

Appendix

(Clause 49)

Environmental Planning and Assessment Regulation 2021

(Section 205)

Explanatory Note

Draft Planning Agreement

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

Parties

Coffs Harbour City Council ABN 79 126 214 487 of Yarrila Place, 27 Gordon Street, Coffs Harbour NSW 2450 (**Council**)

Pathfinders Ltd ACN 146 004 524 of Suite 1, Level 1, 215 Beardy Street, Armidale NSW 2350 (**Developer & Landowner**)

Description of the Land to which the Draft Planning Agreement Applies

Lot 11 Sec O DP 17053 & Lot 12 Sec O DP 17053 & Lot 1 DP 532457

36 & 40 Walter Morris Close, Coffs Harbour NSW 2450

Description of Proposed Development

The Draft Planning Agreement is in connection with 0020/23DA which includes the:

- Demolition of existing dwellings
- Construction of Housing Seniors and People with a Disability (7 units)

Description of Development Contributions

The Draft Planning Agreement requires the Developer to:

- Design and construct a section of 1.5m wide footpath in the Park Beach Road reserve extending from the Walter Morris Drive cul-de-sac to the existing footpath on the southern side of Park Beach Road.



Summary of Objectives, Nature and Effect of the Draft Planning Agreement

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The objectives of the Draft Planning Agreement requires the Developer to:

- prepare for Council's approval a footpath plan that will deliver a portion of footpath identified in the Park Beach Developer Contribution Plan 2021.
- undertake the works identified in the plan.

Assessment of the Merits of the Draft Planning Agreement

How the Draft Planning Agreement Promotes the Public Interest

The section of footpath being constructed is identified in the City's Park Beach Area Developer Contribution Plans 2021 and will deliver a missing link in Park Beach Road in the City's Movement and Place Strategy.

The works are not scheduled for delivery in the City's 4 year capital delivery program. The Developer will be able to deliver the footpath infrastructure earlier than the City. It is in the interest of the public to deliver critical infrastructure identified in contributions plan as soon as possible.

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

The Draft Planning Agreement is consistent with Council's Capital Works Program.

Whether the Draft 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 a Construction Certificate associated with any works approved in the development on the Land the Developer must:

- obtain Council's approval on a footpath plan.

Prior to the issue of an Occupation Certificate associated with any works approved in the development on the Land the Developer must:

- construct the footpath identified in the plan to Council's satisfaction.