

# COFFS HARBOUR DEVELOPMENT CONTROL PLAN 2013

## COMPONENT B1 SUBDIVISION REQUIREMENTS

### Applies to

All land in the Coffs Harbour Local Government Area that is subject to a development application for subdivision

**Note** that Local Environmental Plan 2013 has been deferred in some locations of the Local Government Area. This Development Control Plan does not apply to those deferred locations.

### Date adopted by Council

13 December 2012

### Effective Date

2 October 2013

### Amendments

8 August 2013

### Disclaimer

The hyperlinks to various State or Federal Government legislation have been included in this Development Control Plan in good faith and were current at the time that this document was prepared.

Applicants, landowners and any person(s) using the hyperlinks should ensure that the relevant legislation or policy is the most up-to-date version. This information may be obtained from the relevant government authority administering the legislation.

*This Component provides the requirements and design details for subdivision in the Coffs Harbour Local Government Area.*

### B1.1 DENSITY

#### B1.1.1 Objective

1. To ensure that lots have sufficient area to allow for the placement of structures, anticipated site activities and the provision of infrastructure.

#### B1.1.2 Controls

##### a) Residential R1, R2, R3 R4 and R5 Zones

- i) Where small lots (smaller than existing lots located in the neighbourhood) are proposed, applications are to include details for subdivision and housing, with housing to commence before the Subdivision Certificate is issued.
- ii) The lot area calculation shall not include the area of a "right-of-carriageway" or private road.

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## b) Business, Industrial, Special Use and Open Space Zones

- i) The lot size should provide sufficient space to accommodate the land use, buildings, make allowance for possible future expansion while the site functions properly and efficiently in terms of the following:
  - safe ingress and egress;
  - vehicular movement within the site and its curtilage;
  - parking and loading/unloading activities;
  - storage and waste/bin areas;
  - boundary setback requirements; and
  - landscaped areas.
- ii) Industrial subdivisions should provide for lot frontages of no less than 20 metres, with the average area of lots within the subdivision being 1,000m<sup>2</sup>.

## c) Land Comprising Two or More Zones

- i) Where land is partly zoned E2 Environmental Conservation, lots created must contain an adequate building envelope outside the E2 zone. The proposal must achieve the long-term management of the environmental protection area.
- ii) The number of allotments containing two or more zones included in a subdivision proposal is to be minimised.
- iii) Development Applications (DA) for subdivision involving land in two or more zones (E2/R2 and/or E2/R5 zones) are to include a report prepared by a suitably qualified professional that addresses biodiversity issues relating to the potential fragmentation of E2 zoned lands.
- iv) The E2 zoned area is not to exceed 40% of the lot area.

## B1.2 INFRASTRUCTURE

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### B1.2.1 Objective

1. To ensure appropriate infrastructure is provided to lots within a subdivision.
2. To implement 'best practice' stormwater management techniques.
3. To ensure that subdivisions are provided with adequate utility services.
4. To enable the use of on-site renewable energy systems in lieu of grid electricity connection under particular circumstances.

### B1.2.2 Controls

#### a) Infrastructure in Urban Areas

- i) Subdivisions in urban areas are required to provide the following infrastructure:
  - road;
  - footpath;
  - kerb and gutter;
  - drainage;
  - reticulated sewer and water;
  - telecommunications (including National Broadband Network);
  - street lighting; and
  - electricity.
- ii) If access is via a lane, the lane is to be constructed full width from at least one street, kerbed and guttered on one side of the road and contain adequate stormwater drainage provisions.
- iii) Where reticulated sewerage is not available, effluent is required to be contained, treated and disposed of within the subject site. Applications for such subdivisions must be accompanied by an onsite effluent disposal report prepared in accordance with Council's [On-site Sewer Management Strategy](#).

**b) Infrastructure in Rural RU2 Rural Landscape Areas and R5 Large Lot Residential Areas**

- i) Subdivision of Large Lot Residential areas (R5 zone) are to provide the following:
  - road and drainage incorporating concrete kerb and gutter or concrete edging;
  - sealed driveways to hatchet shaped lots where shared; and
  - electricity, telephone and National Broadband Network.
- ii) Subdivisions in Rural (RU2 zone) and Large Lot Residential (R5 zone) areas may be accessed by a right-of-carriageway.
- iii) Applications for rural and large lot residential subdivisions must be accompanied by an onsite effluent disposal report prepared in accordance with Council’s [On-site Sewer Management Strategy](#).
- iv) The disposal of effluent on new lots utilising pump-out systems is prohibited.

**c) Stormwater Drainage**

- i) Stormwater drainage shall be designed and provided in accordance with Council’s [Development Design and Construction Specification](#).
- ii) Prior to drainage works commencing, detailed designs are to be provided to Council for approval. Concept details are to be provided with a DA.
- iii) Stormwater is to be gravity drained to Council’s drainage system.
- iv) 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 DA.

- v) Drainage from sites should reflect the pre-existing or natural situation in terms of location, quantity, quality and velocity of water.
- vi) Council may require on-site detention.

**d) Utility Services**

- i) Separate water meters are to be provided when strata-subdividing existing dwellings or units.
- ii) Utility services must be extended to all lots in accordance with Table 1 (except for common property in Community Title and Strata Subdivisions).

**TABLE 1 – UTILITY SERVICE REQUIREMENTS**

Utility Services	Urban Area	Large Lot Residential (R5) Area	Rural Area
Telephone	Yes*	Yes*	Yes
National Broadband Network	Yes*	Yes*	Yes
Electricity (see (e) below)	Yes*	Yes*	Yes
Council’s Water Main	Yes**	No	No
Council’s Sewer main	Yes**	No	No

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

*\*\* Some urban areas (such as Lowanna, Red Rock and Ulong) do not have reticulated water and/or sewer services. In these areas, these utility services are not required to be provided.*

**e) On-site Renewable Energy Generation Systems and Subdivision Proposals on lands zoned RU2 Rural Landscape and R5 Large Lot Residential**

- i) The use of on-site renewable energy generation systems as the sole electricity supply for subdivided allotment/s on lands zoned RU2 and R5 will only be considered where the applicant provides supporting information that the particular site is suited to the use of such a system. In this regard, the following qualifying criteria are to be demonstrated:
- where traditional grid electricity provision is cost prohibitive due to the remote or restrictive (eg. significant vegetation) location of the property; and
  - where the allotment/s is/are located at the “end of the line” of grid electricity in that particular area, so as not to disadvantage other properties located further “up the line”, or compromise future development expansion. Examples include areas which are unlikely to have further development adjoin in the future, including properties at the end of a road, adjoining steep lands or adjoining public land such as State Forest or National Park.
- ii) Where an on-site renewable energy generation system is proposed as the sole electricity supply for a RU2 or a R5 allotment, appropriate arrangements should be made to Council’s satisfaction so that future purchasers of the land are aware that reticulated electricity supply is not connected and the provision of electricity will be at the purchaser’s cost. This is to be by way of an appropriate notification attached to the title of the land.

**f) Un-Serviced Residential Zoned Land (R1 and R2 Zones)**

- i) Subdivision of un-serviced residential lands will only be considered where the proposal complies with an adopted masterplan for that area. Such subdivision applications will be subject to merit assessment.

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**B1.3 GENERAL ENVIRONMENTAL CONSIDERATIONS**

**B1.3.1 Objective**

1. To encourage subdivision design responsive to the environmental characteristics of a site.

**B1.3.2 Controls**

- i) A geotechnical report may be required when subdividing steep land.
- ii) The Consent Authority will not favourably consider subdivision, where it requires significant clearing of vegetation to meet required bush fire asset protection zones, access requirements and the like.
- iii) Subdivision in the RU2 Rural Landscape and R5 Large Lot Residential zones must consider:
- subdivision of escarpments, ridges, and other visually prominent topographical features and sites should be managed to minimise visual impact; and
  - subdivisions are not to negatively impact sustainable agricultural activities. In this regard, buffers shall be provided to ensure that the agricultural potential of the land will not be diminished (see Rural Land Use Conflict Information Sheet).

## B1.4 COMMUNITY TITLE SUBDIVISION

Community Title Subdivisions must conform to the standards in LEP 2013 and this development control plan.

### B1.4.1 Objectives

1. To encourage subdivision that achieves better social, environmental and economic outcomes, not otherwise achieved by conventional subdivision.
2. To provide appropriate access, amenity and siting for all development lots.
3. To ensure that separate private and communal open areas are provided.

### B1.4.2 Controls

- i) Individual lots are to be located to form development clusters in order to minimise vegetation clearing (where relevant).
- ii) Internal access ways and driveways are to be designed to clearly indicate their function and provide acceptable levels of access, safety, amenity and convenience for users, as well as catering for vehicle parking. Internal access is to be designed in accordance with Table 2.
- iii) Ingress/egress to individual lots is not to be from a public road.
- iv) Communal open areas are to be distinguished from private open space.

**TABLE 2 - INTERNAL ACCESS WAYS FOR COMMUNITY TITLE DEVELOPMENT**

	Type 1	Type 2	Type 3
Maximum design speed	40km/h	30km/h	20km/h
Minimum carriage width	6m	5.5m low speed entrance treatment	5m
Minimum total access way reserve	10m	8m	8m
Minimum shoulder width	1.5m	1m	1m
Nature strip width	1.5m	No	No
Cul-de-sac design for service vehicles	3 point turn	3 point turn	3 point turn
Kerb and gutter	Yes In Business and Residential zones only	Yes In Business and Residential zones only	Yes

**Note:**

*Type 1 – Minor loop road not exceeding 200m in length.*

*Type 2 – Minor loop for vehicular and pedestrian use not exceeding 100m in length.*

*Type 3 – Road for vehicular and pedestrian use not exceeding 50m in length*

*Community Title Subdivisions that have Private roads that exceed the “Type 1” requirements shall be designed to meet the standards shown in Table 1 for Public Road standards*

## **B1.5 LAND DEDICATION IN DEVELOPING AREAS**

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### **B1.5.1 Objective**

1. To enable the dedication of appropriate land that is reasonably required by Council as a result of subdivision.

### **B1.5.2 Controls**

- i) Dedication of the following lands may be required as a condition of development consent where appropriate and in accordance with the provisions of the EP&A Act 1979:
  - drainage reserves;
  - riparian buffer zones;
  - land containing ecological constraints;
  - land not capable of being developed due to flooding; and
  - land under roads (including Crown Roads required for access to an approved development pursuant to Section 151 – [Roads Act 1993](#)).
- ii) Exceptions to this requirement may include:
  - land required for the provision of community facilities e.g. sporting fields;
  - land required where the owner/ developer will be severely disadvantaged by the land dedication; and
  - larger areas of land required for conservation purposes.