



New South Wales

Coffs Harbour City Local Environmental Plan 2000 (Amendment No 45)

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*. (G09/00005/PC-1)

TONY KELLY, MLC
Minister for Planning

2010 No 217

Clause 1 Coffs Harbour City Local Environmental Plan 2000 (Amendment No 45)

Coffs Harbour City Local Environmental Plan 2000 (Amendment No 45)

under the

Environmental Planning and Assessment Act 1979

1 Name of Plan

This Plan is *Coffs Harbour City Local Environmental Plan 2000 (Amendment No 45)*.

2 Commencement

This Plan commences on the day on which it is published on the NSW legislation website.

3 Land to which Plan applies

This Plan applies to the land within the City of Coffs Harbour.

Schedule 1 Amendment of Coffs Harbour City Local Environmental Plan 2000

[1] Clause 15 Development near zone boundaries

Omit the clause.

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

Omit the matters relating to Rural 1B Living Zone and Rural 1B Living Zone (other than land within Area B) from the columns headed “**Zone**” and “**Minimum area per allotment**” in the Minimum Allotment Size Table in clause 18 (6).

Insert instead:

Rural 1B Living Zone, if the land is:

- | | | |
|-----|---|------|
| (a) | within Area B, being land shown edged in part heavy red and in part with a broken green line on Map 4 (Subdivision Standards) in <i>Korora Rural Residential Development Control Plan</i> as in force on the commencement of <i>Coffs Harbour City Local Environmental Plan 2000 (Amendment No 28)</i> , or | 2 ha |
| (b) | a 2 hectare designated area shown on the lot sizes map contained within the <i>Nana Glen—Bucca Development Control Plan: Part 4—Development Controls Rural 1B Living Zone</i> as in force on the commencement of <i>Coffs Harbour City Local Environmental Plan 2000 (Amendment No 45)</i> , or | 2 ha |
| (c) | land other than that referred to in paragraph (a) or (b) | 1 ha |

[3] Clause 24 Exceptions

Insert the following matter in Columns 1, 2 and 3 at the end of the Land Use Exceptions Table to the clause:

Corner of Linden Avenue and Bruce King Drive, Boambee East	Lot 529, DP 807140	Development for the purpose of a car park
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[4] Schedule 1 Activities not requiring consent and not prohibited by Plan

Omit items (2), (8), (9) and (11) from the Schedule.

2010 No 217

Coffs Harbour City Local Environmental Plan 2000 (Amendment No 45)

Schedule 1 Amendment of Coffs Harbour City Local Environmental Plan 2000

[5] Schedule 2

Omit the Schedule. Insert instead:

Schedule 2 Exempt development

What can be erected and used or carried out?	Exemption requirements
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Structures

DAMS
(in rural zones)

- Have a surface area of less than 5,000m².
- Minimum of 10m from any property boundary.
- Minimum of 40m from any natural water-body, wetlands or environmentally sensitive area.
- Not within any area identified as a high or moderate risk area for acid sulfate soils.
- Not involving the removal of, or damage to, any tree.

Note. Separate approval to construct the dam may also be required from the Department of Environment, Climate Change and Water.

MINOR SUBDIVISIONS
(boundary adjustments, rectification of encroachments, consolidation of allotments)

- Results in no building contravening the deemed-to-satisfy provisions of the *Building Code of Australia*.
- Will not create any additional allotments.
- Will not change the area of any allotment by more than 10%.
- New allotments must not be inconsistent with any development standard.

ROADSIDE PRODUCE STALL (in Zone 1A or 1B only)

- Maximum floor space area of 10m², and to be located within, or immediately adjacent to, the owner's property.
- To be secured to prevent danger in high wind situations.

What can be erected and used or carried out?	Exemption requirements
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	<ul style="list-style-type: none"> • Not to involve clearing of bushland within an environmental protection zone. • Not to be located within a heritage conservation area. • Not to be attached to a heritage item. • Not to involve food preparation. • Only primary products produced on the owner's property to be sold. • Not to obstruct pedestrian or traffic movement. • Not to contravene requirements of the <i>Roads Act 1993</i>. • Not to be located on, or involve access from, a classified road within the meaning of the <i>Roads Act 1993</i>. • One sign, not exceeding 0.8m² in area, may be displayed, but only if attached to the stall. • Council to be notified of its erection.
<p>Advertising structure (including over a public road)</p>	
BILLBOARD SIGN	<ul style="list-style-type: none"> • One per allotment. • Industrial zone only.
BUSINESS SIGN	<ul style="list-style-type: none"> • Must be in an industrial or business zone.
DISCRETIONARY SIGN	<ul style="list-style-type: none"> • All zones, except no painted wall signs or pylon signs in Environmental Protection zones.
FLUSH WALL SIGN	<ul style="list-style-type: none"> • One per allotment. • Industrial zone only.
PYLON SIGN	<ul style="list-style-type: none"> • One per allotment. • Industrial zone only.

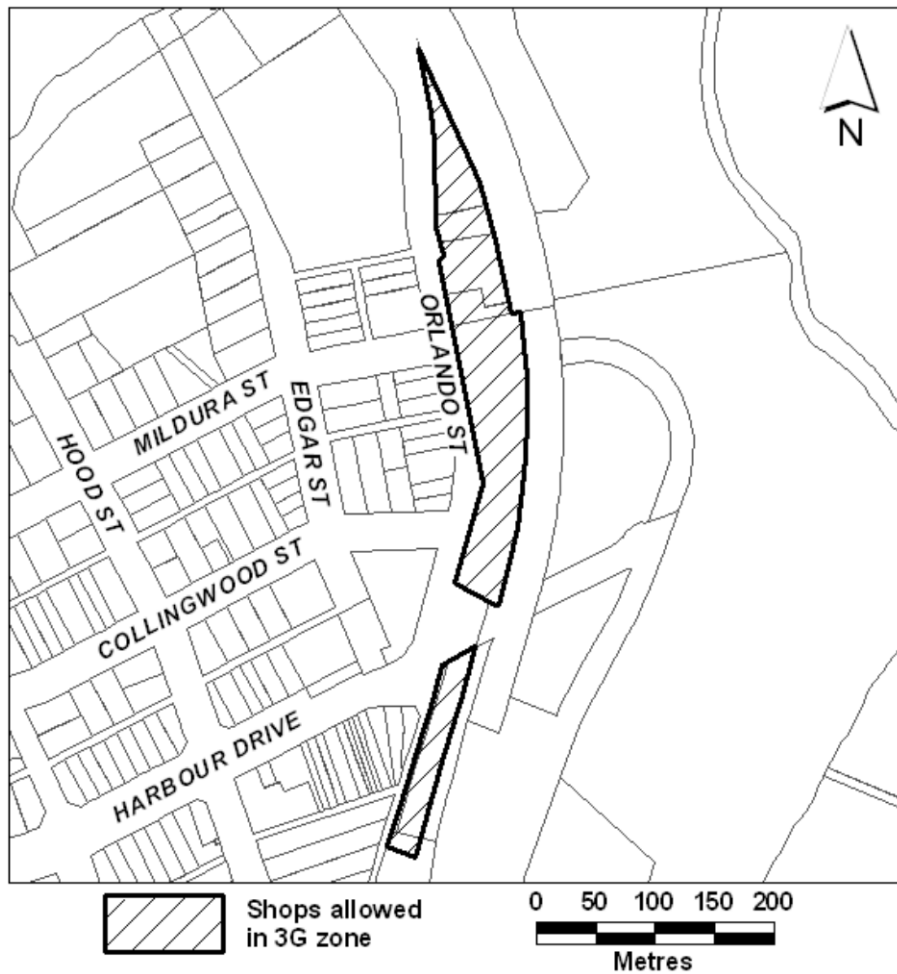
2010 No 217

Coffs Harbour City Local Environmental Plan 2000 (Amendment No 45)

Schedule 1 Amendment of Coffs Harbour City Local Environmental Plan 2000

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

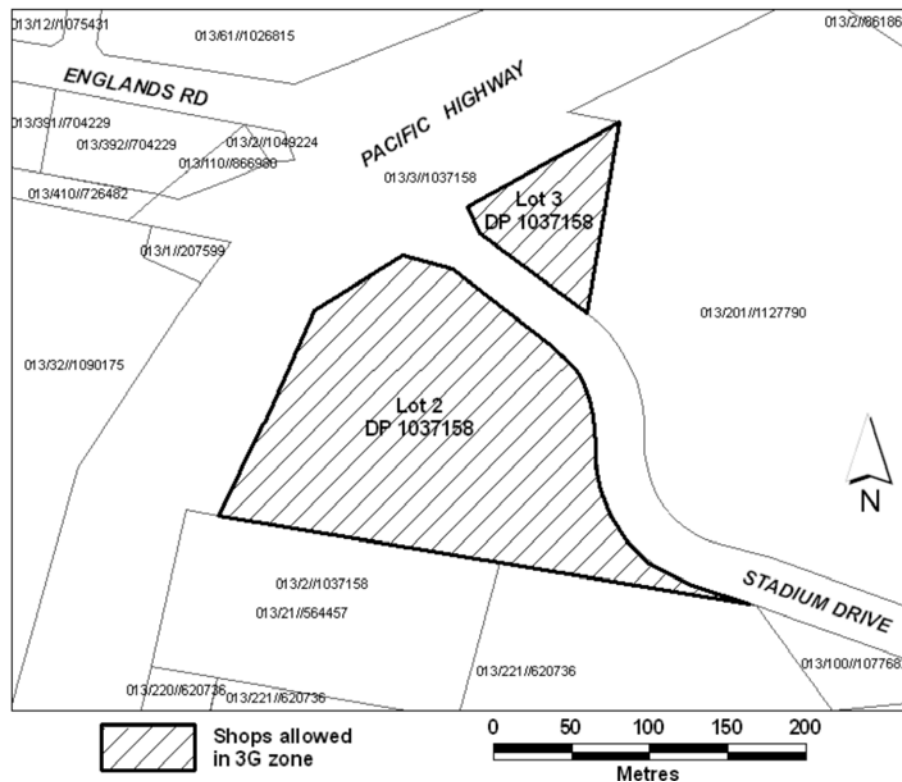
Omit the first map from the Schedule. Insert instead:



[7] Schedule 3

Insert the following heading and map at the end of the Schedule:

Lots 2 and 3, DP 1037158, Stadium Drive, Coffs Harbour South



[8] Schedule 4 Classification and reclassification of public land as operational land

Insert the following land in alphabetical order under the heading “Coffs Harbour” in columns 1, 2 and 3 of the Schedule:

Brelsford Park	Lot 100, DP 865320— <i>Coffs Harbour City Local Environmental Plan 2000 (Amendment No 45)</i>	Nil.
Earl Street, No 8	Lot J, DP 376077— <i>Coffs Harbour City Local Environmental Plan 2000 (Amendment No 45)</i>	Nil.

2010 No 217

Coffs Harbour City Local Environmental Plan 2000 (Amendment No 45)

Schedule 1 Amendment of Coffs Harbour City Local Environmental Plan 2000

Earl Street, No 10	Lot H, DP 376077— <i>Coffs Harbour City Local Environmental Plan 2000 (Amendment No 45)</i>	Nil.
Earl Street, No 12	Lot G, DP 376077— <i>Coffs Harbour City Local Environmental Plan 2000 (Amendment No 45)</i>	Nil.
Earl Street, No 14	Lot F, DP 376077— <i>Coffs Harbour City Local Environmental Plan 2000 (Amendment No 45)</i>	Nil.

[9] Schedule 4

Insert the following land at the end of land under the heading “**Toormina**” in columns 1, 2 and 3 of the Schedule:

Belbowrie Road	So much of Lot 3, DP 595755 that includes additional Optus communications infrastructure as is shown edged heavy black on the map marked “Coffs Harbour City Local Environmental Plan 2000 (Amendment No 45)—Sheet 15”— <i>Coffs Harbour City Local Environmental Plan 2000 (Amendment No 45)</i>	Nil.
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[10] Schedule 5 Heritage items

Omit the matter relating to “Shop—26–30 First Avenue” under the heading “**Sawtell**” from the Schedule.

[11] Dictionary

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

Coffs Harbour City Local Environmental Plan 2000 (Amendment No 45)—Sheets 1–16