



# **PLANNING PROPOSAL**

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## **COFFS HARBOUR CITY COUNCIL**

**(Housekeeping No.3)**

**June 2020**  
**VERSION 2 Pre-Exhibition**

## PLANNING PROPOSAL STATUS

Stage	Version / Date <i>(blank until achieved)</i>
Reported to Council – Initiate s3.33 Version 1 - Pre_Exhibition	11 June 2020
Amendments as per 11 June 2020 Council Resolution	15 June 2020
Referred to DPIE s3.34(1) Version 1 - Pre_Exhibition	24 June 2020
Gateway Determination s3.34(2) Version 1 - Pre_Exhibition	
Amendments Required:	
Public Exhibition – Schedule 1 Clause 4 Version 1 - 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 (or Making of LEP if delegated) s3.36 Version x - Post Exhibition	
Endorsed by Council for Submission to Minister for Notification (or Making where not delegated) s3.36(2) Version x – Post Exhibition	

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3	Consideration of Ministerial Planning Directions
4	Woolgoolga Town Centre Masterplan

## EXECUTIVE SUMMARY & EXHIBITION INFORMATION

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### ***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 Local Environmental Plan 2013* ('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, Industry and Environment's *A guide to preparing planning proposals 2018* and *A guide to preparing local environmental plans 2018*.

### ***What is the Intent of this Planning Proposal?***

The intent of this planning proposal is to undertake the third 'housekeeping' review of Coffs Harbour LEP 2013. The contents of this planning proposal include a number of amendments to update or correct minor anomalies to mapping and written components of the Coffs Harbour LEP 2013; as well as incorporating recommendations of the Woolgoolga Town Centre Masterplan relating to heights and land use zones. The making of these proposed changes will improve the overall efficiency and legibility of Coffs Harbour LEP 2013 and assist in guiding the orderly development and revitalisation of the Woolgoolga Town Centre as outlined by the Masterplan.

### ***Public Exhibition***

This planning proposal will be placed on public exhibition in accordance with the Gateway Determination. Copies of the planning proposal and supportive information can be viewed on Council'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  
Coffs Harbour City Council  
Locked Bag 155  
COFFS HARBOUR NSW 2450  
Email: [coffs.council@chcc.nsw.gov.au](mailto:coffs.council@chcc.nsw.gov.au)

**Any questions, contact:**  
Jackson Pfister on 02 6648 4662  
or email [jackson.pfister@chcc.nsw.gov.au](mailto:jackson.pfister@chcc.nsw.gov.au)

*Note: Council is committed to openness and transparency in its decision making processes. The Government Information (Public Access) Act 2009 requires Council 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, Council 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 Council's Customer Service Section or on Council's website [www.coffsharbour.nsw.gov.au/disclosurestatement](http://www.coffsharbour.nsw.gov.au/disclosurestatement).*



## BACKGROUND

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Proposal	Coffs Harbour LEP 2013 Housekeeping No. 3
Property Details	Coffs Harbour Local Government Area
Current Land Use Zone(s)	Various
Proponent	Coffs Harbour City Council
Landowner	Various
Location	A location map is included in Part 4 - Mapping

This planning proposal has been prepared in accordance with the Environmental Planning and Assessment Act 1979 and *A guide to preparing planning proposals* (NSW Department of Planning and Environment 2018) and *A guide to preparing local environmental plans* (NSW Department of Planning and Environment 2018).

This planning proposal explains the intended effects of a proposed amendment to Coffs Harbour LEP 2013 as part of a third housekeeping review of Coffs Harbour LEP 2013. The contents of this planning proposal describe the findings and recommendations of the review.

The planning proposal incorporates a number of amendments to Coffs Harbour LEP 2013 as a result of a housekeeping review. The aim of the review is to improve the overall efficiency and legibility of Coffs Harbour LEP 2013 by correcting a number of anomalies discovered since its inception on 27 September 2013. The planning proposal also proposes amendments to the controls that apply to the Woolgoolga Town Centre as a result of the Woolgoolga Town Centre Masterplan.

This planning proposal includes ten amendments to Coffs Harbour LEP 2013. Council has undertaken two previous housekeeping reviews, consisting of 23 items in the first and 15 items in the second, and were made by the Minister as an Amendment to Coffs Harbour LEP 2013 on 8 January 2016 and 9 February 2018 respectively.

### **The Site**

This planning proposal considers both written LEP amendments and corrections of mapping anomalies, and therefore affects a wide range of public and private land within the Coffs Harbour Local Government Area (LGA). The maps included in Section 4 of this planning proposal identify land to which this planning proposal applies.

## **PART 1 – OBJECTIVES OR INTENDED OUTCOMES**

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The objective of this planning proposal is to review and amend Coffs Harbour LEP 2013 to implement recommendations within the Woolgoolga Town Centre Masterplan, rectify anomalies and to resolve a number of matters so that Coffs Harbour LEP 2013 remains up to date and accurate.

## **PART 2 – EXPLANATION OF PROVISIONS**

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A total of ten amendments to Coffs Harbour LEP 2013 have been identified as necessary in the ongoing implementation of Coffs Harbour LEP 2013. The intended outcomes of the proposed LEP amendment will be achieved by amending Coffs Harbour LEP 2013 as follows:

1. Amendment to Land Zoning Map (LZN\_005F) to align with the recommendations of the Woolgoolga Town Centre Masterplan by rezoning land along the Clarence and Beach Streets Corridor from Zone R3 Medium Density Residential to Zone R1 General Residential.
2. Amendment to Height of Building Map (LZN\_005F) to align with the recommendations of the Woolgoolga Town Centre Masterplan.
3. Amendment to Clause 7.12 Design Excellence to include land within Zone IN1 General Industrial, IN3 Heavy Industrial and IN4 Working Waterfront to accord with the Coffs Harbour Local Growth Management Strategy.
4. Amendment to Clause 7.12 Design Excellence to reference the in force Coffs Harbour Development Control Plan (DCP) 2015.
5. Amendment to Land Zoning Map (LZN\_006C) to reflect the Council Notice – Dedication of Public Reserve in Government Gazette No 28 of 24 February 2017.
6. Amendment to Land Zoning Map (LZN\_005C), Lot Size Map (LSZ\_005C) and Height of Building Map (HOB\_005C) to align with the cadastral boundary of Lot 204 DP 794312 and reflect Zone RE1 Public Recreation.
7. Amendment to Floor Space Ratio Map (FSR\_006D) to fix an anomaly for Lot 131 DP 1244927 and reintroduce a floor space ratio control for this land.
8. Amendment to Heritage Map (HER\_006D) and Schedule 5 (Environmental Heritage) of Coffs Harbour LEP 2013 to reflect a new property description and land boundaries following a boundary adjustment associated with Item number I14 (Riley's house).
9. Amendment to Heritage Map (HER\_004B) and Schedule 5 (Environmental Heritage) of Coffs Harbour LEP 2013 to remove item I35 and associated mapping following development approval to demolish the item.
10. Amendment to Heritage Map (HER\_006) and Schedule 5 (Environmental Heritage) of Coffs Harbour LEP 2013 to remove item I4 and associated mapping following the loss of the item due to fire.

## PART 3 – JUSTIFICATION

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This part provides a response to the following matters in accordance with ‘A Guide to Preparing Planning Proposals’ (NSW Department of Planning and Environment 2018):

- 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. Coffs Harbour LEP 2013 was made by the former Minister for NSW Planning and Environment on 27 September 2013. Coffs Harbour LEP 2013 replaced Coffs Harbour City LEP 2000 as the primary planning tool to shape the future of local development in the LGA. A Strategic Management Plan (SMP) was also prepared to inform the transition between the two LEPs. One of the recommendations of the SMP was to monitor and conduct a regular review of the new LEP. This LEP amendment seeks to rectify anomalies and resolve a number matters so that Coffs Harbour LEP 2013 remains up to date and accurate.

This LEP amendment also seeks to implement recommendations from the Woolgoolga Town Centre Masterplan, which was endorsed by Council on 22 February 2018. The Masterplan provides a vision and strategic planning framework to guide growth and change in Woolgoolga’s Town Centre to 2036. The Masterplan plays a critical role in guiding the orderly development and revitalisation of Woolgoolga and outlines a number of actions for implementation.

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

Yes. The LEP housekeeping amendment is the most efficient way of rectifying anomalies and to ensure that Coffs Harbour LEP 2013 remains up to date and accurate. An LEP housekeeping amendment is also the most efficient way of incorporating the recommendations from the Woolgoolga Town Centre Masterplan due to their minor nature and community acceptance of these policy changes.

#### **3. Is there a net community benefit?**

The Net Community Benefit Criteria is identified in the NSW Government’s publication *The Right Place for Business and Services*. This policy document has a focus on ensuring growth within existing centres and minimising dispersed trip generating development. It applies most appropriately to planning proposals that promote significant increased residential areas or densities, or significant increased employment areas or the like. The LEP housekeeping amendment introduces Zone R1 General Residential along the Clarence and Beach Streets Corridor to support existing uses and to strengthen and facilitate the development of tourist and visitor accommodation, as well as mixed commercial and residential uses.

## **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 2036?**

The proposed LEP amendment is considered to be consistent with the relevant goals, directions and actions within the North Coast Regional Plan 2036 as follows:

#### **GOAL 1 – THE MOST STUNNING ENVIRONMENT IN NSW**

- **Direction 1 - Deliver environmentally sustainable growth**

Action 1.1 - *Focus future urban development to mapped urban growth areas.*

The proposed LEP Amendment relates to existing urban areas and does not propose any new urban land.

- **Direction 2: Enhance biodiversity, coastal and aquatic habitats, and water catchments**

Action 2.1 *Focus development to areas of least biodiversity sensitivity in the region and implement the ‘avoid, minimise, offset’ hierarchy to biodiversity, including areas of high environmental value.*

The proposed LEP Amendment relates to existing urban areas and is therefore unlikely to impact on any areas of high biodiversity value.

- **Direction 3: Manage natural hazards and climate change**

Action 3.1 *Reduce the risk from natural hazards, including the projected effects of climate change, by identifying, avoiding and managing vulnerable areas and hazards.*

The proposed LEP Amendment relates to existing urban areas and is therefore unlikely to increase the risk from natural hazards.

#### **GOAL 2 – A THRIVING, INTERCONNECTED ECONOMY**

- **Direction 6 - Develop successful centres of employment**

Action 6.1 - *Facilitate economic activity around industry anchors such as health, education and airport facilities by considering new infrastructure needs and introducing planning controls that encourage clusters of related activity.*

The proposed LEP amendment accords with this action given that the amendments relating to the Woolgoolga Town Centre will assist in attracting investment and harnessing the unique local qualities and competitive advantages of Woolgoolga.

Action 6.3 - *Reinforce centres through local growth management strategies and local environmental plans as primary mixed-use locations for commerce, housing, tourism, social activity and regional services.*

The proposed LEP amendment accords with this action given that the amendments relating to the Woolgoolga Town Centre will assist in reinforcing the town centre as a mixed-use location for commerce, housing, tourism, social activity and regional services.

Action 6.4 - *Focus retail and commercial activities in existing centres and develop place-making focused planning strategies for centres.*

The proposed LEP amendment accords with this action given that the amendments relating to the Woolgoolga Town Centre will assist in implementing the Woolgoolga Town Centre Masterplan which provides a place-making strategy for the town.

Action 6.5 - Promote and enable an appropriate mix of land uses and prevent the encroachment of sensitive uses on employment land through local planning controls.

The proposed LEP amendment will not enable the encroachment of sensitive uses on employment land. The proposed amendments relating to the Woolgoolga Town Centre will facilitate an appropriate mix of land uses for Woolgoolga.

- **Direction 8 - Promote the growth of tourism**

Action 8.1 - Facilitate appropriate large-scale tourism developments in prime tourism development areas such as Tweed Heads, Tweed Coast, Ballina, Byron Bay, Coffs Harbour and Port Macquarie.

The proposed LEP amendment introduces Zone R1 General Residential along the Clarence and Beach Streets Corridor to support existing uses and to strengthen and facilitate the development of tourist and visitor accommodation, as well as mixed commercial and residential uses.

Action 8.2 - Facilitate tourism and visitor accommodation and supporting land uses in coastal and rural hinterland locations through local growth management strategies and local environmental plans.

The proposed LEP amendment introduces Zone R1 General Residential along the Clarence and Beach Streets Corridor to support existing uses and to strengthen and facilitate the development of tourist and visitor accommodation, as well as mixed commercial and residential uses.

Action 8.5 - Preserve the region's existing tourist and visitor accommodation by directing permanent residential accommodation away from tourism developments, except where it is ancillary to existing tourism developments or part of an area otherwise identified for urban expansion in an endorsed local growth management strategy.

The proposed LEP amendment accords with this action given that the Woolgoolga Town Centre is identified as an infill growth area within the Coffs Harbour Local Growth Management Strategy.

- **Direction 9 - Strengthen regionally significant transport corridors**

Action 9.1 - Enhance the competitive value of the region by encouraging business and employment activities that leverage major inter-regional transport connections, such as the Pacific Highway, to South East Queensland and the Hunter.

The proposed LEP amendment is not inconsistent with this action.

Action 9.2 - Identify buffer and mitigation measures to minimise the impact of development on regionally significant transport infrastructure including the regional and state road network and rail corridors.

The proposed LEP amendment is not inconsistent with this action.

- **Direction 10 - Facilitate air, rail and public transport infrastructure**

Action 10.4 - Provide public transport where the size of the urban area has the potential to generate sufficient demand.

The proposed LEP amendment is not inconsistent with this action.

### **GOAL 3 – VIBRANT AND ENGAGED COMMUNITIES**

- **Direction 14 - Provide great places to live and work**

Action 14.2 - Deliver precinct plans that are consistent with the Precinct Plan Guidelines (Appendix C).

The proposed LEP amendment accords with this action given that the amendments relating to the Woolgoolga Town Centre will assist in implementing the Woolgoolga Town Centre Masterplan which provides a place-making strategy for the town.

- **Direction 15 - Develop healthy, safe, socially engaged and well-connected communities**

Action 15.2 - Facilitate more recreational walking and cycling paths and expanded inter-regional and intra-regional walking and cycling links, including the NSW Coastline Cycleway.

The proposed LEP amendment accords with this action given that the amendments relating to the Woolgoolga Town Centre will assist in implementing the Woolgoolga Town Centre Masterplan which provides a place-making strategy for the town which includes the promotion of walking and cycling.

Action 15.4 - Create socially inclusive communities by establishing social infrastructure benchmarks, minimum standards and social impact assessment frameworks within local planning.

The proposed LEP amendment is not inconsistent with this action.

Action 15.5 - Deliver crime prevention through environmental design outcomes through urban design processes.

The proposed LEP amendment is not inconsistent with this action.

- **Direction 19 - Protect historic heritage**

Action 19.1 - Ensure best-practice guidelines are considered such as the Australia ICOMOS Charter for Places of Cultural Significance and the NSW Heritage Manual when assessing heritage significance.

The proposed LEP amendment is not inconsistent with this action. The amendments relating to listed heritage items have been assessed by Council's Heritage Adviser and the NSW Heritage Manual has been taken into consideration as part of this assessment process.

Action 19.2 - Prepare, review and update heritage studies in consultation with the wider community to identify and protect historic heritage items, and include appropriate local planning controls.

The proposed LEP amendment is not inconsistent with this action. The amendments relating to listed heritage items have been assessed by Council's Heritage Adviser.

Action 19.3 - Deliver the adaptive or sympathetic use of heritage items and assets.

The proposed LEP amendment is not inconsistent with this action. The amendments relating to listed heritage items have been assessed by Council's Heritage Adviser.

- **Direction 20 - Maintain the region's distinct built character**

Action 20.1 - Deliver new high-quality development that protects the distinct character of the North Coast, consistent with the North Coast Urban Design Guidelines (2009).

The proposed LEP amendment is not inconsistent with this action as it seeks to amend Clause 7.12 Design Excellence so that it applies to Industrial Zoned Land within the Coffs Harbour LGA.

- **Direction 21 - Coordinate local infrastructure delivery**

Action 21.1 - Undertake detailed infrastructure service planning to support proposals for new major release areas.

The proposed LEP amendment is not inconsistent with this action.

Action 21.2 - Maximise the cost-effective and efficient use of infrastructure by directing development towards existing infrastructure or promoting the co-location of new infrastructure.

The proposed LEP amendment is not inconsistent with this action.

### **GOAL 3 – VIBRANT AND ENGAGED COMMUNITIES**

- **Direction 22 - Deliver greater housing supply**

Action 22.2 - Facilitate housing and accommodation options for temporary residents by: preparing planning guidelines for seasonal and itinerant workers accommodation to inform the location and design of future facilities; and working with councils to consider opportunities to permit such facilities through local environmental plans.

The proposed LEP amendment is not inconsistent with this action.

- **Direction 23 - Increase housing diversity and choice**

Action 23.1 - Encourage housing diversity by delivering 40 per cent of new housing in the form of dual occupancies, apartments, townhouses, villas or dwellings on lots less than 400 square metres, by 2036.

Woolgoolga will require over 1,000 additional dwellings over the next 20 years to accommodate population growth. The North Coast Regional Plan 2036 targets 40% of these dwellings to be new attached or multi-unit dwellings. The Woolgoolga town centre can be expected to attract the majority of multi-unit development.

The proposed LEP amendment accords with this action given that the amendments relating to the Woolgoolga Town Centre will assist in implementing the Woolgoolga Town Centre Masterplan which seeks to deliver a broader range of higher density residential dwellings within Zone R1 General Residential and Zone R3 Medium Density Residential to address:

- An aging population;
- Decreasing household sizes;
- Housing affordability and rental stress;
- The need to attract young families and a young permanent workforce; and
- A greater variety and stock of short stay options that can support the tourism economy.

- **Direction 25 - Deliver more opportunities for affordable housing**

*Action 25.1 - Deliver more opportunities for affordable housing by incorporating policies and tools into local growth management strategies and local planning controls that will enable a greater variety of housing types and incentivise private investment in affordable housing.*

The proposed LEP amendment will assist in implementing the Woolgoolga Town Centre Masterplan which seeks to deliver a broader range of higher density residential dwellings to support an aging population, decreasing household sizes, affordability and rental stress.

**5. Will the planning proposal give effect to a Council's endorsed local strategic planning statement, or another endorsed local strategy or strategic plan?**

Coffs Harbour City Council has exhibited a draft Local Strategic Planning Statement (LSPS). It is anticipated that a final LSPS will be reported to Council for endorsement prior to 30 June 2020. The proposed LEP amendment accords with the vision and planning priorities within the draft LSPS.

The draft LSPS vision is to deliver a compact city through a placemaking framework. Planning Priority P3 is to deliver the placemaking model by preparing place manuals for priority areas around the LGA. Action A3.8 of the LSPS is to implement priority actions from place manuals including any recommended amendments to local planning controls as funding allows.

The Woolgoolga Town Centre Masterplan is the first place manual to be developed for the Coffs Harbour LGA. The proposed LEP amendment seeks to implement the actions within the Masterplan relating to the amendment of local planning controls (i.e. land use zones and maximum building height controls).

**6. Is the planning proposal consistent with council's Community Strategic Plan and Local Growth Management Strategy?**

***MyCoffs Community Strategic Plan 2030***

Council's Community Strategic Plan is based on four key themes: Community Wellbeing; Community Prosperity; A Place for Community; and Sustainable Community Leadership. Each theme set objectives and various strategies to assist in achieving the objectives. The proposed LEP amendment is generally consistent with the relevant objectives and strategies within the Plan as follows:

Objective	Strategy
	A2.1 We support our community to lead healthy active lives
	A2.2 We facilitate positive ageing
	A2.3 We nurture mental health, wellbeing and social connection
	A2.4 We cultivate a safe community



<i>A Thriving &amp; Sustainable Local Economy</i>	B1.1 We champion business, events, innovation and technology to stimulate economic growth, investment and local jobs
	B1.2 We attract people to work, live and visit in the Coffs Harbour LGA
<i>Liveable Neighbourhoods with a Defined Identity</i>	C1.1 We create liveable places that are beautiful and appealing
	C1.2 We undertake development that is environmentally, socially and economically responsible
<i>We have Effective Use of Public Resources</i>	D2.1 We effectively manage the planning and provision of regional public services and infrastructure

### ***Coffs Harbour Local Growth Management Strategy***

The proposed LEP amendment is consistent with Coffs Harbour Local Growth Management Strategy. The Coffs Harbour Local Growth Management Strategy has been prepared to achieve the directions and actions contained within the North Coast Regional Plan and to align with the Settlement Planning Guidelines endorsed by NSW Planning, Industry and Environment. The Strategy is the mechanism to support effective and integrated planning across the LGA, and to guide the preparation of updates to Council's Local Environmental Plan and Development Control Plan.

Amendment items 1 and 2, which include proposed amendments as a result of the Woolgoolga Town Centre Masterplan, directly supports the overarching aims and placemaking principles of the Coffs Harbour Local Growth Management Strategy. The Coffs Harbour Local Growth Management Strategy chapters relevant to these amendments and how they accord have been discussed below.

Chapters 1-4 of the Coffs Harbour Local Growth Management Strategy present the strategic intent of the strategy, articulating the blueprint for the delivery of a connected, sustainable and thriving compact regional city for Coffs Harbour. It examines the existing patterns, the underlying trends, key drivers and overarching plans and strategies that inform what, who, how and where future development and land supply will occur. This body of work forms Council's future development approach regarding the compact city model and placemaking framework. The compact city model focuses on:

- Developing on existing zoned land footprint;
- Preventing urban sprawl;
- Protecting the coastal strip, high value environment and agriculture; and
- Directing housing around existing services, activity centres, transport nodes and hubs.

The method outlined for implementing the compact city model is through placemaking and place manuals. A collaborative process that engages the community on a precinct-by precinct basis to capture a common vision and aspirations about a place. The place manual ultimately acts as a guideline to deliver private and built form outcomes for a particular town, village, precinct, place or hub.

The adopted Woolgoolga Town Centre Masterplan is an example of a plan which has followed the strategic approach of the Coffs Harbour Local Growth Management Strategy. The Woolgoolga Town Centre Masterplan involved extensive community engagement to understand their value and to set an appropriate vision for the area which has informed the built form recommendations outlined in this

planning proposal (items 1 and 2). Further, the proposed amendments support the adopted compact city model by directing growth on existing urban land, service employment and employment nodes, encouraging more diverse supply of housing options whilst improving public realm and connections between centres with a focus on active transport options and thereby reducing urban sprawl and land use conflicts.

The proposed LEP amendments that relate to the correction of anomalies and other housekeeping matters are not inconsistent with Coffs Harbour Local Growth Management Strategy.

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

The table provided in Appendix 1 provides an assessment of the proposed LEP amendment's consistency with each relevant State Environmental Planning Policy.

**8. Is the planning proposal consistent with applicable Ministerial Directions (s117 directions)?**

The table provided in Appendix 2 provides an assessment of the proposed LEP amendment's consistency against relevant Ministerial Planning Directions.

***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 proposed LEP amendment does not seek to alter any land use zones or development controls in a manner such that there could be adverse impacts on critical habitat, threatened species, populations, or ecological communities. Items 1 and 2 of the proposed LEP amendment support the compact city model which seeks to concentrate growth in existing urban areas. By focusing growth in existing centres and urban areas the goal is to protect and prevent further adverse impacts on critical habitats or 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?**

No. The proposed LEP amendment does not seek to alter any land use zones in a manner such that there could be adverse environmental impacts. Items 1 and 2 of the proposed LEP amendment support the compact city model which seeks to concentrate growth in existing urban areas. By focusing growth in existing centres and urban areas the goal is to protect and prevent further adverse impacts on critical habitats or threatened species, populations or ecological communities, or their habitats.

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

Yes, the proposed LEP amendment adequately addresses potential social and economic effects and is considered to provide a positive impact as a whole. Amendment items 1 and 2 intend to give effect to the desired outcomes of the adopted Woolgoolga Town Centre Masterplan. The Masterplan aims to:

- Establish a planning and urban design framework to guide growth and capture economic prosperity;
- Deliver growth in a manner that responds to community values and existing township qualities;
- Build a first class public realm with a transport system that supports a prosperous and vibrant town centre, and a healthy, happy, and connected community;

- Capitalise on key opportunities and catalytic projects; and
- Deliver a sustainable future.

The Woolgoolga Town Centre Masterplan is a strategic planning instrument that contains a vision and framework for Woolgoolga that will assist in achieving improved planning and urban design outcomes over time which, in turn, will underpin the town's ongoing economic development and tailor place responsive outcomes that respond to Woolgoolga's unique setting, township character and community aspirations. The process and outcomes of the Masterplan closely align with, and support the endorsed strategic approach within the Coffs Harbour Local Growth Management Strategy for achieving a compact city model. The Masterplan and Local Growth Management Strategy are part of a hierarchy of documents that work together to inform and support the intent and provisions of Coffs Harbour LEP 2013 and DCP 2015.

The Woolgoolga Town Centre Masterplan comprised extensive community and stakeholder consultation to ensure that the community's current vision for the town is captured. A viable town centre assists in the development of a stronger social fabric and a vibrant community for Woolgoolga. Town centres are the physical settings that shape our daily lives, the engines of local economies and the stage for expression of our culture and community values. The transformation of the town centre is therefore essential in providing a cultural and economic heart for Woolgoolga, to ensure it remains a great place to live, work and visit, and makes an essential contribution to the local and regional economic growth. The proposed amendment items relating to heights and land use zoning controls included in this planning proposal are pivotal in guiding the orderly development and revitalisation of the Town Centre as intended by the Masterplan.

Amendment items 3-10 relate broadly across the Coffs Harbour LGA and intend to ensure the accuracy and reliability of Coffs Harbour LEP 2013 is maintained and regularly administered. In this regard, the proposed housekeeping amendment seeks to ensure that the social and economic aims of Coffs Harbour LEP 2013 are preserved.

## ***Section D – State and Commonwealth interests***

### **11. Is there adequate public infrastructure for the planning proposal?**

Yes, the Woolgoolga Town Centre is currently adequately serviced by public infrastructure. Coffs Harbour City Council is currently preparing a revised Contributions Plan for the Woolgoolga Town Centre to ensure that adequate public infrastructure is provided as the town grows.

The remaining amendment items outlined within the proposed LEP amendment are unlikely to generate the need for public infrastructure due to their minor nature and locality within existing serviced areas, excluding two listed heritage items that are proposed to be delisted.

### **12. What are the views of State and Commonwealth public authorities consulted in accordance with the Gateway determination?**

A Gateway determination has not been issued by NSW Planning, Industry and Environment therefore consultation with public authorities and government agencies has not yet been undertaken.

The views of public authorities will be determined following consultation with any State and Commonwealth agencies that are identified in any Gateway Determination issued by NSW Planning, Industry and Environment.

## **PART 4 – MAPPING**

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

Technical Notes:

- An amended version of this map sheet will be created and supplied to NSW Department of Planning, Industry and Environment if Council resolves to initiate the planning proposal.



Figure 1: Existing Land Zoning Controls Relating to Item No.1 – Amendment to LEP 2013 Land Zoning Map (LZN\_005F)

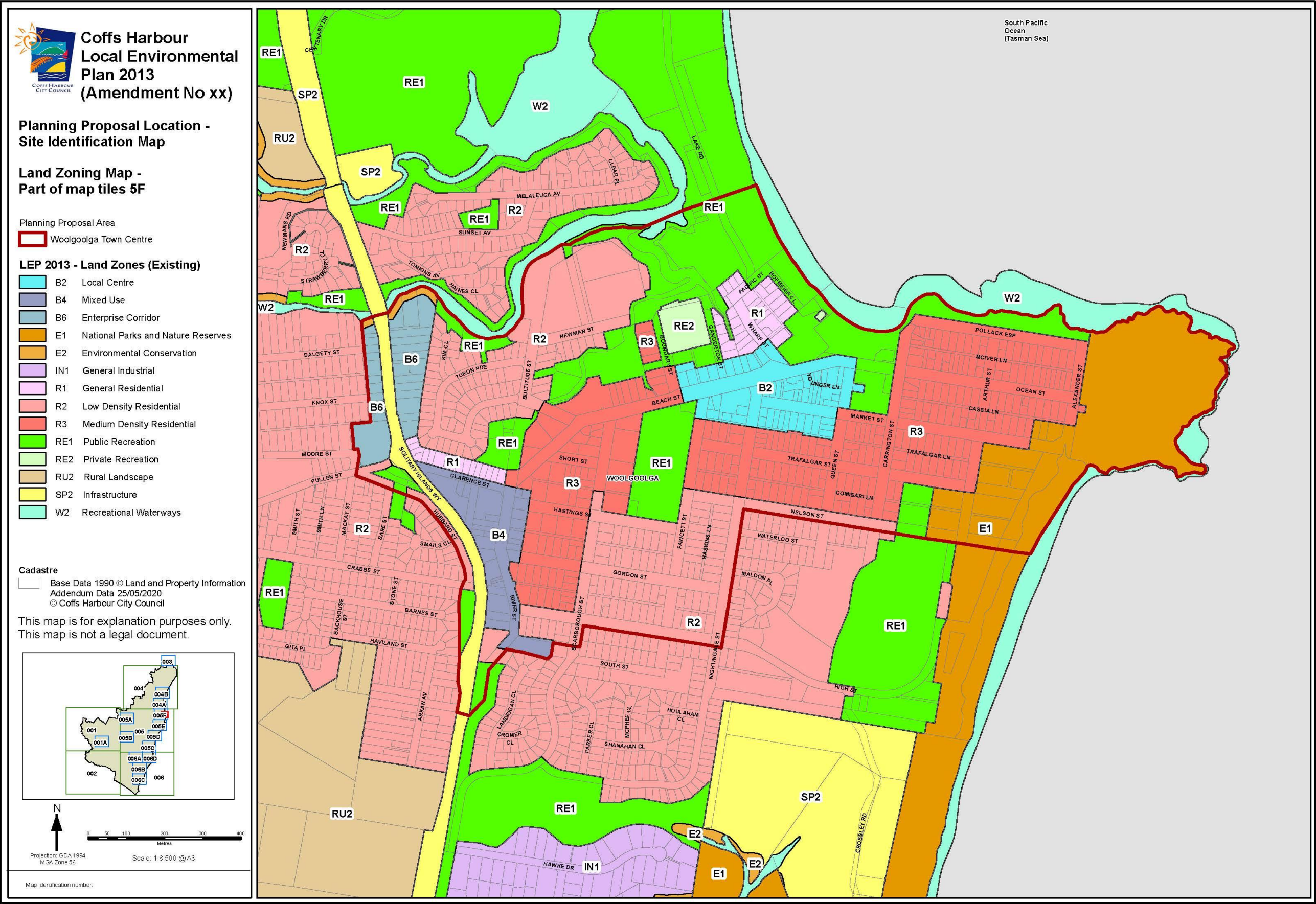




Figure 2: Proposed Amendments Relating to Item No.1 – Amendment to LEP 2013 Land Zoning Map (LZN\_005F)

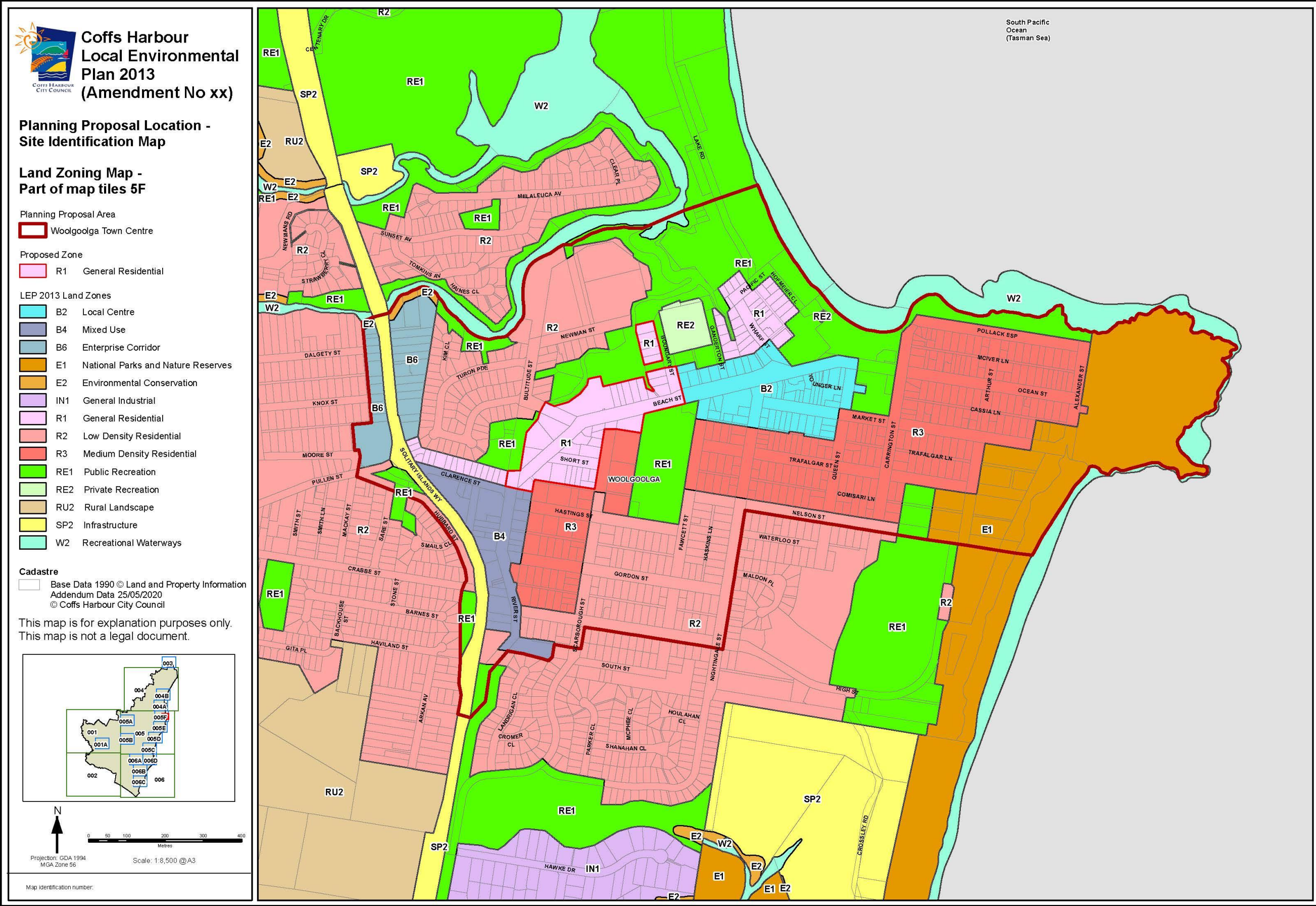




Figure 3: Existing Height of Building Controls Relating to Item No.2 – Amendment to LEP 2013 Height of Building Map (HOB\_05F)

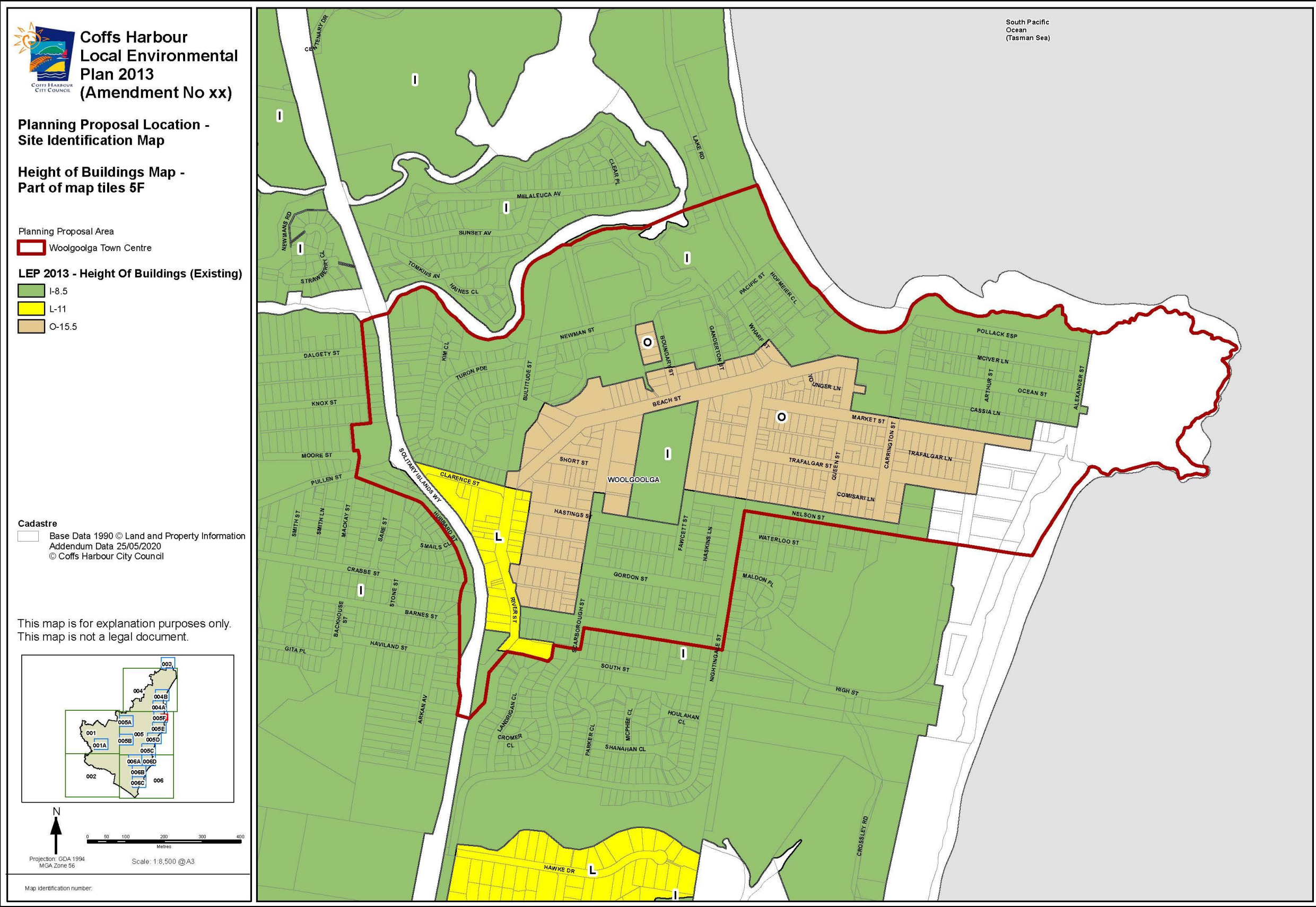




Figure 4: Proposed Amendments Relating to Item No.2 – Amendment to LEP 2013 Height of Building Map (HOB\_05F)

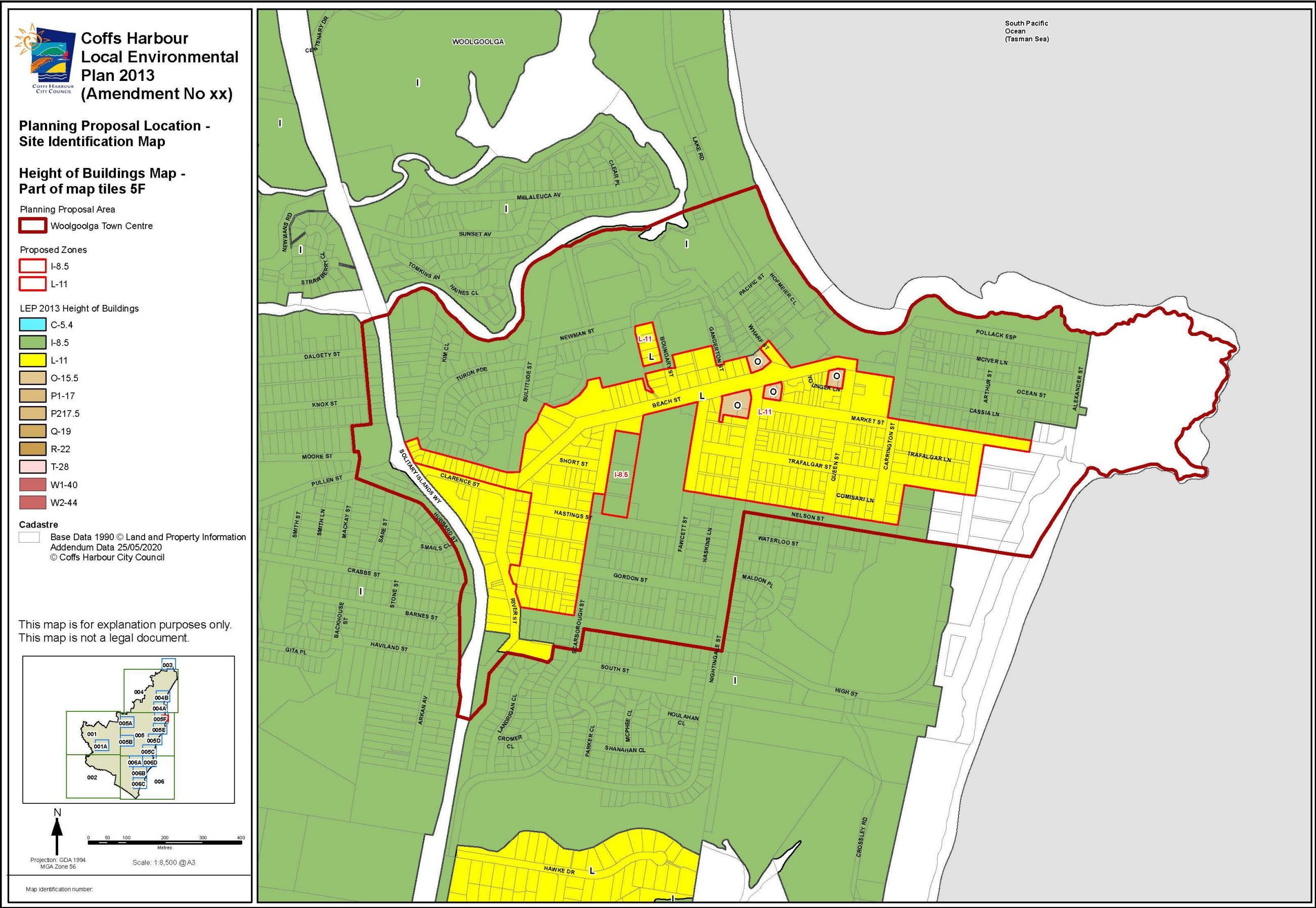




Figure 5: Existing Land Zoning Controls Relating to Item No.5 – Amendment to LEP 2013 Land Zoning Map (LZN\_006C)

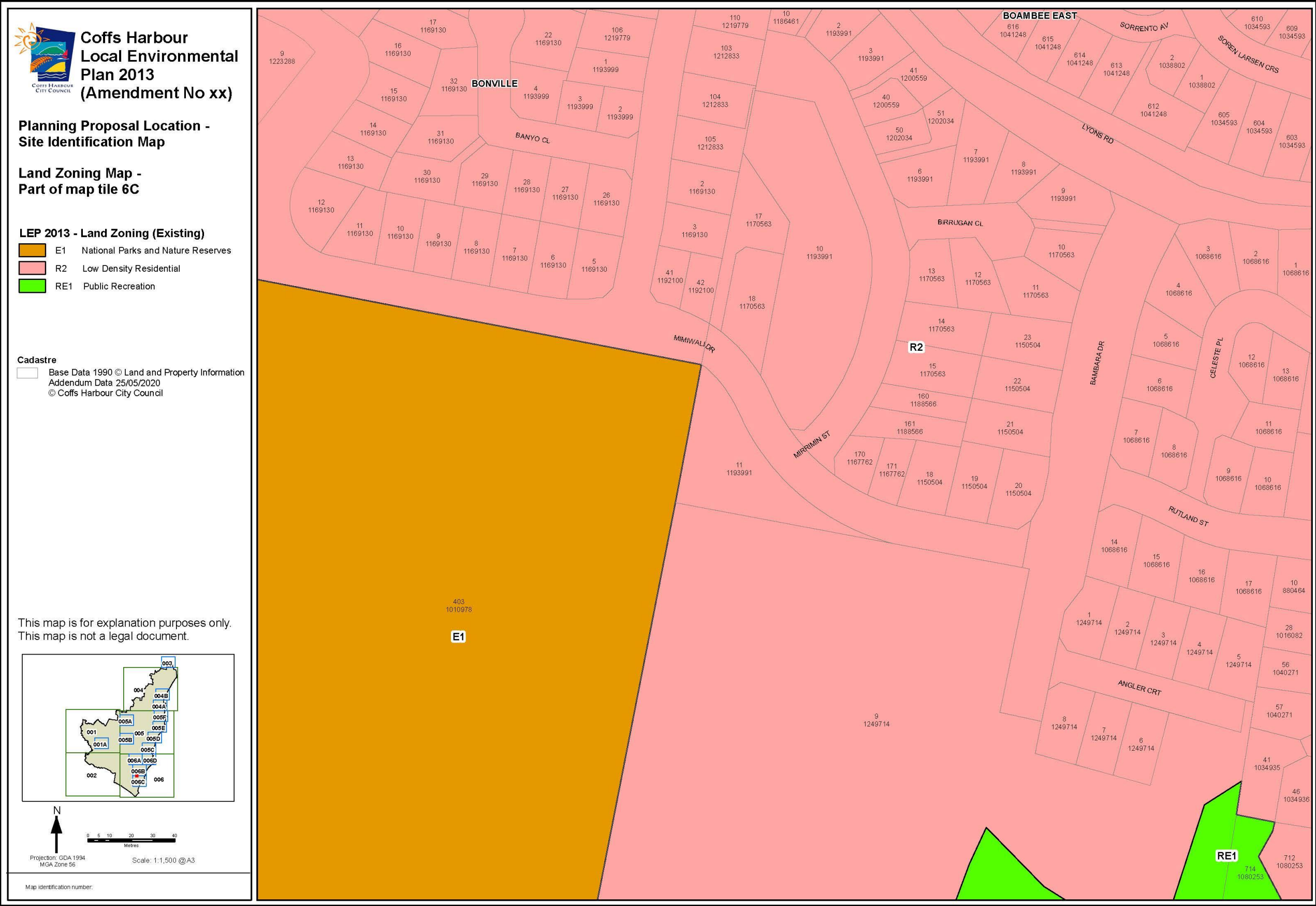


Figure 6: Proposed Amendments Relating to Item No.5 – Amendment to LEP 2013 Land Zoning Map (LZN\_006C)





Figure 7: Existing Land Zoning Controls Relating to Item No.6 – Amendment to LEP 2013 Land Zoning Map (LZN\_005C)

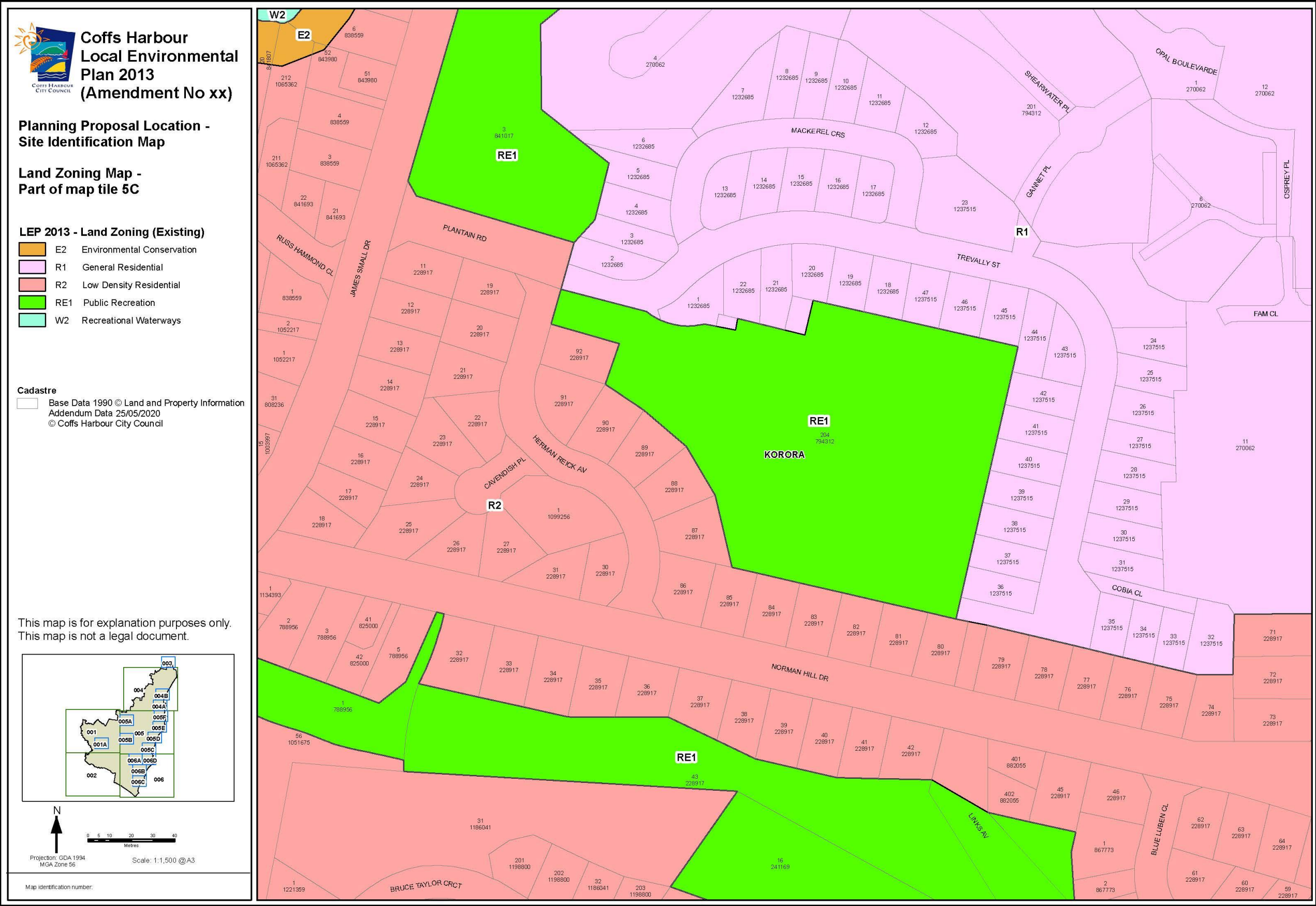




Figure 8: Proposed Amendments Relating to Item No.6 – Amendment to LEP 2013 Land Zoning Map (LZN\_005C)

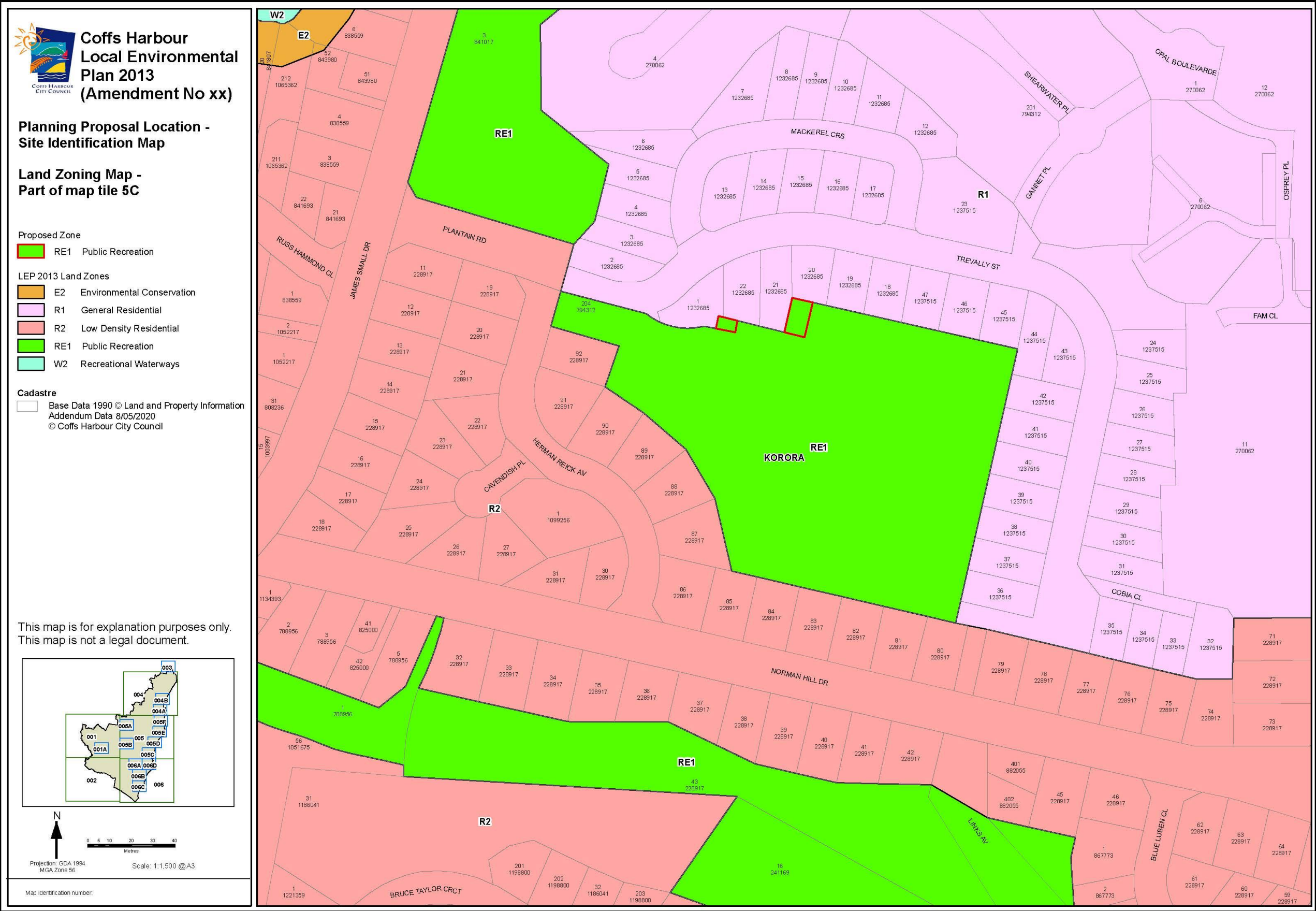




Figure 9: Existing Lot Size Controls Land Relating to Item No.6 – Amendment to LEP 2013 Lot Size Map (LSZ\_005C)

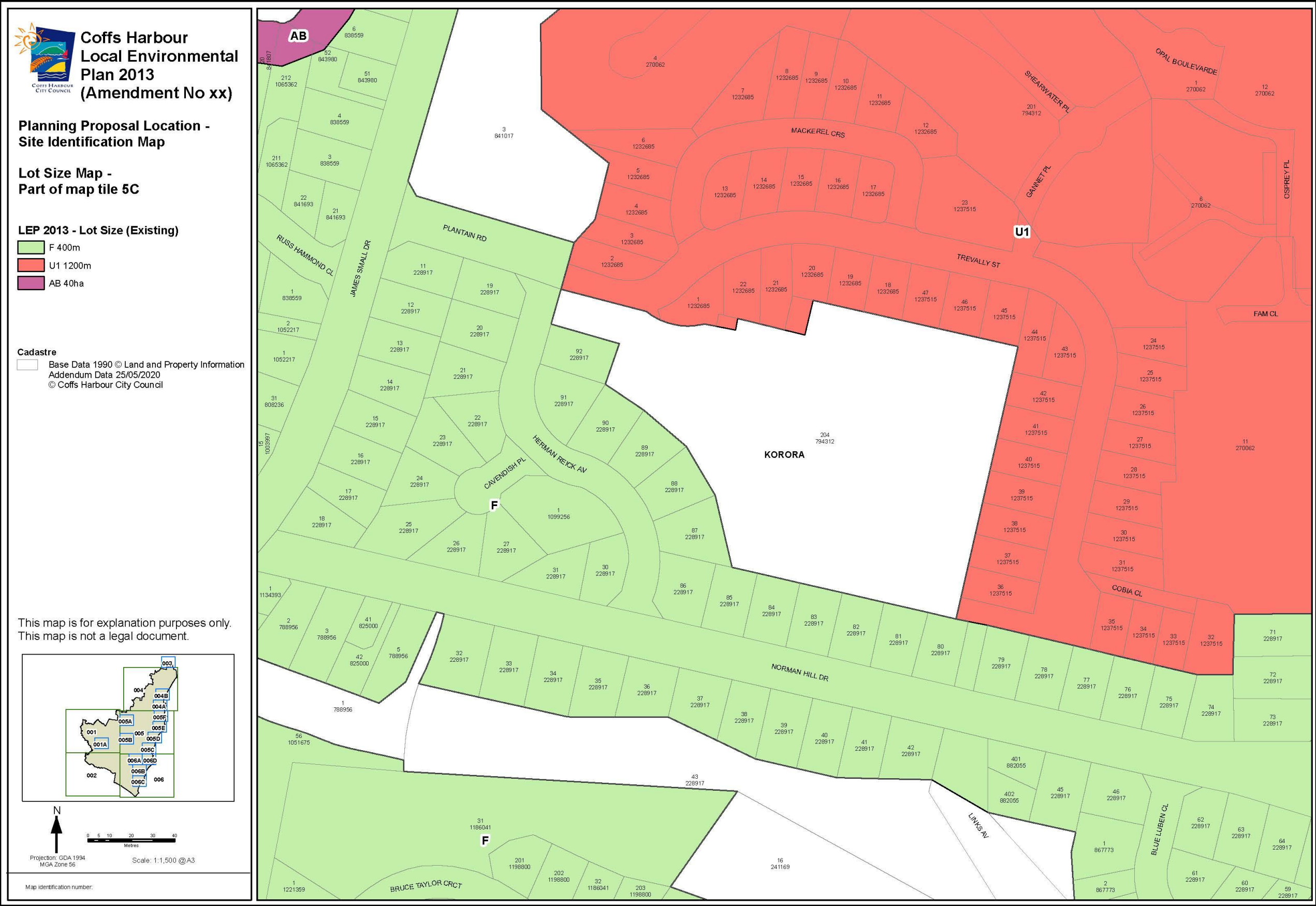




Figure 10: Proposed Amendments Relating to Item No.6 – Amendment to LEP 2013 Lot Size Map (LSZ\_005C)

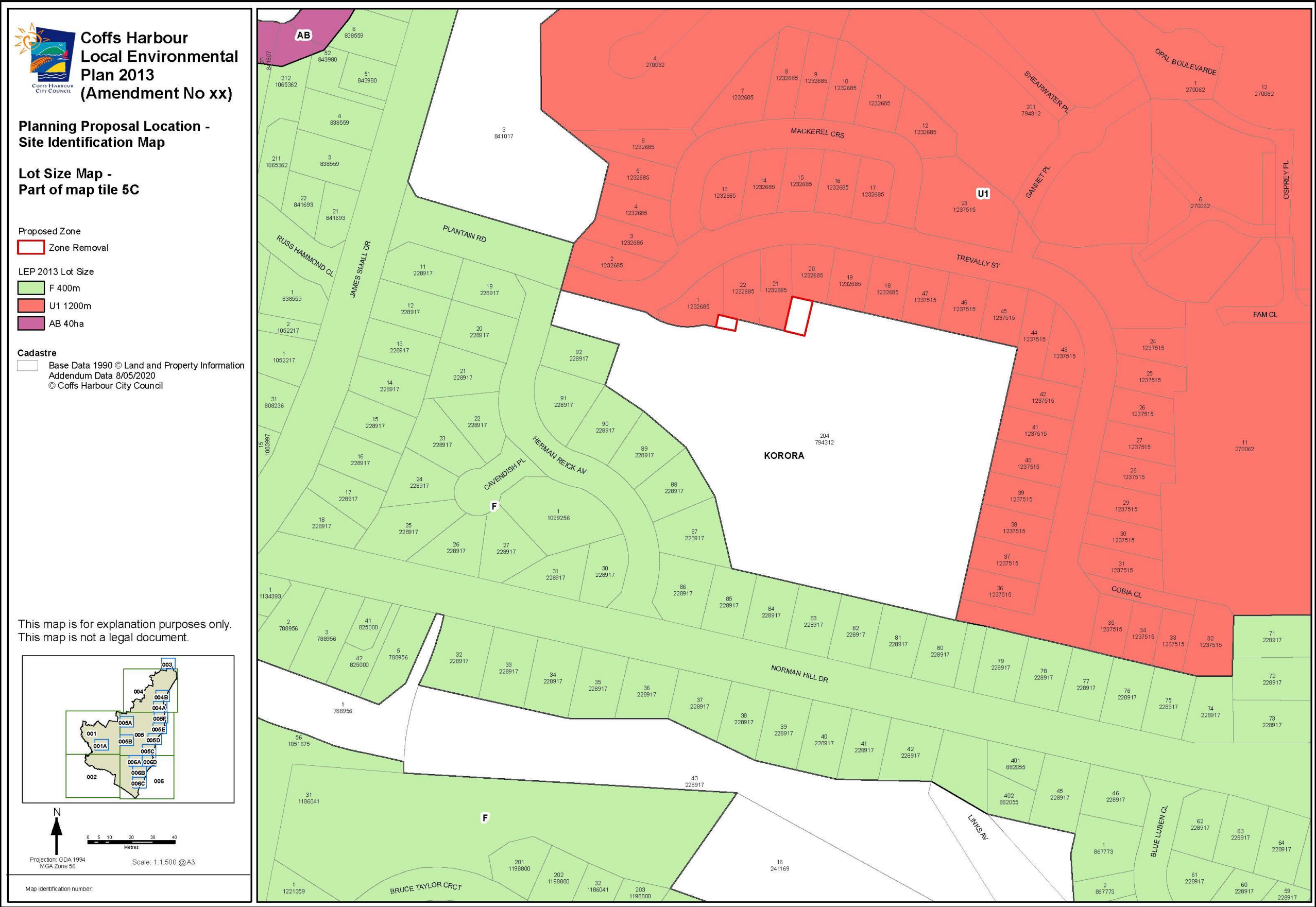




Figure 11: Existing Height of Building Controls Relating to Item No.6 – Amendment to LEP 2013 Height of Building Map (HOB\_005C)

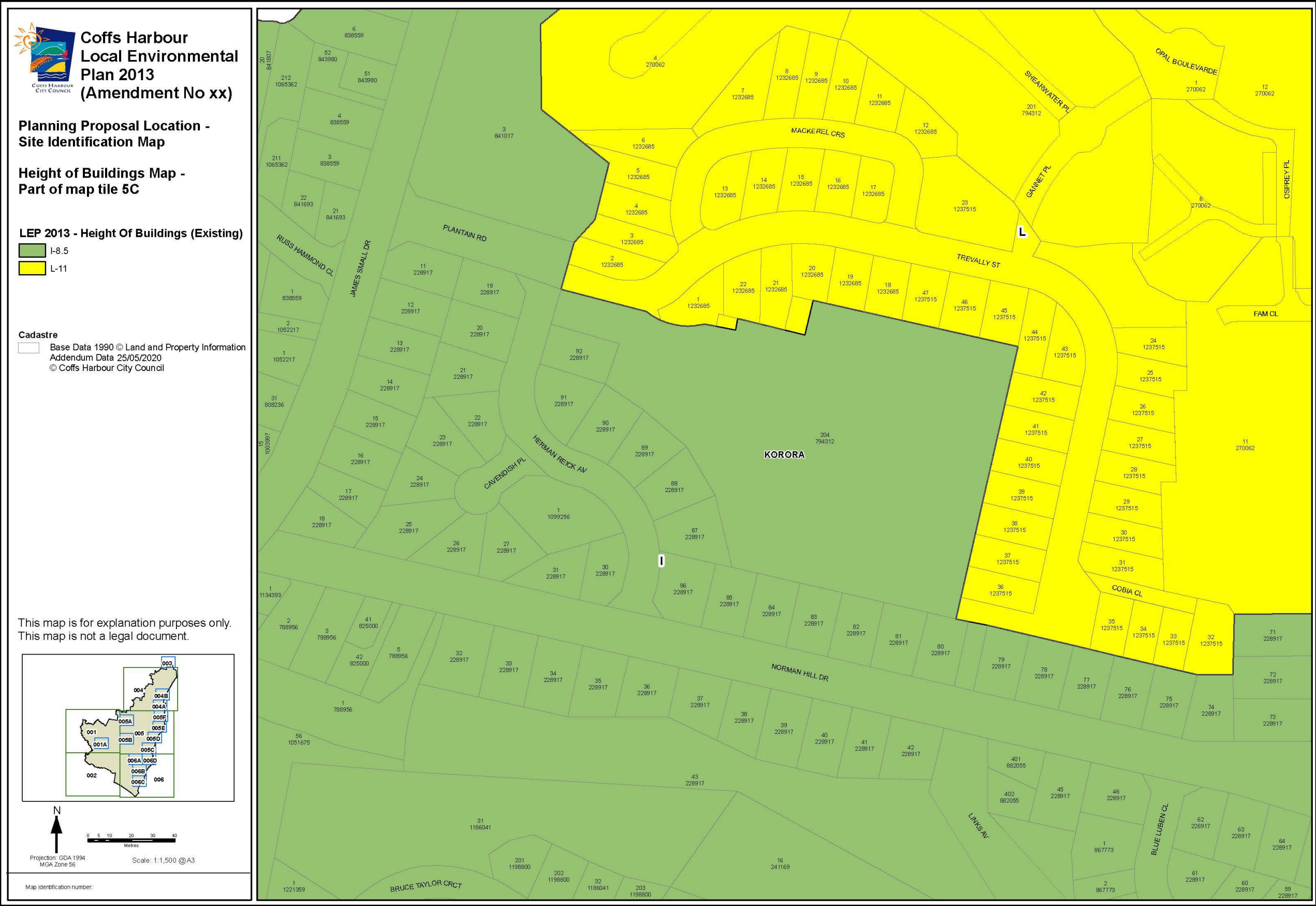




Figure 12: Proposed Amendments Relating to Item No.6 – Amendment to LEP 2013 Height of Building Map (HOB\_005C)

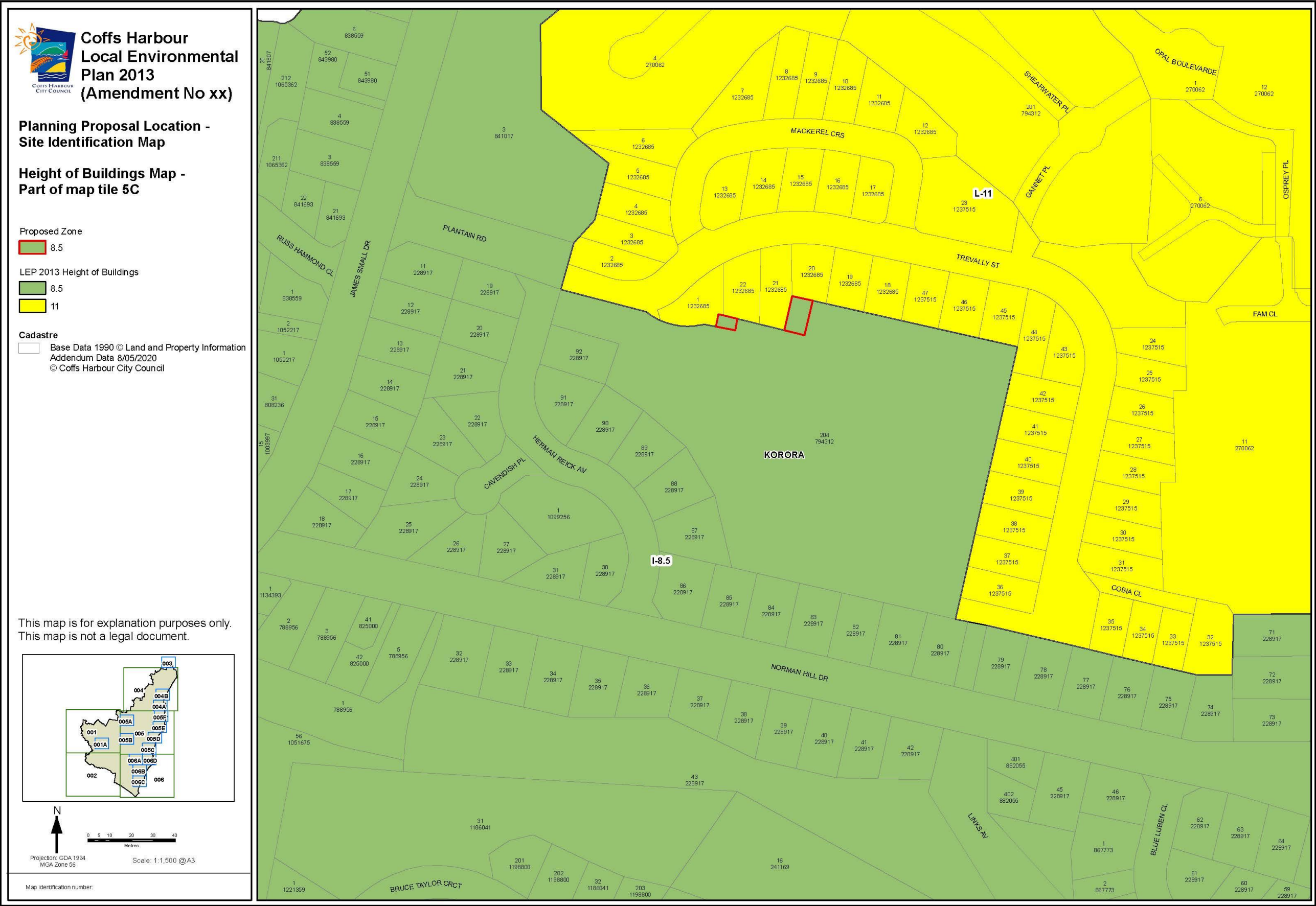




Figure 13: Existing Floor Space Ratio Controls Relating to Item No.7 – Amendment to LEP 2013 Floor Space Ratio Map (FSR\_006D)

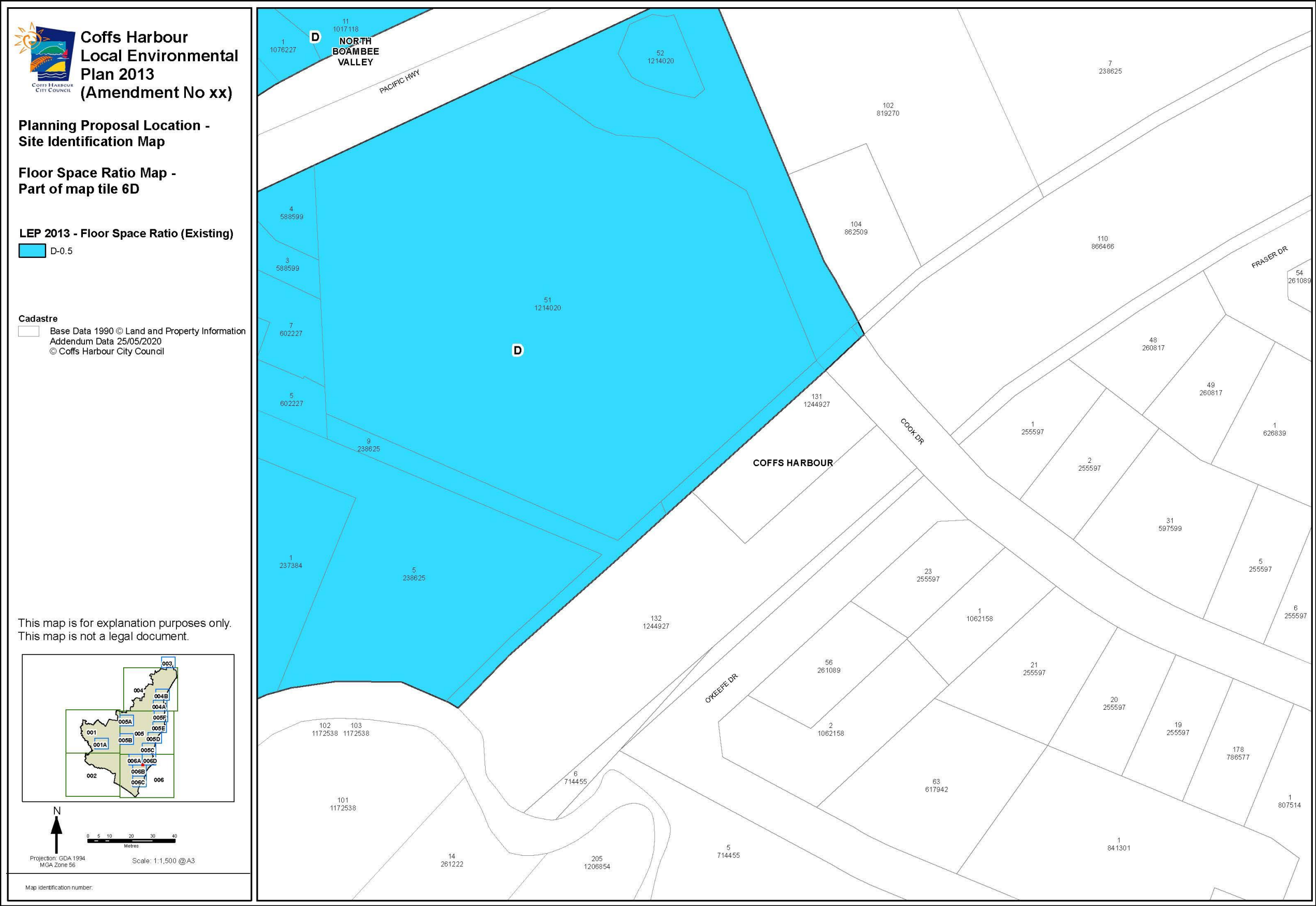


Figure 14: Proposed Amendments Relating to Item No.7 – Amendment to LEP 2013 Floor Space Ratio Map (FSR\_006D)

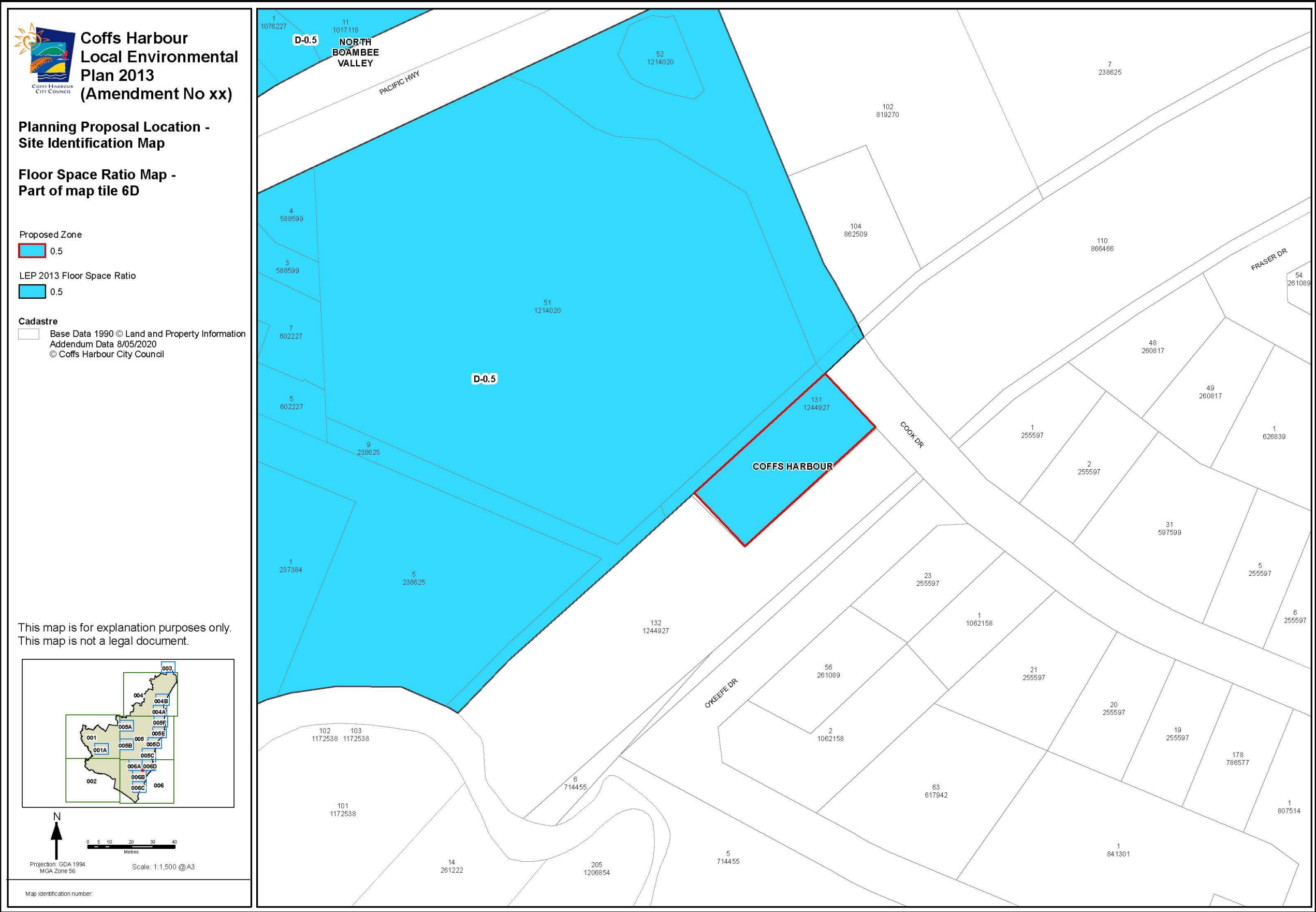


Figure 15: Existing Heritage Map Relating to Item No.8 – Amendment to LEP 2013 Heritage Map (HER\_006D)





Figure 16: Proposed Amendments Relating to Item No.8 – Amendment to LEP 2013 Heritage Map (HER\_006D)



Figure 17: Existing Heritage Map Relating to Item No. 9 – Removal of Heritage Item from LEP 2013 Heritage Map (HER\_004B)

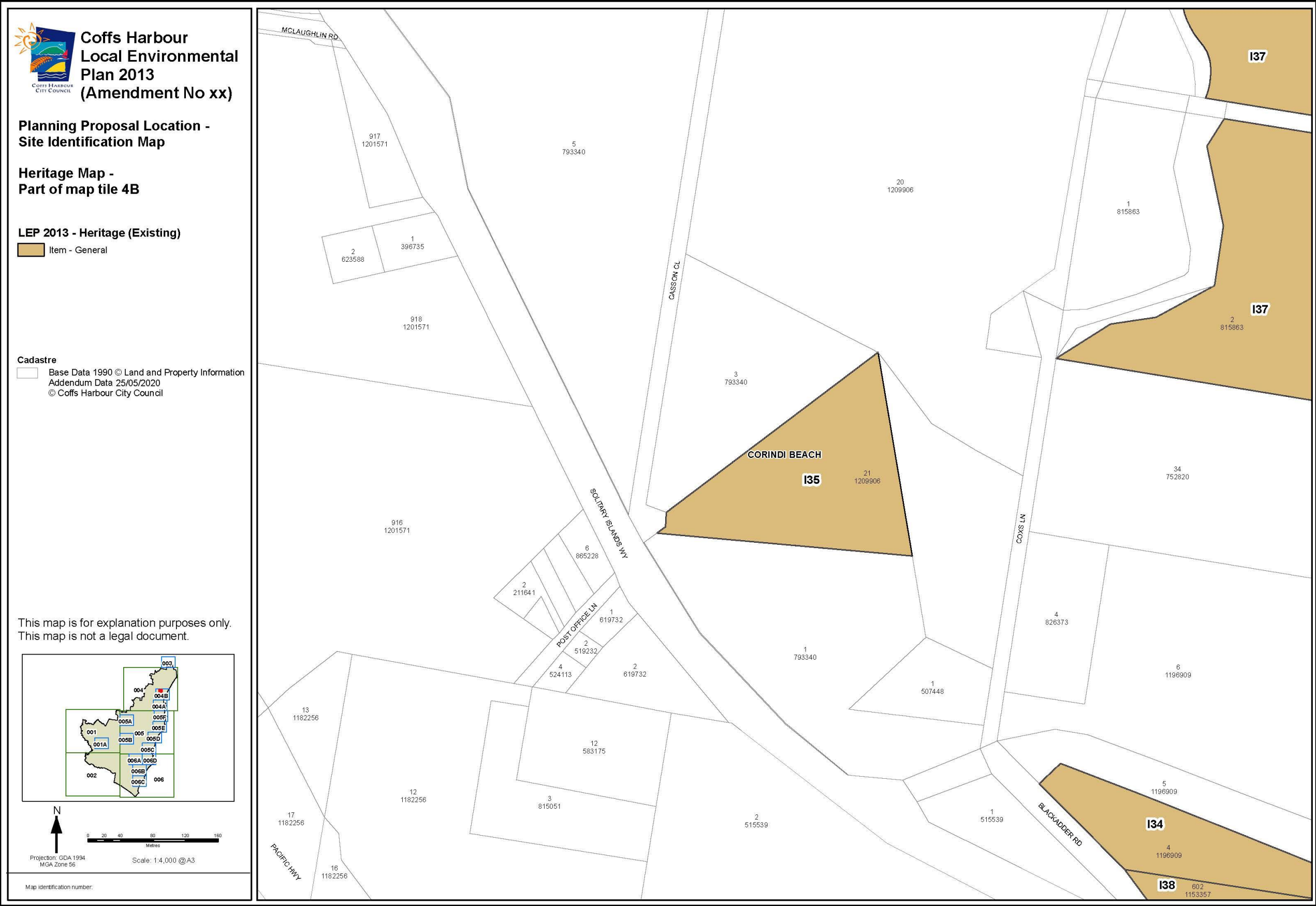


Figure 18: Proposed Amendments Relating to Item No. 9 – Removal of Heritage Item from LEP 2013 Heritage Map (HER\_004B)





Figure 19: Existing Heritage Map Relating to Item No.10 – Removal of Heritage Item from LEP 2013 Heritage Map (HER\_006)

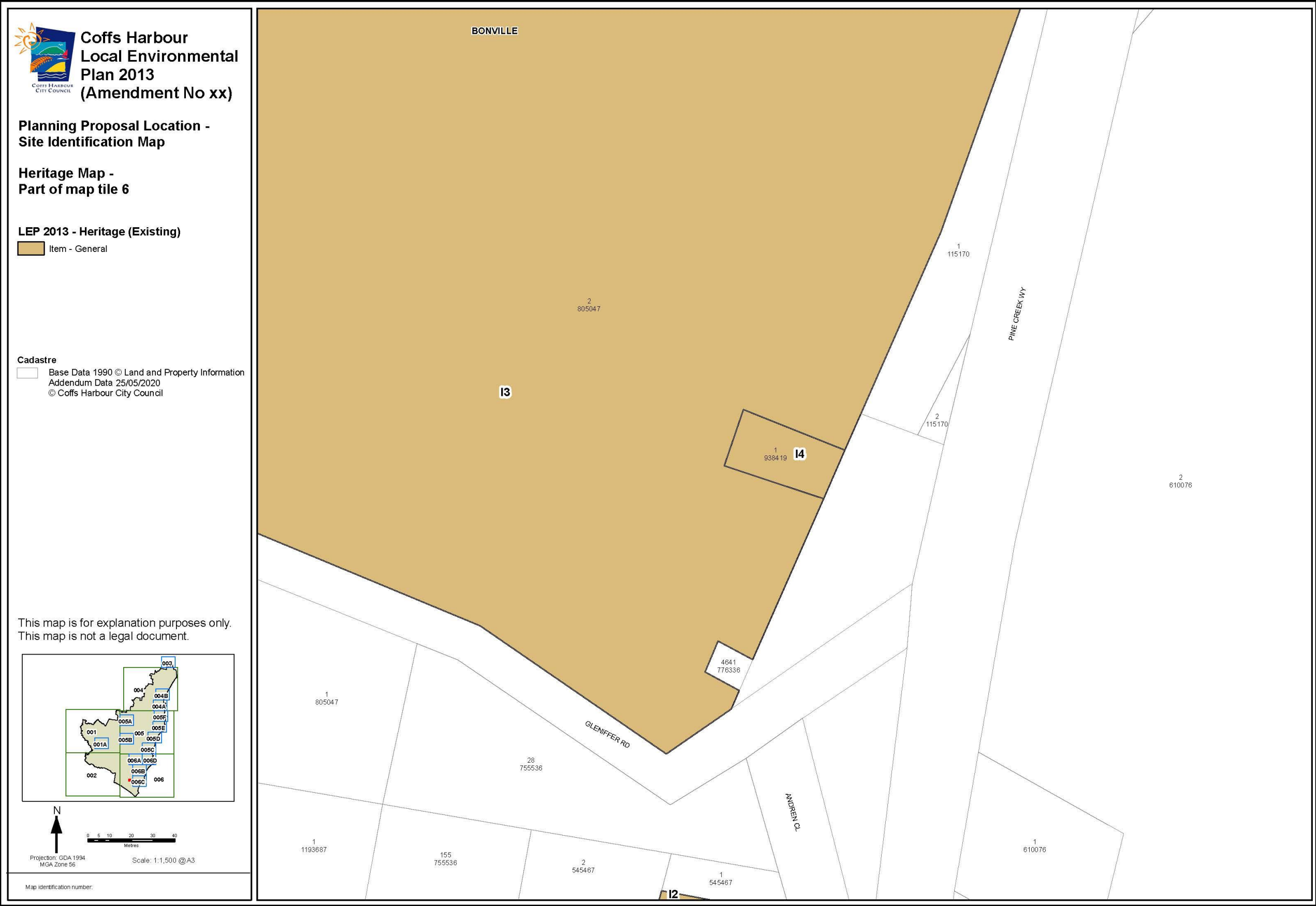


Figure 20: Proposed Amendments Relating to Item No.10 – Removal of Heritage Item from LEP 2013 Heritage Map (HER\_006)





## PART 5 – COMMUNITY CONSULTATION

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The Gateway determination issued by NSW Planning, Industry and Environment will specify the community consultation requirements that must be undertaken for the proposed LEP amendment.

Council considers that the proposed LEP amendment should be exhibited for a minimum of 40 days, as resolved at ordinary Council Meeting of 11 June 2020.

Should NSW Planning, Industry and Environment endorse the exhibition of the proposed LEP amendment and issue a Gateway Determination, the community, government agencies and other stakeholders will have an opportunity to make a submission.

If endorsed to do so, the proposed LEP amendment will be exhibited in accordance with the Gateway Determination and relevant provisions of Section 3.34(2) of the *Environmental Planning and Assessment (EP&A) Act 1979*.

Public Exhibition of the planning proposal will include the following:

### **Advertisement**

Placement of an advertisement in the Coffs Newsroom.

### **Consultation with affected owners and adjoining landowners**

Written notification of the public exhibition to affected landowners.

### **Website**

The proposed LEP amendment will be made publicly available on Council'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.*

## PART 6 –PROJECT TIMELINE

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A project timeline is yet to be determined however the anticipated timeframes are provided below in Table 1, noting that the Gateway Determination issued by NSW Planning, Industry and Environment will specify the date that the LEP amendment is to be completed.

Table 1: Anticipated Timeline

Milestone	Anticipated Timeframe
Decision by Council to initiate the proposed LEP amendment	June 2020
Commencement (date of Gateway determination)	July 2020
Peer review & provision of additional information (if required)	August 2020
Public exhibition & agency consultation	September - October 2020
Consideration of submissions	November – January 2021
Reporting to Council for consideration	March - April 2021
Submission to Minister to make the plan (if not delegated) Submission to Minister for notification of the plan (if delegated)	April – June 2021

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## APPENDIX 1 – SUMMARY OF ISSUES

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## ITEM NO.1 – AMENDMENT TO LEP 2013 LAND ZONING MAP (LZN\_005F)

<b>LEP 2013 Provision</b>	This item relates to the amendment of Land Zoning Map (LZN_005F).
<b>Justification:</b>	<p>This item relates to a short term recommendation within the Woolgoolga Town Centre Masterplan ('the Masterplan') to rezone land along the Clarence and Beach Streets Corridor from R3 Medium Residential to R1 General Residential under Coffs Harbour Local Environmental Plan (LEP) 2013.</p> <p>The Masterplan was developed following extensive community consultation and endorsed by Council on 22 February 2018. It outlines a vision and framework and sets strategic responses to urban structure, built form, public realm and movement networks for the Woolgoolga Town Centre. The framework within the Masterplan delivers strategies based on precincts.</p> <p>The Masterplan seeks to activate streets and provide a wide range of future accommodation options for residents and visitors. In this regard, it recommends amending the land use zone for the Clarence and Beach Streets Corridor to Zone R1 General Residential to strengthen and facilitate the development of tourism and mixed uses in Woolgoolga. This zone change will also reflect the mix of existing uses in this corridor.</p> <p>It is intended that this zone change will encourage development of a broader range of medium density residential accommodation types that support growth of the tourism economy (i.e. more short-stay accommodation options) and increase the choice of living options to meet the needs of an aging population requiring smaller household sizes.</p>
<b>Comment:</b>	<p>Land Zoning Map (LZN_005F) is required to be amended to align with the recommendations of the Masterplan by rezoning land along the Clarence and Beach Streets Corridor from R3 Medium Density Residential to R1 General Residential.</p> <p>The proposed LEP amendment requires associated changes to Coffs Harbour Development Control Plan (DCP) 2015 which will be reported to Council as part of a subsequent DCP amendment process.</p>
<b>Recommendation:</b>	Amend Land Zoning Map (LZN_005F) along the Clarence and Beach Streets Corridor from Zone R3 Medium Density Residential to Zone R1 General Residential as identified in Part 4 – Mapping of the planning proposal.

## ITEM NO.2 – AMENDMENT TO LEP 2013 HEIGHT OF BUILDING MAP (HOB\_05F)

<b>LEP 2013 Provision</b>	This item relates to the amendment to the Height of Building Map (HOB_005F).
<b>Justification:</b>	<p>This item relates to the maximum height of building controls applied to parts of the Woolgoolga Town Centre.</p> <p>The Woolgoolga Town Centre Masterplan ('Masterplan') was developed following extensive community consultation and endorsed by Council on 22 February 2018. It outlines a vision and framework and sets strategic responses to urban structure, built form, public realm and movement networks for the Woolgoolga Town Centre.</p> <p>The vision of the Masterplan is <i>"to grow Woolgoolga in a way that does not affect its unspoilt &amp; unhurried beachside character, but that is proactive in supporting business growth."</i></p> <p>One of the most significant issues raised by the community at large during the development of the Masterplan related to maximum building height controls. The community requested that the maximum building height controls for the Beach Street Village Precinct and surrounding residential land be reduced from 15.5m to 11m to retain a relaxed village character with adequate human scale.</p> <p>The Masterplan provides a balance between retaining a relaxed village character and enabling taller development on four keys sites with specific design requirements. The Masterplan states that providing opportunities for well-designed and appropriately located five storey mixed used buildings, amongst a generally three storey built environment will achieve a balance between maintaining the village character with the need to accommodate future growth.</p> <p>Benefits from this approach include opportunities for short stay apartments to support local tourism, a more diverse housing supply for local residents and greater economic activity and longer business hours in the town centre. For the preferred sites to entertain five storey buildings, the Masterplan recommends the application of appropriate floor space ratio controls, and the development of specific built form controls to achieve design excellence and a high standard of public realm outcomes. A further report on the removal of floor space ratio controls within the Woolgoolga Town Centre Masterplan area will be provided to Council as a separate matter.</p> <p>The proposed LEP amendment seeks to implement the recommendations within the Masterplan as follows:</p> <ul style="list-style-type: none"> <li>- retain the existing maximum building height control of 15.5m (approximately five storeys) for four key sites within the Beach Street Precinct.</li> <li>- reduce the maximum building height control for the remaining land within the Beach Street Village Precinct from 15.5m to 11m.</li> <li>- increase the maximum building height controls from 8.5m to 11m on certain land within Zone RE1 Public Recreation to</li> </ul>

	<p>support the redevelopment of existing buildings on the land in the future and to enable future development of a community facility on the existing pool site.</p> <ul style="list-style-type: none"> <li>- increase the maximum building height controls for land currently within Zone R1 General Residential on Clarence Street from 8.5m to 11m.</li> <li>- reduce the maximum building height controls for land proposed to be to within Zone R1 General Residential along the Clarence and Beach Streets Corridor (see Item 1 of this appendices) from 15.5m to 11m.</li> <li>- reduce the maximum building height controls for land currently developed for the purposes of an existing educational establishment from 15.5m to 8.5m.</li> <li>- reduce the maximum building height controls for land currently within Zone R3 Medium Density Residential North of Hasting Street to High St and bordered by Scarborough Street, and south of Trafalgar Lane and Market Street from 15.5m to 11m.</li> </ul>
<b>Comment:</b>	<p>The Height of building Map (LZN_005F) is required to be amended to align with the recommendations of the Masterplan.</p> <p>The LEP amendment requires associated DCP mapping changes which will be reported to Council as part of a subsequent Coffs Harbour DCP 2015 amendment process.</p>
<b>Recommendation:</b>	<p>Amend the Height of Building Map (HOB_005F) as identified in Part 4 – Mapping of the planning proposal to:</p> <ul style="list-style-type: none"> <li>• reduce the maximum building height from 15.5m to 11m for Zone B2 Local Centre as per the Woolgoolga Town Centre Masterplan excluding four corner sites that are to remain 15.5m as follows: <ul style="list-style-type: none"> <li>○ [Motel] Lot 56 DP 1187099, Lot 4 DP 17296</li> <li>○ [Central] Lot 20 DP 840443, Lot 1 DP 610830</li> <li>○ [Plaza] Lot 1 DP 24458, Lot 2 DP 24458, Lot 3 DP 24458</li> <li>○ [Square] Lot 167 DP 752853, Lot 7062 DP 1114214 (In), Lot 492 DP 1222944</li> </ul> </li> <li>• reduce the maximum building height from 15.5m to 8.5m as per the Woolgoolga Town Centre Masterplan for: <ul style="list-style-type: none"> <li>○ the Woolgoolga Public School site (Lots 1 &amp; 3 Sec 31 DP 759113, Lot 354 DP 821657, Lot 1 DP 883667, Lot 2 Sec 31 DP 759113).</li> </ul> </li> <li>• increase the maximum building height from 8.5m to 11m as per the Woolgoolga Town Centre Masterplan for: <ul style="list-style-type: none"> <li>○ Land currently within Zone R1 General Residential fronting Clarence St (from Lot 4 Sec A DP 24482 to Lot 7 Sec B DP 24482 inclusive).</li> </ul> </li> <li>• increase the maximum building height from 8.5m to 11m as per the Woolgoolga Town Centre Masterplan for: <ul style="list-style-type: none"> <li>○ Lot 115 DP 752853;</li> <li>○ Lot 7036 DP 1054583;</li> </ul> </li> </ul>

	<ul style="list-style-type: none"> <li>○ Lot 126 DP 752853 &amp; Pt Closed Road (being Part CR 1002841)</li> <li>○ Lot 7301 DP 1130391 (public baths &amp; recreation) includes lots 1/2 SEC 20 DP 759113) Lot 7303 DP115</li> <li>○ Lot 3 Sec 20 DP 759113 and Lot 2 Sec 20 DP 759113</li> <li>● reduce the maximum building height from 15.5m to 11m as per the Woolgoolga Town Centre Masterplan for: <ul style="list-style-type: none"> <li>○ the land to be Zone R1 General Residential (along the Clarence and Beach Streets Corridor);</li> <li>○ land within Zone R3 Medium Density Residential from the lane North of Hasting St to High St and bordered by Scarborough Street; and</li> <li>○ land within Zone R3 Medium Density Residential south of Trafalgar Lane and Market Street.</li> </ul> </li> </ul>
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### ITEM NO.3 – AMENDMENT TO LEP 2013 CLAUSE 7.12 DESIGN EXCELLENCE

<b>LEP 2013 Provision</b>	This item relates to the amendment of Clause 7.12 Design Excellence of Coffs Harbour LEP 2013.
<b>Justification:</b>	<p>Council is currently reviewing and updating its Local Growth Management Strategy. Chapters 1 to 4 of the Local Growth Management Strategy were endorsed by NSW Planning, Industry and Environment on 13 January 2020. The vision of the Local Growth Management Strategy includes encouraging design excellence in built form outcomes. Draft Coffs Harbour Local Growth Management Strategy – Chapter 8 Employment Lands which is currently on exhibition, builds on this vision to improve the design quality of buildings on commercial and industrial land.</p> <p>As part of Council's review of its Local Growth Management Strategy, a stakeholder workshop was facilitated with local architects, building designers, developers and other stakeholders. Design excellence was identified during this consultation as lacking within the Coffs Harbour Local Government Area (LGA) and a key priority for improvement.</p> <p>To support this, Council has reviewed the design excellence provisions within Coffs Harbour LEP 2013 and has identified the need to amend Clause 7.12 Design Excellence so that it applies to land within an industrial zone within the LGA.</p> <p>In this regard, it was identified that Clause 7.12 Design Excellence of Coffs Harbour LEP 2013 should apply to land within Zone IN1 General Industrial, Zone IN3 Heavy Industrial and Zone IN4 Working Waterfront as this clause currently only applies to residential, business and tourist zones within the LGA.</p>
<b>Comment:</b>	Clause 7.12 Design Excellence of Coffs Harbour LEP 2013 is required be updated to include land within Zone IN1 General Industrial, IN3 Heavy Industrial and IN4 Working Waterfront to address issues identified by Council as part of its review of the Coffs Harbour Local Growth Management Strategy.
<b>Recommendation:</b>	<p>Amend Clause 7.12 Design Excellence of Coffs Harbour LEP 2013 to:</p> <ul style="list-style-type: none"> <li>• (2) include Zone IN1 General Industrial, Zone IN3 Heavy Industrial and Zone IN4 Working Waterfront.</li> </ul>

#### ITEM NO.4 – AMENDMENT TO LEP 2013 CLAUSE 7.12 DESIGN EXCELLENCE

<b>LEP 2013 Provision</b>	This item relates to the amendment of Clause 7.12 Design Excellence of Coffs Harbour LEP 2013.
<b>Justification:</b>	At the time Coffs Harbour LEP 2013 came into force, Coffs Harbour City DCP 2013 was still in force, as a result references were made to DCP 2013 in certain circumstances. Coffs Harbour DCP 2015 came into force on 29 September 2015 and superseded Coffs Harbour City DCP 2013. Clause 7.12 (5) of Coffs Harbour LEP 2013 Design excellence, references the repealed Coffs Harbour City DCP 2013.
<b>Comment:</b>	Reference to the repealed Coffs Harbour DCP 2013 is required to be amended to reference the in force Coffs Harbour DCP 2015 in Clause 7.12 (5) of LEP 2013.
<b>Recommendation:</b>	<p>Amend Clause 7.12 (5) of Coffs Harbour LEP 2013 to remove references to ‘Coffs Harbour Development Control Plan 2013’ and ‘as in force at the commencement of this Plan’ and replace with the following:</p> <p>In this clause—</p> <p>Coffs Harbour Development Control Plan means the Coffs Harbour Development Control Plan 2015 as adopted by Council.</p> <p>(5) remove a reference to the annulled <i>Coffs Harbour Development Control Plan 2013</i> and instead reference the in force <i>Coffs Harbour Development Control Plan 2015</i>.</p>

## ITEM NO.5 – AMENDMENT TO LEP 2013 LAND ZONING MAP (LZN\_006C)

<b>LEP 2013 Provision</b>	Amend Land Zoning Map (LZN_006C)
<b>Justification:</b>	The NSW Government Gazette No. 28 of 24 February 2017 notice was made in accordance with a resolution from Council's Ordinary Meeting of 8 December 2016 (Resolution No 2016/274) during which it was resolved to dedicate land described as Lot 11 DP 1193991 situated in Mimiwali Drive, North Bonville to the public as public reserve (Zone RE1 Public Recreation). The subject land is currently within Zone R2 Low Density Residential.
<b>Comment:</b>	<p>Upon the completion of a subdivision (83/04DA), Lot 11 DP 1193991 was not dedicated as public reserve as required by the approval. This land was later disposed of via a transfer process and upon receipt of the land, it was subsequently classified as Community Land in accordance with S31 of the <i>Local Government Act 1993</i> and dedicated as Public Reserve by gazettal notification (NSW Government Gazette No 28 of 24 February 2017). While these matter have since been resolved, Coffs Harbour LEP 2013 has not been updated to reflect the changes. Land Zoning Map (Sheet LZN_006C) is required to be amended to reflect the Council Notice – Dedication of Public Reserve in Government Gazette No 28 of 24 February 2017.</p> <p>This LEP amendment requires associated DCP mapping changes which will be reported to Council as a separate process.</p>
<b>Recommendation:</b>	Amend Land Zoning Map (LZN_006C) by rezoning Lot 11 DP 1193991 from Zone R2 Low Density Residential to Zone RE1 Public Recreation.

ITEM NO.6 – AMENDMENT TO LEP 2013 LAND ZONING MAP (LZN\_005C), LOT SIZE MAP (LSZ\_005C) & HEIGHT OF BUILDING MAP (HOB\_005C)

<p><b>LEP 2013 Provision</b></p>	<p>This item relates to the amendment to Coffs Harbour LEP 2013 mapping in relation to Lot 204 DP 794312 for:</p> <ul style="list-style-type: none"> <li>• Land Zoning Map (LZN_005C),</li> <li>• Lot Size Map (LSZ_005C), and</li> <li>• Height of Building Map (HOB_005C).</li> </ul>
<p><b>Justification:</b></p>	<p>A recent subdivision has resulted in an amendment to the cadastral boundary of Lot 204 DP 794312. The consequences of this is that Zone RE1 Public Recreation does not align as intended and the affected Lot 204 DP 794312 is incorrectly within Zone R1 General Residential and Zone RE1 Public Recreation. Lot 203 DP 794312, Korora Sportsground is managed by Council and is classified in its entirety as operational land, including the land proposed to be amended to sit within Zone RE1 Public Recreation (refer to Figures 1 and 2 below).</p> <div data-bbox="582 857 1316 1265" data-label="Figure"> </div> <p>Figure 1: Extract of DP 1232685 depicting the cadastral boundary of Lot 204 DP 794312 following the addition of Lots 1, 22, 21 &amp; 20. Yellow highlight is indicative of the mapping anomalies</p> <div data-bbox="582 1377 1316 1848" data-label="Figure"> </div> <p>Figure 2: Existing Coffs Harbour LEP 2013 mapping depicting the two areas that do not match the cadastre as intended – see highlighted areas in Figure 1</p>

<b>Comment:</b>	<p>Amend Land Zoning Map (LZN_005C) by clipping back Zone R1 General Residential and apply Zone RE1 Public Recreation and amend the associated Lot Size Map (LSZ_005C) and Height of Building Map (HOB_005C) to reflect Zone RE1 Public Recreation for Lot 204 DP 794312.</p> <p>This amendment item requires associated DCP mapping changes which will be reported to Council as part of a separate process.</p>
<b>Recommendation:</b>	<p>Amend Land Zoning Map (LZN_005C), remove Lot Size Map (LSZ_005C) and remove Height of Building Map (HOB_005C) for Lot 204 DP 794312 to correct misalignment between zone and cadastral boundaries, rezoning land from Zone R1 General Residential to Zone RE1 Public Recreation.</p>



# ITEM NO.7 – AMENDMENT TO LEP 2013 FLOOR SPACE RATIO MAP (FSR\_006D)

<b>LEP 2013 Provision</b>	Amend the Floor Space Ratio Map (FSR_006D) to restore Floor Space Ratio 0.5 (n:1) controls to Lot 131 DP 1244927
<b>Justification:</b>	<p>Coffs Harbour LEP 2013 Amendment No 5 (Housekeeping 1) came into effect on 8 Jan 2016 and inadvertently removed a parcel of land from Floor Space Ratio Map (FSR_006D). Advice from NSW Planning, Industry and Environment is that an outdated Floor Space Ratio Map tile was used as part of Coffs Harbour LEP 2013 Amendment No 5 (Housekeeping 1) and incorrectly removed Floor Space Ratio controls for Lot 131 DP 1244927 as show in Figures 3 and 4 below.</p> <div data-bbox="518 616 949 1140" data-label="Image"> </div> <p>Figure 3: Existing and incorrect Floor Space Ratio controls for Lot 131 DP 1244927</p> <div data-bbox="518 1205 949 1738" data-label="Image"> </div> <p>Figure 4: Previous and correct Floor Space Ratio controls for Lot 131 DP 1244927</p>
<b>Comment:</b>	Floor Space Ratio Map (FSR_006D) is required to be amended to reinstate the correct Floor Space Ratio controls for Lot 131 DP 1244927 prior to Coffs Harbour LEP 2013 Amendment No 5 (Housekeeping 1).

<b>Recommendation:</b>	<p>It is recommended that FSR Map (FSR_006D) be amended to align with the Zone B5 Business Development for Lot 131 DP 1244927 as follows:</p> <ul style="list-style-type: none"> <li>• Amend the Floor Space Ratio Map (LZN_006D) to apply Floor Space Ratio 0.5 (n:1) controls to Lot 131 DP 1244927, thereby correcting an anomaly.</li> </ul>
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ITEM NO.8 – AMENDMENT TO LEP 2013 HERITAGE MAP (HER\_006D) & SCHEDULE 5 (ENVIRONMENTAL HERITAGE) OF LEP 2013

<p><b>LEP 2013 Provision</b></p>	<p>This item relates to the amendment of item number I14 within:</p> <ul style="list-style-type: none"> <li>• Part 1 of Schedule 5 (Environmental Heritage) of LEP 2013, and</li> <li>• LEP Mapping (Sheet HER_006D)</li> </ul>
<p><b>Justification:</b></p>	<p>This item relates to the land description contained within Schedule 5 of LEP 2013 for Heritage Item number I14, a residence located at 151 Edinburgh Street (Lots A and B, DP 366102) Coffs Harbour and the associated heritage layer map.</p> <p>Item number I14 (Riley's house) has been the subject of a boundary alteration (0037/20LP) as per 1276/10DA as approved by Council. The Subdivision resulted in a boundary adjustment between two residential lots (Lots A and B DP 366102, No. 151-153 Edinburgh Street). One of the lots contained a heritage item. The boundary adjustment placed the heritage item entirely within one lot (now Lot 92 DP 1260689, 151 Edinburgh Street Coffs Harbour). The proposal was referred to Council's Heritage advisor, no issues were raised.</p> <p>The legal description for the properties were updated following the boundary adjustment. Lot 92 DP 1260689, 151 Edinburgh Street Coffs Harbour now contains Heritage Item 14 (Riley's house). Lots A and B, DP 366102 now relate to Lot 91 DP 1260689 (153 Edinburgh Street) and Lot 8 Sec 59 DP 758258 (155 Edinburgh Street). Schedule 5 Environmental Heritage and the associated heritage layer map currently refer to the past property descriptions of Lots A and B DP 366102, which no longer exist and no longer accurately relate to Item No. I14.</p>  <p><i>Figure 5: Heritage Mapping does not reflect Heritage Item I14 following a Subdivision (Boundary Adjustment) and updated Legal Description for the resulting properties</i></p>

<b>Comment:</b>	Heritage Map (HER_006D) is required to be amended to reflect the new property description and land boundaries.
<b>Recommendation:</b>	Part 1 of Schedule 5 of Coffs Harbour LEP 2013 and Heritage Map (HER_006D) be amended to reflect the new property description and land boundaries of 151 Edinburgh Street Coffs Harbour (Lot 92 DP 1260689).

ITEM NO.9 – REMOVAL OF HERITAGE ITEM FROM LEP 2013 HERITAGE MAP (HER\_004B) & SCHEDULE 5 (ENVIRONMENTAL HERITAGE) OF LEP 2013

<b>LEP 2013 Provision</b>	<p>This item relates to the removal of Heritage Item number I35 from:</p> <ul style="list-style-type: none"> <li>• Part 1 of Schedule 5 (Environmental Heritage) of LEP 2013, and</li> <li>• LEP Mapping (HER_004B).</li> </ul>
<b>Justification:</b>	<p>Item number I35, which relates to a homestead at 4 Cassons Close, Lot 21 DP 1209906 (previously Lot 2, DP 793340), was approved for demolition as per 311/17DA and has since been removed. The application was accompanied by a Heritage Impact Statement and a Building Inspection Report. Council's Heritage Advisor reviewed the Statement and undertook an inspection of the item. Whilst the Statement presented several possible options for the existing dwelling, it was considered that due to the existing condition of the building (being severely compromised structurally) and the existence of other examples of similar heritage value, the demolition of the dwelling could be supported without resulting in significant impacts to heritage values in the LGA.</p>
<b>Comment:</b>	<p>Heritage Map (HER_004B) and the contents of Schedule 5 of LEP 2013 are required to be amended to remove item I35 and associated mapping as the homestead which warranted the heritage listing has been demolished and as a result no longer warrants the heritage listing.</p>
<b>Recommendation:</b>	<p>It is recommended that the following amendments be made to Coffs Harbour LEP 2013 as a result of this issue:</p> <ul style="list-style-type: none"> <li>• remove item number I35 from LEP Heritage Map HER_004B; and</li> <li>• remove item number I35 from Part 1 of Schedule 5 of LEP 2013.</li> </ul>



ITEM NO.10 – REMOVAL OF HERITAGE ITEM FROM LEP 2013 HERITAGE MAP (HER\_006) & SCHEDULE 5 (ENVIRONMENTAL HERITAGE) OF LEP 2013

<b>LEP 2013 Provision</b>	<p>This item relates to the removal of Heritage Item number I4 from:</p> <ul style="list-style-type: none"> <li>• Part 1 of Schedule 5 (Environmental Heritage) of LEP 2013, and</li> <li>• LEP Heritage Map (HER_006).</li> </ul>
<b>Justification:</b>	<p>Item number I4, relates to the Bonville Anglican Church. The building was destroyed by a fire in 2015 and no longer exists. As a result, this item no longer warrants the heritage listing.</p>
<b>Comment:</b>	<p>Heritage Map (HER_006) and the contents of Schedule 5 of LEP 2013 is required to be amended to remove item I4 and the associated mapping.</p>
<b>Recommendation:</b>	<p>It is recommended that the following amendments be made to Coffs Harbour LEP 2013 as a result of this issue:</p> <ul style="list-style-type: none"> <li>• remove item number I4 from LEP Heritage Map (HER_006); and</li> <li>• remove item number I4 from Part 1 of Schedule 5 of LEP 2013.</li> </ul>

## APPENDIX 2 – CONSIDERATION OF STATE ENVIRONMENTAL PLANNING POLICIES

State Environmental Planning Policy	Applicable	Consistent	Comment
SEPP No 19 – Bushland in Urban Areas	N/A	N/A	Coffs Harbour City Council is not listed in Schedule 1 of this policy and thus the policy does not apply to the proposed LEP amendment.
SEPP No 21 – Caravan Parks	N/A	N/A	The proposed LEP amendment does not contain provisions that contradict or hinder the application of this SEPP.
SEPP No 33 – Hazardous and Offensive Development	N/A	N/A	The proposed LEP amendment does not contain provisions that contradict or hinder the application of this SEPP.
SEPP No 36 – Manufactured Home Estates	N/A	N/A	The proposed LEP amendment does not contain provisions that contradict or hinder the application of this SEPP.
SEPP No 50 – Canal Estate Development	N/A	N/A	The proposed LEP amendment does not contain provisions that contradict or hinder the application of this SEPP.
SEPP No 55 – Remediation of Land	N/A	N/A	The proposed LEP amendment does not contain provisions that contradict or hinder the application of this SEPP.
SEPP No 64 – Advertising and Signage	N/A	Yes	The proposed LEP amendment does not contain provisions that contradict or hinder the application of this SEPP.
SEPP No 65 – Design Quality of Residential Apartment Development	Yes	Yes	The proposed LEP amendment does not contain provisions that contradict or hinder the application of this SEPP.
SEPP No 70 – Affordable Housing (Revised Schemes)	N/A	N/A	The proposed LEP amendment does not contain provisions that contradict or hinder the application of this SEPP.
SEPP (Aboriginal Land) 2019	N/A	N/A	The proposed LEP amendment does not contain provisions that contradict or hinder the application of this SEPP.
SEPP (Affordable Rental Housing) 2009	N/A	N/A	The proposed LEP amendment does not contain provisions that contradict or hinder the application of this SEPP.
SEPP (Building Sustainability Index: BASIX) 2004	N/A	N/A	The proposed LEP amendment does not contain provisions that contradict or hinder the application of this SEPP.
SEPP (Coastal Management) 2018	Yes	Yes	The aim of this 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

State Environmental Planning Policy	Applicable	Consistent	Comment
			<p>for each coastal management area, by—</p> <p>(a) managing development in the coastal zone and protecting the environmental assets of the coast, and</p> <p>(b) establishing a framework for land use planning to guide decision-making in the coastal zone, and</p> <p>(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> <p>The proposed LEP amendment does not contain provisions that contradict or hinder the application of this SEPP.</p> <p>The proposed LEP amendment seeks to reduce the maximum building height for land within Zone R3 Medium Density Residential in the Woolgoolga. Some of this land is within the coastal environment area, coastal use area, coastal wetlands area and proximity to coastal wetland area mapped within the SEPP. Given that the proposal is to reduce the maximum building height for this land the proposed LEP amendment is not inconsistent with the provisions of the SEPP.</p> <p>The proposed LEP amendment seeks to reintroduce an FSR control for Lot 131 DP 1244927 as it was unessentially removed as part of a prior LEP amendment. This land is within the coastal wetlands area and proximity to coastal wetland area.</p> <p>Given that the proposal is correct a mapping anomaly, the proposed LEP amendment is not inconsistent with the provisions of the SEPP.</p>
SEPP (Concurrences and Consents) 2018	N/A	N/A	The proposed LEP amendment does not contain provisions that contradict or hinder the application of this SEPP.
SEPP (Educational Establishments and Child Care Facilities) 2017	N/A	N/A	The proposed LEP amendment does not contain provisions that contradict or hinder the application of this SEPP.

State Environmental Planning Policy	Applicable	Consistent	Comment
SEPP (Exempt and Complying Development Codes) 2008	N/A	N/A	The proposed LEP amendment does not contain provisions that contradict or hinder the application of this SEPP.
SEPP (Housing for Seniors or People with a Disability) 2004	N/A	N/A	The proposed LEP amendment does not contain provisions that contradict or hinder the application of this SEPP.
SEPP (Infrastructure) 2007	N/A	N/A	The proposed LEP amendment does not contain provisions that contradict or hinder the application of this SEPP.
SEPP (Mining, Petroleum Production and Extractive Industries) 2007	N/A	N/A	The proposed LEP amendment does not contain provisions that contradict or hinder the application of this SEPP.
SEPP (Primary Production and Rural Development) 2019	N/A	Yes	The proposed LEP amendment does not contain provisions that contradict or hinder the application of this SEPP.
SEPP (State and Regional Development) 2019	N/A	N/A	The proposed LEP amendment does not contain provisions that contradict or hinder the application of this SEPP.
SEPP (State Significant Precincts) 2005	N/A	N/A	The proposed LEP amendment does not contain provisions that contradict or hinder the application of this SEPP.
SEPP (Urban Renewal) 2010	N/A	N/A	The proposed LEP amendment does not contain provisions that contradict or hinder the application of this SEPP.
SEPP (Vegetation in Non-Rural Areas) 2017		Yes	<p>The aims of this Policy are—</p> <p>(a) to protect the biodiversity values of trees and other vegetation in non-rural areas of the State, and</p> <p>(b) to preserve the amenity of non-rural areas of the State through the preservation of trees and other vegetation.</p> <p>Comment:</p> <p>The proposed LEP Amendment relates to existing urban areas and is therefore unlikely to impact the biodiversity values of trees and other vegetation in non-rural areas of the State and therefore preserves the amenity of non-rural areas of the State.</p>



## APPENDIX 3 – CONSIDERATION OF MINISTERIAL PLANNING DIRECTIONS

Sg.1 Direction	Applicable	Consistent	Comment
<b>1. Employment and Resources</b>			
1.1 Business and Industrial Zones	Applies when a relevant planning authority prepares 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).	Yes	<p>The proposed LEP amendment does not contain provisions that contradict or hinder the objectives of this planning direction.</p> <p>Part of this proposed LEP amendment is to amend maximum building height controls within business zones in a manner that accords with objectives of this direction, which are to:</p> <ul style="list-style-type: none"> <li>(a) encourage employment growth in suitable locations,</li> <li>(b) protect employment land in business and industrial zones, and</li> <li>(c) support the viability of identified centres.</li> </ul> <p>The proposed LEP amendment does not alter the area or location of existing business zones. The proposal LEP amendment seeks to amend maximum building height controls within the Woolgoolga Town Centre based on recommendations within the Woolgoolga Town Centre Masterplan to ensure that the objectives of the Masterplan can be met.</p> <p>The Woolgoolga Town Centre Masterplan was developed following extensive community consultation and endorsed by Council on 22 February 2018. The Masterplan outlines a vision and framework and sets strategic responses to urban structure, built form, public realm and movement networks for the Woolgoolga Town Centre.</p> <p>The vision of the Masterplan is “to grow Woolgoolga in a way that does not affect its unspoilt &amp; unhurried beachside character, but that is proactive in supporting business</p>

S9.1 Direction	Applicable	Consistent	Comment
			<p>growth.” The adopted masterplan contains a recommendation to amend maximum building height controls to retain a relaxed village character with adequate human scale. It provides a balance between retaining a relaxed village character and enabling taller development on four keys sites with specific design requirements.</p> <p>The proposed LEP amendment also seeks to reinstate floor space ratio controls for Lot 131 DP 1244927 which were unintentionally removed as part of Coffs Harbour LEP 2013 Amendment No 5 (Housekeeping 1).</p> <p>The proposed changes are not inconsistent with the intent of this planning direction.</p>
1.2 Rural Zones	<p>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>Under this direction a planning proposal must:</p> <p>(a) not rezone land from a rural zone to a residential, business, industrial, village or tourist zone.</p>	Yes	<p>The proposed LEP amendment does not contain provisions that contradict or hinder the objectives of this planning direction.</p> <p>The proposed LEP amendment does not seek to rezone land from a rural zone to a residential, business, industrial, village or tourist zone.</p>
1.3 Mining, Petroleum Production and Extractive Industries	<p>Applies when a relevant planning authority prepares a planning proposal that would have the effect of:</p> <p>(a) prohibiting the mining of coal or other minerals, production of petroleum, or winning or obtaining of extractive materials, or</p> <p>(b) restricting the potential development of</p>	Yes	<p>The proposed LEP amendment does not contain provisions that contradict or hinder the objectives of this planning direction, such as:</p> <p>(a) prohibit the mining of coal or other minerals, production of petroleum, or winning or obtaining of extractive materials, or</p> <p>(b) restrict the potential development of resources of coal, other minerals, petroleum</p>

S9.1 Direction	Applicable	Consistent	Comment
	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.		or extractive materials which are of State or regional significance.  The proposed LEP amendment will not prohibit or restrict exploration or mining.
1.4 Oyster Aquaculture	Applies when a relevant planning authority prepares any planning proposal that proposes a change in land use which could result in:  (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 aquaculture lease in the national parks estate” and other land uses.	N/A	The proposed LEP amendment does not impact on a Priority Oyster Aquaculture Area.
1.5 Rural Lands	Applies when a relevant planning authority prepares a planning proposal that:  (a) will affect land within an existing or proposed rural or environment protection zone (including the alteration of any existing rural or environment protection zone boundary), or  (b) changes the existing minimum lot size on land within a rural or environment protection zone.	Yes	The proposed LEP amendment does not contain provisions that contradict or hinder the objectives of this planning direction.  The proposed LEP amendment seeks the removal of two heritage items listed in Schedule 5 of Coffs Harbour LEP 2013 which are both located on land within Zone RU2 Rural Landscape (see items 9 and 10). In this regard, the proposed LEP amendment will not adversely affect land within a rural zone or result in changes to the minimum lot size on land within a rural or environment protection zone.
<b>2 Environment and Heritage</b>			

S9.1 Direction	Applicable	Consistent	Comment
2.1 Environment Protection Zones	<p>(4) A planning proposal must include provisions that facilitate the protection and conservation of environmentally sensitive areas.</p> <p>(5) A planning proposal that applies to land within an environment protection zone or land otherwise identified for environment protection purposes in a LEP must not reduce the environmental protection 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 clause (5) of Direction 1.5 “Rural Lands”.</p>	Yes	<p>The proposed LEP amendment does not contain provisions that contradict or hinder the objectives of this planning direction.</p> <p>The proposed LEP amendment seeks to remove a listed heritage item from land that is partially within Zone E2 Environmental Conservation. The proposed amendment also seeks to reinstate floor space ratio controls on land that is partially within Zone E2 Environmental Conservation which were unintentionally removed.</p> <p>In this regard, it is unlikely that the proposed LEP amendment would reduce the environmental protection standards that apply to the land.</p>
2.2 Coastal Protection	<p>Applies to land that is within the coastal zone, as defined under the Coastal Management Act 2016 – comprising the coastal wetlands and littoral rainforests area, coastal vulnerability area, coastal environment area and coastal use area – as identified in <i>State Environmental Planning Policy (Coastal Management) 2018</i>.</p> <p>(4) A planning proposal must include provisions that give effect to and are consistent with:</p> <p>(a) the objects of the <i>Coastal Management</i></p>	Yes	<p>The proposed LEP amendment does not contain provisions that contradict or hinder the objectives of this planning direction.</p> <p>The proposed LEP amendment seeks to reduce the maximum building height controls for land within Zone R3 Medium Density Residential in the Woolgoolga. Some of this land is within the coastal environment area, coastal use area, coastal wetlands area and proximity to coastal wetland area under SEPP (Coastal Management) 2018. Given that the proposed LEP amendment only seeks to reduce the maximum building height for this land it is considered that the proposed amendment is not inconsistent with</p>



S9.1 Direction	Applicable	Consistent	Comment
	<p>Act 2016 and objectives of the relevant coastal management areas,</p> <p>(b) the NSW Coastal Management Manual and associated Toolkit; and</p> <p>(c) the NSW Coastal Design Guidelines 2003, and</p> <p>(c) any relevant Coastal Management Program that has been certified by the Minister, or any Coastal Zone Management Plan under the <i>Coastal Protection Act 1979</i> that continues to have effect under the <i>Coastal Management Act 2016</i>.</p>		<p>the objectives of the planning direction.</p> <p>The proposed LEP amendment also seeks to reintroduce a floor space ratio control for Lot 131 DP 1244927 as it was unintentionally removed as part of a prior LEP amendment. This land is within the coastal wetlands area and proximity to coastal wetland area.</p> <p>Given that the proposal seeks to correct a mapping anomaly, it is considered that the proposed LEP amendment is not inconsistent with the objectives of the planning direction.</p>
2.3 Heritage Conservation	<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>	No	<p>Justifiably inconsistent for the reasons listed below.</p> <p>The proposed LEP amendment is unlikely to inhibit the conservation of Aboriginal objects or places.</p> <p>The proposed LEP amendment seeks to clarify the property description for a listed heritage item (see Item 9) following an approved boundary alteration affecting the property. The heritage significance of this site is not affected in any way.</p> <p>The proposed LEP amendment also proposes to remove two heritage items listed within Schedule 5 of Coffs Harbour LEP 2013.</p> <p>Item number 14, The Bonville Anglican Church, was destroyed by a fire in 2015. As a result, this item no longer warrants heritage listing given that the building as it stands today does not meet the criteria for heritage listing. Delisting the item is</p>

S9.1 Direction	Applicable	Consistent	Comment
	<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>unlikely to result in an inconsistency with the planning direction.</p> <p>Demolition of item 135 was determined not to result in significant adverse impacts. It was considered that due to the existing condition of the building (being severely compromised structurally) and the existence of other examples of similar heritage value, the demolition of the dwelling could be supported without resulting in significant impacts to heritage values within the Coffs Harbour LGA.</p> <p>An approval for a variation to this direction is considered to be reasonable under the circumstances and the agreement of the Department's Secretary in order to comply with the particular planning direction is requested.</p>
2.4 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> <p>(a) where the land is within an environment protection zone,</p> <p>(b) where the land comprises a beach or a dune adjacent to or adjoining a beach,</p> <p>(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:</p> <p>(i) the provisions of the guidelines entitled <i>Guidelines for Selection, Establishment and Maintenance of</i></p>	N/A	<p>The proposed LEP amendment does not contain provisions that contradict or hinder the objectives of this planning direction.</p> <p>The proposed LEP amendment does not enable land to be developed for the purpose of a recreation vehicle area.</p>

S9.1 Direction	Applicable	Consistent	Comment
	<p><i>Recreation Vehicle Areas, Soil Conservation Service of New South Wales, September, 1985, and</i></p> <p>(ii) the provisions of the guidelines entitled <i>Recreation Vehicles Act, 1983, Guidelines for Selection, Design, and Operation of Recreation Vehicle Areas, State Pollution Control Commission, September 1985.</i></p>		
2.6 Remediation of Contaminated Land	<p>This direction applies when a relevant planning authority prepares a planning proposal for land that is within an investigation area within the meaning of the Contaminated Land Management Act 1997; or on land which development for the purposes referred to in the contaminated land planning guidelines is being carried out, or where development for the purposes of residential, educational, recreational or childcare purposes; or a hospital is proposed.</p> <p>(4) A planning proposal authority must not include in a particular zone (within the meaning of the local environmental plan) any land specified in paragraph (2) 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</p>	Yes	<p>The proposed LEP amendment does not contain provisions that contradict or hinder the objectives of this planning direction.</p> <p>The proposed amendment is administrative in nature and seeks only to amend building height controls and amend an existing urban zone to another urban zone. The proposal also seeks to introduce design excellence provisions for land within industrial zones, to rezone land within Zone R1 General Residential to RE1 Public Recreation, and correct anomalies associated with listed heritage items and floor space ratio controls for a single site.</p>

S9.1 Direction	Applicable	Consistent	Comment
	<p>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. In order to satisfy itself as to paragraph (4)(c), the planning proposal authority may need to include certain provisions in the local environmental plan.</p> <p>(5) Before including any land specified in paragraph (2) 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>		



S9.1 Direction	Applicable	Consistent	Comment
<b>3. Housing, Infrastructure and Urban Development</b>			
3.1 Residential Zones	<p>(3) This direction applies when a relevant planning authority prepares a planning proposal that will affect land within:</p> <ul style="list-style-type: none"> <li>(a) an existing or proposed residential zone (including the alteration of any existing residential zone boundary),</li> <li>(b) any other zone in which significant residential development is permitted or proposed to be permitted.</li> </ul> <p>(4) A planning proposal must include provisions that encourage the provision of housing that will:</p> <ul style="list-style-type: none"> <li>(a) broaden the choice of building types and locations available in the housing market, and</li> <li>(b) make more efficient use of existing infrastructure and services, and</li> <li>(c) reduce the consumption of land for housing and associated urban development on the urban fringe, and</li> <li>(d) be of good design.</li> </ul> <p>(5) A planning proposal must, in relation to land to which this direction applies:</p> <ul style="list-style-type: none"> <li>(a) contain a requirement that</li> </ul>	Yes	<p>The proposed LEP amendment does not contain provisions that contradict or hinder the objectives of this planning direction.</p> <p>The proposal LEP amendment seeks to amend maximum building height controls based on recommendations within the Woolgoolga Town Centre Masterplan to ensure that the objectives of the Masterplan can be met.</p> <p>The Woolgoolga Town Centre Masterplan was developed following extensive community consultation and endorsed by Council on 22 February 2018. The Masterplan outlines a vision and framework and sets strategic responses to urban structure, built form, public realm and movement networks for the Woolgoolga Town Centre.</p> <p>The vision of the Masterplan is “to grow Woolgoolga in a way that does not affect its unspoilt &amp; unhurried beachside character, but that is proactive in supporting business growth.” The adopted masterplan contains a recommendation to amend maximum building height controls to retain a relaxed village character with adequate human scale. It provides a balance between retaining a relaxed village character and enabling taller development on four key sites with specific design requirements.</p> <p>The proposal LEP amendment seeks to rezone land along the Clarence and Beach Streets Corridor from R3 Medium Residential to R1 General Residential under Coffs Harbour LEP 2013.</p> <p>The Masterplan seeks to activate streets and provide a wide range of future accommodation options for</p>

S9.1 Direction	Applicable	Consistent	Comment
	<p>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</p> <p>(b) not contain provisions which will reduce the permissible residential density of land.</p>		<p>residents and visitors. In this regard, it recommends amending the land use zone for the Clarence and Beach Streets Corridor to Zone R1 General Residential to strengthen and facilitate the development of tourism and mixed uses in Woolgoolga. This zone change will also reflect the mix of existing uses in this corridor.</p> <p>It is intended that this zone change will encourage development of a broader range of medium density residential accommodation types that support growth of the tourism economy (i.e. more short-stay accommodation options) and increase the choice of living options to meet the needs of an aging population requiring smaller household sizes.</p> <p>The proposed LEP amendment also seeks to amend Land Zoning Map (LZN_005C), remove Lot Size Map (LSZ_005C) and remove Height of Building Map (HOB_005C) for Lot 204 DP 794312 to correct a misalignment between zone and cadastral boundaries (i.e. rezone land from Zone R1 General Residential to Zone RE1 Public Recreation). The proposal is not inconsistent with the intent of the planning direction.</p>
3.2 Caravan Parks and Manufactured Home Estates	<p>Applies when a relevant planning authority prepares a planning proposal.</p> <p>In identifying suitable zones, locations and provisions for caravan parks in a planning proposal, the relevant planning authority must:</p> <p>(a) retain provisions that permit development for the purposes of a caravan park to be carried out on land, and</p> <p>(b) retain the zonings of existing caravan parks, or in the case of a new</p>	Yes	<p>The proposed LEP amendment does not contain provisions that contradict or hinder the objectives of this planning direction.</p> <p>This proposal does not seek to permit or prohibit development for the purposes of a caravan park or manufacture homes estate.</p>

S9.1 Direction	Applicable	Consistent	Comment
	<p>principal LEP zone the land in accordance with an appropriate zone under the Standard Instrument (Local Environmental Plans) Order 2006 that would facilitate the retention of the existing caravan park.</p> <p>In identifying suitable zones, locations and provisions for manufactured home estates (MHEs) in a planning proposal, the relevant planning authority must:</p> <ul style="list-style-type: none"> <li>(a) take into account the categories of land set out in Schedule 2 of SEPP 36 as to where MHEs should not be located,</li> <li>(b) take into account the principles listed in clause 9 of SEPP 36 (which relevant planning authorities are required to consider when assessing and determining the development and subdivision proposals), and</li> <li>(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.</li> </ul>		
3.3 Home Occupations	Planning proposals must permit home occupations to be carried out in dwelling houses without the need for development consent.	Yes	<p>The proposed LEP amendment does not contain provisions that contradict or hinder the objectives of this planning direction.</p> <p>The proposal does seeks to amend home occupation provisions under Coffs Harbour LEP 2013.</p>

S9.1 Direction	Applicable	Consistent	Comment
3.4 Integrating Land Use and Transport	<p>Applies when a relevant planning authority prepares 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>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> <p>(a) <i>Improving Transport Choice – Guidelines for planning and development</i> (DUAP 2001), and</p> <p>(b) <i>The Right Place for Business and Services – Planning Policy</i> (DUAP 2001).</p>	Yes	<p>The proposed LEP amendment does not contain provisions that contradict or hinder the objectives of this planning direction.</p> <p>The LEP amendment is aligned with the objectives and directions of integrating land use and transport by improving access to affordable housing close to jobs and services.</p> <p>The proposed amendments seek to implement the Woolgoolga Town Centre Masterplan which aims to:</p> <ul style="list-style-type: none"> <li>- improve access to housing, jobs and services by walking, cycling and public transport;</li> <li>- increase the choice of available transport and reducing dependence on cars;</li> <li>- reduce travel demand including the number of trips generated by development and the distances travelled, especially by car;</li> <li>- support the efficient and viable operation of public transport services; and</li> <li>- facilitate the ongoing efficient movement of freight.</li> </ul>
3.5 Development Near Regulated Airports and Defence Airfields	<p>Applies when a relevant planning authority prepares a planning proposal that will create, alter or remove a zone or a provision relating to land in the vicinity of a licensed aerodrome.</p>	Yes	<p>The proposed LEP amendment does not contain provisions that contradict or hinder the objectives of this planning direction.</p> <p>This planning proposal does not create, alter or remove a zone or a provision relating to land in the vicinity of a licensed aerodrome.</p>
3.6 Shooting Ranges	<p>Applies when a relevant planning authority prepares a planning proposal that will affect, create, alter or remove a zone or a provision relating to land adjacent to</p>	Yes	<p>The proposed LEP amendment does not contain provisions that contradict or hinder the objectives of this planning direction.</p> <p>This proposed LEP amendment will not affect, create, alter or remove a</p>



S9.1 Direction	Applicable	Consistent	Comment
	and/or adjoining an existing shooting range.		zone or a provision relating to land adjacent to and/ or adjoining an existing shooting range.
<b>4. Hazard and Risk</b>			
4.1 Acid Sulfate Soils	Applies when a relevant planning authority prepares 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.	Yes	<p>The proposed LEP amendment does not contain provisions that contradict or hinder the objectives of this planning direction.</p> <p>Some of the land subject to the proposed LEP amendment is identified on the Coffs Harbour LEP 2013 Acid Sulfate Soils Map. The acid sulfate soil provisions of the Coffs Harbour LEP will remain unchanged.</p>
4.2 Mine Subsidence and Unstable Land	<p>Applies when a relevant planning authority prepares a planning proposal that permits development on land that:</p> <p>(a) is within a mine subsidence district, or</p> <p>(b) has been identified as unstable in a study, strategy or other assessment undertaken:</p> <p>(i) by or on behalf of the relevant planning authority, or</p> <p>(ii) by or on behalf of a public authority and provided to the relevant planning authority.</p>	Yes	<p>The proposed LEP amendment does not contain provisions that contradict or hinder the objectives of this planning direction.</p> <p>The proposed LEP amendment is unlikely to impact on any mine subsidence area.</p>
4.3 Flood Prone Land	Applies when a relevant planning authority prepares a planning proposal that creates, removes or alters a	Yes	The proposed LEP amendment does not contain provisions that

S9.1 Direction	Applicable	Consistent	Comment
	<p>zone or a provision that affects flood prone land.</p> <p>A planning proposal must include provisions that give effect to and are consistent with the NSW Flood Prone Land Policy and the principles of the <i>Floodplain Development Manual 2005</i> (including the <i>Guideline on Development Controls on Low Flood Risk Areas</i>).</p> <p>A planning proposal must not rezone land within the flood planning areas from Special Use, Special Purpose, Recreation, Rural or Environment Protection Zones to a Residential, Business, Industrial, Special Use or Special Purpose Zone.</p> <p>A planning proposal must not contain provisions that apply to the flood planning areas which:</p> <p>(a) permit development in floodway areas,</p> <p>(b) permit development that will result in significant flood impacts to other properties,</p> <p>(c) permit a significant increase in the development of that land,</p> <p>(d) are likely to result in a substantially increased requirement for government spending on flood mitigation measures, infrastructure or services, or</p> <p>(e) permit development to be carried out without development consent except for the purposes of agriculture (not including dams, drainage</p>		<p>contradict or hinder the objectives of this planning direction.</p> <p>Some of the land affected by the proposed LEP amendment is flood affected. The LEP amendment seeks to rezone land from Zone R3 Medium Density Residential to Zone R1 General Residential. However, the proposed LEP amendment:</p> <ul style="list-style-type: none"> <li>- will not permit additional development on flood prone land;</li> <li>- will not rezone land within the flood planning areas from Special Use, Special Purpose, Recreation, Rural or Environment Protection Zones to a Residential, Business, Industrial, Special Use or Special Purpose Zone;</li> <li>- will not generate additional spending on flood mitigation measures, infrastructure or services; and</li> <li>- does not propose additional development without consent.</li> </ul>

S9.1 Direction	Applicable	Consistent	Comment
	<p>canals, levees, buildings or structures in floodways or high hazard areas), roads or exempt development.</p> <p>A planning proposal must not impose flood related development controls above the residential flood planning level for residential development on land, unless a relevant planning authority provides adequate justification for those controls to the satisfaction of the Director-General (or an officer of the Department nominated by the Director-General).</p> <p>For the purposes of a planning proposal, a relevant planning authority must not determine a flood planning level that is inconsistent with the <i>Floodplain Development Manual 2005</i> (including the <i>Guideline on Development Controls on Low Flood Risk Areas</i>) unless a relevant planning authority provides adequate justification for the proposed departure from that Manual to the satisfaction of the Director-General (or an officer of the Department nominated by the Director-General).</p>		
4.4 Planning for Bushfire Protection	<p>Applies 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</p>	Yes	<p>The proposed LEP amendment does not contain provisions that contradict or hinder the objectives of this planning direction.</p> <p>The proposal will affect land identified as being bushfire prone. However, the proposed LEP amendment will not impact on existing planning controls that address the bushfire hazard risk for this land.</p>

S9.1 Direction	Applicable	Consistent	Comment
	<p>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> <ul style="list-style-type: none"> <li>(a) have regard to <i>Planning for Bushfire Protection</i> 2006,</li> <li>(b) introduce controls that avoid placing inappropriate developments in hazardous areas, and</li> <li>(c) ensure that bushfire hazard reduction is not prohibited within the APZ.</li> </ul> <p>A planning proposal must, where development is proposed, comply with the following provisions, as appropriate:</p> <ul style="list-style-type: none"> <li>(a) provide an Asset Protection Zone (APZ) incorporating at a minimum: <ul style="list-style-type: none"> <li>(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</li> <li>(ii) an Outer Protection Area managed for hazard reduction and located on the</li> </ul> </li> </ul>		<p>Council will 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>

S9.1 Direction	Applicable	Consistent	Comment
	<p>bushland side of the perimeter road,</p> <p>(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,</p> <p>(c) contain provisions for two-way access roads which link to perimeter roads and/or to fire trail networks,</p> <p>(d) contain provisions for adequate water supply for firefighting purposes,</p> <p>(e) minimise the perimeter of the area of land interfacing the hazard which may be developed,</p> <p>(f) introduce controls on the placement of combustible materials in the Inner Protection Area.</p>		
<b>5. Regional Planning</b>			
5.4 Commercial and Retail Development along	Applies when a relevant planning authority prepares a planning proposal for land in the vicinity of the existing	Yes	The proposed LEP amendment does not contain provisions that contradict or hinder the objectives of this planning direction.



S9.1 Direction	Applicable	Consistent	Comment
the Pacific Highway, North Coast	<p>and/or proposed alignment of the Pacific Highway.</p> <p>(4) 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"> <li>(a) new commercial or retail development must be concentrated within district centres rather than spread along the Highway;</li> <li>(b) development with frontage to the Pacific Highway must consider impacts that the development has on the safety and efficiency of the highway; and</li> <li>(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.</li> </ul> <p>(5) 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"> <li>(a) new commercial or retail development must not be established near the Pacific Highway if this proximity would be inconsistent with</li> </ul>		The proposal will not affect commercial or retail land along the Pacific Highway.

S9.1 Direction	Applicable	Consistent	Comment
	<p>the objectives of this Direction.</p> <p>(b) development with frontage to the Pacific Highway must consider the impact the development has on the safety and efficiency of the highway.</p> <p>(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> <p>(6) 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>		
5.10 Implementation of Regional Plans	Planning proposals must be consistent with a Regional Plan released by the Minister for Planning.	Yes	The proposed LEP amendment does not contain provisions that contradict or hinder the objectives of this planning direction.

S9.1 Direction	Applicable	Consistent	Comment
			The proposed LEP amendment is consistent with the relevant goals, directions and actions within the North Coast Regional Plan 2036 as outlined in Part 3 Section B (4) of this planning proposal.
5.11 Development of Aboriginal Land Council Land	This direction applies when a planning authority prepares a planning proposal for land shown on the Land Application Map of State Environmental Planning Policy (Aboriginal Land) 2019; or an interim development delivery plan published on the Department's website on the making of this direction.	N/A	<p>The proposed LEP amendment does not contain provisions that contradict or hinder the objectives of this planning direction.</p> <p>The proposed LEP amendment does not affect land shown on the Land Application Map for <i>State Environmental Planning Policy (Aboriginal Land) 2019</i>; or an interim development delivery plan published on the Department's website on the making of this direction.</p>
<b>6. Local Plan Making</b>			

<p>6.1 Approval of Referral Requirements</p>	<p>A planning proposal must:</p> <ul style="list-style-type: none"> <li>(a) minimise the inclusion of provisions that require the concurrence, consultation or referral of development applications to a Minister or public authority, and</li> <li>(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: <ul style="list-style-type: none"> <li>(i) the appropriate Minister or public authority, and</li> <li>(ii) the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General),</li> </ul> prior to undertaking community consultation in satisfaction of section 57 of the Act, and</li> <li>(c) not identify development as designated development unless the relevant planning authority: <ul style="list-style-type: none"> <li>(i) can satisfy the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General) that the class of development is likely to have a significant impact on the environment, and</li> </ul> </li> </ul>		<p>The proposed LEP amendment does not contain provisions that contradict or hinder the objectives of this planning direction.</p> <p>The proposed LEP amendment does not include any concurrence, consultation or referral provisions, nor does it identify any development as designated development.</p>
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S9.1 Direction	Applicable	Consistent	Comment
	(ii) has obtained the approval of the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General) prior to undertaking community consultation in satisfaction of section 57 of the Act.		
6.2 Reserving Land for Public Purposes	(4) 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 Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General).	No	<p>Justifiably inconsistent for reasons listed.</p> <p>The proposed LEP amendment seeks to rezone land for a public purpose. The NSW Government Gazette No. 28 of 24 February 2017 notice was given, pursuant to a resolution passed at Council's Ordinary Meeting of 8 December 2016 (Resolution No 2016/274), that resolved to dedicate land described as Lot 11 DP 1193991 situated in Mimiwali Drive, North Bonville to the public as public reserve (Zone RE1 Public Recreation). The land in question is currently within Zone R2 Low Density Residential.</p> <p>The proposed LEP amendment also seeks to amend Land Zoning Map (LZN_005C), remove Lot Size Map (LSZ_005C) and remove Height of Building Map (HOB_005C) for Lot 204 DP 794312 to correct a misalignment between zone and cadastral boundaries (i.e. rezone land from Zone R1 General Residential to Zone RE1 Public Recreation).</p>
6.3 Site Specific Provisions	Applies when a relevant planning authority prepares a planning proposal that will allow a particular	N/A	The proposed LEP amendment does not contain provisions that contradict or hinder the objectives of this planning direction.



S9.1 Direction	Applicable	Consistent	Comment
	<p>development to be carried out.</p> <p>(4) A planning proposal that will amend another environmental planning instrument in order to allow a particular development proposal to be carried out must either:</p> <p>(a) allow that land use to be carried out in the zone the land is situated on, or</p> <p>(b) rezone the site to an existing zone already applying 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</p> <p>(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> <p>(5) A planning proposal must not contain or refer to drawings that show details of the development proposal.</p>		<p>The objective of this direction is to discourage unnecessarily restrictive site specific planning controls. The proposal does not seek to impose restrictive site specific controls.</p>

