
PLANNING PROPOSAL - PP_2014_COFFS_004_00 FOR LOT 1, DP417132, 2 ARRAWARRA ROAD, MULLAWAY

Purpose:

The purpose of this report is to present to Council a Planning Proposal (PP) for the land cited above, consistent with Council's Our Living City (OLC) Settlement Strategy.

The report recommends that Council seek a Gateway Determination from NSW Planning and Environment (P&E) requesting to place the PP on public exhibition. The report also recommends that Council consider the outcome of the exhibition in a future Council report. The PP is included as Attachment 1 to this report.

The following locality plan illustrates the subject site.



Background:

Council's OLC Settlement Strategy was endorsed by the then Department of Planning (now NSW P&E) in 2009.

This report refers to the identification of this land by that Strategy as a Priority 3 (2016+) Urban Investigation Area.

Council has undertaken significant urban rezonings of Priority 1 areas such as South Coffs, North Coffs and Bonville Golf Resort. In this case, Council has received a privately funded PP for a smaller area of land which adjoins Mullaway village. It is proposed that the subject land (Lot 1, DP417132) be rezoned from Part RU2 Rural Landscape and Part RE1 Public Recreation to R2 Low Density Residential, consistent with Council's OLC Settlement Strategy.

Description of Item:

The subject land is located on the northern side of Mullaway Drive, between the existing village of Mullaway and Solitary Islands Way (formerly Pacific Highway).

A map of the current zoning of the land is shown below:



This PP seeks to rezone the land from its current zones to R2 Low Density Residential. The land has an area of 3.112 hectares and a potential yield of 22 additional residential lots.

The proposed zoning, as per the PP, is shown on the following map:



The proposed zoning also necessitates amendment to the following attribute map of Coffs Harbour Local Environmental Plan (LEP) 2013:

- Minimum Lot Size (LSZ): from 40 hectares in the RU2 zone to 400m² in the proposed R2 zone.

Sustainability Assessment:

Any amendment to the Coffs Harbour LEP must address environmental, social, civic leadership and economic sustainability criteria.

- **Environment**

Environmental sustainability issues which are addressed by the PP include:

- flora, fauna and biodiversity;
- hydrology;
- geotechnics;
- slope;
- contaminated land;
- bush fire risk; and
- archaeology.

- **Social**

Social sustainability issues which are addressed by the PP include:

- visual amenity and urban design; and
- new housing opportunities located close to the village of Mullaway.

- **Civic Leadership**

Civic Leadership is demonstrated in this report by the PP addressing the following themes and objectives of Coffs Harbour 2030 Community Strategic Plan:

- **Places for Living**
 - Our infrastructure and urban development is designed for sustainable living.
 - We reinforce the unique identity of villages and communities.
- **Looking after our Environment**
 - Our natural environment and wildlife are conserved for future generations.
 - We reduce our impact on the environment.

- **Economic**

Broader Economic Implications

The PP aims to create a new residential option for Mullaway and provides a liveable residential area which is sensitive to the surrounding environment. The location is close to existing services and will not impact on Council's Operational Plan.

Delivery Program/Operational Plan Implications

There are no immediate financial implications or impacts on Council by progressing the PP – this process is on a user pays basis – i.e. the administration and processing costs associated with the PP are funded by the proponent/ land owner.

Risk Analysis:

Supply of the following infrastructure is required should the land be developed for residential purposes:

- extension of reticulated water and sewerage services;
- half-road reconstruction of Mullaway Drive at the frontage of the land;
- stormwater drainage; and
- kerb, gutter and concrete footpath/cycleway from Arrawarra Road to Orchid Road.

These issues are to be addressed at development application (DA) stage and are to be funded by the applicant according to the current rate of developer contributions which apply to the land.

This PP is considered to be of low risk to Council and has no detrimental impacts on Council's Operational Plans.

Consultation:

The PP was referred to all relevant Council departments and input has been received from those departments.

Should Council resolve to progress the PP, and NSW P&E endorse the public exhibition, the PP will be required to be exhibited under the terms of the Gateway Determination, and the provisions of the Environmental Planning and Assessment (EP&A) Act 1979.

Related Policy and / or Precedents:

The following policies and statutory documents are relevant to this report, and have been addressed by the PP:

- Coffs Harbour LEP 2013;
- Our Living City Settlement Strategy 2009;
- Open Space Strategy 2010;
- Planning for Bush Fire Protection 2006;
- Mid North Coast Regional Strategy and Growth Area Maps;
- State Environmental Planning Policies (SEPPs);
- NSW P&E Section 117 Ministerial Directions;
- Environmental Planning and Assessment Act 1979 and Regulations;
- Coffs Harbour 2030 Plan; and
- Land Use Conflict in Rural Areas.

Statutory Requirements:

The PP has been prepared in accordance with the EP&A Act 1979 and Regulations.

Issues:

- **Our Living City Settlement Strategy**

The land has been identified as a Priority 3 (2016+) Urban Investigation Area by the OLC Settlement Strategy. It is reasonable to consider this land in the shorter term to provide residential opportunities in the village of Mullaway. It is the only land in Mullaway village which is identified by the OLC Settlement Strategy, and adjoins the existing residential area of Mullaway to the east. The PP demonstrates a logical extension to Mullaway village, is consistent with the long-term objectives of Council's OLC Settlement Strategy, and can be serviced by extending existing water and sewer infrastructure.

- **Bush Fire Risk**

The northern boundary of the land adjoins a National Parks and Wildlife Service holding which is identified as being Bush Fire Prone. It is considered that the subject land is of sufficient area to provide adequate buffers and allows for provision of a six metre wide fire trail (dedicated to Council) to be used as emergency access in the case of a bush fire. Council will be responsible for the maintenance of this proposed fire trail. The fire trail also acts as a visual buffer between the bushland and proposed housing, which will enhance the overall visual amenity of the residential area. The proposed dedication to Council has been supported by Council's Parks Branch.

It is anticipated that Bush Fire Risk will also be addressed during the public exhibition period as it is likely that Council will be required to consult with the NSW Rural Fire Service (RFS) to ensure compliance with *Planning for Bush Fire Protection 2006*, which is the regulatory instrument which applies when assessing Bush Fire Risk.

- **Open Space Strategy 2010**

Part of the land is zoned RE1 Public Recreation. In most cases, land that is zoned RE1 is owned and managed by Council. In this instance, the land is privately owned.

The land zoned RE1 was considered by Council in the preparation of the Open Space Strategy 2010. It was determined, by that Strategy, that the land was not suitable (in size or configuration) to achieve a sports field without encroaching into adjoining holdings of bushland which are managed by the National Parks and Wildlife Service.

As the land is not required by Council, the current RE1 zoning is inappropriate and amendment to a low density residential zoning is supported.

Implementation Date / Priority:

Should Council resolve to progress this PP, it will be immediately forwarded to P&E requesting the Gateway Determination.

The timeframe for a PP is governed by the EP&A Act 1979. The timeframe commences on the date that the PP is forwarded to P&E, and under the terms of the Gateway Determination.

Recommendation:

- 1. That Council endorse and forward the subject Planning Proposal to NSW Planning and Environment seeking a "Gateway Determination" for the rezoning of Lot 1, DP417132, 2 Arrawarra Road, Mullaway as shown in Attachment 1 to this report.**
- 2. That subject to the "Gateway Determination" from NSW Planning and Environment, Council place the Planning Proposal on public exhibition.**
- 3. That a further report be considered by Council following the outcome of the public exhibition.**
- 4. That the landowner be informed of Council's decision.**

**COFFS HARBOUR CITY COUNCIL
ORDINARY MEETING
28 AUGUST 2014**

RESOLUTION NO. 251

Minutes confirmed at Council meeting: 25 September 2014
To view Report, double-click on Agenda Report link below

Agenda Report

**CP14/25 PLANNING PROPOSAL - PP_2014_COFFS_004_00 FOR LOT 1,
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251 RESOLVED (Arkan/Innes):

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3. That a further report be considered by Council following the outcome of the public exhibition.
4. That the landowner be informed of Council's decision.

VOTED FOR

Cr Rhoades
Cr Innes
Cr Sultana
Cr Cowling
Cr Palmer
Cr Arkan
Cr Knight

VOTED AGAINST

Townley
Degens