



PLANNING PROPOSAL

**PP-2023-1583 – Sandy Beach Community Hub
Lot 105 DP 227257, 42 Sandys Beach Drive, Sandy Beach**

**June 2025
VERSION 2 Exhibition**

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PLANNING PROPOSAL STATUS

Stage	Version / Date <i>(blank until achieved)</i>
Reported to Council – Initiate s3.33 Version 1 - Pre_Exhibition	Version 1 – 1 May 2025
Referred to DPHI s3.34(1) Version 1 - Pre_Exhibition	Version 1 – 12 May 2025
Gateway Determination s3.34(2) Version 1 - Pre_Exhibition	Version 1 – 6 June 2025
Amendments Required:	No
Public Exhibition – Schedule 1 Clause 4 Version 2 - Exhibition	Version 2 - Exhibition
Reported to Council – Initiate Revised PP s3.33 Version x - Re_Exhibition	
Revised PP Sent to the Minister - s3.35(1) Version x - Re_Exhibition	
Altered Gateway Determination s3.34(2) Version x - Re_Exhibition	
Public Exhibition – Schedule 1 Clause 4 Version x - Re_Exhibition	
Reported to Council – Endorsement s3.36 Version x - Post Exhibition	
Endorsed by Council for Submission to Minister for Notification s3.36(2) Version x – Post Exhibition	

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EXECUTIVE SUMMARY & EXHIBITION INFORMATION

What is a Planning Proposal?

A planning proposal is a document that explains the intended effect of a proposed local environmental plan (LEP) and sets out the justification for making that plan. Essentially, the preparation of a planning proposal is the first step in making an amendment to Coffs Harbour LEP 2013.

A planning proposal assists those who are responsible for deciding whether an LEP amendment should proceed and is required to be prepared by a relevant planning authority. Council, as a relevant planning authority, is responsible for ensuring that the information contained within a planning proposal is accurate and accords with the *Environmental Planning and Assessment Act 1979* and the NSW Department of Planning, Housing and Infrastructure's *Local Environmental Plan Making Guideline 2023*.

What is the Intent of this Planning Proposal?

The intent of this Planning Proposal is to amend Coffs Harbour LEP 2013 to apply E1 Local Centre zoning to 42 Sandys Beach Drive, Sandy Beach. The site presently accommodates a mixed-use development that is operating under existing use rights. The change to a commercial zoning will formalise the site as a commercial centre that will serve as a hub for the Sandy Beach community in conjunction with the playground, BBQ and shelter facilities, skate park and multi-purpose court located in the Sandy Beach Reserve on the opposite side of Sandys Beach Drive.

Public Exhibition

This planning proposal is on public exhibition in accordance with the Gateway Determination issued by NSW Department of Planning, Housing and Infrastructure. Copies of the planning proposal and supportive information can be viewed on the City of Coffs Harbour's Have Your Say Page <https://haveyoursay.coffsharbour.nsw.gov.au/> for the duration of the exhibition period.

All interested persons are invited to view and make a submission on the planning proposal during the exhibition period. Issues raised by submissions will be reported to Council for a final decision. Submissions can be made online, or in writing by email or post to:

The General Manager
City of Coffs Harbour
Locked Bag 155
COFFS HARBOUR NSW 2450
Email: coffs.council@chcc.nsw.gov.au

Any questions, contact:
Rachel Baker on 6648 4647
or email rachel.baker@chcc.nsw.gov.au

Note: The City is committed to openness and transparency in its decision making processes. The Government Information (Public Access) Act 2009 requires the City to provide public access to information held unless there are overriding public interest considerations against disclosure. Any submissions received will be made publicly available unless the writer can demonstrate that the release of part or all of the information would not be in the public interest. However, the City would be obliged to release information as required by court order or other specific law.

Written submissions must be accompanied, where relevant, by a "Disclosure Statement of Political Donations and Gifts" in accordance with the provisions of the Local Government and Planning Legislation Amendment (Political Donations) Act 2008 No. 44 Disclosure forms are available from the City's Customer Service Section or on the City's website www.coffsharbour.nsw.gov.au/disclosurestatement.

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BACKGROUND

Proposal	Sandy Beach Community Hub
Property Details	Lot 105 DP 227257, 42 Sandys Beach Drive, Sandy Beach
Current Land Use Zone(s)	R2 Low Density Residential
Proponent	Bennell and Associates
Landowner	David Brammah
Location	A location map is included in Figure 2 below.

This planning proposal has been prepared in accordance with the *Environmental Planning and Assessment Act 1979* and *Local Environmental Plan Making Guideline 2023* (NSW Department of Planning, Housing and Infrastructure).

This planning proposal explains the intended effects of a proposed amendment to Coffs Harbour LEP 2013 that will establish a new local centre on the site of an existing mixed-use (commercial and residential) premises.

The Site

The site is located at 42 Sandys Beach Drive, Sandy Beach. The subject land is within Zone R2 Low Density Residential under Coffs Harbour LEP 2013. Figure 1 below is a photograph of the site as viewed from the corner of Sandys Beach Drive and Acacia Avenue. The locality of the subject site is shown in Figure 2 overleaf.



Figure 1: Photograph of the subject site and surroundings.

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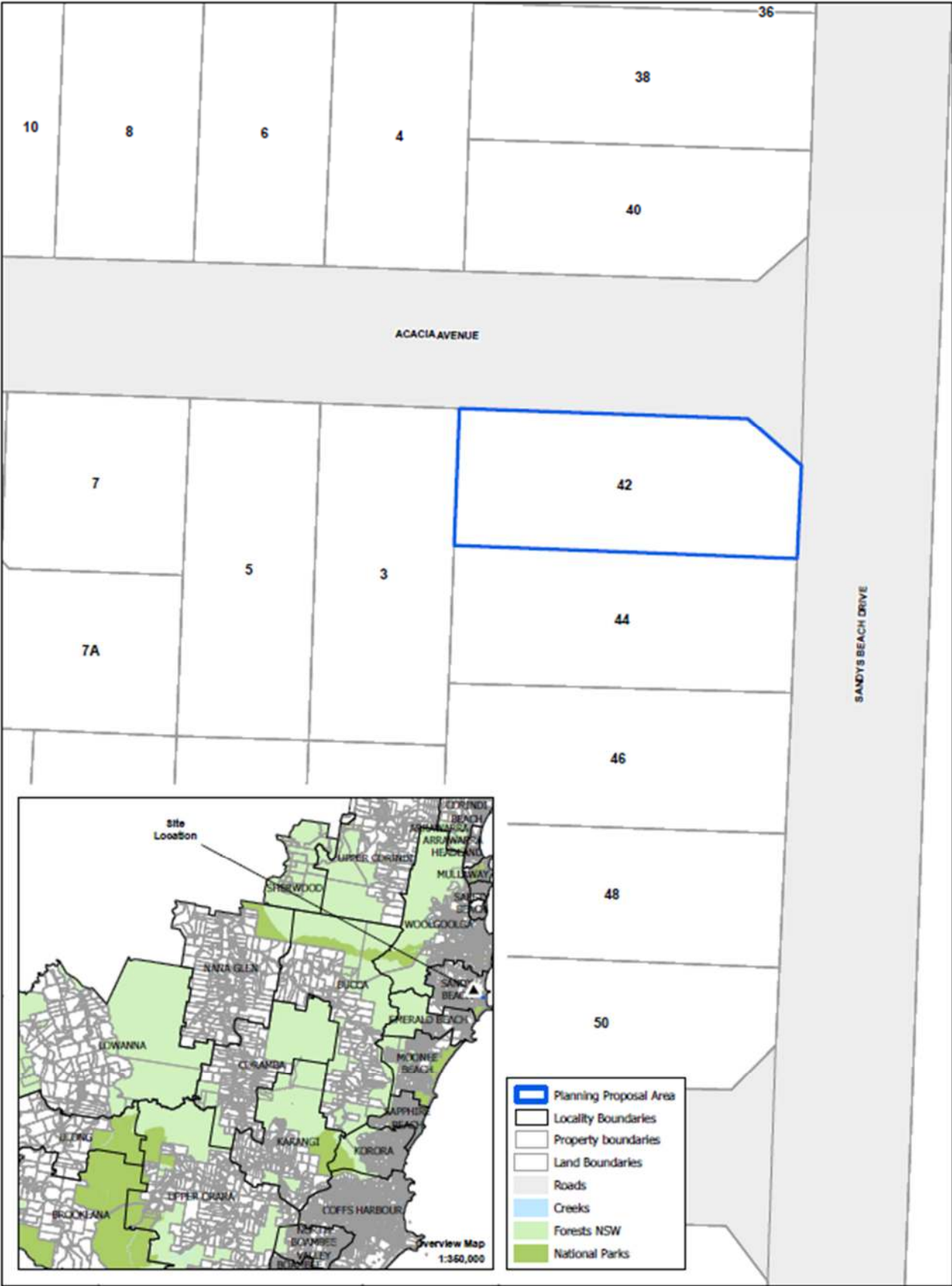


Figure 2: Location of subject site

PART 1 – OBJECTIVES OR INTENDED OUTCOMES

The objective of this planning proposal is to amend Coffs Harbour LEP 2013 to formalise the subject site as a small-scale, local commercial centre that will function as a hub for the Sandy Beach community in conjunction with the playground, BBQ and shelter facilities, skate park and multi-purpose court located in the Sandy Beach Reserve on the opposite side of Sandys Beach Drive

PART 2 – EXPLANATION OF PROVISIONS

The objective of the proposed LEP amendment will be achieved by amending Coffs Harbour LEP 2013 as follows:

- a. Amending the Land Zoning Map to rezone the site from R2 Low Density Residential to E1 Local Centre.
- b. Amending the Lot Size Map by changing the minimum lot size applying to the site from 400 square metres to no minimum lot size, consistent with other land in Zone E1.

PART 3 – JUSTIFICATION & SITE-SPECIFIC MERIT

This part provides a response to the following matters in accordance with the *Local Environmental Plan Making Guideline 2023* (NSW Department of Planning, Housing and Infrastructure):

- Section A: Need for the planning proposal
- Section B: Relationship to strategic planning framework
- Section C: Environmental, social and economic impact

Section A – Need for the planning proposal

1. Is the planning proposal a result of an endorsed local strategic planning statement, strategic study or report?

Yes. Chapter 8 of the Coffs Harbour Local Growth Management Strategy (LGMS) identifies that a community hub should be established in Sandy Beach through creation of a small-scale local commercial centre. The LGMS identifies an investigation area for the establishment of a hub; the subject site is within the investigation area. The subject site is considered to be a suitable site for a community hub as it is in proximity to a number of community facilities located within the Sandy Beach Reserve, being; BBQ and shelter facilities, a playground, skate park and multi-purpose court. Its situation on a corner gives the site visual prominence. Additionally, the current commercial uses on the site (hairdresser, general store and café) mean it currently functions informally as a community hub.

The current commercial uses on the site operate under existing use rights and rezoning the site to E1 Local Centre will resolve this issue and provide the opportunity for further development of, or changes to, commercial uses on the site.

2. Is the planning proposal the best means of achieving the objectives or intended outcomes, or is there a better way?

The planning proposal is considered to be the best means of achieving the intended outcomes given that existing commercial uses on the site operate under existing use rights which limits the ability of the site to function as a commercial centre. Rezoning from a residential zone to a commercial zone will

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resolve this issue. The site currently functions informally as a community hub and the planning proposal will formalise this.

3. Integrating land use and transport- is there a net community benefit?

The NSW Government publication *The Right Place for Business and Services* is a policy statement that seeks to locate trip-generating uses within existing centres and minimise dispersed, trip generating development. It is of relevance to planning proposals that create or facilitate commercial development on isolated or stand-alone sites. The Policy includes a Net Community Benefit Assessment Criteria to determine whether a proposal that is generally not consistent with the Policy's aims or objectives will result in a benefit or cost to the community.

This planning proposal will create a new commercial centre in an isolated, stand-alone location and could therefore be considered to be inconsistent with the Policy. Therefore, an assessment against the Net Community Benefit assessment criteria has been undertaken and is provided in Appendix 3 of this planning proposal. Testing against the criteria has found that the proposal will result in a net community benefit.

Section B – Relationship to strategic planning framework

4. Will the planning proposal give effect to the objectives and actions contained within the North Coast Regional Plan 2041?

The proposed LEP amendment is consistent with the relevant goals, objectives, activities and actions within the North Coast Regional Plan 2041 as follows:

GOAL 1 – LIVEABLE, SUSTAINABLE AND RESILIENT

• Objective 1 – Provide well located homes to meet demand

- | | |
|--------------|---|
| Strategy 1.1 | A 10 year supply of zoned and developable residential land is to be provided and maintained in Local Council Plans endorsed by the Department of Planning, Housing and Infrastructure.

<i>The proposed LEP amendment is not inconsistent with this action given that it applies to land that is already zoned for urban development.</i> |
| Action 1 | Establish the North Coast urban housing monitoring program.

<i>The proposed LEP amendment is not inconsistent with this action.</i> |
| Strategy 1.2 | Local Council plans are to encourage and facilitate a range of housing options in well located areas.

<i>The proposed LEP amendment is not consistent with this strategy given that it seeks to apply Zone E1 to the site which will facilitate a broader range of residential uses than the current Zone R2 Low Density Residential which applies to the site and the remainder of Sandy Beach village.</i> |
| Strategy 1.3 | Undertake infrastructure service planning to establish land can be feasibly serviced prior to rezoning

<i>The proposed LEP amendment is not inconsistent with this strategy given that the land is currently serviced.</i> |
| Strategy 1.4 | Councils in developing their future housing strategies must prioritise new infill |

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development to assist in meeting the region's overall 40% multi-dwelling / small lot housing target and are encouraged to work collaboratively at a subregional level to achieve the target.

The proposed LEP amendment is consistent with this strategy because applying Zone E1 to the site will allow a more diverse range of residential accommodation not currently permitted in Zone R2.

Strategy 1.5 New rural residential housing is to be located on land which has been approved in a strategy endorsed by the Department of Planning, Housing and Infrastructure and is to be directed away from the coastal strip.

Not applicable; the proposed LEP amendment does not propose or facilitate rural residential housing.

Strategy 1.6 Councils and LALCs can partner to identify areas which may be appropriate for culturally responsive housing on Country.

Not applicable; the proposed LEP amendment does not propose or new urban areas for housing.

Action 2 Provide guidance to help councils plan for and manage accommodation options for seasonal and itinerant workers.

Not applicable.

- **Objective 2 – Provide for more affordable and low cost housing**

Action 3 Establish Housing Affordability Roundtables for the Mid North Coast and Northern Rivers subregions with councils, community housing providers, State agencies and the housing development industry to collaborate, build knowledge and identify measures to improve affordability and increase housing diversity.

Not applicable.

- **Objective 3 – Protect regional biodiversity and areas of high environmental value**

Strategy 3.1 Strategic planning and local plans must consider opportunities to protect biodiversity values by:

- focusing land-use intensification away from HEV assets and implementing the 'avoid, minimise and offset' hierarchy in strategic plans, LEPs and planning proposals;
- ensuring any impacts from proposed land use intensification on adjoining reserved lands or land that is subject to a conservation agreement are assessed and avoided;
- encouraging and facilitating biodiversity certification by Councils at the precinct scale for high growth areas and by individual land holders at the site scale, where appropriate;
- updating existing biodiversity mapping with new mapping in LEPs where appropriate;
- identifying HEV assets within the planning area at planning proposal stage through site investigations;
- applying appropriate mechanisms such as conservation zones and Biodiversity Stewardship Agreements to protect HEV land within a planning area and considering climate change risks to HEV assets;
- developing or updating koala habitat maps to strategically conserve koala habitat to help protect, maintain and enhance koala habitat; and
- considering marine environments, water catchment areas and groundwater sources to avoid potential development impacts.

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The proposed LEP amendment is consistent with this strategy given that the site is an existing developed, urban lot within limited biodiversity values and is suitable for more intensification of land use.

Strategy 3.2 In preparing local and strategic plans Councils should:

- embed climate change knowledge and adaptation actions; and
- consider the needs of climate refugia for threatened species and other key species.

The proposed LEP amendment is not inconsistent with this strategy.

Collaboration Activity 1:

Work with and assist councils to:

- review biodiversity mapping and related local environmental plan and development control plan provisions;
- improve access to data to enable identification of protected areas including NPWS Estate, Crown Reserves and in-perpetuity private land conservation agreements to inform local planning;
- ensure koala habitat values are included in land-use planning decisions through regional plans, local strategic planning statements and local environmental plans.

Lead Agency: NSW Biodiversity and Conservation Division

Not applicable.

• **Objective 4 – Understand, celebrate and integrate Aboriginal culture**

Strategy 4.1 Councils prepare cultural heritage mapping with an accompanying Aboriginal cultural management plan in collaboration with Aboriginal communities to protect culturally important sites.

Not applicable.

Strategy 4.2 Prioritise applying dual names in local Aboriginal language to important places, features or infrastructure in collaboration with the local Aboriginal community.

Not applicable.

• **Objective 5 – Manage and improve resilience to shocks and stresses, natural hazards and climate change**

Strategy 5.1 When preparing local strategic plans, councils should be consistent with and adopt the principles outlined in the Strategic Guide to Planning for Natural Hazards.

Not applicable- this planning proposal does not involve the preparation of a strategic plan.

Strategy 5.2 Where significant risk from natural hazard is known or presumed, updated hazard strategies are to inform new land use strategies and be prepared in consultation with emergency service providers and Local Emergency Management Committees (LEMCs). Hazard strategies should investigate options to minimise risk such as voluntary housing buy back schemes.

Not applicable- this planning proposal does not involve the preparation of a land use strategy.

Strategy 5.3 Use local strategic planning and local plans to adapt to climate change and reduce exposure to natural hazards by:

- identifying and assessing the impacts of place-based shocks and stresses;
- taking a risk-based-approach that uses the best available science in consultation with the NSW Government, emergency service providers, local emergency management committees and bush fire risk management committees;

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- locating development (including urban release areas and critical infrastructure) away from areas of known high bushfire risk, flood and coastal hazard areas to reduce the community's exposure to natural hazards;
- identifying vulnerable infrastructure assets and considering how they can be protected or adapted;
- building resilience of transport networks in regard to evacuation routes, access for emergencies and, maintaining freight connections;
- identifying industries and locations that would be negatively impacted by climate change and natural hazards and preparing strategies to mitigate negative impacts and identify new paths for growth;
- preparing, reviewing and implementing updated natural hazard management plans and Coastal Management Programs to improve community and environmental resilience which can be incorporated into planning processes early for future development;
- identifying any coastal vulnerability areas;
- updating flood studies and flood risk management plans after a major flood event incorporating new data and lessons learnt; and
- communicating natural hazard risk through updated flood studies and strategic plans.

The proposed LEP amendment is not inconsistent with this strategy given that it acknowledges the natural hazard that affect the site, being bushfire. An outline of the assessment against the relevant s9.1 Local Planning Directions is provided in Appendix 2.

Strategy 5.4 Resilience and adaptation plans should consider opportunities to:

- encourage sustainable and resilient building design and materials (such as forest products) including the use of renewable energy to displace carbon intensive or fossil fuel intensive options
- promote sustainable land management including Ecologically Sustainable Forest Management (ESFM)
- address urban heat through building and street design at precinct scale that considers climate change and future climatic conditions to ensure that buildings and public spaces are designed to protect occupants in the event of heatwaves and extreme heat events
- integrate emergency management and recovery needs into new and existing urban areas including evacuation planning, safe access and egress for emergency services personnel, buffer areas, building back better, whole-of-life cycle maintenance and operation costs for critical infrastructure for emergency management
- adopt coastal vulnerability area mapping for areas subject to coastal hazards to inform the community of current and emerging risks
- promote economic diversity, improved environmental, health and well-being outcomes and opportunities for cultural and social connections to build more resilient places and communities.

Not applicable- the proposed LEP amendment is not a resilience and adaption plan.

Strategy 5.5 Partner with local Aboriginal communities to develop land management agreements and policies to support cultural management practices.

Not applicable.

Collaboration Activity 2:

Work with councils and agencies and the Transition North Coast Working Group to deliver the North Coast Enabling Regional Adaptation report to provide opportunities for climate change adaptation pathways with the aim of transitioning key regional systems to a more resilient future.

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Lead Agency: NSW Office of Energy and Climate Change

Not applicable.

- **Objective 6 – Create a circular economy**

Strategy 6.1 Support the development of circular economy, hubs, infrastructure and activities and consider employment opportunities that may arise from circular economies and industries that harness or develop renewable energy technologies and will aspire towards an employment profile that displays a level of economic self-reliance, and resilience to external forces.

The proposed LEP amendment is not inconsistent with this strategy given that it seeks to establish a new local centre which will provide additional opportunities for development of the local economy.

Strategy 6.2 Use strategic planning and waste management strategies to support a circular economy, including dealing with waste from natural disasters and opportunities for new industry specialisations.

The proposed LEP amendment is not inconsistent with this strategy given that it seeks to establish a new local centre which will provide additional opportunities for development of the local economy.

- **Objective 7 – Promote renewable energy opportunities**

Strategy 7.1 When reviewing LEPs and local strategic planning statements:

- ensure current land use zones encourage and promote new renewable energy infrastructure;
- identify and mitigate impacts on views, local character and heritage where appropriate; and
- undertake detailed hazard studies.

The proposed LEP amendment is not inconsistent with this strategy given that it will not inhibit the development of renewable energy infrastructure.

- **Objective 8 – Support the productivity of agricultural land**

Strategy 8.1 Local planning should protect and maintain agricultural productive capacity in the region by directing urban, rural residential and other incompatible development away from important farmland.

Not applicable.

- **Objective 9 – Sustainably manage and conserve water resources**

Strategy 9.1 Strategic planning and local plans should consider:

- opportunities to encourage riparian and coastal floodplain restoration works;
- impacts to water quality, freshwater flows and ecological function from land use change;
- water supply availability and issues, constraints and opportunities early in the planning process;
- partnering with local Aboriginal communities to care for Country and waterways;
- locating, designing, constructing and managing new developments to minimise impacts on water catchments, including downstream waterways and groundwater resources;

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- possible future diversification of town water sources, including groundwater, stormwater harvesting and recycling;
- promoting an integrated water cycle management approach to development;
- encouraging the reuse of water in new developments for urban greening and for irrigation purposes;
- improving stormwater management and water sensitive urban design;
- ensuring sustainable development of higher-water use industries by considering water availability and constraints, supporting more efficient water use and reuse, and locating development where water can be accessed without significantly impacting on other water users or the environment;
- identifying and protecting drinking water catchments and storages in strategic planning and local plans; and
- opportunities to align local plans with any certified Coastal Management Programs.

The proposed LEP amendment is not inconsistent with this strategy given that it does not affect a water resource or watercourse.

Strategy 9.2 Protect marine parks, coastal lakes and estuaries by implementing the NSW Government's Risk-Based Framework for Considering Waterway Health Outcomes in Strategic Land-use Planning Decisions, with sensitive marine parks, coastal lakes and estuaries prioritised.

The proposed LEP amendment is not inconsistent with this strategy given that it will not adversely affect a marine park, coastal lake or estuary.

Strategy 9.3 Encourage a whole of catchment approach to land use and water management across the region that considers climate change, water security, sustainable demand and growth, the natural environment and investigate options for water management through innovation.

Not applicable- the proposed LEP amendment applies to a single, developed site.

• **Objective 10 – Sustainably manage the productivity of our natural resources**

Strategy 10.1 Enable the development of the region's natural, mineral and forestry resources by avoiding interfaces with land uses that are sensitive to impacts from noise, dust and light interference.

Not applicable- the subject site does not adjoin a developable natural resource.

Strategy 10.2 Plan for the ongoing productive use of lands with regionally significant construction material resources in locations with established infrastructure and resource accessibility.

Not applicable.

GOAL 2 – PRODUCTIVE AND CONNECTED

• **Objective 11 – Support cities and centres and coordinate the supply of well-located employment land**

Strategy 11.1 Local council plans will support and reinforce cities and centres as a focal point for economic growth and activity.

The proposed LEP amendment is not inconsistent with this strategy. Even though it seeks to establish a new local centre that is removed from existing centres, the scale of the centre is very small and the site presently accommodates an established commercial premises. This means the proposed LEP amendment will not adversely affect any existing centres.

Strategy 11.2 Utilise strategic planning and land use plans to maintain and enhance the function of established commercial centres by:

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- simplifying planning controls
- developing active city streets that retain local character
- facilitating a broad range of uses within centres in response to the changing retail environment
- maximising the transport and community facilities commensurate with the scale of development proposals.

The proposed LEP amendment is not inconsistent with this strategy. Even though it seeks to establish a new local centre that is removed from existing centres, the scale of the centre is very small and it presently accommodates established commercial premises. This means the proposed LEP amendment will not adversely affect any existing centres.

Strategy 11.3 Support existing and new economic activities by ensuring council strategic planning and local plans:

- retain, manage and safeguard significant employment lands
- respond to characteristics of the resident workforce and those working in the LGA and neighbouring LGAs
- identify local and subregional specialisations
- address freight, service and delivery considerations
- identify future employment lands and align infrastructure to support these lands
- provide flexibility in local planning controls
- are responsive to future changes in industry to allow a transition to new opportunities
- provide flexibility and facilitate a broad range of commercial, business and retail uses within centres
- focus future commercial and retail activity in existing commercial centres, unless there is no other suitable site within existing centres, there is a demonstrated need, or there is positive social and economic benefit to locate activity elsewhere
- are supported by infrastructure servicing plans for new employment lands to demonstrate feasibility prior to rezoning.

The proposed LEP amendment is consistent with this strategy given that it will support existing and new economic opportunities. Although the proposed LEP amendment will create a new commercial centre, there is social and economic benefit to doing this as outlined elsewhere in this planning proposal.

Strategy 11.4 New employment areas are in accordance with an employment land strategy endorsed by the Department of Planning, Housing and Infrastructure.

The proposed LEP amendment is consistent with this strategy given that it aligns with Chapter 8 of the Coffs Harbour Local Growth Management Strategy, which says that a community hub should be formalised in Sandy Beach. This is outlined in more detail in the response to question 5 in Section B.

• **Objective 12 – Create a diverse visitor economy**

Strategy 12.1 Council strategic planning and local plans should consider opportunities to:

- enhance the amenity, vibrancy and safety of centres and township precincts;
- create green and open spaces that are accessible and well connected and enhance existing green infrastructure in tourist and recreation facilities;
- support the development of places for artistic and cultural activities;
- identify appropriate areas for tourist accommodation and tourism development;
- protect heritage, biodiversity and agriculture to enhance cultural tourism, agri-tourism and eco-tourism;

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- partner with local Aboriginal communities to support cultural tourism and connect ventures across the region;
- support appropriate growth of the nighttime economy;
- provide flexibility in planning controls to allow sustainable agritourism and ecotourism;
- improve public access and connection to heritage through innovative interpretation; and
- incorporate transport planning with a focus on active transport modes to connect visitors to key destinations.

The proposed LEP amendment is consistent with this strategy given that it seeks to create a hub for the community that will be enhanced through the delivery of public realm upgrade works.

• **Objective 13 – Champion Aboriginal self-determination**

Strategy 13.1 Provide opportunities for the region's LALCs, Native Title holders and community recognised Aboriginal organisations to utilise the NSW planning system to achieve development aspirations, maximising the flow of benefits generated by land rights to Aboriginal communities through strategic led planning.

Not applicable.

Strategy 13.2 Prioritise the resolution of unresolved Aboriginal land claims on Crown land.

Not applicable

Strategy 13.3 Partner with community recognised Aboriginal organisations to align strategic planning and community aspirations including enhanced Aboriginal economic participation, enterprise and land, sea and water management.

Not applicable

Strategy 13.4 Councils consider engaging Aboriginal identified staff within their planning teams to facilitate strong relationship building between councils, Aboriginal communities and key stakeholders such as Local Aboriginal Land Councils and local Native Title holders.

Not applicable

Strategy 13.5 Councils should establish a formal and transparent relationship with local recognised Aboriginal organisations and community, such as an advisory committee.

Not applicable

Action 5 The Department of Planning, Housing and Infrastructure will work with LALCs, Native Title holders and councils by:

- meaningfully engaging with LALCs and Native Title holders in the development and review of strategic plans to ensure aspirations are reflected in plans;
- building capacity for Aboriginal communities, LALCs and Native Title holders to utilise the planning system; and
- incorporating Aboriginal knowledge of the region into plan.

Not applicable.

• **Objective 14 – Deliver new industries of the future**

Strategy 14.1 Facilitate agribusiness employment and income-generating opportunities through the regular review of council planning and development controls, including suitable locations for intensive agriculture and agribusiness.

Not applicable.

Strategy 14.2 Protect established agriculture clusters and identify expansion opportunities in local plans that avoid land use conflicts, particularly with residential and rural residential land uses.

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Not applicable.

- **Objective 15 – Improve state and regional connectivity**

Strategy 15.1 Protect proposed and existing transport infrastructure and corridors to ensure network opportunities are not sterilised by incompatible land uses or land fragmentation.

Not applicable.

Collaboration Activity 4:

To ensure that centres experiencing high growth have well planned and sustainable transport options, placed-based Transport Plans will be developed for key cities and centres across the North Coast region.

Lead Agency: Transport for NSW

Not applicable.

- **Objective 16 – Increase active and public transport usage**

Strategy 16.1 Encourage active and public transport use by:

- prioritising pedestrian amenity within centres for short everyday trips
- providing a legible, connected and accessible network of pedestrian and cycling facilities
- delivering accessible transit stops and increasing convenience at interchanges to serve an ageing customer
- incorporating emerging anchors and commuting catchments in bus contract renewals
- ensuring new buildings and development include end of trip facilities
- integrating the active transport network with public transport facilities
- prioritising increased infill housing in appropriate locations to support local walkability and the feasibility of public transport stops

The proposed LEP amendment is consistent with this strategy given that it includes an amendment to the Coffs Harbour Development Control Plan that will require construction of new footpaths on the boundary of the site.

Strategy 16.2 Local plans should encourage the integration of land use and transport and provide for environments that are highly accessible and conducive to walking, cycling and the use of public transport and encourage active travel infrastructure around key trip generators.

The proposed LEP amendment is consistent with this strategy given that it seeks to formalise a local-scale commercial centre that is in walking and cycling distance of the majority of Sandy Beach.

- **Objective 17 – Utilise new transport technology**

Strategy 17.1 Councils should consider how new transport technology can be supported in local strategic plans, where appropriate.

Not applicable.

Collaboration Activity 6:

Investigate public transport improvements including on-demand services.

Lead Agency: Transport for NSW

Not applicable.

GOAL 3 – GROWTH CHANGE AND OPPORTUNITY

- **Objective 18 – Plan for sustainable communities**

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Action 6 Undertake housing and employment land reviews for the Northern Rivers and Mid North Coast subregions to assess future supply needs and locations.
Not applicable.

- **Objective 19 – Public spaces and green infrastructure support connected and healthy communities**

Strategy 19.1 Councils should aim to undertake public space needs analysis and develop public space infrastructure strategies for improving access and quality of all public space to meet community need for public spaces. This could include:

- drawing on community feedback to identify the quantity, quality and the type of public space required
- prioritising the delivery of new and improved quality public space to areas of most need
- considering the needs of future and changing populations
- identifying walkable and cycleable connectivity improvements and quality and access requirements that would improve use and enjoyment of existing infrastructure
- consolidating, linking and enhancing high quality open spaces and recreational areas
- working in partnership with local Aboriginal communities to develop bespoke cultural infrastructure which responds to the needs of Aboriginal communities and

The proposed LEP amendment is consistent with this strategy given that it seeks to establish improved public realm around the subject site and the proposal will be subject to community consultation.

Strategy 19.2 Public space improvements and new development should consider the local conditions, including embracing opportunities for greening and applying water sensitive urban design principles.

The proposed LEP amendment is consistent with this strategy given that it seeks to establish a community hub for Sandy Beach, including establishment of improved public realm.

Strategy 19.3 Encourage the use of council owned land for temporary community events and creative practices where appropriate by reviewing development controls.

Not applicable.

Strategy 19.4 Local environmental plan amendments that propose to reclassify public open space must consider the following:

- the role or potential role of the land within the open space network;
- how the reclassification is strategically supported by local strategies such as open space or asset rationalisation strategies;
- where land sales are proposed, details of how sale of land proceeds will be managed; and
- the net benefit or net gain to open space.

Not applicable.

- **Objective 20 – Celebrate local character**

Strategy 20.1 Ensure strategic planning and local plans recognise and enhance local character through use of local character statements in local plans and in accordance with the NSW Government's Local Character and Place Guideline.

The proposed LEP amendment is consistent with this strategy given that it seeks to enhance the public realm surrounding the site and create a community hub for Sandy Beach that is consistent with the established local character of Sandy Beach.

Strategy 20.2 Celebrate buildings of local heritage significance by:

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- retaining the existing use where possible
- establishing a common understanding of appropriate reuses
- exploring history and significance
- considering temporary uses
- designing for future change of use options.

The proposed LEP amendment is not inconsistent with this strategy given that it will provide more options for future change of use of existing buildings on the site.

Coffs Harbour Narrative

Regional Priorities

- Manage and support growth in Coffs Harbour, anchored by the expanding health, education and creative industries sectors, and Coffs Harbour Airport Enterprise Park.
- Deliver suitable housing and job opportunities across the LGA including in Coffs Harbour, Woolgoolga, Moonee Beach, Toormina and Sapphire Beach.
- Protect environmental assets that sustain the agricultural and tourism industries.

Livable and Resilient

- Provide mitigation measures in response to climate change.
- Support environmentally sustainable development that is responsive to natural hazards.
- Retain and protect local biodiversity through effective management of environmental assets and ecological communities.

Productive and Connected

- Develop health, education and aviation precincts at the South Coffs Harbour Enterprise Area and Coffs Harbour Airport Enterprise Park, and new employment land at Woolgoolga and Bonville.
- Promote the sustainable use of important farmland areas through encouraging initiatives to support the development of the agricultural sector and agribusiness.
- Identify opportunities to expand nature based, adventure and cultural tourism assets including Solitary Islands Marine Park and other coastal, hinterland, and heritage assets, which will support the local ecotourism industry.

Housing and Place

- Enable ‘better places’ through placemaking initiatives, active transport, urban design specific to the North Coast, and facilitation of the ‘20 minute neighbourhood’.
- Deliver housing at Woolgoolga, North Boambee Valley and Bonville, and address the temporary worker housing needs associated with the Coffs Harbour Bypass.
- Enhance the variety of housing options available by promoting a compact urban form in and around the Coffs Harbour city centre and Park Beach.

Smart, Connected and Accessible (Infrastructure)

- Increase and strengthen social, economic and strategic links with the Mid North Coast subregion including Bellingen, Clarence Valley and Nambucca LGAs, particularly regarding the delivery of additional employment lands.
- Maximise opportunities associated with the increased connectivity provided by the new Coffs Harbour Bypass.

The proposed LEP amendment is not inconsistent with this narrative.

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5. Is the planning proposal consistent with Council's endorsed local strategic planning statement, or another endorsed local strategy or strategic plan?

Coffs Harbour Local Strategic Planning Statement 2020

The proposed LEP amendment accords with the vision and planning priorities within the Coffs Harbour Local Strategic Planning Statement (LSPS), in particular: A9.5 which seeks to deliver strategic directions for local employment and business centres outlined in the Local Growth Management Strategy.

MyCoffs Community Strategic Plan 2032

The City's Community Strategic Plan is based on four overarching themes: Community Wellbeing; Community Prosperity; A Place for Community; and Sustainable Community Leadership. Within each theme there are a number of sustainable development objectives and outcomes.

The planning proposal supports the vision of the MyCoffs Community Strategic Plan 'connected, sustainable, thriving' and will assist in achieving the following objectives and outcomes of the Plan:

Theme	Objective	Outcome
Community Prosperity: <i>A thriving & sustainable local economy</i>	Building on the natural advantages of our LGA, we champion business, events, sustainability, innovation and technology to stimulate economic growth, investment and local jobs	<ul style="list-style-type: none">• The local economic and commercial base is more diversified
A Place for Community: <i>Liveable neighbourhoods with a defined identity</i>	We create liveable places that are beautiful and appealing	<ul style="list-style-type: none">• Our neighbourhoods are people-friendly and liveable environments• Our public places and spaces are activated through good planning and design

Coffs Harbour Local Growth Management Strategy

The Planning Proposal is consistent with the Coffs Harbour Local Growth Management Strategy (LGMS). Chapter 8 of the LGMS identifies that a community hub should be formalised in Sandy Beach through creation of a new local centre. The planning proposal is a direct outcome of this objective.

Section 8.7 in Chapter 8 also identifies a number of suitability principles that should be considered when evaluating planning proposals for new employment land. An assessment against the suitability principles is presented below:

Principle 1: the pipeline of suitable land

- The scale of the proposed zoning meets the needs of business as it supports existing businesses. The demand for additional employment land in this location is considered to be low.
- The site is considered suitable for the needs of business because it currently supports a number of businesses.
- The site is in proximity to sensitive receivers as it adjoins residential uses on two sides and residential uses across Acacia Avenue. However, commercial use of the land is already established and any future changes of use or redevelopment of the site will need to meet development controls in the Coffs Harbour Development Control Plan, including controls which seek to avoid amenity impacts on surrounding land.
- There are no natural hazards affecting the site that present constraints to development.

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Principle 2: Reliable road, public and active transport infrastructure

The site has existing road access that is considered suitable to meet the transport needs of business on the site. Commercial uses on the site are unlikely to require heavy vehicle access.

Principle 3: Effective communication infrastructure

The site has access to mobile phone and internet services.

Principle 4: Access to essential services

The site is serviced by water supply, electricity and sewerage.

Principle 5: Availability of a skilled local workforce

The staff required to operate existing commercial uses on the site are likely to be able to be drawn from the nearby surrounding area.

Principle 6: Opportunity for agglomeration

The rezoning is for a single lot and therefore no agglomeration is possible. The future demand for additional zoned employment land in this location is likely to be low.

Additional factors applicable to business centres:

- Location- the site has a significant residential catchment to support trade.
- Accessibility- the site has convenient and unhindered access.
- Urban design- this planning proposal is accompanied by an amendment to Coffs Harbour Development Control Plan that will require any significant additional development or redevelopment of the site to deliver a suite of upgrades to the public realm surrounding the site including; kerb ramps, footpaths and street trees. This will create a sense of human scale, equitable and universal access and a comfortable public realm.
- Centre vitality- although the site supports existing approved businesses/uses, these operate under existing use rights. Rezoning the site to a commercial zone will remove this restriction and allow for changes of use or redevelopment of the site which in turn may contribute to vitality of the centre.

The proposed rezoning of the site to E1 Local Centre is considered to meet the suitability principles.

6. Is the planning proposal consistent with any other applicable State and Regional Study or Strategies?

Coffs Harbour Regional City Action Plan 2036

Although the subject site is not within the Regional City Action Plan area, the planning proposal is not inconsistent with the Objectives and Actions of the plan.

7. Is the planning proposal consistent with applicable state environmental planning policies (SEPP)?

The table at Appendix 1 provides an assessment of consistency against each State Environmental Planning Policy relevant to the Planning Proposal.

8. Is the planning proposal consistent with applicable Ministerial Directions (s9.1 directions)?

The table at Appendix 2 provides an assessment of consistency against Ministerial Planning Directions relevant to the Planning Proposal.

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Section C – Environmental, social and economic impact

9. Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected as a result of the proposal?

No. The site is an existing developed urban lot that does not contain or support critical habitat, threatened species, populations or ecological communities or their habitats.

10. Are there any other likely environmental effects as a result of the planning proposal and how are they proposed to be managed?

Commercial development or use of land has potential to create amenity impacts on surrounding land, particularly on sensitive uses such as residential. Given the subject site directly adjoins residential properties on two sides, there exists potential for amenity impacts. The site is already developed and utilised for commercial purposes, meaning that the rezoning of the site will not directly create any impacts however, rezoning of the site to E1 Local centre will provide additional opportunities for development of commercial uses, some of which have potential to create noise or other amenity impacts on residential uses on surrounding land. Any future development application for new or expanded commercial activities would be subject to the relevant controls in Coffs Harbour Development Control Plan 2015, which includes provisions to assess and avoid amenity impacts on land surrounding a development site. *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* allows for certain low-impact changes of use of commercial premises to be undertaken as exempt development. This is subject to the new development not increasing any floor area, being in accordance with the conditions of consent that applied to the existing use and, where no consent exists, the SEPP limits operating hours to 7am-7pm.

In this regard, it is considered that suitable measures are in place to assess potential future amenity impacts and any potential impacts will be able to be avoided or managed.

11. Has the planning proposal adequately addressed any social and economic effects?

Social effects

The planning proposal is expected to have a positive social impact as it will formalise a community hub to serve the Sandy Beach community. The site currently provides an informal community gathering place due to the existing commercial premises on the site and the site's proximity to the Sandy Beach reserve, playground and skate park. Rezoning the site as a commercial centre will formalise the site and its surrounding public realm as a community gathering place.

The planning proposal has potential to create negative social impacts as it is creating a commercially zoned site that is adjoining residential land. As discussed in the response to question 10 above, commercial activities and development have potential to create amenity impacts on nearby sensitive uses, including residential uses. Any significant change of use or additional development on the site will require development consent and be subject to assessment against the provisions of the Coffs Harbour Development Control Plan 2015 which contains controls that intend to avoid or manage impacts on amenity of land uses surrounding commercial development. Any change of use of a minor nature that can be undertaken as exempt development under *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* is subject to the limitations and controls in the SEPP.

Economic effects

The planning proposal is expected to have a positive economic impact as it will permit the site to fully function and develop as a commercial centre. Presently the use and development of the site is restricted to 'existing uses' which limits the ability to utilise or develop the site in response to local economic demand. Rezoning the site to E1 Local Centre will allow for a broad range of commercial activities to be carried out on the site, subject to development consent.

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Section D – State and Commonwealth interests

12. Is there adequate public infrastructure for the planning proposal?

Yes. The site is an existing urban site that is provided with services and utilities. Local roads servicing the site are considered to be suitable to accommodate traffic generated by commercial use of the site as demonstrated by the Traffic and Parking Impact Assessment included at Appendix 4. The report also demonstrates that there is sufficient on-street parking available in the vicinity of the site to accommodate demand. Future redevelopment or intensification of uses on the site may require provision of additional on-site parking in accordance with any relevant development control in Coffs Harbour Development Control Plan 2015.

Draft locality-specific development controls have been prepared that will require redevelopment of the site above certain thresholds to deliver upgraded footpaths, street trees, pram ramps and kerb and guttering within the road reserve adjacent to the site.

13. What are the views of State and federal public authorities and government agencies consulted in order to inform the Gateway determination?

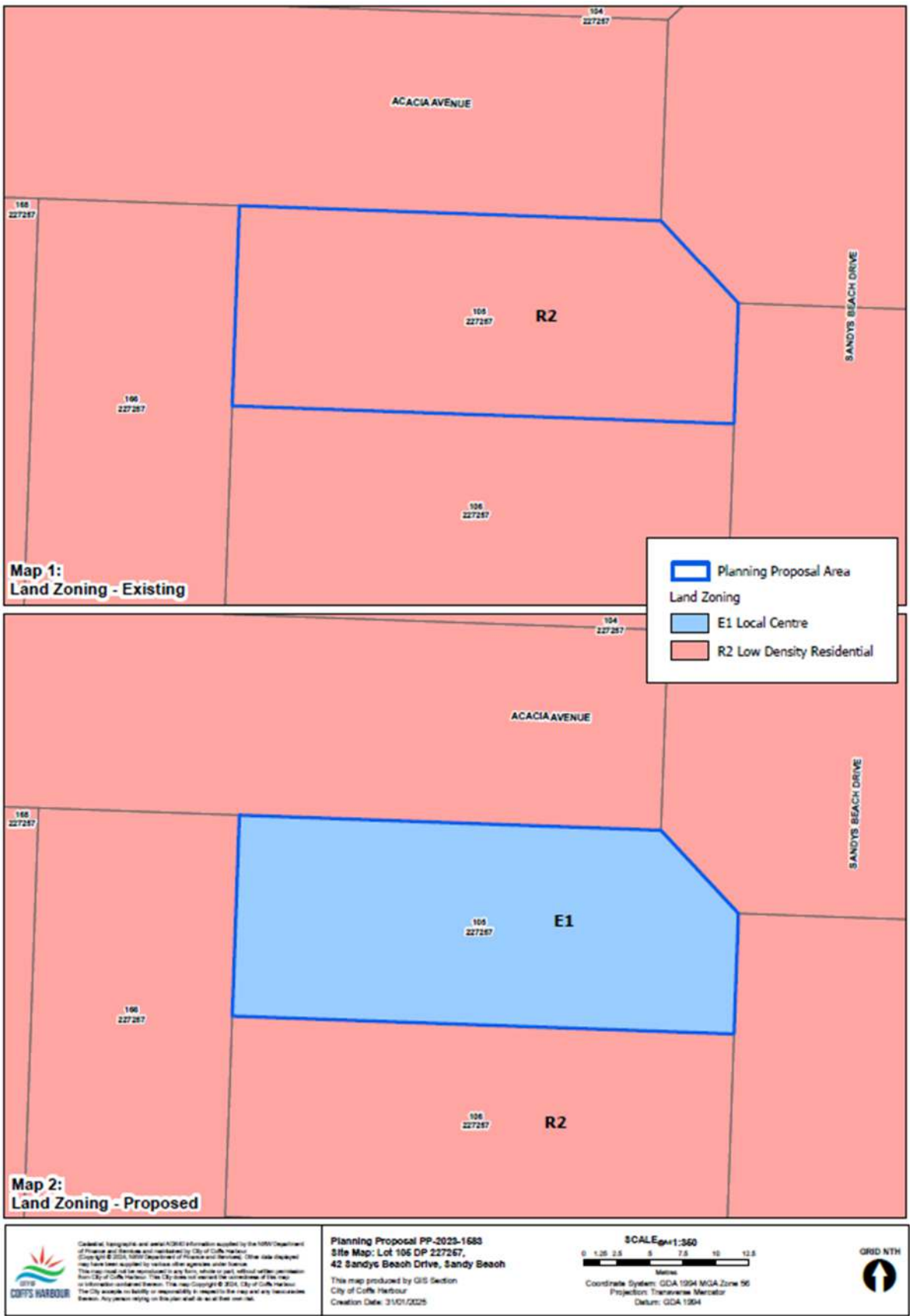
The Department of Planning, Housing and Infrastructure issued a Gateway Determination for the planning proposal on 6 June 2025 (Appendix 5). The Gateway Determination requires consultation on the planning proposal with the following Government Agencies:

- NSW Rural Fire Service

Note: Following Exhibition this section of the planning proposal will be updated to include details of the community consultation.

PART 4 – MAPS

Proposed amendments to Coffs Harbour LEP 2013 maps as described in Part 2 of this planning proposal are shown below.



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Figure 3: Existing and proposed Land Zoning and Lot Size maps

PART 5 – COMMUNITY CONSULTATION

The Gateway Determination issued by the NSW Department of Planning, Housing and Infrastructure specifies the community consultation requirements that must be undertaken for the planning proposal. The City considers that the planning proposal should be exhibited for 28 days, given that it is not a principal LEP and does not seek to reclassify public land.

Public Exhibition of the planning proposal includes the following:

- **Advertisement**
Placement of an online advertisement in the Coffs Newsroom.
- **Consultation with affected owners and adjoining landowners**
Written notification of the public exhibition to the proponent, the landowner and owners of adjoining/adjacent land.
- **Website**
The planning proposal is made publicly available on the City's Have Your Say Website at: <https://haveyoursay.coffsharbour.nsw.gov.au/>

Note: Following public exhibition, this section of the planning proposal will be updated to include details of the community consultation.

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PART 6 –PROJECT TIMELINE

The anticipated timeframes for the planning proposal are provided below in Table 1, noting that the Gateway Determination issued by the NSW Department of Planning, Housing and Infrastructure will specify the date by which the planning proposal is to be completed.

Table 1: Anticipated Timeline

Milestone	Anticipated Timeframe
Consideration by Council	May 2025
Commencement (date of Gateway Determination)	June 2025
Public exhibition & agency consultation	July 2025
Consideration of submissions	August - September 2025
Post-Exhibition review	October 2025
Reporting to Council for consideration	December 2025
Submission to Minister for notification of the plan	January 2026
Notification of LEP Amendment	February 2026

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APPENDIX 1 – CONSIDERATION OF STATE ENVIRONMENTAL PLANNING POLICIES

State Environmental Planning Policy	Relevant Chapter	Applicable	Consistent	Comment
State Environmental Planning Policy (Biodiversity and Conservation) 2021	Chapter 2 - Vegetation in Non-Rural Areas	Not applicable	Not applicable	<p>The aims of this chapter of the Policy are:</p> <ul style="list-style-type: none"> a) to protect the biodiversity values of trees and other vegetation in non-rural areas of the State, and b) to preserve the amenity of non-rural areas of the State through the preservation of trees and other vegetation. <p><i>The proposed LEP amendment does not propose clearing of native vegetation.</i></p>
	Chapter 3 - Koala Habitat Protection 2020	Not applicable	Not applicable	<i>This Chapter only applies to Zones RU1, RU2 and RU3.</i>
	Chapter 4 - Koala Habitat Protection 2021	Not applicable	Not applicable	<i>The provisions of this chapter only relate to development assessment processes and the preparation of koala plans of management.</i>
	Chapter 6 – Water Catchments	Not applicable	Not applicable	<i>The City of Coffs Harbour is not listed as land to which this Chapter applies.</i>
SEPP (Exempt and Complying Development Codes) 2008	N/A – this is a standalone State Environmental Planning Policy	Yes	Yes	<p>This Policy aims to provide streamlined assessment processes for development that complies with specified development standards by:</p> <ul style="list-style-type: none"> a) providing exempt and complying development codes that have State-wide application, and b) identifying, in the exempt development codes, types of development that are of minimal environmental impact that may be carried out without the need for development consent, and c) identifying, in the complying development codes, types of complying development that may be carried out in accordance with a complying development certificate as defined in the Act, and d) enabling the progressive extension of the types of development in this Policy, and e) providing transitional arrangements for the introduction of the State-wide

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State Environmental Planning Policy	Relevant Chapter	Applicable	Consistent	Comment
				<p>codes, including the amendment of other environmental planning instruments.</p> <p><i>The proposed LEP amendment does not contain provisions that contradict or hinder the application of this SEPP.</i></p>
State Environmental Planning Policy (Housing) 2021	N/A – this is a standalone State Environmental Planning Policy	Yes	Yes	<p>The principles of this Policy are:</p> <ul style="list-style-type: none"> a) enabling the development of diverse housing types, including purpose-built rental housing, b) encouraging the development of housing that will meet the needs of more vulnerable members of the community, including very low to moderate income households, seniors and people with a disability, c) ensuring new housing development provides residents with a reasonable level of amenity, promoting the planning and delivery of housing in locations where it will make good use of existing and planned infrastructure and services, d) minimising adverse climate and environmental impacts of new housing development, e) reinforcing the importance of designing housing in a way that reflects and enhances its locality, f) supporting short-term rental accommodation as a home-sharing activity and contributor to local economies, while managing the social and environmental impacts from this use, g) mitigating the loss of existing affordable rental housing. <p><i>The proposed LEP amendment does not contain provisions that contradict or hinder the application of this SEPP.</i></p>
State Environmental Planning Policy (Industry and Employment) 2021	Chapter 3 - Advertising and Signage	Yes	Yes	<p>This aims of this chapter of the Policy are:</p> <ul style="list-style-type: none"> a) to ensure that signage (including advertising): <ul style="list-style-type: none"> (i) is compatible with the desired amenity and visual character of an area, and (ii) provides effective communication in suitable locations, and (iii) is of high quality design and finish, and b) to regulate signage (but not content) under Part 4 of the Act, and

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State Environmental Planning Policy	Relevant Chapter	Applicable	Consistent	Comment
				<p>c) to provide time-limited consents for the display of certain advertisements, and</p> <p>d) to regulate the display of advertisements in transport corridors, and</p> <p>e) to ensure that public benefits may be derived from advertising in and adjacent to transport corridors.</p> <p>This Policy does not regulate the content of signage and does not require consent for a change in the content of signage.</p> <p><i>The proposed LEP amendment does not contain provisions that contradict or hinder the application of this chapter of the SEPP.</i></p>
State Environmental Planning Policy (Planning Systems) 2021.	Chapter 2 -State and Regional Development	Not applicable	Not applicable	<p>The aims of this chapter of the Policy are:</p> <p>a) to identify development that is State significant development,</p> <p>b) to identify development that is State significant infrastructure and critical State significant infrastructure,</p> <p>c) to identify development that is regionally significant development.</p> <p><i>The proposed LEP amendment does not involve development that is declared State significant development or infrastructure or regionally significant development.</i></p>
	Chapter 3 - Aboriginal Land	Not applicable	Not applicable	<i>This chapter of the SEPP only applies to the Central Coast LGA at this point in time.</i>
	Chapter 4 - Concurrences and Consents	Not applicable	Not applicable	<i>This Chapter outlines circumstances in which the Planning Secretary may act as a concurrence authority.</i>
State Environmental Planning Policy (Precincts— Central River City) 2021	Chapter 2 – State Significant Precincts	Not applicable	Not applicable	<i>The subject site is not within a declared State significant precinct.</i>
State Environmental Planning Policy (Precincts— Eastern Harbour City) 2021	Chapter 2 -State Significant Precincts	Not applicable	Not applicable	<i>The subject site is not within a declared State significant precinct.</i>
State Environmental Planning Policy (Primary Production) 2021	Chapter 2 - Primary Production and Rural Development	Not applicable	Not applicable	<i>The proposed LEP amendment does not relate to State significant agricultural land, farm dams, livestock industries, agriculture or aquaculture.</i>

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State Environmental Planning Policy	Relevant Chapter	Applicable	Consistent	Comment
State Environmental Planning Policy (Resilience and Hazards) 2021	Chapter 2 - Coastal Management	Yes	Yes	<p>The aim of this chapter of the Policy is to promote an integrated and co-ordinated approach to land use planning in the coastal zone in a manner consistent with the objects of the Coastal Management Act 2016, including the management objectives for each coastal management area, by:</p> <ul style="list-style-type: none"> a) managing development in the coastal zone and protecting the environmental assets of the coast, and b) establishing a framework for land use planning to guide decision-making in the coastal zone, and c) mapping the 4 coastal management areas that comprise the NSW coastal zone for the purpose of the definitions in the Coastal Management Act 2016. <p><i>The subject site is located within the Coastal Zone and Coastal Use Area. The proposed LEP amendment does not contain provisions that contradict or hinder the application of this chapter of the SEPP.</i></p>
	Chapter 3 – Hazardous and Offensive Development	Not applicable	Not applicable	<p>The aims of this chapter of the Policy are:</p> <ul style="list-style-type: none"> a) to amend the definitions of hazardous and offensive industries where used in environmental planning instruments, and b) to render ineffective a provision of any environmental planning instrument that prohibits development for the purpose of a storage facility on the ground that the facility is hazardous or offensive if it is not a hazardous or offensive storage establishment as defined in this Policy, and c) to require development consent for hazardous or offensive development proposed to be carried out in the Western Division, and d) to ensure that in determining whether a development is a hazardous or offensive industry, any measures proposed to be employed to reduce the impact of the development are taken into account, and e) to ensure that in considering any application to carry out potentially hazardous or offensive development, the consent authority has sufficient information to assess whether the

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State Environmental Planning Policy	Relevant Chapter	Applicable	Consistent	Comment
				<p>development is hazardous or offensive and to impose conditions to reduce or minimise any adverse impact, and</p> <p>f) to require the advertising of applications to carry out any such development.</p> <p><i>This chapter of the SEPP is not applicable to the proposed LEP amendment.</i></p>
	Chapter 4 – Remediation of Land	Yes	Yes	<p>The aims of this chapter of the Policy are to promote the remediation of contaminated land for the purpose of reducing the risk of harm to human health or any other aspect of the environment—</p> <p>a) by specifying when consent is required, and when it is not required, for a remediation work, and</p> <p>b) by specifying certain considerations that are relevant in rezoning land and in determining development applications in general and development applications for consent to carry out a remediation work in particular, and</p> <p>c) by requiring that a remediation work meet certain standards and notification requirements.</p> <p><i>The proposed LEP amendment applies to land that is currently developed and for which there is no evidence or records of contamination. Prior to establishment of commercial uses on the site, the site was utilised for residential purposes.</i></p> <p><i>The LEP amendment proposes to amend the zoning of the site from R2 Low Density Residential to E1 Local Centre which would effectively reduce the likelihood of exposure of future users or occupants of the site to contamination should there be any.</i></p>
State Environmental Planning Policy (Resources and Energy) 2021	Chapter 2 - Mining, Petroleum Production and Extractive Industries	Not applicable	Not applicable	<p>The aims of this chapter of the Policy are, in recognition of the importance to New South Wales of mining, petroleum production and extractive industries:</p> <p>a) to provide for the proper management and development of mineral, petroleum and extractive material resources for the purpose of promoting the social and economic welfare of the State, and</p>

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State Environmental Planning Policy	Relevant Chapter	Applicable	Consistent	Comment
				<p>b) to facilitate the orderly and economic use and development of land containing mineral, petroleum and extractive material resources, and</p> <p>b1) to promote the development of significant mineral resources, and</p> <p>c) to establish appropriate planning controls to encourage ecologically sustainable development through the environmental assessment, and sustainable management, of development of mineral, petroleum and extractive material resources, and</p> <p>d) to establish a gateway assessment process for certain mining and petroleum (oil and gas) development:</p> <p>(i) to recognise the importance of agricultural resources, and</p> <p>(ii) to ensure protection of strategic agricultural land and water resources, and</p> <p>(iii) to ensure a balanced use of land by potentially competing industries, and</p> <p>(iv) to provide for the sustainable growth of mining, petroleum and agricultural industries.</p> <p><i>The proposed LEP amendment does not involve mining, petroleum production or extractive industries.</i></p>
State Environmental Planning Policy (Sustainable Buildings) 2022	Chapter 2 - Standards for residential development - BASIX	Not applicable	Not applicable	<p>The aims of this SEPP are to encourage the design and delivery of sustainable buildings that minimise energy and water use.</p> <p><i>Not applicable.</i></p>
	Chapter 3 - Standards for non-residential development	Not applicable	Not applicable	<p>The aims of this SEPP are to encourage the design and delivery of sustainable buildings that minimise energy and water use.</p> <p><i>Not applicable.</i></p>

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State Environmental Planning Policy	Relevant Chapter	Applicable	Consistent	Comment
State Environmental Planning Policy (Transport and Infrastructure) 2021	Chapter 2 - Infrastructure	Not applicable	Not applicable	<p>The aim of this chapter of the Policy is to facilitate the effective delivery of infrastructure across the State by:</p> <ul style="list-style-type: none"> a) improving regulatory certainty and efficiency through a consistent planning regime for infrastructure and the provision of services, and b) providing greater flexibility in the location of infrastructure and service facilities, and c) allowing for the efficient development, redevelopment or disposal of surplus government owned land, and d) identifying the environmental assessment category into which different types of infrastructure and services development fall (including identifying certain development of minimal environmental impact as exempt development), and e) identifying matters to be considered in the assessment of development adjacent to particular types of infrastructure development, and f) providing for consultation with relevant public authorities about certain development during the assessment process or prior to development commencing, and g) providing opportunities for infrastructure to demonstrate good design outcomes. <p><i>The proposed LEP amendment does not contain provisions that contradict or hinder the application of this chapter of the SEPP.</i></p>
	Chapter 3 - Educational Establishments and Child Care Facilities	Not applicable	Not applicable	<p>The aim of this chapter of the Policy is to facilitate the effective delivery of educational establishments and early education and care facilities across the State by:</p> <ul style="list-style-type: none"> a) improving regulatory certainty and efficiency through a consistent planning regime for educational establishments and early education and care facilities, and b) simplifying and standardising planning approval pathways for educational establishments and early education and care facilities (including identifying certain development of

Appendix 5: Gateway Determination

State Environmental Planning Policy	Relevant Chapter	Applicable	Consistent	Comment
				<p>minimal environmental impact as exempt development), and</p> <p>c) establishing consistent State-wide assessment requirements and design considerations for educational establishments and early education and care facilities to improve the quality of infrastructure delivered and to minimise impacts on surrounding areas, and</p> <p>d) allowing for the efficient development, redevelopment or use of surplus government-owned land (including providing for consultation with communities regarding educational establishments in their local area), and</p> <p>e) providing for consultation with relevant public authorities about certain development during the assessment process or prior to development commencing, and</p> <p>f) aligning the NSW planning framework with the National Quality Framework that regulates early education and care services, and</p> <p>g) ensuring that proponents of new developments or modified premises meet the applicable requirements of the National Quality Framework for early education and care services, and of the corresponding regime for State regulated education and care services, as part of the planning approval and development process, and</p> <p>h) encouraging proponents of new developments or modified premises and consent authorities to facilitate the joint and shared use of the facilities of educational establishments with the community through appropriate design.</p> <p><i>The proposed LEP amendment does not contain provisions that contradict or hinder the application of this chapter of the SEPP.</i></p>
	Chapter 4 – Major Infrastructure Corridors	Not applicable	Not applicable	<p>The aims of this chapter of the Policy are:</p> <p>a) to identify land that is intended to be used in the future as an infrastructure corridor,</p> <p>b) to establish appropriate planning controls for the land for the following purposes—</p>

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State Environmental Planning Policy	Relevant Chapter	Applicable	Consistent	Comment
				<p>(i) to allow the ongoing use and development of the land until it is needed for the future infrastructure corridor,</p> <p>(ii) to protect the land from development that would adversely impact on or prevent the land from being used as an infrastructure corridor in the future.</p> <p><i>The proposed LEP amendment does not apply to land that is an identified infrastructure corridor.</i></p>

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APPENDIX 2 – CONSIDERATION OF MINISTERIAL PLANNING DIRECTIONS

S9.1 Direction	Applicable	Consistent	Comment
Focus area 1: Planning Systems			
1.1 Implementation of Regional Plans	<p>This direction applies to a relevant planning authority when preparing a planning proposal for land to which a Regional Plan has been released by the Minister for Planning and Public Spaces.</p> <p>Planning proposals must be consistent with a Regional Plan released by the Minister for Planning and Public Spaces.</p> <p>A planning proposal may be inconsistent with the terms of this direction only if the relevant planning authority can satisfy the Planning Secretary (or an officer of the Department nominated by the Secretary), that:</p> <p>(a) the extent of inconsistency with the Regional Plan is of minor significance, and</p> <p>(b) the planning proposal achieves the overall intent of the Regional Plan and does not undermine the achievement of the Regional Plan's vision, land use strategy, goals, directions or actions.</p>	Consistent	The planning proposal is consistent with the Goals, Objectives and Strategies of the North Coast Regional Plan 2041. Further detail on the planning proposal's consistency with the North Coast Regional Plan 2041 is provided in Section B, question 4 of this planning proposal.
1.2 Development of Aboriginal Land Council land	This direction does not currently apply to the Coffs Harbour LGA.	N/A	N/A
1.3 Approval and Referral Requirements	<p>This direction applies to all relevant planning authorities when preparing a planning proposal.</p> <p>A planning proposal to which this direction applies must:</p> <p>(a) minimise the inclusion of provisions that require the concurrence, consultation or referral of development applications to a Minister or public authority, and</p> <p>(b) not contain provisions requiring concurrence, consultation or referral of a Minister or public authority unless the relevant planning authority has obtained the approval of:</p> <p>i. the appropriate Minister or public authority, and</p> <p>ii. the Planning Secretary (or an officer of the Department nominated by the Secretary), prior to undertaking community consultation in satisfaction of Schedule 1 to the EP&A Act, and</p>	Consistent	The planning proposal does not contain provisions which require concurrence, consultation or referral of development applications and does not identify development as designated development.

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Sg.1 Direction	Applicable	Consistent	Comment
	<p>(c) not identify development as designated development unless the relevant planning authority:</p> <ul style="list-style-type: none"> i. can satisfy the Planning Secretary (or an officer of the Department nominated by the Secretary) that the class of development is likely to have a significant impact on the environment, and ii. has obtained the approval of the Planning Secretary (or an officer of the Department nominated by the Secretary) prior to undertaking community consultation in satisfaction of Schedule 1 to the EP&A Act. <p>A planning proposal must be substantially consistent with the terms of this direction.</p>		
1.4 Site Specific Provisions	<p>This direction applies to all relevant planning authorities when preparing a planning proposal that will allow a particular development to be carried out.</p> <p>(1) A planning proposal that will amend another environmental planning instrument in order to allow particular development to be carried out must either:</p> <ul style="list-style-type: none"> (a) allow that land use to be carried out in the zone the land is situated on, or (b) rezone the site to an existing zone already in the environmental planning instrument that allows that land use without imposing any development standards or requirements in addition to those already contained in that zone, or (c) allow that land use on the relevant land without imposing any development standards or requirements in addition to those already contained in the principal environmental planning instrument being amended. <p>(2) A planning proposal must not contain or refer to drawings that show details of the proposed development.</p> <p>A planning proposal may be inconsistent with the terms of this direction only if the relevant planning authority can satisfy the Planning Secretary (or an officer of the Department nominated by the Secretary) that the provisions of the planning proposal that are inconsistent are of minor significance.</p>	Consistent	This planning proposal does not allow a particular development to be carried out.
1.4A Exclusion of Development Standards from Variation	<p>This direction applies when a planning proposal authority prepares a planning proposal that proposes to introduce or alter an existing exclusion to clause 4.6 of a Standard</p>	N/A	The planning proposal will not introduce or alter an existing exclusion to clause 4.6 of Coffs Harbour LEP 2013.

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Sg.1 Direction	Applicable	Consistent	Comment
	Instrument LEP or an equivalent provision of any other environmental planning instrument.		
Focus area 1: Planning Systems – Place Based			
Directions 1.5 – 1.22 do not apply to the Coffs Harbour LGA.			
Focus area 2: Design and Place			
Directions yet to be included.			
Focus area 3: Biodiversity and Conservation			
3.1 Conservation Zones	<p>This direction applies to all relevant planning authorities when preparing a planning proposal.</p> <p>(1) A planning proposal must include provisions that facilitate the protection and conservation of environmentally sensitive areas.</p> <p>(2) A planning proposal that applies to land within a conservation zone or land otherwise identified for environment conservation/protection purposes in a LEP must not reduce the conservation standards that apply to the land (including by modifying development standards that apply to the land). This requirement does not apply to a change to a development standard for minimum lot size for a dwelling in accordance with Direction 9.3 (2) of “Rural Lands”.</p> <p>A planning proposal may be inconsistent with the terms of this direction only if the relevant planning authority can satisfy the Planning Secretary (or an officer of the Department nominated by the Secretary that the provisions of the planning proposal that are inconsistent are:</p> <p>(a) justified by a strategy approved by the Planning Secretary which:</p> <ul style="list-style-type: none"> i. gives consideration to the objectives of this direction, and ii. identifies the land which is the subject of the planning proposal (if the planning proposal relates to a particular site or sites), or <p>(b) justified by a study prepared in support of the planning proposal which gives consideration to the objectives of this direction, or</p>	Consistent	The planning proposal does not apply to land that is an environmentally sensitive area or land within a conservation zone.

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Sg.1 Direction	Applicable	Consistent	Comment
	<p>(c) in accordance with the relevant Regional Strategy, Regional Plan or District Plan prepared by the Department of Planning, Housing and Infrastructure which gives consideration to the objective of this direction, or</p> <p>(d) is of minor significance.</p>		
3.2 Heritage Conservation	<p>This direction applies to all relevant planning authorities when preparing a planning proposal.</p> <p>A planning proposal must contain provisions that facilitate the conservation of:</p> <p>(a) items, places, buildings, works, relics, moveable objects or precincts of environmental heritage significance to an area, in relation to the historical, scientific, cultural, social, archaeological, architectural, natural or aesthetic value of the item, area, object or place, identified in a study of the environmental heritage of the area,</p> <p>(b) Aboriginal objects or Aboriginal places that are protected under the <i>National Parks and Wildlife Act 1974</i>, and</p> <p>(c) Aboriginal areas, Aboriginal objects, Aboriginal places or landscapes identified by an Aboriginal heritage survey prepared by or on behalf of an Aboriginal Land Council, Aboriginal body or public authority and provided to the relevant planning authority, which identifies the area, object, place or landscape as being of heritage significance to Aboriginal culture and people.</p> <p>A planning proposal may be inconsistent with the terms of this direction only if the relevant planning authority can satisfy the Planning Secretary (or an officer of the Department nominated by the Secretary) that:</p> <p>(a) the environmental or indigenous heritage significance of the item, area, object or place is conserved by existing or draft environmental planning instruments, legislation, or regulations that apply to the land, or</p> <p>(b) the provisions of the planning proposal that are inconsistent are of minor significance.</p>	Consistent	The subject site is not mapped as containing indigenous or non-indigenous heritage values.
3.3 Sydney Drinking Water Catchments	This direction does not currently apply to the Coffs Harbour LGA.	N/A	
3.4 Application of C2 and C3	This direction does not currently apply to the Coffs Harbour LGA.	N/A	

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S9.1 Direction	Applicable	Consistent	Comment
Zones and Environmental Overlays in Far North Coast LEPs			
3.5 Recreation Vehicle Areas	<p>A planning proposal must not enable land to be developed for the purpose of a recreation vehicle area (within the meaning of the <i>Recreation Vehicles Act 1983</i>):</p> <ul style="list-style-type: none"> (a) where the land is within a conservation zone, (b) where the land comprises a beach or a dune adjacent to or adjoining a beach, (c) where the land is not within an area or zone referred to in paragraphs (a) or (b) unless the relevant planning authority has taken into consideration: <ul style="list-style-type: none"> i. the provisions of the guidelines entitled <i>Guidelines for the Selection, Establishment and Maintenance of Recreation Vehicle Areas</i>, Soil Conservation Service of NSW, September 1985, and ii. the provisions of the guidelines entitled <i>Recreation Vehicles Act 1983, Guidelines for Selection, Design and Operation of Recreation Vehicle Areas</i>, State Pollution Control Commission, September 1985. <p>A planning proposal may be inconsistent with the terms of this direction only if the relevant planning authority can satisfy the Planning Secretary (or an officer of the Department nominated by the Secretary) that the provisions of the planning proposal that are inconsistent are:</p> <ul style="list-style-type: none"> (a) justified by a strategy approved by the Planning Secretary which: <ul style="list-style-type: none"> i. gives consideration to the objective of this direction, and ii. identifies the land which is the subject of the planning proposal (if the planning proposal relates to a particular site or sites), or (b) justified by a study prepared in support of the planning proposal which gives consideration to the objective of this direction, or (c) in accordance with the relevant Regional Strategy, Regional Plan or District Plan 	Consistent	The planning proposal does not enable the subject site to be developed for the purpose of a recreation vehicle area.

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Sg.1 Direction	Applicable	Consistent	Comment
	prepared by the Department of Planning, Housing and Infrastructure which gives consideration to the objective of this direction, or (d) of minor significance.		
3.6 Strategic Conservation Planning	This direction does not currently apply to the Coffs Harbour LGA.	N/A	
3.7 Public Bushland	This direction does not currently apply to the Coffs Harbour LGA.	N/A	
3.8 Willandra Lakes Region	This direction does not currently apply to the Coffs Harbour LGA.	N/A	
3.9 Sydney Harbour Foreshores and Waterways Area	This direction does not currently apply to the Coffs Harbour LGA.	N/A	
3.10 Water Catchment Protection	This direction does not currently apply to the Coffs Harbour LGA.	N/A	
Focus Area 4: Resilience and Hazards			
4.1 Flooding	<p>This direction applies to all relevant planning authorities that are responsible for flood prone land when preparing a planning proposal that creates, removes or alters a zone or a provision that affects flood prone land.</p> <p>(1) A planning proposal must include provisions that give effect to and are consistent with:</p> <ul style="list-style-type: none"> (a) the NSW Flood Prone Land Policy, (b) the principles of the Floodplain Development Manual 2005, (c) the Considering flooding in land use planning guideline 2021, and (d) any adopted flood study and/or floodplain risk management plan prepared in accordance with the principles of the Floodplain Development Manual 2005 and adopted by the relevant council. <p>(2) A planning proposal must not rezone land within the flood planning area from Recreation, Rural, Special Purpose or Conservation Zones to a Residential, Business, Industrial or Special Purpose Zones.</p>	Consistent	The planning proposal does not apply to land that is flood prone land.

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Sg.1 Direction	Applicable	Consistent	Comment
	<p>(3) A planning proposal must not contain provisions that apply to the flood planning area which:</p> <ul style="list-style-type: none"> (a) permit development in floodway areas, (b) permit development that will result in significant flood impacts to other properties, (c) permit development for the purposes of residential accommodation in high hazard areas, (d) permit a significant increase in the development and/or dwelling density of that land, (e) permit development for the purpose of centre-based childcare facilities, hostels, boarding houses, group homes, hospitals, residential care facilities, respite day care centres and seniors housing in areas where the occupants of the development cannot effectively evacuate, (f) permit development to be carried out without development consent except for the purposes of exempt development or agriculture. Dams, drainage canals, levees, still require development consent, (g) are likely to result in a significantly increased requirement for government spending on emergency management services, flood mitigation and emergency response measures, which can include but are not limited to the provision of road infrastructure, flood mitigation infrastructure and utilities, or (h) permit hazardous industries or hazardous storage establishments where hazardous materials cannot be effectively contained during the occurrence of a flood event. <p>(4) A planning proposal must not contain provisions that apply to areas between the flood planning area and probable maximum flood to which Special Flood Considerations apply which:</p> <ul style="list-style-type: none"> (a) permit development in floodway areas, (b) permit development that will result in significant flood impacts to other properties, (c) permit a significant increase in the dwelling density of that land, (d) permit the development of centre-based childcare facilities, hostels, boarding houses, group homes, hospitals, 		

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Sg.1 Direction	Applicable	Consistent	Comment
	<p>residential care facilities, respite day care centres and seniors housing in areas where the occupants of the development cannot effectively evacuate,</p> <p>(e) are likely to affect the safe occupation of and efficient evacuation of the lot, or</p> <p>(f) are likely to result in a significantly increased requirement for government spending on emergency management services, and flood mitigation and emergency response measures, which can include but not limited to road infrastructure, flood mitigation infrastructure and utilities.</p> <p>(5) For the purposes of preparing a planning proposal, the flood planning area must be consistent with the principles of the Floodplain Development Manual 2005 or as otherwise determined by a Floodplain Risk Management Study or Plan adopted by the relevant council.</p> <p>A planning proposal may be inconsistent with this direction only if the planning proposal authority can satisfy the Planning Secretary (or their nominee) that:</p> <p>(a) the planning proposal is in accordance with a floodplain risk management study or plan adopted by the relevant council in accordance with the principles and guidelines of the <i>Floodplain Development Manual 2005</i>, or</p> <p>(b) where there is no council adopted floodplain risk management study or plan, the planning proposal is consistent with the flood study adopted by the council prepared in accordance with the principles of the <i>Floodplain Development Manual 2005</i> or</p> <p>(c) the planning proposal is supported by a flood and risk impact assessment accepted by the relevant planning authority and is prepared in accordance with the principles of the <i>Floodplain Development Manual 2005</i> and consistent with the relevant planning authorities' requirements, or</p> <p>(d) the provisions of the planning proposal that are inconsistent are of minor significance as determined by the relevant planning authority.</p>		
4.2 Coastal Management	This direction applies when a planning proposal authority prepares a planning proposal that applies to land that is within the coastal zone, as defined under the <i>Coastal Management Act</i>	Justifiably Inconsistent.	The planning proposal applies to land that is within the coastal zone, being mapped as being within the coastal

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Sg.1 Direction	Applicable	Consistent	Comment
	<p>2016 -comprising the coastal wetlands and littoral rainforests area, coastal vulnerability area, coastal environment area and coastal use area -and as identified by chapter 3 of the <i>State Environmental Planning Policy (Biodiversity and Conservation)</i> 2021.</p> <p>(1) A planning proposal must include provisions that give effect to and are consistent with:</p> <ul style="list-style-type: none"> (a) the objects of the <i>Coastal Management Act</i> 2016 and the objectives of the relevant coastal management areas; (b) the NSW Coastal Management Manual and associated Toolkit; (c) NSW Coastal Design Guidelines 2003; and (d) any relevant Coastal Management Program that has been certified by the Minister, or any Coastal Zone Management Plan under the <i>Coastal Protection Act</i> 1979 that continues to have effect under clause 4 of Schedule 3 to the <i>Coastal Management Act</i> 2016, that applies to the land. <p>(2) A planning proposal must not rezone land which would enable increased development or more intensive land-use on land:</p> <ul style="list-style-type: none"> (a) within a coastal vulnerability area identified by the <i>State Environmental Planning Policy (Resilience and Hazards)</i> 2021; or (b) that has been identified as land affected by a current or future coastal hazard in a local environmental plan or development control plan, or a study or assessment undertaken: <ul style="list-style-type: none"> i. by or on behalf of the relevant planning authority and the planning proposal authority, or ii. by or on behalf of a public authority and provided to the relevant planning authority and the planning proposal authority. <p>(3) A planning proposal must not rezone land which would enable increased development or more intensive land-use on land within a coastal wetlands and littoral rainforests area identified by chapter 3 of the <i>State Environmental Planning Policy (Biodiversity and Conservation)</i> 2021.</p> <p>(4) A planning proposal for a local environmental plan may propose to amend the following maps, including increasing or decreasing the land within these maps, under the <i>State Environmental Planning Policy (Resilience and Hazards)</i> 2021:</p>		<p>environmental area, coastal use area and to a minor extent, the littoral rainforest proximity area.</p> <p>The planning proposal is consistent with parts 1 of Direction 4.2 as it is consistent with the Objects of the <i>Coastal Management Act</i> 2016, the NSW Coastal Management Manual and Toolkit, and the NSW Coastal Design Guidelines 2023.</p> <p>The planning proposal is consistent with part 2 of Direction 4.2 because it does not rezone land in the coastal vulnerability area.</p> <p>The planning proposal is inconsistent with part 3 of Local Planning Direction 4.2 as it will enable more intensive development to be carried out on the site and the most north-easterly part of the subject site (approximately 7.5 square metres) is within the littoral rainforest proximity area. However, the inconsistency with part 3 of Direction 4.2 is considered to be of minor significance given it only affects approximately 7.5 square metres, or 1.3% of the total site area.</p> <p>Furthermore, the site is already developed for commercial purposes and the rezoning is unlikely to trigger a substantial redevelopment of the site.</p> <p>The Gateway Determination (Appendix 5) was issued on 6th June 2025. The associated letter to council provides the Secretary's agreement to the inconsistency of the planning proposal with applicable directions of the Minister under section 9.1 of the Act</p> <p>Direction 4.2 Coastal Management is justified in accordance with the terms of the Direction.</p>

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Sg.1 Direction	Applicable	Consistent	Comment
	<p>(a) Coastal wetlands and littoral rainforests area map;</p> <p>(b) Coastal vulnerability area map;</p> <p>(c) Coastal environment area map; and</p> <p>(d) Coastal use area map.</p> <p>Such a planning proposal must be supported by evidence in a relevant Coastal Management Program that has been certified by the Minister, or by a <i>Coastal Zone Management Plan</i> under the <i>Coastal Protection Act 1979</i> that continues to have effect under clause 4 of Schedule 3 to the <i>Coastal Management Act 2016</i>.</p> <p>A planning proposal may be inconsistent with the terms of this direction only if the planning proposal authority can satisfy the Planning Secretary (or their nominee) that the provisions of the planning proposal that are inconsistent are:</p> <p>(a) justified by a study or strategy prepared in support of the planning proposal which gives consideration to the objective of this direction, or</p> <p>(b) in accordance with any relevant Regional Strategic Plan or District Strategic Plan, prepared under Division 3.1 of the EP&A Act by the relevant strategic planning authority, which gives consideration to the objective of this direction, or</p> <p>(c) of minor significance.</p>		
4.3 Planning for Bushfire Protection	<p>This direction applies to all local government areas when a relevant planning authority prepares a planning proposal that will affect, or is in proximity to land mapped as bushfire prone land.</p> <p>In the preparation of a planning proposal, the relevant planning authority must consult with the Commissioner of the NSW Rural Fire Service following receipt of a Gateway determination under section 56 of the Act, and prior to undertaking community consultation in satisfaction of section 57 of the Act, and take into account any comments so made.</p> <p>A planning proposal must:</p> <p>(a) have regard to <i>Planning for Bushfire Protection 2019</i>,</p> <p>(b) introduce controls that avoid placing inappropriate developments in hazardous areas, and</p> <p>(c) ensure that bushfire hazard reduction is not prohibited within the Asset Protection Zone (APZ).</p>	Inconsistent	<p>The planning proposal applies to land that is partly mapped as being within the 100 metre buffer to Category 1 Vegetation. The subject site is separated from the Category 1 Vegetation by managed land, a playground and skatepark and a road.</p> <p>The planning proposal does not introduce controls that place inappropriate development in a hazardous area and does not prohibit bushfire hazard reduction in an Asset Protection Zone.</p> <p>The Gateway Determination (Appendix 5) was issued on 6th June 2025; consultation is required with the NSW Rural Fire Service to comply with the requirements of applicable directions of the</p>

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Sg.1 Direction	Applicable	Consistent	Comment
	<p>A planning proposal must, where development is proposed, comply with the following provisions, as appropriate:</p> <ul style="list-style-type: none"> (a) provide an Asset Protection Zone (APZ) incorporating at a minimum: <ul style="list-style-type: none"> (i) an Inner Protection Area bounded by a perimeter road or reserve which circumscribes the hazard side of the land intended for development and has a building line consistent with the incorporation of an APZ, within the property, and (ii) an Outer Protection Area managed for hazard reduction and located on the bushland side of the perimeter road, (b) for infill development (that is development within an already subdivided area), where an appropriate APZ cannot be achieved, provide for an appropriate performance standard, in consultation with the NSW Rural Fire Service. If the provisions of the planning proposal permit Special Fire Protection Purposes (as defined under section 100B of the <i>Rural Fires Act 1997</i>), the APZ provisions must be complied with, (c) contain provisions for two-way access roads which link to perimeter roads and/or to fire trail networks, (d) contain provisions for adequate water supply for firefighting purposes, (e) minimise the perimeter of the area of land interfacing the hazard which may be developed, (f) introduce controls on the placement of combustible materials in the Inner Protection Area. <p>A planning proposal may be inconsistent with the terms of this direction only if the relevant planning authority can satisfy the Planning Secretary (or an officer of the Department nominated by the Secretary) that the council has obtained written advice from the Commissioner of the NSW Rural Fire Service to the effect that, notwithstanding the non-compliance, the NSW Rural Fire Service does not object to the progression of the planning proposal.</p>		<p>Minister under section 9 of the Act.</p> <p>The planning proposal is currently inconsistent with this Direction. Until consultation with NSW Rural Fire Service has occurred the inconsistency with the Direction is unresolved.</p>
4.4 Remediation of Contaminated Land	<p>This direction applies when a planning proposal authority prepares a planning proposal that applies to:</p> <ul style="list-style-type: none"> (a) land that is within an investigation area within the meaning of the <i>Contaminated Land Management Act 1997</i>, 	N/A	<p>Direction 4.4 is not applicable as the subject site is not within an investigation area, is not known to have accommodated a use listed in Table 1 of the Managing Land Contamination Planning</p>

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Sg.1 Direction	Applicable	Consistent	Comment
	<p>(b) land on which development for a purpose referred to in Table 1 to the contaminated land planning guidelines is being, or is known to have been, carried out,</p> <p>(c) the extent to which it is proposed to carry out development on it for residential, educational, recreational or childcare purposes, or for the purposes of a hospital – land:</p> <p>i. in relation to which there is no knowledge (or incomplete knowledge) as to whether development for a purpose referred to in Table 1 to the contaminated land planning guidelines has been carried out, and</p> <p>ii. on which it would have been lawful to carry out such development during any period in respect of which there is no knowledge (or incomplete knowledge).</p> <p>(1) A planning proposal authority must not include in a particular zone (within the meaning of the local environmental plan) any land to which this direction applies if the inclusion of the land in that zone would permit a change of use of the land, unless:</p> <p>(a) the planning proposal authority has considered whether the land is contaminated, and</p> <p>(b) if the land is contaminated, the planning proposal authority is satisfied that the land is suitable in its contaminated state (or will be suitable, after remediation) for all the purposes for which land in the zone concerned is permitted to be used, and</p> <p>(c) if the land requires remediation to be made suitable for any purpose for which land in that zone is permitted to be used, the planning proposal authority is satisfied that the land will be so remediated before the land is used for that purpose.</p> <p>In order to satisfy itself as to paragraph 1(c), the planning proposal authority may need to include certain provisions in the local environmental plan.</p> <p>(2) Before including any land to which this direction applies in a particular zone, the planning proposal authority is to obtain and have regard to a report specifying the findings of a preliminary investigation of the land carried out in accordance with the contaminated land planning guidelines.</p>		<p>Guidelines and it does not propose development for residential, educational, recreational or childcare purposes, or for the purpose of a hospital.</p>

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Sg.1 Direction	Applicable	Consistent	Comment
4.5 Acid Sulfate Soils	<p>This direction applies to all relevant planning authorities that are responsible for land having a probability of containing acid sulfate soils when preparing a planning proposal that will apply to land having a probability of containing acid sulfate soils as shown on the Acid Sulfate Soils Planning Maps held by the Department of Planning, Housing and Infrastructure.</p> <p>(1) The relevant planning authority must consider the Acid Sulfate Soils Planning Guidelines adopted by the Planning Secretary when preparing a planning proposal that applies to any land identified on the Acid Sulfate Soils Planning Maps as having a probability of acid sulfate soils being present.</p> <p>(2) When a relevant planning authority is preparing a planning proposal to introduce provisions to regulate works in acid sulfate soils, those provisions must be consistent with:</p> <p>(a) the Acid Sulfate Soils Model LEP in the Acid Sulfate Soils Planning Guidelines adopted by the Planning Secretary, or</p> <p>(b) other such provisions provided by the Planning Secretary that are consistent with the Acid Sulfate Soils Planning Guidelines.</p> <p>(3) A relevant planning authority must not prepare a planning proposal that proposes an intensification of land uses on land identified as having a probability of containing acid sulfate soils on the Acid Sulfate Soils Planning Maps unless the relevant planning authority has considered an acid sulfate soils study assessing the appropriateness of the change of land use given the presence of acid sulfate soils. The relevant planning authority must provide a copy of any such study to the Planning Secretary prior to undertaking community consultation in satisfaction of clause 4 of Schedule 1 to the Act.</p> <p>(4) Where provisions referred to under 2(a) and 2(b) above of this direction have not been introduced and the relevant planning authority is preparing a planning proposal that proposes an intensification of land uses on land identified as having a probability of acid sulfate soils on the Acid Sulfate Soils Planning Maps, the planning proposal must contain provisions consistent with 2(a) and 2(b).</p> <p>A planning proposal may be inconsistent with the terms of this direction only if the relevant planning authority can satisfy the Planning</p>	Justifiably inconsistent	<p>The subject site is mapped as containing Class 5 Acid Sulfate Soils. The planning proposal proposes to amend the zone from Zone R2 Low Density Residential to E1 Local Centre which would allow more intensive land uses on the site. No acid sulfate soil study has been prepared and the planning proposal is therefore inconsistent with Direction 4.5.</p> <p>The inconsistency is considered to be of minor significance given that the site is already developed for commercial premises and is unlikely to change or redevelop as a result of the change in zoning.</p> <p>The Gateway Determination (Appendix 5) was issued on 6th June 2025. The associated letter to council provides the Secretary's agreement to the inconsistency of the planning proposal with applicable directions of the Minister under section 9.1 of the Act. Direction 4.5 Acid Sulfate Soils is justified in accordance with the terms of the Direction.</p>

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Sg.1 Direction	Applicable	Consistent	Comment
	<p>Secretary (or an officer of the Department nominated by the Secretary) that the provisions of the planning proposal that are inconsistent are:</p> <p>(a) justified by a study prepared in support of the planning proposal which gives consideration to the objective of this direction, or</p> <p>(b) of minor significance.</p>		
4.6 Mine Subsidence and Unstable Land	<p>This direction applies when a relevant planning authority prepares a planning proposal that permits development on land that is within a declared mine subsidence district in the Coal Mine Subsidence Compensation Regulation 2017 pursuant to section 20 of the Coal Mine Subsidence Compensation Act 2017, or has been identified as unstable in a study, strategy or other assessment undertaken by or on behalf of the relevant planning authority or by or on behalf of a public authority and provided to the relevant planning authority.</p> <p>(1) When preparing a planning proposal that would permit development on land that is within a declared mine subsidence district, a relevant planning authority must:</p> <p>(a) consult Subsidence Advisory NSW to ascertain:</p> <p>i. if Subsidence Advisory NSW has any objection to the draft local environmental plan, and the reason for such an objection, and</p> <p>ii. the scale, density and type of development that is appropriate for the potential level of subsidence, and</p> <p>(b) incorporate provisions into the draft Local Environmental Plan that are consistent with the recommended scale, density and type of development recommended under 1(a)(ii), and</p> <p>(c) include a copy of any information received from Subsidence Advisory NSW with the statement to the Planning Secretary (or an officer of the Department nominated by the Secretary prior to undertaking community consultation in satisfaction of Schedule 1 to the Act.</p> <p>(2) A planning proposal must not permit development on land that has been identified as unstable as referred to in the application section of this direction.</p> <p>A planning proposal may be inconsistent with the terms of this direction only if the relevant</p>	N/A	The site is not within a mine subsidence district.

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Sg.1 Direction	Applicable	Consistent	Comment
	<p>planning authority can satisfy the Planning Secretary (or an officer of the Department nominated by the Secretary that the provisions of the planning proposal that are inconsistent are:</p> <ul style="list-style-type: none"> (a) justified by a strategy approved by the Planning Secretary which: <ul style="list-style-type: none"> i. gives consideration to the objective of this direction, and ii. identifies the land which is the subject of the planning proposal (if the planning proposal relates to a particular site or sites), or (b) justified by a study prepared in support of the planning proposal which gives consideration to the objective of this direction, or (c) in accordance with the relevant Regional Strategy, Regional Plan or District Plan prepared by the Department of Planning, Housing and Infrastructure which gives consideration to the objective of this direction, or (d) of minor significance. 		
Focus Area 5: Transport and Infrastructure			
5.1 Integrating Land Use and Transport	<p>This direction applies to all relevant planning authorities when preparing a planning proposal that will create, alter or remove a zone or a provision relating to urban land, including land zoned for residential, business, industrial, village or tourist purposes.</p> <p>(1) A planning proposal must locate zones for urban purposes and include provisions that give effect to and are consistent with the aims, objectives and principles of:</p> <ul style="list-style-type: none"> (a) Improving Transport Choice – Guidelines for planning and development (DUAP 2001), and (b) The Right Place for Business and Services – Planning Policy (DUAP 2001). <p>A planning proposal may be inconsistent with the terms of this direction only if the relevant planning authority can satisfy the Planning Secretary (or an officer of the Department nominated by the Secretary) that the provisions of the planning proposal that are inconsistent are:</p> <ul style="list-style-type: none"> (a) justified by a strategy approved by the Planning Secretary which: <ul style="list-style-type: none"> i. gives consideration to the objective of this direction, and 	Justifiably Inconsistent.	<p>The planning proposal will alter a provision relating to land zoned for residential use.</p> <p>The proposal is consistent with the Improving Transport Choice – Guidelines for planning and development (DUAP 2001) as the rezoning will enable mixed-use development and in conjunction with the proposed amendment to Coffs Harbour DCP 2015, will result in improved pedestrian accessibility and urban design.</p> <p>The planning proposal is not consistent with The Right Place for Business and Services – Planning Policy (DUAP 2001) because it is creating a new centre in an isolated location. The inconsistency is deemed to be justified as it accords with Chapter 8 of the Coffs</p>

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S9.1 Direction	Applicable	Consistent	Comment
	<p>ii. identifies the land which is the subject of the planning proposal (if the planning proposal relates to a particular site or sites), or</p> <p>(b) justified by a study prepared in support of the planning proposal which gives consideration to the objective of this direction, or</p> <p>(c) in accordance with the relevant Regional Strategy, Regional Plan or District Plan prepared by the Department of Planning, Housing and Infrastructure which gives consideration to the objective of this direction, or</p> <p>(d) of minor significance.</p>		<p>Harbour Local Growth Management Strategy. It could also be considered to be of minor significance as the subject site is currently developed for commercial uses meaning that the rezoning will not establish new or additional commercial or trip-generating activity or development.</p> <p>The Gateway Determination (Appendix 5) was issued on 6th June 2025. The associated letter to council provides the Secretary's agreement to the inconsistency of the planning proposal with applicable directions of the Minister under section 9.1 of the Act Direction 5.1 Integrating Land Use is justified in accordance with the terms of the Direction.</p>
5.2 Reserving Land for Public Purposes	<p>This direction applies to all relevant planning authorities when preparing a planning proposal.</p> <p>(1) A planning proposal must not create, alter or reduce existing zonings or reservations of land for public purposes without the approval of the relevant public authority and the Planning Secretary (or an officer of the Department nominated by the Secretary).</p> <p>(2) When a Minister or public authority requests a relevant planning authority to reserve land for a public purpose in a planning proposal and the land would be required to be acquired under Division 3 of Part 2 of the Land Acquisition (Just Terms Compensation) Act 1991, the relevant planning authority must:</p> <p>(a) reserve the land in accordance with the request, and</p> <p>(b) include the land in a zone appropriate to its intended future use or a zone advised by the Planning Secretary (or an officer of the Department nominated by the Secretary), and</p> <p>(c) identify the relevant acquiring authority for the land.</p> <p>(3) When a Minister or public authority requests a relevant planning authority to include provisions in a planning proposal relating to the use of any land reserved for a</p>	Consistent	<p>The planning proposal is consistent with Direction 5.2 as it does not create, alter or reduce existing zonings or reservations of land for public purposes.</p>

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Sg.1 Direction	Applicable	Consistent	Comment
	<p>public purpose before that land is acquired, the relevant planning authority must:</p> <ul style="list-style-type: none"> (a) include the requested provisions, or (b) take such other action as advised by the Planning Secretary (or an officer of the Department nominated by the Secretary) with respect to the use of the land before it is acquired. <p>(4) When a Minister or public authority requests a relevant planning authority to include provisions in a planning proposal to rezone and/or remove a reservation of any land that is reserved for public purposes because the land is no longer designated by that public authority for acquisition, the relevant planning authority must rezone and/or remove the relevant reservation in accordance with the request.</p> <p>A planning proposal may be inconsistent with the terms of this direction only if the relevant planning authority can satisfy the Planning Secretary (or an officer of the Department nominated by the Secretary) that:</p> <ul style="list-style-type: none"> (a) with respect to a request referred to in paragraph (4), further information is required before appropriate planning controls for the land can be determined, or (b) the provisions of the planning proposal that are inconsistent with the terms of this direction are of minor significance. 		
5.3 Development Near Regulated Airports and Defence Airfields	<p>This direction applies to all relevant planning authorities when preparing a planning proposal that will create, alter or remove a zone or a provision relating to land near a regulated airport which includes a defence airfield.</p> <p>(1) In the preparation of a planning proposal that sets controls for development of land near a regulated airport, the relevant planning authority must:</p> <ul style="list-style-type: none"> (a) consult with the lessee/operator of that airport; (b) take into consideration the operational airspace and any advice from the lessee/operator of that airport; (c) for land affected by the operational airspace, prepare appropriate development standards, such as height controls. (d) not allow development types that are incompatible with the current and future operation of that airport. 	N/A	The planning proposal does not create, alter or remove a zone or provision relating to land near a regulated airfield.

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Sg.1 Direction	Applicable	Consistent	Comment
	<p>(2) In the preparation of a planning proposal that sets controls for development of land near a core regulated airport, the relevant planning authority must:</p> <p>(a) consult with the Department of the Commonwealth responsible for airports and the lessee/operator of that airport;</p> <p>(b) for land affected by the prescribed airspace (as defined in clause 6(1) of the <i>Airports (Protection of Airspace) Regulation 1996</i>, prepare appropriate development standards, such as height controls.</p> <p>(c) not allow development types that are incompatible with the current and future operation of that airport.</p> <p>(d) obtain permission from that Department of the Commonwealth, or their delegate, where a planning proposal seeks to allow, as permissible with consent, development that would constitute a controlled activity as defined in section 182 of the <i>Airports Act 1996</i>. This permission must be obtained prior to undertaking community consultation in satisfaction of Schedule 1 to the EP&A Act.</p> <p>(3) In the preparation of a planning proposal that sets controls for the development of land near a defence airfield, the relevant planning authority must:</p> <p>(a) consult with the Department of Defence if:</p> <p>i. the planning proposal seeks to exceed the height provisions contained in the <i>Defence Regulations 2016 – Defence Aviation Areas</i> for that airfield; or</p> <p>ii. no height provisions exist in the <i>Defence Regulations 2016 – Defence Aviation Areas</i> for the airfield and the proposal is within 15km of the airfield.</p> <p>(b) for land affected by the operational airspace, prepare appropriate development standards, such as height controls.</p> <p>(c) not allow development types that are incompatible with the current and future operation of that airfield.</p> <p>(4) A planning proposal must include a provision to ensure that development meets <i>Australian Standard 2021 – 2015, Acoustic-Aircraft Noise Intrusion – Building siting and construction with respect to</i></p>		

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Sg.1 Direction	Applicable	Consistent	Comment
	<p>interior noise levels, if the proposal seeks to rezone land:</p> <ul style="list-style-type: none"> (a) for residential purposes or to increase residential densities in areas where the Australian Noise Exposure Forecast (ANEF) is between 20 and 25; or (b) for hotels, motels, offices or public buildings where the ANEF is between 25 and 30; or (c) for commercial or industrial purposes where the ANEF is above 30. <p>(5) A planning proposal must not contain provisions for residential development or to increase residential densities within the 20 Australian Noise Exposure Concept (ANEC)/ANEF contour for Western Sydney Airport.</p> <p>A planning proposal may be inconsistent with the terms of this direction only if the relevant planning authority can satisfy the Planning Secretary (or an officer of the Department nominated by the Secretary) that the provisions of the planning proposal that are inconsistent are:</p> <ul style="list-style-type: none"> (a) justified by a strategy approved by the Planning Secretary, which: <ul style="list-style-type: none"> i. gives consideration to the objectives of this direction; and ii. identifies the land which is the subject of the planning proposal (if the planning proposal relates to a particular site or sites), or (b) justified by a study prepared in support of the planning proposal which gives consideration to the objectives of this direction; or (c) in accordance with the relevant Regional Plan prepared by the Department of Planning, Housing and Infrastructure which gives consideration to the objectives of this direction. 		
5.4 Shooting Ranges	<p>This direction applies to all relevant planning authorities when preparing a planning proposal that will affect, create, alter or remove a zone or a provision relating to land adjacent to and/ or adjoining an existing shooting range.</p> <p>(1) A planning proposal must not seek to rezone land adjacent to and/ or adjoining an existing shooting range that has the effect of:</p>	N/A	The planning proposal does not affect land adjacent to an existing shooting range.

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S9.1 Direction	Applicable	Consistent	Comment
	<p>(a) permitting more intensive land uses than those which are permitted under the existing zone; or</p> <p>(b) permitting land uses that are incompatible with the noise emitted by the existing shooting range.</p> <p>A planning proposal may be inconsistent with the terms of this direction only if the relevant planning authority can satisfy the Planning Secretary (or an officer of the Department nominated by the Secretary) that the provisions of the planning proposal that are inconsistent are:</p> <p>(a) justified by a strategy approved by the Planning Secretary, which:</p> <ul style="list-style-type: none"> i. gives consideration to the objectives of this direction, and ii. identifies the land which is the subject of the planning proposal (if the planning proposal relates to a particular site or sites), or <p>(b) justified by a study prepared in support of the planning proposal which gives consideration to the objective of this direction, or</p> <p>(c) is of minor significance.</p>		
Focus area 6: Housing			
6.1 Residential Zones	<p>This direction applies to all relevant planning authorities when preparing a planning proposal that will affect land within an existing or proposed residential zone (including the alteration of any existing residential zone boundary), or any other zone in which significant residential development is permitted or proposed to be permitted.</p> <p>(1) A planning proposal must include provisions that encourage the provision of housing that will:</p> <ul style="list-style-type: none"> (a) broaden the choice of building types and locations available in the housing market, and (b) make more efficient use of existing infrastructure and services, and (c) reduce the consumption of land for housing and associated urban development on the urban fringe, and (d) be of good design. <p>(2) A planning proposal must, in relation to land to which this direction applies:</p> <ul style="list-style-type: none"> (a) contain a requirement that residential development is not permitted until land 	Consistent	<p>The planning proposal is consistent with Direction 6.1 because, despite altering the zone from residential to commercial, it will actually increase the range of permissible residential uses. The planning proposal also increases the permissible residential density of the land.</p>

Appendix 5: Gateway Determination

Sg.1 Direction	Applicable	Consistent	Comment
	<p>is adequately serviced (or arrangements satisfactory to the council, or other appropriate authority, have been made to service it), and</p> <p>(b) not contain provisions which will reduce the permissible residential density of land.</p> <p>A planning proposal may be inconsistent with the terms of this direction only if the relevant planning authority can satisfy the Planning Secretary (or an officer of the Department nominated by the Secretary) that the provisions of the planning proposal that are inconsistent are:</p> <p>(a) justified by a strategy approved by the Planning Secretary which:</p> <ul style="list-style-type: none"> i. gives consideration to the objective of this direction, and ii. identifies the land which is the subject of the planning proposal (if the planning proposal relates to a particular site or sites), or <p>(b) justified by a study prepared in support of the planning proposal which gives consideration to the objective of this direction, or</p> <p>(c) in accordance with the relevant Regional Strategy, Regional Plan or District Plan prepared by the Department of Planning, Housing and Infrastructure which gives consideration to the objective of this direction, or</p> <p>(d) of minor significance.</p>		
6.2 Caravan Parks and Manufactured Home Estates	<p>This direction applies to all relevant planning authorities when preparing a planning proposal.</p> <p>This direction does not apply to Crown land reserved or dedicated for any purposes under the <i>Crown Land Management Act 2016</i>, except Crown land reserved for accommodation purposes, or land dedicated or reserved under the <i>National Parks and Wildlife Act 1974</i>.</p> <p>(1) In identifying suitable zones, locations and provisions for caravan parks in a planning proposal, the relevant planning authority must:</p> <ul style="list-style-type: none"> (a) retain provisions that permit development for the purposes of a caravan park to be carried out on land, and (b) retain the zonings of existing caravan parks, or in the case of a new principal 	Justifiably inconsistent	<p>The planning proposal does not identify zones, locations or provisions for caravan parks or manufactured home estates.</p> <p>The Gateway Determination (Appendix 5) was issued on 6th June 2025. The associated letter to council provides the Secretary's agreement to the inconsistency of the planning proposal with applicable directions of the Minister under section 9.1 of the Act</p> <p>Direction 6.2 Caravan Parks and Manufactured Home Estates is justified in accordance with the terms of the Direction.</p>

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Sg.1 Direction	Applicable	Consistent	Comment
	<p>LEP zone the land in accordance with an appropriate zone under the <i>Standard Instrument (Local Environmental Plans) Order 2006</i> that would facilitate the retention of the existing caravan park.</p> <p>(2) In identifying suitable zones, locations and provisions for manufactured home estates (MHEs) in a planning proposal, the relevant planning authority must:</p> <p>(a) take into account the categories of land set out in Schedule 6 of <i>State Environmental Planning Policy (Housing)</i> as to where MHEs should not be located,</p> <p>(b) take into account the principles listed in clause 9 Schedule 5 of <i>State Environmental Planning Policy (Housing)</i> (which relevant planning authorities are required to consider when assessing and determining the development and subdivision proposals), and</p> <p>(c) include provisions that the subdivision of MHEs by long term lease of up to 20 years or under the <i>Community Land Development Act 1989</i> be permissible with consent.</p> <p>A planning proposal may be inconsistent with the terms of this direction only if the relevant planning authority can satisfy the Planning Secretary (or an officer of the Department nominated by the Secretary that the provisions of the planning proposal that are inconsistent are:</p> <p>(a) justified by a strategy approved by the Planning Secretary which:</p> <p>i. gives consideration to the objective of this direction, and</p> <p>ii. identifies the land which is the subject of the planning proposal (if the planning proposal relates to a particular site or sites), or</p> <p>(b) justified by a study prepared in support of the planning proposal which gives consideration to the objective of this direction, or</p> <p>(c) in accordance with the relevant Regional Strategy, Regional Plan or District Plan prepared by the Department of Planning, Housing and Infrastructure which gives consideration to the objective of this direction, or</p> <p>(d) of minor significance.</p>		
Focus area 7: Industry and Employment			

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Sg.1 Direction	Applicable	Consistent	Comment
7.1 Employment Zones	<p>This direction applies to all relevant planning authorities when preparing a planning proposal that will affect land within an existing or proposed business or industrial zone (including the alteration of any existing business or industrial zone boundary).</p> <p>A planning proposal must:</p> <ul style="list-style-type: none"> (a) give effect to the objectives of this direction, (b) retain the areas and locations of existing business and industrial zones, (c) not reduce the total potential floor space area for employment uses and related public services in business zones, (d) not reduce the total potential floor space area for industrial uses in industrial zones, and (e) ensure that proposed new employment areas are in accordance with a strategy that is approved by the Planning Secretary. <p>A planning proposal may be inconsistent with the terms of this direction only if the relevant planning authority can satisfy the Planning Secretary (or an officer of the Department nominated by the Secretary) that the provisions of the planning proposal that are inconsistent are:</p> <ul style="list-style-type: none"> (a) justified by a strategy approved by the Planning Secretary, which: <ul style="list-style-type: none"> i. gives consideration to the objective of this direction, and ii. identifies the land which is the subject of the planning proposal (if the planning proposal relates to a particular site or sites), or (b) justified by a study (prepared in support of the planning proposal) which gives consideration to the objective of this direction, or (c) in accordance with the relevant Regional Strategy, Regional Plan or District Plan prepared by the Department of Planning, Housing and Infrastructure which gives consideration to the objective of this direction, or (d) of minor significance. 	Consistent	The planning proposal will create a new local centre on the site of an existing approved business premises. It is consistent with Chapter 8 of the Coffs Harbour Local Growth Management Strategy which seeks to formalise a community hub in Sandy Beach.
7.2 Reduction in non-hosted short-term rental accommodation period	This direction does not currently apply to the Coffs Harbour LGA.	N/A	

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S9.1 Direction	Applicable	Consistent	Comment
7.3 Commercial and Retail Development along the Pacific Highway, North Coast	<p>Applies when a relevant planning authority prepares a planning proposal for land in the vicinity of the existing and/or proposed alignment of the Pacific Highway.</p> <p>(1) A planning proposal that applies to land located on “within town” segments of the Pacific Highway must provide that:</p> <ul style="list-style-type: none"> (a) new commercial or retail development must be concentrated within district centres rather than spread along the Highway; (b) development with frontage to the Pacific Highway must consider impacts that the development has on the safety and efficiency of the highway; and (c) for the purposes of this paragraph, “within town” means areas which prior to the draft LEP have an urban zone (e.g. Village, residential, tourist, commercial and industrial etc.) and where the Pacific Highway is less than 80km/hour. <p>(2) A planning proposal that applies to land located on “out-of-town” segments of the Pacific Highway must provide that:</p> <ul style="list-style-type: none"> (a) new commercial or retail development must not be established near the Pacific Highway if this proximity would be inconsistent with the objectives of this Direction. (b) development with frontage to the Pacific Highway must consider the impact the development has on the safety and efficiency of the highway. (c) For the purposes of this paragraph, “out-of-town” means areas which, prior to the draft local environmental plan, do not have an urban zone (e.g.: “village”, “residential”, “tourist”, “commercial”, “industrial”, etc.) or are in areas where the Pacific Highway speed limit is 80 km/hour or greater. <p>(3) Notwithstanding the requirements of paragraphs (4) and (5), the establishment of highway service centres may be permitted at the localities listed in Table 1, provided that the Roads and Traffic Authority is satisfied that the highway service centre(s) can be safely and efficiently integrated into the highway interchange(s) at those localities.</p> <p>A planning proposal may be inconsistent with the terms of this direction only if the relevant planning authority can satisfy the Planning</p>	N/A	

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Sg.1 Direction	Applicable	Consistent	Comment
	Secretary (or an officer of the Department nominated by the Secretary) that the provisions of the planning proposal that are inconsistent are of minor significance.		
Focus area 8: Resources and Energy			
8.1 Mining, Petroleum Production and Extractive Industries	<p>This direction applies to all relevant planning authorities when preparing a planning proposal that would have the effect of:</p> <ul style="list-style-type: none"> (a) prohibiting the mining of coal or other minerals, production of petroleum, or winning or obtaining of extractive materials, or (b) restricting the potential development of resources of coal, other minerals, petroleum or extractive materials which are of State or regional significance by permitting a land use that is likely to be incompatible with such development. <p>(1) In the preparation of a planning proposal affected by this direction, the relevant planning authority must:</p> <ul style="list-style-type: none"> (a) consult the Secretary of the Department of Primary Industries (DPI) to identify any: <ul style="list-style-type: none"> i. resources of coal, other minerals, petroleum or extractive material that are of either State or regional significance, and ii. existing mines, petroleum production operations or extractive industries occurring in the area subject to the planning proposal, and (b) seek advice from the Secretary of DPI on the development potential of resources identified under (1)(a)(i), and (c) identify and take into consideration issues likely to lead to land use conflict between other land uses and: <ul style="list-style-type: none"> i. development of resources identified under (1)(a)(i), or ii. existing development identified under (1)(a)(ii). <p>(2) Where a planning proposal prohibits or restricts development of resources identified under (1)(a)(i), or proposes land uses that may create land use conflicts identified under (1)(c), the relevant planning authority must:</p> <ul style="list-style-type: none"> (a) provide the Secretary of DPI with a copy of the planning proposal and notification of the relevant provisions, 	N/A	

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Sg.1 Direction	Applicable	Consistent	Comment
	<p>(b) allow the Secretary of DPI a period of 40 days from the date of notification to provide in writing any objections to the terms of the planning proposal, and</p> <p>(c) include a copy of any objection and supporting information received from the Secretary of DPI with the statement to the Planning Secretary (or an officer of the Department nominated by the Secretary before undertaking community consultation in satisfaction of Schedule 1 to the Act.</p> <p>A planning proposal may be inconsistent with the terms of this direction only if the relevant planning authority can satisfy the Planning Secretary (or an officer of the Department nominated by the Secretary), that the provisions of the planning proposal that are inconsistent are of minor significance.</p>		
Focus area 9: Primary Production			
9.1 Rural Zones	<p>This direction applies when a relevant planning authority prepares a planning proposal that will affect land within an existing or proposed rural zone (including the alteration of any existing rural zone boundary).</p> <p>A planning proposal must not rezone land from a rural zone to a residential, business, industrial, village or tourist zone.</p> <p>A planning proposal may be inconsistent with the terms of this direction only if the relevant planning authority can satisfy the Planning Secretary (or an officer of the Department nominated by the Secretary that the provisions of the planning proposal that are inconsistent are:</p> <p>(a) justified by a strategy approved by the Planning Secretary which:</p> <ol style="list-style-type: none"> i. gives consideration to the objectives of this direction, and ii. identifies the land which is the subject of the planning proposal (if the planning proposal relates to a particular site or sites), or <p>(b) justified by a study prepared in support of the planning proposal which gives consideration to the objectives of this direction, or</p> <p>(c) in accordance with the relevant Regional Strategy, Regional Plan or District Plan prepared by the Department of Planning, Housing and Infrastructure which gives</p>	N/A	

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Sg.1 Direction	Applicable	Consistent	Comment
	consideration to the objective of this direction, or (d) is of minor significance.		
9.2 Rural Lands	<p>This direction applies when a relevant planning authority prepares a planning proposal for land outside the local government areas of lake Macquarie, Newcastle, Wollongong and LGAs in the Greater Sydney Region (as defined in the <i>Greater Sydney Commission Act 2015</i>) other than Wollondilly and Hawkesbury, that:</p> <ul style="list-style-type: none"> (a) will affect land within an existing or proposed rural or conservation zone (including the alteration of any existing rural or conservation zone boundary) or (b) changes the existing minimum lot size on land within a rural or conservation zone. <p>(1) A planning proposal must:</p> <ul style="list-style-type: none"> (a) be consistent with any applicable strategic plan, including regional and district plans endorsed by the Planning Secretary, and any applicable local strategic planning statement (b) consider the significance of agriculture and primary production to the State and rural communities (c) identify and protect environmental values, including but not limited to, maintaining biodiversity, the protection of native vegetation, cultural heritage, and the importance of water resources (d) consider the natural and physical constraints of the land, including but not limited to, topography, size, location, water availability and ground and soil conditions (e) promote opportunities for investment in productive, diversified, innovative and sustainable rural economic activities (f) support farmers in exercising their right to farm (g) prioritise efforts and consider measures to minimise the fragmentation of rural land and reduce the risk of land use conflict, particularly between residential land uses and other rural land use (h) consider State significant agricultural land identified in chapter 2 of the <i>State Environmental Planning Policy (Primary Production) 2021</i> for the purpose of ensuring the ongoing viability of this land (i) consider the social, economic and environmental interests of the community. 	N/A	

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Sg.1 Direction	Applicable	Consistent	Comment
	<p>(2) A planning proposal that changes the existing minimum lot size on land within a rural or conservation zone must demonstrate that it:</p> <ul style="list-style-type: none"> (a) is consistent with the priority of minimising rural land fragmentation and land use conflict, particularly between residential and other rural land uses (b) will not adversely affect the operation and viability of existing and future rural land uses and related enterprises, including supporting infrastructure and facilities that are essential to rural industries or supply chains (c) where it is for rural residential purposes: <ul style="list-style-type: none"> i. is appropriately located taking account of the availability of human services, utility infrastructure, transport and proximity to existing centres ii. is necessary taking account of existing and future demand and supply of rural residential land. <p>A planning proposal may be inconsistent with the terms of this direction only if the relevant planning authority can satisfy the Planning Secretary (or an officer of the Department nominated by the Secretary) that the provisions of the planning proposal that are inconsistent are:</p> <ul style="list-style-type: none"> (a) justified by a strategy approved by the Planning Secretary and is in force which: <ul style="list-style-type: none"> i. gives consideration to the objectives of this direction, and ii. identifies the land which is the subject of the planning proposal (if the planning proposal relates to a particular site or sites), or (b) is of minor significance. 		
9.3 Oyster Aquaculture	<p>This direction applies to any relevant planning authority when preparing a planning proposal in 'Priority Oyster Aquaculture Areas' and oyster aquaculture outside such an area as identified in the <i>NSW Oyster Industry Sustainable Aquaculture Strategy</i> (2006) ("the Strategy"), when proposing a change in land use which could result in:</p> <ul style="list-style-type: none"> (a) adverse impacts on a 'Priority Oyster Aquaculture Area' or a "current oyster aquaculture lease in the national parks estate", or (b) incompatible use of land between oyster aquaculture in a 'Priority Oyster Aquaculture Area' or a "current oyster 	N/A	

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Sg.1 Direction	Applicable	Consistent	Comment
	<p>aquaculture lease in the national parks estate” and other land uses.</p> <p>(1) In the preparation of a planning proposal the relevant planning authority must:</p> <p>(a) identify any ‘Priority Oyster Aquaculture Areas’ and oyster aquaculture leases outside such an area, as shown the maps to the Strategy, to which the planning proposal would apply,</p> <p>(b) identify any proposed land uses which could result in any adverse impact on a ‘Priority Oyster Aquaculture Area’ or oyster aquaculture leases outside such an area,</p> <p>(c) identify and take into consideration any issues likely to lead to an incompatible use of land between oyster aquaculture and other land uses and identify and evaluate measures to avoid or minimise such land use in compatibility,</p> <p>(d) consult with the Secretary of the Department of Primary Industries (DPI) of the proposed changes in the preparation of the planning proposal, and</p> <p>(e) ensure the planning proposal is consistent with the Strategy.</p> <p>(2) Where a planning proposal proposes land uses that may result in adverse impacts identified under (1)(b) and (1)(c), relevant planning authority must:</p> <p>(a) provide the Secretary of DPI with a copy of the planning proposal and notification of the relevant provisions,</p> <p>(b) allow the Secretary of DPI a period of 40 days from the date of notification to provide in writing any objections to the terms of the planning proposal, and</p> <p>(c) include a copy of any objection and supporting information received from the Secretary of DPI with the statement to the Planning Secretary before undertaking community consultation in satisfaction of Schedule 1 to the EP&A Act.</p> <p>A planning proposal may be inconsistent with the terms of this direction only if the relevant planning authority can satisfy the Planning Secretary (or an officer of the Department nominated by the Secretary) that the provisions of the planning proposal that are inconsistent are of minor significance.</p>		

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S9.1 Direction	Applicable	Consistent	Comment
9.4 Farmland of State and Regional Significance on the NSW Far North Coast	This direction does not currently apply to the City of Coffs Harbour LGA.	N/A	

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APPENDIX 3 – ASSESSMENT AGAINST NET COMMUNITY BENEFIT CRITERIA IN ‘The Right Place for Business and Services - Planning Policy’

In determining the net community benefit or cost, the following assessment criteria must be considered:

- *the degree to which the policy and its objectives can be satisfied;*

RESPONSE: The Objectives of the Policy are to:

- locate trip-generating developments that provide important services in locations that help reduce the reliance on cars, encourage multi-purpose trips and encourage people to travel on public transport, walking or cycling.
- Minimise dispersed trip-generating development.
- Achieve a network of viable, mixed-use centres that is aligned to the public transport network.
- Protect and maximise community investment in centres and in transport facilities and infrastructure.
- Encourage continuing public and private investment in centres and ensure they are well designed, managed and maintained.

The proposed LEP amendment satisfies the Objectives of the Policy because:

- It will create a new local centre on a single existing lot of approximately 556 square metres in area meaning the scale of the centre is very small and never likely to accommodate significant trip-generating uses.
- The site is already developed with commercial premises and the amendment is therefore not facilitating development of new commercial uses.
- Because the site is already developed and functioning as a centre, it cannot be re-located to be closer to the public transport network or a more accessible location.
- Given the scale and location of the centre, it is likely to continue to predominantly perform a local service function level, which will limit its propensity to generate trips. A significant part of its function is likely to be servicing visitors to the area who are accessing the nearby district-level park, playground, skatepark, multi-purpose court and beach.

- *the proposed level of accessibility to the catchment of the development by public transport, walking and cycling;*

RESPONSE: The subject site is accessible by walking and cycling from the local area. A recent upgrade to Diamond Head Drive has provided improved walking and cycling access to the site from the broader Sandy Beach area.

- *the likely effect on trip patterns, travel demand and car use;*

RESPONSE: the LEP amendment will not likely increase travel demand and car use as the site is currently developed with commercial premises and uses.

- *the likely impact on the economic performance and viability of existing centres (including the confidence of future investment in centres and the likely effects of any oversupply in commercial or office space on centres — see section B of the explanatory notes);*

RESPONSE: Given the very small scale of the centre, and the fact that it is already developed with commercial premises and uses, it is not likely to impact existing centres.

- *the amount of use of public infrastructure and facilities in centres, and the direct and indirect cost of the proposal to the public sector;*

RESPONSE: The planning proposal is accompanied by an amendment to Coffs Harbour Development Control Plan 2015 which seeks to introduce a requirement for public realm improvements around the site. Because these improvements are to be delivered by a private developer there will be no cost to the public sector.

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- the practicality of alternative locations which may better achieve the outcomes the policy is seeking;
RESPONSE: the subject site is the most logical location for a new centre given it is currently developed as a commercial premises and is in proximity to a playground, BBQ and shelter facilities, skate park and multi-purpose court located in the Sandy Beach Reserve on the opposite side of Sandys Beach Drive.

- *the ability of the proposal to adapt its format or design to more likely secure a site within or adjoining a centre or in a better location.*

RESPONSE: the nature of the current commercial use of the site (general store and cafe) is partly a reflection of its location and this would not necessarily be able to be undertaken in an existing centre elsewhere.

CONCLUSION: Assessment against the Net Community Benefit Assessment Criteria has found that the proposal will result in an overall net community benefit.

Net Community Benefit Criteria

NET COMMUNITY BENEFIT EVALUATION

Net Community Benefit Criteria	Response for Planning Proposal
Will the LEP be compatible with agreed State and regional strategic direction for development in the area (eg land release, strategic corridors; development within 800 metres of a transit node)?	<i>LEP provides for rezoning in existing urban area and on a site earmarked for business purposes under the LGMS which has been prepared in accordance with State and Regional directions for development.</i>
Is the LEP located in a global/regional city, strategic centre or corridor nominated within the Metropolitan Strategy or another regional/sub-regional strategy?	<i>No, but land is within the LGMS nominated area for investigation as a hub for business.</i>
Is the LEP likely to create a precedent or create or change the expectations of the landowner or other landholders?	<i>LEP will provide a positive precedent and will positively change the expectations of the landowner and adjoining landowners in the future.</i>
Have the cumulative effects of other spot rezoning proposals in the locality been considered? What was the outcome of these considerations?	There are no other site specific rezonings proposals of relevance to this proposal.
Will the LEP facilitate a permanent employment generating activity or result in a loss of employment lands?	The LEP will provide additional employment through an increased range of permissible uses.
Will the LEP impact upon the supply of residential land and therefore housing supply and affordability?	LEP will not impact upon housing supply, a wider range of housing types are permitted under the new zone.
Will the proposal result in changes to the car distances travelled by customers, employees and suppliers? If so, what are the likely impacts in terms of greenhouse gas emissions, operating costs and road safety?	The proposal result in creating a walkable hub and reduced distances travelled by customers (to Woolgoolga and Emerald Beach and Coffs City Centre), employees and suppliers and a small reduction in greenhouse gas emissions, operating costs and improved road safety.
Are there significant Government investments in infrastructure or services in the area whose patronage will be affected by the proposal? If so, what is the expected impact?	The land has access to all necessary infrastructure services; no significant upgrading is required.
Will the proposal impact on land that the Government has identified a need to protect (eg land with high biodiversity values) or have other environmental impacts? Is the land constrained by environmental factors such as flooding?	The land is not identified as having any significant biodiversity or other environmental values. The land is not subject to any prohibiting environmental constraints.
Will the LEP be compatible/ complementary with surrounding land uses? What is the impact on amenity in the location and wider community? Will the public domain improve?	The LEP simply recognises the current use of the land as a local business centre. The rezoning will have a neutral impact upon amenity but provide a catalyst for public domain improvements as shown in the concept plans.
Will the proposal increase choice and competition by increasing the number of retail and commercial premises operating in the area?	The rezoning will allow for more certainty in future development and a wider range of retail and commercial uses on the site.
If a stand-alone proposal and not a centre, does the proposal have the potential to develop into a centre in the future?	The proposal does not limit future expansion of the area as a larger local business centre in the future if demand warrants.
What are the public interest reasons for preparing the draft plan? What are the implications of not proceeding at that time?	The LGMS represents the direction for the future and identifies this site as an investigation area for a hub. Not proceeding will leave the site subject to the uncertainties of exiting use rights provisions.

**Proposed Rezoning
(E1Local Centre)**

**42 SANDYS BEACH DRIVE
SANDY BEACH NSW 2456**

**Traffic and Parking Impact
Assessment**

June 2023

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Development: Proposed Rezoning

Site Address: 42 SANDYS BEACH DRIVE
SANDY BEACH NSW 2456

Prepared for: Bennell & Associates

Document reference: 006 - Benn

Document Status	Issue	By	Issued to	Date
Draft	A	GS	RB	29/6/23
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1 Introduction

1.1 Scope

This traffic and parking impact assessment report has been prepared as part of a proposal to City of Coffs Harbour Council for rezoning of land at 42 Sandys Beach Road, Sandy Beach from R2 low density residential to E1 Local Centre.

The property is located adjacent the Sandy Beach Reserve and includes a building and outdoor areas currently operating as the Sandy Beachouse & General Store.

This report assesses the traffic and transport related impact of a proposed rezoning of the land to better reflect the current use.

2 Existing Conditions

2.1 Location

The rezoning proposal relates to the property at 42 Sandys Beach Drive (Lot 105 DP 227257) which has an approximate area of 556m². The property is currently zoned R2 low density residential.

The property is a corner lot on the south-west side of the Sandys Beach Drive – Acacia Avenue intersection. Sandys Beach Drive is a north – south foreshore access road with low density residential development on the western side and the Sandy Beach Reserve lands on the eastern side.

The property has approximately 16m frontage to Sandys Beach Drive and 38m side boundary to Acacia Avenue.

The site is occupied by ground floor Cafe and general store, and hairdresser. Café operating hours are currently Monday - Thursday 7am-5pm Friday 7am - 7pm Weekends 7am-4pm.

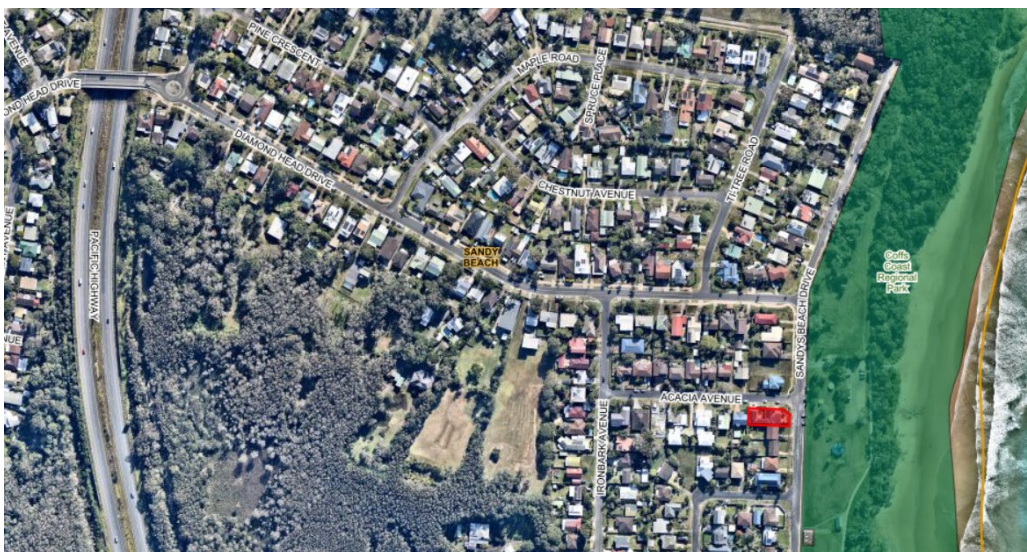


Figure 1 Site location 42 Sandys Beach Drive

Appendix 5: Gateway Determination

Sandy Beach Store Rezoning Proposal – Traffic and Parking Impact Assessment

The property also includes an upper storey dwelling and associated buildings on the western portion of the property with existing driveway access to Acacia Avenue.

Works are currently underway within the Sandy Beach Reserve opposite the subject site. The works are part of the Sandy Beach Community Hub and Youth Space project and include a new playground and skate park with shelters and pathways throughout. The works include a major pedestrian link labeled 'to general store'. The concept plan for the Sandy Beach Reserve Youth Space is included in Appendix A of this report.

2.2 Existing Transport Network

Diamond Head Drive

Diamond Head Drive is a variable width collector road servicing the approximately 1000 residential dwellings in the catchment and is the primary access to the Sandy Beach foreshore and beach area. The road includes provision for school bus and regular bus services.

Diamond Head Drive has been recently reconstructed with kerb and gutter, footpaths and an off road shared path. All of Sandy Beach is included in the 50km/h general urban speed limit. Diamond Head Drive links with Sandys Beach Drive via a standard 'T' intersection.

Sandys Beach Drive

Sandys Beach Drive is the primary access road to the subject site. It is a two-lane, two-way undivided urban road with variable pavement, shoulder and verge widths running north – south along the boundary of the Sandy Beach Reserve lands.

The road is relatively straight and flat with good sight distance for vehicles and pedestrians. The road provides direct vehicular and pedestrian access to low density residential properties on the western side and access to Sandy Beach reserve car parking and beach access on the eastern side.

The carriageway at the subject location is approximately 8.0m wide with informal parallel parking on the western side and indented 90-degree angle parking on the eastern side.

The eastern Sandy Beach Drive road reserve adjoins the Sandy Beach Public Reserve and has adequate verge width to incorporate 20-30 90-degree angled parking spaces close to the subject site.

Bus stops are located adjacent to the subject site in Acacia Avenue and in Sandys Beach Drive which includes a bus shelter.

Acacia Avenue

Acacia Avenue is an 8.0m wide local street constructed with kerb and gutter and partial footpath.

The street forms a short link from Sandys Beach Drive to the local road network and directly services only approximately 16 dwellings.

3 Development Description

The proposal would see rezoning of the land from R2 low density residential to E1 Local Centre under Coffs Harbour LEP 2013.

The proposed rezoning to E1 allows for numerous land uses compatible with a local business centre and there are many combinations of uses that could be contemplated in the future for the subject land. For the purposes of this report, a reasonable scale, mixed development scenario comprising a café, office and residential component has been assumed. This is considered appropriate as the proposal includes only the single existing 560m² lot and reinforces the existing use rights of the current development.



The current development includes relatively new, high quality infrastructure over the whole site leaving little scope for re-development other than improvements to the existing uses.

A concept plan detailing how the rezoning could integrate with the local streetscape and Sandy Beach Reserve Masterplan works has been developed and is included in Appendix B of this report.

This traffic and transport impact assessment will use the concept plan to determine the indicative traffic and car parking requirements for the proposed rezoning. The concept plan shows potential for:

Café / Takeaway food	42 Seats / 170m ² GLFA
Upper-level Office	80m ² GFA
Upper-level residential	

4 Traffic Impact Assessment

4.1 Development Traffic Generation

Transport for NSW Guide to Traffic Generating Developments provides indicative traffic generation rates for various developments.

Office and Commercial development traffic generation will be in the order of

Daily vehicle trips = 10 per 100 m² gross floor area
Evening peak hour vehicle trips = 2 per 100 m² gross floor area.

Appendix 5: Gateway Determination

Sandy Beach Store Rezoning Proposal – Traffic and Parking Impact Assessment

The Guide does not provide indicative traffic generation rates for a local Café/Takeaway food development, however the rates for a typical restaurant development can be used as a guide.

Evening peak hour vehicle trips = 5 per 100 m² gross floor area.

Daily vehicle trips = 60 per 100m² gross floor area.

Total additional traffic generation from the proposal will be in the order of 110 trips per day and 10 trips per peak hour.

It should be noted that in this location the majority of visitors to the site will be associated with vehicle trips already made to Sandy Beach Reserve and Beach area so the 'additional' traffic generation will be significantly less.

Nevertheless, these minor increases in traffic will have no impact on levels of service or amenity on the surrounding road network.

4.2 Public Transport and Pedestrian/Cycleway access

As described in Section 2.1 of this report the Sandy Beach Community Hub and Youth Space project features pedestrian activity and pathways through the reserve with a major footpath link to Sandys Beach Drive adjacent the subject site.

The Reserve works currently under construction will provide good connectivity between the Sandy Beach Reserve, Beach and car park areas reinforcing the Sandy Beach Store site as a destination for cyclists and pedestrians.

The Sandy Beach Store concept development plan included as part of the rezoning proposal shows how further integration of the Public Reserve and Local Centre infrastructure can be achieved showing, for example, bicycle parking infrastructure, public seating and community space.

The concept plan also shows a raised platform treatment as a continuation of the Sandy Beach Community Hub pathway currently under construction. The length of the raised platform area could be such that it would be compatible with a bus route and would likely need to include a marked zebra crossing to comply with pedestrian safety requirements (Wombat Crossing). This would be subject to final design, assessment of warrants and Local Traffic Committee approval, however it is expected this arrangement will provide the ideal mix of traffic calming and pedestrian/cycle access.

Alternative pedestrian/cycle management options on Sandys Beach Drive could be refuge islands and medians to ensure the required road user safety outcomes.

The site has good access to the public transport network with formal bus stops in Acacia Avenue and Sandy Beach Drive. Bus Route 372 provides regular service links to Woolgoolga and Coffs Harbour and the other Northern Beaches villages. These links are supplemented by School Bus services from the site to local schools.

5 Parking Impact Assessment

5.1 Existing Use

The existing Sandy Beach Store has no off-street car parking available. This is consistent with the function and location however as the majority of visits to the Store are pedestrian visits from the local residential area or from visitors to the Sandy Beach Foreshore area facilities.



Sandys Beach Drive currently has a significant number of informal 90 degree indented parking spaces on its eastern (Reserve) side which serves as parking for the adjacent reserve and for access to the Sandy Beach Store.

Additional on-street parking is also available on Acacia Avenue.

5.2 Car Parking requirements

Coffs Harbour DCP 2015 provides guidance on the car parking requirements for various land uses.

Applying the DCP off-street car parking requirements to the concept development plan would yield:

Residential	2 spaces required.
Office (1 space per 40m ² GFA)	2 spaces required.
Neighbourhood shop/kiosk (1 space per 25m ² GLFA)	7 spaces required.

The existing development and the concept development have the capacity to include 2 off-street car parking spaces for the residential component and 2 spaces for the Office. The spaces can be stacked parking for the residence and could function as stacked parking for the Office as one staff space and one visitor space.

Appendix 5: Gateway Determination

Sandy Beach Store Rezoning Proposal – Traffic and Parking Impact Assessment

As detailed in Section 2.2 of this report, Sandys Beach Drive has capacity to accommodate 20-30 cars parked on the eastern side close to the subject site.

Indicative demand for on-street parking can be seen in Appendix C which shows snapshots of car parking adjacent the existing Sandy Beach Store. It should be noted that construction of the Sandy Beach Community Hub works are currently underway and many of the vehicles shown parked on-street were contractors vehicles associated with the works.

Nevertheless, it is clear that Sandys Beach Drive has ample capacity to accommodate the theoretical seven space car parking demand for the proposed rezoning on-street, noting that the likely demand will be much less given that visits to the Sandy Beach Reserve and Community Hub will be the primary parking demand drivers with visits to the proposed development ancillary to these other land uses.

Even in the summer peak the available on-street parking south of the Sandy Beach Store and the Beach Reserve off-street car parks will provide good level of service for visitors to the Beach Reserve and the proposed development site.

6 Conclusions

- 1 The rezoning proposal relates to the property at 42 Sandys Beach Drive which has an approximate area of 556m². The property is currently zoned R2 low density residential. The property is a corner lot on the south-west side of the Sandys Beach Drive – Acacia Avenue intersection. The site currently functions with a ground floor Cafe and general store, and hairdresser. The property also includes an upper storey dwelling and associated buildings on the western portion of the property with existing driveway access to Acacia Avenue.
- 2 Sandys Beach Drive is the primary access road to the subject site. It is a two-lane, two-way undivided urban road with variable pavement, shoulder and verge widths running north – south along the boundary of the Sandy Beach Reserve lands. The eastern Sandys Beach Drive road reserve adjoins the Sandy Beach Public Reserve and has adequate verge width to incorporate 20-30 90-degree angled parking spaces close to the subject site.
- 3 The proposed rezoning to E1 allows for a myriad of land uses compatible with a local business centre and there are many combinations of uses that could be contemplated in the future for the subject land. For the purposes of this report, a reasonable scale, mixed development scenario comprising a café, office and residential component has been assumed. A concept plan detailing how the rezoning could integrate with the local streetscape and Sandy Beach Reserve Masterplan works has been developed and has been used to determine the indicative traffic and car parking requirements for the proposed rezoning.
- 4 The concept plan shows potential for:
 - Café / Takeaway food 42 Seats / 170m² GLFA
 - Upper-level Office 80m² GFA
 - Upper-level residential
- 5 In this location the majority of visitors to the site will be associated with vehicle trips already made to Sandy Beach Reserve and Beach area so the 'additional' traffic generation will be minor. These minor increases in traffic will have no impact on levels of service or amenity on the surrounding road network.
- 6 The Sandy Beach Community Hub and Youth Space project currently under construction features pedestrian activity and pathways through the reserve with a major link to Sandys Beach Drive adjacent the subject site. The Reserve works will provide good connectivity between the Sandy Beach Reserve, Beach and car park areas reinforcing the Sandy Beach Store site as a destination for cyclists and pedestrians.
- 7 The Sandy Beach Store concept development plan included as part of the rezoning proposal shows how further integration of the Public Reserve and Local Centre infrastructure can be achieved showing, for example, bicycle parking infrastructure, public seating and community space.

Appendix 5: Gateway Determination

Sandy Beach Store Rezoning Proposal – Traffic and Parking Impact Assessment

- 8 The concept plan also shows a raised platform treatment as a continuation of the Sandy Beach Community Hub pathway currently under construction. This would be subject to final design, assessment of warrants and Local Traffic Committee approval, however it is likely this arrangement will provide the ideal mix of traffic calming and pedestrian/cycle access. Alternative pedestrian/cycle management options could include refuge islands and medians to ensure the required road user safety outcome.
- 9 The site has good access to the public transport network with formal bus stops in Acacia Avenue and Sandy Beach Drive. Bus Route 372 provides regular service links to Woolgoolga and Coffs Harbour and the other Northern Beaches villages. These links are supplemented by School Bus services from the site to local schools.
- 10 Sandys Beach Drive has ample capacity to accommodate the car parking demand for the proposed rezoning on-street, noting that the likely demand will be much less given that visits to the Sandy Beach Reserve and Community Hub will be the primary parking demand drivers with visits to the proposed development ancillary to these other land uses.

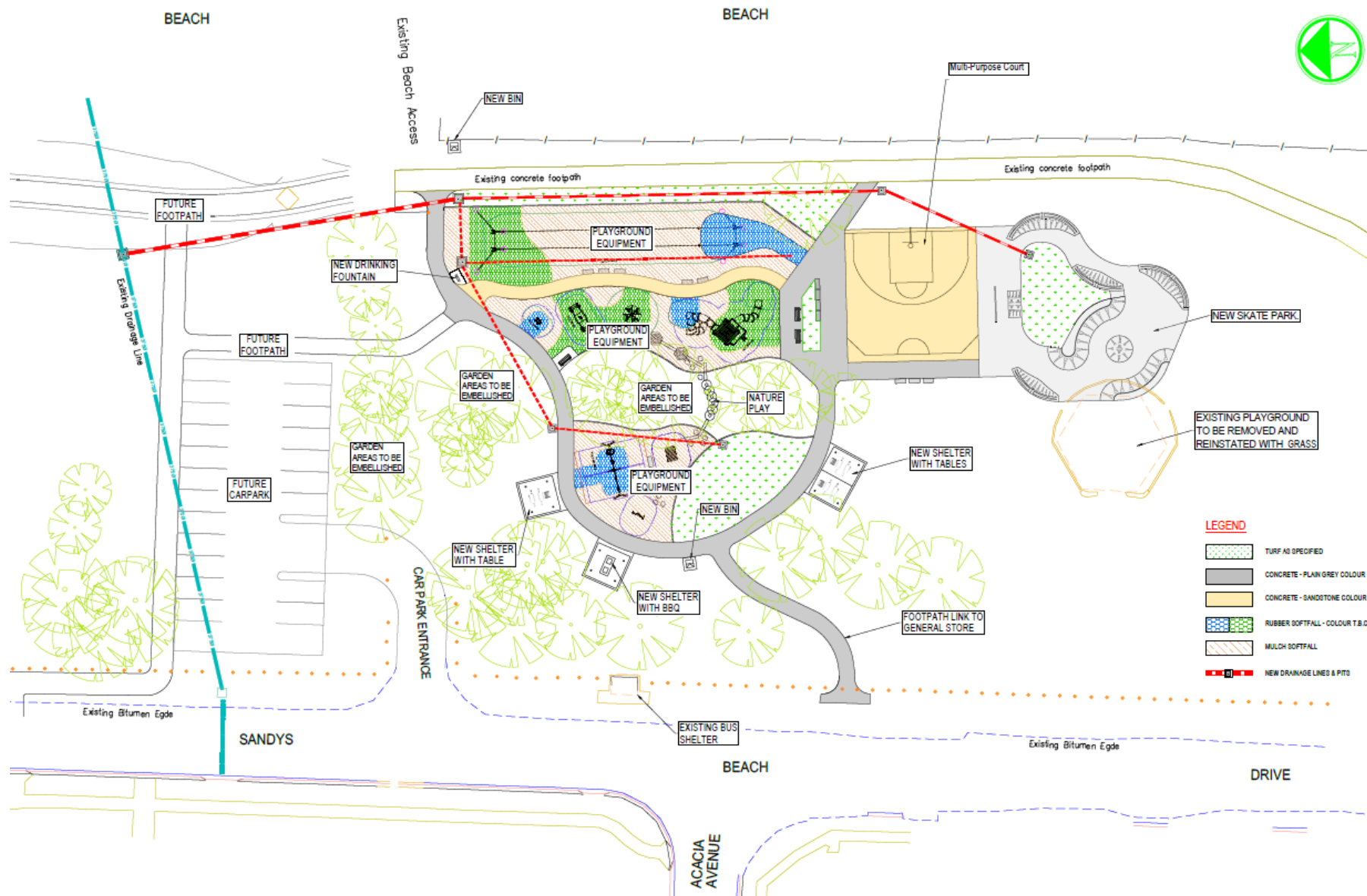
11 References

Roads and Maritime Services Guide to Traffic Engineering Developments

Coffs Harbour City Council DCP 2015

Austroads Guide to Road Design Part 4: Intersections and Crossings

Appendix A – Sandy Beach Reserve Community Hub and Youth Space



Appendix B – Sandy Beach Store Rezoning Preliminary Concepts



reobelly Landscape Architecture + Urban Design
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PROJECT
Sandy Beach Store Rezoning Concepts
CLIENT
Dave Grammah

DRAWING TITLE
PRELIMINARY CONCEPTS
CONTEXT PLAN

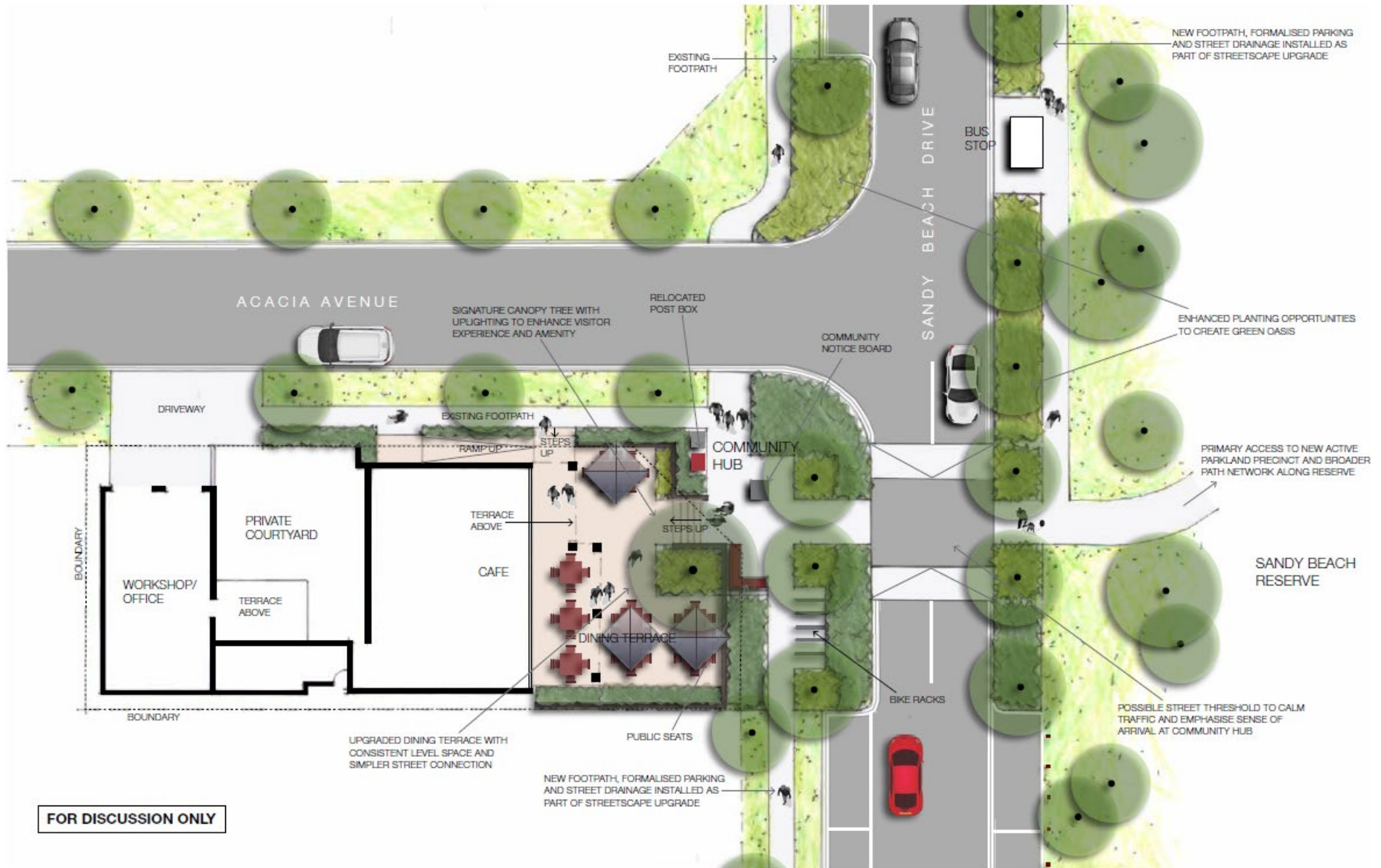
JOB NO
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GAM

SCALE NTS



DRAWING NO

Appendix 5: Gateway Determination



Appendix C – Sandys Beach Drive car parking

Sandys Beach Drive Friday 2nd June 2023



Sandys Beach Drive south of shop



Sandys Beach Drive adjacent shop



Acacia Avenue



Sandy Beach Drive north of shop

Appendix 5: Gateway Determination

Sandys Beach Drive Saturday 3rd June 2023



Sandys Beach Drive south of shop



Sandys Beach Drive adjacent shop



Acacia Avenue

Appendix 5: Gateway Determination

Sandys Beach Drive Thursday 15th June 2023



Sandys Beach Drive south of shop



Sandys Beach Drive adjacent shop



Acacia Avenue

Appendix 5: Gateway Determination



Department of Planning, Housing and Infrastructure

Gateway Determination

Planning proposal (Department Ref: PP-2023-1583): to rezone 42 Sandys Beach Drive, Sandy Beach, to E1 Local Centre and amend the minimum lot size map

I, the Director, Hunter and Northern Region, at the Department of Planning, Housing and Infrastructure, 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 2013 to rezone 42 Sandys Beach Drive, Sandy Beach, to E1 Local Centre and amend the minimum lot size map should proceed subject to the following.

The Council as planning proposal authority is authorised to exercise the functions of the local plan-making authority 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 applicable directions of the Minister under section 9.1 of the Act or the Secretary has agreed that any inconsistencies are justified; and
- (c) there are no outstanding written objections from public authorities.

The LEP should be completed within nine months of the Gateway determination.

Gateway Conditions

1. Public exhibition is required under section 3.34(2)(c) and clause 4 of Schedule 1 to the Act as follows:
 - (a) the planning proposal is categorised as standard as described in the *Local Environmental Plan Making Guideline* (Department of Planning and Environment, August 2023) and must be made publicly available for a minimum of 20 working 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 *Local Environmental Plan Making Guideline* (Department of Planning and Environment, August 2023).
2. Consultation is required with the following public authorities and government agencies under section 3.34(2)(d) of the Act and/or to comply with the requirements of applicable directions of the Minister under section 9 of the Act:
 - NSW Rural Fire Service

Each public authority is to be provided with a copy of the planning proposal and any relevant supporting material via the NSW Planning Portal and given at least 30 working days to comment on the proposal.

Appendix 5: Gateway Determination

3. 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).

Dated 6 June 2025



Craig Diss
Director, Hunter and Northern Region
Local Planning and Council Support
Department of Planning, Housing and
Infrastructure

Delegate of the Minister for Planning and
Public Spaces