

Gateway Determination

Planning proposal (Department Ref: PP-2023-574): Introduce C2 Environmental Conservation and C3 Environmental Management zones into Tweed Local Environmental Plan 2014

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 introduce C2 Environmental Conservation and C3 Environmental Management zones into Tweed LEP 2014 should proceed subject to the following conditions and be completed within six months from the date of Gateway determination:

Gateway Conditions

1. Prior to agency and community consultation, the planning proposal is to be amended to:
 - include the reference to “aesthetic value” in the mandated objectives for both the C2 Environmental Conservation and C3 Environmental Management zones; and
 - remove proposed objective 4 of the C2 zone ‘to protect, manage and restore environmentally sensitive areas of public land.’
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 standard as described in the *Local Environmental Plan Making Guidelines* (Department of Planning and Environment, 2021) and must be made publicly available for a minimum of 20 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 *Local Environmental Plan Making Guidelines* (Department of Planning and Environment, 2021).
3. Consultation is required with Biodiversity and Conservation Division (BCD) under section 3.34(2)(d) of the EP&A Act. BCD 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).

Dated 3 day of March 2023.

A handwritten signature in black ink, appearing to read 'J. Gray', is centered on the page.

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

Delegate of the Minister for Planning