



New South Wales

Tweed Local Environmental Plan 2000 (Amendment No 93)

under the

Environmental Planning and Assessment Act 1979

I, the Minister for Planning and Infrastructure, make the following local environmental plan under the *Environmental Planning and Assessment Act 1979*.

SAM HADDAD

As delegate for the Minister for Planning and Infrastructure

2012 No 560

Clause 1 Tweed Local Environmental Plan 2000 (Amendment No 93)

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1 Name of Plan

This Plan is *Tweed Local Environmental Plan 2000 (Amendment No 93)*.

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 Lot 10, DP 1084319, Parkes Drive, Tweed Heads West, as shown coloured light blue, edged red and lettered “3 (c)” on the map marked “Tweed Local Environmental Plan 2000 (Amendment No 93)” deposited in the office of Tweed Shire Council.

Schedule 1 Amendment of Tweed Local Environmental Plan 2000

[1] Clause 53G

Insert after clause 53F:

53G Specific provisions for Boyds Bay Business Park

- (1) This clause applies to the land known as Boyds Bay Business Park, as shown coloured light blue, edged red and lettered “3 (c)” on the map marked “Tweed Local Environmental Plan 2000 (Amendment No 93)”.
- (2) The objectives of this clause are as follows:
 - (a) to ensure that development on the site 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 site,
 - (b) to ensure that an appropriate mix of land uses occurs on the site,
 - (c) to ensure that relevant environmental issues are considered before consent is granted to development of the site,
 - (d) to ensure that issues relating to contaminated land are dealt with to a sufficient level to meet the requirements of *State Environmental Planning Policy No 55—Remediation of Land*,
 - (e) to ensure that land use and development of the site do not hinder or have any other adverse impacts on the ongoing, safe and efficient operation of the Gold Coast Airport, and are otherwise compatible and appropriate given the site’s close proximity to that Airport,
Note. See clause 32 in relation to requirements for development on land affected by aircraft noise.
 - (f) to ensure that the management of urban stormwater is consistent with the *Tweed Urban Stormwater Quality Management Plan* adopted by Council,
 - (g) to ensure that issues relating to the close proximity of the site to the Tweed Heads West Waste Water Treatment Plant are addressed in concept planning and are considered before consent is granted to development of the land.
- (3) This clause applies despite any other provision of this plan.

2012 No 560

Tweed Local Environmental Plan 2000 (Amendment No 93)

Schedule 1 Amendment of Tweed Local Environmental Plan 2000

- (4) Development for the purposes of a shop may be carried out with development consent on land to which this clause applies.
- (5) Development consent must not be granted for development on land to which this clause applies unless the Council is satisfied that any public utility infrastructure that is essential for the proposed development is available or that adequate arrangements have been made to make that infrastructure available when it is required.
- (6) Subclause (5) does not apply to development for the purpose of providing, extending, augmenting, maintaining or repairing any public utility infrastructure.
- (7) 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 (8) has been prepared for the land.
- (8) The development control plan must provide for all of the following:
 - (a) a concept plan showing the indicative layout, form and scale of proposed buildings,
 - (b) a staging plan for the timely and efficient development of the site, making provision for necessary infrastructure and sequencing,
 - (c) the development of the site as a “stand alone” destination (rather than in the context of any potential development of adjoining land),
 - (d) 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,
 - (e) 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,
 - (f) a network of passive and active recreational areas,
 - (g) stormwater and water quality management controls,
 - (h) amelioration of natural and environmental hazards, including bushfire, flooding and site contamination,
 - (i) detailed urban design controls for significant development sites,

- (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,
 - (l) appropriate provision for the removal and disposal of sewage,
 - (m) provision that ensures that development does not conflict with the hierarchy of retail centres in the Tweed Heads and Tweed Heads South areas, and that the primacy of these areas (particularly in relation to retail shopping centres and bulky goods premises) is maintained.
- (9) Subclause (7) 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 only for the purpose of creating lots proposed to be reserved or dedicated for public open space, public roads or any other public or environment 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.
- (10) In this clause, *public utility infrastructure* includes infrastructure for any of the following:
- (a) the supply of water,
 - (b) the supply of electricity,
 - (c) the disposal and management of sewage.

[2] Schedule 6 Maps and Zones

Insert in appropriate order in Part 2:

Tweed Local Environmental Plan 2000 (Amendment No 93)