



PLANNING PROPOSAL

CITY OF COFFS HARBOUR

**PP-2023-852 – Faviell Drive, Bonville
Lot 8 DP 260744, 92 Faviell Drive, Bonville**

**February 2025
VERSION 1 Pre-Exhibition**

PLANNING PROPOSAL STATUS

Stage	Version / Date <i>(blank until achieved)</i>
Reported to Council – Initiate s3.33 Version 1 - Pre_Exhibition	Version 1 - February 2025
Referred to DPHI s3.34(1) Version 1 - Pre_Exhibition	
Gateway Determination s3.34(2) Version 1 - Pre_Exhibition	
Amendments Required:	
Public Exhibition – Schedule 1 Clause 4 Version 1 - 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	

CONTENTS

Executive Summary & Exhibition Information.....	4
What is a Planning Proposal?	4
What is the Intent of this Planning Proposal?.....	4
Public Exhibition	4
Background.....	5
The Site.....	5
Part 1 – Objectives or Intended Outcomes.....	8
Part 2 – Explanation of Provisions	8
Part 3 – Justification & Site-Specific Merit	8
Section A – Need for the Planning Proposal	8
Section B – Relationship to Strategic planning framework	8
Section C – Environmental, Social and Economic Impact	21
Section D – State and Commonwealth Interests.....	22
Part 4 – Maps	23
Part 5 – Community Consultation	25
Part 6 – Project Timeline	26

APPENDICES

1	Consideration of State Environmental Planning Policies
2	Consideration of Ministerial Planning Directions
3	Land Capability Assessment
4	Bushfire Assessment
5	Ecologist Assessment
6	Engineering Report
7	Concept Subdivision Layout
8	AHIMS Search

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 R5 Large Lot Residential zoned land at Lot 8 DP 260744, 92 Faviell Drive, Bonville from 1 hectare to 4000 m².

Public Exhibition

This planning proposal will be 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 Have Your Say Page <https://haveyoursay.coffsharbour.nsw.gov.au/> for the duration of the exhibition period.

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

The General Manager
City of Coffs Harbour
Locked Bag 155
COFFS HARBOUR NSW 2450
Email: coffs.council@chcc.nsw.gov.au

Any questions, contact:
Jackson Pfister on 6648 4662
or email 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	92 Faviell Drive, Bonville
Property Details	Lot 8 DP 260744, 92 Faviell Drive, Bonville
Current Land Use Zone(s)	R5 Large Lot Residential and C2 Environmental Conservation
Proponent	Geoff Smyth & Associates
Landowner	K J & M G Walker
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 4000 m² for the area of Lot 8 DP 260744, 92 Faviell Drive, Bonville, that is zoned R5 Large Lot Residential. The amendment will allow a development application to be made for subdivision of the site.

The Site

The planning proposal applies to 92 Faviell Drive, Bonville (Lot 8 DP 260744), 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.

The subject site has an area of 2.039 hectares and is zoned R5 Large Lot Residential and C2 Environmental Conservation under LEP 2013. The current minimum lot size for the land within Zone R5 Large Lot Residential is 1 hectare as shown in Part 4: Mapping – Figure 3.

The site is accessible from Faviell Drive by 3 Driveway crossings. Faviell Drive is a 1.2km stretch of curved road that connects to Bradford Drive on each opposing end. The site contains an existing dwelling house, pool and other ancillary structures.

The site is largely cleared of native vegetation and predominantly consists of managed exotic grasses and exotic trees surrounding the existing dwelling and along the northern and western property boundaries. The site is partially mapped as containing Biodiversity Values, within the portion that is zoned C2 Environmental Conservation. The property has a generally flat terrain and includes a small drainage channel on the western portion of the property, that transects from south to north and extends into a small dam.

A concept subdivision plan is shown in Figure 2 below (and Appendix 7) and shows 3 additional lots proposed (4 lots total) for the subject site.

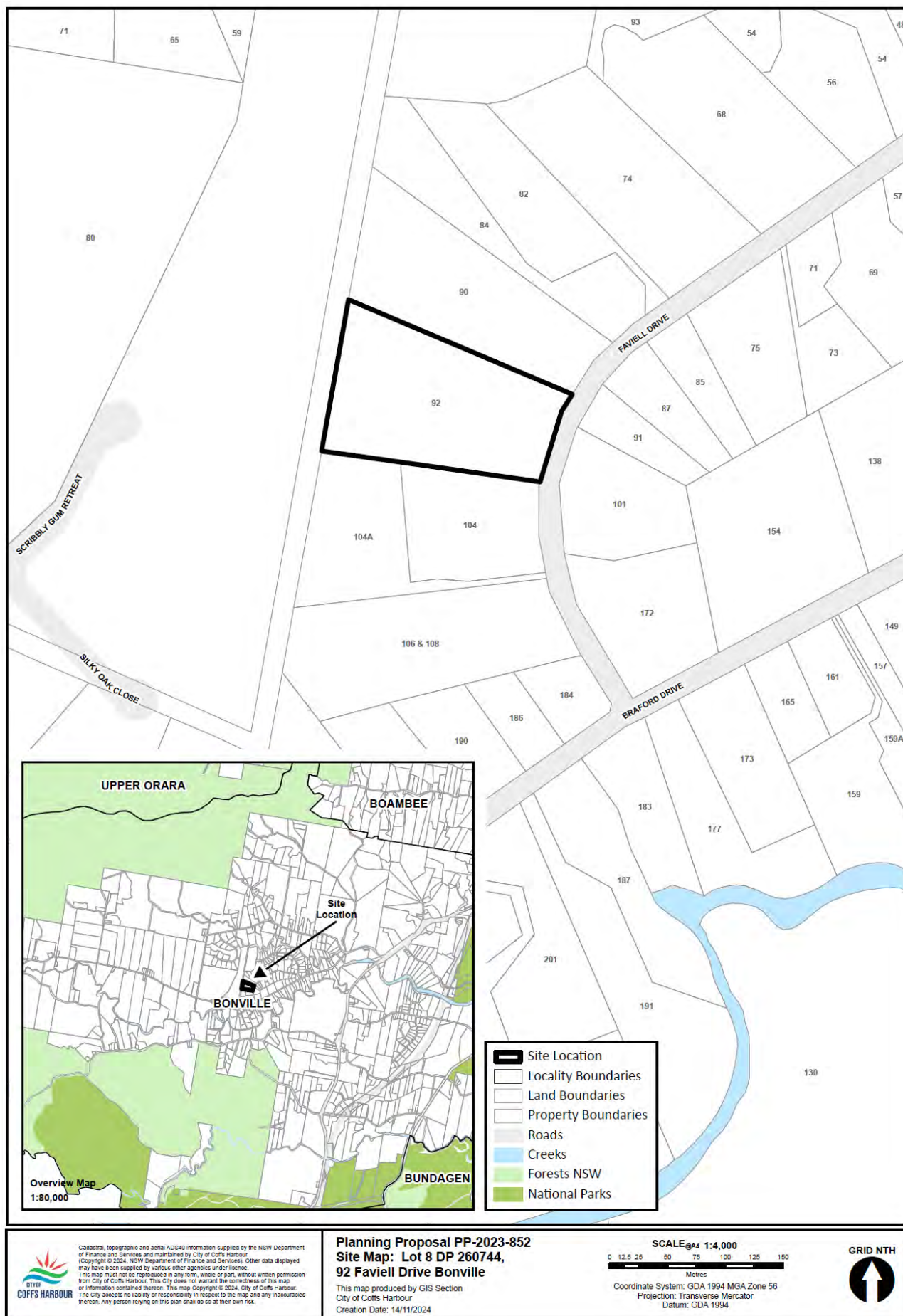


Figure 1: Location Map



Figure 2: Concept Subdivision Layout

Note: In preparing this planning proposal, Council 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 Coffs Harbour LEP 2013 to amend the Lot Size Map (Sheet LSZ_006) of Coffs Harbour LEP 2013 to reduce the minimum lot size of the R5 Large Lot Residential zoned area of the site from 1 hectare to 4,000m².

PART 2 – EXPLANATION OF PROVISIONS

The LEP amendment will reduce the minimum lot size of the R5 Large Lot Residential zoned area applying to Lot 8 DP 260744, 92 Faviell Drive, Bonville from 1 hectare to 4,000m². 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 the City'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 lot 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 Boambee 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 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 applies to land 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 will only result in the potential for three additional allotments. 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 LEP 2013 State Cadastre indicates that an area of approximately 55m² in the north-western corner of the site, which is zoned as C2 Environmental Conservation, is mapped as Biodiversity Values and Prescribed Vegetation.

The attached Ecological Assessment (Appendix 5) notes that the subject land does not include High Environmental Value assets or High Valued Habitats and that the ecological values of the site are largely disturbed. The Ecological Assessment also notes that the 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 (Appendix 5).

The planning proposal seeks to reduce the minimum lot size of land zoned R5 Large Lot Residential to facilitate rural residential subdivision (subject to Development Assessment).

The Concept Subdivision Plan suggests indicative building envelopes that are at least 100m away from land zoned C2 Environmental Conservation. Consequently, the planning proposal will have minimal impacts on biodiversity.

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 2 and 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.

• **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; and
- 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 nearest agricultural land, located approximately 480m to the southeast.

• **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, place-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 action.

- **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 will 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 given that it seeks to reduce the minimum lot size of the land zoned R5 large Lot Residential to facilitate future rural residential subdivision of the land in a manner that is consistent with the surrounding neighbourhood and its character, as smaller sized rural residential lots are already present.

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 will 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 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: <i>Liveable neighbourhoods with a defined identity</i>	We create liveable places that are beautiful and appealing	<ul style="list-style-type: none">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 communityOur neighbourhoods are people friendly and liveable environments
	We undertake development that is environmentally socially and economically responsible	<ul style="list-style-type: none">Population is focused within the existing developed footprint

Coffs Harbour Local Growth Management Strategy

The Planning Proposal is consistent with the 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 Lands) 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 Report and Appendix 4 – Bushfire Assessment Report, 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
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Live	17. Deliver a city that responds to Coffs Harbour's unique green cradle setting and offer housing choice.	17.1	Promote a sustainable growth footprint and enhance place-specific character and design outcomes.
		17.4	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.

The Ecologist Assessment in Appendix 5 offers the following details in regard to the sites ecological values:

“The ecological values of the site are largely disturbed. Nearly all of the floristic diversity consists of exotic species, which cover at least 90% of the site. The predominant tree species is the invasive exotic Camphor laurel. Of the six native tree species only the two Eucalyptus species are truly indigenous to the property, the other four being horticultural introductions. Ground layer vegetation is a closely mown lawn almost entirely of exotic grasses. With the possible exception of the largest Tallowood Eucalyptus microcorys trees, it appears most likely that the property was cleared of all native vegetation and cultivated for agriculture sometime prior to 1970, as was all of Braford Park, formerly a large mixed farming and beef stud enterprise. The only habitat feature is the pond, which appears to have been a drainage depression that has been dammed and excavated. Other habitat features such as rocky areas, large, old or hollow trees, large woody debris, dense understorey vegetation and litter layer are all absent.”

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 report demonstrates that the planning proposal complies with relevant objectives (for the development type) and performance criteria within Planning for Bushfire Protection 2019.

Flooding

The subject site is partially within the 1% (1 in 100) AEP flood extent and flood planning area, with a large portion of the land located outside of the flood planning area. The planning proposal seeks to reduce the minimum lot size for the area of land that is already zoned R5 Large Lot Residential purpose, for rural residential purposes. The concept subdivision layout (Appendix 7) indicates that sufficient building envelope can be provided in and above the 1% AEP flood level and flood planning area.

There is sufficient flood free land allow for future subdivision on the R5 Large Lot Residential zoned area of the subject site to meet councils LEP and DCP requirements. Future development must accord with the controls outlined in Part E4 Flooding of the Coffs Harbour Development Control Plan 2015.

Land Capability Assessment

The Minimum Lot Size Analysis in the Land Capability Assessment (pg.10 of Appendix 5) demonstrates that a minimum lot size of 4,000 m² is suitable to accommodate the sustainable application of wastewater (on-site) for future development, taking into account 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 stock in the Bonville locality, which may have flow on benefits to local community activities. Economic benefits are limited to the likely construction of further dwellings on the site, and minor flow on benefits to local businesses.

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, at most, 3 additional lots, which will be serviced by on-site water collection and a waste-water treatment systems, as there are no available City water and sewer mains. Vehicular access to the additional lot can be achieved from Faviell Drive.

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

A Gateway determination has not been issued by NSW Department of Planning, Housing and Infrastructure as yet, thus consultation with public authorities and government agencies has not yet been undertaken.

At this stage in the process there does not appear to be any matters of interest to Commonwealth authorities in relation to the planning proposal. In this regard, it is proposed that the NSW Rural Fire Service be consulted with in relation to the planning proposal, and that this consultation be undertaken concurrent with public exhibition of the planning proposal:

Note: Following Gateway Determination this section of the planning proposal will be updated to include details of the community consultation.

PART 4 – MAPS

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

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.*

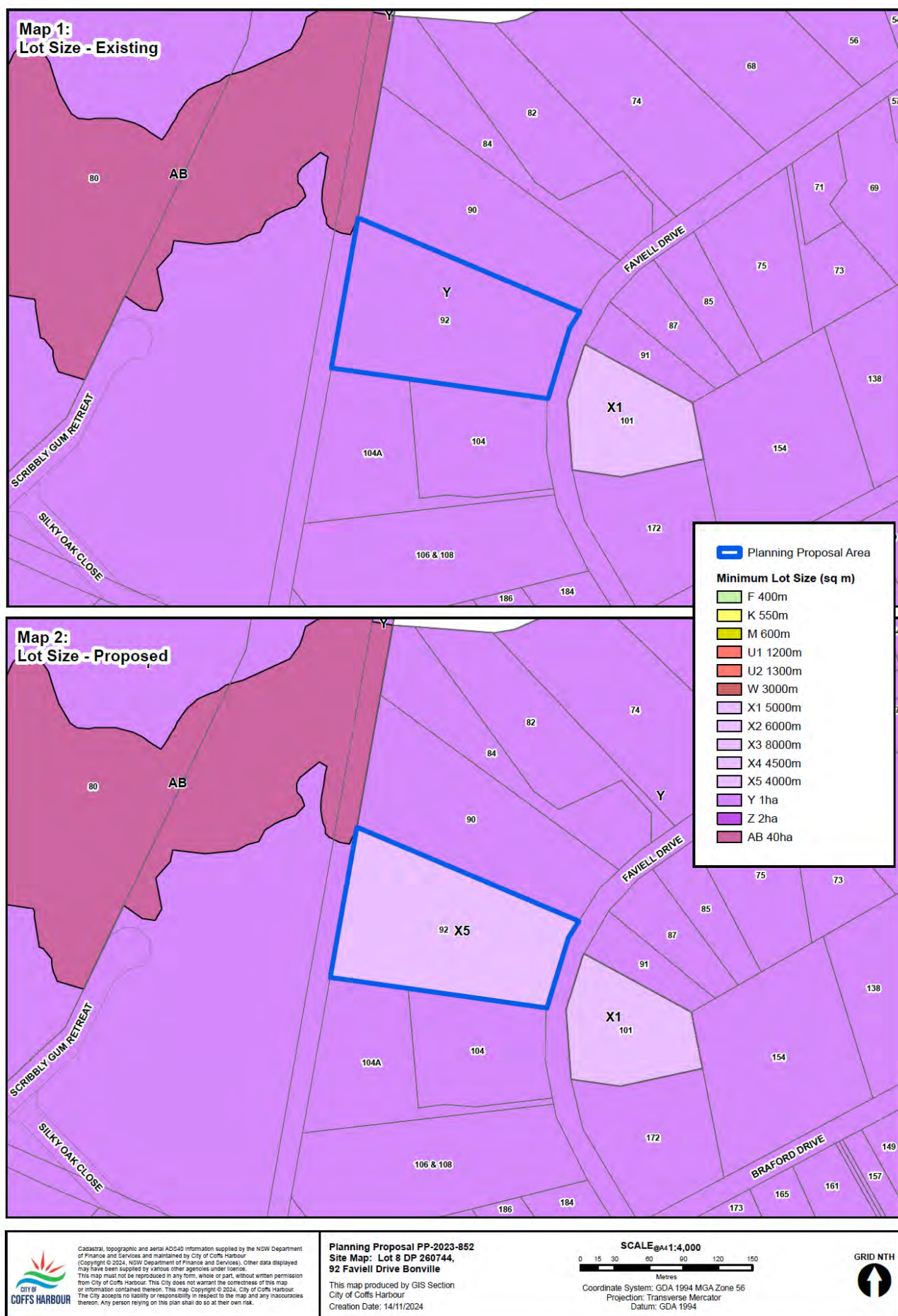


Figure 3: Existing and Proposed Amendments to the Minimum Lot Size Map (Sheet LSZ_006)

PART 5 – COMMUNITY CONSULTATION

The Gateway determination issued by the NSW Department of Planning, Housing and Infrastructure will specify 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

A project timeline is yet to be determined however the anticipated timeframes are provided below in Table 1, noting that the Gateway Determination issued by the NSW Department of Planning, Housing and Infrastructure will specify the date that the planning proposal is to be completed.

Table 1: Anticipated Timeline

Milestone	Anticipated Timeframe
Consideration by Council	March 2025
Commencement (date of Gateway determination)	April 2025
Pre-exhibition & agency consultation	May – June 2025
Consideration of submissions	June - July 2025
Post-Exhibition review and additional studies	July 2025
Reporting to Council for consideration	August 2025
Submission to Minister to make the plan (if not delegated) Submission to Minister for notification of the plan (if delegated)	September 2025
Notification of LEP Amendment	October 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	<p>The aims of this chapter of the Policy are:</p> <ul style="list-style-type: none"> 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. <p>The proposed LEP amendment does not contain provisions that contradict or hinder the application of this chapter of the SEPP.</p>
	Chapter 3 - Koala Habitat Protection 2020	No	N/A	<p>The aims of this chapter of the Policy are to encourage the proper conservation and management of areas of natural vegetation that provide habitat for koalas to ensure a permanent free-living population over their present range and reverse the current trend of koala population decline:</p> <ul style="list-style-type: none"> 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. <p>Clause 3.14 - Preparation of local environmental studies is a relevant consideration:</p> <p>(1) If, under a planning proposal, a council proposes to zone or rezone land that is a potential koala habitat or a core koala habitat otherwise than as a conservation zone, the Minister may require the council to prepare an environmental study of the land.</p> <p>(2) The council must prepare the environmental study in accordance with the specifications, if any, relating to the form, content and preparation of the study as have been notified to the council by the Minister.</p> <p>(3) The environmental study must be prepared with regard to the matters, relating to the environment of the land, as</p>

State Environmental Planning Policy	Relevant Chapter	Applicable	Consistent	Comment
				<p>determined by the council, subject to the specifications.</p> <p>(4) The council must have regard to an environmental study prepared under this section in preparing the proposed instrument to which the planning proposal relates.</p> <p>(5) Subsection (1) does not apply if a council has, before the commencement of the subsection, prepared an environmental study of the land.</p> <p>The proposal does not seek to rezone land that is potential koala habitat or core koala habitat and as such, does not contain provisions that contradict or hinder the application of this chapter of the SEPP.</p>
	Chapter 4 - Koala Habitat Protection 2021	Yes	N/A	<p>The aims of this chapter of the Policy are to encourage the conservation and management of areas of natural vegetation that provide habitat for koalas to support a permanent free-living population over their present range and reverse the current trend of koala population decline.</p> <p>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.</p>
	Chapter 6 – Bushland in Urban Areas	N/A	N/A	<p>The City of Coffs Harbour is not listed in Schedule 1 of this policy and thus the policy does not apply to the Coffs Harbour LGA at this point in time.</p>
	Chapter 7 – Canal Estate Development	N/A	N/A	<p>The aims of this chapter of the Policy are to prohibit canal estate development as described in this Policy in order to ensure that the environment is not adversely affected by the creation of new developments of this kind.</p> <p>The proposed LEP amendment does not contain provisions that contradict or hinder the application of this chapter of the SEPP.</p>
SEPP (Exempt and Complying Development Codes) 2008	N/A – this is a standalone State Environmental Planning Policy	No	N/A	<p>This Policy aims to provide streamlined assessment processes for development that complies with specified development standards by:</p>

State Environmental Planning Policy	Relevant Chapter	Applicable	Consistent	Comment
				<ul style="list-style-type: none"> a) providing exempt and complying development codes that have State-wide 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. <p>The proposed LEP amendment does not contain provisions that contradict or hinder the application of this SEPP.</p>
State Environmental Planning Policy (Housing) 2021	N/A – this is a standalone State Environmental Planning Policy	No	N/A	<p>The principles of this Policy are:</p> <ul style="list-style-type: none"> 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, 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

State Environmental Planning Policy	Relevant Chapter	Applicable	Consistent	Comment
				<p>and environmental impacts from this use,</p> <p>g) mitigating the loss of existing affordable rental housing.</p> <p>The proposed LEP amendment does not contain provisions that contradict or hinder the application of this SEPP.</p>
State Environmental Planning Policy (Industry and Employment) 2021	Chapter 3 - Advertising and Signage	No	N/A	<p>This aims of this chapter of the Policy are:</p> <p>a) to ensure that signage (including advertising):</p> <p>(i) is compatible with the desired amenity and visual character of an area, and</p> <p>(ii) provides effective communication in suitable locations, and</p> <p>(iii) is of high quality design and finish, and</p> <p>b) to regulate signage (but not content) under Part 4 of the Act, and</p> <p>c) to provide time-limited consents for the display of certain advertisements, and</p> <p>d) to regulate the display of advertisements in transport corridors, and</p> <p>e) to ensure that public benefits may be derived from advertising in and adjacent to transport corridors.</p> <p>This Policy does not regulate the content of signage and does not require consent for a change in the content of signage.</p> <p>The proposed LEP amendment does not contain provisions that contradict or hinder the application of this chapter of the SEPP.</p>
State Environmental Planning Policy (Planning Systems) 2021.	Chapter 2 -State and Regional Development	No	N/A	<p>The aims of this chapter of the Policy are:</p> <p>a) to identify development that is State significant development,</p> <p>b) to identify development that is State significant infrastructure and critical State significant infrastructure,</p> <p>c) to identify development that is regionally significant development.</p> <p>The proposed LEP amendment does not contain provisions that contradict or hinder the application of this chapter of the SEPP.</p>
	Chapter 3 - Aboriginal Land	N/A	N/A	This chapter of the SEPP only applies to the Central Coast LGA at this point in time.
	Chapter 4 - Concurrences and Consents	No	N/A	The proposed LEP amendment does not contain provisions that contradict or

State Environmental Planning Policy	Relevant Chapter	Applicable	Consistent	Comment
				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	<p>The aims of this chapter of the Policy are to:</p> <ul style="list-style-type: none"> 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. <p>The proposed LEP amendment does not contain provisions that contradict or hinder the application of this chapter of the SEPP.</p>
State Environmental Planning Policy (Precincts—Eastern Harbour City) 2021	Chapter 2 -State Significant Precincts	No	N/A	<p>The aims of this chapter of the Policy are to:</p> <ul style="list-style-type: none"> c) 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, d) 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 <p>The proposed LEP amendment does not contain provisions that contradict or hinder the application of this chapter of the SEPP.</p>
State Environmental Planning Policy	Chapter 2 - Primary Production and	No	N/A	The aims of this chapter of the Policy are to:

State Environmental Planning Policy	Relevant Chapter	Applicable	Consistent	Comment
(Primary Production) 2021	Rural Development			<ul style="list-style-type: none"> 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. <p>The proposed LEP amendment does not contain provisions that contradict or hinder the application of this chapter of the SEPP.</p>
State Environmental Planning Policy (Resilience and Hazards) 2021	Chapter 2 - Coastal Management	No	N/A	<p>The aim of this chapter of the Policy is to promote an integrated and co-ordinated approach to land use planning in the coastal zone in a manner consistent with the objects of the Coastal Management Act 2016, including the management objectives for each coastal management area, by:</p> <ul style="list-style-type: none"> 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

State Environmental Planning Policy	Relevant Chapter	Applicable	Consistent	Comment
				<p>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.</p> <p>The proposed LEP amendment does not contain provisions that contradict or hinder the application of this chapter of the SEPP.</p>
	Chapter 3 – Hazardous and Offensive Development	No	N/A	<p>The aims of this chapter of the Policy are:</p> <ul style="list-style-type: none"> 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 reduce or minimise any adverse impact, and f) to require the advertising of applications to carry out any such development. <p>The proposed LEP amendment does not contain provisions that contradict or hinder the application of this chapter of the SEPP.</p>
	Chapter 4 – Remediation of Land	No	N/A	<p>The aims of this chapter of the Policy are to promote the remediation of contaminated land for the purpose of reducing the risk of harm to human health or any other aspect of the environment—</p>

State Environmental Planning Policy	Relevant Chapter	Applicable	Consistent	Comment
				<p>a) by specifying when consent is required, and when it is not required, for a remediation work, and</p> <p>b) by specifying certain considerations that are relevant in rezoning land and in determining development applications in general and development applications for consent to carry out a remediation work in particular, and</p> <p>c) by requiring that a remediation work meet certain standards and notification requirements.</p> <p>The proposed LEP amendment does not contain provisions that contradict or hinder the application of this chapter of the SEPP.</p>
State Environmental Planning Policy (Resources and Energy) 2021	Chapter 2 - Mining, Petroleum Production and Extractive Industries	No	N/A	<p>The aims of this chapter of the Policy are, in recognition of the importance to New South Wales of mining, petroleum production and extractive industries:</p> <p>a) to provide for the proper management and development of mineral, petroleum and extractive material resources for the purpose of promoting the social and economic welfare of the State, and</p> <p>b) to facilitate the orderly and economic use and development of land containing mineral, petroleum and extractive material resources, and</p> <p>b1) to promote the development of significant mineral resources, and</p> <p>c) to establish appropriate planning controls to encourage ecologically sustainable development through the environmental assessment, and sustainable management, of development of mineral, petroleum and extractive material resources, and</p> <p>d) to establish a gateway assessment process for certain mining and petroleum (oil and gas) development:</p> <p>(i) to recognise the importance of agricultural resources, and</p> <p>(ii) to ensure protection of strategic agricultural land and water resources, and</p> <p>(iii) to ensure a balanced use of land by potentially competing industries, and</p>

State Environmental Planning Policy	Relevant Chapter	Applicable	Consistent	Comment
				<p>(iv)to provide for the sustainable growth of mining, petroleum and agricultural industries.</p> <p>The proposed LEP amendment does not contain provisions that contradict or hinder the application of this chapter of the SEPP.</p>
State Environmental Planning Policy (Sustainable Buildings) 2022	Chapter 2 - Standards for residential development - BASIX	No	N/A	<p>The aims of this SEPP are to encourage the design and delivery of sustainable buildings that minimise energy and water use.</p> <p>The proposed LEP amendment does not contain provisions that contradict or hinder the application of Chapter 2 of the SEPP.</p>
	Chapter 3 - Standards for non-residential development	No	N/A	<p>The aims of this SEPP are to encourage the design and delivery of sustainable buildings that minimise energy and water use.</p> <p>The proposed LEP amendment does not contain provisions that contradict or hinder the application of Chapter 3 of the SEPP.</p>

State Environmental Planning Policy	Relevant Chapter	Applicable	Consistent	Comment
State Environmental Planning Policy (Transport and Infrastructure) 2021	Chapter 2 - Infrastructure	No	N/A	<p>The aim of this chapter of the Policy is to facilitate the effective delivery of infrastructure across the State by:</p> <ul style="list-style-type: none"> 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. <p>The proposed LEP amendment does not contain provisions that contradict or hinder the application of this chapter of the SEPP.</p>
	Chapter 3 - Educational Establishments and Child Care Facilities	No	N/A	<p>The aim of this chapter of the Policy is to facilitate the effective delivery of educational establishments and early education and care facilities across the State by:</p> <ul style="list-style-type: none"> 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
				<p>minimal environmental impact as exempt development), and</p> <p>c) establishing consistent State-wide assessment requirements and design considerations for educational establishments and early education and care facilities to improve the quality of infrastructure delivered and to minimise impacts on surrounding areas, and</p> <p>d) allowing for the efficient development, redevelopment or use of surplus government-owned land (including providing for consultation with communities regarding educational establishments in their local area), and</p> <p>e) providing for consultation with relevant public authorities about certain development during the assessment process or prior to development commencing, and</p> <p>f) aligning the NSW planning framework with the National Quality Framework that regulates early education and care services, and</p> <p>g) ensuring that proponents of new developments or modified premises meet the applicable requirements of the National Quality Framework for early education and care services, and of the corresponding regime for State regulated education and care services, as part of the planning approval and development process, and</p> <p>h) encouraging proponents of new developments or modified premises and consent authorities to facilitate the joint and shared use of the facilities of educational establishments with the community through appropriate design.</p> <p>The proposed LEP amendment does not contain provisions that contradict or hinder the application of this chapter of the SEPP.</p>
	Chapter 4 – Major Infrastructure Corridors	No	N/A	<p>The aims of this chapter of the Policy are:</p> <p>a) to identify land that is intended to be used in the future as an infrastructure corridor,</p> <p>b) to establish appropriate planning controls for the land for the following purposes—</p>

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

APPENDIX 2 – CONSIDERATION OF MINISTERIAL PLANNING DIRECTIONS

S9.1 Direction	Applicable	Consistent	Comment
Focus area 1: Planning Systems			
1.1 Implementation of Regional Plans	<p>This direction applies to a relevant planning authority when preparing a planning proposal for land to which a Regional Plan has been released by the Minister for Planning and Public Spaces.</p> <p>Planning proposals must be consistent with a Regional Plan released by the Minister for Planning and Public Spaces.</p> <p>A planning proposal may be inconsistent with the terms of this direction only if the relevant planning authority can satisfy the Planning Secretary (or an officer of the Department nominated by the Secretary), that:</p> <p>(a) the extent of inconsistency with the Regional Plan is of minor significance, and</p> <p>(b) the planning proposal achieves the overall intent of the Regional Plan and does not undermine the achievement of the Regional Plan’s vision, land use strategy, goals, directions or actions.</p>	Yes	<p>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.</p> <p>Specific responses to relevant strategies and the associated actions and activities contained within the NCRP are provided in Part 3, Section B (4) above.</p> <p>It is considered that the planning proposal complies with the NCRP.</p>
1.2 Development 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	<p>This direction applies to all relevant planning authorities when preparing a planning proposal.</p> <p>A planning proposal to which this direction applies must:</p> <p>(a) minimise the inclusion of provisions that require the concurrence, consultation or referral of development applications to a Minister or public authority, and</p> <p>(b) not contain provisions requiring concurrence, consultation or referral of a Minister or public authority unless the relevant planning authority has obtained the approval of:</p> <p>i. the appropriate Minister or public authority, and</p> <p>ii. the Planning Secretary (or an officer of the Department nominated by the Secretary), prior to undertaking community consultation in satisfaction of Schedule 1 to the EP&A Act, and</p>	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.

Sg.1 Direction	Applicable	Consistent	Comment
	<p>(c) not identify development as designated development unless the relevant planning authority:</p> <ul style="list-style-type: none"> 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. <p>A planning proposal must be substantially consistent with the terms of this direction.</p>		
1.4 Site Specific Provisions	<p>This direction applies to all relevant planning authorities when preparing a planning proposal that will allow a particular development to be carried out.</p> <p>(1) A planning proposal that will amend another environmental planning instrument in order to allow particular development to be carried out must either:</p> <ul style="list-style-type: none"> (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. <p>(2) A planning proposal must not contain or refer to drawings that show details of the proposed development.</p> <p>A planning proposal may be inconsistent with the terms of this direction only if the relevant planning authority can satisfy the Planning Secretary (or an officer of the Department nominated by the Secretary) that the provisions of the planning proposal that are inconsistent are of minor significance.</p>	Yes	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	<p>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</p>	N/A	The planning proposal will not introduce or alter an existing exclusion to clause 4.6 of Coffs Harbour LEP 2013.

Sg.1 Direction	Applicable	Consistent	Comment
	Instrument LEP or an equivalent provision of any other environmental planning instrument.		
Focus area 1: 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: Biodiversity and Conservation			
3.1 Conservation Zones	<p>This direction applies to all relevant planning authorities when preparing a planning proposal.</p> <p>(1) A planning proposal must include provisions that facilitate the protection and conservation of environmentally sensitive areas.</p> <p>(2) A planning proposal that applies to land within a conservation zone or land otherwise identified for environment conservation/protection purposes in a LEP must not reduce the conservation standards that apply to the land (including by modifying development standards that apply to the land). This requirement does not apply to a change to a development standard for minimum lot size for a dwelling in accordance with Direction 9.3 (2) of “Rural Lands”.</p> <p>A planning proposal may be inconsistent with the terms of this direction only if the relevant planning authority can satisfy the Planning Secretary (or an officer of the Department nominated by the Secretary that the provisions of the planning proposal that are inconsistent are:</p> <p>(a) justified by a strategy approved by the Planning Secretary which:</p> <ul style="list-style-type: none"> 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 <p>(b) justified by a study prepared in support of the planning proposal which gives consideration to the objectives of this direction, or</p>	Yes	<p>The LEP 2013 State Cadastre indicates that an area of approximately 55m2 in the north-western corner of the site, which is zoned as C2 Environmental Conservation, is mapped as Biodiversity Values and Prescribed Vegetation.</p> <p>The planning proposal seeks to reduce the minimum lot size of land zoned R5 Large Lot Residential to facilitate rural residential subdivision (subject to Development Assessment). The Concept Subdivision Plan suggests indicative building envelopes that are at least 100m away from land zoned C2 Environmental Conservation. Further, the accompanying Ecological Assessment notes that the ecological values of the site are largely disturbed (Appendix 5). 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 (Appendix 5). Consequently, the planning proposal will have minimal impacts on biodiversity.</p>

S9.1 Direction	Applicable	Consistent	Comment
	<p>(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</p> <p>(d) is of minor significance.</p>		
3.2 Heritage Conservation	<p>This direction applies to all relevant planning authorities when preparing a planning proposal.</p> <p>A planning proposal must contain provisions that facilitate the conservation of:</p> <p>(a) items, places, buildings, works, relics, moveable objects or precincts of environmental heritage significance to an area, in relation to the historical, scientific, cultural, social, archaeological, architectural, natural or aesthetic value of the item, area, object or place, identified in a study of the environmental heritage of the area,</p> <p>(b) Aboriginal objects or Aboriginal places that are protected under the <i>National Parks and Wildlife Act 1974</i>, and</p> <p>(c) Aboriginal areas, Aboriginal objects, Aboriginal places or landscapes identified by an Aboriginal heritage survey prepared by or on behalf of an Aboriginal Land Council, Aboriginal body or public authority and provided to the relevant planning authority, which identifies the area, object, place or landscape as being of heritage significance to Aboriginal culture and people.</p> <p>A planning proposal may be inconsistent with the terms of this direction only if the relevant planning authority can satisfy the Planning Secretary (or an officer of the Department nominated by the Secretary) that:</p> <p>(a) the environmental or indigenous heritage significance of the item, area, object or place is conserved by existing or draft environmental planning instruments, legislation, or regulations that apply to the land, or</p> <p>(b) the provisions of the planning proposal that are inconsistent are of minor significance.</p>	Yes	<p><i>European Heritage</i> 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.</p> <p><i>Aboriginal Cultural Heritage</i> 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.</p>
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	<p>A planning proposal must not enable land to be developed for the purpose of a recreation vehicle area (within the meaning of the <i>Recreation Vehicles Act 1983</i>):</p> <p>(a) where the land is within a conservation zone,</p> <p>(b) where the land comprises a beach or a dune adjacent to or adjoining a beach,</p> <p>(c) where the land is not within an area or zone referred to in paragraphs (a) or (b) unless the relevant planning authority has taken into consideration:</p> <p>i. the provisions of the guidelines entitled <i>Guidelines for the Selection, Establishment and Maintenance of Recreation Vehicle Areas</i>, Soil Conservation Service of NSW, September 1985, and</p> <p>ii. the provisions of the guidelines entitled <i>Recreation Vehicles Act 1983, Guidelines for Selection, Design and Operation of Recreation Vehicle Areas</i>, State Pollution Control Commission, September 1985.</p> <p>A planning proposal may be inconsistent with the terms of this direction only if the relevant planning authority can satisfy the Planning Secretary (or an officer of the Department nominated by the Secretary) that the provisions of the planning proposal that are inconsistent are:</p> <p>(a) justified by a strategy approved by the Planning Secretary which:</p> <p>i. gives consideration to the objective of this direction, and</p> <p>ii. identifies the land which is the subject of the planning proposal (if the planning proposal relates to a particular site or sites), or</p> <p>(b) justified by a study prepared in support of the planning proposal which gives</p>	Yes	The planning proposal does not enable land to be developed for the purpose of a recreation vehicle area (within the meaning of the <i>Recreation Vehicles Act 1983</i>).

Sg.1 Direction	Applicable	Consistent	Comment
	<p>consideration to the objective of this direction, or</p> <p>(c) in accordance with the relevant Regional Strategy, Regional Plan or District Plan prepared by the Department of Planning, Housing and Infrastructure which gives consideration to the objective of this direction, or</p> <p>(d) of minor significance.</p>		
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	<p>This direction applies to all relevant planning authorities that are responsible for flood prone land when preparing a planning proposal that creates, removes or alters a zone or a provision that affects flood prone land.</p> <p>(1) A planning proposal must include provisions that give effect to and are consistent with:</p> <ul style="list-style-type: none"> (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. 	No	<p>The provisions of the planning proposal that are inconsistent are considered of minor significance for the reasons detailed below.</p> <p>The planning proposal seeks to reduce the minimum lot size for the area of land that is already zoned R5 Large Lot Residential purpose, for rural residential purposes. This land is partially mapped within the 1% (1 in 100) AEP flood extent and flood planning area – noting that the estimated probable maximum flood level is less than the flood planning level. However, a large portion of rural residential land is located outside of the flood planning area. The concept</p>

Sg.1 Direction	Applicable	Consistent	Comment
	<p>(2) A planning proposal must not rezone land within the flood planning area from Recreation, Rural, Special Purpose or Conservation Zones to a Residential, Business, Industrial or Special Purpose Zones.</p> <p>(3) A planning proposal must not contain provisions that apply to the flood planning area which:</p> <ul style="list-style-type: none"> (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. <p>(4) A planning proposal must not contain provisions that apply to areas between the flood planning area and probable maximum flood to which Special Flood Considerations apply which:</p> <ul style="list-style-type: none"> (a) permit development in floodway areas, 		<p>subdivision plan (Appendix 7) indicates that there is adequate flood free land for building envelopes close to or greater than 375m² available above the 1% AEP flood level and flood planning area. The area between the indicative building envelopes and Faviell Drive is free from any flood prone land meaning the proposal provides for safe occupation and effective evacuation in flood events.</p> <p>No development or works are proposed within the 1% AEP flood level and flood planning area and the proposal is unlikely to have adverse flood impacts of surrounding properties.</p> <p>Future development must accord with the controls outlined in Part E4 Flooding of the Coffs Harbour Development Control Plan 2015.</p>

S9.1 Direction	Applicable	Consistent	Comment
	<p>(b) permit development that will result in significant flood impacts to other properties,</p> <p>(c) permit a significant increase in the dwelling density of that land,</p> <p>(d) permit the development of centre-based childcare facilities, hostels, boarding houses, group homes, hospitals, residential care facilities, respite day care centres and seniors housing in areas where the occupants of the development cannot effectively evacuate,</p> <p>(e) are likely to affect the safe occupation of and efficient evacuation of the lot, or</p> <p>(f) are likely to result in a significantly increased requirement for government spending on emergency management services, and flood mitigation and emergency response measures, which can include but not limited to road infrastructure, flood mitigation infrastructure and utilities.</p> <p>(5) For the purposes of preparing a planning proposal, the flood planning area must be consistent with the principles of the Floodplain Development Manual 2005 or as otherwise determined by a Floodplain Risk Management Study or Plan adopted by the relevant council.</p> <p>A planning proposal may be inconsistent with this direction only if the planning proposal authority can satisfy the Planning Secretary (or their nominee) that:</p> <p>(a) the planning proposal is in accordance with a floodplain risk management study or plan adopted by the relevant council in accordance with the principles and guidelines of the <i>Floodplain Development Manual 2005</i>, or</p> <p>(b) where there is no council adopted floodplain risk management study or plan, the planning proposal is consistent with the flood study adopted by the council prepared in accordance with the principles of the <i>Floodplain Development Manual 2005</i> or</p> <p>(c) the planning proposal is supported by a flood and risk impact assessment accepted by the relevant planning authority and is prepared in accordance with the principles of the <i>Floodplain Development Manual 2005</i> and consistent with the relevant planning authorities' requirements, or</p>		

S9.1 Direction	Applicable	Consistent	Comment
	(d) the provisions of the planning proposal that are inconsistent are of minor significance as determined by the relevant planning authority.		
4.2 Coastal Management	<p>This direction applies when a planning proposal authority prepares a planning proposal that applies to land that is within the coastal zone, as defined under the <i>Coastal Management Act 2016</i> -comprising the coastal wetlands and littoral rainforests area, coastal vulnerability area, coastal environment area and coastal use area -and as identified by chapter 3 of the <i>State Environmental Planning Policy (Biodiversity and Conservation) 2021</i>.</p> <p>(1) A planning proposal must include provisions that give effect to and are consistent with:</p> <ul style="list-style-type: none"> (a) the objects of the <i>Coastal Management Act 2016</i> 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 <i>Coastal Protection Act 1979</i> that continues to have effect under clause 4 of Schedule 3 to the <i>Coastal Management Act 2016</i>, that applies to the land. <p>(2) A planning proposal must not rezone land which would enable increased development or more intensive land-use on land:</p> <ul style="list-style-type: none"> (a) within a coastal vulnerability area identified by the <i>State Environmental Planning Policy (Resilience and Hazards) 2021</i>; 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: <ul style="list-style-type: none"> i. by or on behalf of the relevant planning authority and the planning proposal authority, or ii. by or on behalf of a public authority and provided to the relevant planning authority and the planning proposal authority. <p>(3) A planning proposal must not rezone land which would enable increased development or more intensive land-use on land within a</p>	N/A	<p>The site is not within the coastal zone, as defined under the <i>Coastal Management Act 2016</i> – comprising the coastal wetlands and littoral rainforests area, coastal vulnerability area, coastal environment area or coastal use area – and as identified by <i>State Environmental Planning Policy (Biodiversity and Conservation) 2021</i>.</p>

Sg.1 Direction	Applicable	Consistent	Comment
	<p>coastal wetlands and littoral rainforests area identified by chapter 3 of the <i>State Environmental Planning Policy (Biodiversity and Conservation) 2021</i>.</p> <p>(4) A planning proposal for a local environmental plan may propose to amend the following maps, including increasing or decreasing the land within these maps, under the <i>State Environmental Planning Policy (Resilience and Hazards) 2021</i>:</p> <p>(a) Coastal wetlands and littoral rainforests area map;</p> <p>(b) Coastal vulnerability area map;</p> <p>(c) Coastal environment area map; and</p> <p>(d) Coastal use area map.</p> <p>Such a planning proposal must be supported by evidence in a relevant Coastal Management Program that has been certified by the Minister, or by a <i>Coastal Zone Management Plan</i> under the <i>Coastal Protection Act 1979</i> that continues to have effect under clause 4 of Schedule 3 to the <i>Coastal Management Act 2016</i>.</p> <p>A planning proposal may be inconsistent with the terms of this direction only if the planning proposal authority can satisfy the Planning Secretary (or their nominee) that the provisions of the planning proposal that are inconsistent are:</p> <p>(a) justified by a study or strategy prepared in support of the planning proposal which gives consideration to the objective of this direction, or</p> <p>(b) in accordance with any relevant Regional Strategic Plan or District Strategic Plan, prepared under Division 3.1 of the EP&A Act by the relevant strategic planning authority, which gives consideration to the objective of this direction, or</p> <p>(c) of minor significance.</p>		
4.3 Planning for Bushfire Protection	<p>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.</p> <p>In the preparation of a planning proposal, the relevant planning authority must consult with the Commissioner of the NSW Rural Fire Service following receipt of a Gateway determination under section 56 of the Act, and prior to undertaking community consultation in satisfaction of section 57 of the Act, and take into account any comments so made.</p>	No	<p>The site is mapped as bushfire prone land.</p> <p>The Bushfire Assessment Report (Appendix 4) demonstrates that future development of the site by way of subdivision can comply with Planning for Bushfire Protection 2019.</p> <p>Upon receipt of a Gateway Determination, the NSW Rural</p>

Sg.1 Direction	Applicable	Consistent	Comment
	<p>A planning proposal must:</p> <ul style="list-style-type: none"> (a) have regard to <i>Planning for Bushfire Protection 2019</i>, (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). <p>A planning proposal must, where development is proposed, comply with the following provisions, as appropriate:</p> <ul style="list-style-type: none"> (a) provide an Asset Protection Zone (APZ) incorporating at a minimum: <ul style="list-style-type: none"> (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 <i>Rural Fires Act 1997</i>), 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. <p>A planning proposal may be inconsistent with the terms of this direction only if the relevant planning authority can satisfy the Planning Secretary (or an officer of the Department nominated by the Secretary) that the council has obtained written advice from the Commissioner of the NSW Rural Fire Service to the effect that, notwithstanding the non-compliance, the NSW Rural Fire Service does</p>		<p>Fire Service shall be consulted to determine if the LEP amendment is justifiably inconsistent with this direction.</p>

Sg.1 Direction	Applicable	Consistent	Comment
	not object to the progression of the planning proposal.		
4.4 Remediation of Contaminated Land	<p>This direction applies when a planning proposal authority prepares a planning proposal that applies to:</p> <p>(a) land that is within an investigation area within the meaning of the <i>Contaminated Land Management Act 1997</i>,</p> <p>(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,</p> <p>(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:</p> <p>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</p> <p>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).</p> <p>(1) A planning proposal authority must not include in a particular zone (within the meaning of the local environmental plan) any land to which this direction applies if the inclusion of the land in that zone would permit a change of use of the land, unless:</p> <p>(a) the planning proposal authority has considered whether the land is contaminated, and</p> <p>(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</p> <p>(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.</p> <p>In order to satisfy itself as to paragraph 1(c), the planning proposal authority may need to include certain provisions in the local environmental plan.</p>	N/A	<p>A review of the City's records does not identify any past activities on the site that would suggest potential land contamination.</p> <p>The site is not:</p> <ul style="list-style-type: none"> land that is within an investigation area within the meaning of the <i>Contaminated Land Management Act 1997</i>, or land 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
	(2) Before including any land to which this direction applies in a particular zone, the planning proposal authority is to obtain and have regard to a report specifying the findings of a preliminary investigation of the land carried out in accordance with the contaminated land planning guidelines.		
4.5 Acid Sulfate Soils	<p>This direction applies to all relevant planning authorities that are responsible for land having a probability of containing acid sulfate soils when preparing a planning proposal that will apply to land having a probability of containing acid sulfate soils as shown on the Acid Sulfate Soils Planning Maps held by the Department of Planning, Housing and Infrastructure.</p> <p>(1) The relevant planning authority must consider the Acid Sulfate Soils Planning Guidelines adopted by the Planning Secretary when preparing a planning proposal that applies to any land identified on the Acid Sulfate Soils Planning Maps as having a probability of acid sulfate soils being present.</p> <p>(2) When a relevant planning authority is preparing a planning proposal to introduce provisions to regulate works in acid sulfate soils, those provisions must be consistent with:</p> <p>(a) the Acid Sulfate Soils Model LEP in the Acid Sulfate Soils Planning Guidelines adopted by the Planning Secretary, or</p> <p>(b) other such provisions provided by the Planning Secretary that are consistent with the Acid Sulfate Soils Planning Guidelines.</p> <p>(3) A relevant planning authority must not prepare a planning proposal that proposes an intensification of land uses on land identified as having a probability of containing acid sulfate soils on the Acid Sulfate Soils Planning Maps unless the relevant planning authority has considered an acid sulfate soils study assessing the appropriateness of the change of land use given the presence of acid sulfate soils. The relevant planning authority must provide a copy of any such study to the Planning Secretary prior to undertaking community consultation in satisfaction of clause 4 of Schedule 1 to the Act.</p> <p>(4) Where provisions referred to under 2(a) and 2(b) above of this direction have not been introduced and the relevant planning authority is preparing a planning proposal that proposes an intensification of land uses</p>	Yes	<p>The subject land is identified as Class 5 Acid Sulfate Soils and is located approximately 102m from land identified as Class 4.</p> <p>Given proximity and position to creek at 21-26m AHD, there is a low probability of encountering ASS on the subject site. As such, no further investigation will be required for future development applications.</p> <p>The proposal is therefore considered to be consistent with the direction and Clause 7.1 Acid Sulfate Soils of the Coffs Harbour LEP 2013.</p>

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

S9.1 Direction	Applicable	Consistent	Comment
	<p>consultation in satisfaction of Schedule 1 to the Act.</p> <p>(2) A planning proposal must not permit development on land that has been identified as unstable as referred to in the application section of this direction.</p> <p>A planning proposal may be inconsistent with the terms of this direction only if the relevant planning authority can satisfy the Planning Secretary (or an officer of the Department nominated by the Secretary that the provisions of the planning proposal that are inconsistent are:</p> <p>(a) justified by a strategy approved by the Planning Secretary which:</p> <p>i. gives consideration to the objective of this direction, and</p> <p>ii. identifies the land which is the subject of the planning proposal (if the planning proposal relates to a particular site or sites), or</p> <p>(b) justified by a study prepared in support of the planning proposal which gives consideration to the objective of this direction, or</p> <p>(c) in accordance with the relevant Regional Strategy, Regional Plan or District Plan prepared by the Department of Planning, Housing and Infrastructure which gives consideration to the objective of this direction, or</p> <p>(d) of minor significance.</p>		
Focus Area 5: Transport and Infrastructure			
5.1 Integrating Land Use and Transport	<p>This direction applies to all relevant planning authorities when preparing a planning proposal that will create, alter or remove a zone or a provision relating to urban land, including land zoned for residential, business, industrial, village or tourist purposes.</p> <p>(1) A planning proposal must locate zones for urban purposes and include provisions that give effect to and are consistent with the aims, objectives and principles of:</p> <p>(a) Improving Transport Choice – Guidelines for planning and development (DUAP 2001), and</p> <p>(b) The Right Place for Business and Services – Planning Policy (DUAP 2001).</p> <p>A planning proposal may be inconsistent with the terms of this direction only if the relevant planning authority can satisfy the Planning Secretary (or an officer of the Department</p>	Yes	<p>The proposal is seeking to modify a provision relating to land zoned for residential, by reducing the applicable minimum lot size.</p> <p>The proposal is consistent with the Improving Transport Choice – Guidelines for planning and development (DUAP 2001), and The Right Place for Business and Services – Planning Policy (DUAP 2001).</p> <p>The proposal is deemed to be of minor significance as it accords with the City's Local Growth Management Strategy and will not result in a substantial increase of vehicular movement</p>

Sg.1 Direction	Applicable	Consistent	Comment
	<p>nominated by the Secretary) that the provisions of the planning proposal that are inconsistent are:</p> <p>(a) justified by a strategy approved by the Planning Secretary which:</p> <ul style="list-style-type: none"> 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 <p>(b) justified by a study prepared in support of the planning proposal which gives consideration to the objective of this direction, or</p> <p>(c) in accordance with the relevant Regional Strategy, Regional Plan or District Plan prepared by the Department of Planning, Housing and Infrastructure which gives consideration to the objective of this direction, or</p> <p>(d) of minor significance.</p>		<p>due to the potential of three additional lots.</p>
<p>5.2 Reserving Land for Public Purposes</p>	<p>This direction applies to all relevant planning authorities when preparing a planning proposal.</p> <p>(1) A planning proposal must not create, alter or reduce existing zonings or reservations of land for public purposes without the approval of the relevant public authority and the Planning Secretary (or an officer of the Department nominated by the Secretary).</p> <p>(2) When a Minister or public authority requests a relevant planning authority to reserve land for a public purpose in a planning proposal and the land would be required to be acquired under Division 3 of Part 2 of the Land Acquisition (Just Terms Compensation) Act 1991, the relevant planning authority must:</p> <ul style="list-style-type: none"> (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. <p>(3) When a Minister or public authority requests a relevant planning authority to include provisions in a planning proposal relating to the use of any land reserved for a</p>	<p>N/A</p>	<p>The planning proposal does not create, alter or reduce land reserved for a public purpose.</p>

Sg.1 Direction	Applicable	Consistent	Comment
	<p>public purpose before that land is acquired, the relevant planning authority must:</p> <ul style="list-style-type: none"> (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. <p>(4) When a Minister or public authority requests a relevant planning authority to include provisions in a planning proposal to rezone and/or remove a reservation of any land that is reserved for public purposes because the land is no longer designated by that public authority for acquisition, the relevant planning authority must rezone and/or remove the relevant reservation in accordance with the request.</p> <p>A planning proposal may be inconsistent with the terms of this direction only if the relevant planning authority can satisfy the Planning Secretary (or an officer of the Department nominated by the Secretary) that:</p> <ul style="list-style-type: none"> (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	<p>This direction applies to all relevant planning authorities when preparing a planning proposal that will create, alter or remove a zone or a provision relating to land near a regulated airport which includes a defence airfield.</p> <p>(1) In the preparation of a planning proposal that sets controls for development of land near a regulated airport, the relevant planning authority must:</p> <ul style="list-style-type: none"> (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. 	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.

Sg.1 Direction	Applicable	Consistent	Comment
	<p>(2) In the preparation of a planning proposal that sets controls for development of land near a core regulated airport, the relevant planning authority must:</p> <ul style="list-style-type: none"> (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 <i>Airports (Protection of Airspace) Regulation 1996</i>, 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 <i>Airports Act 1996</i>. This permission must be obtained prior to undertaking community consultation in satisfaction of Schedule 1 to the EP&A Act. <p>(3) In the preparation of a planning proposal that sets controls for the development of land near a defence airfield, the relevant planning authority must:</p> <ul style="list-style-type: none"> (a) consult with the Department of Defence if: <ul style="list-style-type: none"> i. the planning proposal seeks to exceed the height provisions contained in the <i>Defence Regulations 2016 – Defence Aviation Areas</i> for that airfield; or ii. no height provisions exist in the <i>Defence Regulations 2016 – Defence Aviation Areas</i> for the airfield and the proposal is within 15km of the airfield. (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. <p>(4) A planning proposal must include a provision to ensure that development meets <i>Australian Standard 2021 – 2015, Acoustic-Aircraft Noise Intrusion – Building siting and construction</i> with respect to</p>		

S9.1 Direction	Applicable	Consistent	Comment
	<p>interior noise levels, if the proposal seeks to rezone land:</p> <ul style="list-style-type: none"> (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. <p>(5) A planning proposal must not contain provisions for residential development or to increase residential densities within the 20 Australian Noise Exposure Concept (ANEC)/ANEF contour for Western Sydney Airport.</p> <p>A planning proposal may be inconsistent with the terms of this direction only if the relevant planning authority can satisfy the Planning Secretary (or an officer of the Department nominated by the Secretary) that the provisions of the planning proposal that are inconsistent are:</p> <ul style="list-style-type: none"> (a) justified by a strategy approved by the Planning Secretary, which: <ul style="list-style-type: none"> 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	<p>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.</p> <p>(1) A planning proposal must not seek to rezone land adjacent to and/ or adjoining an existing shooting range that has the effect of:</p>	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.

S9.1 Direction	Applicable	Consistent	Comment
	<p>(a) permitting more intensive land uses than those which are permitted under the existing zone; or</p> <p>(b) permitting land uses that are incompatible with the noise emitted by the existing shooting range.</p> <p>A planning proposal may be inconsistent with the terms of this direction only if the relevant planning authority can satisfy the Planning Secretary (or an officer of the Department nominated by the Secretary) that the provisions of the planning proposal that are inconsistent are:</p> <p>(a) justified by a strategy approved by the Planning Secretary, which:</p> <ul style="list-style-type: none"> 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 <p>(b) justified by a study prepared in support of the planning proposal which gives consideration to the objective of this direction, or</p> <p>(c) is of minor significance.</p>		
Focus area 6: Housing			
6.1 Residential Zones	<p>This direction applies to all relevant planning authorities when preparing a planning proposal that will affect land within an existing or proposed residential zone (including the alteration of any existing residential zone boundary), or any other zone in which significant residential development is permitted or proposed to be permitted.</p> <p>(1) A planning proposal must include provisions that encourage the provision of housing that will:</p> <ul style="list-style-type: none"> (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. <p>(2) A planning proposal must, in relation to land to which this direction applies:</p> <ul style="list-style-type: none"> (a) contain a requirement that residential development is not permitted until land 	Yes	<p>The planning proposal will enable the creation of no more than three additional lots on the site. The potential for additional lots will broaden the locality for further housing development.</p> <p>The planning proposal is unlikely to create significant additional demand on existing public infrastructure. The proposed LEP amendment will enable the creation of additional lots, 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 any additional lots can be achieved from Faviell Drive through a right of carriageway arrangements, subject to development application.</p>

Sg.1 Direction	Applicable	Consistent	Comment
	<p>is adequately serviced (or arrangements satisfactory to the council, or other appropriate authority, have been made to service it), and</p> <p>(b) not contain provisions which will reduce the permissible residential density of land.</p> <p>A planning proposal may be inconsistent with the terms of this direction only if the relevant planning authority can satisfy the Planning Secretary (or an officer of the Department nominated by the Secretary) that the provisions of the planning proposal that are inconsistent are:</p> <p>(a) justified by a strategy approved by the Planning Secretary which:</p> <ul style="list-style-type: none"> 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 <p>(b) justified by a study prepared in support of the planning proposal which gives consideration to the objective of this direction, or</p> <p>(c) in accordance with the relevant Regional Strategy, Regional Plan or District Plan prepared by the Department of Planning, Housing and Infrastructure which gives consideration to the objective of this direction, or</p> <p>(d) of minor significance.</p>		<p>Appropriate planning controls are also contained within Coffs Harbour DCP 2015 to ensure that future development is of good design.</p>
<p>6.2 Caravan Parks and Manufactured Home Estates</p>	<p>This direction applies to all relevant planning authorities when preparing a planning proposal.</p> <p>This direction does not apply to Crown land reserved or dedicated for any purposes under the <i>Crown Land Management Act 2016</i>, except Crown land reserved for accommodation purposes, or land dedicated or reserved under the <i>National Parks and Wildlife Act 1974</i>.</p> <p>(1) In identifying suitable zones, locations and provisions for caravan parks in a planning proposal, the relevant planning authority must:</p> <p>(a) retain provisions that permit development for the purposes of a caravan park to be carried out on land, and</p>	<p>Yes</p>	<p>The planning proposal does not identify suitable zones, locations or provisions for caravan parks or manufactured home estates.</p>

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

S9.1 Direction	Applicable	Consistent	Comment
Focus area 7: Industry and Employment			
7.1 Employment Zones	<p>This direction applies to all relevant planning authorities when preparing a planning proposal that will affect land within an existing or proposed business or industrial zone (including the alteration of any existing business or industrial zone boundary).</p> <p>A planning proposal must:</p> <ul style="list-style-type: none"> (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. <p>A planning proposal may be inconsistent with the terms of this direction only if the relevant planning authority can satisfy the Planning Secretary (or an officer of the Department nominated by the Secretary) that the provisions of the planning proposal that are inconsistent are:</p> <ul style="list-style-type: none"> (a) justified by a strategy approved by the Planning Secretary, which: <ul style="list-style-type: none"> 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. 	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	

Sg.1 Direction	Applicable	Consistent	Comment
accommodation period			
7.3 Commercial and Retail Development along the Pacific Highway, North Coast	<p>Applies when a relevant planning authority prepares a planning proposal for land in the vicinity of the existing and/or proposed alignment of the Pacific Highway.</p> <p>(1) A planning proposal that applies to land located on “within town” segments of the Pacific Highway must provide that:</p> <p>(a) new commercial or retail development must be concentrated within district centres rather than spread along the Highway;</p> <p>(b) development with frontage to the Pacific Highway must consider impacts that the development has on the safety and efficiency of the highway; and</p> <p>(c) for the purposes of this paragraph, “within town” means areas which prior to the draft LEP have an urban zone (e.g. Village, residential, tourist, commercial and industrial etc.) and where the Pacific Highway is less than 80km/hour.</p> <p>(2) A planning proposal that applies to land located on “out-of-town” segments of the Pacific Highway must provide that:</p> <p>(a) new commercial or retail development must not be established near the Pacific Highway if this proximity would be inconsistent with the objectives of this Direction.</p> <p>(b) development with frontage to the Pacific Highway must consider the impact the development has on the safety and efficiency of the highway.</p> <p>(c) For the purposes of this paragraph, “out-of-town” means areas which, prior to the draft local environmental plan, do not have an urban zone (e.g.: “village”, “residential”, “tourist”, “commercial”, “industrial”, etc.) or are in areas where the Pacific Highway speed limit is 80 km/hour or greater.</p> <p>(3) Notwithstanding the requirements of paragraphs (4) and (5), the establishment of highway service centres may be permitted at the localities listed in Table 1, provided that the Roads and Traffic Authority is satisfied that the highway service centre(s) can be safely and efficiently integrated into the highway interchange(s) at those localities.</p>	N/A	The site is not located in the vicinity of the existing and/or proposed alignment of the Pacific Highway.

Sg.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	<p>This direction applies to all relevant planning authorities when preparing a planning proposal that would have the effect of:</p> <ul style="list-style-type: none"> (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. <p>(1) In the preparation of a planning proposal affected by this direction, the relevant planning authority must:</p> <ul style="list-style-type: none"> (a) consult the Secretary of the Department of Primary Industries (DPI) to identify any: <ul style="list-style-type: none"> 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: <ul style="list-style-type: none"> i. development of resources identified under (1)(a)(i), or ii. existing development identified under (1)(a)(ii). <p>(2) Where a planning proposal prohibits or restricts development of resources identified under (1)(a)(i), or proposes land uses that may create land use conflicts identified under (1)(c), the relevant planning authority must:</p>	Yes	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).

Sg.1 Direction	Applicable	Consistent	Comment
	<p>(a) provide the Secretary of DPI with a copy of the planning proposal and notification of the relevant provisions,</p> <p>(b) allow the Secretary of DPI a period of 40 days from the date of notification to provide in writing any objections to the terms of the planning proposal, and</p> <p>(c) include a copy of any objection and supporting information received from the Secretary of DPI with the statement to the Planning Secretary (or an officer of the Department nominated by the Secretary before undertaking community consultation in satisfaction of Schedule 1 to the Act.</p> <p>A planning proposal may be inconsistent with the terms of this direction only if the relevant planning authority can satisfy the Planning Secretary (or an officer of the Department nominated by the Secretary), that the provisions of the planning proposal that are inconsistent are of minor significance.</p>		
Focus area 9: Primary Production			
9.1 Rural Zones	<p>This direction applies when a relevant planning authority prepares a planning proposal that will affect land within an existing or proposed rural zone (including the alteration of any existing rural zone boundary).</p> <p>A planning proposal must not rezone land from a rural zone to a residential, business, industrial, village or tourist zone.</p> <p>A planning proposal may be inconsistent with the terms of this direction only if the relevant planning authority can satisfy the Planning Secretary (or an officer of the Department nominated by the Secretary that the provisions of the planning proposal that are inconsistent are:</p> <p>(a) justified by a strategy approved by the Planning Secretary which:</p> <ol style="list-style-type: none"> gives consideration to the objectives of this direction, and identifies the land which is the subject of the planning proposal (if the planning proposal relates to a particular site or sites), or <p>(b) justified by a study prepared in support of the planning proposal which gives consideration to the objectives of this direction, or</p>	N/A	<p>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.</p> <p>The planning proposal does not include provisions that will increase the permissible density of land within a rural zone.</p>

Sg.1 Direction	Applicable	Consistent	Comment
	<p>(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</p> <p>(d) is of minor significance.</p>		
9.2 Rural Lands	<p>This direction applies when a relevant planning authority prepares a planning proposal for land outside the local government areas of lake Macquarie, Newcastle, Wollongong and LGAs in the Greater Sydney Region (as defined in the <i>Greater Sydney Commission Act 2015</i>) other than Wollondilly and Hawkesbury, that:</p> <p>(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</p> <p>(b) changes the existing minimum lot size on land within a rural or conservation zone.</p> <p>(1) A planning proposal must:</p> <p>(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</p> <p>(b) consider the significance of agriculture and primary production to the State and rural communities</p> <p>(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</p> <p>(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</p> <p>(e) promote opportunities for investment in productive, diversified, innovative and sustainable rural economic activities</p> <p>(f) support farmers in exercising their right to farm</p> <p>(g) prioritise efforts and consider measures to minimise the fragmentation of rural land and reduce the risk of land use conflict, particularly between residential land uses and other rural land use</p> <p>(h) consider State significant agricultural land identified in chapter 2 of the <i>State Environmental Planning Policy (Primary</i></p>	N/A	<p>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.</p>

Sg.1 Direction	Applicable	Consistent	Comment
	<p>Production) 2021 for the purpose of ensuring the ongoing viability of this land</p> <p>(i) consider the social, economic and environmental interests of the community.</p> <p>(2) A planning proposal that changes the existing minimum lot size on land within a rural or conservation zone must demonstrate that it:</p> <p>(a) is consistent with the priority of minimising rural land fragmentation and land use conflict, particularly between residential and other rural land uses</p> <p>(b) will not adversely affect the operation and viability of existing and future rural land uses and related enterprises, including supporting infrastructure and facilities that are essential to rural industries or supply chains</p> <p>(c) where it is for rural residential purposes:</p> <p>i. is appropriately located taking account of the availability of human services, utility infrastructure, transport and proximity to existing centres</p> <p>ii. is necessary taking account of existing and future demand and supply of rural residential land.</p> <p>A planning proposal may be inconsistent with the terms of this direction only if the relevant planning authority can satisfy the Planning Secretary (or an officer of the Department nominated by the Secretary) that the provisions of the planning proposal that are inconsistent are:</p> <p>(a) justified by a strategy approved by the Planning Secretary and is in force which:</p> <p>i. gives consideration to the objectives of this direction, and</p> <p>ii. identifies the land which is the subject of the planning proposal (if the planning proposal relates to a particular site or sites), or</p> <p>(b) is of minor significance.</p>		
9.3 Oyster Aquaculture	<p>This direction applies to any relevant planning authority when preparing a planning proposal in 'Priority Oyster Aquaculture Areas' and oyster aquaculture outside such an area as identified in the <i>NSW Oyster Industry Sustainable Aquaculture Strategy (2006)</i> ("the Strategy"), when proposing a change in land use which could result in:</p> <p>(a) adverse impacts on a 'Priority Oyster Aquaculture Area' or a "current oyster</p>	N/A	<p>This direction only applies to Priority Oyster Aquaculture Areas and oyster aquaculture outside such an area as identified in the <i>NSW Oyster Industry Sustainable Aquaculture Strategy (2006)</i>.</p>

Sg.1 Direction	Applicable	Consistent	Comment
	<p>aquaculture lease in the national parks estate”, or</p> <p>(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.</p> <p>(1) In the preparation of a planning proposal the relevant planning authority must:</p> <p>(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,</p> <p>(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,</p> <p>(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,</p> <p>(d) consult with the Secretary of the Department of Primary Industries (DPI) of the proposed changes in the preparation of the planning proposal, and</p> <p>(e) ensure the planning proposal is consistent with the Strategy.</p> <p>(2) Where a planning proposal proposes land uses that may result in adverse impacts identified under (1)(b) and (1)(c), relevant planning authority must:</p> <p>(a) provide the Secretary of DPI with a copy of the planning proposal and notification of the relevant provisions,</p> <p>(b) allow the Secretary of DPI a period of 40 days from the date of notification to provide in writing any objections to the terms of the planning proposal, and</p> <p>(c) include a copy of any objection and supporting information received from the Secretary of DPI with the statement to the Planning Secretary before undertaking community consultation in satisfaction of Schedule 1 to the EP&A Act.</p> <p>A planning proposal may be inconsistent with the terms of this direction only if the relevant planning authority can satisfy the Planning Secretary (or an officer of the Department</p>		

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 for Proposed Subdivision at 92 Faviell Drive, Bonville



3 March 2023

For: Gai & Kevin Walker: Gai & Kevin Walker
Authored by: Strider Duerinckx

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1 Table of Contents

1	Introduction.....	4
2	Proposed Development.....	4
3	Scope of Work	4
4	Site Details.....	5
4.1	Existing OSMS.....	7
4.2	Site Constraints	7
4.3	Soil Survey and Description.....	8
4.3.1	Regional Soils	8
4.4	Site Soils.....	8
5	Minimum Lot Size (MLS) Analysis.....	10
5.1	Methodology	10
5.2	MLS Buffer Distances.....	11
5.3	MLS Comparative Lots Assessed	11
5.4	MLS Assessed Available EMA	12
5.5	Discussion	12
6	Recommended OSMS Combination.....	13
7	Effluent Management Areas	13
7.1	Design Hydraulic Load	13
7.2	Sizing of Effluent Management Areas.....	13
8	Buffers	15
9	Conclusions & Recommendations.....	16
10	References.....	16

Figures

- Figure 1 Site Location
- Figure 2 Proposed Development Layout
- Figure 3 Existing Site Layout
- Figure 4 MLS Assessment
- Figure 5 Recommended OSMS EMAs

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 Gai & Kevin Walker to undertake a Land Capability Assessment (LCA) for the proposed subdivision of 92 Faviell Drive Bonville (Lot 8 DP 260744) (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. A Minimum Lot Size (MLS) assessment is also required to support reduction in the lot size below the zoning minimum size.

2 Proposed Development

Based on plans of the proposed subdivision layout (Ref: Barker Ryan Stewart. Plan of Proposed Subdivision. Dated: Feb 2023), it is understood that the Site is proposed to be subdivided from one into four (4) lots (Table 1 and Figure 2). Proposed Lot 1 will include the existing dwelling and shed.

Table 1: Proposed Development

Proposed Lot	Area (m ²)	Building Envelope (m ²)
1	4,159	Existing dwelling
2	5,037	380
3	5,849	560
4	5,347	400

3 Scope of Work

The LCA was undertaken by Strider Duerinckx of EWC. The study methodology included:

- A desktop review of Site conditions including geology, hydrogeology, soils, and landscape features;
- A site inspection to map site and soil constraints plus an audit of the existing dwelling OSMS in relation to the proposed subdivision boundary;
- Drilling of one borehole to assess soil conditions;
- Assessment of a range of site constraints including landform, slope, aspect, drainage, flooding and proximity to sensitive environments;
- A minimum lot size analysis involving the review of a number of nearby lot sizes, developed, constrained and available land area footprints;
- Analysis of selected soil sample for a range of chemical properties including pH, EC, dispersibility, PSorp, CEC and ESP;

- Estimation of likely wastewater loads (quantity and quality) from future dwellings on the proposed lot, and undertake confirmation water and nutrient balance modelling to size suitable land application areas;
- Determining an appropriate level of wastewater treatment and the preferred method of land application of effluent to overcome the constraints on the proposed lots;
- Outlining any land improvement works or mitigation measures required to address particular constraints in the land application areas; and
- Provision of a written report, including site plans, describing the results and recommendations from our investigations.

4 Site Details

The property is situated in a semi rural location, is zoned R5 (Large Lot Residential) and is located on the western side of Faviell Drive. The site is located on a lower and mid-slope position in the landscape at approximately 17-25mAHD.

The property drains gradually down to the west towards a tributary of Burgess Creek, that drains northwards through the western portion of the Site.



Photograph 1 – Looking north across the existing OSMS. Pool fence is on RH of photo.



Photograph 2 – Looking west across Proposed Lots 2 and 3.



Photograph 3 – Looking east from the gully back across to Proposed Lots 2-4 in the background.

4.1 Existing OSMS

The OSMS that services the existing dwelling consists of a round concrete septic tank of about 2,300L and a single absorption trench of approximately 15m length located downslope to the west of the dwelling (Figure 3). The OSMS trench will be located on the subdivision boundary line and as such the OSMS will require an upgrade as part of the subdivision.

4.2 Site Constraints

Table 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 Figures 3 and 4.

Table 2: Site Constraints

Constraint	Degree of Limitation
Landform: Linear planar midslope location.	Minor
Exposure: Good exposure. Minimal trees near the proposed EMAs.	Minor
Slope: Gentle slope of 6% to the west.	Minor
Rocks and Rock Outcrops: No rock outcrops were observed on the Site.	Minor
Erosion Potential: The gentle slopes combined with the moderately erodible subsoils would give a low risk of erosion.	Minor
Climate: The Site experiences a sub-tropical-temperate climate, typical of north-eastern NSW.	Minor
Vegetation: Open grassland with minimal trees and shrubs.	Minor
Fill: None noted.	Minor
Surface Waters: A tributary to Burgess Creek drains north through the western portion of the Site. Buffers are able to be maintained.	Minor

Groundwater: (NSW Office of Water: Groundwater Bore Search) <p>There are 8 registered domestic groundwater bores within 250m of the proposed EMAs. The closest registered domestic bore is located on the Site at Proposed Lot 1 (GW061455). The bore is registered as 37m deep, with a water bearing zone at 21-37m in fractured bedrock. Red clay was recorded to 16m depth when drilling the bore.</p> <p>Groundwater vulnerability? As per AS/NZS1547:2012, the clay subsoil, distance and groundwater depth indicate that the “risk” to groundwater though would be minimal.</p>	Major
Stormwater run-on and upslope seepage: <p>The midslope position of the proposed EMAs would have moderate run-on from upslope areas.</p>	Moderate
Flood Potential: <p>Based on the Coffs Harbour City Council flood mapping, parts of the Site will be impacted by 1:100 year flood extents, which indicate that the flood extent is ~18m AHD. The majority of the Site is located above 18mAHD, however the area around the tributary to Burgess Creek lies below 18mAHD. Buffers to proposed EMAs are able to be maintained.</p>	Minor
Available Effluent Application Area <p>Both lots have sufficient area available for the application of effluent, and reserve EMAs.</p>	Minor

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 Carboniferous-aged 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.

4.4 Site Soils

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

- Approximately 200mm of clay loam topsoil, dark brown, no mottling, with earthy structure; overlying
- At least 1000mm of clay loam, reddish brown to red, strong structure..

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



Photograph 4 – BH1 soil profile L-R.

Table 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 400-900mm depth. The analytical report is included in Appendix B.

Table 3: Soil Assessment

Parameter	Constraint
Depth to bedrock or hardpan (m): Boreholes were terminated at 1.2m depth in medium clay. It is believed that competent bedrock will be located at >1.5m based on soil landscape and position.	Moderate
Depth to high soil watertable: The depth of the vadose zone (i.e. non-saturated soil material above watertable) was greater than 1.2m at the time of the investigation. The depth to the permanent groundwater aquifer is expected to be more than 20m depth based on local groundwater bores.	Minor
Coarse Fragments (%): The boreholes contained 2-5% ironstone, quartz and shale gravel.	Minor
Hydraulic loading rate: Soil structure: Strong Soil texture: Clay Loam Permeability category: Category 4a Hydraulic loading recommended: 8mm/day for primary, and 20mm/day secondary treated effluent into an absorption bed field and 3.5mm/day for SSI. Reasons for the hydraulic loading recommendation: Strongly structured medium clay subsoils.	Minor
pH: 5.15 pH Units from BH1 0.4-0.9m. Strongly acidic soils.	Moderate
Electrical Conductivity (dS/m): 0.016dS/m from BH1 0.4-0.9m. Not saline.	Minor
Dispersiveness:	Moderate

<p>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.</p> <p>An EAT was recorded as Class 3/6 (Slake 1) for BH1 0.4-0.9m. The instability of these aggregates is expected to increase slightly with the application of effluent.</p>	
<p>Sodicity (ESP):</p> <p>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 BH1 0.4-0.9m was 3.4%. The ESP infers a minimal potential for structural degradation due to sodium salts already present.</p>	Minor
<p>Cation Exchange Capacity:</p> <p>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.</p> <p>CEC was measured in BH1 0.4-0.9m at 2.4 cmol/kg, which indicates that this soil type has low ability to accept and release excess nutrients from effluent.</p>	Minor
<p>Phosphorus Adsorption:</p> <p>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.</p> <p>The Site soils in BH1 0.4-0.9m has a Psorp of 4,603mg/kg (30,688kg/ha) in the subsoil.</p>	Moderate

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 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.

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 (m ²)
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 2 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 2: Minimum Lot Size Assessment Results

Id	Lot Area (m ²)	Total Restricted Area (m ²) ¹	Available Eff. Application Area (m ²)	Percent of Lot Available for Eff. Disp. (%)	>420m 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. Includes developed area of house, driveway, sheds, water tanks, protected vegetation and buffers to waterways and boundaries 2. Includes main and reserve EMA					

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 5,000m² proposed lots, with areas ~3,800-4,300m², and the smallest of the three examined lots (3,828m²) is smaller than the 4,159m² Proposed Lot 1;
- 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 420m² footprint modelled 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 the smaller lot size $\sim 4,000\text{m}^2$ appears to be heavily constrained; and

- Given the site and soil features at 92 Faviell Drive, the proposed minimum $5,000\text{m}^2$ lot sizing would be considered acceptable for Lots 2-4, and $\sim 4,000\text{m}^2$ for the less constrained Lot 1 that is located further away from the gully.

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 back (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 3.

Table 3: Proposed Design Hydraulic Load

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

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:

$$\text{Precipitation} + \text{Effluent Applied} = \text{Evapotranspiration} + \text{Percolation} + \text{Storage}$$

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 4, 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 4.

Table 4: 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	0.9	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.
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).

Data Parameter	Units	Value	Comments
Effluent total phosphorus concentration	mg/L	10	Target effluent quality for secondary treatment systems.
Soil phosphorus sorption capacity	mg/kg	2,831	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 trench/ bed basal area for hydraulic load (m ²)			50m ² (106m ² absorption trench field footprint)
Minimum secondary treatment trench/ bed area for total phosphorus load			101m ²
Minimum primary treatment trench/ bed area for total nitrogen load			210m ² – Nitrogen limiting

Based on modelling an EMA and reserve EMA of 210m² each have been nominated for a four bedroom dwelling for Proposed Lots 1-4. The proposed locations of the EMAs are shown on Figure 3.

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.

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 5** below.

Table 5: 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 – 15m
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 15m available). The existing OSMS on the property is a primary treatment system with undersized trench field, and similar setback distance to the bore. 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 92 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 1-4.

We recommend that:

- A minimum lot size of 4,000m² is suitable for Lot 1 and 5,000m² for Lots 2-4 in the subdivision to allow for all reasonable development configurations (dwelling, shed, swimming pool, recreation, driveways etc) and sustainable wastewater application;
- Proposed Lots 2-4 - Wastewater be treated to a minimum secondary level with subsurface soil absorption land application. A primary and reserve EMA of 210m² 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 2 – As the existing OSMS is separated from the existing dwelling by the proposed subdivision boundary, it is required that a new OSMS is installed during the CC stage of the subdivision to service the existing dwelling. It is recommended that wastewater from the existing dwelling will need to be treated to a minimum secondary level with subsurface soil absorption land application. A primary and reserve EMA of 210m² minimum each has been nominated.

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

10 References

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

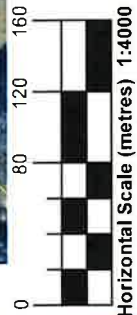
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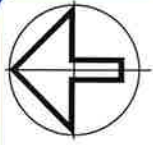
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FIGURES



- LEGEND**
- Property Boundary
 - Contour (10m)
 - Drainage Alignment

TITLE Site Location		PROJECT LCA for 92 Faviell Drive, Bonville		CLIENT Kevin & Gai Walker
FIGURE Figure 1		DATE 23/2/23	SCALE 1:4000	PROJECT 2021-51
SHEET 1 OF 1	ISSUE A	AUTHOR SD		



- LEGEND**
- Property Boundary
 - Drainage Alignment
 - Proposed Lot Boundary
 - Proposed Building Envelope

FIGURE Figure 2	
TITLE	Proposed Development Layout
PROJECT	LCA for 92 Faviell Drive, Bonville
CLIENT	Kevin & Gai Walker
SHEET	1 OF 1
ISSUE	A
AUTHOR	SD
DATE	22/2/23
SCALE	1:800
PROJECT	2122-051



LEGEND

- Property Boundary
- Drainage Alignment
- 1m/100 Flood Extents
- General Flood Planning Level
- Existing Building
- Existing OSMS
- Contour Line (0.25m)
- Slope Direction and Extent
- Approximate Borehole Location

FIGURE Figure 3	
SHEET 1 OF 1	ISSUE A
CLIENT Kevin & Gai Walker	
PROJECT LCA for 92 Faviell Drive, Bonville	
AUTHOR SD	DATE 22/2/23
SCALE 1:800	
PROJECT 2122-051	





- LEGEND**
- Property Boundary
 - Drainage Alignment
 - MLS Restricted Area
 - MLS Available Area

FIGURE Figure 4	
SHEET 1 OF 1	ISSUE A
CLIENT Kevin & Gai Walker	
PROJECT LCA for 92 Faviell Drive, Bonville	
AUTHOR SD	DATE 23/2/23
SCALE 1:800	
PROJECT 2122-051	



	Property Boundary
	Drainage Alignment
	1in100 Flood Extents
	Building Envelope
	Recommended Waste

TITLE		Recommended □SMS Envelopes		FIGURE Figure 5	
				SHEET 1 OF 1	ISSUE A
PROJECT		LCA for 92 Faviell Drive, Bonville		CLIENT Kevin & Gai Walker	
AUTHOR	DATE	SCALE	PROJECT		
SD	23/2/23	1:800	2122-051		

APPENDIX A




Soil Borelog

Borehole No:	BH1
Logged by:	AS
Drilling date:	18/01/2022
Drilling method:	Powered Auger
Borehole location:	Figure 2
Borehole coords:	501659, 6640125

Project ref:	2122-051
Client:	Gai & Kevin Walker
Address:	92 Faviell Drive Bonville

PROFILE DESCRIPTION

Depth (m)	Sampling depth/name	Graphic Log	Horizon	Texture	Structure	Colour	Mottles	Coarse Fragments	Moisture Condition	Comments	
0.1	S		A1	Clay Loam	Strong	Black	Nil	< 5%	SM	Topsoil	
0.2			B1	Clay Loam	Strong	Red Brown	Nil	Nil	SM	Residual	
0.3											
0.4											
0.5			B2	Clay Loam	Strong	Dull Red	Nil	Nil	SM	Residual	
0.6											
0.7											
0.8											
0.9											
1.0	B3		Clay Loam	Strong	Red	Nil	< 5%	SM	Residual		
1.1											
1.2											
1.3				Borehole terminated at 1.2m							
1.4											
1.5											

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

	SAMPLE 1 BH1 0.4-0.9
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 _e /kg)	0.98
Magnesium (cmol _e /kg)	0.96
Potassium (cmol _e /kg)	0.03
Sodium (cmol _e /kg)	0.08
Aluminium (cmol _e /kg)	0.10
Hydrogen (cmol _e /kg)	0.25
ECEC (effective cation exchange capacity)(cmol _e /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_e/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_e/kg; Hydrogen detection limit is 0.1 cmol_e/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_e conversions: sand loam 14, loam 9.5; clay loam 8.6; heavy clay 5.8
- 11: 1 cmol_e/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 Sinder Duinckx - 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 $\mu\text{g P/g soil}$ Equilibrium Absorption Maximum (B) $\mu\text{g P/g soil}$
BH1 0.4-0.9	M5264/1	2.8	43.85	1644	18	1661	2,831

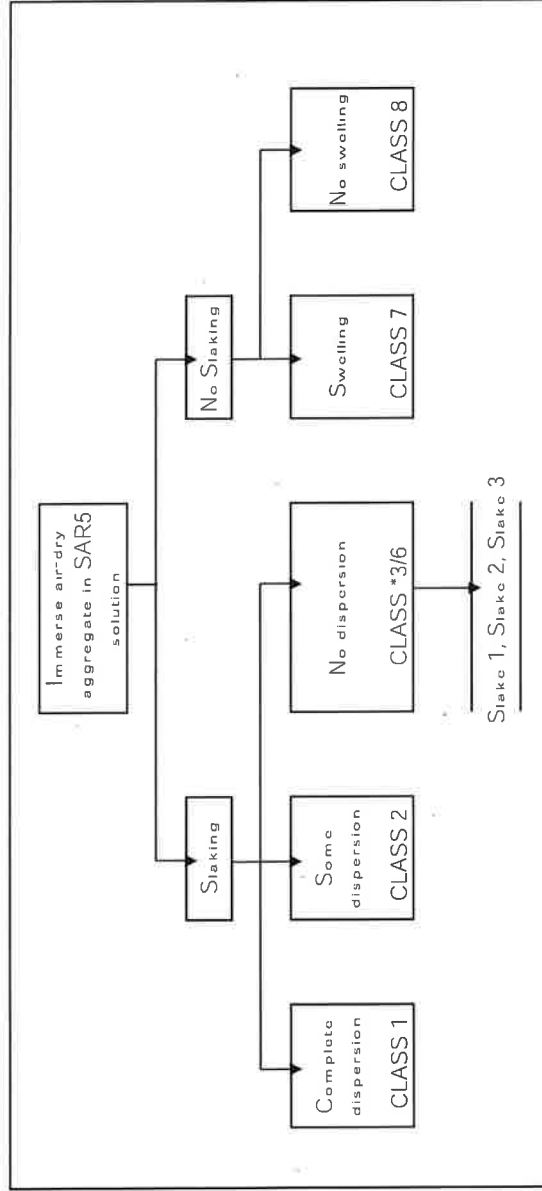
Calculations for phosphorus sorption capacity

JOB NO.	Equilibrium Absorption Maximum (B) $\mu\text{g P/g soil}$	multiply by theta of wastewater to be applied (=X)	minus the native P (=Y)	kg P sorption / hectare (to a depth of 15 cm) (1.95 is a correction factor for density, etc)	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	(=X - native P) (=B x theta)	(=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) $\mu\text{g P/g soil}$	multiply by theta of wastewater to be applied (e.g. 0.84)	minus the native P (=Y)	kg P sorption / hectare (to a depth of 15 cm) (1.95 is a correction factor for density, etc)	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	2361	4,603	30,688

Emerson Aggregate Stability Test for Wastewater



CLASS 1

- severe dispersion, maybe related to high sodicity which forces the clay particles apart in water. Amelioration 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 for 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

Site Address: 92 Faviell Dr, Bonville

Proj Ref: 2122-051

Flow Allowance	150	l/p/d
No. of Bedrooms	4	p
Occupancy	1.5	p/room
Design Wastewater Flow	900	l/day
Daily DLR	20.0	mm/day
Crop Factor	0.6-0.8	unitless
Retained Rainfall Coefficient	RRc	0.9
Void Space Ratio	V	0.3
Nominated Land Application Area	N	50
Trench/Bed wetted thickness	Ww	0.15
Rainfall Data	Coffs Harbour Rainfall Data (monthly median)	
Evaporation Data	Coffs Harbour Evap Data (monthly average)	

Notes:

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	E	\	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	C			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	E _C	mm/month	154	125	119	82	61	41	47	63	95	113	137	154	1189.94
Percolation	B	DIR _{CD}	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*RR _C	mm/month	136.08	161.1	184.59	122.31	105.66	81	48.87	36.63	31.86	67.23	117.36	102.69	1195.38
Effluent Irrigation	W	(Q _{WD})/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	694.1	665.1	742.6	662.3	663.7	621.0	606.9	594.6	571.9	625.2	657.4	660.7	7765.4
STORAGE CALCULATION																
Storage remaining from previous month			mm/month		0.0	0.0	11.8	0.0	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	-265.6	-67.8	11.8	-65.3	-57.0	-68.0	-198.8	-295.4	-408.8	-358.7	-264.8	-376.9	-740.4
Cumulative Storage	M		mm	0.0	0.0	11.8	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	11.8
Maximum Bed Storage Depth for Area	BS		mm	11.83	Is the calculated storage acceptable? Yes, storage is conservative											
NUTRIENT CALCULATION																
Nominated trench width		0.9	m													
Total length based on nominated width		55.6	m													
No. of beds		3														
Individual bed lengths		18.5	m													
Individual Bed footprints		16.7	m ²													
Spacing between beds		1.5	m													
Width of bed area		5.7	m ²													
Total bed area		106	m ²													
Nutrient uptake zone		218	2m buffer nutrient uptake allowance													



Nutrient Balance

Proj Ref: 2122-051

Site Address: 92 Faviell Dr, Bonville

Notes:

INPUT DATA

Hydraulic Load	900	L/Day
Effluent N Concentration	20	mg/L
% Lost to Soil Processes	0.2	Decimal
Total N Loss to Soil	3600	mg/day
Effluent P Concentration	10	mg/L
Design Life of System	50	yrs
Crop N Uptake	250	kg/ha/yr = 68 mg/m ² /day
Crop P Uptake	25	kg/ha/yr = 7 mg/m ² /day
P-sorption analytical result in soil	30000	kg/ha
% of Predicted P-sorp	0.5	Decimal

Nitrogen Balance

Nitrogen uptake ability in vegetation	68	mg/m ² /day
Nitrogen loading in wastewater	14400	mg/day
Area required for nitrogen	210	m ²

Phosphorus Balance

P adsorbed	1.5	kg/m ²
P uptake	0.125	kg/m ²
P generated	164.25	kg
Area required for Phosphorus	101	m ²

APPENDIX D

AS1547:2012 Table R1 and R2 Buffer Risk Assessment

Client Gai & Kevin Walker
Property 92 Faviell Drive Bonville
Job Number 2122-051



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

APPENDIX 4 – BUSHFIRE ASSESSMENT REPORT

Bushfire Assessment Report

for

Re-zoning and 4 - Lot Subdivision of

LOT 8 DP260744

92 FAVIELL DRIVE

BONVILLE, NSW

Prepared by
BushFireSafe (Aust) Pty Ltd

January 2023

EXECUTIVE SUMMARY	3
1.0 Introduction	4
1.1 Period of Operation	4
2.0 Background & Proposal.....	4
2.1 Description of Property	5
3.0 Vegetation Classification	6
3.1 Vegetation Formations	6
4.0 Bushfire Prone Land.....	10
5.0 Landform Assessment.....	10
5.1 Slope Assessed	10
6.0 Asset Protection Zones	11
6.1 Assessed Bushfire Attack Level	12
6.2 Electricity Supply	13
6.3 Adequacy of Water Supply	13
7.0 Access and Egress	14
8.0 Landscaping.....	15
References	16

EXECUTIVE SUMMARY

Bushfiresafe (Aust) Pty Ltd has been engaged by Mr Geoff Smyth on behalf of their client to undertake a Bushfire Assessment for a proposed re-zoning and 4-lot subdivision of Lot 8 DP260744, 92 Faviell Drive, Bonville.

Description of Property

The property is located within the rural settlement of Bonville and is approximately 14kms southwest of the CBD of Coffs Harbour. The property is adjoined by Faviell Drive to the east and developed large lot residential areas with managed lands in each elevation. There is an existing dwelling located in the north-eastern corner of the property and a metal shed in the southeast corner of the property, and both shall be retained as part of the development. The property has a total area of 2.039 Ha and is zoned R5 Large Lot Residential in the Coffs Harbour Council LEP (Coffs Harbour Council, 2014).

Vegetation Assessment

The property consists of managed grasslands throughout with a few scattered shade trees near the existing dwelling. There is a single windrow of trees along the northern and western property boundaries and a mowed grassed drainage channel located on the western portion of the property that extends from south to north that drains into a small dam.

Access

The access servicing the existing dwelling is directly off Faviell Drive and extends approximately 20m that is semi-circular providing dual access points off Faviell Drive. The proposed access to lot 4 will be directly off Faviell Drive and extend approximately 90m, and the access to proposed lots 2 and 3 will share a right of carriage way off Faviell Drive and will extend approximately 98m in total.

Services

Reticulated water and electricity are both currently available to the property, however hydrants are not available. All water for firefighting purposes shall be retained within each lot and a minimum of 10,000 litres of static water supply for firefighting purposes is required.

Construction Standards

The bushfire assessment undertaken in relation to the proposed re-zoning and 4-lot subdivision concluded the bushfire construction standard in accordance with AS3959-2018 Construction of Buildings in Bushfire Prone Areas (Standards Australia, 2018) for the three newly formed lots can comply with a BAL – 29 and will be further addressed in the development application of each future dwelling. The existing dwelling was constructed prior to bushfire construction standards and therefore shall be upgraded for ember attack.

1.0 Introduction

Development applications on bushfire prone land must be accompanied by a Bushfire Assessment that demonstrates compliance with the aim and objectives of the Planning for Bush Fire Protection 2019 guidelines. In particular, the following matters must be addressed:

- A statement that the site is bushfire prone land, where applicable;
- The location, extent and vegetation formation of any bushland on or within 100m of the site;
- The slope and aspect of the site and of any bushfire prone land within 100m of the site, which may determine the likely path of any bushfire;
- Any features on or adjoining the site that may mitigate the impact of a high intensity bushfire on the proposed development;
- A statement of the likely environmental impact of any proposed bushfire protection measures.

1.1 Period of Operation

Once approved by the local authority and the NSW Rural Fire Service, this report will have a period of operation for the life of the development.

2.0 Background & Proposal

Bushfiresafe (Aust) Pty Ltd has been engaged by Mr Geoff Smyth on behalf of their client to undertake a bushfire assessment for the re-zoning and a 4-lot subdivision of Lot 8 DP260744, 92 Faviell Drive, Bonville. The proposed 4 lots will be subdivided with each of the lots having the following areas:

Table 1: Proposed Lot Areas

Proposed Lot	Total Area
Lot 1	4607 m ²
Lot 2	5262 m ²
Lot 3	5008 m ²
Lot 4	5705 m ²

The proposed access for lots 1 and 4 will each have independent access directly off Faviell Drive, and proposed lots 3 and 4 will have a shared right of carriage way off Faviell Drive.

This Bushfire Assessment was conducted in accordance with section 4.46 of the Environmental Planning & Assessment Act (1997), s100B of the Rural Fires Act (1997) and followed the guidelines recommended in Planning for Bush Fire Protection (RFS, 2019).

The assessment has involved the following activities:

- Verifying of effective slope in relation to the assessed bushfire vegetation;
- Identification of the appropriate bushfire protection for any identified environmental assets;
- Determination of the location of adequate water supplies for firefighting purposes;
- Identifying the capacity of public roads to handle increased volumes of traffic in a bushfire situation;
- Identification of adequacies for implementation of fire trails which link to public roads in the vicinity;
- Identification of adequacy of arrangements for access and egress from the development for the purposes of an emergency response;
- Identification of bushfire attack level to be used;
- Appropriate asset protection zones to be applied;
- Identification of additional bushfire protection measures.

2.1 Description of Property

The property is located within the rural settlement of Bonville and is approximately 14kms southwest of the CBD of Coffs Harbour. The property occupies a total area of 2.039 Ha is currently zoned R5 Large Lot Residential in the Coffs Harbour Council LEP (Coffs Harbour Council, 2014).

The property consists of managed grasses throughout with a few scattered ornamental shade trees surrounding the existing dwelling and a windrow of trees along the northern and western property boundaries. The property has a generally flat terrain, and a small drainage channel located on the western portion of the property that transects from south to north and extends into a small dam.

There is an existing dwelling and inground swimming pool located within the northeast portion of the property and it shall be retained within proposed lot 1. The existing metal shed located in the south-eastern portion of the property will be retained within proposed lot 4.



Figure 1: Aerial photo showing the property in relation to the identified bushfire prone vegetation.
Source: Coffs Harbour Council Web Site CoffsHarbour Public > General Enquiry (mapimage.net), Dec. 2022.

3.0 Vegetation Classification

The vegetation of the property and adjacent properties up to 140m (where practicable) from the proposed development was assessed during a site visit on 9th July 2021, and 14th of December 2022. The vegetation formations present were identified and classified as described in *Ocean Shores to Desert Dunes*, Keith (2004), and Appendix 1 of *Planning for Bush Fire Protection* 2019.

3.1 Vegetation Formations

North

Lands to the north of the proposed building envelopes within lots 2, 3 and 4, and the existing dwelling consists managed lawns/grasses up to the northern property boundary. There is a windrow of privacy trees along the northern property boundary and is adjoined by a few scattered trees with a maintained understory within a developed large lot residential area extending for greater than 140m.



Figure 2: View to the north from proposed lot 4 showing managed lawns/grasses up to the northern property boundary followed by developed large lot residential areas extending for >140m.



Figure 3: View to the north from within proposed lots 2 and 3 showing managed lawns/grasses up to the northern property boundary followed by a single windrow of privacy trees.

East

Managed lawns/grasses extend to the eastern property boundary and is adjoined by Faviell Drive, followed by developed large lot residential dwellings with managed lands for greater than 140m.



Figure 4: View to the east of Faviell Drive showing managed lands within developed large lot residential areas extending for greater than 140m.

South

Adjoining lands to the south of the property consists of maintained grasses up to the southern property boundary and is adjoined by managed grasses within developed large lot residential areas for greater than 140m.



Figure 5: View to the south showing managed grassland within developed large lot residential areas extending for greater than 140m.

West

Managed grasslands extend to the western property boundary and is followed by a single windrow of Camphor Laurel trees along the western property boundary. Further west is managed grasses within a developed large lot residential area.



Figure 6: View to the west showing managed lawns up to the western property boundary followed a single windrow of Camphor Laurel trees and is adjoined by managed grasses.

Table 2: Summary of Vegetation Formations

Aspect	Vegetation Formation
Proposed Lot 1	
N	Managed Grasslands
E	Managed Grasslands
S	Managed Grasslands
W	Managed Grasslands
Proposed Lot 2	
N	Managed Grasslands
E	Managed Grasslands
S	Managed Grasslands
W	Managed Grasslands
Proposed Lot 3	
N	Managed Grasslands
E	Managed Grasslands
S	Managed Grasslands
W	Managed Grasslands
Proposed Lot 4	
N	Managed Grasslands
E	Managed Grasslands
S	Managed Grasslands
W	Managed Grasslands

4.0 Bushfire Prone Land

The surrounding grassland vegetation was identified as the predominate bushfire prone vegetation. As shown below in figure 7 within the Coffs Harbour Council's Bushfire Prone Land Mapping, most of the property is located within a Category 3 bushfire zone.

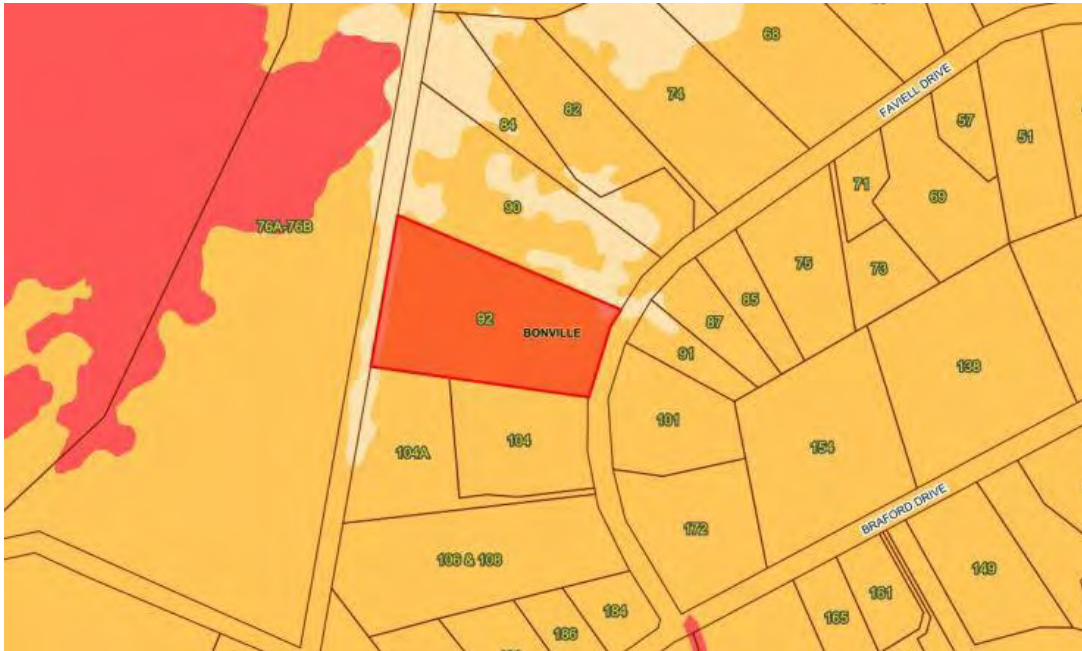


Figure 7: Coffs Harbour Council Bushfire Map showing the property.

Source: Coffs Harbour Council Web Site CoffsHarbour Public > General Enquiry (mapimage.net), Dec. 2022.

5.0 Landform Assessment

Inspection of published topographic maps online and an on-site assessment using a Nikon Forestry Pro laser finder verified the landforms present and are outlined further below.

5.1 Slope Assessed

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

Table 2 below summarises the slope assessments for each vegetation community observed and elevation. This information will be used as the basis for determining those aspects of the proposed development that may require provisions for, and implementation of appropriate Asset Protection Zones.

Table 3: Effective Slope Summary

Aspect	Effective Slope	Vegetation Formation
Proposed Lot 1		
N	Flat	Grassland
E	Flat/upslope	Grassland
S	Flat	Grassland
W	Flat/upslope	Grassland
Proposed Lot 2		
N	Flat	Grassland
E	Flat/upslope	Grassland
S	Flat	Grassland
W	Flat/upslope	Grassland
Proposed Lot 3		
N	Flat	Grassland
E	Flat/upslope	Grassland
S	Flat	Grassland
W	Flat/upslope	Grassland
Proposed Lot 4		
N	Flat	Grassland
E	Flat/upslope	Grassland
S	Flat	Grassland
W	Flat/upslope	Grassland

6.0 Asset Protection Zones

The minimum required Asset Protection Zones (APZs) are determined by referring to Appendix 1 of Planning for Bushfire Protection 2019, specifically Table A1.12.3 which sets out the minimum requirements for Asset Protection Zones (APZs) for subdivision developments in an FFDI 80 areas.

Table 4: Asset Protection Zones

Aspect	Minimum APZ	Vegetation Formation	Effective Slope
Proposed Lot 1			
N	10m	Grassland	Flat
E	10m	Grassland	Flat/upslope
S	10m	Grassland	Flat
W	10m	Grassland	Flat/upslope
Proposed Lot 2			
N	10m	Grassland	Flat
E	10m	Grassland	Flat/upslope
S	10m	Grassland	Flat
W	10m	Grassland	Flat/upslope
Proposed Lot 3			
N	10m	Grassland	Flat
E	10m	Grassland	Flat/upslope
S	10m	Grassland	Flat
W	10m	Grassland	Flat/upslope
Proposed Lot 4			
N	10m	Grassland	Flat
E	10m	Grassland	Flat/upslope
S	10m	Grassland	Flat
W	10m	Grassland	Flat/upslope

The Asset Protection Zones for all aspects of the development shall be measured from the unmanaged understory and shall be implemented and maintained to the specifications as outlined below.

The Inner Protection Area (IPA) shall be maintained in such a manner that:

- Minimal fire fuel that could be set alight by bushfire (e.g. long grass, leaves, tree branches *etc.*) is present at ground level.
- Grass is maintained to a height less than 100mm.
- Shrubs are not located directly under trees, clumps of shrubs are not located directly under windows or near doors, and shrubs do not form more than 10% ground cover.
- Vegetation does not provide a path for the transfer of fire to the building.
- Mature trees do not overhang or touch any building.
- Tree canopies are a minimum of 2 - 5 metres away from any building and balconies.
- Bark chips and the like are not present within 2 metres of any building.
- Any trees present have a minimum canopy separation of 2 to 5 metres.
- Any trees present are not species that retain dead material or deposit excessive amounts of ground fuel in a short time.
- Mature tree canopy cover is less than 15% in total area.

6.1 Assessed Bushfire Attack Level

An assessment of the bushfire attack level applicable to the proposed development was carried out using the methodology detailed in Appendix 1 of Planning for Bush Fire Protection (RFS, 2019) and AS3959-2018 determined the newly formed lots (lots 2, 3 and 4) can achieve a minimum BAL-29 bushfire attack level and will be re-addressed upon further development of each allotment.

Existing Dwelling within Proposed Lot 1

The existing dwelling within proposed Lot 1 was constructed prior to the introduction of Planning for Bush Fire Protection 2001 with no apparent construction standard when measured against Australian Standard AS3959-2018 (*Construction of Buildings in Bushfire Prone Areas*), therefore the existing dwelling shall be upgraded to ember attack as outlined below;

- All external open-able windows (including louvers) shall be fitted with corrosive – resistant steel, bronze or aluminium mesh screens with a maximum aperture size of 2.0mm in such a way that the entire opening remains screened when the windows are open.

- External wall breather vents shall be covered with spark guards made from corrosive resistant steel, bronze or aluminium mesh screens with a maximum aperture size of 2.0mm.
- The roof/wall junction shall be sealed either by the use of fascia's and eaves linings, or by sealing the gaps between the rafters with a suitable non-combustible material.
- External side hung hinged doors are to be fitted with draft excluders.
- Areas of the dwelling less than 400m high shall be enclosed to prevent embers from entering.



Figure 8: Photo of existing dwelling to be upgraded for ember attack.

6.2 Electricity Supply

Electricity is currently connected to the property and will be made available to the proposed allotments.

6.3 Adequacy of Water Supply

Reticulated water is available to the property; however fire hydrants are not available. Therefore, a 10,000-litre water supply shall be made available to the existing dwelling and each proposed dwelling within the newly formed lots as follows;

- Tanks for firefighting purposes shall be made of metal or concrete materials;

- Firefighting static water tanks are to be located not less than 5m and not more than 20m away from the dwelling;
- A hardened ground surface for firefighting truck access is to be constructed within 4 metres of the firefighting water supply;
- Unobstructed access to the static water supply to be available at all times;
- A 65mm metal Storz outlet with a gate or ball valve, shall be fitted to any firefighting water supply tank(s) and be accessible to a firefighting truck;
- The gate or ball valve, pipes and tank penetration are adequate for full 50mm inner diameter water flow through the Storz fitting and are constructed of a metal material;
- All associated fittings to the firefighting water supply tank(s) shall be non-combustible;
- All water supplies for firefighting purposes shall be clearly signposted as a firefighting water supply and must be in a fixed position for ease of identification by RFS personnel and other users of the static water supply (SWS). SWS signs can be obtained from the local NSW Rural Fire Service;
- Should underground tank(s) be installed, all delivery water lines shall be installed underground to a minimum depth of three hundred millimetres (300mm), with all points above ground using metal pipes or raisers with a minimum internal diameter of nineteen millimetres (19mm).

7.0 Access and Egress

Access to the existing dwelling is paved and less than 20m directly off Faviell Drive and is a semi-circular shape that allows dual access off Faviell Drive with an appropriate turning area. The access for the newly formed lots 2 and 3 will have a shared right of carriage way from Faviell Drive that extends approximately 98m, and proposed lot 4 will have independent direct access from Faviell Drive extending for approximately 90m.

The access roads shall comply with the following requirements as outlined in the Planning for Bush Fire Protection (RFS, 2019).

- Access roads are two-wheel drive, all weather.
- A minimum carriageway of 4 metres wide.
- A minimum vertical clearance of 4 metres to any overhanging obstructions, including tree branches.
- Capacity of road surfaces and any bridges/causeways are sufficient to carry up to 23 tonnes. Bridges and causeways are to have clearly signed load ratings.
- Property access must provide a suitable turning area in accordance with Planning for Bushfire Protection, 2019 Appendix 3.

- Maximum grades for sealed roads do not exceed 15 degrees and not more than 10 degrees for unsealed roads.
- Curves have a minimum inner radius of 6 metres and are minimal in number to allow for rapid access and egress.
- The maximum distance between inner and outer curves is 6 metres.
- Provide safe access to and from the public road system for firefighters.

8.0 Landscaping

Effective landscape planning within bushfire prone areas can assist with the deflecting and filtering of embers that may adversely impact a building. Careful consideration of landscape species and their location along with on-going maintenance to readily remove flammable fuels (leaf litter, twigs and debris) is critical to providing for bushfire protection (RFS, 2019).

Landscaping within bushfire prone areas shall comply with 6.8.1 of Planning for Bush Fire Protection 2019 and shall be maintained for the life of the development.

All fencing shall be constructed of hardwood or non-combustible materials only. Fencing within 6m of a building or in areas of a BAL-29 or greater shall be non-combustible materials only.

References

Coffs Harbour Council, 2022 Coffs Harbour Council Bushfire Prone Lands Map webpage at: CoffsHarbour Public > General Enquiry (mapimage.net).

Coffs Harbour Council, 2022. Coffs Harbour Council Local Environment Plan webpage at: CoffsHarbour Public > General Enquiry (mapimage.net).

Keith, D., 2004. *Ocean Shores to Desert Dunes*. Department of Environment and Conservation, Sydney.

RFS, 2019. *Planning for Bushfire Protection, New South Wales Rural Fire Service*. NSW, Sydney.

Standards Australia, 2018 *Australian Standard 3959-2018 Construction of Buildings in Bushfire-prone Areas*. Standards Australia, Sydney.

COMMERCIAL IN CONFIDENCE

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DISCLAIMER

This report has been provided to make recommendations as outlined within Planning for Bush Fire Protection 2019 and AS3959-2018 to reduce the impacts and risks of a bush fire threat and does not guarantee the elimination of adverse impacts on assets (buildings) in the event of a bush fire. This report does not provide recommendations for building materials in association of the applicable bushfire attack level.

FOR ILLUSTRATION PURPOSES ONLY

This drawing was prepared by Bushfiresafe (Aus) P/L to demonstrate the vegetation communities surrounding the property and the required asset protection zones and should not be used for any other purpose.

Note: The surrounding lots and vegetation were not surveyed at the time of the assessment and has been assumed from data collected on site and a desktop analysis.

General Notes

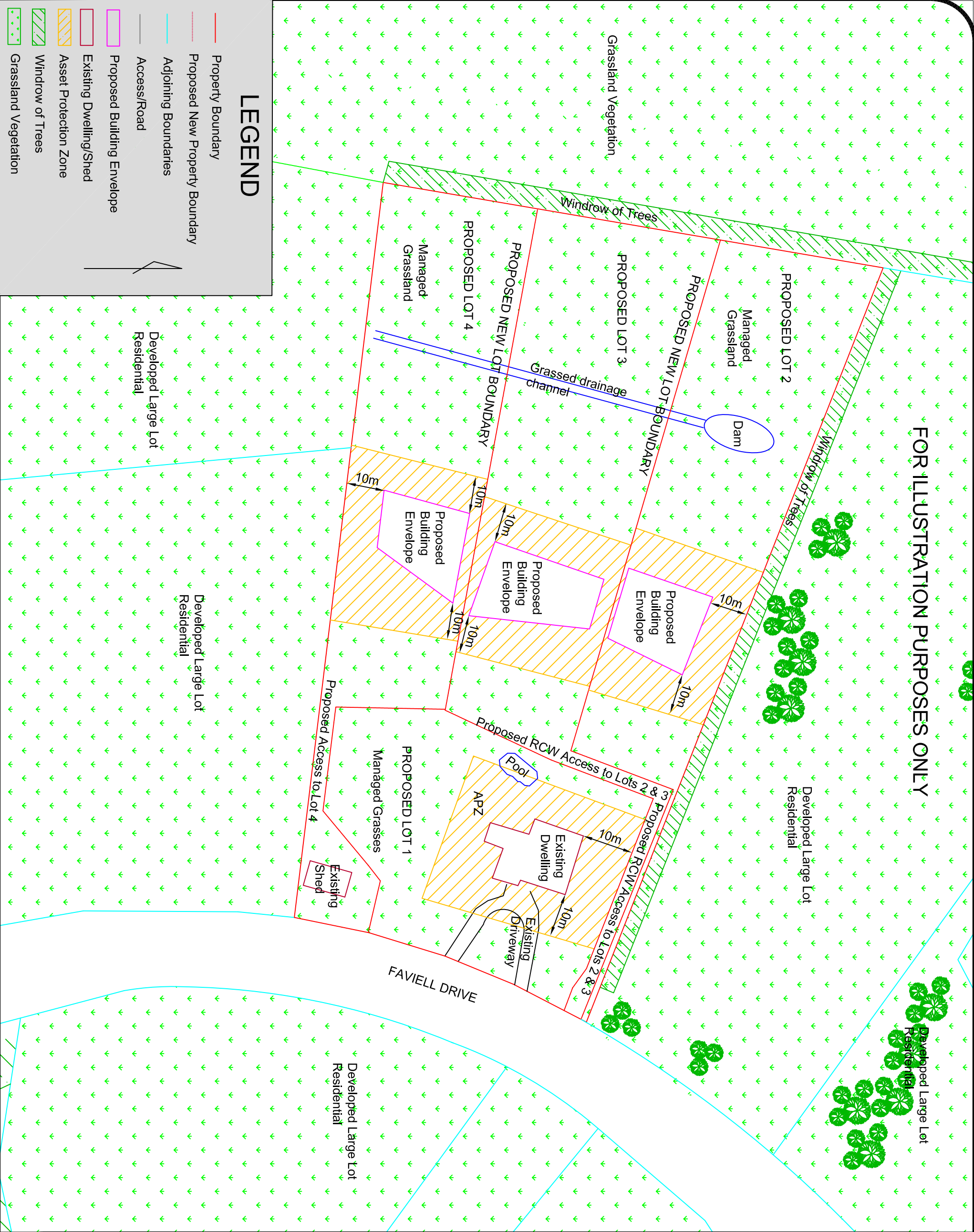
ATTACHMENT 1
ASSET PROTECTION
ZONES &
VEGETATION
COMMUNITIES

Bushfiresafe (Aus) P/L
Mobile: 0428 169 294

CLIENT:
WALKER

Project
BUSHFIRE ASSESSMENT FOR PROPOSED
RE-ZONING AND 4 LOT SUBDIVISION AT
LOT 3 DP260744, 92 FAVIELL DRIVE
BONVILLE

Date: January 2023
Scale: @A3
Re#:
22191



LEGEND

APPENDIX 5 – ECOLOGIST ASSESSMENT



Environmental Consultants

ABN 32 636 391 783

21 Titans Close, Bonville NSW 2450

+61(0)2 66534190; 0428 534190

idyll.spaces@gmail.com

22 August 2024

Geoff Smyth

geoff.smyth@bigpond.com

Re: 0006-23PP - 92 FAVIELL DRIVE, BONVILLE - Request for additional information

Background

Geoff Smyth has engaged Greg Elks to respond to Biodiversity issues raised in Coffs Harbour City Council's letter of 24 June 2024 (ref: DSI 8389880). Those issues are:

- *"A basic assessment by an ecologist is needed to support the claim that the ecological values of the site are largely disturbed.*
- *The Planning Proposal (page 29) states that Chapter 2 (Vegetation in Non-Rural Areas) of the State Environmental Planning Policy (Biodiversity and Conservation) 2021 does not apply to the site as 'None of the Site is declared by a DCP to be prescribed vegetation'. The Development Control Plan 2015 prescribes vegetation if it is either on the prescribed vegetation map or if it is native and over 15m in height or 15cm diameter. This statement can only be made if both statements are true – this should be checked."*

In response, review of CHCC online mapping and a field inspection of the property were undertaken on 22 August 2024. The results are as follows.

Prescribed vegetation - mapping

The Prescribed Vegetation map may or may not show Prescribed Vegetation in the north-western corner of the property, depending on which cadastre is applied. If the LEP 2013 State Cadastre is appropriate with respect to the DCP 2015 Prescribed Vegetation mapping, there is an area of Prescribed Vegetation of approximately 55m² mapped, otherwise there is none (**Attachment 1**).

Prescribed vegetation – field assessment - any native tree with either a height greater than five metres or any part of a trunk that has a diameter greater than 15 centimetres (or a girth greater than 47 cm); and any hollow-bearing tree; and any significant tree

Prescribed vegetation, being a native tree with either a height greater than five metres or any part of a trunk that has a diameter greater than 15 centimetres, is mapped in **Attachment 1** and described in **Table 1**.

No hollow-bearing trees were detected on the property and no significant trees are shown on CHCC mapping of the property.

Are the ecological values of the site largely disturbed?

The ecological values of the site are largely disturbed. Nearly all of the floristic diversity consists of exotic species, which cover at least 90% of the site. The predominant tree species is the invasive exotic Camphor laurel. Of the six native tree species only the two *Eucalyptus* species are truly indigenous to the property, the other four being horticultural introductions. Ground layer vegetation is a closely mown lawn almost entirely of exotic grasses.

With the possible exception of the largest Tallowwood *Eucalyptus microcorys* trees, it appears most likely that the property was cleared of all native vegetation and cultivated for agriculture sometime prior to 1970, as was all of Braford Park, formerly a large mixed farming and beef stud enterprise (G. Elks pers. obs.).

The only habitat feature is the pond, which appears to have been a drainage depression that has been dammed and excavated. Other habitat features such as rocky areas, large, old or hollow trees, large woody debris, dense understorey vegetation and litter layer are all absent.

Table 1. Prescribed vegetation detected on the property

Tree #	Botanical name	approx. stem dia. (cm)
1	<i>Castanospermum australe</i>	60
2	<i>Syzygium luehmanii</i>	55
3	<i>Grevillea robusta</i>	35
4	<i>Grevillea robusta</i>	45
5	<i>Eucalyptus grandis</i>	70
6	<i>Eucalyptus microcorys</i>	45
7	<i>Eucalyptus microcorys</i>	45
8	<i>Eucalyptus microcorys</i>	30
9	<i>Eucalyptus microcorys</i>	20
10	<i>Eucalyptus microcorys</i>	75
11	<i>Eucalyptus microcorys</i>	35
12	<i>Eucalyptus microcorys</i>	65
13	<i>Eucalyptus microcorys</i>	35
14	<i>Eucalyptus microcorys</i>	15
15	<i>Eucalyptus microcorys</i>	25
16	<i>Eucalyptus microcorys</i>	20
17	<i>Eucalyptus microcorys</i>	30
18	<i>Eucalyptus microcorys</i>	70
19	<i>Eucalyptus microcorys</i>	95
20	<i>Melicope elleryana</i>	30
21	<i>Melicope elleryana</i>	25
22	<i>Melicope elleryana</i>	20

Attachment: Prescribed Vegetation Map

G N Elks BSc MLitt.MECA Botanist and Plant Ecologist



Attachment 1. Prescribed vegetation map



APPENDIX 6 – ENGINEERING REPORT

JS



Kevin and Gai Walker

Engineering Issues Report

92 Faviell Drive, Bonville

3 March 2023

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Project No.	210801
Author	JS
Checked	IP
Approved	JS

Rev No.	Status	Date	Comments
1	For approval	3/03/2023	

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Table of Contents

1	Introduction	4
2	Existing Conditions	5
2.1	Site Location.....	5
2.2	Existing Road Conditions.....	6
3	Proposed Development	7
3.1	Development Description	7
3.2	Access.....	7
3.2.1	Existing.....	7
3.2.2	Proposed.....	8
3.3	Service Vehicles.....	8
3.3.3	Waste	8
3.3.4	RFS.....	9
4	Traffic Assessment	10
4.1	Traffic Generation	10
4.2	Sight Distance	10
5	Conclusion/Recommendations.....	12
6	References.....	13

Attachment A – General Arrangement Plan

1 Introduction

Barker Ryan Stewart have been engaged by Kevin and Gai Walker to prepare an engineering Report to accompany a Planning Proposal Application for a 4 lot rural subdivision on Faviell Drive, Bonville.

The purpose of this report is to assess and address traffic and access impacts generated by the proposed development. This can be briefly outlined as follows:

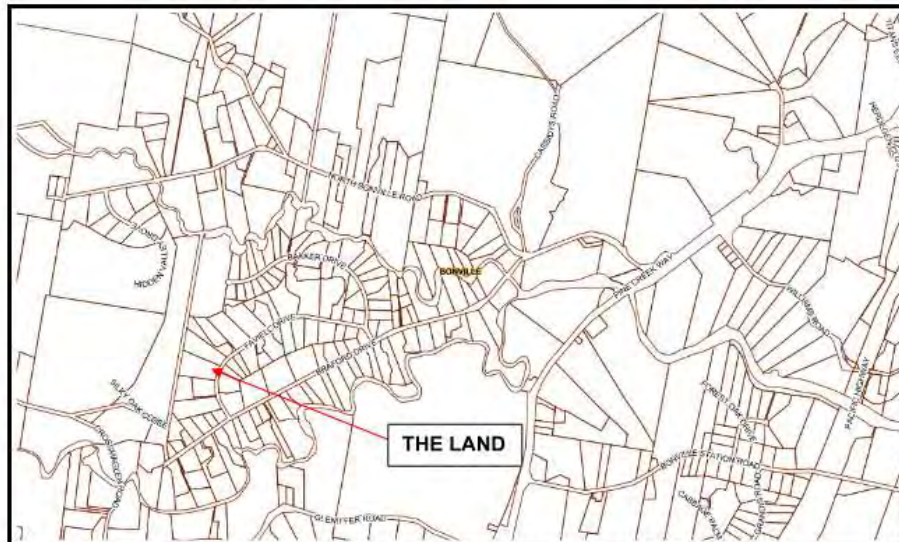
- The expected traffic generation to/from the proposed development.
- The impact of the proposed development on the surrounding road network.
- Access design requirements.
- Delivery and Waste Collection.
- RFS requirements for access

This Engineering Report concludes that the subject site is suitable for the proposed development in relation to traffic impact, access and safety considerations.

2 Existing Conditions

2.1 Site Location

The subject land has an area of 2.039 hectares and is zoned R5 Large Lot Residential. A Locality Plan and aerial photo of the land are shown below. The land is in a long-established Large Lot Residential precinct. The subject land is easily accessible by using the existing road network which connects to Braford Drive, and then to the Pine Creek Road and then to the Pacific Highway. It is in proximity to existing shops and services at Toormina, primary/secondary schools (public and private), and Coffs Harbour Health Campus.



Source: Coffs Harbour City Council 2023

Figure 1 - Site Location



Source: Coffs Harbour City Council, 2023

Figure 2 - Site Location

2.2 Existing Road Conditions

Faviell drive is a rural residential street under the care and control of Coffs Harbour City Council. It provides access to residents off Bradford Drive. It has a rural road formation with 5.5m wide travel lanes and 1 metre wide gravel shoulders. The posted speed limit is 50km/h.

3 Proposed Development

3.1 Development Description

The objective of this planning proposal is to amend the CHLEP 2013 to provide for the subdivision of the land, Lot 8 DP 260744, 92 Faviell Drive, Bonville, for large lot residential purposes.

3.2 Access

3.2.1 Existing

Access to the existing property is via 3 driveway crossings to Faviell drive.

- Crossing 1 is to access the existing shed onsite.
- Crossing 2 is the entry driveway to the existing dwelling.
- Crossing 3 is the exit driveway from the existing dwelling.

The figure below shows the existing site access points.



Figure 3 - Existing Access Points

3.2.2 Proposed

The proposed access to the property once the subdivision has occurred will not increase the number of access points to Faviell Drive.

The proposed subdivision access points are shown in Figure 3.1 below.

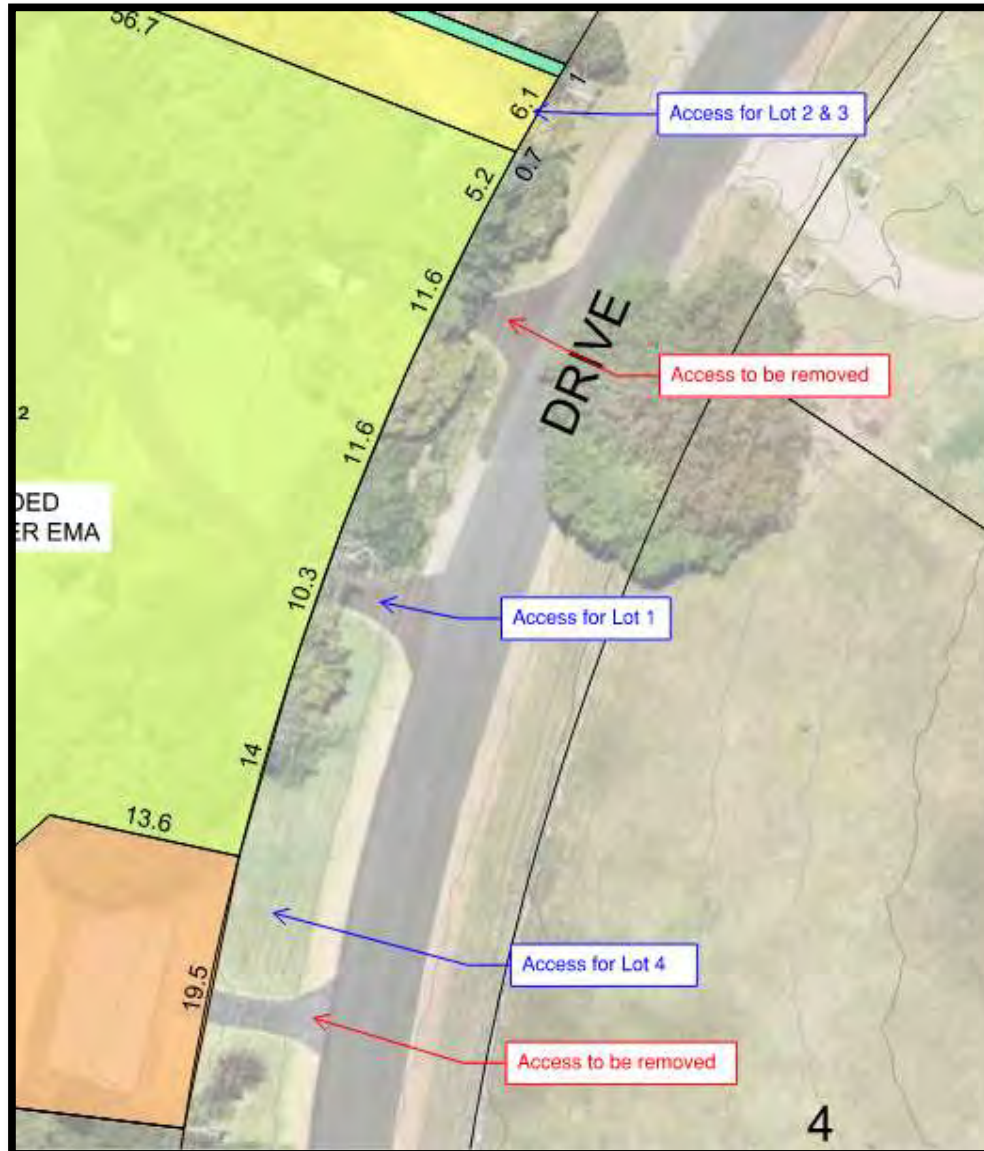


Figure 4 - Proposed Access Points

3.3 Service Vehicles

3.3.3 Waste

Residential Waste will be collected by Council's Residential Waste Services contractor. Waste collection vehicles will service the subdivision from Faviell Drive.

3.3.4 RFS

As per the Bushfire Assessment report, access and egress will be in accordance with the requirements of PFBF 2019. Access driveways to all lots will comply with the following at a minimum:

- Access roads are two-wheel drive, all weather.
- A minimum carriageway of 4 metres wide.
- A minimum vertical clearance of 4 metres to any overhanging obstructions, including tree branches.
- Capacity of road surfaces and any bridges/causeways are sufficient to carry up to 23 tonnes. Bridges and causeways are to have clearly signed load ratings.
- Property access must provide a suitable turning area in accordance with Planning for Bushfire Protection, 2019 Appendix 3.

4 Traffic Assessment

4.1 Traffic Generation

The TfNSW Technical Direction TDT 2013/04a 'Guide to Traffic Generating Developments, Updated Traffic Surveys' provides the following trip generation rates for residential dwellings:

- Daily vehicle trips = 7.4 per dwelling in regional areas; and
- Weekday average peak hour vehicle trips = a maximum of 0.9 trips per dwelling in regional areas.

Existing Development

The existing development contains a single dwelling that fronts Faviell Drive.

The existing trip generation is therefore:

- 1 x 7.4 daily vehicle trips = 8 trips; and
- 1 x 0.9 peak hour trips = 1 trip

Proposed Development

The expected trip generation for the proposed 4 lot subdivision will be:

- 4 x 7.4 daily vehicle trips = 29.6 (30 trips); and
- 4 x 0.9 peak hour trips = 3.6 (4 trips).

Total peak hour trips generated along Faviell Road will therefore be 4 (3 trips generated by the proposed subdivision plus 1 trip generated by the existing property).

Faviell drive is defined as a rural residential road that has a maximum traffic capacity of 400 vehicles per day. With only approximately 40 properties fronting the road, it is evident that the capacity of Faviell Drive will not be exceeded with the addition of 3 residential lots.

4.2 Sight Distance

AS2890 provides information on sight distance for domestic driveways. Figure 3.2 of AS2890 states that for a 50km/hr frontage road the minimum sight distance requirement is 40m. Figure 5-6-7 below shows the minimum sight distances can easily be achieved at each access point to the proposed subdivision.



Figure 5 - Sight Distance - Lot 2/3

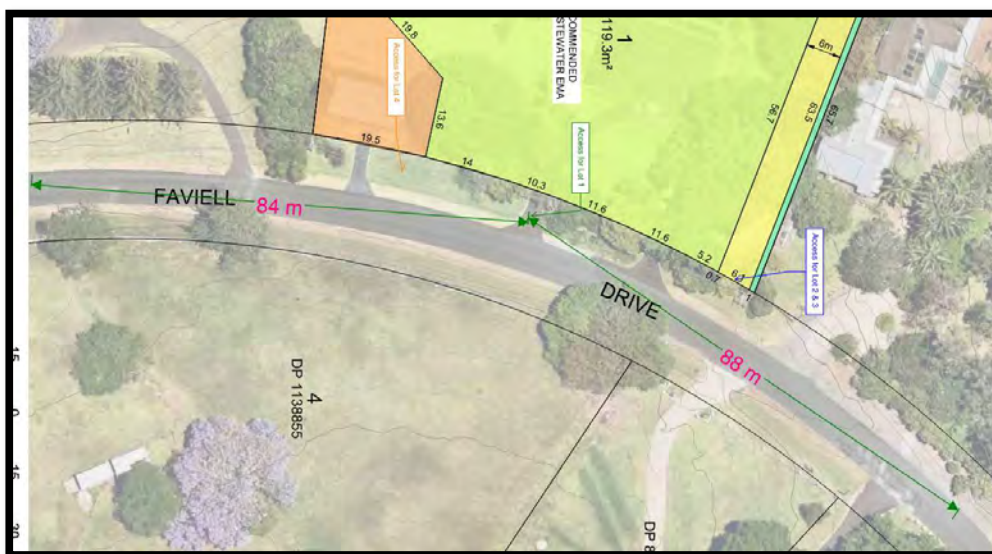


Figure 6 - Sight Distance - Lot 1

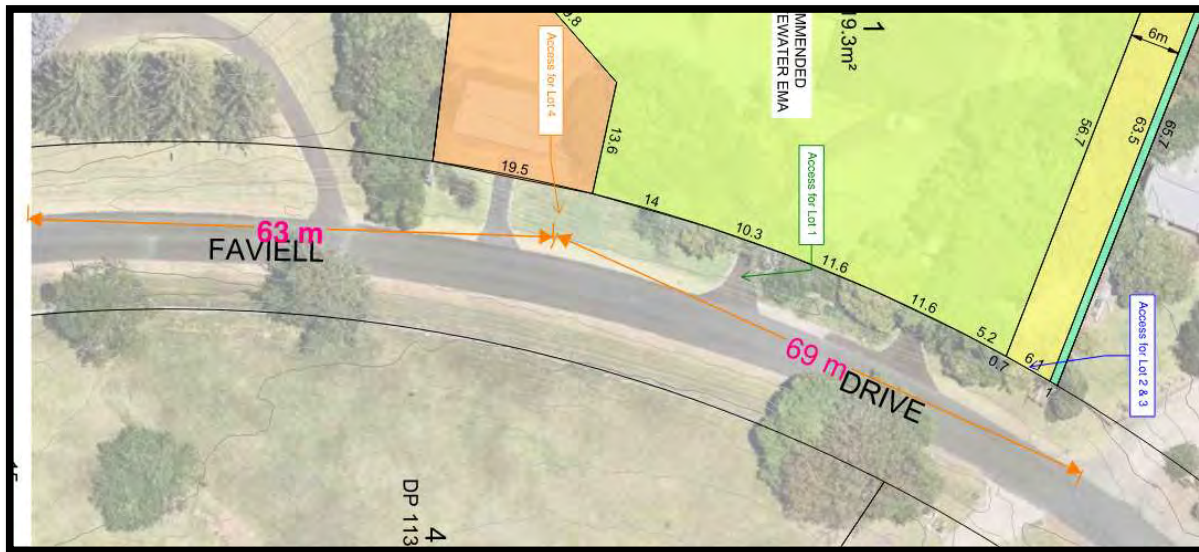


Figure 7 - Sight Distance - Lot 4

5 Conclusion/Recommendations

This engineering report has been prepared in accordance with the requirements of the Coffs Harbour City Council DCP and the Transport for NSW (TFNSW) 'Guide to Traffic Generating Developments' to accompany a Planning proposal for a 4- lot rural subdivision.

Access to the subdivision will be gained from Faviell Drive at three locations across the lot frontage. Sight distance assessments demonstrate that the design of the driveway access points meet all AS2890 sight distance requirements for a design speed of 50km/h.

The proposed subdivision will generate an additional 22 daily vehicle trips and 3 peak hour trips onto Faviell Drive. The additional 22 daily trips will not cause any significant impacts on Faviell drive.

The engineering report concludes that the subject site is suitable for the proposed development in relation to the impact of access, traffic impacts and safety considerations.

6 References

Austroads '*Guide to Traffic Management Part 6: Intersections, Interchanges and Crossings.*'

Roads and Maritime Services, Technical Direction TDT 2013/04a '*Guide to Traffic Generating Developments, Updated Traffic Surveys*'

NSW Department of Planning, '*SEPP (Infrastructure) 2007*'

Coffs Harbour City Council's DCP 2015

Attachment A - General Arrangement Plan



PLAN
SCALE 1:750



REV	AMENDMENT	ISSUED	DATE
A	PRELIMINARY	SB	23/02/2023



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HUNTER
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mail@brs.com.au
ABN: 26 134 067 842
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Client:

92 FAVIELL DRIVE, BONVILLE
CONCEPT LOT LAYOUT

SITE LAYOUT

Designed: JS
Drawn: RG
Checked: JS

Scales: Plan 1:750
@A1 Horiz. -
Vert. -
X-Sect. -

Datum: A.H.D.

Plan No.
210801-SK-001
File Ref.
210801
REV.
A

APPENDIX 7 – CONCEPT SUBDIVISION LAYOUT



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

APPENDIX 8 – AHIMS SEARCH



AHIMS Web Services (AWS)

Search Result

Your Ref/PO Number : Smyth

Client Service ID : 754943

Keiley Hunter

Date: 21 February 2023

115 Victoria

Coffs Harbour New South Wales 2450

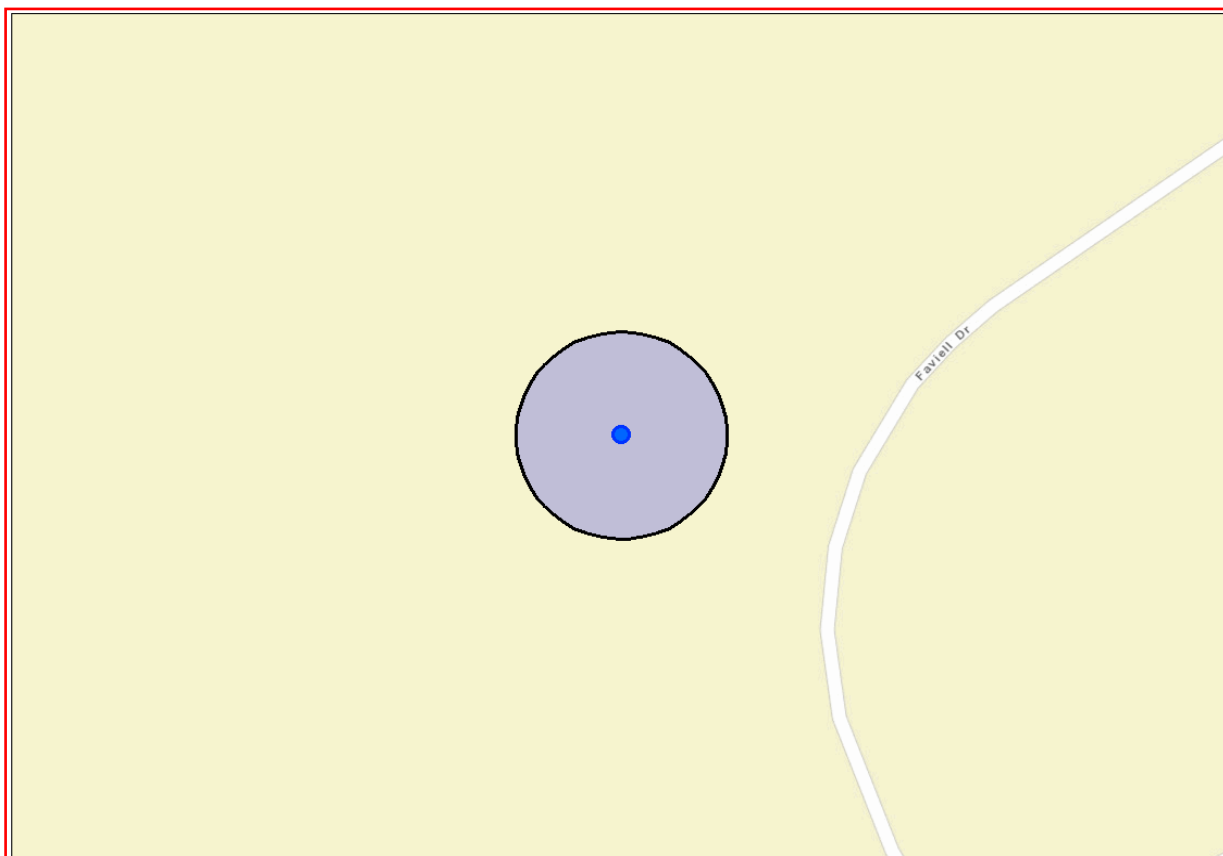
Attention: Keiley Hunter

Email: keiley@keileyhunter.com.au

Dear Sir or Madam:

AHIMS Web Service search for the following area at Address : 92 FAVIELL DRIVE BONVILLE 2450 with a Buffer of 50 meters, conducted by Keiley Hunter on 21 February 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 \(https://www.legislation.nsw.gov.au/gazette\)](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.
- This search can form part of your due diligence and remains valid for 12 months.