



IRF25/4

Gateway determination report – PP-2024-463

Rezone 1 Clothiers Creek Road, Bogangar (Lot 1 DP 818394) to part C2 Environmental Conservation and part RU2 Rural Landscape and amend associated planning controls

January 25

Published by NSW Department of Planning, Housing and Infrastructure

dpie.nsw.gov.au

Title: Gateway determination report – PP number

Subtitle: Rezone 1 Clothiers Creek Road, Bogangar (Lot 1 DP 818394) to part C2 Environmental Conservation and part RU2 Rural Landscape and amend associated planning controls

© State of New South Wales through Department of Planning, Housing and Infrastructure 2025. You may copy, distribute, display, download and otherwise freely deal with this publication for any purpose, provided that you attribute the Department of Planning, Housing and Infrastructure as the owner. However, you must obtain permission if you wish to charge others for access to the publication (other than at cost); include the publication in advertising or a product for sale; modify the publication; or republish the publication on a website. You may freely link to the publication on a departmental website. Disclaimer: The information contained in this publication is based on knowledge and understanding at the time of writing (January 25) and may not be accurate, current or complete. The State of New South Wales (including the NSW Department of Planning, Housing and Infrastructure), the author and the publisher take no responsibility, and will accept no liability, for the accuracy, currency, reliability or correctness of any information included in the document (including material provided by third parties). Readers should make their own inquiries and rely on their own advice when making decisions related to material contained in this publication.

Acknowledgment of Country

The Department of Planning, Housing and Infrastructure acknowledges the Traditional Owners and Custodians of the land on which we live and work and pays respect to Elders past, present and future.

Contents

1	Planning proposal.....	1
1.1	Overview	1
1.2	Background	1
1.3	Objectives of planning proposal	2
1.4	Explanation of provisions	2
1.5	Site description and surrounding area	3
1.6	Mapping.....	6
2	Need for the planning proposal	7
3	Strategic assessment	7
3.1	State.....	7
3.1.1	Northern Councils E Zone Review Final Recommendations Report.....	7
3.1.2	NSW Coastal Design Guidelines 2023.....	Error! Bookmark not defined.
3.2	Regional Plan	7
3.3	Local.....	10
3.4	Section 9.1 Ministerial Directions.....	10
3.5	State environmental planning policies (SEPPs)	12
4	Site-specific assessment	12
4.1	Environmental.....	12
4.2	Social and economic.....	14
4.3	Infrastructure	14
5	Consultation.....	14
5.1	Community	14
5.2	Agencies.....	14
6	Timeframe.....	14
7	Local plan-making authority	14
8	Assessment summary	15
9	Recommendation.....	15

Table 1 Attachments, reports and plans supporting the proposal

Attachments, relevant reports and plans
Attachment A – Revised Planning Proposal PP-2024-463_ 24.12.19
Attachment B – Gateway determination
Attachment C – Letter to Council
Attachment D – Checklist for Consistency with Northern Councils E Zone Review Final Recommendations PP-2024-463
Attachment 8 – Preliminary Bushfire Hazard Assessment
Attachment 11 – Ecological Constraints Assessment_PP-2024-463 and
Attachment 12 – Council justification for the application of the C2 zone_PP-2024-463

1 Planning proposal

1.1 Overview

Table 2 Planning proposal details

LGA	Tweed Shire Local Government Area
PPA	Tweed Shire Council
NAME	Rezone 1 Clothiers Creek Road, Bogangar (Lot 1 DP 818394) to part C2 Environmental Conservation and part RU2 Rural Landscape and amend associated planning controls
NUMBER	PP-2024-463
LEP TO BE AMENDED	Tweed LEP 2014
ADDRESS	1 Clothiers Creek Road, Bogangar
DESCRIPTION	Lot 1 DP 818394
RECEIVED	13/12/2024
FILE NO.	IRF25/4
POLITICAL DONATIONS	There are no donations or gifts to disclose and a political donation disclosure is not required
LOBBYIST CODE OF CONDUCT	There have been no meetings or communications with registered lobbyists with respect to this proposal

1.2 Background

The site is currently zoned 7(l) Environmental Protection (Habitat) under the Tweed LEP 2000. Tweed Shire Council is preparing a series of C Zone planning proposals to apply conservation zonings to deferred matter sites and incorporating them in the Tweed LEP 2014. Through that work part of the site was identified to contain high environmental value (HEV) assets and was recommended to be rezoned C3 Environmental Management with the remainder of the site to be rezoned RU2 Rural Landscape.

The landowner has sought to progress a site-specific planning proposal in advance of the C Zone planning proposals to rezone the land and to permit a dwelling house. A site-specific biodiversity assessment has been undertaken which has led Council to conclude a C2 zone is more appropriate for the HEV portion. The landowner supports this change.

The site was created by a boundary adjustment that was approved in 1990. The development consent precluded the erection of a dwelling house on the land which was also reinforced through a section 88B land title restriction. Should the planning proposal progress to finalisation, Council proposes to also at that time to remove the restriction.

1.3 Objectives of planning proposal

The planning proposal contains objectives and intended outcomes that adequately explain the intent of the proposal.

The objectives of the planning proposal are to rezone the land and permit a dwelling on Lot 1 DP 818394 while protecting the environmental values of the site. The objectives of this planning proposal are clear and adequate.

1.4 Explanation of provisions

The site is a deferred matter from the Tweed LEP 2014 and is zoned 7(l) Environmental Protection (Habitat) zone under the Tweed LEP 2000 (Figure 1). It is proposed to rezone the site part RU2 Rural Landscape and part C2 Environmental Conservation under Tweed LEP 2014 (Figures 2).

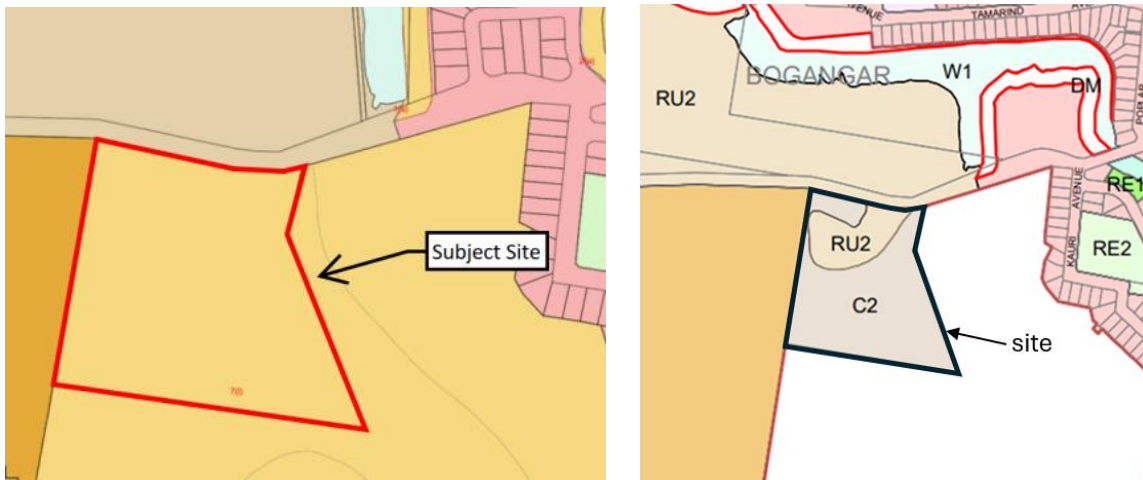


Figure 1: Current zoning map (source: Planning Proposal) Figure 2: Proposed zoning map (source: Planning Proposal)

The planning proposal seeks to amend the Tweed LEP 2014 as per the changes outlined below:

Table 3 Current and proposed controls

Control	Current Tweed 2000	Current Tweed 2014	Proposed
Zone	7(l) Environmental Protection (Habitat) zone under Tweed LEP 2000	Deferred matter	Part C2 Environmental Conservation zone and part RU2 Rural Landscape zone
Dwelling Opportunity map	No Dwelling opportunity map	Deferred matter	Identified
Height	n/a	Deferred matter	None proposed
MLS	n/a	Deferred matter	None proposed
FSR	n/a	Deferred matter	None proposed

A dwelling house is to be enabled in the area proposed to be zoned RU2 by identifying the land on the Dwelling Opportunity Map (DOM) under clause 4.2B of the Tweed LEP 2014.

Associated LEP development standards and planning controls for the site have not been included in the proposal but also need to be considered and detailed in the explanation of provisions.

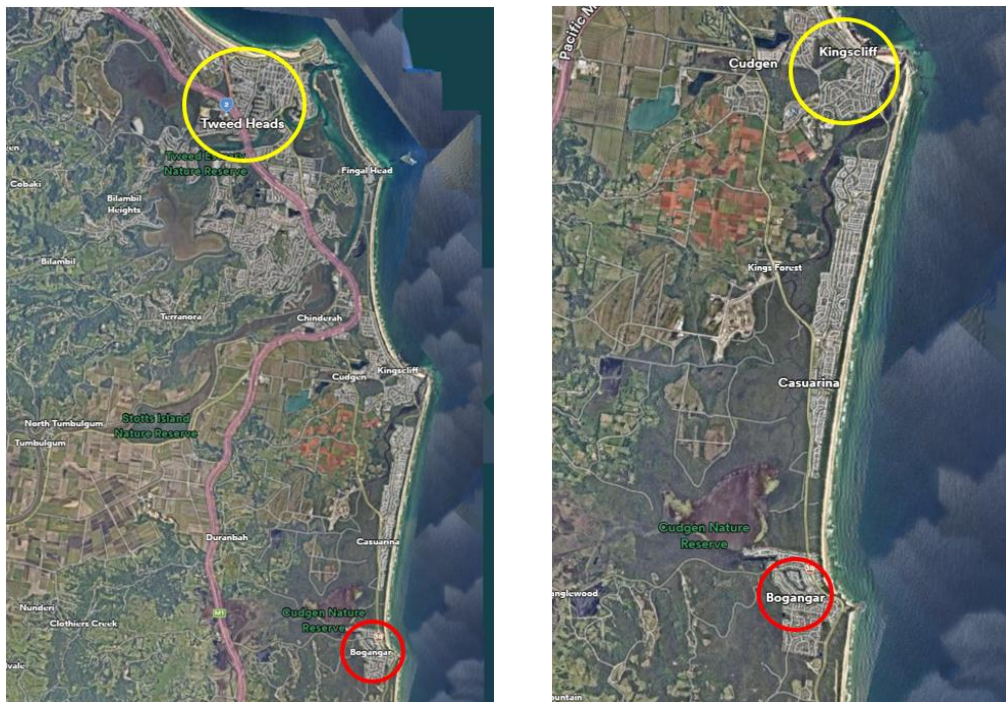
In this regard it is recommended a 40-hectare minimum lot size and a 10m height limit be applied to the entire site. These development standards are consistent with other RU2 land in the area and a 40-hectare minimum lot size already applies to the entire site presently under Tweed LEP 2000. This has been discussed with Council staff who have raised no objection.

The Land Application Map and the Acid Sulfate Soils mapping also need to be updated due to the inclusion of the site within Tweed LEP 2014.

Prior to agency and community consultation the explanation of provisions is to be updated to address these additional matters.

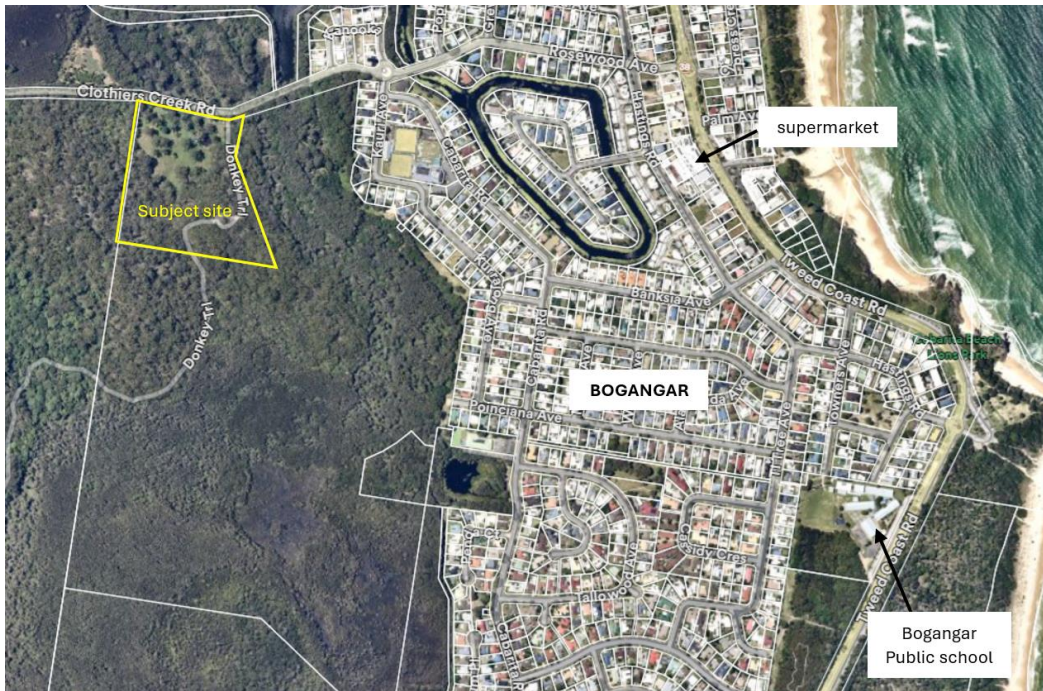
1.5 Site description and surrounding area

The site is situated 20km south of regional city of Tweed Heads and 10km south of the centre of Kingscliff (Figures 3 and 4).



Figures 3 and 4: Site context (source: Nearmap)

The site is adjacent to the village of Bogangar being 190m from the closest residential dwelling located on the northern side of Clothiers Creek Road (Figure 5). It is 2.8km from Bogangar Public School and 1.5km from the local supermarket. Adjoining the site is the Cudgen Nature Reserve to the west, and coastal wetlands extend to the south and separate the site from the urban area of Bogangar to the east. Clothiers Creek is also located to the east which drains to the nearby Cudgen Lake.



Figures 5: Locality map (source: Nearmap)

The site is vacant and has an area of 6.1ha, the majority of which is covered by bushland and is contiguous with the surrounding vegetation. There is a section of open woodland located toward the northern portion of the site which is a remnant of past uses (Figure 6). The site was partially cleared in the 1970s to accommodate donkey stables and yards and a trail used by the donkeys' traverses through the site.

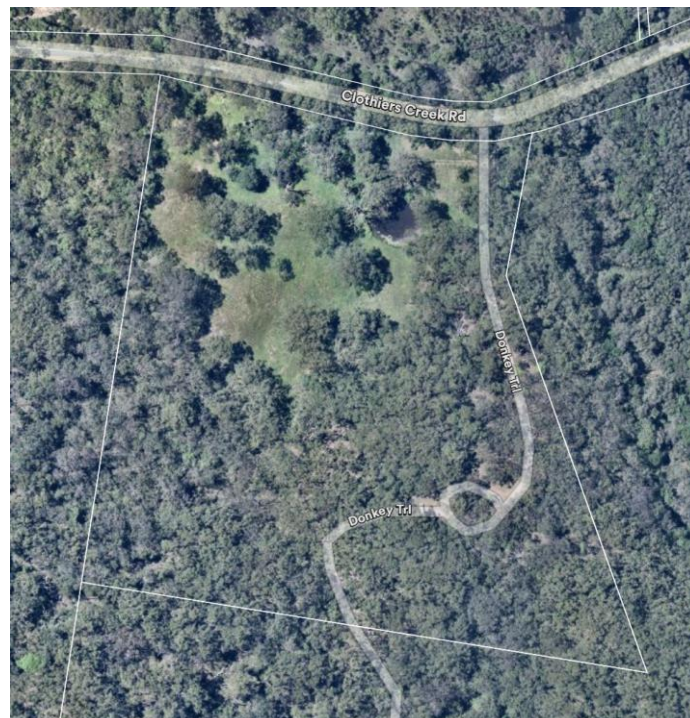


Figure 6: Aerial site map (source: Nearmap)

The majority of the site is identified as bushfire prone land Vegetation Category 1 and the area that is proposed to be RU2 zone is Vegetation Category 3 (Figure 7).

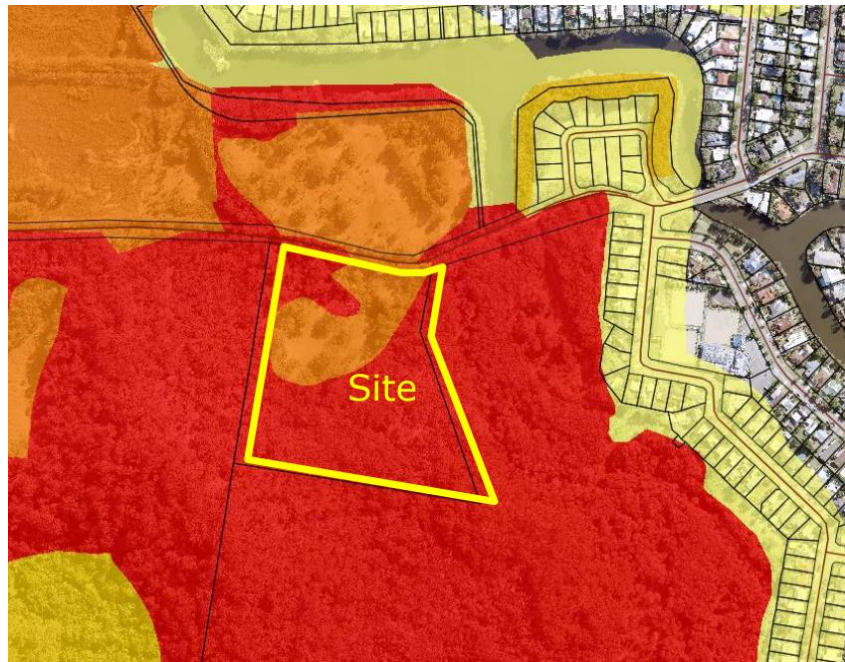


Figure 7: Bushfire Prone Land map (source: Planning Proposal)

The site is partly constrained by Proximity Area for Coastal Wetlands in the southeastern corner (Figure 8).



Figure 8: SEPP Resilience and Hazards (2021) Coastal Wetlands (source: Spatial Viewer)

The northern boundary of the site is affected by the 1% AEP flood event however the proposed dwelling footprint is located on higher ground (Figure 9). The northern portion of the site is affected by the 1% AEP and Probable Maximum Flood (PMF) which impacts site access and egress to the east and west (Figure 10).

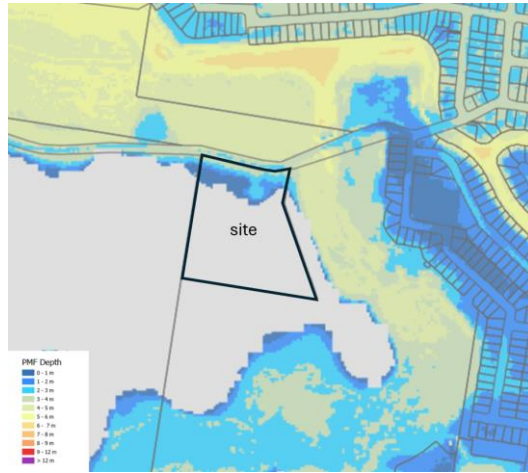
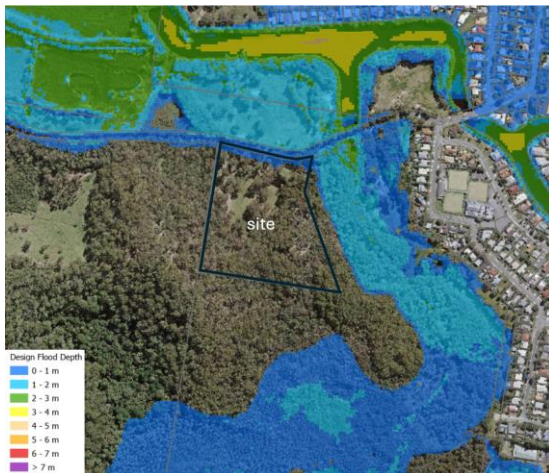


Figure 9: 1% Flood Event (source: Council Mapping) Figure 10: PMF Flood Event (source: Council Mapping)

1.6 Mapping

The planning proposal currently includes the following map changes to Tweed LEP 2014:

- Land zoning map (Figure 2)
- Dwelling Opportunity map (Figure 11)

Maps for Minimum Lot Size, Height of Building, acid sulfate soils and Land Application also need to be included due to the inclusion of the land into Tweed LEP 2014.

It is also recommended that the proposed dwelling map be amended prior to consultation to identify only the proposed RU2 Zone area of the site as dwellings are prohibited in the C2 Zone under the Tweed LEP 2014.

Maps showing the current and proposed amendments should be included in the proposal prior to consultation.

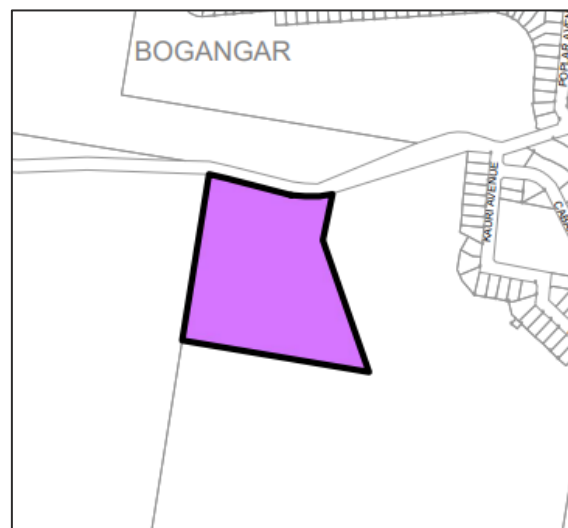


Figure 11: Proposed Dwelling Opportunity map

2 Need for the planning proposal

The planning proposal is not the result of any strategic planning work or study. The proposal has been initiated at the request of the landowner primarily to enable the development of a dwelling on part of the site.

The planning proposal is considered to be the most appropriate means to facilitate the intended outcomes and will also enable the application of more current planning controls under Tweed LEP 2014.

3 Strategic assessment

3.1 State

3.1.1 Northern Councils E Zone Review Final Recommendations Report

The proposal confirms zones will be implemented in accordance with the Northern Councils E Zone Final Recommendations Report (E Zone Policy). The Department's assessment against the E Zone Policy requirements is provided in **Attachment D** and should be read in conjunction with the information contained below. It is noted that due to the NSW Employment Zone reforms (April 2023), conservation zones are now referred to as C zones rather than E zones.

The E Zone Policy outlines that a C2 Environmental Conservation zone will only be applied, if the primary use of the land is environmental conservation and the land contains attributes that meet one or more of the criteria for a C2 zone (outlined in Table 1 of the E Zone Policy). It also provides that private land may be zoned C2 or C3, despite being inconsistent with the criteria, if landowner agreement has been obtained. In this regard, Council has obtained the landowner's agreement to the proposed C2 Zone.

Application of the C2 Environmental Conservation zone to the site

The planning proposal notes that there is evidence of cattle grazing having occurred previously but otherwise does not state how the land has been recently used. Noting the site is zoned 7(l) Environmental Protection (Habitat) it may therefore be concluded that the site has been used recently for environmental conservation or management.

The landowner has undertaken biodiversity surveys of the site (**Attachment 11**) which confirm that parts of the site have attributes which merit the C2 zone being applied (**Attachment 12**). Those areas that do not demonstrate E zone site attributes are to be rezoned RU2. Council advises that these areas are open grassland and subject to routine maintenance activities.

Notwithstanding, irrespective of the site's biodiversity values, the E zone policy provides that a C2 zone may be applied where landowner consent has been obtained.

The planning proposal is therefore considered consistent with the E zone policy. Consultation is however recommended with the NSW Department of Climate Change, Energy, Environment and Water (DCCEEW) to confirm that the proposal is satisfactory.

3.2 Regional Plan

The planning proposal is broadly consistent with the requirements of the North Coast Regional Plan 2041 (NCRP). The NCRP identifies the site as being on the Coastal Strip (Figure 12).

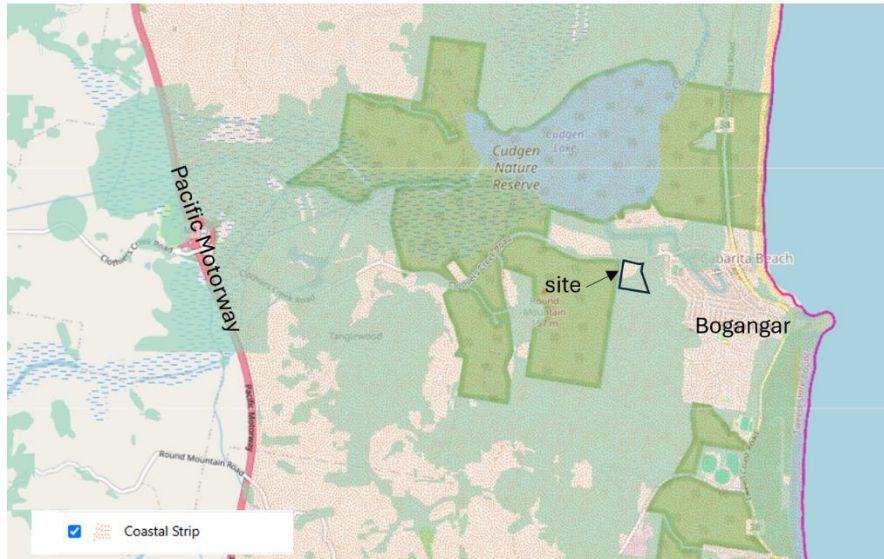


Figure 12: Detail from the Tweed urban growth area map (source Northern Region Viewer)

Objective 1 – Provide well located homes – new rural residential release areas should be located outside environmentally sensitive land and the coastal strip. The proposal is for a single dwelling on a large lot, not a release area. However, Strategy 1.5 requires that new residential housing is to be on land identified in an endorsed strategy that is directed away from the coastal strip. Given that the proposal would facilitate only one additional dwelling on land that is unlikely to be used for agriculture, and given its size and surrounding uses, this inconsistency is considered minor and justified.

Objective 3 – Protect regional biodiversity and areas of High Environmental Value (HEV) – the site is partially mapped as potential HEV (Figure 13) and the proposal seeks to protect this portion of the site by applying a C2 Environmental Conservation zone. Consistent with Strategy 3.1, a biodiversity assessment (Attachment 11) has informed the location of the C2 zone and development is to be avoided in this area. Areas with limited biodiversity value are to be zoned RU2 and this is the proposed location for a potential dwelling.



Figure 13 High Environmental Value Land (source Northern Region Viewer)

The assessment indicates that any impacts on vegetation are satisfactory and can be minimised through the design and positioning of the dwelling and APZs (see Figure 14). Council intends to

ensure that APZs are not included in the C2 zoned areas. Further consultation with DCCEEW and RFS is recommended.



Figure 14 Asset Protection Zone (source Attachment 8 Preliminary Bushfire Hazard Assessment)

Objective 8: Support the productivity of agricultural land – neither the site nor the adjoining RU2 zoned land on the opposite side of Clothiers Creek Road (Lot 2 DP1273771) is mapped as important farmland (Figure 15). A Preliminary Land Use Conflict Risk Assessment (PLUCRA) has been undertaken which concludes that the impact of a potential dwelling on the site would have a negligible impact as the potential for agricultural activity is extremely limited.

Strategy 8.1 of the NCRP requires that local planning should protect and maintain agricultural productive capacity by directing rural residential development away from important farmland. Given the land is not important farmland, the findings of the PLUCRA, and that the planning proposal would facilitate only a single dwelling, the proposal is considered not to be inconsistent with Strategy 8.1. Consultation with DPI Agriculture is also not considered necessary for these reasons.

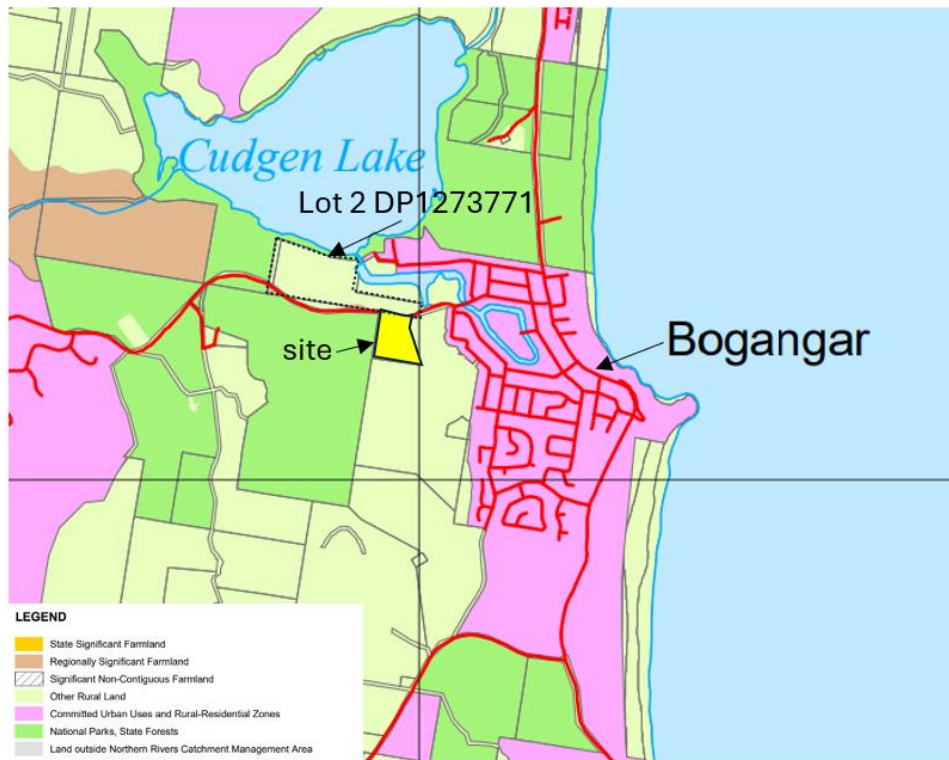


Figure 15: Important Farmland (source Northern Region Viewer)

3.3 Local

The proposal confirms that it is consistent with the following local plans and endorsed strategies. It is also consistent with the strategic direction and objectives, as stated in the table below:

Table 5 Local strategic planning assessment

Local Strategies	Justification
Tweed Local Strategic Planning Statement (TLSPS)	The proposal is consistent with the TLSPS regarding actions that seek to ensure to large lot residential settlement considers the natural and physical constraints of the land as it will protect valuable biodiversity land on the site.
Tweed Rural Lands Strategy 2020-2036 (endorsed)	The planning proposal is consistent with the circumstances set out under Policy Direction 5 Greater Diversity of Rural Housing for when an additional dwelling may be supported on RU2 zoned land.
Tweed Community Strategic Plan 2022-2032	The proposal is consistent with Goal 1.1 and 1.2 which aim to guide the protection of the environment and ecologically sustainable development through zoning HEV a conservation zone.

3.4 Section 9.1 Ministerial Directions

The planning proposal is considered to be consistent with relevant section 9.1 Directions except as discussed below.

Table 6 Section 9.1 Ministerial Direction assessment

Directions	Consistent/ Not Applicable	Reasons for Consistency or Inconsistency
1.1 Implementation of Regional Plans	Justified	The proposal is inconsistent with the direction and the North Coast Regional Plan 2041 as it will facilitate a rural residential dwelling in the coastal strip on land not identified in a Department approved local strategy. This inconsistency is considered to be of minor significance as the land is adjacent to the Bogangar village and can accommodate a single dwelling on an existing small sized lot with no adverse impact on agriculture or environmental assets.
3.1 Conservation zones	Unresolved	The proposal is inconsistent with this direction as it reduces the environmental protections applying to the land by rezoning part of the site from 7(l) Environmental Protection (Habitat) to RU2 Rural Landscape. This inconsistency is considered likely to be of minor significance as an environmental assessment has been undertaken confirming that the area to be zoned RU2 does not have the attributes to warrant a C Zone. Consultation to confirm that the proposal is satisfactory with DCCEEW is however recommended prior to determining consistency with the direction.
3.4 Application of C2 and C3 Zones and Environmental Overlays in Far North Coast LEPs	Unresolved	The proposal is potentially inconsistent with this Direction and the E Zone Final Recommendations Report until consultation can be undertaken with DCCEEW to confirm that the proposal is satisfactory.
4.1 Flooding	Unresolved	<p>The proposal is inconsistent with this direction as the site is mapped as part flood prone land and does not include provisions that give effect to the NSW Flood Prone Land Policy, the principles of the Floodplain Development Manual 2005, the Considering Flooding in Land Use Planning Guidelines 2021, or any adopted flood study and or floodplain risk management plan.</p> <p>Whilst the planning proposal has indicated that a future dwelling site is able to be located on flood free land, and it appears that the proposed building envelope will also be above the PMF, the proposal has not addressed flooding in any significant detail.</p> <p>As discussed in Part 3 of this report, the planning proposal is required to be updated to address flooding of the site in more detail, particularly in relation to PMF flood and also noting the only access road is below the 1% AEP flood planning</p>

		level. Until such time that this condition has been met and consultation has been undertaken with Biodiversity and Conservation Services (BCS), consistency with this direction remains unresolved.
4.3 Planning for Bushfire Protection	Unresolved	The proposal is potentially inconsistent with this direction as the land is identified as being bushfire prone. Until consultation with NSW RFS has occurred, the consistency of the proposal with the direction remains unresolved.
4.5 Acid Sulfate Solis	Justified	The planning proposal is inconsistent with this direction as the land contains Class 2 and 5 acid sulfate soils and the proposal will allow an intensification of use which is not supported by an acid sulfate soils study. This inconsistency is of minor significance as Tweed LEP 2014 contains acid sulfate soil provisions that can adequately address this matter at the development application stage.
9.2 Rural Lands	Justified	The proposal is inconsistent with this direction as it affects land within an existing or proposed rural or conservation zone and some existing environmental protections for the land will be reduced. This inconsistency is considered to be of minor significance as an environmental assessment has been undertaken confirming that the area to be zoned RU2 does not have the attributes to warrant a C Zone.

3.5 State environmental planning policies (SEPPs)

The planning proposal is broadly consistent with all relevant SEPPs.

4 Site-specific assessment

4.1 Environmental

The following table provides an assessment of the potential environmental impacts associated with the proposal.

Table 8 Environmental impact assessment

Environmental Impact	Assessment
Biodiversity	Council has applied a C2 zone to the land that has high biodiversity value. The supporting biodiversity assessment for this land included a field survey which noted the land had the following attributes:

	<ul style="list-style-type: none"> • Cudgen biodiversity link adjoins the property on three sides and through the property providing important habitat connections. • A small southeast portion of the site is mapped as coastal wetland proximity (Figure 8) • Key Threatened Species Habitat suitable for 34 threatened species (BioNet Atlas) • Preferred koala habitat • Over-cleared landscapes are identified on the site including Tweed-Byron Alluvial Plans and Tweed-Byron Coastal Barriers. <p>Regarding the proposed RU2 portion of the site, Council advise that this area is open grassland and subject to routine maintenance activities. There are also several trees on the proposed RU2 portion that may be required to be removed for the dwelling and the APZ. The assessment found the site to have the following:</p> <ul style="list-style-type: none"> • Part of the Cudgen link corridor • Plant Community Types (PCTs) - Far North Coastal Hills Blackbutt-Ironbark Forest • Northern Hinterland Grey-Gum-Mahogany Grassy Forest • Hollow bearing trees • Core koala habitat. <p>While the proposal will protect HEV vegetation through zoning the land C2, some minor vegetation will likely be required to be removed in the RU2 portion. The zones proposed for the subject land reflect the attributes. Consultation with DCCEEW to confirm the proposal is recommended.</p>
Flooding	<p>The planning proposal notes that the access road and site is subject to partial inundation in the event of a 1% Annual Exceedance Probability (1:100 year) flood and the probable maximum flood (PMF) and that there is opportunity for a dwelling to be located above flood affected areas. Figures 9 and 10 enable comparison of the site and access road against Council's mapped 1:100 year and PMF flood events.</p> <p>Limited assessment of flooding impact is provided in the planning proposal. Prior to agency and community consultation, the proposal should be updated to adequately include detail about the PMF flood level, PMF hazard levels, velocity, flood planning levels, access to critical services during flood events, and proposed evacuation routes. The Department's recently released (January 2025) Shelter-in-Place Guideline for flash flooding should also be addressed if shelter-in place forms part of Council's emergency management response.</p> <p>Consultation with BSC – Flooding and NSW State Emergency Service (SES) is also required. An appropriate condition to address the matters detailed above is recommended for inclusion in the Gateway determination.</p>
Contamination	<p>A Preliminary Site Investigation report has been prepared that confirms the site is suitable for its future intended use. .</p>
Heritage	<p>No heritage items are located on the site. A Cultural Heritage Advice Report has been prepared by Tweed Byron Local Aboriginal Land Council (2024) which raises no objection or concerns regarding the proposed rezoning of the property. Cultural monitoring has been recommended during the construction phase of the dwelling.</p>

4.2 Social and economic

The proposal is not expected to have any adverse economic impacts. There are positive social impacts from zoning part of the site C2 zone as it will protect environmental values consistent with community expectations.

4.3 Infrastructure

The proposed dwelling will be adequately served by infrastructure and services. The Onsite Sewage Management Assessment indicates the site can accommodate an appropriate system. The property is serviced by water, and it is proposed that vehicle access to Clothiers Creek Road will be formalised at the development assessment stage.

The proposal is not expected to create a need for additional state infrastructure.

5 Consultation

5.1 Community

The planning proposal does not indicate a proposed community consultation period.

The planning proposal is categorised as standard under the LEP Making Guidelines (August 2023). Accordingly, a community consultation period of 20 working days is recommended and this forms part of the conditions to the Gateway determination.

5.2 Agencies

It is recommended the following agencies be consulted on the planning proposal and given 30 working days to comment:

- NSW Rural Fire Service
- Department of Climate Change, Energy, the Environment and Water – Biodiversity Conservation and Science
- NSW State Emergency Service

6 Timeframe

The LEP Plan Making Guidelines (August 2023) establishes maximum benchmark timeframes for planning proposal by category. This planning proposal is categorised as standard.

A nine-month time frame to complete the LEP is recommended consistent with the Department's commitment to reducing processing times and with regard to the benchmark timeframes. A condition to the above effect is recommended in the Gateway determination.

7 Local plan-making authority

Council has not requested delegation to be the Local Plan-Making Authority.

Consistent with the Secretary's directive of 1 March 2016, an authorisation to act as the local plan-making authority cannot be issued to Northern councils where a planning proposal seeks to apply an E zone to land. This is to ensure a consistent approach to the finalisation of zoning decisions consistent with the E zone review final recommendations report.

8 Assessment summary

The planning proposal is supported to proceed with conditions for the following reasons:

- The proposal is broadly consistent with the North Coast Regional Plan 2041 and the Department's E Zone Review;
- The proposal is consistent with Tweed Council's LSPS, Tweed Rural Lands Strategy 2020-2036 and Tweed Community Strategic Plan 2022-2032; and
- The proposal will provide a dwelling in proximity to facilities and services.

As discussed in the previous sections, the proposal should be updated to include:

- appropriate building height and minimum lot size planning controls;
- include acid sulfate soils and land application maps;
- amend the dwelling opportunity map to apply only to the proposed RU2 Zone area of the site; and
- provide additional detail in regard to flooding matters.

9 Recommendation

It is recommended the delegate of the Secretary:

- Agree that any inconsistencies with section 9.1 Directions 1.1 Implementation of Regional Plans, 4.5 Acid Sulfate Soils and 9.2 Rural Lands are minor; and
- Note that the consistency with section 9.1 Directions 3.1 Conservation zones, 3.4 Application of C2 and C3 Zones and Environmental Overlays in Far North Coast LEPs, 4.1 Flooding and 4.3 Planning for Bushfire Protection is unresolved and will require justification.

It is recommended the delegate of the Minister determine that the planning proposal should proceed subject to the following conditions:

1. Prior to agency and community consultation the planning proposal is to be updated to:
 - apply a 40-hectare minimum lot size and 10m building height to the subject land;
 - amend the dwelling opportunity map to apply only to the proposed RU2 Zone area of the site;
 - include acid sulfate soil and land application mapping for the site;
 - revise the explanation or provisions consistent with the above requirements;
 - include detail about the PMF flood level, velocity, flood planning levels, and access to critical services during flood events. Shelter-in place should also be discussed if this forms part of the proposed management response; and
 - include existing and proposed maps of all changes.
2. Prior to community consultation, consultation is required with the following public authorities:
 - NSW Rural Fire Service
 - Department of Climate Change, Energy, the Environment and Water – Biodiversity Conservation and Science
 - NSW State Emergency Service
3. The planning proposal should be made available for community consultation for a minimum of 20 working days.

4. The timeframe for the LEP to be completed is on or before 9 months of the Gateway determination date.

Given the former Secretary's directive relating to E zones, Council should not be made the Local Plan-Making Authority.



22/1/2025

Ben Holmes

Manager, Hunter and Northern



24/1/25

(Signature)

(Date)

Craig Diss

Director, Hunter and Northern Region

Assessment officer

Paul Maher

Senior Planning Officer, Hunter and Northern Region

4904 2719

Attachments

Attachment	Title
A	Planning proposal
B	Gateway determination
C	Letter to Council
D	Checklist for Consistency with Northern Councils E Zone Review Final Recommendations