

Gateway Determination

Planning proposal (Department Ref: PP-2021-5577): *rezone land at Bark Hut Road, Woolgoolga from RU2 Rural Landscape to part R2 Low Density Residential, E2 Environmental Conservation and E3 Environmental Management and amend associated controls*

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 rezone land at Bark Hut Road, Woolgoolga from RU2 Rural Landscape to part R2 Low Density Residential, E2 Environmental Conservation and E3 Environmental Management should proceed subject to the following conditions:

1. Prior to public exhibition, the planning proposal is to be updated to:
 - a) reference the correct legal description for the land;
 - b) amend reference in Explanation of Provisions dot point 3 (page 5) of Council's Planning Proposal Report, from E3 Environmental Conservation to E3 Environmental Management;
 - c) include current key sites and terrestrial biodiversity maps.
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:
 - Transport for NSW
 - Environment, Energy and Science Group – Biodiversity Conservation Division
 - Department of Premier and Cabinet – Heritage NSW
 - NSW Rural Fire Service
 - Department of Primary Industries – Agriculture

- Coffs Harbour and District Local Aboriginal Land Council
- NSW Department of Natural Resources Access Regulator
- Department of Primary Industries – Mining, Exploration and Geoscience

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 time frame for completing the LEP is to be **6 months** following the date of the Gateway determination.

Dated 1 day of November 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