

Author: Planner/Urban Designer (e-Planning)

Authoriser: Director City Planning & Communities

MyCoffs: C.1 Liveable neighbourhoods with a defined identity

Attachments: ATT1 CPC24/13 Planning Proposal to Reduce Minimum Lot Size at 35 Saye Close, Sandy Beach - Pre-Exhibition [↓](#)
ATT2 CPC24/13 Proposed LEP Map Amendment [↓](#)

EXECUTIVE SUMMARY

An application has been received by the City of Coffs Harbour to amend Coffs Harbour Local Environmental Plan 2013 for Lot 21 DP 831915, No. 35 Saye Close, Sandy Beach to facilitate the subdivision of the land for large lot residential purposes. The application has been determined to have merit as it accords with the City of Coffs Harbour's Local Growth Management Strategy 2020.

The purpose of this report is to seek Council's endorsement to initiate a planning proposal to amend Coffs Harbour Local Environmental Plan 2013 to reduce the minimum lot size applying to the subject land from one hectare to 5,000m² (Attachment 1).

RECOMMENDATION:

That Council:

1. Initiate and forward a planning proposal to the NSW Department of Planning, Housing and Infrastructure seeking a gateway determination to reduce the minimum lot size for Lot 21 DP 831915, No. 35 Saye Close, Sandy Beach (Attachment 1).
2. Request that the Secretary of the NSW Department of Planning, Housing and Infrastructure issue written authorisation to Council to exercise delegation of the plan making functions under Section 3.36(2) of the Environmental Planning and Assessment Act 1979 in respect of the planning proposal.
3. Publicly exhibit the planning proposal and undertake government agency consultation in accordance with the gateway determination issued by the NSW Department of Planning, Housing and Infrastructure.
4. Note that a further report will be brought back to Council for consideration following public exhibition of the planning proposal.
5. Inform the owners of the subject land and their consultant of Council's decision.

REPORT

Applicant: Keiley Hunter Town Planning
Landowner: CoffsChap Pty Ltd
Land: Lot 21 DP 831915, No. 35 Saye Close, Sandy Beach
Zone: R5 Large Lot Residential

Description of Item:

A proponent-initiated application has been received by the City of Coffs Harbour (City) to amend Coffs Harbour Local Environmental Plan (LEP) 2013 as it applies to Lot 21 DP 831915, No. 35 Saye Close, Sandy Beach to facilitate the subdivision of the land for large lot residential purposes.

The subject land has a total area of 1.002 hectares and is contained within Zone R5 Large Lot Residential under Coffs Harbour LEP 2013. The proposed amendment to reduce the minimum lot size to 5,000m² would enable a development application to be made for the subdivision of the land to create one additional large lot residential allotment. No other changes to Coffs Harbour LEP 2013 are proposed or required.

The application has been assessed and has been determined to have merit as it accords with the City's Local Growth Management Strategy 2020 (LGMS) and the land is relatively unconstrained. In this regard, a planning proposal has been prepared in accordance with Section 3.33 of the Environmental Planning and Assessment Act 1979 to initiate an amendment to Coffs Harbour LEP 2013 (Attachment 1).

- **The Subject Land**

The application to amend Coffs Harbour LEP 2013 affects land at No. 35 Saye Close, Sandy Beach (Lot 21 DP 831915) as shown in Figure 1. The subject land is within Zone R5 Large Lot Residential under Coffs Harbour LEP 2013 and is located in an area developed for large lot residential purposes. The 1 hectare site has an existing childcare centre located within the western portion of the site, while the eastern part of the site contains vegetation mapped as Secondary Koala Habitat.

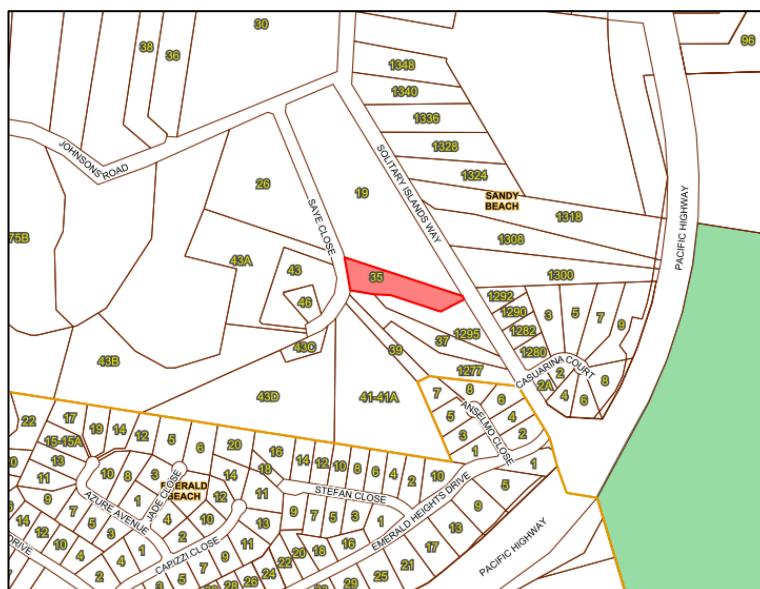


Figure 1 – Subject Land

A minimum lot size of one hectare currently applies to the subject land. The application to amend Coffs Harbour LEP 2013 proposes to reduce the minimum lot size from one hectare to 5,000m². Existing and proposed minimum lot size provisions are shown in Figure 2 and can also be viewed using the link in Attachment 2 of this report.

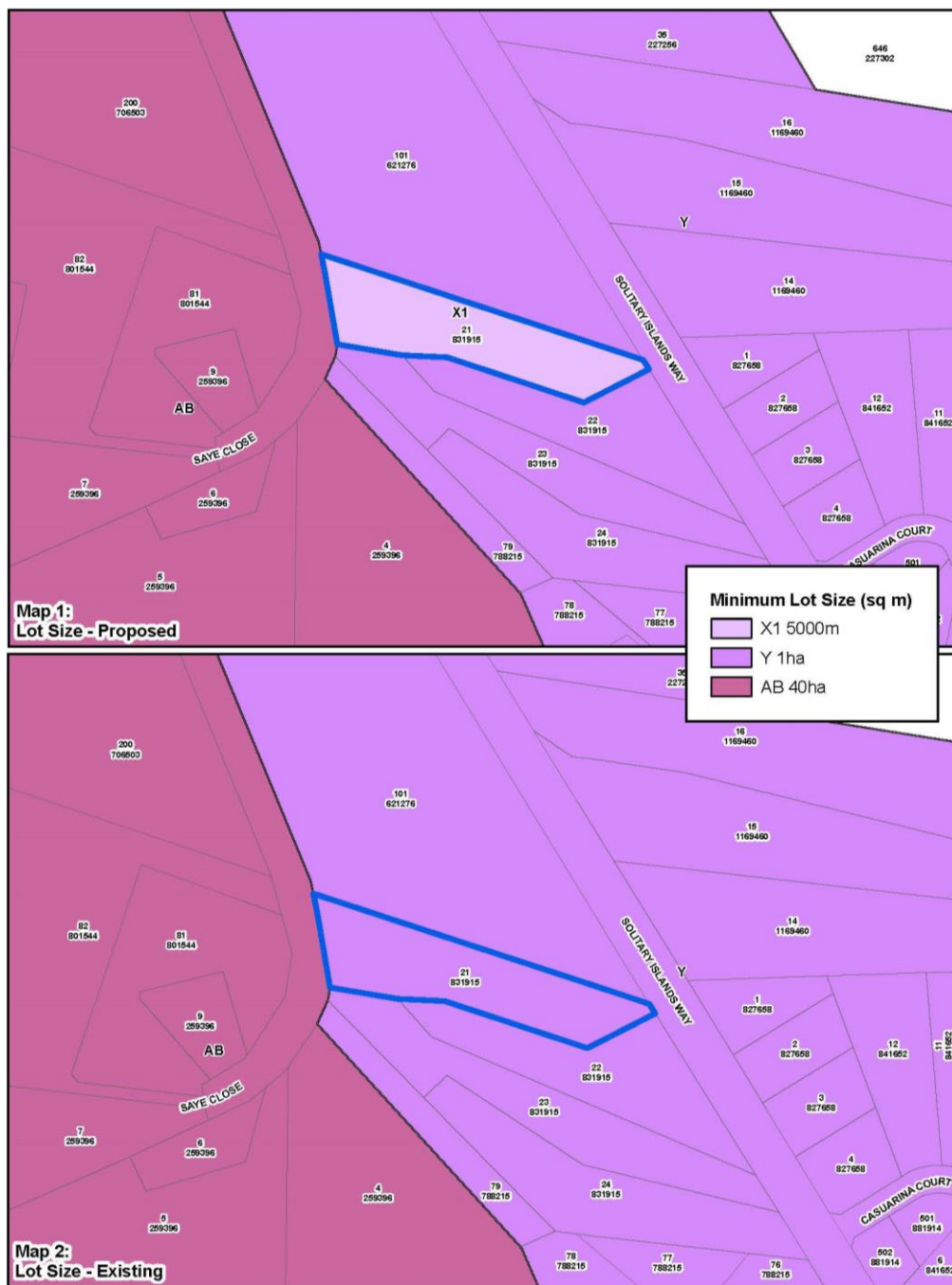


Figure 2 – Existing and Proposed Minimum Lot Size

Issues:

- Minimum Lot Size**

A range of minimum lot sizes currently apply to land within Zone R5 Large Lot Residential under Coffs Harbour LEP 2013, reflecting historic planning controls and site-specific land constraints (i.e. on-site sewage management). Historically, minimum lot size requirements were reflected in the City's development control plans and were able to be varied based on merit. Minimum lot size provisions are now a development standard within Coffs Harbour LEP 2013, with the introduction of the Standard Instrument LEP across New South Wales (NSW). The Land Capability Assessment included with the application to amend Coffs Harbour LEP 2013 (Appendix 4 of Attachment 1) demonstrates that 5,000m² lots on the subject land can be adequately serviced by on-site sewage management systems in accordance with the City's On Site Sewage Management Strategy 2015.

- **Local Growth Management Strategy 2020**

Chapter 6 – Large Lot Residential of the Coffs Harbour LGMS addresses minimum lot size within Zone R5 Large Lot Residential and notes that a reduced minimum lot size may be supported where sufficiently justified. Section 6.7 within Chapter 6 – Large Lot Residential states the following:

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

It is considered that the planning proposal (Attachment 1) has sufficiently justified a reduced minimum lot size for the subject land. The resulting outcome would facilitate large lot residential development on the land that is in keeping with the objectives of Zone R5 Large Lot Residential under Coffs Harbour LEP 2013.

Options:

Council has a number of options available in relation to this matter. They include:

1. Resolve to adopt the recommendations of this report.
2. Resolve to undertake an alternative approach.

Sustainability Assessment:

- **Environment**

Environmental sustainability issues have been considered and are addressed in Part 3 of the planning proposal (Attachment 1).

- **Social**

Social sustainability issues have been considered and are addressed in Part 3 of the planning proposal (Attachment 1).

- **Civic Leadership**

The planning proposal accords with the ‘MyCoffs Community Strategic Plan’ by undertaking development that is environmentally, socially and economically responsible.

- **Economic – Broader Economic Implications**

The proposal will facilitate the subdivision and creation of a single additional allotment and is therefore in keeping with the existing large lot residential character of the area.

- **Economic - Delivery Program/Operational Plan Implications**

The recommendations contained within this report are unlikely to impact on the City’s Delivery Program or Operational Plan given that the LEP amendment process is being undertaken as a business as usual process, funded through a proponent-initiated planning proposal.

Risk Analysis:

The request to amend Coffs Harbour LEP 2013 accords with the Coffs Harbour LGMS – Chapter 6 Large Lot Residential Lands, which states that applicant-initiated planning proposals may be lodged where a reduced minimum lot size can be justified on existing land within Zone R5 Large Lot Residential. As such, the planning proposal is considered to be of low risk to the City. The public

exhibition process that is required to be undertaken for the proposed LEP amendment will also assist in reducing the City's risk.

Consultation:

Should Council resolve to initiate the planning proposal and a gateway determination is subsequently issued by NSW Department of Planning, Housing and Infrastructure, the planning proposal is required to be exhibited in accordance with the gateway determination and relevant planning legislation. Consultation with government agencies and other stakeholders may also be required if specified within the gateway determination. Consultation will be undertaken in accordance with the City's Community Participation and Engagement Plan.

Related Policy, Precedents and / or Statutory Requirements:

The planning proposal has been prepared in accordance with the Environmental Planning and Assessment Act 1979 and the Environmental Planning and Assessment Regulation 2021. A number of other relevant policies and statutory documents have been considered in the preparation of the planning proposal.

Implementation Date / Priority:

Should Council resolve to initiate the planning proposal, it will be sent to NSW Department of Planning, Housing and Infrastructure for gateway determination. The timeframe for the completion of this planning proposal is governed by the relevant planning legislation and NSW Department of Planning, Housing and Infrastructure.

Conclusion:

The purpose of this report is to seek Council's endorsement to initiate a planning proposal to amend Coffs Harbour LEP 2013 to reduce the minimum lot size applying to No. 35 Saye Close, Sandy Beach from 1 hectare to 5,000m². The proposed amendment to Coffs Harbour LEP 2013 will allow application to be made for subdivision of the site to create a single additional lot.

The proposal accords with the North Coast Regional Plan 2041 and Coffs Harbour LGMS. Sufficient planning merit for the amendment to Coffs Harbour LEP 2013 is provided within the planning proposal (Attachment 1).

**MINUTES**

**CITY OF COFFS HARBOUR
ORDINARY COUNCIL MEETING
RIVER OAK ROOM, LEVEL 3, YARRILA PLACE,
27 GORDON STREET, COFFS HARBOUR
ON THURSDAY, 23 MAY 2024 AT 5.00PM**

PRESENT: Cr Jonathan Cassell, Cr George Cecato, Cr Tony Judge, Cr Rodger Pryce, Cr Julie Sechi, Cr Tegan Swan, Cr Sally Townley, Cr Scott Wolgamot (audio-visual).

STAFF: General Manager, Director City Infrastructure, Director City Planning & Communities, Director Business Services and Executive Assistant

LEAVE OF ABSENCE Nil

OPENING OF ORDINARY MEETING

The meeting commenced at 5.00pm with the Deputy Mayor, Cr Sally Townley in the chair.

ACKNOWLEDGEMENT OF COUNTRY

We respectfully acknowledge the traditional custodians of the land on which we meet, the Gumbaynggirr people, who have cared for this land since time immemorial. We pay our respects to their Elders, past, present and emerging, and commit ourselves to a future with reconciliation and renewal at its heart.

STATEMENT IN RELATION TO MEETING PRACTICE

The Deputy Mayor reminded the Chamber that the meeting was being recorded, live audio streamed and publicly available on Council's website. All persons attending the meeting should refrain from making any defamatory statements. No other recordings are permitted without Council authorisation.

DISCLOSURE OF INTEREST

Councillor	Items	Type of Interest
Cr Julie Sechi	NOM24/06 Jetty Foreshores - Proposed PDNSW Plan and Inconsistency with Local Strategic Planning Statement and NSW Government Policies	Non-Pecuniary - Less Than Significant Conflict as she owns property in the Jetty area.

APOLOGIES

No apologies

LEAVE OF ABSENCE**2024/83 RESOLVED (Cr Sally Townley / Cr Julie Sechi)**

That leave of absence for this meeting, 23 May 2024, as requested from Cr Paul Amos be approved.

The Motion on being put to the meeting was carried unanimously.

CARRIED

ATTEND MEETING BY AUDIO-VISUAL LINK**2024/84 RESOLVED (Cr Julie Sechi / Cr Tony Judge)**

That Cr Scott Wolgamot be permitted to attend this meeting, 23 May 2024, by audio-visual link as he is out of town.

The Motion on being put to the meeting was carried unanimously.

CARRIED

CONFIRMATION OF MINUTES**2024/85 RESOLVED (Cr Tony Judge / Cr Julie Sechi)**

That the minutes of the Ordinary Meeting held on 9 May 2024 be confirmed.

The Motion on being put to the meeting was carried unanimously.

CARRIED

The meeting adjourned at 5.04pm due to technical issues with the webcast, and reconvened at 5.12pm.

GENERAL MANAGER'S REPORTS

**GM24/25 OPERATIONAL PLAN - QUARTERLY BUDGET REVIEW AND PROGRESS
REPORT MARCH 2024**

EXECUTIVE SUMMARY

The City of Coffs Harbour 2023/24 Operational Plan was adopted on 22 June 2023 for implementation from 1 July 2023.

The original adopted budget for 2023/24 provided a consolidated net surplus of \$51.8M and an operating surplus before capital revenue of \$13.4M. The original adopted budget for 2023/24 provided a General Fund net surplus of \$32.4M and an operating surplus before capital revenue of \$0.002M.

Internal reporting for the March 2024 quarter has identified a number of amendments needed to the 2023/24 Operational Plan. The proposed changes relate to extensions in the forecast end dates of projects within the same financial year, adding projects that were not in the adopted 2023/24 Operational Plan and changes in metrics. Any budget changes have been adopted by Council within the preceding monthly financial reports.

The revised Consolidated budget after carrying forwards and approved variations to March is a net surplus of \$54.6M and an operating surplus before capital revenue of \$18.9M. The revised General Fund component is a net surplus of \$35.0M and an operating surplus before capital revenue of \$5.3M, of which \$3.2M is internally restricted investment interest.

The *2023/24 Operational Plan quarterly progress report detailed - 1 January to 31 March 2024* (Attachment 3) identifies achievements and challenges recorded during the reporting period against its 2023/24 Operational Plan and provides updates on the City of Coffs Harbour's services, projects, and key operational activities. Changes are detailed in the *2023/24 Operational Plan change addendum October-December 2023* (Attachment 4).

There are 204 Operational Plan actions detailed in the quarterly report. The majority are recorded as being on track; 17 are complete, 20 are listed as minor disruptions, and there are 13 major disruptions.

The *2023/24 Operational Plan quarterly progress report summary - 1 January to 31 March 2024* (Attachment 2) has been developed to provide an easy-to-read summary of the City of Coffs Harbour's budget position and how the City of Coffs Harbour's 2022-26 Delivery Program and 2023/24 Operational Plan is helping to achieve the MyCoffs Community Strategic Plan.

2024/86 RESOLVED (Cr Jonathan Cassell / Cr Tony Judge)

That Council:

- Note the following estimated budget position as at 31 March 2024:

City of Coffs Harbour Consolidated Income Statement Period Ending: 31 March 2024														
DESCRIPTION	CURRENT MONTH				YEAR TO DATE				Last year LTD Actuals	FULL YEAR				
	Actual	Budget	Variance	Var %	Actual	Budget	Variance	Var %		Last Year Actual	Original Budget	Approved Changes	Proposed Changes	Year End Forecast
	\$'000	\$'000	\$'000		\$'000	\$'000	\$'000		\$'000	\$'000	\$'000	\$'000	\$'000	
Operating Income														
Rates & Annual Charges	80	125	(46)	-36%	113,931	113,537	394	0%	110,908	111,096	113,800	113,807	0	113,807
User Charges & Fees	5,759	5,051	708	14%	39,206	38,073	1,133	3%	34,312	52,314	48,761	52,785	211	52,996
Interest & Investment Revenue	1,357	869	489	56%	11,632	7,707	3,925	51%	7,827	10,610	6,985	10,985	0	10,985
Other Revenues	1,511	1,219	293	24%	10,863	10,236	627	6%	21,552	24,970	17,635	23,286	(4,016)	19,270
Grants & Contributions - Operating Purposes	768	728	41	6%	8,611	8,781	(170)	-2%	6,120	17,505	16,949	20,808	2,331	23,139
Gain on Disposal	0	0	0	0%	0	0	0	0%	3,330	6,753	0	0	0	0
Internal Revenue	2,876	2,789	88	3%	27,229	26,402	827	3%	25,696	35,510	35,417	35,539	0	35,539
Total Income from Continuing Operation	12,352	10,779	1,572	15%	211,472	204,736	6,736	3%	210,344	258,759	239,547	257,210	(1,473)	255,737
Operating Expenditure														
Employee Benefits & Oncoasts	5,840	5,194	646	12%	47,117	48,636	(1,519)	-3%	44,194	58,656	63,064	65,365	(537)	64,828
Borrowing Costs	884	884	(1)	0%	3,993	3,994	(1)	0%	4,611	7,723	6,273	6,273	0	6,273
Materials & Services	5,160	5,338	(178)	-3%	44,168	46,070	(1,902)	-4%	49,428	65,082	63,866	72,216	147	72,363
Depreciation & Amortisation	3,840	3,792	49	1%	34,204	34,124	80	0%	31,752	46,017	45,875	45,875	0	45,875
Other Expenses	1,208	1,147	61	5%	9,232	9,330	(98)	-1%	7,830	11,376	11,623	11,880	0	11,880
Loss on Disposal of Assets	934	0	934	0%	3,221	0	3,221	0%	6,899	9,676	0	0	0	0
Internal Expenses	2,902	2,841	61	2%	27,239	26,459	780	3%	25,252	34,704	35,417	35,546	42	35,588
Total Expenditure from Continuing Oper	20,768	19,196	1,572	8%	169,175	168,613	562	0%	169,766	233,233	226,118	237,155	(348)	236,808
OPERATING (DEFICIT) / SURPLUS	(8,417)	(8,417)	(0)	0%	42,297	36,123	6,174	17%	40,579	25,525	13,429	20,055	(1,126)	18,929
Capital Revenue														
Capital Grants, Contributions and Donations	5,801	2,933	2,867	98%	23,286	20,835	2,451	12%	22,835	29,390	38,374	40,296	(4,602)	35,694
CAPITAL REVENUE	5,801	2,933	2,867	98%	23,286	20,835	2,451	12%	22,835	29,390	38,374	40,296	(4,602)	35,694
NET OPERATING RESULT (Incl. Capital Grants & Contributions)														
	(2,616)	(5,483)	2,867	-52%	65,583	56,958	8,625	15%	63,414	54,916	51,802	60,351	(5,728)	54,623
Capital Expenditure														
	4,221	5,709	(1,487)	-26%	33,184	37,567	(4,382)	-12%	76,149	96,837	69,032	77,221	(8,565)	68,656

2. Note the impact of previous approved monthly adjustments for the March Quarter:
 - \$1,126,158 decrease in the budgeted net operating surplus.
 - \$219,444 increase in transfers from operating reserves.
 - \$906,714 increase in operating position funded by unrestricted cash.
 - \$8,565,194 decrease in budgeted capital expenditure.
 - \$2,327,770 decrease in transfers from capital reserves.
 - \$4,602,049 decrease in the capital grants and contributions.
 - \$1,635,375 decrease in capital expenditure funded by unrestricted cash.
3. Endorse the following:
 - 2023/24 Operational Plan quarterly progress report summary - 1 January to 31 March 2024.
 - 2023/24 Operational Plan quarterly progress report detailed - 1 January to 31 March 2024.
 - 2023/24 Operational Plan amendments as outlined in 2023/24 Operational Plan Change Addendum - 1 January to 31 March 2024.

The Motion on being put to the meeting was carried unanimously.

CARRIED

GM24/26 BANK AND INVESTMENT BALANCES FOR APRIL 2024

EXECUTIVE SUMMARY

To present monthly Investment Reports in accordance with cl. 212 of the *Local Government (General) Regulation 2021* which states as follows:

1. *The Responsible Accounting Officer of a Council*
 - a. *must provide the council with a written report (setting out details of all money that the council has invested under section 625 of the Act) to be presented.*
 - i. *if only one ordinary meeting of the council is held in a month, at that meeting, or*
 - ii. *if more than one such meeting is held in a month, at whichever of those meetings the council by resolution determines, and*
 - b. *must include in the report a certificate as to whether the investment has been made in accordance with the Act, the regulations and the council's investment policies.*
2. *The report must be made up to the last day of the month immediately preceding the meeting.*

The City of Coffs Harbour's Bank Balances and Investments as at 30 April 2024 totalled \$323.86M. The City of Coffs Harbour receives independent advice and invests surplus funds in accordance with legislation and the City of Coffs Harbour's Investment Policy to maximise investment income and preserve capital to assist with funding requirements for projects listed under the Delivery Program and associated Operational Plans.

2024/87 RESOLVED (Cr Julie Sechi / Cr Tony Judge)

That Council notes the bank balances and investments totalling \$323.86M as at 30 April 2024.

The Motion on being put to the meeting was carried unanimously.

CARRIED

GM24/27 MONTHLY FINANCIAL PERFORMANCE REPORT FOR THE MONTH ENDED 30 APRIL 2024**EXECUTIVE SUMMARY**

This report presents the Monthly Financial Performance for the month ended 30 April 2024. The report provides information on the actual budget position at the financial statement level and capital expenditure reports for the current financial year.

As at 30 April 2024, the actual Consolidated year-to-date result before capital revenue is a surplus of \$12.4M against a budgeted surplus of \$7.2M. This result is largely due to investment income performing better than projected due to higher interest rates and the amount of funds available to be invested. The actual Consolidated year-to-date result after capital revenue is a surplus of \$38.2M against a budgeted surplus of \$30.0M.

As at 30 April 2024, the actual General Fund year-to-date result before capital revenue is a surplus of \$5.9M against a budgeted deficit of \$0.9M. In addition to investment income greater than budget expectations, Holiday Parks, Jetty Memorial Theatre, Commercial Works, and the waste facilities are all performing better than anticipated. The actual General Fund year-to-date result after capital revenue is a surplus of \$25.0M against a budgeted year-to-date surplus of \$16.9M.

Further explanation of year-to-date variances is contained within the Income Statement commentary under Variance Comments for variances greater than 10%. There are individual operational income sources with variances, but overall operational income is above expectations, with the operational expenditure on track.

A rigorous review of all capital projects has been undertaken during the month. These are reflected in the "Proposed Changes" section of Attachment 1. The revised capital expenditure target for the current financial year is \$58.6M with \$37.5M expended to the end of April 2024.

2024/88 RESOLVED (Cr Tony Judge / Cr Tegan Swan)

That Council:

1. Note the Monthly Financial Performance Report for 30 April 2024.
2. Adopt the proposed budget changes in Attachment 1.

The Motion on being put to the meeting was carried unanimously.

CARRIED

NOTICES OF MOTION – CITY PLANNING & COMMUNITIES**NOM24/06 JETTY FORESHORES - PROPOSED PDNSW PLAN AND INCONSISTENCY WITH LOCAL STRATEGIC PLANNING STATEMENT AND NSW GOVERNMENT POLICIES****2024/89 RESOLVED (Cr Sally Townley / Cr Tony Judge)**

That Council

1. Note that there are a range of strategies and directives issued by the NSW government which appear to be inconsistent with the Property and Development NSW plan for rezoning at the Jetty Foreshores.
2. Note the Local Planning Directions issued by the Minister for Planning to relevant planning authorities under section 9.1(2) of the Environmental Planning and

Assessment Act 1979, specifically 4.2(2) and 4.2(3) (Coastal Management), [link to Local Planning Directions](#).

3. Note the directives in the North Coast Regional Plan 2041, [link to North Coast Regional Plan](#), specifically Objectives 1, 3, 5 and 13.
4. Delete Action A1.3 from the City's Local Strategic Planning Statement and amend other statements within this document that are divergent from Council's adopted position regarding the Jetty Foreshores, [link to Coffs Harbour Local Strategic Planning Statement](#).
5. That the amended Local Strategic Planning Statement be placed on public exhibition.

For: Crs Cassell, Judge, Sechi, Townley and Wolgamot

Against: Crs Cecato, Pryce and Swan

CARRIED

DIRECTORATE REPORTS - CITY PLANNING & COMMUNITIES

CPC24/12 DRAFT COFFS HARBOUR ABORIGINAL CULTURAL HERITAGE MANAGEMENT PLAN, COFFS HARBOUR ABORIGINAL CULTURAL HERITAGE MAP AND DRAFT COFFS HARBOUR DEVELOPMENT CONTROL PLAN 2015 AMENDMENT NO. 37 (ABORIGINAL CULTURAL HERITAGE) - PRE-EXHIBITION

EXECUTIVE SUMMARY

The City of Coffs Harbour, in consultation with the local Aboriginal community, has prepared a draft Coffs Harbour Aboriginal Cultural Heritage Management Plan to establish a framework for the consideration of Aboriginal cultural heritage as part of the City of Coffs Harbour's planning and assessment processes and increase the knowledge and awareness of Aboriginal cultural heritage within the development industry and the broader community.

The purpose of this report is to seek endorsement from Council to publicly exhibit the draft Coffs Harbour Aboriginal Cultural Heritage Management Plan (Attachment 1), the associated Coffs Harbour Aboriginal Cultural Heritage Map (Attachment 2) and an associated amendment to Coffs Harbour Development Control Plan 2015 (Attachment 3).

2024/90 RESOLVED (Cr Jonathan Cassell / Cr Tony Judge)

That Council:

1. Publicly exhibit the draft Coffs Harbour Aboriginal Cultural Heritage Management Plan (Attachment 1) and Coffs Harbour Aboriginal Cultural Heritage Map (Attachment 2) for a minimum period of 28 days.
2. Publicly exhibit the draft Coffs Harbour Development Control Plan 2015 - Amendment No. 37 (Aboriginal Cultural Heritage) (Attachment 3) for a minimum period of 28 days.
3. Note that a further report will be brought back to Council for consideration following public exhibition of the draft Coffs Harbour Aboriginal Cultural Heritage Management Plan, Coffs Harbour Aboriginal Cultural Heritage Map, and draft Coffs Harbour Development Control Plan 2015 - Amendment No. 37 (Aboriginal Cultural Heritage).

The Motion on being put to the meeting was carried unanimously.

CARRIED

CPC24/13 PLANNING PROPOSAL TO REDUCE MINIMUM LOT SIZE - LOT 21 DP 831915, NO. 35 SAYE CLOSE, SANDY BEACH - PRE-EXHIBITION**EXECUTIVE SUMMARY**

An application has been received by the City of Coffs Harbour to amend Coffs Harbour Local Environmental Plan 2013 for Lot 21 DP 831915, No. 35 Saye Close, Sandy Beach to facilitate the subdivision of the land for large lot residential purposes. The application has been determined to have merit as it accords with the City of Coffs Harbour's Local Growth Management Strategy 2020.

The purpose of this report is to seek Council's endorsement to initiate a planning proposal to amend Coffs Harbour Local Environmental Plan 2013 to reduce the minimum lot size applying to the subject land from one hectare to 5,000m² (Attachment 1).

2024/91 RESOLVED (Cr Tegan Swan / Cr Julie Sechi)

That Council:

1. Initiate and forward a planning proposal to the NSW Department of Planning, Housing and Infrastructure seeking a gateway determination to reduce the minimum lot size for Lot 21 DP 831915, No. 35 Saye Close, Sandy Beach (Attachment 1).
2. Request that the Secretary of the NSW Department of Planning, Housing and Infrastructure issue written authorisation to Council to exercise delegation of the plan making functions under Section 3.36(2) of the Environmental Planning and Assessment Act 1979 in respect of the planning proposal.
3. Publicly exhibit the planning proposal and undertake government agency consultation in accordance with the gateway determination issued by the NSW Department of Planning, Housing and Infrastructure.
4. Note that a further report will be brought back to Council for consideration following public exhibition of the planning proposal.
5. Inform the owners of the subject land and their consultant of Council's decision.

The Motion on being put to the meeting was carried unanimously.

CARRIED

CPC24/14 DEVELOPMENT APPLICATION NO. 0364/23 - GENERAL INDUSTRY (RELOCATABLE ASPHALT PLANT) - LOT 2 DP 717056, NO. 55 ENGLANDS ROAD, NORTH BOAMBEE VALLEY**EXECUTIVE SUMMARY**

This report provides an assessment of Development Application No. 0364/23 for a general industry (relocatable asphalt plant) at Lot 2 DP 717056, No. 55 Englands Road, North Boambee Valley.

At its meeting of 25 August 2022, Council adopted the 'Development Applications - Consideration by Council Policy', which outlined:

That development applications for approval involving substantial aspects of the following elements be referred to Council for determination:

- *Conflict of interest*
- *Contentious development*

- *Departure from development standards*
- *Sensitive development*

This development application is being reported to Council for determination as it proposes to vary a development standard in the Local Environmental Plan by more than 10% and it is also defined as 'sensitive development', being designated development.

The City of Coffs Harbour also acknowledges that it has a prospective interest in the subject site and accordingly, the assessment of the development application and waste referral was completed by independent external, and suitably qualified persons in accordance with the processes outlined in the probity plan.

2024/92 RESOLVED (Cr George Cecato / Cr Julie Sechi)

That Council:

1. Support the request to vary a development standard made pursuant to Clause 4.6 of Coffs Harbour Local Environmental Plan 2013 for the variation to the building height development standard under clause 4.3 of Coffs Harbour Local Environmental Plan 2013, in this particular case.
2. Approve Development Application No. 0364/23 for a general industry (relocatable asphalt plant) at Lot 2 DP 717056, No. 55 Englands Road, North Boambee Valley subject to the conditions provided in Attachment 3.
3. Advise persons who made a submission on Development Application No. 0364/23 of Council's decision.

For: Crs Cecato, Judge, Pryce, Sechi, Swan and Wolgamot

Against: Crs Cassell and Townley

CARRIED

NOTICES OF MOTION – CITY INFRASTRUCTURE

NOM24/07 QUANTITATIVE IMPACT STUDY ON CITY'S WATER SUPPLY

MOTION (Cr Jonathan Cassell / Cr Tony Judge)

That Council:

1. Prepares a desktop report outlining the process, scope and cost of contracting a consultant to investigate the quantitative impact to the City of Coffs Harbour's water supply as a result of logging management practices in our region.
2. Allocate funds for the report from the Environmental Levy Strategic Fund up to \$40,000.
3. Prepare this report preferably by 22 August 2024 Council meeting or as soon as possible within the 24/25 budget period.

For: Crs Cassell, Judge and Townley

Against: Crs Cecato, Pryce, Sechi, Swan and Wolgamot

The **MOTION** on being put to the meeting was **LOST**.

QUESTIONS ON NOTICE

No questions on notice.

MATTERS OF AN URGENT NATURE

No matters of an urgent nature.

CLOSE OF MEETING

The Meeting closed at 6.44pm.

Confirmed: 13 June 2024

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Sally Townley
Deputy Mayor