



COFFS HARBOUR CITY COUNCIL

ORDINARY MEETING

(PLANNING, ENVIRONMENT AND DEVELOPMENT COMMITTEE)

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17 JULY 2003

AT 5.00 P.M.

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COFFS HARBOUR CITY COUNCIL

**ORDINARY MEETING
(PLANNING, ENVIRONMENT AND DEVELOPMENT COMMITTEE)**

17 JULY 2003

Mayor and Councillors

PLANNING, ENVIRONMENT AND DEVELOPMENT DEPARTMENT REPORTS

PED56 DEVELOPMENT APPLICATION NO. 1201/02 - NEIGHBOURHOOD SHOPPING CENTRE - LOT 529, DP 807140 AND LOT 535, DP 808750, CORNER LINDEN AVENUE AND BRUCE KING DRIVE, BOAMBEE EAST

Purpose:

To report on Development Application No. 1201/02 which is a proposal for a neighbourhood shopping centre for the corner of Linden Avenue and Bruce King Drive, Toormina (Lot 529, DP 807140 and Lot 535, DP 808750). This is an amendment to an original version of this proposal which required rezoning of a residential portion of land. On 28 November 2002 Council resolved not to proceed with rezoning of the land and, as a result, the original proposal was not determined. The amended proposal does not require any rezoning of residential land. It is recommended that this amended proposal be approved subject to technical conditions.



cont'd

Ped56 Development Application No. 1201/02 - Neighbourhood Shopping Centre - Lot 529, Dp 807140 And Lot 535, Dp 808750, Corner Linden Avenue And Bruce King Drive, Boambee East (cont'd)

History:

Council resolved not to proceed with rezoning of land on the corner of Linden Avenue and Bruce King Drive (Lot 529, DP 807140) on 28 November 2002. This meant that the original version of this proposal could not proceed and the development application was not determined.

The applicants have now put forward the current, amended proposal which does not require the rezoning the residential portion of land.

The Proposal:

The current proposal is for:

- a supermarket with 2410 m² of floor space and associated loading and storage areas;
- five specialty shops with a total floor area of 456 m² and first floor offices 90 m² in area;
- outdoor eating area and meeting place; and
- 127 off street parking spaces, with landscaping and ingress/access points from Linden Avenue and from Bruce King Drive.

The ingress/access road from Bruce King Drive and the manoeuvring area for four car parks is over part of Lot 529, DP 807140 which is currently zoned Residential 2A Low Density. This component of the development is allowed through Clause 15 of Coffs Harbour City Local Environmental Plan (LEP) 2000 - "Development Near Zone Boundaries".

The original neighbourhood shopping centre consisted of:

- a supermarket with 3065 m² of floor space and associated loading and storage areas;
- six specialty shops with a total floor area of 473 m² and first floor offices 90 m² in area;
- outdoor eating area and meeting place; and
- 172 off street parking spaces, with landscaping and ingress/access points from Linden Avenue and from Bruce King Drive.

The original proposal required the rezoning of Lot 529, DP 807140 from Residential 2A Low Density to Business 3F Neighbourhood as a proportion of car parking was proposed in the residential allotment.

The site is generally flat with a slight slope to the north.

Established low density development exists to the north east and south east boundaries of the site and on the opposite side of Linden Avenue. A Council reserve exists to the north.

The shopping centre building is to be set to the western edges of the site with a zero setback proposed to the south western boundary of the site and a 3 m setback proposed to the north western boundary. In this manner, the building provides a barrier to the noise, lighting and activity areas of the centre from adjoining residences. All car parks and access points are oriented towards Linden Avenue and Bruce King Drive.

The shopping centre is proposed to trade from 7.00 a.m. to 10.00 p.m., seven days per week.

Expected delivery times are between the hours of 6.00 a.m. and 6.00 p.m.

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Ped56 Development Application No. 1201/02 - Neighbourhood Shopping Centre - Lot 529, Dp 807140 And Lot 535, Dp 808750, Corner Linden Avenue And Bruce King Drive, Boambee East (cont'd)

Consultation:

Council exhibited the development proposal for a period of 28 consecutive days.

During this exhibition period Council received a total of 186 submissions on the proposal: 166 of these submissions were in the form of a pro-forma letter, the name and address of individuals provided at the bottom of the letter.

The remaining 20 submissions consisted of individually written letters. These include submissions made by or on behalf of:

- Toormina Gardens Shopping Centre;
- Park Beach Plaza; and
- Busy Bee Shopping Centre, Toormina.

The submissions include reports from legal representatives and town planning consultants. All of the relevant matters raised in these submissions are considered in detail in the "Issues" section of this report. Legal matters are considered in the "Statutory Requirements" section of the report.

All submissions on the proposal oppose the development.

Sustainability Assessment:

- **Environment**

The development can be constructed and operated in a manner that will minimise adverse impacts on the environment.

- **Social**

The proposed development will provide a retail facility to the local community. Additional traffic will be created from the development.

- **Economic**

The proposed development will provide a retail facility to the local community. The proposed development will provide retail competition to existing retail areas in the area.

Statutory Requirements:

- **Amended proposal**

The current proposal is an amendment to the proposal submitted to Council in March 2002.

Section 55 of the Environmental Planning and Assessment Regulation deals with the procedure for amending a development application.

cont'd

Ped56 Development Application No. 1201/02 - Neighbourhood Shopping Centre - Lot 529, Dp 807140 And Lot 535, Dp 808750, Corner Linden Avenue And Bruce King Drive, Boambee East (cont'd)

In summary, a development application can be varied at any time with the agreement of Council prior to its determination. Council must be provided with details sufficient to indicate the nature of the changed development. This has been provided. The amended proposal was advertised, notified and referred to Government departments as required as if it were a new application.

There is no legal impediment to Council considering the application as an amendment to the proposal originally submitted in March 2002.

• **Permissibility of development**

The subject land (two separate land parcels) is zoned part Business 3F Neighbourhood (Lot 535, DP 808750) and part Residential 2A Low Density (Lot 529, DP 807140).

The proposal meets the definition of a 'shop' and is permissible in the Business 3F Neighbourhood zone.

An access road, some landscaping and the manoeuvring areas for four car parks is proposed in the residentially zoned portion of land.

Clause 15 of LEP 2000 deals with "Development Near Zone Boundaries" and is relevant for this part of the development. Under this clause any development may occur within 20 m of a zone boundary provided it:

- is permissible in one of the adjoining zones;
- meets the aims and objectives of the LEP;
- meets the aims and objectives of both zones (in this case the 3F and 2A zones).

As stated earlier, the development is a shop and is permissible in the 3F zone.

The aims and objectives of the LEP are policy based and 'broad brush'. They are appended to this report. The development meets these aims and objectives.

The objectives of the 3F zone are as follows:

- to enable development that contributes to the retail or commercial or social needs of the local community;
- to provide for development that is within the environmental capacity of the land and can be adequately serviced.

The development contributes to the retail needs of the community.

The development is within the environmental capacity of the land. The development can be both constructed and operated in a manner that will not adversely impact on the environment either physically or socially.

The development can be adequately serviced with water supply, sewerage, road, access and garbage collection services.

cont'd

Ped56 Development Application No. 1201/02 - Neighbourhood Shopping Centre - Lot 529, Dp 807140 And Lot 535, Dp 808750, Corner Linden Avenue And Bruce King Drive, Boambee East (cont'd)

The objectives of the Residential 2A Low Density zone are as follows:

- to enable housing development and 'other' development that is compatible with a low density residential environment;
- to provide for development that is within the environmental capacity of a low density residential environment and can be adequately serviced.

The development is 'other' development. Development proposed in the residential portion consists of an access road, landscaping and manoeuvring area for four car parks. The residential portion of the site is currently undeveloped. In addition to low density housing, this land may also be developed for a child care centre, a church, housing for the aged or disabled and/or multi unit housing. All these developments are permissible in a low density residential zone.

The development proposed in the residential portion of land is considered compatible with these uses.

As stated earlier, the development can be adequately serviced.

In summary, the part of this development which 'encroaches' into the residential land is permissible with Council approval by virtue of clause 15 of Council's LEP.

- **State Environmental Planning Policy 71 "Coastal Development"**

Part of the subject site falls into the 'Coastal Zone' as specified in this policy.

Transitional provisions of this policy (clause 25) apply in this case as the application was made but not determined before the commencement of the policy. The result is that the policy has no effect.

- **North Coast Regional Environmental Plan**

All commercial development provisions of this plan relate to the making of Local Environmental Plans. They do not relate to assessment of development proposals. The plan has no effect on Council's consideration of this application.

- **Business Lands Development Control Plan**

The Business Lands Development Control Plan specifies a floor space ratio of 0.5 to 1 for neighbourhood business zones. The proposed development has a floor space ratio of 0.41 to 1.

Issues:

- **Traffic and Access**

Bruce King Drive and Linden Avenue are both major collector roads. Both have direct links to the Pacific Highway. They are both designed to cater for heavy and light vehicle traffic through their carriageway widths and intersection designs.

cont'd

Ped56 Development Application No. 1201/02 - Neighbourhood Shopping Centre - Lot 529, Dp 807140 And Lot 535, Dp 808750, Corner Linden Avenue And Bruce King Drive, Boambee East (cont'd)

The development is designed such that all delivery vehicles will enter the site and leave in a forward direction. All manoeuvring for deliveries can occur within the site and with a minimum of reversing movements. The required amount of car parking is proposed.

In accordance with standard traffic modelling procedure, the total additional traffic likely as a result of the development is considered to maintain the current 'level of service' even at peak times.

As an example, for the peak weekday periods of 5.00 p.m. - 6.00 p.m., one way traffic on Linden Avenue south of Silvereye Close will increase from an existing total volume of 155 vehicles per hour to 200 vehicles per hour.

Additional traffic as a result of the development is likely to consist of:

- semi-trailers - average one per day;
- rigid trucks - four per day;
- delivery vans - three per day.

Delivery traffic will generally occur outside trading hours.

The proposal was considered by Council's Traffic Advisory Committee who stated that the development may be approved subject to:

- traffic island construction in Bruce King Drive;
- pedestrian refuge construction in Linden Avenue, and
- no parking zones being provided in appropriate locations.

These matters can be dealt with through the imposition of conditions.

The impact of additional traffic to the area should be balanced against the service that this development will provide to the area.

• **Noise and Lighting**

The centre will operate during the hours of 7.00 a.m. to 10.00 p.m. Deliveries will generally occur between the hours of 6.00 a.m. to 6.00 p.m.

The development is arranged such that the proposed buildings provide a lighting and noise barrier to the west. A Council reserve exists to the north of the site.

The noise impact from the development is considered acceptable given the operating/trading hours. A condition of approval would be appropriate to enforce trading hours.

All lighting to the development will be turned off at 11.00 p.m. and, similarly, a condition is appropriate to enforce this.

There are relevant Australian Standards that relate to "Control of the Obtrusive Effects of Outdoor Lighting". Compliance with this Australian Standard is also appropriate.

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Ped56 Development Application No. 1201/02 - Neighbourhood Shopping Centre - Lot 529, Dp 807140 And Lot 535, Dp 808750, Corner Linden Avenue And Bruce King Drive, Boambee East (cont'd)

- **Planning Issues**

The amount of land zoned for high use business zones (that is Business 3A City Centre and Business 3C Business Town Centre) as opposed to Business 3F Neighbourhood establishes the hierarchy of business zones in the Coffs Harbour area. Also reinforcing the hierarchy of these business zones is the density or scale to which these zones may be developed. Business 3A City Centre zones and Business 3C (Town Centre) zones can be developed to a floor space ratio of 1 to 1. The Business 3F Neighbourhood zone can be developed to a density of 0.5 to 1.

This development will have a floor space ratio of 0.41 to 1. The development can function as a neighbourhood shopping centre providing retail needs to the local area. The supermarket will provide the main service to the area with the five specialty shops 'feeding off' the supermarket role. The proposal fits within the retail hierarchy established under Council's planning provisions.

The proposed development is largely contained to that part of the site which is zoned for business purposes. The 'encroachment' of the development in to the residential zoned portion increases the functionality of the development rather than the scale or intensity of the development.

The proposed development contains a meeting area, seating areas and facilities all contributing to a neighbourhood function.

- **Building Design**

As the shopping centre is located amongst residential areas the design of the building is an important consideration.

The building contains design elements to improve the building's compatibility with the residential area. Building heights have been kept to a minimum.

Extensive landscaping is proposed throughout the site. This will break up any bulky appearance of the building. The building is set back more than 20 m from the Linden Avenue frontage.

All individual access points and shop frontages are oriented towards the eating area and meeting area proposed for the site. Public facilities are also available to this focus area of the development.

Summary:

There is no legal impediment to Council determining this application. Correct process has been followed in assessment of the application. The 'encroachment' of the development into the residential zone on this land is permissible by virtue of Council's LEP provisions that allow for development near zone boundaries. The encroachment does not increase the scale or intensity of the development but rather the functionality of the development by allowing an access road to Bruce King Drive.

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Ped56 Development Application No. 1201/02 - Neighbourhood Shopping Centre - Lot 529, Dp 807140 And Lot 535, Dp 808750, Corner Linden Avenue And Bruce King Drive, Boambee East (cont'd)

The hierarchy of business zones in Coffs Harbour is provided by the amount of land that is zoned and the amount of development which can occur within those zones (allowable floor space ratios). This proposal is below the allowable floor space ratio for the site. There is no room for expansion on the site.

The proposed development will perform the function of a neighbourhood shopping centre.

The proposed development will result in more traffic (both heavy and light) to the major collector roads of Bruce King Drive and Linden Avenue. Both of these roads are designed for this sort of traffic and are already high volume collector roads. The 'level of service' to these roads will be maintained. The impact of additional traffic to the area should be balanced against the service that the development will provide to the area.

Other impacts which may occur to the immediate area such as noise and lighting impact can be satisfactorily minimised by the manner in which the development will be constructed and through ongoing management in the future. This has been demonstrated through professional reports which have been submitted on these matters. Council can also impose conditions of consent to address ongoing operation.

Recommendation:

- 1. That Council approve Development Application No. 1201/02 for a neighbourhood shopping centre on Lot 529, DP 807140 and Lot 535, DP 808750, corner of Linden Avenue and Bruce King Drive, Toormina subject to technical conditions.**
- 2. That all persons who made a submission on the application be advised of Council's decision.**

Attachments:

Coffs Harbour City Local Environmental Plan 2000

"2. (1) The **aims** of this Plan are:

- (a) To provide a single local environmental plan for the City of Coffs Harbour, and
- (b) To encourage sustainable economic growth and development within the City, and
- (c) To recognise the need to provide for, and to provide for, development within the City in an ecologically sustainable manner, and
- (d) To provide a quality lifestyle within the City.

(2) The **objectives** of this Plan are:

- (a) To provide a policy framework for the preparation of more detailed development control plans, and
- (b) To identify areas for compatible development opportunities, and
- (c) To protect environmentally sensitive areas and the City's heritage, and
- (d) To allow for the equitable provision of social services and facilities for the community."

PED57 DEVELOPMENT APPLICATION NO. 1306/03 - INTERNAL REFURBISHMENT TO SUPERMARKET, TOORMINA GARDENS SHOPPING CENTRE - LOT 20, DP 746896, 5 TOORMINA ROAD, TOORMINA

Purpose:

This application seeks Council's approval to the internal refurbishment of the existing Coles Supermarket at the Toormina Gardens Shopping Centre. Conditional approval of the application is recommended. The report also recommends that future applications of this type be determined by the General Manager under delegated authority.



Description of Item:

The application proposes the internal refurbishment of the Coles Supermarket at the Toormina Gardens Shopping Centre. The works include the construction of new managers and ticket/merchandise offices and training room, reconfigured display gondolas and minor décor upgrades internally.

No work will be carried out to the external facades of the building or car park areas.

The cost of the project is \$1.21 million.

Sustainability Assessment:

- **Environment**

The proposed internal refurbishment will not adversely impact on the local natural or built environment.

cont'd

Ped57 Development Application No. 1306/03 - Internal Refurbishment To Supermarket, Toormina Gardens Shopping Centre - Lot 20, Dp 746896, 5 Toormina Road, Toormina (cont'd)

- **Social**

The proposed internal refurbishment will provide a modern supermarket shopping environment.

- **Economic**

The development will have a positive economic outcome from the \$1.21 million refurbishment.

Consultation:

The application was advertised in accordance with Council's Notification Development Control Plan. No submissions have been received.

The application has been assessed for compliance with the Building Code of Australia and the Construction Codes for Food Premises.

Statutory Requirements:

The development proposal satisfies the relevant statutory considerations including the Coffs Harbour City Local Environmental Plan 2000 and the Business Lands Development Control Plan.

Issues:

There are no issues directly connected with this application. The proposal is suitable for conditional approval.

This application is reported to Council for determination because the cost of the works exceed \$1 million. The existing supermarket is simply being modernised to corporate standards.

The application has been advertised and on this aspect the public interest has been adequately covered.

The Council reporting process is considered unnecessary for applications of this type, as it is onerous and time consuming. The process causes unreasonable delays for the developer.

It is therefore recommended that future applications of this type be determined by the General Manager under the delegated authority of Council.

Recommendation:

1. **That Development Application No. 1306/03 for the internal refurbishment of the Coles Supermarket, Toormina Gardens Shopping Centre at Lot 20, DP 746896, 5 Toormina Road, Toormina be approved subject to technical conditions.**
2. **That development applications which exceed \$1 million in value, and have a minimal impact and receive no submissions following notification, be determined by the General Manager under the delegated authority of Council.**

PED58 REGIONAL WASTE PROCESSING PROJECT

Purpose:

This report seeks to vary Council's Tender Value Selection System, with respect to the Coffs Harbour Regional Resource Recovery Project.

Description:

Council at its meeting of 18 September 1997 adopted the Tender Value Selection System. This tender evaluation system prescribes weightings to benefit local tenderers, contractors and suppliers. Specifically the Policy prescribes:

1. The tenderers' business address is to be one assessment criteria which will be given a weighting of 10%. A local business would receive the maximum score for this criterion. A local business is defined as one that is operating within the City of Coffs Harbour and which maintains a locally staffed company office within the City of Coffs Harbour.
2. That in the case a non local supplier/contractor using local subcontractors, the score for the local business address criterion be on a pro-rata basis in proportion to the tender cost which relates to local subcontractors.
3. That this policy applies to tenders, quotations and consultant proposals for works and services above \$20,000 in value.

The local content provisions in the Tender Value Selection System are considered to be inappropriate for the Coffs Harbour Regional Resource Recovery Project on the following grounds:

1. Bellingen and Nambucca Councils, who are party to the proposed waste scheme, may be disadvantaged by the preferences being given to Coffs Harbour businesses.
2. The proposed contract to build, own, operate and transfer the Regional Resource Recovery Facility will likely have a contract value in excess of \$30,000,000. Thus the application of the business address criterion in the Tender Value Selection System could result in a very large increase in the cost of this project.
3. It is unlikely that Bellingen and Nambucca Councils would be willing to pay higher contractor fees that could arise as a result of the business address criterion being applied especially when only Coffs Harbour businesses are being advantaged. Thus Council could be exposed to compensation payments.
4. The development of the Regional Resource Recovery Project has been part funded by the NSW Government. The NSW Government has expressed opposition to local weighting of tenders, and further funding could thus be jeopardised.
5. The sums of money involved are such that tenderers may establish a local business address purely for the purpose of gaining advantage in the tender process, with all profits still going out of town.

This would not likely result in any genuine advantage to the local economy.

cont'd

Ped58 Regional Waste Processing Project (cont'd)

It is considered that the prescriptive local business weightings specified in the Tender Value Selection System should be waived in this instance.

Recognising that economic benefits to our local community are nevertheless important considerations, it is proposed that this issue be embodied in the tender evaluation criteria in more flexible form.

It is proposed that the six key tender criterion for the project be:

1. technology performance;
2. project delivery and operation;
3. corporate strategy;
4. environmental performance;
5. economic outcomes;
6. price.

The Economic Outcomes Criterion will include "Benefits to the local economy that may accrue as a result of the project". "Local economy" will include the local government areas of our partners – Bellingen and Nambucca.

Sustainability:

- **Environment**

The Regional Waste Processing Project has been the subject of numerous reports to Council and is the outcome of Council's Waste Resource Action Strategy.

- **Social**

The assessment criteria "Benefits to the local economy that may occur as a result of the Project" is included under "Economic Outcomes" (key tender selection criterion). Benefits expected in the Tender submissions include employment generation, both during construction and operation, use of local suppliers and fabricators and ongoing education campaigns.

- **Economic**

The proposed variation of the Tender Value Selection System with respect to local weightings should result in more competitive tender prices. Application of the business address criterion from the Tender Value Selection System could result in a significant increase in the cost of the project. This increase would be reflected in garbage rates and tipping fees.

The proposed alternative criterion would give weight to local economic benefits in a fairer more equitable way.

Recommendation:

That the local business criterion and weighting in the Tender Value Selection System be waived for the purpose of the Regional Resource Recovery Project.

PED59 GENERAL REVIEW OF RESIDENTIAL AND SUBDIVISION DEVELOPMENT CONTROL PLANS

Purpose:

To advise Council of further amendments to the draft Low Density Housing Development Control Plan (DCP) and to seek the adoption of the draft Medium and Medium-High Density Housing and Subdivision DCPs. Copies of the draft DCPs are attached to the report. It is recommended that Council resolve to place the draft Low Density Housing DCP on exhibition for further comment and adopt the Medium and Medium-High Density Housing and Subdivision DCPs.

Description of Item:

Council on 17 April 2003 resolved to exhibit amended versions of the Low, Medium and Medium-High Density Housing DCPs, and on 15 May 2003 resolved to exhibit an amended version of the Subdivision DCP.

Over the past few months, Council has received a number of development applications for dual occupancy development in the Low Density Housing zone, which have raised concerns with both nearby residents and Council in relation to density, design and the maintenance of privacy for neighboring properties. To this end, further amendments are proposed to the draft Low Density Housing DCP to address these concerns. These amendments are discussed in the "Issues" section of this report.

Consultation:

The draft Low, Medium and Medium-High Density Housing DCPs were exhibited from 17 April 2003 to 15 May 2003. Only one submission was received during this period, and the matters raised by this submission are discussed in the "Issues" section of this report.

The draft Subdivision DCP was exhibited from 28 May 2003 to 25 June 2003. Two submissions were received during this period, and the matters raised by these submissions are also discussed in the "Issues" section of this report.

The further amendments to the draft Low Density Housing DCP have been prepared after workshops with both staff and Councillors.

Sustainability Assessment:

- **Environment**

Principally, the amendments to the draft Low Density Housing DCP will reduce the size of dual occupancy developments, and will aid in preserving the privacy of nearby houses. The principal amendments to the Subdivision DCP will reduce the density of housing within cul-de-sacs.

cont'd

Ped59 General Review Of Residential And Subdivision Development Control Plans (cont'd)

- **Social**

The proposed amendments to the draft Low Density Housing DCP will provide a social benefit in so far as the privacy of houses close to dual occupancy developments will be further maintained.

- **Economic**

The proposed amendments will not result in any notable economic impact.

Statutory Requirements:

The amendment of the DCPs is consistent with Coffs Harbour City Local Environmental Plan (LEP) 2000 (the overriding planning control). Procedures laid out within the Environmental Planning and Assessment Act and Regulation will be observed during the exhibition of the amended draft Low Density DCP, while the adoption of the draft Medium and draft Medium-High Density Housing and draft Subdivision DCPs will be communicated to the public by advertising.

Issues:

- **Draft Low Density Housing DCP**

The further amendments to be made to this DCP relate to dual occupancy development. Recent concerns regarding the size and bulk, appearance and maintenance of privacy for nearby houses has arisen of late. In order to address these, it is firstly proposed to limit the size of a dual occupancy development (in terms of floor space) based upon the size of the lot upon which it is proposed; a floor space ratio of 0.5:1 is proposed. In other words, the larger the lot, the larger the permitted size of the dual occupancy. This provision will ensure that the more spacious, open nature of the Low Density Housing zone will be preserved.

Secondly, it is proposed to also eliminate the mirror imaging of dual occupancies, where they face the street. Developments that do this tend to be bigger, bulkier buildings, often out of keeping with the surrounding streetscape.

Thirdly, it is proposed to add a provision requiring that new developments are not to unreasonably compromise the privacy of surrounding houses. This provision will not only extend to dual occupancy developments, but to all housing in the Low Density Housing zone.

- **Draft Medium and Medium-High Density Housing DCPs**

The one submission received in relation to the exhibition of these (and the draft Low Density Housing) DCPs proposed that the Jetty be rezoned from Medium-High Density Housing to Low Density Housing, and that the height limit for the area be reduced (from 10 m to eave to 6 m to eave) in order to preserve the views of existing residents.

As the area is in close proximity to business, community, transport and recreational services and facilities, it is an ideal place for urban consolidation, and on this basis its rezoning is not supported. As well, significant difficulties would arise in relation to the expectations of existing landowners, and conflicts would likely result given that much of the area now supports developments of a medium-high density nature.

cont'd

Ped59 General Review Of Residential And Subdivision Development Control Plans (cont'd)

In terms of height limits, it is the 10 m to eave limit which in part allows for higher densities in the form of townhouses and three-storey walk up flats, and it is these height controls in conjunction with setback requirements which dictate how much of a view might be achieved or lost when land is developed.

The submission states that height controls should relate to the maximum height for a building, rather than a control relating to the eave of a building. While this might seem simpler, it tends to produce bulkier buildings, particularly when flat roofed buildings are proposed, and does not encourage the more interesting peaked roofs, which might otherwise occur, and which are particularly characteristic of the Jetty.

The submission also states that Council should widen its notification process, for distant properties, which might be affected by a development in terms of a loss of view. This is not considered appropriate, as distant properties are only ever likely to lose a very small proportion of a view and, in any event, it is widely understood that it is those properties closest to views, which are guaranteed of keeping it; good views are often reflected in high land values.

- **Subdivision DCP**

Two submissions were received in relation to the exhibition of this DCP, and these raised issues regarding the proposals to limit the density of development in cul-de-sacs, ensure subdivisions are based on a grid pattern, and control the form of a subdivision (i.e. strata or community title) where common facilities and/or infrastructure are proposed.

One of the submissions stated that the proposal to require new lots in cul-de-sacs to have minimum frontages of 10 m would not lead to 'good' shaped lots, and proposed an alternative involving a minimum width of 15 m measured 6m back along the side boundary of each lot. This would however lead to more lots being created in cul-de-sacs than the proposed minimum 10 m frontage; it is therefore not supported.

This submission also objected to the proposed requirement that subdivisions be based on a grid pattern, as the topography of the City does not readily provide for this and such a pattern would create dangerous intersections. The Subdivision DCP does however acknowledge topography as a constraint, and the particular control requiring a grid pattern for main roads is prefaced with the words "where possible". As well, other sections of the DCP require that adequate sight distances at intersections are to be provided.

The second submission objected to the requirement that subdivisions involving common facilities and/or infrastructure might only be limited to subdivision in a strata or community title form. It stated that restrictions as to user (covenants) might also be appropriate in these situations. Council does not share this view, and covenants are considered inappropriate as:

- ownership and maintenance responsibilities of facilities and/or infrastructure are confusing or non-existent;
- dispute resolution is often required at the Supreme Court level;
- legal drafting anomalies are common.

cont'd

Ped59 General Review Of Residential And Subdivision Development Control Plans (cont'd)

As well, the Strata Schemes Management Act 1996 (and Regulation 1997) and Community Land Management Act 1989 (and Regulation 2000) provide a framework for the management of strata and community title schemes and, amongst other things, require that:

- landowners meet on at least a yearly basis to actively manage their schemes;
- building and public liability insurance be held;
- a fund be set up from which, amongst other things, maintenance or repairs to buildings or common space can be paid.

The submission further questions whether Council experiences problems where covenants have been used in these situations. While Council has not experienced problems of this type, this is likely due to the fact that problems of this type do not involve Council, and are private matters. Council's informal advice is, however, that disputes over covenants are in fact not uncommon. The submission also fails to address the issue of a dispute not being able to be readily settled. While the Supreme Court settles disputes involving covenants in an expensive and time-consuming process, the Department of Fair Trading (Strata Schemes and Mediation) in contrast, provides a speedier, inexpensive mediation and dispute resolution service.

The submission concludes with a request that the proposed changes to the Subdivision DCP should not apply to applications presently lodged with Council. This is supported.

Conclusion:

The further amendments to be made to the draft Low Density Housing DCP will address the concerns of both the public and Council regarding dual occupancy development in the Residential 2A Low Density Housing zone. Specifically, the amendments address concerns over the size and bulk, design and impact on privacy of nearby houses from dual occupancy developments. The draft Low Density Housing DCP will need to be re-exhibited for public comment.

The Subdivision and Medium and Medium-High Density Housing DCPs have all been exhibited, and the submissions on these documents considered. No further amendments are considered necessary to these DCPs, and their adoption by Council is recommended.

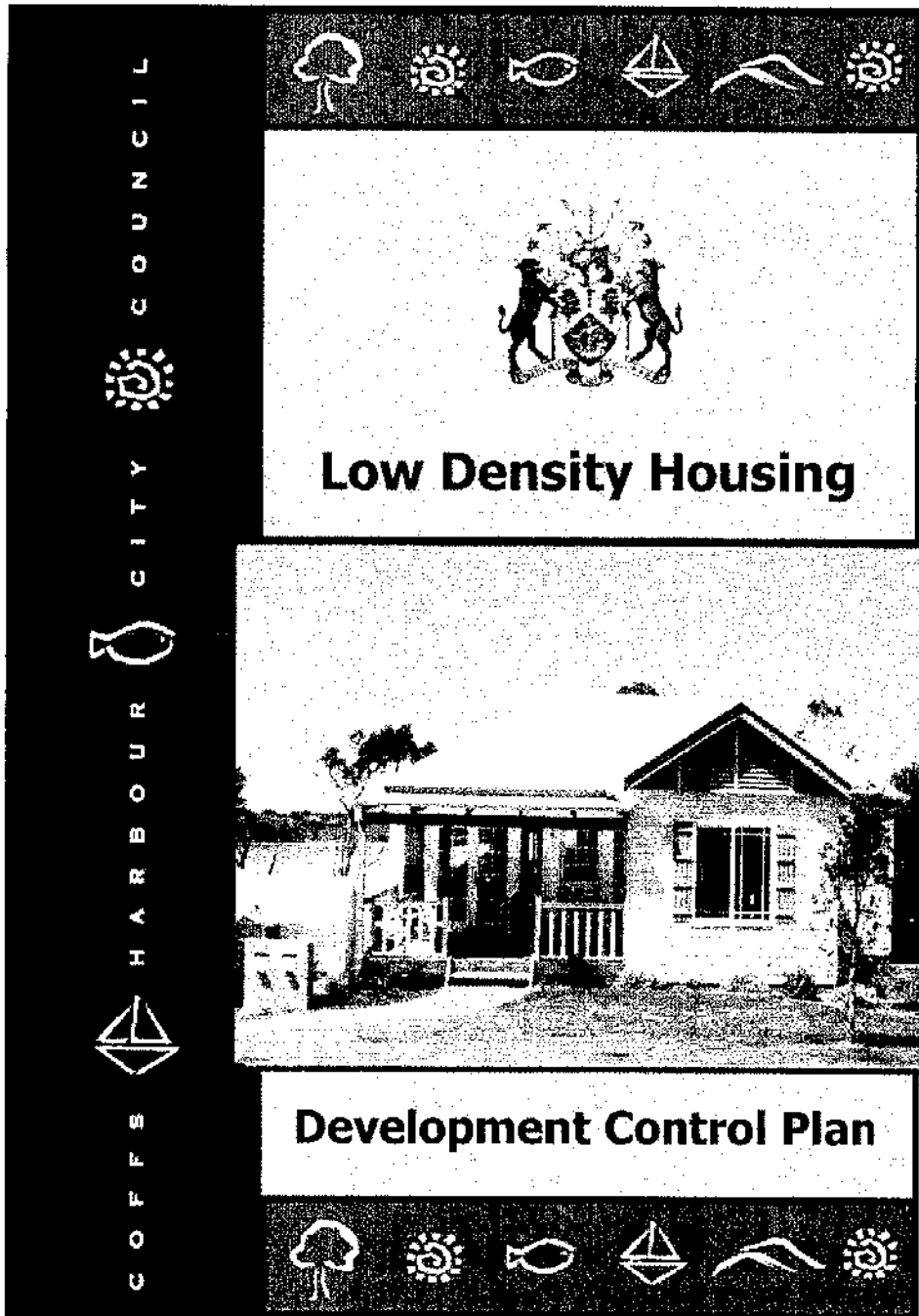
Recommendation:

- 1. That Council re-exhibit the Draft Low Density Housing Development Control Plan, as attached to the report, for public comment.**
- 2. That Council adopt the Subdivision and Medium and Medium-High Density Housing Development Control Plans attached to the report.**

Mark Salter
Acting Director, Planning Environment and Development

Attachments:

DRAFT



INTRODUCTION

PREAMBLE

- This Development Control Plan (DCP) applies to housing development on land zoned Residential 2A (Low Density) under Coffs Harbour City Local Environmental Plan 2000, except within the villages of Nana Glen, Coramba, Ulong and Lowanna.
- This Plan relates to development for single dwelling houses, dual occupancy and multi-unit housing.
- This Plan came into force on 20 April 2000.

AMENDMENTS

- This Plan was amended on

OBJECTIVES

The controls in this DCP seek to:

- encourage innovative housing which is pleasant to live in, relates to the desired future neighbourhood character, is responsive to the site and is environmentally sensitive; and
- improve the quality and choice of housing and residential environments to suit the diversity of people's needs and to meet community expectations about health, safety and amenity.

PROCEDURES

- Single dwelling houses, dual occupancy and multi-unit housing require the approval of Council.
- Approval is sought through the lodgement of a development application.
- Applicants should follow the step by step procedures shown in the procedures flow chart.

PROCEDURES FLOW CHART

Step 1

Undertake Site Analysis (refer page 2)



Step 2

Consult Council Staff on draft proposal if necessary



Step 3

Check proposal meets controls in this DCP
If subdivision is also proposed obtain subdivision DCP



Step 4

Check Environmental Constraints Maps for:

- Koala Habitat
- Contaminated Land
- Fire Hazard
- Acid Sulfate Soils
- Obstacle Height Limit
- Aircraft Noise
- Heritage Items/Areas



Step 5

If development is within the following areas check relevant Information Sheets/DCPs:

- Jetty Area
- North Boambee Valley
- Boambee Creek
- Acid Sulfate Soils
- Moonee
- North Bonville
- West Coffs
- Fire Hazard



Step 6

Consult with adjoining owners – consider their opinions on proposal where appropriate



Step 7

Consult with Council's Technical Liaison Committee or staff if necessary



Step 8

Lodge development application with Council



Where approval granted



Step 9

Commence work in accordance with conditions of approval

HOW TO USE THIS DCP

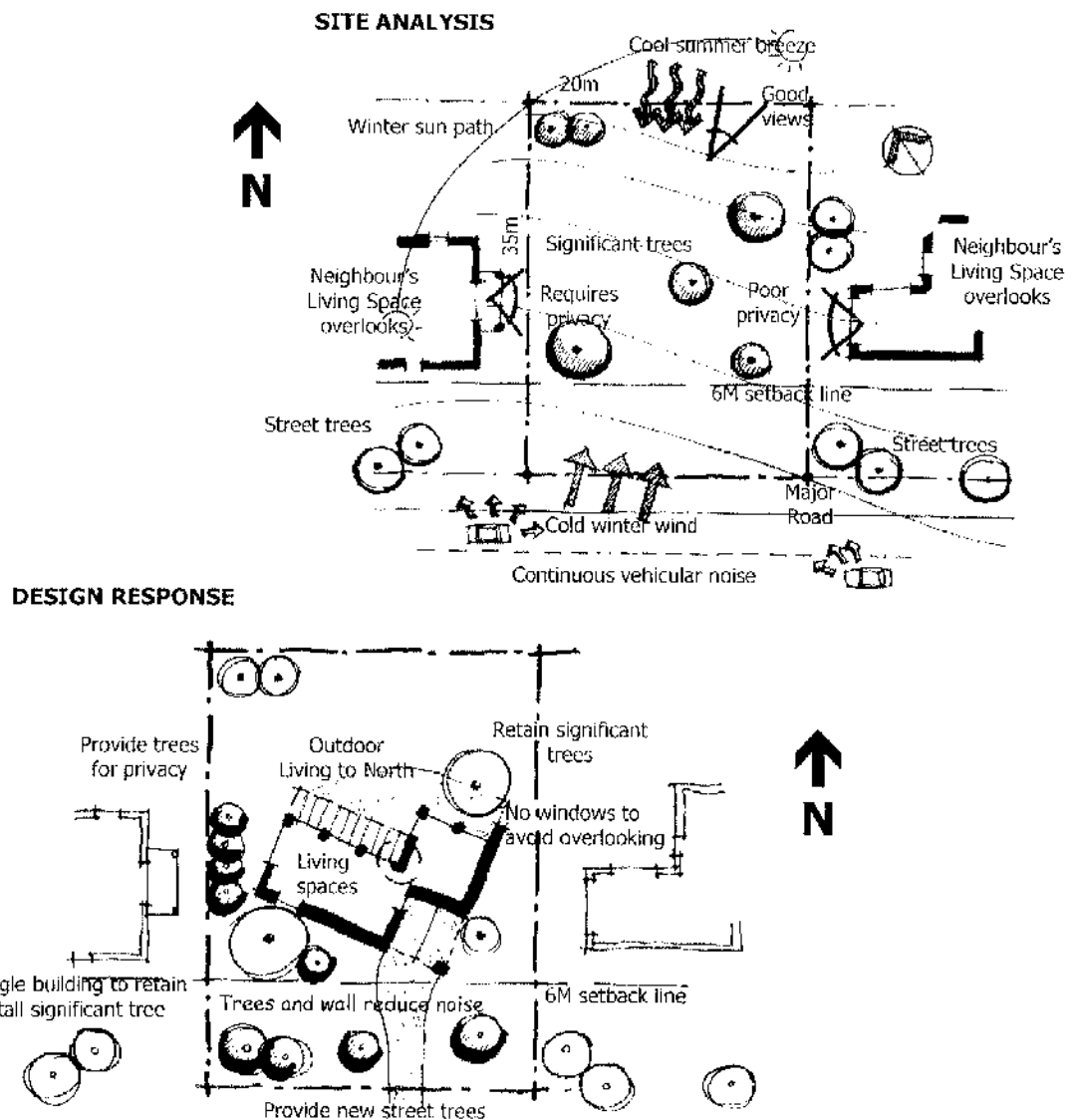
Applicants are to comply with the controls unless it can be demonstrated that an alternate solution to all or any of the controls will be a better approach to meeting the objectives of this DCP.

SITE ANALYSIS

Site analysis is required to identify opportunities and constraints for building.

A site analysis plan (at scale 1:200) is to include:

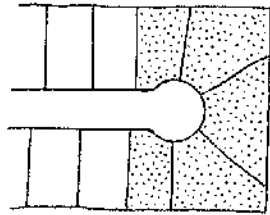
- site dimensions (length, width);
- spot levels or contours;
- north point;
- existing site drainage;
- any contaminated soils or filled areas;
- services (easements, utilities);
- existing trees (height, spread, species);
- views to and from site;
- prevailing winds; and
- surrounding development (where three or more dwellings proposed).



CONTROLS

DENSITY

- Density is not to exceed one dwelling per 400m², not including the area of any access handle or internal driveway.
- For lots fronting a cul-de-sac head the density is one dwelling per 500m².



Lots fronting a cul-de-sac head

- A minimum area of 185m² is to be provided for each dwelling for landscaping.
- For dual occupancy development, the floor area of the proposed dwellings is not to exceed a floor space ratio of 0.5:1.

Note:

- *The floor area is the sum of the areas of each floor of both dwellings excluding verandahs, carports, storage sheds and the like. The floor area is to be measured from the outer face of the external enclosing walls.*
- *The floor space ratio is the floor area of the proposed dwellings, divided by the area of the existing lot.*

- Different density provisions apply in North Boambee Valley, Moonee, North Bonville and West Coffs; refer to North Boambee Valley or West Coffs Information Sheets or Moonee DCP or North Bonville DCP.

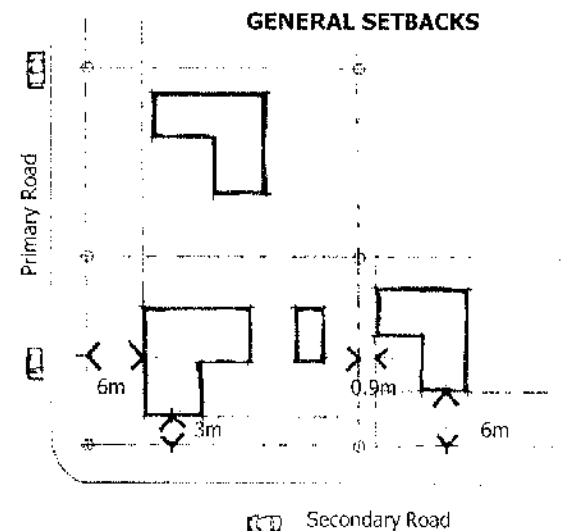
- For three or more dwellings the frontage of the property is to be at least 5.5m wide, so as to provide sufficient area to the side of the driveway for services such as water meter and mail box, as well as landscaping. For every additional dwelling over three, the width of the frontage of the property to the street is to be increased by 1m (i.e. four dwellings, frontage of 6.5m).

Note:

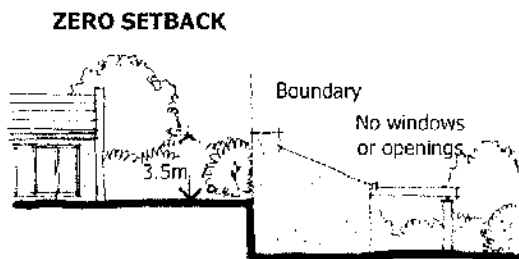
Landscaping is that part of the lot not used for driveways, car spaces or buildings.

SETBACKS

- Buildings are to be generally setback a minimum of 6m from the front boundary. On corner lots buildings can be setback 3m from the secondary street boundary.



- Buildings are to be setback 20m from creeks and major watercourses.
- Side and rear setbacks are generally 900mm from walls and 675mm to outer edge of roof gutter and eaves.
- Buildings can be built to side and rear boundaries (zero setbacks) where:
 - the building has maximum boundary wall height of 3m, unless matching an existing or simultaneously constructed wall;
 - satisfactory legal arrangements for maintenance of boundary walls are in place;
 - there is no adverse impact upon the amenity of the adjoining properties;
 - there is no interruption to overland drainage paths;
 - generally, should only occur on southern boundary;
 - there are no openings in the boundary wall; and
 - the wall is of fire rated masonry construction.



DESIGN

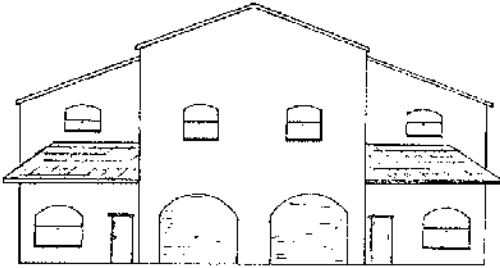
- Buildings should be designed so as to be compatible with the desired future neighbourhood character of the area.
- Buildings are not to exceed 6m in height (generally no more than two storeys).

Note:

Height means the distance measured vertically from any point on the eaves of the building to the natural ground level immediately below that point.

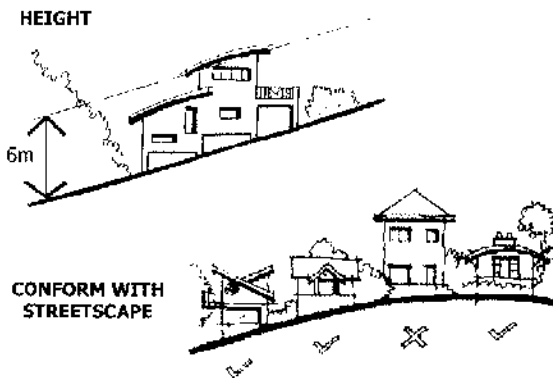
- Make the design of buildings interesting and livable by incorporating some or all of these elements:
 - decks;
 - pergolas;
 - verandahs;
 - eaves;
 - lattice; and
 - climate control windows (i.e. louvres or small windows, selected glass).
- Use pier or pole construction on slopes in excess of 20%. A maximum of 1m cut or fill is allowed outside the buildings external walls.
- Buildings are to be designed to make a positive contribution to the street, by eliminating blank, featureless walls.
- Buildings should allow for some outlook to streets, lanes or other public space areas to increase surveillance and thereby provide for a safer environment.
- Minimise direct overlooking of living areas and private open space of other dwellings.
- Building design should provide an appropriate scale to the streetscape.
- Garages and parking structures are to be sited and designed so as not to dominate the street frontage.

- Where dual occupancy development is proposed and both dwellings will have frontage to the street, the dwellings are not to be mirror reversed.



Mirror reversing: unacceptable design solution

- Make design energy efficient (refer to "Energy Efficiency" Information Sheet).
- Fencing is not to be located along a boundary adjoining public land unless it is no greater than 1.5m high, and includes either a setback for landscaping purposes, or recesses for this same purpose.



Note:
Council is not bound to enforce S88B instruments in private matters such as developer preferred building materials.

SOLAR ACCESS

- Buildings should be designed to allow at least two hours of sunshine upon the living areas of adjacent dwellings and open space areas between 9.00 am and 3.00 pm on 22 June.

- Where the possibility of overshadowing may occur, shadow diagrams are to be submitted to illustrate the shadows cast by the proposed building at 9.00am, 12.00 noon and 3.00pm on 22 June.

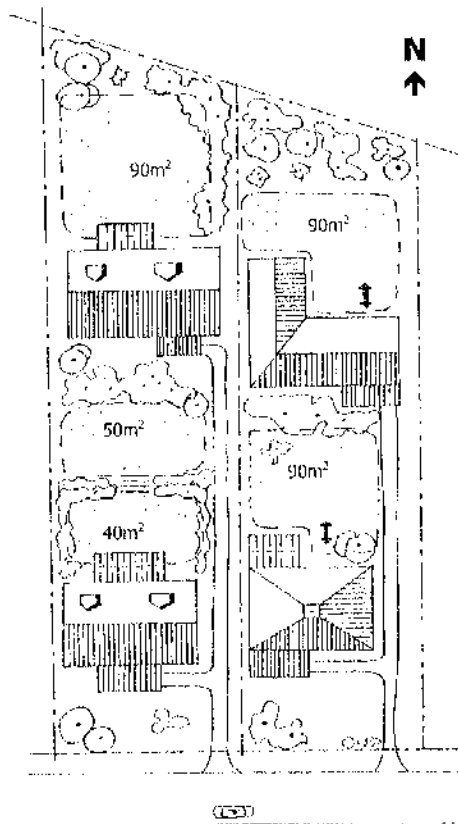
ENVIRONMENTAL CONSTRAINTS

- Special controls apply to areas that are subject to environmental constraints. These constraints relate to:
 - koala habitat;
 - acid sulfate soils;
 - contaminated land;
 - flood prone land;
 - bushfire hazard;
 - obstacle height limit;
 - aircraft noise; and
 - heritage.
- Refer to the following information sheets were relevant:
 - Koala Habitat Information Sheet;
 - Acid Sulfate Soils Information Sheet;
 - Contaminated Land Information Sheet;
 - Flood Prone Land Information Sheet;
 - Fire Hazard Information Sheet;
 - Obstacle Height Limit Information Sheet;
 - Aircraft Noise Information Sheet; and
 - Heritage Information Sheet.

Note:
The constraints maps can be viewed at Council.

PRIVATE OPEN SPACE

- Each dwelling is to have private open space with direct connection to indoor living areas through sliding glass doors or other similar openings. This space should be oriented to provide for maximum year round use.
- A minimum of 90m² is to be provided for each dwelling, preferably provided in one area. Consideration may be given to the division of this area into two areas, with the smallest portion being no less than 40m².
- Each open space area is to have a minimum dimension of 4m and a slope not greater than 1 in 8.
- Private open space (including swimming pools) is not to be located at the front of a development adjoining public road, unless details of satisfactory fencing are included with the proposal.



- Dwellings are not to unreasonably compromise the existing private open space of existing nearby dwellings.

VEHICLE ACCESS AND PARKING

Parking

- Car parking is to be provided behind the front setback at the following rate:

Dwelling Type (Floorspace)	Parking Requirement per dwelling
Small dwellings ($\leq 100\text{m}^2$)	1 space
Large dwellings ($> 100\text{m}^2$)	2 spaces

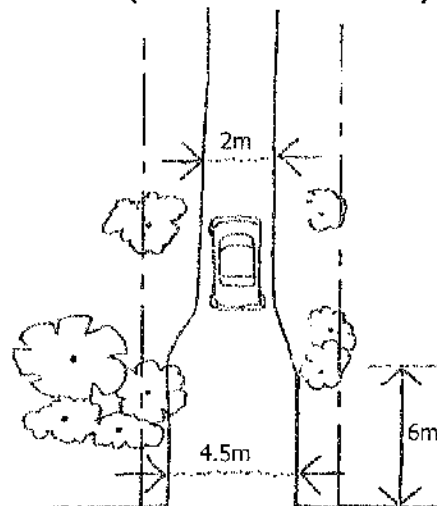
- Car parking areas should be incorporated into the building or provided at, or behind, the front setback of the building.
- Where more than one space is required one parking space is allowed between the dwelling and the front boundary.
- The minimum dimensions of car parking spaces should be 2.4m x 5.5m.

Driveways

- To reduce the impacts of stormwater runoff, improve visual amenity, and maintain on-street car parking driveways should be minimised.
- A driveway, which serves a maximum of three dwellings, is to have a minimum paved width of 2m.
- A shared driveway, which serves three or more dwellings, is to have a minimum paved width of 4.5m at the street, continuing at this width to a depth of 6m.
- Long driveways may require 'passing points' (particularly on busy roads).

- Provision is to be made for vehicles to enter and leave the site in a forward direction, where, the site is steep, the site fronts a busy road, the site has three or more dwellings on it, the street has high pedestrian use and where driveways are more than 30m in length. Turning areas are to be designed to allow the 85% Design Car Turning Path.
- Driveways should have gradients less than 20% and the driveway grade should not change by more than 11% for every 1.4m of driveway.

DRIVEWAYS (3 OR MORE DWELLINGS)



Note:
For minimum lot frontages and width of battleaxe handles also refer Council's Subdivision DCP.

DEVELOPER CONTRIBUTIONS

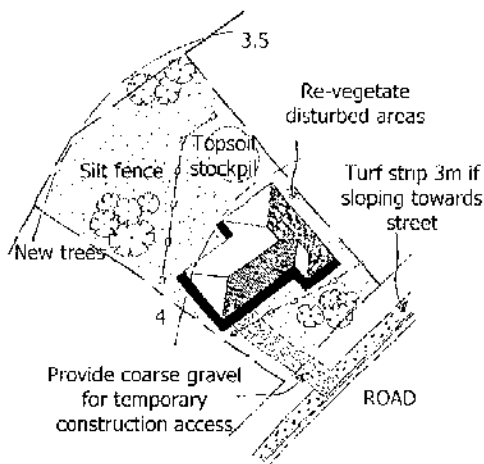
- Developer contributions are payable for any development creating two or more dwellings on one lot.

Note:
Developer contributions are a monetary payment to fund increased demand for public facilities generated by the development.

EROSION AND SEDIMENT CONTROL

- For proposals for three or more dwellings an Erosion and Sediment Control Plan is required to be submitted to and approved by Council prior to the release of the construction certificate; refer "Erosion and Sediment Control on Building and Development Sites – Policy and Code of Practice".
- For proposals for two or less dwellings the following is required:
 - three strips of turf parallel to, and against, the kerb;
 - coarse gravel to define a single construction access no more than 3m wide;
 - install sediment fence:
 - along the road frontage immediately upslope of the turf strips or around the low side of the area of construction if the site slopes away from the road;
 - around the low side of stockpiles; and
 - with the ends of the fences turned upslope;

- all stockpiles of topsoil, sand, aggregate, spoil, vegetation or other material capable of being moved by running water shall be stored clear of any drainage lines, easements or natural watercourses, footpath, kerb or road surface;
- before roofing material is laid, temporary or permanent guttering and downpipes shall be installed and connected to an approved stormwater disposal system; and
- all disturbed areas shall be rendered erosion resistant by revegetation or landscaping within four weeks of building activities being completed or suspended.



Water and Sewerage Services

- Where Torrens Title subdivision is proposed, separate water and sewerage connection from Council's mains is to be provided for each lot.
- Water and sewerage connections, where not available to a lot will require the extension of Council's mains to service that lot.

Stormwater

- All stormwater is to be directed to the street drainage system, or to an interallotment drainage easement where available. Surface water is not to be directed to neighbouring properties. Stormwater to kerb connections are to be via kerb adapter units. House fencing should not obstruct overland flows of water. House floor levels must be at least 300mm above finished ground level.

Note:

Interallotment drainage via easements may be required.

SERVICES

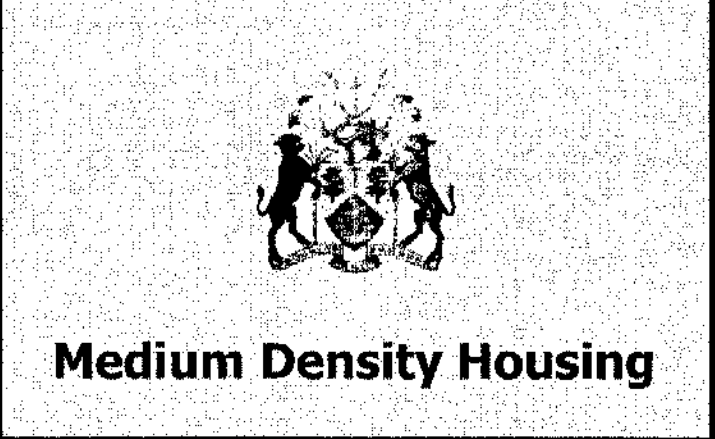
Water Meters

- A separate water meter is to be provided for each dwelling and is to be readily accessible to Council's meter reader.

**Coffs Harbour City Council
Cnr Coff and Castle Streets
(Locked Bag 155)
COFFS HARBOUR NSW 2450**

Telephone: (02) 6648 4000

C O F F S H A R B O U R C I T Y C O U N C I L



Medium Density Housing



Development Control Plan



INTRODUCTION

PREAMBLE

- This Development Control Plan (DCP) applies to housing development on land zoned Residential 2B (Medium Density) under Coffs Harbour City Local Environmental Plan 2000.
- The Plan applies to development for multi unit housing, typically in the form of townhouses, villas and the like.
- This Plan came into force on 20 April 2000 and was amended on

AMENDMENTS

This plan was amended on

OBJECTIVES

The controls in this DCP seek to:

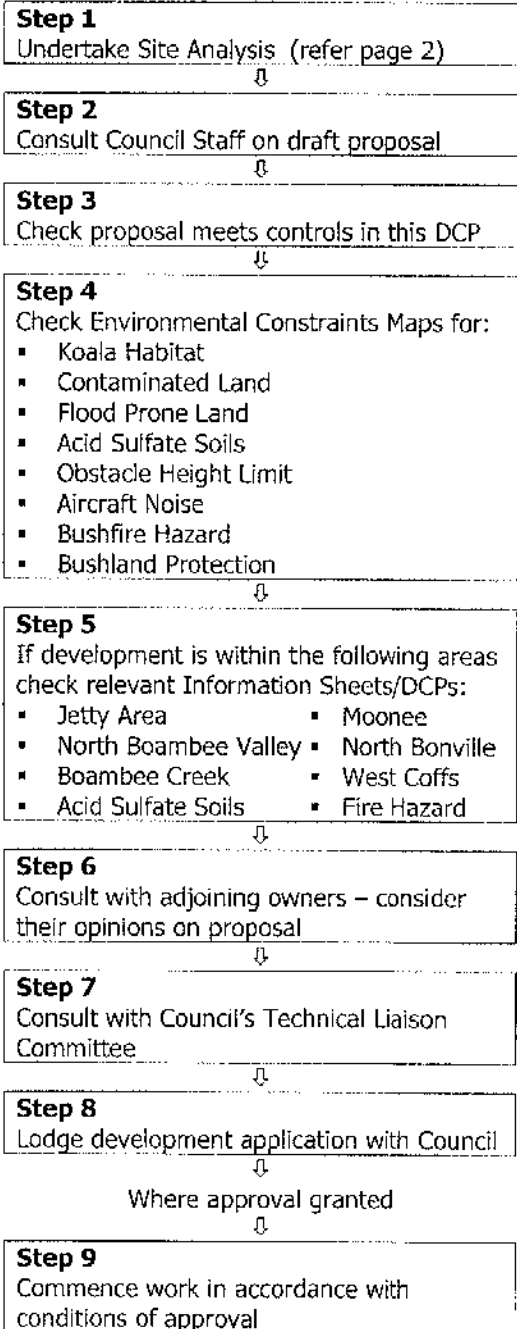
- encourage innovative housing which is pleasant to live in, relates to the desired future neighbourhood character, is responsive to the site and is environmentally sensitive; and
- improve the quality and choice of residential environments to suit the diversity of people's needs and to meet community expectations of health, safety and amenity.

PROCEDURES

- Residential flats and townhouses require the approval of Council.
- Approval is sought through the lodgement of a development application.

- Applicants should follow the step by step procedures shown in the flow chart.

PROCEDURES FLOW CHART



HOW TO USE THIS DCP

- Applicants are to comply with the controls unless it can be demonstrated that an alternative solution to all or any of the controls will be a better approach to meeting the objectives of this DCP.

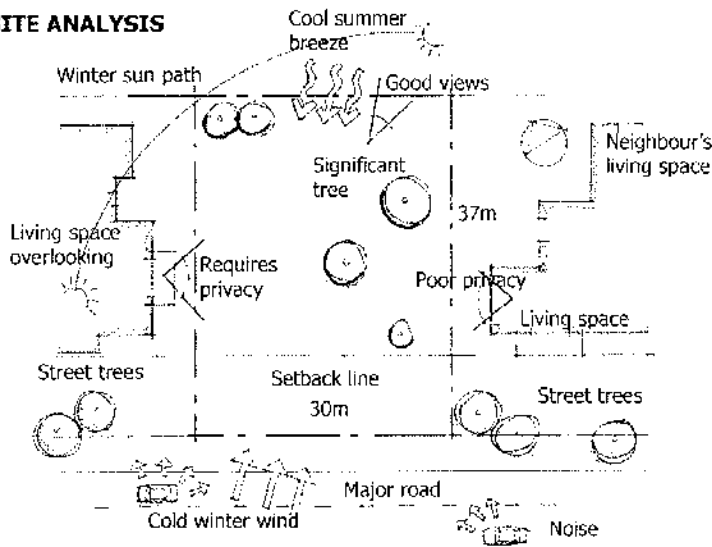
SITE ANALYSIS

- Site analysis is required to identify opportunities and constraints for building design.

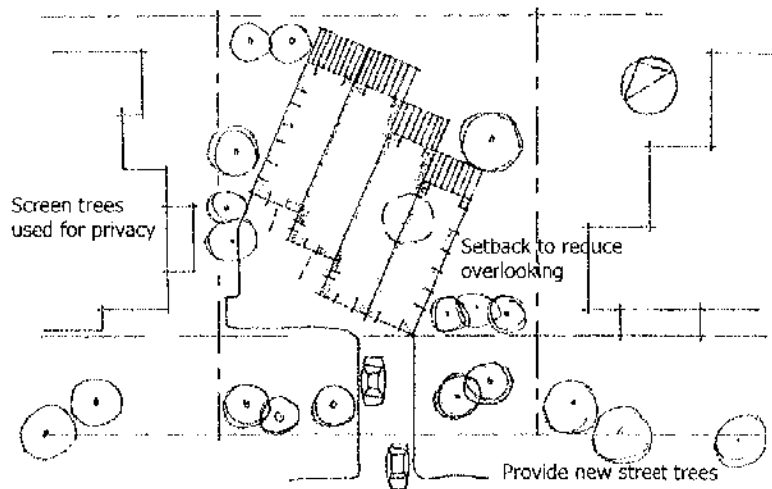
- A site analysis plan (at scale 1:200) is to include:

- site dimensions (length, width);
- spot levels or contours;
- north point;
- natural drainage;
- any contaminated soils or filled areas;
- services (easements, utilities);
- existing trees (height, spread, species);
- views to and from site;
- prevailing winds; and
- surrounding buildings.

SITE ANALYSIS



DESIGN RESPONSE



CONTROLS

DENSITY

- Density is not to exceed one dwelling per 200m² of site area.
- A minimum area of 88m² is to be provided for each dwelling for landscaping.
- For three or more dwellings the frontage of the property is to be at least 5.5m wide, so as to provide sufficient area to the side of the driveway for services such as water meter and mail box, as well as landscaping. For every additional dwelling over three, the width of the frontage of the property to the street is to be increased by 1m (i.e. four dwellings, frontage of 6.5m).

Note:

Landscaping is that part of the lot not used for driveways, car spaces or buildings.

SETBACKS

- Buildings are to be generally setback 6m from the front boundary.
- Side and rear setbacks are to be generally 3m, with a reduced setback to 1m where the building height is less than 3m.
- Buildings can be built to the side and rear boundaries (zero setbacks) where:
 - the building has maximum boundary wall height of 3m, unless matching an existing or simultaneously constructed wall;
 - satisfactory legal arrangements for maintenance of boundary walls are in place;

- there is no adverse impact upon the amenity of the adjoining properties;
- there is no interruption to overland drainage paths;
- there are no openings in the boundary wall; and
- the wall is of fire rated masonry construction.

DESIGN

- Buildings are not to exceed 6m in height (generally no more than two storeys).

Note:

Height means the distance measured vertically from any point on the eaves of the building to the natural ground level immediately below that point.



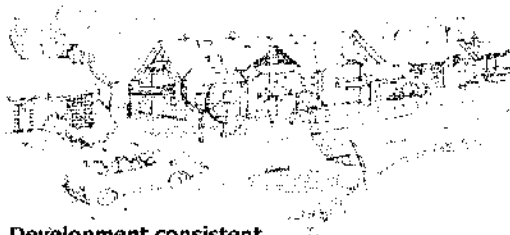
- Make the design of buildings interesting and livable by incorporating some or all of these elements:
 - decks;
 - pergolas;
 - verandahs and balconies;
 - hoods (window/door);
 - wide eaves;
 - lattice;
 - climate control windows (ie louvres or small windows);
 - pitched roofs; and
 - a mix of light weight materials.

- Use pier or pole construction on slopes in excess of 20%. A maximum of 1m cut & fill is allowed outside the buildings external walls.
- Fencing is not to be located along a boundary adjoining public land unless it is no greater than 1.5m high, and includes either a setback for landscaping purposes, or recesses for this same purpose.

Note:

Council is not bound to enforce S88B instruments in private matters such as developer preferred building materials.

- Minimise direct overlooking of living areas and private open space of other dwellings.



Development consistent with streetscape

- Building design should provide an appropriate scale to the streetscape.
- Make design energy efficient refer to "Energy Efficiency" Information Sheet.

Special emphasis should be given to the design of buildings on corner allotments, including consideration of the following:

- how the building addresses its neighbouring buildings, open space, dual frontage;
- giving the corner a splayed, concave, convex or square recess treatment or a taller building element such that it gives form to the intersection; and
- the use of modulated designs to break up the building form.

Buildings should not exceed a total length of 45m. Wall planes should not exceed 30m in length without the roof and wall design being broken.

- Buildings are to be designed to make a positive contribution to the street, by eliminating blank, featureless walls.
- Buildings should allow for some outlook to streets, lanes or other public space areas to increase surveillance and thereby provide for a safer environment.

SOLAR ACCESS

- Buildings should be designed to allow at least two hours of sunshine upon the living areas of adjacent dwellings and open space areas between 9.00 am and 3.00 pm on 22 June.
- Where the possibility of overshadowing may occur, shadow diagrams are to be submitted to illustrate the shadows cast by the proposed building at 9.00am, 12.00 noon and 3.00pm on 22 June.

PRIVATE OPEN SPACE

- Each dwelling is to have 32m² of private open space with direct connection to indoor living areas.
- Private open space areas are to have a minimum dimension of 3m and a slope not greater than 1 in 8.
- Private open space (including swimming pools) is not to be located at the front of a development adjoining public road, unless details of satisfactory fencing are included with the proposal.

ENVIRONMENTAL CONSTRAINTS

- Special controls apply to areas that are subject to environmental constraints. These constraints relate to:
 - koala habitat;
 - acid sulfate soils;
 - contaminated land;
 - flood prone land;
 - fire hazard;
 - obstacle height limit; and
 - aircraft noise.
- Refer to the following information sheets where relevant:
 - Koala Habitat Information Sheet;
 - Acid Sulfate Soils Information Sheet;
 - Contaminated Land Information Sheet;
 - Flood Prone Land Information Sheet;
 - Fire Hazard Information Sheet;
 - Obstacle Height Limit Information Sheet; and
 - Aircraft Noise Information Sheet;

Note:
The constraints maps can be viewed at Council.

VEHICLE ACCESS AND PARKING

Parking

- Garages and parking structures are to be sited and designed so as not to dominate the street frontage.

- Car parking is to be provided behind the front setback at the following rate:

Dwelling Type (GFA)	Parking Requirement per dwelling
Small Dwellings ($\leq 100\text{m}^2$) Large Dwellings ($> 100\text{m}^2$)	1 space 2 spaces

- Where more than one space per dwelling is required at least one parking space must be within a garage.
- The minimum dimensions of car parking spaces should be 2.4m x 5.5m.
- Minimum internal dimensions of enclosed garages is 3m x 6m.
- Minimum headroom in undercover parking is 2.1m.
- Garage doors and parking spaces can be widened if manoeuvring areas are limited.

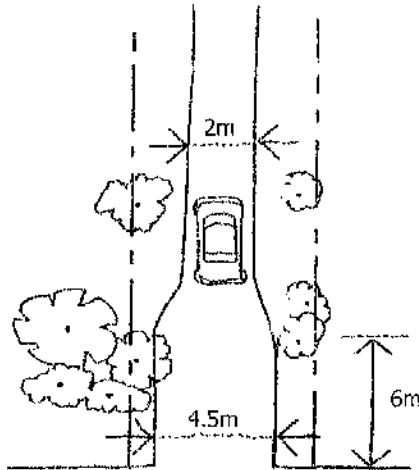
Note:
GFA – Gross Floor Area – area within outer face of external walls excluding car parking areas and balconies.

Driveways

- To reduce the impacts of stormwater runoff, improve visual amenity, and maintain on-street car parking driveways should be minimised.
- A driveway, which serves a maximum of three dwellings, is to have a minimum paved width of 2m.
- A shared driveway, which serves three or more dwellings, is to have a minimum paved width of 4.5m at the street, continuing at this width to a depth of 6m.

- Long driveways may require 'passing points' (particularly on busy roads).

DRIVEWAYS (3 OR MORE DWELLINGS)



- Provision is to be made for vehicles to enter and leave the site in a forward direction, where, the site is steep, the site fronts a busy road, the site has three or more dwellings on it, the street has high pedestrian use and where driveways are more than 30m in length. Turning areas are to be designed to allow the 85% Design Car Turning Path.
- Driveways should have gradients less than 16% and the driveway grade should not change by more than 11% for every 1.4m of driveway.
- Vehicle access and exit from car parking areas shall not comprise more than one reversing movement.

DEVELOPER CONTRIBUTIONS

- Developer contributions are payable for any development creating two or more dwellings on one lot.

Note:

Developer contributions are a monetary payment to fund increased demand for public facilities generated by the development.

LANDSCAPING

- A landscape plan prepared by a qualified landscape architect or designer, is to be submitted showing the location of existing trees, proposed landscaping and trees to be removed or retained.
- Landscaping should be provided in front and side setback areas and other areas of the site to improve the streetscape, soften the appearance of buildings and paved areas and to provide shade, shelter and visual screening.
- Landscaping should include species that will grow to a height consistent with the building height.
- The landscaping should include one tree (to building height), one tall shrub (min. 4m tall) and six shrubs (min. 1m tall) per unit.

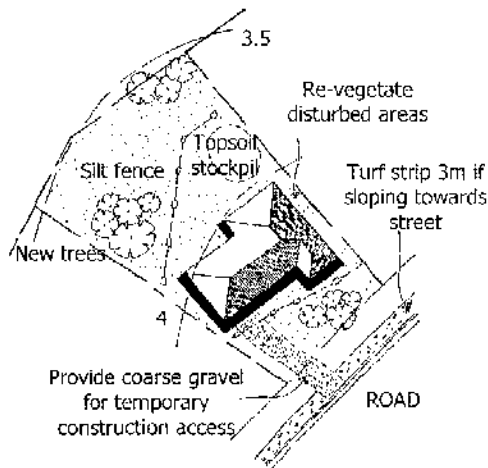
Note:

Refer to the Landscaping Information Sheet for guidelines on landscape planning and species selection.

EROSION AND SEDIMENT CONTROL

- For proposals for three or more dwellings an Erosion and Sediment Control Plan is required to be submitted to and approved by Council prior to the release of the construction certificate; refer "Erosion and Sediment Control on Building and Development Sites – Policy and Code of Practice".
- For proposals for two or less dwellings the following is required:
 - three strips of turf parallel to, and against, the kerb;
 - coarse gravel to define a single construction access no more than 3m wide;

- install sediment fence:
 - along the road frontage immediately upslope of the turf strips or around the low side of the area of construction if the site slopes away from the road;
 - around the low side of stockpiles; and
 - with the ends of the fences turned upslope;
- all stockpiles of topsoil, sand, aggregate, spoil, vegetation or other material capable of being moved by running water shall be stored clear of any drainage lines, easements or natural watercourses, footpath, kerb or road surface;
- before roofing material is laid, temporary or permanent guttering and downpipes shall be installed and connected to an approved stormwater disposal system; and
- all disturbed areas shall be rendered erosion resistant by revegetation or landscaping within four weeks of building activities being completed or suspended.



INFRASTRUCTURE

The following must be provided for the street or lane frontage of the property:

- sealed road pavement;
- concrete kerb and gutter;
- concrete footpath;
- piped stormwater drainage;
- if access is to be via a lane, the lane is to be constructed full width from at least one street.

SERVICES

Water Meters

- A separate water meter is to be provided for each dwelling and is to be readily accessible to Council's meter reader.

Mains Extensions

- Water and sewerage connections, where not available to the lot, will require the extension of Council's mains to service that lot.

Stormwater

- All stormwater is to be directed to the street drainage system or interallotment drainage easement where available.
- A stormwater detention system is required for all development except where directly connected to a trunk drainage system or water body or it is demonstrated that the downstream drainage system can cope with runoff from the development.

Note:
Interallotment drainage via easements may be required.

Garbage Services

- Provision should be made for the storage of garbage and recycling bins within 6m of the front property boundary.
- Garbage areas are to be easily accessible, screened, and provided with a hose cock to allow cleaning.


Letterboxes


- Provision should be made for letterboxes located as compact and close to the front boundary entrance as practical.

**Coffs Harbour City Council
Cnr Coff and Castle Streets
(Locked Bag 155)
COFFS HARBOUR NSW 2450**


Telephone: (02) 6648 4000

COFFS HARBOUR CITY COUNCIL






Medium-High Density Housing



Development Control Plan



INTRODUCTION

PREAMBLE

- This Development Control Plan (DCP) applies to multi-unit housing development on land zoned Residential 2C (Medium-High Density) under Coffs Harbour City Local Environmental Plan 2000.
- This Plan relates to development for multi-unit housing generally in the form of townhouses or three storey walk-up flats.
- This Plan came into force on 20 April 2000 and was amended on

AMENDMENTS

- This Plan was amended on

OBJECTIVES

The controls in this DCP seek to:

- encourage innovative housing which is pleasant to live in, relates to the desired future neighbourhood character, is responsive to the site and is environmentally sensitive; and
- improve the quality and choice of housing and residential environments to suit the diversity of people's needs and to meet community expectations about health, safety and amenity.

PROCEDURES

- Multi-unit housing requires the approval of Council.
- Approval is sought through the lodgement of a development application.

- Applicants should follow the step by step procedures shown in the procedures flow chart.

PROCEDURES FLOW CHART

Step 1

Undertake Site Analysis (refer page 2)



Step 2

Consult Council Staff on draft proposal if necessary



Step 3

Check proposal meets controls in this DCP
If subdivision is also proposed obtain subdivision DCP



Step 4

Check Environmental Constraints Maps for:

- Flood Prone Land
- Obstacle Height Limit
- Aircraft Noise
- Heritage Items
- Bushfire Hazard
- Acid Sulfate Soils



Step 5

If development is within the following areas check relevant Information Sheets/DCPs:

- Jetty Area
- Moonee
- North Boambee Valley
- North Bonville
- Boambee Creek
- West Coffs
- Acid Sulfate Soils
- Fire Hazard



Step 6

Consult with adjoining owners – consider their opinions on proposal where appropriate



Step 7

Consult with Council's Technical Liaison Committee or staff if necessary



Step 8

Lodge development application with Council



Where approval granted



Step 9

Commence work in accordance with conditions of approval

HOW TO USE THIS DCP

Applicants are to comply with the controls unless it can be demonstrated that an alternate solution to all or any of the controls will be a better approach to meeting the objectives of this DCP.

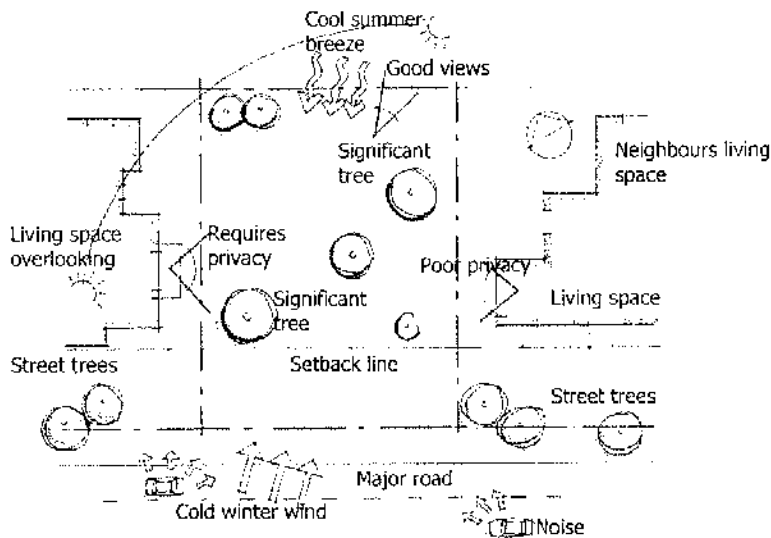
SITE ANALYSIS

Site analysis is required to identify opportunities and constraints for building design.

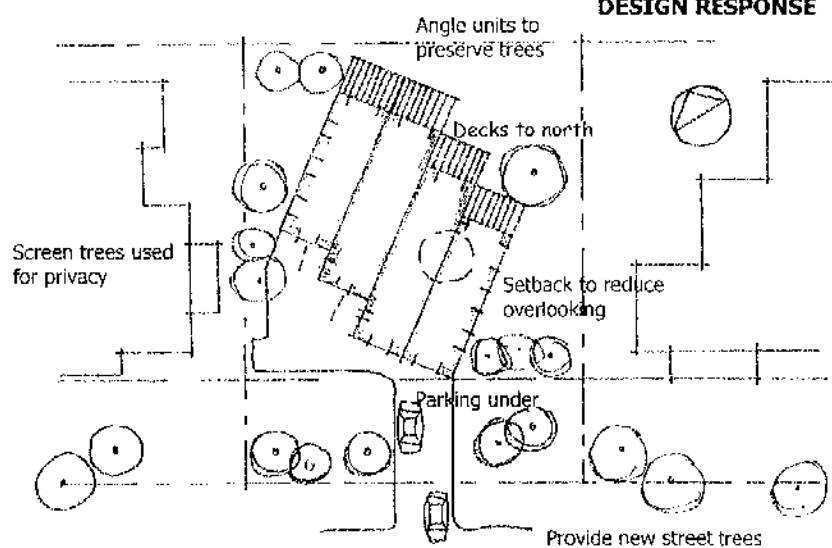
A site analysis plan (at scale 1:200) is to include:

- site dimensions (length, width);
- spot levels or contours;
- north point;
- natural drainage;
- any contaminated soils or filled areas;
- services (easements, utilities);
- existing trees (height, spread, species);
- views to and from site;
- prevailing winds; and
- surrounding buildings.

SITE ANALYSIS



DESIGN RESPONSE



CONTROLS

DENSITY

- Density is based on dwelling size in accordance with the following:

Dwelling Size (GFA)	Site Area Per dwelling
Small dwelling (<55m ²)	50m ²
Medium dwelling (55-84m ²)	75m ²
Large dwelling (85-125m ²)	110m ²
Extra large dwelling (>125m ²)	150m ²

- All developments should provide a mix of dwelling sizes where possible.
- For three or more dwellings the frontage of the property is to be at least 5.5m wide, so as to provide sufficient area to the side of the driveway for services such as water meter and mail box, as well as landscaping. For every additional dwelling over three, the width of the frontage of the property to the street is to be increased by 1m (i.e. four dwellings, frontage of 6.5m).

Note:
Gross floor area (GFA) - area within outer face of external walls excluding car parking areas and balconies.

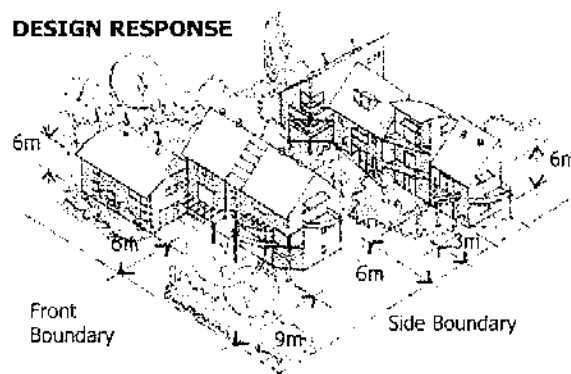
SETBACKS

General Front Setbacks

The following front setbacks apply to all areas other than the Jetty Area.

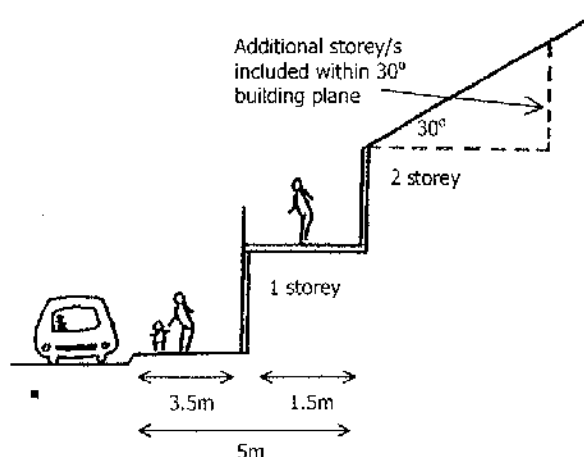
- Buildings are to be setback 9m from the front property boundary with a permitted encroachment to 6m for buildings with a height less than 6m (i.e. not more than two storey).

DESIGN RESPONSE



Jetty Area Front Setbacks

The following front setback applies to the Jetty area.



A 3.5m setback from the front boundary applies to single storey buildings and an additional 1.5m setback applies for every additional storey.

- Additional storeys over and above the second storey are to be included within a 30^o building plane measured from the horizontal and taken from the corner of the second storey.

Note:

Jetty Area is the area bounded by the Railway Line, Coffs Creek, Howard Street, Hogbin Drive and Barry Street.

Side and Rear Setbacks

- Buildings are to be setback 6m from side and rear boundaries, with a permitted encroachment to 3m for buildings with a height less than 6m (refer diagram 'Design Response').

DESIGN

- Pitched and gabled rooflines are encouraged, flat rooflines should be avoided except when used as a minor design variation;
- To achieve variety in the built form, careful consideration should be given to expression of structure, sunshading devices, balconies, window patterns, roof tops, and overall differentiation of top, middle and base; and
- Materials should include a mix of compatible materials; and
- Balcony enclosures will only be permitted where the overall design of the facade is not adversely affected.

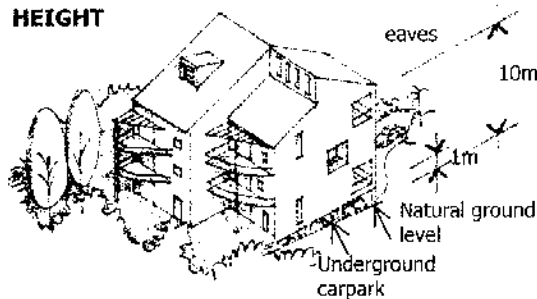
- Special emphasis should be given to the design of buildings on corner allotments, including consideration of the following:

- how the building addresses its neighbouring buildings, open space, dual frontage;
- giving the corner a splayed, concave, convex or square recess treatment or a taller building element such that it gives form to the intersection; and
- the use of modulated de break up the building form.

- Buildings should not exceed a total length of 45m. Wall planes should not exceed 30m in length without the roof and wall design being broken.
- Buildings are to be designed to make a positive contribution to the street, by eliminating blank, featureless walls.
- Buildings should allow for some outlook to streets, lanes or other public space areas to increase surveillance and thereby provide for a safer environment.
- Fencing is not to be located along a boundary adjoining public land unless it is no greater than 1.5m high, and includes either a setback for landscaping purposes, or recesses for this same purpose.
- Use pier or pole construction on slopes in excess of 20%. A maximum of 1m cut or fill is allowed outside the buildings external walls.

HEIGHT

- The maximum height of any building is not to exceed 10m. Underground car parking should not protrude more than 1m above natural ground level.



Note:

Height means the distance measured vertically from any point on the eaves of the topmost floor of the building to the natural ground level immediately below that point.

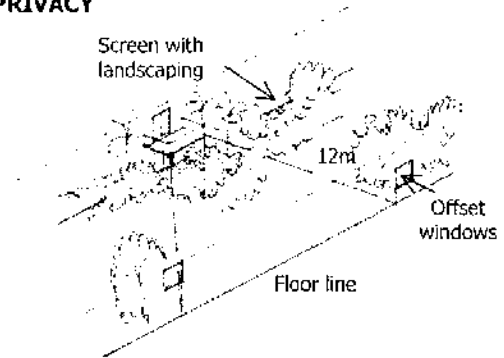
SOLAR ACCESS

- Buildings should be designed to allow at least two hours of sunshine upon the living areas of adjacent dwellings and open space areas between 9.00 am and 3.00 pm on 22 June.
- Where the possibility of overshadowing may occur, shadow diagrams are to be submitted to illustrate the shadows cast by the proposed building at 9.00am, 12.00 noon and 3.00pm on 22 June.

PRIVACY

- Visual privacy for adjoining properties and within development projects should, where necessary, be achieved by:
 - using windows which are narrow, translucent and obscured;
 - ensuring that windows do not face directly onto the windows, balconies or courtyards of adjoining dwellings; and
 - screening opposing windows, balconies and courtyards.

PRIVACY



- Where windows or balconies of dwellings are within 12m of windows or balconies of other dwellings, some form of screening or reduction in window areas should be provided to ensure visual privacy.

LANDSCAPING

- The landscaped area should be a minimum of 30% of the site area.
- Trees, which are capable of attaining the same height as the tallest building, should be planted within the front setback area.
- All development sites are to include at least 1m of landscaping on the perimeter of the site to enhance the design of the site.

- The landscaping should include one medium – tall shrub (2-6m tall) and six small shrubs (1-2m tall) per unit.

Note:

Refer to the Landscaping Information Sheet for guidelines on landscape planning and species selection. All development proposals are to be accompanied by a landscaping plan.

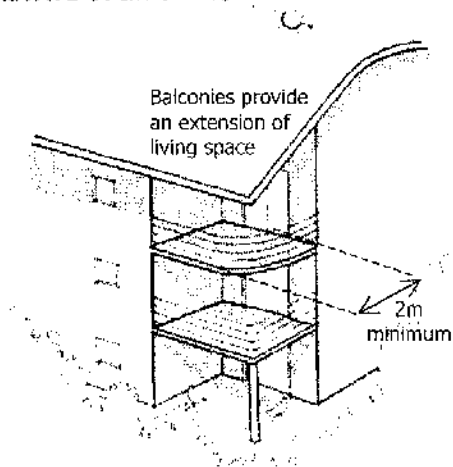
PRIVATE OPEN SPACE

- Private open space is to be provided for by way of balconies or terraces at the following rate:

Dwelling Type	Minimum area
Small dwelling (<55m ²)	8m ²
Medium dwelling (55-84m ²)	10m ²
Large dwelling (85-125m ²)	12m ²
Extra large dwelling (>125m ²)	16m ²

- Private open space is to have direct connection to indoor living areas and is to have a minimum width of 2m.
- Private open space (including swimming pools) is not to be located at the front of a development adjoining public road, unless details of satisfactory fencing are included with the proposal.

PRIVATE OPEN SPACE



VEHICLE ACCESS AND PARKING

Parking

- Garages and parking structures are sited and designed so as not to dominate the street frontage.
- Car parking is to be provided behind the front setback as follows:

Dwelling Type (GFA)	Car Parks per dwelling
Small Dwellings (≤100m ²)	1 space
Large Dwellings (>100m ²)	2 spaces

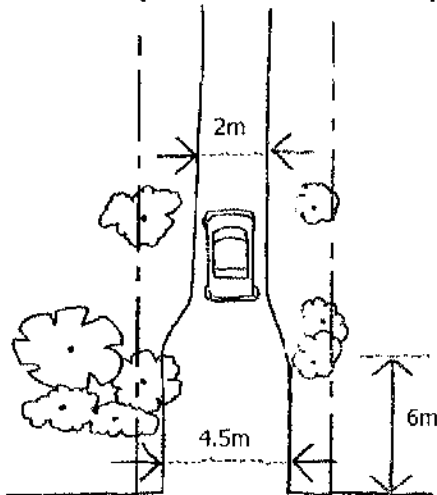
- Where two spaces per dwelling are required, one of these parking space must be within a garage.
- The minimum dimensions of car parking spaces should be 2.4m x 5.5m.
- Minimum internal dimensions of enclosed garages is 3m x 6m. Minimum headroom in undercover parking is 2.1m.
- Garage doors and parking spaces can be widened if manoeuvring areas are limited.

Driveways

- To reduce the impacts of stormwater runoff, improve visual amenity, and maintain on-street car parking driveways should be minimised.
- A driveway, which serves a maximum of three dwellings, is to have a minimum paved width of 2m.
- A shared driveway, which serves three or more dwellings, is to have a minimum paved width of 4.5m at the street, continuing at this width to a depth of 6m.

- Long driveways may require 'passing points' (particularly on busy roads).
- Provision is to be made for vehicles to enter and leave the site in a forward direction, where, the site is steep, the site fronts a busy road, the site has three or more dwellings on it, the street has high pedestrian use and where driveways are more than 30m in length. Turning areas are to be designed to allow the 85% Design Car Turning Path.
- Driveways should have gradients less than 20% and the driveway grade should not change by more than 11% for every 1.4m of driveway.

DRIVEWAYS (3 OR MORE DWELLINGS)

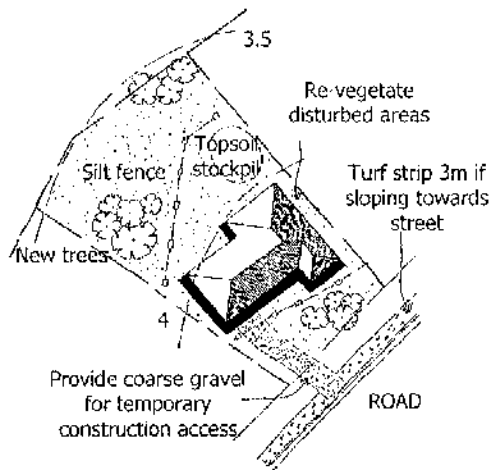


- Vehicle access and exit from car parking areas shall not comprise more than one reversing movement.

Note:
A road opening permit must be obtained from Council prior to carrying out works on Council property.

EROSION AND SEDIMENT CONTROL

- For proposals for three or more dwellings an Erosion and Sediment Control Plan is required to be submitted to and approved by Council prior to the release of the construction certificate; refer "Erosion and Sediment Control on Building and Development Sites – Policy and Code of Practice".
- For proposals for two or less dwellings the following is required:
 - three strips of turf parallel to, and against, the kerb;
 - coarse gravel to define a single construction access no more than 3m wide;
 - install sediment fence:
 - along the road frontage immediately upslope of the turf strips or around the low side of the area of construction if the site slopes away from the road;
 - around the low side of stockpiles; and
 - with the ends of the fences turned upslope;
 - all stockpiles of topsoil, sand, aggregate, spoil, vegetation or other material capable of being moved by running water shall be stored clear of any drainage lines, easements or natural watercourses, footpath, kerb or road surface;
 - before roofing material is laid, temporary or permanent guttering and downpipes shall be installed and connected to an approved stormwater disposal system; and
 - all disturbed areas shall be rendered erosion resistant by revegetation or landscaping within four weeks of building activities being completed or suspended.



INFRASTRUCTURE

The following must be provided for the street or lane frontage of the property:

- sealed road pavement;
- concrete kerb and gutter;
- concrete footpath;
- piped stormwater drainage;
- if access is to be via a lane, the lane is to be constructed full width from at least one street.

SERVICES

Water Meters

- A separate water meter is to be provided for each dwelling and is to be readily accessible to Council's meter reader.

Mains Extensions

- Water and sewage connections, where not available to the lot, will require the extension of Council's mains to service that lot.
- Plans for water and sewer main extensions are to be prepared by professional consultants in accordance with Council's Technical Guidelines.

Note:

The service must be installed as per the Technical Guidelines and be inspected by Council during installation.

Stormwater

- All stormwater is to be directed to the street drainage system or interallotment drainage easement where available.
- A stormwater detention system is required for all development, except where directly connected to a trunk drainage system or water body or it is demonstrated that the downstream drainage system can cope with runoff from the development.

Note:

Interallotment drainage via easements may be required.

Garbage Services

- Provision should be made for the storage of garbage and recycling bins within 6m of the front property boundary.
- Garbage areas are to be easily accessible, screened, and provided with a hose cock to allow cleaning.

Letterboxes

- Provision should be made for letterboxes located as compact and close to the front boundary entrance as practical.

HERITAGE



- Consult "Heritage" Information Sheet if the property is listed below:

HERITAGE ITEM	DESCRIPTION
4 Azalea Avenue, Coffs Harbour	Lot 2, DP714437
151 Edinburgh Street, Coffs Harbour	Lot A & B, DP 366102
10 Collingwood Street, Coffs Harbour	Lot 1, Sec 65, DP758258
23 Moore Street, Coffs Harbour	Lot 3, Sec 61, DP758258
350 High Street, Coffs Harbour	Lot 1, DP211339

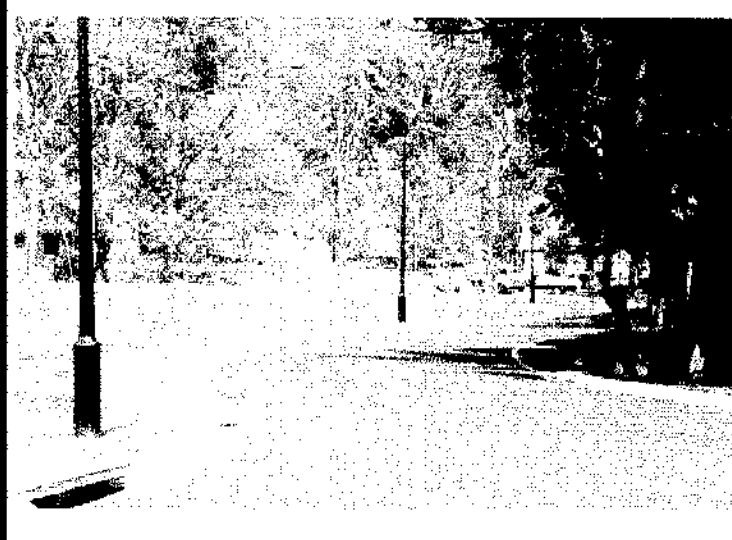
**Coffs Harbour City Council
Cnr Coff and Castle Streets
(Locked Bag 155)
COFFS HARBOUR NSW 2450**

Telephone: (02) 6648 4000


C O F F S H A R B O U R C I T Y C O U N C I L



Subdivision



Development Control Plan



INTRODUCTION

PREAMBLE

- This Development Control Plan (DCP) applies to all subdivisions on land to which the Coffs Harbour City Local Environmental Plan 2000 applies.
- This Plan came into force on 20 April 2000.

AMENDMENTS

This Plan was amended on

OBJECTIVES

The controls in this DCP seek to:

- provide measures to protect and enhance the natural and built environment by ensuring that subdivision patterns relate to site conditions;
- ensure that subdivisions do not detract from the desired future neighbourhood character of the locality; and
- promote the orderly development of land by ensuring that the appropriate form of subdivision is used (i.e. Torrens, community, strata title) while ensuring that it is adequately serviced.

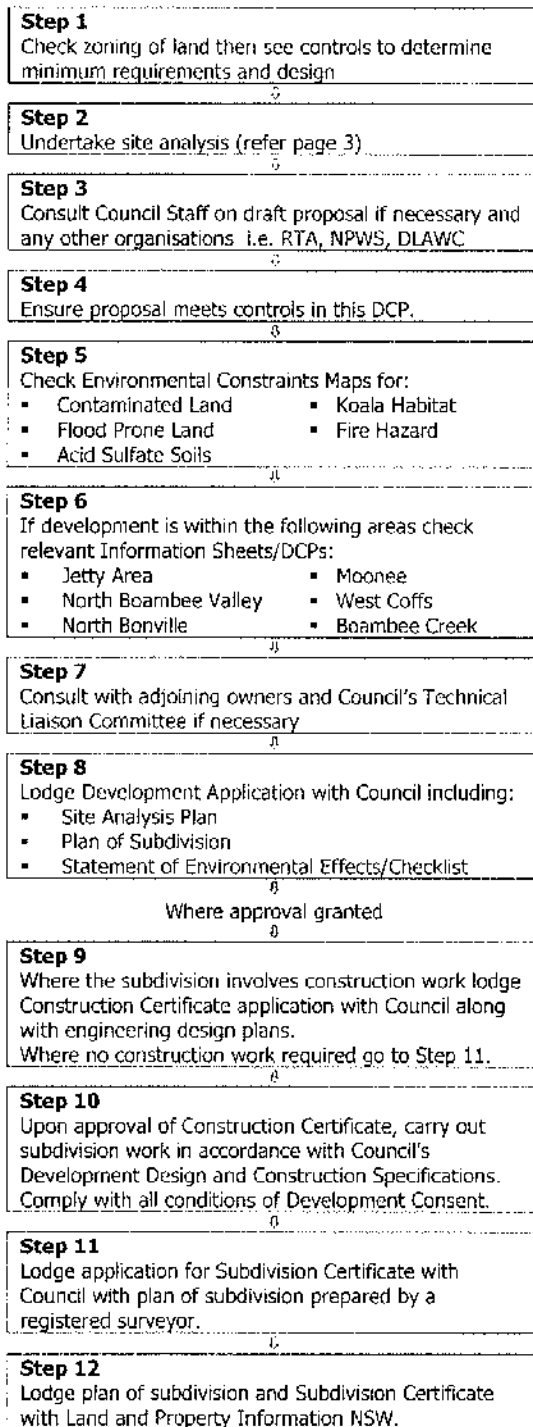
PROCEDURES

- Subdivision, other than for the purposes listed below, requires the approval of Council through the lodgement of a development application.
- Applicants should follow the step by step procedures shown in the procedures flow chart.
- The following does not require the approval of Council:
 - subdivision to widen or create a public road;
 - subdivision for the purposes of acquisition (whether by agreement or compulsorily);
 - subdivision for the purpose of consolidation; and
 - subdivision for the purpose of excising land for a public purpose/convenience.

Note:

- 1. Where approval is not required, proponents will need to apply for a subdivision certificate from Council (see Subdivision Plan Approval Flow Chart on page 2).**
- 2. In the case of consolidation of allotments, a subdivision certificate is not required.**

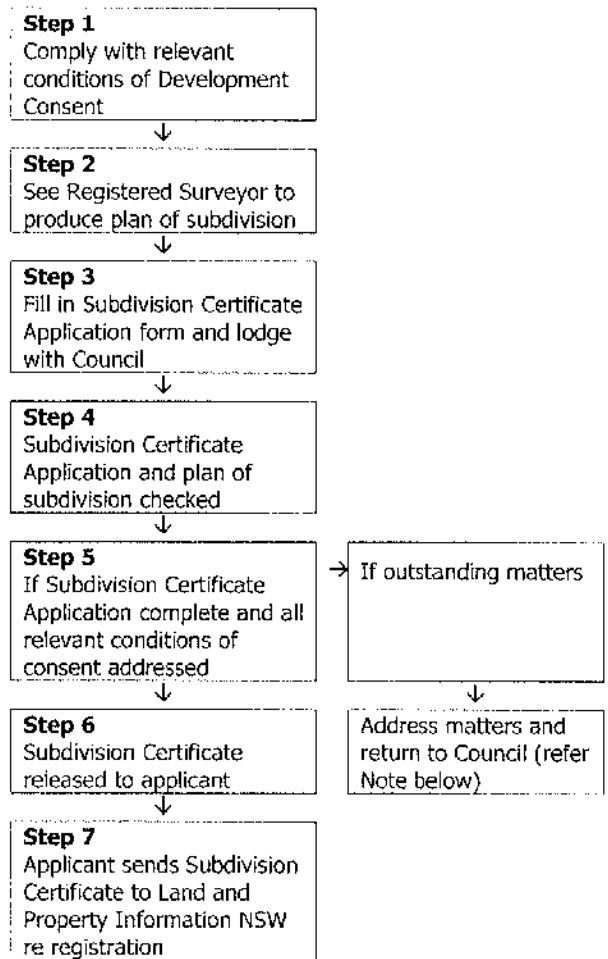
DEVELOPMENT APPLICATION FLOW CHART



Note:
Most common delays in obtaining approval for the development application include:

- **Inadequate detail provided on site analysis plan;**
- **Insufficient detail provided on plan of subdivision.**

SUBDIVISION CERTIFICATE FLOW CHART



Note:
Most common delays in obtaining approval for the Subdivision Certificate Application include:

- **relevant conditions of the development consent have not been met;**
- **for strata subdivisions, the building is not complete.**

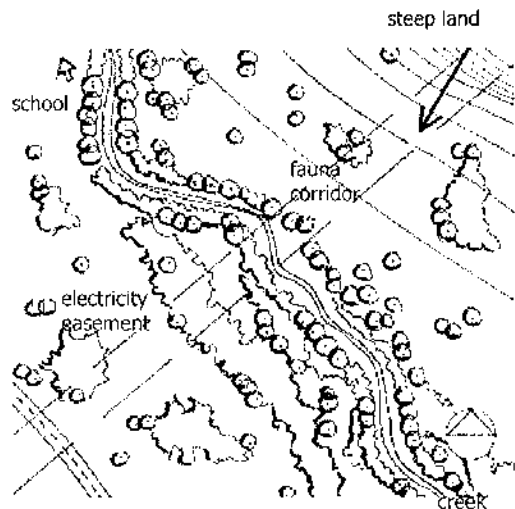
HOW TO USE THIS DCP

Applicants are to comply with the controls unless it can be demonstrated that an alternative solution to all or any of the controls will be a better approach to meeting the objectives of this DCP.

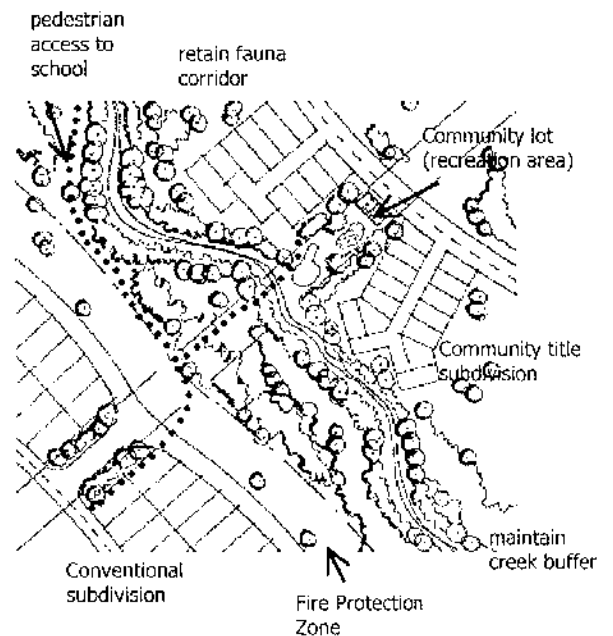
SITE ANALYSIS

- A site analysis plan is required to identify opportunities and constraints relating to the subdivision pattern and potential end use of the land.
- A site analysis plan should be prepared having regard to the following, where relevant:
 - waterways (creeks, rivers, streams);
 - significant vegetation/habitat/ fauna corridors;
 - flood liable land;
 - steep land/land slip;
 - fire hazard;
 - access points (vehicles, pedestrians, cyclists);
 - soil conditions (acid sulfate, contaminated);
 - surrounding land uses;
 - service connections;
 - easements;
 - archaeological sites;
 - topography (contours to Australian Height Datum at 1m intervals);
 - aspect;
 - drainage systems;
 - existing buildings, driveways, septic tanks and disposal areas; and
 - street and lot layout of locality.

SITE ANALYSIS



DESIGN RESPONSE



CONTROLS

DESIGN

Subdivision and Road Design

Subdivisions should be designed consistent with the relevant Development Control Plans (DCP) and Information Sheets:

- Moonee DCP;
- North Bonville DCP;
- Boambee Creek DCP;
- West Coffs Information Sheet; and
- North Boambee Valley Information Sheet.

Subdivisions should be designed having regard to the environmental constraints which are outlined in the following Information Sheets:

- Koala Habitat;
- Acid Sulfate Soils;
- Contaminated Land;
- Flood Prone Land;
- Landform Modification; and
- Fire Hazard.

The road hierarchy of subdivisions should also reflect road function, and should be designed in accordance with Schedule 1.

The layout of new roads should be designed so as to:

- provide road links to adjoining properties;
- facilitate the use of public transport;
- achieve efficient access to all lots;
- encourage safe levels of vehicle speed;
- provide adequate sight distances (particularly at intersections);

- provide efficient access for service vehicles (bushfire and garbage trucks);
- provide for safe and functional vehicle and pedestrian movement; and
- provide for landscaping, utility services, driveways, mailboxes, street lighting, etc.

The layout of main roads should also, where possible, provide road networks based on a grid pattern so as to:

- provide for more memorable places, making it easier to find one's way around (legible);
- provide persons with a high degree of directional choice (permeable).

Cul-de-sacs should be avoided, but if used should be short in length.

Lots are to be designed to allow the construction of a dwelling which does not involve more than 1m cut or fill, measured from natural ground level, outside the dwellings external walls. In some instances a geotechnical report may be required when subdividing steep land.

Subdivisions should be designed to minimize impacts on the natural environment and retain significant landscape features.

Energy Efficiency – Lot Orientation

- Subdivisions should be designed to maximise solar access.
- Where possible roads are to be orientated so that the majority of their length are within the range N20°W to N30°E or E20°N to E30°S.

- On sloping sites, north-facing slopes improve opportunities for solar access while south facing slopes impose a penalty on solar access. Accordingly, smaller lots should be concentrated on northern slopes and large lots on southern slopes.

Density (Minimum Lot Size)

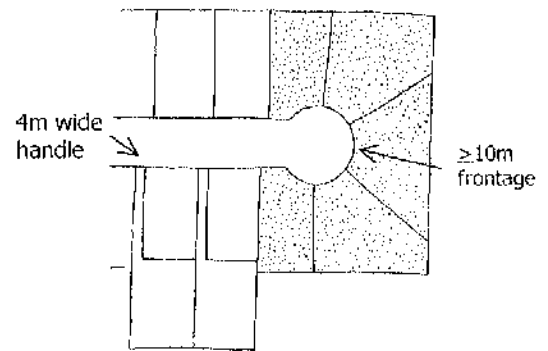
Subdivisions are not to produce lots which have areas less than that set out below:


- **Rural 1A**
40 hectares. Lots of minimum size 6ha may be created when they are or will be used for banana production, and are identified as 'banana lands' in Council's Rural Lands DCP.
- **Rural 1B**
1 hectare
- **Rural 1F**
40 hectares
- **Residential 2A**
Subdivisions are not to produce vacant lots significantly smaller than other lots in the neighbourhood. This is to avoid the creation of lots which might lead to housing out of character with that in the neighbourhood. Where small lots are proposed, applications will need to be for subdivision and housing, with housing to commence before the Subdivision Certificate is issued.

The **minimum** area for lots fronting a cul-de-sac head is 500m².

- All lots are to have a minimum 4m frontage* to public road**, except:
 - where two 'battle axe handle' shaped lots in a (Torrens title) subdivision will share a single driveway, then the combined widths of the 'handles' of the lots are to be at least 4m wide, and each lot is to have room at its frontage for a water meter and letter box, in addition to accommodating a driveway;
 - lots which have frontage to a cul-de-sac head; these lots are to have a minimum frontage of 10m.

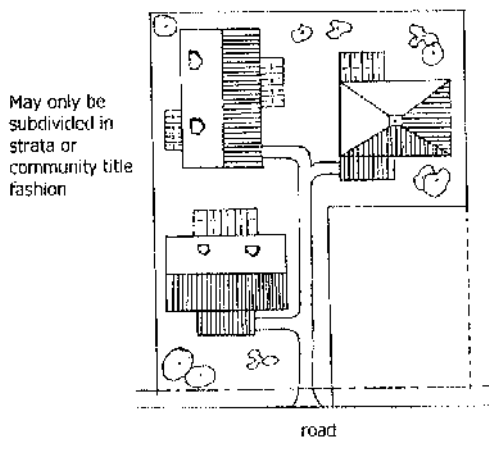
* = strata and community title lots may achieve such frontage via their common property.
** = not including a lane.



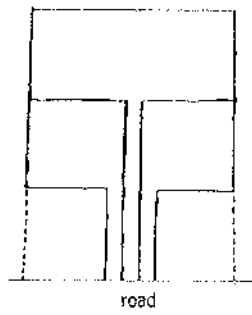
 **Lots fronting a cul-de-sac head**

- A subdivision which will involve a lot having vehicular access to a lane will only be permitted after the lot has been substantially developed (i.e. vacant lots off laneways are not to be created), and the lot adjoining the lane is to have 2m wide frontage fenced and paved to the primary road, to provide for pedestrian access, mailbox, services (water, sewer, electricity, communication).

- Where a subdivision will create more than two lots or two dwellings using a common driveway, then the form of subdivision is to be either strata or community title. In this situation, the common driveway is to be constructed in concrete a minimum of 4.5m wide at the street, continuing at this width to a depth of 6m, and thereafter of minimum width 2m, prior to the issue of the Subdivision Certificate. Adequate room at the frontage to accommodate water meters and letter boxes is also required.



- Subdivisions are not permitted where three or more 'battle axe handles' will directly adjoin.



- Residential 2B, 2C, 2D, 2E**
The minimum lot size for these zones is determined having regard to the relevant Housing DCP. Subdivision in the Residential 2C and 2D zones should not jeopardize the site being developed to its maximum density.

- Business, Industrial, Special Use and Open Space**

There is no minimum lot size within these zones. Lot size is determined having regard to the merit of the subdivision.

- Environmental Protection 7A**

The minimum lot size is 40 hectares.

Where land is partly zoned Environmental Protection 7A and Rural 1A or Rural 1B, each lot must include the minimum area of rural land as set out above.

Where land is partly zoned Environmental Protection 7A and residential, each lot must contain an adequate building envelope outside the Environmental Protection 7A zone; and, must be desirable for achieving the long-term management of the Environmental Protection 7A zone.

- Environmental Protection 7B**

There is no minimum lot size within this zone. Lot size is determined having regard to the merit of the subdivision.

SERVICES

General

- Urban Areas**

Subdivisions in urban areas are generally required to provide infrastructure to all lots including:

- road;
- footpath;
- kerb and gutter;
- drainage;
- reticulated sewer and water;
- telecommunications;
- street lighting; and
- electricity.

- **Rural Residential Areas**

Subdivision in rural residential areas are to provide infrastructure to all lots:

- including road and drainage incorporating concrete kerb and gutter or concrete edging;
- sealed driveways are to be provided to hatchet shaped lots where shared.
- all lots are to have public road frontage;
- street lighting and electricity.

- **Rural Areas**

Subdivisions in rural areas may be by right-of-way. The right-of-way is to be constructed to provide all weather two-wheel drive vehicular access with adequate drainage provision.

Stormwater Drainage

Stormwater drainage shall be designed and provided in accordance with Council's Development Design and Construction Specification.

The design details will need to be approved by Council before the drainage is provided, and will need to be completed to Council's satisfaction prior to the issue of the Subdivision Certificate.

Stormwater is to be gravity drained to Council's drainage system. In some circumstances inter-allotment drainage easements over downstream properties may be required. This will necessitate a letter of consent from the owner(s) of the downstream properties to be submitted with the development application.

Drainage from sites should reflect the pre-existing or natural situation in terms of location, quantity, quality and velocity.

Utility Services

Utility services must be extended to all lots within a subdivision in accordance with the following table (except for common property in community title and strata subdivisions):

Utility Service	Urban Area	Rural Residential Area	Rural area
Council's water main	Yes	No	No
Council's sewer main	Yes	No	No
Telephone	Yes*	Yes*	No
Electricity	Yes*	Yes*	Yes**

** = In greenfield subdivisions these services must be underground.*

*** = Unless the applicant can demonstrate that alternative methods of providing electricity exists or that the provision of this service is cost prohibitive.*

Conditions on the development consent will outline how, when and to what standard, these services are to be provided.

Erosion and Sediment Control

Subdivisions should be designed to minimize the disturbance of lands with topographical constraints.

Conditions on the development consent will indicate whether erosion and sediment controls will be necessary, and if so, these controls will need to be in place before site works commence. The controls will need to be provided in accordance with Council's "Erosion and Sediment Control or Building and Development Sites Policy and Code of Practice".

Street Tree Masterplan

A Street Tree Masterplan will be required for subdivisions on greenfield sites*. The Masterplan aims to guide street tree planting, providing for a more colourful City which complements its natural setting.

** = Where public road is proposed, and may be required for community title subdivisions.*

Planting proposed by the Masterplan is to be determined having regard to:

- site and dwelling boundaries;
- location and canopy of existing trees, noting any trees that overhang the sit;
- adjacent streets and trees;
- any connection to open space networks or proposed public reserves;
- paving materials and drainage treatment;
- details of any existing fencing and walls; and
- location of underground services.

Developer Contributions

In many cases the payment of contributions are required to cover the cost of services and facilities which are provided by Council. These contributions are often levied with subdivision, prior to the issue of the Subdivision Certificate.

Contributions on the development consent will indicate whether these contributions are required.

Council's authority to impose conditions for these payments is derived from the Environmental Planning and Assessment Act and the Water Management Act 2000.

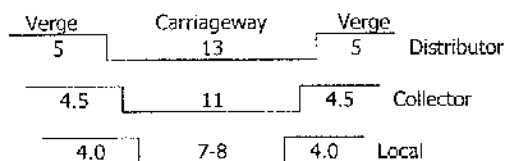
Ordinarily, subdivisions of residential and rural residential land will be required to pay contributions and are outlined in Council's developer contribution plans and Development Servicing Plan 2003.

SCHEDULE 1

	URBAN ROADS				RURAL ROADS			INDUSTRIAL ROADS
	Distributor	Collector	Local	Minor Road (cul-de-sac)	Rural	Cul-de-sac rural road	Rural Residential Road	General
Road Reserve Width	23m	20m	15-16m	13.5-15m	20m	20 m (18.5m min.)	20m	23m
Carriageway Width	13m	11m	7-8m	5.5-7m	6.2m	6.2m	6-8m	13m
Verge	2 x 5m	2 x 4.5m	2 x 4.0m	2 x 4.0m	N/A	N/A	N/A	2 x 5.0m
Minimum Design Speed	60km/h	40km/h	30km/h	30km/h	N/A	N/A	60km/h	60km/h
Formation Clear of table drain	N/A	N/A	N/A	N/A	10m	8.5m	N/A	N/A
Bitumen Seal	N/A	N/A	N/A	N/A	6.2m	6m	6-8m	N/A

Note:
For more detailed information please refer to Council's Development Design Specification.

Urban Roads



Industrial Roads



**Coffs Harbour City Council
 Cnr Coff and Castle Streets
 (Locked Bag 155)
 COFFS HARBOUR NSW 2450**

Telephone: (02) 6648 4000

CORPORATE SERVICES DEPARTMENT REPORTS

F43 PROCEDURAL MATTER - RURAL LANDS STRATEGIC PLAN

Purpose:

To propose an alternative procedure to deal with the report on the Rural Lands Strategic Plan.

Description of Item:

The community consultation process adopted by Council commenced in March 2001 and the plan was finally reported to Council on the 17 April 2003.

Council could not deal with the report as it was unable to retain a quorum due to five Councillors declaring a possible pecuniary interest.

The General Manager advised the Minister for Local Government and requested he use his discretion under S.458 of the Local Government Act and remove the pecuniary interest disabilities of the Councillors to enable them to deal with the report.

The Department of Local Government has requested further information on the specific interests of the Councillors and this has been compiled.

Sustainability Assessment:

This report is one of procedure only. The Rural Lands Strategic Plan has dealt with the sustainability issues.

Consultation:

The alternative procedure has been discussed with the Manager of Strategic Planning and Executive Team, Department of Local Government and MBT Lawyers.

Related Policy and / or Precedents:

Council has not adopted a policy for occasions such as this as they occur very rarely.

Statutory Requirements:

S.442 and 3 of the Local Government Act prescribes what and who has a pecuniary interest.

Issues:

The current position finds Council unable to deal with the Rural Lands Strategic Plan report as it applies to all rural land in the City leaving five Councillors with no other course than to declare a pecuniary interest and leave Council without a quorum.

cont'd

F43 Procedural Matter - Rural Lands Strategic Plan (cont'd)

Council has approached the Minister to exercise his discretion under S.458.

Other alternatives have been examined to enable Council to progress the plan. Options investigated are:

- deal with the plan in two parts, ie, (1) all of the city but excluding the South Coffs investigation area and then (2) the South Coffs investigation area, and
- exclude the South Coffs investigation area from the Rural Lands Strategic Plan, with this investigation area being dealt with when the South Coffs LEP comes before Council

The effect of the two options is to allow Councillors to declare their interest and leave the chamber only when the item before Council affects land in which they have an interest.

This would mean three Councillors absenting themselves when the City less South Coffs area is dealt with and two Councillors absenting themselves when the South Coffs area is dealt with.

The first option is recommended as it avoids having complicated planning instruments, ie, the existing provisions for rural lands would apply to South Coffs and the new provision to the remainder.

Implementation Date / Priority:

Should Council adopt the recommendation the Rural Lands Strategic Plan report will be submitted to Council.

Recommendation:

1. **That the Rural Lands Strategic Plan be dealt with in two parts, ie**
 - (i) **all land in the City except South Coffs investigation area (which includes land bounded by Stadium Drive, Pacific Highway, Boambee Creek and Hogbin Drive) and**
 - (ii) **the South Coffs investigation area (which includes land bounded by Stadium Drive, Pacific Highway, Boambee Creek and Hogbin Drive).**
2. **That Council adopt formal procedural motions to this effect at a subsequent meeting of Council prior to dealing with the report and then deal with the two parts separately allowing Councillors the opportunity to declare their interest and leave the Chamber.**

Purpose:

Report advising of distribution of 2003 conference information.

Description of Item:

The Local Government Association of New South Wales has now distributed to all councils, the 2003 Annual Conference booklet which sets out the draft conference program, delegate entitlements and details relating to the submission of motions. The 2003 Annual Conference will be held 9-12 November 2003 in Albury.

Existing policy statements of the Association are also included in the booklet which is distributed with this business paper.

The Association seeks all conference motions to be submitted no later than 5pm, 22 August 2003.

In terms of Council's delegate entitlements, Council can nominate four voting delegates. This nomination must be submitted by 7 October 2003.

Councillors' attention is also drawn to the matter of an election at the conference to determine the host council for the conference in 2005. Council last hosted this conference in 1998. A very successful conference.

Sustainability Assessment:

- **Environment**

Issues dealing with the environment are a regular feature on the agenda of the conference. The Annual Conference debates changes to policy and strategy.

- **Social**

Social issues are also debated and policy and strategy adopted. Councillors attending are able to network socially with their colleagues from councils across the state and interchange ideas and best practice.

- **Economic**

Registration cost per delegate has been set at \$660 and \$240 for partners depending on variation taken and land travel, this includes attendance at the conference dinner only. Accommodation has been quoted at \$125 per room/night. Normal airfares from CH/Syd/Albury return would be approx \$640 per person.

Overall the cost to attend the conference per delegate is \$1,800 and \$1,560 for a partner, depending on nights stayed and final travel arrangements.

cont'd

F44 2003 Local Government Association Annual Conference (cont'd)

Consultation

Contact has been made with the Local Government and Shires Association and Albury City Council with respect to registration.

Related Policy and / or Precedents:

In 2002 the conference was held in Broken Hill and four Councillors and two partners attended.

Council has submitted motion to previous conferences.

Issues:

Council representatives have regularly attended the Annual LGA conference. Council is permitted to register four voting delegates.

Council has previously hosted the conference in 1998 and nominated to host the conference in 2003 and 2004 but without success. It is not proposed that Council nominate to host the 2005 conference.

As conference motions are due on the 22 August, Councillors should give consideration to any matters they wish to raise and advise the General Manager so that a report can be prepared for the next Council meeting.

Motions reaffirming existing policy or calling for actions to be taken will be referred to the Association Executive for consideration unless brought forward at the conference.

Implementation Date/Priority:

All documentation will be dispatched to the Local Government Association and Albury City Council by the nominated deadlines.

Recommendation:

- 1. That Council approve the attendance of Councillors wishing to attend the Local Government Association Conference in Albury and delegate to the Mayor and General Manager determination of voting delegates.**
- 2. That Councillors submit any issues seeking to amend, introduce, reaffirm or delete any Local Government Association policies to the General Manager as soon as possible but prior to 5pm, 21 August 2003.**

Dale Allen
Acting Director, Corporate Services