

**CPC24/37 PLANNING PROPOSAL PP-2022-107 - APPLICATION TO AMEND COFFS HARBOUR LOCAL ENVIRONMENTAL PLAN 2013 TO REZONE LAND – LOT 12 DP 243972, NO. 28 SUGARMILL ROAD, LOT 91 DP 786155, NO. 35 SUGARMILL ROAD AND LOT 17 DP 249273, NO. 89 SUGARMILL ROAD, SAPPHIRE BEACH - PRE-EXHIBITION**

**Author:** Planner / Urban Designer

**Authoriser:** Director City Planning & Communities (Acting)

**MyCoffs:** C.1 Liveable neighbourhoods with a defined identity

**Attachments:** ATT1 CPC24/37 Planning Proposal PP-2022-107, Sugarmill Road, Sapphire Beach - Pre-Exhibition  
ATT2 CPC24/37 Draft Coffs Harbour Development Control Plan 2015 - Amendment No. 32 (Sugarmill Road Sapphire Beach)

## SUMMARY

A proponent-led application has been received by the City of Coffs Harbour to amend Coffs Harbour Local Environmental Plan 2013 as it applies to Lot 12 DP 243972, No. 28 Sugarmill Road, Lot 91 DP 786155, No. 35 Sugarmill Road and Lot 17 DP 249273, No. 89 Sugarmill Road, Sapphire Beach to rezone the land for large lot residential purposes. This report seeks Council's endorsement to initiate a planning proposal for this purpose (Attachment 1) and to publicly exhibit an associated amendment to the Coffs Harbour Development Control Plan 2015 to align with the new land use zones (Attachment 2).

## RECOMMENDATION:

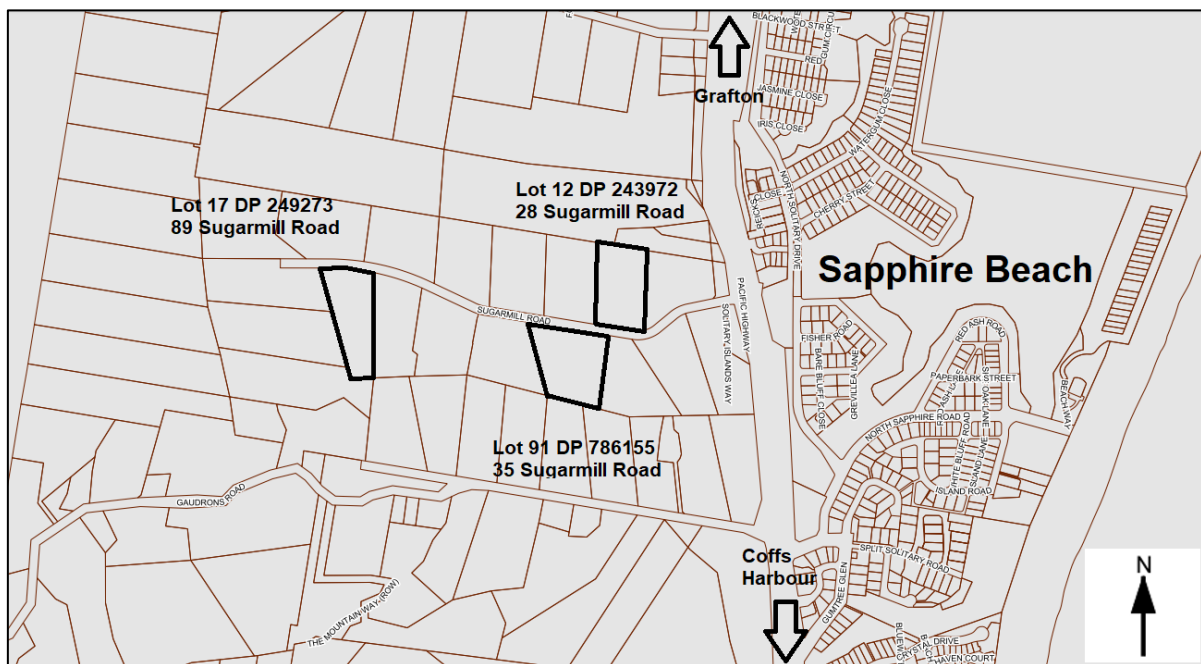
### That Council:

1. Initiate and forward a planning proposal to the NSW Department of Planning, Housing and Infrastructure seeking gateway determination to rezone Lot 12 DP 243972, No. 28 Sugarmill Road, Lot 91 DP 786155, No. 35 Sugarmill Road and Lot 17 DP 249273, No. 89 Sugarmill Road, Sapphire Beach (Attachment 1).
2. Request that the Secretary of the NSW Department of Planning, Housing and Infrastructure issue written authorisation to Council to exercise delegation of the plan making functions under section 3.36(2) of the Environmental Planning and Assessment Act 1979 in respect of the planning proposal.
3. Publicly exhibit the planning proposal and undertake government agency consultation based on the gateway determination issued by the NSW Department of Planning, Housing and Infrastructure.
4. Publicly exhibit the draft Coffs Harbour Development Control Plan 2015 - Amendment No. 32 (Sugarmill Road, Sapphire Beach) concurrently with the associated planning proposal (Attachment 2).
5. Note that a further report will be brought back to Council for consideration following public exhibition of the planning proposal and the draft Coffs Harbour Development Control Plan 2015 - Amendment No. 32 (Sugarmill Road, Sapphire Beach).
6. Inform the Applicant of Council's decision.

**BACKGROUND:**

|            |  |
|------------|--|
| Applicant: | Keiley Hunter Town Planning  |
| Landowner: | K. Grimley, I.S. and S.M. Martyn and Oakhunt Pty Ltd   |
| Land:      | Lot 12 DP 243972, No. 28 Sugarmill Road, Lot 91 DP 786155, No. 35 Sugarmill Road and Lot 17 DP 249273, No. 89 Sugarmill Road, Sapphire Beach |
| Zone:      | RU2 Rural Landscape  |

The subject land has a total area of 6.75 hectares (28 Sugarmill Road - 2.03 hectares, 35 Sugarmill Road - 2.36 hectares and 89 Sugarmill Road - 2.36 hectares) and is located approximately 10 km north of the Coffs Harbour City Centre. The land is surrounded by existing rural land within Zone RU2 Rural Landscape, and Solitary Islands Way / Pacific Highway to the east.



**Figure 1 – Subject Land**

The purpose of this report is to seek Council's endorsement to initiate a planning proposal to amend the Coffs Harbour Local Environmental Plan (LEP) 2013 to rezone the subject land from RU2 Rural Landscape to part Zone R5 Large Lot Residential and part Zone C2 Environmental Conservation, reduce the minimum lot size from 40 hectares to 6000m<sup>2</sup> and amend the Terrestrial Biodiversity Map so that it aligns with Zone C2 Environmental Conservation (Attachment 1). This report also seeks Council's endorsement to publicly exhibit the draft Coffs Harbour Development Control Plan (DCP) 2015 - Amendment No. 32 (Sugarmill Road, Sapphire Beach) concurrently with the associated planning proposal to align with the new land use zones (Attachment 2).

**ISSUES AND OPTIONS:**

The subject land is identified in the North Coast Regional Plan 2041 and Coffs Harbour Local Growth Management Strategy 2020 as an investigation area for urban land (residential). The Local Growth Management Strategy identifies the subject land in Precinct 4 (Wakelands Road/Fairview Road/Sugarmill Road) of the Korora, Sapphire and Moonee Large Lot Residential Candidate Area. The planning proposal provided as Attachment 1 to this report demonstrates that the land is suitable for the intended land use zones and that there is sufficient strategic merit to support the proposal.

It is necessary to amend maps contained within the Coffs Harbour DCP 2015 to align with the proposed land use zones, such as the density map, front, side and rear setbacks map, and the preservation of vegetation map. In this regard, the report seeks endorsement from Council to publicly

exhibit the draft Coffs Harbour DCP 2015 - Amendment No. 32 (Sugarmill Road, Sapphire Beach) concurrently with the associated planning proposal (Attachment 2).

Council has the following options available:

1. Adopt the recommendations of this report.
2. Not adopt the recommendations. Should the recommendations not be adopted by Council, the proposed LEP and DCP amendment will not proceed any further.

The proposed LEP amendment aligns with the Coffs Harbour Local Growth Management Strategy 2020 and North Coast Regional Plan 2041. Relevant policies and statutory requirements have been considered for the proposed LEP amendment. As such, the proposal is considered to be of low risk to the City of Coffs Harbour (City).

Should Council choose to adopt the recommendations of this report, the planning proposal will be sent to the NSW Department of Planning, Housing and Infrastructure for gateway determination. The timeframe for finalising the LEP Amendment is governed by the relevant planning legislation.

**FINANCIAL IMPACT:**

There are no financial impacts associated with adopting the recommendations of this report.

**CONSULTATION:**

Public exhibition of the proposed LEP amendment will be undertaken in accordance with the City's Community Participation and Engagement Plan and the relevant planning legislation.