



Tweed Local Environmental Plan 2000 (Amendment No 2)

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*. (G91/00221/S69)

DIANE BEAMER, M.P.,

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

2003 No 891

Clause 1 Tweed Local Environmental Plan 2000 (Amendment No 2)

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under the

Environmental Planning and Assessment Act 1979

1 Name of plan

This plan is *Tweed Local Environmental Plan 2000 (Amendment No 2)*.

2 Aims of plan

- (1) This plan aims:
 - (a) to rezone part of the land to which this plan applies to the Urban Expansion Zone under *Tweed Local Environmental Plan 2000 (the 2000 plan)*, and
 - (b) to rezone part of the land, identified for environment protection purposes, to partly the Environmental Protection (Scenic/Escarpment) Zone and partly the Environmental Protection (Habitat) Zone under the 2000 plan, and
 - (c) to rezone the remainder of the land, identified for open space or recreational purposes (or both) to the Recreation Zone under the 2000 plan, and
 - (d) to set out certain conditions to the granting of development consent with respect to the land.
- (2) This plan also aims to replace the Table to clause 52 of the 2000 plan with a format more suitable for searching the text of the Table electronically.

3 Land to which plan applies

This plan applies to land within the local government area of Tweed, at Cobaki Lakes, as shown distinctively coloured, edged and lettered on the map marked “Tweed Local Environmental Plan 2000 (Amendment No 2)” deposited in the office of Tweed Shire Council.

4 Amendment of Tweed Local Environmental Plan 2000

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

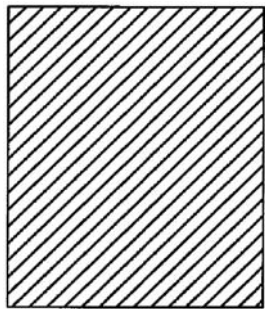
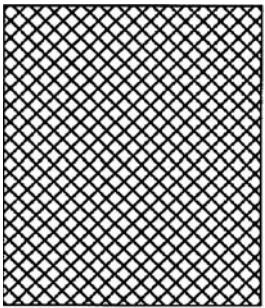
Schedule 1 Amendments

(Clause 4)

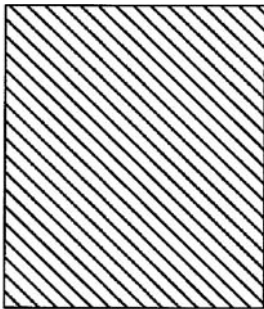
[1] Clause 52 Zone map overlay provisions

Omit the Table to the clause. Insert instead:

Table

Column 1	Column 2
Shown on the zone map by:	Applicable provisions
	<p>Consent must not be granted to development that involves the erection of a building or the carrying out of works unless:</p> <ul style="list-style-type: none"> (a) the consent authority has notified the Director-General of National Parks and Wildlife of its intention to do so, and (b) it has taken into consideration any comments received from the Director-General within 28 days of the notice being sent.
	<p>Consent must not be granted to development unless the consent authority has considered detailed plans of the development and for management of its consequences and made an assessment of the following matters:</p> <ul style="list-style-type: none"> (a) the adequacy of proposed measures in a soil and water management plan for the purpose of maintaining or improving the quality of water entering Cudgera Creek, such measures to control soil erosion, sediment and stormwater run off, and release of ground water or surface water containing high acidity, nutrients or pollutants, resulting from disturbance and development of the site, (b) whether the proposed measures in a fauna and flora management plan for habitat enhancement and management along the eastern boundary of the land and adjacent to Cudgera Creek are satisfactory.

Table

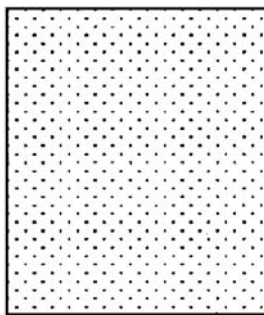
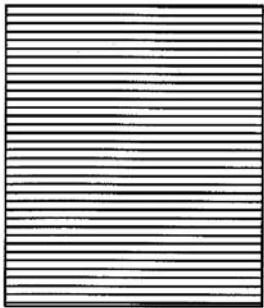
Column 1	Column 2
Shown on the zone map by:	Applicable provisions
	<ul style="list-style-type: none"> (1) Consent must not be granted to development for residential purposes unless the area of each allotment, or the site area per dwelling, is not less than 1,200 square metres. (2) A person must not remove a tree or erect a building without development consent. (3) Consent must not be granted to the erection of a building, the removal of trees or excavation unless the consent authority has made an assessment as to whether it should impose conditions relating to: <ul style="list-style-type: none"> (a) the height and location of buildings, and (b) the colour of materials, and (c) the removal and planting of trees, so as to ensure that the development will preserve or enhance the scenic quality of the land and surrounding land
<p>#</p>	<p>A person must not carry out any development (except for purposes authorised under the <i>Forestry Act 1916</i> and purposes ordinarily incidental or ancillary to such purposes) on the land that will substantially change the topographic features or landscape or the natural state of the land, except with development consent.</p>

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Schedule 1 Amendments

Table

Column 1	Column 2
Shown on the zone map by:	Applicable provisions
	<p>Where the exact on-site location of a zone boundary is unclear (due to the scale of the zone map or mapping errors) and a determination of its exact location is necessary for the purposes of a development application, consent must not be granted to development unless:</p> <ul style="list-style-type: none">(a) the zone boundary is determined by a survey carried out by a suitably qualified person at the cost of the applicant and approved by the Council, and(b) the survey line, based on on-site investigations, achieves the primary objective of the most environmentally sensitive or restrictive of the zones involved.
	<p>Consent must not be granted to development unless the consent authority:</p> <ul style="list-style-type: none">(a) has notified the Director-General of National Parks and Wildlife of the development application, and(b) has taken into consideration any comments received from the Director-General within 28 days of the notice being sent, and(c) has considered a report from a suitably qualified person recommending:<ul style="list-style-type: none">(i) that part of the land be conserved and protected from development, and(ii) that part of the land be rezoned to Zone 7 (1), and(iii) that a plan of management for the land be prepared.

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Amendments

Schedule 1

[2] Schedule 6 Maps and Zones

Insert in appropriate order in Part 2 (**Zone Map Amendments**) of the Schedule:

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