



Department of Planning, Housing and Infrastructure

Our ref: IRF24/1108

Ms Natalia Cowley
General Manager
City of Coffs Harbour
Locked Bag 155
COFFS HARBOUR NSW 2450

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

Dear Ms Cowley

Planning proposal PP-2022-3059 to amend 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) in respect of the planning proposal to rezone land at 218 East Bank Road, Coramba, for large lot residential and conservation purposes.

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, being Directions 3.1 Conservation Zones, 6.1 Residential Zones, 9.1 Rural Zones and 9.2 Rural Lands is justified in accordance with the terms of the Directions. No further approval is required in relation to these Directions.

Council may still need to obtain the agreement of the Secretary to comply with the requirements of relevant applicable directions of the Minister under section 9.1 of the Act including Directions 1.1. Implementation of Regional Plans, 3.2 Heritage Conservation, 4.1 Flooding, 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.

I have determined not to authorise Council to be the local plan-making authority due to the additional flooding information that is required to support the planning proposal. This matter can be reconsidered should the additional flood information and consultation process demonstrate the proposal is appropriate.

The amending local environmental plan (LEP) is to be finalised within 9 months of the gateway determination. Council should aim to commence the exhibition of the planning proposal as soon as possible. Council's request for the Department of Planning, Housing and Infrastructure to draft and finalise the LEP should be made eight weeks in advance of the date the LEP is projected to be made.

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 Carlie Boyd to assist you. Ms Boyd can be contacted on 6643 6604.

Yours sincerely

A handwritten signature in black ink, appearing to read 'J. Gray', is positioned above the date.

05/06/2024

Jeremy Gray
Director, Hunter and Northern Region
Local Planning and Council Support

Encl: Gateway determination