



# **Coffs Harbour City Local Environmental Plan 2000 (Amendment No 16)**

under the

**Environmental Planning and Assessment Act 1979**

I, the Minister for Planning, make the following local environmental plan under the *Environmental Planning and Assessment Act 1979*. (G02/00060/PC)

ANDREW REFSHAUGE, M.P.,  
Minister for Planning

## 2003 No 146

Clause 1 Coffs Harbour City Local Environmental Plan 2000 (Amendment No 16)

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# Coffs Harbour City Local Environmental Plan 2000 (Amendment No 16)

under the

Environmental Planning and Assessment Act 1979

## 1 Name of plan

This plan is *Coffs Harbour City Local Environmental Plan 2000 (Amendment No 16)*.

## 2 Aims of plan

This plan aims to amend the *Coffs Harbour City Local Environmental Plan 2000*:

- (a) to rezone certain land within the City of Coffs Harbour for low density housing purposes, business purposes, special use purposes and open space purposes, and
- (b) to make other minor changes to zoning, and
- (c) to make minor changes to the aims and objectives of that plan, and
- (d) to insert a new provision relating to public utility undertakings and to insert additional definitions relating to those undertakings, and
- (e) to insert additional items in Schedule 5 (Heritage items) to that plan, and
- (f) to make minor amendments to the Dictionary to that plan.

## 3 Land to which plan applies

This plan applies:

- (a) in relation to the aims set out in clause 2 (a) and (b), to the land shown coloured on the map marked “Coffs Harbour City Local Environmental Plan 2000 (Amendment No 16)” deposited in the office of Coffs Harbour City Council, and
- (b) in relation to the aims set out in clause 2 (c)–(f), to all of the land within the City of Coffs Harbour.

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**4 Amendment of Coffs Harbour City Local Environmental Plan 2000**

*Coffs Harbour City Local Environmental Plan 2000* is amended as set out in Schedule 1.

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Schedule 1 Amendments

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### Schedule 1 Amendments

(Clause 4)

**[1] Clause 2 What are the aims and objectives of this Plan?**

Insert “sustainable” after “encourage” in clause 2 (1) (b).

**[2] Clause 2 (1) (c)**

Omit “to provide for”.

Insert “to recognise the need to provide for, and to provide for,”.

**[3] Clause 2 (1) (d)**

Omit the paragraph. Insert instead:

(d) to provide a quality lifestyle within the City.

**[4] Clause 7 What activities do not require consent or are not prohibited by this Plan?**

Insert at the end of clause 7 (b):

, or

(c) exempt development within the meaning of clause 10 (2).

**[5] Clause 9 How does the development control table work?**

Omit “recreation areas;” from item 2 of the matter relating to the Rural 1A Agriculture Zone, Rural 1B Living Zone, Residential 2A Low Density Zone, Residential 2B Medium Density Zone, Residential 2C Medium-High Density Zone, Residential 2D High Density Zone, Residential 2E Tourist Zone, Business 3A City Centre Zone, Business 3B City Support Zone, Business 3C Town Centre Zone, Business 3D Tourist Service Centre Zone, Business 3E Town Centre Support Zone, Business 3F Neighbourhood Zone, Business 3G Mixed Use Zone, Industrial 4A Zone and Special Uses 5A Community Purposes Zone in the table to the clause.

**[6] Clause 9, Table**

Omit “; recreation areas” from item 2 of the matter relating to Open Space 6C Private Recreation Zone.

**[7] Clause 9, Table**

Insert “recreation areas;” in alphabetical order in item 3 of the matter relating to the Rural 1A Agriculture Zone, Rural 1B Living Zone, Residential 2A Low Density Zone, Residential 2B Medium Density Zone, Residential 2C Medium-High Density Zone, Residential 2D High Density Zone, Residential 2E Tourist Zone, Business 3A City Centre Zone, Business 3B City Support Zone, Business 3C Town Centre Zone, Business 3D Tourist Service Centre Zone, Business 3E Town Centre Support Zone, Business 3F Neighbourhood Zone, Business 3G Mixed Use Zone, Industrial 4A Zone and Open Space 6C Private Recreation Zone.

**[8] Clause 9, Table**

Insert “;recreation areas” in alphabetical order in item 3 of the matter relating to the Rural 1F State Forest Zone.

**[9] Clause 9, Table**

Omit “dwellings;” from item 3 of the matter relating to the Residential 2A Low Density Zone, Residential 2B Medium Density Zone, Residential 2C Medium-High Density Zone, Residential 2D High Density Zone, Residential 2E Tourist Zone, Business 3A City Centre Zone, Business 3B City Support Zone, Business 3C Town Centre Zone, Business 3D Tourist Service Centre Zone, Business 3E Town Centre Support Zone, Business 3F Neighbourhood Zone and Business 3G Mixed Use Zone.

**[10] Clause 9, Table**

Omit “dwellings (used in conjunction with other land uses allowed in this zone);” from item 3 of the matter relating to the Business 3F Neighbourhood Zone and the Industrial 4A Zone.

Insert instead “dwelling-houses (used in conjunction with other land uses allowed in this zone);”.

**[11] Clause 9, Table**

Insert “dwelling-houses;” in alphabetical order in item 3 of the matter relating to the Business 3A City Centre Zone, Business 3B City Support Zone, Business 3C Town Centre Zone, Business 3D Tourist Service Centre Zone, Business 3E Town Centre Support Zone and Business 3G Mixed Use Zone.

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**[12] Clause 9, Table**

Insert “general stores;”, “holiday cabins;”, “permanent group homes;”, “transitional group homes;” and “veterinary clinics;” in alphabetical order in item 3 of the matter relating to the Business 3A City Centre Zone.

**[13] Clause 9, Table**

Insert “agriculture;”, “aquaculture;”, “camp or caravan sites;”, “depots;”, “detached dual occupancies;”, “forestry;”, “generating works;”, “heliports;”, “marinas;”, “rural industries;”, “service stations;”, “stock and saleyards;”, “turf farms;” and “; warehouses or distribution centres” in alphabetical order in item 4 of the matter relating to the Business 3A City Centre Zone.

**[14] Clause 9, Table**

Insert “general stores;”, “holiday cabins;” “permanent group homes;”, “transitional group homes;” and “veterinary clinics;” in alphabetical order in item 3 of the matter relating to the Business 3C Town Centre Zone.

**[15] Clause 9, Table**

Insert “agriculture;”, “aquaculture;”, “depots;”, “detached dual occupancies;”, “forestry;”, “generating works;”, “heliports;”, “marinas;”, “rural industries;”, “service stations;”, “stock and saleyards;” and “turf farms;” in alphabetical order in item 4 of the matter relating to the Business 3C Town Centre Zone.

**[16] Clause 9, Table**

Insert “motels;” in alphabetical order in item 3 of the matter relating to the Business 3D Tourist Service Centre Zone.

**[17] Clause 9, Table**

Omit “cemeteries;”, “helicopter landing sites;”, “motor showrooms;”, “office premises;”, “places of worship;” and “registered clubs;” from item 3 of the matter relating to the Business 3F Neighbourhood Zone.

**[18] Clause 9, Table**

Omit “cemeteries;”, “helicopter landing sites;” and “; warehouses or distribution centres” from item 3 of the matter relating to the Business 3G Mixed Use Zone.

**[19] Clause 9, Table**

Omit item 3 of the matter relating to the Special Uses 5A Community Purposes Zone.

Insert instead:

**3 Only with development consent**

Development for the particular purpose lettered on the map.

Other development not included in item 2 or 4.

**[20] Clause 9, Table**

Insert “group homes;” and “; special care homes” in alphabetical order in item 2 of the matter relating to Open Space 6C Private Recreation Zone.

**[21] Clause 9, Table**

Insert “animal establishments;”, “aquaculture;”, “bed and breakfast establishments;”, “boarding houses;”, “bushfire hazard reduction;”, “cemeteries;”, “childcare centres;”, “clearing of bushland;”, “communications facilities;”, “community facilities;”, “dams;”, “educational establishments;”, “forestry;”, “general stores;”, “helicopter landing sites;”, “holiday cabins;”, “hospitals;”, “housing for aged or disabled persons;”, “marinas;”, “passenger transport terminals;”, “permanent group homes;”, “places of worship;”, “retail plant nurseries;”, “transitional group homes;” and “; veterinary clinics; veterinary hospitals” in alphabetical order in item 3 of the matter relating to Open Space 6C Private Recreation Zone.

**[22] Clause 9, Table**

Insert “convenience stores;”, “depots;”, “generating works;”, “heliports;”, “home industries;”, “home occupations;”, “medical centres;”, “motor showrooms;”, “rural industries;”, “stock and saleyards;”, “turf farms;” and “; vehicle repair stations; warehouses or distribution centres” in alphabetical order in item 4 of the matter relating to Open Space 6C Private Recreation Zone.

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Schedule 1 Amendments

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### [23] Clause 19A

Insert after clause 19:

#### 19A Land zoned Special Uses 5A Community Purposes

##### Objective of provision

To provide for the development of land for community purposes.

Consent must not be granted to the development of land within Zone 5A unless:

- (a) the consent authority is satisfied that the development is consistent with:
  - (i) the aim and the objectives of the zone, and
  - (ii) any relevant plan of management under the *Local Government Act 1993* or the *Crown Lands Act 1989*, and
- (b) the consent authority has taken into consideration any masterplan for the land the subject of the development.

### [24] Schedule 1 Activities not requiring consent and not prohibited by Plan

Omit “wharves,” from item (5) of the Schedule.

### [25] Schedule 1, item (12)

Insert at the end of Schedule 1:

- (12) The carrying out by persons carrying on waste management services of development of any description effected in pursuance of any statutory power to provide waste management services (being development required for the purposes of their undertaking) except the erection or use of a building designed wholly or principally as administrative or business premises or as a showroom.



[26] Schedule 3 Shops in Zones 3B and 3G

Omit the first map. Insert instead:



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### [27] Schedule 5 Heritage items

Insert in alphabetical order in the matter relating to Lowanna in that Schedule:

Lowanna Railway Station—off Camp Creek Road	State	N/A
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### [28] Schedule 5

Insert in alphabetical order in the matter relating to Ulong in that Schedule:

Ulong Railway Station—Pine Avenue	State	N/A
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### [29] Dictionary

Omit the definitions of *community facility*, *home occupation* and *shop*.

### [30] Dictionary

Insert in alphabetical order:

*community facility* means a building or place owned or controlled by a public authority that provides for the physical, social, cultural or intellectual development or health, safety or welfare of the local community, but in the Table to clause 9 does not include a building or place elsewhere defined in this Dictionary.

*domestic waste* has the same meaning as it has in the *Local Government Act 1993*.

*home occupation* means an occupation carried on in a building that is or contains a dwelling-house or a dwelling, or is within the curtilage of a dwelling-house or dwelling, by the permanent residents of the dwelling-house or dwelling and which does not involve:

- (a) the registration of the building, dwelling-house or dwelling under the *Shops and Industries Act 1962*, or
- (b) the employment of more than 1 person other than such residents, or

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- (c) interference with the amenity of the neighbourhood by reason of the emission of noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil or otherwise, or
  - (d) the display of goods, except for the purposes of home galleries, whether in a window or otherwise, or
  - (e) the erection of a sign not exceeding 0.8m in area, or
  - (f) prostitution.

**shop** means a building or place used for the purpose of selling, whether by retail or auction, or for the hiring or display for the purpose of selling or hiring, of items (whether goods or materials), but in the Table to clause 9 does not include a building or place elsewhere defined in this Dictionary.

**waste** has the same meaning as it has in the *Local Government Act 1993*.

**waste depot** has the same meaning as it has in the *Local Government Act 1993*.

**waste management service** means any service for the purpose of collecting, sorting, processing or disposing of waste including providing domestic waste services or conducting of waste depots.

**winery** means a building used for the purposes of manufacturing, storing and offering for sale of wine.

**[31] Dictionary, definition of “child care centre”**

Omit paragraph (a). Insert instead:

- (a) the children number 6 or more,

**[32] Dictionary, definition of “recreation area”**

Omit paragraph (a) and renumber paragraphs (b) and (c) as paragraphs (a) and (b) respectively.

**[33] Dictionary, definition of “the map”**

Insert in numerical order of amendments:

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**[34] Dictionary, definition of “tourist facility”**

Insert “rural enterprises such as wineries,” after “restaurants,”.

BY AUTHORITY

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