



# **PLANNING PROPOSAL**

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## **COFFS HARBOUR CITY COUNCIL**

**Renewal of the Argyll Estate Precinct  
Argyll Estate, Coffs Harbour  
(NSW DPE ref: PP-2022-1968)**

**August 2022  
VERSION 1 Exhibition**

## PLANNING PROPOSAL STATUS

Stage	Version / Date <i>(blank until achieved)</i>
Reported to Council – Initiate s3.33 Version 1 - Pre_Exhibition	26 May 2022
Referred to DPIE s3.34(1) Version 1 - Pre_Exhibition	30 May 2022
Gateway Determination s3.34(2) Version 1 - Pre_Exhibition	6 July 2022
Amendments Required:	<i>Change to area within Key Sites Map, additional description regarding implementation of Clause 5.22, corrections of minor errors, updates to reflect conditions of Gateway Determination</i>
Public Exhibition – Schedule 1 Clause 4 Version 1 - Exhibition	17 August 2022
Reported to Council – Initiate Revised PP s3.33 Version x - Re_Exhibition	
Revised PP Sent to the Minister - s3.35(1) Version x - Re_Exhibition	
Altered Gateway Determination s3.34(2) Version x - Re_Exhibition	
Public Exhibition – Schedule 1 Clause 4 Version x - Re_Exhibition	
Reported to Council – Endorsement (or Making of LEP if delegated) s3.36 Version x - Post Exhibition	
Endorsed by Council for Submission to Minister for Notification (or Making where not delegated) s3.36(2) Version x – Post Exhibition	

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## EXECUTIVE SUMMARY & EXHIBITION INFORMATION

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### ***What is a Planning Proposal?***

A planning proposal is a document that explains the intended effect of a proposed local environmental plan (LEP) and sets out the justification for making that plan. Essentially, the preparation of a planning proposal is the first step in making an amendment to *Coffs Harbour LEP 2013* (LEP 2013).

A planning proposal assists those who are responsible for deciding whether an LEP amendment should proceed and is required to be prepared by a relevant planning authority. Council, as a relevant planning authority, is responsible for ensuring that the information contained within a planning proposal is accurate and accords with the *Environmental Planning and Assessment Act 1979* and the NSW Department of Planning and Environment's *A guide to preparing planning proposals 2018* and the *Local Environmental Plan Making Guideline 2021*.

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

The intent of this planning proposal is to amend LEP 2013 to provide for the renewal of the Argyll Estate Precinct to accommodate a range of dwelling types including residential flat buildings up to five storeys and dual occupancies.

An indicative growth scenario shows that the planning proposal has the potential to deliver up to 236 additional dwellings within the precinct.

### ***Public Exhibition***

This planning proposal will be placed on public exhibition in accordance with any Gateway Determination issued by NSW Department of Planning and Environment. Copies of the planning proposal and supportive information can be viewed on Council's Have Your Say Page <https://haveyoursay.coffsharbour.nsw.gov.au/> for the duration of the exhibition period.

All interested persons will be invited to view and make a submission on the planning proposal during the exhibition period. Issues raised by submissions will be reported to Council for a final decision. Submissions can be made online or in writing by email or post to:

The General Manager  
Coffs Harbour City Council  
Locked Bag 155  
COFFS HARBOUR NSW 2450  
Email: [coffs.council@chcc.nsw.gov.au](mailto:coffs.council@chcc.nsw.gov.au)

**Planning proposal contact:**  
Lachlan Black on 6648 4654  
or email [Lachlan.Black@chcc.nsw.gov.au](mailto:Lachlan.Black@chcc.nsw.gov.au)

*Note: Council is committed to openness and transparency in its decision making processes. The Government Information (Public Access) Act 2009 requires Council to provide public access to information held unless there are overriding public interest considerations against disclosure. Any submissions received will be made publicly available unless the writer can demonstrate that the release of part or all of the information would not be in the public interest. However, Council would be obliged to release information as required by court order or other specific law.*

Written submissions must be accompanied, where relevant, by a "Disclosure Statement of Political Donations and Gifts" in accordance with the provisions of the *Local Government and Planning Legislation Amendment (Political Donations) Act 2008 No. 44*. Disclosure forms are available from Council's Customer Service Section or on Council's website [www.coffsharbour.nsw.gov.au/disclosurestatement](http://www.coffsharbour.nsw.gov.au/disclosurestatement).

## BACKGROUND

Proposal	Planning proposal to support renewal of the Argyll Estate Precinct
Property Details	Various lots within the Argyll Estate Precinct, Coffs Harbour (real property descriptions included at Appendix 3)
Current Land Use Zone(s)	R2 Low Density Residential and RE1 Public Recreation
Proponent	Coffs Harbour City Council
Landowner	NSW Land and Housing Corporation, Aboriginal Housing Office and various private owners
Location	A location map is included within this section

This planning proposal has been prepared in accordance with the Environmental Planning and Assessment Act 1979 and the *Local Environmental Plan Making Guideline* (NSW Department of Planning and Environment 2021).

This planning proposal explains the intended effects of a proposed amendment to LEP 2013 to enable the redevelopment of the Argyll Estate Precinct for medium density residential development. Anticipated development would likely include a range of dwelling types including dual occupancies and residential flat buildings up to four storeys.

### **The Site**

The Argyll Estate Precinct (the precinct) includes approximately 19 hectares of land bounded by commercial uses which front the Pacific Highway to the east, Bray Street to the north, riparian corridors to the north and south, and wider low density residential areas to the west.

The area consists predominantly of land owned by the Land and Housing Corporation (LAHC) and the Aboriginal Housing Office (AHO) which provide social housing for very low income households. Interspersed throughout the estate area are privately-owned lots. The precinct and land ownership pattern are shown in Figure 1. While this report focuses on the renewal of land owned by LAHC and AHO, the investigation applies to land within the entire precinct.

The precinct comprises a total of 197 lots including 118 owned by LAHC, 11 owned by AHO and 68 privately owned. The real property description (Lot and Deposited Plan) for each lot is included in Appendix 3.

Lot size within the precinct range from between 580 square metres to 1,025 square metres. The typical lot typology is rectangular in shape and between 600 and 700 square metres in area. Lot width ranges between 17-20 metres and lot depth between 33-40 metres.

Single dwellings are the primary typology within the precinct, and these are typically single storey with large street setbacks of 12-14m from the front boundary with either no front fence, low fencing, or landscaping. Streets widths are typically generous with verges of approximately 4.5 metres but do not feature footpaths or street trees which inhibits pedestrian movement and reduce the amenity of the area.

Argyll and Kurrajong Streets provide east-west travel routes through the precinct and, along with a number of north-south orientated streets, form a grid network which connects to Bray Street in the north and the Pacific Highway to the east. A number of cul-de-sacs terminate to the south of the site at a public reserve that accommodates Treefern Creek. This reserve and creek forms a barrier to the south,



however three existing creek crossings provide pedestrian access to the south. There is no vehicular connection to the west of the site along Argyll Street as this street terminates in a cul-de-sac.

There are a number of public reserves within the precinct including the reserves along the northern and southern edges of the site which accommodate two creeks. The only formally developed open space is the local park located between Argyll Street and Kurrajong which features play equipment, picnic tables and tree planting.



**Figure 1** Argyll Estate Precinct investigation area – the precinct (Source: Argyll Estate Renewal- Urban Design Report, Architectus 2022)



**Figure 2** Existing built form and streetscape (Source: Argyll Estate Renewal- Urban Design Report, Architectus 2022)



## Surrounding context

The precinct forms part of a wider low density residential area focused to the north and south of Bray Street. It is located at a point of transition within the local character with areas to west of the Pacific Highway being predominantly low scale residential neighbourhoods, while to the east are low to medium density precincts with pockets of high density development. The precinct is separated from the low density residential areas to the north and south by watercourses and their associated vegetated riparian corridors. The precinct is located within close proximity of a number of recreation and community facilities and other services which support its consideration for renewal including:

- Local parks within easy walkable access for most parts of the site including:
  - A district park to the north of the site on the northern side of Bray Street (approximately 3ha) which includes active and passive open space and a playground.
  - The Kurrajong-Argyll Street Park (approximately 2,384 square metres) located within the precinct comprising grassed areas with trees and play equipment.
  - Riparian open space to the north and south of the site.
- Orana High School, Tyalla Primary School, Coffs Harbour PCYC and district playing fields located on Bray Street approximately 5 minutes walking distance from the site.
- Park Beach Plaza which is the closest shopping centre around a 10-15 minute walk away, noting that the highway provides poor amenity for pedestrians.
- Small shops and restaurants located at the corner of Bray Street and the Pacific Highway to the north-east of the site.
- The Coffs Harbour city centre, Jetty and Park beaches are all located 1.5-2 km from the site.



**Figure 3** Surrounding context (Source: Argyll Estate Renewal- Urban Design Report, Architectus 2022)



### Existing LEP controls

Under Coffs Harbour LEP 2013 the majority of the precinct is in Zone R2 Low Density Residential, with open space reserves in Zone RE1 Public Recreation. Zone R2 zone permits low density residential and supporting uses with consent including attached dwellings, dual occupancies and dwellings houses, however residential flat buildings are a prohibited use. The maximum allowable building height within Zone R2 is 8.5 metres. A minimum lot size of 400 square metres applies within Zone R2.

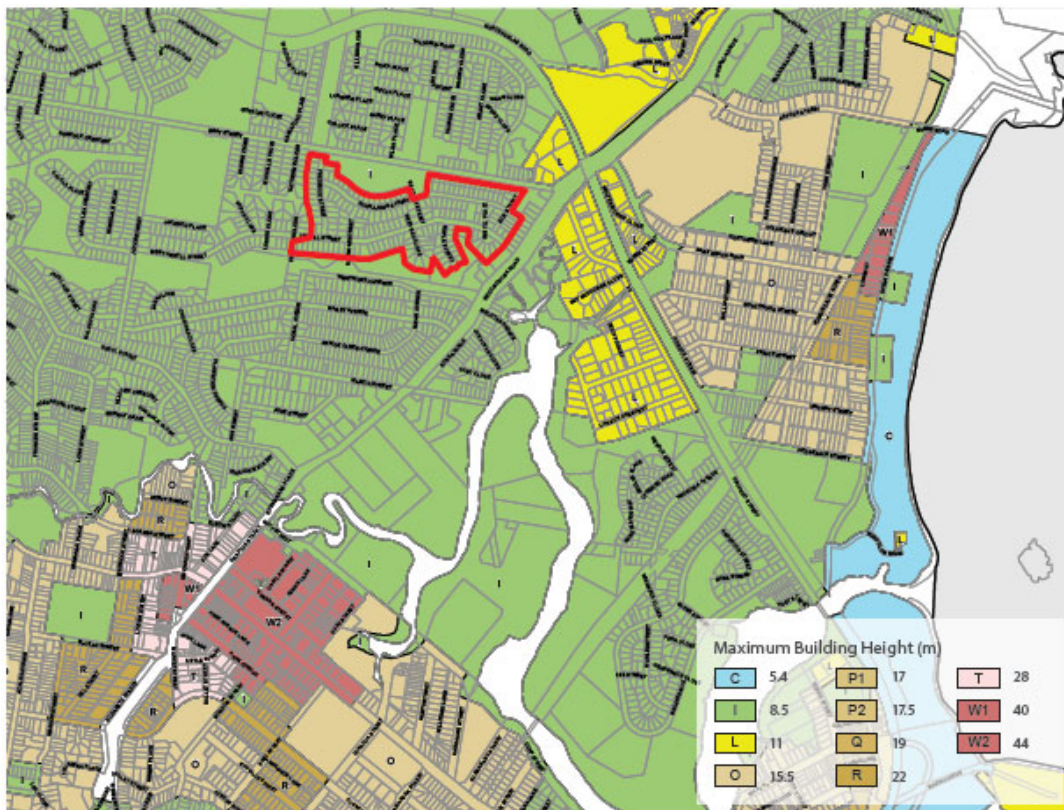
Clause 4.1B of the Coffs Harbour LEP requires a minimum lot size of 800 square metres for the purpose of a dual occupancy. Accordingly, given the typical lot size of between 600-700 square metres in area, few lots in the precinct could currently be subdivided for a single dwelling or developed as dual occupancies.

Figures 4-6 below show existing land zoning, maximum building height and minimum lot size mapping under Coffs Harbour LEP 2013.

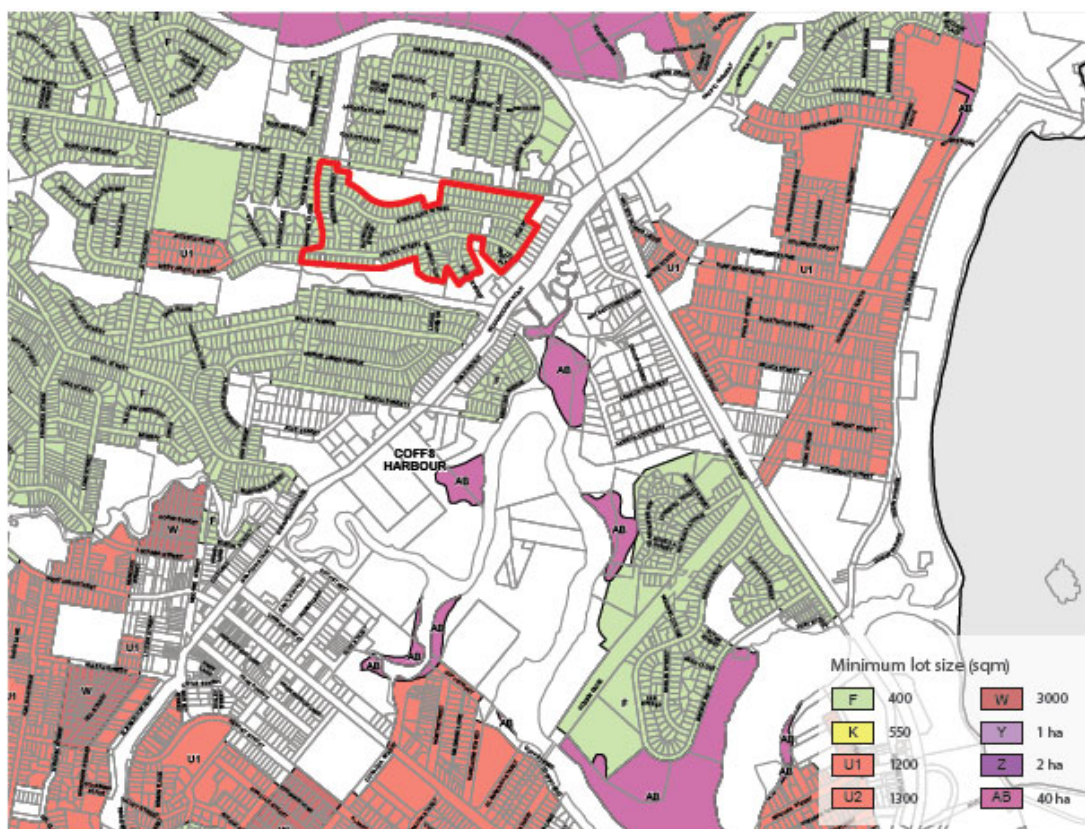


**Figure 4** Coffs Harbour LEP 2013 – Existing Land Zoning Map (site outlined in red)





**Figure 5** Coffs Harbour LEP 2013 – Existing Height of Buildings Map



**Figure 6** Coffs Harbour LEP 2013 – Existing Minimum Lot Size Map



## Site constraints- flooding

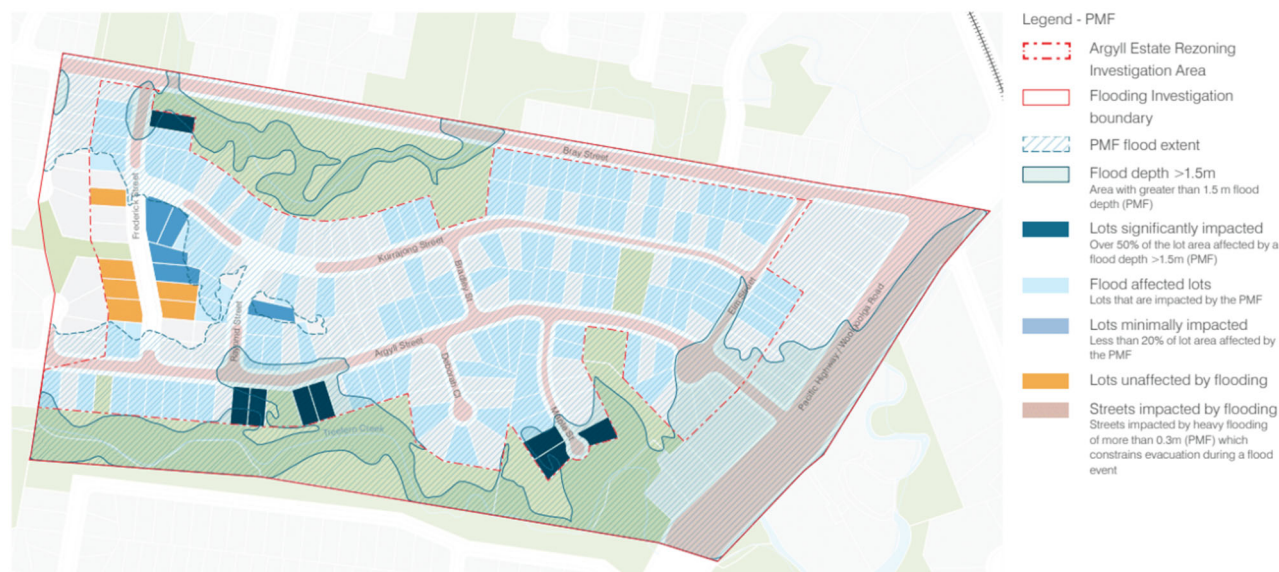
The precinct is subject of flooding due to the two watercourses located in the northern and southern parts of the site. Constraints on additional development in the area include:

- Flooding during the 100-year Average Recurrence Interval (ARI) flood affecting parts of the site.
- Flooding during the Probable Maximum Flood (PMF) event affecting the majority of the site, with the exception of some lots fronting Fredrick Street at the western edge of the site.
- Limitations on evacuation from the area in certain flood events as a result of flooding of the road network including during the 100-year ARI flood event.

Coffs Harbour Development Control Plan 2015 establishes a flood planning level of the height of the 100-year ARI flood level plus 0.5 metre free board for habitable residential floor space, and the height of the 100-year ARI flood level for non-habitable floor space. Figure 7 below shows the extent of the 100-year ARI (similarly expressed as 1% AEP) flood event on the precinct. Figure 8 below shows the extent of the PMF flood event on the precinct.



**Figure 7** 100-year ARI Flood constraints map (Source: Argyll Estate Renewal- Urban Design Report, Architectus 2022)



**Figure 8** Probable Maximum Flood constraints map (Source: Argyll Estate Renewal- Urban Design Report, Architectus 2022)

### Site constraints- other

Vegetation in the riparian corridors located in the northern and southern parts of the precinct is mapped as bushfire prone land and creates a bushfire hazard. Bushfire constraints are shown in Figure 9 below.



**Figure 9** Bushfire constraints map (Source: Argyll Estate Renewal- Urban Design Report, Architectus 2022)



The riparian corridors also have ecological values which extend into the peripheries of the precinct. Ecological constraints are shown in Figure 10 below.



**Figure 10** Ecological constraints map (Source: Argyll Estate Renewal- Urban Design Report, Architectus 2022)

## Land use and development strategy in response to constraints

Site constraints have been the key consideration in determining an appropriate planning response. The combined constraints are shown in Figure 11 below.



**Figure 11** Combined constraints map (Source: Argyll Estate Renewal- Urban Design Report, Architectus 2022)

Given the constraints on evacuation from the area during flood events because of flooding of roads, a ‘shelter in place’ strategy has been adopted as a basis for the planning proposal. Sheltering in place during flood events when evacuation is not possible will be facilitated by requiring that the habitable ground floor level of dwellings is raised at or above the PMF level to enable refuge in homes.

The constraints analysis outlined in the Urban Design Study and summarised in this report have determined areas of the precinct that are suitable for renewal. This determination has been made using the following principles:

- A. Areas that have combined flooding, bushfire and ecological constraints are not recommended for density increases. Future development would be limited to renewal of existing single dwellings.
- B. Areas which have a flood depth of generally greater than 1.5m during the probable maximum flood (PMF) are not suitable for redevelopment given the need to raise floor levels to above the PMF to support a shelter in place strategy.
- C. Land between Kurrajong Street and Argyll Street to the west of Bradley Street is least affected by flooding, bushfire and ecological constraints. This area is considered most suitable for increased density such as apartment buildings of up to four storeys and dual occupancies.
- D. The areas along Bray Street which interface with low density neighbourhoods and other land south of Argyll Street that is not highly constrained is suitable for a moderate increase in dwelling density such as dual occupancies.

Figure 12 below shows the areas that have been identified as suitable for renewal based on the methodology outlined above.



**Figure 12** Areas suitable for renewal (Source: Argyll Estate Renewal- Urban Design Report, Architectus 2022)



## Structure plan and indicative growth scenario

The Urban Design Study outlines a vision for the renewal of the Argyll Estate precinct as a mixed tenure residential neighbourhood offering a variety of housing options that are resilient to natural hazards and responsive to local character and climate. This is supported by a structure plan and indicative growth scenario which have informed the proposed changes to Coffs Harbour LEP 2013.

### Structure Plan

The land use and built form approach outlined in the Urban Design Study has informed a structure plan which identifies the following preferred outcomes for land within the precinct:

1. Areas suitable for rezoning to R3 Medium Density Residential to allow for diverse housing types including residential flat buildings.
2. Areas to be retained as R2 Low Density Residential which are suitable for renewal as dual occupancies.
3. Areas to be retained as R2 Low Density Residential which are suitable to be retained or renewed as single dwellings due to natural hazards and environmental constraints.
4. Areas of existing open space potentially suitable for embellishment or enhancement.
5. Streets that are potentially suitable for streetscape and footpath upgrades to deliver improved amenity and active transport opportunities for future residents.

The Structure Plan is shown in Figure 13 below.



**Figure 13** Structure Plan (Source: Argyll Estate Renewal- Urban Design Report, Architectus 2022)

### Indicative growth scenario

An indicative growth scenario has been prepared based on the structure plan to inform the dwelling and population growth that is likely to result from the planning proposal. The indicative growth scenario indicates the likely maximum approach to renewal across the precinct in accordance with the structure plan, lot amalgamation potential and the proposed planning controls for the site and is considered to represent a growth scenario consistent with that envisaged for the area in Council's LGMS.

The indicative growth scenario would deliver up to 263 additional dwellings within the precinct as outlined in the Table 1 below.

**Table 1** Indicative dwelling yield

Category	Number of dwellings
Existing dwellings (129 LAHC/AHO and 68 privately owned)	197
Total future precinct dwellings	460
Future dwellings on sites owned by LAHC and AHO	365
Future dwellings on privately owned sites	95
Additional precinct dwellings	263

The indicative growth scenario is likely to be comprised of building or development types as shown in Figure 14 below.



**Figure 14** Indicative growth scenario (Source: Argyll Estate Renewal- Urban Design Report, Architectus 2022)

### ***Site specific DCP controls***

Whilst current controls in Coffs Harbour DCP 2015 will apply to development in the area (where applicable), a draft amendment to Coffs Harbour DCP 2015 has been prepared to provide site specific controls to ensure future development is responsive to the constraints, climate and character of the Argyll Estate precinct. The draft amendment to DCP 2015 includes:

- Changes to building setback requirements to be consistent with changes proposed in Council's Local Growth Management Strategy 2020 and to ensure appropriate density and opportunities for landscaping.
- Minimum requirements for private open space and privacy screening to ensure good amenity for residents.
- Controls to achieve built form that responds appropriately to local character and climate.
- Amendment of existing dwelling density requirements in Section D3.1 of DCP 2015 to be consistent with proposed amendments to LEP 2013.
- Reduction in parking requirements for 1 and 2 bedroom dwellings.
- Requirements to manage flood hazard, including:
  - All habitable floor levels to be above the probable maximum flood level.
  - Development to ensure that appropriate flood conveyance is provided to maintain any overland flow paths.

### ***Infrastructure requirements and development contributions***

An analysis of existing community infrastructure and open space within the precinct and its surroundings has shown that there is sufficient existing open space and community facilities in the local area to meet the needs of the future population however, limited footpaths in the area restrict access to these facilities. Open space within the precinct could also be embellished or upgraded to improve user opportunities and experience. It is also noted that streets in the area lack street trees which provides poor amenity and reduces the appeal of walking and cycling. Opportunities to upgrade footpaths and shared paths and improve local streets and parks have been identified. The draft Argyll Estate Precinct Contributions Plan has been prepared to identify proposed infrastructure upgrades, costings and development contribution arrangements.



## PART 1 – OBJECTIVES OR INTENDED OUTCOMES

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### Objective

The objective of this planning proposal is to amend Coffs Harbour LEP 2013 to facilitate the redevelopment of the Argyll Estate Precinct for a range of medium density dwelling types including residential flat buildings up to five storeys and dual occupancies.

### Intended outcomes

The intended outcomes of the planning proposal are:

- a. To provide for renewal of the site to deliver housing growth and a greater mix of housing types and dwelling sizes in accordance with the Coffs Harbour Regional City Action Plan 2036 and Coffs Harbour Local Growth Management Strategy 2020 (LGMS).
- b. To facilitate infill development in the Bray Street Infill Area consistent with the LGMS.
- c. To increase the supply of smaller, more affordable dwelling types, including dual occupancies and apartments, to address the shortage of smaller dwellings in the Coffs Harbour LGA.
- d. To deliver development which is compatible with the environmental constraints and natural hazards of the precinct, including; ecological values, bushfire hazard and flood hazard.
- e. To ensure future built form is appropriate for the local character and climate of Coffs Harbour and provides an appropriate transition to existing, surrounding dwellings.
- f. To provide for renewal of existing social housing to better meet demand and deliver new private housing in accordance with NSW Government's Future Directions for Social Housing Strategy.

## PART 2 – EXPLANATION OF PROVISIONS

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The intended outcomes of the proposed LEP amendment will be achieved by amending Coffs Harbour LEP 2013 as follows:

- a. Rezoning part of the precinct from R2 Low Density Residential to R3 Medium Density Residential, that being; land between Argyll and Kurrajong Street to the west of Bradley Street.
- b. Applying a maximum height of buildings of 15.5 metres to land in Zone R3.
- c. Applying a minimum lot size of 1,200 square metres to land in Zone R3.
- d. Amend Clause 4.1B to include a provision (4) stating that Clause 4.1B(2) does not apply to certain land within the Argyll Estate precinct. This land will be identified on an amended Key Sites Map. This will enable dual occupancies to be developed on sites with an area of less than 800 square metres within the mapped area.
- e. Apply Clause 5.22 Special flood considerations of the Standard LEP (see below) to the precinct in order to require a higher level of assessment of the compatibility of future development with flooding in the area. Application of Clause 5.22 to the precinct will be established through the inclusion of the precinct on the Special Flood Considerations Map currently being prepared by Council; this map will sit alongside existing flood mapping outside the LEP framework. Inclusion of Clause 5.22 in Coffs Harbour LEP 2013 will be undertaken by the Department of Planning and Environment or as part of this planning proposal process, whichever occurs first.

### **Standard Instrument Clause 5.22 Special flood considerations clause**

1) *The objectives of this clause are as follows—*

- a) *to enable the safe occupation and evacuation of people subject to flooding,*
- b) *to ensure development on land is compatible with the land's flood behaviour in the event of a flood,*
- c) *to avoid adverse or cumulative impacts on flood behaviour,*
- d) *to protect the operational capacity of emergency response facilities and critical infrastructure during flood events,*
- e) *to avoid adverse effects of hazardous development on the environment during flood events.*

2) *This clause applies to—*

- a) *for sensitive and hazardous development—land between the flood planning area and the probable maximum flood, and*
- b) *for development that is not sensitive and hazardous development—land the consent authority considers to be land that, in the event of a flood, may—*
  - i) *cause a particular risk to life, and*
  - ii) *require the evacuation of people or other safety considerations.*

3) *Development consent must not be granted to development on land to which this clause applies unless the consent authority is satisfied that the development—*

- a) *will not affect the safe occupation and efficient evacuation of people in the event of a flood, and*
- b) *incorporates appropriate measures to manage risk to life in the event of a flood, and*
- c) *will not adversely affect the environment in the event of a flood.*

## PART 3 – JUSTIFICATION OF STRATEGIC AND SITE SPECIFIC MERIT

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This part provides a response to the following matters in accordance with the Local Environmental Plan Making Guideline (NSW Department of Planning and Environment, December 2021):

- Section A: Need for the planning proposal
- Section B: Relationship to the strategic planning framework
- Section C: Environmental, social and economic impact

### **Section A – Need for the planning proposal**

#### **1. Is the planning proposal a result of an endorsed local strategic planning statement, strategic study or report?**

Yes, the precinct is identified as suitable to accommodate infill renewal housing in the *Coffs Harbour Local Growth Management Strategy 2020*. This is discussed further under heading 5 within this section.

The proposal is also consistent with the *NSW Government's Future Directions for Social Housing Strategy* which was released in 2016. Action 1.1 in Future Directions, is to 'Increase redevelopment of LAHC properties to renew and grow supply'. This provides a clear directive and strategic justification for the NSW Government to redevelop land to deliver new social housing.

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

Yes, the planning proposal is the best means of achieving the objectives and intended outcomes. The issues covered by this planning proposal relate to statutory issues under Part 3 of the *Environmental Planning and Assessment Act 1979*. The planning proposal is the only mechanism that can achieve the objectives and intended outcomes related to the precinct.

### **Section B – Relationship to strategic planning framework**

#### **3. Will the planning proposal give effect to the objectives and actions contained within the North Coast Regional Plan 2036?**

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

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

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

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

The proposed LEP amendment is not inconsistent with this action given that it seeks to locate growth within an existing urban area which is identified within Councils LGMS as an infill area.

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

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



The proposed LEP amendment is not inconsistent with this action given that proposed growth is located outside areas identified as having biodiversity significance.

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

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

The proposed LEP amendment is not inconsistent with this action given that a flood study has been undertaken which takes into consideration the impacts of climate change which has informed a renewal approach which ensures the acceptable management of flood hazard and safe evacuation during flood events.

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

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

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

The proposed LEP amendment is not inconsistent with this action given that the Urban Design Study prepared to support the planning proposal addresses the Precinct Plan Guidelines.

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

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

The proposed LEP amendment is not inconsistent with this action given that opportunities for improved active transport have been identified to support proposed development.

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

The proposed LEP amendment is not inconsistent with this action given that CPTED principles have been considered in developing the Planning Proposal and will inform future development applications.

- **Direction 16 - Collaborate and partner with Aboriginal communities**

Action 16.2 - Ensure Aboriginal communities are engaged throughout the preparation of local growth management strategies and local environmental plans.

The proposed LEP amendment is not inconsistent with this action given that in preparing the Planning Proposal consultation has been carried out with the local Aboriginal community (see details at Appendix 10) including:

- Aboriginal Housing Office.
- Coffs Harbour and District Local Aboriginal Land Council.
- Council's Yandaarra Aboriginal Advisory Committee.
- Garlambirla Guuyu-Girrwa Elders' Group.

Further consultation will be carried out during the formal public exhibition stage.

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

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

The proposed LEP amendment is not inconsistent with this action given the Urban Design Study has identified a renewal approach which responds to local character and context. Site specific development controls are intended to be prepared to ensure future

development complements and enhances local character. The North Coast Urban Design Guidelines will be used as a basis for the development of built form and urban design controls.

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

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

The proposed LEP amendment is not inconsistent with this action given that it includes traffic study and a review of local social infrastructure based on Council benchmarks and has identified future infrastructure needs to support the proposal.

#### **GOAL 4 – GREAT HOUSING CHOICE AND LIFESTYLE OPTIONS**

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

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

The proposed LEP amendment is not inconsistent with this action as it identifies opportunities for new apartments and dual occupancies on lots less than 400 square metres.

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

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

The proposed LEP amendment is not inconsistent with this action as it will deliver a wider variety of housing including social housing.

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

##### **Local Strategic Planning Statement 2020**

Yes. Coffs Harbour City Council adopted its Local Strategic Planning Statement (LSPS) on 25 June 2020. The proposed LEP amendment accords with the vision and planning priorities within the Coffs Harbour LSPS, in particular:

- Planning Priority 1 – Deliver and implement the Compact City Program (see heading 5 below)
- Planning Priority 5 – Deliver greater housing supply, choice and diversity
- Planning Priority 7 – Protect and conserve the natural, rural, built and heritage culture of Coffs Harbour

##### **Coffs Harbour Regional City Action Plan 2036**

Yes. The Coffs Harbour Regional City Action Plan (the Plan) provides a framework to manage and shape the city's future growth so it conforms with the requirements of the North Coast Regional Plan 2036. The Plan was finalised in March 2021 and it identifies 5 overarching goals which incorporate objectives and related actions.

This planning proposal is consistent with relevant goals, objectives and associated actions within the Plan as it seeks to accommodate housing growth in an identified renewal area and to deliver low-rise medium density housing which responds to local character. The relevant parts of the Plan are outlined in the table below:

Goal	Objective	Actions	
Live	17. Deliver a city that responds to Coffs Harbour's unique green cradle setting and offer housing choice.	17.1	Promote a sustainable growth footprint and enhance place-specific character and design outcomes.
		17.2	Implement incentives to support increased residential opportunities in the city centre and priority urban renewal areas through infill development.
		17.3	Promote low-rise medium density housing opportunities that maintain the scale and character appropriate of existing neighbourhoods and are in areas with access to services and public open space.
		17.4	Support a greater variety and supply of affordable housing.

## 5. Is the planning proposal consistent with Council's Community Strategic Plan and Local Growth Management Strategy?

### **MyCoffs Community Strategic Plan 2030**

Yes, the planning proposal is consistent with the MyCoffs Community Strategic Plan (CSP). The 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, and for each objective there are a number of strategies to assist in achieving the objectives. The planning proposal is generally consistent with the following relevant objectives and strategies within the CSP:

Objective	Strategy
<i>Liveable Neighbourhoods with a Defined Identity</i>	C1.1 We create liveable places that are beautiful and appealing
	C1.2 We undertake development that is environmentally, socially and economically responsible

### **Coffs Harbour Local Growth Management Strategy 2020**

Yes, the Planning Proposal is consistent with the Coffs Harbour Local Growth Management Strategy 2020 (LGMS).

The LGMS seeks to provide a coordinated, strategic and planned approach to cater for growth to 2040, and has been adopted by Council and the Department of Planning and Environment (DPE).

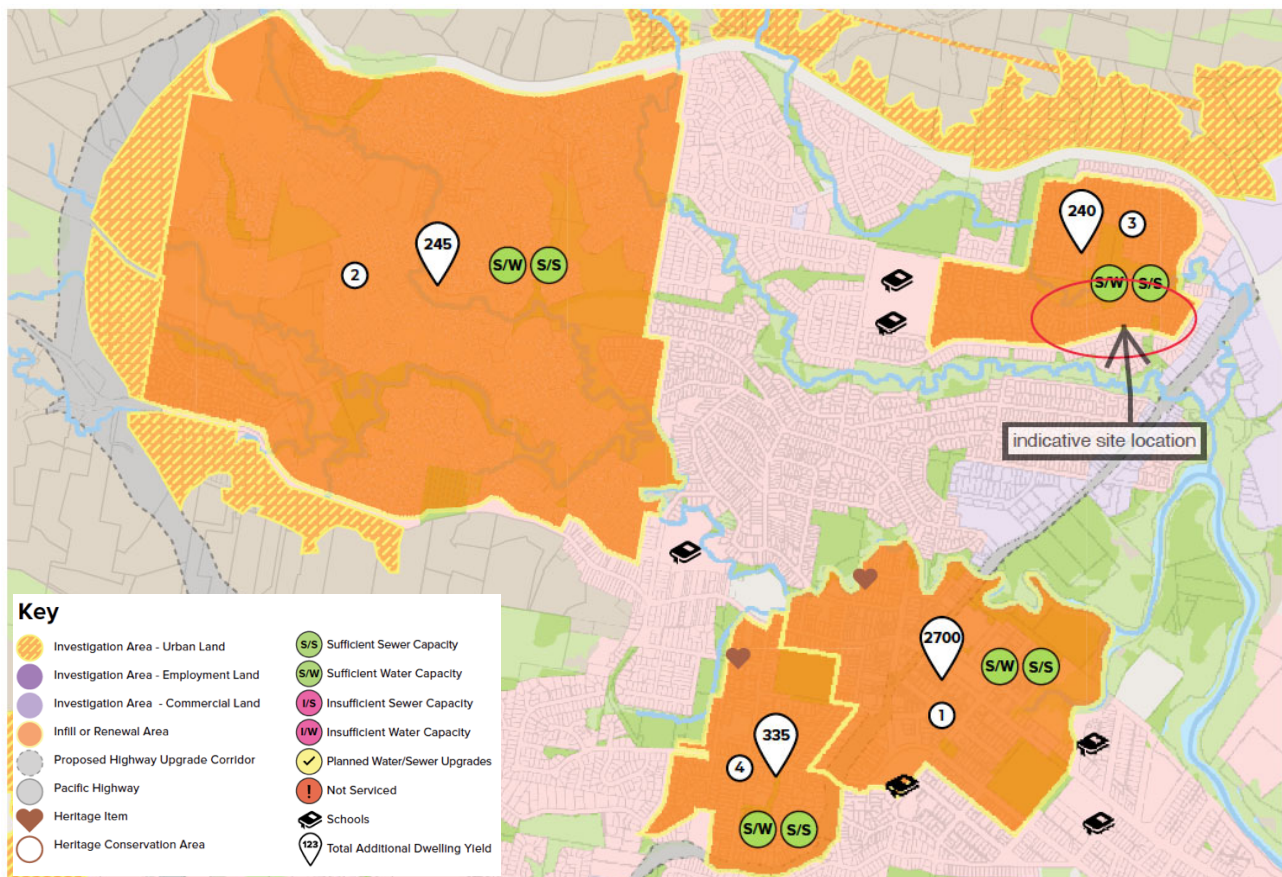
Chapter 4 of the LGMS sets out a Compact City Growth Model to maximise environmental, social and economic sustainability. This is underpinned by strategies of consolidating the existing urban footprint making better use of land resources in greenfield investigation areas.

One of the key objectives of the Compact City Program is to promote appropriate infill development and renewal in targeted locations to offer greater housing choice. The precinct forms part of the West and Central Coffs infill areas shown in Figure 15 below. The principles for these areas are:



- Deliver housing diversity and choice
- Deliver high quality infill and renewal development to reinforce a sense of place
- Strengthen walkability and connectivity with engaging ground floor developments
- Support economic and social functions of centres.

The precinct is located within the Bray Street Infill Area which is identified as having potential to accommodate approximately 240 new dwellings and is identified as having adequate sewer and water servicing capacity.



**Figure 15** Coffs Harbour Local Growth Management Strategy – West and Central Coffs Infill Areas

Chapter 7 of the LGMS (which is yet to be adopted by DPE) applies to residential land and includes the following objectives and actions which are of key relevance to the precinct:

- Encourage housing diversity by delivering 40 per cent of new housing in the form of dual occupancies, apartments, townhouses, villas or dwellings on lots less than 400 square metres by 2036.
- Review the minimum lot size applicable to dual occupancies in Zone R2 Low Density Residential zone and amend local planning controls as required, to facilitate infill development.

This Planning Proposal will support the implementation of the LGMS through the rezoning of part of the Bray Street Infill Area to accommodate greater housing diversity and choice including low rise apartments and low rise medium density housing such as dual occupancies. The proposal to remove the minimum lot size which currently applies under the Coffs Harbour LEP to dual occupancies is also directly consistent with the action highlighted above.

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

The table provided in Appendix 1 provides an assessment of consistency against each State Environmental Planning Policy relevant to the planning proposal.

**7. Is the planning proposal consistent with applicable Ministerial Directions (s9.1 Directions)?**

The table provided in Appendix 2 provides an assessment of consistency against Ministerial Planning Directions relevant to the planning proposal.

**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?**

A Flora and Fauna Assessment (Appendix 7) has been carried out which identified that the majority of the land within the study area consisted of buildings or exotic grass (3.49 ha), planted native and exotic vegetation (0.83 ha) with small areas of native vegetation in low condition (0.13 ha). No threatened ecological communities were found in the study area, nor were any hollow bearing trees located or threatened species observed within the field assessment. The Flora and Fauna Assessment mapped ecological values within and adjacent to the precinct, with the most significant areas being located along the interface with the vegetated riparian corridors in the northern and southern parts of the precinct.

The planning proposal seeks to locate all housing renewal outside the areas identified as a high ecological constraint and almost entirely outside areas identified as moderate housing constraint. This approach is reflected in the areas where the zones and planning controls are proposed to be amended.

Accordingly, it is not considered that critical habitat or threatened species, populations or ecological communities, or their habitats would be adversely affected as a result of the proposal. Any impacts on biodiversity values would need to be further assessed at development application stage.

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

***Local character and amenity impacts***

The proposal seeks to facilitate the redevelopment of an existing low density residential area for a mix of two storey dual occupancy housing and low rise apartment buildings of up to four storeys. Whilst this is a significant change from the existing typically single storey dwellings on large lots, the proposed residential typologies have been carefully chosen to provide a level of compatibility with the surrounding area and to ensure an appropriate transition to surrounding single dwellings. Further, site specific development controls will be developed to support the existing controls in Coffs Harbour DCP 2015 which will guide future development and ensure that future development complements and enhances local character.

There is also potential for Council to explore streetscape and open space upgrades within the site including open space embellishment, street tree planting and provision of footpaths which will enhance the appearance and pedestrian amenity in the area. A contributions plan for the precinct is proposed to be prepared which will likely identify footpath and streetscape upgrade works.

## **Flooding**

Parts of the precinct are subject to flooding during flood events including the 1 in 100-year flood and probable maximum flood (PMF). Roads that provide access to the precinct (Bray Street and Pacific Highway) are also subject to flooding which limits safe evacuation from the precinct.

During a 1 in 100-year flood event, land within the precinct to the west of Bradley Street and between Kurrajong Street and Argyll Street is typically not flood effected. During this flood event access to the precinct is affected with flooding of the road network along Kurrajong Street, Argyll Street and Elm Street which has potential to limit safe evacuation to surrounding areas. The PMF flood event impacts on the majority of the site with the exception of some lots fronting Fredrick Street at the western edge of the site, however the PMF is typically only around 0.5-0.6 metres above the 1 in 100-year flood in most areas. Figures showing extent of flooding are included in the Background section of this planning proposal and in the Urban Design Report (Appendix 4) and flood reports (Appendix 5).

Flood events within the area are typically of a short duration meaning that flood waters can rise quickly but also recede quickly. The flood hazards on the site are outlined in further detail in the constraints analysis in the Background section of this report and in the Flood Risk Assessment and Flood Impact Assessment at Appendix 5.

Given the flood affectation within the site and the potential issues around safe evacuation the proposal takes a conservative approach to managing flooding as outlined below:

- Areas proposed to be rezoned to R3 Medium Density Housing are located typically within areas not impacted by the 1 in 100-year flood level.
- All future habitable floor levels would be raised above the probable maximum flood level to ensure that residents can refuge in place during all flood events up to the probable maximum flood level.
- Dual occupancies would be limited to areas where the habitable ground floor level would not need to be raised by more than around 1.5 metres to be above the probable maximum flood level.

The flood modelling undertaken indicates that some dual occupancies within the precinct which would be required to be raised above the probable maximum flood would need to have voids underneath the ground floor level to allow to ensure overland flow paths to be maintained. This would be addressed at DA stage and a site specific DCP provision is proposed to ensure this is a matter for consideration.

The contents of this planning proposal is informed by a Flood Risk Assessment and Flood Impact Assessment that is included at Appendix 5. Flood modelling of a range of growth scenarios, including the indicative growth scenario, has been undertaken in the Flood Impact Assessment. The assessment concluded that the planning proposal will not result in significant flood impacts to other properties in the 1% AEP flood (1 in 100-year flood) which is adopted for flood planning purposes.

The approach outlined is consistent with the NSW Government Policy *Considering Flooding in Land Use Planning* (DPE July 2021). The policy outlines that flood planning areas are to be defined by Council's in their DCPs to guide development in flood prone lands. The policy also allows for the implementation of special flood considerations in areas outside the flood planning area (but below the probable maximum flood level) on land that, in the event of a flood, may cause a particular risk to life and require the evacuation of people or other safety considerations. In particular, it highlights that these may apply where vertical evacuation for short duration flooding is required such as where the rate of rise of floodwater prohibits safe evacuation from the land. The policy allows for special flood considerations to be implemented through an optional clause in the standard LEP (Clause 5.22



of the Standard LEP). It also recommends that where the LEP clause is adopted it is complemented by relevant special flooding considerations in the DCP.

Accordingly, this planning proposal seeks to include Clause 5.22 of the Standard LEP in Coffs Harbour LEP 2013 and apply this clause to the precinct. It is noted that Council resolved in October 2021 to include Clause 5.22 in the Coffs Harbour LEP 2013, and that this will be implemented by the NSW Department of Planning and Environment through an amending SEPP. Clause 5.22 will be applied to the site by its inclusion on the Special Flood Consideration map that is being prepared by Council to identify land to which Clause 5.22 applies. This map will sit alongside existing flood mapping outside the LEP framework. Inclusion of Clause 5.22 in Coffs Harbour LEP 2013 will be undertaken by the Department of Planning and Environment or as part of this planning proposal process, whichever occurs first. Corresponding site-specific controls in Coffs Harbour DCP 2015 are also proposed, including the following:

- All habitable floor levels to be above the probable maximum flood level.
- Raising of floor levels is to ensure a good urban design and accessibility outcome with ground floor levels not typically raised more than 1 to 1.5m above ground level.
- Future development within the site to demonstrate that an appropriate level of flood conveyance will be maintained for any overland flow path.

The approach outlined above will ensure that flood hazard and flood evacuation can be appropriately managed whilst allowing for renewal and housing growth within the precinct.

### **Bushfire**

A Bushfire Assessment (Appendix 6) has been prepared to support the planning proposal. The bushfire assessment identifies asset protection zones (APZs) to comply with *Planning for Bushfire Protection 2019*, including a maximum 25m residential asset protection zone to the tree line along the creek corridors to the north and south of the site. It also recommends a larger APZ for Special Fire Planning Purposes which includes more vulnerable uses, however these do not apply to standard residential uses such as those envisaged under the planning proposal. The Bushfire Assessment makes the following recommendations:

- Some lots are constrained by the APZ requirements and therefore the ability for these lots to meet the requirements of *Planning for Bushfire Protection 2019* is restricted.
- Perimeter roads between any future development and the identified bushfire hazard(s) is a requirement of *Planning for Bushfire Protection 2019*, however, the opportunity of negotiating a different outcome with NSW Rural Fire Service maybe feasible further along the planning process.
- Multi storey development if proposed should be located away from the hazard interface.
- The provision of services will need to demonstrate compliance with *Planning for Bushfire Protection 2019* requirements.

The proposal has responded to the recommendations of the bushfire assessment by locating future development outside the residential bushfire asset protection zone. Most areas proposed for renewal already have perimeter roads as part of the existing road network. Where this is not the case in areas on the peripheries of the site, the provision of perimeter access will need to be determined at development application stage to meet the requirements of *Planning for Bushfire Protection 2019*.

### **Traffic and transport**

A Traffic and Transport Assessment has been prepared to support the Planning Proposal (Appendix 8).

Traffic modelling based on the indicative growth scenario concluded that the proposal is expected to have minimal impacts to the operation of intersections in the surrounding road network in 2033 as summarised below:

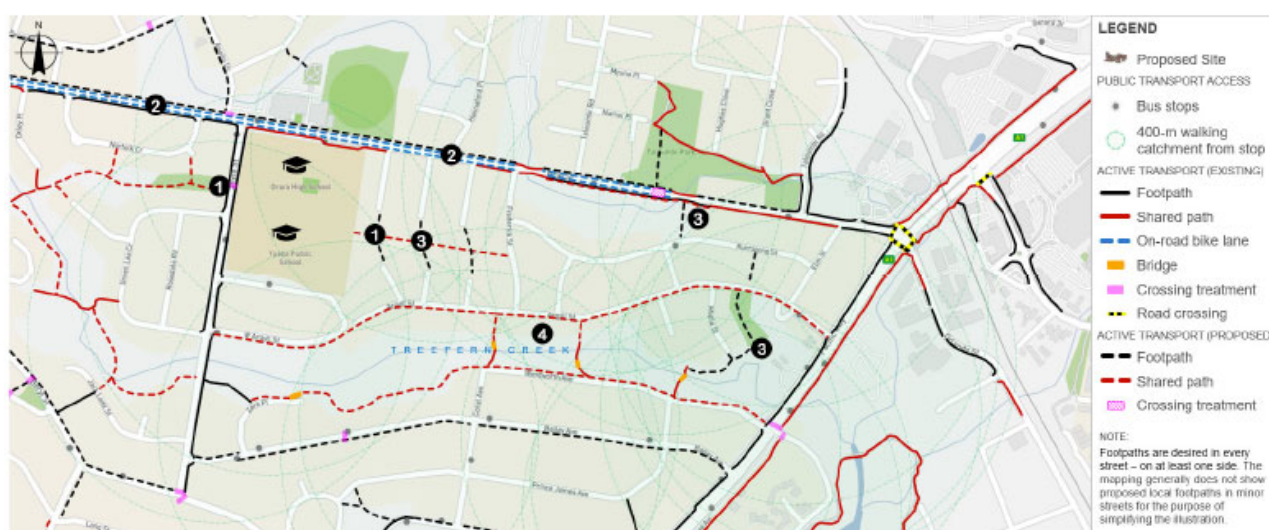
- The intersections along the Pacific Highway and Bray Street are expected to operate with lower average delays in 2033, which is associated with the expected decrease in traffic related to the implementation of the proposed Coffs Harbour Bypass.
- The operation of the Bray Street / Pacific Highway / Orlando Street intersection is expected to improve during PM peak, from LoS F in 2027 to an acceptable LoS D in 2033 for both the “without” and “with” development scenarios.
- The Argyll Street / Pacific Highway intersection is expected to continue to operate at LoS F during AM and PM peak periods for both the “without” and “with” development scenarios in 2033. However, the critical movements along the Pacific Highway at this intersection are expected to operate satisfactorily. Additionally, an alternative access to the Pacific Highway is provided via the nearby signalised intersection of Bray Street / Pacific Highway, which, is noted to operate with an acceptable LoS D or better during peak periods in 2033.
- All other intersections are expected to operate with an acceptable LoS (i.e. better than LoS E) during the weekday morning and weekday evening peak periods.

Potential traffic calming measures are also outlined in the Traffic and Transport Assessment to maintain safety and amenity.

The Traffic and Transport Assessment gave consideration to the potential to enhance public and active transport use through improved connections to public transport and other key destinations within and surrounding the site. Potential links shown in figure 16 below would provide the following walking and cycling connections:

- Kurrajong Street to Bray Street / Taloumbi Street Park.
- Between Argyll Street and Wentworth Ave (south of Treefern Creek).
- Connections within the precinct.

These linkages will be investigated further during preparation of a local contributions plan for the precinct.



**Figure 15** Active and public transport movement strategies (GHD 2022)

The Traffic and Transport Assessment also highlighted the potential for Council to reduce the parking rates for the precinct to further encourage travel by sustainable transport modes, including walking,

cycling and public transport. This will be further considered through the preparation of the site specific DCP controls.

The Traffic and Transport Assessment concluded that the proposal satisfies the planning requirements on traffic engineering grounds and is not anticipated to have adverse traffic impacts on the surrounding road network.

### **Acoustic**

An Acoustic Study has been prepared to inform the planning proposal (Appendix 9) which included a road traffic noise assessment to consider the impacts of the surrounding road network.

The assessment concluded that all lots could achieve the relevant internal noise criteria with standard construction techniques with either windows opened, or in some locations with windows closed. This was with the exception of lots along Bray Street which were identified as requiring non-standard construction with windows closed. The assessment concluded that external road traffic noise intrusion would not preclude residential development across the Argyll Estate precinct nor would particularly onerous construction be required to reduce internal future road traffic levels to acceptable levels.

It recommended that a detailed assessment of proposed buildings requiring windows and doors closed and/or non-standard construction should be undertaken at development application stage once the proposed building form and internal layout is known.

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

### **Economic impact**

The planning proposal is expected to have a positive economic impact through the generation of construction jobs in the short term and housing supply, including new social housing, in the longer term. Housing growth in the local area will also deliver economic benefits to surrounding retail and commercial centres, whilst being a catalyst to further renewal of the surrounding area.

### **Social impact**

The Planning Proposal is expected to provide a positive social impact through the delivery of high quality contemporary dwellings providing increased housing supply, including new social housing, within an accessible location. Housing projects delivered through the Future Directions in Social Housing policy will have a target of 30% social housing, creating integrated and inclusive communities with more opportunities to move beyond social housing.

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

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

Yes. The site is located within an existing urban area that is currently provided with necessary infrastructure. It is also located within close proximity to a range of public services and facilities which reflects its identification in the Coffs Harbour Local Growth Management Strategy as an area suitable for renewal. Adequate reticulated water and sewer capacity is available to service future development possible under this planning proposal. The Traffic and Transport assessment (Appendix 8) has found that roads and intersections in the area are suitable to accommodate expected growth in traffic.

The Urban Design Report carried out to inform this planning proposal has assessed the supply of open space and community facilities that exists in the area and assessed this against the demand that would be generated by the housing growth envisaged under this proposal; a summary of the findings is provided below.

### **Open space**

The open space needs of the future population envisaged under the planning proposal has been considered against the Draft Greener Places Design Guide which was prepared by the NSW Government Architect in 2020. The Guide establishes the following open space criteria which are relevant to the site:

- Local access: within 5 minutes walk / 400m walking distance to a local park for medium density to low density areas < 60 dwellings per hectare
- Minimum local park size: 5,000sqm for medium to low density areas
- District access: 25 minutes walk / 2km proximity to a district park
- Regional access: up to 30 minutes travel time by public transport or by vehicle to regional open space.

The precinct is located within proximity of a number of parks including:

- A district scale park to the north of Bray Street (approximately 3ha) which includes active and passive open space and a playground.
- The Kurrajong-Argyll Street local park (approximately 2,385sqm) which includes seating, trees and a small playground.

Additional unembellished zoned open space is also located within and adjacent to the precinct including a 4,500sqm area to the south of Kurrajong-Argyll Street local park and a 1,300sqm area on the south side of Argyll Street within the western portion of the precinct. Both areas connect to the riparian open space corridors and are largely unembellished. They have potential to offer passive recreation opportunities.

An analysis of the existing local open space network and the recommended embellishments demonstrates that almost all of the precinct can achieve the local open space accessibility criteria of the draft Greener Places Design Guide. Only a small area of the precinct is outside the 400m walking catchment of a local park of 5,000sqm or greater. However, the renewal proposed on these parts of the precinct is only just beyond the 400m walking catchment and would be within around 200m walking distance of the smaller 1,300sqm Argyll Street open space as well as riparian open space which would complement the wider local open space network. District open space located adjacent to the PCYC is located within 1km of all parts of the precinct exceeding the criteria of the 2km under the Draft Greener Places Design Guide. A range of regional open space is located within the wider Coffs Harbour area which is accessible within a 30 minute travel time of the site consistent with the criteria outlined in the Guide. Existing open space and distance to the precinct is shown in Figure 16 below.

On the basis of the analysis provided it is considered that an appropriate level of access to open space can be provided to support the proposal. Further development and embellishment of open space will be investigated further during preparation of a local infrastructure contributions plan for the area.

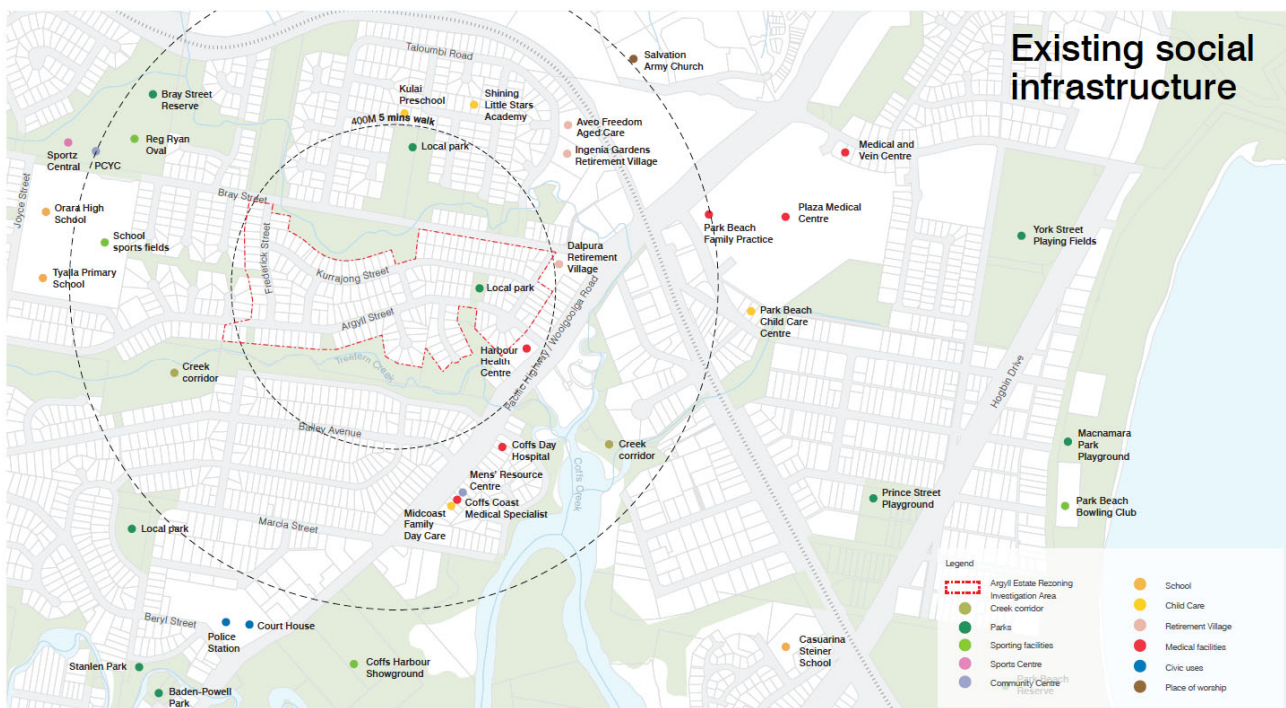




**Figure 16** Access to open space (Source: Argyll Estate Renewal- Urban Design Report, Architectus 2022)

### Community facilities

Whilst no community facilities are located within the precinct, a range of facilities are located within an accessible catchment of 800m to 1km including local primary and high schools, child care centres and preschools, medical facilities, and indoor recreation facilities. These are mapped in Figure 17 below.



**Figure 17** Existing community facilities (Source: Coffs Harbour Council 2021)

The demand for community facilities generated by the likely future population within the site has been considered against the benchmarks and standards for provision of community facilities outlined in the Coffs Harbour Community and Cultural Facilities Plan 2021-2031 (see below).

Facility or Service	Catchment level	Facility type / Size	Proposed Population Benchmark
Community	Local	Meeting space small	Up to 5,000
	District	Meeting space medium-large	Up to 10,000
		Multipurpose community hub	Up to 20,000
Cultural	Regional	Art Gallery	Up to 100,000
		Museum	Up to 100,000
	District	Art and Cultural Space	Up to 30,000
Performance	Regional	Auditorium	Up to 100,000
Library	District	Branch Library	Up to 15,000
	Regional	Specialist services	Up to 30,000
Targeted support (e.g. Youth, aged, CALD)	District	Drop in, welfare, programs	Up to 15,000

**Indicative benchmarks and provision standards** (Source: Coffs Harbour Council 2021)

The proposal is likely to generate around 263 additional dwellings. The Coffs Harbour Local Growth Management Strategy references a current household size of 2.43 people per dwelling, and estimates that this will reduce to 2.28 by 2040. Based on the current household size, the precinct could accommodate an additional population of around 640, with this reducing to around 600 based on 2040 projections. The total future population of the precinct would be up to around 1,100 residents. It is likely that the actual population may be even lower noting the smaller dwelling types to be delivered within the precinct, and the smaller household sizes currently located in social housing within the precinct. On this basis the proposal is well below the population benchmark to generate demand for additional community facilities as per Council's benchmarks.

The proposal will also generate additional demand for community facilities delivered by the State Government including schools, emergency services and hospitals. Again, the small population growth resulting from the planning proposal would not generate demand for additional facilities. Accordingly, it is considered there is adequate community facilities within the wider area to support the planning proposal, subject to ongoing capacity and service delivery planning by local and State government.

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

Consultation has been carried out with the Department of Planning and Environment, Floodplain Management Division. The following advice was provided regarding the proposal:

- The Floodplain Management Guideline takes a merits based approach which avoids sterilising land where possible.
- Where increased development density is proposed flood risks are considered to be increased and this should be taken into consideration.
- Any future development should consider the implications of the 1 in 100 year flood level with climate change impacts.
- The potential for development to block flow paths should be considered, particularly any impacts on the flow path between Kurrajong and Argyll streets.
- A shelter in place strategy is a valid response in Coffs Harbour given the short duration of flood events. Where there is flooding of the road network a shelter in place strategy is safer.

The proposal adopts a shelter in place strategy which is consistent with the advice received from Floodplain Management Division. The proposal also takes into consideration the need to maintain flow paths to avoid exacerbating offsite flood impacts. This has resulted in a requirement for some dual occupancies to have a void below the habitable flood level.

Consultation has also been carried out with Transport for NSW to discuss modelling inputs from the Coffs Harbour Bypass to inform the Traffic and Transport Assessment.

On 23 June 2022 a gateway determination was issued by NSW Department of Planning and Environment which includes a condition that Council consult with the following public authorities and government agencies:

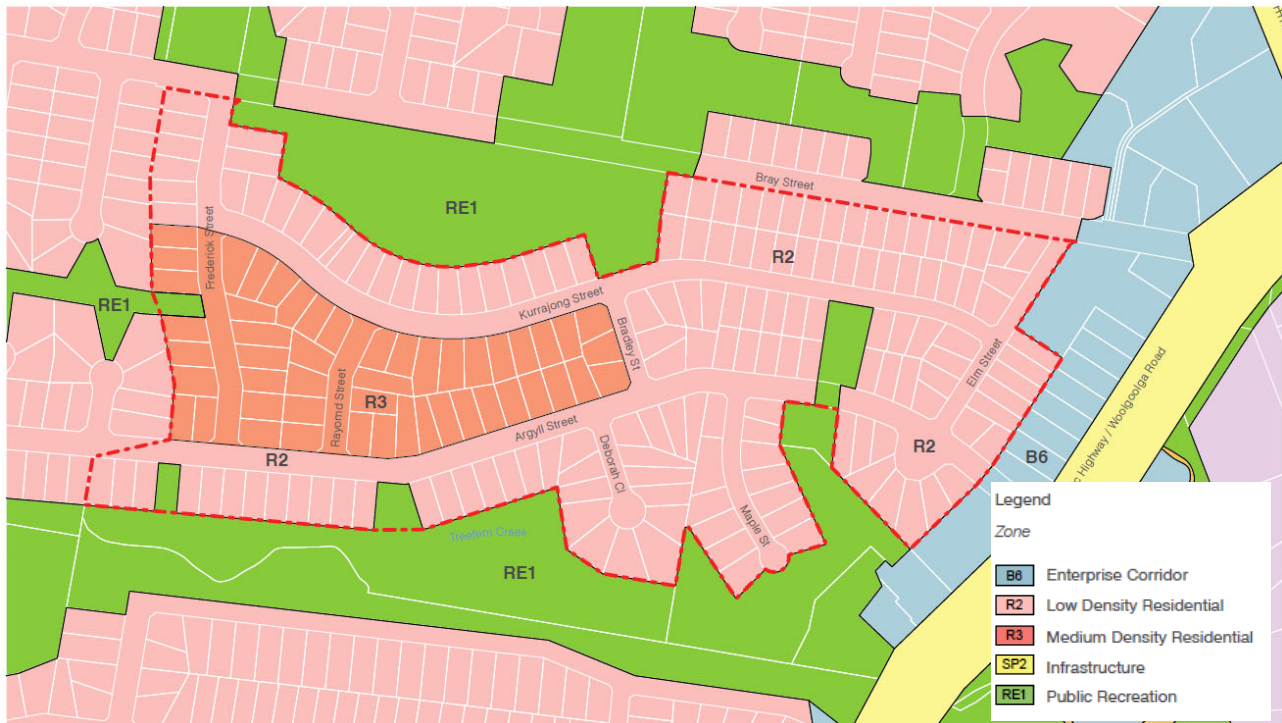
- Coffs Harbour and District Local Aboriginal Land Council
- Transport for NSW
- NSW Rural Fire Service
- Department of Planning and Environment- Floodplain Management Division
- Department of Planning and Environment- Biodiversity Conservation Division
- State Emergency Service
- NSW Health
- NSW Department of Education

Consultation will be undertaken with these agencies and authorities.

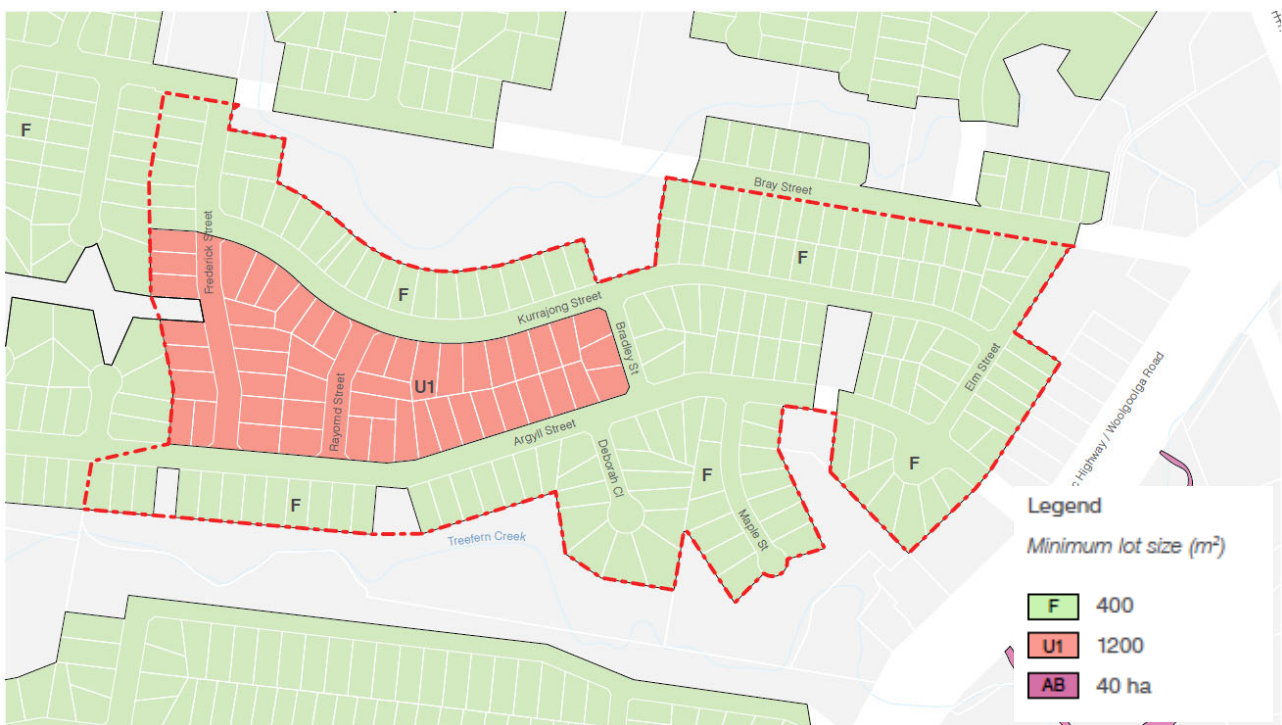


## PART 4 – MAPPING

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



**Proposed land zoning map**

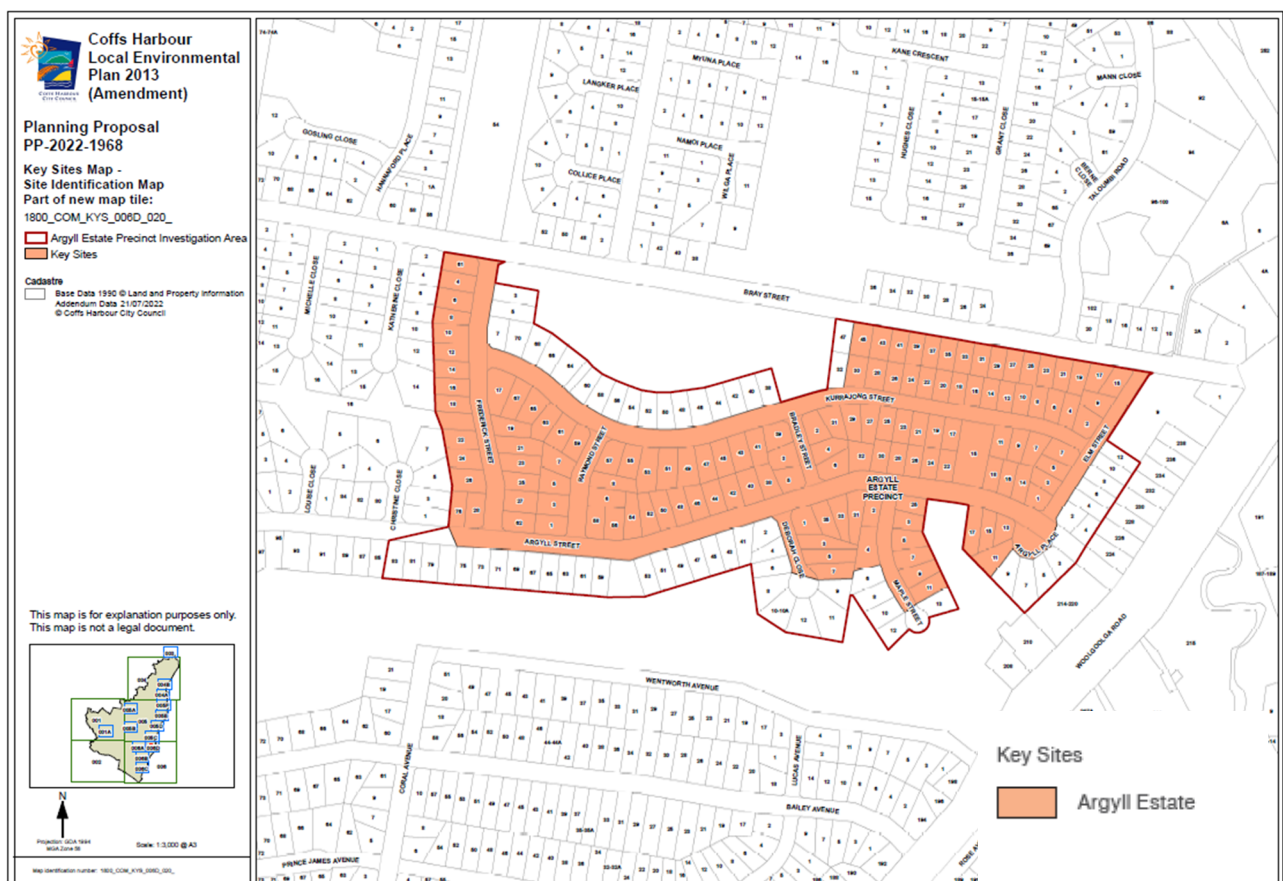


**Proposed minimum lot size map**





Proposed height of buildings map



Proposed key sites map

## PART 5 – COMMUNITY CONSULTATION

### **Pre-gateway consultation**

Consultation with the community and stakeholders has been carried out as part of the investigation of the suitability of the precinct to accommodate redevelopment in the form of medium density development. The consultation undertaken and feedback received are outlined in detail in the Consultation Outcomes Report at Appendix 10.

The following stakeholder groups were consulted through online and face to face briefings and email correspondence which sought to provide further information about the proposal and opportunities for feedback to the project team:

- Aboriginal Housing Office
- Coffs Harbour and District Local Aboriginal Land Council
- Community Housing Providers managing properties in the investigation area - Mission Australia Housing and Community Housing Limited
- Yandaarra Aboriginal Advisory Committee
- Coffs Coast Housing Partnership
- District Homelessness Implementation Group
- Orara High School
- Shelter NSW
- Garlambirla Guuyu-Girrwa Elders' Group

These groups were generally supportive of the proposal and sought further information as the project progresses around the proposed renewal of the site as well as social housing provision/mix and relocation implications for existing social housing residents. Other key planning issues that were raised related to the management of flood hazard, accessibility to local destinations, sustainable development and retention of trees and open spaces. These matters have been key considerations in the preparation of the planning proposal.

Consultation was also carried out with local residents and land owners and the general community through letter box drops, social media updates, a project telephone line and email address, media release, interactive project webpage and community drop-in sessions. The community drop-in sessions were attended by 32 local residents at the Coffs Harbour PCYC on Bray Street and were held as follows:

- Saturday 26 February 2022: 11am – 1pm
- Tuesday 1 March 2022: Cancelled due to extreme weather however a LAHC project team member was in attendance during the scheduled time (3pm until 5.30pm) to speak with residents and record feedback.

Community members were asked to provide feedback around six key themes. Those themes and feedback received are shown in the table below.

Issue raised	Consideration
<b>1. Culture and heritage</b>	
Concerns raised about the potential relocations and the process and timing of future redevelopments.	Management of relocations and support for community cohesion will be a key consideration for LAHC and relevant community housing providers through the delivery of the project.

Issue raised	Consideration
	<p>Further information about the process and timing for renewal of the site and relocations will be undertaken by LAHC as the project progresses.</p> <p>Relocation of social housing residents is not a matter for consideration for the planning proposal.</p>
<ul style="list-style-type: none"> <li>• Strength of local community, including Aboriginal residents.</li> <li>• Strong community ties should not be broken, and people should not be forced to move away from the area.</li> <li>• New residents could negatively impact on the social culture of the neighbourhood.</li> </ul>	<p>Management of relocations and support for community cohesion will be a key consideration for LAHC and relevant community housing providers through the delivery of the project.</p> <p>Relocation of social housing residents is not a matter for consideration for the planning proposal.</p>
<b>2. Community facilities and opens spaces</b>	
Enjoyment of local bushland and waterways, and need for safe and secure access	Further development of walking paths in open space will be examined during preparation of a local infrastructure contributions plan for the area.
Ecological impacts, including area's role as a koala corridor	This is addressed in the Flora and Fauna Assessment with proposed growth located outside areas of koala habitat and other native vegetation.
Water quality of local waterways	Renewal of the site has potential to enhance water quality through improved stormwater management measures.
Local parks to be kept and improved, with more activities for at local park for children and young people and community gardens, seating, dog parks and skate parks.	All local parks are proposed to be retained. Further development and/or embellishment of open space will be examined during preparation of a local infrastructure contributions plan for the area.
Capacity of water, sewer, stormwater, electricity networks	Council's Local Growth Management Strategy identifies that the Bray Street Infill Area has sewer and water capacity to support infill growth. Where necessary, utility infrastructure will be required to be upgraded to support future development.
Impact on capacity of local schools	Consultation will be carried out with Department of Education and the local schools to inform their infrastructure planning.
Other areas are better suited to development of housing	The site is identified in the Local Growth Management Strategy as an area potentially suitable for infill development. This is on the basis of its location in proximity to services and facilities.
<b>3. Important places in the neighbourhood</b>	
Importance of private gardens	The site will support a range of new dwellings types including dual occupancies with private gardens and apartment with private open space provided through

Issue raised	Consideration
	balconies or terraces and communal open space at ground level.
Maintenance of social housing	<p>The proposal will allow for renewal of aging social housing with new high quality housing.</p> <p>Maintenance of existing social housing is not a matter for consideration for the planning proposal.</p>
Proximity and views to local environment	The site will maintain and enhance access to the local bushland and environmental features. The scale of future development is limited to low rise dual occupancy development and apartments up to four storeys, which would not significantly impact on views to the local environment.

#### 4. Getting around the neighbourhood

Traffic congestion on Bray Street	<p>This is addressed in the Traffic and Transport Assessment which highlights that the intersections with Bray Street within the vicinity of the site are currently operating at a Level of Service A and B meaning they operate well and have spare capacity.</p> <p>This level of operation would not be reduced as a result of the proposed development, with some intersection operation improving over this time which is associated with the expected decrease in traffic related to the implementation of the proposed Coffs Harbour Bypass.</p>
Vehicle speeds along Argyll Street	A number of traffic calming measures are proposed in the Traffic and Transport Assessment which could be considered by Council to manage vehicle speeds and improve pedestrian safety and amenity along Argyll Street.
Need for footpaths, cycle paths, street trees, pavement upgrades	Opportunities for street upgrades including footpaths and street tree planting will be examined during preparation of a local contributions plan.
Need for a pedestrian crossing on Bray Street	The need for a new pedestrian crossing of Bray Street will be examined during preparation of a local contributions plan.
Good public transport but limited bus shelters	This is outside the scope of the planning proposal, however increased growth in the precinct is likely to support the provision of improved public transport infrastructure.



Issue raised	Consideration
<b>5. Different types of housing</b>	
Some social housing residents expressed a preference for their existing homes with a private yard.	The model for renewal of existing social housing is not a matter for consideration for the planning proposal.
Some private residents expressed concern over potential impacts from multi-storey dwellings being built on adjacent properties.	<p>The area proposed to be included in Zone R3 Medium Density Residential has been limited to the land between Argyll and Kurrajong Street west of Bradley Street. The maximum building height in this area is proposed to be 15.5 metres which will allow buildings up to 4 storeys.</p> <p>There are existing building controls in Coffs Harbour DCP 2015 and the SEPP Housing which are intended to ensure new buildings are in keeping with the character of the local area and do not create privacy or amenity issues. Site specific development controls will be prepared to further ensure new buildings are compatible with their surroundings.</p>
Some residents felt that apartment blocks were not compatible with the character of the area.	<p>The area proposed to be included in Zone R3 Medium Density Residential has been limited to the land between Argyll and Kurrajong Street west of Bradley Street. The maximum building height in this area is proposed to be 15.5 metres which will allow buildings up to 4 storeys.</p> <p>There are existing building controls in Coffs Harbour DCP 2015 and the SEPP Housing which are intended to ensure new buildings are in keeping with the character of the local area. Site specific development controls will be prepared to further ensure new buildings are compatible with their surroundings.</p>
Some residents requested consideration of need for car parking in new development	The Traffic and Transport Study carried out for the planning proposal noted the opportunity to reduce parking rates in the precinct, given its proximity to nearby services and facilities. Provision of car parking will be considered during preparation of site-specific Development Control Plan provisions along with consideration of upgrades to active travel infrastructure as part of development of local contributions plan.
Some residents requested consideration of need for communal areas in new development	The need for communal areas is something that is best determined by developers of future new housing however, the need for controls to mandate communal space will be considered during preparation of site-specific Development Control Plan.
<b>6. Flooding and stormwater management</b>	
Residents shared their experiences of previous flood events	Understanding the flood risks and hazards of the area has been a key consideration in the preparation of the planning proposal.

Issue raised	Consideration
Residents outlined the impacts of flooding on their properties and the area	Understanding the impacts of flooding in the area has been a key consideration in the preparation of the planning proposal.
Some residents felt that a build-up of sediment and rubbish in creeks exacerbates flooding	Maintenance of watercourses is not a matter for consideration for the planning proposal.
Some residents felt that grass clippings and loose bitumen were blocking drains thereby preventing stormwater getting to creeks	Maintenance of roads and drainage is not a matter for consideration for the planning proposal.

**Table 3** Consideration of issues raised during community and stakeholder consultation

### **Formal public exhibition**

The gateway determination issued by the NSW Department of Planning and Environment includes a condition that public exhibition of the planning proposal is carried out for a minimum of 20 working days. Whilst subject to the conditions of any gateway determination, public exhibition of the planning proposal will likely include the following:

#### **1. Advertisement**

Placement of an online advertisement in the Coffs Newsroom.

#### **2. Consultation with affected landowners**

Written notification of the public exhibition to landowners.

#### **3. Website**

The planning proposal will be made publicly available on Council's Have Your Say Website at: <https://haveyoursay.coffsharbour.nsw.gov.au/>

Additional targeted consultation with residents of the precinct and other stakeholders is proposed to be undertaken during the public exhibition stage. The nature and extent of this consultation is yet to be determined.

*Note: Following public exhibition, this section of the planning proposal will be updated to include details of the community consultation.*

## PART 6 –PROJECT TIMELINE

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The gateway determination issued by the NSW Department of Planning and Environment specifies that the planning proposal is to be completed within 6 months of the date of the gateway determination, which is 23 December 2022. The anticipated timeframes to achieve the various milestones in the process are provided below in Table 4.

**Table 4** Anticipated timeframes

Milestone	Anticipated timeframe
Commencement (date of gateway determination)	23 June 2022
Public exhibition & agency consultation	August-September 2022
Consideration of submissions	October 2022
Reporting to Council for consideration	October 2022
Submission to Minister to make the plan	November 2022

## APPENDIX 1 – CONSIDERATION OF STATE ENVIRONMENTAL PLANNING POLICIES

State Environmental Planning Policy	Relevant Chapter	Applicable	Consistent	Comment
State Environmental Planning Policy (Biodiversity and Conservation) 2021	Chapter 2 - Vegetation in Non-Rural Areas	N/A	N/A	<p>The aims of this chapter of the Policy are:</p> <ul style="list-style-type: none"> <li>a) to protect the biodiversity values of trees and other vegetation in non-rural areas of the State, and</li> <li>b) to preserve the amenity of non-rural areas of the State through the preservation of trees and other vegetation.</li> </ul> <p>The proposed LEP amendment does not contain provisions that contradict or hinder the application of this chapter of the SEPP.</p> <p>This Chapter of the SEPP includes controls relating to clearing of native vegetation. The Planning Proposal locates housing growth outside of areas of significant native vegetation.</p>
	Chapter 3 - Koala Habitat Protection 2020	N/A	N/A	<p>The aims of this chapter of the Policy are to encourage the proper conservation and management of areas of natural vegetation that provide habitat for koalas to ensure a permanent free-living population over their present range and reverse the current trend of koala population decline:</p> <ul style="list-style-type: none"> <li>a) by requiring the preparation of plans of management before development consent can be granted in relation to areas of core koala habitat, and</li> <li>b) by encouraging the identification of areas of core koala habitat, and</li> <li>c) by encouraging the inclusion of areas of core koala habitat in environment protection zones.</li> </ul> <p>The proposed LEP amendment does not contain provisions that contradict or hinder the application of this chapter of the SEPP.</p>
	Chapter 4 - Koala Habitat Protection 2021	Yes	Yes	<p>The aims of this chapter of the Policy are to encourage the conservation and management of areas of natural vegetation that provide habitat for koalas to support a permanent free-living population over their present range and reverse the current trend of koala population decline.</p>



State Environmental Planning Policy	Relevant Chapter	Applicable	Consistent	Comment
				<p>This Chapter applies to land in the Coffs Harbour LGA and requires any development application to be consistent with an approved Koala Plan of Management, in this case the <i>Coffs Harbour Comprehensive Koala Plan of Management</i>.</p> <p>The Ecological Assessment highlights that primary koala habitat is mapped in the <i>Coffs Harbour Comprehensive Koala Plan of Management</i>, within the northern and southern vegetation adjacent to the study area and small portions of the study area.</p> <p>The proposal avoids any proposed rezoning within areas of primary koala habitat.</p> <p>The Plan of Management also includes the following objective relating to land adjoining primary Koala Habitat:</p> <p><i>To minimise impacts on Primary Koala Habitat from development proposed on adjoining lands, particularly where such areas may contain scattered preferred koala trees, and to maintain opportunities for free movement of koalas between areas of habitat</i></p> <p>Any future development on the site will need to demonstrate compliance with the above objective and other relevant provisions of the Plan of Management.</p> <p>The proposed LEP amendment does not contain provisions that contradict or hinder the application of this chapter of the SEPP.</p>
	Chapter 6 – Bushland in Urban Areas	N/A	N/A	Coffs Harbour City Council is not listed in Schedule 1 of this policy and thus the policy does not apply to the Coffs Harbour LGA at this point in time.
	Chapter 7 – Canal Estate Development	N/A	N/A	<p>The aims of this chapter of the Policy are to prohibit canal estate development as described in this Policy in order to ensure that the environment is not adversely affected by the creation of new developments of this kind.</p> <p>The proposed LEP amendment does not contain provisions that contradict or</p>

State Environmental Planning Policy	Relevant Chapter	Applicable	Consistent	Comment
				hinder the application of this chapter of the SEPP.
<i>State Environmental Planning Policy (Exempt and Complying Development Codes) 2008</i>	N/A – this is a standalone State Environmental Planning Policy	N/A	N/A	<p>This Policy aims to provide streamlined assessment processes for development that complies with specified development standards by:</p> <ul style="list-style-type: none"> <li>a) providing exempt and complying development codes that have State-wide application, and</li> <li>b) identifying, in the exempt development codes, types of development that are of minimal environmental impact that may be carried out without the need for development consent, and</li> <li>c) identifying, in the complying development codes, types of complying development that may be carried out in accordance with a complying development certificate as defined in the Act, and</li> <li>d) enabling the progressive extension of the types of development in this Policy, and</li> <li>e) providing transitional arrangements for the introduction of the State-wide codes, including the amendment of other environmental planning instruments.</li> </ul> <p>The proposed LEP amendment does not contain provisions that contradict or hinder the application of this SEPP.</p>
<i>State Environmental Planning Policy (Housing) 2021</i>	N/A – this is a standalone State Environmental Planning Policy	N/A	N/A	<p>The principles of this Policy are:</p> <ul style="list-style-type: none"> <li>a) enabling the development of diverse housing types, including purpose-built rental housing,</li> <li>b) encouraging the development of housing that will meet the needs of more vulnerable members of the community, including very low to moderate income households, seniors and people with a disability,</li> <li>c) ensuring new housing development provides residents with a reasonable level of amenity, promoting the planning and delivery of housing in locations where it will make good use of existing and planned infrastructure and services,</li> <li>d) minimising adverse climate and environmental impacts of new housing development,</li> </ul>

State Environmental Planning Policy	Relevant Chapter	Applicable	Consistent	Comment
				<p>e) reinforcing the importance of designing housing in a way that reflects and enhances its locality,</p> <p>f) supporting short-term rental accommodation as a home-sharing activity and contributor to local economies, while managing the social and environmental impacts from this use,</p> <p>g) mitigating the loss of existing affordable rental housing.</p> <p>The proposed LEP amendment does not contain provisions that contradict or hinder the application of this SEPP.</p>
State Environmental Planning Policy (Industry and Employment) 2021	Chapter 3 - Advertising and Signage	N/A	N/A	<p>This aims of this chapter of the Policy are:</p> <p>a) to ensure that signage (including advertising):</p> <p>(i) is compatible with the desired amenity and visual character of an area, and</p> <p>(ii) provides effective communication in suitable locations, and</p> <p>(iii) is of high quality design and finish, and</p> <p>b) to regulate signage (but not content) under Part 4 of the Act, and</p> <p>c) to provide time-limited consents for the display of certain advertisements, and</p> <p>d) to regulate the display of advertisements in transport corridors, and</p> <p>e) to ensure that public benefits may be derived from advertising in and adjacent to transport corridors.</p> <p>This Policy does not regulate the content of signage and does not require consent for a change in the content of signage.</p> <p>The proposed LEP amendment does not contain provisions that contradict or hinder the application of this chapter of the SEPP.</p>
State Environmental Planning Policy (Planning Systems) 2021	Chapter 2 -State and Regional Development	N/A	N/A	<p>The aims of this chapter of the Policy are:</p> <p>a) to identify development that is State significant development,</p> <p>b) to identify development that is State significant infrastructure and critical State significant infrastructure,</p> <p>c) to identify development that is regionally significant development.</p> <p>The proposed LEP amendment does not contain provisions that contradict or</p>

State Environmental Planning Policy	Relevant Chapter	Applicable	Consistent	Comment
				hinder the application of this chapter of the SEPP.
	Chapter 3 - Aboriginal Land	N/A	N/A	This chapter of the SEPP only applies to the Central Coast LGA at this point in time.
	Chapter 4 - Concurrences and Consents	N/A	N/A	The proposed LEP amendment does not contain provisions that contradict or hinder the application of this chapter of the SEPP.
State Environmental Planning Policy (Precincts—Central River City) 2021	Chapter 6 -Urban Renewal	N/A	N/A	<p>The aims of this chapter of the Policy are to:</p> <ul style="list-style-type: none"> <li>a) to establish the process for assessing and identifying sites as urban renewal precincts,</li> <li>b) to facilitate the orderly and economic development and redevelopment of sites in and around urban renewal precincts,</li> <li>c) to facilitate delivery of the objectives of any applicable government State, regional or metropolitan strategies connected with the renewal of urban areas that are accessible by public transport.</li> </ul> <p>The proposed LEP amendment does not contain provisions that contradict or hinder the application of this chapter of the SEPP.</p>
State Environmental Planning Policy (Precincts—Eastern Harbour City) 2021	Chapter 2 -State Significant Precincts	N/A	N/A	<p>The aims of this chapter of the Policy are to:</p> <ul style="list-style-type: none"> <li>a) to facilitate the development, redevelopment or protection of important urban, coastal and regional sites of economic, environmental or social significance to the State so as to facilitate the orderly use, development or conservation of those State significant precincts for the benefit of the State,</li> <li>b) to facilitate service delivery outcomes for a range of public services and to provide for the development of major sites for a public purpose or redevelopment of major sites no longer appropriate or suitable for public purposes</li> </ul> <p>The proposed LEP amendment does not contain provisions that contradict or hinder the application of this chapter of the SEPP.</p>
State Environmental Planning Policy	Chapter 2 - Primary Production and	N/A	N/A	The aims of this chapter of the Policy are to:



State Environmental Planning Policy	Relevant Chapter	Applicable	Consistent	Comment
(Primary Production) 2021	Rural Development			<ul style="list-style-type: none"> <li>a) to facilitate the orderly economic use and development of lands for primary production,</li> <li>b) to reduce land use conflict and sterilisation of rural land by balancing primary production, residential development and the protection of native vegetation, biodiversity and water resources,</li> <li>c) to identify State significant agricultural land for the purpose of ensuring the ongoing viability of agriculture on that land, having regard to social, economic and environmental considerations,</li> <li>d) to simplify the regulatory process for smaller-scale low risk artificial waterbodies, and routine maintenance of artificial water supply or drainage, in irrigation areas and districts, and for routine and emergency work in irrigation areas and districts,</li> <li>e) to encourage sustainable agriculture, including sustainable aquaculture,</li> <li>f) to require consideration of the effects of all proposed development in the State on oyster aquaculture,</li> <li>g) to identify aquaculture that is to be treated as designated development using a well-defined and concise development assessment regime based on environment risks associated with site and operational factors.</li> </ul> <p>The proposed LEP amendment does not contain provisions that contradict or hinder the application of this chapter of the SEPP.</p>
State Environmental Planning Policy (Resilience and Hazards) 2021	Chapter 2 - Coastal Management	Yes	Yes	<p>The aim of this chapter of the Policy is to promote an integrated and co-ordinated approach to land use planning in the coastal zone in a manner consistent with the objects of the Coastal Management Act 2016, including the management objectives for each coastal management area, by:</p> <ul style="list-style-type: none"> <li>a) managing development in the coastal zone and protecting the environmental assets of the coast, and</li> <li>b) establishing a framework for land use planning to guide decision-making in the coastal zone, and</li> <li>c) mapping the 4 coastal management areas that comprise the NSW coastal</li> </ul>

State Environmental Planning Policy	Relevant Chapter	Applicable	Consistent	Comment
				<p>zone for the purpose of the definitions in the Coastal Management Act 2016.</p> <p>The Chapter applies to most of the site, with the eastern peripheries being within the Coastal Use Area, and the Coastal Environment Area extending across much of the site.</p> <p>The Coastal Use Area comprises land adjacent to coastal waters, estuaries, coastal lakes and lagoons, where development is or may be carried out and impacts of development on the scenic and cultural values and use and enjoyment of the beaches, foreshores, dunes, headlands, rock platforms, estuaries, lakes and the ocean need to be considered.</p> <p>The Coastal Environment Area recognises the environmental features of the coastal zone, such as state waters, estuaries, coastal lakes and coastal lagoons.</p> <p>The Chapter outlines heads of consideration to these areas which will need to be addressed at DA stage, however it is considered that the development envisaged under this Planning Proposal is consistent with the provisions.</p> <p>The proposed LEP amendment does not contain provisions that contradict or hinder the application of this chapter of the SEPP.</p>
	Chapter 3 – Hazardous and Offensive Development	N/A	N/A	<p>The aims of this chapter of the Policy are:</p> <ul style="list-style-type: none"> <li>a) to amend the definitions of hazardous and offensive industries where used in environmental planning instruments, and</li> <li>b) to render ineffective a provision of any environmental planning instrument that prohibits development for the purpose of a storage facility on the ground that the facility is hazardous or offensive if it is not a hazardous or offensive storage establishment as defined in this Policy, and</li> <li>c) to require development consent for hazardous or offensive development proposed to be carried out in the Western Division, and</li> </ul>

State Environmental Planning Policy	Relevant Chapter	Applicable	Consistent	Comment
				<p>d) to ensure that in determining whether a development is a hazardous or offensive industry, any measures proposed to be employed to reduce the impact of the development are taken into account, and</p> <p>e) to ensure that in considering any application to carry out potentially hazardous or offensive development, the consent authority has sufficient information to assess whether the development is hazardous or offensive and to impose conditions to reduce or minimise any adverse impact, and</p> <p>f) to require the advertising of applications to carry out any such development.</p> <p>The proposed LEP amendment does not contain provisions that contradict or hinder the application of this chapter of the SEPP.</p>
	Chapter 4 – Remediation of Land	N/A	N/A	<p>The aims of this chapter of the Policy are to promote the remediation of contaminated land for the purpose of reducing the risk of harm to human health or any other aspect of the environment—</p> <p>a) by specifying when consent is required, and when it is not required, for a remediation work, and</p> <p>b) by specifying certain considerations that are relevant in rezoning land and in determining development applications in general and development applications for consent to carry out a remediation work in particular, and</p> <p>c) by requiring that a remediation work meet certain standards and notification requirements.</p> <p>The proposed LEP amendment does not contain provisions that contradict or hinder the application of this chapter of the SEPP.</p>
State Environmental Planning Policy (Resources and Energy) 2021	Chapter 2 - Mining, Petroleum Production and Extractive Industries	N/A	N/A	<p>The aims of this chapter of the Policy are, in recognition of the importance to New South Wales of mining, petroleum production and extractive industries:</p> <p>a) to provide for the proper management and development of mineral, petroleum and extractive material resources for the purpose of</p>

State Environmental Planning Policy	Relevant Chapter	Applicable	Consistent	Comment
				<p>promoting the social and economic welfare of the State, and</p> <p>b) to facilitate the orderly and economic use and development of land containing mineral, petroleum and extractive material resources, and</p> <p>b1) to promote the development of significant mineral resources, and</p> <p>c) to establish appropriate planning controls to encourage ecologically sustainable development through the environmental assessment, and sustainable management, of development of mineral, petroleum and extractive material resources, and</p> <p>d) to establish a gateway assessment process for certain mining and petroleum (oil and gas) development:</p> <p>(i) to recognise the importance of agricultural resources, and</p> <p>(ii) to ensure protection of strategic agricultural land and water resources, and</p> <p>(iii) to ensure a balanced use of land by potentially competing industries, and</p> <p>(iv) to provide for the sustainable growth of mining, petroleum and agricultural industries.</p> <p>The proposed LEP amendment does not contain provisions that contradict or hinder the application of this chapter of the SEPP.</p>

State Environmental Planning Policy	Relevant Chapter	Applicable	Consistent	Comment
State Environmental Planning Policy (Transport and Infrastructure) 2021	Chapter 2 - Infrastructure	N/A	N/A	<p>The aim of this chapter of the Policy is to facilitate the effective delivery of infrastructure across the State by:</p> <ul style="list-style-type: none"> <li>a) improving regulatory certainty and efficiency through a consistent planning regime for infrastructure and the provision of services, and</li> <li>b) providing greater flexibility in the location of infrastructure and service facilities, and</li> <li>c) allowing for the efficient development, redevelopment or disposal of surplus government owned land, and</li> <li>d) identifying the environmental assessment category into which different types of infrastructure and services development fall (including identifying certain development of minimal environmental impact as exempt development), and</li> <li>e) identifying matters to be considered in the assessment of development adjacent to particular types of infrastructure development, and</li> <li>f) providing for consultation with relevant public authorities about certain development during the assessment process or prior to development commencing, and</li> <li>g) providing opportunities for infrastructure to demonstrate good design outcomes.</li> </ul> <p>The proposed LEP amendment does not contain provisions that contradict or hinder the application of this chapter of the SEPP.</p>
	Chapter 3 - Educational Establishments and Child Care Facilities	N/A	N/A	<p>The aim of this chapter of the Policy is to facilitate the effective delivery of educational establishments and early education and care facilities across the State by:</p> <ul style="list-style-type: none"> <li>a) improving regulatory certainty and efficiency through a consistent planning regime for educational establishments and early education and care facilities, and</li> <li>b) simplifying and standardising planning approval pathways for educational establishments and early education and care facilities (including identifying certain development of</li> </ul>



State Environmental Planning Policy	Relevant Chapter	Applicable	Consistent	Comment
				<p>minimal environmental impact as exempt development), and</p> <p>c) establishing consistent State-wide assessment requirements and design considerations for educational establishments and early education and care facilities to improve the quality of infrastructure delivered and to minimise impacts on surrounding areas, and</p> <p>d) allowing for the efficient development, redevelopment or use of surplus government-owned land (including providing for consultation with communities regarding educational establishments in their local area), and</p> <p>e) providing for consultation with relevant public authorities about certain development during the assessment process or prior to development commencing, and</p> <p>f) aligning the NSW planning framework with the National Quality Framework that regulates early education and care services, and</p> <p>g) ensuring that proponents of new developments or modified premises meet the applicable requirements of the National Quality Framework for early education and care services, and of the corresponding regime for State regulated education and care services, as part of the planning approval and development process, and</p> <p>h) encouraging proponents of new developments or modified premises and consent authorities to facilitate the joint and shared use of the facilities of educational establishments with the community through appropriate design.</p> <p>The proposed LEP amendment does not contain provisions that contradict or hinder the application of this chapter of the SEPP.</p>
	Chapter 4 – Major Infrastructure Corridors	N/A	N/A	<p>The aims of this chapter of the Policy are:</p> <p>a) to identify land that is intended to be used in the future as an infrastructure corridor,</p> <p>b) to establish appropriate planning controls for the land for the following purposes—</p> <p>(i) to allow the ongoing use and development of the land until it is</p>

State Environmental Planning Policy	Relevant Chapter	Applicable	Consistent	Comment
				<p>needed for the future infrastructure corridor,</p> <p>(ii) to protect the land from development that would adversely impact on or prevent the land from being used as an infrastructure corridor in the future.</p> <p>The proposed LEP amendment does not contain provisions that contradict or hinder the application of this chapter of the SEPP.</p>

## APPENDIX 2 – CONSIDERATION OF MINISTERIAL PLANNING DIRECTIONS

Sg.1 Direction	Applicable	Consistent	Comment
<b>Focus area 1: Planning Systems</b>			
1.1 Implementation of Regional Plans	<p>This direction applies to a relevant planning authority when preparing a planning proposal for land to which a Regional Plan has been released by the Minister for Planning and Public Spaces.</p> <p>Planning proposals must be consistent with a Regional Plan released by the Minister for Planning and Public Spaces.</p> <p>A planning proposal may be inconsistent with the terms of this direction only if the relevant planning authority can satisfy the Planning Secretary (or an officer of the Department nominated by the Secretary), that:</p> <p>(a) the extent of inconsistency with the Regional Plan is of minor significance, and</p> <p>(b) the planning proposal achieves the overall intent of the Regional Plan and does not undermine the achievement of the Regional Plan’s vision, land use strategy, goals, directions or actions.</p>	Yes	<p>This Direction requires Planning Proposals to be consistent with a Regional Plan released by the Minister for Planning.</p> <p>The North Coast Regional Plan 2036 was finalised by the Department of Planning Environment in 2017.</p> <p>The Planning Proposal is consistent with the Plan as outlined in Part 3 of this report.</p>
1.2 Development of Aboriginal Land Council land	This direction does not currently apply to the Coffs Harbour LGA.	N/A	
1.3 Approval and Referral Requirements	<p>This direction applies to all relevant planning authorities when preparing a planning proposal.</p> <p>A planning proposal to which this direction applies 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> <p>i. the appropriate Minister or public authority, and</p> <p>ii. the Planning Secretary (or an officer of the Department nominated by the Secretary), prior to undertaking community consultation in satisfaction of Schedule 1 to the EP&amp;A Act, and</p>	Yes	The planning proposal is consistent with this Direction as it does not include provisions that require consultation, concurrence or referral to a Minister or public authority.

Sg.1 Direction	Applicable	Consistent	Comment
	<p>(c) not identify development as designated development unless the relevant planning authority:</p> <ul style="list-style-type: none"> <li>i. can satisfy the Planning Secretary (or an officer of the Department nominated by the Secretary) that the class of development is likely to have a significant impact on the environment, and</li> <li>ii. has obtained the approval of the Planning Secretary (or an officer of the Department nominated by the Secretary) prior to undertaking community consultation in satisfaction of Schedule 1 to the EP&amp;A Act.</li> </ul> <p>A planning proposal must be substantially consistent with the terms of this direction.</p>		
1.4 Site Specific Provisions	<p>This direction applies to all relevant planning authorities when preparing a planning proposal that will allow a particular development to be carried out.</p> <p>(1) A planning proposal that will amend another environmental planning instrument in order to allow particular development to be carried out must either:</p> <ul style="list-style-type: none"> <li>(a) allow that land use to be carried out in the zone the land is situated on, or</li> <li>(b) rezone the site to an existing zone already 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</li> <li>(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.</li> </ul> <p>(2) A planning proposal must not contain or refer to drawings that show details of the proposed development.</p> <p>A planning proposal may be inconsistent with the terms of this direction only if the relevant planning authority can satisfy the Planning Secretary (or an officer of the Department nominated by the Secretary) that the provisions of the planning proposal that are inconsistent are of minor significance.</p>	N/A	The planning proposal does not allow a particular development to be carried out.
<b>Focus area 1: Planning Systems – Place Based</b>			
Directions 1.5 – 1.17 do not apply to the Coffs Harbour LGA.			

S9.1 Direction	Applicable	Consistent	Comment
<b>Focus area 2: Design and Place</b>			
Directions yet to be included.			
<b>Focus area 3: Biodiversity and Conservation</b>			
3.1 Conservation Zones	<p>This direction applies to all relevant planning authorities when preparing a planning proposal.</p> <p>(1) A planning proposal must include provisions that facilitate the protection and conservation of environmentally sensitive areas.</p> <p>(2) A planning proposal that applies to land within a conservation zone or land otherwise identified for environment conservation/protection purposes in a LEP must not reduce the conservation 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 Direction 9.3 (2) of “Rural Lands”.</p> <p>A planning proposal may be inconsistent with the terms of this direction only if the relevant planning authority can satisfy the Planning Secretary (or an officer of the Department nominated by the Secretary that the provisions of the planning proposal that are inconsistent are:</p> <p>(a) justified by a strategy approved by the Planning Secretary which:</p> <ul style="list-style-type: none"> <li>i. gives consideration to the objectives of this direction, and</li> <li>ii. identifies the land which is the subject of the planning proposal (if the planning proposal relates to a particular site or sites), or</li> </ul> <p>(b) justified by a study prepared in support of the planning proposal which gives consideration to the objectives of this direction, or</p> <p>(c) in accordance with the relevant Regional Strategy, Regional Plan or District Plan prepared by the Department of Planning, Industry and Environment which gives consideration to the objective of this direction, or</p> <p>(d) is of minor significance.</p>	Yes	The planning proposal does not facilitate development in environmentally sensitive areas.



S9.1 Direction	Applicable	Consistent	Comment
3.2 Heritage Conservation	<p>This direction applies to all relevant planning authorities when preparing a planning proposal.</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 Planning Secretary (or an officer of the Department nominated by the Secretary) 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>	Yes	<p>No items, places buildings, works, relics or objects of environmental heritage significance have been identified in the investigation area.</p> <p>No Aboriginal objects or places that are protected under the <i>National Parks and Wildlife Act 1974</i> have been identified in the investigation area.</p> <p>No Aboriginal areas, Aboriginal objects or landscapes have been identified in the area by an Aboriginal heritage survey.</p>
3.3 Sydney Drinking Water Catchments	This direction does not currently apply to the Coffs Harbour LGA.	N/A	
3.4 Application of C2 and C3 Zones and Environmental Overlays in Far North Coast LEPs	This direction does not currently apply to the Coffs Harbour LGA.	N/A	
3.5 Recreation Vehicle Areas	A planning proposal must not enable land to be developed for the purpose of a recreation	Yes	The planning proposal is consistent with this Direction as

Sg.1 Direction	Applicable	Consistent	Comment
	<p>vehicle area (within the meaning of the <i>Recreation Vehicles Act 1983</i>):</p> <p>(a) where the land is within a conservation zone,</p> <p>(b) where the land comprises a beach or a dune adjacent to or adjoining a beach,</p> <p>(c) where the land is not within an area or zone referred to in paragraphs (a) or (b) unless the relevant planning authority has taken into consideration:</p> <p>i. the provisions of the guidelines entitled <i>Guidelines for the Selection, Establishment and Maintenance of Recreation Vehicle Areas</i>, Soil Conservation Service of NSW, September 1985, and</p> <p>ii. the provisions of the guidelines entitled <i>Recreation Vehicles Act 1983, Guidelines for Selection, Design and Operation of Recreation Vehicle Areas</i>, State Pollution Control Commission, September 1985.</p> <p>A planning proposal may be inconsistent with the terms of this direction only if the relevant planning authority can satisfy the Planning Secretary (or an officer of the Department nominated by the Secretary) that the provisions of the planning proposal that are inconsistent are:</p> <p>(a) justified by a strategy approved by the Planning Secretary which:</p> <p>i. gives consideration to the objective of this direction, and</p> <p>ii. identifies the land which is the subject of the planning proposal (if the planning proposal relates to a particular site or sites), or</p> <p>(b) justified by a study prepared in support of the planning proposal which gives consideration to the objective of this direction, or</p> <p>(c) in accordance with the relevant Regional Strategy, Regional Plan or District Plan prepared by the Department of Planning, Industry and Environment which gives consideration to the objective of this direction, or</p> <p>(d) of minor significance.</p>		<p>it does not enable land to be developed for the purpose of a recreational vehicle area.</p>
<b>Focus Area 4: Resilience and Hazards</b>			

Sg.1 Direction	Applicable	Consistent	Comment
4.1 Flooding	<p>This direction applies to all relevant planning authorities that are responsible for flood prone land when preparing a planning proposal that creates, removes or alters a zone or a provision that affects flood prone land.</p> <p>(1) A planning proposal must include provisions that give effect to and are consistent with:</p> <ul style="list-style-type: none"> <li>(a) the NSW Flood Prone Land Policy,</li> <li>(b) the principles of the Floodplain Development Manual 2005,</li> <li>(c) the Considering flooding in land use planning guideline 2021, and</li> <li>(d) any adopted flood study and/or floodplain risk management plan prepared in accordance with the principles of the Floodplain Development Manual 2005 and adopted by the relevant council.</li> </ul> <p>(2) A planning proposal must not rezone land within the flood planning area from Recreation, Rural, Special Purpose or Conservation Zones to a Residential, Business, Industrial or Special Purpose Zones.</p> <p>(3) A planning proposal must not contain provisions that apply to the flood planning area which:</p> <ul style="list-style-type: none"> <li>(a) permit development in floodway areas,</li> <li>(b) permit development that will result in significant flood impacts to other properties,</li> <li>(c) permit development for the purposes of residential accommodation in high hazard areas,</li> <li>(d) permit a significant increase in the development and/or dwelling density of that land,</li> <li>(e) permit development for the purpose of centre-based childcare facilities, hostels, boarding houses, group homes, hospitals, residential care facilities, respite day care centres and seniors housing in areas where the occupants of the development cannot effectively evacuate,</li> <li>(f) permit development to be carried out without development consent except for the purposes of exempt development or agriculture. Dams, drainage canals, levees, still require development consent,</li> <li>(g) are likely to result in a significantly increased requirement for government</li> </ul>	No, but justified.	<p>The direction applies to this planning proposal as it seeks to alter a zone or provision that effects flood prone land.</p> <p>The planning proposal is consistent with Part 1 of the Direction as it is consistent with the referenced documents. These documents are considered and addressed in the Flood Impact Assessment at Appendix 5.2.</p> <p>The planning proposal is consistent with Part 2 of the Direction as it only seeks to rezone land already zoned for residential purposes.</p> <p>The planning proposal is inconsistent with Part 3(d) of the Direction because it will permit an increase in dwelling density in the flood planning area. However, the planning proposal is justified as the planning proposal has considered the nature and potential impacts of flooding in the area and proposes the following response:</p> <ul style="list-style-type: none"> <li>a. The majority of the proposed area of Zone R3 is not in the flood planning area.</li> <li>b. Land in Zone R2 within the flood planning area will only be available for limited increases in residential density such as dual occupancies.</li> <li>c. Due to the short duration nature of flooding in the area, a shelter in place strategy has been adopted and all dwellings will require habitable floor levels to be at or above the height of the Probable Maximum Flood (PMF) to allow residents to shelter in place.</li> </ul>

S9.1 Direction	Applicable	Consistent	Comment
	<p>spending on emergency management services, flood mitigation and emergency response measures, which can include but are not limited to the provision of road infrastructure, flood mitigation infrastructure and utilities, or</p> <p>(h) permit hazardous industries or hazardous storage establishments where hazardous materials cannot be effectively contained during the occurrence of a flood event.</p> <p>(4) A planning proposal must not contain provisions that apply to areas between the flood planning area and probable maximum flood to which Special Flood Considerations apply which:</p> <p>(a) permit development in floodway areas,</p> <p>(b) permit development that will result in significant flood impacts to other properties,</p> <p>(c) permit a significant increase in the dwelling density of that land,</p> <p>(d) permit the development of centre-based childcare facilities, hostels, boarding houses, group homes, hospitals, residential care facilities, respite day care centres and seniors housing in areas where the occupants of the development cannot effectively evacuate,</p> <p>(e) are likely to affect the safe occupation of and efficient evacuation of the lot, or</p> <p>(f) are likely to result in a significantly increased requirement for government spending on emergency management services, and flood mitigation and emergency response measures, which can include but not limited to road infrastructure, flood mitigation infrastructure and utilities.</p> <p>(5) For the purposes of preparing a planning proposal, the flood planning area must be consistent with the principles of the Floodplain Development Manual 2005 or as otherwise determined by a Floodplain Risk Management Study or Plan adopted by the relevant council.</p> <p>A planning proposal may be inconsistent with this direction only if the planning proposal authority can satisfy the Planning Secretary (or their nominee) that:</p> <p>(a) the planning proposal is in accordance with a floodplain risk management study or plan adopted by the relevant council in</p>		<p>d. Site-specific DCP controls will be introduced to maintain overland flow paths.</p> <p>e. Clause 5.22 Special Flood Considerations will be applied to the precinct.</p> <p>f. The Flood Impact Assessment (Appendix 5.2) has shown that development facilitated by the planning proposal will not have an unacceptable impact on flood levels or behaviour on surrounding land.</p> <p>The approach outlined above is consistent with the NSW Government Policy <i>Considering Flooding in Land Use Planning</i> (DPE July 2021), which allows for the implementation of special flood considerations on land that, in the event of a flood, may cause a particular risk to life and require the evacuation of people or other safety considerations. In particular, it highlights that these may apply where vertical evacuation for short duration flooding is required such as where the rate of rise of floodwater prohibits safe evacuation from the land.</p> <p>More detailed commentary on how the planning proposal is justifiably supportable is provided in the Land Use and Development Strategy commentary in the Background section of this planning proposal as well as in the Flood Impact Assessment at Appendix 5.2.</p> <p>The planning proposal is inconsistent with part 4(c) of the Direction because it will permit an increase in dwelling density on land between the flood planning level (FPL) and the PMF. However, the planning proposal is justified as</p>

S9.1 Direction	Applicable	Consistent	Comment
	<p>accordance with the principles and guidelines of the <i>Floodplain Development Manual 2005</i>, or</p> <p>(b) where there is no council adopted floodplain risk management study or plan, the planning proposal is consistent with the flood study adopted by the council prepared in accordance with the principles of the <i>Floodplain Development Manual 2005</i> or</p> <p>(c) the planning proposal is supported by a flood and risk impact assessment accepted by the relevant planning authority and is prepared in accordance with the principles of the <i>Floodplain Development Manual 2005</i> and consistent with the relevant planning authorities' requirements, or</p> <p>(d) the provisions of the planning proposal that are inconsistent are of minor significance as determined by the relevant planning authority.</p>		<p>the planning proposal has considered the nature and impact of flooding in the area and proposes the following measured response:</p> <ul style="list-style-type: none"> <li>a) The proposed area of Zone R3 is restricted to the least flood prone part of the precinct and includes land above the PMF.</li> <li>b) Due to the short duration nature of flooding in the area, a shelter in place strategy has been adopted and all dwellings will require habitable floor levels to be at or above the height of the PMF to allow residents to shelter in place.</li> <li>c) Site-specific DCP controls will be introduced to maintain overland flow paths.</li> <li>d) Clause 5.22 Special Flood Considerations will be applied to the precinct.</li> <li>e) The Flood Impact Assessment (Appendix 5.2) has shown that development facilitated by the planning proposal will not have an unacceptable impact on flood levels or behaviour on surrounding land.</li> </ul> <p>The approach outlined is consistent with the NSW Government Policy <i>Considering Flooding in Land Use Planning</i> (DPE July 2021), which allows for the implementation of special flood considerations on land that, in the event of a flood, may cause a particular risk to life and require the evacuation of people or other safety considerations. In particular, it highlights that these may apply where vertical evacuation for short duration flooding is required such as where the rate of rise of floodwater prohibits safe evacuation from the land.</p>



Sg.1 Direction	Applicable	Consistent	Comment
			More detailed commentary on how the planning proposal is justifiably supportable is provided in the Land Use and Development Strategy commentary in the Background section of this planning proposal as well as in the Flood Impact Assessment at Appendix 5.
4.2 Coastal Management	<p>This direction applies when a planning proposal authority prepares a planning proposal that applies to land that is within the coastal zone, as defined under the <i>Coastal Management Act 2016</i> -comprising the coastal wetlands and littoral rainforests area, coastal vulnerability area, coastal environment area and coastal use area -and as identified by chapter 3 of the <i>State Environmental Planning Policy (Biodiversity and Conservation) 2021</i>.</p> <p>(1) A planning proposal must include provisions that give effect to and are consistent with:</p> <ul style="list-style-type: none"> <li>(a) the objects of the <i>Coastal Management Act 2016</i> and the objectives of the relevant coastal management areas;</li> <li>(b) the NSW Coastal Management Manual and associated Toolkit;</li> <li>(c) NSW Coastal Design Guidelines 2003; and</li> <li>(d) any relevant Coastal Management Program that has been certified by the Minister, or any Coastal Zone Management Plan under the <i>Coastal Protection Act 1979</i> that continues to have effect under clause 4 of Schedule 3 to the <i>Coastal Management Act 2016</i>, that applies to the land.</li> </ul> <p>(2) A planning proposal must not rezone land which would enable increased development or more intensive land-use on land:</p> <ul style="list-style-type: none"> <li>(a) within a coastal vulnerability area identified by the <i>State Environmental Planning Policy (Coastal Management) 2018</i>; or</li> <li>(b) that has been identified as land affected by a current or future coastal hazard in a local environmental plan or development control plan, or a study or assessment undertaken: <ul style="list-style-type: none"> <li>i. by or on behalf of the relevant planning authority and the planning proposal authority, or</li> </ul> </li> </ul>	Yes	<p>The majority of the precinct is within the Coastal Environmental Area and the eastern portion of the precinct is within the Coastal Use Area. The planning proposal does not propose increased development on land in the Coastal Vulnerability Area or on land that is mapped as containing littoral rainforest or coastal wetlands.</p> <p>The planning proposal is consistent with the requirements of this Direction.</p>

Sg.1 Direction	Applicable	Consistent	Comment
	<p>ii. by or on behalf of a public authority and provided to the relevant planning authority and the planning proposal authority.</p> <p>(3) A planning proposal must not rezone land which would enable increased development or more intensive land-use on land within a coastal wetlands and littoral rainforests area identified by chapter 3 of the <i>State Environmental Planning Policy (Biodiversity and Conservation)</i> 2021.</p> <p>(4) A planning proposal for a local environmental plan may propose to amend the following maps, including increasing or decreasing the land within these maps, under the <i>State Environmental Planning Policy (Coastal Management)</i> 2018:</p> <p>(a) Coastal wetlands and littoral rainforests area map;</p> <p>(b) Coastal vulnerability area map;</p> <p>(c) Coastal environment area map; and</p> <p>(d) Coastal use area map.</p> <p>Such a planning proposal must be supported by evidence in a relevant Coastal Management Program that has been certified by the Minister, or by a <i>Coastal Zone Management Plan</i> under the <i>Coastal Protection Act 1979</i> that continues to have effect under clause 4 of Schedule 3 to the <i>Coastal Management Act 2016</i>.</p> <p>A planning proposal may be inconsistent with the terms of this direction only if the planning proposal authority can satisfy the Planning Secretary (or their nominee) that the provisions of the planning proposal that are inconsistent are:</p> <p>(a) justified by a study or strategy prepared in support of the planning proposal which gives consideration to the objective of this direction, or</p> <p>(b) in accordance with any relevant Regional Strategic Plan or District Strategic Plan, prepared under Division 3.1 of the EP&amp;A Act by the relevant strategic planning authority, which gives consideration to the objective of this direction, or</p> <p>(c) of minor significance.</p>		
4.3 Planning for Bushfire Protection	This direction applies to all local government areas when a relevant planning authority prepares a planning proposal that will affect, or is in proximity to land mapped as bushfire prone land.	Yes	The planning proposal is consistent with this Direction because it proposes measures that will ensure that future development can comply

Sg.1 Direction	Applicable	Consistent	Comment
	<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"> <li>(a) have regard to <i>Planning for Bushfire Protection 2019</i>,</li> <li>(b) introduce controls that avoid placing inappropriate developments in hazardous areas, and</li> <li>(c) ensure that bushfire hazard reduction is not prohibited within the Asset Protection Zone (APZ).</li> </ul> <p>A planning proposal must, where development is proposed, comply with the following provisions, as appropriate:</p> <ul style="list-style-type: none"> <li>(a) provide an Asset Protection Zone (APZ) incorporating at a minimum: <ul style="list-style-type: none"> <li>(i) an Inner Protection Area bounded by a perimeter road or reserve which circumscribes the hazard side of the land intended for development and has a building line consistent with the incorporation of an APZ, within the property, and</li> <li>(ii) an Outer Protection Area managed for hazard reduction and located on the bushland side of the perimeter road,</li> </ul> </li> <li>(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,</li> <li>(c) contain provisions for two-way access roads which link to perimeter roads and/or to fire trail networks,</li> <li>(d) contain provisions for adequate water supply for firefighting purposes,</li> <li>(e) minimise the perimeter of the area of land interfacing the hazard which may be developed,</li> <li>(f) introduce controls on the placement of combustible materials in the Inner Protection Area.</li> </ul>		<p>with <i>Planning for Bush Fire Protection 2019</i> (PBP 2019).</p> <p>A bushfire assessment has been prepared identifies a residential Asset Protection Zone approximately 25m from the tree line along the north and south of the site. The Planning Proposal has identified renewal of land only outside the residential asset protection zone, and this is reflected in the areas where changes are proposed to the zones and planning controls. Accordingly, future development under the planning proposal will be able to comply with Planning for Bushfire Protection 2019 and accordingly the proposal is consistent with the Direction.</p>

Sg.1 Direction	Applicable	Consistent	Comment
	<p>A planning proposal may be inconsistent with the terms of this direction only if the relevant planning authority can satisfy the Planning Secretary (or an officer of the Department nominated by the Secretary) that the council has obtained written advice from the Commissioner of the NSW Rural Fire Service to the effect that, notwithstanding the non-compliance, the NSW Rural Fire Service does not object to the progression of the planning proposal.</p>		
<p>4.4 Remediation of Contaminated Land</p>	<p>This direction applies when a planning proposal authority prepares a planning proposal that applies to:</p> <ul style="list-style-type: none"> <li>(a) land that is within an investigation area within the meaning of the <i>Contaminated Land Management Act 1997</i>,</li> <li>(b) land on which development for a purpose referred to in Table 1 to the contaminated land planning guidelines is being, or is known to have been, carried out,</li> <li>(c) the extent to which it is proposed to carry out development on it for residential, educational, recreational or childcare purposes, or for the purposes of a hospital – land: <ul style="list-style-type: none"> <li>i. in relation to which there is no knowledge (or incomplete knowledge) as to whether development for a purpose referred to in Table 1 to the contaminated land planning guidelines has been carried out, and</li> <li>ii. on which it would have been lawful to carry out such development during any period in respect of which there is no knowledge (or incomplete knowledge).</li> </ul> </li> </ul> <p>(1) A planning proposal authority must not include in a particular zone (within the meaning of the local environmental plan) any land to which this direction applies if the inclusion of the land in that zone would permit a change of use of the land, unless:</p> <ul style="list-style-type: none"> <li>(a) the planning proposal authority has considered whether the land is contaminated, and</li> <li>(b) if the land is contaminated, the planning proposal authority is satisfied that the land is suitable in its contaminated state (or will be suitable, after remediation) for all the purposes for which land in the zone concerned is permitted to be used, and</li> <li>(c) if the land requires remediation to be made suitable for any purpose for which land in that zone is permitted to be used,</li> </ul>	<p>Yes</p>	<p>This Direction requires a preliminary site investigation where a change of land use is proposed for land which may be contaminated as a result of existing or past uses is proposed. As the planning proposal seeks to maintain a residential land use and accordingly a preliminary site investigation is not considered necessary at rezoning stage. Where relevant, the provisions within Chapter 4 Remediation of Land under the Resilience and Hazards SEPP would apply to future development applications within the precinct.</p>

Sg.1 Direction	Applicable	Consistent	Comment
	<p>the planning proposal authority is satisfied that the land will be so remediated before the land is used for that purpose.</p> <p>In order to satisfy itself as to paragraph 1(c), the planning proposal authority may need to include certain provisions in the local environmental plan.</p> <p>(2) Before including any land to which this direction applies in a particular zone, the planning proposal authority is to obtain and have regard to a report specifying the findings of a preliminary investigation of the land carried out in accordance with the contaminated land planning guidelines.</p>		
4.5 Acid Sulfate Soils	<p>This direction applies to all relevant planning authorities that are responsible for land having a probability of containing acid sulfate soils when preparing a planning proposal that will apply to land having a probability of containing acid sulfate soils as shown on the Acid Sulfate Soils Planning Maps held by the Department of Planning, Industry and Environment.</p> <p>(1) The relevant planning authority must consider the Acid Sulfate Soils Planning Guidelines adopted by the Planning Secretary when preparing a planning proposal that applies to any land identified on the Acid Sulfate Soils Planning Maps as having a probability of acid sulfate soils being present.</p> <p>(2) When a relevant planning authority is preparing a planning proposal to introduce provisions to regulate works in acid sulfate soils, those provisions must be consistent with:</p> <p>(a) the Acid Sulfate Soils Model LEP in the Acid Sulfate Soils Planning Guidelines adopted by the Planning Secretary, or</p> <p>(b) other such provisions provided by the Planning Secretary that are consistent with the Acid Sulfate Soils Planning Guidelines.</p> <p>(3) A relevant planning authority must not prepare a planning proposal that proposes an intensification of land uses on land identified as having a probability of containing acid sulfate soils on the Acid Sulfate Soils Planning Maps unless the relevant planning authority has considered an acid sulfate soils study assessing the appropriateness of the change of land use given the presence of acid sulfate soils. The relevant planning authority must provide a copy of any such study to the Planning</p>	No, but inconsistency is of minor significance	<p>This Direction applies as the precinct is identified as containing Class 4 and Class 5 Acid Sulphate Soils (ASS).</p> <p>The land is already developed for residential development, therefore any future development allowed by the planning proposal is unlikely to result in significant additional disturbance of ASS. Assessment of impacts on ASS and management of any impacts is proposed to be addressed at the development application stage in accordance with these provisions.</p>

Sg.1 Direction	Applicable	Consistent	Comment
	<p>Secretary prior to undertaking community consultation in satisfaction of clause 4 of Schedule 1 to the Act.</p> <p>(4) Where provisions referred to under 2(a) and 2(b) above of this direction have not been introduced and the relevant planning authority is preparing a planning proposal that proposes an intensification of land uses on land identified as having a probability of acid sulfate soils on the Acid Sulfate Soils Planning Maps, the planning proposal must contain provisions consistent with 2(a) and 2(b).</p> <p>A planning proposal may be inconsistent with the terms of this direction only if the relevant planning authority can satisfy the Planning Secretary (or an officer of the Department nominated by the Secretary) that the provisions of the planning proposal that are inconsistent are:</p> <p>(a) justified by a study prepared in support of the planning proposal which gives consideration to the objective of this direction, or</p> <p>(b) of minor significance.</p>		
4.6 Mine Subsidence and Unstable Land	<p>This direction applies when a relevant planning authority prepares a planning proposal that permits development on land that is within a declared mine subsidence district in the Coal Mine Subsidence Compensation Regulation 2017 pursuant to section 20 of the Coal Mine Subsidence Compensation Act 2017, or has been identified as unstable in a study, strategy or other assessment undertaken by or on behalf of the relevant planning authority or by or on behalf of a public authority and provided to the relevant planning authority.</p> <p>(1) When preparing a planning proposal that would permit development on land that is within a declared mine subsidence district, a relevant planning authority must:</p> <p>(a) consult Subsidence Advisory NSW to ascertain:</p> <ul style="list-style-type: none"> <li>i. if Subsidence Advisory NSW has any objection to the draft local environmental plan, and the reason for such an objection, and</li> <li>ii. the scale, density and type of development that is appropriate for the potential level of subsidence, and</li> </ul> <p>(b) incorporate provisions into the draft Local Environmental Plan that are consistent with the recommended scale,</p>	N/A	The planning proposal does not relate to land within a declared mine subsidence district.



S9.1 Direction	Applicable	Consistent	Comment
	<p>density and type of development recommended under 1(a)(ii), and</p> <p>(c) include a copy of any information received from Subsidence Advisory NSW with the statement to the Planning Secretary (or an officer of the Department nominated by the Secretary prior to undertaking community consultation in satisfaction of Schedule 1 to the Act.</p> <p>(2) A planning proposal must not permit development on land that has been identified as unstable as referred to in the application section of this direction.</p> <p>A planning proposal may be inconsistent with the terms of this direction only if the relevant planning authority can satisfy the Planning Secretary (or an officer of the Department nominated by the Secretary that the provisions of the planning proposal that are inconsistent are:</p> <p>(a) justified by a strategy approved by the Planning Secretary which:</p> <p>i. gives consideration to the objective of this direction, and</p> <p>ii. identifies the land which is the subject of the planning proposal (if the planning proposal relates to a particular site or sites), or</p> <p>(b) justified by a study prepared in support of the planning proposal which gives consideration to the objective of this direction, or</p> <p>(c) in accordance with the relevant Regional Strategy, Regional Plan or District Plan prepared by the Department of Planning, Industry and Environment which gives consideration to the objective of this direction, or</p> <p>(d) of minor significance.</p>		
<b>Focus Area 5: Transport and Infrastructure</b>			
5.1 Integrating Land Use and Transport	<p>This direction applies to all relevant planning authorities when preparing 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>(1) 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>	Yes	<p>The planning proposal is consistent with this Direction because it includes provisions consistent with the principles of Integrating Land Use and Transport as outlined in key policies and guidelines.</p> <p>The proposal meets these principles by locating increasing dwelling density in an area</p>

S9.1 Direction	Applicable	Consistent	Comment
	<p>(a) Improving Transport Choice – Guidelines for planning and development (DUAP 2001), and</p> <p>(b) The Right Place for Business and Services – Planning Policy (DUAP 2001).</p> <p>A planning proposal may be inconsistent with the terms of this direction only if the relevant planning authority can satisfy the Planning Secretary (or an officer of the Department nominated by the Secretary) that the provisions of the planning proposal that are inconsistent are:</p> <p>(a) justified by a strategy approved by the Planning Secretary which:</p> <ul style="list-style-type: none"> <li>i. gives consideration to the objective of this direction, and</li> <li>ii. identifies the land which is the subject of the planning proposal (if the planning proposal relates to a particular site or sites), or</li> </ul> <p>(b) justified by a study prepared in support of the planning proposal which gives consideration to the objective of this direction, or</p> <p>(c) in accordance with the relevant Regional Strategy, Regional Plan or District Plan prepared by the Department of Planning, Industry and Environment which gives consideration to the objective of this direction, or</p> <p>(d) of minor significance.</p>		<p>which has been identified as suitable for renewal due to its access to existing bus services and proximity to a range of services and facilities.</p>
5.2 Reserving Land for Public Purposes	<p>This direction applies to all relevant planning authorities when preparing a planning proposal.</p> <p>(1) 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 Planning Secretary (or an officer of the Department nominated by the Secretary).</p> <p>(2) When a Minister or public authority requests a relevant planning authority to reserve land for a public purpose in a planning proposal and the land would be required to be acquired under Division 3 of Part 2 of the Land Acquisition (Just Terms Compensation) Act 1991, the relevant planning authority must:</p> <ul style="list-style-type: none"> <li>(a) reserve the land in accordance with the request, and</li> <li>(b) include the land in a zone appropriate to its intended future use or a zone advised by the Planning Secretary (or an officer</li> </ul>	Yes	<p>The planning proposal is consistent with this Direction because it does not create, alter or reduce existing zonings or reservations of land for public purposes.</p>

Sg.1 Direction	Applicable	Consistent	Comment
	<p>of the Department nominated by the Secretary), and</p> <p>(c) identify the relevant acquiring authority for the land.</p> <p>(3) When a Minister or public authority requests a relevant planning authority to include provisions in a planning proposal relating to the use of any land reserved for a public purpose before that land is acquired, the relevant planning authority must:</p> <p>(a) include the requested provisions, or</p> <p>(b) take such other action as advised by the Planning Secretary (or an officer of the Department nominated by the Secretary) with respect to the use of the land before it is acquired.</p> <p>(4) When a Minister or public authority requests a relevant planning authority to include provisions in a planning proposal to rezone and/or remove a reservation of any land that is reserved for public purposes because the land is no longer designated by that public authority for acquisition, the relevant planning authority must rezone and/or remove the relevant reservation in accordance with the request.</p> <p>A planning proposal may be inconsistent with the terms of this direction only if the relevant planning authority can satisfy the Planning Secretary (or an officer of the Department nominated by the Secretary) that:</p> <p>(a) with respect to a request referred to in paragraph (4), further information is required before appropriate planning controls for the land can be determined, or</p> <p>(b) the provisions of the planning proposal that are inconsistent with the terms of this direction are of minor significance.</p>		
5.3 Development Near Regulated Airports and Defence Airfields	<p>This direction applies to all relevant planning authorities when preparing a planning proposal that will create, alter or remove a zone or a provision relating to land near a regulated airport which includes a defence airfield.</p> <p>(1) In the preparation of a planning proposal that sets controls for development of land near a regulated airport, the relevant planning authority must:</p> <p>(a) consult with the lessee/operator of that airport;</p> <p>(b) take into consideration the operational airspace and any advice from the lessee/operator of that airport;</p>	N/A	The planning proposal does not relate to land near a regulated airport.

Sg.1 Direction	Applicable	Consistent	Comment
	<p>(c) for land affected by the operational airspace, prepare appropriate development standards, such as height controls.</p> <p>(d) not allow development types that are incompatible with the current and future operation of that airport.</p> <p>(2) In the preparation of a planning proposal that sets controls for development of land near a core regulated airport, the relevant planning authority must:</p> <p>(a) consult with the Department of the Commonwealth responsible for airports and the lessee/operator of that airport;</p> <p>(b) for land affected by the prescribed airspace (as defined in clause 6(1) of the <i>Airports (Protection of Airspace) Regulation 1996</i>, prepare appropriate development standards, such as height controls.</p> <p>(c) not allow development types that are incompatible with the current and future operation of that airport.</p> <p>(d) obtain permission from that Department of the Commonwealth, or their delegate, where a planning proposal seeks to allow, as permissible with consent, development that would constitute a controlled activity as defined in section 182 of the <i>Airports Act 1996</i>. This permission must be obtained prior to undertaking community consultation in satisfaction of Schedule 1 to the EP&amp;A Act.</p> <p>(3) In the preparation of a planning proposal that sets controls for the development of land near a defence airfield, the relevant planning authority must:</p> <p>(a) consult with the Department of Defence if:</p> <p>i. the planning proposal seeks to exceed the height provisions contained in the <i>Defence Regulations 2016 – Defence Aviation Areas</i> for that airfield; or</p> <p>ii. no height provisions exist in the <i>Defence Regulations 2016 – Defence Aviation Areas</i> for the airfield and the proposal is within 15km of the airfield.</p> <p>(b) for land affected by the operational airspace, prepare appropriate development standards, such as height controls.</p>		

Sg.1 Direction	Applicable	Consistent	Comment
	<p>(c) not allow development types that are incompatible with the current and future operation of that airfield.</p> <p>(4) A planning proposal must include a provision to ensure that development meets <i>Australian Standard 2021 – 2015, Acoustic-Aircraft Noise Intrusion – Building siting and construction</i> with respect to interior noise levels, if the proposal seeks to rezone land:</p> <p>(a) for residential purposes or to increase residential densities in areas where the Australian Noise Exposure Forecast (ANEF) is between 20 and 25; or</p> <p>(b) for hotels, motels, offices or public buildings where the ANEF is between 25 and 30; or</p> <p>(c) for commercial or industrial purposes where the ANEF is above 30.</p> <p>(5) A planning proposal must not contain provisions for residential development or to increase residential densities within the 20 Australian Noise Exposure Concept (ANEC)/ANEF contour for Western Sydney Airport.</p> <p>A planning proposal may be inconsistent with the terms of this direction only if the relevant planning authority can satisfy the Planning Secretary (or an officer of the Department nominated by the Secretary) that the provisions of the planning proposal that are inconsistent are:</p> <p>(a) justified by a strategy approved by the Planning Secretary, which:</p> <p>i. gives consideration to the objectives of this direction; and</p> <p>ii. identifies the land which is the subject of the planning proposal (if the planning proposal relates to a particular site or sites), or</p> <p>(b) justified by a study prepared in support of the planning proposal which gives consideration to the objectives of this direction; or</p> <p>(c) in accordance with the relevant Regional Plan prepared by the Department of Planning, Industry and Environment and Environment which gives consideration to the objectives of this direction.</p>		
5.4 Shooting Ranges	This direction applies to all relevant planning authorities when preparing a planning proposal that will affect, create, alter or remove a zone or a provision relating to land	N/A	The planning proposal does not relate to land adjacent to or adjoining a shooting range.

Sg.1 Direction	Applicable	Consistent	Comment
	<p>adjacent to and/ or adjoining an existing shooting range.</p> <p>(1) A planning proposal must not seek to rezone land adjacent to and/ or adjoining an existing shooting range that has the effect of:</p> <p>(a) permitting more intensive land uses than those which are permitted under the existing zone; or</p> <p>(b) permitting land uses that are incompatible with the noise emitted by the existing shooting range.</p> <p>A planning proposal may be inconsistent with the terms of this direction only if the relevant planning authority can satisfy the Planning Secretary (or an officer of the Department nominated by the Secretary) that the provisions of the planning proposal that are inconsistent are:</p> <p>(a) justified by a strategy approved by the Planning Secretary, which:</p> <p>i. gives consideration to the objectives of this direction, and</p> <p>ii. identifies the land which is the subject of the planning proposal (if the planning proposal relates to a particular site or sites), or</p> <p>(b) justified by a study prepared in support of the planning proposal which gives consideration to the objective of this direction, or</p> <p>(c) is of minor significance.</p>		
<b>Focus area 6: Housing</b>			
6.1 Residential Zones	<p>This direction applies to all relevant planning authorities when preparing a planning proposal that will affect land within an existing or proposed residential zone (including the alteration of any existing residential zone boundary), or any other zone in which significant residential development is permitted or proposed to be permitted.</p> <p>(1) A planning proposal must include provisions that encourage the provision of housing that will:</p> <p>(a) broaden the choice of building types and locations available in the housing market, and</p> <p>(b) make more efficient use of existing infrastructure and services, and</p>	Yes	<p>The Direction applies because the planning proposal affects land in a residential zone.</p> <p>The planning proposal is consistent with this Direction as it will support a greater range of housing options by allowing for low rise apartment buildings and dual occupancy dwellings in an existing low density area. The increased housing density in this location will make better use of existing infrastructure and services in the surrounding area and reduce pressure for development on the urban fringe by meeting housing</p>



Sg.1 Direction	Applicable	Consistent	Comment
	<p>(c) reduce the consumption of land for housing and associated urban development on the urban fringe, and</p> <p>(d) be of good design.</p> <p>(2) A planning proposal must, in relation to land to which this direction applies:</p> <p>(a) contain a requirement that residential development is not permitted until land is adequately serviced (or arrangements satisfactory to the council, or other appropriate authority, have been made to service it), and</p> <p>(b) not contain provisions which will reduce the permissible residential density of land.</p> <p>A planning proposal may be inconsistent with the terms of this direction only if the relevant planning authority can satisfy the Planning Secretary (or an officer of the Department nominated by the Secretary) that the provisions of the planning proposal that are inconsistent are:</p> <p>(a) justified by a strategy approved by the Planning Secretary which:</p> <p>i. gives consideration to the objective of this direction, and</p> <p>ii. identifies the land which is the subject of the planning proposal (if the planning proposal relates to a particular site or sites), or</p> <p>(b) justified by a study prepared in support of the planning proposal which gives consideration to the objective of this direction, or</p> <p>(c) in accordance with the relevant Regional Strategy, Regional Plan or District Plan prepared by the Department of Planning, Industry and Environment which gives consideration to the objective of this direction, or</p> <p>(d) of minor significance.</p>		<p>demand within an existing urban area.</p> <p>The proposal is supported by a draft site specific DCP which establishes built form controls which will guide future development and seeks to complement existing policies such as the <i>Apartment Design Guide</i> and the <i>Low Rise Housing Diversity Design Guide</i>. Overall this will ensure future development is of good design.</p>
6.2 Caravan Parks and Manufactured Home Estates	<p>This direction applies to all relevant planning authorities when preparing a planning proposal.</p> <p>This direction does not apply to Crown land reserved or dedicated for any purposes under the <i>Crown Land Management Act 2016</i>, except Crown land reserved for accommodation purposes, or land dedicated or reserved under the <i>National Parks and Wildlife Act 1974</i>.</p>	Yes	<p>The planning proposal is consistent with this Direction as it does not identify zones, locations or provisions for caravan parks or MHEs.</p>

S9.1 Direction	Applicable	Consistent	Comment
	<p>(1) In identifying suitable zones, locations and provisions for caravan parks in a planning proposal, the relevant planning authority must:</p> <ul style="list-style-type: none"> <li>(a) retain provisions that permit development for the purposes of a caravan park to be carried out on land, and</li> <li>(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 <i>Standard Instrument (Local Environmental Plans) Order 2006</i> that would facilitate the retention of the existing caravan park.</li> </ul> <p>(2) In identifying suitable zones, locations and provisions for manufactured home estates (MHEs) in a planning proposal, the relevant planning authority must:</p> <ul style="list-style-type: none"> <li>(a) take into account the categories of land set out in Schedule 6 of <i>State Environmental Planning Policy (Housing)</i> as to where MHEs should not be located,</li> <li>(b) take into account the principles listed in clause 9 Schedule 5 of <i>State Environmental Planning Policy (Housing)</i> (which relevant planning authorities are required to consider when assessing and determining the development and subdivision proposals), and</li> <li>(c) include provisions that the subdivision of MHEs by long term lease of up to 20 years or under the <i>Community Land Development Act 1989</i> be permissible with consent.</li> </ul> <p>A planning proposal may be inconsistent with the terms of this direction only if the relevant planning authority can satisfy the Planning Secretary (or an officer of the Department nominated by the Secretary that the provisions of the planning proposal that are inconsistent are:</p> <ul style="list-style-type: none"> <li>(a) justified by a strategy approved by the Planning Secretary which: <ul style="list-style-type: none"> <li>i. gives consideration to the objective of this direction, and</li> <li>ii. identifies the land which is the subject of the planning proposal (if the planning proposal relates to a particular site or sites), or</li> </ul> </li> <li>(b) justified by a study prepared in support of the planning proposal which gives</li> </ul>		

S9.1 Direction	Applicable	Consistent	Comment
	<p>consideration to the objective of this direction, or</p> <p>(c) in accordance with the relevant Regional Strategy, Regional Plan or District Plan prepared by the Department of Planning, Industry and Environment which gives consideration to the objective of this direction, or</p> <p>(d) of minor significance.</p>		
<b>Focus area 7: Industry and Employment</b>			
7.1 Business and Industrial Zones	<p>This direction applies to all relevant planning authorities when preparing 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).</p> <p>A planning proposal must:</p> <p>(a) give effect to the objectives of this direction,</p> <p>(b) retain the areas and locations of existing business and industrial zones,</p> <p>(c) not reduce the total potential floor space area for employment uses and related public services in business zones,</p> <p>(d) not reduce the total potential floor space area for industrial uses in industrial zones, and</p> <p>(e) ensure that proposed new employment areas are in accordance with a strategy that is approved by the Planning Secretary.</p> <p>A planning proposal may be inconsistent with the terms of this direction only if the relevant planning authority can satisfy the Planning Secretary (or an officer of the Department nominated by the Secretary) that the provisions of the planning proposal that are inconsistent are:</p> <p>(a) justified by a strategy approved by the Planning Secretary, which:</p> <p>i. gives consideration to the objective of this direction, and</p> <p>ii. identifies the land which is the subject of the planning proposal (if the planning proposal relates to a particular site or sites), or</p> <p>(b) justified by a study (prepared in support of the planning proposal) which gives consideration to the objective of this direction, or</p> <p>(c) in accordance with the relevant Regional Strategy, Regional Plan or District Plan</p>	N/A	The planning proposal does not affect land in a business or industrial zone.

Sg.1 Direction	Applicable	Consistent	Comment
	prepared by the Department of Planning, Industry and Environment which gives consideration to the objective of this direction, or (d) of minor significance.		
7.2 Reduction in non-hosted short-term rental accommodation period	This direction does not currently apply to the Coffs Harbour LGA.	N/A	
7.3 Commercial and Retail Development along the Pacific Highway, North Coast	<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>(1) A planning proposal that applies to land located on “within town” segments of the Pacific Highway must provide that:</p> <p>(a) new commercial or retail development must be concentrated within district centres rather than spread along the Highway;</p> <p>(b) development with frontage to the Pacific Highway must consider impacts that the development has on the safety and efficiency of the highway; and</p> <p>(c) for the purposes of this paragraph, “within town” means areas which prior to the draft LEP have an urban zone (e.g. Village, residential, tourist, commercial and industrial etc.) and where the Pacific Highway is less than 80km/hour.</p> <p>(2) 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 consider the impact the development has on the safety and efficiency of the highway.</p> <p>(c) For the purposes of this paragraph, “out-of-town” means areas which, prior to the draft local environmental plan, do not have an urban zone (e.g.: “village”, “residential”, “tourist”, “commercial”, “industrial”, etc.) or are</p>	N/A	The planning proposal does not apply to land in the vicinity of the Pacific Highway.

Sg.1 Direction	Applicable	Consistent	Comment
	<p>in areas where the Pacific Highway speed limit is 80 km/hour or greater.</p> <p>(3) 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> <p>A planning proposal may be inconsistent with the terms of this direction only if the relevant planning authority can satisfy the Planning Secretary (or an officer of the Department nominated by the Secretary) that the provisions of the planning proposal that are inconsistent are of minor significance.</p>		
<b>Focus area 8: Resources and Energy</b>			
8.1 Mining, Petroleum Production and Extractive Industries	<p>This direction applies to all relevant planning authorities when preparing a planning proposal that would have the effect of:</p> <p>(a) prohibiting the mining of coal or other minerals, production of petroleum, or winning or obtaining of extractive materials, or</p> <p>(b) restricting the potential development of 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> <p>(1) In the preparation of a planning proposal affected by this direction, the relevant planning authority must:</p> <p>(a) consult the Secretary of the Department of Primary Industries (DPI) to identify any:</p> <p>i. resources of coal, other minerals, petroleum or extractive material that are of either State or regional significance, and</p> <p>ii. existing mines, petroleum production operations or extractive industries occurring in the area subject to the planning proposal, and</p> <p>(b) seek advice from the Secretary of DPI on the development potential of resources identified under (1)(a)(i), and</p> <p>(c) identify and take into consideration issues likely to lead to land use conflict between other land uses and:</p>	N/A	This Direction does not apply as it does not prohibit mining or restrict potential development of mineral resources.

Sg.1 Direction	Applicable	Consistent	Comment
	<p>i. development of resources identified under (1)(a)(i), or</p> <p>ii. existing development identified under (1)(a)(ii).</p> <p>(2) Where a planning proposal prohibits or restricts development of resources identified under (1)(a)(i), or proposes land uses that may create land use conflicts identified under (1)(c), the relevant planning authority must:</p> <p>(a) provide the Secretary of DPI with a copy of the planning proposal and notification of the relevant provisions,</p> <p>(b) allow the Secretary of DPI a period of 40 days from the date of notification to provide in writing any objections to the terms of the planning proposal, and</p> <p>(c) include a copy of any objection and supporting information received from the Secretary of DPI with the statement to the Planning Secretary (or an officer of the Department nominated by the Secretary before undertaking community consultation in satisfaction of Schedule 1 to the Act.</p> <p>A planning proposal may be inconsistent with the terms of this direction only if the relevant planning authority can satisfy the Planning Secretary (or an officer of the Department nominated by the Secretary), that the provisions of the planning proposal that are inconsistent are of minor significance.</p>		
<b>Focus area 9: Primary Production</b>			
9.1 Rural Zones	<p>This direction applies when a relevant planning authority prepares a planning proposal that will affect land within an existing or proposed rural zone (including the alteration of any existing rural zone boundary).</p> <p>A planning proposal must not rezone land from a rural zone to a residential, business, industrial, village or tourist zone.</p> <p>A planning proposal may be inconsistent with the terms of this direction only if the relevant planning authority can satisfy the Planning Secretary (or an officer of the Department nominated by the Secretary that the provisions of the planning proposal that are inconsistent are:</p> <p>(a) justified by a strategy approved by the Planning Secretary which:</p>	N/A	The planning proposal does not affect land in an existing or proposed rural zone.



S9.1 Direction	Applicable	Consistent	Comment
	<ul style="list-style-type: none"> <li>i. gives consideration to the objectives of this direction, and</li> <li>ii. identifies the land which is the subject of the planning proposal (if the planning proposal relates to a particular site or sites), or</li> </ul> <p>(b) justified by a study prepared in support of the planning proposal which gives consideration to the objectives of this direction, or</p> <p>(c) in accordance with the relevant Regional Strategy, Regional Plan or District Plan prepared by the Department of Planning, Industry and Environment which gives consideration to the objective of this direction, or</p> <p>(d) is of minor significance.</p>		
9.2 Rural Lands	<p>This direction applies when a relevant planning authority prepares a planning proposal for land outside the local government areas of Lake Macquarie, Newcastle, Wollongong and LGAs in the Greater Sydney Region (as defined in the <i>Greater Sydney Commission Act 2015</i>) other than Wollondilly and Hawkesbury, that:</p> <ul style="list-style-type: none"> <li>(a) will affect land within an existing or proposed rural or conservation zone (including the alteration of any existing rural or conservation zone boundary) or</li> <li>(b) changes the existing minimum lot size on land within a rural or conservation zone.</li> </ul> <p>(1) A planning proposal must:</p> <ul style="list-style-type: none"> <li>(a) be consistent with any applicable strategic plan, including regional and district plans endorsed by the Planning Secretary, and any applicable local strategic planning statement</li> <li>(b) consider the significance of agriculture and primary production to the State and rural communities</li> <li>(c) identify and protect environmental values, including but not limited to, maintaining biodiversity, the protection of native vegetation, cultural heritage, and the importance of water resources</li> <li>(d) consider the natural and physical constraints of the land, including but not limited to, topography, size, location, water availability and ground and soil conditions</li> <li>(e) promote opportunities for investment in productive, diversified, innovative and sustainable rural economic activities</li> </ul>	N/A	This Direction does not apply as the planning proposal does not affect land in an existing or proposed rural or conservation zone.

Sg.1 Direction	Applicable	Consistent	Comment
	<p>(f) support farmers in exercising their right to farm</p> <p>(g) prioritise efforts and consider measures to minimise the fragmentation of rural land and reduce the risk of land use conflict, particularly between residential land uses and other rural land use</p> <p>(h) consider State significant agricultural land identified in chapter 2 of the <i>State Environmental Planning Policy (Primary Production) 2021</i> for the purpose of ensuring the ongoing viability of this land</p> <p>(i) consider the social, economic and environmental interests of the community.</p> <p>(2) A planning proposal that changes the existing minimum lot size on land within a rural or conservation zone must demonstrate that it:</p> <p>(a) is consistent with the priority of minimising rural land fragmentation and land use conflict, particularly between residential and other rural land uses</p> <p>(b) will not adversely affect the operation and viability of existing and future rural land uses and related enterprises, including supporting infrastructure and facilities that are essential to rural industries or supply chains</p> <p>(c) where it is for rural residential purposes:</p> <p>i. is appropriately located taking account of the availability of human services, utility infrastructure, transport and proximity to existing centres</p> <p>ii. is necessary taking account of existing and future demand and supply of rural residential land.</p> <p>A planning proposal may be inconsistent with the terms of this direction only if the relevant planning authority can satisfy the Planning Secretary (or an officer of the Department nominated by the Secretary) that the provisions of the planning proposal that are inconsistent are:</p> <p>(a) justified by a strategy approved by the Planning Secretary and is in force which:</p> <p>i. gives consideration to the objectives of this direction, and</p> <p>ii. identifies the land which is the subject of the planning proposal (if the planning proposal relates to a particular site or sites), or</p> <p>(b) is of minor significance.</p>		

Sg.1 Direction	Applicable	Consistent	Comment
9.3 Oyster Aquaculture	<p>This direction applies to any relevant planning authority when preparing a planning proposal in ‘Priority Oyster Aquaculture Areas’ and oyster aquaculture outside such an area as identified in the <i>NSW Oyster Industry Sustainable Aquaculture Strategy</i> (2006) (“the Strategy”), when proposing a change in land use which could result in:</p> <ul style="list-style-type: none"> <li>(a) adverse impacts on a ‘Priority Oyster Aquaculture Area’ or a “current oyster aquaculture lease in the national parks estate”, or</li> <li>(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.</li> </ul> <p>(1) In the preparation of a planning proposal the relevant planning authority must:</p> <ul style="list-style-type: none"> <li>(a) identify any ‘Priority Oyster Aquaculture Areas’ and oyster aquaculture leases outside such an area, as shown the maps to the Strategy, to which the planning proposal would apply,</li> <li>(b) identify any proposed land uses which could result in any adverse impact on a ‘Priority Oyster Aquaculture Area’ or oyster aquaculture leases outside such an area,</li> <li>(c) identify and take into consideration any issues likely to lead to an incompatible use of land between oyster aquaculture and other land uses and identify and evaluate measures to avoid or minimise such land use in compatibility,</li> <li>(d) consult with the Secretary of the Department of Primary Industries (DPI) of the proposed changes in the preparation of the planning proposal, and</li> <li>(e) ensure the planning proposal is consistent with the Strategy.</li> </ul> <p>(2) Where a planning proposal proposes land uses that may result in adverse impacts identified under (1)(b) and (1)(c), relevant planning authority must:</p> <ul style="list-style-type: none"> <li>(a) provide the Secretary of DPI with a copy of the planning proposal and notification of the relevant provisions,</li> <li>(b) allow the Secretary of DPI a period of 40 days from the date of notification to provide in writing any objections to the terms of the planning proposal, and</li> </ul>	N/A	This Direction does not apply as the planning proposal does not apply to land in a priority Oyster Aquaculture Area.

S9.1 Direction	Applicable	Consistent	Comment
	<p>(c) include a copy of any objection and supporting information received from the Secretary of DPI with the statement to the Planning Secretary before undertaking community consultation in satisfaction of Schedule 1 to the EP&amp;A Act.</p> <p>A planning proposal may be inconsistent with the terms of this direction only if the relevant planning authority can satisfy the Planning Secretary (or an officer of the Department nominated by the Secretary) that the provisions of the planning proposal that are inconsistent are of minor significance.</p>		
9.4 Farmland of State and Regional Significance on the NSW Far North Coast	This direction does not currently apply to the Coffs Harbour LGA.	N/A	

**APPENDIX 3 – LOTS INCLUDED IN THE INVESTIGATION AREA**

**APPENDIX 4 – URBAN DESIGN REPORT**

**APPENDIX 5 – FLOOD RISK ASSESSMENT AND FLOOD IMPACT ASSESSMENT**



**APPENDIX 6 –BUSHFIRE ASSESSMENT**

**APPENDIX 7 –FLORA AND FAUNA ASSESSMENT**

**APPENDIX 8 –TRAFFIC AND TRANSPORT ASSESSMENT**

**APPENDIX 9 –ACOUSTIC STUDY**

**APPENDIX 10 –CONSULTATION REPORT**