



Department of Planning, Housing and Infrastructure

Mr Andrew Beswick
Acting General Manager
City of Coffs Harbour
Locked Bag 155
COFFS HARBOUR NSW 2450

Our ref: IRF24/2748

Via email: marten.bouma@chcc.nsw.gov.au
coffs.council@chcc.nsw.gov.au

Dear Mr Beswick

Planning proposal (PP-2022-107) to amend the Coffs Harbour Local Environmental Plan 2013

I am writing in response to the planning proposal you have forwarded to the Minister under section 3.34(1) of the *Environmental Planning and Assessment Act 1979* (the Act) to rezone land for large lot residential and environmental conservation purposes and amend associated planning controls at 28, 35 and 89 Sugarmill Road, Sapphire Beach.

As delegate of the Minister for Planning and Public Spaces, I have determined that the planning proposal should proceed subject to the conditions in the enclosed gateway determination.

I have also agreed, as delegate of the Secretary, the inconsistency of the planning proposal with applicable directions of the Minister under section 9.1 of the Act, Directions 4.5 Acid Sulfate Soils, 9.1 Rural Lands and 9.2 Rural Zones is justified in accordance with the terms of the Direction. No further approval is required in relation to the Directions.

Council may still need to obtain the agreement of the Secretary to comply with Directions 4.3 Planning for Bushfire Protection and 8.1 Mining, Petroleum Production and Extractive Industries, Council should ensure this occurs prior to the LEP being made.

Considering the nature of the planning proposal I have determined that Council may exercise local plan-making authority functions in relation to the planning proposal.

The proposed local environmental plan (LEP) is to be finalised within nine months from date of the Gateway determination. Council should aim to commence the exhibition of the planning proposal as soon as possible.

Parliamentary Counsel's Office is not responsible for the drafting of map-only amendments to LEPs. Requests for legal drafting for map-only amendments must instead be sent to mapinstrument.drafting@dpie.nsw.gov.au. The relevant Department of Planning, Housing and Infrastructure team contact should be copied into the request. The request must include the drafting instruction template, planning proposal and gateway determination.

The NSW Government has committed to reduce the time taken to complete LEPs. To meet these commitments, the Minister may appoint an alternate planning proposal authority if Council does not meet the timeframes outlined in the gateway determination.

The Department's categorisation of planning proposals in the *Local Environmental Plan Making Guideline* (Department of Planning, Housing and Infrastructure, August 2023) is supported by category specific timeframes for satisfaction of conditions and authority and Government agency referrals, consultation, and responses. Compliance with milestones will be monitored by the Department to ensure planning proposals are progressing as required.

Should you have any enquiries about this matter, I have arranged for Ms Melissa Thomson to assist you. Ms Thomson can be contacted on 5778 1486.

Yours sincerely



6/12/24

Craig Diss
Acting Director, Hunter and Northern Region
Local Planning and Council Support

Encl: Gateway determination