



New South Wales

# **Coffs Harbour City Local Environmental Plan 2000 (Amendment No 17)**

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*. (G97/00075/S69)

FRANK SARTOR, M.P.,  
Minister for Planning

## 2008 No 416

Clause 1 Coffs Harbour City Local Environmental Plan 2000 (Amendment No 17)

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### **Coffs Harbour City Local Environmental Plan 2000 (Amendment No 17)**

under the

Environmental Planning and Assessment Act 1979

#### **1 Name of plan**

This plan is *Coffs Harbour City Local Environmental Plan 2000 (Amendment No 17)*.

#### **2 Aims of plan**

The aims of this plan are:

- (a) to rezone certain land to which this plan applies, and
- (b) to allow development, with consent, for the purposes of multi-unit housing on certain land within the Business 3F Neighbourhood Zone, and
- (c) to prohibit development for the purposes of bulky goods salesrooms and motor showrooms on certain land within the Business 3G Mixed Use Zone, and
- (d) to require satisfactory arrangements to be made for the provision of essential infrastructure, facilities and services before the subdivision of land within the urban release area.

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

This plan applies:

- (a) in relation to the aim set out in clause 2 (a)—to the land at Boambee, as shown distinctively coloured on the map marked “Coffs Harbour City Local Environmental Plan 2000 (Amendment No 17)” deposited in the office of Coffs Harbour City Council, and
- (b) in relation to the aim set out in clause 2 (b)—to Lot 5, DP 733213, Stadium Drive, Boambee, and
- (c) in relation to the aim set out in clause 2 (c)—to Lots 2 and 3, DP 1037158, Stadium Drive, Boambee, and
- (d) in relation to the aim set out in clause 2 (d)—to land in the urban release area.

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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 “multi-unit housing (only on land shown with cross-hatching on the map);” after “motels;” in item 3 of the matter relating to Business 3F Neighbourhood Zone in the Table to clause 9.

**[2] Clause 9, Table**

Insert “(except on land shown with cross-hatching on the map)” after “bulky goods salesrooms” in item 3 of the matter relating to Business 3G Mixed Use Zone.

**[3] Clause 9, Table**

Insert “(except on land shown with cross-hatching on the map)” after “motor showrooms” in item 3 of the matter relating to Business 3G Mixed Use Zone.

**[4] Clause 25**

Insert after clause 24:

**25 Public infrastructure in urban release areas**

**(1) Aims**

The aims of this clause are:

- (a) to allow for future urban development and the conservation of ecological and riparian corridors and areas of visual significance on land in urban release areas, and
- (b) to require satisfactory arrangements to be made for the provision of designated State public infrastructure before the subdivision of such land to satisfy needs that arise from development on the land, but only if the land is developed intensively for urban purposes, and
- (c) to ensure that development on such land occurs in a logical and cost-effective manner in accordance with a staging plan.

**(2) Application**

This clause applies to land in an urban release area, but does not apply to any such land if the whole or any part of it is in a special contributions area (as defined by section 93C of the Act).

- (3) This clause prevails over any other provision of this plan to the extent of any inconsistency.

(4) **Designated State public infrastructure**

Development consent must not be granted for the subdivision of land in an urban release area if the subdivision would create a lot smaller than the minimum lot size permitted on the land immediately before the land became, or became part of, an urban release area, unless the Director-General has certified in writing to the consent authority that satisfactory arrangements have been made to contribute to the provision of designated State public infrastructure in relation to that lot.

(5) Subclause (4) does not apply to:

- (a) any lot identified in the certificate as a residue lot, or
- (b) any lot created by a subdivision consented to in accordance with subclause (4), or
- (c) any lot that is proposed in the development application to be reserved or dedicated for public open space, public roads, public utilities, educational facilities, or any other public purpose, or
- (d) a subdivision for the purpose only of rectifying an encroachment on any existing lot.

(6) *State Environmental Planning Policy No 1—Development Standards* does not apply to the subdivision of land within the urban release area, other than:

- (a) the subdivision of land referred to in subclause (5) (a)–(c), or
- (b) subdivision of the type referred to in subclause (5) (d).

(7) **Public utility infrastructure**

Development consent must not be granted for development on land in an urban release area unless the consent authority is satisfied that any public utility infrastructure that is essential for the proposed development is available or that adequate arrangements have been made to make that infrastructure available when required.

(8) Subclause (7) does not apply to development for the purpose of providing, extending, augmenting, maintaining or repairing any public utility infrastructure.

(9) **Development control plan**

Development consent must not be granted for development on land in an urban release area unless a development control plan

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Schedule 1 Amendments

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that provides for the matters specified in subclause (10) has been prepared for the land.

- (10) The development control plan must provide for all of the following:
- (a) a staging plan for the timely and efficient release of urban land making provision for necessary infrastructure and sequencing,
  - (b) an overall transport movement hierarchy showing the major circulation routes and connections to achieve a simple and safe movement system for private vehicles, public transport, pedestrians and cyclists,
  - (c) an overall landscaping strategy for the protection and enhancement of riparian areas and remnant vegetation, including visually prominent locations, and detailed landscaping requirements for both the public and private domain,
  - (d) a network of passive and active recreational areas,
  - (e) stormwater and water quality management controls,
  - (f) amelioration of natural and environmental hazards, including bushfire, flooding and site contamination,
  - (g) detailed urban design controls for significant development sites,
  - (h) measures to encourage higher density living around transport, open space and service nodes,
  - (i) measures to accommodate and control appropriate neighbourhood commercial and retail uses,
  - (j) suitably located public facilities and services, including provision for appropriate traffic management facilities and parking.
- (11) Subclause (9) does not apply to any of the following development:
- (a) a subdivision for the purpose of a realignment of boundaries that does not create additional lots,
  - (b) a subdivision of land if the lot that is proposed to be created is to be reserved or dedicated for public open space, public roads or any other public or environmental protection purpose,
  - (c) a subdivision of land within a zone in which the erection of structures is prohibited,

- (d) proposed development on land that is of a minor nature only, if the consent authority is of the opinion that the carrying out of the proposed development would be consistent with the objectives of the zone in which the land is situated.

(12) **Interpretation**

In this clause:

**designated State public infrastructure** means public facilities or services that are provided or financed by the State (or if provided or financed by the private sector, to the extent of any financial or in-kind contribution by the State) of the following kinds:

- (a) State and regional roads,
- (b) bus interchanges and bus lanes,
- (c) rail infrastructure and land,
- (d) land required for regional open space,
- (e) land required for social infrastructure and facilities (such as land for schools, hospitals, emergency services and justice purposes).

**public utility infrastructure** means infrastructure for any of the following purposes:

- (a) the supply of water,
- (b) the supply of electricity,
- (c) the disposal and management of sewage.

**urban release area** means the land in Zone 2A (Residential 2A Low Density Zone), as shown edged heavy black on the following maps:

Coffs Harbour City Local Environmental Plan 2000  
(Amendment No 17)

[5] **Dictionary**

Insert in appropriate order in the definition of *the map*:

Coffs Harbour City Local Environmental Plan 2000  
(Amendment No 17)