

# PLANNING PROPOSAL

Coffs Harbour City Council  
R5 Large Lot Residential  
28, 35 and 89 Sugarmill Road,  
Sapphire Beach

Version 1 – Pre Gateway Determination  
January 2022

## Declaration

Document name: Planning Proposal Sugarmill Road R5 Large Lot Residential

Document Author: Keiley Hunter

Occupation of document author: Urban Planner

Qualifications of document author: *Bachelor of Urban Planning*

Declaration: I, *Keiley Hunter*, declare that this Planning Proposal constitutes a planning proposal for the purposes of section 3.33 of the *Environmental Planning and Assessment Act 1979* (the Act) and further declare that the document complies with the relevant provisions of the *Environmental Planning and Assessment Act 1979* and the Department of Planning and Environment's *A guide to preparing planning proposals* (August 2016).

Date: 4 January 2022

Document History and Version Control				
Version	Prepared by	Approved by	Date Approved	Brief Description
1.0	KH	KH		Draft Planning Proposal
2.0	KH	KH		V1 council submission

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# 1.0 Introduction

## 1.1 Background

This Planning Proposal has been prepared in accordance with the *Environmental Planning and Assessment Act 1979*; *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 Local Environmental Plan 2013* ('LEP 2013') to rezone land in Precinct 4 of the Korora Sapphire and Moonee Large Lot Candidate Area zoned RU2 Rural Landscape to R5 Large Lot Residential and C2 Environmental Conservation, and to reduce the Minimum Lot Size (MLS) of the R5 component from 40 hectares to 6,000 m<sup>2</sup> to enable the creation of three (3) Large Lot Residential lots under future development applications. The subject land (three separate properties) is described in Table 1.1.

**Table 1.1 Subject Land**

Property	Address	Lot/DP	Area	Zone	Use
<b>Property 1</b>	28 Sugarmill Road	Lot 12 DP 243972	2.034 ha	RU2	Rural dwelling
<b>Property 2</b>	35 Sugarmill Road	Lot 91 DP 786155	2.367 ha	RU2	Rural dwelling
<b>Property 3</b>	89 Sugarmill Road	Lot 17 DP 249273	1.855 ha	RU2	Rural dwelling

A Locality Plan and aerial photo of the land are shown at **Illustration 1.1 and 1.2**. The land is located in the Korora Sapphire Moonee Large Lot Residential candidate area. The Korora Sapphire Moonee Large Lot Residential Release Area Planning Proposal was prepared by Eco Logical Australia on behalf of Coffs Harbour City Council in 2017. As reported in Chapter 6 Large Lot Residential of the Coffs Harbour Local Growth Management Strategy to 2040:

*Another source of new information relevant to candidate areas is the Local Environmental Study prepared for Council by Eco Logical (2017) that covers the Korora, West Sapphire, Moonee investigation area that was identified as "Stage 2" in the 2009 strategy. This information is quite detailed and addresses flora/fauna, traffic and access, soils and geotechnical, bushfire, flooding, acoustic and visual, heritage, land contamination and services.*

*The 2009 physical catchment mapping for the "Stage 2" candidate area has been refined to include this new information. It is not possible to show all of the individual mapping layers from the 2017 Eco Logical report in this chapter as it is too detailed....*

*Land owners will be able to bring forward planning proposals either individually or in groups. Market forces will determine which land proceeds early. The planning proposals will need to address all relevant planning issues and can use the work undertaken by Eco Logical in 2017, supplemented by additional work as required. Infrastructure upgrades (particularly roads) will need to be paid for by benefitting land owners through planning agreements made public through the planning proposal process.*

*Lot size for future land within zone R5 Large Lot Residential is expected to reflect environmental constraints, particularly site-specific on-site wastewater studies, if lot sizes less than one-hectare are proposed.*

This Planning Proposal has been prepared on behalf of three individual landowners within Catchment 2 of the Korora, West Sapphire, Moonee investigation area and is informed by site specific assessments of environmental constraints, including bushfire, land capability for wastewater disposal, biodiversity, land contamination and traffic and access. The 2016 assessments by Eco Logical Australia have been reviewed and re-assessed where necessary for this Planning Proposal.

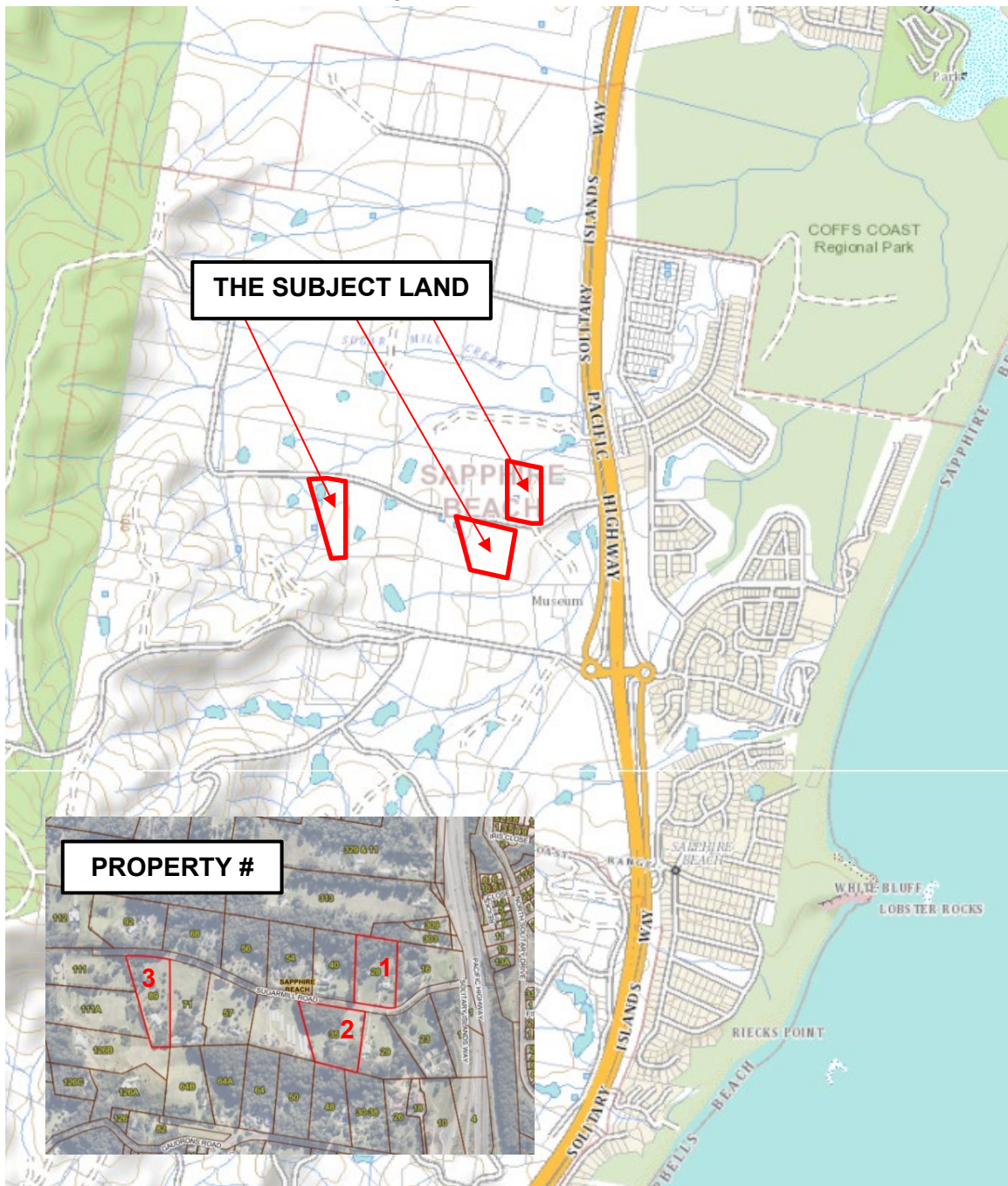
Concept subdivision arrangements are shown for each property to demonstrate lot yield and suitable building areas. Specialist's reports have been prepared by the consultants listed below.

**Table 1.2 Specialist Technical Advice**

Consultant	Service	Appendix
Mid North Coast Surveying	Concept Subdivision Plans	A
Earth Water Consulting	Acid Sulfate Soils Assessment Land Capability Assessment (Minimum Lot Size Analysis) Environmental Site Assessment (Contamination)	J G M
Matrix Thornton Consulting Engineers	Noise Assessment	K
Midcoast Building and Environmental	Bushfire Risk Assessment	D
Everick Heritage	Aboriginal Cultural Heritage Assessment	E
Coffs Harbour Local Aboriginal Land Council	Cultural Assessment	E
GeoLINK	Biodiversity Assessment	L
George Stulle Traffic Engineering	Traffic and Transport Impact Assessment	I
Keiley Hunter Town Planning	LUCRA	H



## Illustration 1.1 Site Locality



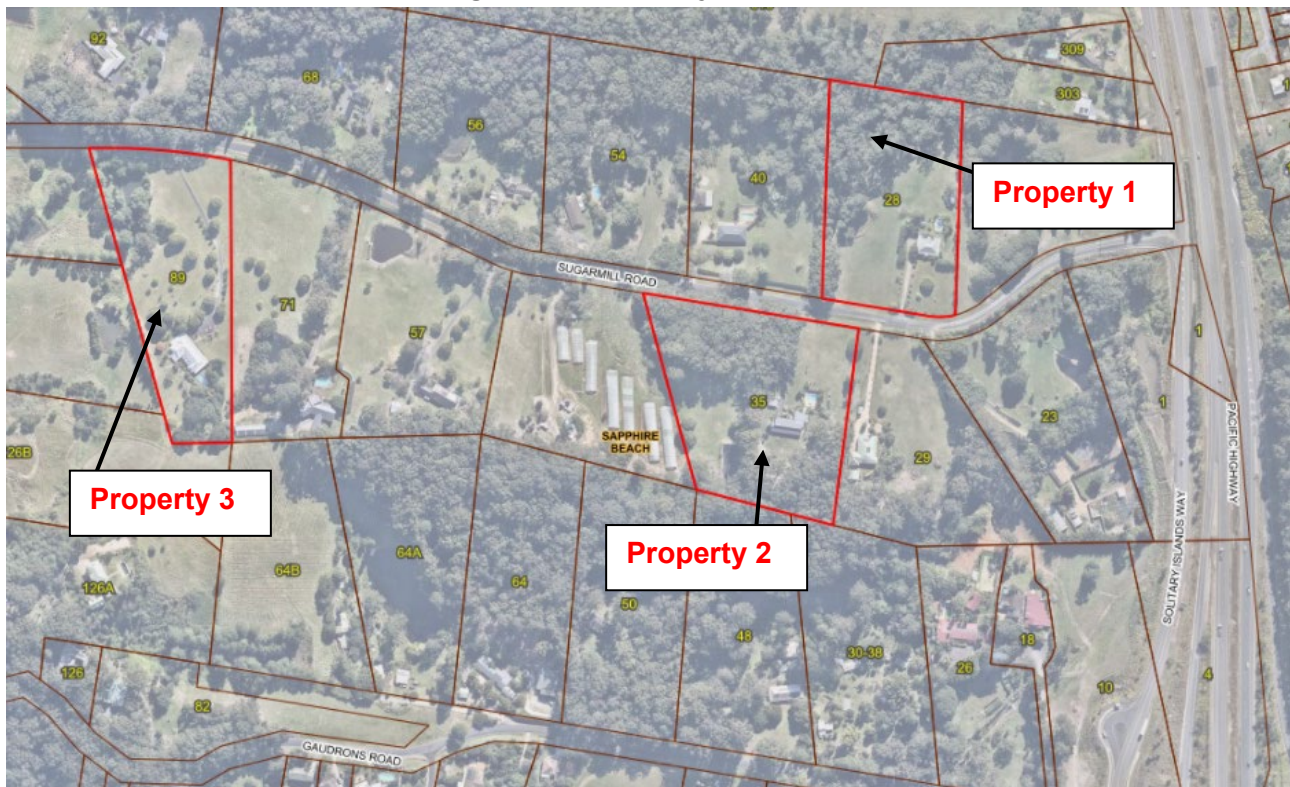
Source: Sixmaps 2021

Property 1: 28 Sugarmill Road

Property 2: 35 Sugarmill Road

Property 3: 89 Sugarmill Road

**Illustration 1.2 Aerial Photograph of the Subject Land**



Source: CHCC 2021

## 1.2 Current Zoning and Use

The land is currently zoned RU2 Rural Landscape under the Coffs Harbour Local Environmental Plan 2013. All of the land has a minimum subdivision lot size of 40 ha.

Land holding patterns in the Sugarmill Road area are largely the result of previous small rural holdings and rural residential lots created under former planning controls, primarily “concessional lots” and “banana cultivation” lots of 6 ha or greater and to a lesser extent merit based small lot subdivisions of one and two hectares.

The subject properties are primarily used as rural residential lifestyle lots. The land is generally of uniform slope, however slope is slightly steeper on Property 3. All properties are typical rural lifestyle lots, which have potential to be further subdivided. None of the properties support agriculture or horticulture. There are several horticulture greenhouses located to the west of 35 Sugarmill Road.



## Site Images:

### Property 1 – 28 Sugarmill Road



Existing dwelling looking north, showing driveway.



Cleared, managed land showing the location of the building envelope on proposed Lot 121, looking south to Sugarmill Road.



Existing dam, and vegetation on the northern part of the existing lot, looking northwest from the existing dwelling.



Sugarmill Road, easterly view from the access point to the existing dwelling



Street view



## Property 2 – 35 Sugarmill Road



Existing dwelling.



Greenhouses located to the west of Property 2.



Looking north from the Building Envelope on proposed Lot 911, showing cleared managed land, and tall vegetation on the Sugarmill Road frontage.



Tennis court, managed land and vegetation, on the southern part of Property 2



Driveway



Street frontage



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**Property 3 - 89 Sugarmill Road**



Existing dwelling



Looking north towards the Building Envelope on proposed Lot 171, showing cleared managed land, and tall vegetation on the Sugarmill Road frontage.



Sugarmill Road frontage and bitumen driveway, looking south to the existing dwelling.



Driveway

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## 2.0 Planning Proposal

### 2.1 Intended Outcomes

The objective of this Planning Proposal is to amend Coffs Harbour LEP 2013 to facilitate Large Lot Residential subdivision of the subject land.

### 2.2 Explanation of Provisions

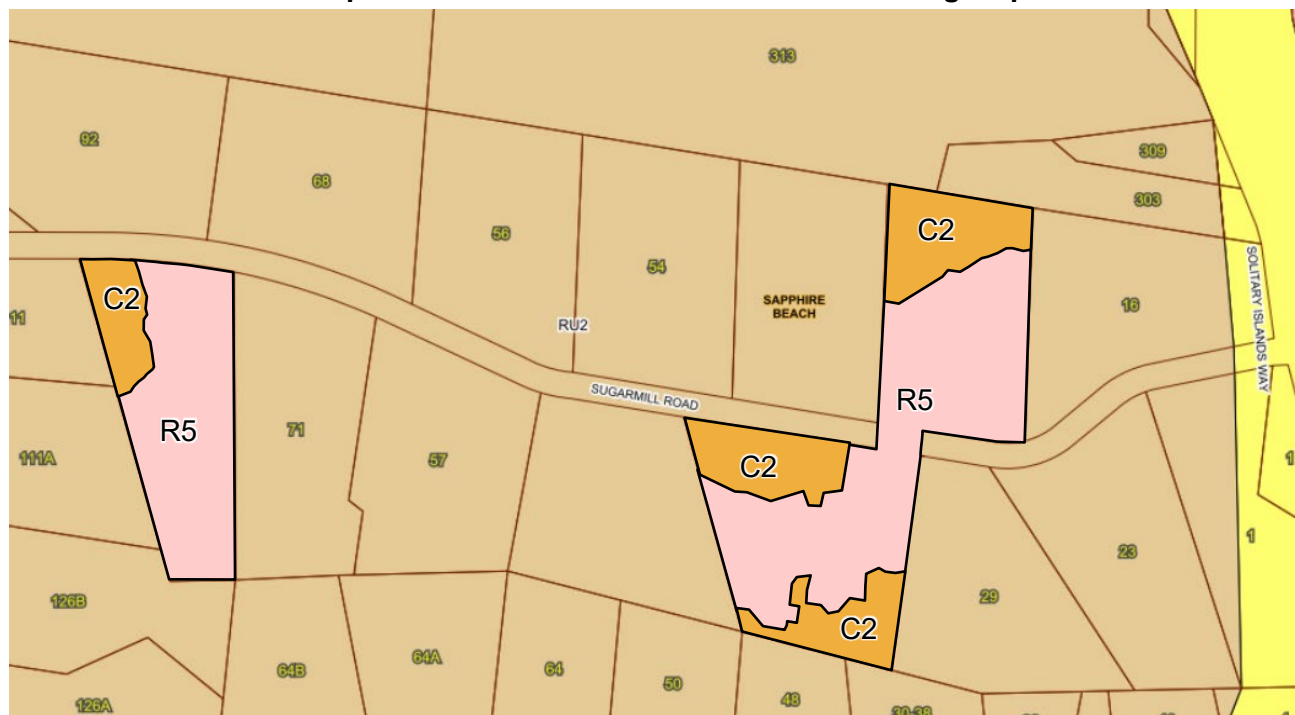
The intended outcome of this Planning Proposal will be achieved by amending the Coffs Harbour LEP 2013 maps as they apply to Lot 12 DP 243972, Lot 91 DP 786155 and Lot 17 DP 249273 as follows:

1. Land Zoning Map (Sheets LZN\_005C and LZN\_005D)  
Amend from RU2 Rural Landscape zone to R5 Large Lot Residential zone and C2 Environmental Conservation zone.
2. Lot Size Map (Sheets LSZ\_005C and LSZ\_005D)  
Amend from Category AB (40 hectares) to Category X (6,000 m<sup>2</sup>) for those parts of the properties that are proposed to be zoned R5 Large Lot Residential.  
  
The Lot Size Map for the lands that are proposed to be zoned C2 Environmental Conservation will remain as Category AB (40 hectares).
3. Coffs Harbour LEP 2013 Terrestrial Biodiversity Map (Sheets CL2\_005C and CL2\_005D)  
For those parts of the properties that are proposed to be zoned C2 Environmental Conservation, amend the Terrestrial Biodiversity Map to include those lands.

The Planning Proposal does not require any other map changes or amendments to the written LEP. The following Illustrations show the current and proposed LEP maps.

[illegible]

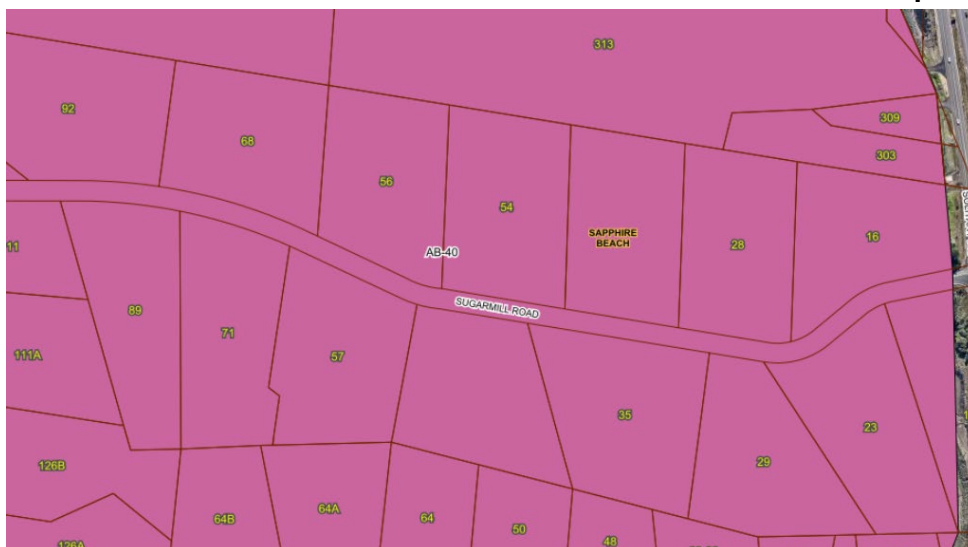
**Illustration 2.2      Proposed Coffs Harbour LEP 2013 Land Zoning Map**



PLANNING PROPOSAL  
SUGARMILL ROAD SAPPHIRE BEACH  
VERSION 1 – PRE-GATEWAY DETERMINATION

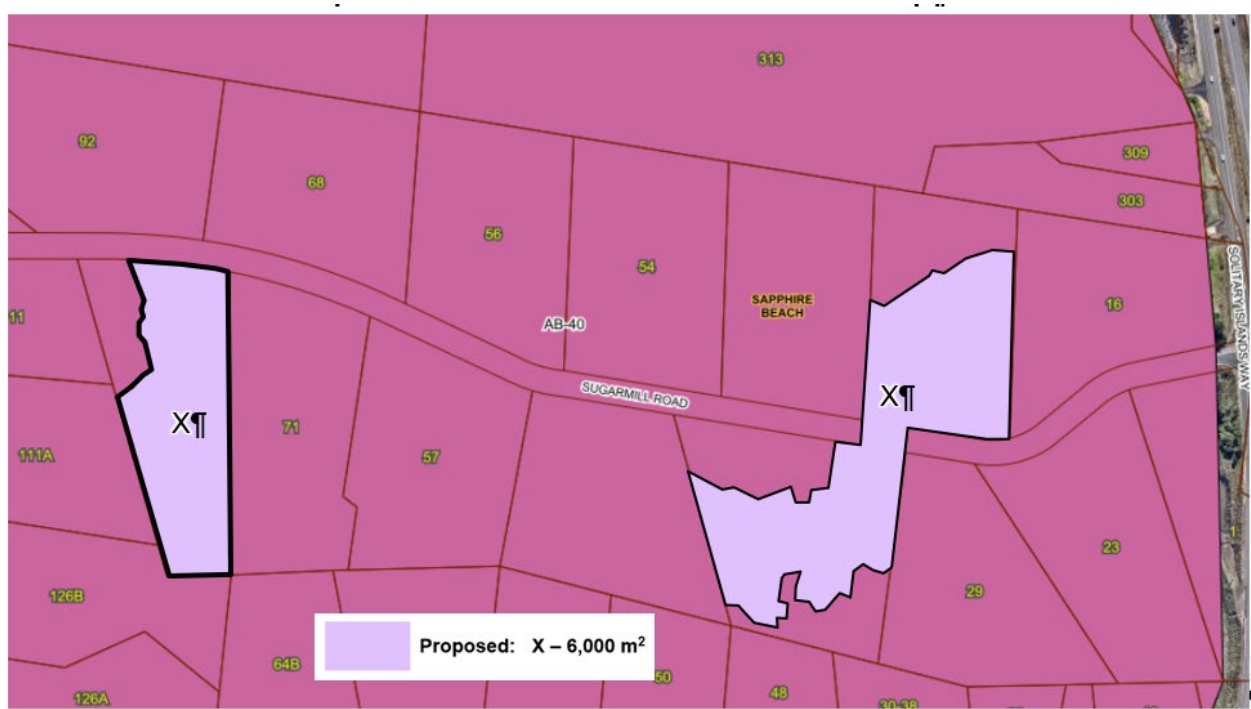


**Illustration 2.3 Current Coffs Harbour LEP 2013 Lot Size Map**



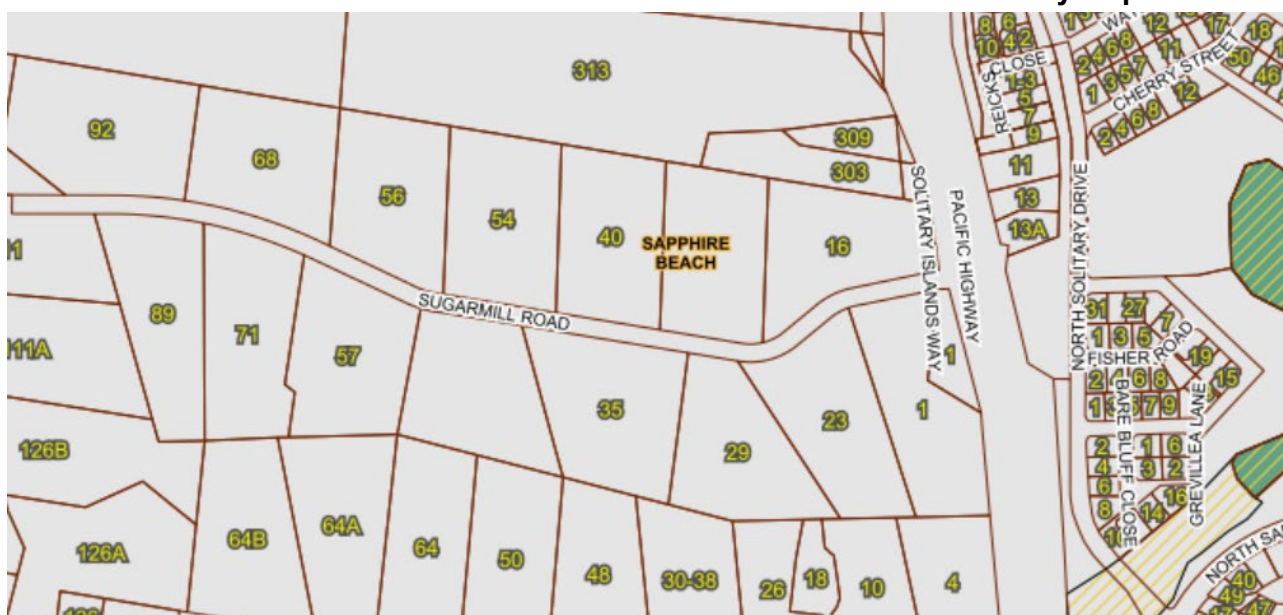
Source: Coffs Harbour City Council, 2021

**Illustration 2.4 Proposed Coffs Harbour LEP 2013 Lot Size Map**



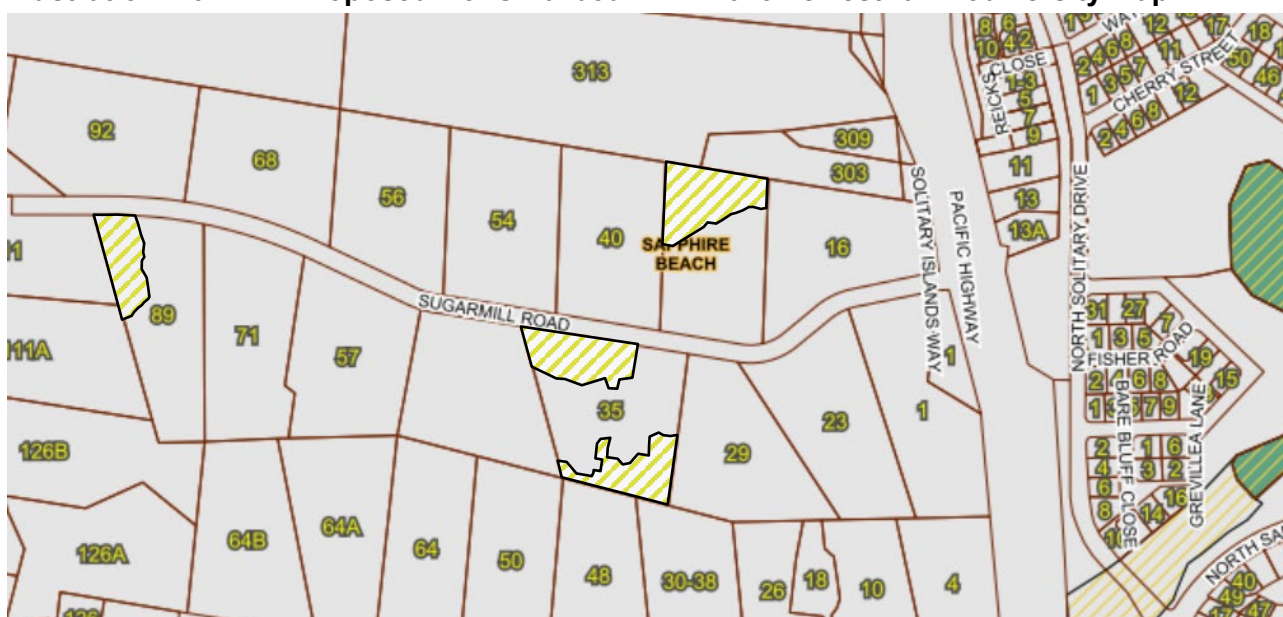
Source: Coffs Harbour City Council, 2021

**Illustration 2.5 Current Coffs Harbour LEP 2013 Terrestrial Biodiversity Map**



Source: Coffs Harbour City Council, 2021

**Illustration 2.6 Proposed Coffs Harbour LEP 2013 Terrestrial Biodiversity Map**



Source: Coffs Harbour City Council, 2021

## 3.0 Justification

### 3.1 Justification

This part of the report 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

### 3.2 Need for the Planning Proposal

The land has been identified as a candidate area for rural residential land use since 2009. The land was identified in the Coffs Harbour City Rural Residential Strategy (RRS) as a Stage 2 (2019+) release area subject to completion of the Pacific Highway upgrade. The Pacific Highway (motorway) upgrade is now completed and Sugarmill Road has access to Solitary Islands Way with an overpass to the Pacific Motorway at Split Solitary Road, heading south to Coffs Harbour.

In July 2013 Council resolved to allocate funding for a Local Environmental Study for the Korora West Sapphire Moonee (KWSM) release areas. In 2016 Council commissioned EcoLogical Australia to prepare environmental studies to inform a Planning Proposal for rezoning the KWSM study area. This work concluded that parts of the study area were constrained land, the residential lot yields would be low and the significant road upgrading costs would be high, resulting in potential developer contributions above the \$30K ‘cap’ per lot.

Chapter 6 of the Coffs Harbour Local Growth Management Strategy (GMS) 2020 was adopted by Coffs Harbour City Council on 28 November 2019. The NSW Department of Planning, Industry and Environment (DPIE) endorsed this chapter on 13 January 2020. The land is identified in Section 6.10.1 *Korora, Sapphire and Moonee Candidate* area of the GMS. The GMS recommends that:

*On balance, the best way forward is to place all of precincts 3, 4 and 5 in the large lot land release program for short term release. Land owners will be able to bring forward planning proposals either individually or in groups. Market forces will determine which land proceeds early. The planning proposals will need to address all relevant planning issues and can use the work undertaken by Eco Logical in 2017, supplemented by additional work as required. Infrastructure upgrades (particularly roads) will need to be paid for by benefitting land owners through planning agreements made public through the planning proposal process.*

*Lot size for future land within zone R5 Large Lot Residential is expected to reflect environmental constraints, particularly site-specific on-site wastewater studies, if lot sizes less than one-hectare are proposed.*

*The Korora, Sapphire and Moonee Beach candidate area is shown at Figure 6.1. It is predicted that it will yield at least 75 new lots, which can proceed by land owner driven planning proposals in the short term. This is estimated to be about two years’ supply of land, but this will depend on site-specific studies, lot size and market forces. Pent up demand will*

*see some planning proposals and subsequent subdivision proceed quickly and then slow down to a lesser rate.*

The owners of the subject properties are committed to rezoning their land and have combined resources to progress this proponent funded Planning Proposal.

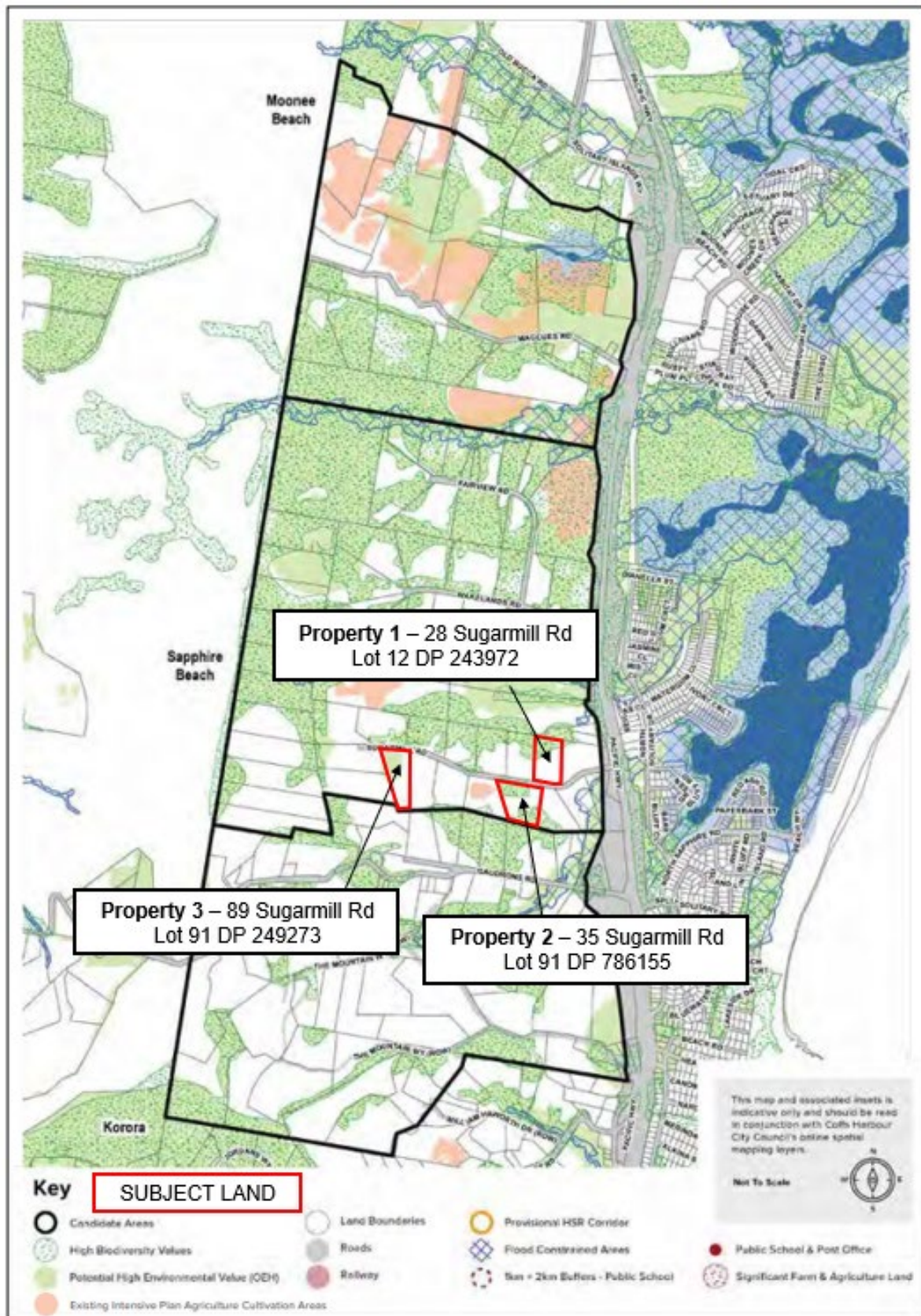
Concept Subdivision Plans (**Appendix A**) have been prepared for each property based on land capability and the minimum area required for wastewater disposal. The purpose of the concept subdivision arrangements is to demonstrate the potential lot yield from each property. Detailed subdivision proposals would be the subject of future Development Applications by each landowner.

**Table 3.1 Concept Subdivision Lot Schedule**

Property	Proposed Lot	Lot Area	Zone Area (m <sup>2</sup> )	Improvements
1	120	1.37 ha	R5 - 7,323 C2 - 6,377	Dwelling, ancillary buildings, swimming pool, driveway
	121	6,636 m <sup>2</sup>	R5 – 6,636	Vacant, existing dam
2	910	1.172 ha	R5 - 6,888 C2 - 4,832	Dwelling, ancillary buildings, swimming pool, driveway
	911	1.195 ha	R5 - 6,393 C2 - 5,557	Vacant, tennis court
3	170	8,325 m <sup>2</sup>	R5 – 8,325	Dwelling, ancillary buildings, swimming pool, bitumen driveway
	171	1.2 ha	R5 – 8,400 C2 - 3,600	Vacant, bitumen driveway



**Illustration 3.1 Korora Sapphire and Moonee Beach Candidate Area**



Source: Chapter 6 Large Lot Residential, Coffs Harbour Growth Management Strategy to 2040.



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

Yes. This report has been prepared to support a proponent funded Planning Proposal application to amend Coffs Harbour LEP 2013. The land is within a rural residential candidate area first identified in 2009 in the Coffs Harbour City Rural Residential Strategy (RRS) 2009 and is identified in Chapter 6 Large Lot Residential of the *Coffs Harbour Local Growth Management Strategy (LGMS) to 2040*.

Council's LGMS Chapter 6 – Large Lot Residential addresses the potential reduction of Minimum Lot Size (MLS) in the R5 Large Lot Residential zone, where justification has been provided. Section 6.7 of Chapter 6 of that strategy states the following:

*“Currently, the minimum lot size for the majority of large lot residential areas in Coffs Harbour is one hectare, which was set by the provisions of LEP 2000 and LEP 2013. This lot size was based on the advice of the (then) NSW Department of Health for land requirements for effluent disposal. It was also considered that this lot size provided a clear distinction in appearance between large lot residential and urban residential development. Advancements in effluent disposal systems suggest that much smaller lot sizes could satisfactorily sustain effluent disposal from large lot residential dwellings.*

*In 2013, Council commissioned Whitehead and Associates Environmental Consultants to undertake a wastewater assessment of the proposed Bonville large lot residential area. The desktop study provides a hazard assessment of selected sites in the Bonville area in relation to site and soil limitations that can affect on-site wastewater management and the potential for subdivision.*

*The report also provides a minimum lot size analysis and modelling to determine maximum lot density for subdivision. It concluded that the recommended minimum lot size for future subdivision at Bonville is 4,000m<sup>2</sup>. Modelling indicates that lot density for subdivision allows one on-site wastewater management system per 4,000m<sup>2</sup>. It further recommended that all future subdivision require a detailed land capability assessment for on-site wastewater management to ensure any proposed subdivision can be sustainable. Council adopted a conservative position and implemented a one-hectare minimum lot size for land in Zone R5 Large Lot Residential at Bonville.*

*The Standard Instrument LEP allows lot sizes to be different for land within the same zone. minimum lot size of one-hectare has been assumed unless there is more detailed information that indicates a different minimum lot size.*

*However, this LGMS is not rigid on this and a planning proposal to rezone land should apply a minimum lot size relevant to the characteristics of the land. This will need to be based on a site-specific and detailed land capability assessment. Given that this may result in lot sizes both smaller and greater than one-hectare, it is unlikely to alter lot yields overall.*

*It is also reasonable that if undeveloped land within zone R5 can justify a reduced lot size, then it should be considered through an applicant-initiated planning proposal. This would allow a merit case for a revised minimum lot size LEP amendment request to be submitted to Council, bearing in mind the underlying reasons for the standard in the first place and the objectives of zone R5.”*

The Planning Proposal will result in the creation of one additional lot per property and will provide land for housing within the footprint of a well-established “rural residential lifestyle” area. Minor

proposals such as this one, meet compact city objectives and reduce pressure for development of outlying rural areas and new greenfield estates.

### 3.3 Minimum Lot Size Analysis

Earth Water Consulting (EWC) carried out an assessment of land capability for wastewater disposal and minimum lot size (MLS) analysis (**Appendix G**). The following six nearby representative lots were selected for the purpose of comparison. All are zoned RU2 and are small lots likely created as concessional lots under previous controls. The comparison properties typically included a dwelling, garage/shed, landscaped trees, shrubs and gardens, driveways, water tanks, and recreational space. This development style will be similar to that proposed in the Concept Subdivision Plans and therefore minimum lot size and development potential should be comparable.

ADDRESS	LOT AREA (m <sup>2</sup> )
39-41 Gaudrons Road	4,005
45 Gaudrons Road	4,001
75 Gaudrons Road	4,212
7 Wakelands Road	2,887
341 Solitary Islands Way	3,282
347 Solitary Islands Way	3,008

The assessment assumed that all properties would require an onsite wastewater management system designed for a 5 bedroom dwelling on tank water. Based on the modelling, a primary and reserve environmental management area (EMA) was calculated to 1,010 m<sup>2</sup>. Buffer distances were calculated at greater than 50 m to the nearest bore, 100 m to permanent waterways and 40 m to drainage lines and found that:

- *The assessed properties are between 3,000-4,000m<sup>2</sup> in area, less than the minimum 6,636 m<sup>2</sup> proposed.*
- *Except for the smallest lot, No.7, of ~2,800m<sup>2</sup>, each have about 1,200-1,800m<sup>2</sup> of available unconstrained area for effluent application. The smaller lot has only 587m<sup>2</sup> footprint.*
- *Typically available area for effluent application represents about 30-50% of the total lot area, the smaller the lot, the same development footprint requirements impact on land area available for effluent application.*
- *Allowing for additional developed footprint such as sheds and swimming pools that may not be present currently, and constraints such as buffers to gullies and protected forest vegetation, the minimum 1,010 m<sup>2</sup> footprint typically required for a primary treatment and land application OSMS would still be able to be met. As such given the low slopes and limited site and soil constraints, a minimum 6,000 m<sup>2</sup> lot sizing would be considered acceptable.*
- *The smaller lot sizes requires effluent land application in the managed areas around any dwellings, or within forested margins.*
- *To minimize effluent and recreational landuse plus ecological protection conflicts, a minimum lot size of at least 6,000 m<sup>2</sup> fully developable area is considered prudent and acceptable.*

Based on the above recommendations, each property has the land capability to accommodate one additional lot as shown on the Concept Subdivision Plans included as **Appendix A**.

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

Yes. This Planning Proposal is not an overall review of the LGA controls proposed through the preparation of an LGA wide LEP review, therefore a site specific Planning Proposal accompanied by relevant environmental planning assessments is the appropriate means of achieving the intended outcomes and is supported by relevant environmental assessments. The Planning Proposal is consistent with the North Coast Regional Plan, Local Growth Management Strategy, Local Strategic Planning Statement and Community Strategic Plan.

***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 a significant increase of residential areas or densities, or a significant increase of employment areas or the like and cannot be properly applied to this Planning Proposal.

The land is already fragmented and has little agricultural value. In practical terms, the accompanying Concept Subdivision Plans shows that this Planning Proposal will enable up to three (3) additional large lot residential lots to be created. The land is close to the Moonee Shopping Centre, Korora Public School, beaches and is easily accessible to the Coffs Harbour CBD.

The Planning Proposal does not involve business, industrial or employment land zones or land uses, however it will have a positive community benefit in terms of providing for land for housing in the Sapphire locality.

### **3.4 Relationship to Strategic Planning Framework**

***Will the Planning Proposal give effect to the objectives and actions contained within the North Coast Regional Plan 2036?***

This Planning Proposal 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 land is within the mapped urban growth area boundary.

***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.*

*Action 2.2 - Ensure local environmental plans manage marine environments, water catchment areas and groundwater sources to avoid potential development impacts.*

The three properties consist of cleared, managed grasslands. Significant stands of native vegetation that exist on the properties are proposed to be zoned C2 Environmental Conservation, with no change to the existing Minimum Lot Size. This will offer a higher level of protection to those areas of vegetation than currently apply in the RU2 Rural Landscape zone.

### ***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.*

Future development of the land is unlikely to have any significant environmental impact. As demonstrated in the environmental assessments provided with this Planning Proposal, future dwellings will be located in a manner that is safe in terms of bushfire risk with sufficient land capability for the safe disposal of wastewater. High value vegetation is recommended to be protected within a C2 Environmental Conservation zone.

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

### ***Direction 7: Coordinate the growth of regional cities***

The proposed rezoning supports the growth and redevelopment of Coffs Harbour (a designated regional city) and is consistent with the North Coast Regional Plan 2036 and Council's Local Growth Management Strategy 2020.

### ***Direction 11: Protect and enhance productive agricultural lands***

The subject land does not contain highly productive agricultural lands and is not identified as Regionally Significant Farmland. A small farm (7 greenhouses) exists immediately to the west of one of the properties. Accordingly, a Land Use Conflict Risk Assessment (LUCRA) was prepared. The LUCRA recommends a vegetated buffer be established between the greenhouses and the affected property to reduce the impact of chemical spray drift and to act as a visual barrier between conflicting land uses. The LUCRA also notes the potential for the adjoining farm to be similarly developed for large lot residential purposes in the future.

### ***Direction 13: Sustainably manage natural resources***

The proposed rezoning will not adversely affect any nearby natural resources.

### ***Direction 16: Collaborate and partner with Aboriginal communities***

### ***Direction 18: Respect and protect the North Coast's Aboriginal heritage***

An Aboriginal Cultural Heritage Assessment was prepared by Everick Heritage Consultants in September 2015 (Appendix E) for the *Korora, West Sapphire, Moonee investigation area* Planning Proposal (Eco Logical Australia) on behalf of Council. Given the broad area covered in the ACHA, a site inspection of each property was carried out by the Coffs Harbour Local Aboriginal Land Council. On the basis of these assessments, it is considered that the subject land is highly unlikely to comprise cultural items.

## ***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.*

Comment - Housing facilitated by this Planning Proposal may be used to provide accommodation to seasonal and itinerate workers on nearby farms.

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

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

The proposed R5 Large Lot Residential zone provides for a limited range of residential accommodation land uses. The R5 Large Lot Residential zone prohibits medium density housing types. Attached dual occupancies, group homes and secondary dwellings are permissible in the R5 zone. This Planning Proposal will enable up to three (3) additional Large Lot Residential lots suitable for housing.

***Direction 24 - Deliver well-planned rural residential housing areas.***

*Action 24.2 - Enable sustainable use of the region's sensitive coastal strip by ensuring new rural residential areas are located outside the coastal strip, unless already identified in a local growth management strategy or rural residential land release strategy approved by the Department of Planning and Environment.*

The land is within the urban growth area boundary and is identified in the Council's *Local Growth Management Strategy Chapter 6 Large Lot Residential (2020)*. The Korora Moonee West Sapphire rural residential area candidate area is located outside of the coastal strip on the western side of the Pacific Highway.

***Is the Planning Proposal consistent with the council's local strategy or local strategic plan?***

*MyCoffs Community Strategic Plan 2030 (CSP)* is based on four key themes: Community Wellbeing; Community Prosperity; A Place for Community and Sustainable Community Leadership. Within each theme there are a number of objectives. To assist achievement of those objectives, the CSP includes appropriate strategies. The Planning Proposal is generally consistent with the following relevant objectives and strategies within the MyCoffs CSP.

Objective	Strategy
<i>An active, safe and healthy community</i>	<i>A2.1: We support our community to lead healthy active lives</i>
<i>A thriving and sustainable local economy</i>	<i>B1.2: We attract people to work, live and visit in the Coffs Harbour local government area</i>
<i>Liveable neighbourhoods with a Defined Identity</i>	<i>C1.1: We create liveable places that are beautiful and appealing</i>
	<i>C1.2: We undertake development that is environmentally, socially and economically responsible</i>
<i>A natural environment sustained for the future</i>	<i>C2.1: We protect the diversity of our natural environment.</i> <i>C2.2: We use resources responsibly to support a safe and stable climate.</i>
<i>We have effective use of public resources</i>	<i>D2.1: We effectively manage the planning and provision of regional public services and infrastructure.</i>



*D2.2: We collaborate to achieve the best possible future for all the Coffs Harbour area*

### ***Is the Planning Proposal consistent with Council's Local Growth Management Strategy?***

Yes. The Planning Proposal is consistent with the Coffs Harbour Local Growth Management Strategy (LGMS). The potential supply of up to three (3) additional R5 Large Lot Residential lots is considered to be a reasonable intensification of development within an already fragmented lifestyle area. The proposed LEP amendment is consistent with the intent of Coffs Harbour LGMS 2020 – Chapter 6 Large Lot Residential.

### ***Will the Planning Proposal give effect to Council's endorsed Local Strategic Planning Statement, or another endorsed local strategy or strategic plan??***

Coffs Harbour City Council adopted its Local Strategic Planning Statement (LSPS) on 25 June 2020. The LSPS was prepared in accordance with the *Environmental Planning and Assessment Act 1979 and Regulations* and provides a land use planning vision for the Coffs Harbour LGA for the next 20 years to 2040. The Planning Proposal is considered to be consistent with the themes and planning priorities contained within Council's LSPS, and in particular, Priority 5 to deliver greater housing supply, choice, and diversity.

### ***Is the Planning Proposal consistent with applicable Ministerial Directions (section 9.1 Directions)?***

Yes. The Planning Proposal is consistent with the applicable s9.1 Ministerial Directions as shown in the table provided at **Appendix C**. In instances when an inconsistency has been identified, appropriate justification and how the Planning Proposal addresses the inconsistency has been provided:

- **Direction 1.2 Rural Zones**

The Planning Proposal is inconsistent with this direction as it seeks to rezone land from a rural zone to a residential zone. The inconsistency with this direction is justified as the land is identified in both the North Coast Regional Plan 2036 and Council's approved Local Growth Management Strategy 2009 strategy for urban land investigation.

- **Direction 1.5 Rural Lands**

The Planning Proposal is inconsistent with this direction as it does not support farmers in exercising their right to farm, particularly in relation to the existing adjacent greenhouses located at Lot 8 DP 243972. The inconsistency with this direction is justified as the land is identified in both the *North Coast Regional Plan 2036* and Council's Department approved local growth management strategy as a R5 Large Lot Residential candidate area.

- **Direction 2.3 Heritage Conservation**

The Planning Proposal does not contain any provisions for the conservation of matters listed at 4(a) to (c) of the Direction. This inconsistency is considered to be of minor significance.

- **Direction 4.1 Acid Sulfate Soils**

The whole of Property 1 (28 Sugarmill Road) and part of Property 2 (35 Sugarmill Road) are mapped as Class 5 Acid Sulfate soils. Class 5 is a 500m wide buffer zone created around mapped ASS risk soils.

The inconsistency is of minor significance as the acid sulfate soils classification is low risk and suitable provisions already exist within the Coffs Harbour LEP 2013 that allow acid sulfate soils to be appropriately addressed at the development application stage.

- **Direction 4.4 Planning for Bushfire Protection.**

A Bushfire Risk Assessment has been prepared that has regard to *Planning for Bushfire Protection 2019*. The Bushfire Assessment provides recommendations for development within the land and finds that future residential subdivisions will meet the requirement of *Planning for Bushfire Protection 2019*. The Planning Proposal is potentially inconsistent with this Direction until Council consults with the Commissioner of the NSW Rural Fire Service (RFS) following the issue of a Gateway determination. Until this consultation has occurred the inconsistency with the Direction is unresolved.

***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. A Biodiversity Assessment Report (BAR) is found at Appendix L and is summarised below:

**Biodiversity Value Mapping applies to Property 1 (28 Sugarmill Road).**

*It is noted that any impact on BV mapped land would trigger the Biodiversity Offset Scheme (BOS) and the need for a Biodiversity Development Assessment Report (BDAR) to be prepared at the development application stage. Based on the concept layout for rezoning it is unlikely that future development of Lot 12 would impact on an area of BV mapped land.*

**Results of Field Assessment**

- *No threatened flora species listed under the Biodiversity Conservation Act 2016 or Environment Protection and Biodiversity Conservation (EPBC) Act 1999 occur at the site.*
- *No TECs listed under the BC or EPBC Act occur at the site.*
- *No State Environmental Planning Policy Coastal Management (2018) (littoral rainforest or coastal wetlands) (DPIE, 2021), over-cleared vegetation types, high value arboreal habitats or old growth forests (CHCC, 2021) occur at the site.*
- *Four discreet areas of native vegetation are recommended for rezoning as E2 Environmental Conservation.*
- *Koala (Phascolarctos cinereus) scats were detected beneath three Swamp Mahogany at Lot 17 (Property 3). Koalas are listed as Vulnerable under both the BC and EPBC Act.*
- *The site provides a range of good quality potential fauna habitats including native vegetation, hollow-bearing trees and aquatic habitats. While no significant habitat for threatened fauna occurs at the site, the site provides potential habitat for a number of locally occurring threatened fauna species.*

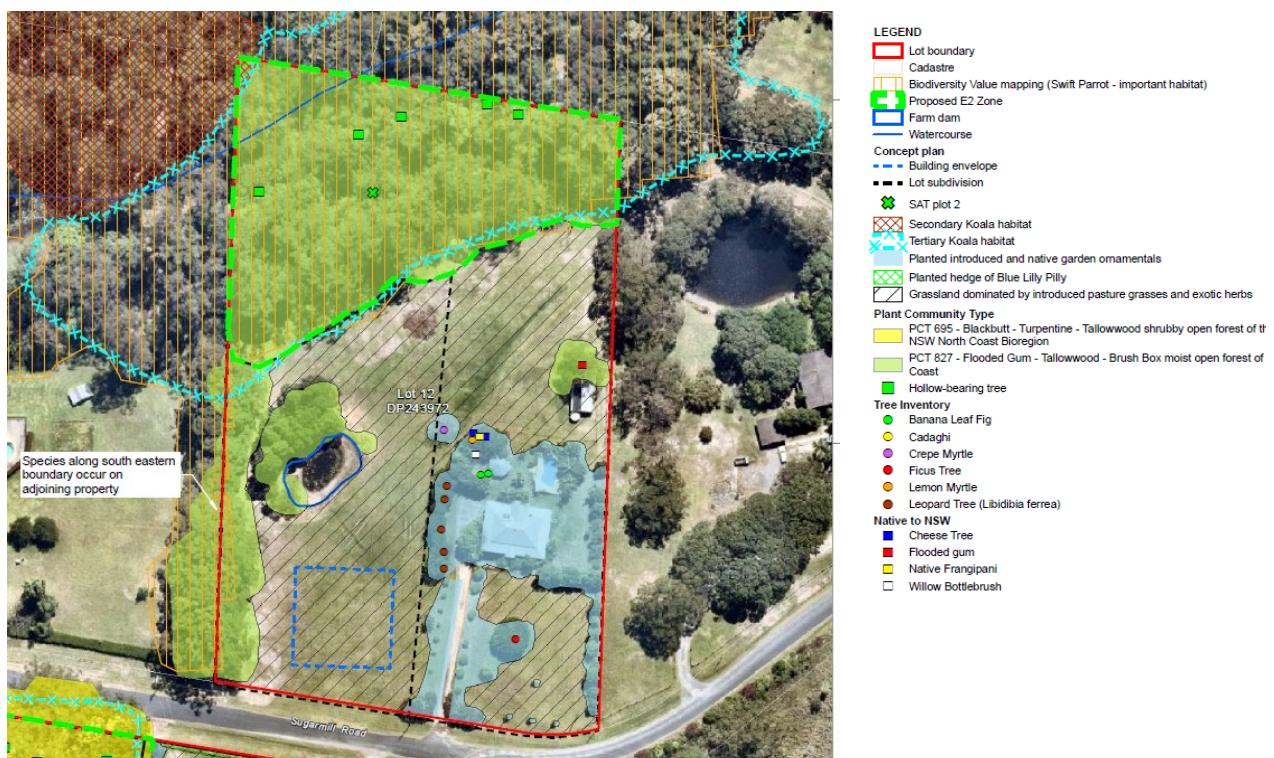
**The recommendations of the BAR are as follows:**

To minimise biodiversity impacts which may result from the proposed rezoning and future development of the site, the following measures should be considered:

- Proposed C2 zoned areas should be adopted to provide future development controls within areas of consolidated native vegetation and threatened species habitat.
- Clearing of native vegetation (mapped PCTs) should be avoided in the final design of subdivision with building envelopes and associated infrastructure (including boundary fences) to be located within cleared areas.
- Where native vegetation, tree hollows and/or Koala habitat requires removal, compensation will be required.
- Vegetation Management Plans (VMPs) should be required as a condition of consent for those lots including future C2 zoned land. The VMPs should include measures to protect and enhance native vegetation/ habitat within all C2 zoned land.

Provided the recommendations of this report are adopted, future development resulting from the proposed rezoning would have relatively low impacts on biodiversity. Biodiversity impacts will be managed in future Development Applications for residential subdivision in accordance with Section E1 Biodiversity of Council's Development Control Plan.

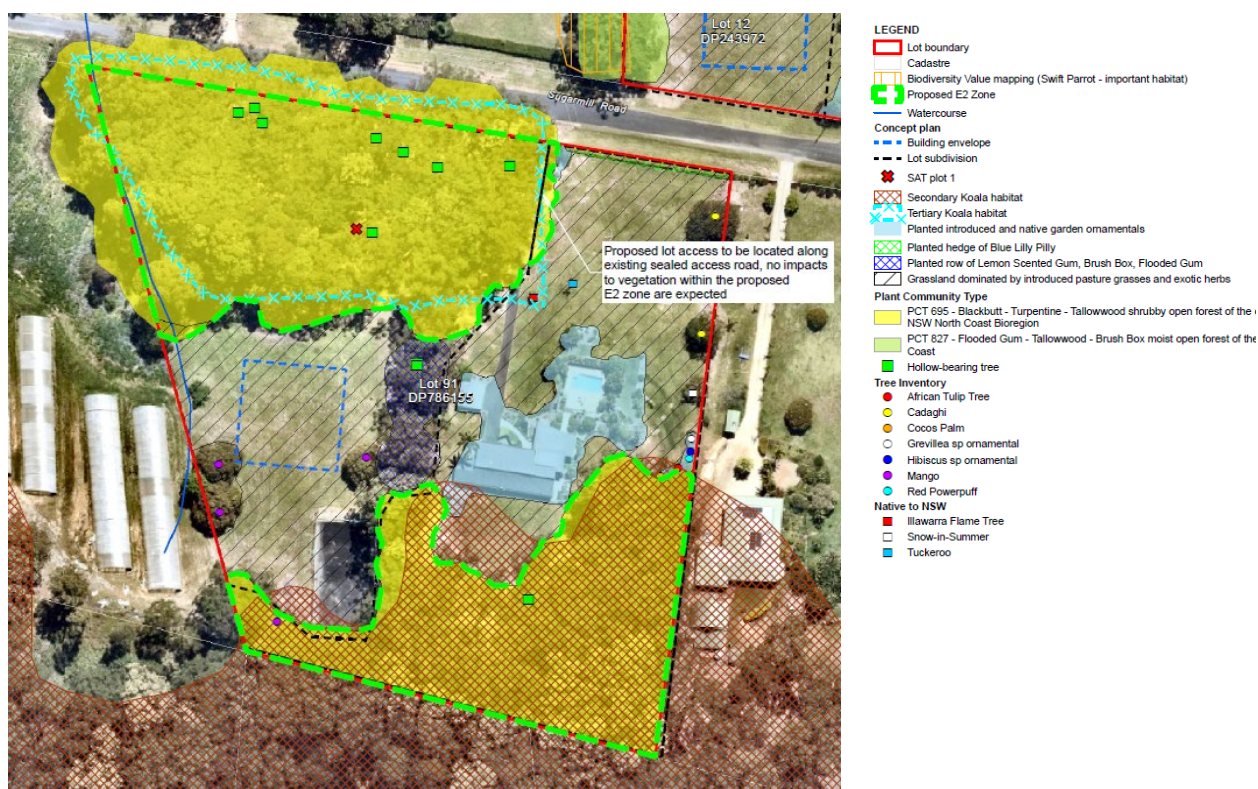
**Illustration 3.2 Biodiversity Constraints Mapping – Property 1**



Source: GeoLINK, 2021

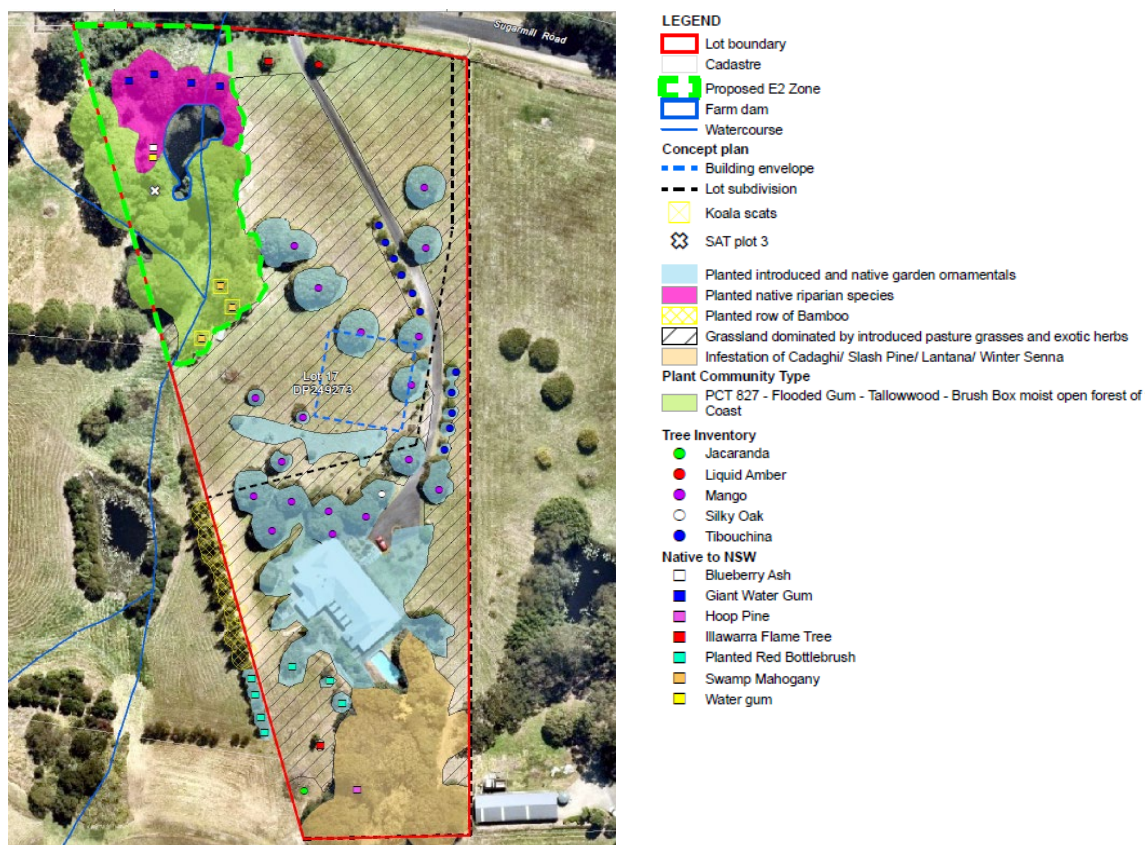


### Illustration 3.3 Biodiversity Constraints Mapping – Property 2



Source: GeoLINK, 2021

### Illustration 3.4 Biodiversity Constraints Mapping – Property 3



Source: GeoLINK, 2021

**Are there any other likely environmental effects as a result of the Planning Proposal and how are they proposed to be managed?**

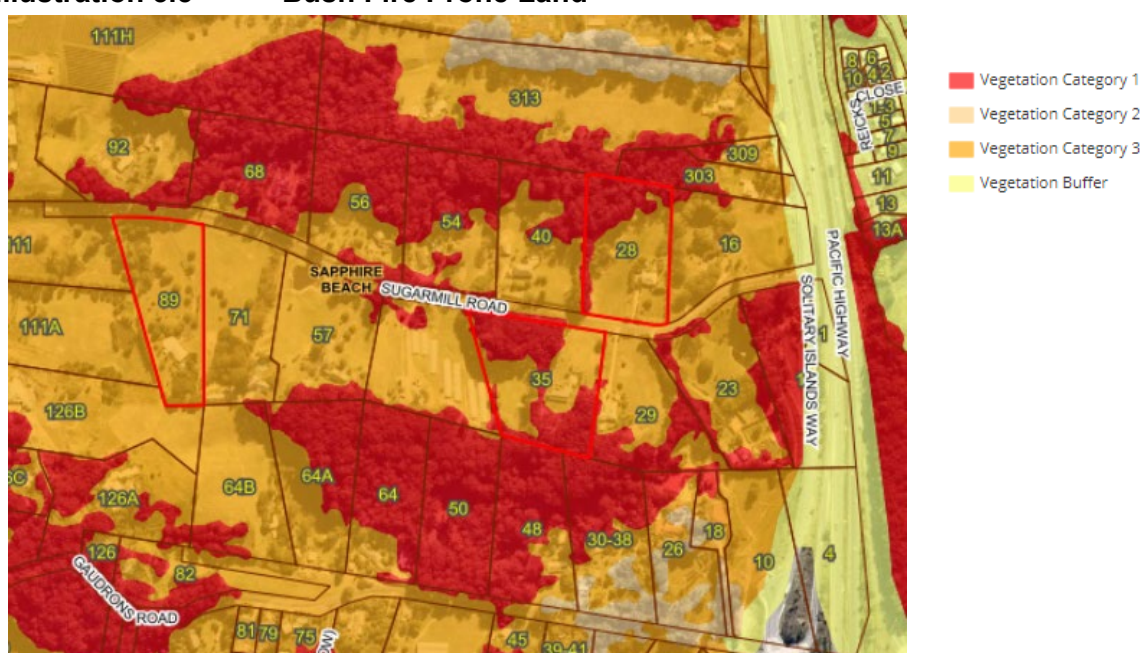
**Bushfire Risk**

All of the land is mapped as Bushfire Prone Land. Midcoast Building and Environmental prepared a Bushfire Risk Assessment, applying to each property (**Appendix D**), summarised below. Overall, the Planning Proposal meets the relevant requirements of *Planning for Bushfire Protection (PBP) 2019*.

**Direction 4.4 Planning for Bushfire Protection**

The proposed rezoning will not have an undue impact on the locality in terms of bushfire risk. The Bushfire Strategic Study by Midcoast Building and Environmental found that the Planning Proposal can comply with Direction 4.4 Planning for Bushfire Protection and is capable of complying with PBP 2019.

**Illustration 3.5 Bush Fire Prone Land**



Source: CHCC 2021

**Water, Gas and Electricity Supply**

The BFR Assessment states the following with regard to supply of utilities:

*As set out in Planning for Bushfire Protection 2019 (NSW Rural Fire Service), developments in bushfire prone areas must maintain a water supply for firefighting purposes.*

*Electricity supply is available and will be connected to the subject sites. It is assumed the power lines will be underground.*

*Reticulated water supply is not available. It is recommended that a minimum 30,000 litre water supply for firefighting be provided in accordance with PBP, 2019 to the existing dwellings and the proposed dwellings.*



### Property 1: 28 Sugarmill Road

A dwelling is located within the property and can be upgraded to comply with the APZ setbacks for subdivisions. Property access complies with PfBP 2019.

The APZs shown (right) apply to the building envelope and are calculated to achieve BAL 12.5, BAL 19 and BAL 29 construction level.



### Property 2: 148-158 Gaudrons Road

A dwelling is located within the property and can be upgraded to comply with the APZ setbacks for subdivisions. Property access complies with PfBP 2019.

The APZs shown (right) apply to the building envelope and are calculated to achieve BAL 12.5, BAL 19 and BAL 29 construction level.





### Property 3: 189 Gaudrons Road

A dwelling is located within the property and can be upgraded to comply with the APZ setbacks for subdivisions. Property access complies with PfBP 2019.

The APZs shown (right) apply to the building envelope and are calculated to achieve BAL 12.5, BAL 19 and BAL 29 construction level.

The Concept Plan of Subdivision for this property indicates that part of the existing driveway can be used to service proposed Lot 171, while the driveway to the existing dwelling (proposed Lot 170) may be relocated to the eastern boundary access handle. Existing and future driveways can be built/upgraded to the appropriate development standard.



### Cultural Heritage

There are no known or listed items of non-indigenous heritage relevant to the subject land. An Aboriginal Cultural Heritage Assessment was prepared by Everick Heritage Consultants in September 2015 (Appendix E) for the *Korora, West Sapphire, Moonee investigation area* Planning Proposal (Eco Logical Australia) on behalf of Council. Given the broad area covered in the ACHA, a site inspection of each property was carried out by the Coffs Harbour Local Aboriginal Land Council. On the basis of these assessments, it is considered that the subject land is highly unlikely to comprise cultural items.

### Land Contamination

An Environmental Site Assessment (ESA) prepared by Earth Water Consulting is found at Appendix M and is summarised below:

- Properties 2 and 3 (35 and 89 Sugarmill Road) have been previously used as banana cultivation purposes.
- Broadacre banana cultivation on No.35 and 89 was assessed as contributing to a risk of surface contamination in soils on those properties. The analytical results of detailed sampling across the proposed building envelopes of No.35 and 89, and check sampling on No.28 confirm that concentrations of the heavy metals and OCP analysed were below the investigation criteria.
- The ESA identified that the subject properties were only developed in the late 1970's, with prior use as grazing or banana plantations.

- The ESA concluded that no further investigations or remediation of soils is required for the proposed rural-residential use of the Site.

## Acoustic

Property 1 (28 Sugarmill Road) is located within the Transport NSW Pacific Highway Noise Corridor, therefore an assessment of noise impact to future residential housing was prepared by Matrix Thornton (Appendix K) and summarised below.

- As part of determining the suitability of the area for residential housing, an assessment of noise impacts from the Pacific Motorway is required using the guidelines in the NSW Road Noise Policy (RNP) and Development near Rail Corridors and Busy Roads to determine the suitability of the site for residential development (including any requirements for noise mitigation).
- The Acoustic Buffer was determined using Matrix Thornton Report M15387 (which was used to assess the wider KWSM Candidate Area) in which noise contours were published. Those contours were used to determine the noise impact at the site.
- The assessment procedure was:
  - Obtain noise data from Report M15387.
  - Setting the appropriate limits in the rooms.
  - Calculate noise intrusion using different glazing and construction materials.
  - Recommend minimum glazing and ventilation requirements.
- The guideline describes categories of building construction with increasing acoustic performance. At this site Category 1 constructions will be satisfactory.
- As night time noise levels are predicted to be below 55dBA at all locations, and daytime levels are predicted to be below 60dBA, no acoustic design treatment is required to comply with the *SEPP Infrastructure (2007)* requirement.

### Illustration 3.6 Acoustic Contours



Source: Matrix Thornton, 2021

## Conclusion:

Based on those noise levels, no specific acoustic treatment is recommended other than the use of minimum Category 1 building elements (

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## Acid Sulfate Soils

The whole of Property 1 (28 Sugarmill Road) and part of Property 2 (35 Sugarmill Road) are mapped as Class 5 Acid Sulfate soils. Class 5 is a 500m wide buffer zone created around mapped ASS risk soils. A Preliminary Acid Sulfate Soil Assessment (by desktop review) was prepared by Earth Water Consulting (**Appendix J**) and is summarised as follows:

*The desktop review shows no ASS risk the residual clay subsoils. Biophysical indicators, field screening and soil profiles suggest that the properties are not underlain by ASS.*

*As such ASS are not present at the Site that would be impacted by the proposed rural-residential development, and no further investigations or plans of management are required.*

*If dark grey to black, odorous or waterlogged alluvial sands or clays are encountered during development, then works should be halted until confirmation of the presence of ASS is undertaken and/or remedial strategies developed.*

## Land Use Conflict Risk Assessment

Land Use Conflict Risk Assessment (LUCRA) is attached at **Appendix H**. Properties 1 and 3 are at a low risk of conflict with adjoining land uses. Property 2 has a moderate risk of land use conflict due to proximity to greenhouses located approximately 20 m to the west of the indicative budling envelope. The LUCRA concluded that the *Planning Proposal* is considered suitable despite the moderate risk to Property 2 subject to the recommendations provided further below:

- Future residential development will be guided by the Coffs Harbour DCP controls aimed to ensure that the agricultural potential of surrounding land is not diminished.
- The potential land use conflict between a future building envelope at Property 2 (35 Sugarmill Road) and the existing greenhouse horticulture land use can be mitigated utilising a vegetation buffer, ensuring that:
  - A Vegetation Management Plan is to be prepared by the landowner and approved by Council; and
  - The vegetated buffer is to be legally secured via a S88B restriction on the land.

Despite the potential for land use conflict between the existing greenhouses and a future building envelope at 35 Sugarmill Road, the following factors have led to this conclusion including:

- The adjoining horticultural land use occurs within a small farm of just over 2 ha in area and involves vegetable cultivation within the confines of seven (7) greenhouse enclosures.
- Land values in the area will inevitably lead to the decline of horticulture and increase in residential land use.
- No aerial agricultural spraying is known to occur in the area.
- A vegetated landscaped buffer is considered appropriate in terms of impact mitigation and will provide a valuable visual asset between the two properties regardless of the eventual land uses.

## Road Safety

An assessment of road and access related issues was carried out by George Stulle Traffic Engineering (**Appendix I**). The Traffic Impact Assessment concluded that:



- The proposed Sugarmill Road Large Lot Residential Precinct rezoning will have no impact on traffic safety, level of service or amenity on the Solitary Islands Way - Sugarmill Road intersection.
- The existing Sugarmill Road cross section of 6.0m carriageway with wide road verges and clear of hazards is considered adequate for the minor increase in traffic from the proposed development and no road upgrade works are required.
- The proposed vehicular access roads and driveways to the lots proposed under the rezoning will be able to meet Coffs Harbour City Council Development specifications.
- The majority of the proposed residential lots will be within 400m-600m of the bus stops located on Solitary Islands Way providing good access to public transport services for the proposed land use density. The proposed lots will also have good access to the local shared path network.

## Visual Analysis

A Visual Analysis for the Korora/ West Sapphire/ Moonee Large Lot Residential Investigation Area Planning Proposal was prepared by Jackie Amos Landscape Architect in September 2015. The subject properties are located within the Landscape Character Unit 4 described in the table below.

**Table 3.2 Landscape Character**

LOCATION	<i>Sugarmill Road east up to Gaudrons Road</i>
<b>CHARACTERISTICS</b>	<p><b>Zoning</b></p> <p><i>The unit is Rural Landscape.</i></p> <p><b>Vegetation</b></p> <p><i>The unit includes North Coast Wet Sclerophyll Forest and cleared land. Some of this forest is associated with vegetation along Sugarmill Creek.</i></p> <p><b>Topography</b></p> <p><i>This land is undulating hills with a series of gullies draining to Sugarmill Creek. The land is higher and more undulating than the Wakelands/Fairview Road unit. The land falls roughly in a northerly direction to Sugarmill Creek.</i></p> <p><b>Pattern, density and Character of Built Form</b></p> <p><i>Residences are dotted throughout the rural landscape. The setback of the home varies on each property. Properties along the northern side of Sugarmill Road have a backdrop of vegetation created by remnant forest along Sugarmill Creek. Properties on the southern side of Sugarmill Creek are located on sloping north facing land. Much of the unit is cleared grassed with scattered native and exotic trees. Homes in the unit are of a range of material and styles and have well established large gardens. Some of the homes closer to Gaudrons Road are accessed from that road.</i></p>
<b>DOMINANT VISUAL CHARACTER &amp; SCENIC QUALITY</b>	<p><i>The dominant landscape elements are the undulating rural land, patches of remnant bushland and the residences dotted across the landscape. The rural landscape is open and broad views are possible out across the hills. For this reason, the rural landscape dominates this unit. Homes are attractive and are often set in gardens or remnant trees. Homes are also seen with the rural setting or with bushland behind. The sense of openness</i></p>

	<i>and space, undulating hills and uncluttered character of the view give this unit a <b>HIGH scenic quality</b>.</i>
<b>VIEWS AND VISUAL PROMINENCE</b>	<i>It is not possible to view this unit from the Pacific Highway. Sugarmill Road is accessed from Solitary Islands Way and it elevated above the highway. On entering the unit broad views are mostly possible out from Sugarmill Road to the rural landscape and residential properties. The unit does not have visual prominence for the Pacific Highway, but within the site the existing views are broad and long and are visually prominent.</i>
<b>CONTEXT OF UNIT</b>	<i>The unit sits north of Gaudrons Road and is really the last gently undulating area before the steeper basins of the site are reached. On the other side of the highway is Low Density Residential development associated with North Sapphire Beach. West of the site is a densely vegetated area and the Orara East State Forest. South of the site is steep land of West Sapphire Beach which includes banana and blueberry plantations, remnant vegetation and numerous homes.</i>
<b>SENSITIVITY TO CHANGE</b>	<i>This site is largely cleared and is not as steep as land to the south. It may be physically suitable for Large Lot Residential development. In the event of development, it would be likely that the patches of remnant vegetation would be retained. The proximity of residential development at North Sapphire Beach provides a context for housing at this site. Development at the site would, however, be visually obvious on entering the site. Rural land would be replaced by increased residential form. Many locations sit above Sugarmill Road so this change would be visually obvious. From the highway development on the lower slopes would be concealed from view. Given this, the unit is deemed to have a <b>MODERATE visual sensitivity</b> to change.</i>

Jackie Amos concluded that:

*Future development cannot occur within the study area without resulting in a changed appearance to Korora/West Sapphire/Moonee. Development will result in an increase in built dwellings and infrastructure and a reduction in the rural landscape. Development on exposed slopes will add to the highly visible infrastructure distributed across the hills. Inappropriate development can increase the amount of visual eyesores at steep, exposed locations. To maintain, and even improve, the scenic quality of the area, development needs to be executed in a way that suits and contributes positively to the visual character of Korora/West Sapphire/Moonee. The final phase of this report describes Visual Enhancement Strategies for future Large Lot Residential development at Korora/West Sapphire/Moonee.*

The visual enhancement strategies are:

- *Protect and enhance vegetation along ridgelines*
- *Protect and enhance vegetation along riparian corridors*
- *Retain vegetation west of the Pacific Highway as a permanent visual screen*
- *Utilise locations with less visual impact for development prior to areas with a high visual impact associated with development*

- 
- *Retain remnant trees within Large Lot Residential Development*
  - *Retain bushland and integrate housing at existing cleared locations*
  - *Utilise existing vegetation and provide new planting to screen views to new development*
  - *Incorporate wider streets that allow for greater road side planting*
  - *Establish legible communities*
  - *Integrate elevated dwellings into the site*
  - *Minimise cut/fill occurring in the landscape, particularly in highly visible locations*
  - *Rehabilitate the landscape as part of the new development*
  - *Encourage the use of building materials and building styles that are appropriate to the setting.*
  - *Adopt landscaping strategies that complement the setting.*

It was intended these strategies would be included, and further developed, in future strategic planning including the preparation of an area specific Development Control Plan (DCP) for the Korora/West Sapphire/Moonee candidate area. Instead, consideration should be given to these strategies in future Development Applications for subdivision and dwellings.

### ***Is the Planning Proposal consistent with applicable State Environmental Planning Policies (SEPPs)?***

Yes. Refer to Table of Consistency at Appendix B.

### ***Has the Planning Proposal adequately addressed any social and economic effects?***

#### **Social**

The social fabric of this area is focussed on lifestyle rather than agriculture due to small lot sizes and land value for housing exceeding land value for farming. Future Large Lot Residential lots will be similar in land use and character to surrounding properties.

It is unlikely that this Planning Proposal will result in any detrimental social effects. Social benefits include a small increase in land available for housing in the Korora Moonee West Sapphire candidate area. Future development for housing will potentially have flow on social benefits by supporting the public school at Korora and shopping facilities at Moonee.

There is sufficient social infrastructure in the area to cater for the small increase in residents created as a result of the Planning Proposal.

#### **Economic**

It is unlikely that this Planning Proposal will result in any detrimental economic effects. Positive economic benefits include the establishment and construction of future subdivisions and future dwellings, and flow on benefits to local services and businesses.

The Planning Proposal is fully funded by the proponents. Developer contributions will be levied for each additional lot and used to provide facilities and services identified in the Open Space, Surf Rescue Facilities, Administration Levy and Road Network Contribution Plans.

## **3.5 State and Commonwealth Interests**

### ***Is there adequate public infrastructure for the Planning Proposal?***

This Planning Proposal is unlikely to create significant additional demand on existing public infrastructure. The subject land is not serviced by reticulated water and sewer infrastructure. Future



additional lots will be provisioned with on-site water supply (rainwater tanks) and wastewater/effluent management systems. The National Broadband Network (NBN) is available in the area.

The total projected yield from this proposed rezoning is three additional vacant lots. Vehicular access to each existing property and the proposed new lots are, or can be, achieved from Sugarmill Road. The additional yield does not necessitate or justify the annexing of the cost of a full upgrade of Sugarmill Road to access existing and future lots, as verified by the findings of the Traffic Impact Assessment (**Appendix I**)

***What are the views of state and Commonwealth public authorities consulted in accordance with the Gateway determination?***

This requirement of the Planning Proposal will be addressed following consultation with any relevant State and Commonwealth Public Authorities, to be identified under the terms and conditions of the initial Gateway Determination. There do not appear to be any matters of interest to Commonwealth authorities in relation to the Planning Proposal.

### 3.6 Mapping

Proposed mapping amendments to Coffs Harbour LEP 2013 are described and illustrated in Part 2 of this Planning Proposal.

### 3.7 Community Consultation

Should the NSW DPIE endorse exhibition of this Planning Proposal via issue of a Gateway Determination, the community, other stakeholders and government agencies will have an opportunity to make submissions to this Planning Proposal. If endorsed by the DPIE, the Planning Proposal will be exhibited in accordance with the terms of the Gateway Determination, and the relevant provisions of Section 3.34(2) of the *Environmental Planning and Assessment (EP&A) Act 1979*.

## 4.0 Project Time Line

### 4.1 Indicative Project Timeline

**Table 4.1 Indicative Project Timeline**

TASK	ESTIMATED TIMEFRAME
Preparation and submission of Planning Proposal to Council	January 2022
Council adoption & Gateway Determination request	March 2022
Finalisation of additional information as requested by Council and Gateway determination	May 2022
Public exhibition of Planning Proposal for not less than 28 days	June 2022
Agency consultation	June 2022
Review submission	July 2022
Report to Council	August 2022
Submission to Planning Minister	August 2022
Finalisation	September 2022

### 4.2 Recommendation

This Planning Proposal, which describes an amendment to the Land Zoning and Minimum Lot Size provisions of *Coffs Harbour LEP 2013* which apply to the subject properties, has been prepared in accordance with the NSW Department of Planning document '*A guide to preparing Planning Proposals*'.

The Planning Proposal is consistent with the *North Coast Regional Plan 2036* and is consistent with all relevant SEPPs. The Planning Proposal is consistent with the applicable section 9.1 Ministerial Directions other than where indicated in this Planning Proposal. Any inconsistencies are supported and appropriately justified by the provisions of:

- *North Coast Regional Plan 2036*;
- Council's adopted *Local Strategic Planning Statement (2020)*;
- Council's *Local Growth Management Strategy Chapter 6 Large Lot Residential (2020)*; and
- The environmental assessments which inform and support this Planning Proposal.

It is requested that Council:

- Support this Planning Proposal based on the information provided in this report; and**
- Resolve to refer this Planning Proposal to the NSW Department of Planning Industry and Environment, requesting a Gateway Determination to endorse its public exhibition.**

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All relevant strategies, SEPPS and Section 9.1 Directions have been addressed in this Planning Proposal and it is considered that the Planning Proposal may be progressed to exhibition.

Pending endorsement by NSW DPIE, the Planning Proposal will be exhibited in accordance with the provisions of the EP&A Act 1979. The outcome of the exhibition will be subsequently reported to Council for determination.