

**Coastal Hazard Planning Area**

Proposal Title : **Coastal Hazard Planning Area**

Proposal Summary : **Coffs Harbour City Council has prepared a planning proposal to formulate planning controls in its Local Environmental Plan to address development in the coastal zone in accordance with its recently adopted Coastal Zone Management Plan.**

PP Number : **PP\_2014\_COFFS\_005\_00**      Dop File No : **14/20625**

**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**

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

- 1. The planning proposal should proceed as a 'routine' planning proposal.**
- 2. The planning proposal be amended prior to exhibition to include maps in accordance with the Department's Technical Guidelines which indicate the removal of the foreshore building line from Map Sheets CL1\_005C and CL1\_006D;**
- 3. Prior to exhibition, the RPA consult with the Commissioner of the NSW Rural Fire Services.**
- 4. A community consultation period of 28 days is necessary.**
- 5. The Secretary or delegate note that an inconsistency with section 117 direction 4.4 Planning for Bushfire Protection remains unresolved until the Council consults with the NSW Rural Fire Service;**
- 6. The RPA consult with the Office of Environment and Heritage (Coastal Team) and the State Emergency Services;**
- 7. The planning proposal is to be completed within 9 months.**

**No written authorisation to exercise delegation should be issued at this stage. Council should be advised to consider obtaining its own legal advice as to the effectiveness /authority of the proposed Development Control Plan provisions.**

Supporting Reasons : **This planning proposal is based on thorough research work on coastal hazard issues and is a recognition of the significant coastal hazard in the Coffs Harbour area and ways to mitigate such hazard.**

## Coastal Hazard Planning Area

### Panel Recommendation

Recommendation Date :

Gateway Recommendation :

Panel Recommendation :

### Gateway Determination

Decision Date : **19-Dec-2014**

Gateway Determination : **Passed with Conditions**

Decision made by : **General Manager, Northern Region**

Exhibition period : **28 Days**

LEP Timeframe : **12 months**

Gateway Determination : **The delegate of the Minister has agreed that the planning proposal may proceed subject to:**

**1. Community consultation is required under sections 56(2)(c) and 57 of the Environmental Planning and Assessment Act 1979 ("EP&A Act") as follows:**

**(a) the planning proposal is classified as routine as described in A Guide to Preparing LEPs (Department of Planning and Environment 2013) and 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 Preparing LEPs (Department of Planning and Environment 2013).**

**2. Consultation is required with the following public authorities under section 56(2)(d) of the EP&A Act:**

- NSW Rural Fire Service
- Office of Environment and Heritage
- State Emergency 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. The Planning Proposal is to be amended prior to public exhibition to include maps in accordance with the Department's Technical Guidelines which indicate the removal of the foreshore building line from Maps CL1\_005C and CL1\_006D.**

**4. 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 reclassifying land).**

**5. The timeframe for completing the LEP is to be 12 months from the week following the date of the Gateway determination.**

Signature:



Printed Name:

STEPHEN MURRAY

Date:

19 DECEMBER 2014