



PLANNING PROPOSAL

COFFS HARBOUR CITY COUNCIL

**Coffs Harbour Local Environmental Plan 2013
“Housekeeping” Performance Review No 2**

**November 2016
VERSION 1 Pre Gateway Determination**

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INTRODUCTION

PURPOSE

The purpose of this Planning Proposal (PP) is to outline the second general review of Coffs Harbour Local Environmental Plan (LEP) 2013. The contents of this PP describe the findings and recommendations of the review.

The PP incorporates a number of amendments to Coffs Harbour LEP 2013 as a result of a “housekeeping” style review. The aim of the review is to improve the overall efficiency and legibility of Coffs Harbour LEP 2013, and to correct a number of anomalies discovered in the document since its inception on 27 September 2013. This PP includes 15 amendments to Coffs Harbour LEP 2013. Council has undertaken one previous review, consisting of 23 items, which was made by the Minister as an Amendment to Coffs Harbour LEP 2013 on 8 January 2016.

PROPERTY DETAILS

This PP considers both written LEP amendments and corrections of mapping anomalies, and therefore affects a wide range of public and private property within the Coffs Harbour LGA. The maps included in Appendix A (Issue Summary Document) identify lands which are relevant to this PP.

PART 1 - OBJECTIVES OR INTENDED OUTCOMES

The objective of this PP is to provide a mechanism to review and amend Coffs Harbour LEP 2013 where necessary to ensure that it provides the most up to date and accurate information as it applies to development in the Coffs Harbour Local Government Area (LGA).

PART 2 - EXPLANATION OF PROVISIONS

In total, the PP proposes 15 amendments to Coffs Harbour LEP 2013, which have been identified as necessary in the ongoing implementation of the LEP. These issues have been identified in a range of ways (through the Development Application assessment process, landowner enquiries, internal reviews etc) and have been systematically logged to enable an update of the LEP. Given the complexity of the LEP and associated mapping, this is an important continuous improvement process.

SUMMARY OF PROPOSED AMENDMENTS TO COFFS HARBOUR LEP 2013:

- 1) Add enabling clause in Schedule 1 to permit the use of land in the RU2 Rural Landscape zone for water extraction and bottling facilities.
- 2) Amend Part 1 of Schedule 5 and associated heritage maps including:
 - Remove Item I81 from Heritage map **HER_006C** & Part 1 of Schedule 5 of Coffs Harbour LEP 2013;

- Amend the land boundaries of item I77 which has been subject to a boundary adjustment (Lot 1 DP 1209133) on Heritage Map **HER_006C**.
 - Amend the land boundaries of item I34 which has been subject to a boundary adjustment (new allotment - Lot 4 DP 1196909) on Heritage Map **HER_004B**.
 - Amend the land boundaries of item I52 which has been subject to a boundary adjustment (new allotment - Lot 3 DP 1221150) on Heritage Maps **HER_005 & HER_005A**.
- 3) Amend the Land Zoning map (**LZN_005C**), Minimum Lot Size map (**LSZ_005C**) and Land Reservation and Acquisition map (**LRA_005C**) to apply an R5 zone and adjust MLS (1 Ha) and LRA (remove land) accordingly to part of 2-10 Hunter Close Korora (part of Lot 1 DP 805204, Lots 1 & 2 DP 202529, and Lot 8 DP 560317).
 - 4) Amend the Land Zoning map (**LZN_005C**) and Minimum Lot Size map (**LSZ_005C**) to apply an RE1 zone and adjust MLS (remove land) accordingly to part of the land at Opal Boulevard Opal Cove (Lot 3 DP 841017 & Lot 1 & 12 DP 270062).
 - 5) Amend the Land Zoning map (**LZN_005F**), Minimum Lot Size map (**LSZ_005F**) and Land Reservation and Acquisition map (**LRA_005F**) to apply an RU2 zone and adjust MLS (40 Ha) and LRA (remove land) accordingly to part of the land located at Newmans Road Woolgoolga (Lot 83 DP 1148489).
 - 6) Amend the Minimum Lot Size Map (**LSZ_005B**) at East Bank Road (road reserve), Coramba from 40ha to 1ha to reflect the adjacent R5 land use zone.
 - 7) Amend the Land Zoning Map (**LZN_006B**) and Minimum Lot Size Map (**LSZ-006B**) at Middle Boambee/Jacklyn Close, Middle Boambee (part Lot 714 DP 836899 and part Lot 41 DP 851022) to correct a misalignment between zone and cadastral boundaries, rezoning land from R5 to RU2.
 - 8) Amend the Land Zoning Map (**LZN_006D**) and Minimum Lot Size Map (**LSZ-006D**) at Diggers Beach Road Diggers Beach (part Lot 340 DP 1069505) to correct a misalignment between zone and cadastral boundaries, rezoning land from R2 to RE1.
 - 9) Remove Height of Buildings mapping data (**HOB_006 & HOB_006D**) from Coffs Harbour Airport lands
 - 10) Remove Land Reservation Acquisition Mapping data (**LRA_005D**) from 544-551, 590 & 600 Solitary Islands Way Moonee Beach (Lot 201 & 202 DP 1219403 and Lot 1 DP 1142657).
 - 11) Remove Land Reservation Acquisition Mapping data (**LRA_005F**) from Pacific Highway Woolgoolga (Part Lot 59 DP 1145438) and Unwins Road Woolgoolga (Lot 104 DP 1144462).
 - 12) Amend the Land Zoning Maps (**Sheet LZN_006, Sheet LZN_006B & Sheet LZN_006C**) for various lots on and adjacent to the Pacific Highway Bonville – amend zone to / from SP2 as required / no longer required for road purposes (Pacific Highway – Bonville bypass).

The above issues are further summarised in an “Issue Summary Document”, included as Appendix A to this PP.

PART 3 JUSTIFICATION

SECTION A - NEED FOR THE PLANNING PROPOSAL

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

Yes. Coffs Harbour LEP 2013 was made by the NSW Department of Planning and Environment (P&E) Minister on 27 September 2013. Coffs Harbour LEP 2013 replaced 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.

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

Yes, a PP is the most effective method of ensuring the accuracy and reliability of Coffs Harbour LEP 2013 is maintained and regularly administered. It is the most feasible means of ensuring that the proposed amendments are administered expeditiously in accordance with current statutory requirements.

It will also ensure that future development applications are submitted in the context of up to date information and are assessed against the most relevant planning criteria. Such outcomes should ensure better planning and development outcomes for both applicants and Council.

3. Is there a net community benefit?

Council and the community will benefit from the LEP review as it will correct inaccuracies in Coffs Harbour LEP 2013 enabling a fairer and more efficient application of the LEP document.

SECTION B - RELATIONSHIP TO STRATEGIC PLANNING FRAMEWORK

4: Is the planning proposal consistent with the objectives and actions of the applicable regional or sub-regional strategy?

The Mid North Coast Regional Strategy (MNCRS) applies to the Coffs Harbour LGA. The Draft North Coast Regional Plan (DNCRP) has been publicly exhibited and will apply to the whole LGA when it eventually supercedes the MNCRS.

The performance review of Coffs Harbour LEP 2013 contained within this PP plays an important role in the process of ensuring that Council's strategic documents align with the objectives and actions contained in both the MNCRS and the DNCRP.

5: Is the planning proposal consistent with the council's local strategic or other local strategic plan?

In 2009 Council adopted a 20 year *Community Strategic Plan (2030)*. The plan is based on five key themes being: Learning and Prospering, Places for Living, Moving Around, Looking After our Community, and Looking After our Environment.

The planning proposal is generally consistent with the following relevant Objectives:

OBJECTIVE: LC3 We have strong civic leadership and governance.

STRATEGY: LC3.1 Council supports the delivery of high quality, sustainable outcomes for Coffs Harbour.

By implementing the recommendations contained in this planning proposal, Council demonstrates strong civic leadership under LEP 2013. The 2030 Community Strategic Plan process, the Local Growth Management Strategy process, as well as the Business Centres Hierarchy Review have helped to reinforce the various roles and functions of the different localities in the LGA. In this regard, Council's strategic planning documents ensure transparency and accountability in local government. Their implementation enables Council to identify and respond to community issues and concerns.

6: Is the planning proposal consistent with applicable State Environmental Planning Policies?

The State Environmental Planning Policies (SEPP) relevant to the planning proposal are identified in Table 1 and discussed in the following section.

Table 1: Consistency with SEPPs

State Environmental Planning Policy	Consistency
SEPP No 1 – Development Standards	N/A (repealed for CH)
SEPP No 4 – Development Without Consent and Miscellaneous Exempt and Complying Development	N/A (substantially repealed for CH)
SEPP No 6 – Number of Storeys in a Building	N/A
SEPP No 10 – Retention of Low Cost Rental Accommodation	N/A
SEPP No 14 – Coastal Wetlands	N/A
SEPP No 15 – Rural Land-sharing Communities	N/A
SEPP No 19 – Bushland in Urban Areas	N/A
SEPP No 21 – Caravan Parks	N/A
SEPP No 22 – Shops and Commercial Premises	N/A
SEPP No 26 – Littoral Rainforests	N/A
SEPP No 29 – Western Sydney Recreation Area	N/A
SEPP No 30 – Intensive Agriculture	N/A
SEPP No 32 – Urban Consolidation (Redevelopment of Urban Land)	Consistent. See additional comment below
SEPP No 33 – Hazardous and Offensive Development	N/A
SEPP No 36 – Manufactured Home Estates	Consistent. See additional comment below
SEPP No 39 – Spit Island Bird Habitat	N/A
SEPP No 41 – Casino Entertainment Complex	N/A
SEPP No 44 – Koala Habitat Protection	N/A
SEPP No 47 – Moore Park Showground	N/A

State Environmental Planning Policy	Consistency
SEPP No 50 – Canal Estate Development	N/A
SEPP No 52 – Farm Dams and Other Works in Land and Water Management Plan Areas	N/A
SEPP No 53 – Metropolitan Residential Development	N/A
SEPP No 55 – Remediation of Land	N/A
SEPP No 59 – Central Western Sydney Regional Open Space and Residential	N/A
SEPP No 60 – Exempt and Complying Development	N/A (repealed for CH)
SEPP No 62 – Sustainable Aquaculture	N/A
SEPP No 64 – Advertising and Signage	N/A
SEPP No 65 – Design Quality of Residential Flat Development	N/A
SEPP No 70 – Affordable Housing (Revised Schemes)	N/A
SEPP No 71 – Coastal Protection	Consistent. See additional comments below
SEPP (Affordable Rental Housing) 2009	N/A
SEPP (Building Sustainability Index: BASIX) 2004	N/A
SEPP (Exempt and Complying Development Codes) 2008	N/A
SEPP (Housing for Seniors or People with a Disability) 2004	N/A
SEPP (Infrastructure) 2007	Consistent. See additional comment below
SEPP (Kosciuszko National Park – Alpine Resorts) 2007	N/A
SEPP (Major Development) 2005	N/A
SEPP (Mining, Petroleum Production and Extractive Industries) 2007	Consistent. See additional comments below
SEPP (Rural Lands) 2008	N/A
SEPP (Sydney Region Growth Centres) 2006	N/A
SEPP (Temporary Structures) 2007	N/A
SEPP (Western Sydney Employment Area) 2009	N/A
SEPP (Western Sydney Parklands) 2009	N/A
SEPP (North Coast REP), 1988	N/A (repealed for CH)

SEPP No 32 – Urban Consolidation (Redevelopment of Urban Land)

This SEPP aims to promote the orderly and economic use and development of land by enabling urban land which is no longer required for the purpose for which it is currently zoned or used to be redeveloped for multi-unit housing and related development.

Whilst urban lands are identified within this Planning Proposal, the proposed changes relate to a performance review of Coffs Harbour LEP 2013 only.

The planning proposal is therefore considered to be consistent with the SEPP.

SEPP No 36 – Manufactured Home Estates

This SEPP aims to facilitate the establishment of manufactured home estates as a contemporary form of medium density residential development that provides an alternative to traditional housing arrangements.

The changes proposed in this Planning Proposal do not affect the establishment of manufactured home estates in the Coffs Harbour local government area.

The planning proposal is consistent with the SEPP.

SEPP No 64 – Advertising and Signage

SEPP No 64 applies to advertising and signage within NSW and the relevant aims of the policy as it applies to this PP are:

- (1) This Policy aims:
 - (a) to ensure that signage (including advertising):
 - (i) is compatible with the desired amenity and visual character of an area, and
 - (ii) provides effective communication in suitable locations, and
 - (iii) is of high quality design and finish, and
 -
 - (d) to regulate the display of advertisements in transport corridors, and
 - (e) to ensure that public benefits may be derived from advertising in and adjacent to transport corridors.

As there are no amendments relating to advertising or signage, the PP is considered to be consistent with the SEPP.

SEPP No 71 – Coastal Protection

Some of the land affected by this PP is within the coastal zone identified in this SEPP. The key aims of the SEPP are:

- to manage the coastal zone in accordance with the principles of ecologically sustainable development; and
- to encourage a strategic approach to coastal management.

The PP is consistent with these aims.

In preparing the PP Council must consider a range of matters identified in clause 8 of the SEPP. A brief response to those is as follows:

- The PP will not affect public access to the coastal foreshore or generate the need to provide new access;
- It will not result in impacts upon the scenic qualities of the coast or any animals or fish that occur along the coast.

The PP is consistent with the relevant parts of the SEPP.

SEPP (Infrastructure) 2007

SEPP (Infrastructure) is a wide ranging document that covers a myriad of issues and processes. None of the actions within this planning proposal are directly affected by this SEPP and therefore the PP is considered to be consistent with the SEPP.

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

Consistency with the s117 Directions is assessed in the following Table 2.

Table 2 Consistency with s117(2) Directions

S117 Direction	Application	Relevance to this planning proposal	Consistency with direction
1. Employment and Resources			
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).	This planning proposal will not affect Business or Industrial Zoned land in any manner listed in this particular S117 Direction.	Consistent
1.2 Rural Zones	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). Under this direction a planning proposal must: (a) not rezone land from a rural zone to a residential, business, industrial, village or tourist zone. (b) not contain provisions that will increase the permissible density of land within a rural zone (other than land within an existing town or village).	This planning proposal will not affect Rural Zoned land in any manner listed in this particular S117 Direction.	Consistent
1.3 Mining, Petroleum Production and Extractive Industries	Applies when a relevant planning authority prepares a planning proposal that would have the effect of: (a) prohibiting the mining of coal	Nothing in this planning proposal will prohibit or restrict exploration or mining. The PP will result in water extraction being allowed in the RU2 zone, however this is	Consistent

S117 Direction	Application	Relevance to this planning proposal	Consistency with direction
	<p>or other minerals, production of petroleum, or winning or obtaining of extractive materials, or</p> <p>(b) restricting the potential development of resources of coal, other minerals, petroleum or extractive materials which are of State or regional significance by permitting a land use that is likely to be incompatible with such development.</p>	not in breach of this particular direction.	
1.4 Oyster Aquaculture	<p>Applies when a relevant planning authority prepares any planning proposal that proposes a change in land use which could result in:</p> <p>(a) adverse impacts on a Priority Oyster Aquaculture Area or a “current oyster aquaculture lease in the national parks estate”; or</p> <p>(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.</p>	This planning proposal does not impact on a Priority Oyster Aquaculture Area.	Consistent
1.5 Rural Lands	<p>Applies when:</p> <p>(a) a relevant planning authority prepares a planning proposal that 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</p> <p>(b) a relevant planning authority prepares a planning proposal that changes the existing minimum lot size on land within a rural or environment protection zone.</p> <p>A planning proposal to which clauses (a) and (b) apply must be</p>	<p>This planning proposal will not affect Rural Zoned land in any manner listed in this particular S117 Direction other than the allowing of water extraction in the RU2 zone. The PP is consistent with the planning principles in SEPP (Rural Lands) and no subdivision controls are proposed to be altered in Coffs Harbour LEP 2013.</p> <p>No extra dwelling entitlements will result from the planning proposal.</p>	Consistent

S117 Direction	Application	Relevance to this planning proposal	Consistency with direction
	<p>consistent with the Rural Planning Principles listed in <i>State Environmental Planning Policy (Rural Lands) 2008</i>.</p> <p>A planning proposal to which clause (b) applies must be consistent with the Rural Subdivision Principles listed in <i>State Environmental Planning Policy (Rural Lands) 2008</i>.</p>		
2. Environment and Heritage			
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>	This planning proposal will not affect Environment Protection Zoned land in any manner listed in this particular S117 Direction.	Consistent
2.2 Coastal Protection	<p>Direction applies when a relevant planning authority prepares a planning proposal that applies to land in the coastal zone.</p> <p>(4) A planning proposal must include provisions that give effect to and are consistent with:</p> <p>(a) the NSW Coastal Policy: A Sustainable Future for the New South Wales Coast 1997, and</p> <p>(b) the Coastal Design Guidelines</p>	<p>Land that applies to this planning proposal is partially located within the coastal zone.</p> <p>The planning proposal will give effect to the NSW Coastal Policy. It will not affect public access to the coastal foreshore or generate the need to provide new access; it will not result in impacts upon the scenic qualities of the</p>	Consistent

S117 Direction	Application	Relevance to this planning proposal	Consistency with direction
	<p>2003, and</p> <p>(c) the manual relating to the management of the coastline for the purposes of section 733 of the Local Government Act 1993 (the NSW Coastline Management Manual 1990).</p>	<p>coast or any animals or fish that occur along the coast.</p> <p>The planning proposal will not alter the relevance or effect of the Coastal Design Guidelines.</p>	
<p>2.3 Heritage Conservation</p>	<p>A planning proposal must contain provisions that facilitate the conservation of:</p> <p>(a) items, places, buildings, works, relics, moveable objects or precincts of environmental heritage significance to an area, in relation to the historical, scientific, cultural, social, archaeological, architectural, natural or aesthetic value of the item, area, object or place, identified in a study of the environmental heritage of the area,</p> <p>(b) Aboriginal objects or Aboriginal places that are protected under the <i>National Parks and Wildlife Act 1974</i>, and</p> <p>(c) Aboriginal areas, Aboriginal objects, Aboriginal places or landscapes identified by an Aboriginal heritage survey prepared by or on behalf of an Aboriginal Land Council, Aboriginal body or public authority and provided to the relevant planning authority, which identifies the area, object, place or landscape as being of heritage significance to Aboriginal culture and people.</p> <p>A planning proposal may be inconsistent with the terms of this direction only if the relevant planning authority can satisfy the Director-General of the</p>	<p>Nothing in this planning proposal will stop or inhibit the conservation of Aboriginal objects or places.</p> <p>The planning proposal does however clarify the property and listing boundaries of three heritage items following approved boundary alterations affecting these properties. The heritage significance of these sites is not affected in any way.</p> <p>The planning proposal also proposes to remove one heritage item from Schedule 5 of the LEP. The removal of that item has been justified by the property owner, and an assessment by a heritage professional has been carried out that supports the item's removal – see item 2 within Appendix 1.</p> <p>Given the above, the provisions of the planning proposal that are inconsistent with this particular 117 direction are considered to be “of minor significance”.</p> <p>An approval for a variation to this s117 Direction is considered to be reasonable under the circumstances and the agreement of the Department's Secretary in order to comply with this particular direction is requested.</p>	<p>Justifiably inconsistent for reasons listed</p>

S117 Direction	Application	Relevance to this planning proposal	Consistency with direction
	<p>Department of Planning (or an officer of the Department nominated by the Director-General) that:</p> <p>(a) the environmental or indigenous heritage significance of the item, area, object or place is conserved by existing or draft environmental planning instruments, legislation, or regulations that apply to the land, or</p> <p>(b) the provisions of the planning proposal that are inconsistent are of minor significance.</p>		
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 environmental 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 (4)(a) or (4)(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 Recreation Vehicle Areas, Soil Conservation Service of New South Wales, September, 1985</i>, and</p> <p>ii) the provisions of the guidelines entitled <i>Recreation Vehicles Act, 1983, Guidelines for Selection, Design, and</i></p>	The proposal does not enable land to be developed for the purpose of a recreation vehicle area.	N/A

S117 Direction	Application	Relevance to this planning proposal	Consistency with direction
	<p><i>Operation of Recreation Vehicle Areas, State Pollution Control Commission, September 1985.</i></p>		
<p>3. Housing, Infrastructure and Urban Development</p>			
<p>3.1 Residential Zones</p>	<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"> (a) an existing or proposed residential zone (including the alteration of any existing residential zone boundary), (b) any other zone in which significant residential development is permitted or proposed to be permitted. <p>(4) A planning proposal must include provisions that encourage the provision of housing that will:</p> <ul style="list-style-type: none"> (a) broaden the choice of building types and locations available in the housing market, and (b) make more efficient use of existing infrastructure and services, and (c) reduce the consumption of land for housing and associated urban development on the urban fringe, and (d) be of good design. <p>(5) A planning proposal must, in relation to land to which this direction applies:</p> <ul style="list-style-type: none"> (a) contain a requirement that residential development is not permitted until land is adequately serviced (or arrangements satisfactory to the council, or other 	<p>The planning proposal does affect some small areas of residential zoned land.</p> <p>However it will not facilitate new residential development or directly affect any existing zone boundaries, permitted uses or density controls.</p>	<p>Consistent</p>

S117 Direction	Application	Relevance to this planning proposal	Consistency with direction
	<p>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>		
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 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> <p>(a) take into account the categories of land set out in Schedule 2 of SEPP 36 as to where MHEs should not be located,</p> <p>(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</p>	This proposal does not seek to permit or prohibit development for the purposes of a caravan park or manufacture homes estate.	Consistent

S117 Direction	Application	Relevance to this planning proposal	Consistency with direction
	(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.		
3.3 Home Occupations	Planning proposals must permit home occupations to be carried out in dwelling houses without the need for development consent.	This proposal does not affect home occupation provisions under Coffs Harbour LEP 2013.	N/A
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>	This planning proposal will not affect zoned land in any manner listed in this particular S117 Direction.	Consistent
3.5 Development Near Licensed Aerodrome	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>This planning proposal does affect land in proximity to Coffs Harbour airport, however it will not facilitate inappropriate development in proximity to the airport.</p> <p>The planning proposal removes the height of building controls as there is no residential or industrial zoned land within the airport site, and none of the site has a mapped floor space ratio or minimum lot size.</p> <p>Adequate height controls</p>	Justifiably inconsistent for reasons listed

S117 Direction	Application	Relevance to this planning proposal	Consistency with direction
		<p>exist in accordance with the Commonwealth Obstacle Limitation Surface (OLS) Map for the Coffs Harbour Regional Airport. The OLS protects the immediate airspace in the vicinity of the airport for visual operations based on Commonwealth specifications. There is therefore no legislative or practical necessity for LEP height of building controls for the Coffs Harbour Regional Airport land. It is considered that the whole of the airport site should be mapped consistently, showing the same controls as for all of the land zoned SP1.</p> <p>Given the above, the provisions of the planning proposal that are inconsistent are considered to be “of minor significance”.</p> <p>An approval for a variation to this s117 Direction is considered to be reasonable under the circumstances and the agreement of the Department’s Secretary in order to comply with this particular direction is requested.</p>	
3.6 Shooting Ranges	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 and/ or adjoining an existing shooting range.	The planning proposal does not alter any land use zones in Coffs Harbour LEP 2013. It will not affect any shooting ranges in the Coffs Harbour LGA.	N/A
4. Hazard and Risk			
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	Some of the land subject to this planning proposal is identified on the Coffs Harbour LEP 2013 Acid Sulfate	Consistent

S117 Direction	Application	Relevance to this planning proposal	Consistency with direction
	acid sulfate soils as shown on the Acid Sulfate Soils Planning Maps.	Soils map as containing acid sulfate soils. The acid sulfate soil provisions of the LEP will apply unchanged.	
4.2 Mine Subsidence and Unstable Land	Applies when a relevant planning authority prepares a planning proposal that permits development on land that: (a) is within a mine subsidence district, or (b) has been identified as unstable in a study, strategy or other assessment undertaken: i) by or on behalf of the relevant planning authority, or ii) by or on behalf of a public authority and provided to the relevant planning authority.	This proposal does not impact on any mine subsidence area.	N/A
4.3 Flood Prone Land	Applies when a relevant planning authority prepares a planning proposal that creates, removes or alters a zone or a provision that affects flood prone land. 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>). A planning proposal must not rezone land within the flood planning areas from Special Use, Special Purpose, Recreation, Rural or Environmental Protection Zones to a Residential, Business, Industrial, Special Use or Special Purpose Zone. A planning proposal must not	Some of the land affected by this planning proposal is flood affected. However, the planning proposal: <ul style="list-style-type: none"> • will not permit development on flood prone land • will not change the zone of any flood affected land • will not generate additional spending on flood mitigation measures, infrastructure or services; and • no additional development is proposed without consent. 	Consistent

S117 Direction	Application	Relevance to this planning proposal	Consistency with direction
	<p>contain provisions that apply to the flood planning areas which:</p> <ul style="list-style-type: none"> (a) permit development in floodway areas, (b) permit development that will result in significant flood impacts to other properties, (c) permit a significant increase in the development of that land, (d) are likely to result in a substantially increased requirement for government spending on flood mitigation measures, infrastructure or services, or (e) permit development to be carried out without development consent except for the purposes of agriculture (not including dams, drainage canals, levees, buildings or structures in floodways or high hazard areas), roads or exempt development. <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 Floodplain Development Manual 2005 (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</p>		

S117 Direction	Application	Relevance to this planning proposal	Consistency with direction
	Director-General (or an officer of the Department nominated by the Director-General).		
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 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"> (a) have regard to <i>Planning for Bushfire Protection 2006</i>, (b) introduce controls that avoid placing inappropriate developments in hazardous areas, and (c) ensure that bushfire hazard reduction is not prohibited within the APZ. <p>A planning proposal must, where development is proposed, comply with the following provisions, as appropriate:</p> <ul style="list-style-type: none"> (a) provide an Asset Protection Zone (APZ) incorporating at a minimum: <ul style="list-style-type: none"> i) an Inner Protection Area bounded by a perimeter road or reserve which circumscribes the hazard side of the land intended for development and has a building line consistent with the incorporation of an APZ, within the property, and ii) an Outer Protection Area 	The proposal will affect areas of land identified as being bushfire prone. However, it will not impact on the existing planning controls that address the issue of bushfire hazard on this land.	Consistent

S117 Direction	Application	Relevance to this planning proposal	Consistency with direction
	<p>managed for hazard reduction and located on the 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 links 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>		
5. Regional Planning			
5.1 Implementation of Regional Strategies	Planning proposals must be consistent with a regional strategy released by the Minister for Planning.	<p>The planning proposal is generally consistent with the Mid North Coast Regional Strategy (MNCRS), and the Draft North Coast Regional Plan.</p> <p>The planning proposal does however propose to remove one heritage item from Schedule 5 of the LEP. The</p>	Justifiably inconsistent for reasons listed.

S117 Direction	Application	Relevance to this planning proposal	Consistency with direction
		<p>removal of that item has been justified by the property owner, and an assessment by a heritage professional has been carried out that supports the item’s removal – see item 2 within Appendix 1.</p> <p>Given the above, the provisions of the planning proposal that are inconsistent with this particular 117 direction are considered to be “of minor significance”. It is also considered that the planning proposal achieves the overall intent of the regional strategy and does not undermine the achievement of its vision, land use strategy, policies, outcomes or actions.</p> <p>An approval for a variation to this s117 Direction is considered to be reasonable under the circumstances and the agreement of the Department’s Secretary in order to comply with this particular direction is requested.</p>	
<p>5.4 Commercial and Retail Development along the Pacific Highway, North Coast</p>	<p>Applies when a relevant planning authority prepares a planning proposal for land in the vicinity of the existing and/or proposed alignment of the Pacific Highway.</p> <p>(5) A planning proposal that applies to land located on “out-of-town” segments of the Pacific Highway must provide that:</p> <p>(a) new commercial or retail development must not be established near the Pacific Highway if this proximity would be inconsistent with the objectives of this Direction.</p> <p>(b) development with frontage to the Pacific Highway must</p>	<p>This proposal will not affect commercial and retail land along the Pacific Highway North Coast.</p>	<p>N/A</p>

S117 Direction	Application	Relevance to this planning proposal	Consistency with direction
	<p>consider 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 80km/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>		
6. Local Plan Making			
6.1 Approval and Referral Requirements	<p>A planning proposal must:</p> <p>(a) minimise the inclusion of provisions that require the concurrence, consultation or referral of development applications to a Minister or public authority, and</p> <p>(b) not contain provisions requiring concurrence, consultation or referral of a Minister or public authority unless the relevant planning authority has obtained the approval of:</p> <ul style="list-style-type: none"> i) the appropriate Minister or public authority, and ii) the Director-General of the Department of Planning (or an officer of the Department 	<p>The planning proposal will include provisions that require consultation and referral to a public authority.</p> <p>The planning proposal will clarify the property and listing boundaries of three heritage items following approved boundary alterations affecting these properties. The heritage significance of these sites is not affected in any way.</p> <p>The planning proposal also proposes to remove one heritage item from Schedule 5 of the LEP. The removal of that item has been justified by the property owner, and an assessment by a heritage</p>	Referral required prior to consistency being established.

S117 Direction	Application	Relevance to this planning proposal	Consistency with direction
	<p>nominated by the Director-General), prior to undertaking community consultation in satisfaction of section 57 of the Act, and</p> <p>(a) not identify development as designated development unless the relevant planning authority:</p> <p>(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</p> <p>(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.</p>	<p>professional has been carried out that supports the item's removal – see item 2 within Appendix 1.</p> <p>Council will need to refer these issues to the NSW Office of Environment and Heritage (Heritage Division) prior to public exhibition of the planning proposal.</p>	
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).	<p>The planning proposal does create additional land reserved for a public purpose (parkland).</p> <p>The additional land relates to two parcels of incorrectly zoned residential zoned land, as follows:</p> <ol style="list-style-type: none"> 1. used as part of an existing golf course, including a detention basin; and 2. incorrectly zoned due to inaccurate cadastral mapping. <p>An approval for a variation to this 117 Direction is</p>	Justifiably inconsistent for reasons listed

S117 Direction	Application	Relevance to this planning proposal	Consistency with direction
		requested from the delegate of the Department's Secretary due to the provisions of the planning proposal that are inconsistent with the terms of this direction being of minor significance.	
6.3 Site Specific Provisions	<p>Applies when a relevant planning authority prepares a planning proposal that will allow a particular 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> <ul style="list-style-type: none"> (a) allow that land use to be carried out in the zone the land is situated on, or (b) rezone the site to an existing zone already 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 (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>(5) A planning proposal must not contain or refer to drawings that show details of the development proposal.</p>	The planning proposal does not allow a particular development or contain drawings that show details of a particular development.	N/A

SECTION C - ENVIRONMENTAL, SOCIAL AND ECONOMIC IMPACT

8. 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 planning proposal will not alter any zones or development controls in a manner such that there could be adverse impacts on threatened species, populations, or ecological communities.

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

No. The amended LEP maps and clauses will not create opportunities for substantial development that are not already permitted by the existing zones under Coffs Harbour LEP 2013. It cannot therefore be considered to have any environmental effects.

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

- **Social**

Aims:

The particular aims of Coffs Harbour LEP 2013 from a social perspective are as follows:

- “(b) to provide a high level of social, physical and cultural amenity by promoting a strong sense of community, identity and place,*
- (e) to create a highly liveable urban place, through the promotion of design excellence in all elements of the built environment and public domain,*
- (f) to allow for the equitable provision of social services and facilities,*
- (g) to encourage a mix of housing types to meet the existing and future needs of the community,”*

Strategies: The implementation of the following strategies under Coffs Harbour LEP 2013 has assisted in achieving social/cultural sustainability in the LGA:

- establishing a long term socially responsible strategic vision for the growth of the LGA through the Local Growth Management Strategy and 2030 Community Strategic Plan process;
- encouraging major housing and cultural uses to be located within or near the City Centre; and
- limiting business activities in residential zones to low impact uses such as home offices and home occupations.

Comment: Although it is difficult to measure the success of the social and cultural sustainability principles of Coffs Harbour LEP 2013 thus far, Council is including new and innovative measures in its program to improve the well-being of the people in the LGA. For example, by continuing to encourage shop top housing in business zones, particularly the City Centre, Council facilitates options for affordable housing initiatives. This will improve the housing choice available to various groups in the community and increase vitality in the City Centre. In addition, by clearly reinforcing a business hierarchy, business centres such as Woolgoolga, the City Centre and Sawtell, have a clarified role and function that assists in their revitalisation as community places.

- **Civic Leadership**

Aims:

The particular aims of Coffs Harbour LEP 2013 from a civic leadership perspective are as follows:

“(l) to give effect to the desired outcomes, strategic principles, policies and actions contained in the Council’s adopted strategic planning documents.”

Strategies: The implementation of the following strategies under Coffs Harbour LEP 2013 has assisted in achieving sound governance in the Local Government Area (LGA):

- establishing a long term strategic vision for the responsible growth of the LGA through the 2030 Community Strategic Plan process and the Local Growth Management Strategy process;
- the consolidation of business centres by the continuation of more restrictive residential zones that prohibit shops, offices and industry, but allow for home businesses;
- the promotion of high density housing areas in and around the City Centre; and
- continuing to permit housing development within business zones.

Comment: Council has continued to demonstrate civic leadership under Coffs Harbour LEP 2013. The 2030 Community Strategic Plan process, the Local Growth Management Strategy process, as well as the Business Centres Hierarchy Review has helped to reinforce the various roles and functions of the different localities in the LGA. In this regard, Council’s strategic planning documents ensure transparency and accountability in local government. Their implementation enables Council to identify and respond to community issues and concerns.

This review of Coffs Harbour LEP 2013 seeks to implement appropriate and relevant strategies of the Coffs Harbour 2030 Plan and a number of its objectives.

- **Economic**

Broader Economic Implications

Aims:

“(a) to provide for sustainable economic growth and development that supports a strong and diverse local economy

(c) to provide for a business hierarchy that encourages a range of employment opportunities and appropriate tourism development,

(d) to maintain the Coffs Harbour Central Business District as the principal business, office and retail hub of the city centre while supporting the objectives of other business zones,”

Strategies: The implementation of the following strategies under Coffs Harbour LEP 2013 has assisted in achieving economic sustainability in the Local Government Area (LGA):

- establishing a long term strategic vision for the responsible economic growth of the LGA through the Local Growth Management Strategy process;
- the consolidation of business centres by reinforcing a business centres hierarchy; and
- the responsible use of revenue to promote the growth of the LGA.

Comment: By ensuring the continuation of a stricter land use strategy (originally implemented under LEP 2000) resulting in more consolidated business centres, rewards such as infrastructure savings and increased energy efficiency can be achieved. This also enhances the importance and appearance of these centres.

The single approvals system, which includes a comprehensive DCP, has assisted to provide more certainty and transparency for investment opportunities.

Delivery Program/Operational Plan Implications

In relation to the matters involving Council owned land, there is no significant economic or financial impact or benefit for Council, associated with the proposed changes.

Council's 2016-2020 Delivery Program is relevant to this planning proposal as follows:

THEME: LOOKING AFTER OUR COMMUNITY - Our Community is healthy, informed and engaged
OBJECTIVE 3: LC3 We have strong civic leadership and governance
STRATEGY: LC3.1 Council supports the delivery of high quality, sustainable outcomes for Coffs Harbour
How Council will respond Facilitating the alignment of Council's strategic objectives with its operational activities, and providing regular and meaningful performance monitoring to support more informed decision-making.

SECTION D - STATE AND COMMONWEALTH INTERESTS.

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

This planning proposal will not in itself generate the need for public infrastructure as it does not alter the underlying land use zones or the suite or permitted land uses. In the long term it may influence decision making on some public infrastructure that will save public money and increase the life span and usefulness of that infrastructure.

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

This planning proposal has yet to achieve gateway determination and public consultation and government agency referrals have not yet been undertaken.

At this stage there does not appear to be any issues of interest to Commonwealth authorities as the planning proposal does not change the underlying zone or permissibility of any development.

PART 4 – COMMUNITY CONSULTATION

The gateway determination will specify the community consultation that must be undertaken on the planning proposal. However, Council considers this planning proposal should be exhibited for 28 days. It will directly affect private property and Council will write to landowners and relevant government agencies during the public exhibition period. The wider community will also be informed of the events through Council notices and media.

PART 5 – INDICATIVE TIMETABLE

Table 3 outlines the indicative timeframe for this planning proposal:

Table 3 Indicative timetable

Task	Estimated timeframe
Decision by CHCC to proceed	December 2016
Gateway Determination	February 2017
Finalisation of additional information as requested by Council and Gateway Determination	March 2017
Review and update of the planning proposal	March 2017
Public exhibition of PP for not less than 28 days	April – May 2017
Agency consultation	April – May 2017
Review submissions	June 2017
Report to Council	June 2017
Preparation of a final Planning Proposal for submission to the Planning & Infrastructure requesting the LEP amendment to be made	July - August 2017
Submission to Planning Minister	August 2017
Responses to Ministerial comments	September 2017

SUMMARY AND CONCLUSIONS

Coffs Harbour City Council has initiated a planning proposal to review and amend Coffs Harbour LEP 2013 where necessary to ensure that it provides the most up to date and accurate information as it applies to development in the Coffs Harbour local government area (LGA).

Council and the community will benefit from the LEP review as it will correct inaccuracies in Coffs Harbour LEP 2013 enabling a fairer and more efficient application of the LEP document.

In total, the report proposes 15 amendments to Coffs Harbour LEP 2013, which have been identified as necessary by Council staff in the ongoing implementation of the LEP. These issues have been identified in a range of ways (through Development Application assessments, landowner enquiries, internal reviews etc) and have been systematically logged to enable an update of the LEP. Given the complexity of the LEP and associated mapping, this is an important continuous improvement process.

The planning proposal is generally consistent with the Mid North Coast Regional Strategy, the Draft North Coast Regional Plan and is mostly consistent with all relevant SEPP's and Section 117 Directions, apart from some minor inconsistencies as discussed elsewhere in this report. An approval for a variation to these 117 Directions is requested as outlined Section B (7) of this document. It is also consistent with Council's Community Strategic Plan 2030.

It will ensure that Council has adequate information on which to base its development decisions. The proposals are recommended to keep the LEP up-to-date and accurate and to provide the best balance in effective planning to achieve and facilitate good development outcomes.

COFFS HARBOUR LOCAL ENVIRONMENTAL PLAN (LEP) 2013 “HOUSEKEEPING” PERFORMANCE REVIEW NO. 2

**APPENDIX 1 - AMENDMENTS AND ISSUES SUMMARY
OF ALL ITEMS CONSIDERED AS PART OF LEP 2013
PERFORMANCE REVIEW NO. 2**

November 2016

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ITEM NO. 1 – ADDITION TO SCHEDULE 1 (ADDITIONAL PERMITTED USES) OF LEP 2013

LEP 2013 Provision	<p>This issue relates to an addition to LEP 2013 - Schedule 1 Additional permitted uses.</p>
Issue/s Raised:	<p>Coffs Harbour City Council has been made aware of an unintended prohibition of a specific rural industry (water extraction and bottling facilities) on rural land, by a rural land holder wishing to undertake this use. Such prohibition has resulted from a change in definition under Council’s Standard Instrument (Coffs Harbour Local Environmental Plan (LEP) 2013). Given that this issue applies across the whole Local Government Area, it is proposed to resolve the matter with a LGA wide amendment to Coffs Harbour LEP 2013. It is not considered appropriate to delay such amendment until such time as the Rural Lands Strategy has been finalised given that the timeframes associated with this project are unknown and may therefore result in unnecessary hardship for landowners currently wishing to undertake such use. It is reasonable to correct this anomaly as part of Performance Review No. 2 of Coffs Harbour LEP 2013 given that such prohibition was unintentional and on the basis that such land use is consistent with the objectives and intent of the zone.</p>
Comment:	<p>Prior to the gazettal of the Coffs Harbour LEP 2013, the extraction of spring water and its associated bottling fell under the definition of a “rural industry” which was a use that was permitted with development consent under the Coffs Harbour LEP 2000 in the Rural 1A Agriculture zone. Coffs Harbour LEP 2013 contains an amended definition of ‘rural industry’ which is:</p> <p>rural industry means the handling, treating, production, processing, storage or packing of animal or plant agricultural products for commercial purposes, and includes any of the following:</p> <ul style="list-style-type: none"> (a) agricultural produce industries, (b) livestock processing industries, (c) composting facilities and works (including the production of mushroom substrate), (d) sawmill or log processing works, (e) stock and sale yards, (f) the regular servicing or repairing of plant or equipment used for the purposes of a rural enterprise. <p>Other definitions which are associated with agricultural, processing (light industrial) and extractive land uses include:</p> <p>agricultural produce industry means a building or place used for the handling, treating, processing or packing, for commercial purposes, of produce from agriculture (including dairy products, seeds, fruit, vegetables or other plant material), and includes wineries, flour mills, cotton seed oil plants, cotton gins, feed mills, cheese and butter factories, and juicing or canning plants, but does not include a livestock processing industry.</p> <p>agriculture means any of the following:</p> <ul style="list-style-type: none"> (a) aquaculture, (b) extensive agriculture, (c) intensive livestock agriculture, (d) intensive plant agriculture. <p>extensive agriculture means any of the following:</p>

	<p>(a) the production of crops or fodder (including irrigated pasture and fodder crops) for commercial purposes, (b) the grazing of livestock for commercial purposes, (c) bee keeping, (d) a dairy (pasture-based).</p> <p>extractive industry means the winning or removal of extractive materials (otherwise than from a mine) by methods such as excavating, dredging, tunnelling or quarrying, including the storing, stockpiling or processing of extractive materials by methods such as recycling, washing, crushing, sawing or separating, but does not include turf farming.</p> <p>extractive material means sand, soil, gravel, rock or similar substances that are not minerals within the meaning of the Mining Act 1992.</p> <p>light industry means a building or place used to carry out an industrial activity that does not interfere with the amenity of the neighbourhood by reason of noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil, or otherwise, and includes any of the following: (a) high technology industry, (b) home industry.</p> <p>It has previously been determined that water extraction, processing and its associated bottling does not strictly fall within any of these definitions and therefore this land use has been treated as a “commercial premises”. Consequently, the use of land zoned RU2 Rural Landscape under the Coffs Harbour LEP 2013 is prohibited. This is considered to be an unintended consequence resulting from the change in definition of “rural industry” under the standard instrument.</p> <p>Consultation between Tweed Shire Council and the NSW Department of Planning & Environment (DPE) during the processing of the Tweed Shire Planning Proposal PP 15/0004 indicated that water extraction and bottling facilities, whilst not defined directly as a standalone land use, should be considered as a type of <i>light industry</i> land use. Considering that <i>light industry</i> land use is prohibited in the rural zones, amendment to Schedule 1 Additional Permitted Uses appears to be the preferred way of enabling this use on rural land with development consent. For the purposes of further agency consultation and public exhibition, the proposed enabling clause has been drafted as follows:</p> <p>Use of land in RU2 Rural Landscape zones for water extraction & bottling facilities</p> <p>(1) This clause applies to any land zoned RU2 Rural Landscape. (2) Development for the purposes of water extraction and bottling facilities is permitted with development consent. (3) For the purposes of this clause, water extraction and bottling facility is a light industry involving the extraction of groundwater and the handling, treating, production, processing, storage, packing and wholesale removal of groundwater for commercial purposes.</p>
<p>Recommendation:</p>	<p>It is recommended that the following amendments be made to LEP 2013 as a result of this issue:</p> <p>WRITTEN INSTRUMENT:</p> <ul style="list-style-type: none"> • Schedule 1 Additional permitted uses - insert the following in Schedule 1 of LEP 2013. <p>Use of land in RU2 Rural Landscape zones for water extraction & bottling facilities</p> <p>(1) This clause applies to any land zoned RU2 Rural Landscape.</p>

(2) Development for the purposes of water extraction and bottling facilities is permitted with development consent.

(3) For the purposes of this clause, water extraction and bottling facility is a light industry involving the extraction of groundwater and the handling, treating, production, processing, storage, packing and wholesale removal of groundwater for commercial purposes.

MAP:

- That the Additional Permitted Uses Map not be amended in this instance.
-

ITEM NO. 2 – REMOVAL OF HERITAGE ITEM FROM LEP 2013 HERITAGE MAP & SCHEDULE 5 (ENVIRONMENTAL HERITAGE) OF LEP 2013

<p>LEP 2013 Provision / Map</p>	<p>This issue relates to the removal of item number I81 from:</p> <ul style="list-style-type: none"> • Part 1 of Schedule 5 (Environmental Heritage) of LEP 2013, and • LEP Mapping (Heritage Map HER_006C).
<p>Issue/s Raised:</p>	<p>A request has been received from the owner of a heritage listed dwelling (item number I81) at 13 Twentieth Avenue Sawtell (Lot 24 DP 507406) to remove this item from Schedule 5 of LEP 2013.</p> <p>Reasons for removal from Schedule 5 include an assessment supporting the fact that no original fabric remains apart from the floor and that the building has been substantially altered and enlarged since 1989.</p>
<p>Comment:</p>	<p>Council’s Heritage Advisor has inspected the site and made the following observations and comments:</p> <p><i>Heritage Significance</i> <i>The existing significance statement is as follows:</i></p> <p><i>Of high local significance as an early surviving, substantially intact domestic residence from the interwar period and displaying typical design features. This house demonstrates the history and development of the Coffs Harbour region during the second major phase of permanent settlement (1920s – 1940s) and belongs to an important group of early buildings that continue the local tradition of hardwood construction and display the building skills and craftsmanship of the time. The building has been the subject of modification over time but is substantially intact.</i></p> <p><i>At the site inspection I observed the following:</i></p> <ul style="list-style-type: none"> • <i>The building is no longer intact. There is no original fabric surviving apart from the floor.</i> • <i>The building has been extended along its frontage and to the rear.</i> • <i>The rear has a two story “tower” element.</i> • <i>The floor of the additions is a concrete slab.</i> • <i>The building has been clad and does not have any original weather boards.</i> • <i>The windows have been replaced with aluminium framed windows.</i> <p><i>Mr and Mrs Giddens also showed me photograph albums that showed how the building was before the changes were made. According to Mr Giddens the changes were the subject of a development approval.</i></p> <p><i>The Statement of Significance no longer applies to the house as it exists today for the following reasons:</i></p> <ul style="list-style-type: none"> • <i>The house is no longer intact.</i> • <i>The house no longer demonstrates the history and development of Coffs Harbour between the 1920s and the 1940s.</i> • <i>The building no longer has characteristics that display the building skills or craftsmanship of that time.</i>



THE FRONT OF THE HOUSE. THIS END OF THE HOUSE IS A NEW ADDITION. THE WINDOWS, CLADDING AND DECK ARE ALL NEW.



THE NEW BACK VERANDAH AND ADDITION AND THE NEW "TOWER" ELEMENT.



THE REAR VERANDAH LOOKING BACK TOWARDS THE FRONT OF THE HOUSE.

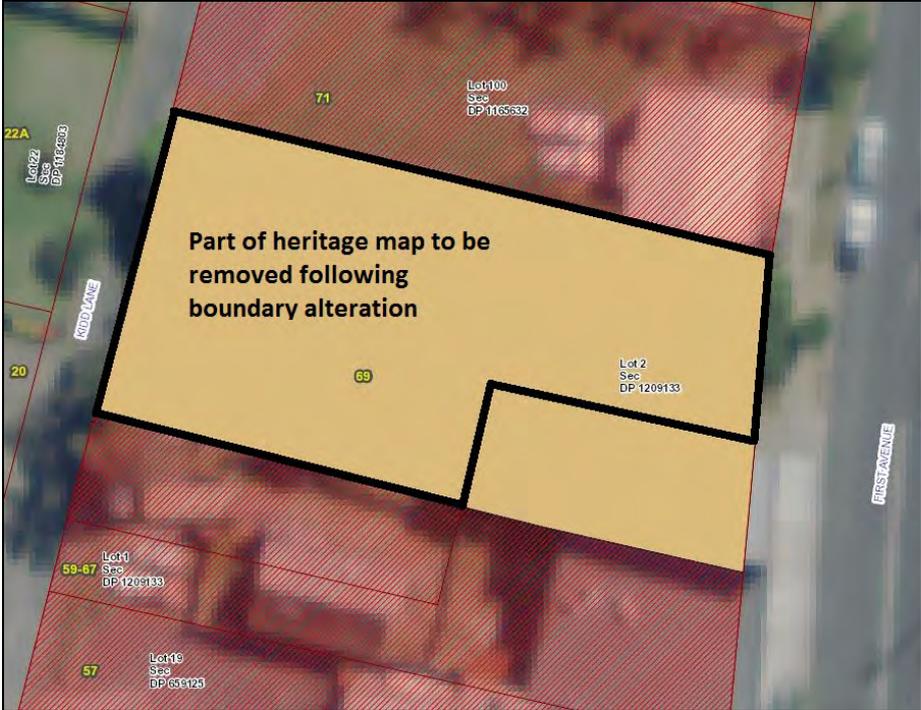
The owner did scan and send some of the photographs of the original house, however I have been unable to open the files.

Conclusion

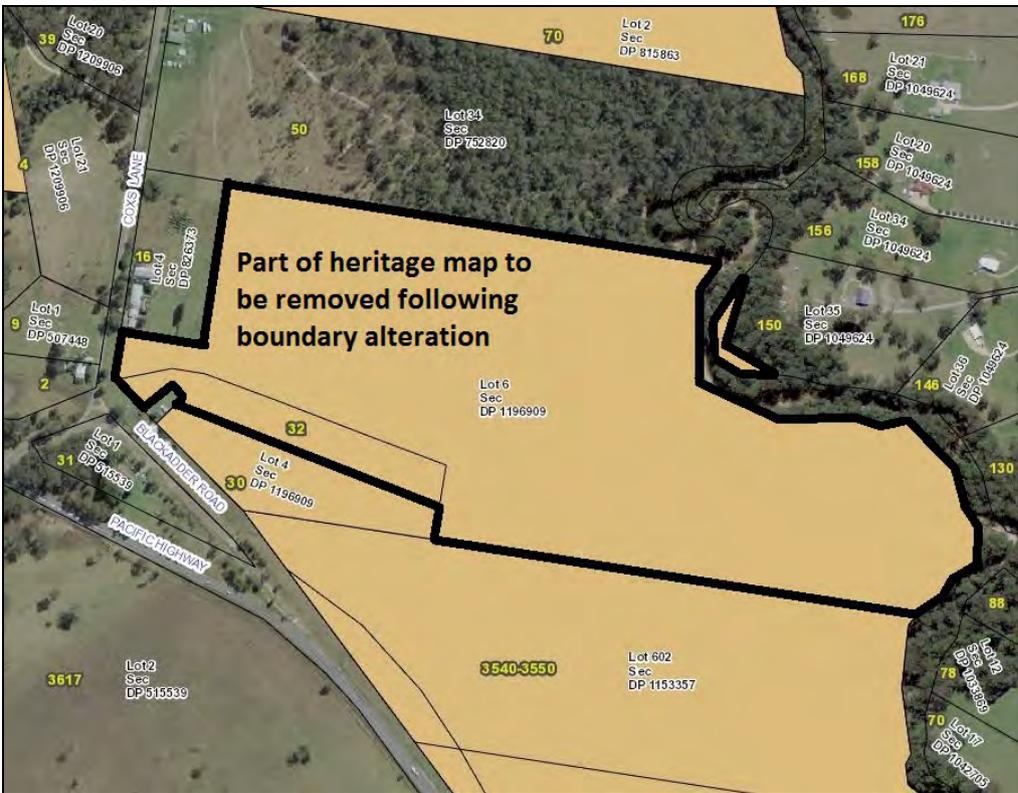
The significance assessment of 13 Twentieth Ave Sawtell is no longer accurate. The building as it stands today does not meet any of the criteria for heritage listing. I advised the owner that if he wished to see the property removed from the heritage schedule he would need to write to the General Manager formally requesting the delisting of the property.

Recommendation:	It is recommended that the following amendments be made to Coffs Harbour LEP 2013 as a result of this issue: <ul style="list-style-type: none">• Remove item number I81 from Heritage Map HER_006C; and• Remove item number I81 from Part 1 of Schedule 5 of LEP 2013.
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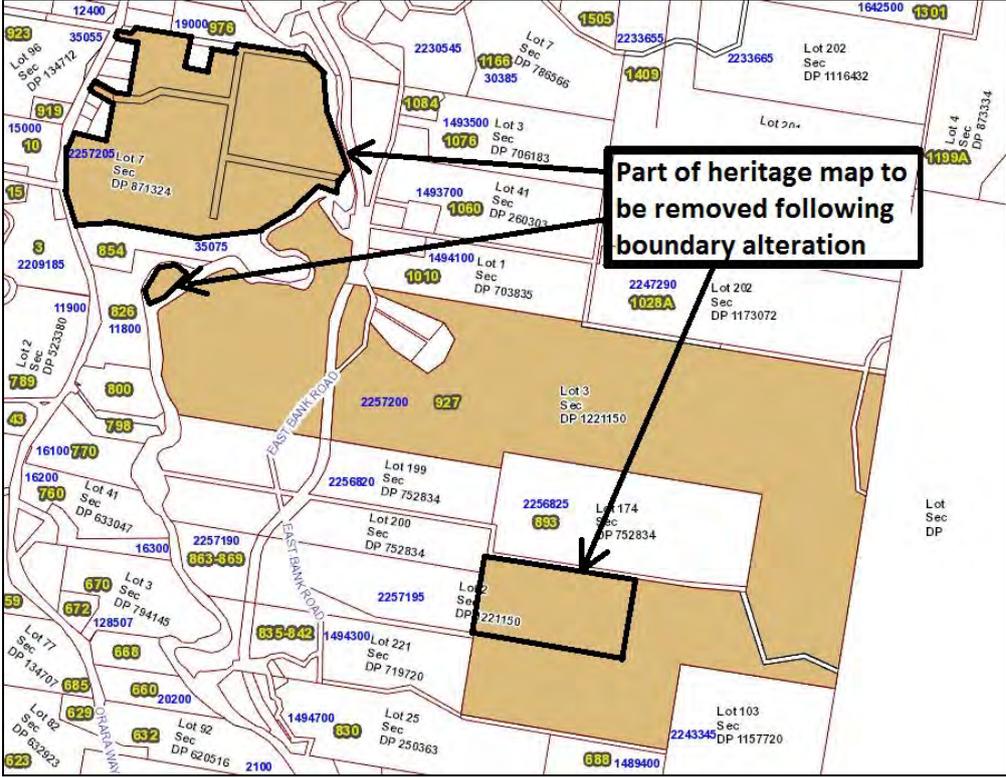
ITEM NO. 3 – AMENDMENT TO LEP 2013 HERITAGE MAP & SCHEDULE 5 (ENVIRONMENTAL HERITAGE) OF LEP 2013

<p>LEP 2013 Provision / Map</p>	<p>This issue relates to the amendment of item number I77 within:</p> <ul style="list-style-type: none"> • Part 1 of Schedule 5 (Environmental Heritage) of LEP 2013, and • LEP Mapping (Heritage Map HER_006C) see proposed changes below: 
<p>Issue/s Raised:</p>	<p>This issue surrounds the land description contained within Schedule 5 of LEP 2013 for item number I77, and the associated heritage layer map. Item number I77, being a shop and residence above at 63-67 First Avenue Sawtell (formerly located on Lot 7 DP 857331) has been the subject of a boundary alteration and is now located on part of the adjacent Lot 1 DP 1209133. The extent of coverage for the heritage item on that allotment has been reduced.</p>
<p>Comment:</p>	<p>The heritage layer map (HER_006C) and the content of Schedule 5 of LEP 2013 need to be amended to reflect the new land boundaries.</p> <p>59 First Avenue, which now forms part of the recently adjusted allotment, has not been previously considered for individual heritage listing and therefore is not recommended to be included within the listing boundary. It is however located within the greater Sawtell Heritage Conservation Area, and is therefore afforded some heritage consideration within LEP 2013.</p>
<p>Recommendation:</p>	<p>It is recommended that the following amendments be made to LEP 2013 as a result of this issue:</p> <ul style="list-style-type: none"> • Change the heritage layer map (Sheet HER_006C) to show item I77 (63-67 First Avenue Sawtell) located on part of the land parcel - Lot 1 DP 1209133; and • Change the lot description within LEP 2013 Schedule 5 Item I77 to – Part Lot 1 DP 1209133.

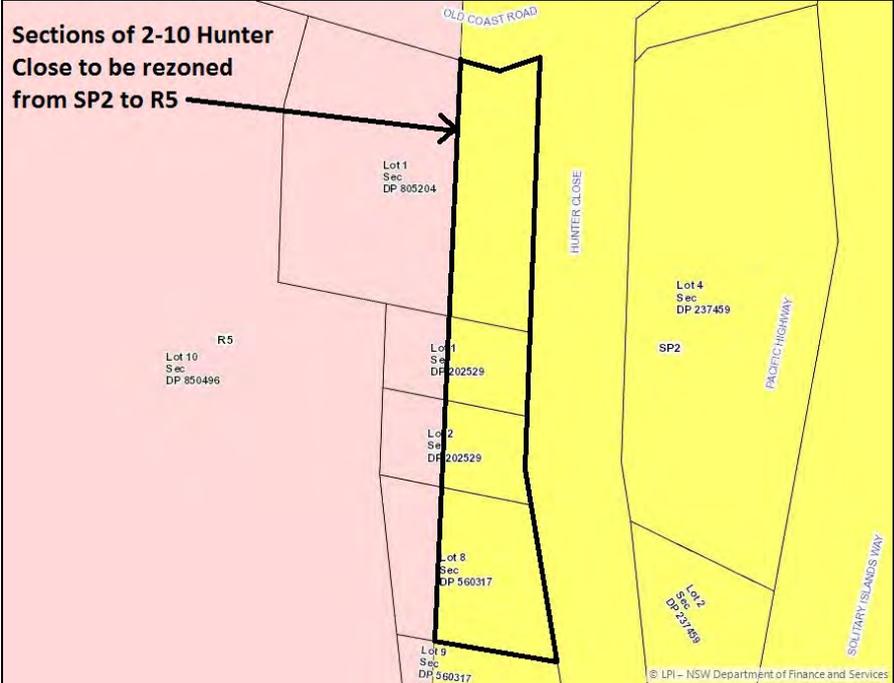
ITEM NO. 4 – AMENDMENT TO LEP 2013 HERITAGE MAP

<p>LEP 2013 Provision / Map</p>	<p>This issue relates to an amendment to LEP Mapping (Heritage Map HER_004B), see below:</p> 
<p>Issue/s Raised:</p>	<p>This issue surrounds the correction of heritage mapping associated with heritage item number I34 located at 30 Blackadder Road Corindi (Lot 4 DP 1196909). The land description contained within Schedule 5 of LEP 2013 for item number I34 does not correlate with the associated heritage layer map. Item number I34 has been the subject of a boundary alteration and the extent of coverage for the heritage item on that allotment has changed, resulting in a substantial portion of the mapped area to be removed.</p>
<p>Comment:</p>	<p>The heritage layer map (HER_004B) needs to be amended to reflect the new land boundaries.</p>
<p>Recommendation:</p>	<p>It is recommended that the LEP 2013 Heritage Layer Map (Sheet HER_004B) be amended to show item I34 (30 Blackadder Road Corindi) located on the land parcel - Lot 4 DP 1196909.</p>

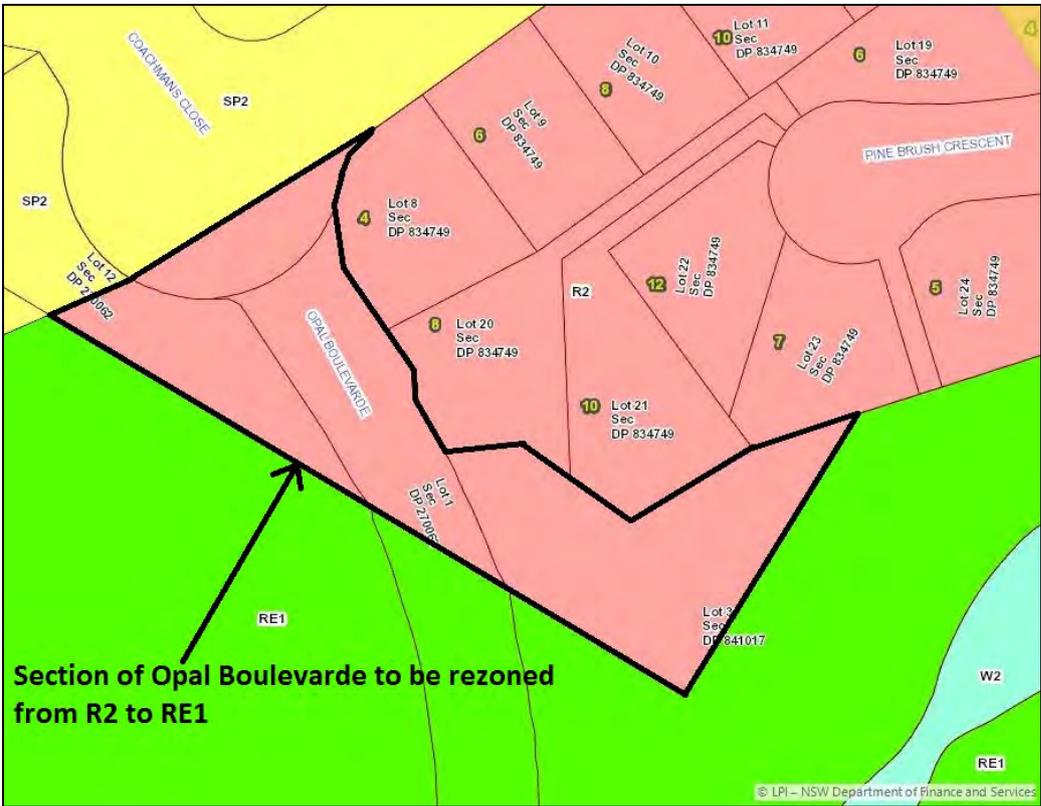
ITEM NO. 5 – AMENDMENT TO LEP 2013 HERITAGE MAP & SCHEDULE 5 (ENVIRONMENTAL HERITAGE) OF LEP 2013

<p>LEP 2013 Provision / Map</p>	<p>This issue relates to the amendment of item number I52 within Part 1 of Schedule 5 (Environmental Heritage) of LEP 2013, and an amendment to the LEP Mapping (Heritage Maps HER_005 & HER_005A), see proposed changes below:</p> <p>This issue relates to an amendment to LEP Mapping (Heritage Map HER_005 & HER_005A) & Schedule 5 of LEP 2013, see below:</p> 
<p>Issue/s Raised:</p>	<p>This issue surrounds the land description contained within Schedule 5 of LEP 2013 for item number I52, and the associated heritage layer map. Item number I52, being the “Edgefern” residence at 927 East Bank Road (Formerly located on Lot 333 DP 1053736, now located on Lot 3 DP 1221150) has been the subject of a boundary alteration and the extent of coverage for the heritage item on that allotment has changed.</p>
<p>Comment:</p>	<p>The heritage layer map (HER_006C) and the content of Schedule 5 of LEP 2013 need to be amended to reflect the new land boundaries.</p>
<p>Recommendation:</p>	<p>It is recommended that the following amendments be made to LEP 2013 as a result of this issue:</p> <ul style="list-style-type: none"> • Change the heritage layer map (Sheet HER_005 & HER_005A) to show item I52 (927 East Bank Road) located on part of the land parcel - Lot 3 DP 1221150; and • Change the lot description within LEP 2013 Schedule 5 Item I52 to – Lot 3 DP 1221150.

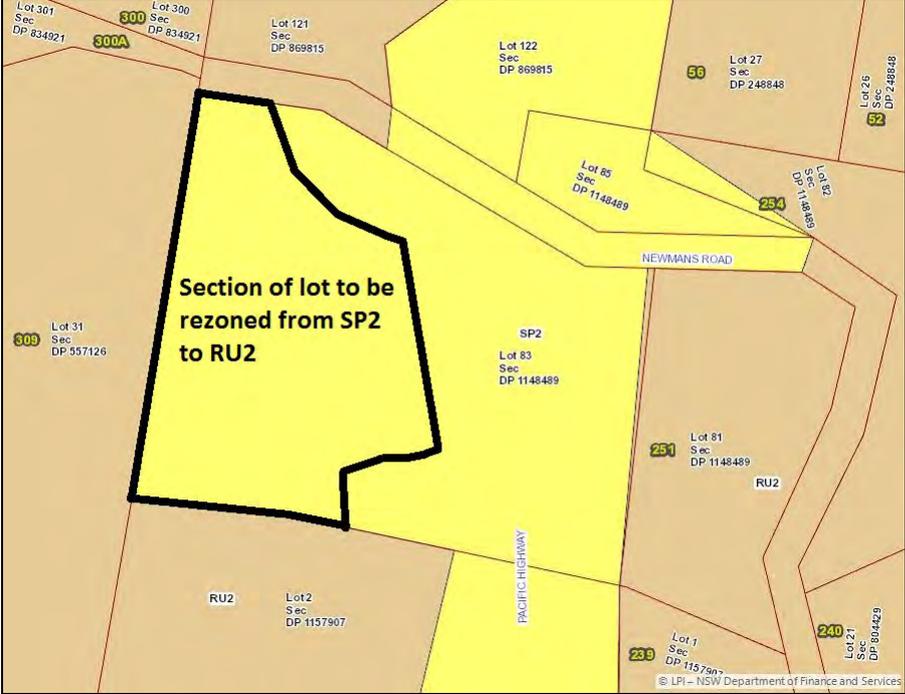
ITEM NO. 6 – AMEND LEP 2013 ZONE / LOT SIZE / LAND RESERVATION AND ACQUISITION MAPPING AT HUNTER CLOSE KORORA

<p>LEP 2013 Provision / Map</p>	<p>This issue relates to an amendment of the SP2 Infrastructure zone and lot size map provisions as they apply to part of 2-10 Hunter Close Korora (part of Lot 1 DP 805204, Lots 1 & 2 DP 202529, and Lot 8 DP 560317), as shown below:</p> 
<p>Issue/s Raised:</p>	<p>This issue looks to review the zone, minimum lot size and land reservation and acquisition mapping applying to the subject lands.</p> <p>This land was zoned Rural 1B Living zone under LEP 2000, and was then rezoned to SP2 Infrastructure / R5 Large Lot Residential under LEP 2013 to accord with the then use of the land as part of the Pacific Highway upgrade project. The land is now not required as part of the recently completed Highway upgrade.</p>
<p>Comment:</p>	<p>Given the recent completion of the Pacific Highway upgrade from Sapphire Beach to Arrawarra, the land is no longer needed for infrastructure purposes, and the land should therefore be zoned as per the zone that is consistent with the adjacent zoned land - R5 Large Lot Residential.</p>
<p>Recommendation:</p>	<p>It is recommended that the following amendments be made to LEP 2013 as a result of this issue:</p> <ul style="list-style-type: none"> • That Land Zoning Map (Sheet LZN_005C) be amended to show part of the land located at Lot 1 DP 805204, Lots 1 & 2 DP 202529, and Lot 8 DP 560317 as R5 Large Lot Residential. • That Lot Size Map (Sheet LSZ_005C) be amended to show part of the land located at Lot 1 DP 805204, Lots 1 & 2 DP 202529, and Lot 8 DP 560317 as minimum lot size data of Y – 1 ha. • That Land Reservation and Acquisition Map (Sheet LRA_005C) be amended to remove the land at Lot 1 DP 805204, Lots 1 & 2 DP 202529, and Lot 8 DP 560317.

ITEM NO. 7 – AMEND LEP 2013 ZONE / LOT SIZE MAPPING AT OPAL BOULEVARDE OPAL COVE

<p>LEP 2013 Provision / Map</p>	<p>This issue relates to an amendment of the zone and lot size map provisions as they apply to land at Opal Boulevarde Opal Cove (Lot 3 DP 841017 & Lot 1 & 12 DP 270062), as shown below:</p> 
<p>Issue/s Raised:</p>	<p>This issue looks to review the LEP 2013 mapping applying to part of the subject lands noted above to be more consistent with the actual use of the land, which involves a change from an R2 zone to an RE1 zone.</p>
<p>Comment:</p>	<p>This part of the land was zoned Low Density Residential 2A under LEP 2000, and was then carried over to an R2 Low Density Residential zoning under LEP 2013. These portions of land are used as part of the Opal Cove golf course and detention basin also associated with Opal Cove. The land is therefore not appropriate as residential land and should be zoned to be consistent with the use of the land and adjacent zone (RE1 Public Open Space).</p>
<p>Recommendation:</p>	<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"> • That Land Zoning Map (Sheet LZN_005C) be amended to show an RE1 Public Recreation zone to parts of Lot 3 DP 841017 & Lot 1 & 12 DP 270062; and • That Lot Size Map (Sheet LSZ_005C) be amended to remove the minimum lot size data of F – 400sqm from the corresponding parts of Lot 3 DP 841017 & Lot 1 & 12 DP 270062.

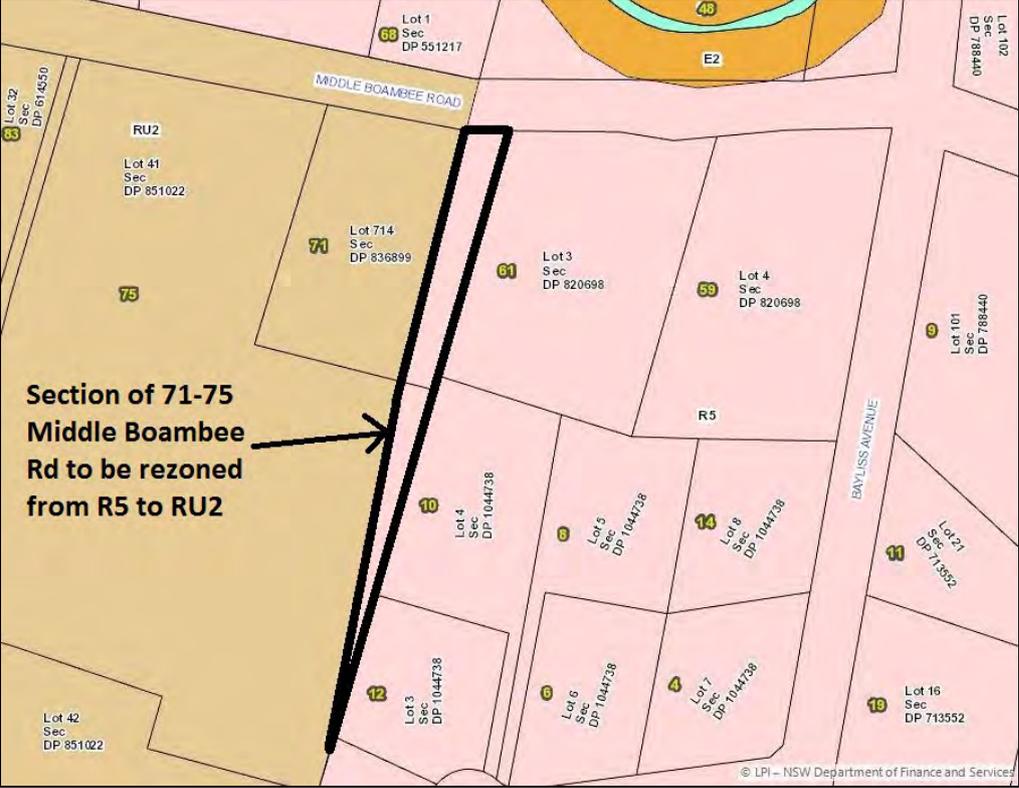
ITEM NO. 8 – AMEND LEP 2013 ZONING / LOT SIZE AND LAND ACQUISITION MAPPING AT NEWMANS RD WOOLGOOLGA

<p>LEP 2013 Provision / Map</p>	<p>This issue relates to an amendment of the zone, lot size and land acquisition mapping provisions as they apply to land located at Newmans Road Woolgoolga (Lot 83 DP 1148489), as shown below:</p> 
<p>Issue/s Raised:</p>	<p>Lot 83 DP 1148489 was zoned Rural 1A Agriculture under LEP 2000, and was then rezoned to SP2 Infrastructure under LEP 2013 to accord with the Woolgoolga Pacific Highway bypass project. The land in its entirety was zoned SP2 Infrastructure to accommodate the Pacific Highway bypass, however the portion highlighted above is not required for infrastructure purposes and is requested to be rezoned accordingly.</p>
<p>Comment:</p>	<p>Given the recent completion of the Pacific Highway upgrade, this portion of the land is proposed to be broken up and disposed of by the State Government. The land should therefore be zoned as per the equivalent zone that applied prior to the highway upgrade project (RU2 Rural Landscape). An RU2 zone is also consistent with adjacent zoned land. Further, the Lot Size Map should be amended to include the land within the AB-40 hectare lot size standard, and remove the land from Land Reservation Acquisition Map. GIS amendment is required to correct the relevant maps.</p>
<p>Recommendation:</p>	<p>It is recommended that the following amendments be made to LEP 2013 as a result of this issue:</p> <ul style="list-style-type: none"> • That Land Zoning Map (Sheet LZN_005F) be amended to show the land located at Part Lot 83 DP 1148489 as RU2 Rural Landscape. • That Lot Size Map (Sheet LSZ_005F) be amended to show Part Lot 83 DP 1148489 as minimum lot size data of AB-40. • That Land Reservation Acquisition Map (Sheet LRA_005F) be amended to remove the relevant part of land located at Lot 83 DP 1148489.

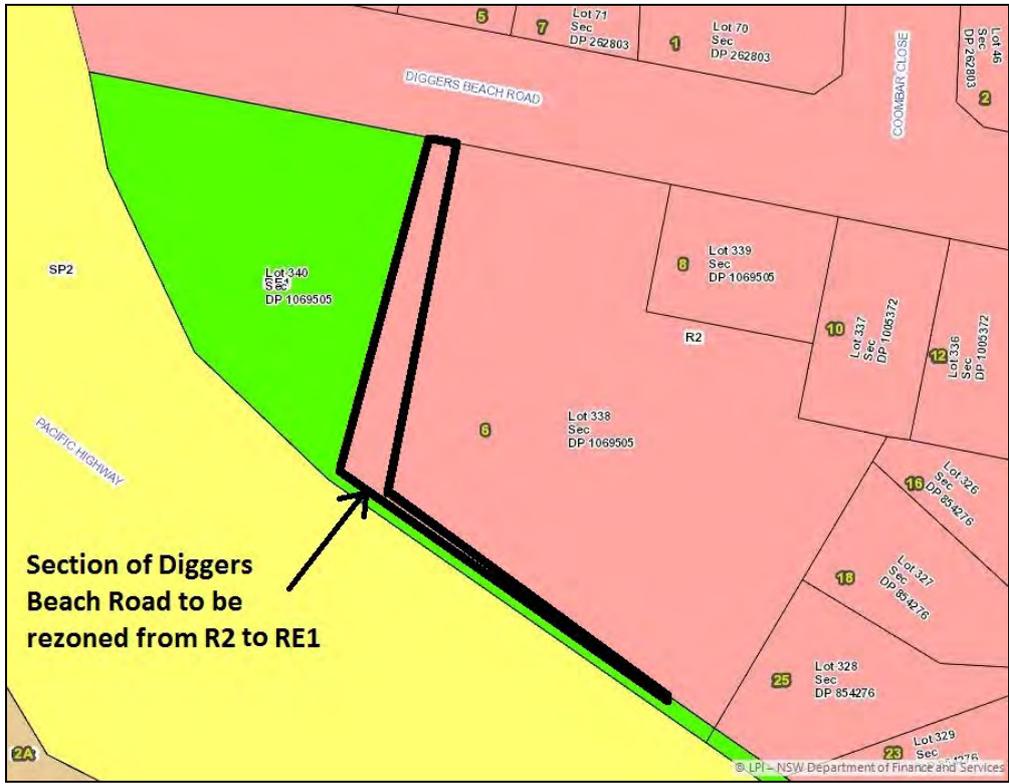
ITEM NO. 9 – AMEND LEP 2013 MINIMUM LOT SIZE MAPPING AT EAST BANK ROAD CORAMBA

<p>LEP 2013 Provision / Map</p>	<p>This issue relates to an amendment to the minimum lot size mapping provisions that apply to a section of road reserve located adjacent to 72 East Bank Road Coramba (Lots 1000 & 1001 DP 777881), as shown below:</p> 
<p>Issue/s Raised:</p>	<p>This issue surrounds inappropriate minimum lot size data that has been applied to the subject land.</p>
<p>Comment:</p>	<p>The lots identified above, as well as the adjacent road reserve are included within an R5 Large Lot Residential Zone. The lots include a minimum lot size data of 1 ha, whereas the adjacent road reserve has mistakenly included a minimum lot size data of 40 ha. The road reserve should therefore have a minimum lot size of 1 ha, consistent with the surrounding R5 zoned lands.</p> <p>GIS amendment is required to correct the Lot Size Map Sheet LSZ_005B.</p>
<p>Recommendation:</p>	<p>It is recommended that the Lot Size Map (Sheet LSZ_005B) be amended to show the road reserve as minimum lot size data of Y-1 (ha).</p>

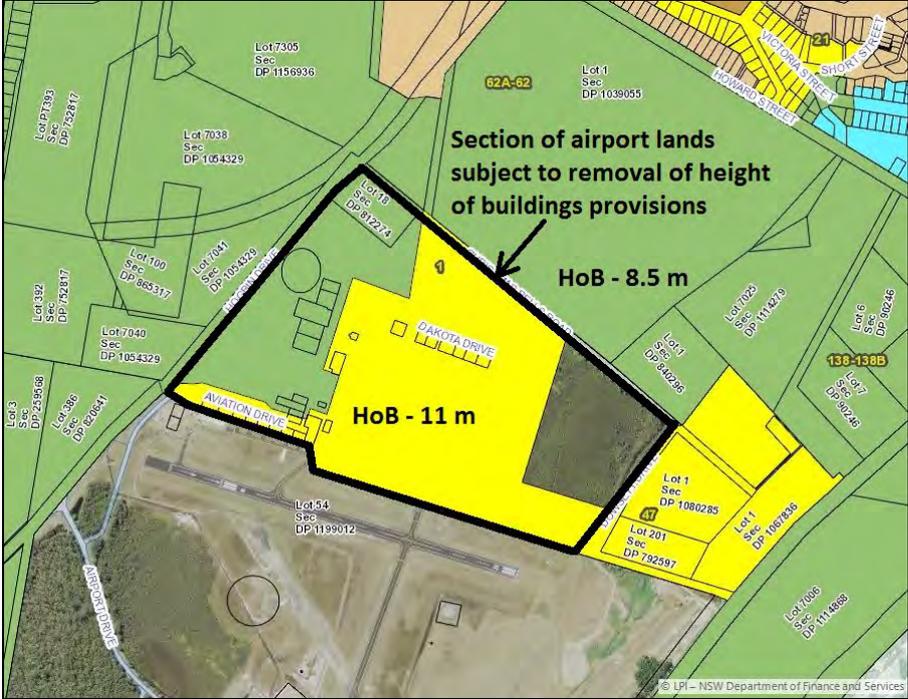
ITEM NO. 10 – AMEND LEP 2013 ZONE / LOT SIZE MAPPING AT 71-75 MIDDLE BOAMBEE ROAD BOAMBEE

<p>LEP 2013 Provision / Map</p>	<p>This issue relates to the amendment of the zone and lot size map provisions that apply to part of 71 and 75 Middle Boambee Rd Boambee (part Lot 714 DP 836899 and part Lot 41 DP 851022), as shown below:</p> 
<p>Issue/s Raised:</p>	<p>This issue examines zone (R5 Large Lot Residential zone) and lot size mapping (Y-1 ha) that does not match the cadastre of the lots at 71-75 Middle Boambee Rd Boambee.</p>
<p>Comment:</p>	<ul style="list-style-type: none"> The subject lands are considered to be part of the adjacent rural zoned lands, and the narrow strip of R5 zoned land serves no functional purpose. This is a mapping error and GIS amendment is required to correct the relevant maps.
<p>Recommendation:</p>	<p>It is recommended that the following amendments be made to LEP 2013 as a result of this issue:</p> <ul style="list-style-type: none"> That Land Zoning Map (Sheet LZN_006B) be amended to match the zone boundaries of the relevant parts of Lot 714 DP 836899 and Lot 41 DP 851022 with the cadastral boundaries; and That Lot Size Map (Sheet LSZ_006B) be amended to match the corresponding zone boundaries with the cadastre of the relevant land parcels.

ITEM NO. 11 – AMEND LEP 2013 ZONE / LOT SIZE MAPPING AT CNR DIGGERS BEACH ROAD & PACIFIC HIGHWAY DIGGERS BEACH

<p>LEP 2013 Provision / Map</p>	<p>This issue relates to the amendment of the RE1 Public Recreation zone of part of land on the corner of Diggers Beach Road and the Pacific Highway Diggers Beach (part Lot 340 DP 1069505), as shown below:</p>
	
<p>Issue/s Raised:</p>	<p>This issue examines zone and lot size mapping that does not match the cadastre of the lot located at the corner of Diggers Beach Road and the Pacific Highway Diggers Beach.</p>
<p>Comment:</p>	<p>The subject land is considered to be part of the RE1 zoned parkland, and the narrow strip of R2 zoned land serves no functional purpose as residential land. This is a mapping error and GIS amendment is required to correct the relevant maps.</p>
<p>Recommendation:</p>	<p>It is recommended that the following amendments be made to LEP 2013 as a result of this issue:</p> <ul style="list-style-type: none"> • That Land Zoning Map (Sheet LZN_006D) be amended to match the zone boundaries of the relevant parts of Lot 340 DP 1069505 with the cadastral boundaries; and • That Lot Size Map (Sheet LSZ_006D) be amended to match the corresponding zone boundaries with the cadastre of the relevant land parcels.

ITEM NO. 12 – REMOVE LEP 2013 HEIGHT OF BUILDINGS MAPPING FROM COFFS HARBOUR AIRPORT LANDS

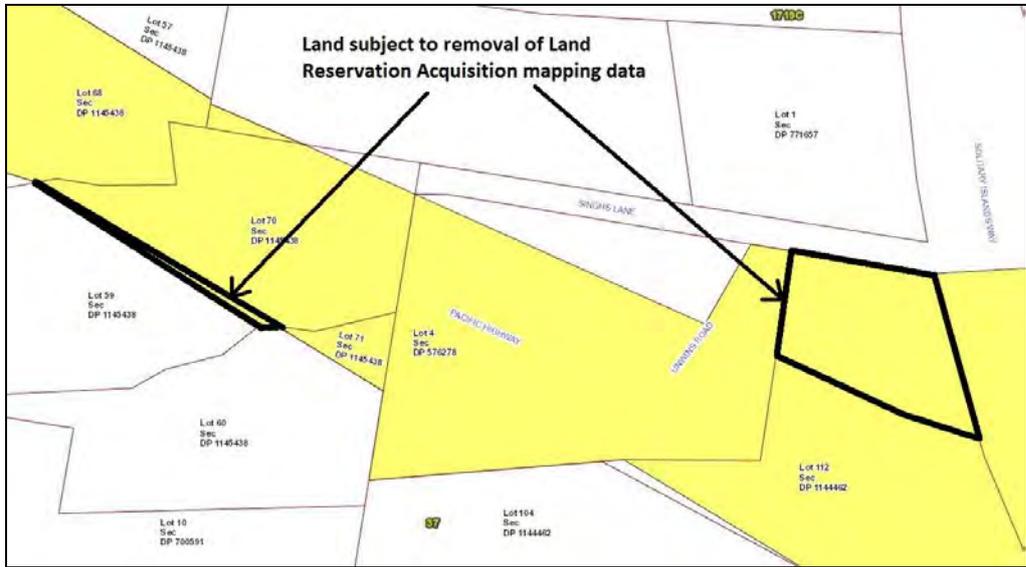
<p>LEP 2013 Provision / Map</p>	<p>This issue relates to the removal of Height of Buildings mapping data applied to Coffs Harbour Airport lands as shown below:</p> 
<p>Issue/s Raised:</p>	<p>This issue examines the Height of Buildings mapping data applied to the Coffs Harbour Airport lands which is noted as not being necessary.</p>
<p>Comment:</p>	<p>The airport lands are zoned SP1 Special Activities and are partially mapped with a maximum building height of 8.5 m and 11 m. Within the Coffs Harbour Local Government Area the 8.5 m building height is generally applied to low density residential zoned land and the 11 m building height is generally applied to industrial zoned land. There is no residential or industrial zoned land within the airport site. None of the site has a mapped floor space ratio or minimum lot size.</p> <p>Adequate height controls exist in accordance with the Commonwealth Obstacle Limitation Surface (OLS) Map for the Coffs Harbour Regional Airport. The OLS protects the immediate airspace in the vicinity of the airport for visual operations based on Commonwealth specifications. There is therefore no legislative or practical necessity for LEP height of building controls for the Coffs Harbour Regional Airport land. It is considered that the whole of the airport site should be mapped consistently, showing the same controls as for all of the land zoned SP1.</p> <p>In this case, the inclusion of the Coffs Harbour Regional Airport land in the Coffs Harbour Local Environmental Plan (LEP) 2013 Height of Buildings (HOB) map is considered to be unnecessary. Further, it is understood that the inclusion of the airport land in the HOB mapping was as a result of an error at the time of the conversion of LEP 2000 to the new 'Standard Instrument' LEP.</p>
<p>Recommendation:</p>	<p>It is recommended that the LEP 2013 Height of Buildings Maps (Sheet HOB_006 & Sheet HOB_006D) be amended by removing all data relating to the airport lands</p>

	corresponding with the SP1 zone on the site.
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ITEM NO. 13 – REMOVE LEP 2013 LAND RESERVATION ACQUISITION MAPPING AT 544-551, 590 & 600 SOLITARY ISLANDS WAY MOONEE BEACH

<p>LEP 2013 Provision / Map</p>	<p>This issue relates to the removal of Land Reservation Acquisition Mapping data at Lot 201 & 202 DP 1219403 and Lot 1 DP 1142657 (544-551, 590 & 600 Solitary Islands Way Moonee Beach), as shown below:</p>
<p>Issue/s Raised:</p>	<p>This issue looks to remove the Land Reservation Acquisition Mapping data applying to the subject land.</p>
<p>Comment:</p>	<p>This land was rezoned from SP2 Infrastructure to R2 Low Density Residential under LEP 2013 Review No. 1. Minimum lot size data was also amended as part of LEP 2013 Review No. 1 however Land Reservation Acquisition Mapping data applying to the subject land was not removed during this process. This mapping data should therefore be removed as part of the current review process.</p>
<p>Recommendation:</p>	<p>It is recommended that Land Reservation Acquisition Map (Sheet LRA_005D) be amended to remove Lot 201 & 202 DP 1219403 and Lot 1 DP 1142657.</p>

ITEM NO. 14 – REMOVE LEP 2013 LAND RESERVATION ACQUISITION MAPPING AT PACIFIC HWY & UNWINS RD WOOLGOOLGA

<p>LEP 2013 Provision / Map</p>	<p>This issue relates to the removal of Land Reservation Acquisition Mapping data at Part Lot 59 DP 1145438 (Pacific Highway Woolgoolga) and Lot 104 DP 1144462 (Unwins Road Woolgoolga), as shown below:</p> 
<p>Issue/s Raised:</p>	<p>This issue looks to remove the Land Reservation Acquisition Mapping data applying to the subject land.</p>
<p>Comment:</p>	<p>This land was rezoned from SP2 Infrastructure to RU2 Rural Landscape under LEP 2013 Review No. 1. Minimum lot size data was also amended as part of LEP 2013 Review No. 1 however Land Reservation Acquisition Mapping data applying to the subject land was not removed during this process. This mapping data should therefore be removed as part of the current review process.</p>
<p>Recommendation:</p>	<p>It is recommended that Land Reservation Acquisition Map (Sheet LRA_005F) be amended to remove the relevant part of land located at Lot 59 DP 1145438, and remove Lot 104 DP 1144462.</p>

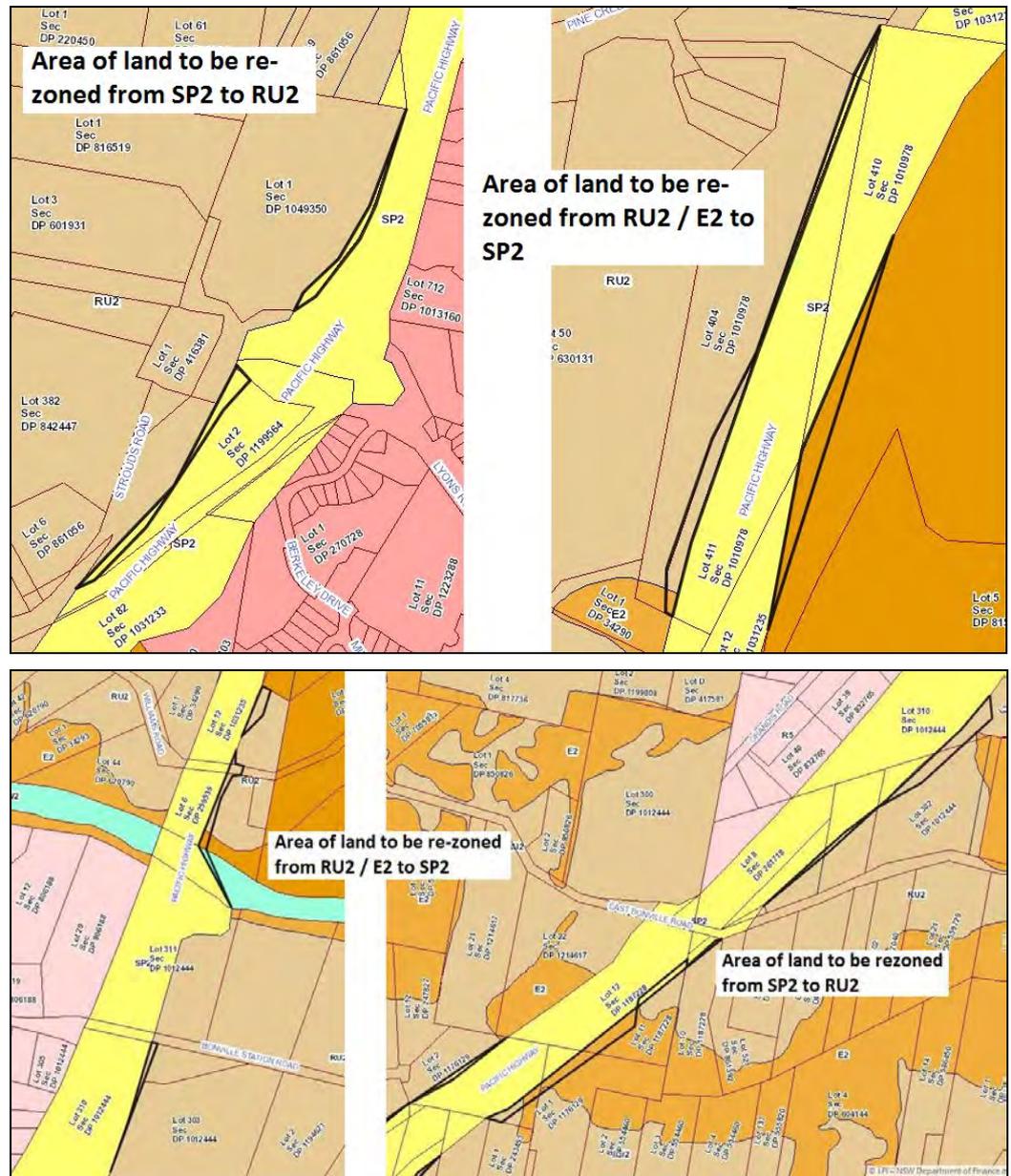
ITEM NO. 15 – AMEND LEP 2013 ZONING / LOT SIZE AND LAND ACQUISITION MAPPING AT THE PACIFIC HIGHWAY BONVILLE

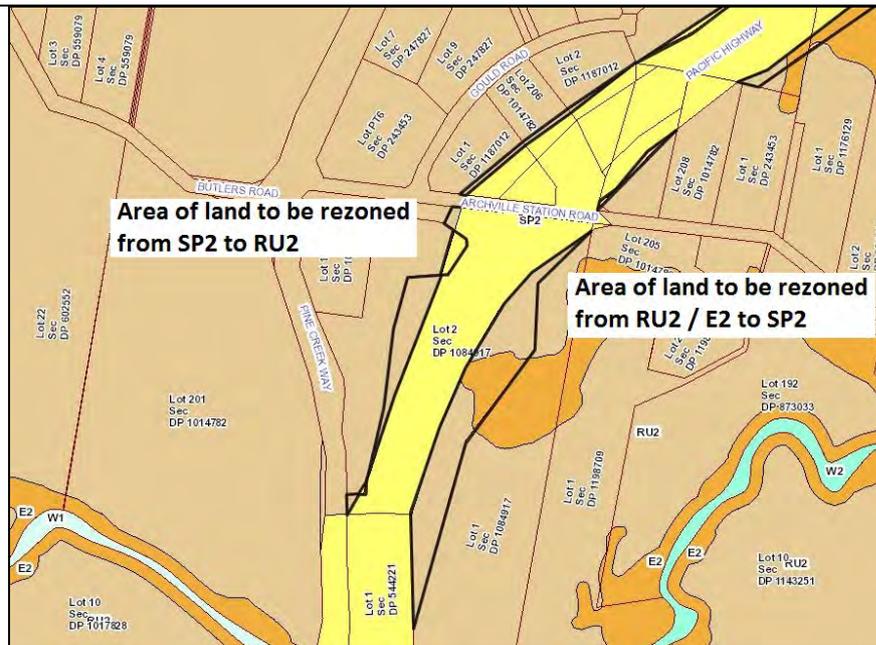
LEP 2013 Provision / Map

This issue relates to the amendment of zone boundaries of the following land parcels located on and adjacent to the Pacific Highway at Bonville between the Lyons Road interchange and the LGA Southern boundary:

Lot 1, 2 & 3 DP 1084917, Lot 10 & 11 DP 1187228, Lot 3071 DP 1168552, Lot 301, 308, 309, 314, 315 & 318 DP 1012444, Lot 1 DP 1049350, Lot 1 DP 1084917, Lot 2 DP 1176129, Lot 70 & 73 DP 1031234, Lot 404, 410, 411, 416 & 417 DP 1010978, Lot 216, 217, 218, 220 & 221 DP 1014782, Lot 3 & 4 DP 1187012, Lot 12 DP 1187228, Lot 12 DP 1199564 and Lot 1 DP 34290.

Lands that are subject to proposed zone amendments are shown in the following maps:





<p>Issue/s Raised:</p>	<p>This issue looks to review the zone/s applying to the subject lands following the finalisation of the Pacific Highway Bonville bypass.</p>
<p>Comment:</p>	<p>Since the completion of the Pacific Highway Bonville bypass, clarification of the lands required / not required to be zoned SP2 Infrastructure has been undertaken by the RMS.</p> <p>Prior to the Pacific Highway Bonville bypass, most of the land identified above was zoned Rural 1A Agriculture and/or Environment Protection 7A Habitat and Catchment under the previous LEP 2000. This land was then rezoned to Special Uses 5A Community Purposes (LEP 2000) and subsequently SP2 Infrastructure under LEP 2013 to accord with the then use of the land as part of the Pacific Highway upgrade project. The land is now not required for the recently completed Highway upgrade and should be zoned to the equivalent of its original zoning under LEP 2000 – RU2 Rural Landscape and / or E2 Environmental Conservation.</p> <p>The other land identified above, currently zoned RU2 / E2, has been identified as necessarily associated with the Pacific Highway. Most of this land has been subdivided or is in the process of being subdivided from the adjacent lands for inclusion into the highway corridor. This land should be rezoned to SP2.</p> <p>Further, the Lot Size Map should be amended to include / exclude (as appropriate) the land within the AB-40 hectare lot size standard.</p> <p>GIS amendment is required to correct the relevant maps.</p>
<p>Recommendation:</p>	<p>It is recommended that the following amendments be made to LEP 2013 as a result of this issue:</p> <ul style="list-style-type: none"> • That Land Zoning Map (Sheet LZN_006, Sheet LZN_006B & Sheet LZN_006C) be amended to show the lands identified above as RU2 Rural Landscape / SP2 Infrastructure. • That Lot Size Map (Sheet LSZ_006, Sheet LSZ_006B & Sheet LSZ_006C) be amended to include / exclude as minimum lot size data of AB-40. • That Land Reservation Acquisition Map (Sheet LRA_006, Sheet LRA_006B & Sheet

	LRA_006C) be amended to remove the relevant parts of the lands identified above.
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