
Annexure A Explanatory Note

Planning Agreement

Under s7.4 of the *Environmental Planning and Assessment Act 1979*

Parties

Coffs Harbour City Council ABN 79 126 214 487 of 2 Castle Street, Coffs Harbour NSW 2450 (**Council**)

Coffs Coast Regional Park Trust ACN 30 841 387 271 of 4/32 Edgar Street, Coffs Harbour (**CCRP Trust**)

Globuild ACN 150 397 961 of 34 Sproule Road, Illawong NSW 2234 (**Developer / Landowner**)

Description of the Land to which the Planning Agreement Applies

Lot 51 DP 1057416, Ocean Parade Coffs Harbour NSW 2450

Description of Proposed Development

Subdivision of Lot 51 DP 10576416 into two lots and the erection of two 13 storey residential apartment buildings on each of the two lots.

Description of Development Contributions

This planning agreement requires the Developer to:

- Pay a monetary contribution of \$200,000 for the purpose of Offsite Environmental Works.
- Council will provide a portion of the funds to the Coffs Coast Regional Park Trust for the purpose of carrying out the Offsite Environmental Works.
- Any funds remaining will be used to towards planning studies in the Park Beach area.

Summary of Objectives, Nature and Effect of the Planning Agreement

Objectives, Nature and Effect of Planning Agreement

The objective of the planning agreement is to require the Developer to:

- Pay a monetary contribution of \$200,000 for the purpose of Offsite Environmental Works.
- Council will provide the funds required to undertake the Offsite Environmental Works to the Coffs Coast Regional Park Trust.
- The Offsite Environmental Works will be identified in a Vegetation Management Plan approved by Council.
- The Offsite Environmental Works will be undertaken at Macaulay's Headland
- Council will use any remaining funds for the development of planning studies in the Park Beach area.

Assessment of the Merits of the Planning Agreement

How the Planning Agreement Promotes the Public Interest

A condition of Development Consent 0541/22DA requires the Developer to obtain approval of a Vegetation Management Plan from Council.

The Vegetation Management Plan ensures lands are managed and protected for 5 years during the subdivision works and thereby improving the ecological condition of the land during construction and into the future. The plan will also identify the Offsite Environmental Works that are required to be undertaken at Macaulay's Headland. The works undertaken at Macaulay's Headland will benefit biodiversity by compensating for any adverse impacts of development of Lot 51 DP 1057416.

Whether the Planning Agreement Conforms with the Authority's Capital Works Program

The Planning Agreement is not consistent with Council's Capital Works Program.

Whether the Planning Agreement specifies that certain requirements must be complied with before a construction certificate, occupation certificate or subdivision certificate is issued

Prior to the issue of the first Subdivision Certificate the Developer is to:

- Pay a monetary contribution of \$200,000 to Council.