

PLANNING PROPOSAL CITY OF COFFS HARBOUR

PP-2023-2552 – Faviell Drive, Bonville Lot 381 DP 844187, (43 Faviell Drive, Bonville)

> January 2025 VERSION 2 – Exhibition

PLANNING PROPOSAL STATUS

Stage	Version / Date (blank until achieved)
Reported to Council – Initiate s3.33 Version 1 - Pre_Exhibition	Version 1 – Pre-Exhibition 28 November 2024
Referred to DPIE s3.34(1) Version 1 - Pre_Exhibition	Version 1 – Pre-Exhibition 9 December 2024
Gateway Determination s3.34(2) Version 1 - Pre_Exhibition	Version 1 – Pre-Exhibition 12 December 2024
Amendments Required:	No.
Public Exhibition – Schedule 1 Clause 4 Version 2 - Exhibition	
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

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.

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, Housing and Infrastructure's Local Environmental Plan Making Guideline 2023.

What is the Intent of this Planning Proposal?

The intent of this Planning Proposal is to amend the Lot Size Map Sheet LSZ_006 of Coffs Harbour LEP 2013, as it relates to Lot 381 DP 844187, 43 Faviell Drive, Bonville, from 1 hectare to 4,000m².

Public Exhibition

This planning proposal is placed on public exhibition in accordance with the Gateway Determination issued by NSW Department of Planning, Housing and Infrastructure. Copies of the planning proposal and supportive information can be viewed on the City of Coffs Harbour's (City) Have Your Say Page https://haveyoursay.coffsharbour.nsw.gov.au/ for the duration of the exhibition period.

All interested persons are 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 City of Coffs Harbour Locked Bag 155 COFFS HARBOUR NSW 2450

Email: coffs.council@chcc.nsw.gov.au

Any questions, contact:

Jackson Pfister on (02) 6648 4662

or jackson.pfister@chcc.nsw.gov.au

Note: The City is committed to openness and transparency in its decision making processes. The Government Information (Public Access) Act 2009 requires the City 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, the City 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 the City's Customer Service Section or on the City's website www.coffsharbour.nsw.gov.au/disclosurestatement.

BACKGROUND

Proposal	Reduce Minimum Lot Size
Property Details	Lot 381 DP 844187, 43 Faviell Drive, Bonville
Current Land Use Zone(s)	R5 Large Lot Residential
Proponent	Keiley Hunter Town Planning
Landowner	G and D Fisk
Location	See Figure 1 – Locality Map

This planning proposal has been prepared in accordance with the Environmental Planning and Assessment Act 1979 and Local Environmental Plan Making Guideline 2023 (NSW Department of Planning, Housing and Infrastructure).

This planning proposal explains the intended effects of a proposed amendment to Coffs Harbour LEP 2013 to enable amendment of the Lot Size Map from 1 hectare to 4,000m² for Lot 381 DP 844187, 43 Faviell Drive, Bonville. This shall allow the consequent subdivision of the site, creating a single additional lot as shown in Figure 2.

The Site

This planning proposal applies to 43 Faviell Drive, Bonville (Lot 381 DP 844187), as shown in Figure 1.

The subject site is approximately 11.5km south-west of the Coffs Harbour City Centre and is located within an existing large lot residential locality. Faviell Drive is a 1.2km stretch of curved road that connects to Bradford Drive on each opposing end. The site is accessible from Faviell Drive by a concrete driveway situated towards the middle of the allotment.

The site is primarily utilized as a private rural residential estate and contains an existing dwelling, outbuildings and swimming pool. The site is largely clear of vegetation and features managed open lawn, mature fig trees along the east and west boundaries and an established fig tree in the southern portion of the allotment. Bonville Creek is located approximately 250m south of the allotment, and Burgess Creek is located approximately 390m north. There is a sizeable waterbody 100m to the north of the subject land that is privately owned.

The property drains gradually down to the northeast towards Faviell Drive, then drains via roadside drainage to an intermittent tributary of Burgess Creek.

The site has an area of 1.005 hectares and is zoned R5 Large Lot Residential under LEP 2013.

The current minimum lot size for this area is 1 hectare, as shown in Part 4: Mapping – Figure 3.

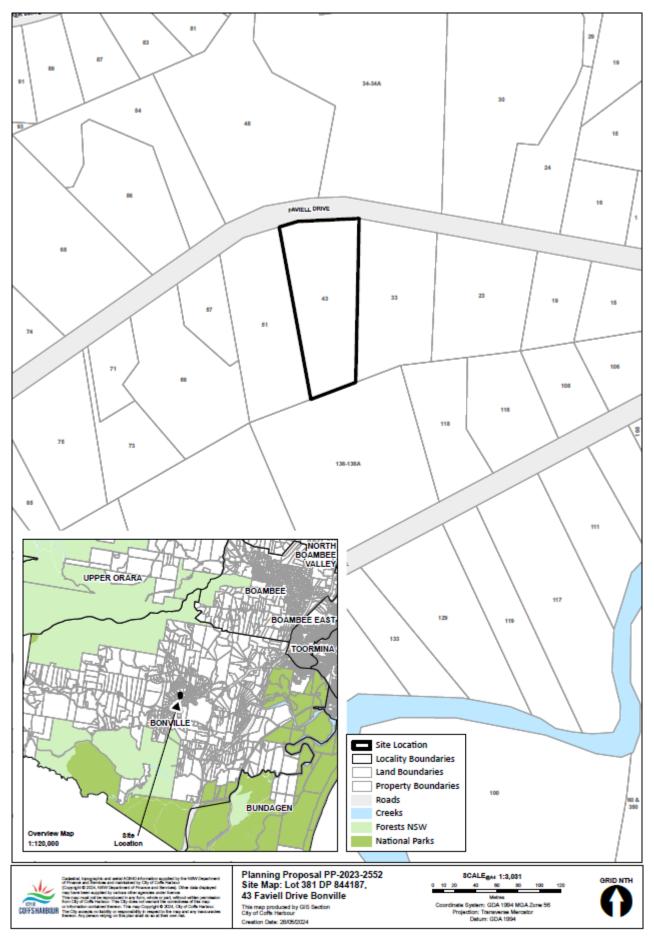


Figure 1: Site Location Map

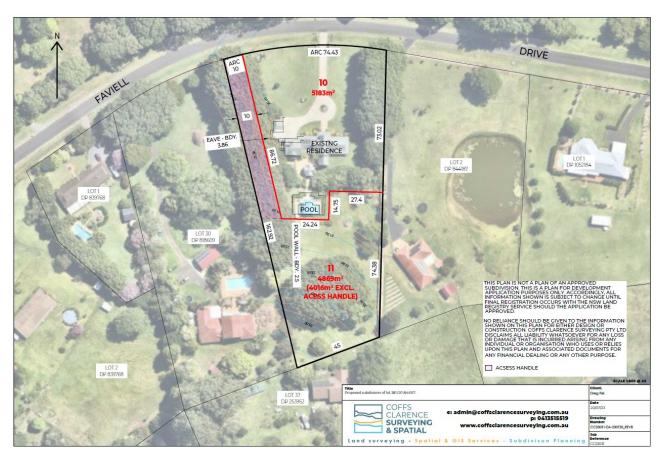


Figure 2: Concept Subdivision Layout

Note: In preparing this planning proposal, the City has not endorsed the proposed plan of subdivision, as this is subject to the development application process.

PART 1 – OBJECTIVES OR INTENDED OUTCOMES

The objective of this planning proposal is to amend the Lot Size Map (Sheet LSZ_006) of Coffs Harbour LEP 2013 to reduce the minimum lot size on the site from 1 hectare to 4,000m² to enable development application to be made for subdivision of the land.

PART 2 – EXPLANATION OF PROVISIONS

The intended outcome of the proposed LEP map amendment is to reduce the minimum lot size of 1 hectare to 4,000m² for Lot 381 DP 844187, 43 Faviell Drive, Bonville. This is to be achieved through the amendment of Sheet LSZ 006 (Lot Size Map) of LEP 2013.

PART 3 – JUSTIFICATION & SITE-SPECIFIC MERIT

This part provides a response to the following matters in accordance with the Local Environmental Plan Making Guideline 2023 (NSW Department of Planning, Housing and Infrastructure):

- Section A: Need for the planning proposal
- Section B: Relationship to 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 site is included in an existing R5 Large Lot Residential zone and Council's Local Growth Management Strategy (LGMS) 2020, Chapter 6 – Large Lot Residential allows for the potential reduction of minimum lot size in the R5 zone, where sufficiently justified.

Coffs Harbour has a range of lots sizes in its large lot (rural residential) areas, which reflect varying minimum lot size standards that have changed over time. These varied lot sizes are apparent within the Bonville large lot area, and in close proximity to the site. A reduction in minimum lot size for the site would be consistent with the surrounding neighbourhood and its character, as smaller sized lots are already present.

The proposed minimum lot size of 4,000m² will be sufficient to ensure that future lots might achieve a practical and efficient layout to meet their intended (rural residential) use. In this regard, the indicative layout in Figure 2 is demonstrative of this; achieving a practical and efficient layout in a rural residential context.

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 considered the best way to achieve the intended outcome, and is consistent with the approach set out in the LGMS, which is set out above. It is also consistent with the manner in which Council has dealt with similar planning proposals.

3. Is there a net community benefit?

The Net Community Benefit Criteria is identified in the NSW Government's publication *The Right Place for Business and Services*. This policy document has a focus on ensuring growth within existing

centres and minimising dispersed trip generating development. It applies most appropriately to planning proposals that promote significant increased residential areas or densities, or significant increased employment areas or the like. This planning proposal does not relate to ensuring growth within existing centres and minimising dispersed trip generating development; nor does it relate to promoting significant increased residential areas or densities, or significant increased employment areas or the like. The criteria in the Net Community Benefit test cannot be properly applied to this planning proposal.

Section B – Relationship to strategic planning framework

4. Will the planning proposal give effect to the objectives and actions contained within the North Coast Regional Plan 2041?

Yes; The proposed LEP map amendment is considered to be consistent with the relevant goals, objectives, activities and actions within the North Coast Regional Plan 2041 as follows:

GOAL 1 – LIVEABLE, SUSTAINABLE AND RESILIENT

• Objective 1 - Provide well located homes to meet demand

Strategy 1.1 A 10 year supply of zoned and developable residential land is to be provided and maintained in Local Council Plans endorsed by the Department of Planning, Housing and Infrastructure.

The proposed LEP amendment is not inconsistent with this strategy. As per Coffs Harbour Local Growth Management Strategy 2020, reduction of minimum lot size of land in Zone R5 Large Lot Residential is permitted where a land capability assessment supports a smaller lot size. The proposed amendment is contained within Zone R5 and is therefore consistent.

Action 1 Establish the North Coast urban housing monitoring program.

The proposed LEP amendment is not inconsistent with this action as it seeks to facilitate housing that could be utilised for this purpose.

Strategy 1.2 Local Council plans are to encourage and facilitate a range of housing options in well located areas.

The proposed LEP amendment is not inconsistent with this strategy given that it aims to facilitate additional housing stock in a suitable location.

Strategy 1.3 Undertake infrastructure service planning to establish land can be feasibly serviced prior to rezoning

The proposed LEP amendment is not inconsistent with this strategy. The proposed amendment is supported by a Land Capability Assessment in Appendix 3, which indicates the on-site sewage management can be maintained at a reduced minimum lot size.

Strategy 1.4 Councils in developing their future housing strategies must prioritise new infill development to assist in meeting the region's overall 40% multi-dwelling / small lot housing target and are encouraged to work collaboratively at a subregional level to achieve the target.

The proposed LEP amendment is not inconsistent with this strategy given that it seeks to facilitate additional large lot residential housing choice in a suitable location.

Strategy 1.5 New rural residential housing is to be located on land which has been approved in a strategy endorsed by the Department of Planning, Housing and Infrastructure and is to be directed away from the coastal strip.

As per Coffs Harbour Local Growth Management Strategy 2020, reduction of minimum lot size of land in Zone R5 Large Lot Residential is permitted where a land capability assessment supports a smaller lot size. The proposed amendment is contained within an existing R5 Large Lot Residential Zone and shall only result in the potential for a single additional allotment. As such, the proposed amendment is consistent with this strategy.

Strategy 1.6 Councils and LALCs can partner to identify areas which may be appropriate for culturally responsive housing on Country.

The proposed LEP amendment is not inconsistent with this strategy.

Action 2 Provide guidance to help councils plan for and manage accommodation options for seasonal and itinerant workers.

The proposed LEP amendment is not inconsistent with this action.

• Objective 2 - Provide for more affordable and low cost housing

Action 3 Establish Housing Affordability Roundtables for the Mid North Coast and Northern Rivers subregions with councils, community housing providers, State agencies and the housing development industry to collaborate, build knowledge and identify measures to improve affordability and increase housing diversity.

The proposed LEP amendment is not inconsistent with this action.

• Objective 3 - Protect regional biodiversity and areas of high environmental value

Strategy 3.1 Strategic planning and local plans must consider opportunities to protect biodiversity values by:

- focusing land-use intensification away from HEV assets and implementing the 'avoid, minimise and offset' hierarchy in strategic plans, LEPs and planning proposals;
- ensuring any impacts from proposed land use intensification on adjoining reserved lands or land that is subject to a conservation agreement are assessed and avoided;
- encouraging and facilitating biodiversity certification by Councils at the precinct scale for high growth areas and by individual land holders at the site scale, where appropriate;
- updating existing biodiversity mapping with new mapping in LEPs where appropriate;
- identifying HEV assets within the planning area at planning proposal stage through site investigations;
- applying appropriate mechanisms such as conservation zones and Biodiversity Stewardship Agreements to protect HEV land within a planning area and considering climate change risks to HEV assets;
- developing or updating koala habitat maps to strategically conserve koala habitat to help protect, maintain and enhance koala habitat; and
- considering marine environments, water catchment areas and groundwater sources to avoid potential development impacts.

The proposed LEP amendment is not inconsistent with this strategy. The subject land does not include HEV assets, High Valued Habitats (HVH) or Biodiversity Values.

Strategy 3.2 In preparing local and strategic plans Councils should:

- embed climate change knowledge and adaptation actions; and
- consider the needs of climate refugia for threatened species and other key species.

The proposed LEP amendment is not inconsistent with this strategy.

Collaboration Activity 1:

Work with and assist councils to:

- review biodiversity mapping and related local environmental plan and development control plan provisions;
- improve access to data to enable identification of protected areas including NPWS Estate, Crown Reserves and in-perpetuity private land conservation agreements to inform local planning;
- ensure koala habitat values are included in land-use planning decisions through regional plans, local strategic planning statements and local environmental plans.

Lead Agency: NSW Biodiversity and Conservation Division

The proposed LEP amendment is not inconsistent with this activity.

• Objective 4 - Understand, celebrate and integrate Aboriginal culture

Strategy 4.1 Councils prepare cultural heritage mapping with an accompanying Aboriginal cultural management plan in collaboration with Aboriginal communities to protect culturally important sites.

The proposed LEP amendment is not inconsistent with this strategy.

Strategy 4.2 Prioritise applying dual names in local Aboriginal language to important places, features or infrastructure in collaboration with the local Aboriginal community.

The proposed LEP amendment is not inconsistent with this strategy.

• Objective 5 - Manage and improve resilience to shocks and stresses, natural hazards and climate change

Strategy 5.1 When preparing local strategic plans, councils should be consistent with and adopt the principles outlined in the Strategic Guide to Planning for Natural Hazards.

The proposed LEP amendment is not inconsistent with this strategy.

Strategy 5.2 Where significant risk from natural hazard is known or presumed, updated hazard strategies are to inform new land use strategies and be prepared in consultation with emergency service providers and Local Emergency Management Committees (LEMCs). Hazard strategies should investigate options to minimise risk such as voluntary housing buy back schemes.

The proposed LEP amendment is not inconsistent with this strategy.

- Strategy 5.3 Use local strategic planning and local plans to adapt to climate change and reduce exposure to natural hazards by:
 - identifying and assessing the impacts of place-based shocks and stresses;
 - taking a risk-based-approach that uses the best available science in consultation with the NSW Government, emergency service providers, local emergency management committees and bush fire risk management committees;
 - locating development (including urban release areas and critical infrastructure) away from areas of known high bushfire risk, flood and coastal hazard areas to reduce the community's exposure to natural hazards;
 - identifying vulnerable infrastructure assets and considering how they can be protected or adapted;
 - building resilience of transport networks in regard to evacuation routes, access for emergencies and, maintaining freight connections;
 - identifying industries and locations that would be negatively impacted by climate change and natural hazards and preparing strategies to mitigate negative impacts and identify new paths for growth;
 - preparing, reviewing and implementing updated natural hazard management plans and Coastal Management Programs to improve community and environmental

resilience which can be incorporated into planning processes early for future development;

- identifying any coastal vulnerability areas;
- updating flood studies and flood risk management plans after a major flood event incorporating new data and lessons learnt; and
- communicating natural hazard risk through updated flood studies and strategic plans.

The proposed LEP amendment is not inconsistent with this strategy. The proposed amendment will be referred to NSW Rural Fire Service for further consideration, as the site is located within Bushfire Prone Land (Vegetation Category 3).

Strategy 5.4 Resilience and adaptation plans should consider opportunities to:

- encourage sustainable and resilient building design and materials (such as forest products) including the use of renewable energy to displace carbon intensive or fossil fuel intensive options
- promote sustainable land management including Ecologically Sustainable Forest Management (ESFM)
- address urban heat through building and street design at precinct scale that considers climate change and future climatic conditions to ensure that buildings and public spaces are designed to protect occupants in the event of heatwaves and extreme heat events
- integrate emergency management and recovery needs into new and existing urban areas including evacuation planning, safe access and egress for emergency services personnel, buffer areas, building back better, whole-of-life cycle maintenance and operation costs for critical infrastructure for emergency management
- adopt coastal vulnerability area mapping for areas subject to coastal hazards to inform the community of current and emerging risks
- promote economic diversity, improved environmental, health and well-being outcomes and opportunities for cultural and social connections to build more resilient places and communities.

The proposed LEP amendment is not inconsistent with this strategy.

Strategy 5.5 Partner with local Aboriginal communities to develop land management agreements and policies to support cultural management practices.

The proposed LEP amendment is not inconsistent with this strategy.

Collaboration Activity 2:

Work with councils and agencies and the Transition North Coast Working Group to deliver the North Coast Enabling Regional Adaptation report to provide opportunities for climate change adaptation pathways with the aim of transitioning key regional systems to a more resilient future.

Lead Agency: NSW Office of Energy and Climate Change

The proposed LEP amendment is not inconsistent with this activity.

• Objective 6 – Create a circular economy

Strategy 6.1 Support the development of circular economy, hubs, infrastructure and activities and consider employment opportunities that may arise from circular economies and industries that harness or develop renewable energy technologies and will aspire towards an employment profile that displays a level of economic self-reliance, and resilience to external forces.

The proposed LEP amendment is not inconsistent with this strategy.

Strategy 6.2 Use strategic planning and waste management strategies to support a circular economy,

including dealing with waste from natural disasters and opportunities for new industry specialisations.

The proposed LEP amendment is not inconsistent with this strategy.

• Objective 7 - Promote renewable energy opportunities

Strategy 7.1 When reviewing LEPs and local strategic planning statements:

- ensure current land use zones encourage and promote new renewable energy infrastructure;
- identify and mitigate impacts on views, local character and heritage where appropriate; and
- undertake detailed hazard studies.

The proposed LEP amendment is not inconsistent with this strategy.

• Objective 8 - Support the productivity of agricultural land

Strategy 8.1 Local planning should protect and maintain agricultural productive capacity in the region by directing urban, rural residential and other incompatible development away from important farmland.

The proposed LEP amendment is not inconsistent with this strategy given that the Land is utilised for large lot residential purposes and is surrounded by similar land of varying sizes. The proposed amendment is not located within proximity to any important farmland identified in the North Coast Regional Plan 2041.

• Objective 9 - Sustainably manage and conserve water resources

Strategy 9.1 Strategic planning and local plans should consider:

- opportunities to encourage riparian and coastal floodplain restoration works;
- impacts to water quality, freshwater flows and ecological function from land use change;
- water supply availability and issues, constraints and opportunities early in the planning process;
- partnering with local Aboriginal communities to care for Country and waterways;
- locating, designing, constructing and managing new developments to minimise impacts on water catchments, including downstream waterways and groundwater resources;
- possible future diversification of town water sources, including groundwater, stormwater harvesting and recycling;
- promoting an integrated water cycle management approach to development;
- encouraging the reuse of water in new developments for urban greening and for irrigation purposes;
- improving stormwater management and water sensitive urban design;
- ensuring sustainable development of higherwater use industries by considering water availability and constraints, supporting more efficient water use and reuse, and locating development where water can be accessed without significantly impacting on other water users or the environment;
- identifying and protecting drinking water catchments and storages in strategic planning and local plans; and
- opportunities to align local plans with any certified Coastal Management Programs.

The proposed LEP amendment is not inconsistent with this strategy.

Strategy 9.2 Protect marine parks, coastal lakes and estuaries by implementing the NSW

Government's Risk-Based Framework for Considering Waterway Health Outcomes in Strategic Land-use Planning Decisions, with sensitive marine parks, coastal lakes and estuaries prioritised.

The proposed LEP amendment is not inconsistent with this strategy.

Strategy 9.3 Encourage a whole of catchment approach to land use and water management across the region that considers climate change, water security, sustainable demand and growth, the natural environment and investigate options for water management through innovation.

The proposed LEP amendment is not inconsistent with this strategy.

• Objective 10 - Sustainably manage the productivity of our natural resources

Strategy 10.1 Enable the development of the region's natural, mineral and forestry resources by avoiding interfaces with land uses that are sensitive to impacts from noise, dust and light interference.

The proposed LEP amendment is not inconsistent with this strategy.

Strategy 10.2 Plan for the ongoing productive use of lands with regionally significant construction material resources in locations with established infrastructure and resource accessibility.

The proposed LEP amendment is not inconsistent with this strategy.

GOAL 2 - PRODUCTIVE AND CONNECTED

• Objective 11 – Support cities and centres and coordinate the supply of well-located employment land

Strategy 11.1 Local council plans will support and reinforce cities and centres as a focal point for economic growth and activity.

The proposed LEP amendment is not inconsistent with this strategy.

- Strategy 11.2 Utilise strategic planning and land use plans to maintain and enhance the function of established commercial centres by:
 - simplifying planning controls
 - developing active city streets that retain local character
 - facilitating a broad range of uses within centres in response to the changing retail environment
 - maximising the transport and community facilities commensurate with the scale of development proposals.

The proposed LEP amendment is not inconsistent with this strategy.

- Strategy 11.3 Support existing and new economic activities by ensuring council strategic planning and local plans:
 - retain, manage and safeguard significant employment lands
 - respond to characteristics of the resident workforce and those working in the LGA and neighbouring LGAs
 - identify local and subregional specialisations
 - address freight, service and delivery considerations
 - identify future employment lands and align infrastructure to support these lands
 - provide flexibility in local planning controls
 - are responsive to future changes in industry to allow a transition to new opportunities
 - provide flexibility and facilitate a broad range of commercial, business and retail uses within centres

- focus future commercial and retail activity in existing commercial centres, unless there is no other suitable site within existing centres, there is a demonstrated need, or there is positive social and economic benefit to locate activity elsewhere
- are supported by infrastructure servicing plans for new employment lands to demonstrate feasibility prior to rezoning.

The proposed LEP amendment is not inconsistent with this strategy. The proposed amendment does not intend to remove, add or otherwise impact employment land.

Strategy 11.4 New employment areas are in accordance with an employment land strategy endorsed by the Department of Planning, Housing and Infrastructure.

The proposed LEP amendment is not inconsistent with this strategy. The proposed amendment only intends to enable the creation of a single additional large lot residential lot.

• Objective 12 – Create a diverse visitor economy

Strategy 12.1 Council strategic planning and local plans should consider opportunities to:

- enhance the amenity, vibrancy and safety of centres and township precincts;
- create green and open spaces that are accessible and well connected and enhance existing green infrastructure in tourist and recreation facilities;
- support the development of places for artistic and cultural activities;
- identify appropriate areas for tourist accommodation and tourism development;
- protect heritage, biodiversity and agriculture to enhance cultural tourism, agri-tourism and eco-tourism;
- partner with local Aboriginal communities to support cultural tourism and connect ventures across the region;
- support appropriate growth of the nighttime economy;
- provide flexibility in planning controls to allow sustainable agritourism and ecotourism;
- improve public access and connection to heritage through innovative interpretation;
- incorporate transport planning with a focus on active transport modes to connect visitors to key destinations.

The proposed LEP amendment is not inconsistent with this strategy.

• Objective 13 – Champion Aboriginal self-determination

Strategy 13.1 Provide opportunities for the region's LALCs, Native Title holders and community recognised Aboriginal organisations to utilise the NSW planning system to achieve development aspirations, maximising the flow of benefits generated by land rights to Aboriginal communities through strategic led planning.

The proposed LEP amendment is not inconsistent with this strategy.

Strategy 13.2 Prioritise the resolution of unresolved Aboriginal land claims on Crown land.

The proposed LEP amendment is not inconsistent with this strategy.

Strategy 13.3 Partner with community recognised Aboriginal organisations to align strategic planning and community aspirations including enhanced Aboriginal economic participation, enterprise and land, sea and water management.

The proposed LEP amendment is not inconsistent with this strategy.

Strategy 13.4 Councils consider engaging Aboriginal identified staff within their planning teams to facilitate strong relationship building between councils, Aboriginal communities and key stakeholders such as Local Aboriginal Land Councils and local Native Title holders.

The proposed LEP amendment is not inconsistent with this strategy.

Strategy 13.5 Councils should establish a formal and transparent relationship with local recognised Aboriginal organisations and community, such as an advisory committee.

The proposed LEP amendment is not inconsistent with this strategy.

- Action 5 The Department of Planning, Housing and Infrastructure will work with LALCs, Native Title holders and councils by:
 - meaningfully engaging with LALCs and Native Title holders in the development and review of strategic plans to ensure aspirations are reflected in plans;
 - building capacity for Aboriginal communities, LALCs and Native Title holders to utilise the planning system; and
 - incorporating Aboriginal knowledge of the region into plan.

The proposed LEP amendment is not inconsistent with this action.

• Objective 14 - Deliver new industries of the future

Strategy 14.1 Facilitate agribusiness employment and income-generating opportunities through the regular review of council planning and development controls, including suitable locations for intensive agriculture and agribusiness.

The proposed LEP amendment is not inconsistent with this strategy. The proposed amendment relates to rural residential land, and therefore will not result in any change to agribusiness opportunities.

Strategy 14.2 Protect established agriculture clusters and identify expansion opportunities in local plans that avoid land use conflicts, particularly with residential and rural residential land uses.

The proposed LEP amendment is not inconsistent with this strategy. The subject site is not located within an established cluster. Land use conflict is deemed to be unlikely, as there is adequate separation between the subject site and agricultural land located approximately 340m to the south.

• Objective 15 – Improve state and regional connectivity

Strategy 15.1 Protect proposed and existing transport infrastructure and corridors to ensure network opportunities are not sterilised by incompatible land uses or land fragmentation.

The proposed LEP amendment is not inconsistent with this strategy.

Collaboration Activity 4:

To ensure that centres experiencing high growth have well planned and sustainable transport options, placed-based Transport Plans will be developed for key cities and centres across the North Coast region.

Lead Agency: Transport for NSW

The proposed LEP amendment is not inconsistent with this activity.

• Objective 16 - Increase active and public transport usage

Strategy 16.1 Encourage active and public transport use by:

- prioritising pedestrian amenity within centres for short everyday trips
- providing a legible, connected and accessible network of pedestrian and cycling facilities
- delivering accessible transit stops and increasing convenience at interchanges to serve an ageing customer
- incorporating emerging anchors and commuting catchments in bus contract renewals
- ensuring new buildings and development include end of trip facilities
- integrating the active transport network with public transport facilities

- prioritising increased infill housing in appropriate locations to support local walkability and the feasibility of public transport stops

The proposed LEP amendment is not inconsistent with this strategy.

Strategy 16.2 Local plans should encourage the integration of land use and transport and provide for environments that are highly accessible and conducive to walking, cycling and the use of public transport and encourage active travel infrastructure around key trip generators.

The proposed LEP amendment is not inconsistent with this strategy.

• Objective 17 – Utilise new transport technology

Strategy 17.1 Councils should consider how new transport technology can be supported in local strategic plans, where appropriate.

The proposed LEP amendment is not inconsistent with this strategy.

Collaboration Activity 6:

Investigate public transport improvements including on-demand services.

Lead Agency: Transport for NSW

The proposed LEP amendment is not inconsistent with this activity.

GOAL 3 - GROWTH CHANGE AND OPPORTUNITY

• Objective 18 – Plan for sustainable communities

Action 6 Undertake housing and employment land reviews for the Northern Rivers and Mid North Coast subregions to assess future supply needs and locations.

The proposed LEP amendment is not inconsistent with this activity.

Objective 19 – Public spaces and green infrastructure support connected and healthy communities

Strategy 19.1 Councils should aim to undertake public space needs analysis and develop public space infrastructure strategies for improving access and quality of all public space to meet community need for public spaces. This could include:

- drawing on community feedback to identify the quantity, quality and the type of public space required
- prioritising the delivery of new and improved quality public space to areas of most need
- considering the needs of future and changing populations
- identifying walkable and cycleable connectivity improvements and quality and access requirements that would improve use and enjoyment of existing infrastructure
- consolidating, linking and enhancing high quality open spaces and recreational areas
- working in partnership with local Aboriginal communities to develop bespoke cultural infrastructure which responds to the needs of Aboriginal communities and

The proposed LEP amendment is not inconsistent with this strategy.

Strategy 19.2 Public space improvements and new development should consider the local conditions, including embracing opportunities for greening and applying water sensitive urban design principles.

The proposed LEP amendment is not inconsistent with this strategy.

Strategy 19.3 Encourage the use of council owned land for temporary community events and creative practices where appropriate by reviewing development controls.

The proposed LEP amendment is not inconsistent with this strategy.

- Strategy 19.4 Local environmental plan amendments that propose to reclassify public open space must consider the following:
 - the role or potential role of the land within the open space network;
 - how the reclassification is strategically supported by local strategies such as open space or asset rationalisation strategies;
 - where land sales are proposed, details of how sale of land proceeds will be managed; and
 - the net benefit or net gain to open space.

The proposed LEP amendment is not inconsistent with this strategy. The proposed amendment shall not reclassify public open space.

• Objective 20 – Celebrate local character

Strategy 20.1 Ensure strategic planning and local plans recognise and enhance local character through use of local character statements in local plans and in accordance with the NSW Government's Local Character and Place Guideline.

The proposed LEP amendment is not inconsistent with this strategy.

Strategy 20.2 Celebrate buildings of local heritage significance by:

- retaining the existing use where possible
- establishing a common understanding of appropriate reuses
- exploring history and significance
- considering temporary uses
- designing for future change of use options.

The proposed LEP amendment is not inconsistent with this strategy. There are no buildings of local heritage significance on the site.

Coffs Harbour Narrative

Regional Priorities

- Manage and support growth in Coffs Harbour, anchored by the expanding health, education and creative industries sectors, and Coffs Harbour Airport Enterprise Park.
- Deliver suitable housing and job opportunities across the LGA including in Coffs Harbour, Woolgoolga, Moonee Beach, Toormina and Sapphire Beach.
- Protect environmental assets that sustain the agricultural and tourism industries.

Livable and Resilient

- Provide mitigation measures in response to climate change.
- Support environmentally sustainable development that is responsive to natural hazards.
- Retain and protect local biodiversity through effective management of environmental assets and ecological communities.

Productive and Connected

- Develop health, education and aviation precincts at the South Coffs Harbour Enterprise Area and Coffs Harbour Airport Enterprise Park, and new employment land at Woolgoolga and Bonville.
- Promote the sustainable use of important farmland areas through encouraging initiatives to support the development of the agricultural sector and agribusiness.
- Identify opportunities to expand nature based, adventure and cultural tourism assets including Solitary Islands Marine Park and other coastal, hinterland, and heritage assets, which will support the local ecotourism industry.

Housing and Place

- Enable 'better places' through placemaking initiatives, active transport, urban design specific to the North Coast, and facilitation of the '20 minute neighbourhood'.
- Deliver housing at Woolgoolga, North Boambee Valley and Bonville, and address the temporary worker housing needs associated with the Coffs Harbour Bypass.
- Enhance the variety of housing options available by promoting a compact urban form in and around the Coffs Harbour city centre and Park Beach.

Smart, Connected and Accessible (Infrastructure)

- Increase and strengthen social, economic and strategic links with the Mid North Coast subregion including Bellingen, Clarence Valley and Nambucca LGAs, particularly regarding the delivery of additional employment lands.
- Maximise opportunities associated with the increased connectivity provided by the new Coffs Harbour Bypass.

The proposed LEP amendment is not inconsistent with this narrative given that it shall only result in a minor increase for large lot residential land. The reduction in minimum lot size will enable more efficient use of rural residential land, and will not negatively impact any biodiversity values. The proposed amendment is in keeping with the neighbourhood character, where other similarly sized lots can be found.

5. Is the planning proposal consistent with Council's endorsed local strategic planning statement, or another endorsed local strategy or strategic plan?

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

Planning Priority	Action
5. Deliver greater housing supply, choice and diversity	A5.1 - Review and amend Council's local planning controls relating to housing supply, choice and diversity as outlined in the Local Growth Management Strategy
	A5.5 - Implement remaining actions from the Local Growth Management Strategy as funding allows

MyCoffs Community Strategic Plan 2032

The City's Community Strategic Plan is based on four overarching themes: Community Wellbeing; Community Prosperity; A Place for Community; and Sustainable Community Leadership. Within each theme there are a number of sustainable development objectives and outcomes.

The planning proposal supports the vision of the MyCoffs Community Strategic Plan 'connected, sustainable, thriving' and will assist in achieving the objectives of the Plan by: attracting people to work, live and visit; and by undertaking development that is environmentally, socially and economically responsible.

Theme	Objective	Outcome
A Place for Community: Liveable neighbourhoods with a defined identity	We are creating liveable places that are beautiful and appealing.	 The Coffs Harbour area is a place we are proud to call home. Our neighbourhoods have a strong sense of identity and are actively shaped by the local community. Our neighbourhoods are people-friendly and liveable environments.
	We undertake development that is environmentally, socially and economically responsible.	 Population growth is focussed within the existing developed footprint. Sustainable design and best practice development provide quality housing options.

Coffs Harbour Local Growth Management Strategy

The site is included in an existing R5 Large Lot Residential zone and the LGMS (Chapter 6 – Large Lot Residential) addresses the potential reduction of minimum lot size in the R5 zone, where sufficiently justified. Section 6.7 within Chapter 6 of the LGMS 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 Council, bearing in mind the underlying reasons for the standard in the first place and the objectives of zone R5."

The planning proposal is supported by Appendix 3 – Land Capability Assessment and Appendix 4 - Bushfire Risk Management Plan, which indicate that the reduction of the minimum lot size is appropriate.

6. Is the planning proposal consistent with any other applicable State and Regional Study or Strategies?

Coffs Harbour Regional City Action Plan 2036

The NSW Government developed the Coffs Harbour Regional City Action Plan (the Plan) to provide a framework to manage and shape the city's future growth. 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 the following relevant goals, objectives and associated actions within the Plan:

Goal	Objective	Actions		
Live	17. Deliver a city that responds to Coffs Harbour's unique	17.1	Promote a sustainable growth footprint and enhance place-specific character and design outcomes.	
	green cradle setting and offer housing choice.	17.4	Support a greater variety and supply of affordable housing.	

7. 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.

8. 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

9. Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected as a result of the proposal?

No; there is little likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected as a result of the planning proposal. Vegetation located on the site consists of exotic planted species and lawn and has been developed for rural residential purposes, and does not contain any threatened species habitat, nor is it located near any such habitat. Consequently, the planning proposal will have minimal impacts on biodiversity.

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

Yes; the following matters have been identified as considerations for the planning proposal and any resulting development application.

Bushfire Risk

Bushfire risk has been addressed in a Bushfire Assessment Report (Appendix 4).

The Bushfire Assessment Report demonstrates that the planning proposal (and eventual two-lot large lot residential subdivision of the site) complies with relevant objectives (for the development type) and performance criteria within *Planning for Bushfire Protection* 2019.

Wastewater Capability Assessment

The Land Capability Assessment (Appendix 3) demonstrates that a minimum lot size of 4,000m² is suitable to accommodate the sustainable application of wastewater (on-site) from both future and existing residential development, considering the intended future subdivision of the site for large lot purposes.

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

Yes; the planning proposal is not likely to result in any adverse social or economic effects. Social benefits include a likely minor increase in housing choice and diversity in the Bonville locality for existing and future residents. Economic benefits are limited to the likely construction of a further dwelling on the site, and minor flow on benefits to local businesses and local community activities.

Section D - State and Commonwealth interests

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

Yes; the planning proposal is unlikely to create significant additional demand on existing public infrastructure. The proposed LEP amendment will enable the creation of one additional lot, subject to a development application, which shall be serviced by on-site water collection and a waste-water treatment system, as there is no available City water or sewer mains. Vehicular access to the additional lot can be achieved from Faviell Drive through a right of carriageway arrangement.

13. What are the views of State and federal public authorities and government agencies consulted in order to inform the Gateway determination?

The NSW Department of Planning, Housing and Infrastructure issued a Gateway Determination for the planning proposal on 12 December 2024 (Appendix 7). The Gateway Determination requires consultation on the planning proposal with the following Government Agencies:

• NSW Rural Fire Service;

PART 4 - MAPS

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

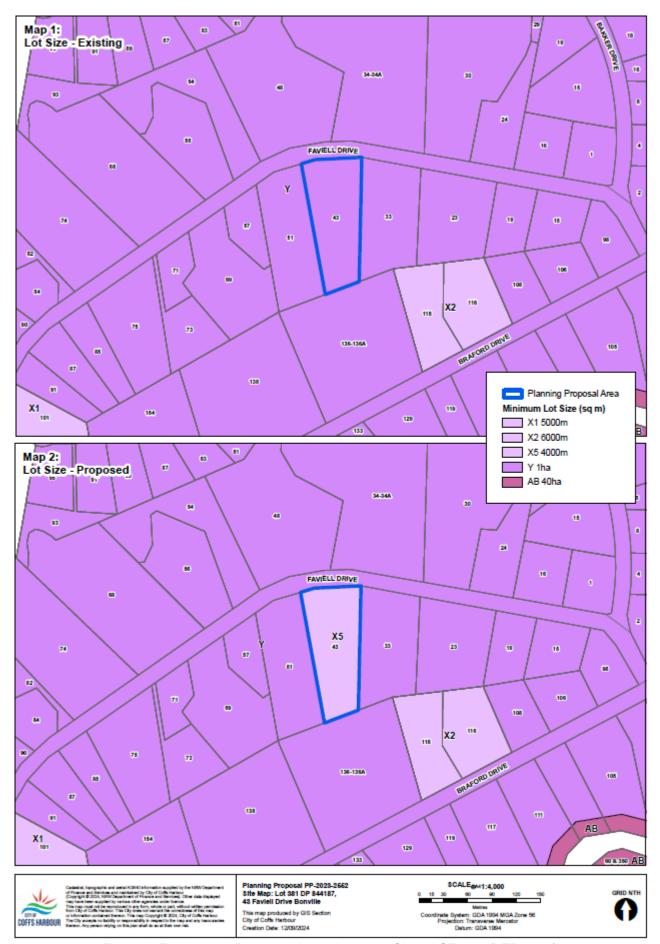


Figure 3: Existing and Proposed Amendments to Sheet LSZ_006 (LEP 2013)

Technical Notes:

- An amended version of this map sheet will be created and supplied to NSW Department of Planning, Housing and Infrastructure if Council resolves to initiate the planning proposal.

PART 5 – COMMUNITY CONSULTATION

The Gateway determination issued by the NSW Department of Planning, Housing and Infrastructure on 12 December 2024 (Appendix 7) specifies the community consultation requirements that must be undertaken for the planning proposal. The City considers that the planning proposal should be exhibited for 28 days, given that it is not a principal LEP and does not seek to reclassify public land.

Public Exhibition of the planning proposal will include the following:

Advertisement

Placement of an online advertisement in the Coffs Newsroom.

Consultation with affected owners and adjoining landowners

Written notification of the public exhibition to the proponent, the landowner and adjoining/adjacent landowners.

Website

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

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

PART 6 – PROJECT TIMELINE

The Gateway Determination issued by the NSW Department of Planning, Housing and Infrastructure requires the planning proposal to be completed by 12 September 2025. Based on this, the anticipated timeframes for the planning proposal are provided below in Table 1, noting that there can be unexpected delays in the process.

Table 1: Anticipated Timeline

Milestone	Anticipated Timeframe
Consideration by Council	November 2024
Commencement (date of Gateway determination)	December 2024
Pre-exhibition & agency consultation	January – March 2025
Consideration of submissions	April 2025
Post-Exhibition review and additional studies	April 2025
Reporting to Council for consideration	June 2025
Submission to Minister to make the plan (if not delegated)	July 2025
Submission to Minister for notification of the plan (if delegated)	
Gazettal of LEP Amendment	August 2025

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	No	N/A	The aims of this chapter of the Policy are: a) to protect the biodiversity values of trees and other vegetation in non-rural areas of the State, and b) to preserve the amenity of non-rural areas of the State through the preservation of trees and other vegetation. The proposed LEP amendment does not contain provisions that contradict or hinder the application of this chapter of the SEPP.
	Chapter 3 - Koala Habitat Protection 2020	No	N/A	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: a) by requiring the preparation of plans of management before development consent can be granted in relation to areas of core koala habitat, and b) by encouraging the identification of areas of core koala habitat, and c) by encouraging the inclusion of areas of core koala habitat in environment protection zones. The proposed LEP amendment does not contain provisions that contradict or hinder the application of this chapter of the SEPP.
	Chapter 4 - Koala Habitat Protection 2021	Yes	N/A	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. The provisions of this chapter only relate to development assessment processes and the preparation of koala plans of management. In this regard, the proposed LEP amendment does not contain provisions that contradict or hinder the application of this chapter of the SEPP.

State Environmental Planning Policy	Relevant Chapter	Applicable	Consistent	Comment
	Chapter 6 – Water Catchments	No	N/A	The City of Coffs Harbour is not listed in the "land application map" and therefore this chapter of the policy does not apply to the Coffs Harbour LGA at this point in time.
	Chapter 13 – Strategic Conservation Planning	No	N/A	The City of Coffs Harbour is not listed in the "land application map" and therefore this chapter of the policy does not apply to the Coffs Harbour LGA at this point in time.
SEPP (Exempt and Complying Development Codes) 2008	N/A – this is a standalone State Environmental Planning Policy	No	N/A	This Policy aims to provide streamlined assessment processes for development that complies with specified development standards by: a) providing exempt and complying development codes that have Statewide application, and 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 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 d) enabling the progressive extension of the types of development in this Policy, and e) providing transitional arrangements for the introduction of the State-wide codes, including the amendment of other environmental planning instruments. The proposed LEP amendment does not contain provisions that contradict or hinder the application of this SEPP.
State Environmental Planning Policy (Housing) 2021	N/A – this is a standalone State Environmental Planning Policy	No	N/A	The principles of this Policy are: a) enabling the development of diverse housing types, including purpose-built rental housing, 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,

State Environmental Planning Policy	Relevant Chapter	Applicable	Consistent	Comment
				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, d) minimising adverse climate and environmental impacts of new housing development, e) reinforcing the importance of designing housing in a way that reflects and enhances its locality, 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, g) mitigating the loss of existing affordable rental housing. The proposed LEP amendment does not contain provisions that contradict or hinder the application of this SEPP.
State Environmental Planning Policy (Industry and Employment) 2021	Chapter 3 - Advertising and Signage	No	N/A	This aims of this chapter of the Policy are: a) to ensure that signage (including advertising): (i) is compatible with the desired amenity and visual character of an area, and (ii) provides effective communication in suitable locations, and (iii) is of high quality design and finish, and b) to regulate signage (but not content) under Part 4 of the Act, and c) to provide time-limited consents for the display of certain advertisements, and d) to regulate the display of advertisements in transport corridors, and e) to ensure that public benefits may be derived from advertising in and adjacent to transport corridors. This Policy does not regulate the content of signage and does not require consent for a change in the content of signage. The proposed LEP amendment does not contain provisions that contradict or hinder the application of this chapter of the SEPP.

State Environmental Planning Policy	Relevant Chapter	Applicable	Consistent	Comment
State Environmental Planning Policy (Planning Systems) 2021.	Chapter 2 -State and Regional Development	No	N/A	 The aims of this chapter of the Policy are: a) to identify development that is State significant development, b) to identify development that is State significant infrastructure and critical State significant infrastructure, c) to identify development that is regionally significant development. The proposed LEP amendment does not contain provisions that contradict or hinder the application of this chapter of the SEPP.
	Chapter 3 - Aboriginal Land	N/A	N/A	The aims of this Chapter of the Policy are: a) to provide for development delivery plans for areas of land owned by Aboriginal Land Councils to be considered when development applications are considered, and b) to declare specified development carried out on land owned by Aboriginal Land Councils to be regionally significant development. The proposed LEP amendment does not contain provisions that contradict or hinder the application of this chapter of the SEPP.
	Chapter 4 - Concurrences and Consents	No	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 2 – State Significant Precincts	No	N/A	The aims of this chapter of the Policy are to: 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, 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. The proposed LEP amendment does not contain provisions that contradict or hinder the application of this chapter of the SEPP.

State Environmental Planning Policy	Relevant Chapter	Applicable	Consistent	Comment
	Chapter 6 – Urban Renewal Projects	No	N/A	 The aims of this Chapter are as follows— a) to establish the process for assessing and identifying sites as urban renewal precincts, b) to facilitate the orderly and economic development and redevelopment of sites in and around urban renewal precincts, 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. The proposed LEP amendment is not in or around an urban renewal precinct and does not contain provisions that contradict or hinder the application of this chapter of the SEPP.
State Environmental Planning Policy (Precincts— Eastern Harbour City) 2021	Chapter 2 -State Significant Precincts	No	N/A	The aims of this chapter of the Policy are to: 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, 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. 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— Regional) 2021	Chapter 2 -State Significant Precincts	N/A	N/A	The aims of this chapter of the Policy are to: 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,

State Environmental Planning Policy	Relevant Chapter	Applicable	Consistent	Comment
				b) to facilitate service delivery outcomes or 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. The proposed LEP amendment does not
				contain provisions that contradict or hinder the application of this chapter of the SEPP.
State Environmental Planning Policy (Primary Production) 2021	Chapter 2 - Primary Production and Rural Development	No	N/A	The aims of this chapter of the Policy are to: a) to facilitate the orderly economic use and development of lands for primary production, 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, 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, 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, e) to encourage sustainable agriculture, including sustainable aquaculture, f) to require consideration of the effects of all proposed development in the State on oyster aquaculture, 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. The proposed LEP amendment does not contain provisions that contradict or hinder the application of this chapter of the SEPP.

State Environmental Planning Policy	Relevant Chapter	Applicable	Consistent	Comment
State Environmental Planning Policy (Resilience and Hazards) 2021	Chapter 2 - Coastal Management	No	N/A	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: a) managing development in the coastal zone and protecting the environmental assets of the coast, and b) establishing a framework for land use planning to guide decision-making in the coastal zone, and c) mapping the 4 coastal management areas that comprise the NSW coastal zone for the purpose of the definitions in the Coastal Management Act 2016. The proposed LEP amendment does not contain provisions that contradict or hinder the application of this chapter of the SEPP.
	Chapter 3 – Hazardous and Offensive Development	No	N/A	a) to amend the definitions of hazardous and offensive industries where used in environmental planning instruments, and 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 c) to require development consent for hazardous or offensive development proposed to be carried out in the Western Division, and 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 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

State Environmental Planning Policy	Relevant Chapter	Applicable	Consistent	Comment
				reduce or minimise any adverse impact, and f) to require the advertising of applications to carry out any such development. The proposed LEP amendment does not contain provisions that contradict or hinder the application of this chapter of the SEPP.
	Chapter 4 – Remediation of Land	No	N/A	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— a) by specifying when consent is required, and when it is not required, for a remediation work, and 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 c) by requiring that a remediation work meet certain standards and notification requirements. The proposed LEP amendment does not contain provisions that contradict or hinder the application of this chapter of the SEPP.
State Environmental Planning Policy (Resources and Energy) 2021	Chapter 2 - Mining, Petroleum Production and Extractive Industries	No	N/A	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: a) to provide for the proper management and development of mineral, petroleum and extractive material resources for the purpose of promoting the social and economic welfare of the State, and b) to facilitate the orderly and economic use and development of land containing mineral, petroleum and extractive material resources, and b1) to promote the development of significant mineral resources, and c) to establish appropriate planning controls to encourage ecologically sustainable development through the environmental assessment, and sustainable management, of

State Environmental Planning Policy	Relevant Chapter	Applicable	Consistent	Comment
				development of mineral, petroleum and extractive material resources, and d) to establish a gateway assessment process for certain mining and petroleum (oil and gas) development: (i) to recognise the importance of agricultural resources, and (ii) to ensure protection of strategic agricultural land and water resources, and (iii) to ensure a balanced use of land by potentially competing industries, and (iv) to provide for the sustainable growth of mining, petroleum and agricultural industries. The proposed LEP amendment does not contain provisions that contradict or hinder the application of this chapter of the SEPP.
State Environmental Planning Policy (Sustainable Buildings) 2022	Chapter 2 - Standards for residential development - BASIX	No	N/A	The aims of this SEPP are to encourage the design and delivery of sustainable buildings that minimise energy and water use. The proposed LEP amendment does not contain provisions that contradict or hinder the application of Chapter 2 of the SEPP.
	Chapter 3 - Standards for non-residential development	No	N/A	The aims of this SEPP are to encourage the design and delivery of sustainable buildings that minimise energy and water use. The proposed LEP amendment does not contain provisions that contradict or hinder the application of Chapter 3 of the SEPP.

State Environmental Planning Policy	Relevant Chapter	Applicable	Consistent	Comment
State Environmental Planning Policy (Transport and Infrastructure) 2021	Chapter 2 - Infrastructure	No	N/A	The aim of this chapter of the Policy is to facilitate the effective delivery of infrastructure across the State by: a) improving regulatory certainty and efficiency through a consistent planning regime for infrastructure and the provision of services, and b) providing greater flexibility in the location of infrastructure and service facilities, and c) allowing for the efficient development, redevelopment or disposal of surplus government owned land, and 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 e) identifying matters to be considered in the assessment of development adjacent to particular types of infrastructure development, and f) providing for consultation with relevant public authorities about certain development during the assessment process or prior to development commencing, and g) providing opportunities for infrastructure to demonstrate good design outcomes. The proposed LEP amendment does not contain provisions that contradict or hinder the application of this chapter of the SEPP.
	Chapter 3 - Educational Establishments and Child Care Facilities	No	N/A	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: a) improving regulatory certainty and efficiency through a consistent planning regime for educational establishments and early education and care facilities, and b) simplifying and standardising planning approval pathways for educational establishments and early education and care facilities (including identifying certain development of

State Environmental Planning Policy	Relevant Chapter	Applicable	Consistent	Comment
				minimal environmental impact as exempt development), and 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 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 e) providing for consultation with relevant public authorities about certain development during the assessment process or prior to development commencing, and f) aligning the NSW planning framework with the National Quality Framework that regulates early education and care services, and 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 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. The proposed LEP amendment does not contain provisions that contradict or hinder the application of this chapter of the SEPP.
	Chapter 4 – Major Infrastructure Corridors	No	N/A	The aims of this chapter of the Policy are: a) to identify land that is intended to be used in the future as an infrastructure corridor, b) to establish appropriate planning controls for the land for the following purposes—

State Environmental Planning Policy	Relevant Chapter	Applicable	Consistent	Comment
				(i) to allow the ongoing use and development of the land until it is needed for the future infrastructure corridor, (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.
				The proposed LEP amendment does not contain provisions that contradict or hinder the application of this chapter of the SEPP.

APPENDIX 2 - CONSIDERATION OF MINISTERIAL PLANNING DIRECTIONS

S9.1 Direction	Applicable	Consistent	Comment			
Focus area 1: Planning Systems						
1.1 Implementation of Regional Plans	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. Planning proposals must be consistent with a Regional Plan released by the Minister for Planning and Public Spaces. 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: (a) the extent of inconsistency with the Regional Plan is of minor significance, and (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.	Yes	The North Coast Regional Plan 2041 (NCRP) applies to the Coffs Harbour LGA. The NCRP includes strategies and actions on environmental, economic and social (community) opportunities, as well as maintaining character and housing. Specific responses to relevant strategies and the associated actions and activities contained within the NCRP are provided in Part 3, Section B (4) above. It is considered that the planning proposal complies with the NCRP.			
1.2Development of Aboriginal Land Council land	This direction does not currently apply to the Coffs Harbour LGA.	N/A	This direction does not currently apply to the Coffs Harbour LGA			
1.3 Approval and Referral Requirements	This direction applies to all relevant planning authorities when preparing a planning proposal. A planning proposal to which this direction applies must: (a) minimise the inclusion of provisions that require the concurrence, consultation or referral of development applications to a Minister or public authority, and (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: i. the appropriate Minister or public authority, and 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&A Act, and	Yes	The planning proposal does not include provisions that require the concurrence, consultation or referral of development applications to a Minister or public authority. It also does not identify development as designated development.			

S9.1 Direction	Applicable	Consistent	Comment
	(c) not identify development as designated development unless the relevant planning authority: 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 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&A Act. A planning proposal must be substantially consistent with the terms of this direction.		
1.4 Site Specific Provisions	This direction applies to all relevant planning authorities when preparing a planning proposal that will allow a particular development to be carried out. (1) A planning proposal that will amend another environmental planning instrument in order to allow particular development to be carried out must either: (a) allow that land use to be carried out in the zone the land is situated on, or (b) rezone the site to an existing zone already in the environmental planning instrument that allows that land use without imposing any development standards or requirements in addition to those already contained in that zone, or (c) allow that land use on the relevant land without imposing any development standards or requirements in addition to those already contained in the principal environmental planning instrument being amended. (2) A planning proposal must not contain or refer to drawings that show details of the proposed development. 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.	N/A	The planning proposal does not allow a particular development to be carried out, it shall only reduce the minimum lot size to enable subdivision.
1.4A Exclusion of Development Standards from Variation	This direction applies when a planning proposal authority prepares a planning proposal that proposes to introduce or alter an existing exclusion to clause 4.6 of a Standard Instrument LEP or an equivalent provision of	N/A	The planning proposal will not introduce or alter an existing exclusion to clause 4.6 of Coffs Harbour LEP 2013.

S9.1 Direction	Applicable	Consistent	Comment
	any other environmental planning instrument.		
Focus area 1: F	Planning Systems – Place Based		
Directions 1.5 – 1.	22 do not apply to the Coffs Harbour LGA.		
Focus area 2:	Design and Place		
Directions yet to	be included.		
Focus area 3: 1	Biodiversity and Conservation		
3.1 Conservation Zones	This direction applies to all relevant planning authorities when preparing a planning proposal. (1) A planning proposal must include provisions that facilitate the protection and conservation of environmentally sensitive areas. (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". 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: (a) justified by a strategy approved by the Planning Secretary which: i. gives consideration to the objectives of this direction, and ii. identifies the land which is the subject of the planning proposal (if the planning proposal relates to a particular site or sites), or (b) justified by a study prepared in support of the planning proposal which gives consideration to the objectives of this direction, or	Yes	The site does not include any environmentally sensitive areas. The site does not contain land within a conservation zone or land otherwise identified for environment conservation/ protection purposes.

S9.1 Direction	Applicable	Consistent	Comment
	(c) in accordance with the relevant Regional Strategy, Regional Plan or District Plan prepared by the Department of Planning, Housing and Infrastructure which gives consideration to the objective of this direction, or		
	(d) is of minor significance.		
3.2 Heritage Conservation	This direction applies to all relevant planning authorities when preparing a planning proposal. A planning proposal must contain provisions that facilitate the conservation of: (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, (b) Aboriginal objects or Aboriginal places that are protected under the National Parks and Wildlife Act 1974, and (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. 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: (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 (b) the provisions of the planning proposal that are inconsistent are of minor significance.	Yes	European Heritage The site does not contain any items listed as Heritage Items in Schedule 5 of Coffs Harbour LEP 2013 or the State Heritage Register. There are no European Heritage issues that would prevent a reduction in minimum lot size applying to the land. Aboriginal Cultural Heritage The site does not contain any mapped known or predictive Aboriginal Cultural Heritage (ACH), and an AHIMS search has not revealed any ACH sites on or near the site.
3.3 Sydney Drinking Water Catchments	This direction does not currently apply to the Coffs Harbour LGA.	N/A	This direction does not currently apply to the Coffs Harbour LGA

S9.1 Direction	Applicable	Consistent	Comment
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	This direction does not currently apply to the Coffs Harbour LGA
3.5 Recreation Vehicle Areas	A planning proposal must not enable land to be developed for the purpose of a recreation vehicle area (within the meaning of the Recreation Vehicles Act 1983): (a) where the land is within a conservation zone, (b) where the land comprises a beach or a dune adjacent to or adjoining a beach, (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: i. the provisions of the guidelines entitled Guidelines for the Selection, Establishment and Maintenance of Recreation Vehicle Areas, Soil Conservation Service of NSW, September 1985, and ii. the provisions of the guidelines entitled Recreation Vehicles Act 1983, Guidelines for Selection, Design and Operation of Recreation Vehicle Areas, State Pollution Control Commission, September 1985. 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: (a) justified by a strategy approved by the Planning Secretary which: i. gives consideration to the objective of this direction, and ii. identifies the land which is the subject of the planning proposal relates to a particular site or sites), or (b) justified by a study prepared in support of	Yes	The planning proposal does not enable land to be developed for the purpose of a recreation vehicle area (within the meaning of the Recreation Vehicles Act 1983).
	the planning proposal which gives		

S9.1 Direction	Applicable	Consistent	Comment
	consideration to the objective of this direction, or		
	(c) in accordance with the relevant Regional Strategy, Regional Plan or District Plan prepared by the Department of Planning, Housing and Infrastructure which gives consideration to the objective of this direction, or		
	(d) of minor significance.		
3.6 Strategic Conservation Planning	This direction does not currently apply to the Coffs Harbour LGA.	N/A	This direction does not currently apply to the Coffs Harbour LGA.
3.7 Public Bushland	This direction does not currently apply to the Coffs Harbour LGA.	N/A	This direction does not currently apply to the Coffs Harbour LGA.
3.8 Willandra Lakes Region	This direction does not currently apply to the Coffs Harbour LGA.	N/A	This direction does not currently apply to the Coffs Harbour LGA.
3.9 Sydney Harbour Foreshores and Waterways Area	This direction does not currently apply to the Coffs Harbour LGA.	N/A	This direction does not currently apply to the Coffs Harbour LGA.
3.10 Water Catchment Protection	This direction does not currently apply to the Coffs Harbour LGA.	N/A	This direction does not currently apply to the Coffs Harbour LGA.
Focus Area 4:	Resilience and Hazards		
4.1 Flooding	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.	N/A	The site is not identified as flood prone land.
	(1) A planning proposal must include provisions that give effect to and are consistent with:(a) the NSW Flood Prone Land Policy,		
	(b) the principles of the Floodplain Development Manual 2005,		
	(c) the Considering flooding in land use planning guideline 2021, and		
	(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.		
	(2) A planning proposal must not rezone land within the flood planning area from		

S9.1 Direction	Applicable	Consistent	Comment
	Recreation, Rural, Special Purpose or Conservation Zones to a Residential, Business, Industrial or Special Purpose Zones.		
	(3) A planning proposal must not contain provisions that apply to the flood planning area which:		
	(a) permit development in floodway areas,		
	(b) permit development that will result in significant flood impacts to other properties,		
	(c) permit development for the purposes of residential accommodation in high hazard areas,		
	(d) permit a significant increase in the development and/or dwelling density of that land,		
	(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,		
	(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,		
	(g) are likely to result in a significantly increased requirement for government 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		
	(h) permit hazardous industries or hazardous storage establishments where hazardous materials cannot be effectively contained during the occurrence of a flood event.		
	(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:		
	(a) permit development in floodway areas,(b) permit development that will result in significant flood impacts to other properties,		

S9.1 Direction	Applicable	Consistent	Comment
	(c) permit a significant increase in the dwelling density of that land,		
	(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,		
	(e) are likely to affect the safe occupation of and efficient evacuation of the lot, or		
	(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.		
	(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.		
	A planning proposal may be inconsistent with this direction only if the planning proposal authority can satisfy the Planning Secretary (or their nominee) that:		
	(a) the planning proposal is in accordance with a floodplain risk management study or plan adopted by the relevant council in accordance with the principles and guidelines of the Floodplain Development Manual 2005, or		
	(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 Floodplain Development Manual 2005 or		
	(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 Floodplain Development Manual 2005 and consistent with the relevant planning authorities' requirements, or		
	(d) the provisions of the planning proposal that are inconsistent are of minor significance as determined by the relevant planning authority.		

S9.1 Direction	Applicable	Consistent	Comment
4.2 Coastal Management	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 Coastal Management Act 2016-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 State Environmental Planning Policy (Biodiversity and Conservation) 2021. (1) A planning proposal must include provisions that give effect to and are consistent with: (a) the objects of the Coastal Management Act 2016 and the objectives of the relevant coastal management areas; (b) the NSW Coastal Management Manual and associated Toolkit; (c) NSW Coastal Design Guidelines 2003; and (d) any relevant Coastal Management Program that has been certified by the Minister, or any Coastal Zone Management Plan under the Coastal Protection Act 1979 that continues to have effect under clause 4 of Schedule 3 to the Coastal Management Act 2016, that applies to the land. (2) A planning proposal must not rezone land which would enable increased development or more intensive land-use on land: (a) within a coastal vulnerability area identified by the State Environmental Planning Policy (Resilience and Hazards) 2021; or (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: i. by or on behalf of the relevant planning authority and the planning proposal authority and provided to the relevant planning authority and provided to the relevant planning authority and the planning proposal authority.	N/A	The site is not within the coastal zone, as defined under the Coastal Management Act 2016 – comprising the coastal wetlands and littoral rainforests area, coastal vulnerability area, coastal environment area or coastal use area – and as identified by State Environmental Planning Policy (Biodiversity and Conservation) 2021.
	(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 State Environmental Planning Policy (Biodiversity and Conservation) 2021.		

S9.1 Direction	Applicable	Consistent	Comment
	(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 State Environmental Planning Policy (Resilience and Hazards) 2021:		
	(a) Coastal wetlands and littoral rainforests area map;		
	(b) Coastal vulnerability area map;		
	(c) Coastal environment area map; and		
	(d) Coastal use area map.		
	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 Coastal Zone Management Plan under the Coastal Protection Act 1979 that continues to have effect under clause 4 of Schedule 3 to the Coastal Management Act 2016.		
	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:		
	(a) justified by a study or strategy prepared in support of the planning proposal which gives consideration to the objective of this direction, or		
	(b) in accordance with any relevant Regional Strategic Plan or District Strategic Plan, prepared under Division 3.1 of the EP&A Act by the relevant strategic planning authority, which gives consideration to the objective of this direction, or		
	(c) of minor significance.		
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.	No	The site is mapped as bushfire prone land. The Bushfire Assessment Report (Appendix 4) demonstrates that future
	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		development of the site by way of subdivision can comply with Planning for Bushfire Protection 2019. Upon receipt of a Gateway
	into account any comments so made. A planning proposal must: (a) have regard to Planning for Bushfire Protection 2019,		Determination, the NSW Rural Fire Service shall be consulted to determine if the LEP amendment is justifiably inconsistent with this direction.
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S9.1 Direction	Applicable	Consistent	Comment
	(b) introduce controls that avoid placing inappropriate developments in hazardous areas, and		
	(c) ensure that bushfire hazard reduction is not prohibited within the Asset Protection Zone (APZ).		
	A planning proposal must, where development is proposed, comply with the following provisions, as appropriate:		
	(a) provide an Asset Protection Zone (APZ) incorporating at a minimum:		
	(i) an Inner Protection Area bounded by a perimeter road or reserve which circumscribes the hazard side of the land intended for development and has a building line consistent with the incorporation of an APZ, within the property, and		
	(ii) an Outer Protection Area managed for hazard reduction and located on the bushland side of the perimeter road,		
	(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 Rural Fires Act 1997), the APZ provisions must be complied with,		
	(c) contain provisions for two-way access roads which link to perimeter roads and/or to fire trail networks,		
	(d) contain provisions for adequate water supply for firefighting purposes,		
	(e) minimise the perimeter of the area of land interfacing the hazard which may be developed,		
	(f) introduce controls on the placement of combustible materials in the Inner Protection Area.		
	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 noncompliance, the NSW Rural Fire Service does not object to the progression of the planning proposal.		

S9.1 Direction	Applicable	Consistent	Comment
4.4 Remediation of Contaminated Land	This direction applies when a planning proposal authority prepares a planning proposal that applies to: (a) land that is within an investigation area within the meaning of the Contaminated Land Management Act 1997, (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, (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: 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 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). (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: (a) the planning proposal authority has considered whether the land is contaminated, and (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 (c) if the land requires remediation to be made suitable for any purpose for which land in that zone is permitted to be used, the planning proposal authority is satisfied that the land will be so remediated before the land is used for that purpose. 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. (2) Before including any land to which this direction applies in a particular zone, the planning proposal author	N/A N/A	A review of the City's records does not identify any past activities on the site that would suggest potential land contamination. The site is not: Individual land that is within an investigation area within the meaning of the Contaminated Land Management Act 1997, or Iand on which development for a purpose referred to in Table 1 of the contaminated land planning guidelines is being, or is known to have been, carried out.

S9.1 Direction	Applicable	Consistent	Comment
	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.		
4.5 Acid Sulfate Soils	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, Housing and Infrastructure. (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. (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: (a) the Acid Sulfate Soils Model LEP in the Acid Sulfate Soils Planning Guidelines adopted by the Planning Secretary, or (b) other such provisions provided by the Planning Secretary that are consistent with the Acid Sulfate Soils Planning Guidelines. (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 Secretary prior to undertaking community consultation in satisfaction of clause 4 of Schedule 1 to the Act. (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 probability of acid sulfate soils on the Acid Sulfate Soils Planning Maps, the planning proposal must	Yes	The subject land is identified as Class 5 Acid Sulfate Soils and is located approximately 102m from land identified as Class 4. Given proximity and position to creek at 21-26mAHD, there is a low probability of encountering ASS on the subject site. As such, no further investigation will be required for future development applications. The proposal is therefore considered to be consistent with the direction and Clause 7.1 Acid Sulfate Soils of the Coffs Harbour LEP 2013.

S9.1 Direction	Applicable	Consistent	Comment
	contain provisions consistent with 2(a) and 2(b). 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: (a) justified by a study prepared in support of the planning proposal which gives consideration to the objective of this direction, or (b) of minor significance.		
4.6 Mine Subsidence and Unstable Land	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. (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: (a) consult Subsidence Advisory NSW to ascertain: i. if Subsidence Advisory NSW has any objection to the draft local environmental plan, and the reason for such an objection, and ii. the scale, density and type of development that is appropriate for the potential level of subsidence, and (b) incorporate provisions into the draft Local Environmental Plan that are consistent with the recommended scale, density and type of development recommended under 1(a)(ii), and (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.	N/A	The planning proposal does not apply to land that: • is within a declared mine subsidence district, or • has been identified as unstable in a study, strategy or other assessment undertaken by or on behalf of a public authority or by or on behalf of a public authority and provided to the relevant planning authority.

Applicable	Consistent	Comment
(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.		
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:		
(a) justified by a strategy approved by the Planning Secretary which:		
 i. gives consideration to the objective of this direction, and 		
ii. identifies the land which is the subject of the planning proposal (if the planning proposal relates to a particular site or sites), or		
(b) justified by a study prepared in support of the planning proposal which gives consideration to the objective of this direction, or		
(c) in accordance with the relevant Regional Strategy, Regional Plan or District Plan prepared by the Department of Planning, Housing and Infrastructure which gives consideration to the objective of this direction, or		
(d) of minor significance.		
Transport and Infrastructure		
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.	Yes	The proposal is seeking to modify a provision relating to land zoned for residential, by reducing the applicable minimum lot size. The proposal is consistent with
urban purposes and include provisions that give effect to and are consistent with the aims, objectives and principles of:		the Improving Transport Choice – Guidelines for planning and development (DUAP 2001), and The Right Place for Business
for planning and development (DUAP 2001), and		and Services – Planning Policy (DUAP 2001).
(b) The Right Place for Business and Services – Planning Policy (DUAP 2001).		The proposal is deemed to be of minor significance as it accords
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		with the City's Local Growth Management Strategy and will not result in a substantial increase of vehicular movement due to the potential of a single additional lot.
	(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. 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: (a) justified by a strategy approved by the Planning Secretary which: i. gives consideration to the objective of this direction, and ii. identifies the land which is the subject of the planning proposal (if the planning proposal relates to a particular site or sites), or (b) justified by a study prepared in support of the planning proposal which gives consideration to the objective of this direction, or (c) in accordance with the relevant Regional Strategy, Regional Plan or District Plan prepared by the Department of Planning, Housing and Infrastructure which gives consideration to the objective of this direction, or (d) of minor significance. Transport and Infrastructure 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. (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: (a) Improving Transport Choice – Guidelines for planning and development (DUAP 2001), and (b) The Right Place for Business and Services – Planning Policy (DUAP 2001). 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	(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. 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: (a) justified by a strategy approved by the Planning Secretary which: i. gives consideration to the objective of this direction, and ii. identifies the land which is the subject of the planning proposal (if the planning proposal relates to a particular site or sites), or (b) justified by a study prepared in support of the planning proposal which gives consideration to the objective of this direction, or (c) in accordance with the relevant Regional Strategy, Regional Plan or District Plan prepared by the Department of Planning, Housing and Infrastructure which gives consideration to the objective of this direction, or (d) of minor significance. Transport and Infrastructure 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. (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: (a) Improving Transport Choice – Guidelines for planning and development (DUAP 2001), and (b) The Right Place for Business and Services – Planning Policy (DUAP 2001). 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

S9.1 Direction	Applicable	Consistent	Comment
	provisions of the planning proposal that are inconsistent are:		
	(a) justified by a strategy approved by the Planning Secretary which:		
	i. gives consideration to the objective of this direction, and		
	ii. identifies the land which is the subject of the planning proposal (if the planning proposal relates to a particular site or sites), or		
	(b) justified by a study prepared in support of the planning proposal which gives consideration to the objective of this direction, or		
	(c) in accordance with the relevant Regional Strategy, Regional Plan or District Plan prepared by the Department of Planning, Housing and Infrastructure which gives consideration to the objective of this direction, or		
	(d) of minor significance.		
5.2 Reserving Land for Public Purposes	This direction applies to all relevant planning authorities when preparing a planning proposal. (1) A planning proposal must not create, alter	N/A	The planning proposal does not create, alter or reduce land reserved for a public purpose.
	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).		
	(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:		
	(a) reserve the land in accordance with the request, and		
	(b) include the land in a zone appropriate to its intended future use or a zone advised by the Planning Secretary (or an officer of the Department nominated by the Secretary), and		
	(c) identify the relevant acquiring authority for the land.		
	(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:		

S9.1 Direction	Applicable	Consistent	Comment
	(a) include the requested provisions, or (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.		
	(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. 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: (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		
	(b) the provisions of the planning proposal that are inconsistent with the terms of this direction are of minor significance.		
5.3 Development Near Regulated Airports and Defence Airfields	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.	N/A	The planning proposal does not create, alter or remove a zone or a provision relating to land near a regulated airport including a defence airfield.
	(1) In the preparation of a planning proposal that sets controls for development of land near a regulated airport, the relevant planning authority must:		
	(a) consult with the lessee/operator of that airport; (b) take into consideration the operational		
	airspace and any advice from the lessee/operator of that airport; (c) for land affected by the operational		
	airspace, prepare appropriate development standards, such as height controls.		
	(d) not allow development types that are incompatible with the current and future operation of that airport.		
	(2) In the preparation of a planning proposal that sets controls for development of land		

S9.1 Direction	Applicable	Consistent	Comment
	near a core regulated airport, the relevant planning authority must: (a) consult with the Department of the Commonwealth responsible for airports and the lessee/operator of that airport;		
	(b) for land affected by the prescribed airspace (as defined in clause 6(1) of the Airports (Protection of Airspace) Regulation 1996, prepare appropriate development standards, such as height controls.		
	(c) not allow development types that are incompatible with the current and future operation of that airport.		
	(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 Airports Act 1996. This permission must be obtained prior to undertaking community consultation in satisfaction of Schedule 1 to the EP&A Act.		
	(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:		
	(a) consult with the Department of Defence if:		
	i. the planning proposal seeks to exceed the height provisions contained in the Defence Regulations 2016 – Defence Aviation Areas for that airfield; or		
	ii. no height provisions exist in the Defence Regulations 2016 – Defence Aviation Areas for the airfield and the proposal is within 15km of the airfield.		
	(b) for land affected by the operational airspace, prepare appropriate development standards, such as height controls.		
	(c) not allow development types that are incompatible with the current and future operation of that airfield.		
	(4) A planning proposal must include a provision to ensure that development meets Australian Standard 2021 – 2015, Acoustic-Aircraft Noise Intrusion – Building siting and construction with respect to interior noise levels, if the proposal seeks to rezone land:		

S9.1 Direction	Applicable	Consistent	Comment
	(a) for residential purposes or to increase residential densities in areas where the Australian Noise Exposure Forecast (ANEF) is between 20 and 25; or		
	(b) for hotels, motels, offices or public buildings where the ANEF is between 25 and 30; or		
	(c) for commercial or industrial purposes where the ANEF is above 30.		
	(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.		
	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:		
	(a) justified by a strategy approved by the Planning Secretary, which:		
	i. gives consideration to the objectives of this direction; and		
	ii. identifies the land which is the subject of the planning proposal (if the planning proposal relates to a particular site or sites), or		
	(b) justified by a study prepared in support of the planning proposal which gives consideration to the objectives of this direction; or		
	(c) in accordance with the relevant Regional Plan prepared by the Department of Planning, Housing and Infrastructure which gives consideration to the objectives of this direction.		
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 adjacent to and/ or adjoining an existing shooting range.	N/A	The planning proposal does not create, alter or remove a zone or provision relating to land adjacent to and/or adjoining an existing shooting range.
	(1) A planning proposal must not seek to rezone land adjacent to and/ or adjoining an existing shooting range that has the effect of:		
	(a) permitting more intensive land uses than those which are permitted under the existing zone; or		

S9.1 Direction	Applicable	Consistent	Comment
	(b) permitting land uses that are incompatible with the noise emitted by the existing shooting range.		
	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:		
	(a) justified by a strategy approved by the Planning Secretary, which:		
	i. gives consideration to the objectives of this direction, and		
	ii. identifies the land which is the subject of the planning proposal (if the planning proposal relates to a particular site or sites), or		
	(b) justified by a study prepared in support of the planning proposal which gives consideration to the objective of this direction, or		
	(c) is of minor significance.		
Focus area 6:	Housing		
6.1 Residential Zones	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. (1) A planning proposal must include provisions that encourage the provision of housing that will: (a) broaden the choice of building types and locations available in the housing market, and (b) make more efficient use of existing infrastructure and services, and (c) reduce the consumption of land for housing and associated urban development on the urban fringe, and (d) be of good design. (2) A planning proposal must, in relation to land to which this direction applies: (a) contain a requirement that residential	Yes	The planning proposal will enable the creation of one additional lot on the site. The potential for an additional lot will broaden the locality for further housing development. The planning proposal is unlikely to create significant additional demand on existing public infrastructure. The proposed LEP amendment will enable the creation of one additional lot, subject to a development application, which shall be serviced by on-site water collection and a wastewater treatment system, as there is no available City water or sewer mains. Vehicular access to the additional lot can be achieved from Faviell Drive through a right of carriageway arrangement.
	development is not permitted until land is adequately serviced (or arrangements satisfactory to the council, or other		Appropriate planning controls are also contained within Coffs Harbour DCP 2015 to ensure that future development is of

S9.1 Direction	Applicable	Consistent	Comment
	appropriate authority, have been made to service it), and (b) not contain provisions which will reduce the permissible residential density of land. 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: (a) justified by a strategy approved by the Planning Secretary which: i. gives consideration to the objective of this direction, and ii. identifies the land which is the subject of the planning proposal (if the planning		good design.
	proposal relates to a particular site or sites), or (b) justified by a study prepared in support of the planning proposal which gives consideration to the objective of this direction, or (c) in accordance with the relevant Regional Strategy, Regional Plan or District Plan prepared by the Department of Planning, Housing and Infrastructure which gives consideration to the objective of this direction, or (d) of minor significance.		
6.2 Caravan Parks and Manufactured Home Estates	This direction applies to all relevant planning authorities when preparing a planning proposal. This direction does not apply to Crown land reserved or dedicated for any purposes under the Crown Land Management Act 2016, except Crown land reserved for accommodation purposes, or land dedicated or reserved under the National Parks and Wildlife Act 1974. (1) In identifying suitable zones, locations and provisions for caravan parks in a planning proposal, the relevant planning authority must: (a) retain provisions that permit development for the purposes of a caravan park to be carried out on land, and (b) retain the zonings of existing caravan parks, or in the case of a new principal LEP zone the land in accordance with an appropriate zone under the Standard	Yes	The planning proposal does not identify suitable zones, locations or provisions for caravan parks or manufactured home estates.

S9.1 Direction	Applicable	Consistent	Comment
S9.1 Direction	Instrument (Local Environmental Plans) Order 2006 that would facilitate the retention of the existing caravan park. (2) In identifying suitable zones, locations and provisions for manufactured home estates (MHEs) in a planning proposal, the relevant planning authority must: (a) take into account the categories of land set out in Schedule 6 of State Environmental Planning Policy (Housing) as to where MHEs should not be located, (b) take into account the principles listed in clause 9 Schedule 5 of State Environmental Planning Policy (Housing)(which relevant planning	Consistent	Comment
	authorities are required to consider when assessing and determining the development and subdivision proposals), and (c) include provisions that the subdivision of MHEs by long term lease of up to 20 years or under the Community Land Development Act 1989 be permissible		
	with consent. 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:		
	(a) justified by a strategy approved by the Planning Secretary which:i. gives consideration to the objective of this direction, and		
	ii. identifies the land which is the subject of the planning proposal (if the planning proposal relates to a particular site or sites), or		
	(b) justified by a study prepared in support of the planning proposal which gives consideration to the objective of this direction, or		
	(c) in accordance with the relevant Regional Strategy, Regional Plan or District Plan prepared by the Department of Planning, Housing and Infrastructure which gives consideration to the objective of this direction, or		
	(d) of minor significance.		

S9.1 Direction	Applicable	Consistent	Comment
Focus area 7: I	ndustry and Employment		
7.1 Business and Industrial Zones	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). A planning proposal must: (a) give effect to the objectives of this direction, (b) retain the areas and locations of existing business and industrial zones, (c) not reduce the total potential floor space area for employment uses and related public services in business zones, (d) not reduce the total potential floor space area for industrial uses in industrial zones, and (e) ensure that proposed new employment areas are in accordance with a strategy that is approved by the Planning Secretary. 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: (a) justified by a strategy approved by the Planning Secretary, which: i. gives consideration to the objective of this direction, and ii. identifies the land which is the subject of the planning proposal (if the planning proposal relates to a particular site or sites), or (b) justified by a study (prepared in support of the planning proposal) which gives consideration to the objective of this direction, or (c) in accordance with the relevant Regional Strategy, Regional Plan or District Plan prepared by the Department of Planning, Housing and Infrastructure which gives consideration to the objective of this direction, or	N/A	The planning proposal will not affect land within an existing or proposed employment zone (including the alteration of any employment zone boundary).
7.2 Reduction in non-hosted short-term rental	This direction does not currently apply to the Coffs Harbour LGA.	N/A	

S9.1 Direction	Applicable	Consistent	Comment
accommodation period			
7.3 Commercial and Retail Development along the Pacific Highway, North Coast	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. (1) A planning proposal that applies to land located on "within town" segments of the Pacific Highway must provide that: (a) new commercial or retail development must be concentrated within district centres rather than spread along the Highway; (b) development with frontage to the Pacific Highway must consider impacts that the development has on the safety and efficiency of the highway; and (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. (2) A planning proposal that applies to land located on "out-of-town" segments of the Pacific Highway must provide that: (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. (b) development with frontage to the Pacific Highway must consider the impact the development has on the safety and efficiency of the highway. (c) For the purposes of this paragraph, "out-of-town" means areas which, prior to the draft local environmental plan, do not have an urban zone (e.g.: "village", "residential", "tourist", "commercial", "industrial", etc.) or are in areas where the Pacific Highway speed limit is 80 km/hour or greater. (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 centres (s) can be safely and efficiently integrated into the highway interchange(s) at those localities.	N/A	The site is not located in the vicinity of the existing and/or proposed alignment of the Pacific Highway.

S9.1 Direction	Applicable	Consistent	Comment
	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.		
Focus area 8:	Resources and Energy		
8.1 Mining, Petroleum Production and Extractive Industries	This direction applies to all relevant planning authorities when preparing a planning proposal that would have the effect of: (a) prohibiting the mining of coal or other minerals, production of petroleum, or winning or obtaining of extractive materials, or (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. (1) In the preparation of a planning proposal affected by this direction, the relevant planning authority must: (a) consult the Secretary of the Department of Primary Industries (DPI) to identify any: i. resources of coal, other minerals, petroleum or extractive material that are of either State or regional significance, and ii. existing mines, petroleum production operations or extractive industries occurring in the area subject to the planning proposal, and (b) seek advice from the Secretary of DPI on the development potential of resources identified under (1)(a)(i), and (c) identify and take into consideration issues likely to lead to land use conflict between other land uses and: i. development of resources identified under (1)(a)(i), or ii. existing development identified under (1)(a)(ii). (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:	N/A	The planning proposal will not prohibit the mining of coal or other minerals, production of petroleum, or winning or obtaining of extractive materials; or restrict 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).

S9.1 Direction	Applicable	Consistent	Comment
	 (a) provide the Secretary of DPI with a copy of the planning proposal and notification of the relevant provisions, (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 (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. 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. 		
Focus area 9:	Primary Production		
9.1 Rural Zones	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). A planning proposal must not rezone land from a rural zone to a residential, business, industrial, village or tourist zone. 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: (a) justified by a strategy approved by the Planning Secretary which: i. gives consideration to the objectives of this direction, and ii. identifies the land which is the subject of the planning proposal (if the planning proposal relates to a particular site or sites), or (b) justified by a study prepared in support of the planning proposal which gives consideration to the objectives of this direction, or	N/A	The planning proposal will not rezone land from a rural zone to a residential, employment, mixed use, SP4 Enterprise, SP5 Metropolitan Centre, W4 Working Waterfront, village or tourist zone. The planning proposal does not include provisions that will increase the permissible density of land within a rural zone.

S9.1 Direction	Applicable	Consistent	Comment
	(c) in accordance with the relevant Regional Strategy, Regional Plan or District Plan prepared by the Department of Planning, Housing and Infrastructure which gives consideration to the objective of this direction, or (d) is of minor significance.		
9.2 Rural Lands	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 Greater Sydney Commission Act 2015) other than Wollondilly and Hawkesbury, that: (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 (b) changes the existing minimum lot size on land within a rural or conservation zone. (1) A planning proposal must: (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 (b) consider the significance of agriculture and primary production to the State and rural communities (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 (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 (e) promote opportunities for investment in productive, diversified, innovative and sustainable rural economic activities (f) support farmers in exercising their right to farm (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 (h) consider State significant agricultural land identified in chapter 2 of the State Environmental Planning Policy (Primary	N/A	The planning proposal will not affect land within an existing or proposed rural or conservation zone (including the alteration of existing rural or conservation zone boundaries) or change the existing minimum lot size within a rural or conservation zone.

S9.1 Direction	Applicable	Consistent	Comment
	Production) 2021 for the purpose of ensuring the ongoing viability of this land (i) consider the social, economic and environmental interests of the community.		
	(2) A planning proposal that changes the existing minimum lot size on land within a rural or conservation zone must demonstrate that it:		
	(a) is consistent with the priority of minimising rural land fragmentation and land use conflict, particularly between residential and other rural land uses		
	(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		
	(c) where it is for rural residential purposes:		
	 i. is appropriately located taking account of the availability of human services, utility infrastructure, transport and proximity to existing centres 		
	ii. is necessary taking account of existing and future demand and supply of rural residential land.		
	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:		
	(a) justified by a strategy approved by the Planning Secretary and is in force which:		
	i. gives consideration to the objectives of this direction, and		
	ii. identifies the land which is the subject of the planning proposal (if the planning proposal relates to a particular site or sites), or		
	(b) is of minor significance.		
9.3 Oyster Aquaculture	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 NSW Oyster Industry Sustainable Aquaculture Strategy (2006) ("the Strategy"), when proposing a change in land use which could result in:	N/A	This direction only applies to Priority Oyster Aquaculture Areas and oyster aquaculture outside such an area as identified in the NSW Oyster Industry Sustainable Aquaculture Strategy (2006).
	(a) adverse impacts on a 'Priority Oyster Aquaculture Area' or a "current oyster		

S9.1 Direction	Applicable	Consistent	Comment
	aquaculture lease in the national parks estate", or		
	(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.		
	(1) In the preparation of a planning proposal the relevant planning authority must:		
	(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,		
	(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,		
	(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,		
	(d) consult with the Secretary of the Department of Primary Industries (DPI) of the proposed changes in the preparation of the planning proposal, and		
	(e) ensure the planning proposal is consistent with the Strategy.		
	(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:		
	(a) provide the Secretary of DPI with a copy of the planning proposal and notification of the relevant provisions,		
	(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		
	(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&A Act.		
	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		

S9.1 Direction	Applicable	Consistent	Comment
	nominated by the Secretary) that the provisions of the planning proposal that are inconsistent are of minor significance.		
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 – LAND CAPABILITY ASSESSMENT

LCA and MLS for Proposed Subdivision at 43 Faviell Drive, Bonville



29 July 2024

For: Greg Fisk:

Authored by: Strider Duerinckx

Ref	Ver	Date	Distribution
2122-175-05	А	3/8/23	Client, Planner
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Appendices

Appendix A Borehole Logs

Appendix B Soil Chemistry

Appendix C Water and Nutrient Balance

Appendix D Buffer Risk Assessment

1 Introduction

Earth Water Consulting Pty Limited (EWC) were engaged by Greg Fisk to undertake a Land Capability Assessment (LCA) and Minimum Lot Size (MLS) assessment for the proposed planning proposal and subdivision of 43 Faviell Drive Bonville (Lot 381 DP 844187) (the 'Site'), as shown on Figure 1.

The purpose of the LCA is to show that wastewater from an On-site Sewage Management System (OSMS) can be sustainably applied on the proposed lots. The MLS assessment was required to support reduction in the proposed lot size below the zoning minimum size.

2 Proposed Development

Based on plans of the proposed subdivision layout by Coffs Clarence Surveying Pty Ltd (Proposed Subdivision. Dated: 20 July 2023), it is understood that the Site is proposed to be subdivided from one into two (2) lots (**Table 1** and Figure 2). Proposed Lot 10 will include the existing dwelling and associated buildings. A driveway easement will be allowed to provide access for proposed Lot 11 along the western property boundary.

Table 1: Proposed Development

Proposed Lot	d Lot Area (m²) Buil	
10	5,183	Existing dwelling
11	4,869 (4,016 excluding access handle)	400

3 Scope of Work

The assessment was undertaken by Strider Duerinckx of EWC with reference to:

- Coffs Harbour City Council OSMS Strategy 2015;
- AS/NZS 1547: On-site Domestic Wastewater Management (Standards Australia / Standards New Zealand, 2012); and
- Environment & Health Protection Guidelines: On-site Sewage Management for Single Households (Department of Local Government, 1998).

The study methodology included:

- A MLS would to confirm that a reduction in lot size 5,000m² could be justified. The assessment would include:
 - Reviewing nearby lots, calculation of required developed areas, undevelopable areas, and effluent available areas on each lot;
 - Modelling of typical effluent application footprints and mapping on the proposed lot; and
 - o Provision of a minimum lot size assessment and inclusion in the LCA document.

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- A desktop review of Site conditions including geology, hydrogeology, soils, and landscape features;
- Visit the site and undertake site investigations including:
 - A confirmation audit of the existing effluent management area in relation to a proposed new property boundary;
 - Undertake a soil survey involving drilling up to 1 borehole to assess soil physical characteristics such as texture, structure, depth, colour, drainage, presence of watertables, and soil chemistry and
 - A Site walkover to map site conditions;
- Analysing selected soil samples for a range of chemical properties including pH, EC, dispersibility, PSorp, CEC and ESP (1 allowed);
- Assess a range of site constraints including landform, slope, aspect, drainage, flooding and proximity to sensitive environments;
- Estimating likely wastewater loads (quantity and quality) from future dwellings on the proposed lot, and undertake water and nutrient balance modelling to size suitable land application areas;
- Outlining any land improvement works or mitigation measures required to address particular constraints in the land application areas; and
- Provision of a written LCA report, including site plans, describing the results and recommendations from our investigations.

4 Site Details

The property is situated in a semi-rural location, zoned R5 (Large Lot Residential) and is located on the southern side of Faviell Drive. The site is located on a mid-slope position in the landscape at approximately 15-26mAHD. The property drains gradually down to the northeast towards Faviell Drive, then drains via roadside drainage to an intermittent tributary of Burgess Creek.

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Photograph 1 – Looking east across proposed Lot 2 from the western boundary.



Photograph 2 – Looking north from Proposed Lot 2 towards the existing dwelling on Lot 1.

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4.1 Existing OSMS

The OSMS that services the existing dwelling consists of an Aerated Wastewater Treatment System (AWTS), with land application via surface spray irrigation (Figure 3). The system is in good operational order and the location of the treatment system and LAA will not be affected by the proposed subdivision.

4.2 Site Constraints

Table 2 summarises the Site constraints for the primary and reserve EMAs for each of the proposed lots. These are discussed in terms of the degree of limitation they present (i.e. minor, moderate or major limitation) for on-site effluent application. Reference is made to the rating scale described in Table 4 of DLG (1998). Site features are presented in Figure 3.

Table 2: Site Constraints

Constraint	Degree of Limitation
Landform:	Minor
Linear planar midslope location.	
Exposure:	Minor
Good exposure. Some mature figs shading from the south, however these will be removed for proposed BE.	
Slope:	Minor
Gentle slope of 9% to the northeast.	
Rocks and Rock Outcrops:	Minor
No rock outcrops were observed on the Site.	
Erosion Potential:	Minor
The gentle slopes combined with the moderately erodible subsoils would give a low risk of erosion.	
Climate:	Minor
The Site experiences a sub-tropical-temperate climate, typical of northeastern NSW.	
Vegetation:	Minor
Open grassland with minimal trees and shrubs.	
Fill:	Minor
None noted.	
Surface Waters:	Minor
No mapped drainages or surface waters are located on the property. The nearest surface water is located on 33 Faviell Drive to the east of the proposed subdivision. The dam on 33 Faviell Drive drains northeast to Burgess Creek.	
Groundwater: (NSW Office of Water: Groundwater Bore Search)	Major

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Constraint	Degree of Limitation
There are 2 registered domestic groundwater bores within 250m of the proposed EMAs.	
The closest registered domestic bore (GW070528) is located around 90m to the southwest of the proposed Site and has a final drilled depth of 38m, a standing water level of 15m and water bearing zones between 20-21m, 25-27m and 29-30m in soft shale/clay mud and black shale.	
A second bore (GW304227) is located about 100m to the northeast of the Site and has a final drilled depth of 40m, but no other information provided.	
Groundwater vulnerability? As per AS/NZS1547:2012, the clay subsoil, distance and groundwater depth indicate that the "risk" to groundwater though would be minimal.	
Stormwater run-on and upslope seepage:	Moderate
The midslope position of the proposed EMAs would have moderate run-on from upslope areas.	
Flood Potential: MODULES LAYERS PROPOSED - Flood Planning Level Area PROPOSED - Indicative Flood Areas PROPOSED - 100 Year ARI Flood Extent PROPOSED - 100 Y	Minor
Available Effluent Application Area	Minor
Both lots have sufficient area available for the application of effluent, and reserve EMAs.	

4.3 Soil Survey and Description

4.3.1 Regional Soils

We reviewed the Soil Landscapes of the Coffs Harbour 1:100,000 Sheet (Milford, 1999) which indicates that the Site is underlain soils belonging to the Ulong Soil Landscape. The Ulong Soil Landscape is an erosional landscape located on undulating rolling low hills on late Carboniferousaged metasediments in the Coffs Harbour region. Soils are moderately deep to deep (>1m) well drained structured red earths and brown earths, with variability depending on the topographical position.

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4.4 Site Soils

Soils were assessed by drilling one (1) borehole (Figure 3) to 1.2m depth (Appendix A). The soils encountered comprised of:

- Approximately 100mm of loam topsoil, black, no mottling, less than 5% coarse fragments and a strong structure; overlying
- Approximately 400mm of clay loam, brown, no mottling, with a strong structure; overlying
- At least 700mm of silty clay loam, bright brown, with a strong structure..

Competent bedrock was not encountered in the borehole. The borehole log is provided in Appendix A.



Photograph 3 – BH1 soil profile L-R.

Table 3 summarises the key soil physical and chemical assessments. Reference is made to the rating scale described in Table 6 of DLG (1998). Analysis of a soil samples was undertaken from subsoils at a nearby property on Faviell Drive. The analytical report is included in Appendix B.

Table 3: Soil Assessment

Pa	Constraint	
Depth to bedrock or hardpan (m):		Minor
Boreholes were terminated at 1.2m competent bedrock will be locate position.		
Depth to high soil watertable:		Minor
The depth of the vadose zone (i.e. no was greater than 1.2m at the time permanent groundwater aquifer is on local groundwater bores.		
Coarse Fragments (%):	Minor	
The boreholes contained up to 5% i		
Hydraulic loading rate:		
Soil structure:	Strong	
Soil texture:	Silty Clay Loam	
Permeability category:	Minor	
Hydraulic loading recommended: secondary treated effluent into an a	15mm/day for primary, and 30mm/day absorption bed field and 3.5mm/day for SSI.	

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Parameter	Constraint
Reasons for the hydraulic loading recommendation: Strongly structured silty clay loam subsoils.	
pH:	Moderate
5.76 pH Units from BH1 0.5-0.7m. Strongly acidic soils.	
Electrical Conductivity (dS/m):	Minor
0.021dS/m from BH1 0.5-0.7m. Not saline.	
Dispersiveness:	Moderate
The Emerson Aggregate Test is a measure of soil dispersibility and susceptibility to erosion and structural degradation. It assesses the physical changes that occur in a single ped of soil when immersed in water, specifically whether the soil slakes and falls apart or disperses and clouds the water.	
An EAT was recorded as Class 3/6 (Slake 1) for BH1 0.5-0.7m. The instability of these aggregates is expected to increase slightly with the application of effluent.	
Sodicity (ESP):	Minor
The ESP is a measure of how readily the soils allow sodium from wastewater to be substituted in the soil lattice for other cations. Once accepted, the weak sodium bonds allow increased structural degradation of the soil, increasing the erosion risk. The ESP of nearby soil on Faviell Drive has been reported at 3.4%. The ESP infers a minimal potential for structural degradation due to sodium salts already present.	
Cation Exchange Capacity:	Minor
Like ESP, the CEC is a measure of how easily the soils hold and exchange excess cations from the effluent. These cations, such as potassium, magnesium and calcium are used by plants as a nutrient source. The higher the CEC the more likely plant growth will be aided by the application of effluent.	
CEC was measured in nearby soil on Faviell Drive has been reported at 2.4 cmol/kg, which indicates that this soil type has low ability to accept and release excess nutrients from effluent.	
Phosphorus Adsorption:	Moderate
Phosphorus is a cation present in effluent. It is required only to a limited extent by plants as a trace nutrient, but if there is an excess of phosphorus in environments where other limiting factors are not present (such as waterways), excess phosphorus can result in very high plant growth. Typically, on land, excess phosphorus is taken up by soil adsorption, or is flushed out of the soil into groundwater or surface water bodies.	
Nearby soil on Faviell Drive has been reported with a Psorp of 4,603mg/kg (30,688kg/ha) in the subsoil.	

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5 Minimum Lot Size (MLS) Analysis

A minimum lot size analysis and modelling were completed to determine the maximum lot density suitable for subdivision on the Site.

5.1 Methodology

When considering the suitability for a lot to sustainably manage wastewater on-site, we typically refer to 'available effluent management area'. This broadly refers to available areas (i.e. not built out or used for a conflicting purpose) where OSMS will not be unduly constrained by site and soil characteristics. Available area on a developed a lot is determined by the following factors:

- total building area (including dwellings, sheds, pools etc.) which includes a defined building envelope but may extend beyond with additional improvements to a property, such as driveways and paths (impervious areas), and gardens/vegetated areas unsuitable for effluent reuse;
- dams, intermittent and permanent watercourses running through lots;
- maintenance of appropriate buffer distances from property boundaries, buildings, driveways and paths, dams and watercourses;
- flood prone land;
- excessive slope;
- excessively shallow soils;
- heavy (clay) soils with low permeability;
- excessively poor drainage, shallow groundwater and/or stormwater run-on; and
- excessive shading by vegetation.

The residual areas (areas not otherwise occupied by improvements, buffers, restrictions or conservation vegetation) were then calculated for the selected lots (Figure 4), and the available area compared to the wastewater envelope required.

5.2 MLS Buffer Distances

Buffer distances from EMAs are typically enforced to minimise risk to public health, maintain public amenity and protect sensitive environments. Generally, adopted environmental buffers for primary treated effluent land applied into absorption trenches/ beds based on DLG (1998) are:

- 250m from domestic groundwater bores;
- 100m from permanent watercourses;
- 40m from intermittent watercourses and dams;
- 12m from downslope property boundaries and 6m from upslope property boundaries; and
- 6m from downslope buildings and 3m from upslope buildings.

Secondary treatment further reduces the buffers to property boundaries to 6m from downslope boundaries and 3m from upslope boundaries.

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In addition, ASNZS1547:2012 provides suggested buffer distances that include buffers to inground water tanks and swimming pools, cuttings and recreation areas. In the comparative lot assessment by EWC these additional land use situations were also buffered.

5.3 MLS Comparative Lots Assessed

Three nearby lots were selected that have already been subdivided (**Table 4**) (Figure 4). The lots ranged in size from 3,828-4,366m² area. As such the smaller lot sizes assessed provide a worst case scenario of OSMS restrictions.

Table 4: Comparative Lots Assessed

Address	Lot Area (m²)
85 Faviell Drive	4,366
87 Faviell Drive	4,196
91 Faviell Drive	3,828

The properties typically included a dwelling, garage/shed, landscaped trees, shrubs and gardens, driveways, water tanks, and recreational space. This development style will be similar to that proposed for the Site and therefore minimum lot size and development potential should be consistent.

5.4 MLS Assessed Available EMA

Table 5 shows the assessment of available effluent management areas for each of the assessed lots. As is evident, the variability of lot sizes, on-lot improvements and restrictions of developed lots makes selection of a "typical" lot difficult, however comparison of the site constraints indicates that minimum lot size is the most significant issue to address.

Table 5: Minimum Lot Size Assessment Results

Id	Lot Area (m²)	Total Restricted Area (m²) ¹	Available Eff. Application Area (m²)	Percent of Lot Available for Eff. Disp. (%)	>630m ² Area Available for Secondary Treatment? ²
85	4,366	2,366	2,000	46	Yes
87	4,196	2,488	1,708	41	Yes
91	3,828	2,817	1,011	26	Yes
1	landinalan alam				to waterways and boundaries

^{1.} Includes developed area of house, driveway, sheds, water tanks, protected vegetation and buffers to waterways and boundaries

5.5 Discussion

A MLS comparison of nearby properties suggests that:

• From the sample selection of lots investigated, the properties are all smaller than the proposed 4,869m² and 5,183m² lots, with areas ~3,800-4,300m², and the smallest of the three examined lots (3,828m²) is smaller than the 4,869m² Proposed Lot 11;

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^{2.} Includes main and reserve EMA

- The smaller lot of 3,828m² has 1,011m² of available area for effluent land application, representing 26% of the total lot area. The remaining two lots greater than 4,000m² in area have around 2,000m² of available area and between 41-46% of the total lot area available for effluent application;
- The modelled 630m² footprint (see Section 7 of this report) required for a sustainable land application of effluent of secondary treated effluent in all three lots are still be able to be met, but the area footprint in the smallest lot is more fragmented and would pose increased complexity and cost for installation. As such a lot size of minimum 4,000m² developable area appears to be the suitable for the area allowing for general residential improvements and sufficient land area for effluent application; and
- Given the site and soil features at 43 Faviell Drive, the proposed 5,183m² and 4,869m² lot sizing would be considered acceptable.

6 Recommended OSMS Combination

Due to the cost of reticulated sewerage provision by Council, it is expected that the Site will not be sewered in the foreseeable future.

Based on the site and soil constraints and subdivision boundaries, the minimum treatment and land application combination selected for the proposed lots are:

 Treatment to a secondary standard and subsurface land application into an appropriately sized absorption bed field.

Alternative OSMS combinations may be acceptable subject to final dwelling details and layout, and wastewater design.

7 Effluent Management Areas

7.1 Design Hydraulic Load

For hydraulic loading purposes a proposed dwelling of four bedrooms on tank water with unlimited supply was assumed for the proposed lots. AS/NZS1547:2012 recommends that a wastewater generation load of 150L per person per day for households supplied by tank water with backup (ie bore backup or very large tank) be used as a basis for wastewater system design. The hydraulic load for the existing and proposed dwellings is based on 1.5 persons per bedroom. The design hydraulic loading for a four bedroom dwelling under full occupancy is presented in Table 6.

Table 6: Proposed Design Hydraulic Load

No. of Bedrooms	Design Wastewater Load (L/day)
4	900

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7.2 Sizing of Effluent Management Areas

Water balance modelling was undertaken to determine sustainable effluent application rates, and from this estimate the necessary size of the EMA required for effluent to be applied from a secondary treatment system trench or beds. The procedures used in the water balance generally follow the *AS/NZS 1547:2012* standard and DLG (1998) Guideline. The water balance used is a monthly nominated area model. These calculations determined minimum EMAs for given effluent loads for each month of the year. The water balance can be expressed by the following equation:

Precipitation + Effluent Applied = Evapotranspiration + Percolation + Storage

Mean monthly rainfall data was conservatively utilised in the modelling. Mean data has a higher rainfall than median data typically adopted for domestic wastewater investigations. The water balance conservatively assumes a retained rainfall coefficient of 0.9; that is, generally 90% of rainfall will percolate into the soil and 10% will run off. Given the gentle slopes and good groundcover at the Site, this is considered a conservative value. The rainfall hydraulic load is incorporated into the water balance to ensure that runoff from the EMA will not occur under typical (design) climate conditions.

The input data and results for the secondary treated trench/ bed water balance are presented in Table 7, and calculation sheets in Appendix C.

A conservative nutrient balance was also undertaken, which calculates the minimum buffer around a trench or bed to enable nutrients to be assimilated by the soils and vegetation. The nutrient balance used here is based on the simplistic DLG (1998) methodology, but improves this by more accurately accounting for natural nutrient cycles and processes. It acknowledges that a proportion of nitrogen will be retained in the soil through processes such as ammonification (the conversion of organic nitrogen to ammonia) and a certain amount will be lost by denitrification, microbial digestion and volatilisation (Patterson, 2003). Patterson (2002) estimates that these processes may account for up to 40% of total nitrogen loss from soil. In this case, a more conservative estimate of 20% is adopted for the nitrogen losses due to soil processes. A summary of the nutrient balance is provided in Table 7.

Table 7: Inputs and Results of Secondary Treatment Modelling

Data Parameter	Units	Value	Comments
Hydraulic load	L/day	900	6 persons occupancy.
Precipitation	mm/month	Coffs Harbour	BoM, mean monthly.
Pan Evaporation	mm/month	Coffs Harbour MO	BoM, mean monthly.
Retained rainfall	unitless	0.95	Proportion of rainfall that remains onsite and infiltrates the soil, allowing for 10% runoff.
Crop Factor	unitless	0.6-0.8	Expected annual range for vegetation based on monthly values.

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Data Parameter	Units	Value	Comments
Design Loading Rate (DLR) - Secondary	mm/day	20	Maximum rate for design purposes, based on strongly structured clay loam subsoils.
Effluent total nitrogen concentration	mg/L	20	Target effluent quality for secondary treatment systems.
Nitrogen lost to soil processes (denitrification and volatilisation)	annual percentage	20	Patterson (2002).
Effluent total phosphorus concentration	mg/L	10	Target effluent quality for secondary treatment systems.
Soil phosphorus sorption capacity	Kg/ha	30,688	Value based on soil testing.
Nitrogen uptake rate by plants	kg/Ha/yr	250	Conservative estimated value.
Phosphorus uptake rate by plants	kg/Ha/yr	25	Conservative estimated value.
Design life of system (for nutrient management)	years	50	Reasonable minimum service life for system.
Minimum secondary treatment tre hydraulic load (m²)	50m ² (106m ² absorption trench field footprint)		
Minimum secondary treatment trench/ bed area for total phosphorus load			132m²
Minimum primary treatment trench/ bed area for total nitrogen load			315m ² – Nitrogen limiting

Based on modelling an active EMA and reserve EMA of 315m² each have been nominated for a four bedroom dwelling for Proposed Lot 11. The proposed locations of the EMAs are shown on Figure 5. A reserve EMA has been allocated for Proposed Lot 10.

The actual size and configuration of the EMAs will be dependent on a wastewater management plan at the time of dwelling development planning and application to install or upgrade an OSMS.

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8 Buffers

Buffer distances or setbacks from EMAs are required to minimise risk to public health, maintain public amenity and protect sensitive environments. The buffers from DLG (1998) are presented in **Table 8** below.

Table 8: Available Buffers

Site Feature	DLG (1998) Buffer	Achievable?
Intermittent watercourses, drainage channels and dams	40m	Yes
Permanent waterways	100m	Yes
Domestic groundwater bore	250m	No – 70m
Property boundary	Secondary - 3m downslope and sideslope, 6m upslope	Yes
Driveway and building	6m downslope of / 3m upslope	Yes

Buffers are able to be met except for groundwater bores.

Appendix R of AS/NZS1547:2012 allows for a risk assessment of buffers based on site and soil conditions. The application of secondary treated effluent into the absorption bed field has been assessed (Appendix D) as a low risk to groundwater bores with an assessed buffer of 15m (min 70m available). As such the upgrade to be undertaken for this subdivision will be an improvement in effluent quality (including disinfection).

9 Conclusions & Recommendations

Having undertaken a land capability assessment for the proposed subdivision of 43 Faviell Drive Bonville, EWC consider that there is the opportunity for the sustainable application of wastewater following subdivision of the existing lot into Proposed Lots 10 and 11.

We recommend that:

- A minimum lot size of 4,000m² developable area is suitable for the proposed subdivision to allow for all reasonable development configurations (dwelling, shed, swimming pool, recreation, driveways etc) and sustainable wastewater application;
- Proposed Lot 11 Wastewater be treated to a minimum secondary level with subsurface soil absorption land application. A primary and reserve EMA of 315m² minimum each has been nominated for a four bedroom dwelling, with final details to be confirmed during application for individual dwelling construction; and
- Proposed Lot 10 The existing treatment system and LAA servicing the existing dwelling will
 not be affected by the proposed subdivision. A reserve area of 315m² has been allowed.

For any future system we recommend that:

 A dwelling specific OSMS should be designed by an experienced professional, taking into account the assumptions and recommendations contained in this report; and

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 An OSMS should be installed by a suitably qualified plumber, ensuring that effluent is distributed evenly across the entire area serviced.

10 References

Coffs Harbour City Council (2015) On-site Sewage Management Strategy 2015, Coffs Harbour.

Department of Local Government et al. (1998). *Environment & Health Protection Guidelines: Onsite Sewage Management for Single Households*.

Milford, H. B., (1999) *Soil Landscapes of the Coffs Harbour 1:100 000 Sheet*, Department of Land and Water Conservation Soil Landscape Series.

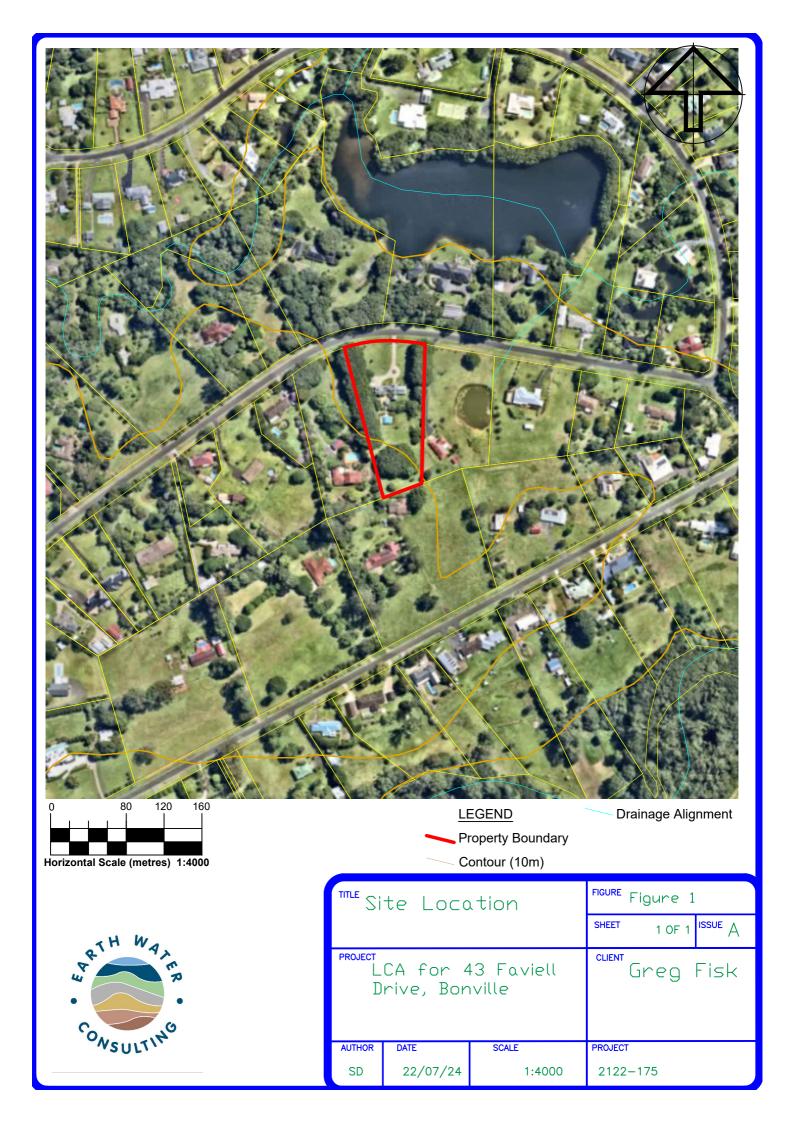
Patterson, R.A. (2002). 'Workshop 2 – Calculations for Nutrient Balances.' In Evaluating Site and Soil Assessment Reports for On-site Wastewater Systems. A one-day training course held in Fairfield, Sydney. Centre for Environment Training, Cardiff Heights NSW. March 2002.

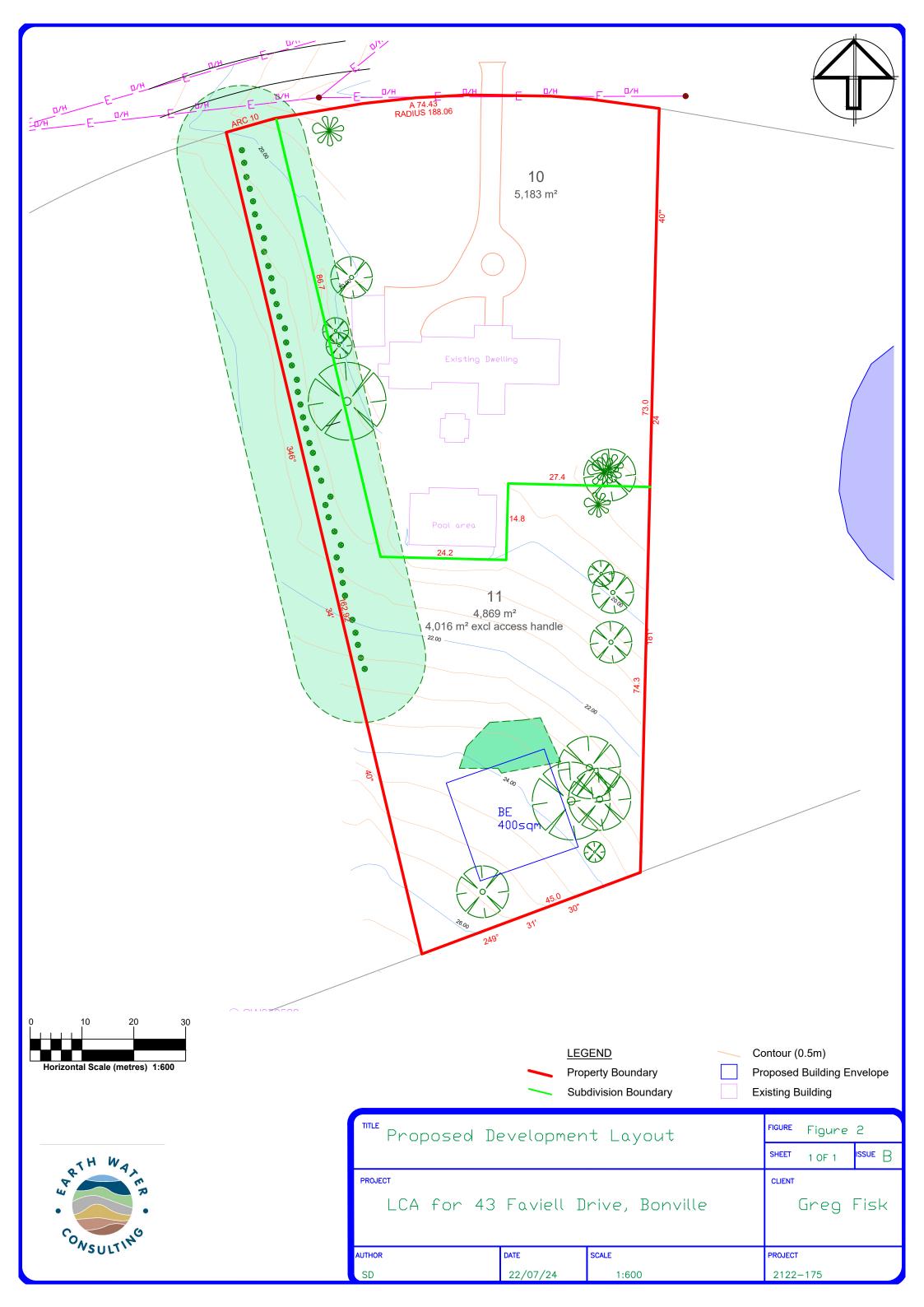
Patterson, R.A. (2003). *Nitrogen in Wastewater and its Role in Constraining On-Site Planning*. In Patterson & Jones (Eds.) Proceedings of On-site '03 Conference: *Future Directions for On-site Systems: Best Management Practice*. Lanfax Laboratories, Armidale.

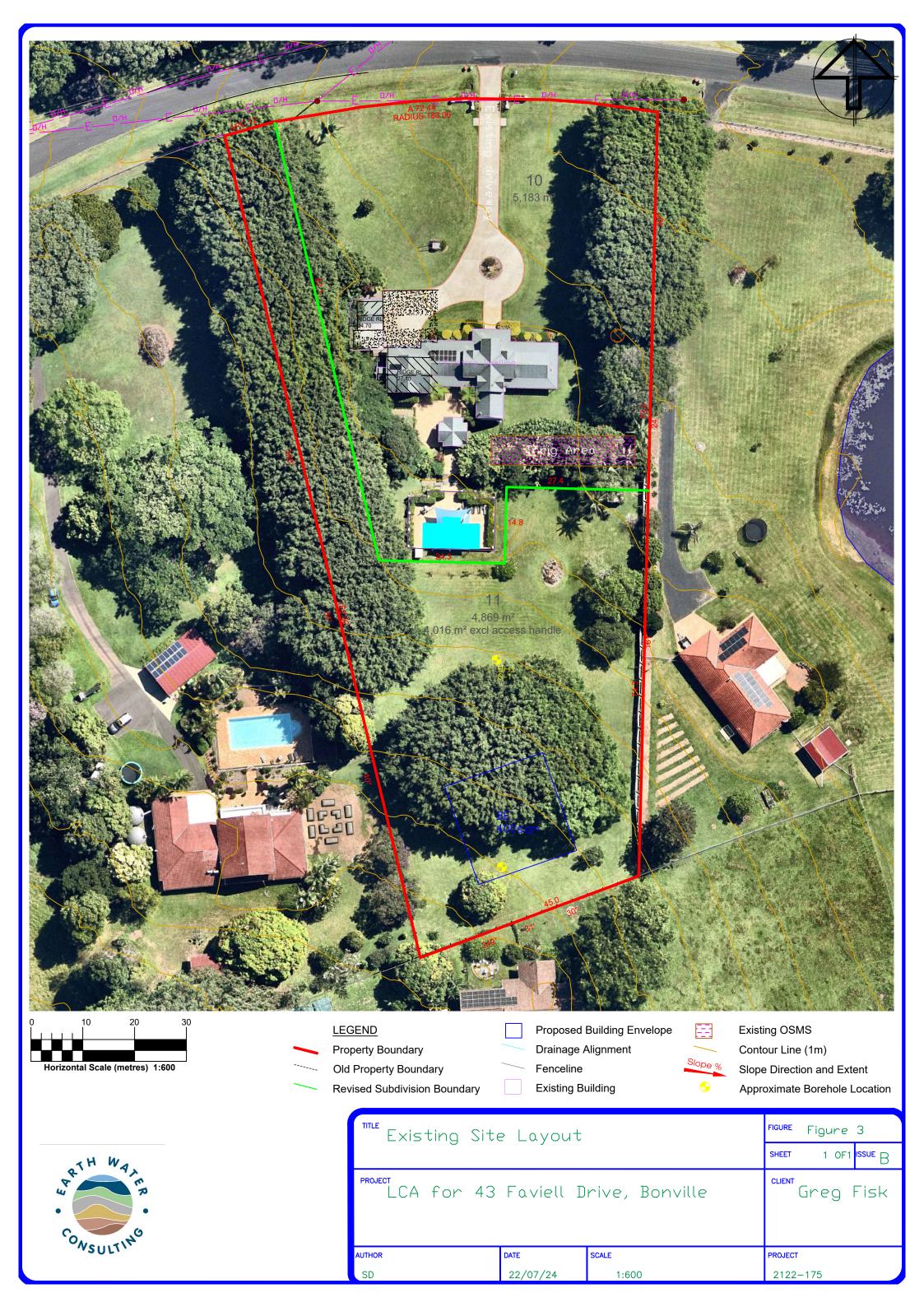
Standards Australia / Standards New Zealand (2012). AS/NZS 1547:2012 On-site Domestic-wastewater Management.

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FIGURES





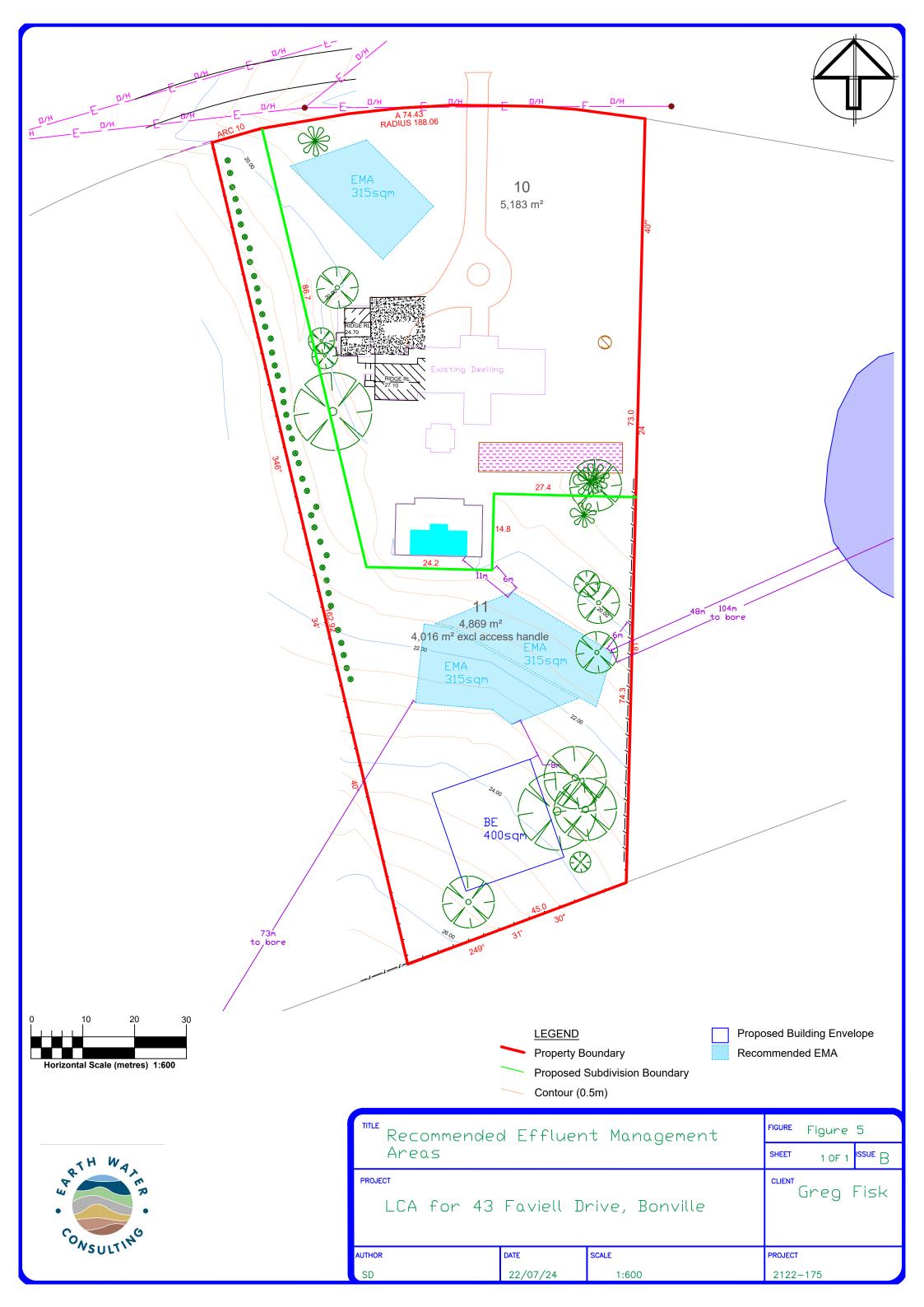






LEGEND
Property Boundary
Drainage Alignment
MLS Restricted Area
MLS Available Area

TITLE MLS	Assessr	ment		FIGURE Figure 4	
				SHEET 1 OF1	issue A
PROJECT LCA	for 43	Faviell D	rive, Bonville	client Greg	Fisk
AUTHOR		DATE	SCALE	PROJECT	
SD		22/07/24	1:1000	2122-175	



APPENDIX A



Soil Borelog

•	•	Borehole No:	BH1		
CONCI	LTING	Logged by:	RL		
3		Drilling date:	21/06/2023		
Project ref:	2122-175	Drilling method:	Power Auger		
Client:	Greg Fisk	Borehole location:	Figure 2		
Address:	43 Faviell Drive, Bonville	Borehole coords:	502198, 6640298		

PROFILE DESCRIPTION

Depth (m)	Sampling depth/name	Graphic Log	Horizon	Texture	Structure	Colour	Mottles	Coarse Fragments	Moisture Condition	Comments
0.1			A1	Loam	Strong	Black	Nil	< 5%	D	Topsoil
0.2			B1	Clay Loam	Strong	Brown	Nil	Nil	D	Alluvial / transferral
0.3										
0.4										
0.5										
0.6	S		B2	Silty Clay Loam	Strong	Bright Brown	Nil	Nil	D to SM at	Alluvial / transferral
0.7									Depth	
0.8										
0.9										
1.0										
1.1										
1.2										
1.3					Boreh	ole terminated a	t 1.2m			
1.4										
1.5										
	Moisture condition									

Moisture condition

D	Dry	M	Moist	W	Wet / saturated
SM	Slightly moist	VM	Very moist		

APPENDIX B

WASTEWATER DISPOSAL SOIL ASSESSMENT

1 sample supplied by Earth Water Consulting Pty Limited on 21/01/2022 - Lab Job No. M5264 Analysis requested by Strider Duerinckx - **Customer Reference: 2122-051** PO Box 50 BELLINGEN NSW 2454

Job No.	
	M5264/1
Description	Loam
Moisture Content (% moisture)	21
Emerson Aggregate Stability Test (SAR 5 Solution) note 12	EAST Class 3/6, slake 1 ^{see note 12}
Soil pH (1:5 CaCl ₂)	5.15
Soil Conductivity (1:5 water dS/m)	0.016
Soil Conductivity (as EC _e dS/m) ^{note 10}	0.152
Native NaOH Phosphorus (mg/kg P)	17.56
Residual phosphorus remaining in solution from the initial phosphate phosphorus	
Initial Phosphorus concentration (ppm P)	43.9
72 hour - 3 Day (ppm P)	28.03
120 hour - 5 Day (ppm P)	14.99
168 hour - 7 Day (ppm P)	13.91
Equilibrium Phosphorus (ppm P)	2.76
EXCHANGEABLE CATIONS	
Calcium (cmol ₊ /kg)	0.98
Magnesium (cmol₊/kg)	0.96
Potassium (cmol₊/kg)	0.03
Sodium (cmol₊/kg)	0.08
Aluminium (cmol ₊ /kg)	0.10
Hydrogen (cmol ₊ /kg)	0.25
ECEC (effective cation exchange capacity)(cmol₊/kg)	2.4
Exchangeable Calcium %	40.8
Exchangeable Magnesium %	39.8
Exchangeable Potassium %	1.4
Exchangeable Sodium % (ESP)	3.4
Exchangeable Aluminium %	4.2
Exchangeable Hydrogen %	10.5
Calcium/ Magnesium Ratio	1.02

Notes:

- 1: ECEC = Effective Cation Exchange Capacity = sum of the exchangeable Mg, Ca, Na, K, H and Al
- 2: Exchangeable bases determined using standard Ammonium Acetate extract (Method 15D3) with no pretreatment for soluble salts. When Conductivity ≥0.25 dS/m soluble salts are removed (Method 15E2).
- 3. ppm = mg/kg dried soil
- 4. Insitu P determined using 0.1 M NaOH and shaking for 24 h before determining phosphate
- 5. Soils were crushed using a ceramic grinding head and mill; five 1 g subsamples of each soil were used to which 40 mL of 0.1 M NaCl with 30 ppm phosphorus was added to each. The samples were shaken on an orbital shaker
- 6. Exchangeable sodium percentage (ESP) is calculated as sodium (cmol₊/kg) divided by ECEC
- 7. All results as dry weight DW soils were dried at 60°C for 48 h prior to crushing and analysis.
- 8. Phosphorus Capacity method from Ryden and Pratt, 1980.
- 9. Aluminium detection limit is 0.05 cmol₊/kg; Hydrogen detection limit is 0.1 cmol₊/kg. However for calculation purposes a value of 0 is used.
- 10. For conductivity 1 dS/m = 1 mS/cm = 1000 μ S/cm; EC $_{\rm e}$ conversions: sand loam 14, loam 9.5; clay loam 8.6; heavy clay 5.8
- 11. 1 cmol₊/kg = 1 meq/100g
- 12. Emerson Aggregate Stability Test (EAST) for Wastewater applications (see Sheet 3 Patterson, 2015). EAST Class 1: Slaking, complete dispersion;

Class 2: Slaking, some dispersion; Class 3-6*: Slaking 1 slight to 3 complete, No dispersion; Class 7: No slaking, yes swelling; Class 8: No slaking, no swelling.

- 13. Analysis conducted between sample arrival date and reporting date.
- 14. .. Denotes not requested.
- 15. This report is not to be reproduced except in full.
- 16. All services undertaken by EAL are covered by the EAL Laboratory Services Terms and Conditions (refer scu.edu.au/eal or on request).
- 17. This report was issued on 15/2/2022





PHOSPHORUS SORPTION TRIAL

1 sample supplied by Earth Water Consulting Pty Limited on 21/01/2022 - Lab Job No. M5264 Analysis requested by Strider Duerinckx - Customer Reference: 2122-051 PO Box 50 BELLINGEN NSW 2454

Calculations for Equilibrium Absorption Maximum for Soil provided

I.D.	JOB NO.	Equilibrium P mg P/L (in solution)	Added P mg P/L	P Sorb at Equil. mg P/kg	Native P mg P/kg	Equilibrium P Sorption Level µg P/g soil	Divide Θ (from Table)	Equilibrium Absorption Maximum (B) µg P/g soil
BH1 0.4-0.9	M5264/1	2.8	43.85	1644	18	1661	0.59	2,831

Calculations for phosphorus sorption capacity

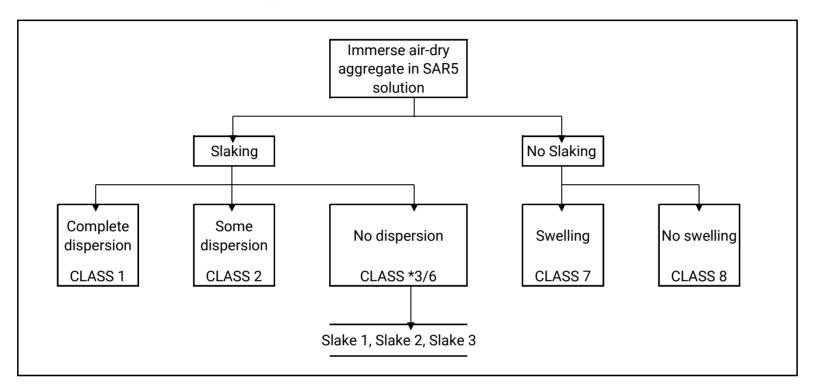
	JOB NO.	Equilibrium Absorption Maximum (B µg P/g soil	multiply by theta of vastewater to be applie (=X)	native P	(to a depth of 15 cm)	kg P sorption / hectare (to a depth of 100 cm) (1.95 is a correction factor for density, etc)
BH1 0.4-0.9	M5264/1	2831	(=B x theta)	(=X -native P)	(=Y x 1.95)	(=Y x 1.95 x 100/15)

EXAMPLE 1 - Calculations for phosphorus sorption capacity using a wastewater phosphorus of 15 mg/L P

	JOB NO.	Equilibrium Absorption Maximum (B	multiply by theta of vastewater to be applie			kg P sorption / hectare (to a depth of 100 cm)
		μg P/g soil `	(ie. 0.84)		` '	(1.95 is a correction factor for density, etc)
BH1 0.4-0.9	M5264/1	2831	2378	2361	4,603	30,688

Checked:....

Emerson Aggregate Stability Test for Wastewater



CLASS 1 : severe dispersion, maybe related to high sodicity which forces the clay particles apart in water.

Amerlioration with lime or gypsum may improve structural stability by increasing EC. Class 1 soils

have a major limitation to wastewater application because of reduced permeability and potential to compact as the pores block.

CLASS 2 : moderate dispersion, maybe related to high sodicity. Amelioration may be effective by increasing EC.

Without amelioration, this class has a major limitation to wastewater application as for Class 1.

CLASS *3/6 : remoulding, and 1:5 soil:water suspension tests are irrelevant to wastewater assessment, but can be reported as

Slake 1 (slight), Slake 2 (moderate) or slake 3 (completely slumped). Slake 1,2 or 3 - no limitation to wastewater

application, but may benefit from additional organic matter fr surface irrigated soils.

CLASS 7 : these soils are water stable, but may swell. There is no limitation to wastewater application.

CLASS 8 : these soils retain their original size and shape. There is no limitation to wastewater application.

Method reference: Patterson, R. 2015. Emerson aggregate stability test for wastewater. Lanfax Laboratories: Armidale.

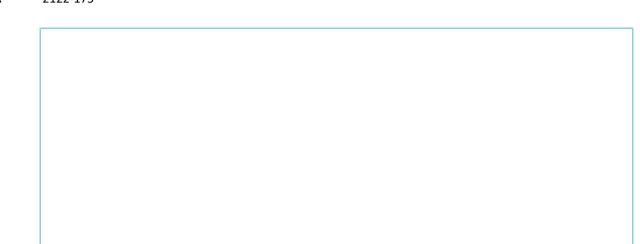
APPENDIX C

Nominated Area Water Balance & Storage Calculations

Notes:

Site Address: 43 Faviell Drive, Bonville Proj Ref: 2122-175

Flow Allowance		150	l/p/d			
No. of Persons		4	р			
Occupancy		1.5	p/room			
Design Wastewater Flow	Q	900	L/day			
Daily DLR		20.0	mm/day			
Crop Factor	С	0.6-0.8	unitless			
Retained Rainfall Coefficient	RRc	0.95	untiless			
Void Space Ratio	V	0.3	unitless			
Nominated Land Application Area	Z	50	sqm			
Trench/Bed wetted thickness	Ww	0.1	m			
Rainfall Data	Coffs Harbour Rainfall Data (monthly median)					
Evaporation Data	Coffs Harbour Evap Data (monthly average)					
	No. of Persons Occupancy Design Wastewater Flow Daily DLR Crop Factor Retained Rainfall Coefficient Void Space Ratio Nominated Land Application Area Trench/Bed wetted thickness Rainfall Data	Design Wastewater Flow Q Daily DLR Crop Factor C Retained Rainfall Coefficient RRc Void Space Ratio V Nominated Land Application Area N Trench/Bed wetted thickness Ww Rainfall Data Coffs Harbour	No. of Persons Occupancy 1.5 Design Wastewater Flow Q 900 Daily DLR 20.0 Crop Factor C 0.6-0.8 Retained Rainfall Coefficient RRc 0.95 Void Space Ratio V 0.3 Nominated Land Application Area N 50 Trench/Bed wetted thickness Ww 0.1 Rainfall Data Coffs Harbour Rainfall Data (mo			





Parameter	Symbol	Formula	Units	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total
Days in month	D	\	days	31	28	31	30	31	30	31	31	30	31	30	31	365
Median Rainfall	R	\	mm/month	151.2	179	205.1	135.9	117.4	90	54.3	40.7	35.4	74.7	130.4	114.1	1612.2
Average Evaporation	Е	\	mm/month	192.2	156.8	148.8	117	86.8	69	77.5	105.4	135	161.2	171	192.2	0
Crop Factor	С			0.80	0.80	0.80	0.70	0.70	0.60	0.60	0.60	0.70	0.70	0.80	0.80	
OUTPUTS																
Evapotranspiration	ET	ExC	mm/month	154	125	119	82	61	41	47	63	95	113	137	154	1189.94
Percolation	В	DLRxD	mm/month	620.0	560	620.0	600.0	620.0	600.0	620.0	620.0	600.0	620.0	600.0	620.0	7300.0
Outputs		ET+B	mm/month	773.8	685.44	739.0	681.9	680.8	641.4	666.5	683.2	694.5	732.8	736.8	773.8	8489.9
INPUTS																
Retained Rainfall	RR	R*RRc	mm/month	143.64	170.05	194.845	129.105	111.53	85.5	51.585	38.665	33.63	70.965	123.88	108.395	1261.79
Effluent Irrigation	W	(QxD)/L	mm/month	558.0	504.0	558.0	540.0	558.0	540.0	558.0	558.0	540.0	558.0	540.0	558.0	6570.0
Inputs		RR+W	mm/month	701.6	674.1	752.8	669.1	669.5	625.5	609.6	596.7	573.6	629.0	663.9	666.4	7831.8
STORAGE CALCULATION																
Storage remaining from previous month			mm/month		0.0	0.0	46.0	3.4	0.0	0.0	0.0	0.0	0.0	0.0	0.0	
Storage for the month	S	(RR+W)-(ET+B)	mm/month	-240.4	-38.0	46.0	-42.6	-37.4	-53.0	-189.7	-288.6	-402.9	-346.3	-243.1	-357.9	-603.3
Cumulative Storage	M		mm	0.0	0.0	46.0	3.4	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	49.4
Maximum Bed Storage Depth for Area	BS		mm	46.02	Is the calculated	l storage accept	table?	Yes, storage i	s conservative	:						

Nominated trench width 0.9 Total length based on nominated width 55.6 No. of beds 3 Individual bed lengths 18.5 **Individual Bed footprints** 16.7 Spacing between beds 1.5 Width of bed area 5.7 106 Total bed area 218 Nutrient uptake zone

2m buffer nutrient uptake allowance

Nutrient Balance



Proj Ref: 2122-175

Site Address: 43 Faviell Drive, Bonville

Notes:

INPUT DATA

				1
Hydraulic Load		900	L/Day	
Effluent N Concentration		30	mg/L	
% Lost to Soil Processes		0.2	Decimal	
Total N Loss to Soil		5400	mg/day	
Effluent P Concentration		12		
Design Life of System		50	yrs	
Crop N Uptake	250	kg/ha/yr =	68	mg/m²/day
Crop P Uptake	25	kg/ha/yr =	7	mg/m²/day
P-sorption analytical result in soi	I	30688	kg/ha	
% of Predicted P-sorp		0.5	Decimal	

Nitrogen Balance

Nitrogen uptake ability in vegetation	68	mg/m²/day
Nitrgen loading in wastewater	21600	mg/day
Area required for nitrogen	315	m ²

Phosphorus Balance

P adsorbed	1.5344	kg/m ²
P uptake	0.125	kg/m ²
P generated	219	kg
Area required for Phosphorus	132	m ²

APPENDIX D

AS1547:2012 Table R1 and R2 Buffer Risk Assessment

Client Greg Fisk

Property 43 Faviell Drive Bonville

Job Number 2122-175



Feature	Setback Distance Range (m)	Constraint	Constraint Scale			Risk Assessment				Adopted Buffer Distance	
			Low Constraint	High Constraint	Applicable Constraint	Low = 1 Point	Mod = 2 Points	High = 3 Points	Overall Risk Rating	Accept Buffer (m)	Minimum Available Buffer (m)
Groundwater Bores	30-50	Microbial Quality of Effluent	Secondary treated effluent with disinfection	Primary treated effluent	Secondary	х			Low	15	70
		Groundwater	Category 5 and 6 soils, low resource/environme ntal value	Category 1 and 2 soils, gravel aquifers, high resource/ environmental value	Cat4 soil, domestic bores		x				
		Geology and Soils	Cateogry 3 and 4 soils, low porous regolith, deep, uniform soils	Category 1 and 6 soils, fractured rock, gravel aquifers, highly porous regolith	Cat4 soil, low porous regolith	х					
		Application Method	Drip irrigation or subsurface application of effluent	Surface/above ground application of effluent	Subsurface	х					

APPENDIX 4 – BUSHFIRE RISK MANAGEMENT PLAN

BUSHFIRE RISK ASSESSMENT INFILL RESIDENTIAL SUBDIVISION 43 FAVIELL DRIVE BONVILLE

Date: 12 November 2023 Prepared by Keiley Hunter

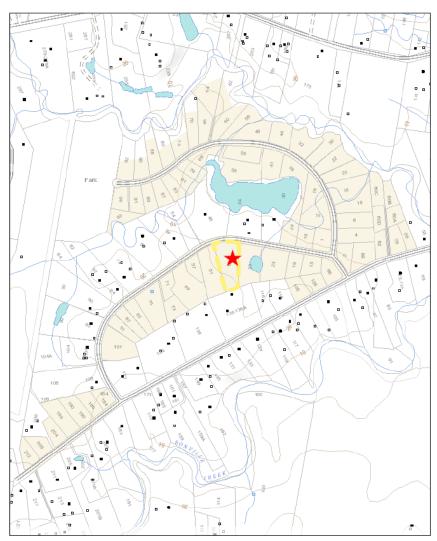
Background

The following risk assessment is prepared in accordance with Section 4.46 and Section 4.47of the *Environmental Planning & Assessment Act (1979)*, Section 100b of the *Rural Fires Act (1997)* and the guidelines set forth by the NSW RFS *Planning for Bushfire Protection 2019*.

The proposal is for an infill subdivision of Lot 381 DP 844187 to create one (1) additional vacant large residential lot (Proposed Lot 11) suitable for residential land use. The resultant vacant lot will be suitable for detached housing.

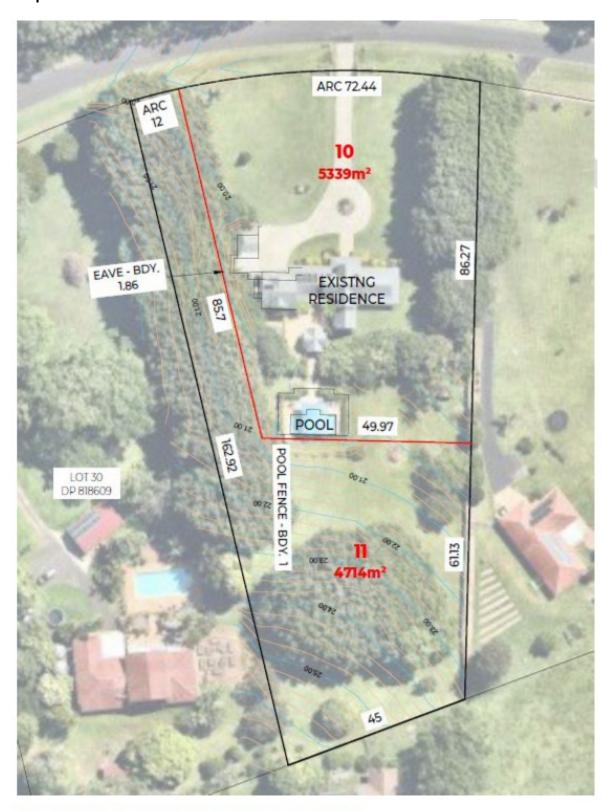
The purpose of this document is to assess the bushfire risk of an infill subdivision to create a vacant R5 Large Lot Residential lot, proposed Lot 11, with an area of 4,714 m². This assessment is for the purpose of determining whether a dwelling can be situated within proposed Lot 11 in accordance with the requirements of *Planning for Bushfire Protection 2019*.

Locality Sketch



Source: NSW Planning Portal Spatial View 2023

Proposed Subdivision



Source: Coffs Clarence Surveying & Spatial, 20/7/23

The subject land is managed land. The subject land is not mapped as Koala habitat or prescribed vegetation. Council's Fine-scale Vegetation mapping identifies the vegetation as "planted". The Detail Survey (attached) and site inspection confirm that vegetation within the site is exotic planted species and lawn.

Planning for Bushfire Protection 2019

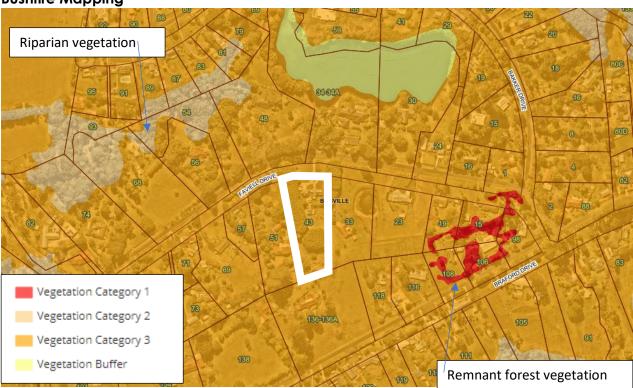
Infill development proposals on bushfire prone land must be accompanied by bush fire assessments and reports demonstrating compliance with *Planning for Bushfire Protection 2019*. In particular, the following must be addressed:

- a statement that the site is BFPL;
- the location, extent and vegetation formation of any bushland on or within 140 metres of the site:
- the slope and aspect of the site and of any BFPL within 100 metres of the site; any features
 on or adjoining the site that may mitigate the impact of a bush fire on the proposed
 development;
- a statement assessing the likely environmental impact of any proposed BPMs (bushfire protection measures);
- a site plan showing access, water supplies, APZs, BAL requirements and building footprint in relation to the bush fire hazards; and calculated BAL construction levels.

Bushfire Mapping

The subject land is mapped as Vegetation Category 3 as the vegetation within and surrounding the land is identified as grasslands.

Bushfire Mapping



Servicing and Access

The land has frontage to Faviell Drive, a public road. Driveway access to the existing dwelling is via a concrete driveway 50 m from the edge of bitumen. Driveway access to the vacant lot has not been constructed, however it will be constructed utilising a hard surface within the access handle and will be approximately 95 m from the edge of bitumen.

Reticulated water supply is not available to the property. A 10,000L fire fighting water supply must be available to each dwelling.

Electrical transmission is connected to the existing dwelling from an existing overhead supply located along Faviell Drive and will be extended underground to the proposed vacant lot .

Site Photos



North of existing Dwelling – 43 Faviell Drive.



East of existing dwelling



West of existing dwelling. Landscaped tall hedge of ficus hillii along western boundary. Location of access handle for rear lot (proposed Lot 11).



South of proposed building area - managed land.



Landscaped tall hedge of ficus hillii along western boundary. Proposed access handle for rear lot.

These trees will be heavily pruned at the southern extent of the hedge.



Proposed building area within Lot 11 – looking north towards the swimming pool within Lot 10.



Building area – proposed Lot 11 – ficus to be removed.



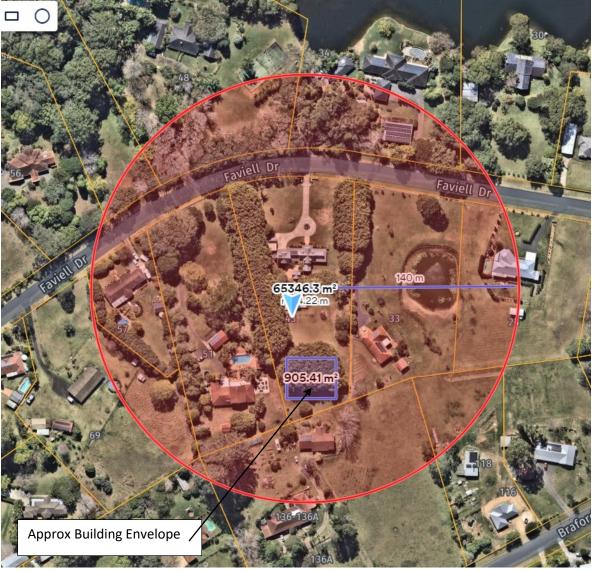
South of proposed building area - managed land.

Assessment

Surrounding Vegetation Types & Slope

Direction (140m)	Vegetation Type(s)			
Direction (140m)	CHCC Mapping	Keith (2004)		
North	Managed Land	Managed Land		
East	Managed Land	Managed Land		
West	Managed Land	Managed Land		
South	Managed Land	Managed Land		

Surrounding Vegetation to 140 m



Source: Nearmaps 2023

Slope Assessment

Planning for Bushfire Protection (RFS, 2019) recommends that slopes should be assessed, over a distance of at least 100m from a development site and that the dominant gradient of the land should be determined on the basis of which will most significantly influence the fire behaviour at the site.

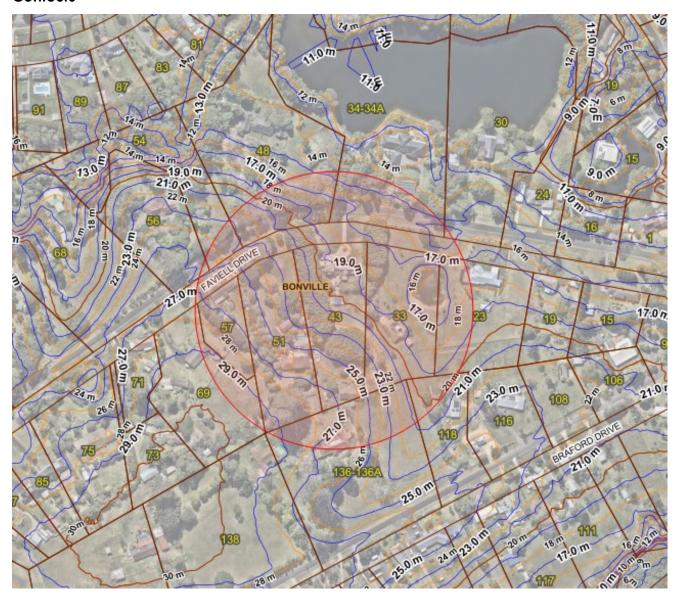
The onsite bushfire hazard assessment identified the terrain for a distance greater than 100 metres in all directions from the development property as being slightly sloping to generally flat.

As shown on the Detail Survey (attached) the land slopes south to north from 26 m AHD to 20 m AHD at the street frontage.

The subject land has a lateral separation greater than 140 metres to the nearest forest vegetation (Category 1) mapped over the property described as 19 Braford Drive and to the riparian vegetation (Category 2) along the riparian zone at the rear of 54 Braford Drive and exceeds the maximum asset protection zone requirements under Planning for Bushfire Protection 2019.

Direction	Vegetation Type	Approx. Distance	Approx. Slope
North	Managed Land	N/A	N/A
East	Managed Land	N/A	N/A
West	Managed Land	N/A	N/A
South	Managed Land	N/A	N/A

Contours



Fire Danger Index (FDI), Bushfire Attack Level (BAL) & Asset Protection Zones (APZ)

Fire Danger Index

The FDI for the Coffs Harbour LGA is 80.

Bushfire Attack Level

The proposed subdivision is identified as being within a BAL-LOW Bushfire Attack Level based on the below findings:

- Developed residential areas (managed land) to the north, south, east and west.
- Lateral separation of greater than 140 m to the nearest forest or riparian vegetation.

Asset Protection Zone (APZ)

The following table determines the required APZ areas of future dwellings within FDI 80 areas. As shown in the table below, a future dwelling within proposed Lot 11 requires a 10 m APZ, or to the boundary. It is recommended that all areas of the site not utilised for building and ancillary infrastructure should be maintained to the standard of an Inner Protection Area.

Table A1.12.3Minimum distances for APZs - residential development, FFDI 80 areas (≤29kW/m², 1090K)

		EFFECTIVE SLOPE				
KEITH VEGETATION FORMATION	Up slope: and flat	>0°-5°	>5°-10°	>10°-15°	>15°-20°	
	Dista	nce (m) from the ass	et to the predomi	nant vegetation f	ormation	
Rainforest	9	12	15	20	25	
Forest (wet and dry sclerophyll) including Coastal Swamp Forest, Pine Plantations and Sub-Alpine Woodland	20	25	31	39	48	
Grassy and Semi-Arid Woodland (including Mallee)	11	13	17	21	27	
Forested Wetland (excluding Coastal Swamp Forest)	8	10	13	17	22	
Tall Heath	16	18	20	22	25	
Short Heath	9	10	12	13	15	
Arid-Shrublands (acacia and chenopod)	6	7	8	9	10	
Freshwater Wetlands	5	6	6	7	9	
Grassland	10	11	12	14	16	

Strategic planning in bush fire prone areas

Section 4.2 of *Planning for Bush Fire Protection 2019* requires that strategic development proposals, Planning Proposals, in bush fire prone areas require the preparation of a Strategic Bush Fire Study. The level of information required for such a study will be dependent upon the nature of any planning instrument changes, scale of the proposal, the bush fire risk and its potential impact upon the wider infrastructure network.

The Strategic Bush Fire Study provides the opportunity to assess whether new development is appropriate in the bush fire hazard context. It also provides the ability to assess the strategic implications of future development for bush fire mitigation and management. A Strategic Bush Fire Study must include, as a minimum, the components in Table 4.2.1.

Once these strategic issues have been addressed, an assessment of whether the proposal can comply with this document should be carried out. If the strategic issues cannot be resolved, then the proposal cannot comply with PBP and will not be supported by the NSW RFS.

Ministerial Directions

Direction 4.3 *Planning for Bush Fire Protection* applies to Planning Proposals that affect, or are in close proximity to, land mapped as Bush Fire Prone Land (BFPL).

Direction 4.3

(1) 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 3.34 of the Act, and prior to undertaking community consultation in satisfaction of clause 4, Schedule 1 to the EP&A Act, and take into account any comments so made.

Consultation with the NSW RFS will occur at the Public Exhibition phase of the Planning Proposal.

- (2) A planning proposal must:
 - (a) have regard to Planning for Bushfire Protection 2019,
 - (b) introduce controls that avoid placing inappropriate developments in hazardous areas, and
 - (c) ensure that bushfire hazard reduction is not prohibited within the Asset Protection Zone (APZ).

A Bushfire Strategic Assessment has been prepared that has regard for Planning for Bushfire Protection 2019. The subject land is mapped BFPL however it is managed land that is over 140 m from Category 1 or Category 2 vegetation and is not a hazardous area. All of the subject land will be managed as an IPA.

- (3) A planning proposal must, where development is proposed, comply with the following provisions, as appropriate:
- (a) provide an Asset Protection Zone (APZ) incorporating at a minimum:
 - i. an Inner Protection Area bounded by a perimeter road or reserve which circumscribes the hazard side of the land intended for development and has a building line consistent with the incorporation of an APZ, within the property, and
 - ii. an Outer Protection Area managed for hazard reduction and located on the bushland side of the perimeter road,

All of the subject land will be managed as an IPA.

(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 Rural Fires Act 1997), the APZ provisions must be complied with,

The proposed subdivision is infill development. An appropriate APZ can be achieved,

(c) contain provisions for two-way access roads which links to perimeter roads and/or to fire trail networks,

Faviell Drive is a two-way public road.

(d) contain provisions for adequate water supply for firefighting purposes,

Each resultant lot will be supplied with a 10,000 litres of dedicated firefighting water supply.

(e) minimise the perimeter of the area of land interfacing the hazard which may be developed,

The subject land is surrounded in all directions by managed urban land to at least 140 m.

(f) introduce controls on the placement of combustible materials in the Inner Protection Area.

All of the subject land will be managed as an inner protection area.

As part of the consultation process with the NSW RFS, a bush fire assessment is required to be submitted to demonstrate compliance with the Section 9.1(2) Directions and NSW Rural Fire Services, *Planning for Bushfire Protection*, 2019. Where the proposal is of a strategic nature, this should take the form of a Strategic Bush Fire Study. This will occur post Gateway Determination during the agency consultation and public exhibition phase of the Planning Proposal.

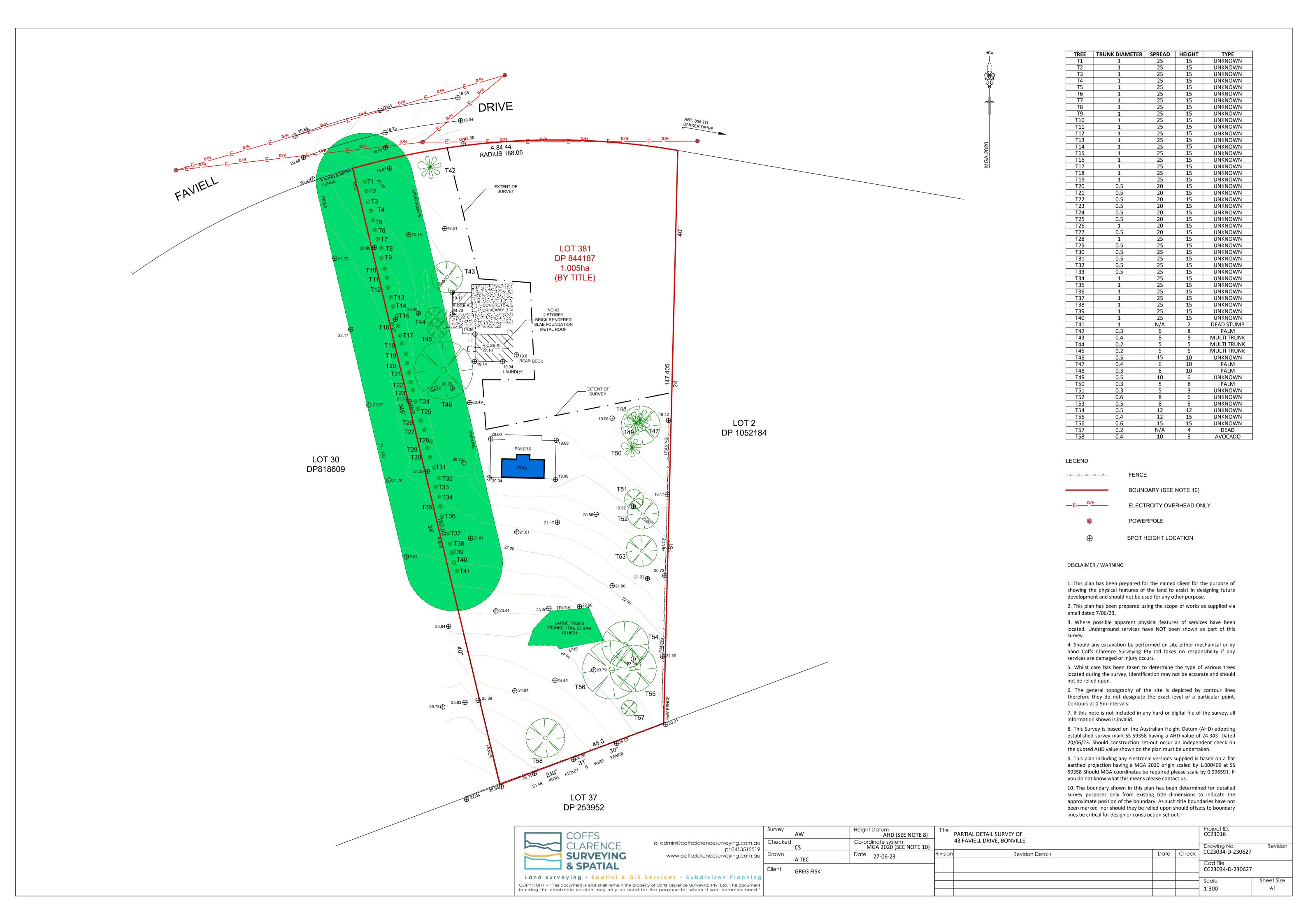
Conclusion

- The BAL construction rating for proposed Lot 11 is BAL-LOW.
- All areas of both resultant lots not utilised for building and ancillary infrastructure should be maintained to the standard of an Inner Protection Area.
- The services provided for the proposed development will meet the Measures and Performance Criteria for access, water, electricity and gas in *Planning for Bushfire* Protection 2019.

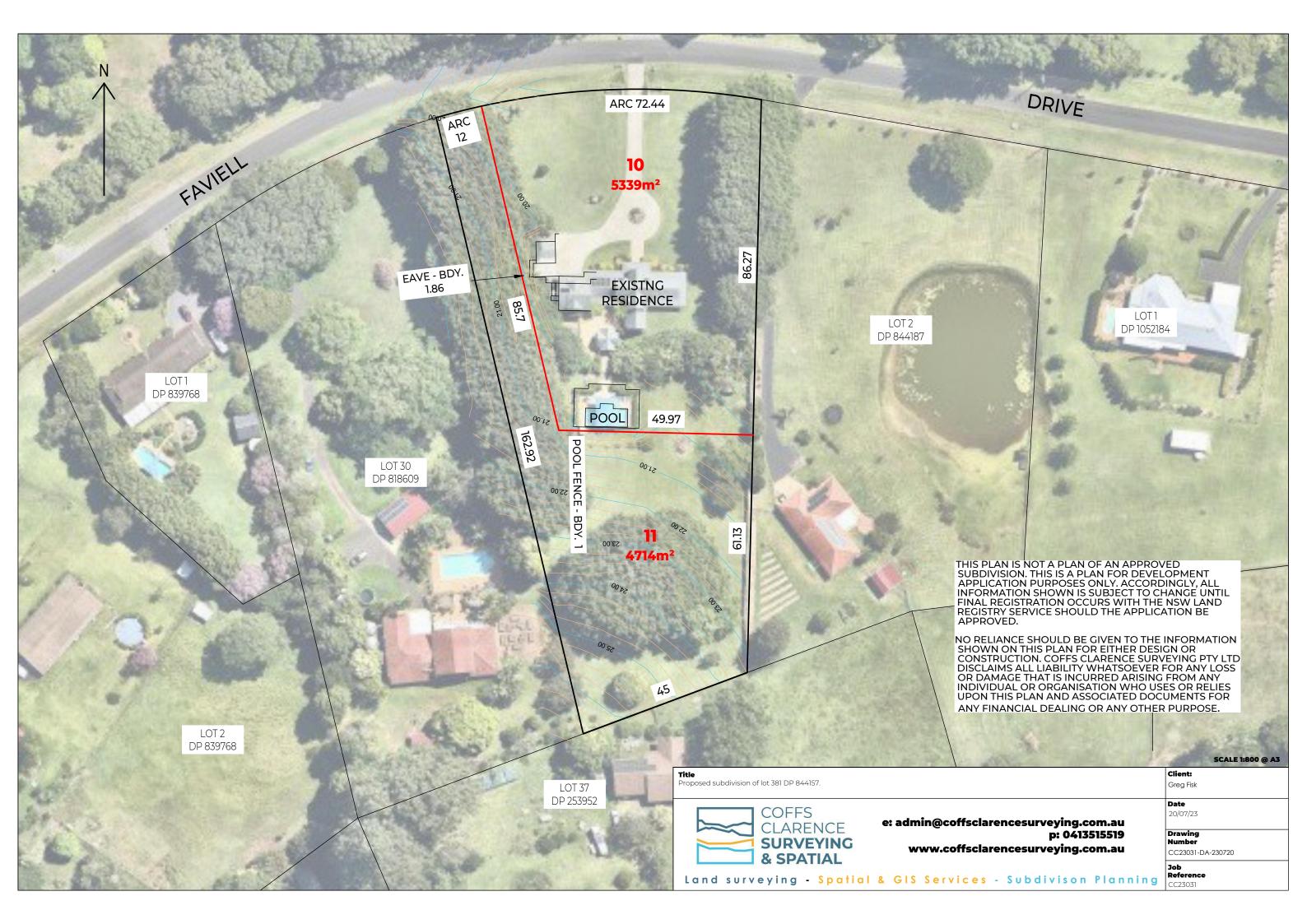
Appendices

- Detail Survey
- Plan of Proposed Subdivision
- Strategic Bush Fire Study

Detail Survey



Plan of Proposed Subdivision	



Planning for Bush Fire Protection 2018: Table 4.2.1 Bush Fire Strategic Study

ISSUE	DETAIL	ASSESSMENT CONSIDERATIONS	PLANNING PROPOSAL RESPONSE
Bushfire landscape assessment	A bush fire landscape assessment considers the likelihood of a bush fire, its potential severity and intensity and the potential impact on life and property in the context of the broader surrounding landscape.	 The bush fire hazard in the surrounding area, including: Vegetation Topography Weather The potential fire behaviour that might be generated based on the above; Any history of bush fire in the area; Potential fire runs into the site and the intensity of such fire runs; and The difficulty in accessing and suppressing a fire, the continuity of bush fire hazards or the fragmentation of landscape fuels and the complexity of the associated terrain. 	Topography and Vegetation: Managed residential land. Generally flat. Climate: The nearest Bureau of Metrology (BoM) weather station to the Site is Coffs Harbour MO (opened 1943, closed 2015) (BoM number 59040) which is approximately 6 km north-northwest of the Site. Coffs Harbour MO experiences a mean annual rainfall of 1,699 mm, with a monthly high of 234.6mm in March and monthly low of 59.9mm in September. Coffs Harbour experiences mean annual pan evaporation of 1,606mm, with a monthly high of 192.2 mm in January and December and a monthly low of 69mm in June. Fire History No known history of bushfire activity in the Braford Park locality.



Source: Bushfire Dashboard, UNSW, accessed 12 November 2023.

Land use assessment

The land use assessment will identify the most appropriate locations within the masterplan area

- The risk profile of different areas of the development layout based on the above landscape study;
- The proposed land use zones and permitted uses;
- The most appropriate siting of different land uses based on risk profiles within the site (i.e. not locating development on

The risk profile of the proposed reduction in minimum lot size and infill subdivision to create one additional lot suitable for housing is low.

	or site layout for the proposed land uses.	ridge tops, SFPP development to be located in lower risk areas of the site); and The impact of the siting of these uses on APZ provision.	There is no change to the R5 Large Lot Residential zone. The R5 zone permits a reduced range of residential accommodation land uses to maintain the low density character of R5 areas. Dwellings, dual occupancies (attached) and secondary dwellings are permissible with consent in the R5 zone. Medium density residential land uses are prohibited in the R5 zone. A building envelope has been nominated in the proposed infill lot in a suitable location.
Access and egress	A study of the existing and proposed road networks both within and external to the masterplan area or site layout.	 The capacity for the proposed road network to deal with evacuating residents and responding emergency services, based on the existing and proposed community profile; The location of key access routes and direction of travel; and The potential for development to be isolated in the event of a bush fire. 	The Braford Park area has an established network of public roads leading to the Pacific Highway with the capacity to accommodate traffic arising from the proposed infill lot. The Orara West State Forest is located 1.7 km to the north west of the site. The Pine Creek State Forest is located 1.2 kms to south west of the site. Bongil Bongil

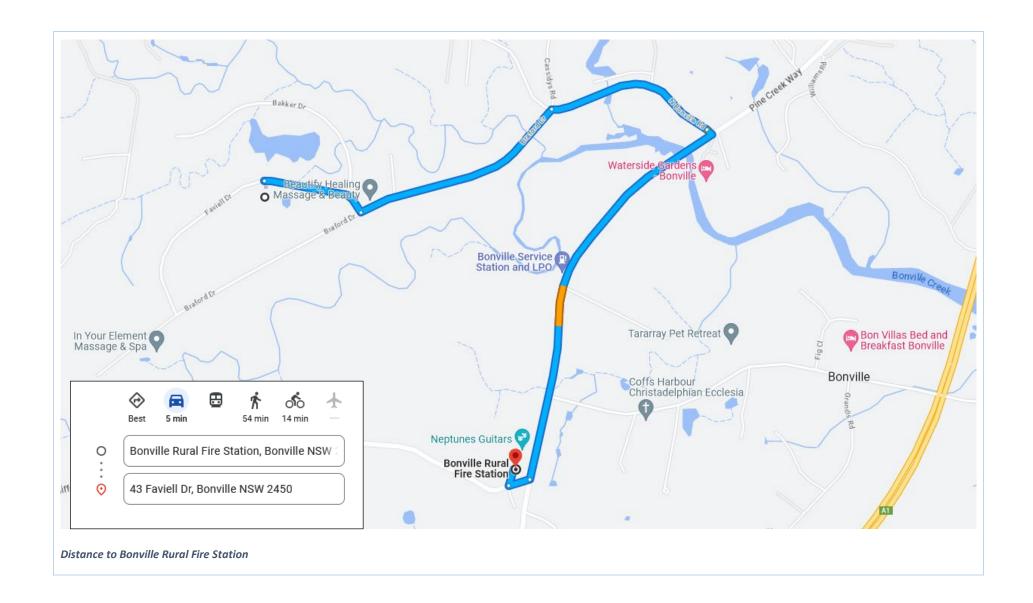
National Park is located 3 kms to the east of the site. There is established urban land, included roads and dwellings and cleared farmland, between the site and a potential fire front within either of the Forestry Lands. There is a public road evacuation road leading to the north east of the subject and towards the Pacific Highway and the Sawtell residential area.

The surrounding Bonville area of Sandy Beach is well established with emergency services. The development should not impact the ability of emergency services to carry out fire suppression activities. The development is minor and will result in one additional lot. There are fire stations from both the Rural Fire Service (RFS) and Fire Rescue NSW (FRNSW) in the surrounding areas and no additional services would be required. There are 5 Rural Fire Brigades within 10km of the site.

Public road network:



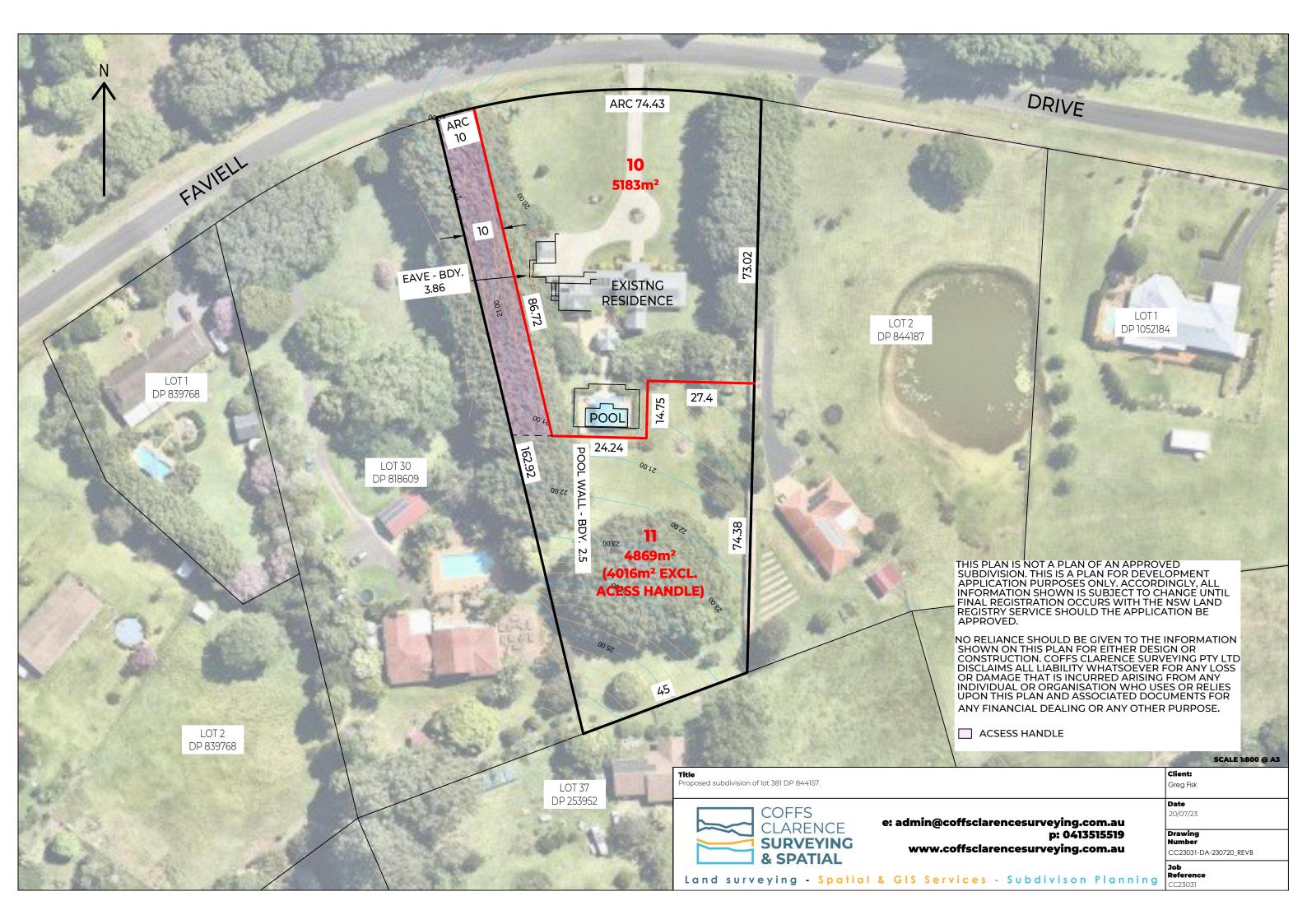
Emergency services	An assessment of the future impact of new development on emergency services.	•	Consideration of the increase in demand for emergency services responding to a bush fire emergency including the need for new stations/ brigades; and Impact on the ability of emergency services to carry out fire suppression in a bush fire emergency.	The development will result in one additional infill lot suitable for housing. The parent lot and the resultant lot will require 10,000 litres of firefighting water supply. The development will have a minor positive effect on bushfire safety in the locality as a significant area of mature landscaped <i>ficus</i> will be removed from the subject land to make way for the proposed access driveway, building area and wastewater
				disposal field.



Infrastructure	An assessment of the issues associated with infrastructure and utilities.	 The ability of the reticulated water system to deal with a major bush fire event in terms of pressures, flows, and spacing of hydrants; and Life safety issues associated with fire and proximity to high voltage power lines, natural gas supply lines etc. 	There is not reticulated water in the locality, therefore all residential dwellings will rely on tankwater. The existing overhead electrical service is located within the road reserve and is extended underground to the existing dwelling. An underground service will be extended to the proposed vacant lot. The locality is not serviced with gas supply lines.
Adjoining land	The impact of new development on adjoining landowners and their ability to undertake bush fire management.	Consideration of the implications of a change in land use on adjoining land including increased pressure on BPMs through the implementation of Bush Fire Management Plans.	The development will not impact the ability of adjoining landowners to undertake bushfire management. The development will have a minor positive effect on bushfire safety in the locality as a significant area of mature landscaped <i>ficus</i> will be removed from the subject land to make way for the proposed access drive, building area and wastewater disposal field.

APPENDIX 5 – CONCEPT SUBDIVISION LAYOUT

Note: In preparing this planning proposal, the City has not endorsed the proposed plan of subdivision, as this is subject to the development application process.



APPENDIX 6 – AHIMS AND LALC CONSULTATION



Keiley Hunter Date: 21 October 2023

115 Victoria

Coffs Harbour New South Wales 2450

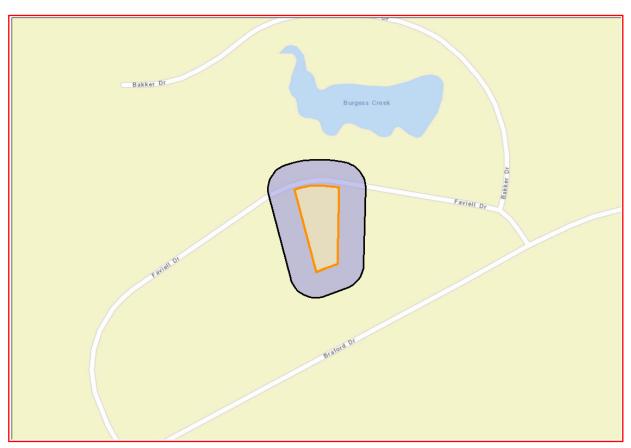
Attention: Keiley Hunter

Email: keiley@keileyhunter.com.au

Dear Sir or Madam:

AHIMS Web Service search for the following area at Lot: 381, DP:DP844187, Section: - with a Buffer of 50 meters, conducted by Keilev Hunter on 21 October 2023.

The context area of your search is shown in the map below. Please note that the map does not accurately display the exact boundaries of the search as defined in the paragraph above. The map is to be used for general reference purposes only.



A search of Heritage NSW AHIMS Web Services (Aboriginal Heritage Information Management System) has shown that:

0	Aboriginal sites are recorded in or near the above location.
0	Aboriginal places have been declared in or near the above location. *

If your search shows Aboriginal sites or places what should you do?

- You must do an extensive search if AHIMS has shown that there are Aboriginal sites or places recorded in the search area.
- If you are checking AHIMS as a part of your due diligence, refer to the next steps of the Due Diligence Code of practice.
- You can get further information about Aboriginal places by looking at the gazettal notice that declared it.
 Aboriginal places gazetted after 2001 are available on the NSW Government Gazette
 (https://www.legislation.nsw.gov.au/gazette) website. Gazettal notices published prior to 2001 can be obtained from Heritage NSW upon request

Important information about your AHIMS search

- The information derived from the AHIMS search is only to be used for the purpose for which it was requested. It is not be made available to the public.
- AHIMS records information about Aboriginal sites that have been provided to Heritage NSW and Aboriginal places that have been declared by the Minister;
- Information recorded on AHIMS may vary in its accuracy and may not be up to date. Location details are recorded as grid references and it is important to note that there may be errors or omissions in these recordings,
- Some parts of New South Wales have not been investigated in detail and there may be fewer records of Aboriginal sites in those areas. These areas may contain Aboriginal sites which are not recorded on AHIMS.
- Aboriginal objects are protected under the National Parks and Wildlife Act 1974 even if they are not recorded as a site on AHIMS.

ABN 34 945 244 274

Email: ahims@environment.nsw.gov.au

Web: www.heritage.nsw.gov.au

• This search can form part of your due diligence and remains valid for 12 months.

APPENDIX 7 – GATEWAY DETERMINATION



Department of Planning, Housing and Infrastructure

Gateway Determination

Planning proposal (Department Ref: PP-2023-2552): to amend the minimum lot size on Lot 381 DP844187, 43 Faviell Drive, Bonville to facilitate a two-lot subdivision.

I, the Acting Director, Hunter and Northern Region at the Department of Planning, Housing and Infrastructure, as delegate of the Minister for Planning and Public Spaces, have determined under section 3.34(2) of the *Environmental Planning and Assessment Act 1979* (the Act) that an amendment to the Coffs Harbour Local Environmental Plan 2013 to amend the minimum lot size on Lot 381 DP844187, 43 Faviell Drive, Bonville to facilitate a two-lot subdivision should proceed subject to the following Gateway conditions.

The Council as planning proposal authority is authorised to exercise the functions of the local plan-making authority under section 3.36(2) of the EP&A Act subject to the following:

- (a) the planning proposal authority has satisfied all the conditions of the gateway determination:
- (b) the planning proposal is consistent with applicable directions of the Minister under section 9.1 of the EP&A Act or the Secretary has agreed that any inconsistencies are justified; and
- (c) there are no outstanding written objections from public authorities.

The LEP should be completed on or before nine months from the date of the Gateway determination.

Gateway Conditions

- 1. Public exhibition is required under section 3.34(2)(c) and clause 4 of Schedule 1 to the Act as follows:
 - (a) the planning proposal is categorised as basic as described in the Local Environmental Plan Making Guideline (Department of Planning and Environment, August 2023) and must be made publicly available for a minimum of 10 working days; and
 - (b) the planning proposal authority must comply with the notice requirements for public exhibition of planning proposals and the specifications for material that must be made publicly available along with planning proposals as identified in *Local Environmental Plan Making Guideline* (Department of Planning and Environment, August 2023).
- 2. Consultation is required with NSW Rural Fire Service under section 3.34(2)(d) of the Act. NSW Rural Fire Service is to be provided with a copy of the planning proposal and any relevant supporting material and given at least 30 working days to comment on the proposal.

3. A public hearing is not required to be held into the matter by any person or body under section 3.34(2)(e) of the Act. This does not discharge Council from any obligation it may otherwise have to conduct a public hearing (for example, in response to a submission or if reclassifying land).

Dated 12 December 2024

Craig Diss

Acting Director, Hunter and Northern Local Planning and Council Support Department of Planning, Housing and Infrastructure

Delegate of the Minister for Planning and Public Spaces