

PRELIMINARY TOWN PLANNING SUMMARY 165 LIMPINWOOD VALLEY ROAD, LIMPINWOOD

This summary relates to land at 165 Limpinwood Valley Road, Limpinwood (the 'Site').

In accordance with our instructions, this summary provides a high-level review of the land use zoning and key planning constraints/overlays, as well as preliminary information in relation to:

1. Subdivision potential
2. Planning approval pathways for specific sheds and outbuilding structures existing on the Site (refer Figure 1).

1 SITE DETAILS

The real property details for the Site are outlined in Table 1.

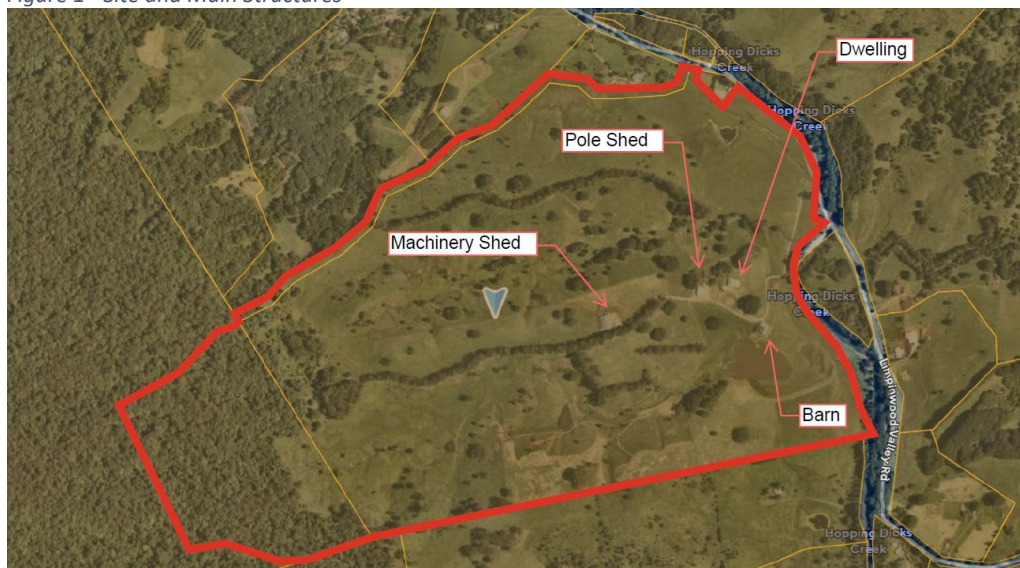
Table 1: Site Details

Address	165 Limpinwood valley Road, Limpinwood
Local Government Area	Tweed Shire Council
Real Property Description	<ul style="list-style-type: none"> • Lot 730 DP 863375 • Lot 173 DP 755696 • Lot 1 DP 1255306
Site Area (approx.)	Total: 114.22 hectares Lot 730 – 95.12ha Lot 173 – 16.59ha Lot 1 – 2.51ha

Important Note: No title searches have been undertaken for the purpose of this Town Planning Summary, including without limitation, title searches, deposited plans, encumbrances and the like.

The Site is illustrated in Figure 1, including identification of the main existing structures.

Figure 1 - Site and Main Structures



Source: Nearmap

2 KEY PLANNING CONTROLS

Table 2 summarises the key planning controls, constraints and overlays relevant to the Site.

Table 2 - Key Planning Controls

Land Use Zones (Tweed LEP 2014)	RU2: Rural Landscape RU1: Primary Production
Max. Building Height	10 metres (above existing ground level)
Min. Lot Size	RU2: 40 ha RU1: 10 ha
Constraints Mapping Overlays	<ul style="list-style-type: none"> • Biodiversity Values • Bushfire Prone Land • Drinking Water Catchment • Aboriginal Cultural Heritage (Known and Predicted)

These matters, together with the provisions of relevant environmental planning instruments and *Tweed Development Control Plan 2008* are relevant considerations in relation to any development application submitted to Tweed Shire Council.

3 SUBDIVISION POTENTIAL

The area of land zoned RU1 is insufficient to meet the minimum lot size for the zone and therefore to create a separate lot in this zone.

Through a rearrangement of boundaries and consolidation of existing lot areas, two (2) new lots could be created that meet the minimum lot size of 40 ha for the erection of a dwelling house. A development application would be required to be submitted to Tweed Shire Council for approval. Conceptually, such a subdivision proposal appears capable of meeting the Council's usual requirements.

From preliminary enquiries of Tweed Shire Council, there is a possibility that Lot 173 DP 755696 may have a dwelling entitlement in its own right. To confirm this, a dwelling entitlement search would be required through Tweed Shire Council. This may also necessitate further investigation of historical land ownership. If Lot 173 separately enjoys the benefits of a dwelling entitlement, this would potentially facilitate three (3) lots from the Site, each with the entitlement for the erection of a dwelling house, subject to Council approval.

4 PLANNING PATHWAY – EXISTING SHEDS/OUTBUILDINGS

The existing sheds/outbuildings would necessitate the submission of a development application to Tweed Shire Council for approval of the use of the structures. Structures that are ancillary to the agricultural use of the land are permitted with Council consent and are generally routine with a competent planning application. Similarly, outbuildings or structures that are ancillary to the residential use of the land are permitted with consent.

As the structures exist, a Construction Certificate would not be available and therefore, a Building Information Certificate(s) (BIC) under Division 6.7 of the *Environmental Planning and Assessment Act 1979* would need to be obtained from the Council. Historically, BIC's have been routinely issued by the Council where structural adequacy and general compliance with building codes is demonstrated.

For further enquiries, please contact our office on (07) 5562 2303.

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