



Mr S McGrath
General Manager
Coffs Harbour City Council
Locked Bag 155
Coffs Harbour NSW 2450

Our ref: 14/17726
Your ref: 55285500

Dear Mr McGrath

Coffs Harbour Local Environmental Plan 2013 (Amendment No 7)

I refer to Council's submission under the *Environmental Planning and Assessment Act 1979* (the Act), requesting the Minister make Coffs Harbour Local Environmental Plan 2013 (Amendment No 7) (the LEP).

I am pleased to advise that as the Minister's delegate, I have made the LEP under section 59(2) of the Act, and under section 34(5) it will take effect when published on the NSW Legislation website.

In considering the matter, I have amended the plan to exclude the following properties:

- Lot 4 DP 41228, 81 Butlers Road, Bonville;
- Lot 5 DP 41228, 77-75 Butlers Road, Bonville;
- Lot 222 DP 852558, 1 Williams Road, Bonville; and
- Lot 1 DP 416381, 39 Strouds Road, Bonville and adjoining road reserve.

This land has been excluded from the plan because:

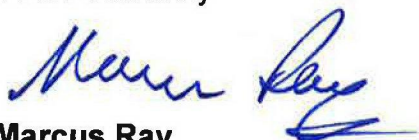
- the properties have not undergone an appropriate level of site investigation that accompanied the land contained in the original proposal;
- the properties contain land which is identified as regionally significant farmland or flood prone land and these site constraints have not been adequately investigated;
- the land is not identified in Council's rural residential strategy approved by the Department; and
- including this land after community consultation does not give the community an opportunity to review or comment on the appropriateness of the proposed rezoning.

I note that Council has acknowledged that in proceeding to finalise the Planning Proposal without seeking an Alteration of Gateway Determination, or conducting further community consultation, that these properties may need to be omitted from the final plan.

Should Council wish to pursue the rezoning of this land in the future, it is encouraged to further investigate the suitability of the above properties for rural residential purposes prior to the submission of a Planning Proposal.

Should you have any questions regarding this matter, I have arranged for Mr Paul Garnett, of the Department's Northern Region Office to assist you. Mr Garnett may be contacted on (02) 6641 6607.

Yours sincerely



Marcus Ray
Deputy Secretary
Planning Services

12/07/2017