

Gateway Determination

Planning proposal (Department Ref: PP-2021-133): to undertake various housekeeping amendments to Coffs Harbour LEP 2013.

I, the Director, Northern Region at the Department of Planning, Industry and Environment, as delegate of the Minister for Planning and Public Spaces, have determined under section 3.34(2) of the *Environmental Planning and Assessment Act 1979* (the Act) that an amendment to the Coffs Harbour Local Environmental Plan (LEP) 2013 to undertake various housekeeping amendments to Coffs Harbour LEP 2013, should proceed subject to the following conditions:

1. Prior to public exhibition, the planning proposal is to be amended to:
 - a. exclude 'Artisan Food and Drink Industries' and 'Rural Function Centres' from land identified as important farmland under the North Coast Regional Plan 2036;
 - b. correct all errors that refer to seven (instead of 6) amendments being undertaken to the LEP as a result of this planning proposal; and
 - c. make clear in Part 2 that 'Artisan Food and Drink Industries' and 'Rural Function Centres' are proposed to be permitted with consent on land in Zone RU2 Rural Landscape only.
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 must be made publicly available for a minimum of **28 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 6.5.2 of *A guide to preparing local environmental plans* (Department of Planning and Environment, 2018).
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
 - Transport for NSW
 - Department of Primary Industries - Agriculture

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 16 day of February 2021.



Jeremy Gray
Director, Northern Region
Local and Regional Planning
Department of Planning, Industry and
Environment

Delegate of the Minister for Planning
and Public Spaces