

APPENDIX 9

PLANNING CERTIFICATE



COFFS HARBOUR CITY COUNCIL

ABN 79 126 214 487

Locked Bag 155, Coffs Harbour NSW 2450

Ph: (02) 8648 4000 Fax (02) 6648 4199

**Planning Certificate Under Section 149(2) Environmental Planning
and Assessment Act 1979**

Certificate No: 1492075/06

Date of Issue: 28/04/2006

Applicant: WALSH & ASSOCIATES
DX 7574
COFFS HARBOUR

Your Ref:

Owner's Name: MS GH HARRISON
Property No: 2226945
Street Address: 140 UPPER ORARA ROAD
KARANGI NSW 2450

Legal Description: Lot 2 DP 1083920

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- (a) Where a local environmental plan, a deemed environmental planning instrument, or a draft local environmental plan that has been placed on exhibition pursuant to section 66(1)(b) of the Act restricts, or purports to restrict, the purposes for which development may be carried out on the land, state:
- (i) the name of the instrument;
Coffs Harbour City Local Environmental Plan 2000
Draft Local Environmental Plan 2000 Amendment No. 23 (Vegetation Strategy)
 - (ii) the purposes for which development may be carried out in accordance with that instrument without development consent and with development consent; and
 - (iii) the purposes for which the carrying out of development is prohibited under that instrument.
See reply to (b)(ii) and (iii) below
- (b) Where the land is identified as being within a zone (within the meaning of an instrument referred to in paragraph (a)), state:
- (i) the name of the instrument and of the zone;
Coffs Harbour City Local Environmental Plan 2000
1A Agriculture
7A Env Protection 7A Habitat and Catchment
 - (ii) the purposes for which development may be carried out within that zone without development consent and with development consent. Refer to the Coffs Harbour City Local Environmental Plan 2000 Part 2 - Zoning Controls.
 - (iii) the purposes for which the carrying out of development is prohibited within that zone. Refer to the Coffs Harbour City Local Environmental Plan 2000 Part 2 - Zoning Controls.

RURAL 1A AGRICULTURE ZONE

Alm

To provide for the preservation of existing or potentially productive agricultural land.

1. Objectives of Zone

to enable development which is compatible with agricultural practices, and with the amenity and character of the rural environment of the area.

to enable development that can be adequately serviced.

2. Without Development Consent

Development for the purpose of:

agriculture; bed and breakfast establishments; dams; environmental protection works; forestry; home industries; home occupations; special care homes.

3. Only With Development Consent

Development for the purpose of:

abattoirs; animal establishments; aquaculture; attached dual occupancies; camp or caravan sites for temporary residency; car parks; cemeteries; child care centres; communications facilities; community facilities demolition; depots; dwelling-houses; eco-tourism facilities; educational establishments; entertainment facilities; environmental facilities; extractive industries; general stores; generating works; group homes; helicopter landing sites; mines; passenger transport terminals; places of worship; recreation areas; recreation facilities; registered clubs; restaurants; retail plant nurseries; roads; rural industries sawmills; stock and sale yards; tourist facilities; turf farms; utility installations; veterinary hospitals.

Subdivision of land.

4. Prohibited

Any development not included in item 2 or 3.

5. Description on Map

Coloured brown and lettered "1A".

ENVIRONMENTAL PROTECTION 7A HABITAT AND CATCHMENT ZONE**Aim**

To protect and enhance sensitive natural habitat and waterway catchments.

1. Objectives of Zone

to protect habitat values and water quality and enable development which does not adversely impact upon these.

to enable development that is within the environmental capacity of the land and can be adequately serviced.

2. Without Development Consent

Development for the purpose of:

agriculture (which does not involve the clearing of bushland or construction of buildings); environmental protection works; home industries; home occupations.

3. Only With Development Consent

Development for the purpose of:

agriculture (which involves the clearing of bushland or the construction of buildings); aquaculture; attached dual occupancies; bed and breakfast establishments; dams; demolition; dwelling-houses; eco-tourism facilities; environmental facilities; forestry; recreation areas; roads; utility installations.

Subdivision of land.

4. Prohibited

Development that is not included in item 2 or 3.

(Note: The following clauses may also apply to the development of this land:

- Clause 11 - Tree Preservation
- Clause 13 - Landform Modification
- Clause 22(2) - Foreshore Building Line
- Clause 23 - Potential Acid Sulfate Soils)

- (c) Any matter relating to a State Environmental Planning Policy or a Regional Environmental Plan applying to the land or to a Draft State Environmental Policy or Draft Regional Environmental Plan applying to that land, which the Minister has, generally or in any particular case, notified the Council should be specified in the Certificate.

See Schedule 1 attached

- (d) Where the application for the certificate states that the land is vacant, is the erection of a dwelling-house on that land prohibited by reason of a development standard relating to the minimum area on which a dwelling-house may be erected?

Not Applicable

- (e) Is the property in a heritage conservation area or identified as a heritage property by Council or State Government? (and if so, what is the status, eg local environmental plan, Heritage Act etc)?

See Schedule 5 and Schedule 6 attached

- (f) Does the demolition of any building on the land require development consent to be obtained?

Yes, except where it is an activity listed in Schedule 2 of Coffs Harbour City Local Environmental Plan 2000

- (g) Where a development control plan (DCP) that is expressed to apply to the land has been approved under clause 24(1), the name of the plan (whether or not the plan is in force).

DCP	APPLICABLE ZONE
Rural Lands	Rural 1A and 1B
Complying Development	Residential 2A
Low Density Housing	Residential 2A
Medium Density Housing	Residential 2B
Medium-High Density Housing	Residential 2C
High Density Housing	Residential 2D
Residential Tourist Lands	Residential 2E
Business Lands	Business 3A – 3G
Industrial Lands	Industrial 4A
Access & Mobility	All zones
Boambee Creek	Boambee Creek Area
City Centre	City Centre
Hearns Lake/Sandy Beach	Hearns Lake/Sandy Beach Area
Korora Rural Residential	Korora Rural Residential Release Area
Jetty	Jetty Area
Moonee	Moonee Area
North Bonville	North Bonville Area
Notification	All zones
Off-Street Car Parking	All zones
Park Beach	Park Beach Area
Signs	All zones
Subdivision	All zones
West Coffs	West Coffs Area
West Woolgoolga	West Woolgoolga Area
DRAFT DCP	APPLICABLE ZONE
Complying Development	Residential 2A
High Density Housing	Residential 2D
Subdivision	All zones
Vegetation Conservation	All Zones
Park Beach	Park Beach Area

- (h) Is the land subject to any application to carry out development, the subject of a notice by the Minister under section 76A(7)(b) of the Act declaring the development to be State Significant development?

No.

All applications for canal development or artificial waterways must be referred to the Minister for Planning for determination.

Note: For development or classes of development that are, in the opinion of the Minister, State Significant, also refer to State Environmental Planning Policy (State Significant Development) 2005.

- (i) Is the land affected by the operation of Section 38 or 39 of the Coastal Protection Act 1979? (but only to the extent that the Council has been so notified by the Department of Commerce, Office of Public Works and Services).
- No**
- (j) Has the land been proclaimed to be a Mine Subsidence District within the meaning of Section 15 of the Mine Subsidence Compensation Act 1961?
- No**

- (k) Is the land affected by any road widening or road realignment under:
- (i) Division 2 of Part 3 of the Roads Act 1993;
No
 - (ii) any environmental planning instrument; or
No
 - (iii) any resolution of the Council?
No
- (l) Has the council by resolution adopted a policy to restrict the development of the land by reason of the likelihood of landslip, flooding, subsidence, tidal inundation, acid sulfate soils or any other risk? (Please note for Chemical Residues, this information is based on the interpretation of data up to 1994)
- Yes, the land is affected by Council's Flood Policy as below:**
- Council considers the property to be flood liable as it is affected by flooding in the 1 in 100 year Average Recurrence Interval event.**
- No information on the extent of flooding is available from Council. However, flood levels relative to Australian Height Datum may be available from Council and where available are supplied on 149(5) certificates.**
- Restrictions on development within flood liable land is set out in Council's Flood Policy which is available for inspection at Council's Customer Services Counter, Council's website or a copy may be provided upon payment of a fee.**
- (m) Has critical habitat been identified on the property?
No
- (n) The following Developer Contributions Plans, in accordance with Section 94 of the Environmental Planning and Assessment Act, 1979, may apply:
- Boambee Creek**
 - Coffs Harbour City Centre Car Parking**
 - Coffs Harbour Road Network**
 - Hearns Lake/Sandy Beach Area**
 - Korora Rural Residential Release Area**
 - Local Roads, Trunk Drainage and Mines and Extractive Industries**
 - Moonee Release Area**
 - North Boambee Valley**
 - North Bonville**
 - Regional, District and Neighbourhood Facilities**
 - Surf Rescue Equipment**
 - West Coffs Harbour**
 - Woolgoolga Town Centre Car Parking**
 - West Coffs**
 - West Woolgoolga**
- (o) Matters arising under the Contaminated Land Management Act 1997:
- (i) Is the land to which this certificate relates within land declared to be an "investigation area" or "remediation site" under Part 3 of Contaminated Land Management Act 1997 at the date this certificate is issued?
No
 - (ii) Is the land to which this certificate relates subject to an "investigation order" or a "remediation order" within the meaning of that Act at the date this certificate is issued?

No

- (iii) Is the land to which this certificate relates the subject of a voluntary investigation proposal (or voluntary remediation proposal) the subject of the Department of Environment and Conservation's agreement under section 19 or 26 of that Act and the proposal has not been fully carried out at the date this certificate is issued?

No

- (iv) Has a copy of a site audit statement, concerning the land to which this certificate relates, been provided to Council prior to the issuing of this certificate?

No

- (p) Is the land to which this certificate relates, or any part of that land, bush fire prone land (as defined in the Environmental Planning and Assessment Act 1979), at the date this certificate is issued?

Yes

- (q) Has the Council by resolution adopted a policy to restrict development of the land for the purposes of subdivision?

Yes, Council at its meeting held on 19 August 2004 resolved to impose a moratorium on subdivision of land in the Rural 1A Agriculture zone under Coffs Harbour City Local Environmental Plan 2000 and land zoned 1(a) General Rural under Ulmarra Local Environmental Plan 1992. The moratorium is in place from 1 September 2004 until such time as Council develops a new policy on settlement/subdivision for the Rural 1A zone.

Note: The moratorium does not apply to development applications lodged with Council prior to 1 September 2004.

- (r) Has any part of the land:

- been proclaimed a Wildlife Refuge under s.68 of the National Parks and Wildlife Act 1974; or
- has a Conservation Agreement been registered under s.69B of the National Parks and Wildlife Act 1974?

No

Note: Further information on conservation options for landholders (including voluntary conservation agreements, wildlife refuges, Land for Wildlife and Conserve Wildlife) may be obtained from the Conservation Partnerships Unit, Department of Environment and Conservation, PO Box 1967 Hurstville 1481
Phone: (02) 9585 6458 **Fax:** (02) 9585 6402 **Email:** conservation_partners@environment.nsw.gov.au
Web: http://www.nationalparks.nsw.gov.au/npws.nsf/content/conservation_partners

- (s) If the land contains koala habitat identified by Council's Koala Plan of Management 1999, state the classification of koala habitat (Primary, Secondary or Tertiary).

Tertiary

- (t) Is the property affected by constraints to legal public access?

No

- (u) Has Council been notified by the relevant approval authority that the property is subject to a Property Vegetation Plan created under the Native Vegetation Act 2003?

No

SCHEDULE 1

This list is intended as a summary guide only. Please refer to the relevant policy for full details. Please note that the Legislation.nsw.gov.au site only provides the full text of state policies and regional plans. For maps relating to the various policies, or further information, please contact:

Department of Planning Information Centre, 23-33 Bridge Street, Sydney NSW

Opening hours: 9.00am to 5.00pm Monday to Friday

Telephone: 1300 305 695 or (02) 9228 6333 Fax: (02) 9228 6555

email: information@dipnr.nsw.gov.au

or

Department of Planning Regional Office, 49 Victoria Street, Grafton NSW 2460

Telephone: (02) 6642 0622 Fax: (02) 66402185

State Environmental Planning Policy (SEPP) No 1—Development Standards

This Policy provides makes development standards more flexible. It allows Council to approve a development proposal that does not comply with a set standard where strict compliance with a development standard can be shown to be unreasonable or unnecessary.

State Environmental Planning Policy No. 4—Development Without Consent and Miscellaneous Exempt and Complying Development

Allows relatively simple or minor changes of land or building use and certain types of development which have minor environmental significance without the need for formal development applications. This Policy regulates as complying development certain types of fire alarm system connections. It also allows as exempt development filming and rainwater tanks that comply with the specified requirements.

State Environmental Planning Policy No. 6 - Number of Storeys in a Building

Sets out a method for determining the number of storeys in a building, to prevent possible confusion arising from the interpretation of various environmental planning instruments.

State Environmental Planning Policy No. 8—Surplus Public Land

Promotes and coordinates the orderly and economic use of public land which is surplus to public needs. It applies throughout NSW with certain exceptions such as national parks, crown land, state recreation areas, state forests and land reserved for open space, recreation or acquisition for a national park or coastal protection. The development of surplus land is to be considered from a State rather than a local perspective, and all development is subject to the Minister's consent.

State Environmental Planning Policy No. 9 - Group Homes

The policy helps to establish permanent and transitional group homes for disabled or socially disadvantaged people in areas where houses or flats are permitted.

State Environmental Planning Policy No 11—Traffic Generating Developments

Rationalises consultation required in relation to traffic-generating developments. The policy establishes the Roads and Traffic Authority as the sole traffic management authority to be consulted, and ensures it is given the opportunity to make a representation on a development application before the local council decides whether to approve a proposal. The policy is being reviewed to remove requirements for unnecessary consultations.

State Environmental Planning Policy No. 14 – Coastal Wetlands

Ensures certain lands in coastal local government areas (except those in the Sydney Metropolitan Area) are preserved and protected for environmental and economic reasons. Land clearing, levee construction, drainage work or filling may only be carried out within these wetlands with the consent of the local council and the agreement of the Director-General of the Department of Planning. Such development also requires an environmental impact statement to be lodged with a development application. The policy is continually reviewed and has been amended to omit or include areas, clarify the definition of the land to which the policy applies and to allow minimal clearing along boundaries for fencing and surveying.

State Environmental Planning Policy No. 15 - Rural Land-Sharing Communities

Makes multiple occupancy permissible, with council consent, in rural and non-urban zones, subject to a list of criteria. Multiple occupancy is defined as the collective management and sharing of unsubdivided land, facilities and resources. The policy encourages a community-based environmentally-sensitive approach to rural settlement, and enables the pooling of resources to develop opportunities for communal rural living. SEPP 15 Guide provides guidance to intending applicants.

State Environmental Planning Policy No. 21—Caravan Parks

Ensures that where caravan parks or camping grounds are permitted under an environmental planning instrument, movable dwellings, as defined in the Local Government Act 1993, are also permitted. The specific kinds of movable dwellings allowed under the Local Government Act in caravan parks and camping grounds are subject to the provisions of the Caravan Parks Regulation. The policy ensures that development consent is required for new caravan parks and camping grounds and for additional long-term sites in existing caravan parks. It also enables, with the council's consent, long-term sites in caravan parks to be subdivided by leases of up to 20 years.

State Environmental Planning Policy No. 22 - Shops and Commercial Premises

The policy permits within a business zone, a change of use from one kind of shop to another or one kind of commercial premises to another, even if the change of use is prohibited under an environmental planning instrument. Development consent must be obtained and the consent authority satisfied that the change of use will have no, or only minor, environmental effect.

State Environmental Planning Policy No. 26—Littoral Rainforests

Protects littoral rainforests, a distinct type of rainforest well suited to harsh salt-laden and drying coastal winds. The policy requires that the likely effects of proposed development be thoroughly considered in an environmental impact statement. The policy applies to 'core' areas of littoral rainforest as well as a 100 metre wide 'buffer' area surrounding these core areas, except for residential land and areas to which SEPP No. 14 - Coastal Wetlands applies. Eighteen local government areas with direct frontage to the Pacific Ocean are affected, from Tweed in the north to Eurobodalla in the south.

State Environmental Planning Policy No. 30—Intensive Agriculture

Requires development consent for cattle feedlots having a capacity of 50 or more cattle or piggeries having a capacity of 200 or more pigs. The policy sets out information and public notification requirements to ensure there are effective planning control over this export-driven rural industry. The policy does not alter if, and where, such development is permitted, or the functions of the consent authority.

State Environmental Planning Policy No 32—Urban Consolidation (Redevelopment of Urban Land)

States the Government's intention to ensure that urban consolidation objectives are met in all urban areas throughout the State. The policy focuses on the redevelopment of urban land that is no longer required for the purpose it is currently zoned or used and encourages Council to pursue its own urban consolidation strategies. Councils will continue to be responsible for the majority of rezonings. The policy sets out guidelines for the Minister to follow when considering whether to initiate a regional environmental plan (REP) to make particular sites available for consolidated urban redevelopment. Where a site is rezoned by an REP, the Minister will be the consent authority.

State Environmental Planning Policy No. 33—Hazardous and Offensive Development

Provides definitions for 'hazardous industry', 'hazardous storage establishment', 'offensive industry' and 'offensive storage establishment' for application to all existing and future planning instruments. The definitions enable approval or refusal of development based on the proposal's merit. The consent authority must consider the specifics of the case, the location and the way in which the proposed activity is to be carried out. The policy also requires specified matters to be considered for proposals that are 'potentially hazardous' or 'potentially offensive' as defined in the policy. For example, any application to carry out a potentially hazardous or potentially offensive development is to be advertised for public comment, and applications to carry out potentially hazardous development must be supported by a preliminary hazard analysis (PHA). The policy does not change the role of Councils as a consent authority, land zoning, or the designated development provisions of the Environmental Planning and Assessment Act 1979.

State Environmental Planning Policy No. 35 - Maintenance Dredging of Tidal Waterways

Enables public authorities to undertake maintenance dredging of waterways in an appropriate and timely manner.

State Environmental Planning Policy No. 36—Manufactured Home Estates

Helps establish well-designed and properly serviced manufactured home estates (MHEs) in suitable locations. Affordability and security of tenure for residents are important aspects. To enable the immediate development of estates, the policy allows MHEs to be located on certain land where caravan parks are permitted. There are however, criteria that a proposal must satisfy before the local council can approved development. The policy also permits, with consent, the subdivision of estates either by community title or by leases of up to 20 years. A section 117 direction issued in conjunction with the policy guides councils in preparing local environmental plans for MHEs, enabling them to be excluded from the policy.

State Environmental Planning Policy No 37—Continued Mines and Extractive Industries

Provides for the continued operation of mines and extractive industries that lawfully commenced without development consent before planning controls came into force and which cannot operate in future without obtaining consent. The policy sets a three-month registration period and a two-year moratorium during which operations may continue without development consent, provided certain limitations and restrictions are complied with; and establishes environmental impact assessment provisions which are to be followed when seeking approval to operate after the end of the moratorium period.

State Environmental Planning Policy No. 45—Permissibility of Mining

Ensures there are clear planning controls to determine the permissibility of mining. The policy allows mining on land, with consent, where an environmental planning instrument requires the consent authority to make a value judgement as to whether such development is permissible. It is important to note that the policy does not affect provisions in environmental planning instruments that have no relevance in determining whether or not mining is permitted on land - only those provisions that must be satisfied for mining to be permissible.

State Environmental Planning Policy No. 48—Major Putrescible Landfill Sites

Makes the Minister for Planning the consent authority for major putrescible landfills in NSW. The policy applies to all landfills that receive waste from more than one local government area when the volume of waste to be received exceeds specified thresholds. It specifies matters the Minister will need to take into account when assessing a proposal, for example, ensuring that there is a legitimate demand for a landfill and that it is appropriately located. This is to ensure landfills are only approved following a comprehensive assessment.

State Environmental Planning Policy No. 50—Canal Estate Development

Bans new canal estates to ensure coastal and aquatic environments are not affected by these developments.

State Environmental Planning Policy No. 55—Remediation of Land

Introduces state-wide planning controls for the remediation of contaminated land. The policy states that land must not be developed if it is unsuitable for a proposed use because it is contaminated. If the land is unsuitable, remediation must take place before the land is developed. The policy makes remediation permissible across the State, defines when consent is required, requires all remediation to comply with standards, ensures land is investigated if contamination is suspected, and requires councils to be notified of all remediation proposals. To assist councils and developers, the Department, in conjunction with the Environment Protection Authority, has prepared Managing Land Contamination: Planning Guidelines.

State Environmental Planning Policy No. 64—Advertising and Signage

Aims to improve the amenity of urban and natural settings by managing the impact of outdoor advertising. The policy responds to growing concerns from the community, the advertising industry and local government that existing controls and guidelines were not effective. SEPP No. 64 offers the comprehensive provisions and consistent approach needed. SEPP 64 – Advertising and Signage: Explanatory Information should be read in conjunction with the policy.

State Environmental Planning Policy No. 65—Design Quality of Residential Flat Development

Raises the design quality of residential flat development across the state through the application of a series of design principles. Provides for the establishment of Design Review Panels to provide independent expert advice to councils on the merit of residential flat development. The accompanying regulation requires the involvement of a qualified designer throughout the design, approval and construction stages.

State Environmental Planning Policy No 71—Coastal Protection

The Policy ensures that development in the NSW coastal zone is appropriate and suitably located; that there is a consistent and strategic approach to coastal planning and management; and that there is a clear development assessment framework for the coastal zone.

State Environmental Planning Policy (Seniors Living) 2004

Encourages the development of high quality accommodation for our ageing population and for people who have disabilities, housing that is in keeping with the local neighbourhood. The policy restricts the form of seniors housing permitted on land adjoining land zoned primarily for urban purposes to only hostels or residential care facilities.

State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004

This SEPP operates in conjunction with Environmental Planning and Assessment Amendment (Building Sustainability Index: BASIX) Regulation 2004 to ensure the effective introduction of BASIX in NSW. The SEPP ensures consistency in the implementation of BASIX throughout the State by overriding competing provisions in other environmental planning instruments and development control plans, and specifying that SEPP 1 does not apply in relation to any development standard arising under BASIX. The draft SEPP was exhibited together with draft Environmental Planning and Assessment Amendment (Building Sustainability Index: BASIX) Regulation 2004.

State Environmental Planning Policy (ARTC Rail Infrastructure) 2004

This Policy facilitates development for the purposes of rail infrastructure facilities that are subject to arrangements between the Australian Rail Track Corporation Ltd and State rail authorities.

State Environmental Planning Policy (Major Projects) 2005

Formerly known as State Environmental Planning Policy (State Significant Development) 2005 this SEPP defines certain developments that are major projects under Part 3A of the Environmental Planning and Assessment Act 1979 and determined by the Minister for Planning. The SEPP also lists State Significant Sites.

Draft SEPP No. 1 - Development Standards (Amendment No. 1)

SEPP 1 gives councils the power to vary standards and approve development in some situations. One change would make developers and councils more accountable. When applicants use SEPP 1, they must provide sufficient evidence that proposed development meets the objectives of the local plan. Local communities will be more certain about the quality of development in their area. Another change would affect rural areas east of the Great Divide. Farmland will be protected and unintended development will be prevented in rural, environment protection and water catchment areas. More information is in the fact sheet for rural landholders.

Draft SEPP - Subdivision

Contained in 'Exposure Draft' package released in October 1994.

Draft SEPP - Sewerage Works

Aims to establish uniform planning controls for sewerage works. The policy would allow public authorities to undertake sewerage works, subject to other authorities being consulted and satisfactory environmental impact assessment being carried out. Sewerage projects would be treated as an activity in accordance with Part 5 of the Environmental Planning and Assessment Act 1979. The only exception being on land covered by SEPP No. 14 - Coastal Wetlands or SEPP No. 26 - Littoral Rainforests. These SEPPs specify types of development that are to be treated as designated development, requiring the consent of the local council and the concurrence of the Director of Planning.

Draft State Environmental Planning Policy (Application of Development Standards) 2004

Currently SEPP No. 1 provides local councils with flexibility in applying development standards. The department, in consultation with councils and the community, has undertaken a comprehensive review of how SEPP 1 has been used over the past 20 years. This review has led to a new draft policy that provides clearer and tighter criteria that development applicants must meet if they wish to vary from a development standard. The aim is to have the flexibility to achieve better planning outcomes.

North Coast Regional Environmental Plan

This plan provides local government with state and regional policy guidelines for the preparation of local environmental plans and for certain types of development. The plan sets the basis for new urban and rural development. The emphasis is on progress coupled with careful management. Amendments to the policy deal with heritage items, the NSW Coastal Policy and concurrence and consultation requirements in the REP.

The Environmental Planning and Assessment Amendment Act 1997 commenced operation on 1 July 1998. As a consequence of this Act the information contained in this certificate needs to be read in conjunction with the provisions of the Environmental Planning and Assessment (Amendment) Regulation 1998, Environmental Planning and Assessment (Further Amendment) Regulation 1998 and Environmental Planning and Assessment (Savings and Transitional) Regulation 1998.

The above information has been taken from the Council's records but Council cannot accept responsibility for any omission or inaccuracy.

For further information regarding this Certificate, please contact Ms Julie Elvery on (02) 6648 4620.

Stephen Sawtell
General Manager

ATTACHMENT

- (4) The consent authority must not grant a consent required by subclause (1) unless it has considered:
- (a) the adequacy of an acid sulfate soils management plan prepared for the proposed development in accordance with the Acid Sulfate Soil Manual, and
 - (b) the likelihood of the proposed development resulting in the discharge of acid water, and
 - (c) any comments received from the Department of Land and Water Conservation within 21 days of the consent authority having sent that Department a copy of the development application and of the related acid sulfate soils management plan.
- (5) Subclause (1) requires consent for development proposed by the Council, another council, a county council or a drainage union despite:
- (a) Clause 7, and
 - (b) Clause 10 of State Environmental Planning Policy No. 4 - Development Without Consent.
- (6) Regardless of subclause (5), development to which subclause (1) applies may be carried out by the Council or a county council, without consent, being:
- (a) development consisting of emergency works, or
 - (b) development consisting of routine maintenance, or
 - (c) development consisting of minor works,
- and development ancillary to that development, such as the carrying out of excavation work, the construction of accessways and the provision of power supplies.
- (7) Despite subclause (6), development consisting of routine maintenance or minor works may be carried out only with consent for development on a site listed as a heritage item in Schedule 5.
- (8) Where the Council or a county council carries out development described in subclause (6) and encounters, or is likely to encounter, acid sulfate soils the Council or county council shall properly deal with those soils in accordance with the Acid Sulfate Soil Manual so as to minimise the actual or potential impact to the environment arising from disturbance of the soils.

FLOOD PRONE LAND

- (9) Consent shall not be granted to the subdivision of, or the erection of a building or the carrying out of a work on, land that is prone to flooding, unless the consent authority has had regard to the provisions of the Council's Floodplain Development and Management Policy, if any, and the Floodplain Development Manual most recently notified by the Minister for Urban Affairs and Planning under section 733(5)(a) of the Local Government Act 1993.

ATTACHMENT SCHEDULE 5 – HERITAGE ITEMS

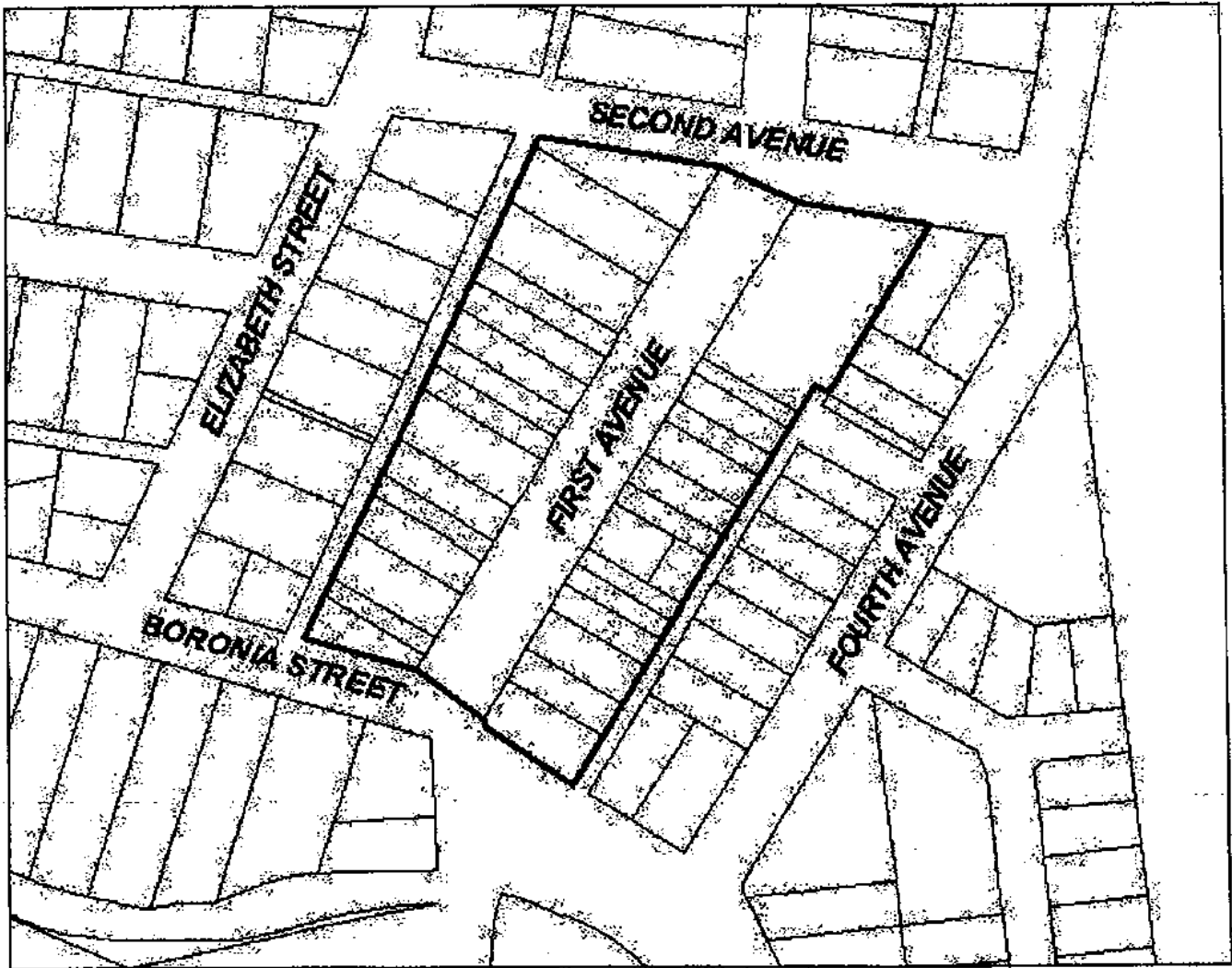
ITEM DESCRIPTION	LEVEL OF SIGNIFICANCE	PROPERTY DESCRIPTION
Fish Traps - Arawarra Headland	Regional	N/A – Map Reference '56' 519380E 6674440N Woolgoolga 9537-4-N
Former Post Office - Gleniffer Road	Local	Lot 2, DP805047
Anglican Church - Gleniffer Road	Local	Lot 46, DP938419
Bonville Hall - East Bonville Road	Local	Lot 70, DP755536
Residence - 4 Azalea Avenue	Local	Lot 2, DP714437
Residence - 20 Korff Street	Local	Lot 12 & 13, Sec 2, DP5661
Former Police Station & Court House - 215 High Street	Local	Lot 1, Sec 11, DP758258
Bunker Gallery - City Hill Drive	Local	Lot 21, DP867844
Residence - 10 Collingwood Street	Local	Lot 10, DP881287
Residence - 151 Edinburgh Street	Local	Lots A & B, DP366102
Residence - 23 Moore Street	Local	Lot 3, Sec 61, DP758258
Post Office - 350 High Street	Local	Lot 1, DP211339
Buried Trestle Bridge - Foreshore	Regional	Lot 21, DP850150
Tramway Line Site - Foreshore	Regional	Lot 21, DP850150
Butler Factory - 321 High Street	Regional	Lot 1, DP845202
Butler Factory Pool and Park	Local	Lot 277, DP752817
Coffs Harbour Jetty	State	N/A
Jetty Theatre - 337 High Street	Local	Lots 11 & 12, Sec 65, DP758258
Residence - 15 Harleys Road	Local	Lot 175, DP752834
House & Bakery - 39-41 Gale Street	Local	Lots 25-28, Sec B, DP3951
Police Station - 71-73 Gale Street	Regional	Lot 2, DP574408
Coramba Hall - 4 Dorriga Street	Local	Lot 2, Sec A, DP3971
Residence - 'Braeside' - 201 Dairyville Road	Regional	Lot 21, DP582871
Residence - 'Creeside' - 221 Dairyville Road	Regional	Lot 5, DP262769
Residence - 169 Dairyville Road	Regional	Lot 40, DP735011
Look-At-Me-Now Headland	Local	Lot 3, DP800108
Shelley Beach Graves	Local	Lot 3, DP800108
Residence - 843 Coramba Road	Local	Lot 1, DP943666
George's Gold Mine	Regional	Lot 25, DP752824
Lowanna Railway Station - off Camp Creek Road	State	N/A
Residence - 'Edgefern' - Eastbank Road	Regional	Lot 333, DP719001
St Peters Church - 47 Grafton Road	Local	Lot 52, DP620497
Shed - 420 North Island Loop Road	Regional	Lot 11, DP802379
Anglican Church - Upper Orara Road	Local	Lot 2, DP931299
Residence - 18 Split Solitary Road	Local	Lot 2, DP628408
Rock Pool - Bonville Headland	Local	Part CR 81703
Sawtell Reserve Hall	Regional	Part CR 81703
Ficus 'Hillii' Trees - First Avenue	Local	Road Reserve
Sawtell Hotel - 51-55 First Avenue	Regional	Lots 1 & 2, Sec 19, DP14800
Anglican Church - 15 Elizabeth Street	Local	Lot 10, Sec 10, DP17282
Timber Mill - Timmsvale Road	Regional	Lot 68, DP602638
Timber Mill	Regional	Lot 17, DP866535
Ulong Railway Station - Pine Avenue	State	N/A
BAT Co Relics - 65 River Street	Local	Lot 682, DP618948

ATTACHMENT SCHEDULE 5 – HERITAGE ITEMS

ITEM DESCRIPTION	LEVEL OF SIGNIFICANCE	PROPERTY DESCRIPTION
Fish Traps - Arrawarra Headland	Regional	N/A - Map Reference '56' 519380E 667444DN Woolgoolga 9537-4-N
Former Post Office - Gleniffer Road	Local	Lot 2, DP805047
Anglican Church - Gleniffer Road	Local	Lot 46, DP938419
Bonville Hall - East Bonville Road	Local	Lot 70, DP755536
Residence - 4 Azalea Avenue	Local	Lot 2, DP714437
Residence - 20 Korff Street	Local	Lot 12 & 13, Sec 2, DP5661
Former Police Station & Court House - 215 High Street	Local	Lot 1, Sec 11, DP758258
Bunker Gallery - City Hill Drive	Local	Lot 21, DP867844
Residence - 10 Collingwood Street	Local	Lot 10, DP881287
Residence - 151 Edinburgh Street	Local	Lots A & B, DP366102
Residence - 23 Moore Street	Local	Lot 3, Sec 61, DP758258
Post Office - 350 High Street	Local	Lot 1, DP211339
Buried Trestle Bridge - Foreshore	Regional	Lot 21, DP850150
Tramway Line Site - Foreshore	Regional	Lot 21, DP850150
Butter Factory - 321 High Street	Regional	Lot 1, DP845202
Butter Factory Pool and Park	Local	Lot 277, DP752817
Coffs Harbour Jetty	State	N/A
Jetty Theatre - 337 High Street	Local	Lots 11 & 12, Sec 65, DP758258
Residence - 15 Harleys Road	Local	Lot 175, DP752834
House & Bakery - 39-41 Gale Street	Local	Lots 25-28, Sec B, DP3951
Police Station - 71-73 Gale Street	Regional	Lot 2, DP574408
Coramba Hall - 4 Darrigo Street	Local	Lot 2, Sec A, DP3971
Residence - 'Braeside' - 201 Dairyville Road	Regional	Lot 21, DP582871
Residence - 'Creeside' - 221 Dairyville Road	Regional	Lot 5, DP262769
Residence - 169 Dairyville Road	Regional	Lot 40, DP735011
Look-At-Me-Now Headland	Local	Lot 3, DP800108
Shelley Beach Graves	Local	Lot 3, DP800108
Residence - 843 Coramba Road	Local	Lot 1, DP963666
George's Gold Mine	Regional	Lot 25, DP752824
Lowanna Railway Station - off Camp Creek Road	State	N/A
Residence - 'Edgelyern' - Eastbank Road	Regional	Lot 333, DP719001
St Peters Church - 47 Grafton Road	Local	Lot 52, DP620497
Shed - 420 North Island Loop Road	Regional	Lot 11, DP802379
Anglican Church - Upper Orara Road	Local	Lot 2, DP931299
Residence - 18 Split Solitary Road	Local	Lot 2, DP628408
Rock Pool - Bonville Headland	Local	Part CR 81703
Sawtell Reserve Hall	Regional	Part CR 81703
Ficus 'Hilli' Trees - First Avenue	Local	Road Reserve
Sawtell Hotel - 51-55 First Avenue	Regional	Lots 1 & 2, Sec 19, DP14800
Anglican Church - 15 Elizabeth Street	Local	Lot 10, Sec 10, DP17282
Timber Mill - Timmsvale Road	Regional	Lot 68, DP602638
Timber Mill	Regional	Lot 17, DP866535
Ulong Railway Station - Pine Avenue	State	N/A
BAT Co Relics - 65 River Street	Local	Lot 682, DP618948

ATTACHMENT

**SCHEDULE 6
DIAGRAM 1 – SAWTELL
HERITAGE CONSERVATION AREA**



ATTACHMENT

**SCHEDULE 6
DIAGRAM 2 – CORAMBA
HERITAGE CONSERVATION AREA**

