



Briefing: Director Regions, Northern

FOR APPROVAL

Alteration of Gateway Determination for Planning Proposal PP_2014_COFFS_005_00

Purpose: To recommend the Director Regions, Northern as delegate for the Minister agree to alter the Gateway determination for planning proposal no. PP_2014_COFFS_005_00.


Analysis: A Gateway determination was issued on 19 December 2014 for the planning proposal, which sought to amend Coffs Harbour Local Environmental Plan 2013 to introduce altered coastal hazard planning provisions. An alteration to the Gateway determination has been requested to extend the timeframe in which the planning proposal is to be finalised. The request is considered to have merit and an alteration to the Gateway determination has been prepared.

Recommendation

As delegate of the Minister:

1. **agree** under section 56(7) of the *Environmental Planning and Assessment Act 1979* (the Act), to alter the Gateway determination for planning proposal no. PP_2014_COFFS_005_00 in accordance with the Alteration of Gateway determination document (**Attachment A**), which extends the timeframe for the completion of the planning proposal by twelve (12) months so that it is to be finalised by 26 September 2018.
2. **agree** under part 3, division 4 of the Act that no additional community consultation is required;
3. **sign** the Alteration of Gateway determination (**Attachment A**);
4. **sign** the letter to Coffs Harbour City Council (**Attachment B**).

Approval

<p>Jeremy Gray Director Regions, Northern</p>  <p>Approved / Not Approved</p> <p>Date: 5-10-2017</p>

Key reasons

Planning proposal

Council prepared a planning proposal to amend Coffs Harbour Local Environmental Plan 2013 to introduce altered coastal hazard planning provisions.

The Gateway determination issued on 19 December 2014 (**Attachment C**) determined that the proposal should proceed subject to conditions. The Gateway determination was previously altered on 26 November 2015 and 26 September 2016 to extend the time for completion of the planning proposal (**Attachment D**).

Council requests an extension of time to complete the planning proposal

The Gateway determination required that the Local Environmental Plan (LEP) be finalised in 12 months from the week following the date of the Gateway determination. The expiration date of the Gateway determination was 26 December 2015. As noted above, an extension of time was granted on 26 November 2015 and on 26 September 2016. The current deadline for completion is 26 September 2017.

Council has requested that the period to complete the LEP be extended by a further twelve (12) months, expiring on 26 September 2018 (**Attachment E**).

The delay in meeting the Gateway determination timeframe is due to the delay in the introduction of the *Coastal Management Act 2016* and draft Coastal Management State Environmental Planning Policy. Council is awaiting the introduction of these coastal reforms to ensure that the proposed coastal hazard planning provisions are not inconsistent with the legislation or State policy. This is considered to be appropriate.

It is considered appropriate that the date for completion of the planning proposal be extended to 26 September 2018 to ensure consistency with the ongoing reform to the strategic land use planning framework for coastal management.

Community consultation

Community consultation occurred between 4 March and 6 May 2015. It is considered that the revised planning proposal does not require further community consultation as the extension of time to complete the planning proposal does not alter its intent.

Attachments

Attachment	Title
A	Alteration of Gateway determination
B	Letter to Council
C	Gateway determination
D	Previous Gateway determination alterations
E	Council request for Alteration of Gateway determination

