



New South Wales

Coffs Harbour Local Environmental Plan 2013 (Amendment No 30)

under the

Environmental Planning and Assessment Act 1979

The following local environmental plan is made by the local plan-making authority under the *Environmental Planning and Assessment Act 1979*.

NATALIA COWLEY, GENERAL MANAGER
COFFS HARBOUR CITY COUNCIL
As delegate for the local plan-making authority

Coffs Harbour Local Environmental Plan 2013 (Amendment No 30)

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Environmental Planning and Assessment Act 1979

1 Name of Plan

This Plan is *Coffs Harbour Local Environmental Plan 2013 (Amendment No 30)*.

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 land to which *Coffs Harbour Local Environment Plan 2013* applies, including certain land in Nana Glen.

4 Maps

The maps adopted by *Coffs Harbour Local Environment Plan 2013* are amended or replaced, as the case requires, by the maps approved by the local plan-making authority on the making of this Plan.

Schedule 1 Amendment of Coffs Harbour Local Environmental Plan 2013

[1] Clause 4.1A

Omit the clause. Insert instead—

4.1A Minimum subdivision lot sizes for certain split zones

- (1) The objectives of this clause are as follows—
 - (a) to provide for the subdivision of lots containing more than 1 zone,
 - (b) to ensure the subdivision occurs in a way that promotes suitable land use and development.
- (2) This clause applies to each lot (an *original lot*) containing land in—
 - (a) a business, industrial, recreation, residential, rural or special purpose zone, including land in one or more of those zones, and
 - (b) Zone C2 Environmental Conservation or Zone C3 Environmental Management, or both.
- (3) An original lot containing land in Zone RU2 Rural Landscape may be subdivided to create other lots (*resulting lots*) if—
 - (a) at least 1 resulting lot will contain—
 - (i) all of the land in Zone RU2 Rural Landscape that was in the original lot, and
 - (ii) if the original lot also contains land in a business, industrial, recreation, residential or special purpose zone—land in at least one of those zones with an area—
 - (A) for a residential zone—at least equal to the minimum lot size, or
 - (B) otherwise—the consent authority is satisfied will be suitable for a land use permitted in the zone, and
 - (b) all other resulting lots, excluding the land in Zone C2 Environmental Conservation and Zone C3 Environmental Management, will have an area at least equal to the minimum lot size.
- (4) An original lot, other than a lot referred to in subclause (3), may be subdivided to create resulting lots if—
 - (a) for a resulting lot containing land in a residential zone—the land in the residential zone will have an area at least equal to the minimum lot size, or
 - (b) for a resulting lot containing land in a rural zone—the land in the rural zone will have an area at least equal to the minimum lot size, or
 - (c) for a resulting lot containing land in a business, industrial, recreation or special purpose zone or Zone W4 Working Waterfront—the consent authority is satisfied the area of the resulting lot, excluding the land in Zone C2 Environmental Conservation and Zone C3 Environmental Management, will be suitable for a land use permitted in the zone.
- (5) Development consent must not be granted to the subdivision of land under this clause unless the consent authority is satisfied the subdivision will not compromise the continued protection and long-term maintenance of all land in Zone C2 Environmental Conservation and Zone C3 Environmental Management in the resulting lots.

(6) In this clause—

minimum lot size means the minimum lot size shown on the Lot Size Map for the land.

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

Omit “(other than under clause 4.2(3))” from clause 4.2B(3)(aa).

Insert instead “, other than under clause 4.1A(3) or 4.2(3)”.