and domestic pets and bushfire risks.
3. The revised concept plan is to show, for each residential lot, the location of the future building footprint and building envelope, with the footprints and envelopes being sited and designed to avoid any material loss of views from dwellings to the north and any material intrusion into the views of the escarpment from the south.
4. A draft Community Management Statement describing responsibilities for implementation of the draft EMP and any other relevant activities is to be provided.



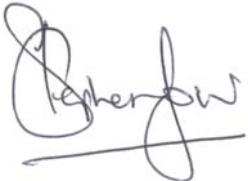
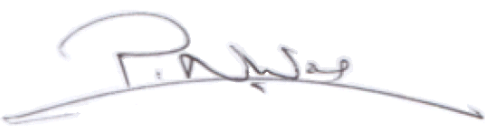
Following submission of the revised concept plan and other specified information the Panel is to receive a further briefing report from DPE on the adequacy of the information provided on each of the above points and will then determine the proposal's suitability for submission to the Gateway. The applicant is encouraged to consult DPE if clarification of any of the above points is necessary.

The decision was unanimous.

REASONS FOR THE DECISION

The Panel determined not to submit the planning proposal for a Gateway Determination for the following reasons:

1. The proposal does not comply with the Panel's decision of 26 August 2020.
2. Insufficient supporting information has been provided.

PANEL MEMBERS	
 Paul Mitchell OAM (Chair)	 Penny Holloway
 Stephen Gow	 Ned Wales