



New South Wales

## **Tweed Local Environmental Plan 2000 (Amendment No 38)**

under the

Environmental Planning and Assessment Act 1979

I, the Minister Assisting the Minister for Infrastructure and Planning (Planning Administration), make the following local environmental plan under the *Environmental Planning and Assessment Act 1979*. (G02/00181/PC)

DIANE BEAMER, M.P.,

Minister Assisting the Minister for Infrastructure  
and Planning (Planning Administration)

## **2003 No 733**

Clause 1 Tweed Local Environmental Plan 2000 (Amendment No 38)

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# **Tweed Local Environmental Plan 2000 (Amendment No 38)**

under the

Environmental Planning and Assessment Act 1979

### **1 Name of plan**

This plan is *Tweed Local Environmental Plan 2000 (Amendment No 38)*.

### **2 Aims of plan**

The aims of this plan are to amend *Tweed Local Environmental Plan 2000* to clarify certain provisions relating to the subdivision of land within the Tweed local government area and to incorporate matters for consideration by the consent authority when determining a development application relating to land within Zone 7 (f).

### **3 Land to which plan applies**

This plan applies to all land to which *Tweed Local Environmental Plan 2000* applies.

### **4 Amendment of Tweed Local Environmental Plan 2000**

*Tweed Local Environmental Plan 2000* is amended as set out in Schedule 1.

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## Schedule 1 Amendments

(Clause 4)

### [1] Clause 19 General

Omit clause 19 (1). Insert instead:

(1) **Objective**

- to provide a comprehensive system of planning controls for the subdivision of land in the Tweed local government area.

(1A) Despite Part 2 but subject to this Part, a person must not subdivide land without consent.

### [2] Clause 20 Subdivision in Zones 1 (a), 1 (b), 7 (a), 7 (d) and 7 (l)

Insert “7 (a),” after “1 (b2),” in clause 20 (2) (a).

### [3] Clause 20 (4)

Omit the subclause. Insert instead:

(4) For the purposes of subclauses (2) and (3):

- (a) land is taken to be within Zone 1 (b1) if it is shown on the zone map by the marking “1 (b1)”, and
- (b) land is taken to be in Zone 1 (b2) if it is shown on the zone map by the marking “1 (b2)”.

### [4] Clause 21A

Insert after clause 21:

#### 21A Subdivision in Zone 7 (f)

(1) **Objectives**

- to protect the ecological or scenic values of coastal lands,
- to protect land that may be susceptible to coastal erosion processes from inappropriate development.

(2) Consent may be granted to the subdivision of land within Zone 7 (f) only if:

- (a) the area of each allotment created is at least 40 hectares, or

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Schedule 1 Amendments

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- (b) the consent authority is satisfied that the allotment will be used for a purpose, other than for an agricultural or a residential purpose, for which consent could be granted.

### **[5] Clause 27 Development in Zone 7 (f) Environmental Protection (Coastal Lands)**

Omit clause 27 (2). Insert instead:

- (2) In deciding whether to grant consent to development in Zone 7 (f), the consent authority must consider:
  - (a) the provisions of any plan of management adopted by the Council under the *Local Government Act 1993* that is applicable to the land, and
  - (b) the impact of the development on the behaviour of the sea, or an arm of the sea, or any bay, inlet, lagoon, lake, body of water, river, stream or watercourse, and
  - (c) the impact of the development on any beach or dune or the bed, bank, shoreline, foreshore, margin or flood plain of the sea or any bay, inlet, lagoon, lake, body of water, river, stream or watercourse, and
  - (d) the impact of the development on the landscape or scenic quality of the locality, and
  - (e) the impact of the development on any native vegetation.

BY AUTHORITY

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