



Planning & Environment

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

Our ref: PP_2014_COFFS_004_00 (14/17726)
Your ref: 3773319

Dear Mr McGrath

Planning proposal to amend Coffs Harbour Local Environmental Plan 2013

I am writing in response to your Council's letter dated 13 October 2014 and subsequent additional information dated 18 November 2014 requesting a Gateway determination under section 56 of the *Environmental Planning and Assessment Act 1979* for a planning proposal to rezone land at Bonville from RU2 Rural Landscape to R5 Large Lot Residential and E2 Environmental Conservation.

As delegate of the Minister for Planning, I have now determined that the planning proposal should be resubmitted with additional information as detailed in the attached Gateway determination.

The proposal to rezone part of the subject land to R5 Large Lot Residential is generally supported where it is consistent with the Mid North Coast Regional Strategy, the Coffs Harbour Rural Residential Strategy 2009 and the broader strategic planning framework. However, the potential development of land for rural residential purposes, falling outside of the areas identified for that type of development through strategic planning, will require further investigation and justification.

The subject land also contains a number of significant constraints that have not been adequately addressed and require further consideration before they can be progressed. Council is therefore requested to justify a number of inconsistencies with the strategic planning framework and provide further information to ensure that constraints on the land can be satisfactorily mitigated. Council should consult with the Department's regional office on the requirements of the Gateway determination conditions where necessary.

Should you have any queries about this matter, please contact Mr Paul Garnett of the Department's regional office on (02) 6641 6607.

Yours sincerely

Marcus Ray
Deputy Secretary, Planning Services

23/02/2015
Encl: Gateway Determination

Gateway Determination

Planning proposal (Department Ref: PP_2014_COFFS_004_00): to rezone land at Bonville from RU2 Rural Landscape to R5 Large Lot Residential and E2 Environmental Conservation.

I, the Deputy Secretary, Planning Services at the Department of Planning and Environment as delegate of the Minister for Planning, have determined under section 56(2)(b) of the EP&A Act that an amendment to the Coffs Harbour Local Environmental Plan (LEP) 2013 to rezone land at Bonville from RU2 Rural Landscape to R5 Large Lot Residential and E2 Environmental Conservation should be resubmitted subject to amendments as required by the following conditions:

1. The planning proposal is to be amended to include:
 - a. further justification for the inconsistencies with the Mid North Coast Regional Strategy and the Coffs Harbour City Rural Residential Strategy 2009. Justification should include:
 - i. an explanation of why the proposal seeks to rezone land outside of the candidate areas identified in the Coffs Harbour City Rural Residential Strategy 2009 to R5 Large Lot Residential;
 - ii. the amount of land, in hectares, outside of the candidate areas which is to be zoned R5 Large Lot Residential; and
 - iii. an assessment against the sustainability criteria in the Mid North Coast Regional Strategy for the land outside of the candidate areas identified in the Rural Residential Strategy 2009 which is proposed to be zoned R5 Large Lot Residential.
 - b. further justification for the proposal to rezone regionally significant farmland located outside of the identified candidate areas, to R5 Large Lot Residential. Such justification should include:
 - i. the size and current uses of the land identified as regionally significant farmland; and
 - ii. whether the location of the regionally significant farmland to be included in the proposed R5 Large Lot Residential, in relation to other areas of regionally significant farmland, affects its ability to be used for productive agricultural land uses.
2. Council is to provide details of the area of land below the 1:100 ARI flood planning level that is proposed to be zoned R5 Large Lot Residential, including:
 - a. the depth of inundation and the expected velocity of flood waters, and whether these characteristics are compatible with rural residential development; and
 - b. whether the proposed minimum lot size of 1ha will enable lots to contain areas of land above the flood planning level.
3. Council is to provide further justification for the inconsistencies with S117 Directions 1.2 Rural Zones, 1.5 Rural Lands, 4.3 Flood Prone Land, and 5.1 Implementation of Regional Strategies.

4. Council is to undertake the following additional assessment in support of the planning proposal:
- a. the potential for land contamination including a soil sampling analysis of areas where contamination is expected to be highest, based on known land use history, for example, but not limited to the mapped banana cultivation areas proposed to be zoned R5 Large Lot Residential to the north of candidate area 2 and in candidate area 11; and
 - b. a flood plain risk management plan for the subject land or a report on the flood extent, depth and expected velocities and whether the use of the land for rural residential development is appropriate given these flooding characteristics.

Dated 23rd day of February 2015.



Marcus Ray
Deputy Secretary
Planning Services

Delegate of the Minister for Planning