

Coffs Harbour LEP 2013 - Housekeeping Amendments (No.2)

Proposal Title : **Coffs Harbour LEP 2013 - Housekeeping Amendments (No.2)**

Proposal Summary : **Coffs Harbour LEP 2013 - Housekeeping Amendments - Performance Review No 2.**

The planning proposal consists of 15 'housekeeping' amendments - additional local provision for water extraction and bottling facility in the RU2 Zone, heritage schedule refinements, amendments to Land Zoning, Lot Size, Height of Buildings, Heritage and Land Reservation Acquisition Maps for various parcels of land.

PP Number : **PP_2016_COFFS_004_00** Dop File No : **16/16118**

Planning Team Recommendation

Preparation of the planning proposal supported at this stage : **Recommended with Conditions**

S.117 directions:

- 1.5 Rural Lands**
- 2.1 Environment Protection Zones**
- 2.3 Heritage Conservation**
- 3.1 Residential Zones**
- 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**
- 6.1 Approval and Referral Requirements**
- 6.2 Reserving Land for Public Purposes**

Additional Information :

- 1. The Planning Proposal be supported;**
- 2. The Planning Proposal be exhibited for 28 days;**
- 3. The Planning Proposal be completed within 9 months;**
- 4. The Planning Proposal be amended prior to consultation with agencies or exhibition to:**
 - include updated maps prepared using the colours and labeling consistent with the Department's standard technical requirements illustrating all of the existing and proposed planning control changes be included in the proposal;
 - amend item 1 to a plain english explanation and remove references to the use of Schedule 1.
- 5. The Secretary (or an officer nominated by the Secretary) note the current unresolved inconsistencies with Directions 3.5 Development Near Licensed Aerodromes and 4.4 Planning for Bushfire Protection and that consultation with relevant agencies will be required before the consistency of the Directions can be determined;**
- 6. The Secretary (or her delegate) agree that the inconsistency of the proposal with S117 Directions 1.5 Rural Lands, 2.1 Environment Protection Zones, 2.3 Heritage Conservation, 3.1 Residential Zones, 3.5 Development Near Licensed Aerodromes, 4.1 Acid Sulfate Soils, 4.3 Flood Prone Land and 6.2 Reserving Land for Public Purposes are justified in accordance with the terms of the directions;**
- 8. That consultation be undertaken with the following agencies:**
 - NSW Rural Fire Service;
 - Roads and Maritime Services;
 - Department of the Commonwealth responsible for aerodromes.
- 9. A written authorisation to exercise delegation be issued to Coffs Harbour City Council.**

Supporting Reasons : **The reasons for the recommendation are as follows:**

- 1. The proposal will assist Council in maintaining a current, correct and efficient LEP;**
- 2. The proposal is unlikely to have any detrimental social, economic or environmental effect on the subject lands or surrounding areas;**

3. The inconsistencies of the proposal with the S117 directions are of minor significance.
4. The proposal is consistent with all relevant SEPPs.

Panel Recommendation

Recommendation Date : **21-Dec-2016**

Gateway Recommendation : **Passed with Conditions**

Panel Recommendation : **The proposal is considered to be of local significance and can be appropriately considered by the Director Regions, Northern.**

Gateway Determination

Decision Date : **21-Dec-2016**

Gateway Determination : **Passed with Conditions**

Decision made by : **Regional Director, Northern Region**

Exhibition period : **28 Days**

LEP Timeframe : **9 months**

Gateway Determination : **1. The Planning Proposal is to be amended prior to community consultation and referral to government agencies, to:**

- (a) Include updated maps prepared utilising colours and labelling consistent with the Department's standard technical requirements illustrating all of the existing and proposed planning control changes; and
- (b) amend item 1 to a plain English explanation and the removal of any references to utilising Schedule 1 of the LEP.

2. Community consultation is required under sections 56(2)(c) and 57 of the Act as follows:

- (a) the planning proposal is to 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 2016).

3. Consultation is required with the following public authorities under section 56(2)(d) of the Act and/or to comply with the requirements of relevant S117 Directions:

- NSW Rural Fire Service
- NSW Roads and Maritime Services
- Department of the Commonwealth responsible for aerodromes

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.

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 from the week following the date of the Gateway determination.

Signature:



Printed Name:

Craig Durr

Date:

21/12/16