Part C Subdivision Controls

C1 SUBDIVISION OF LAND

C1.1 SUBDIVISION - GENERAL DESIGN REQUIREMENTS

Applies to Land

This control applies to the subdivision of land shown on the Coffs Harbour LEP 2013 Land Application Map.

Objectives

- To ensure that resulting lots have a practical and efficient layout to meet their intended use.
- To ensure that subdivision proposals provide appropriate connectivity for servicing vehicular, walking and cycling networks.
- To encourage lot configurations that maximise solar access and respond to the natural and built environment.

Requirements

(1) Lots are to be of regular shape and comprise a suitable frontage to depth ratio to enable future development that is responsive to the lands characteristics.

(2) Subdivisions are not to comprise an access handle where more than two access handles will directly adjoin. Two access handles are only permitted to adjoin where they are in reciprocal right of carriageway arrangement.

(3) Road networks, subject to topographic constraints, are to be based on a grid pattern to encourage pedestrian connectivity.

(4) Road hierarchy, layout and construction shall be designed in accordance with the City of Coffs Harbour's Development Specifications.

(5) Intersections off collector, or higher order roads are to be rationalised where practical.

(6) Pathways are to be provided as an accessible integrated network of walking and cycling routes for safe and convenient travel.

(7) Subdivisions comprising steep land shown on the Steep and Highly Erodible Land Map are to be designed so that smaller lots are located on north facing slopes and larger lots are located on south facing slopes.

(8) Subdivisions are to be designed to integrate with existing or proposed development on adjacent sites.

(9) Threshold and pavement treatments are to be designed to create an attractive streetscape.

(10) The use of cul-de-sacs in the design of subdivisions should be minimised.

(11) Where subdivision proposals have potential to create land use conflict, development applications are to be accompanied by a land use risk assessment prepared in accordance with the Land Use Conflict

Risk Assessment Guide (NSW Department of Primary Industries 2011).

Exceptions

- The use of cul-de-sacs in the design of subdivisions may be supported where they:
  - are short in length;
  - are not the dominant element of the subdivision road pattern;
  - are located off a road network that has a high degree of connectivity; and
  - are appropriate for the characteristics of the land.
- Road hierarchy, layout and construction within the Korora large lot residential urban release area is to accord with requirement G7 Korora Large Lot Residential of this Plan.
- Road hierarchy, layout and construction within the Woolgoolga North West urban release area is to accord with requirements in G14.1 Woolgoolga North West of this Plan.

Notes:
Some land uses have the potential to result in significant land use conflicts and/or environmental impacts if not managed appropriately. In determining proposals that may have potential to create land use conflict, the City will reference minimum setback distances within the 'Living and Working in Rural Areas' guideline prepared by the Department of Primary Industries (Agriculture). A number of guidelines on various agricultural land use topics have been prepared by the Department of Primary Industries (Agriculture) that may assist in the design of development to minimise associated impacts.

C1.2 SUBDIVISION - DESIGN REQUIREMENTS FOR CERTAIN RESIDENTIAL ZONES

Applies to Land

This control applies to the subdivision of land zoned R1 General Residential, R2 Low Density Residential, R3 Medium Density Residential and R4 High Density Residential under Coffs Harbour LEP 2013.

Objectives

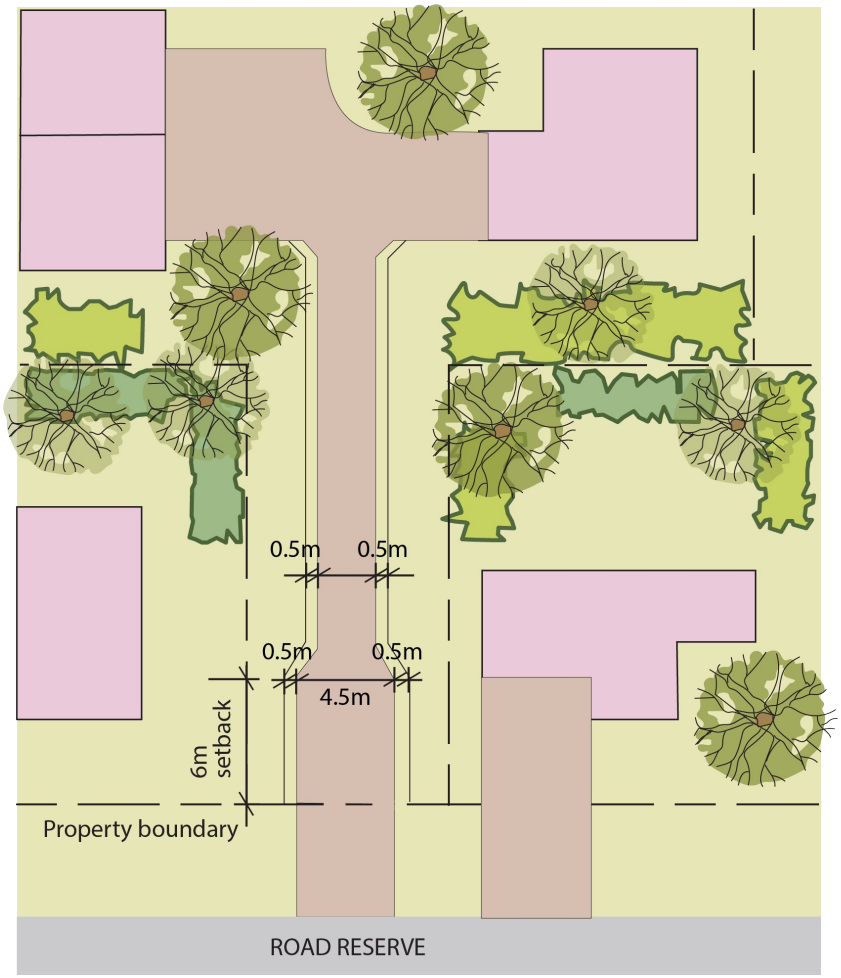
- To ensure that residential lots have a practical and efficient layout to meet their intended use.
- To ensure that subdivision proposals are responsive to constraints of the land and maintain streetscape integrity.
- To facilitate housing diversity.

Requirements

(1) Subdivision proposals are to demonstrate that development can be accommodated on the resulting lot(s) in accordance with the Density Map and relevant built form controls contained within this Plan.

(2) Where a common driveway serves more than two resulting lots, the driveway is to be sealed with a minimum width of 4.5 metres at the street frontage, continuing at this width to a depth of six metres, and thereafter at a minimum width of three metres. The driveway is to be constructed prior to the issue of Subdivision Certificate.

Common Driveway Example



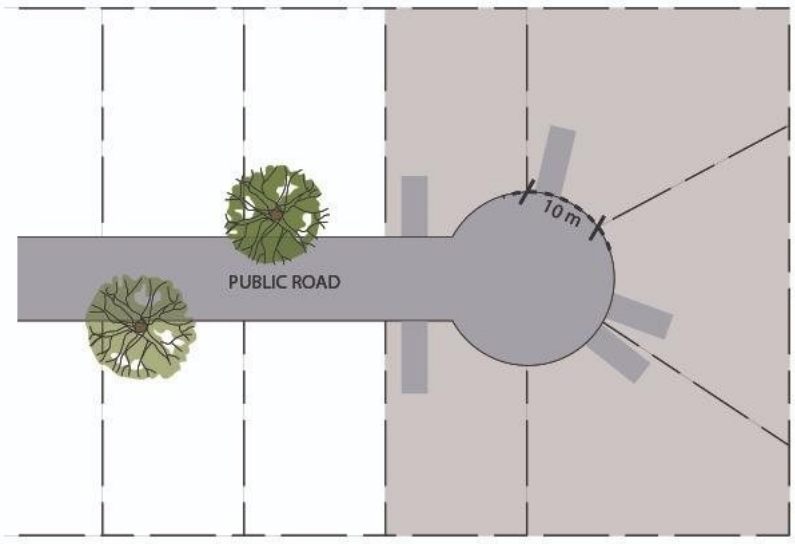
(3) Where a common driveway serves more than two resulting lots, an adequate area is to be provided at the public road frontage within common property for required services (postal, metering, etc.).

(4) The width of any access handle for a battle-axe lot is not to be less than four metres, containing a minimum 3 metre wide sealed driveway, for the entire length of the access handle.

(5) The public road frontage of any resulting lot is not to be less than four metres, except for where requirement (6) of this control applies.

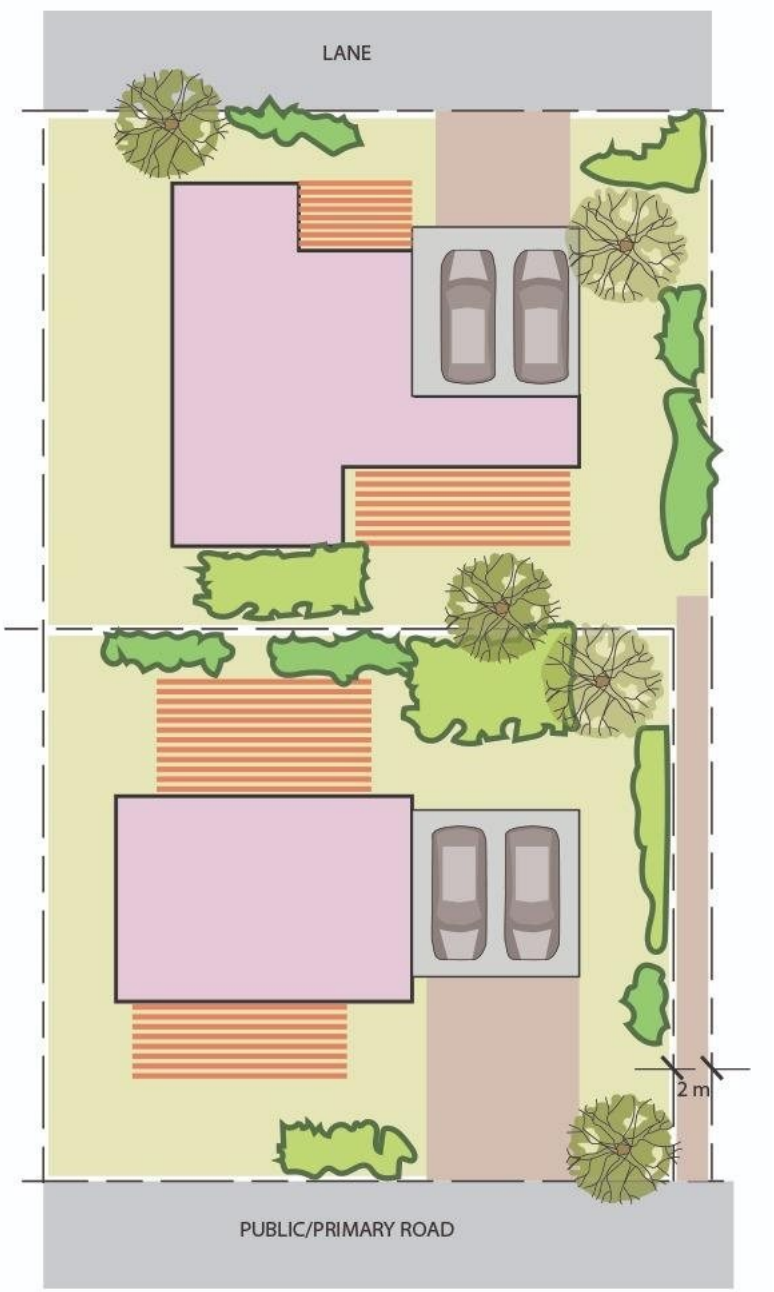
(6) The public road frontage of any lot fronting a cul-de-sac is not to be less than 10 metres, with a driveway being located to one side of the road frontage to provide for visitor car parking and to maintain streetscape integrity.

Example Layout within Cul-de-Sac

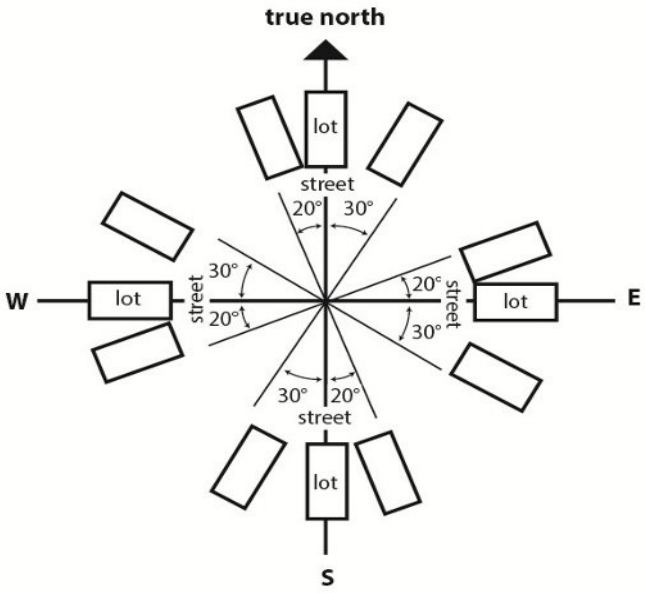


(7) Resulting lots with a public road frontage to a laneway are to incorporate a minimum two metre wide fenced and paved frontage to a primary road to provide access to visitor parking, postal services and utility services, unless the exception provided below is satisfied.

Example Lot Fronting a Lane



(8) Unless site conditions dictate, streets should run in a north/south and east/west pattern with lots orientated to provide the long axis within the range N20°W to N30°E or E20°N to E30°S.



(9) Subdivisions are to be designed to maximise solar access and minimise overshadowing from future development. Roads are to be designed so that the majority of their length is within the range N20°W to N30°E or E20°N to E30°S.

(10) Greenfield subdivision proposals are to provide a mix of lot sizes no less than the minimum lot size provisions within Coffs Harbour LEP 2013 to facilitate housing diversity.

Notes:

- ***A sealed driveway incorporates concrete, bitumen/asphalt, paving (including permeable paving), or other suitable materials or treatments on merit to the satisfaction of the City of Coffs Harbour.***
- ***A Common Driveway, as depicted by the figure 'Common Driveway example' applies to Community Title and/or Strata Title only.***

Exceptions

- Public road frontage for no more than two torrens title lots may comprise a shared access handle in a reciprocal right of carriageway. The combined width of the access handle is to be a minimum of four metres containing a minimum 3m wide sealed driveway constructed prior to the issue of Subdivision Certificate. Adequate area is to be provided at the road frontage for required services (postal, metering, etc.) outside of the driveway area.
- Public road frontage for strata and community title schemes may be satisfied by common or community property.
- Resulting lots with a public road frontage to a laneway are not required to incorporate a minimum two metre wide fenced and paved frontage to a primary road where it can be demonstrated that adequate visitor parking, postal services and utility services are available to the lot from the laneway.

C1.3 SUBDIVISION - DESIGN REQUIREMENTS FOR EMPLOYMENT ZONES

Applies to Land

This control applies to the subdivision of land within an employment zone under Coffs Harbour LEP 2013.

Objectives

- To ensure that business and industrial lots have a practical and efficient layout to meet their intended use.
- To ensure that subdivision proposals respond to constraints of the land and maintain streetscape integrity.

Requirements

(1) Resulting lots are to contain sufficient area to provide for the intended use of the land, including: safe ingress and egress, vehicular movement within the lot and its curtilage, parking, loading and unloading activities, waste management and landscaping.

(2) Resulting lots on land in Zone E4 General Industrial or E5 Heavy Industrial are to comprise a frontage of no less than 20 metres and an average lot size of 1,000m^2.

(3) Resulting lots on land in Zone E1 Local Centre, E2 Commercial Centre, E3 Productivity Support or MU1 Mixed Use are to respond to predominant street block and lot patterns and consider future development uses and envelopes.

(4) Roads in employment zones are to be designed to:

(a) provide functional road and pedestrian links; and

(b) facilitate the use of public transport; and

(c) achieve safe levels of vehicle speed and adequate sight distances; and

(d) provide efficient access for service vehicles (including fire fighting, delivery and waste collection vehicles).

C1.4 SUBDIVISION - DESIGN REQUIREMENTS FOR CERTAIN SPLIT ZONES

Applies to Land

This control applies to the subdivision of a lot (an original lot) that contains both:

- land in either an employment, recreational, residential, rural, or special purpose zone; and
- land in zone C2 Environmental Conservation under Coffs Harbour LEP 2013.

Objectives

- To ensure that resulting split zone lots have a practical and efficient layout to meet their intended use.
- To ensure that subdivisions occur in a manner that provides for the continued protection and long-term maintenance of land zoned C2 Environmental Conservation under Coffs Harbour LEP 2013.

Requirements

(1) The number of resulting lots containing split zones is to be minimised.

(2) Development applications are to be accompanied by sufficient information to demonstrate that the subdivision will not compromise the continued protection and long term maintenance of land zoned C2 Environmental Conservation under Coffs Harbour LEP 2013.

(3) Where subdivision proposals are likely to result in adverse impacts on high conservation value land that cannot be avoided, development applications are to be accompanied by an ecological assessment report prepared in accordance with E1.5 of this Plan.

(4) Ecological assessment reports are to identify actions to avoid, mitigate or offset projected impacts from the proposed development.

Notes:

- ***Pursuant to Clause 4.1A of Coffs Harbour LEP 2013, in the case of a resulting lot that contains land in a residential or rural zone and land in zone C2 Environmental Conservation, the land that is in a residential or rural zone in the resulting lot is to be not less than the minimum area shown on the lot size map in relation to the land parcel.***
- ***Pursuant to Clause 4.1A of Coffs Harbour LEP 2013, in the case of a resulting lot that contains land in an employment, recreational or special purpose zone and land in zone C2 Environmental Conservation, the area of the resulting lot (excluding any land zoned C2 Environmental Conservation) is to contain sufficient area suitable for a use permitted in the relevant zone.***

C1.5 SUBDIVISION - DESIGN REQUIREMENTS FOR RURAL AND LARGE LOT RESIDENTIAL ZONES

Applies to Land

This control applies to the subdivision of land zoned RU2 Rural Landscape and R5 Large Lot Residential under Coffs Harbour LEP 2013.

Objectives

- To ensure that resulting lots have a practical, safe and efficient layout to meet their intended use.
- To ensure that subdivisions are responsive to the environmental context of the land.
- To minimise impacts from rural subdivisions on primary industry production and development opportunities.

Requirements

(1) Subdivisions comprising escarpments, ridges and other visually prominent topographical features are to be designed to minimise visual impacts from future development by the appropriate siting of building envelopes within resulting lots.

(2) Subdivisions are to incorporate adequate buffers between dwelling envelopes and adjoining agricultural land to ensure that the agricultural potential of those lands will not be diminished (refer to the Land Use Conflict Risk Assessment Guide prepared by the NSW Department of Primary Industries).

(3) Subdivision proposals for land zoned RU2 Rural Landscape under Coffs Harbour LEP 2013 are to be designed to minimise impacts on primary industry production and development opportunities with reference to the Farm Subdivision Assessment Guideline (NSW Department of Industry and Investment 2009).

(4) Subdivision proposals are to incorporate adequate separation between building envelopes and existing dwellings to maintain privacy and rural amenity values.

(5) Access is to be limited to one point from public road frontage (secondary roads where available) and is to conform to the City of Coffs Harbour's Development Specifications.

Stopping distance, minimum sight distances and intersections are to conform to the City of Coffs Harbour's Development Specifications.

Notes:

- ***Subdivision proposals may impact on the harvestable rights provisions of Water Management Act 2000 and it is recommended proponents liaise with the relevant state authority.***
- ***Where access is proposed to a road with a posted speed limit that exceeds 60km/h, the access location is to be designed in accordance with sight distance requirements of AS2890, Austroads Guide to Traffic Management; Guide to Road Design and relevant authorities (such as Transport for NSW).***

C1.6 SUBDIVISION - DESIGN REQUIREMENTS FOR COMMUNITY TITLE SCHEMES

Applies to Land

This control applies to the subdivision of land shown on the Coffs Harbour LEP 2013 Land Application Map, for Community title schemes under the Community Land Development Act 1989.

Objectives

- To ensure that subdivision design responds to the intended use of resulting lots.
- To ensure that appropriate access, infrastructure, services, amenity and siting is provided to resulting lots.
- To ensure that adequate private and communal open space is provided as part of subdivision proposals.

Requirements

(1) Resulting lots are to be designed and located to minimise impacts on high conservation value land.

(2) Access and parking areas are to be designed to provide acceptable levels of safety, amenity and convenience for users.

(3) Access is to be designed in accordance with the City of Coffs Harbour's Development Specifications and the road design requirements for Community Title Schemes specified in the following table:

Internal access requirements for Community Title Schemes

	Type 1	Type 2	Type 3
	Minor loop road not exceeding 200m in length	Minor loop road for vehicular and pedestrian use not exceeding 100m in length	Road for vehicular and pedestrian use not exceeding 50m in length
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	1.5m	1m	

width			
Nature strip width	1.5m	N/A	N/A
Cul-de-sac design for service vehicles	3 point turn	3 point turn	3 point turn
Kerb and gutter	Business and Residential zones	Business and Residential zones	All zones

(4) Communal areas are to be distinguished from private open space for each resulting lot.

(5) Development applications for Community Title Schemes are to be accompanied by details of proposed private and/or City of Coffs Harbour infrastructure and services that are to be provided to the subdivision and a draft community management statement.

(6) Reticulated water and sewerage services are to be provided in accordance with the City of Coffs Harbour's Development Servicing Plans and Development Specifications.

Exceptions

- Private roads exceeding Type 1 requirements are to be designed in accordance with the City of Coffs Harbour's Development Specifications and the Road Design Requirements specified in F1 Access and Parking of this Plan.

C1.7 INFRASTRUCTURE REQUIREMENTS FOR CERTAIN SUBDIVISIONS

Applies to Land

This control applies to the subdivision of land in a residential, employment, special purpose and recreation zone under Coffs Harbour LEP 2013.

Objectives

- To ensure that appropriate infrastructure and utility services are provided to all lots resulting from a subdivision of land to which this control applies.

Requirements

(1) The following infrastructure is to be provided as part of subdivision proposals in accordance with the City of Coffs Harbour's Development Specifications:

(a) roads and intersections;

(b) bus bays;

(c) cycleways;

(d) footpaths;

(e) kerb and gutter;

(f) drainage; and

street lighting.

(2) The following additional infrastructure is required to be provided in accordance with the City of Coffs Harbour's Development Specifications as part of subdivision proposals comprising laneway access:

(a) For subdivisions comprising only one resulting lot with vehicular laneway access:

(i) full width laneway construction for the width of the allotment, including, kerb, gutter on the allotment side of the lane and drainage (where required);

(ii) a minimum sealed width of 4.5m and any necessary laneway formation works for the remainder of the laneway from the allotment to the nearest cross street, including drainage (where required).

(b) For subdivisions with more than one resulting lot with vehicular laneway access: full width laneway construction extending from the nearest cross street or from an existing constructed section of the laneway, to the furthest boundary of the site. Construction to include kerb and guttering and stormwater drainage. Where construction extends to the nearest cross street, continuous footpath treatment is to be provided across the laneway entrance. The continuous footpath treatment is to be flush with cross street footpath/verge, or similar treatment is to be applied to indicate pedestrian priority across the laneway entrance where drainage precludes a flush footpath.

(c) For subdivisions comprising pedestrian laneway access (with no vehicular access to the laneway): where an existing formed laneway does not exist, an all-weather path with suitable width and crossfall extending from the nearest cross street or from an existing constructed section of the laneway, to the furthest boundary of the site.

(3) The following services are to be extended to all resulting lots in accordance with the City of Coffs Harbour's Development Specifications:

(a) City of Coffs Harbour's water main;

(b) City of Coffs Harbour's sewer main;

(c) Telecommunications;

(d) Electricity;

(e) National Broadband Network (where available).

(4) Separate water meters are to be provided to all resulting lots subdivided under community and strata title schemes in accordance with the City of Coffs Harbour's Development Specifications, including lots comprising existing development.

(5) Underground reticulated services are to be provided to:

(a) greenfield subdivisions; and

(b) infill subdivisions with existing underground services in accordance with the City of Coffs Harbour's Development Specifications.

(6) Subdivision proposals are to be designed so that the minimum target lot yield specified in any relevant Developer Contributions Plan is achieved for the land.

(7) Subdivision proposals incorporating water sensitive urban design to be dedicated to the City of Coffs Harbour must be designed to enable access for future management and maintenance to the City of Coffs Harbour's satisfaction.

Exceptions

- This control does not apply to land zoned R5 Large Lot Residential under Coffs Harbour LEP 2013 (see C1.8 of this Plan).
- Utility services are not required to be extended to any community property or common lot within a community or strata title scheme, unless the common lot requires connection.
- Where the land is not identified in the City of Coffs Harbour's relevant Development Servicing Plan as a service area, such services are not required to be provided as part of the subdivision.
- Where reticulated services are not available to the land, the subdivision of such land will only be supported where it can be demonstrated that:
    - resulting lots have sufficient area and layout to meet their intended use; and
    - resulting lots can be adequately serviced with regard to site constraints; and
    - effluent is able to be contained, treated and disposed of within each resulting lot in accordance with the City of Coffs Harbour's On Site Sewage Management Strategy; and
    - potable water is able to be accommodated on each resulting lot.
- For subdivisions utilising existing roads, half-road construction is required including any road widening required by the City of Coffs Harbour. Evidence may be provided demonstrating the existing road pavement along the public frontage is in good condition and in accordance with the City of Coffs Harbour's Development Specifications.
- Road hierarchy, layout and construction within the Woolgoolga North West urban release area is to accord with requirements in G14.1 Woolgoolga North West of this Plan.
- Where a laneway is sealed to the satisfaction of the City, Requirement 2(a)(ii) does not apply.

Note

Requirement 2(a)(ii) is to provide a satisfactory interim carriageway until such time that the laneway is fully upgraded in accordance with the City of Coffs Harbour's Development Specifications.

C1.8 INFRASTRUCTURE REQUIREMENTS FOR RURAL AND LARGE LOT RESIDENTIAL SUBDIVISIONS

Applies to Land

This control applies to the subdivision of land zoned RU2 Rural Landscape and R5 Large Lot Residential under Coffs Harbour LEP 2013.

Objectives

- To ensure that appropriate infrastructure and utility services are provided to land to which this control applies.
- To ensure that rural and large lot residential subdivisions have a practical, safe and efficient layout to meet the intended use.

Requirements

(1) The following infrastructure is to be provided as part of subdivision proposals in accordance with the City of Coffs Harbour's Development Specifications:

(a) roads;

(b) drainage;

(c) sealed driveways where servicing two or more resulting lots;

(d) underground reticulated telecommunications;

(e) underground reticulated electricity; and

(f) National Broadband Network (where available).

(2) Subdivision of land in a zone to which this control applies may comprise access via a right of carriageway only where the access services no more than three resulting lots.

(3) Where access is provided to service more than three resulting lots, the access is to be dedicated as a public road and constructed in accordance with the City of Coffs Harbour's Development Specifications.

(4) Development applications are to be accompanied by an onsite effluent disposal report prepared in accordance with the City of Coffs Harbour's On-Site Sewage Management Strategy.

(5) Subdivision proposals are to be designed so that the minimum target lot yield specified in any relevant Developer Contributions Plan is achieved for the land.

Exceptions

- The submission of an onsite effluent disposal report may be satisfied by a condition of development consent where the land has adequate area for the management of onsite effluent and where the land does not comprise significant site constraints which would preclude the disposal of effluent on the land.
- The use of pump-out systems for the disposal of effluent is not supported by the City of Coffs Harbour.
- Aboveground telecommunication and electricity services may be provided for the subdivision of land zoned RU2 Rural Landscape under Coffs Harbour LEP 2013.
- Onsite renewable energy generation systems may be used as the sole electricity supply for resulting lots where adjoining land is not disadvantaged, i.e. where the land is at the end of the line of grid electricity; or where the land is unlikely to adjoin future development, including properties at the end of a road or adjoining public land.
- Concept details of onsite renewable energy generation systems are to accompany development applications where such systems are proposed as the sole electricity supply for resulting lots.

C1.9 WATER MANAGEMENT REQUIREMENTS

Applies to Land

This control applies to the subdivision of land shown on the Coffs Harbour LEP 2013 Land Application Map.

Objectives

- To implement 'best practice' stormwater management techniques.
- To incorporate the use of water sensitive urban design techniques to reduce negative impacts on the natural water cycle and aquatic ecosystems.

- To manage water as a valuable and finite regional resource on a total water cycle basis.

Requirements

(1) Stormwater drainage is to be provided in accordance with the City of Coffs Harbour's Development Specifications.

(2) Development applications for subdivision proposals are to be supported by concept stormwater drainage designs.

(3) Stormwater is to be gravity drained to the City of Coffs Harbour's drainage system or a designated watercourse as shown on the NSW Hydro Line Dataset.

(4) Where a subdivision proposal requires drainage works over adjoining properties, the respective development application is to be supported by land owners consent from the affected properties to the lodgement of the development application, including written agreement to the creation of easements on title for interallotment drainage purposes.

(5) Stormwater drainage design is to generally reflect the pre-existing flow characteristics of the site, and may require on-site stormwater detention.

(6) Water sensitive urban design is to be incorporated into the design of the development in accordance with the City of Coffs Harbour's Water Sensitive Urban Design Guidelines.

(7) Where Estuary Management Plans, Coastal Zone Management Plans or Coastal Management Programs (approved by the City of Coffs Harbour) outline specific water quality targets that are to be met, subdivision proposals within the catchment area (to the extent that they could have a significant impact on the water quality of a waterbody) of those Management Plans / Programs must demonstrate that they can achieve the specified water quality targets. Appropriate modelling is to be used to demonstrate compliance with this requirement.

C1.10 EROSION AND SEDIMENT CONTROL REQUIREMENTS

Applies to Land

This control applies to the subdivision of land shown on the Coffs Harbour LEP 2013 Land Application Map.

Objectives

- To ensure that earthworks will not have a detrimental impact on environmental functions and processes, neighbouring uses or features of the surrounding land.

Requirements

(1) Erosion and sediment control measures are to be provided in accordance with the document Managing Urban Stormwater – Soils & Construction Volume 1 (Landcom 2004) for subdivision proposals comprising earthworks.

(2) Development applications for the subdivision of land comprising earthworks are to be accompanied by supplementary information in accordance with the following table:

Area of earthworks (m^2)	Supplementary Information

< 800m^2 of disturbed area	Basic Erosion and Sediment Control Plan
800m^2 to 2,500m^2 of disturbed area	Erosion and Sediment Control Plan
>2,500m^2 of disturbed area	Soil and Water Management Plan

(3) Basic Erosion and Sediment Control Plans are to be prepared in accordance with the principles of Best Practice Management for Small Areas of Disturbance.

(4) Erosion and Sediment Control Plans are to be prepared in accordance with the document Managing Urban Stormwater – Soils & Construction Volume 1 (Landcom 2004)).

(5) Soil and Water Management Plans are to be of a scale 1:500 or larger and are to be prepared in accordance with the document Managing Urban Stormwater – Soils & Construction Volume 1 (Landcom 2004).

Notes:
The Coffs Harbour LGA comprises very steep land and highly erodible soils which may require specific erosion and sediment control measures to perform adequately.

C1.11 ENVIRONMENTAL REQUIREMENTS

Applies to Land

This control applies to the subdivision of land shown on the Coffs Harbour LEP 2013 Land Application Map.

Objectives

- To ensure that subdivisions are responsive to the environmental context of the site.
- To ensure that subdivisions occur in a manner that provides for the continued protection of high conservation value land.

Requirements

(1) Development applications for subdivision proposals comprising land with a final slope >20% shall provide for the following:

(a) building envelopes of functional proportions, not less than 250m^2 in size; and

(b) building envelopes that do not exceed a maximum grade of 20%; and

(c) a concrete access driveway for each resulting lot at a grade ≤ 20%.

(2) Subdivision proposals are to comply with the relevant controls of E1 Biodiversity of this Plan.

(3) Subdivision proposals on land comprising a riparian zone are to be designed to:

(a) ensure that the slope and orientation of resulting lots provide for the long term conservation of the riparian zone; and

(b) enable access for future management of the riparian zone; and

(c) avoid impacts on the riparian zone; and

(d) enable opportunities for future solar access; and

(e) enable adequate drainage and urban filtration through water sensitive urban design techniques; and

(f) ensure that associated infrastructure and services are located outside of the riparian zone.

Notes:

- ***Clause 7.1 Acid Sulfate Soils of** Coffs Harbour LEP 2013 **requires development consent and the preparation of an Acid Sulfate Soils Management Plan for the carrying out of certain works on land shown on the** Coffs Harbour LEP 2013 Acid Sulfate Soils Map**. It is the responsibility of the proponent to determine if the land upon which the development is proposed, is identified on the** Acid Sulfate Soils Map **and thus if the provisions of Clause 7.1 of** Coffs Harbour LEP 2013 **apply to the proposed development.***
- ***Development applications for subdivision proposals comprising steep land shown on the** Steep and Highly Erodible Land Map **may be required to be accompanied by a geotechnical report.***
- ***Clause 56 of the** Marine Estate Management Act 2014 **is a relevant consideration for development in the area of a Marine Park. If the Consent Authority is of the opinion that the development is likely to have an effect on the plants and animals within the Marine Park or their habitat, the Consent Authority must consult with the relevant Ministers prior to determining the application.***

C1.12 FLOOD REQUIREMENTS

Applies to Land

This control applies to the subdivision of land shown on the Coffs Harbour LEP 2013 Land Application Map that is at or below the flood planning level.

Objectives

- To ensure that impacts from flood hazard are minimised.

Requirements

(1) Subdivisions are to comply with the relevant controls of E4 Flooding of this Plan.

C1.13 COASTAL HAZARD REQUIREMENTS

Applies to Land

This control applies to the subdivision of land shown on the Coffs Harbour LEP 2013 Coastal Hazard Map.

Objectives

- To ensure that impacts from coastal hazard are minimised.

Requirements

(1) Subdivisions are to comply with the relevant controls of E2 Coastal Hazards of this Plan.

C1.14 LAND DEDICATION

Applies to Land

This control applies to the subdivision of land shown on the Coffs Harbour LEP 2013 Land Application Map.

Objectives

- To enable the dedication of suitable land of significant environmental value or public benefit.

Requirements

(1) Land that is unable to be developed due to significant environmental constraints or that is of public benefit may be dedicated to the City of Coffs Harbour via a voluntary planning agreement or other suitable arrangement in accordance with the City of Coffs Harbour's Dedication of Land Policy.

Notes:
Additional mechanisms exist for the in-perpetuity management of high conservation value land, such as the Biodiversity Offsets Scheme administered by the NSW** Department of Planning and Environment **under the** Biodiversity Conservation Act 2016**.

C1.15 STREET TREE PLANTING

Applies to Land

This control applies to the subdivision of land shown on the Coffs Harbour LEP 2013 Land Application Map.

Objectives

- To provide street tree planting which complements the streetscape.

Requirements

(1) Development applications for subdivisions on greenfield sites comprising the provision of a public road (or certain community title schemes) are to be accompanied by a street tree masterplan in accordance with the City of Coffs Harbour's requirements.

(2) Subdivisions are to comply with the relevant controls of F3 Landscaping of this Plan.

C1.16 AMENITY REQUIREMENTS

Applies to Land

This control applies to the subdivision of land shown on the Coffs Harbour LEP 2013 Land Application Map.

Objectives

- To ensure that the impact of road/rail noise or vibration is considered in the assessment of subdivision proposals near the Pacific Highway and/or rail corridors.

Requirements

(1) Development applications comprising the subdivision of land in or adjacent to the Pacific Highway (including the proposed Pacific Highway bypass) and/or in or adjacent to a rail corridor are to be

accompanied by sufficient information to demonstrate that resulting lots proposed for future residential uses can equitably satisfy the following criteria:

(a) in any bedroom in the building - 35 dB(A) at any time between 10.00pm and 7.00am; and

(b) anywhere else in the building (other than a garage, kitchen, bathroom or hallway) - 40 dB(A) at any time.

Exceptions

- This control does not apply to land zoned RU3 Forestry, E5 Heavy Industrial, SP2 Infrastructure, SP3 Tourist, RE1 Public Recreation, W1 Natural Waterways, W2 Recreational Waterways, W3 Working Waterways, and W4 Working Waterfront under Coffs Harbour LEP 2013.
- This control does not apply to infill subdivision.

Notes:

- ***An acoustic report may be required to be undertaken by an appropriately qualified person to demonstrate that future residential uses can reasonably satisfy the above criteria.***

C1.17 HERITAGE REQUIREMENTS

Applies to Land

This control applies to the subdivision of land shown on the Coffs Harbour LEP 2013 Land Application Map.

Objectives

- To preserve the heritage significance of heritage items and heritage conservation areas within Coffs Harbour.
- To conserve archaeological sites, Aboriginal objects and Aboriginal places of heritage significance within Coffs Harbour.

Requirements

(1) Subdivision proposals are to accord with the relevant controls of F2 Heritage Conservation of this Plan.