
draft

Tweed Local Environmental Plan 2000 (Amendment No 93)

under the

Environmental Planning and Assessment Act 1979

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

Minister for Urban Affairs and Planning

draft

Tweed Local Environmental Plan 2000 (Amendment No 93)

1. Name of plan

This plan is the *Tweed Local Environmental Plan 2000 (Amendment No93)*

2. Aims, objectives etc

This plan aims to:

- Zone certain land known as Boyds Bay Garden World Site 3(C) Commerce & Trade to reflect the land's identification for a Business Park.
- Amend provisions of Tweed Local Environmental Plan 2000 as they relate to the subject land to reflect changes and standards for urban design and environmental impact;
- Provide for efficient and consolidated urban growth;
- Protect urban development from environmental hazards.

3. Land to which plan applies

This clause applies to the land known as Boyds Bay Business Park, as shown edged heavy black and coloured on the map marked "Tweed Local Environmental Plan 2000 (Amendment No 93)" deposited in the office of Tweed Shire Council.

4. Amendment of Tweed Local Environmental Plan 2000

Tweed Local Environmental Plan 2000 is amended by

- a) By inserting in appropriate order, in Part 2 of Schedule 6, the words: Tweed Local Environmental Plan 2000 (Amendment No. 93);
- b) By inserting after clause 53 the following clause:-

53G Specific provisions for Boyds Bay Business Park

(1) Objectives of Part

The objectives of this Clause are:

- a) The objective of this clause is to ensure that development on land in an employment land release area occurs in a logical and cost-effective manner, in accordance with a staging plan and only after a development control plan including specific controls has been prepared for the land, and
- b) to ensure that an acceptable mix of landuses occurs on the site, and
- c) to ensure that relevant environmental issues are considered before consent is granted for development of the land, and
- 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*, and Council, and
- e) to ensure that issues relating to operation of the Gold Coast Airport are addressed in accordance with *Commonwealth Airports Act, Airports (Protection of Airspace) Regulations*, and other relevant State and Federal legislation, and
- f) to ensure that issues relating to aircraft noise are dealt with to a sufficient level to meet the requirements of AS 2021 – 2000 Acoustics - Aircraft noise intrusion – Building siting and construction, and Council, and
- g) to ensure that the management of urban stormwater is consistent with the *Tweed Urban Stormwater Quality Management Plan* adopted by Council, and
- h) to ensure that concept planning and applications for development of the site address issues relating to the close proximity to the West Tweed Waste Water Treatment Plant

(2) Relationship between Clause and remainder of Plan

A provision of this clause prevails over any other provision of this Plan to the extent of any inconsistency.

(3) Application of Clause

This clause applies to the land known as Boyds Bay Business Park, as shown edged heavy black and coloured on the map marked "Tweed Local Environmental Plan 2000 (Amendment No 93)".

(4) Despite the table to clause 11, development for the purposes of a shop may be carried out with consent on land to which this clause applies.

(5) Public utility infrastructure

- (1) 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 required.
- (2) This clause does not apply to development for the purpose of providing, extending, augmenting, maintaining or repairing any public utility infrastructure.

(6) Development control plan

- (1) 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 (2) has been prepared for the land.
- (2) The development control plan must provide for all of the following:
 - (a) a concept masterplan and staging plan and for the development of site which encourages the site to function as a 'destination' rather than relying on any potential future development of adjoining land.
 - (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) amelioration of natural and environmental hazards, including bushfire, flooding and site contamination,
 - (g) detailed urban design controls for significant development sites,
 - (h) measures to accommodate and control appropriate neighbourhood commercial and retail uses,
 - (i) suitably located public facilities and services, including provision for appropriate traffic management facilities and parking.
 - (j) appropriate provision for the removal and disposal of sewage.
 - (k) ensure that development does not conflict with the hierarchy of retail centres in the Tweed Heads and South Tweed Heads area, and maintain the primacy of these areas, particularly as it relates to bulky goods retailing, and retail shopping centres.
- (3) Subclause (1) 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 the lot that is 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.