

## Gateway Determination

**Planning proposal (Department Ref: PP-2023-650):** to remove all current floor space ratio controls from the three Woolgoolga Town Centre business precincts.

I, the Director, Northern Region at the Department of Planning and Environment, as delegate of the Minister for Planning and Public Spaces, have determined under section 3.34(2) of the *Environmental Planning and Assessment Act 1979* (the Act) that an amendment to the Coffs Harbour Local Environmental Plan 2013 to remove all current floor space ratio controls from the three Woolgoolga Town Centre business precincts should proceed subject to the following conditions.

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 EP&A 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 EP&A 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 ten months from the date of the Gateway determination.

### Gateway Conditions

1. Prior to consultation the planning proposal is to be updated to provide an assessment of the North Coast Regional Plan 2041 and remove any references to the North Coast Regional Plan 2036.
2. Consultation is required with the NSW Rural Fire Service (RFS) under section 3.34(2)(d) of the EP&A Act. The NSW RFS is to be provided with a copy of the planning proposal and any relevant supporting material prior to community consultation and given at least 30 days to comment on the proposal.
3. 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 Guidelines* (Department of Planning and Environment, 2022) 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 Guidelines* (Department of Planning and Environment, 2022).

4. A public hearing is not required to be held into the matter by any person or body under section 3.34(2)(e) of the EP&A 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 16 day of May 2023.

A handwritten signature in black ink, appearing to read 'J. Gray', is positioned above the printed name and title.

**Jeremy Gray**  
**Director, Northern Region**  
**Local and Regional Planning**  
**Department of Planning and Environment**

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