



PLANNING PROPOSAL

CITY OF COFFS HARBOUR

Five Year Comprehensive Review Coffs Harbour Local Environmental Plan 2013 Part 2

**November 2025
VERSION 2 Exhibition**

PLANNING PROPOSAL STATUS

Stage / Version	Date (blank until achieved)
Reported to Council – Initiate s3.33 Version 1 - Pre_Exhibition	28 August 2025
Referred to DPHI s3.34(1) Version 1 - Pre_Exhibition	2 September 2025
Gateway Determination s3.34(2) Version 1 - Pre_Exhibition	29 September 2025
Amendments Required:	Yes
Public Exhibition – Schedule 1 Clause 4 Version 2 - Exhibition	11 November – 22 December 2025
Reported to Council – Initiate Revised PP s3.33 Version x - Re_Exhibition	
Revised PP Sent to the Minister - s3.35(1) Version x - Re_Exhibition	
Altered Gateway Determination s3.34(2) Version x - Re_Exhibition	
Public Exhibition – Schedule 1 Clause 4 Version x - Re_Exhibition	
Reported to Council – Endorsement (or Making of LEP if delegated) s3.36 Version x - Post Exhibition	
Endorsed by Council for Submission to Minister for Notification (or Making where not delegated) s3.36(2) Version x – Post Exhibition	

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EXECUTIVE SUMMARY & EXHIBITION INFORMATION

What is a Planning Proposal?

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

A planning proposal assists those who are responsible for deciding whether an LEP amendment should proceed and is required to be prepared by a relevant planning authority. Council, as a relevant planning authority, is responsible for ensuring that the information contained within a planning proposal is accurate and accords with the *Environmental Planning and Assessment Act 1979* and the NSW Department of Planning, Housing and Infrastructure's *Local Environmental Plan Making Guideline 2023*.

What is the Intent of this Planning Proposal?

The intent of this Planning Proposal is to progress amendments to Coffs Harbour LEP 2013 that have been identified as part of a five-year comprehensive review of the plan. Section 3.21(1) of the *Environmental Planning and Assessment Act (the Act) 1979* requires Councils to undertake regular and periodic reviews of their local environmental plans to ensure they are up to date and consistent with changing requirements of the Act to the maximum extent possible. Section 3.21(2) of the Act requires that a comprehensive review occurs every 5 years. This planning proposal progresses the second round of amendments identified as part of the five-year comprehensive LEP review, with subsequent planning proposals to follow to capture the remaining amendments identified as part of the review.

Public Exhibition

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

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

Any questions, contact:
Joseph Kirwood on 02 6648 4628
or email joseph.kirwood@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	Five Year Comprehensive Review of Coffs Harbour LEP 2013 Part 2
Property Details	Coffs Harbour Local Government Area
Current Land Use Zone(s)	Various
Proponent	City of Coffs Harbour
Landowner	Various
Location	Coffs Harbour Local Government Area

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 implement items identified as part of the five-year comprehensive review of this plan.

The comprehensive review identified a total of sixteen amendments required or proposed to Coffs Harbour LEP 2013. Four amendments were implemented by Coffs Harbour Local Environmental Plan 2013 - Amendment No. 31, which was notified on 11 February 2022. This planning proposal progresses the second round of amendments identified as part of this review and comprises five of the remaining twelve amendments. Subsequent planning proposals will be prepared to progress the amendment items 5, 16 and 28 as resourcing becomes available. Amendment items 4, 7, 10 and 11 have been determined to have been completed or are no longer required.

This planning proposal includes amendments to ensure that Coffs Harbour LEP 2013 aligns with updates to the Environmental Planning and Assessment Act 1979 and endorsed state and local strategic policy positions (i.e. the North Coast Regional Plan 2041, Coffs Harbour Local Growth Management Strategy 2020 and Coffs Harbour Local Strategic Planning Statement 2020).

The proposed amendments relate to the revised permissibility of certain land uses within Zone R5 Large Lot Residential and changes to the erection of dual occupancies (detached) in Zone RU2 clause; amendment to the boundary adjustment clause on land in certain rural, residential and environment protection zones; amendment to the additional local provision clause that applies to Bark Hut Road and Newmans Road, Woolgoolga; the introduction of a new item within Schedule 2 Exempt Development for water storage facilities (dams); and the amendment to the additional local provisions clauses for Terrestrial Biodiversity and Koala Habitat to note the pertaining areas as environmentally sensitive land and ecologically sensitive area, respectively.

The Site

This planning proposal relates to the revised permissibility of certain land uses within Zone R5 Large Lot Residential, as well as various clauses that apply to the entire Coffs Harbour Local Government Area (LGA). In this regard, the planning proposal does not apply to any one particular site.

PART 1 – OBJECTIVES OR INTENDED OUTCOMES

The objective of this planning proposal is to amend Coffs Harbour LEP 2013 to address five issues that have been identified as part of the City's five-year comprehensive review. Amendments detailed in Part 2 are intended to:

- Protect the character and integrity of Zone R5 Large Lot Residential by prohibiting inconsistent land uses,
- Facilitate housing diversity by permitting dual occupancies (detached) in Zone R5 Large Lot Residential,
- Allow for the construction of dual occupancies (detached) within Zone RU2 Rural Landscape and Zone R5 Large Lot Residential to be more than 50 metres away from each other, as the standard has been consistently varied,
- Permit a wider variety of boundary alterations within certain zones, which shall not create opportunities for additional dwellings and do not have negative impacts on agricultural viability or the environment,
- Replace the existing Key Sites clause pertaining to land at Woolgoolga with a generalised clause which facilitates appropriate design outcomes of visually prominent or otherwise valued sites within and near the Coffs Harbour City Centre,
- Allow landowners in Zone RU2 Rural Landscape to construct farm dams as exempt development, where criteria are met that limit environmental impacts, and
- Protect land identified as Terrestrial Biodiversity and as Koala Habitat identified by the City's Koala Plan of Management from complying development.

PART 2 – EXPLANATION OF PROVISIONS

Note: new and/or amended text is shown in red font.

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

- Amendment to the Land Use Table for Zone R5 Large Lot Residential to; align with the objectives of the zone, the relevant directions and actions of the North Coast Regional Plan 2051, and endorsed strategic policy positions of the City:

The intent of this amendment is to prohibit animal boarding or training establishments, camping grounds and self-storage units, and to permit with consent detached dual occupancies within Zone R5 Large Lot Residential.

The proposed prohibition of animal boarding or training establishments is supported by Chapter 6 of the City's Local Growth Management Strategy. It is considered that a typical large lot residential lot is not conducive to animal boarding or training establishments, as they require both sufficient space for a structure, open area and substantial buffer distances to reduce noise impacts upon neighbours. Animal boarding or training establishments shall remain as a permitted with consent land use within Zone RU2 Rural Landscape, where land use conflict can be managed more effectively.

The proposed prohibition of camping grounds aligns with the objectives of Zone R5 Large Lot Residential. The primary purpose of the zone (objective point one) is to provide residential housing in a rural setting while preserving, and minimising impacts on, environmentally

sensitive locations and scenic quality. The key characteristics of camping grounds are that they require communal amenities on site and are used for the short term placement of various temporary accommodation structures or vehicles. Camping grounds are not a type of residential accommodation and have the potential to pose adverse impacts on rural residential character. Camping grounds shall remain as a permitted with consent land use within Zone RU2 Rural Landscape, where rural economic development and small-scale tourism and visitor destination opportunities are encouraged.

The proposed prohibition of self-storage units aligns with the objectives of Zone R5 Large Lot Residential. Self-storage units typically incorporate a building design that does not address the street, with front entryways not generally parallel with the street; or incorporate a modulation of building form typically including large lengths of unarticulated facades often with tall facades that include minimal window and door openings. No architectural enhancements are added to create visual interest and reduce bulk and scaling of the building. Articulation enhancements such as pitched or hip roofs, pergolas, decks and portico entrances are typical to residential development and are important architectural design features that add to the character of the area. As such, self-storage units pose a significant departure from rural residential character and represent an undesirable commercial land use within the zone.

The proposed permission of detached dual occupancies is consistent with the intent of Zone R5 Large Lot Residential being, the provision of rural residential housing. Attached dual occupancies are permitted with consent under Coffs Harbour LEP 2013 and as such, the amendment to allow detached dual occupancies as permitted with consent shall not result in increased residential density within the zone. The proposed change is accompanied by an amendment to Clause 4.2E, to ensure that any detached dual occupancies are sited appropriately on land no less than 8,000m². This is supported by previous studies conducted for Chapter 6 of the City's Local Growth Management Strategy, which determined that a minimum area of 4,000m² is recommended per residential dwelling to accommodate on-site wastewater disposal. Detached dual occupancies within Zone R5 Large Lot Residential shall expand options for rural residential development, while not compromising the valued character of the zone.

- Zone R5 Large Lot Residential

- 2 Permitted without consent
Building identification signs; Extensive agriculture; Home-based child care; Home occupations
- 3 Permitted with consent
~~Animal boarding or training establishments~~; Bed and breakfast accommodation; Bee keeping; Boat launching ramps; Business identification signs; ~~Camping grounds~~; Cellar door premises; Centre-based child care facilities; Community facilities; Dual occupancies (~~attached~~); Dwelling houses; Eco-tourist facilities; Emergency services facilities; Entertainment facilities; Environmental facilities; Environmental protection works; Farm buildings; Farm stay accommodation; Flood mitigation works; Group homes; Home businesses; Home industries; Horticulture; Information and education facilities; Jetties; Kiosks; Neighbourhood shops; Oyster aquaculture; Places of public worship; Pond-based aquaculture; Recreation areas; Recreation facilities (indoor); Recreation facilities (outdoor); Research stations; Respite day care centres; Restaurants or cafes; Roads;

- Roadside stalls; ~~Self-storage units~~; Tank-based aquaculture; Veterinary hospitals; Water recreation structures; Water storage facilities
- 4 Prohibited
- Any development not specified in item 2 or 3

- Amendment to Clause 4.2E Erection of dual occupancies (detached) in Zone RU2 to; ensure that the provided standards apply to dual occupancies (detached) within Zone R5 Large Lot Residential, remove requirement (2)(c) for dwellings to be situated within 50 metres of each other as the standard has consistently varied by the City in development approvals, and ensure that development does not compromise native flora or fauna, or water quality:

The intent of this amendment is to update the requirements for detached dual occupancies within Zone RU2 Rural Landscape, and Zone R5 Large Lot Residential (as proposed by the above amendment to the associated land use table). The updated requirements shall allow dual occupancies to be located over 50 metres away from each other but shall also ensure that a lot is physically suitable for the development.

- 4.2E Erection of dual occupancies (detached) ~~in Zone RU2 on land in certain rural and residential zones~~
- (1) The objectives of this clause are as follows—
 - (a) to ensure that development is of a scale and nature that is compatible with the ~~intended land uses primary production potential~~, rural character and environmental capabilities of the land,
 - (b) to ensure that development consent is only granted to development for the purposes of a dual occupancy (detached) if issues such as access, siting, land suitability and potential impacts are addressed,
 - (c) to ensure that dual occupancies (detached) are located so as to share services and retain opportunities for agriculture on ~~rural the remaining~~ land.
- (2) ~~This clause applies to land in the following zones—~~
 - (a) Zone RU2 Rural Landscape,
 - (b) Zone R5 Large Lot Residential.
- (3) Development consent must not be granted to development for the purpose of a dual occupancy (detached) on land ~~to which this clause applies in Zone RU2 Rural Landscape~~ unless the consent authority is satisfied that—
 - (a) the development will not impair the use of the land (or adjacent land) for agriculture or rural industries, and
 - ~~(b) each dwelling will use the same vehicular access to and from a public road, and~~
 - ~~(c) any dwellings will be situated within 50 metres of each other, and~~
 - (d) the land is physically suitable for the development, and
 - (e) the land is capable of accommodating the on-site disposal and management of sewage for the development, and
 - (f) the development will not have an adverse impact on the scenic amenity or character of the rural environment, ~~and~~
 - (g) the development will not have an adverse impact on native flora or fauna or on water quality.
- (4) Development consent must not be granted to development for the purposes of a dual occupancy (detached) on land in Zone RU2 Rural Landscape unless the consent authority is satisfied that each dwelling will use the same vehicular access to and from a public road.

- (5) Development consent must not be granted to development for the purposes of a dual occupancy (detached) on land in Zone RU2 Rural Landscape unless development consent for the erection of a dwelling house on that land may be granted in accordance with clause 4.2B.
- (6) Development consent must not be granted to development for the purposes of a dual occupancy (detached) on a lot in Zone R5 Large Lot Residential unless the area of the lot is at least 8000 square metres.
- Replace Clause 4.2D Boundary Adjustments of land in certain rural, residential and environmental protection zones with a new clause, Clause 4.2 Boundary changes between lots in certain rural, residential and conservation zones.

The amendment has been included as a response to the interpretation of existing provisions by the Land and Environment Court in relation to “boundary adjustments”. Currently, the City requires development applications under this clause to evidence that the proposed boundary adjustment and lot configuration bears resemblance to the existing lots, and/or proposes a boundary alteration by correction or regularisation, and/or shall render the use of the land feasible or more practical. The amendment shall allow for boundary changes that result in reconfiguration that does not align with previous lot boundaries, or that are considered to be major. The intent of the amendment is to allow for more flexible boundary alterations, particularly to improve the efficiency of agriculture land uses.

- 4.2D Boundary changes between lots in certain rural, residential and conservation zones
 - (1) The objective of this clause is to permit the boundary between 2 or more lots to be altered in certain circumstances to give landowners a greater opportunity to achieve the objectives for development in a zone.
 - (2) This clause applies to land in the following zones—
 - (a) Zone RU2 Rural Landscape,
 - (b) Zone R5 Large Lot Residential,
 - (c) Zone C2 Environmental Conservation,
 - (d) Zone C3 Environmental Management.
 - (3) Despite clause 4.1 (3), development consent may be granted to the subdivision of 2 or more adjoining lots on land to which this clause applies if the subdivision will not result in—
 - (a) an increase in the number of lots, or
 - (b) an increase in the number of dwellings on, or dwellings that may be erected on, any of the lots.
 - (4) In determining whether to grant development consent to the subdivision of land under this clause, the consent authority must consider the following—
 - (a) the existing uses and approved uses of land in the surrounding area,
 - (b) whether the subdivision is likely to have a significant impact on the predominant land uses in the area,
 - (c) whether the subdivision is likely to be incompatible with a use referred to in paragraph (a) or (b),
 - (d) whether the subdivision is likely to be incompatible with a use on land in an adjoining zone,
 - (e) measures to avoid or minimize an incompatibility referred to in paragraph (c) or (d),
 - (f) whether the subdivision is appropriate having regard to the natural and physical constraints affecting the land,

- (g) whether the subdivision is likely to have an adverse impact on the environmental values, scenic values, or agricultural viability of the land.
 - (5) Before granting consent to development to which this clause applies the consent authority must be satisfied that the subdivision will not compromise the continued protection and long-term maintenance of any land in Zone C2 Environmental Conservation or Zone C3 Environmental Management.
 - (6) This clause does not apply—
 - (a) to the subdivision of individual lots in a strata plan or community title scheme, or
 - (b) to a subdivision if the subdivision would create a lot that could itself be subdivided in accordance with clause 4.1.
- Replace Clause 7.19 Development on certain land at Bark Hut Road and Newmans Road, Woolgoolga with a new clause, Clause 7.19 Development on Key Sites. Map amendments to the Key Sites Map are shown in Part 4 (mapping) of this planning proposal.

The intent of this amendment is to delete the Key Sites clause, as it applies to land at Bark Hut Road and Newmans Road, Woolgoolga, as a development control plan has now been prepared for the area. Part G14.1 Woolgoolga North West of Coffs Harbour Development Control Plan 2015 is now in effect, and as such the provisions of Clause 7.19 of Coffs Harbour LEP 2013 are no longer required.

The amendment also proposes the replacement of the Key Sites clause with a general clause applying to sites within the Coffs Harbour City Centre, at the intersection of Bray Street and the Pacific Highway, and in proximity to the Albany Street and Hogbin Drive round-a-bout. The identified sites have been determined to have strategic merit as follows:

20 Moonee Street, Coffs Harbour

The site is identified within the City Centre Masterplan. In accordance with the masterplan, redevelopment of the site should retain a public connection between Lyster Street and the Pacific Highway. Inclusion of this site as Key Site shall ensure that mid-block pedestrian connectivity is provided as part of any redevelopment, which shall improve legibility, access and safety for both residents and visitors to the City Centre.

58 Grafton Street, 41 Moonee Street, 144-148 West High Street, 150 West High Street, 152 West High Street and 152A West High Street, Coffs Harbour

The site is located within the 'Eat, Beat, Sleep Precinct' described by the City Centre Masterplan as having a food, drink and motel focus. The site adjoins intersections with the City Centre's main street Harbour Drive as well as Park Avenue. The site is zoned E2 Commercial Centre and has a maximum building height of 40 metres. Existing development includes a variety of business and retail premises, a telecommunications facility (operated by Telstra) and a vehicle repair station. Although the built form of the existing development varies, much of the existing development is one storey, lacks building articulation and/or includes car parking within direct view of the public streetscape. The inclusion of the site as a Key Site shall ensure that future redevelopment contributes to a vibrant, safe and accessible streetscape at the southern entry into the City Centre.

32 Gordon Street, Coffs Harbour

The site is identified within the City Centre Masterplan. In accordance with Appendix 3 Library Gallery Precinct Analysis, redevelopment of the site should create a public connection between Gordon Street, Duke Street Lane, and Duke Street. A public connection in this location shall improve pedestrian permeability and provide direct access to the public car park at 22 Duke Street, Coffs Harbour. The inclusion of the site as a Key Site aligns with the strategy outlined by the masterplan to encourage the utilisation of parking spaces on the City Centre fringe for long-term parking, in combination with promoting modal shifts to cycling and public transport to reduce parking demand.

City Hill Drive, Coffs Harbour

The site was identified on the superseded Key Sites Map under Coffs Harbour City Centre Local Environmental Plan 2011. Under Clause 6.11 Design Excellence of the superseded plan, development consent could not be granted for development having a capital value of more than \$5,000,000 on land identified as a “Key Site” unless an architectural design competition consistent with the Design Excellence Guidelines had been held in relation to the proposed development. In addition, development consent could not be granted for partial development of a “Key Site” unless a master plan had been prepared and approved for the whole site. The provisions were not retained when the plan was repealed and replaced with Coffs Harbour Local Environmental Plan 2013.

The site is zoned SP2 Infrastructure (Community Facilities), C2 Environmental Conservation and R3 Medium Density Residential. It is noted that a portion of the site is affected by a covenant with the Commonwealth of Australia restricting the use of the land to either cultural or civic purposes or associated tourist purposes. The residential portion of the site has frontage to Hogbin Drive, an arterial road that connects Park Beach, north of the City Centre, to Toormina to the south. Coffs Harbour Racecourse, the Coffs Harbour Golf Club and the Coffs Harbour Airport are all located within direct proximity to the site. The site represents an opportunity to improve housing diversity and cater to a growing population. The inclusion of the site as a Key Site shall ensure that development of the site connects with the surrounding context.

2 Bray Street, 2A Bray Street, 4 Bray Street, 4A Bray Street, 6 Bray Street, 6A Bray Street and 8 Bray Street, Coffs Harbour

Like the above mentioned site, this site was also identified on the superseded Key Sites Map under Coffs Harbour City Centre Local Environmental Plan 2011.

The site is zoned E3 Productivity Support, where existing development includes a variety of commercial premises. Additional permitted uses under clauses 3 and 23 of Schedule 1 of Coffs Harbour LEP 2013 are permitted with development consent.

The site is located at a key intersection of the Pacific Highway, Bray Street and Orlando Street. Access to the site and the associated lots is limited to a singular access point on Bray Street. Due to the existing access arrangement, there are internal traffic congestion and . The inclusion of the site as a Key Site shall ensure that redevelopment considers and provides safe access points, for both motor vehicles and pedestrians. The site is visually prominent in this location and should be designed appropriately to prevent land use conflict with adjoining residential areas.

- 7.19 Development on Key Sites

- (1) The objectives of this clause are—
 - (a) to ensure that development creates a focal point and adds visual interest to the streetscape.
 - (b) to ensure that development provides for improved pedestrian links, connectivity and the provision of a safe public domain.
 - (c) to ensure that development is designed for human scale.
- (2) This clause applies to development on land identified as “Key Sites” on the *Key Sites Map*.
- (3) Development consent must not be granted for development on land to which this clause applies unless the consent authority is satisfied that the development has been designed to:
 - (a) provide for cohesive and unified development of the site.
 - (b) incorporate special architectural emphasis and address street frontages.
 - (c) provide for a two-storey building height at street level with taller parts of the building set back to achieve human scale.
 - (d) provide mid-block pedestrian connectivity in accordance with Coffs Harbour Development Control Plan 2015.
 - (e) ensure that active street frontages provide for continuous awnings.
 - (f) ensure that no blank or opaque walls are provided on any street elevation.
 - (g) ensure that vehicle access and driveways are not provided from primary road frontages.
 - (h) ensure that on-site parking areas are not visible from the primary street frontage.
- (4) Subclause (3) does not apply to development that is of a minor nature only, if the consent authority is satisfied that the development is consistent with the objectives of the zone in which the development is to be carried out and will not compromise the cohesive and unified development of the site.

- Amendment to Schedule 2 Exempt Development adding ‘Dams in Zone RU2’ in alphabetical order:

The intent of this amendment is to allow rural landowners to construct low impact dams (water storage facilities) without the need for development approval. The amendment has been prepared in alignment with Chapter 5 Rural Lands of Coffs Harbour Local Growth Management Strategy 2020, which includes an action to “Amend Coffs Harbour LEP 2013 to include exempt provisions for ‘water storage facilities’ (dams) within Zone RU2 Rural Landscape”.

The amendment applies to all land zoned RU2 Rural Landscape and as such it shall affect land that is within the flood planning area. Low impact dams that meet the proposed exempt development criteria are unlikely to significantly increase flood levels on adjoining properties. The proposed criteria assist in limiting impacts upon flood levels by ensuring that dams are structurally sound and do not exceed the maximum capacity prescribed by the Maximum Harvestable Rights of an individual land parcel. In addition, proposed criteria limit the location of dams that are within proximity to Order 3 or greater streams, which serves to reduce the impact of development on flood levels and behaviour. The proposed criteria shall minimise dam break risk and the corresponding potential impacts on property, life and infrastructure. Although there is an identified inconsistency with Ministerial Direction 4.1 Flooding (3)(f), the amendment is considered to be of minor significance.

- **Dams in Zone RU2**

- (1) Must only be used for the purposes of water collection, storage or supply to support the carrying out of extensive agriculture or intensive plant agriculture on the land.
 - (2) Where used for the collection or harvesting of ground surface run-off, the maximum total storage volume of all dams on the property must not exceed the Maximum Harvestable Rights for the property as authorized under the *Water Management Act 2000*.
 - (3) Must be located at least 10 metres from any property boundary fronting a road and at least 20 metres from any other property boundary (measured to closest point of structure or waterbody, whichever is closer).
 - (4) Must be located at least 40 metres from any on-site sewage management system.
 - (5) Must not be located within a floodway of an Order 3 or greater stream, or within 100 metres from an Order 3 or greater stream (as categorised under the Strahler system and described under Schedule 2 of the *Water Management (General) Regulation 2018*).
 - (6) Construction of the dam must not involve clearing, damaging or destruction of native vegetation.
 - (7) If constructed in a watercourse, must only be constructed on a first or second order stream (as categorised under the Strahler system and described under Schedule 2 of the *Water Management (General) Regulation 2018*).
 - (8) Must not be located on any land identified as Class 1, 2 or 3 Acid Sulfate Soils on the *Acid Sulfate Soils Map*.
 - (9) Must not be constructed on land with a slope exceeding 1:10 (vertical:horizontal) or 10%.
 - (10) Height of fill embankment, as measured from ground level (existing) immediately down slope of the embankment to the top of the embankment crest must not exceed 3 metres.
 - (11) Grade of embankment fill batter (upstream and downstream) shall not exceed a ratio of 1:2.5 (vertical:horizontal).
 - (12) Width of the crest of the fill embankment shall not be less than 2.5 metres.
 - (13) Height difference between the embankment crest level and the spillway level shall not be less than 1 metre.
 - (14) A spillway of sufficient capacity must be provided to direct excess water around the fill embankment to an outfall below the fill embankment.
 - (15) The design and location of the spillway must not direct additional water onto adjoining properties.
 - (16) Where the dam is used to store irrigation run-off or tail water, the dam is not constructed on a watercourse and water quality treatment devices are provided downstream of the outfall.
 - (17) Suitable erosion and sediment controls must be in place at all times during construction and at all times when bare soil or disturbed ground is present.
- Amendment to Clause 7.4 Terrestrial Biodiversity to identify land to which the clause applies as 'environmentally sensitive land'. The amendment includes an additional subclause, (5), and a new explanatory note.

The intent of this amendment is to ensure that development on land to which the Terrestrial Biodiversity Map requires development consent. The amendment accords with the objectives of the clause, being to maintain terrestrial biodiversity by protecting native flora and fauna,

protecting the ecological processes necessary for their continued existence, and encouraging the conservation and recovery of native flora and fauna and their habitats. It is noted that the Terrestrial Biodiversity Map applies to all land zoned C2 Environmental Conservation and C3 Environmental Management land. The Terrestrial Biodiversity Map is indicated in Part 4 – Maps, Figure 5.

- 7.4 Terrestrial Biodiversity

- (5) Land shown as “Biodiversity” on the *Terrestrial Biodiversity Map* is identified as environmentally sensitive land for the purpose of clause 1.19 of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*.

Note—

Clause 1.19 of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* prevents complying development specified for certain complying development codes from being carried out on land identified by an environmental planning instrument as being environmentally sensitive land.

- Amendment to Clause 7.8 Koala Habitat to identify land to which the clause applies as ‘ecologically sensitive area’. The amendment includes an additional subclause, (3), and a new explanatory note.

The intent of this amendment is to ensure that development on land with identified Koala Habitat requires development consent. The amendment shall protect sensitive vegetation, minimise the edge effect on adjacent vegetation, and reduce the City’s compliance burden from unlawful clearing of vegetation. The amendment shall apply to all land mapped as Koala Habitat, including Primary, Secondary and Tertiary types. The applicable land is indicated in Part 4 – Maps, Figure 6.

- 7.8 Koala Habitat

- (3) Land mapped as Koala habitat by *Coffs City Koala Plan of Management*, ISBN 0 7313 6050 8, published in November 1999 is identified as being within an ecologically sensitive area for the purpose of clause 1.19 of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*.

Note—

Clause 1.19 of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* prevents complying development specified for certain complying development codes from being carried out on land identified by an environmental planning instrument as being within an ecologically sensitive area.

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 intent of this planning proposal is to progress amendments to Coffs Harbour LEP 2013 that have been identified as part of a five-year comprehensive review of this plan. Section 3.21 (1) of the *Environmental Planning and Assessment Act (the Act) 1979* requires Councils to undertake regular and periodic reviews of their local environmental plans to ensure they are up to date and consistent with hanging requirements of the Act to the maximum extent possible. The second round of amendments included within this planning proposal respond directly to several corresponding actions identified within Coffs Harbour Local Growth Management Strategy 2020.

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

Yes. Section 3.21 (2) of the Act requires that a comprehensive review occurs every 5 years. On 11 February 2022 Coffs Harbour Local Environmental Plan 2013 – Amendment No. 31 was published on the NSW Government Legislation website, which comprised of the first round of amendments of the five-year comprehensive review. This planning proposal progresses the second round of amendments identified as part of the five-year comprehensive review with subsequent planning proposals to follow to capture outstanding amendment items 5, 16 and 28.

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 include amendments that rezone land or enable increased densities within residential and/or employment zones. 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?

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 action.*
- Action 1 Establish the North Coast urban housing monitoring program.
- The proposed LEP amendment is not inconsistent with this action.*
- 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. The proposed LEP amendment includes an amendment to the Land Use Table for Zone R5 Large Lot Residential to allow dual occupancies (detached) as permitted with consent, which will contribute to a greater range of housing options within this zone. In addition, the proposed LEP amendment includes an amendment to clause 4.2E to ensure that dual occupancies (detached) are sited appropriately within Zone RU2 Rural Landscape and Zone R5 Large Lot Residential.*
- 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.*
- 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.*
- 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.
- The proposed LEP amendment is not inconsistent with this strategy. The proposed LEP amendment includes an amendment to the Land Use Table for Zone R5 Large Lot Residential to allow dual occupancies (detached) as permitted with consent. This amendment shall not result in an increase to the density of rural residential housing within Zone R5 Large Lot Residential as dual occupancies (attached) as currently permitted with consent. Although the proposed LEP amendment applies to rural residential land within and outside the coastal strip, the impact is deemed to be of minor significance.*
- 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 objective and strategy have been considered and implemented by:

- *The inclusion of subclause (3)(g) in the amended clause 4.2E, that shall ensure that development for dual occupancies (detached) within Zone RU2 Rural Landscape and Zone R5 Large Lot Residential does not have an impact on native flora or fauna, or water quality.*
- *The inclusion of subclauses (4)(f), (4)(g) and (5) in the replaced clause 4.2D, which shall ensure that development consent is not granted for a boundary change that would negatively impact the natural or physical constraints of a lot, or that would have an adverse environmental impact, or that would compromise the protection and maintenance of land within Zone C2 Environmental Conservation or C3 Environmental Management.*
- *The inclusion of criteria (5), (6), (7), (8), (9), (16) and (17) in the addition to Schedule 2 Exempt Development for farm dams in Zone RU2 Rural Landscape. The criteria aim to avoid or minimise environmental impacts of the construction and operation of dams.*

- The amendment of clauses 7.4 and 7.8, which shall ensure that certain development within mapped 'Biodiversity' or within Koala habitat is assessed through the development application process and shall no longer be able to be carried out as complying development.

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. The proposed LEP amendment includes an amendment to clause 7.8 which aims to protect koala habitat identified by Coffs Harbour City Koala Plan of Management 1999 from complying development.

• **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 LEP amendment applies to the Coffs Harbour LGA and does not include provisions to rezone land or permit development on specific sites.

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. The objective and strategy have been considered in the following amendments:

- *The amendment to clause 4.2E shall repeal subclause (2)(c). It is noted that a maximum distance requirement reduces the footprint of rural residential development on rural land, however the standard has been consistently varied, with 9 development applications with approved variations since 2021. This*

demonstrates that compliance with subclause (2)(c) is no longer reasonable, as the standard has not been maintained. A new subclause (2)(g) shall further ensure that siting of dual occupancies is appropriate, by protecting native flora, fauna and water quality. The new subclause shall not result in adverse effects upon agricultural productive capacity.

- *The amendment to clause 4.2D shall include provisions that ensure that agricultural productive capacity is not negatively affected. Subclause (3) shall ensure that a boundary change on land within Zone RU2 Rural Landscape will not create the opportunity for additional dwellings, and therefore rural residential development shall not be increased. Subclause (4) includes provisions for the consent authority to consider the impact of the subdivision on approved and preferred land uses within the vicinity of the site as well as the impact upon agricultural viability. The intent of the amended clause is to allow for boundary changes that allow for land to be used in a more efficient manner that aligns with the objectives of the applicable zone.*
- *The amendment to Schedule 2 shall introduce exempt development criteria for farm dams within Zone RU2. The criteria provide for a holistic approach that aligns with the Water Management Act 2020. The amendment to Coffs Harbour LEP 2013 is to be accompanied by an amendment to Coffs Harbour Development Control Plan (DCP) 2015 that shall introduce objectives and requirements for farm dams that cannot meet the exempt development criteria. The amendment is consistent with Strategy 8.1 as the introduction of exempt development criteria for farm dams shall enable landowners to construct supporting infrastructure for agriculture without development approval.*

• **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. The objective and strategy have been considered in the amendment to Schedule 2 to introduce exempt development criteria for farm dams. The criteria provide for a holistic approach that aligns with the Water Management Act 2020. The criteria have been selected to ensure that development of farm dams are located, designed, constructed and managed to minimise impacts on water catchments, including downstream water ways and groundwater resources.

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. The proposed amendments shall not result in land use conflict with natural, mineral or forestry development industries. Amendments to clauses 4.2E and 4.2D retain provisions to ensure that development is sited appropriately.

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. The amendment to clause 7.19 introduces design considerations for development in subclause (3)(a) to (h) with the intent to ensure that development on identified key sites occurs in a cohesive manner that integrates seamlessly with the streetscape.

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 LEP amendment shall not rezone land with an employment zone and does not enable commercial or retail activity outside of existing centres.

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. The objective and strategy have been considered in the amendment to clause 7.19, as the design considerations required to be considered in subclause (3)(a) to (h) shall result in development that positively contributes to the amenity, vibrancy and safety of centres.

• **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 LEP amendment shall not rezone land to Zone RU2 Rural Landscape or permit agriculture or agribusiness in additional zones. The proposed LEP amendment shall allow for the more efficient use of rural land through the proposed amendment to clause 4.2D by permitting a wider range of boundary changes.

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 proposed LEP amendment does not include provisions for the expansion of agriculture clusters.

- **Objective 15 – Improve state and regional connectivity**

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

The proposed LEP amendment is not inconsistent with this strategy.

Collaboration Activity 4:

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

Lead Agency: Transport for NSW

The proposed LEP amendment is not inconsistent with this activity.

- **Objective 16 – Increase active and public transport usage**

Strategy 16.1 Encourage active and public transport use by:

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

The proposed LEP amendment is not inconsistent with this strategy. The objective and strategy have been considered in the amendment to clause 7.19. Subclause (3)(d) is of particular importance and serves to reinforce identified mid-block pedestrian connections prescribed by Coffs Harbour DCP 2015.

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. The objective and strategy have been considered in the amendment to clause 7.19. One of the aims of the amended clause is to ensure that development on identified key sites is designed for active modes of transport.

- **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 LEP amendment shall not reclassify public open space.

• **Objective 20 – Celebrate local character**

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

The proposed LEP amendment is not inconsistent with this strategy.

Strategy 20.2 Celebrate buildings of local heritage significance by:

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

The proposed LEP amendment is not inconsistent with this strategy.

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. Each of the proposed amendments align with the North Coast Regional Plan 2041 and implement the actions within the narrative as follows:

- *The amendment to the Land Use Table for Zone R5 Large Lot Residential shall prohibit land uses that do not align with the objectives and character of the zone. In addition, the amendment encourages a greater degree of housing choice within the zone by permitting detached dual occupancies.*
- *The amendment to clause 4.2E shall ensure that development of detached dual occupancies within Zone RU2 Rural Landscape and Zone R5 Large Lot Residential are appropriately sited to avoid impacts on biodiversity, and to reduce land use conflict.*
- *The amendment to clause 4.2D promotes the efficient use of land within Zone RU2 Rural Landscape and shall allow for a wider range of boundary changes between adjoining landowners. This shall support agricultural land uses within Coffs Harbour's highly productive agricultural hinterland.*
- *The amendment to clause 7.19 shall ensure favourable planning and urban design outcomes for identified key sites. As provided in objective (b) of the amended clause, key sites shall be required to contribute to and encourage active transport.*

- The amendment to Schedule 2 introduces exempt development criteria for farm dams. The included criteria align with current guidelines and legislative requirements. The amendment shall support agricultural development while preventing adverse impacts on the environment, adjoining land uses and water quality.
- The amendments to clauses 7.4 and 7.8 shall ensure the retention and protection of local biodiversity by preventing complying development within conservation zones or identified koala habitat.

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: deliver and implement the Place and Movement Strategy; deliver and implement urban design initiatives; deliver greater housing supply, choice and diversity; and to protect and conserve the natural, rural, built and cultural heritage of Coffs Harbour.

MyCoffs Community Strategic Plan 2035

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 proposed LEP amendment is generally consistent with the relevant objectives and strategies within the Plan as follows:

Objective	Outcome
An active, safe and healthy community	A2.1 We support our community to lead healthy active lives
	A2.4 We cultivate a safe community
A thriving and sustainable local economy	B1.1 Building on the natural advantages of our LGA, we champion business, events, sustainability, innovation and technology to stimulate economic growth, investment and local jobs
	B1.2 We attract people to work, live and visit in the Coffs Harbour local government area
Liveable neighbourhoods with a defined identity	C1.1 We create liveable spaces that are beautiful and appealing
	C1.2 We undertake development that is environmentally, socially and economically responsible

	C1.3 We collaborate to deliver opportunities for housing for all
A natural environment sustained for the future	C2.1 We protect the diversity of our natural environment
	C2.2 We use resources responsibly to support a safe and stable climate
We have effective use of public resources	D2.1 We effectively manage the planning and provision of regional public services and infrastructure

Coffs Harbour Local Growth Management Strategy

The Planning Proposal is consistent with the Coffs Harbour Local Growth Management Strategy 2020. This Strategy has been prepared to achieve the directions and actions contained within the North Coast Regional Plan and to align with the Settlement Planning Guidelines endorsed by NSW Department of Planning, Housing and Infrastructure. The Strategy is the mechanism to support effective and integrated planning across the Coffs Harbour LGA, and to guide the preparation of updates to Council's LEP and Development Control Plan.

The proposed LEP amendment supports the aims and placemaking principles of the Coffs Harbour Local Growth Management Strategy 2020. Chapters 1 to 4 of the Strategy articulate the blueprint for the delivery of a connected, sustainable and thriving compact regional city for Coffs Harbour. The Strategy informs what, how and where future development and land supply will occur within the Coffs Harbour LGA. This body of work forms the City's future development approach regarding the compact city model and placemaking framework.

The proposed LEP amendment includes five amendments identified as part of the City's five-year comprehensive review of the LEP prepared under the Standard Instrument (Local Environmental Plans) Order 2006 (standard instrument). Each amendment has been implemented in accordance with a specific action of the City's LGMS 2020 or its vision as follows:

- The amendment to the Land Use Table for Zone R5 Large Lot Residential aligns with an associated action in Chapter 6, to review permissible land uses against the objectives of the zone. As a result, amendments to clause 4.2 have been required to ensure that standards are provided for detached dual occupancies within Zone R5 Large Lot Residential as they are proposed to be permitted with consent.
- The amendment to clause 4.2D aligns with an associated action in Chapter 5, to introduce a new local clause to address boundary adjustment issues in rural zones.
- The amendment to clause 7.19 aligns with the key principles of the Compact City Program outlined in Chapter 4.
- The amendment to Schedule 2 aligns with an associated action in Chapter 5, to include exempt provisions for 'water storage facilities' (dams) within Zone RU2 Rural Landscape.
- The amendments to clauses 7.4 and 7.8 align with the respective vision, goals, actions and objectives of both the City's LGMS 2020 and the North Coast Regional Plan 2041.

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	
Meet	1. Make the city centre Coffs Harbour's Cultural live-work-play hub	1.2	Incorporate Safer-by-Design and accessibility principles into public areas and building design, to create comfortable, active streets, and protect sunlight to city parks, squares and footpaths
Move	6. Create a modern, place-based transport network to connect the Coffs Coast's communities	6.3	Create a legible, connected and accessible network of pedestrian and cycling paths and facilities, particular between the City Centre, Jetty Foreshore, Park Beach and South Coffs.
Work	15. Nurture the Coffs Coast food bowl	15.2	Manage the interface between agricultural production areas and other land uses by adopting provisions in local plans that avoid conflicts with residential, rural residential and sensitive environmental areas.
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.
	20. Strive for a carbon neutral future and enhance local biodiversity	20.3	Protect scenic and cultural landscapes and iconic species such as the koala

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. The proposed LEP amendment does not seek to alter any land use zones or development controls in a manner such that there could be adverse impacts on critical habitat, threatened species, populations, or ecological communities.

- The amendment to the Land Use Table for Zone R5 Large Lot Residential removes several land uses that are inconsistent with the zone objectives, and permits with consent detached dual occupancies. Clause 4.2E provides for controls for detached dual occupancies and shall be amended to apply to Zone R5 Large Lot Residential in addition to Zone RU2 Rural Landscape. A new subclause in clause 4.2E is proposed to reinforce the protection of critical habitat, threatened species, populations and ecological communities.
- The amendment to clause 4.2D shall allow for a wider range of boundary changes between adjoining landowners. The clause includes several subclauses to avoid or minimise potential impacts to critical habitat, threatened species, populations and ecological communities.
- The amendment to Schedule 2 introduces exempt development criteria for farm dams. The included criteria aim to avoid or minimise potential impacts to critical habitat, threatened species, populations and ecological communities.
- The amendments to clauses 7.4 and 7.8 shall prevent complying development from being undertaken within conservation zones or identified koala habitat. In doing so, the protection of critical habitat, threatened species, populations and ecological communities shall be improved.

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

No. The proposed LEP amendment does not seek to alter any land use zones or clauses in a manner such that there could be adverse environmental impacts. The following subclauses and criteria have been incorporated into the proposed amendments:

- The amendment to clause 4.2E includes a new subclause (3)(f) that ‘the development will not have an adverse impact on native flora or fauna or on water quality’. The new subclause shall give further effect to the objectives of the clause.
- The amendment to clause 4.2D includes new subclauses (4)(f) and (4)(g) to ensure that the consent authority considers ‘whether the subdivision is appropriate having regard to the natural and physical constraints affecting the land’ and ‘whether the subdivision is likely to have an adverse impact on the environmental values, scenic values, or agricultural viability of the land’. Clause 4.2D shall also retain a subclause that ensures that boundary changes do not compromise the continued protection and long-term maintenance of land within Zone C2 Environmental Conservation or Zone C3 Environmental Management.
- The amendment to Schedule 2 includes the following criteria to avoid or minimise environmental impacts of the construction and operation of dams:

- Must be located at least 100 metres from an Order 3 or greater stream (as categorised under the Strahler system and described under Schedule 2 of the *Water Management (General) Regulation 2018*).
- Construction of the dam must not involve clearing, damaging or destruction of native vegetation.
- If constructed in a watercourse, must only be constructed on a first or second order stream (as categorised under the Strahler system and described under Schedule 2 of the *Water Management (General) Regulation 2018*).
- Must not be located on any land identified as Class 1, 2 or 3 Acid Sulfate Soils on the Acid Sulfate Soils Map.
- Must not be constructed on land with a slope exceeding 1:10 (vertical:horizontal) or 10%.
- Where the dam is used to store irrigation run-off or tail water, the dam is not constructed on a watercourse and water quality treatment devices are provided downstream of the outfall.
- Suitable erosion and sediment controls must be in place at all times during construction and at all times when bare soil or disturbed ground is present.

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

Yes. The proposed LEP amendment will facilitate positive social and economic impacts within the Coffs Harbour LGA as:

- The amendment to the Land Use Table for Zone R5 Large Lot Residential shall encourage a greater degree of housing choice within the zone by permitting detached dual occupancies. Social benefits of this change are likely to result in a minor increase in housing stock within large lot residential areas within the LGA, which may have flow on benefits to local communities. Economic benefits are limited to increased housing construction and minor flow on benefits to local businesses.
- The amendment to clause 4.2D shall allow for a wider range of boundary changes between adjoining landowners. The amendment shall support agricultural land uses by permitting the re-configuration of land zoned RU2 Rural Landscape, which has been limited by the existing control and associated case law. This may result in more economically viable and resilient agricultural operations and shall allow for scenarios where landowners wish to expand their farming operations.
- The amendment to clause 7.19 includes additional controls for key sites, with the intent to achieve positive planning and urban design outcomes for prominent land within the LGA. Additional controls shall result in social benefits by creating safe public domains that prioritise active transport.
- The amendment to Schedule 2 shall allow development for small-scale farm dams to be constructed in Zone RU2 Rural Landscape without development consent when meeting exempt development criteria. This is anticipated to have positive social benefits in that it will allow for more efficient and cost-effective development of farms and farming operations, which will result in more economically viable and resilient agricultural operations within the LGA.

Section D – State and Commonwealth interests

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

Yes. The proposed LEP amendment does not include provisions that require additional public infrastructure or significantly increase demand on existing public infrastructure. The amendment to the Land Use Table for Zone R5 Large Lot Residential shall permit detached dual occupancies within the zone. This will not result in significantly increased density as attached dual occupancies are currently permitted with consent. Land within Zone R5 Large Lot Residential which is not connected to reticulated water or sewerage shall be required to be serviced by on-site water collection and a waste-water treatment system.

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

The NSW Department of Planning, Housing and Infrastructure issued Gateway Determination for the planning proposal on 29 September 2025 (Appendix 4). The Gateway Determination requires consultation on the planning proposal with the following Government Agencies:

- Department of Primary Industries and Regional Development – Agriculture and Biosecurity
- Department of Primary Industries and Regional Development – Fisheries
- Department of Climate Change, Energy, the Environment and Water – Flooding
- Department of Climate Change, Energy, the Environment and Water – Water
- Department of Climate Change, Energy, the Environment and Water – Conservation Programs Heritage and Regulation
- NSW Rural Fire Service
- NSW Natural Resources Access Regulator

Note: Following public exhibition this section of the planning proposal will be updated to include details of any written responses received from Government Agencies.

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.*

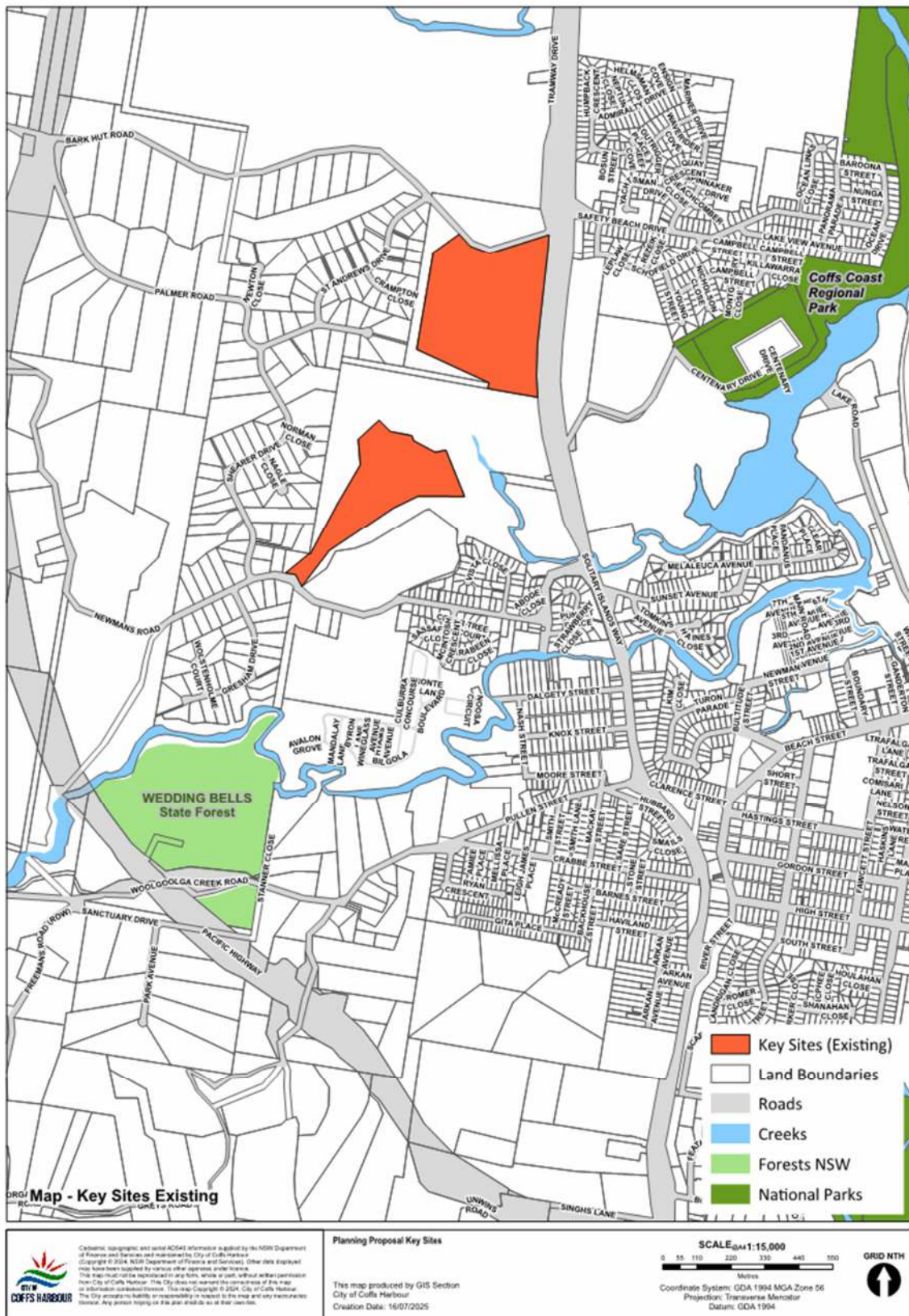


Figure 1: Existing Key Sites Map (Sheet KYS_005F)

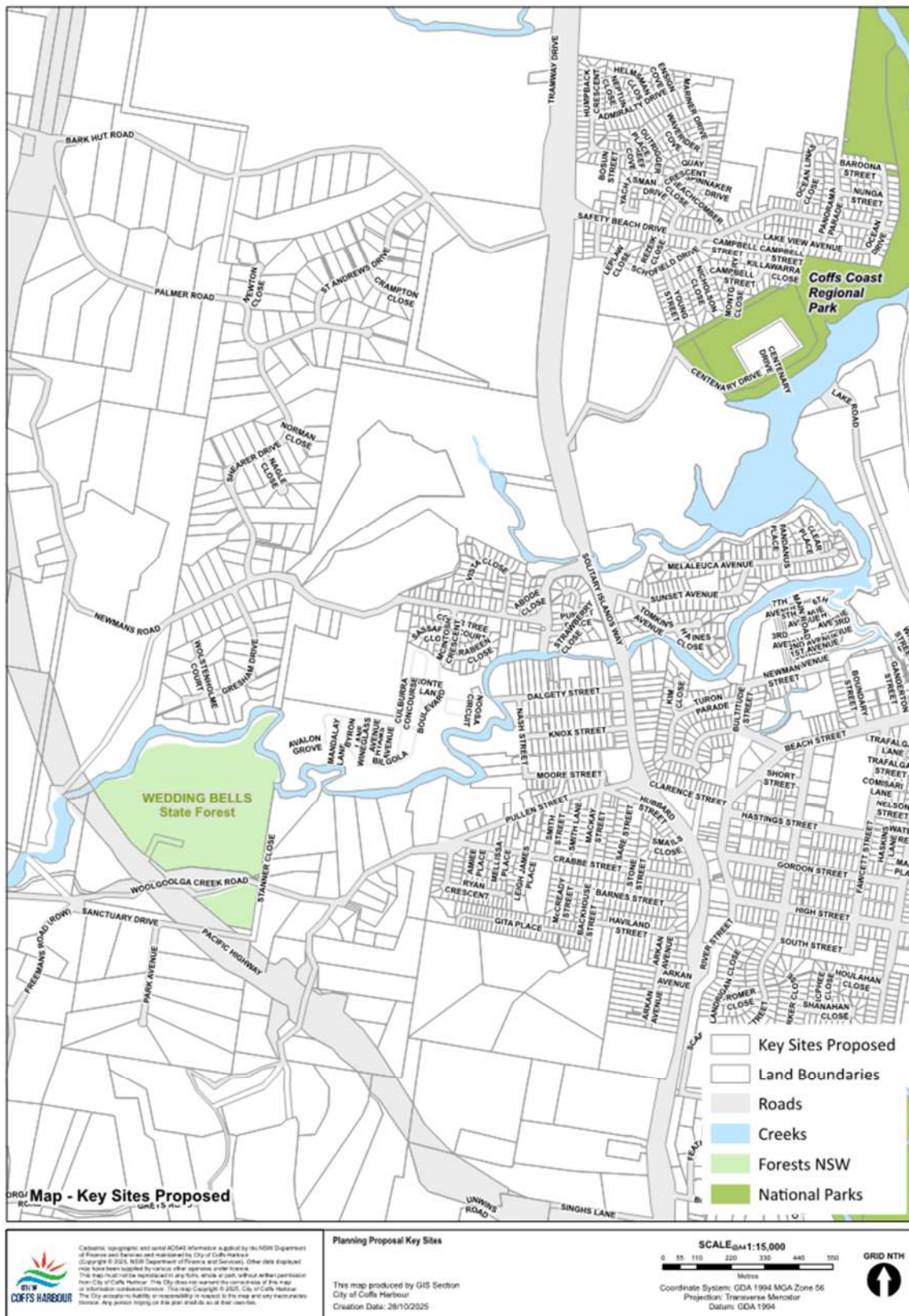


Figure 2: Proposed Key Sites Map (Sheet KYS_005F)



Figure 3: Existing Key Sites Map (No Sheet Number assigned)

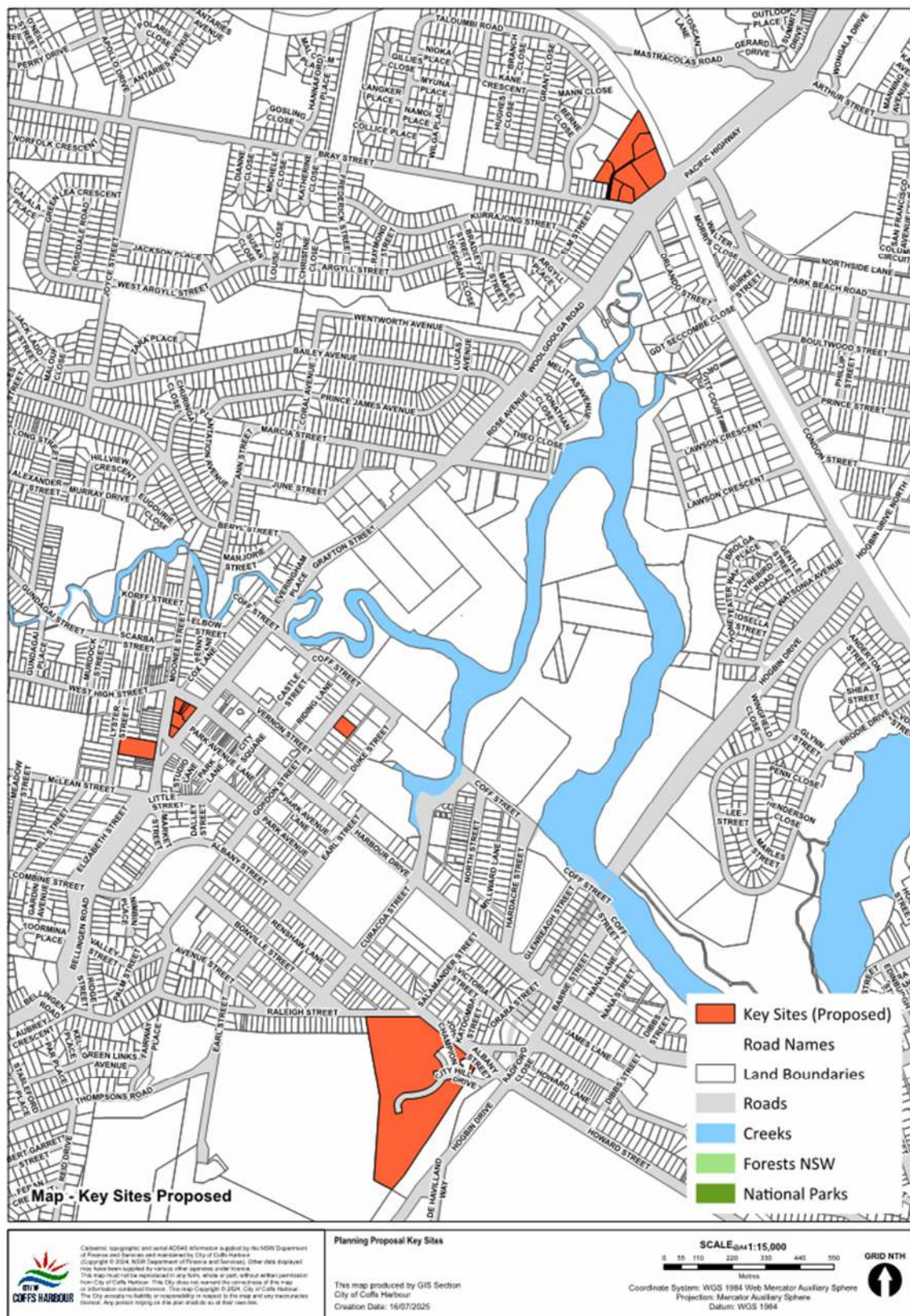


Figure 4: Proposed Amendment to Key Sites Map (Sheet Number to be assigned)

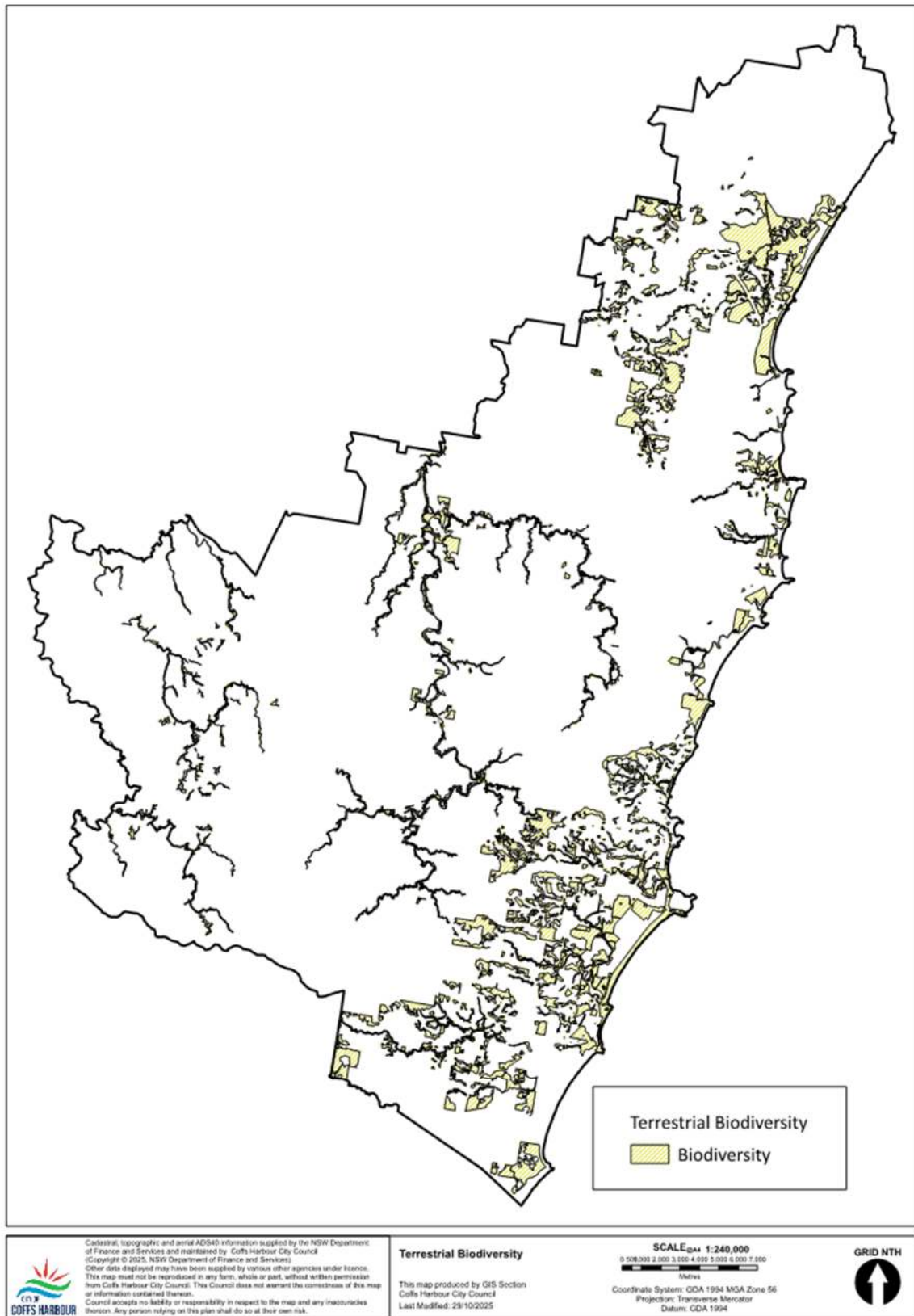


Figure 5: Terrestrial Biodiversity Map (CL2 Map Sheets)

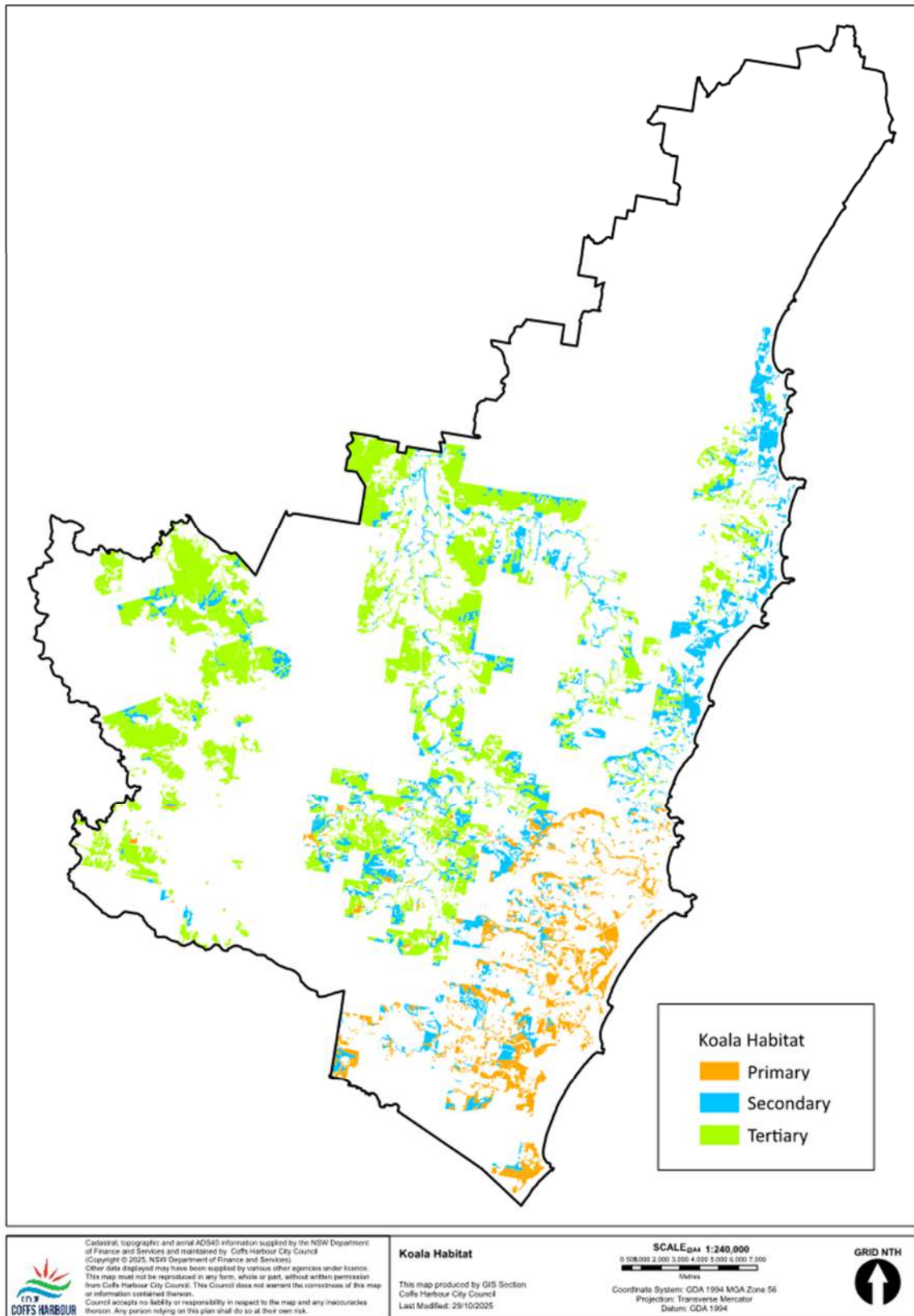


Figure 6: Coffs Harbour Koala Plan of Management – Primary, Secondary and Tertiary Koala Habitat Map

PART 5 – COMMUNITY CONSULTATION

The Gateway determination issued by the NSW Department of Planning, Housing and Infrastructure specifies the community consultation requirements that must be undertaken for the planning proposal. The planning proposal shall be publicly exhibited for a minimum period of 20 working days, and each public authority and government agency shall be given at least 30 working days to comment on the proposal.

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	August 2025
Commencement (date of Gateway determination)	September 2025
Pre-exhibition & agency consultation	October – December 2025
Public hearing	N/A
Consideration of submissions	January – February 2026
Post-Exhibition review and additional studies	January – February 2026
Reporting to Council for consideration	March 2026
Submission to Minister to make the plan (if not delegated) Submission to Minister for notification of the plan (if delegated)	April 2026
Notification of LEP Amendment	May 2026

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	Yes	Yes	The aims of this chapter of the Policy are: a) to protect the biodiversity values of trees and other vegetation in non-rural areas of the State, and b) to preserve the amenity of non-rural areas of the State through the preservation of trees and other vegetation. The proposed LEP amendment does not contain provisions that contradict or hinder the application of this chapter of the SEPP.
	Chapter 3 - Koala Habitat Protection 2020	Yes	Yes	The aims of this chapter of the Policy are to encourage the proper conservation and management of areas of natural vegetation that provide habitat for koalas to ensure a permanent free-living population over their present range and reverse the current trend of koala population decline: a) by requiring the preparation of plans of management before development consent can be granted in relation to areas of core koala habitat, and b) by encouraging the identification of areas of core koala habitat, and c) by encouraging the inclusion of areas of core koala habitat in environment protection zones. Clause 3.14 - Preparation of local environmental studies is a relevant consideration: (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. (2) The council must prepare the environmental study in accordance with the specifications, if any,

State Environmental Planning Policy	Relevant Chapter	Applicable	Consistent	Comment
				relating to the form, content and preparation of the study as have been notified to the council by the Minister. (3) The environmental study must be prepared with regard to the matters, relating to the environment of the land, as determined by the council, subject to the specifications. (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. (5) Subsection (1) does not apply if a council has, before the commencement of the subsection, prepared an environmental study of the land. The proposed LEP amendment does not seek to rezone land that is potential koala habitat or core koala habitat. The proposed LEP amendment includes an amendment to clause 7.8, which shall prevent complying development within identified koala habitat. This amendment aligns with the aims of the policy.
	Chapter 4 - Koala Habitat Protection 2021	Yes	N/A	The aims of this chapter of the Policy are to encourage the conservation and management of areas of natural vegetation that provide habitat for koalas to support a permanent free-living population over their present range and reverse the current trend of koala population decline. The provisions of this chapter only relate to development assessment processes and the preparation of koala plans of management. In this regard, the proposed LEP amendment does not contain provisions that contradict or hinder the application of this chapter of the SEPP.

State Environmental Planning Policy	Relevant Chapter	Applicable	Consistent	Comment
	Chapter 6 – Water Catchments	N/A	N/A	The City of Coffs Harbour is not listed as land to which this Chapter applies and therefore this chapter of the policy does not apply to the Coffs Harbour LGA at this point in time.
State Environmental Planning Policy (Exempt and Complying Development Codes) 2008	N/A – this is a standalone State Environmental Planning Policy	No	N/A	This Policy aims to provide streamlined assessment processes for development that complies with specified development standards by: a) providing exempt and complying development codes that have 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. The proposed LEP amendment does not contain provisions that contradict or hinder the application of this SEPP. The proposed LEP amendment includes amendments to clause 7.4 and 7.8 within Coffs Harbour LEP 2013 to define Biodiversity identified on the Terrestrial Biodiversity Map as environmentally sensitive land, and koala habitat identified under Coffs City Koala Plan of Management as ecologically sensitive area. Consequently, under clause 1.19 of SEPP (Exempt and Complying Development Codes) 2008, complying development shall not be able to be carried out on land within these areas under certain Complying Development Codes.

State Environmental Planning Policy	Relevant Chapter	Applicable	Consistent	Comment
State Environmental Planning Policy (Housing) 2021	N/A – this is a standalone State Environmental Planning Policy	No	N/A	The principles of this Policy are: a) enabling the development of diverse housing types, including purpose-built rental housing, b) encouraging the development of housing that will meet the needs of more vulnerable members of the community, including very low to moderate income households, seniors and people with a disability, c) ensuring new housing development provides residents with a reasonable level of amenity, promoting the planning and delivery of housing in locations where it will make good use of existing and planned infrastructure and services, d) minimising adverse climate and environmental impacts of new housing development, e) reinforcing the importance of designing housing in a way that reflects and enhances its locality, f) supporting short-term rental accommodation as a home-sharing activity and contributor to local economies, while managing the social and environmental impacts from this use, g) mitigating the loss of existing affordable rental housing. The proposed LEP amendment does not contain provisions that contradict or hinder the application of this SEPP. The proposed LEP amendment aligns with the aims of the SEPP by permitting detached dual occupancies within Zone R5 Large Lot Residential.
State Environmental Planning Policy (Industry and Employment) 2021	Chapter 3 - Advertising and Signage	No	N/A	This aims of this chapter of the Policy are: a) to ensure that signage (including advertising): (i) is compatible with the desired amenity and visual character of an area, and (ii) provides effective communication in suitable locations, and (iii) is of high quality design and finish, and

State Environmental Planning Policy	Relevant Chapter	Applicable	Consistent	Comment
				b) to regulate signage (but not content) under Part 4 of the Act, and c) to provide time-limited consents for the display of certain advertisements, and d) to regulate the display of advertisements in transport corridors, and e) to ensure that public benefits may be derived from advertising in and adjacent to transport corridors. This Policy does not regulate the content of signage and does not require consent for a change in the content of signage. The proposed LEP amendment does not contain provisions that contradict or hinder the application of this chapter of the SEPP.
State Environmental Planning Policy (Planning Systems) 2021.	Chapter 2 -State and Regional Development	No	N/A	The aims of this chapter of the Policy are: a) to identify development that is State significant development, b) to identify development that is State significant infrastructure and critical State significant infrastructure, c) to identify development that is regionally significant development. The proposed LEP amendment does not contain provisions that contradict or hinder the application of this chapter of the SEPP.
	Chapter 3 - Aboriginal Land	No	N/A	The aims of this chapter of the Policy are: a) to provide for development delivery plans for areas of land owned by Aboriginal Land Councils to be considered when development applications are considered, and b) to declare specified development carried out on land owned by Aboriginal Land Councils to be regionally significant development. The proposed LEP amendment does not contain provisions that contradict or hinder the application of this chapter of the SEPP.

State Environmental Planning Policy	Relevant Chapter	Applicable	Consistent	Comment
	Chapter 4 - Concurrences and Consents	No	N/A	The proposed LEP amendment does not contain provisions that contradict or hinder the application of this chapter of the SEPP.
State Environmental Planning Policy (Precincts—Central River City) 2021	Chapter 2 – State Significant Precincts	No	N/A	The aims of this chapter of the Policy are to: a) to facilitate the development, redevelopment or protection of important urban, coastal and regional sites of economic, environmental or social significance to the State so as to facilitate the orderly use, development or conservation of those State significant precincts for the benefit of the State, b) to facilitate service delivery outcomes for a range of public services and to provide for the development of major sites for a public purpose or redevelopment of major sites no longer appropriate or suitable for public purposes. The proposed LEP amendment does not contain provisions that contradict or hinder the application of this chapter of the SEPP.
State Environmental Planning Policy (Precincts—Eastern Harbour City) 2021	Chapter 2 -State Significant Precincts	No	N/A	The aims of this chapter of the Policy are to: a) to facilitate the development, redevelopment or protection of important urban, coastal and regional sites of economic, environmental or social significance to the State so as to facilitate the orderly use, development or conservation of those State significant precincts for the benefit of the State, b) to facilitate service delivery outcomes for a range of public services and to provide for the development of major sites for a public purpose or redevelopment of major sites no longer appropriate or suitable for public purposes The proposed LEP amendment does not contain provisions that contradict

State Environmental Planning Policy	Relevant Chapter	Applicable	Consistent	Comment
				or hinder the application of this chapter of the SEPP.
State Environmental Planning Policy (Precincts—Regional)	Chapter 2 – State significant precincts	No	N/A	The aims of this chapter of the Policy are to: a) to facilitate the development, redevelopment or protection of important urban, coastal and regional sites of economic, environmental or social significance to the State so as to facilitate the orderly use, development or conservation of those State significant precincts for the benefit of the State, b) to facilitate service delivery outcomes for a range of public services and to provide for the development of major sites for a public purpose or redevelopment of major sites no longer appropriate or suitable for public purposes. The proposed LEP amendment does not contain provisions that contradict or hinder the application of this chapter of the SEPP.
State Environmental Planning Policy (Precincts—Western Parkland City) 2021	Chapter 2 – State significant precincts	No	N/A	The aims of this chapter of the Policy are to: a) to facilitate the development, redevelopment or protection of important urban, coastal and regional sites of economic, environmental or social significance to the State so as to facilitate the orderly use, development or conservation of those State significant precincts for the benefit of the State, b) to facilitate service delivery outcomes for a range of public services and to provide for the development of major sites for a public purpose or redevelopment of major sites no longer appropriate or suitable for public purposes. The proposed LEP amendment does not contain provisions that contradict or hinder the application of this chapter of the SEPP.

State Environmental Planning Policy	Relevant Chapter	Applicable	Consistent	Comment
State Environmental Planning Policy (Primary Production) 2021	Chapter 2 - Primary Production and Rural Development	No	N/A	The aims of this chapter of the Policy are to: a) to facilitate the orderly economic use and development of lands for primary production, b) to reduce land use conflict and sterilisation of rural land by balancing primary production, residential development and the protection of native vegetation, biodiversity and water resources, c) to identify State significant agricultural land for the purpose of ensuring the ongoing viability of agriculture on that land, having regard to social, economic and environmental considerations, d) to simplify the regulatory process for smaller-scale low risk artificial waterbodies, and routine maintenance of artificial water supply or drainage, in irrigation areas and districts, and for routine and emergency work in irrigation areas and districts, e) to encourage sustainable agriculture, including sustainable aquaculture, f) to require consideration of the effects of all proposed development in the State on oyster aquaculture, g) to identify aquaculture that is to be treated as designated development using a well-defined and concise development assessment regime based on environment risks associated with site and operational factors. The proposed LEP amendment does not contain provisions that contradict or hinder the application of this chapter of the SEPP. The proposed LEP amendment includes amendments to clauses 4.2D and 4.2E, which relate to land within Zone RU2 Rural Landscape. The amended clauses retain provisions to ensure that land use conflict and the sterilisation of rural land is reduced, and that primary production, residential development, the

State Environmental Planning Policy	Relevant Chapter	Applicable	Consistent	Comment
				protection of native vegetation, biodiversity and water resources is balanced. The proposed LEP amendment includes new criteria for farm dams within Schedule 2 Exempt Development. The inclusion of this amendment does not contradict Part 2.3 of the Chapter of the SEPP.
State Environmental Planning Policy (Resilience and Hazards) 2021	Chapter 2 - Coastal Management	No	N/A	The aim of this chapter of the Policy is to promote an integrated and co-ordinated approach to land use planning in the coastal zone in a manner consistent with the objects of the Coastal Management Act 2016, including the management objectives for each coastal management area, by: a) managing development in the coastal zone and protecting the environmental assets of the coast, and b) establishing a framework for land use planning to guide decision-making in the coastal zone, and c) mapping the 4 coastal management areas that comprise the NSW coastal zone for the purpose of the definitions in the Coastal Management Act 2016. The proposed LEP amendment does not contain provisions that contradict or hinder the application of this chapter of the SEPP.
	Chapter 3 – Hazardous and Offensive Development	No	N/A	The aims of this chapter of the Policy are: 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

State Environmental Planning Policy	Relevant Chapter	Applicable	Consistent	Comment
				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. The proposed LEP amendment does not contain provisions that contradict or hinder the application of this chapter of the SEPP.
	Chapter 4 – Remediation of Land	No	N/A	The aims of this chapter of the Policy are to promote the remediation of contaminated land for the purpose of reducing the risk of harm to human health or any other aspect of the environment— a) by specifying when consent is required, and when it is not required, for a remediation work, and b) by specifying certain considerations that are relevant in rezoning land and in determining development applications in general and development applications for consent to carry out a remediation work in particular, and c) by requiring that a remediation work meet certain standards and notification requirements. The proposed LEP amendment does not contain provisions that contradict or hinder the application of this chapter of the SEPP.

State Environmental Planning Policy	Relevant Chapter	Applicable	Consistent	Comment
State Environmental Planning Policy (Resources and Energy) 2021	Chapter 2 - Mining, Petroleum Production and Extractive Industries	No	N/A	The aims of this chapter of the Policy are, in recognition of the importance to New South Wales of mining, petroleum production and extractive industries: a) to provide for the proper management and development of mineral, petroleum and extractive material resources for the purpose of promoting the social and economic welfare of the State, and b) to facilitate the orderly and economic use and development of land containing mineral, petroleum and extractive material resources, and - b1) to promote the development of significant mineral resources, and c) to establish appropriate planning controls to encourage ecologically sustainable development through the environmental assessment, and sustainable management, of development of mineral, petroleum and extractive material resources, and d) to establish a gateway assessment process for certain mining and petroleum (oil and gas) development: (i) to recognise the importance of agricultural resources, and (ii) to ensure protection of strategic agricultural land and water resources, and (iii) to ensure a balanced use of land by potentially competing industries, and (iv) to provide for the sustainable growth of mining, petroleum and agricultural industries. The proposed LEP amendment does not contain provisions that contradict or hinder the application of this chapter of the SEPP.
State Environmental Planning Policy (Sustainable Buildings) 2022	Chapter 2 - Standards for residential development - BASIX	No	N/A	The aims of this SEPP are to encourage the design and delivery of sustainable buildings that minimise energy and water use.

State Environmental Planning Policy	Relevant Chapter	Applicable	Consistent	Comment
				The proposed LEP amendment does not contain provisions that contradict or hinder the application of Chapter 2 of the SEPP.
	Chapter 3 - Standards for non-residential development	No	N/A	The aims of this SEPP are to encourage the design and delivery of sustainable buildings that minimise energy and water use. The proposed LEP amendment does not contain provisions that contradict or hinder the application of Chapter 3 of the SEPP.

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

State Environmental Planning Policy	Relevant Chapter	Applicable	Consistent	Comment
				educational establishments and early education and care facilities (including identifying certain development of minimal environmental impact as exempt development), and c) establishing consistent State-wide assessment requirements and design considerations for educational establishments and early education and care facilities to improve the quality of infrastructure delivered and to minimise impacts on surrounding areas, and d) allowing for the efficient development, redevelopment or use of surplus government-owned land (including providing for consultation with communities regarding educational establishments in their local area), and e) providing for consultation with relevant public authorities about certain development during the assessment process or prior to development commencing, and f) aligning the NSW planning framework with the National Quality Framework that regulates early education and care services, and g) ensuring that proponents of new developments or modified premises meet the applicable requirements of the National Quality Framework for early education and care services, and of the corresponding regime for State regulated education and care services, as part of the planning approval and development process, and 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.

State Environmental Planning Policy	Relevant Chapter	Applicable	Consistent	Comment
				The proposed LEP amendment does not contain provisions that contradict or hinder the application of this chapter of the SEPP.
	Chapter 4 – Major Infrastructure Corridors	No	N/A	The aims of this chapter of the Policy are: a) to identify land that is intended to be used in the future as an infrastructure corridor, b) to establish appropriate planning controls for the land for the following purposes— (i) to allow the ongoing use and development of the land until it is needed for the future infrastructure corridor, (ii) to protect the land from development that would adversely impact on or prevent the land from being used as an infrastructure corridor in the future. The proposed LEP amendment does not contain provisions that contradict or hinder the application of this chapter of the SEPP.

APPENDIX 2 – CONSIDERATION OF MINISTERIAL PLANNING DIRECTIONS

S9.1 Direction	Applicable	Consistent	Comment
Focus area 1: Planning Systems			
1.1 Implementation of Regional Plans	This direction applies to a relevant planning authority when preparing a planning proposal for land to which a Regional Plan has been released by the Minister for Planning and Public Spaces. Planning proposals must be consistent with a Regional Plan released by the Minister for Planning and Public Spaces. A planning proposal may be inconsistent with the terms of this direction only if the relevant planning authority can satisfy the Planning Secretary (or an officer of the Department nominated by the Secretary), that: (a) the extent of inconsistency with the Regional Plan is of minor significance, and (b) the planning proposal achieves the overall intent of the Regional Plan and does not undermine the achievement of the Regional Plan's vision, land use strategy, goals, directions or actions.	Yes	The North Coast Regional Plan 2041 (NCRP) applies to the Coffs Harbour LGA. The NCRP includes strategies and actions on environmental, economic and social (community) opportunities, as well as maintaining character and housing. Specific responses to relevant strategies and the associated actions and activities contained within the NCRP are provided in Part 3, Section B (4) above. It is considered that the planning proposal incorporates the directions and actions of the NCRP, as well as the actions identified within the City's adopted Coffs Harbour Local Growth Management Strategy 2020, which is aligned to the NCRP.
1.2 Development of Aboriginal Land Council land	This direction does not currently apply to the Coffs Harbour LGA.	N/A	
1.3 Approval and Referral Requirements	This direction applies to all relevant planning authorities when preparing a planning proposal. A planning proposal to which this direction applies must: (a) minimise the inclusion of provisions that require the concurrence, consultation or referral of development applications to a Minister or public authority, and (b) not contain provisions requiring concurrence, consultation or referral of a Minister or public authority unless the relevant planning authority has obtained the approval of: i. the appropriate Minister or public authority, and ii. the Planning Secretary (or an officer of the Department nominated by the Secretary), prior to undertaking	Yes	The planning proposal does not include provisions that require the concurrence, consultation or referral of development applications to a Minister or public authority. It also does not identify development as designated development.

S9.1 Direction	Applicable	Consistent	Comment
	community consultation in satisfaction of Schedule 1 to the EP&A Act, and (c) not identify development as designated development unless the relevant planning authority: i. can satisfy the Planning Secretary (or an officer of the Department nominated by the Secretary) that the class of development is likely to have a significant impact on the environment, and ii. has obtained the approval of the Planning Secretary (or an officer of the Department nominated by the Secretary) prior to undertaking community consultation in satisfaction of Schedule 1 to the EP&A Act. A planning proposal must be substantially consistent with the terms of this direction.		
1.4 Site Specific Provisions	This direction applies to all relevant planning authorities when preparing a planning proposal that will allow a particular development to be carried out. (1) A planning proposal that will amend another environmental planning instrument in order to allow particular development to be carried out must either: (a) allow that land use to be carried out in the zone the land is situated on, or (b) rezone the site to an existing zone already in the environmental planning instrument that allows that land use without imposing any development standards or requirements in addition to those already contained in that zone, or (c) allow that land use on the relevant land without imposing any development standards or requirements in addition to those already contained in the principal environmental planning instrument being amended. (2) A planning proposal must not contain or refer to drawings that show details of the proposed development. A planning proposal may be inconsistent with the terms of this direction only if the relevant planning authority can satisfy the Planning Secretary (or an officer of the Department nominated by the Secretary) that the provisions of the planning proposal that are inconsistent are of minor significance.	Yes	The planning proposal does not allow a particular development to be carried out. The planning proposal includes provisions to allow detached dual occupancies within Zone R5 Large Lot Residential as permissible with consent. This amendment applies to the Coffs Harbour LGA and does not permit this use only on specific sites. The planning proposal includes provisions for key sites within the Coffs Harbour LGA. The amendments to clause 7.19 do not permit additional land uses, but instead ensures that certain matters are considered before development consent is granted on key sites.

S9.1 Direction	Applicable	Consistent	Comment
1.4A Exclusion of Development Standards from Variation	This direction applies when a planning proposal authority prepares a planning proposal that proposes to introduce or alter an existing exclusion to clause 4.6 of a Standard Instrument LEP or an equivalent provision of any other environmental planning instrument.	N/A	The planning proposal will not introduce or alter an existing exclusion to clause 4.6 of Coffs Harbour LEP 2013.
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	This direction applies to all relevant planning authorities when preparing a planning proposal. (1) A planning proposal must include provisions that facilitate the protection and conservation of environmentally sensitive areas. (2) A planning proposal that applies to land within a conservation zone or land otherwise identified for environment conservation/protection purposes in a LEP must not reduce the conservation standards that apply to the land (including by modifying development standards that apply to the land). This requirement does not apply to a change to a development standard for minimum lot size for a dwelling in accordance with Direction 9.3 (2) of “Rural Lands”. A planning proposal may be inconsistent with the terms of this direction only if the relevant planning authority can satisfy the Planning Secretary (or an officer of the Department nominated by the Secretary that the provisions of the planning proposal that are inconsistent are: (a) justified by a strategy approved by the Planning Secretary which: - gives consideration to the objectives of this direction, and - identifies the land which is the subject of the planning proposal (if the planning	Yes	The planning proposal applies to the Coffs Harbour LGA and as such to land within a conservation zone. The following amendments included within the planning proposal correlate with Direction 3.1 and are consistent as follows: - The proposed amendment to clause 4.2E shall retain all objectives that ensure that development considers environmental capabilities of land. Although subclause (2)(c) shall be repealed, siting of dual occupancies must still meet all remaining existing criteria. To further re-in force the objectives of the clause, an additional subclause (3)(g) has been prepared to ensure that development does not have an adverse impact on native flora, fauna or water quality. As such, the clause shall function to locate development within the most suitable location on land within Zones R5 Large Lot Residential and RU2 Rural Landscape. - The proposed amendment to clause 4.2D shall allow

S9.1 Direction	Applicable	Consistent	Comment
	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 Strategy, Regional Plan or District Plan prepared by the Department of Planning, Housing and Infrastructure which gives consideration to the objective of this direction, or (d) is of minor significance.		for boundary changes on land within Zones RU2 Rural Landscape, R5 Large Lot Residential, C2 Environmental Conservation and C3 Environmental Management. The amended clause shall not result in reduced conservation standards as, subclauses (4)(f) and (4)(g) shall ensure that subdivision is suitable regarding the natural and physical constraints of the land and shall ensure that the consent authority considers whether the subdivision shall result in adverse impacts on environmental values. These controls are considered to improve conservation standards in clause 4.2D as are not currently included. Subclause (4) within the current clause shall be retained. The proposed amendment to clause 7.19 and the Key Sites Map shall not reduce conservation standards. A development control plan has been implemented for land identified as “Woolgoolga North West” on the Key Sites Map, and as such the clause 7.19 is no longer required in its current form. Part G14.1 of Coffs Harbour Development Control Plan 2015 provide development controls for land within these sites, including requirements to address environmental values. The proposed amendment to clause 7.19 introduces new key sites, of which only one site includes land zoned for conservation purposes. The

S9.1 Direction	Applicable	Consistent	Comment
			amended clause does not include provisions that permit development within Zone C2 Environmental Conservation. - The proposed amendment to Schedule 2 to implement exempt development criteria for farm dams only applies to land within Zone RU2 Rural Landscape. Criteria are included within the proposed amendment to minimise and avoid environmental impacts. - The proposed amendments to clauses 7.4 and 7.8 increase conservation standards for land identified as Biodiversity on the Terrestrial Biodiversity Map and as koala habitat identified by Coffs City Koala Plan of Management. These proposed amendments directly give effect to the objective of this direction.
3.2 Heritage Conservation	This direction applies to all relevant planning authorities when preparing a planning proposal. A planning proposal must contain provisions that facilitate the conservation of: (a) items, places, buildings, works, relics, moveable objects or precincts of environmental heritage significance to an area, in relation to the historical, scientific, cultural, social, archaeological, architectural, natural or aesthetic value of the item, area, object or place, identified in a study of the environmental heritage of the area, (b) Aboriginal objects or Aboriginal places that are protected under the <i>National Parks and Wildlife Act 1974</i>, and (c) Aboriginal areas, Aboriginal objects, Aboriginal places or landscapes identified by an Aboriginal heritage survey prepared by or on behalf of an Aboriginal Land Council, Aboriginal body or public authority and provided to the relevant planning authority, which identifies the area, object, place or	Yes	The planning proposal applies to the Coffs Harbour LGA. The planning proposal does not contain amendments that contradict or hinder the objectives of Direction 3.2.

S9.1 Direction	Applicable	Consistent	Comment
	landscape as being of heritage significance to Aboriginal culture and people. A planning proposal may be inconsistent with the terms of this direction only if the relevant planning authority can satisfy the Planning Secretary (or an officer of the Department nominated by the Secretary) that: (a) the environmental or indigenous heritage significance of the item, area, object or place is conserved by existing or draft environmental planning instruments, legislation, or regulations that apply to the land, or (b) the provisions of the planning proposal that are inconsistent are of minor significance.		
3.3 Sydney Drinking Water Catchments	This direction does not currently apply to the Coffs Harbour LGA.	N/A	
3.4 Application of C2 and C3 Zones and Environmental Overlays in Far North Coast LEPs	This direction does not currently apply to the Coffs Harbour LGA.	N/A	
3.5 Recreation Vehicle Areas	A planning proposal must not enable land to be developed for the purpose of a recreation vehicle area (within the meaning of the <i>Recreation Vehicles Act 1983</i>): (a) where the land is within a conservation zone, (b) where the land comprises a beach or a dune adjacent to or adjoining a beach, (c) where the land is not within an area or zone referred to in paragraphs (a) or (b) unless the relevant planning authority has taken into consideration: i. the provisions of the guidelines entitled <i>Guidelines for the Selection, Establishment and Maintenance of Recreation Vehicle Areas</i>, Soil Conservation Service of NSW, September 1985, and ii. the provisions of the guidelines entitled <i>Recreation Vehicles Act 1983, Guidelines for Selection, Design and Operation of</i>	Yes	The planning proposal applies to the Coffs Harbour LGA. The planning proposal does not contain provisions that contradict or hinder the objectives of Direction 3.5. The planning proposal does not enable land to be developed for the purpose of a recreation vehicle area.

S9.1 Direction	Applicable	Consistent	Comment
	Recreation Vehicle Areas, State Pollution Control Commission, September 1985. A planning proposal may be inconsistent with the terms of this direction only if the relevant planning authority can satisfy the Planning Secretary (or an officer of the Department nominated by the Secretary) that the provisions of the planning proposal that are inconsistent are: (a) justified by a strategy approved by the Planning Secretary which: i. gives consideration to the objective of this direction, and ii. identifies the land which is the subject of the planning proposal (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.		
3.6 Strategic Conservation Planning	This direction does not currently apply to the Coffs Harbour LGA.	N/A	
3.7 Public Bushland	This direction does not currently apply to the Coffs Harbour LGA.	N/A	
3.8 Willandra Lakes Region	This direction does not currently apply to the Coffs Harbour LGA.	N/A	
3.9 Sydney Harbour Foreshores and Waterways Area	This direction does not currently apply to the Coffs Harbour LGA.	N/A	
3.10 Water Catchment Protection	This direction does not currently apply to the Coffs Harbour LGA.	N/A	

S9.1 Direction	Applicable	Consistent	Comment
Focus Area 4: Resilience and Hazards			
4.1 Flooding	This direction applies to all relevant planning authorities that are responsible for flood prone land when preparing a planning proposal that creates, removes or alters a zone or a provision that affects flood prone land. (1) A planning proposal must include provisions that give effect to and are consistent with: (a) the NSW Flood Prone Land Policy, (b) the principles of the Floodplain Development Manual 2005, (c) the Considering flooding in land use planning guideline 2021, and (d) any adopted flood study and/or floodplain risk management plan prepared in accordance with the principles of the Floodplain Development Manual 2005 and adopted by the relevant council. (2) A planning proposal must not rezone land within the flood planning area from Recreation, Rural, Special Purpose or Conservation Zones to a Residential, Business, Industrial or Special Purpose Zones. (3) A planning proposal must not contain provisions that apply to the flood planning area which: (a) permit development in floodway areas, (b) permit development that will result in significant flood impacts to other properties, (c) permit development for the purposes of residential accommodation in high hazard areas, (d) permit a significant increase in the development and/or dwelling density of that land, (e) permit development for the purpose of centre-based childcare facilities, hostels, boarding houses, group homes, hospitals, residential care facilities, respite day care centres and seniors housing in areas where the occupants of the development cannot effectively evacuate, (f) permit development to be carried out without development consent except for the purposes of exempt development or agriculture. Dams, drainage canals,	TBC (Justifiably in-consistent)	The planning proposal applies to the Coffs Harbour LGA. The planning proposal does not remove or alter clause 5.21 Flood planning or 5.22 Special flood considerations within Coffs Harbour LEP 2013. The planning proposal includes provisions to allow detached dual occupancies as permitted with consent in Zone R5 Large Lot Residential. Development for this purpose will be required to accord with existing flood planning controls within Coffs Harbour LEP 2013 and Coffs Harbour DCP 2015. The planning proposal does not rezone land within the LGA. The planning proposal includes provisions that would permit low impact farm dams as exempt development, including within the flood planning area. The provisions are inconsistent with 3(f) of this Direction, but are deemed to be of minor significance for the following reasons: Low impact dams that meet the proposed exempt development criteria are unlikely to significantly increase flood levels on adjoining properties. The proposed criteria assist in limiting impacts upon flood levels by ensuring that dams are structurally sound and do not exceed the maximum capacity prescribed by the Maximum Harvestable Rights of an individual land parcel. In addition, proposed criteria limit the location of dams that are within proximity to Order 3 or greater streams, which serves to reduce the impact of development on flood levels and behaviour. The proposed criteria shall minimise dam break risk and the

S9.1 Direction	Applicable	Consistent	Comment
	levees, still require development consent, (g) are likely to result in a significantly increased requirement for government spending on emergency management services, flood mitigation and emergency response measures, which can include but are not limited to the provision of road infrastructure, flood mitigation infrastructure and utilities, or (h) permit hazardous industries or hazardous storage establishments where hazardous materials cannot be effectively contained during the occurrence of a flood event. (4) A planning proposal must not contain provisions that apply to areas between the flood planning area and probable maximum flood to which Special Flood Considerations apply which: (a) permit development in floodway areas, (b) permit development that will result in significant flood impacts to other properties, (c) permit a significant increase in the dwelling density of that land, (d) permit the development of centre-based childcare facilities, hostels, boarding houses, group homes, hospitals, residential care facilities, respite day care centres and seniors housing in areas where the occupants of the development cannot effectively evacuate, (e) are likely to affect the safe occupation of and efficient evacuation of the lot, or (f) are likely to result in a significantly increased requirement for government spending on emergency management services, and flood mitigation and emergency response measures, which can include but not limited to road infrastructure, flood mitigation infrastructure and utilities. (5) For the purposes of preparing a planning proposal, the flood planning area must be consistent with the principles of the Floodplain Development Manual 2005 or as otherwise determined by a Floodplain Risk Management Study or Plan adopted by the relevant council.		corresponding potential impacts on property, life and infrastructure. In accordance with the issued Gateway Determination, consultation will be undertaken with the Department of Primary Industries and the Department of Climate Change, Energy, the Environment and Water (Flooding and Water) to determine if the included exempt criteria are suitable.

S9.1 Direction	Applicable	Consistent	Comment
	A planning proposal may be inconsistent with this direction only if the planning proposal authority can satisfy the Planning Secretary (or their nominee) that: (a) the planning proposal is in accordance with a floodplain risk management study or plan adopted by the relevant council in accordance with the principles and guidelines of the <i>Floodplain Development Manual 2005</i>, or (b) where there is no council adopted floodplain risk management study or plan, the planning proposal is consistent with the flood study adopted by the council prepared in accordance with the principles of the <i>Floodplain Development Manual 2005</i> or (c) the planning proposal is supported by a flood and risk impact assessment accepted by the relevant planning authority and is prepared in accordance with the principles of the <i>Floodplain Development Manual 2005</i> and consistent with the relevant planning authorities' requirements, or (d) the provisions of the planning proposal that are inconsistent are of minor significance as determined by the relevant planning authority.		
4.2 Coastal Management	This direction applies when a planning proposal authority prepares a planning proposal that applies to land that is within the coastal zone, as defined under the <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>. (1) A planning proposal must include provisions that give effect to and are consistent with: (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	Yes	The planning proposal applies to the Coffs Harbour LGA. The planning proposal does not contain provisions that contradict or hinder the objectives of Direction 4.2. The planning proposal does not rezone land within the LGA. The planning proposal includes amendments that align with the directions and actions of the North Coast Regional Plan 2041 and the Coffs Harbour Local Growth Management Strategy 2020. As required by the issued Gateway Determination, the planning proposal is accompanied by Appendix 5: NSW Coastal Design Guidelines 2023: Assessment checklist for planning proposals.

S9.1 Direction	Applicable	Consistent	Comment
	have effect under clause 4 of Schedule 3 to the <i>Coastal Management Act 2016</i>, that applies to the land. (2) A planning proposal must not rezone land which would enable increased development or more intensive land-use on land: (a) within a coastal vulnerability area identified by the <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: 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. (3) A planning proposal must not rezone land which would enable increased development or more intensive land-use on land within a coastal wetlands and littoral rainforests area identified by chapter 3 of the <i>State Environmental Planning Policy (Biodiversity and Conservation) 2021</i>. (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>: (a) Coastal wetlands and littoral rainforests area map; (b) Coastal vulnerability area map; (c) Coastal environment area map; and (d) Coastal use area map. Such a planning proposal must be supported by evidence in a relevant Coastal Management Program that has been certified by the Minister, or by a <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>. A planning proposal may be inconsistent with the terms of this direction only if the planning proposal authority can satisfy the Planning		

S9.1 Direction	Applicable	Consistent	Comment
	Secretary (or their nominee) that the provisions of the planning proposal that are inconsistent are: (a) justified by a study or strategy prepared in support of the planning proposal which gives consideration to the objective of this direction, or (b) in accordance with any relevant Regional Strategic Plan or District Strategic Plan, prepared under Division 3.1 of the EP&A Act by the relevant strategic planning authority, which gives consideration to the objective of this direction, or (c) of minor significance.		
4.3 Planning for Bushfire Protection	This direction applies to all local government areas when a relevant planning authority prepares a planning proposal that will affect, or is in proximity to land mapped as bushfire prone land. 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. A planning proposal must: (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). A planning proposal must, where development is proposed, comply with the following provisions, as appropriate: (a) provide an Asset Protection Zone (APZ) incorporating at a minimum: (i) an Inner Protection Area bounded by a perimeter road or reserve which circumscribes the hazard side of the land intended for development and has a building line consistent with the incorporation of an APZ, within the property, and	Yes	The planning proposal applies to the Coffs Harbour LGA. The planning proposal does not contain provisions that contradict or hinder the objectives of Direction 4.3. The planning proposal includes provisions to allow detached dual occupancies within Zone R5 Large Lot Residential as permissible with consent. It is noted that this shall not significantly increase density within Zone R5 Large Lot Residential, as attached dual occupancies are currently permitted with consent. In accordance with clause 4.14 of the <i>Environmental Planning and Assessment Act 1979</i>, development to which the clause 4.2E applies is required to conform with the specifications and requirements of <i>Planning for Bushfire Protection 2019</i>. In accordance with the issued Gateway Determination, consultation will be undertaken with NSW Rural Fire Service.

S9.1 Direction	Applicable	Consistent	Comment
	(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. A planning proposal may be inconsistent with the terms of this direction only if the relevant planning authority can satisfy the Planning Secretary (or an officer of the Department nominated by the Secretary) that the council has obtained written advice from the Commissioner of the NSW Rural Fire Service to the effect that, notwithstanding the non-compliance, the NSW Rural Fire Service does not object to the progression of the planning proposal.		
4.4 Remediation of Contaminated Land	This direction applies when a planning proposal authority prepares a planning proposal that applies to: (a) land that is within an investigation area within the meaning of the <i>Contaminated Land Management Act 1997</i>, (b) land on which development for a purpose referred to in Table 1 to the contaminated land planning guidelines is being, or is known to have been, carried out, (c) the extent to which it is proposed to carry out development on it for residential, educational, recreational or childcare purposes, or for the purposes of a hospital – land:	Yes	The planning proposal applies to the Coffs Harbour LGA. The planning proposal does not contain provisions that contradict or hinder the objectives of Direction 4.4. The planning proposal does not relate to specific sites or propose to rezone land to which Direction 4.4 applies.

Sg.1 Direction	Applicable	Consistent	Comment
	i. in relation to which there is no knowledge (or incomplete knowledge) as to whether development for a purpose referred to in Table 1 to the contaminated land planning guidelines has been carried out, and ii. on which it would have been lawful to carry out such development during any period in respect of which there is no knowledge (or incomplete knowledge). (1) A planning proposal authority must not include in a particular zone (within the meaning of the local environmental plan) any land to which this direction applies if the inclusion of the land in that zone would permit a change of use of the land, unless: (a) the planning proposal authority has considered whether the land is contaminated, and (b) if the land is contaminated, the planning proposal authority is satisfied that the land is suitable in its contaminated state (or will be suitable, after remediation) for all the purposes for which land in the zone concerned is permitted to be used, and (c) if the land requires remediation to be made suitable for any purpose for which land in that zone is permitted to be used, the planning proposal authority is satisfied that the land will be so remediated before the land is used for that purpose. In order to satisfy itself as to paragraph 1(c), the planning proposal authority may need to include certain provisions in the local environmental plan. (2) Before including any land to which this direction applies in a particular zone, the planning proposal 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	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.	Yes (Justifiably in-consistent)	The planning proposal applies to the Coffs Harbour LGA. The planning proposal does not contain provisions that contradict or hinder the objectives of Direction 4.5. The planning proposal does not remove or alter clause 7.1 Acid

S9.1 Direction	Applicable	Consistent	Comment
	(1) The relevant planning authority must consider the Acid Sulfate Soils Planning Guidelines adopted by the Planning Secretary when preparing a planning proposal that applies to any land identified on the Acid Sulfate Soils Planning Maps as having a probability of acid sulfate soils being present. (2) When a relevant planning authority is preparing a planning proposal to introduce provisions to regulate works in acid sulfate soils, those provisions must be consistent with: (a) the Acid Sulfate Soils Model LEP in the Acid Sulfate Soils Planning Guidelines adopted by the Planning Secretary, or (b) other such provisions provided by the Planning Secretary that are consistent with the Acid Sulfate Soils Planning Guidelines. (3) A relevant planning authority must not prepare a planning proposal that proposes an intensification of land uses on land identified as having a probability of containing acid sulfate soils on the Acid Sulfate Soils Planning Maps unless the relevant planning authority has considered an acid sulfate soils study assessing the appropriateness of the change of land use given the presence of acid sulfate soils. The relevant planning authority must provide a copy of any such study to the Planning Secretary prior to undertaking community consultation in satisfaction of clause 4 of Schedule 1 to the Act. (4) Where provisions referred to under 2(a) and 2(b) above of this direction have not been introduced and the relevant planning authority is preparing a planning proposal that proposes an intensification of land uses on land identified as having a probability of acid sulfate soils on the Acid Sulfate Soils Planning Maps, the planning proposal must contain provisions consistent with 2(a) and 2(b). A planning proposal may be inconsistent with the terms of this direction only if the relevant planning authority can satisfy the Planning Secretary (or an officer of the Department nominated by the Secretary) that the provisions of the planning proposal that are inconsistent are: (a) justified by a study prepared in support of the planning proposal which gives		sulfate soils. As such, the presence of acid sulfate soils shall be addressed at development application for any proposed development.

S9.1 Direction	Applicable	Consistent	Comment
	consideration to the objective of this direction, or (b) of minor significance.		
4.6 Mine Subsidence and Unstable Land	This direction applies when a relevant planning authority prepares a planning proposal that permits development on land that is within a declared mine subsidence district in the Coal Mine Subsidence Compensation Regulation 2017 pursuant to section 20 of the Coal Mine Subsidence Compensation Act 2017, or has been identified as unstable in a study, strategy or other assessment undertaken by or on behalf of the relevant planning authority or by or on behalf of a public authority and provided to the relevant planning authority. (1) When preparing a planning proposal that would permit development on land that is within a declared mine subsidence district, a relevant planning authority must: (a) consult Subsidence Advisory NSW to ascertain: i. if Subsidence Advisory NSW has any objection to the draft local environmental plan, and the reason for such an objection, and ii. the scale, density and type of development that is appropriate for the potential level of subsidence, and (b) incorporate provisions into the draft Local Environmental Plan that are consistent with the recommended scale, density and type of development recommended under 1(a)(ii), and (c) include a copy of any information received from Subsidence Advisory NSW with the statement to the Planning Secretary (or an officer of the Department nominated by the Secretary prior to undertaking community consultation in satisfaction of Schedule 1 to the Act. (2) A planning proposal must not permit development on land that has been identified as unstable as referred to in the application section of this direction. A planning proposal may be inconsistent with the terms of this direction only if the relevant planning authority can satisfy the Planning Secretary (or an officer of the Department nominated by the Secretary that the provisions	Yes	The planning proposal applies to the Coffs Harbour LGA. Coffs Harbour LGA does not include land within a declared mine subsidence district. The planning proposal does not contain provisions that contradict or hinder the objectives of Direction 4.6.

S9.1 Direction	Applicable	Consistent	Comment
	of the planning proposal that are inconsistent are: (a) justified by a strategy approved by the Planning Secretary which: i. gives consideration to the objective of this direction, and ii. identifies the land which is the subject of the planning proposal (if the planning proposal relates to a particular site or sites), or (b) justified by a study prepared in support of the planning proposal which gives consideration to the objective of this direction, or (c) in accordance with the relevant Regional Strategy, Regional Plan or District Plan prepared by the Department of Planning, Housing and Infrastructure which gives consideration to the objective of this direction, or (d) of minor significance.		
Focus Area 5: Transport and Infrastructure			
5.1 Integrating Land Use and Transport	This direction applies to all relevant planning authorities when preparing a planning proposal that will create, alter or remove a zone or a provision relating to urban land, including land zoned for residential, business, industrial, village or tourist purposes. (1) A planning proposal must locate zones for urban purposes and include provisions that give effect to and are consistent with the aims, objectives and principles of: (a) Improving Transport Choice – Guidelines for planning and development (DUAP 2001), and (b) The Right Place for Business and Services – Planning Policy (DUAP 2001). A planning proposal may be inconsistent with the terms of this direction only if the relevant planning authority can satisfy the Planning Secretary (or an officer of the Department nominated by the Secretary) that the provisions of the planning proposal that are inconsistent are: (a) justified by a strategy approved by the Planning Secretary which: i. gives consideration to the objective of this direction, and	Yes	The planning proposal applies to the Coffs Harbour LGA. The proposal shall create and alter provisions relating to land zoned for residential and employment purposes through amendments to: - Land Use Table Zone R5 Large Lot Residential - Clause 4.2D Boundary Adjustments in certain rural, residential and conservation zones - Clause 4.2E Erection of dual occupancies (detached) in Zone RU2 - Clause 7.19 Development on certain land at Bark Hut Road and Newmans Road, Woolgoolga The planning proposal is deemed to be of minor significance for the following reasons: - Permitting detached dual occupancies with consent in Zone R5 Large Lot

S9.1 Direction	Applicable	Consistent	Comment
	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.		Residential shall not result in a significant increase in rural residential density within the zone as attached dual occupancies are already permitted with consent. The amendment of clause 4.2E so that it applies to such development in Zone R5 shall ensure that access, siting, land suitability and potential impacts are addressed. • Amendments to clause 4.2D shall not allow for boundary changes that create additional dwellings or the opportunity for dwellings on lots. As such, additional transport will not be required. • Amendments to clause 7.19 shall remove the area identified as “Woolgoolga North West” from the Key Sites Map and replace the clause with new controls for identified key sites. These sites are predominantly found within Zone E2 Commercial Centre. The amended clause includes provisions that align with the objectives of Direction 5.1 and Accessible Development Principles 5, 6, 8 and 10 of the Improving Transport Choice – Guidelines for planning and development (DUAP 2001).
5.2 Reserving Land for Public Purposes	This direction applies to all relevant planning authorities when preparing a planning proposal. (1) A planning proposal must not create, alter 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).	Yes	The planning proposal does not create, alter or reduce land reserved for a public purpose.

S9.1 Direction	Applicable	Consistent	Comment
	(2) When a Minister or public authority requests a relevant planning authority to reserve land for a public purpose in a planning proposal and the land would be required to be acquired under Division 3 of Part 2 of the Land Acquisition (Just Terms Compensation) Act 1991, the relevant planning authority must: (a) reserve the land in accordance with the request, and (b) include the land in a zone appropriate to its intended future use or a zone advised by the Planning Secretary (or an officer of the Department nominated by the Secretary), and (c) identify the relevant acquiring authority for the land. (3) When a Minister or public authority requests a relevant planning authority to include provisions in a planning proposal relating to the use of any land reserved for a public purpose before that land is acquired, the relevant planning authority must: (a) include the requested provisions, or (b) take such other action as advised by the Planning Secretary (or an officer of the Department nominated by the Secretary) with respect to the use of the land before it is acquired. (4) When a Minister or public authority requests a relevant planning authority to include provisions in a planning proposal to rezone and/or remove a reservation of any land that is reserved for public purposes because the land is no longer designated by that public authority for acquisition, the relevant planning authority must rezone and/or remove the relevant reservation in accordance with the request. A planning proposal may be inconsistent with the terms of this direction only if the relevant planning authority can satisfy the Planning Secretary (or an officer of the Department nominated by the Secretary) that: (a) with respect to a request referred to in paragraph (4), further information is required before appropriate planning controls for the land can be determined, or (b) the provisions of the planning proposal that are inconsistent with the terms of this direction are of minor significance.		

S9.1 Direction	Applicable	Consistent	Comment
5.3 Development Near Regulated Airports and Defence Airfields	This direction applies to all relevant planning authorities when preparing a planning proposal that will create, alter or remove a zone or a provision relating to land near a regulated airport which includes a defence airfield. (1) In the preparation of a planning proposal that sets controls for development of land near a regulated airport, the relevant planning authority must: (a) consult with the lessee/operator of that airport; (b) take into consideration the operational airspace and any advice from the lessee/operator of that airport; (c) for land affected by the operational airspace, prepare appropriate development standards, such as height controls. (d) not allow development types that are incompatible with the current and future operation of that airport. (2) In the preparation of a planning proposal that sets controls for development of land near a core regulated airport, the relevant planning authority must: (a) consult with the Department of the Commonwealth responsible for airports and the lessee/operator of that airport; (b) for land affected by the prescribed airspace (as defined in clause 6(1) of the <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. (3) In the preparation of a planning proposal that sets controls for the development of	Yes	The planning proposal applies to the Coffs Harbour LGA. The planning proposal does not contain provisions that contradict or hinder the objectives of Direction 5.3.

S9.1 Direction	Applicable	Consistent	Comment
	land near a defence airfield, the relevant planning authority must: (a) consult with the Department of Defence if: i. the planning proposal seeks to exceed the height provisions contained in the <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. (4) A planning proposal must include a provision to ensure that development meets <i>Australian Standard 2021 – 2015, Acoustic-Aircraft Noise Intrusion – Building siting and construction</i> with respect to interior noise levels, if the proposal seeks to rezone land: (a) for residential purposes or to increase residential densities in areas where the Australian Noise Exposure Forecast (ANEF) is between 20 and 25; or (b) for hotels, motels, offices or public buildings where the ANEF is between 25 and 30; or (c) for commercial or industrial purposes where the ANEF is above 30. (5) A planning proposal must not contain provisions for residential development or to increase residential densities within the 20 Australian Noise Exposure Concept (ANEC)/ANEF contour for Western Sydney Airport. A planning proposal may be inconsistent with the terms of this direction only if the relevant planning authority can satisfy the Planning Secretary (or an officer of the Department nominated by the Secretary) that the provisions of the planning proposal that are inconsistent are: (a) justified by a strategy approved by the Planning Secretary, which:		

S9.1 Direction	Applicable	Consistent	Comment
	i. gives consideration to the objectives of this direction; and ii. identifies the land which is the subject of the planning proposal (if the planning proposal relates to a particular site or sites), or (b) justified by a study prepared in support of the planning proposal which gives consideration to the objectives of this direction; or (c) in accordance with the relevant Regional Plan prepared by the Department of Planning, Housing and Infrastructure which gives consideration to the objectives of this direction.		
5.4 Shooting Ranges	This direction applies to all relevant planning authorities when preparing a planning proposal that will affect, create, alter or remove a zone or a provision relating to land adjacent to and/ or adjoining an existing shooting range. (1) A planning proposal must not seek to rezone land adjacent to and/ or adjoining an existing shooting range that has the effect of: (a) permitting more intensive land uses than those which are permitted under the existing zone; or (b) permitting land uses that are incompatible with the noise emitted by the existing shooting range. A planning proposal may be inconsistent with the terms of this direction only if the relevant planning authority can satisfy the Planning Secretary (or an officer of the Department nominated by the Secretary) that the provisions of the planning proposal that are inconsistent are: (a) justified by a strategy approved by the Planning Secretary, which: i. gives consideration to the objectives of this direction, and ii. identifies the land which is the subject of the planning proposal (if the planning proposal relates to a particular site or sites), or (b) justified by a study prepared in support of the planning proposal which gives consideration to the objective of this direction, or	Yes	The planning proposal applies to the Coffs Harbour LGA. The planning proposal does not contain provisions that contradict or hinder the objectives of Direction 5.4.

S9.1 Direction	Applicable	Consistent	Comment
	(c) is of minor significance.		
5.5 High Pressure Dangerous Goods Pipelines	This direction applies when a planning proposal authority prepares a planning proposal that would permit development for one or more of the specified uses in the application area of relevant pipelines. (1) A planning proposal authority must consider risks to the integrity of relevant pipelines, human health and the environment when preparing a planning proposal that would permit development for one or more of the specified uses in the application area of relevant pipelines. (2) When considering the risks in (1), the planning proposal authority must consider the pipeline guidelines. A planning proposal may be inconsistent with the terms of this direction only if the planning proposal authority can satisfy the Planning Secretary (or their nominee) that the provisions of the planning proposal that are inconsistent are: (a) justified by a study or strategy prepared in support of the planning proposal which gives consideration to the objective of this direction, or (b) of minor significance.	N/A	The planning proposal applies to the Coffs Harbour LGA. The planning proposal shall not permit development that is considered to be 'development for sensitive land uses' or 'development that may result in a significant population increase'.
Focus area 6: Housing			
6.1 Residential Zones	This direction applies to all relevant planning authorities when preparing a planning proposal that will affect land within an existing or proposed residential zone (including the alteration of any existing residential zone boundary), or any other zone in which significant residential development is permitted or proposed to be permitted. (1) A planning proposal must include provisions that encourage the provision of housing that will: (a) broaden the choice of building types and locations available in the housing market, and (b) make more efficient use of existing infrastructure and services, and (c) reduce the consumption of land for housing and associated urban development on the urban fringe, and (d) be of good design.	Yes	The planning proposal applies to the Coffs Harbour LGA. The planning proposal includes provisions to allow detached dual occupancies within Zone R5 Large Lot Residential as permissible with consent. The provision is consistent with Direction 6.1 as it shall broaden housing choice within Zone R5 Large Lot Residential. The planning proposal includes an amendment to clause 4.2E to ensure that development for detached dual occupancies within Zone R5 consider site constraints and are sited appropriately. Development to which clause 4.2E applies shall also be subject to existing clause 7.11 Essential Services, to

S9.1 Direction	Applicable	Consistent	Comment
	(2) A planning proposal must, in relation to land to which this direction applies: (a) contain a requirement that residential development is not permitted until land is adequately serviced (or arrangements satisfactory to the council, or other appropriate authority, have been made to service it), and (b) not contain provisions which will reduce the permissible residential density of land. A planning proposal may be inconsistent with the terms of this direction only if the relevant planning authority can satisfy the Planning Secretary (or an officer of the Department nominated by the Secretary) that the provisions of the planning proposal that are inconsistent are: (a) justified by a strategy approved by the Planning Secretary which: i. gives consideration to the objective of this direction, and ii. identifies the land which is the subject of the planning proposal (if the planning 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.		ensure that development is adequately serviced. Appropriate planning controls are also contained within Coffs Harbour DCP 2015 to ensure future development is of good design.
6.2 Caravan Parks and Manufactured Home Estates	This direction applies to all relevant planning authorities when preparing a planning proposal. This direction does not apply to Crown land reserved or dedicated for any purposes under the <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>. (1) In identifying suitable zones, locations and provisions for caravan parks in a planning	Yes	The planning proposal does not identify suitable zones, locations or provisions for caravan parks or manufactured home estates.

S9.1 Direction	Applicable	Consistent	Comment
	proposal, the relevant planning authority must: (a) retain provisions that permit development for the purposes of a caravan park to be carried out on land, and (b) retain the zonings of existing caravan parks, or in the case of a new principal LEP zone the land in accordance with an appropriate zone under the <i>Standard Instrument (Local Environmental Plans) Order 2006</i> that would facilitate the retention of the existing caravan park. (2) In identifying suitable zones, locations and provisions for manufactured home estates (MHEs) in a planning proposal, the relevant planning authority must: (a) take into account the categories of land set out in Schedule 6 of <i>State Environmental Planning Policy (Housing)</i> as to where MHEs should not be located, (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 (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. A planning proposal may be inconsistent with the terms of this direction only if the relevant planning authority can satisfy the Planning Secretary (or an officer of the Department nominated by the Secretary that the provisions of the planning proposal that are inconsistent are: (a) justified by a strategy approved by the Planning Secretary which: i. gives consideration to the objective of this direction, and ii. identifies the land which is the subject of the planning proposal (if the planning proposal relates to a particular site or sites), or (b) justified by a study prepared in support of the planning proposal which gives		

S9.1 Direction	Applicable	Consistent	Comment
	consideration to the objective of this direction, or (c) in accordance with the relevant Regional Strategy, Regional Plan or District Plan prepared by the Department of Planning, Housing and Infrastructure which gives consideration to the objective of this direction, or (d) of minor significance.		
Focus area 7: Industry and Employment			
7.1 Employment Zones	This direction applies to all relevant planning authorities when preparing a planning proposal that will affect land within an existing or proposed business or industrial zone (including the alteration of any existing business or industrial zone boundary). A planning proposal must: (a) give effect to the objectives of this direction, (b) retain the areas and locations of existing business and industrial zones, (c) not reduce the total potential floor space area for employment uses and related public services in business zones, (d) not reduce the total potential floor space area for industrial uses in industrial zones, and (e) ensure that proposed new employment areas are in accordance with a strategy that is approved by the Planning Secretary. A planning proposal may be inconsistent with the terms of this direction only if the relevant planning authority can satisfy the Planning Secretary (or an officer of the Department nominated by the Secretary) that the provisions of the planning proposal that are inconsistent are: (a) justified by a strategy approved by the Planning Secretary, which: i. gives consideration to the objective of this direction, and ii. identifies the land which is the subject of the planning proposal (if the planning proposal relates to a particular site or sites), or (b) justified by a study (prepared in support of the planning proposal) which gives consideration to the objective of this direction, or	Yes	The planning proposal applies to the Coffs Harbour LGA. The planning proposal affects land within existing employments zones, through amendments to clause 7.19 and the implementation of new Key Sites and associated planning controls. The provisions of clause 7.19 align with the objectives of the direction, with the intention of encouraging development that has visual interest, provides for pedestrian connectivity and a safe public realm. The provisions of clause 7.19 shall retain areas and locations of employment zones and shall not reduce total potential floor space area for employment uses.

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	(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.		
7.2 Reduction in non-hosted short-term rental accommodation period	This direction does not currently apply to the Coffs Harbour LGA.	N/A	
7.3 Commercial and Retail Development along the Pacific Highway, North Coast	Applies when a relevant planning authority prepares a planning proposal for land in the vicinity of the existing and/or proposed alignment of the Pacific Highway. (1) A planning proposal that applies to land located on “within town” segments of the Pacific Highway must provide that: (a) new commercial or retail development must be concentrated within district centres rather than spread along the Highway; (b) development with frontage to the Pacific Highway must consider impacts that the development has on the safety and efficiency of the highway; and (c) for the purposes of this paragraph, “within town” means areas which prior to the draft LEP have an urban zone (e.g. Village, residential, tourist, commercial and industrial etc.) and where the Pacific Highway is less than 80km/hour. (2) A planning proposal that applies to land located on “out-of-town” segments of the Pacific Highway must provide that: (a) new commercial or retail development must not be established near the Pacific Highway if this proximity would be inconsistent with the objectives of this Direction. (b) development with frontage to the Pacific Highway must consider the impact the development has on the safety and efficiency of the highway. (c) For the purposes of this paragraph, “out-of-town” means areas which, prior to the draft local environmental	Yes	The planning proposal applies to the Coffs Harbour LGA. The planning proposal includes an amendment to clause 7.19 and the Key Sites Map that identifies several sites within proximity of the existing Pacific Highway through Coffs Harbour City Centre (Grafton Street), noting that the Coffs Harbour Bypass will reroute inter and intra-regional road traffic in the near future. The planning proposal does not propose additional commercial or retail development, and shall only include provisions to improve urban design and active transport outcomes on identified Key Sites.

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	plan, do not have an urban zone (e.g.: “village”, “residential”, “tourist”, “commercial”, “industrial”, etc.) or are in areas where the Pacific Highway speed limit is 80 km/hour or greater. (3) Notwithstanding the requirements of paragraphs (4) and (5), the establishment of highway service centres may be permitted at the localities listed in Table 1, provided that the Roads and Traffic Authority is satisfied that the highway service centre(s) can be safely and efficiently integrated into the highway interchange(s) at those localities. A planning proposal may be inconsistent with the terms of this direction only if the relevant planning authority can satisfy the Planning Secretary (or an officer of the Department nominated by the Secretary) that the provisions of the planning proposal that are inconsistent are of minor significance.		
Focus area 8: Resources and Energy			
8.1 Mining, Petroleum Production and Extractive Industries	This direction applies to all relevant planning authorities when preparing a planning proposal that would have the effect of: (a) prohibiting the mining of coal or other minerals, production of petroleum, or winning or obtaining of extractive materials, or (b) restricting the potential development of resources of coal, other minerals, petroleum or extractive materials which are of State or regional significance by permitting a land use that is likely to be incompatible with such development. (1) In the preparation of a planning proposal affected by this direction, the relevant planning authority must: (a) consult the Secretary of the Department of Primary Industries (DPI) to identify any: i. resources of coal, other minerals, petroleum or extractive material that are of either State or regional significance, and ii. existing mines, petroleum production operations or extractive industries occurring in the area subject to the planning proposal, and	N/A	The planning proposal will not prohibit the mining of coal or other minerals, production of petroleum, or winning or obtaining of extractive materials; or restrict the potential development of resources of coal, other minerals, petroleum or extractive minerals which are of State or regional significance (by permitting a land use that is likely to be incompatible with such development).

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	(b) seek advice from the Secretary of DPI on the development potential of resources identified under (1)(a)(i), and (c) identify and take into consideration issues likely to lead to land use conflict between other land uses and: i. development of resources identified under (1)(a)(i), or ii. existing development identified under (1)(a)(ii). (2) Where a planning proposal prohibits or restricts development of resources identified under (1)(a)(i), or proposes land uses that may create land use conflicts identified under (1)(c), the relevant planning authority must: (a) provide the Secretary of DPI with a copy of the planning proposal and notification of the relevant provisions, (b) allow the Secretary of DPI a period of 40 days from the date of notification to provide in writing any objections to the terms of the planning proposal, and (c) include a copy of any objection and supporting information received from the Secretary of DPI with the statement to the Planning Secretary (or an officer of the Department nominated by the Secretary before undertaking community consultation in satisfaction of Schedule 1 to the Act. A planning proposal may be inconsistent with the terms of this direction only if the relevant planning authority can satisfy the Planning Secretary (or an officer of the Department nominated by the Secretary), that the provisions of the planning proposal that are inconsistent are of minor significance.		
Focus area 9: Primary Production			
9.1 Rural Zones	This direction applies when a relevant planning authority prepares a planning proposal that will affect land within an existing or proposed rural zone (including the alteration of any existing rural zone boundary). A planning proposal must not rezone land from a rural zone to a residential, business, industrial, village or tourist zone.	Yes	The planning proposal applies to the Coffs Harbour LGA. The planning proposal does not contain provisions that contradict or hinder the objectives of Direction 9.1. The planning proposal includes several amendments that directly relate to land within

S9.1 Direction	Applicable	Consistent	Comment
	A planning proposal may be inconsistent with the terms of this direction only if the relevant planning authority can satisfy the Planning Secretary (or an officer of the Department nominated by the Secretary that the provisions of the planning proposal that are inconsistent are: (a) justified by a strategy approved by the Planning Secretary which: - 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 (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 Strategy, Regional Plan or District Plan prepared by the Department of Planning, Housing and Infrastructure which gives consideration to the objective of this direction, or (d) is of minor significance.		existing rural zones, and which are consistent with the objectives of the direction: - The amendment to clause 4.2E shall repeal the requirement for detached dual occupancies to be within 50 metres of each other. The amendment shall not result in an increase in residential density. - The amendment to clause 4.2D includes provisions to ensure that boundary changes do not result in the potential for additional dwellings.
9.2 Rural Lands	This direction applies when a relevant planning authority prepares a planning proposal for land outside the local government areas of lake Macquarie, Newcastle, Wollongong and LGAs in the Greater Sydney Region (as defined in the <i>Greater Sydney Commission Act 2015</i>) other than Wollondilly and Hawkesbury, that: (a) will affect land within an existing or proposed rural or conservation zone (including the alteration of any existing rural or conservation zone boundary) or (b) changes the existing minimum lot size on land within a rural or conservation zone. (1) A planning proposal must: - be consistent with any applicable strategic plan, including regional and district plans endorsed by the Planning Secretary, and any applicable local strategic planning statement - consider the significance of agriculture and primary production to the State and rural communities - identify and protect environmental values, including but not limited to,	TBC (Justifiably in-consistent)	The planning proposal applies to the Coffs Harbour LGA. The planning proposal does not contain provisions that contradict or hinder the objectives of Direction 9.2. The planning proposal includes several amendments that relate to land within existing rural and conservation zones, and which are consistent with the objectives of the direction: - The amendment to clause 4.2E shall repeal the requirement for detached dual occupancies to be within 50 metres of each other. The amendment is of minor significance as the clause retains objectives and requirements align with the Direction (1)(a) to (i). - The amendment to clause 4.2D shall allow for

S9.1 Direction	Applicable	Consistent	Comment
	maintaining biodiversity, the protection of native vegetation, cultural heritage, and the importance of water resources (d) consider the natural and physical constraints of the land, including but not limited to, topography, size, location, water availability and ground and soil conditions (e) promote opportunities for investment in productive, diversified, innovative and sustainable rural economic activities (f) support farmers in exercising their right to farm (g) prioritise efforts and consider measures to minimise the fragmentation of rural land and reduce the risk of land use conflict, particularly between residential land uses and other rural land use (h) consider State significant agricultural land identified in chapter 2 of the <i>State Environmental Planning Policy (Primary Production) 2021</i> for the purpose of ensuring the ongoing viability of this land (i) consider the social, economic and environmental interests of the community. (2) A planning proposal that changes the existing minimum lot size on land within a rural or conservation zone must demonstrate that it: (a) is consistent with the priority of minimising rural land fragmentation and land use conflict, particularly between residential and other rural land uses (b) will not adversely affect the operation and viability of existing and future rural land uses and related enterprises, including supporting infrastructure and facilities that are essential to rural industries or supply chains (c) where it is for rural residential purposes: i. is appropriately located taking account of the availability of human services, utility infrastructure, transport and proximity to existing centres ii. is necessary taking account of existing and future demand and supply of rural residential land. A planning proposal may be inconsistent with the terms of this direction only if the relevant planning authority can satisfy the Planning Secretary (or an officer of the Department		boundary changes between lots that are not considered to be 'boundary adjustments'. Case law has indicated that boundary adjustments should not result in significant changes to the configuration of existing allotments and must pay respect to existing subdivision design. In accordance with an action within Coffs Harbour Local Growth Management Strategy 2020, the amended clause shall allow for a wider range of boundary changes, with the intention of enabling efficient agricultural operations. The amendment to clause 4.2D includes provisions that align with the Direction (1)(a) to (i). The amendment to Schedule 2 is in accordance with an action within Coffs Harbour Local Growth Management Strategy 2020, to enable low impact dams to be constructed without approval. High impact dams shall require approval to ensure they are appropriately designed and located to minimise land use conflicts and environmental impacts. The Department of Primary Industries – Fisheries has been previously consulted to determine appropriate criteria. In accordance with the issued Gateway Determination, consultation will be undertaken with the Department of Primary Industries and Regional Development – Agriculture and Biosecurity.

S9.1 Direction	Applicable	Consistent	Comment
	nominated by the Secretary) that the provisions of the planning proposal that are inconsistent are: (a) justified by a strategy approved by the Planning Secretary and is in force which: i. gives consideration to the objectives of this direction, and ii. identifies the land which is the subject of the planning proposal (if the planning proposal relates to a particular site or sites), or (b) is of minor significance.		
9.3 Oyster Aquaculture	This direction applies to any relevant planning authority when preparing a planning proposal in ‘Priority Oyster Aquaculture Areas’ and oyster aquaculture outside such an area as identified in the <i>NSW Oyster Industry Sustainable Aquaculture Strategy (2006)</i> (“the Strategy”), when proposing a change in land use which could result in: (a) adverse impacts on a ‘Priority Oyster Aquaculture Area’ or a “current oyster aquaculture lease in the national parks estate”, or (b) incompatible use of land between oyster aquaculture in a ‘Priority Oyster Aquaculture Area’ or a “current oyster aquaculture lease in the national parks estate” and other land uses. (1) In the preparation of a planning proposal the relevant planning authority must: (a) identify any ‘Priority Oyster Aquaculture Areas’ and oyster aquaculture leases outside such an area, as shown the maps to the Strategy, to which the planning proposal would apply, (b) identify any proposed land uses which could result in any adverse impact on a ‘Priority Oyster Aquaculture Area’ or oyster aquaculture leases outside such an area, (c) identify and take into consideration any issues likely to lead to an incompatible use of land between oyster aquaculture and other land uses and identify and evaluate measures to avoid or minimise such land use in compatibility, (d) consult with the Secretary of the Department of Primary Industries (DPI) of the proposed changes in the	N/A	The planning proposal does not relate to land within a Priority Oyster Aquaculture Area or oyster aquaculture outside side an area as identified in the <i>NSW Oyster Industry Sustainable Aquaculture Strategy (2006)</i>.

S9.1 Direction	Applicable	Consistent	Comment
	preparation of the planning proposal, and (e) ensure the planning proposal is consistent with the Strategy. (2) Where a planning proposal proposes land uses that may result in adverse impacts identified under (1)(b) and (1)(c), relevant planning authority must: (a) provide the Secretary of DPI with a copy of the planning proposal and notification of the relevant provisions, (b) allow the Secretary of DPI a period of 40 days from the date of notification to provide in writing any objections to the terms of the planning proposal, and (c) include a copy of any objection and supporting information received from the Secretary of DPI with the statement to the Planning Secretary before undertaking community consultation in satisfaction of Schedule 1 to the EP&A Act. A planning proposal may be inconsistent with the terms of this direction only if the relevant planning authority can satisfy the Planning Secretary (or an officer of the Department 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	

Item	LEP 2013 Provision	Issue	Comment	Recommended Action
Coffs Harbour Local Environmental Plan 2013 – Part 1 Preliminary				
1	Clause 1.2 Aims of Plan	Completed, as part of Coffs Harbour Local Environmental Plan 2013 (Amendment No. 31).		
2	Other clauses in Part 1	No change required.		
Coffs Harbour Local Environmental Plan 2013 – Part 2 Permitted or prohibited development				
3	Land use zone objectives	Completed, as part of Coffs Harbour Local Environmental Plan 2013 (Amendment No. 31).		
4	Land Use Table & Permissibilities	Community and stakeholder consultation undertaken as part of the development of the Coffs Harbour Local Growth Management Strategy – Chapter 5 Rural Lands identified an unnecessary dual consent requirement for private native forestry. Given that Private Native Forestry is assessed and administered by the NSW Local Land Services, Council recognises that there is no need to duplicate the approval process by requiring consent for Forestry under Coffs Harbour LEP 2013. As such, a key action of the Coffs Harbour Local Growth Management Strategy 2020 is to	Streamlining approval processes relating to private native forestry is consistent with Action 13 of the North Coast Regional Plan 2036 (i.e. to sustainably manage natural resources).	Amend Coffs Harbour LEP 2013 so that Forestry is permitted without consent within Zone RU2 Rural Landscape. This action is to be deferred until after the NSW State Government has completed its review of Private Native Forestry arrangements. The NSW Government’s review of Private Native Forestry regulation has been carried out and has resulted in updated Codes of Practice that regulate the approval and carrying out of Private Native Forestry. Due to the current uncertainties resulting from State and

Item	LEP 2013 Provision	Issue	Comment	Recommended Action
		amend Coffs Harbour LEP 2013 to make Forestry permissible without consent in Zone RU2 Rural Landscape.		Environmental Planning Policy (Biodiversity and Conservation) 2021 (2 separate koala habitat protection chapters), and the interaction with Private Native Forestry, a review of Coffs Harbour LEP 2013 consent requirements for Forestry will be carried out in conjunction with the preparation of a new Koala Plan of Management for the Coffs Harbour Local Government Area. Therefore, the proposal to amend Coffs Harbour LEP 2013 to remove the requirement for consent for Forestry in Zone RU2 Rural Landscape is no longer proposed to be included in the current 5-year review LEP amendment package.
5		'Artisan food and drink industries' are currently prohibited in Zone RU2 Rural Landscape. A key action within the Coffs Harbour Local Growth Management Strategy – Chapter 5 Rural Lands is to amend Coffs Harbour LEP 2013 to make 'artisan food and drink industries'	The prohibition of 'Artisan food and drink industries' has the effect of unnecessarily hampering farm diversification, value adding and agri-tourism in Coffs Harbour's rural areas. Enabling 'Artisan food and drink industries' within rural areas is consistent with Direction 11.4 and 12.1 of the North Coast Regional Plan 2036.	Amend Coffs Harbour LEP 2013 to make 'artisan food and drink industries' permissible with consent in RU2 Rural Landscape. This action will be captured within a future planning proposal (to be considered by Council by the end of 2025).

Item	LEP 2013 Provision	Issue	Comment	Recommended Action
		permissible with consent in appropriate rural zones.		
6		The Coffs Harbour Local Growth Management Strategy – Chapter 6 Large Lot Residential Lands identifies land use conflict as a key issue for land within Zone R5 Large Lot Residential. A key action of Chapter 6 Large Lot Residential Lands is to amend Coffs Harbour LEP 2013 to prohibit land uses (other than Horticulture) that do not accord with the objectives of Zone R5 Large Lot Residential, such as animal boarding or training establishments and veterinary hospitals.	A review of permissible land uses in Zone R5 Large Lot Residential against the objectives of the zone is consistent with the Coffs Harbour Local Growth Management Strategy – Chapter 6 Large Lot Residential Lands.	Review permissible land uses within Zone R5 Large Lot Residential of Coffs Harbour LEP 2013 against the objectives of the zone. Amend Coffs Harbour LEP 2013 to prohibit land uses (other than Horticulture) that do not accord with the objectives of Zone R5 Large Lot Residential. This action is addressed and implemented by this planning proposal.
7	Clause 2.4 Unzoned Land	A part of the comprehensive review of Coffs Harbour LEP 2013, it has been identified that a number of creek mouths and some riparian land is currently unzoned.	All land located within the Land Application Map must be covered by an appropriate land use zone.	Review unzoned land and determine the most suitable zone for such land, in accordance with NSW Planning, Industry and Environment guidelines. Completed, a review of land within the Land Application Map has been undertaken. It has been confirmed that there is no unzoned land within the Land Application Map.

Item	LEP 2013 Provision	Issue	Comment	Recommended Action
8	Other clauses in Part 2	No change required.		
Coffs Harbour Local Environmental Plan 2013 – Part 3 Exempt and complying development				
9	All clauses in Part 3	No change required.		
Coffs Harbour Local Environmental Plan 2013 – Part 4 Principal development standards				
10	Clause 4.1A Minimum Subdivision lot sizes for certain split zones	Completed, as part of Coffs Harbour Local Environmental Plan (Amendment No. 33).		
11	Clause 4.2B Erection of dwelling houses on land in certain rural and environment protection zones	Completed, as part of Coffs Harbour Local Environmental Plan (Amendment No. 33).		
12	Clause 4.2D Boundary Adjustments of land in certain rural, residential and environment protection zones	Feedback from the development industry indicates that Clause 4.2D of Coffs Harbour LEP 2013 does not facilitate boundary adjustments involving certain alterations to the configuration or size of the subject lots and does not deliver on the intent of the clause.	Caution is required in relation to this matter. Some of the proposals that the development industry is referring to, may constitute a subdivision, rather than a boundary adjustment. Investigation of a new local clause for inclusion in Coffs Harbour LEP 2013 to address boundary adjustment issues in rural areas is a key action of the Coffs Harbour Local Growth Management Strategy – Chapter 5 Rural Lands.	Investigate the need for a new local clause for inclusion in Coffs Harbour LEP 2013 to address boundary adjustment issues in rural areas. This action is addressed and implemented by this planning proposal.

Item	LEP 2013 Provision	Issue	Comment	Recommended Action
13	All other clauses in Part 4	No change required.		
Coffs Harbour Local Environmental Plan 2013 – Part 5 Miscellaneous provisions				
14	All clauses in Part 5	No change required.		
Coffs Harbour Local Environmental Plan 2013 – Part 6 Miscellaneous provisions				
15	All clauses in Part 6	No change required.		
Coffs Harbour Local Environmental Plan 2013 – Part 7 Miscellaneous provisions				
16	Part 7 Additional Local Provisions – Terrestrial Biodiversity, Drinking Water Catchments, Riparian Land and Watercourses and associated maps	An action within the Coffs Harbour Local Growth Management Strategy – Chapter 3 Strategic Approach is to liaise with relevant stakeholders and review and amend Council’s planning controls to ensure that adequate controls are in place to minimise impacts on marine environments, water catchment areas and groundwater sources from development.	This review accords with Action 2.2 of the North Coast Regional Plan 2036, which is to ensure that local plans manage marine environments, water catchment areas and groundwater sources to avoid potential development impacts. An obvious omission from Council’s Additional Local Provisions within Coffs Harbour LEP 2013 is a groundwater vulnerability clause and associated map.	Review the adequacy of Clause 7.4 Terrestrial Biodiversity, 7.5 Drinking Water Catchments and Clause 7.6 Riparian Land and Watercourses. Consider the need for a new groundwater vulnerability clause and associated map. A comprehensive review of Clauses 7.4, 7.5 and the inclusion of a new groundwater vulnerability clause has been completed. Amendments to these clauses shall be considered in the City’s Conservation (C) Zones Review.

Item	LEP 2013 Provision	Issue	Comment	Recommended Action
				A minor amendment to Clause 7.4 shall be implemented in accordance with Item 23 – to prevent complying development from occurring within mapped Biodiversity. A review of Clause 7.6 has been completed. This clause shall be amended in a future LEP Housekeeping amendment to update the map for this clause with a new methodology.
17	Clause 7.2 Earthworks	Completed, as part of Coffs Harbour Local Environmental Plan 2013 (Amendment No. 31).		
18	Clause 7.13 Central Business District	Completed, as part of Coffs Harbour Local Environmental Plan 2013 (Amendment No. 31).		
19	Clause 7.19 Development on certain land at West Moonee and associated Key Sites Map (KYS_005D)	Clause 7.19 of Coffs Harbour LEP 2013 specifies that development consent must not be granted for development on land within West Moonee unless a development control plan that provides for certain matters specified in the clause. Since the introduction of Clause 7.19 of Coffs Harbour LEP 2013, Council has updated Coffs Harbour	There is no longer a need for a “key sites” clause to specifically apply to West Moonee, however there is a need to investigate the application of the key site clause to other strategically significant sites within the LGA. A key site clause is currently being investigated as part of a proponent led LEP amendment for Woolgoolga North West. However the clause may also require further review to apply to other strategically significant sites such as those identified by the Woolgoolga Town Centre Masterplan, Coffs Harbour City Centre Masterplan and other endorsed place manuals of Council.	Review Clause 7.19 and associated key site map from Coffs Harbour LEP 2013 to remove references to West Moonee and to investigate the amendment of this clause (and maps) to apply to other strategically significant sites, other than Woolgoolga North West.

Item	LEP 2013 Provision	Issue	Comment	Recommended Action
		Development Control Plan 2015 to address the matters specified by Clause 7.19. In this regard, there is no longer a need for this specific clause.		This action is addressed and implemented by this planning proposal.
20	All other clauses in Part 7	No change required.		
Schedule 1 – Additional Permitted Uses				
21	All clauses in Schedule 1	No change required.		
Schedule 2 - Exempt Development				
22	Schedule 2 Exempt Development	Farm dams currently require development consent within Zone RU2 Rural Landscape under Coffs Harbour LEP 2013, resulting in a need for multiple government approvals and duplication of assessment processes. A key action within the Coffs Harbour Local Growth Management Strategy – Chapter 5 Rural Lands is to make Water Storage Facilities (Dams) Exempt Development through Coffs Harbour LEP 2013.	Streamlining approval processes relating to low impact agricultural development is consistent with Action 12.1 of the North Coast Regional Plan 2036 to promote expansion of food and fibre production through flexible planning provisions in local environmental plans.	Amend Schedule 2 of Coffs Harbour LEP 2013 to include Exempt Development criteria for “water storage facilities” (dams) within Zone RU2 Rural Landscape where approval is not required by other legislation. This action is addressed and implemented by this planning proposal.
Schedule 3 – Complying Development				

Item	LEP 2013 Provision	Issue	Comment	Recommended Action
23	Schedule 3 Complying Development	Coffs Harbour LEP 2013 does not currently explicitly identify environmentally sensitive land for the purposes of State Environmental Planning Policy (Exempt and Complying Development) Codes 2008 (Codes SEPP). This becomes an issue as complying development is able to be undertaken on land within the Coffs Harbour LGA which contains high conservation value land.	Complying development can be excluded on environmentally sensitive land within the Coffs Harbour LGA by identifying this land for the purposes of the Codes SEPP within Coffs Harbour LEP 2013.	Identify environmentally sensitive land within Coffs Harbour LEP 2013 for the purposes of the Codes SEPP. This action is addressed and implemented by this planning proposal.
24	All other clauses in Schedule 3	No change required.		
Schedule 4 – Classification and Reclassification of Public Land				
25	All clauses in Schedule 4	No change required.		
Schedule 5 – Environmental Heritage				
26	All clauses in Schedule 5	No change required.		
Schedule 6 – Pond-Based and Tank-Based Aquaculture				
27	All clauses in Schedule 6	No change required.		

Item	LEP 2013 Provision	Issue	Comment	Recommended Action
Other Miscellaneous Amendments				
28		Coffs Harbour Local Growth Management Strategy – Chapter 5 Rural Lands identifies the need to explore amendments to either State or local planning instruments to provide a new definition of 'rural function centres' or similar, so as to allow for appropriately scaled rural functions in appropriate rural zones. Destination weddings and event functions in rural areas can result in neighbour conflicts. Such uses are defined as 'function centres' under the definitions contained within the NSW Standard Instrument LEP and are currently prohibited under provisions contained within Coffs Harbour LEP 2013. This results in facilities being operated either illegally or as 'temporary uses'. There is a need to explore amendments to either State and local planning instruments to provide a new definition of 'rural function centres' or similar, so as to allow for appropriately scaled rural functions.	“Function Centres” are currently prohibited within Zone RU2 Rural Landscape under Coffs Harbour LEP 2013, which has the effect of hampering farm diversification, value adding and agri-tourism in Coffs Harbour’s rural areas. Enabling small-scale function centres that comply with strict design and locational criteria in rural settings is consistent with Direction 11.4 of the North Coast Regional Plan 2036.	Explore an amendment to Coffs Harbour LEP 2013 to introduce a new definition of ‘rural function centre’ or similar to enable appropriately scaled rural functions in appropriate rural zones. NSW Planning, Industry and Environment will determine the most appropriate mechanism to include this intent within Coffs Harbour LEP 2013. This action will be captured within a future planning proposal (to be considered by Council by the end of 2025).

Gateway Determination

Planning proposal (Department Ref: PP-2025-1689): to undertake various housekeeping amendments to Coffs Harbour LEP 2013.

I, the Director, Hunter and Northern Region at the Department of Planning, Housing and Infrastructure, as delegate of the Minister for Planning and Public Spaces, have determined under section 3.34(2) of the *Environmental Planning and Assessment Act 1979* (the Act) that an amendment to the Coffs Harbour Local Environmental Plan 2013 to undertake various housekeeping amendments to Coffs Harbour LEP 2013 should proceed subject to the following conditions:

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

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

The LEP should be completed on or before 9 months of the Gateway determination date.

Gateway Conditions

1. Prior to public exhibition, the planning proposal is to be updated to:
 - (a) include a clear and concise outline of the objectives and intended outcomes in Part 1 of the proposal;
 - (b) include a plain English description of the intent of each proposed LEP clause amendment;
 - (c) include further explanation and justification for the proposed changes to clause 4.2D and how they will achieve Council's intent;
 - (d) include further explanation as to why the land uses proposed to be prohibited in the R5 zone are incompatible with the zone objectives;
 - (e) include existing and proposed maps sheets for the amendments to the Key Sites Map for both localities;
 - (f) explain the strategic justification for the inclusion of the five new sites on the Key Sites map and the application of the proposed Key Sites clause to these properties;
 - (g) include justification for permitting dams in the RU2 zone as exempt development particularly in relation to clause 3(f) of Section 9.1 Direction 4.1 Flooding;
 - (h) include the completed checklist from Appendix 1 of the NSW Coastal Design Guidelines 2023; and

- (i) include a map illustrating the terrestrial biodiversity and koala habitat that will be identified as environmentally significant land and / or an ecologically sensitive area.
2. Public exhibition is required under section 3.34(2)(c) and clause 4 of Schedule 1 to the Act as follows:
- (a) the planning proposal is categorised as standard as described in the *Local Environmental Plan Making Guideline* (Department of Planning and Environment, August 2023) and must be made publicly available for a minimum of 20 working days; and
- (b) the planning proposal authority must comply with the notice requirements for public exhibition of planning proposals and the specifications for material that must be made publicly available along with planning proposals as identified in *Local Environmental Plan Making Guideline* (Department of Planning and Environment, August 2023).
3. Consultation is required with the following public authorities and government agencies under section 3.34(2)(d) of the Act and/or to comply with the requirements of applicable directions of the Minister under section 9 of the Act:
- Department of Primary Industries and Regional Development – Agriculture and Biosecurity
 - Department of Primary industries and Regional Development - Fisheries
 - Department of Climate Change, Energy, the Environment and Water – Flooding
 - Department of Climate Change, Energy, the Environment and Water – Water
 - Department of Climate Change, Energy, the Environment and Water – Conservation Programs Heritage and Regulation
 - NSW Rural Fire Service
 - NSW Natural Resources Access Regulator
- Each public authority is to be provided with a copy of the planning proposal and any relevant supporting material via the NSW Planning Portal and given at least 30 working days to comment on the proposal.
4. A public hearing is not required to be held into the matter by any person or body under section 3.34(2)(e) of the Act. This does not discharge Council from any obligation it may otherwise have to conduct a public hearing (for example, in response to a submission or if reclassifying land).

Dated 29 September 2025



Craig Diss
Director, Hunter and Northern Region
Local Planning and Council Support
Department of Planning, Housing and
Infrastructure
Delegate of the Minister for Planning and
Public Spaces

NSW Coastal Design Guidelines 2023



Appendix 1: Assessment checklist for planning proposals

Hierarchy of coastal management areas:

1. CWLRA = coastal wetlands and littoral rainforests area
2. CVA = coastal vulnerability area
3. CEA = coastal environment area
4. CUA = coastal use area

Note: Requirements relating to coastal hazards must be considered for all coastal hazard and risk areas, regardless of which relevant coastal management area(s) these fall within. 'Coastal hazard and risk areas' mean any mapped coastal vulnerability areas and/or areas affected by (or projected to be affected by) coastal hazards that have been identified in a state environmental planning policy, local environmental plan, development control plan, coastal management program, coastal hazard policy or study adopted by council.

Outcome A. Protect and enhance coastal environmental values			
Requirement	Relevant coastal management area(s)	Applicable to planning proposal (Y/N)	Planning proposal is consistent with guidelines (Y/N) If 'No', justify this
Outcome A.1 Protect coastal ecosystems			
A.1a Avoid development on undeveloped headlands and significant coastal landforms.	CVA, CEA		
A.1b Do not increase development or intensify land uses where there is existing development on headlands and significant coastal landforms.	CVA, CEA		
A.1c Identify, protect and enhance sensitive coastal ecosystems including coastal wetlands, littoral rainforests and other coastal threatened ecological communities that may be affected by development.	CWLRA, CEA		
A.1d Maintain and protect the presence of beaches, rock platforms, coastal dunes, riparian vegetation and the natural features of foreshores, including along estuaries and coastal lakes.	CWLRA, CVA, CEA		
A.1e Use environmental buffers and limit the number of access points and pathways to protect coastal ecosystems. In some cases, it may not be appropriate to allow public access to areas with highly sensitive ecosystems or animal populations.	CWLRA, CEA, CUA		

Outcome A. Protect and enhance coastal environmental values

Requirement	Relevant coastal management area(s)	Applicable to planning proposal (Y/N)	Planning proposal is consistent with guidelines (Y/N) If 'No', justify this
A.1f Consider if the planning proposal is needed or if development zones could be better located to minimise effects on biodiversity.	CWLRA, CEA, CUA		
A.1g Avoid development that may disturb, expose or drain areas of Class 1 and Class 2 acid sulfate soils.	CWLRA, CEA, CUA		
A.1h Consider direct and indirect effects of development, including any necessary infrastructure, on water quality, water quantity and hydrological flows of waterways and groundwater.	CEA, CUA		

Outcome A.2 Protect coastal wetlands and littoral rainforests

A.2a Identify coastal wetlands and littoral rainforests, including areas that could be rehabilitated or restored in the future, and do not increase development or intensify land uses in these areas.	CWLRA		
A.2b Allow for the adaptive management of stormwater run-off so that the quality of water leaving the site is better than pre-development quality to lessen effects on coastal wetlands or other sensitive receiving environments.	CWLRA, CEA, CUA		
A.2c Provide environmental buffers and riparian corridors that enable the long-term management and protection of areas of biodiversity and ecosystem integrity.	CWLRA, CVA, CEA, CUA		
A.2d Identify and protect areas that allow for landward migration pathways for coastal wetlands to respond to climate change.	CWLRA, CEA		
A.2e Exclude land uses that affect the natural state of coastal wetlands and littoral rainforests or that will make it harder to rehabilitate these ecosystems in the future.	CWLRA		

Outcome A.3 Protect marine parks and aquatic reserves

A.3a Avoid development and land uses that affect the environmental, economic, social and cultural values of marine parks and aquatic reserves.	CEA, CUA		
A.3b Protect the ecological health of marine parks and aquatic reserves, including providing for riparian vegetation and buffers in their catchments.	CEA, CUA		

Outcome B. Ensure the built environment is appropriate for the coast and local context

Requirement	Relevant coastal management area(s)	Applicable to planning proposal (Y/N)	Planning proposal is consistent with guidelines (Y/N) If 'No', justify this
Outcome B.1 Respond to and protect elements that make the place special			
B.1a Integrate development within the natural topography of the site and ensure land use, building scale and height respond sympathetically to coastal landforms.	CWLRA, CVA, CEA, CUA		
B.1b Ensure the intended form and footprint of development does not dominate coastal elements, including foreshores, public spaces and other areas of natural beauty.	CWLRA, CVA, CEA, CUA		
B.1c Incorporate adaptive, water-sensitive urban design into the development footprint to reduce run-off and manage water quality within receiving environments.	CWLRA, CEA, CUA		
B.1d Ensure that lot sizes, building heights and density are appropriate for the coastal settlement, and complement the existing or desired local character, supported by place-based strategies.	CEA, CUA		
B.1e Avoid development that would harm geological features and geoheritage.	CEA, CUA		
Outcome B.2 Ensure urban development complements coastal scenic values			
B.2a Limit ribbon development and urban sprawl wherever possible. In certain locations, place-based strategies may support increased development density and building heights as a better response to urban growth.	CEA, CUA		
B.2b Use greenbelts to create, maintain and mark out separation between settlements.	CEA, CUA		
B.2c Consider effects on scenic values and maintain publicly accessible views to significant landmarks.	CEA, CUA		
B.2d Ensure that building heights consider the effect on views from different vantage points.	CEA, CUA		
B.2e Retain or create views from public spaces. Prioritise this over creating views from private property.	CEA, CUA		
B.2f Provide for active transport links along foreshores, including along estuaries and coastal lakes, and between settlements to increase public access and amenity.	CWLRA, CVA, CEA, CUA		

Outcome C. Protect and enhance the social and cultural values of the coastal zone

Requirement	Relevant coastal management area(s)	Applicable to planning proposal (Y/N)	Planning proposal is consistent with guidelines (Y/N) If 'No', justify this
Outcome C.1 Protect and promote heritage values			
C.1a Ensure development does not harm heritage values or sites.	CWLRA, CVA, CEA, CUA		
C.1b Work collaboratively with local Aboriginal people before and throughout the planning proposal process.	CWLRA, CVA, CEA, CUA		
C.1c With permission and guidance from local Traditional Custodians, identify and emphasise significant features of coastal land and sea Country.	CWLRA, CVA, CEA, CUA		
C.1d With permission and guidance from local Traditional Custodians, identify and protect sacred and significant areas through the appropriate siting of development.	CWLRA, CVA, CEA, CUA		
C.1e Ensure land use, building type, scale and height respond to heritage items and areas.	CEA, CUA		
Outcome C.2 Provide public access to significant coastal assets			
C.2a Protect and, where practical, improve, public amenity, access to and use of beaches, foreshores, rock platforms, geoheritage sites and headlands, unless you must restrict access for public safety or for environmental or cultural protection. In doing so, consider both current and projected future coastal hazards.	CVA, CEA		
C.2b Identify opportunities to maintain and improve existing public access to beaches, foreshores, coastal waters and coastal lakes that support active and passive recreation activities, where this does not interfere with existing coastal industries.	CWLRA, CVA, CEA, CUA		
C.2c Consolidate access points and consider alternative access to protect sacred and significant Aboriginal cultural areas.	CWLRA, CVA, CEA, CUA		
C.2d Maintain and improve foreshore access and connections to existing or proposed networks of public open spaces. This includes waterways, riparian areas, bushland and parks for active and passive recreation.	CWLRA, CVA, CEA, CUA		
C.2e Consider opportunities to protect and improve habitat connectivity through settlements, such as those described in the <i>Greener Places Design Guide</i> .	CWLRA, CEA, CUA		

Outcome C. Protect and enhance the social and cultural values of the coastal zone

Requirement	Relevant coastal management area(s)	Applicable to planning proposal (Y/N)	Planning proposal is consistent with guidelines (Y/N) If 'No', justify this
C.2f Avoid development on coastal dunes and foreshore reserves unless it is for essential public purposes, such as surf life-saving club buildings. Any building or structure located on dunes must be of lightweight construction and relocatable.	CVA, CEA		
C.2g Define the boundaries of development sites with a public edge – for example, a pedestrian pathway or public laneway.	CEA, CUA		
C.2h Prevent the privatisation of coastal open space by ensuring development next to foreshores is set back, maintains public access and accessibility, and provides links and connections to other public accessways.	CEA, CUA		
Outcome C.3 Protect public amenity			
C.3a Avoid development that will overshadow the beach, foreshore or public domain. Apply the standard that there must be no overshadowing before 4 pm (midwinter) and 7 pm (Eastern Daylight Saving Time).	CEA, CUA		
C.3b Protect the amenity of public spaces from buildings, structures or land uses that may be visually and/or acoustically intrusive or create wind funnels.	CEA, CUA		

Outcome D. Support sustainable coastal economies

Requirement	Relevant coastal management area(s)	Applicable to planning proposal (Y/N)	Planning proposal is consistent with guidelines (Y/N) If 'No', justify this
Outcome D.1 Support sustainable industries and recreational activities that depend on the coast			
D.1a Ensure that development will not harm sustainable coastal industries needing waterfront access, or recreational use of the coastal environment.	CEA, CUA		
D.1b Protect and improve essential facilities such as access ramps and jetties for sustainable coastal industries needing waterfront access.	CEA, CUA		
D.1c Ensure access ramps, jetties, pontoons, groynes and other structures do not impede navigation on the water or harm coastal landforms or impair processes such as surf breaks.	CWLRA, CVA, CEA, CUA		
D.1d Ensure that the proposal considers how development in a waterway may affect the land.	CEA, CUA		
Outcome D.2 Promote green infrastructure			
D.2a Do not allow development that is likely to significantly reduce connectivity of existing green infrastructure.	CEA, CUA		
D.2b Provide for diverse green infrastructure that can support the changing needs of current and future communities, and provide tourism and recreational opportunities.	CEA, CUA		

Outcome E. Respond to coastal hazards

Requirement	Relevant coastal management area(s)	Applicable to planning proposal (Y/N)	Planning proposal is consistent with guidelines (Y/N) If 'No', justify this
Outcome E.1 Respond to coastal processes			
E.1a Planning proposals that affect land within a coastal hazard and risk area must not alter coastal processes in a way that harms the natural environment or other land.	CWLRA, CVA, CEA, CUA		
E.1b Exclude development in areas affected by a current or projected future coastal hazard that is likely to increase the risk of coastal hazards on that land or other land.	CWLRA, CVA, CEA, CUA		
E.1c Locate or consolidate development in areas with little or no exposure to current and projected future coastal hazards, to ensure public safety and prevent risks to life.	CWLRA, CVA, CEA, CUA		
E.1d Do not increase development potential or intensify land uses in a coastal hazard or risk area.	CWLRA, CVA, CEA, CUA		
Outcome E.2 Account for natural hazard risks			
E.2a Identify areas on and near the proposal that are affected by current or projected future coastal hazards. Ensure that the proposal is compatible with any identified threat or risk.	CWLRA, CVA, CEA, CUA		
E.2b Account for potential interaction between coastal hazards and other current and future natural hazards. This includes flooding, bushfires, landslip, heatwaves, severe storms, east coast lows and cyclones. Refer to the <i>Strategic Guide to Planning for Natural Hazards</i> .	CWLRA, CVA, CEA, CUA		
E.2c Manage natural hazard risk within the development site. Avoid using public space or adjoining land to lessen risk.	CWLRA, CVA, CEA, CUA		
Outcome E.3 Account for climate change			
E.3a Demonstrate that the proposal applies a 100-year planning horizon for the full range of climate change projections for coastal hazards. This approach recognises that sea level is projected to continue to rise for centuries because of climate change.	CWLRA, CVA, CEA, CUA		
E.3b Consider how climate change could affect the risk profile of existing natural hazards and create new vulnerabilities and exposure for the proposal in the future.	CWLRA, CVA, CEA, CUA		

Outcome E. Respond to coastal hazards

Requirement	Relevant coastal management area(s)	Applicable to planning proposal (Y/N)	Planning proposal is consistent with guidelines (Y/N) If 'No', justify this
Outcome E.4 Provide sustainable defences to coastal hazards			
E.4a Reduce exposure to coastal hazards by protecting, restoring or improving natural defences. This includes coastal dunes, vegetation, coastal floodplains and coastal wetlands, where suitable.	CWLRA, CVA, CEA, CUA		
E.4b If natural defences are not possible, reduce exposure to coastal hazards without significantly degrading: • biological diversity and ecosystem integrity • ecological, biophysical, geological and geomorphological coastal processes • beach and foreshore amenity, or the social and cultural value of these areas • public safety and access to, or use of, beaches or headlands.	CWLRA, CVA, CEA, CUA		
Outcome E.5 Protect essential infrastructure			
E.5a Locate and design essential infrastructure to reduce vulnerability to current and projected future coastal hazards. Consider the effects of climate change over at least a 100-year planning horizon.	CWLRA, CVA, CEA, CUA		
E.5b Where exposure to coastal hazards cannot be avoided, prepare adaptation plans for essential service infrastructure. These plans should be consistent with any applicable coastal management program.	CWLRA, CVA, CEA, CUA		
E.5c Consult local Aboriginal land management experts and emergency management agencies on how to strategically locate access routes and other essential infrastructure.	CWLRA, CVA, CEA, CUA		
Outcome E.6 Change land uses to manage legacy issues and avoid creating new ones			
E.6a Ensure the proposal will not require coastal management interventions to remain viable over its expected lifespan.	CWLRA, CVA, CEA, CUA		
E.6b Consider the potential legacy effects of the proposal and if the proposed land uses or development will create a social, environmental, economic or cultural burden for future generations.	CWLRA, CVA, CEA, CUA		
E.6c Consider if the proposed change of land use could remove redundant legacy infrastructure or reduce existing legacy effects.	CWLRA, CVA, CEA, CUA		