

Review of Coffs Harbour LEP 2013 - minor amendments

Proposal Title : **Review of Coffs Harbour LEP 2013 - minor amendments**

Proposal Summary : **The planning proposal is the first round of amendments of the Coffs Harbour Local Environmental Plan (LEP) 2013 since its commencement on 27th September 2013.**

The content of the planning proposal consists of 25 'housekeeping' issues - additional uses, minor rezonings, alterations to minimum lot sizes, correcting descriptions of heritage items, new clause for temporary events and minor alterations to existing clauses.

PP Number : **PP_2015_COFFS_003_00** Dop File No : **15/05320**

Planning Team Recommendation

Preparation of the planning proposal supported at this stage : **Recommended with Conditions**

S.117 directions: **1.1 Business and Industrial Zones
1.2 Rural Zones
1.3 Mining, Petroleum Production and Extractive Industries
1.5 Rural Lands
2.1 Environment Protection Zones
2.2 Coastal Protection
2.3 Heritage Conservation
3.1 Residential Zones
3.2 Caravan Parks and Manufactured Home Estates
3.4 Integrating Land Use and Transport
3.5 Development Near Licensed Aerodromes
4.1 Acid Sulfate Soils
4.3 Flood Prone Land
4.4 Planning for Bushfire Protection
5.1 Implementation of Regional Strategies
5.4 Commercial and Retail Development along the Pacific Highway, North Coast
6.2 Reserving Land for Public Purposes**

Additional Information : **It is recommended that:**

- 1) The planning proposal should proceed as a routine planning proposal;**
- 2) The Secretary (or an officer nominated by the Secretary) agrees that the inconsistencies with s117 Directions 1.1 Business and Industrial Zones, 1.2 Rural Zones, 1.5 Rural Lands, and 2.1 Environmental Protection Zones are justified as minor significance;**
- 3) The Secretary (or an officer nominated by the Secretary) note that inconsistencies with Directions 4.4 Planning for Bushfire Protection and 6.2 Reserving Land for Public Purposes will be considered through consultation prior to exhibition with the NSW Rural Fire Service and NSW Trade & Investment, Crown Lands respectively;**
- 4) Council be required prior to exhibition to provide an amended planning proposal that includes:**
 - detailed 'Explanation of Provisions' &**
 - reference to the Coffs Harbour Local Environmental Plan 2013 Performance Review date March 2015 with it attached as an appendix;**
- 5) Council will be required under section 56(2)(d) of the EP&A Act to consult with Transport for NSW - Roads and Maritime Services and Office of Environment & Heritage - National Parks & Wildlife Services prior to exhibition;**

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6) Council be required to lodge the planning proposal under section 57(2) for approval by the Secretary's delegate of the form and content of the planning proposal prior to community consultation;

7) That the planning proposal be exhibited for a period of 28 days;

8) The planning proposal be completed in 9 months; and

9) Delegation to finalise the planning proposal be issued to Coffs Harbour City Council.

Supporting Reasons : The proposal by Council to apply a number of minor amendments to the Coffs Harbour LEP 2013 is appropriate to proceed.

The issue of delegation to Council to finalise the planning proposal is appropriate in this instance.

Panel Recommendation

Recommendation Date : 10-Apr-2015

Gateway Recommendation : Passed with Conditions

Panel Recommendation : This planning proposal is considered of local significance and the Gateway Determination is to be issued under delegation by the General Manager, Northern Region. Therefore the planning proposal will not be considered by the Panel.

Gateway Determination

Decision Date : 10-Apr-2015

Gateway Determination : Passed with Conditions

Decision made by : General Manager, Northern Region

Exhibition period : 28 Days

LEP Timeframe : 9 months

Gateway Determination : The Planning Proposal should proceed subject to the following conditions:

1. Prior to exhibition amend the planning proposal to include:

(a) a detailed 'Explanation of Provisions'; and

(b) reference to the Coffs Harbour LEP 2013 Performance Review dated March 2015 within the planning proposal, and attached as an appendix.

2. Consultation is required, prior to public exhibition, with the following public authorities under section 56(2)(d) of the EP&A Act and/or to comply with the requirements of relevant S117 Directions:

- NSW Rural Fire Service
- NSW Trade & Investment, Crown Lands
- Office of Environment & Heritage – National Parks and Wildlife Service
- Transport for NSW – Roads and Maritime Services

Each public authority is to be provided with a copy of the planning proposal and any relevant supporting material, and given at least 21 days to comment on the proposal.

3. Lodgement of the revised planning proposal under section 57(2) of the EP&A Act for approval by the Secretary's delegate, of the form and content of the planning proposal prior to community consultation.

4. Community consultation is required under sections 56(2)(c) and 57 of the EP&A Act as follows:

(a) the planning proposal must be made publicly available for a minimum of 28 days; and

(b) the relevant planning authority must comply with the notice requirements for public exhibition of planning proposals and the specifications for material that must be made publicly available along with planning proposals as identified in section 5.5.2 of A Guide to

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Preparing LEPs (Department of Planning and Infrastructure 2013).

5. A public hearing is not required to be held into the matter by any person or body under section 56(2)(e) of the EP&A Act. This does not discharge Council from any obligation it may otherwise have to conduct a public hearing (for example, in response to a submission or if reclassifying land).

6. The timeframe for completing the LEP is to be 9 months from the week following the date of the Gateway determination.

Signature:



Printed Name:

STEPHEN MURRAY

Date:

10 APRIL 2015