

## Gateway Determination

***Planning Proposal (Department Ref: PP\_2017\_COFFS\_005\_00): to rezone part of Lot 914, DP 870329, Braford Drive, Bonville and part of Lot 501, DP 858180 Irvines Road, Bonville to R5 Large Lot Residential and E2 Environmental Conservation and amend associated development controls on the subject land.***

I, the Director Regions, Northern, at the Department of Planning and Environment as delegate of the Minister for Planning, have determined under section 56(2) of the *Environmental Planning and Assessment Act, 1979* (the Act) that an amendment to the Coffs Harbour Local Environmental Plan (LEP) 2013 to rezone part of Lot 914, DP 870329, Braford Drive, Bonville and part of Lot 501, DP 858180 Irvines Road, Bonville to R5 Large Lot Residential and E2 Environmental Conservation and amend associated development controls on the subject land should proceed subject to the following conditions:

1. The Planning Proposal is to be updated prior to community consultation to include the following:
  - a. a consideration of s117 Direction 5.10 Implementation of Regional Plans and remove the discussion on 5.1 Implementation of Regional Strategies;
  - b. the mapping showing the proposed changes to land zoning, minimum lot size and Terrestrial Biodiversity should be amended to show the current controls and the proposed controls in the context of the surrounding land; and
  - c. a preliminary site contamination investigation, in accordance with clause 6 of the State Environmental Planning Policy 55 – Remediation of Land, and to Council's satisfaction, be prepared for the Braford Drive site due to its previous use as a nursery.
2. Community consultation is required under sections 56(2)(c) and 57 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 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 local environmental plans* (Department of Planning and Environment 2016).
3. Consultation is required with the following public authorities and / organisations under section 56(2)(d) of the Act and/or to comply with the requirements of relevant Section 117 Directions:
  - Office of Environment and Heritage;

- NSW Rural Fire Service; and
- The Local Aboriginal Land Council.

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 56(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 timeframe for completing the LEP is to be **9 months** following the date of the Gateway determination.

Dated 25 day of January 2018.



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

**Delegate of the Minister for Planning**