



# **Coffs Harbour City Local Environmental Plan 2000 (Amendment No 15)**

under the

**Environmental Planning and Assessment Act 1979**

I, the Minister Assisting the Minister for Infrastructure and Planning (Planning Administration), make the following local environmental plan under the *Environmental Planning and Assessment Act 1979*. (G96/00052/PC)

DIANE BEAMER, M.P.,

Minister Assisting the Minister for Infrastructure  
and Planning (Planning Administration)

## **2004 No 773**

Clause 1 Coffs Harbour City Local Environmental Plan 2000 (Amendment No 15)

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# **Coffs Harbour City Local Environmental Plan 2000 (Amendment No 15)**

under the

Environmental Planning and Assessment Act 1979

## **1 Name of plan**

This plan is *Coffs Harbour City Local Environmental Plan 2000 (Amendment No 15)*.

## **2 Aims of plan**

The aims of this plan are as follows:

- (a) to create on-going employment and income opportunities for the rural communities,
- (b) to have settlement patterns and land uses that achieve the highest economic return for the community,
- (c) to employ the user pays principle for the provision of infrastructure and environmental values,
- (d) to ensure existing and future community, educational, leisure and recreational facilities are adequate to serve the community,
- (e) to provide equitable access to social services and employment opportunities,
- (f) to enhance cultural values and create a sense of place within the rural communities,
- (g) to maintain biodiversity and protect water quality,
- (h) to provide for development that enhances environmental values and is compatible with environmental constraints,
- (i) to ensure development is energy efficient and minimises greenhouse gas emissions.

## **3 Land to which plan applies**

This plan applies to all 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 9 How does the development control table work?**

Insert “bed and breakfast establishments;” in alphabetical order in item 2 of the matter relating to the Rural 1A Agriculture Zone and Rural 1B Living Zone in the Table to the clause.

**[2] Clause 9, Table**

Omit “bed and breakfast establishments;” wherever occurring in item 3 of the matter relating to the Rural 1A Agriculture Zone and Rural 1B Living Zone.

**[3] Clause 18 Subdivision and erection of dwellings within rural and environmental protection zones**

Omit “Korora Rural Development Control Plan” from clause 18 (4) (b) (iii) (A).

Insert instead “*Korora Rural Residential Development Control Plan*”.

**[4] Clause 18 (5A) and (5B)**

Insert after clause 18 (5):

- (5A) Consent may be granted to the subdivision of land to which this clause applies that comprises a boundary adjustment or rearrangement of allotment boundaries only if:
  - (a) the development consent does not authorise the creation of any additional allotment or dwelling entitlement, and
  - (b) each proposed allotment contains only one of the existing dwelling-houses or attached dual occupancies, and
  - (c) each proposed allotment comprises an area of at least 10 hectares, and
  - (d) the consent authority is satisfied that:
    - (i) if the land is within Zone 1A, the proposal meets the aim and objectives of Zone 1A, and
    - (ii) if part of the land is within Zone 7A, the long term management of the land in Zone 7A will be assisted.

- (5B) Consent may be granted to the subdivision of land within Zone 1B only if each proposed allotment has an area of at least the minimum area (not being an area of less than one hectare) specified in relation to the land in *Coramba-Karangi-Upper Orara Development Control Plan* (as adopted by the Council on 21 August 2003) and *Nana Glen-Bucca Development Control Plan* (as adopted by the Council on 21 August 2003).

**[5] Clause 18 (7) (b)**

Omit “or (4)”. Insert instead “, (4) or (5B)”.

**[6] Clause 18 (9)**

Renumber clause 18 (14) as clause 18 (9).

**[7] Clause 18 (9) (as renumbered by Schedule 1 [6])**

Insert “that is within land to which *Korora Rural Residential Development Control Plan* (as adopted by the Council on 21 August 2003) applies” after “land” where first occurring.

**[8] Clause 22 Waterways**

Insert after clause 22 (5):

**Drinking water catchment**

- (6) Subclauses (7) and (8) apply to the land shown edged heavy black on the Drinking Water Catchment Map.
- (7) Despite any other provisions of this Plan, development for the purposes of any of the following may be carried out on land to which this subclause applies only with development consent:
  - (a) any of the following forms of agriculture:
    - (i) dairy farming,
    - (ii) the cultivation of crops by means of intensive horticulture (including floriculture, hydroponic horticulture and viticulture),
    - (iii) the cultivation of fruit,
    - (iv) the cultivation of plants in a wholesale plant nursery,

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Schedule 1 Amendments

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- (b) a dam with a surface area greater than 5,000 square metres,
- (c) a recreation area other than a children's playground.
- (8) Consent may be granted to development on land to which this subclause applies only if the consent authority:
  - (a) has considered the impact the development will have on any public water supply source, and
  - (b) is satisfied the development will not increase the risk of pollution of any public water supply source.

### [9] Clause 24 Exceptions

Insert at the end of the Land Use Exceptions Table:

Nana Glen, Nana Glen Rail, Lowanna and Ulong Villages	All land in Residential 2A Low Density Zone	Development for any purpose if the consent authority is satisfied that the development will benefit tourism and that it is consistent with <i>Nana Glen-Bucca Development Control Plan</i> , as adopted by the Council on 21 August 2003 and <i>Coastal and Hinterland Development Control Plan</i> , as adopted by the Council on 21 August 2003.
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### [10] Dictionary

Insert in alphabetical order:

***Drinking Water Catchment Map*** means the map marked "Drinking Water Catchment" and contained in *Coramba-Karangi-Upper Orara Development Control Plan*, as adopted by the Council on 21 August 2003.

### [11] Dictionary, definition of "the map"

Insert in appropriate order:

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BY AUTHORITY

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