



New South Wales

Coffs Harbour Local Environmental Plan 2013 (Amendment No 5)

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*.

STEPHEN McGRATH, GENERAL MANAGER, COFFS HARBOUR CITY COUNCIL
As delegate for the Minister for Planning

Coffs Harbour Local Environmental Plan 2013 (Amendment No 5)

under the

Environmental Planning and Assessment Act 1979

1 Name of Plan

This Plan is *Coffs Harbour Local Environmental Plan 2013 (Amendment No 5)*.

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 to which *Coffs Harbour Local Environmental Plan 2013* applies.

4 Maps

The maps adopted by *Coffs Harbour Local Environmental Plan 2013* are amended or replaced, as the case requires, by the maps approved by the Minister on the making of this Plan.

Schedule 1 Amendment of Coffs Harbour Local Environmental Plan 2013

[1] Land Use Table

Insert “Environmental protection works;” in alphabetical order in item 2 of Zone E2 Environmental Conservation.

[2] Land Use Table, Zone E2, item 3

Omit “Environmental protection works;”

[3] Clause 4.2B Erection of dwelling houses on land in certain rural and environment protection zones

Insert after clause 4.2B (3) (a):

(aa) is a lot created under this Plan (other than under clause 4.2 (3)), or

[4] Clause 4.2B (3) (e)

Insert “(aa),” after “paragraph (a),”.

[5] Part 7 Additional local provisions

Insert at the end of the Part with appropriate clause numbering:

Events permitted on public reserves and roads without development consent

- (1) The objective of this clause is to provide for the temporary use of public reserves and public roads for exhibitions, meetings, concerts or events.
- (2) Despite any other provision of this Plan, development (including any associated temporary structures) for the purpose of a temporary event may be carried out on a public reserve or public road without development consent.
Note. Other approvals may be required, and must be obtained, under other Acts, including the *Local Government Act 1993*, the *Roads Act 1993* and the *Crown Lands Act 1989*.
- (3) *State Environmental Planning Policy (Miscellaneous Consent Provisions) 2007* does not apply to development to which this clause applies.
- (4) In this clause:
public reserve has the same meaning as in the *Local Government Act 1993*.
temporary event means an exhibition, meeting, concert or other event that is open to the public for which land is used for a period of not more than 30 days (whether or not consecutive) in any period of 12 months.
- (5) This clause does not apply to land in Zone E2 Environmental Conservation.

[6] Schedule 1 Additional permitted uses

Omit clause 7. Insert instead:

7 Use of certain land at Howard Street, Coffs Harbour

- (1) This clause applies to land at Howard Street, Coffs Harbour, being Part Lot 1, DP 1207898, shown as “7” on the Additional Permitted Uses Map.
- (2) Development for the purpose of a community facility is permitted with development consent.

[7] Schedule 1, clause 10A

Insert after clause 10:

10A Use of certain land fronting Pacific Highway, Coffs Harbour

- (1) This clause applies to land fronting Pacific Highway, Coffs Harbour, being Part Lot 4, DP 270533 (the “Big Banana” site), shown as “10A” on the Additional Permitted Uses Map.
- (2) Development for the purpose of shops with a maximum of 500m² gross floor area per shop (limited to 2 shops only) and 200m² gross floor area per shop (for all other shops), and a total gross floor area not exceeding 2,500m², is permitted with development consent.

[8] Schedule 5 Environmental heritage

Omit “Lot 1, DP 612294” from item I34 in Part 1. Insert instead “Lot 4, DP 1196909”.

[9] Schedule 5, Part 1, item I92

Omit “War memorial and community hall”. Insert instead “Community hall”.

[10] Schedule 5, Part 1, item I98

Insert in appropriate order:

Upper Orara War memorial Upper Orara Road Lot 1, DP 127149 Local I98