

Gateway Determination

Planning proposal (Department Ref: PP_2019_COFFS_001_00): to amend Coffs Harbour Local Environmental Plan 2013 to rezone Lot 111, DP730304, 7 Tasman Street Corindi Beach and the adjoining road reserve, from RU2 Rural Landscape to R1 General Residential and R2 Low Density Residential and amend the minimum lot size.

I, the Director Regions, Northern at the Department of Planning and Environment, as delegate of the Minister for Planning, have determined under section 3.34(2) of the *Environmental Planning and Assessment Act 1979* (the Act) that an amendment to Coffs Harbour Local Environmental Plan (LEP) 2013 to rezone Lot 111, DP730304, 7 Tasman Street Corindi Beach and the adjoining road reserve, from RU2 Rural Landscape to R1 General Residential and R2 Low Density Residential and amend the minimum lot size should proceed subject to the following conditions:

1. Prior to exhibition, the planning proposal is to be updated to:
 - a. include both an ecological assessment and a cultural values assessment of the site;
 - b. include the adjoining Tasman Street road reserve as also being subject to the planning proposal. This information should also be reflected on all relevant supplementary information;
 - c. accurately reflect the Gateway determination and expected completion dates in Part 6 - Timeline; and
 - d. ensure that the exhibited version of the planning proposal includes a copy of the Preliminary Land Contamination Assessment Report;
2. Public exhibition is required under section 3.34(2)(c) and schedule 1 clause 4 of the Act as follows:
 - (a) the planning proposal is classified as low impact as described in *A guide to preparing local environmental plans* (Department of Planning and Environment 2016) and must be made publicly available for a minimum of **14 days**; and
 - (b) the planning proposal 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 local environmental plans* (Department of Planning and Environment 2016).
3. Consultation is required with the following public authorities/organisations under section 3.34(2)(d) of the Act and/or to comply with the requirements of relevant section 9.1 Directions:
 - NSW Rural Fire Service

- Department of Planning, Industry and Environment (Environment, Energy and Science) formerly OEH
- Aboriginal Lands Council – Garby Elders

Each public authority/organisation 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.

4. A public hearing is not required to be held into the matter by any person or body under section 3.34(2)(e) of the 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).
5. The planning proposal authority is authorised as the local plan-making authority to exercise the functions under section 3.36(2) of the Act subject to the following:
 - (a) the planning proposal authority has satisfied all the conditions of the Gateway determination;
 - (b) the planning proposal is consistent with section 9.1 Directions or the Secretary has agreed that any inconsistencies are justified; and
 - (c) there are no outstanding written objections from public authorities.
6. The time frame for completing the LEP is to be **9 months** following the date of the Gateway determination.

Dated 14 day of August 2019.



Jeremy Gray
Director Regions, Northern
Planning Services
Department of Planning, Industry and
Environment

Delegate of the Minister for Planning
and Public Spaces