

## Gateway Determination

***Planning proposal (Department Ref: PP-2021-5619): to amend State Environmental Planning Policy (Coastal Management) 2018 (SEPP) and Coffs Harbour Local Environmental Plan 2013 (LEP) to apply an amended coastal hazard planning framework including Coastal Vulnerability Area mapping for the Coffs Harbour Local Government Area.***

I, the Manager, Local and Regional Planning, 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 SEPP (Coastal Management) 2018 and Coffs Harbour LEP 2013 to apply an amended coastal hazard planning framework including Coastal Vulnerability Area mapping for the Coffs Harbour Local Government Area should proceed subject to the following conditions:

1. Prior to exhibition, the planning proposal is to be updated to:
  - update the Project Timeline to accurately reflect the Gateway determination date;
  - remove from page 14 the paragraph titled 'Technical Notes';
  - include a proposed CL1\_006D Map showing the 'Foreshore Area' and 'Foreshore Building Line' removed from the map;
  - provide detail on why coastal inundation was not included in the Coastal vulnerability mapping; and
  - provide justification for the removal of clause 7.7 from Coffs Harbour LEP 2013.
2. Prior to community consultation, the planning proposal is to be revised to address condition 1 and forwarded to the Department for review and approval.
3. 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).

4. 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:

- Department of Planning, Industry and Environment – Biodiversity and Conservation Division
- NSW Rural Fire Service
- NSW State Emergency Service
- Resilience NSW
- Coffs Harbour and District 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.

5. 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).
6. The time frame for completing the LEP is to be **12 months** following the date of the Gateway determination.

Dated 18 day of October 2021.



**Craig Diss**  
**Manager, Local and Regional**  
**Planning, Northern Region**  
**Department of Planning, Industry and**  
**Environment**

**Delegate of the Minister for Planning**  
**and Public Spaces**