

PLANNING PROPOSAL

REZONING FOR RESIDENTIAL PURPOSES PART LOT 3, DP270533 DRESS CIRCLE, COFFS HARBOUR

May 2013

Contact

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Summary

The proposal is for the rezoning of the subject land to R1 General Residential to enable development of a similar nature to adjoining residential land uses, which consists of Community Title residential development. It has been prepared in accordance with Planning and Infrastructure's (P&I) *"A Guide to Preparing Planning Proposals – Part 2 (2012)"*.

The proposal is generally in accordance with the provisions and urban release area timeframes of the Mid North Coast Regional Strategy (MNCRS) 2009 and Council's Our Living City (OLC) Settlement Strategy 2008.

Environmental constraints which may apply to the land are addressed by the attached Planning Proposal Report (Cardno HRP). The main constraint which applies to the land is bush fire risk, which is addressed by the applicant and endorsed by the Rural Fire Service.

The land can be serviced with reticulated water and sewer infrastructure, which is an extension of services utilised by the adjoining residential development (known as "The Summit").

The subject is located in close proximity to Park Beach Plaza and Home Base business centres (< 1km) and approximately three kilometres from Coffs Harbour Central Business District (CBD).

The land is of approximately 1,400m², is an extension of existing residential zoning. The land is currently an isolated area which is zoned Rural 1A Agriculture.

The land does not have agricultural potential and is the same ownership as "The Summit" development.

As a minor rezoning with all planning studies completed, it is expected that this rezoning process will occur over a period of six months, including reporting to Council and a consultation period of 14 days as a proposal of low impact.

The benefits of this rezoning are as follows:

- consistency with Council's OLC Settlement Strategy;
- a more appropriate land use zone than the existing non-productive agriculture zone; and
- an increase of available residential land within a recognised residential precinct.

Part 1 - Objectives or Intended Outcomes

The Planning Proposal is to rezone the subject land from Rural 1A Agriculture under Coffs Harbour City Local Environmental Plan (LEP) 2000 to R1 General Residential under draft Coffs Harbour LEP 2013. Gazettal of the Principal Instrument of draft Coffs Harbour LEP 2013 is imminent.

Council has received advice from P&I NSW in April 2013 that any planning proposals submitted when the gazettal of the Standard Instrument LEP is imminent shall be written using the zones nominated in the Standard Instrument LEP. R1 General Residential is the equivalent zone to Council's current residential zone in the adjoining land, which is Residential 2E Tourist.

The proposal involves the following intended outcome:

To rezone land to enable development of the subject land in Dress Circle, Coffs Harbour, for residential purposes.

The objective of the planning proposal is:

- to describe the subject site, the locality in which it is situated, the current zoning and the reason for the need to locate additional residential development on the subject land.
- to request an amendment to the LEP to permit residential development
- to address the 'gateway assessment criteria under Part 3 of the EP&A Act 1979.
- to provide justifications for the LEP amendment and demonstrate the net community benefits which follow.
- to demonstrate that the planning proposal is consistent with the broad strategic direction for the locality.

Part 2 - Explanation of Provisions

The Principal Planning Instrument is Coffs Harbour City LEP 2000.

The subject land is currently zoned Rural 1A Agriculture.

While this zone permits residential development, the subject land is serviceable and is a logical extension for the existing residential development adjacent to the subject land. If the land was to remain as a rural zone, the result would be a small parcel of rural land with no agricultural potential, adjacent to an active multi-dwelling precinct.

It is proposed to zone the subject land R1 General Residential under Coffs Harbour LEP 2013, which is the equivalent zone to the adjoining land zoned Residential 2E Tourist under Coffs Harbour City LEP 2000. Maps of the existing zoning and proposed rezoning are included in Part 4 of this report.

Part 3 – Justification

Section A - Need for the Planning Proposal

1. Is the planning proposal a result of any strategic study or report?

The land relevant to this planning proposal is included in the following planning investigations/ reports:

- OLC Settlement Strategy 2008;
- Local Environmental Study: North Coffs Release Area (GeoLink);
- Coffs Harbour City LEP 2000 (Amendment No. 34) – Deferred Matter (Cardno HRP).

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

A planning proposal is the appropriate means of achieving the outcome and objectives, and is supported by relevant planning studies and adopted planning policies.

Section B - Relationship to strategic planning framework.

3. Is the planning proposal consistent with the objectives and actions of the applicable regional or sub-regional strategy (including the Sydney Metropolitan Strategy and exhibited draft strategies)?

The proposal is consistent with applicable Section 117 directions (see Q6). The site has few environmental constraints (those present have been addressed in the accompanying reports), the planning proposal is consistent with adjoining and nearby land uses, and can be serviced with reticulated water and sewerage infrastructure as extensions of the servicing capability of the adjoining development, into which the subject land will be incorporated.

4. Is the planning proposal consistent with the council's local strategy or local strategic plan?

Council's Community Strategic Plan is known as Coffs Harbour 2030 Plan, which was adopted in March 2009. The Planning Proposal is relevant to the following outcomes of that plan:

- our City is a lively and diverse place where people live, work and play;
- we use best practice urban design and infrastructure development to promote sustainable living;
- we have urban spaces that are functional, accessible and useable; and
- our built environment achieves sustainable living by only best practice urban design and infrastructure development to create attractive buildings.

5. Is the planning proposal consistent with applicable State Environmental Planning Policies (SEPP)?

The planning proposal is consistent with the following SEPPs.

North Coast Regional Environmental Plan 1988

North Coast Regional Environmental Plan (REP) 1988 is now deemed to be a SEPP. The provisions under the REP relevant to the rezoning of the subject land and the means of addressing the provision are discussed below:

Clause 38 Plan preparation—urban land release strategy

- (a) The council should not prepare a draft local environmental plan which permits development that, in the opinion of the council, constitutes significant urban growth unless it has adopted an urban land release strategy for the whole of its local government area.
- (b) A draft local environmental plan referred to in subclause (1) should be generally consistent with the strategy referred to in that subclause.
- (c) The strategy referred to in subclause (1) shall:
 - be based on a land release program and population projections,
 - give preference to development resulting in urban growth on land that adjoins other land which is already being used for urban purposes and is the most economic to service,
 - not provide for development of land which is unsuitable for urban growth due to its agricultural capability or which adjoins land that is currently used for agriculture,
 - not include for development land that is unsuitable due to any environmental hazard unless the council has made an assessment of the risk and considered it to be minor or alternatively has made provision for the control or reduction of that hazard,
 - not include for development land which has conservation value or which has heritage, environmental or cultural significance,
 - have regard to the rural character and heritage significance of villages and small coastal settlements and the need to maintain that character and significance, and
 - provide substantial buffer areas between coastal urban centres to avoid uninterrupted coastal development

Comment: Coffs Harbour City Council has adopted a land release strategy, the OLC Settlement Strategy, which applies to the subject land.

The subject land adjoins land zoned for Residential (Tourist) purposes to the west and land zoned for Environmental Protection (Habitat and Catchment) purposes to the east.

The parameters listed in part (c) of Clause 38 have been addressed by the Cardno HRP report and the constraints identified in the preparation of Council's OLC Settlement Strategy.

The proposal is consistent with Clause 38.

Clause 40 Plan preparation—principles for urban zones

A draft local environmental plan applying to urban areas should adopt the following principles:

- (a) zoning should be simple and flexible,
- (b) provisions for flexible zone boundaries may apply to any zones except environmental protection zones,
- (c) detailed guidelines within the broad zone parameters should be identified in a development control plan (DCP), and
- (d) the principle of minimising energy use, in particular in the design of buildings and effective transport systems.

Comment: Coffs Harbour City Council has the following DCPs that provide detailed guidelines for the sustainable development of residential land:

- Residential Tourist Lands DCP;
- Low Density Housing DCP;
- Subdivision DCP;
- Off Street Car Parking DCP;
- Waste Management DCP; and
- draft Coffs Harbour DCP 2013.

Council also has in place a number of Information Sheets and Policy Documents to guide development relating to the following development issues:

- Water Sensitive Urban Design;
- Stormwater Management;
- Subdivision Design;
- Landform Modification;
- Water and Sewer Services;
- Landscaping;
- Acid Sulfate Soils;
- Energy Efficiency; and
- Adaptable Housing.

Adequate planning and development controls are in place for the development of the subject land for residential purposes.

The proposal is consistent with this clause.

Clause 42 Plan preparation—principles for housing

- (a) A draft local environmental plan to permit dwellings in urban areas should incorporate provisions that:
- allow the alteration or addition of a dwelling so as to create two dwellings in either attached or detached form,
 - allow a wide range of housing types and densities,
 - separate residential development from other incompatible development, including agricultural activity on adjoining land,
 - require that development for residential purposes should not take place until the council is satisfied that the land on which any dwellings are to be erected is adequately serviced with water and sewage disposal facilities,
 - retain existing provisions to enable a dwelling to be erected on an existing allotment, and
 - permit the use of manufactured home estates for permanent occupation.
- (b) A draft local environmental plan that will permit dwellings to be erected in urban areas should not:
- require development consent for a dwelling-house in a residential zone, except where there are special environmental or hazard considerations, or
 - specify a minimum allotment size for residential zones.

Comment: *The proposal is that the subject land be zoned the same as the adjoining residential lands (R1 General Residential), which permits dual occupancy and residential development based on appropriate design principles.*

The land is able to be serviced by reticulated water and sewer infrastructure.

The land will be subject to the provisions of the R1 General Residential zone of Coffs Harbour LEP 2013 and the associated LEP constraints maps, being:

- Lot Size map: 1,200m² (Category U1); and
- Height of Buildings map: 11 metres (Category L).

The proposal is considered to be consistent with the Clause.

Clause 45 Plan preparation—hazards

(a) A draft local environmental plan should not permit development for tourism, rural housing or urban purposes on land subject to the following hazards, namely:

- coastal processes;
- flooding or poor drainage;
- dangers arising from potential or actual acid sulfate soils:
 - dangers arising from contaminated land;
 - geological or soil instability;
- bush fire;
- aircraft noise at levels of more than 25 (measured according to the Australian Noise Exposure Forecast);
- air or water pollution, or airborne pollution, within 400 metres of sewage treatment works;
- disposal of septic effluent;
- existing offensive or hazardous industries; and
- high tension electrical power lines,

unless the council has made an assessment of the extent of the hazard and included provisions in the plan to minimise adverse impact.

(b) (Repealed)

(c) In the event of a bush fire hazard being identified for land on which dwellings are proposed to be permitted, the council shall not permit development unless it is satisfied that arrangements where appropriate have been made to:

- require the creation of a perimeter road or reserve which circumscribes the hazard side of the land intended for that development,
- require the creation of a fire radiation zone located on the bushland side of the perimeter road,

Comment: Point (a): The relevant hazards are:

- bush fire hazard; and
- contaminated land.

Hazards have been addressed by the report supplied by Cardno HRP.

Point (c): Bush fire hazard on the subject land is addressed by the attached Bush Fire Risk report supported by the submission from the Rural Fire Service (RFS).

Clause 50 Plan preparation—height controls

Before preparing a draft local environmental plan applying to an urban area, the council should consider the necessity for height controls on buildings and include such controls as it considers appropriate.

Comment: *The land will be subject to the two storey height control under Council's DCP and the height controls under the NSW Housing Code for Complying Development.*

The proposal is in keeping with this Clause.

Clause 58 Plan preparation—servicing urban areas

A draft local environmental plan should not permit development for urban purposes unless the council is satisfied that:

- (a) the proposed development will make the most economic use of existing services;
- (b) where the proposed development is adjacent to an existing urban area and that urban area will be substantially increased, the provision of a reticulated water and sewer system will be provided at reasonable cost to each lot;
- (c) the proposed development is located in an area which is consistent with the findings of any urban land release strategy prepared for the local government area or, where no such strategy has been prepared, the proposed development is located in the area to which services can be provided most readily;
- (d) consideration has been given to the identification of effluent disposal and discharge points;
- (e) domestic water catchment areas and water storage areas are not likely to be polluted as a result of the proposed development; and
- (f) consideration has been given to the provision of public transport facilities, pedestrian and cycleways.

Comment: *The proposal will be serviced by existing infrastructure; the proposed development will not affect water catchment and water storage areas. Public transport, pedestrian and cycleway provisions will be shared with those of the adjoining residential development.*

The proposal is consistent with this Clause.

Clause 65 Plan preparation—provision of community, welfare and child care services

A draft local environmental plan should:

- (a) not zone land for residential purposes (including rural residential) unless the council has made an assessment of the need for additional community and welfare services and is satisfied that the plan contains adequate provisions to enable the provision of those services; and
- (b) include child care centres as a land use which is permissible with the council's consent in all rural, residential and business zones.

Comment: *The proposal is consistent with this Clause in that:*

- *the proposal is considered minor and will not place additional demand on existing community and welfare services;*
- *child care centres are a permissible land use in the R1 zone.*

Clause 69 Plan preparation—environmental features and hazards

A draft local environmental plan should not zone land for tourism development unless the council is satisfied that:

- (a) the land is without environmental features worthy of preservation or protection or is free from significant environmental hazards, or
- (b) there are acceptable design, engineering or other solutions that will allow preservation of environmental features or will allay concerns about the hazard.

Comment: *The subject land does not contain environmental attributes worthy of preservation or protection, however the land is identified by Council's Bush Fire Hazard Risk mapping. The proposal includes a Bush Fire Hazard Risk Report based on "Planning for Bush Fire Protection 2006", which has been endorsed by the RFS.*

The proposal is consistent with this Clause.

Clause 70 Plan preparation—provision of services to tourism development

A draft local environmental plan that will facilitate tourism development should:

- (a) contain provisions which identify and protect important natural features and ecosystems of the region, and
- (b) permit large scale resort development with permanent residential accommodation only in, or immediately adjacent to, prime tourism development areas, and
- (c) permit in rural or environmental protection zones small scale or low key tourism development only, and
- (d) have regard to the North Coast Region Tourism Development Strategy and the Tourism Development along the New South Wales Coast: Guidelines.

Comment: *As a small scale residential proposal, the provisions of this Clause do not practically apply as there is no scope to develop the land for tourist purposes.*

Clause 71 Plan preparation—provision of services to tourism development

A draft local environmental plan should not zone land for tourism development unless the council is satisfied that:

- (a) adequate access by road, railway and water transport (or any combination of them) exists or will be provided, and
 - (b) reticulated water and sewerage services are or will be available,
- or arrangements satisfactory to the council have been and will be made for the provision of those facilities.

Comment: *The proposal is consistent with the provisions of this Clause. Access to the land is via an existing road network.*

Clause 73 Plan preparation—residential development and tourism

A draft local environmental plan that will permit tourism development should not include provisions which permit permanent residential accommodation except:

- (a) where it is ancillary to existing tourism development, or
- (b) where the development will be part of an area otherwise identified for urban expansion and is included in a residential development strategy approved by the council.

Comment: *The proposal is consistent with part (b) of this Clause. Part (a) does not apply.*

SEPP No 55 Remediation of Land

Under SEPP No 55- Remediation of Land, Council is to consider whether the land has been contaminated by past land uses. Most of the land is identified as potentially contaminated because the land was used for banana growing; land used for banana growing is identified in Council's geographical information system as potentially contaminated land.

Clause 7 of SEPP No. 55 requires Council to be satisfied that the land is suitable in its contaminated state (or will be suitable, after remediation) for the development before consent is granted. When land is mapped as potentially contaminated, soil testing is required to determine if the land is suitable in its contaminated state, or will be suitable after remediation, for development; this requirement is in accordance with SEPP No 55 – Remediation of Land.

Comment: *Experience elsewhere in the LGA has demonstrated that land contaminated by banana farming can usually be rendered suitable for development for residential purposes after the soil has been treated; the treatment options include vertical mixing of the soil, capping of the soil and removal of the soil. Should the land be found to have levels of contaminants in excess of the threshold levels, then one of these treatment options is available. Soil testing is usually required at the development application (subdivision) stage.*

Soil contamination from past banana growing is not expected to be a significant limitation on the development of the land.

The proposal is consistent with SEPP 55.

SEPP No. 71 C

SEPP No. 71 – Coastal Protection applies to the subject land; the subject land is within the coastal zone. Council is required to take into account the matters listed in Clause 8 of the Policy when preparing a draft LEP. These are listed below together with a response on how the proposal meets the requirement.

Matters for Consideration	Response
Aims of the Policy which seek to protect and better manage the NSW Coast	The proposal is for a development in keeping with Council's Settlement Strategy which in turn has been prepared in keeping with coastal management policies.
Existing public access along the foreshore is to be retained.	Not applicable
Opportunities for new public access to the foreshore to be considered.	Not applicable
Suitability of development in terms of type, location and design and its relationship with surrounding areas.	The site is suitable for this scale of development and is in keeping with the zoning of the adjoining land.
Any detrimental impacts upon foreshore amenity, including overshadowing of foreshores or loss of significant views.	The proposal will modify the scenic qualities of the precinct, but this will reflect the prevailing character of the area.
Scenic qualities of the NSW Coast.	This proposal has no significant impacts on scenic amenity, being an addition to an existing residential area. When the land is developed, the result will effectively be infill development of a minor nature.
Measures to conserve animals (including fish and marine vegetation) and existing wildlife corridors.	The land is not identified as a wildlife corridor and contains no significant vegetation.
The likely impact of coastal hazards and processes.	The land is not subject to any identified coastal hazards or processes.
Measures to reduce potential conflict between land-based and water based coastal activities.	The land is not subject to any identified land or water based conflicts
Measures to protect Aboriginal culture	The land is a disturbed site that is unlikely to be the source of any Aboriginal cultural values.
Likely impact on the water quality of coastal waterbodies.	The land can be developed to have a positive impact in terms of water quality with the imposition of WSUD measures.
Conservation and preservation of heritage items.	There are no identified heritage items on the land or on the adjoining lands.
Encouragement of compact towns and cities.	The proposal is a logical extension of the existing contained urban area on adjacent lands.
Cumulative impacts upon the environment and measures to ensure water and energy efficiency.	The proposal integrate prevailing energy efficient policies of the State and Council.

As the proposal will result in less than 24 lots following any subsequent subdivision, preparation of a concept masterplan under Clause 17 of SEPP 71 is not required.

6. Is the planning proposal consistent with applicable Ministerial Directions (s.117 directions)?

The Ministerial Directions under Section 117 of the EP&A Act 1979 of relevance to this proposal are addressed as follows:

Direction 1.2 Rural Zones: This Direction seeks to protect the agricultural production value of rural land and prevents the rezoning of land from rural to residential purposes, but allows an inconsistency where a proposal is in accordance with a Regional Strategy or where the proposal will have a minor environmental impact.

Comment: *The proposal is in keeping with the MNCRS as it is within an area identified for urban growth. The proposal is of minor significance as it relates to a small parcel of land (i.e. 4.2 hectares) and is located on land that is not prime agricultural land.*

Direction 2.2 Coastal Protection Zones: The objective of this direction is to implement the principles in the NSW Coastal Policy and requires a planning proposal to include provisions that give effect to and are consistent with:

- (a) the NSW Coastal Policy: A Sustainable Future for the New South Wales Coast 1997, and
- (b) the Coastal Design Guidelines 2003, and
- (c) the manual relating to the management of the coastline for the purposes of section 733 of the Local Government Act 1993 (the NSW Coastline Management Manual 1990).

Comment: *The proposal is consistent with these policy documents as it incorporates the following:*

- Avoidance of environmental hazards;
- Connection with existing urban areas;
- Consistency with settlement strategies for the creation of compact towns;
- Provision of opportunities for water sensitive urban design;
- Opportunity for varied forms of low density housing;
- Avoidance of coastal hazards and processes;
- Efficient connection to services, including transport, water and sewer services.

Direction 3.1 Residential Zones: The objectives of this direction are threefold:

- (a) to encourage a variety and choice of housing types to provide for existing and future housing needs,
- (b) to make efficient use of existing infrastructure and services and ensure that new housing has appropriate access to infrastructure and services, and
- (c) to minimise the impact of residential development on the environment and resource lands.

A planning proposal must include provisions that encourage the provision of housing that will:

- broaden the choice of building types and locations available in the housing market;
- make more efficient use of existing infrastructure and services; reduce the consumption of land for housing and associated urban development on the urban fringe, and
- be of good design.

A planning proposal must, in relation to land to which this direction applies:

- contain a requirement that residential development is not permitted until land is adequately serviced (or arrangements satisfactory to the council, or other appropriate authority, have been made to service it); and
- not contain provisions which will reduce the permissible residential density of land.

Comment: *It is proposed that the subject land be zoned Residential 2A Low Density in keeping with the adjoining land. The low density zone allows a variety of low density forms of housing including multi unit housing, dual occupancies, special care homes, group homes, aged persons housing, boarding houses and camp and caravan sites.*

Direction 4.1 Acid Sulfate Soils: The objective of this direction is to avoid significant adverse environmental impacts from the use of land that has a probability of containing acid sulfate soils.

What a relevant planning authority must do if this direction applies

- (a) The relevant planning authority must consider the Acid Sulfate Soils Planning Guidelines adopted by the Director-General of the Department of Planning when preparing a planning proposal that applies to any land identified on the Acid Sulfate Soils Planning Maps as having a probability of acid sulphate soils being present.
- (b) 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:
 - the Acid Sulfate Soils Model LEP in the Acid Sulfate Soils Planning Guidelines adopted by the Director-General, or
 - such other provisions provided by the Director-General of the Department of Planning that are consistent with the Acid Sulfate Soils Planning Guidelines.
- (c) 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 sulphate 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 Director-General prior to undertaking community consultation in satisfaction of section 57 of the Act.
- (d) Where provisions referred to under paragraph (5) 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 paragraph (5).

Direction 4.4 Planning for Bushfire Protection: The objectives of this direction are:

- (a) to protect life, property and the environment from bush fire hazards, by discouraging the establishment of incompatible land uses in bush fire prone areas, and
- (b) to encourage sound management of bush fire prone areas.

What a relevant planning authority must do if this direction applies

- (a) 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,
- (b) A planning proposal must:
 - have regard to *Planning for Bushfire Protection 2006*,
 - introduce controls that avoid placing inappropriate developments in hazardous areas, and
 - ensure that bushfire hazard reduction is not prohibited within the APZ.
- (c) A planning proposal must, where development is proposed, comply with the following provisions, as appropriate:
 - provide an Asset Protection Zone (APZ) incorporating at a minimum:
 - 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
 - an Outer Protection Area managed for hazard reduction and located on the bushland side of the perimeter road,
 - 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 *Rural Fires Act 1997*), the APZ provisions must be complied with,
 - contain provisions for two-way access roads which links to perimeter roads and/or to fire trail networks,
 - contain provisions for adequate water supply for firefighting purposes,
 - minimise the perimeter of the area of land interfacing the hazard which may be developed,
 - introduce controls on the placement of combustible materials in the Inner Protection Area.

Comment: This proposal is relevant to points (a) and (b) above and complies with this direction through the contents of the RFS endorsed Bush Fire Risk Report.

Section C - Environmental, social and economic impact.

7. 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?

The site is subject to potentially contaminated soils (bananas), bush fire risk, acid sulfate soils classification (Class 5).

Bush fire risk has been addressed in the attached report.

Acid sulfate soils risk and potentially contaminated land can be addressed at Development Application stage by appropriate soil testing and mitigation procedures being implemented if required.

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

The site was subject to a Biodiversity Assessment (included in the report from Cardno HRP) which concluded that no threatened species, populations, ecological communities or critical habitat was present on the subject land.

9. How has the planning proposal adequately addressed any social and economic effects?

The Planning Proposal will add approximately 1,400m² of residential land to “The Summit” precinct. Based on Council’s Residential Tourist Lands DCP, which applies to the adjoining precinct, this will allow for development potential of approximately five additional dwellings.

This is considered to have minimal social and economic impact on the residential precinct (which has approval for dwellings) or place unreasonable demands on social services in the area.

Section D - State and Commonwealth interests.

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

The proposal is a minor extension of the adjacent residential zone and any development resulting from this Planning Proposal will be included in that adjoining residential precinct.

The precinct is serviced by the reticulated water supply and sewerage system which services the adjoining residential precinct.

11. What are the views of State and Commonwealth public authorities consulted in accordance with the gateway determination?

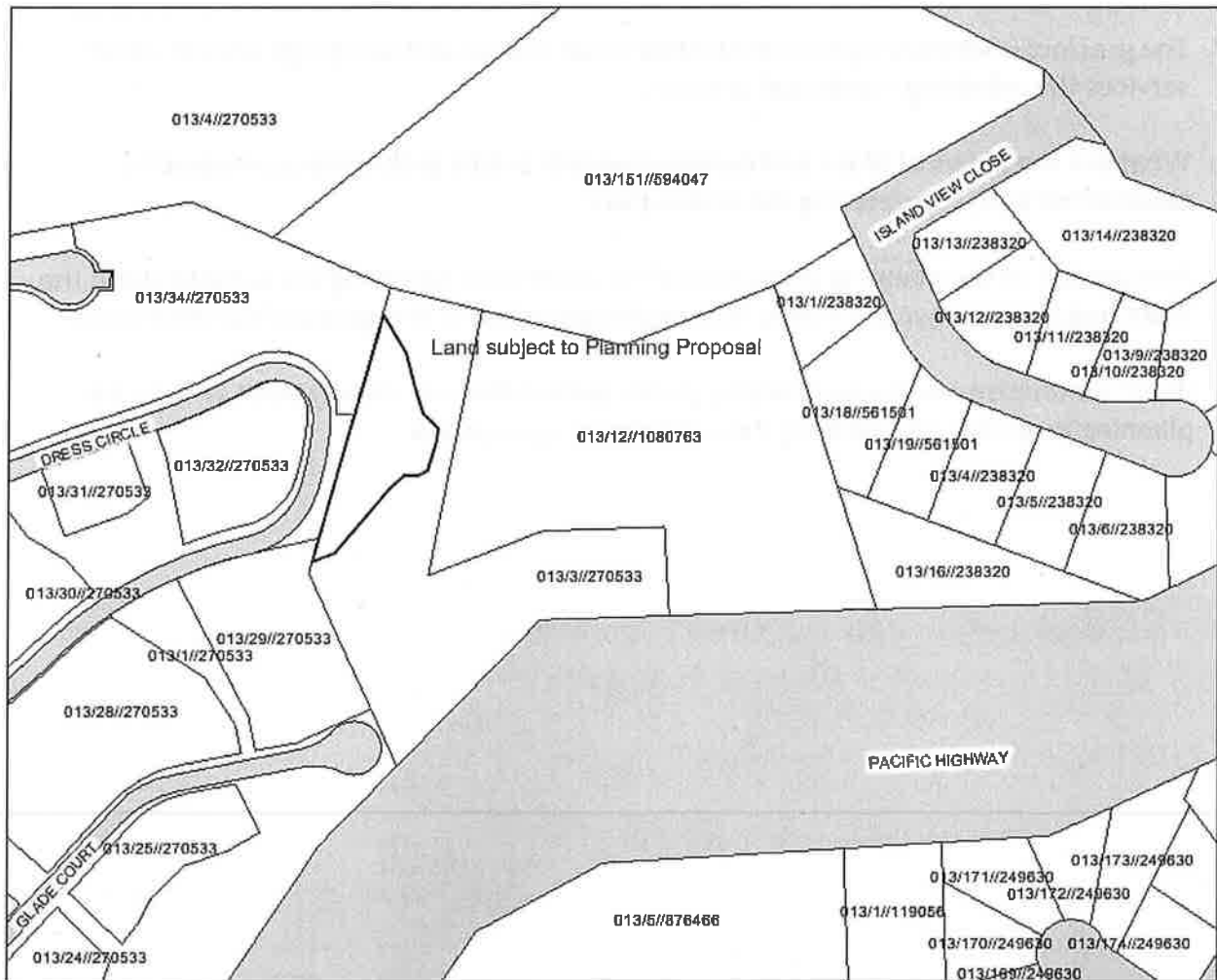
This section of the planning proposal will be completed following consultation with the State and Commonwealth Public Authorities identified in the gateway determination.

It will summarise any issues raised by public authorities not already dealt with in the planning proposal, and address those issues as appropriate.

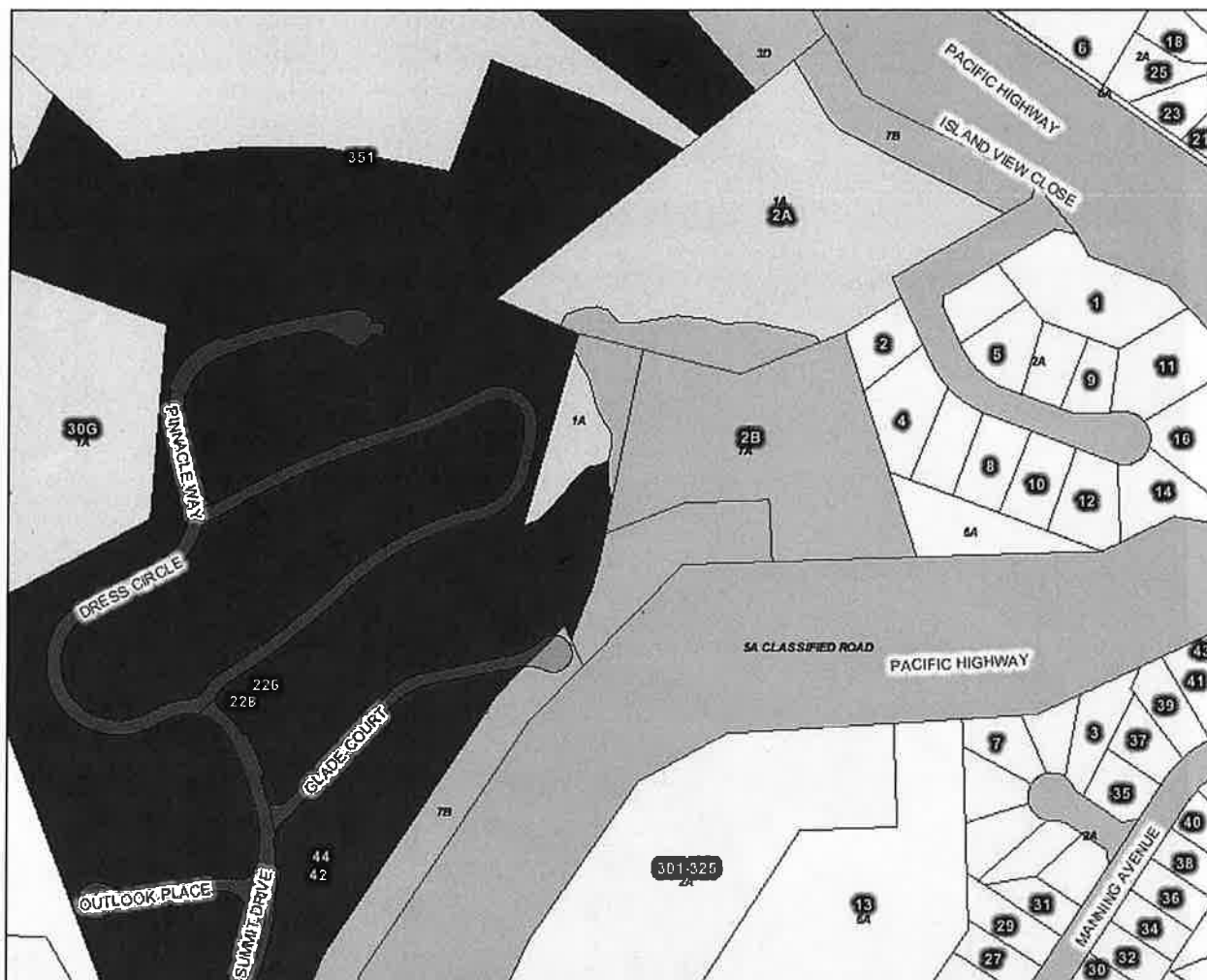
Part 4 – Mapping

Maps of the Planning Proposal are as follows:

1. Locality Map



2. Existing Zones (Coffs Harbour City LEP 2000)



3. Aerial Photograph

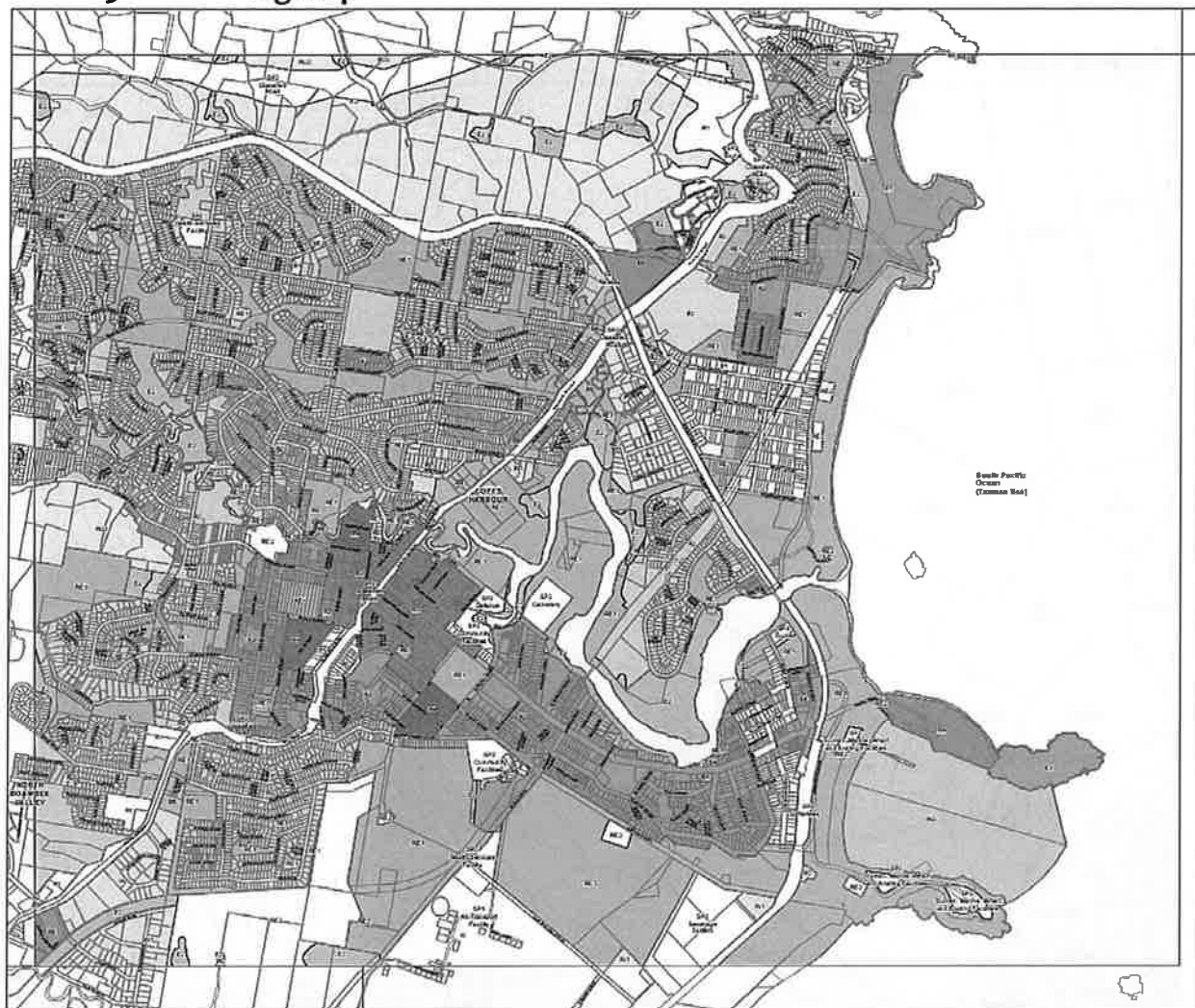


4. Proposed Zones

Subject Land



LEP 2013 Land Zoning Map



The Planning Proposal will also require amendments to the constraints maps, being:

- Lot Size Maps: From 400m² (F) to 1,200m² (U1)
- Height of Buildings Map: From 8.5 metres (I) to 11 metres (L)

Part 5 – Community Consultation

The proposal to rezone the subject land for residential purposes is deemed to be a “low impact planning proposal”. This means that the planning proposal is:

- generally consistent with the pattern of surrounding land use zones and/or land uses;
- is consistent with the strategic planning framework; presents no issues with regard to infrastructure servicing;
- is not a principal LEP; and
- does not reclassify public land.

Therefore it is considered that this matter would require public consultation for a period of 14 days.

This is in accordance with the provisions of P&I’s document “*A guide to preparing local environmental plans*”.

It is not considered that a greater period of public notification is required, nor that a public hearing should be held given that the matter accords with Council’s strategy for urban development and the Mid North Coast Regional Strategy 2009.

Part 6 – Timeline

May 2013	Planning Proposal to P&I for Gateway Determination
June/July 2013	Report to Council for determination to proceed to public exhibition
July/August 2013	Community and Government Agency consultation
September 2013	Report to Council for determination to adopt the Planning Proposal
October/November 2013	Submission to P&I, making of the plan by the Minister

Coffs Harbour Local Environmental Plan 2013 (Amendment No. 1)

under the

Environmental Planning and Assessment Act 1979

1 Name of Plan

This Plan is Coffs Harbour Local Environmental Plan 2013 (Amendment No. 1).

2 Commencement

This Plan commences on the day on which it is published on the NSW legislation website.

3 Land to which Plan applies

This Plan applies to land shown edged heavy black and lettered R1 on the map marked "Coffs Harbour Local Environmental Plan 2013 (Amendment No. 1)" deposited in the office of Coffs Harbour City Council.

4 Amendment of Coffs Harbour Local Environmental Plan 2013

Dictionary

Insert in appropriate order in the definition of ***the map***:

Coffs Harbour Local Environmental Plan 2013 (Amendment No. 1)



Part of map tile:

1800_COM_LZN_006D_005_20130514

Proposed Zone



Cadastre

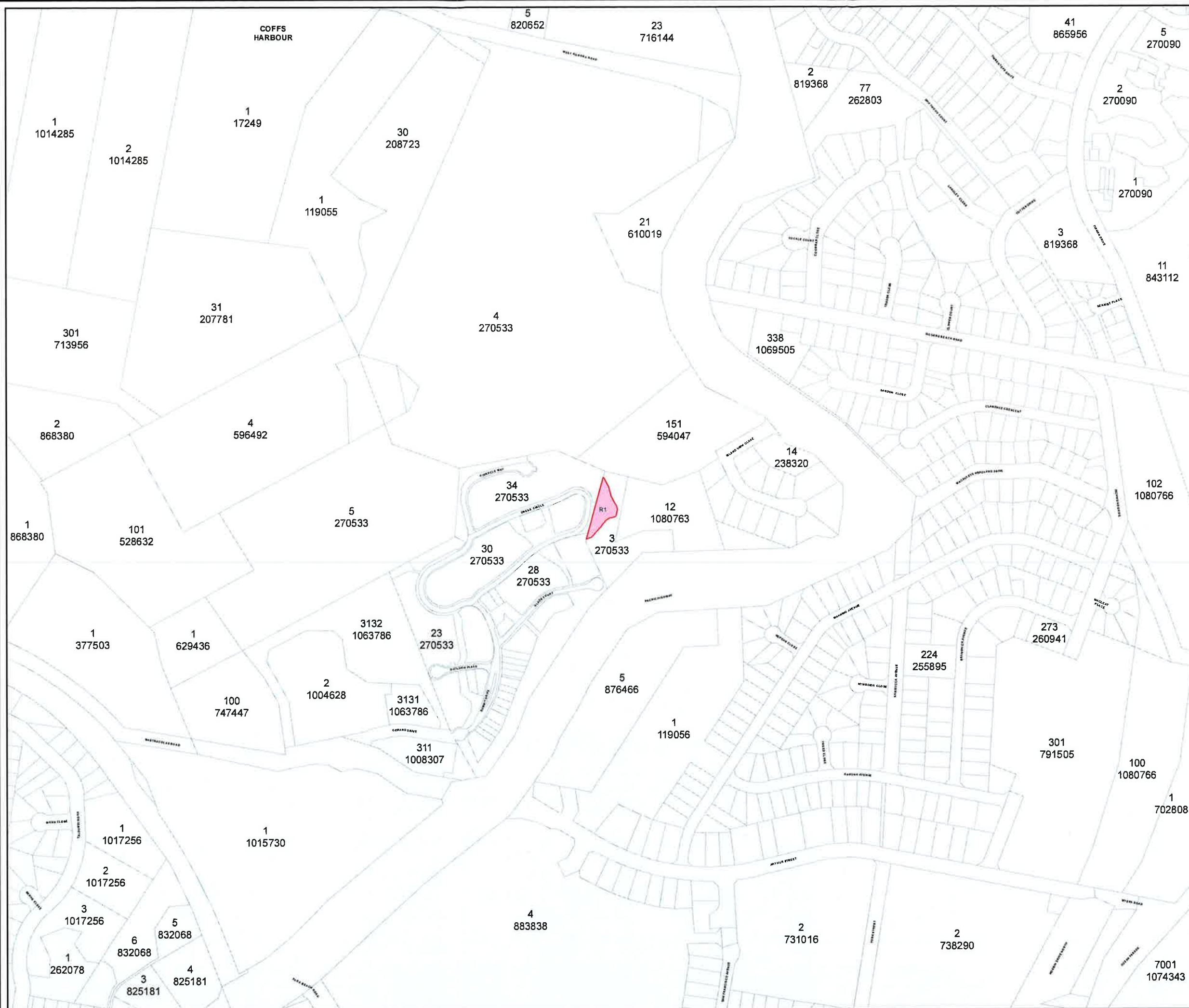
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Projection: GDA 1994
MGA Zone 56

Scale: 1:5,000 @ A3

Map identification number: 1800_COM_LZN_006D_005_20130514



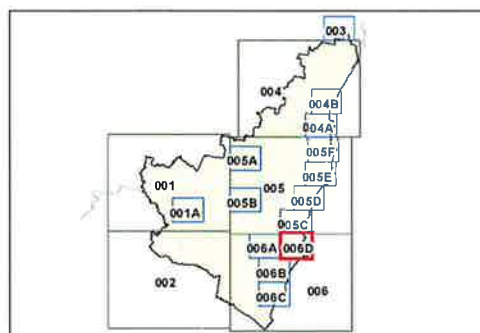
**Land Zoning Map -
Sheet LZN_006D**

Zone

- B1 Neighbourhood Centre
- B2 Local Centre
- B3 Commercial Core
- B4 Mixed Use
- B5 Business Development
- B6 Enterprise Corridor
- E1 National Parks and Nature Reserves
- E2 Environmental Conservation
- IN1 General Industrial
- IN2 Heavy Industrial
- W1 Working Waterfront
- R1 General Residential
- R2 Low Density Residential
- R3 Medium Density Residential
- R4 High Density Residential
- R5 Large Lot Residential
- RE1 Public Recreation
- RE2 Private Recreation
- RU2 Rural Landscape
- RU3 Forestry
- SP1 Special Activities
- SP2 Infrastructure
- SP3 Tourist
- W1 Natural Waterways
- W2 Working Waterways
- W3 Recreational Waterways
- DM Deferred Matter

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0 200 400 600 Metres

Projection: GDA 1994
MGA Zone 56

Scale: 1:20,000 @ A3

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