



New South Wales

Tweed Local Environmental Plan 2000 (Amendment No 69)

under the

Environmental Planning and Assessment Act 1979

I, the Minister for Planning, make the following local environmental plan under the *Environmental Planning and Assessment Act 1979*. (10/10920)

KEVIN GREENE, MP
Acting Minister for Planning

2010 No 778

Clause 1 Tweed Local Environmental Plan 2000 (Amendment No 69)

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1 Name of Plan

This Plan is *Tweed Local Environmental Plan 2000 (Amendment No 69)*.

2 Commencement

This Plan commences on the day on which it is published on the NSW legislation website.

3 Land to which Plan applies

This Plan applies to land fronting Seabreeze Boulevard, Pottsville, as shown coloured scarlet and lettered “2 (a)” and coloured orange and lettered “7 (1)” and identified as “Seabreeze Estate ‘Stage 2’” on the map marked “Tweed Local Environmental Plan 2000 (Amendment No 69)” deposited in the office of Tweed Shire Council.

Schedule 1 Amendment of Tweed Local Environmental Plan 2000

[1] Clause 53E

Insert after clause 53D:

53E Specific provisions for Seabreeze Estate—Stage 2

- (1) The objectives of this clause are as follows:
 - (a) to allow for future urban development and the conservation of ecological and riparian corridors and areas of visual significance on land to which this clause applies,
 - (b) to ensure that development on the land to which this clause applies occurs in a logical and cost-effective manner, in accordance with a staging plan and only after a development control plan that includes specific controls has been prepared for the land.
- (2) This clause applies to land fronting Seabreeze Boulevard, Pottsville, as shown coloured scarlet and lettered “2 (a)” and coloured orange and lettered “7 (1)” and identified as “Seabreeze Estate ‘Stage 2’” on the map marked “Tweed Local Environmental Plan 2000 (Amendment No 69)”.
- (3) Development consent must not be granted to development on land to which this clause applies unless the consent authority is satisfied that any of the following services that are essential for the proposed development are available or that adequate arrangements have been made to make the infrastructure available when it is required:
 - (a) the supply of water,
 - (b) the supply of electricity,
 - (c) the disposal and management of sewage,
 - (d) suitable road access.
- (4) This clause does not apply to development for the purpose of providing, extending, augmenting, maintaining or repairing any public utility infrastructure referred to in this clause.
- (5) Development consent must not be granted for development on land to which this clause applies unless a development control plan that provides for the matters specified in subclause (6) has been prepared for the land.

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- (6) The development control plan must provide for all of the following:
- (a) a staging plan for the timely and efficient release of urban land making provision for necessary infrastructure and sequencing,
 - (b) an overall transport movement hierarchy showing the major circulation routes and connections to achieve a simple and safe movement system for private vehicles, public transport, pedestrians and cyclists,
 - (c) an overall landscaping strategy for the protection and enhancement of riparian areas and remnant vegetation, including visually prominent locations, and detailed landscaping requirements for both the public and private domain,
 - (d) a network of passive and active recreational areas,
 - (e) stormwater and water quality management controls,
 - (f) appropriate provision for the removal and disposal of sewage,
 - (g) amelioration of natural and environmental hazards, including bush fire, flooding and site contamination and, in relation to natural hazards, the safe occupation of, and the evacuation from, any land so affected,
 - (h) detailed urban design controls for significant development sites,
 - (i) measures to encourage higher density living around transport, open space and service nodes,
 - (j) measures to accommodate and control appropriate neighbourhood commercial and retail uses,
 - (k) suitably located public facilities and services, including provision for appropriate traffic management facilities and parking.
- (7) Subclause (6) does not apply to any of the following development:
- (a) a subdivision for the purpose of a realignment of boundaries that does not create additional lots,
 - (b) a subdivision of land if any of the lots proposed to be created is to be reserved or dedicated for public open space, public roads or any other public or environmental protection purpose,

- (c) a subdivision of land in a zone in which the erection of structures is prohibited,
- (d) proposed development on land that is of a minor nature only, if the consent authority is of the opinion that the carrying out of the proposed development would be consistent with the objectives of the zone in which the land is situated.

[2] Schedule 6 Maps and Zones

Insert in appropriate order in Part 2:

Tweed Local Environmental Plan 2000 (Amendment No 69)