

PART G – SPECIAL AREA CONTROLS

G7 East Moonee Beach/Sapphire Beach, Hearnese Lake/Sandy Beach and Emerald Beach

G7.1 Masterplan

Applies to Land

This control applies to land within the East Moonee Beach/Sapphire Beach, Hearnese Lake/Sandy Beach and Emerald Beach urban release areas shown on the Locality Map (Figure 1).

Objectives

- To ensure development complements the conservation of biodiversity by protecting areas of high conservation value.
- To ensure that development achieves acceptable water quality standards and leads to improvements in the water quality in receiving waterways.
- To provide safe and attractive neighbourhoods that meet the diverse needs of the community and offer a wide choice of housing and leisure opportunities, as well as associated community facilities
- To provide guidance for future development in the locality.

Requirements

- Development and subdivision proposals are to comply with the principles of the Hearnese Lake / Sandy Beach Masterplan (Figure 2) and the East Moonee Beach/Sapphire Beach Masterplan (Figure 3).

G7.2 Infrastructure Requirements

Applies to Land

This control applies to the subdivision of land within the Hearnese Lake/Sandy Beach and East Moonee Beach/Sapphire Beach Masterplans.

Objectives

- To ensure the necessary infrastructure is provided to facilitate sustainable and liveable communities within the identified residential areas.
- To ensure future development complements planned infrastructure provisioning in the locality.

Requirements

- Development is to consider the egress and access arrangements on the Pacific Highway.
- Developers will be required to extend water and sewer from the nearest point identified in Council's Water and Wastewater Developer Servicing Plans. Where services identified in Council's Water and Wastewater Servicing Plans and supporting documentation are not in place at the time the developer wishes to proceed, it will be the developer's responsibility to forward fund these services.
- Development should enable efficient provision of utility services to new localities, and should ensure that innovations in Water Sensitive Urban Design can be incorporated, either at the time of development or in the future.
- Subdivision proposals are to accord with the requirements of relevant development controls within Chapter C1 – *Subdivision* of this Plan.

- Subdivision proposals are to ensure that adequate linkages are provided between residential areas and retail commercial areas in accordance with Council's requirements.
- Cycleways are to be provided within each release area at no cost to Council in accordance with Council's Development Specifications (unless otherwise specified in the associated Developer Contributions Plan).
- Bus bays (including bus shelters and bus stops) are to be provided within the urban release areas in accordance with Council's Development Specifications and Chapter C1 – *Subdivision* of this Plan (unless otherwise specified in the associated Developer Contributions Plan).
- Reticulated water and sewerage services are to be provided within the release areas at no cost to Council in accordance with Council's Water and Wastewater Developer Servicing Plans.
- Where services identified in Council's Water and Wastewater Developer Servicing Plans are not in place, such services are to be forward funded by the proponent.
- Stormwater drainage within the Moonee and Emerald Beach urban release areas is to be provided in accordance with C1.9 *Water Management Requirements* of this Plan, Council's Development Specifications.
- Stormwater drainage within the Hearn's Lake / Sandy Beach urban release area is to be provided in accordance with C1.9 *Water Management Requirements* of this Plan, Council's Development Specifications and the following:
 - development is to achieve the *modified source and conveyance control treatment strategy* detailed in the report prepared by WBM Oceanics: Music Modelling of Hearn's Lake Catchment, including:
 - rainwater tanks;
 - filter strips;
 - vegetated swales;
 - bio-retention swales; and
 - downstream storage.
 - stormwater infrastructure is not to be provided within the riparian buffer zone specified for Hearn's Lake and Double Crossing Creek in E1.3 of this Plan;
 - stormwater infrastructure is not to be provided within bush fire asset protection zones; and
 - stormwater requirements are to cater for cumulative impacts and shall include treatment measures designed for the ultimate fully developed condition of the land.

G7.3 Environmental Sustainability

Applies to Land

This control applies to the subdivision of land within the Hearn's Lake/Sandy Beach and East Moonee Beach/Sapphire Beach Masterplans.

Objectives

- To ensure development complements the conservation of biodiversity by protecting areas of high conservation value vegetation.
- To eliminate adverse impacts of development upon the aesthetic, recreational and ecological value of the flood plain.

Requirements

- The subdivision of land comprising high conservation value is to accord with the relevant controls of E1 – *Biodiversity* of this Plan.
- Development should consider relevant Council policies in relation to water quality and coastal hazard controls of E2 – *Coastal Hazards* of this Plan.

- Urban development should be excluded from areas with a high water table where there is likely to be adverse impacts on groundwater or surface water quality.
- Bush fire asset protection zones are not to be provided on high conservation value land. Where practicable, enable the use of bush fire buffers for activities ancillary to development.
- Dedicate undeveloped land within required bush fire buffers and environmental protection areas to Council and/or incorporate into environmental protection areas.
- A recommended buffer of 50 metre should be employed in areas surrounding watercourses in this area. Final buffer distances will be identified through specialist studies including water quality, ecology, bushfire, archaeology and any other relevant environmental studies applicable to the site.
- Further to the above, compliance with the relevant controls of chapter *E1 Biodiversity* of this Plan is recommended with respect to buffers.
- To ensure protection of water quality buffers to creeks or watercourses will need to be justified by studies (e.g. stormwater, water quality, ecology) undertaken by suitably qualified persons. Consideration of state and/or federal government guidelines for the protection of watercourses, waterways or creeks will need to be identified in specialist studies.
- Land within 100m from any identified Osprey nest shall be dedicated to Council as development occurs.
- Where practicable, seek to incorporate environment protection areas into the Coffs Coast Regional Park.
- Manage environmental protection areas not incorporated into the Coffs Coast Regional Park in accordance with the relevant Plan of Management (PoM).
- Any environmental protection areas proposed to be dedicated to Council will need to consider the future management/uses of these areas.
- Manage environmental protection areas in consultation with the Department of Lands where the land is Crown Land under the management of Council or Vacant Crown Land.
- Manage foreshore areas in consultation with the Marine Parks Authority and ensure that education and/or interpretation signage is provided for residents and visitors to the area.
- Ensure that future development does not degrade the environmental values of the Solitary Islands Marine Park and that future development is consistent with the objectives of the Solitary Islands Marine Park Zoning Plan.

G7.4 Road Noise or Vibration

Applies to Land

This control applies to the subdivision of land within the Hearnese Lake/Sandy Beach and East Moonee Beach/Sapphire Beach Masterplans.

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

- Development applications comprising the subdivision of land within 300 metres and a direct line of site to a road corridor; or within 80m and a direct line of site to a rail corridor as detailed in the *Development Near Rail Corridors and Busy Roads- Interim Guideline*, are to be accompanied by sufficient information demonstrating that future development on the land is able to satisfy the relevant provisions of *State Environmental Planning Policy (Infrastructure) 2007* and the *Development Near Rail Corridors and Busy Roads- Interim Guideline*.

- Suitably landscaped buffers (utilising local indigenous plants) are to be provided between future residences adjoining the Pacific Highway and/or rail corridor.

Exceptions

- This control does not apply to land zoned Ru3 Forestry, IN3 Heavy Industrial, IN4 Working Waterfront, SP2 Infrastructure, SP3 Tourist, RE1 Public Recreation, W1 Natural Waterways, W2 Recreational Waterways, and W3 Working Waterways under the 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 development on the land is able to satisfy the requirements specified in State Environmental Planning Policy (Infrastructure) 2007 and the following guidelines:*
 - Development Near Rail Corridors and Busy Roads- Interim Guideline; and
 - Any other associated guidelines issued by the Director-General for the purposes of State Environmental Planning Policy (Infrastructure) 2007

G7.5 Traffic and Transport

Applies to Land

This control applies to the subdivision of land within the Hearnese Lake/Sandy Beach and East Moonee Beach/Sapphire Beach Masterplans.

Objectives

- To ensure the provision of appropriate road infrastructure to all new urban areas that will minimise congestion and promote road safety.
- To limit the impacts on the Pacific Highway from new urban development.

Requirements

- Future urban development will need to refer to Council's DCP requirements in *F1 – Access and Parking Requirements*.
- It will be the responsibility of the developer for the provision of a collector road/local road system that reflects egress and access arrangements of the Pacific Highway, unless a road is identified in a development contributions plan prepared under the Environmental Planning and Assessment Act 1979.
- Landscaped buffers (utilising local native species) will need to be provided between future residences and the Pacific Highway.
- Provide adequate transport and pedestrian linkages to community facilities and open space areas.
- It will be the responsibility of the developer to:
 - ensure pedestrian and cycleway linkages are consistent with existing facilities (e.g. northern beaches cycleway), and consider linkages to local schools, shops, playing field, parks and beaches;
 - implement traffic calming devices at cycleway crossover points on the collector road system.
- Linkages between the residential, retail and commercial areas in the townships of Hearnese Lake, Moonee Beach, Sandy Beach and Woolgoolga should be investigated in conjunction with Council.

- A developer shall construct a road in accordance with relevant standards (e.g. local road (8m) and collector road (11m)). Any local roads requested by Council to be constructed to a collector road standard will be paid for by development contributions.

Hearnes Lake Road

- Provide a bus turning area on Hearnes Lake Road as shown in Figure 2.
- Council's preference is to provide alternative options for access to residents in the vicinity of Hearnes Lake Road to provide environmental benefit to the lake.
- If any future development requires the use of Hearnes Lake Road alternative options are to be explored prior to the utilisation of Hearnes Lake Road.
- If any future development utilises Hearnes Lake Road appropriate road and verge widths are to be used to prevent impacts on significant roadside ecology.

Solitary Islands Way

- Future road upgrades along Solitary Islands Way are to be generally in accordance with Figure 2 and the relevant developer contributions plan.

G7.6 Open Space and Recreation

Applies to Land

This control applies to the subdivision of land within the Hearnes Lake/Sandy Beach and East Moonee Beach/Sapphire Beach Masterplans.

Objectives

- To ensure appropriate open space areas are provided in new residential areas to encourage public recreation.

Requirements

- Neighbourhood open space areas (including playgrounds) are to be provided at no cost to Council (unless otherwise specified in the associated Developer Contributions Plan).
- Incorporate environmental protection areas into a network of public open space, where required.
- Proponents are to consider Council's open space, recreation, social and sporting fields strategic plans in designing developments and subdivisions and identify proposed linkages, where appropriate.
- Open space areas should be provided for in all urban release areas including the provision of children's playgrounds.
- As part of a development application a proponent is to consider the proposed demand for open space and recreation facilities and, if applicable, address access to these facilities to ensure relative ease of access. The proponent is to consider the proposed open space and recreation facilities in relation to Council's strategic plans.
- Encourage passive recreation within open space areas (including bush fire buffers) where it does not involve the removal of native vegetation and/or damage to the environmental values of the area.

G7.7 Visual**Applies to Land**

This control applies to the subdivision of land within the Hearn's Lake/Sandy Beach and East Moonee Beach/Sapphire Beach Masterplans.

Objective

- To ensure an appropriate level of visual amenity in the Coffs Harbour local government area.

Requirements

- Developers are to consider the visual amenity of proposed developments in the vicinity of the Pacific Highway and the NSW Coastline (including the NSW Coastal Policy (or equivalent)).
- If landscaped buffers are proposed appropriate local indigenous species should be utilised.

G7.8 Land Dedication**Applies to Land**

This control applies to the subdivision of land within the East Moonee Beach/Sapphire Beach, Hearn's Lake/Sandy Beach and Emerald Beach urban release areas.

Objectives

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

Requirements

- Land that is unable to be developed due to significant environmental constraints or that is of public benefit may be dedicated to Council via a voluntary planning agreement or other suitable arrangement in accordance with Council's Dedication of Land Policy (unless otherwise specified in the Hearn's Lake/Sandy Beach and Moonee Developer Contributions Plans).

Figure 1: Locality Plan

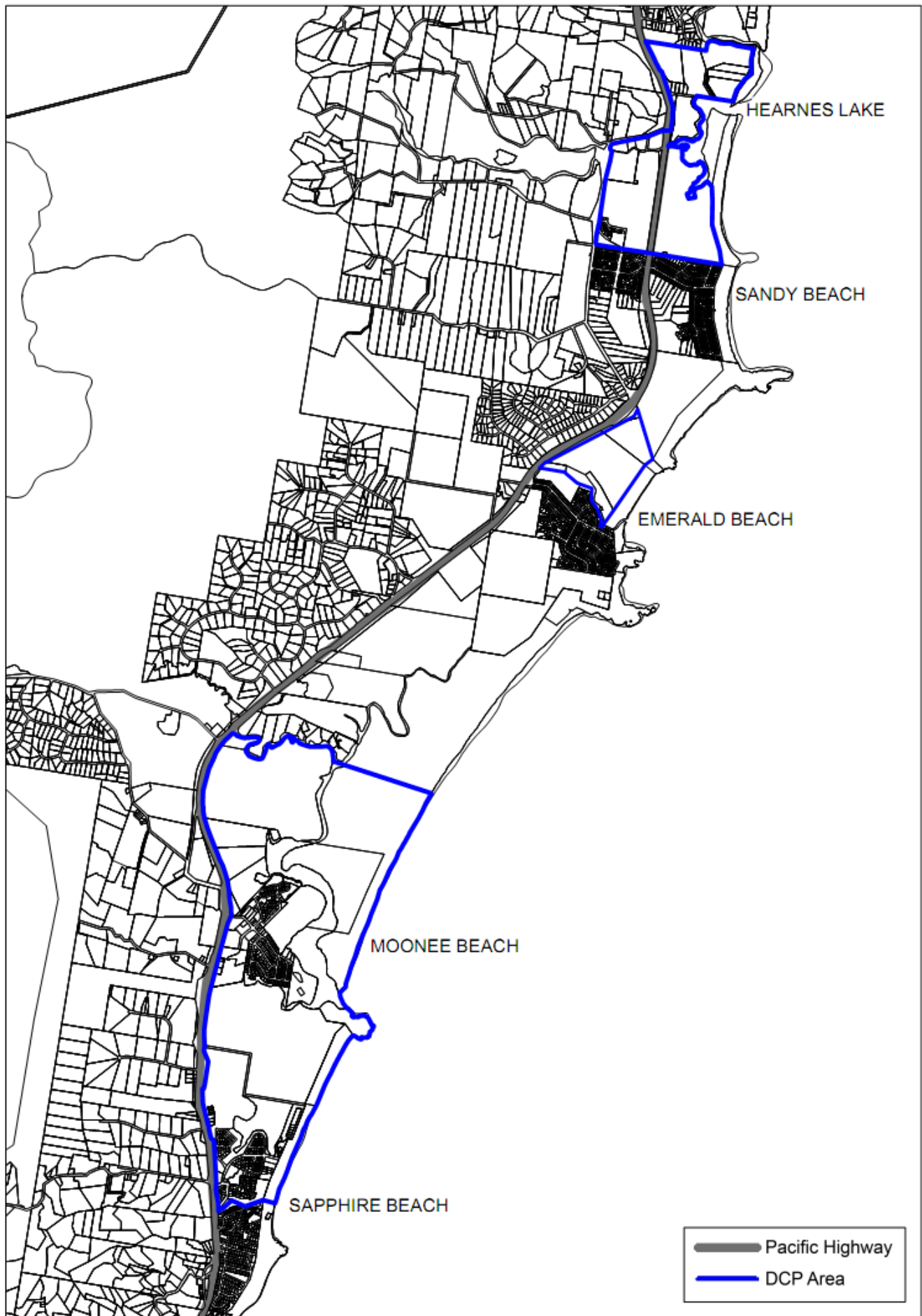
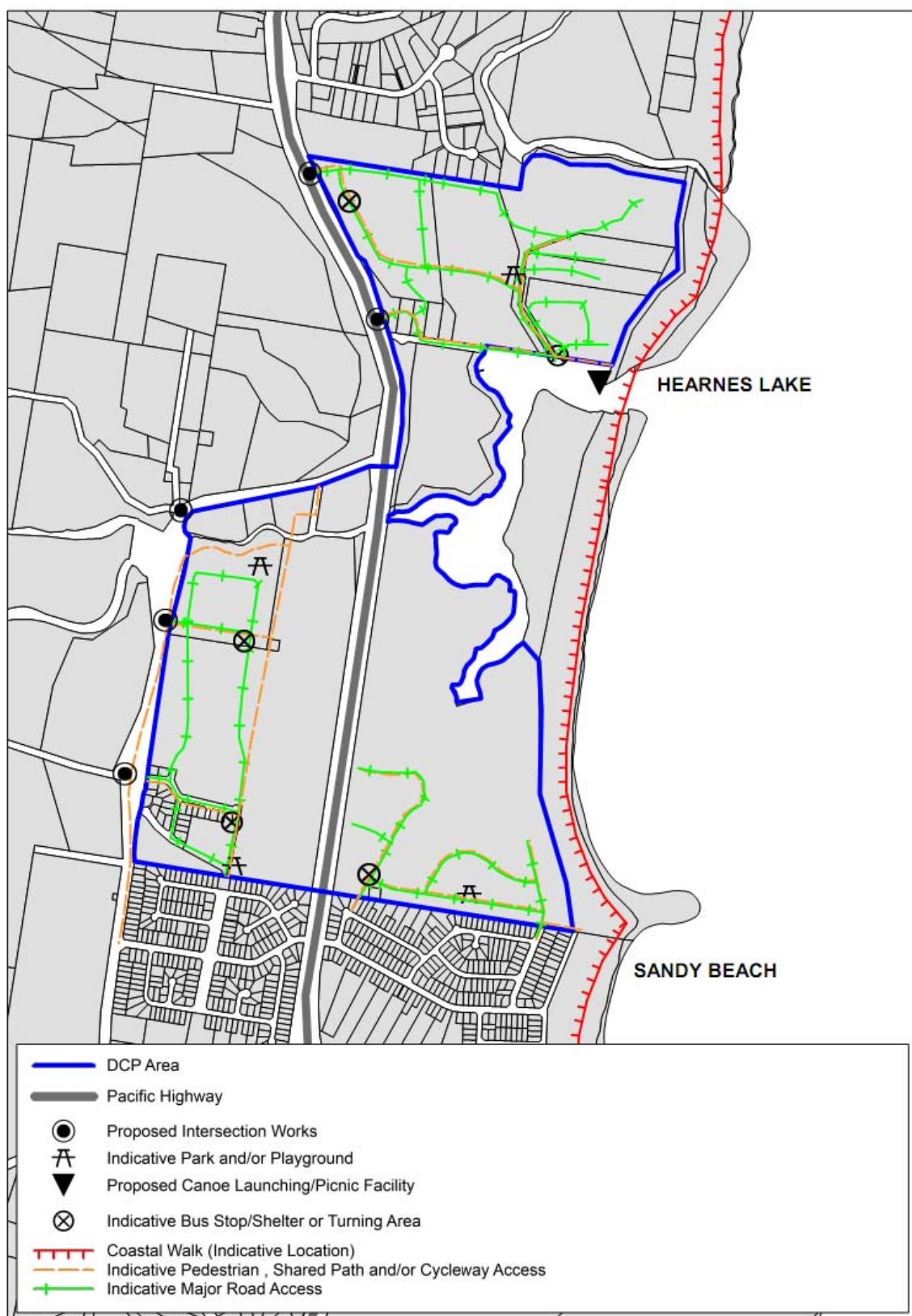
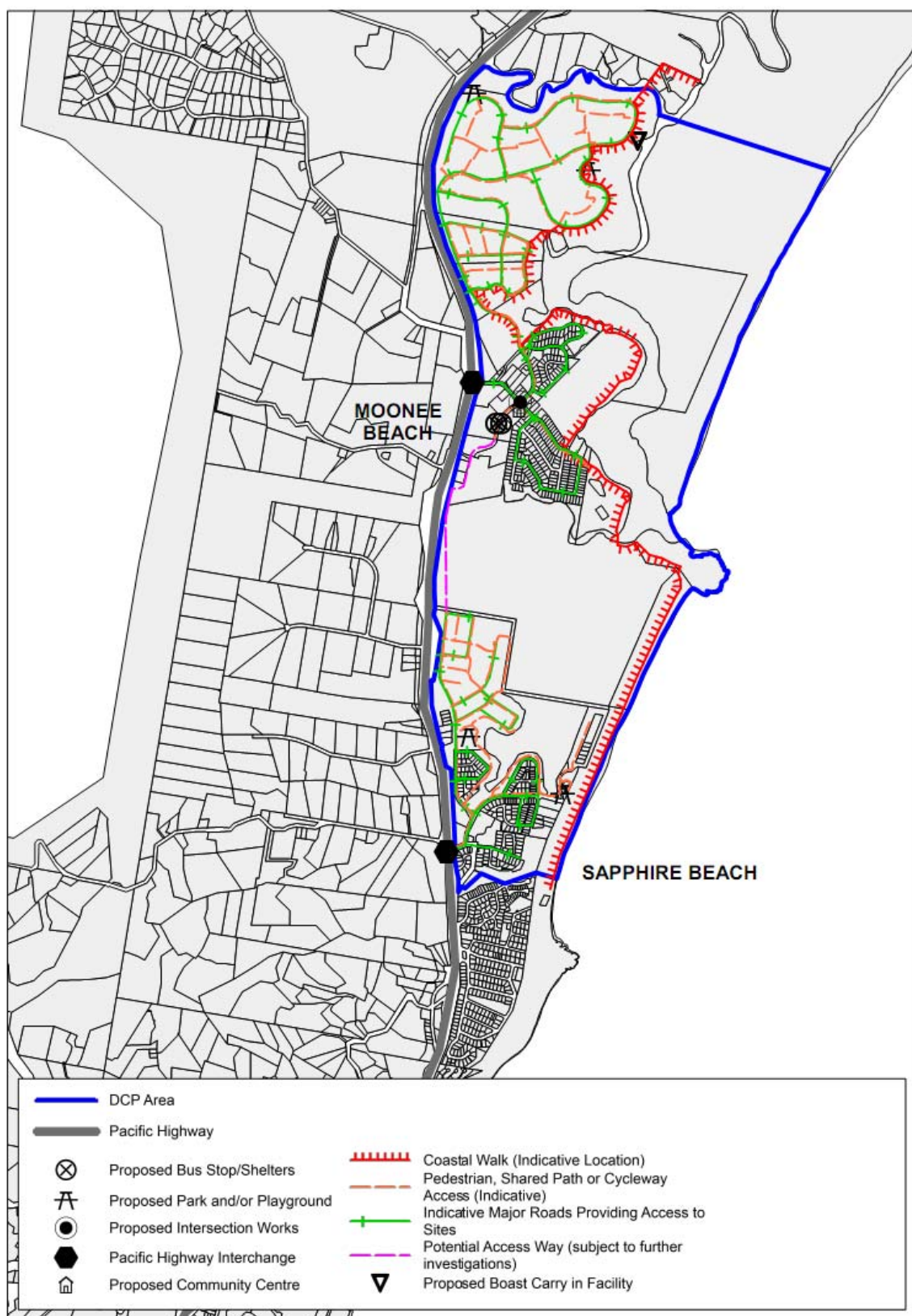


Figure 2: Masterplan (Hearnes Lake/Sandy Beach)

**Notes:**

This Concept Plan is **indicative** only and development on lots identified within this Plan will depend on final detailed design and the preparation of detailed environmental assessments for individual sites, as well as relevant approvals. This Plan is designed to provide guidance to developers, landowner(s) and the community of future growth areas and may be subject to change including changes in legislation.

Figure 3: Masterplan (East Moonee Beach/Sapphire Beach)

**Notes:**

This Concept Plan is **indicative** only and development on lots identified within this Plan will depend on final detailed design and the preparation of detailed environmental assessments for individual sites, as well as relevant approvals. This Plan is designed to provide guidance to developers, landowner(s) and the community of future growth areas and may be subject to change including changes in legislation.

PART G – SPECIAL AREA CONTROLS

G14 West Moonee

G14.1 Application

This Part applies to land within the West Moonee area shown in Figure 1: Land Application Map - the subject land is also designated in the Key Sites Map of the Coffs Harbour Local Environmental Plan 2013 (CHLEP 2013).

Objectives

- To balance residential development yield and infrastructure construction with the ecological attributes, and other constraints (bushfire, flood liability, water quality, aboriginal heritage, and adjacent State Forest and agricultural activities) which affect the land;
- To coordinate the logical, coordinated, cost-effective sequencing and staging for the provision of public and private infrastructure;
- To achieve a high quality subdivision layout compatible with the attributes and constraints of the subject land and infrastructure provision;
- To enable, and incentivise, coordination between landowners to fund and deliver studies and infrastructure; crucial for cost-effective, quality of development of the area subject of this DCP.

Requirements

1. Development and subdivision proposals need to comply with this Part of the DCP, other relevant parts of this Plan and the relevant clauses of Coffs Harbour LEP 2013.

G14.2 Infrastructure

Applies to the Land

This Part applies to land within the West Moonee area shown in Figure 1: Land Application Map – the subject land is also designated in the Key Sites Map of the Coffs Harbour Local Environmental Plan 2013 (CHLEP 2013).

Objectives

- To ensure that appropriate infrastructure and utility services are provided to land within the West Moonee area;
- To coordinate the logical, coordinated, cost-effective sequencing and staging for the provision of public and private infrastructure associated with the four (4) defined precincts.

Requirements

1. Subdivision proposals are to consider the requirements of relevant development controls within Chapter *C1 – Subdivision* of this Plan.
2. Bus bays (including bus shelters and bus stops) are to be provided within the DCP area in accordance with Council's Development Specifications and *Part C1 – Subdivision* of this Plan (unless otherwise specified in the associated Developer Contributions Plan).
3. Reticulated water and sewerage services are to be provided within the area at no cost to Council in accordance with Council's Development Servicing Plans, and Development Specifications.
4. Sewer pump stations (where required) are to be provided at no cost to Council at the most cost-effective, functionally efficient locations within the West Moonee area.
5. Stormwater drainage within the West Moonee area is to be provided in accordance with *C1.9 Water Management Requirements* of this Plan, and Council's Development Specifications.
6. Infrastructure studies prepared for development applications are to consider other areas in West Moonee designated for provision of public services and facilities – notably the future school and the district level recreational facility – refer to Figure 1: Land Application Map.

Roads

7. Intersection points off Old Bucca Road shall be limited to four (4) as indicatively shown in Figure 10.
8. The intersection point for Precinct 4 is with a current Right-of-Way which currently has three (3) beneficiaries. This should become a public road – by negotiation or acquisition – to enable Precinct 4 overall to develop.
9. The first landowners/applicants to submit a Development Application(s) must undertake traffic studies which identify the upgrading needs of Old Bucca Road relevant to the development of all four precincts and what proportionate cost shall be borne by the development(s) subject of the current application.

Staging

10. Development applications must demonstrate that the provision of infrastructure to the proposed development represents a logical, cost-effective provision of infrastructure – particularly water, sewer and road infrastructure - and that there is nil net cost to the funding of such infrastructure by Council or relevant State Agency.

G14.3 Biodiversity

Applies to the Land

This Part applies to land within the West Moonee area shown in Figure 1: Land Application Map – the subject land is also designated in the Key Sites Map of the Coffs Harbour Local Environmental Plan 2013 (CHLEP 2013).

Objectives

- To protect, maintain, and where appropriate to rehabilitate high conservation value land. balanced with reasonable levels and locations of residential development and infrastructure construction.

Requirements

1. Subdivision proposals are to comply with the relevant controls of E1 – Biodiversity of this Plan.
2. Areas identified in this DCP as being potentially constrained by environmental attributes may be developed, under the provisions of this DCP, provided detailed studies are completed as part of a development application to justify development in those areas. This does not exclude the proponent from addressing other environmental legislation relevant to the site and/or development proposed.
3. Relevant development applications for development are to include studies and evaluations of the ecological attributes of the area depicted in:
 - Figure 2 Endangered Ecological Communities Map;
 - Figure 3: Koala Habitat Map;
 - Figure 4: Potential Moonee Quassia Habitat;;
 - Figure 5: High Value Arboreal Habitat;
 - Figure 6: Fine Scale Vegetation Map;
 - Figure 7: Draft Landscape Corridors Mapping (a resource tool, not policy as it has been exhibited but not adopted by Council).
4. Relevant development applications shall therefore include: assessment of:
 - The koala habitat as depicted in Figure 3 and in accordance with the Coffs Harbour Koala Plan of Management 1999:
 - Specialised koala fencing and signposting is to be provided adjacent to roads and residential subdivision as compatible with koala habitat and corridor movements
 - Development applications for the subdivision of land are to be accompanied by a management plan prepared in accordance with the Companion Animals Act 1998 aimed at minimising impacts from future housing in the release area on the local koala population.
 - Figure 4 depicts potential habitat of the threatened species of Moonee Quassia. Environmental assessments must consider such habitats on the ground and include proposals in accordance with the Recovery Plan (December 2005), if required;
 - Figure 5 depicts High Value Arboreal habitat (Category 4 – Forest area between 1 and 5 hectares) adjacent to a section of Old Bucca Road. Environmental assessments will need to assess the impact of any development on areas considered High Value Arboreal Habitat;
 - Potential impacts on vegetation as depicted in Figure 6; and

- Research and analysis of the Landscape Corridors depicted in Figure 7 (which broadly coincide with the Flood Planning Area (Figure 8 and the Riparian Corridor) – recommending conservation and mechanisms for on-going management as appropriate. *Note: the Landscape Corridors Mapping and report (Landscape Corridors of the Coffs Harbour Local Government Area September 2014) are draft at this stage, having not been endorsed by Council following public consultation.*
5. Environmental assessments which are integral to development applications for the West Moonee area must therefore include data collation, analysis and recommendations for:
- a. Protecting, conserving and rehabilitating areas of significant ecological value and full justifications for any proposed removal of vegetation;
 - b. Habitat connectivity between adjacent sites and/or the broader West Moonee urban release area;
 - c. Appropriate buffers from areas of significant ecological value and the State Forest to the west of the West Moonee urban release area;
 - d. An appropriate buffer in relation to any identified locations of Moonee Quassia;
 - e. The identification of high value arboreal habitat and an appropriate buffer for areas considered as high arboreal habitat;
 - f. As appropriate, based upon sound research and analysis of the resource mapping of the Landscape Corridors - mechanisms for the conservation and on-going management of the Landscape Corridors;
 - g. Whether any offsetting should be proposed to compensate for vegetation proposed to be removed. (This may be subject of a proposed Voluntary Planning Agreement);
 - h. Riparian zones buffers shall be in accordance with the table entitled: “Riparian Zone Buffer Distances” in Chapter E1.3 of this Plan.

G14.4 Bushfire Hazard Reduction

Applies to the Land

This Part applies to land within the West Moonee area shown in Figure 1: Land Application Map – the subject land is also designated in the Key Sites Map of the Coffs Harbour Local Environmental Plan 2013 (CHLEP 2013).

Objectives

- To ensure protection of residential development in accordance with the NSW Rural Fires Act and Bushfire Protection Manual without adversely impacting upon Endangered Ecological Communities, koala habitat, high value arboreal habitat, riparian corridors and/or landscape corridors.

Requirements

1. Development applications for residential subdivision and residential development must include bushfire assessments - based upon reference to Figure 8 - which demonstrate that proposed Asset Protection Zones will ensure protection of residential development in accordance with the Rural Fires Act and Bushfire Protection Manual without adversely impacting upon Endangered Ecological Communities, koala habitat, high value arboreal habitat, riparian corridors and/or landscape corridors.

G14.5 Land Dedication

Applies to the Land

This Part applies to land within the West Moonee area shown in Figure 1: Land Application Map - the subject land is also designated in the Key Sites Map of the Coffs Harbour Local Environmental Plan 2013 (CHLEP 2013).

Objectives

- To enable the dedication of suitable land of land of high conservation value which is of significant public benefit.

Requirements

1. Land that is unable to be developed due to significant environmental constraints/attributes and that is of public benefit may be dedicated to Council via a voluntary planning agreement or other suitable arrangement in accordance with Council's Dedication of Land Policy.

G14.6 Land Use Conflict Risk Management

Applies to the Land

This Part applies to land within the West Moonee area shown in Figure 1: Land Application Map - the subject land is also designated in the Key Sites Map of the Coffs Harbour Local Environmental Plan 2013 (CHLEP 2013).

Objectives

- To minimise land use interface issues and risks between rural land uses;
- To ensure appropriate buffers between land uses to minimise land use conflicts.

Requirements

1. Development applications for subdivision and/or residential development likely to cause significant rural land use conflicts 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).

G14.7 Residential development

This Part applies to land within the West Moonee area shown in Figure 1: Land Application Map - the subject land is also designated in the Key Sites Map of the Coffs Harbour Local Environmental Plan 2013 (CHLEP 2013).

Objective

- To ensure high quality of residential development design.

Requirements

1. Residential development shall comply with the provisions of Part D of this Plan – Built Form Controls: Residential Development.

G 14.8 Water Quality and Flood Liability

This Part applies to land within the West Moonee area shown in Figure 1: Land Application Map - the subject land is also designated in the Key Sites Map of the Coffs Harbour Local Environmental Plan 2013 (CHLEP 2013).

Objectives

- To ensure appropriate arrangements are put in place to maintain or improve water quality;
- To provide clear guidelines for development and subdivision proposals on land with a flood hazard to ensure that the provisions of Clause 7.3 Flood Planning, of the *Coffs Harbour LEP 2013* are satisfied;(the Flood Planning Area is generally depicted in Figure 9).

Requirements

1. Development applications for development lodged in the West Moonee Area are to comply with Part E – Environmental Controls: E4 Flooding;
2. Development is to be designed and located so that it is free from any land that is at or below the 100 year ARI flood level;
3. Analyses, and recommended ameliorative measures shall be included in development applications as appropriate to minimise the impacts of proposed development on water quality;
4. Riparian zones buffers shall be in accordance with the table entitled: “Riparian Zone Buffer Distances” in Chapter E1.3 of this Plan.

Exceptions

Where buffer distances are not specified in the table to this control, the *Guidelines for Riparian Corridors on Waterfront Land (NSW Office of Water)* apply.

Notes

Development including driveways, road crossings, and other infrastructure located over a waterway may require approval under the Fisheries Management Act 1994.

Development in, on or under waterfront land may require approval under the Water Management Act 2000.

FIGURE 1: LAND APPLICATION MAP

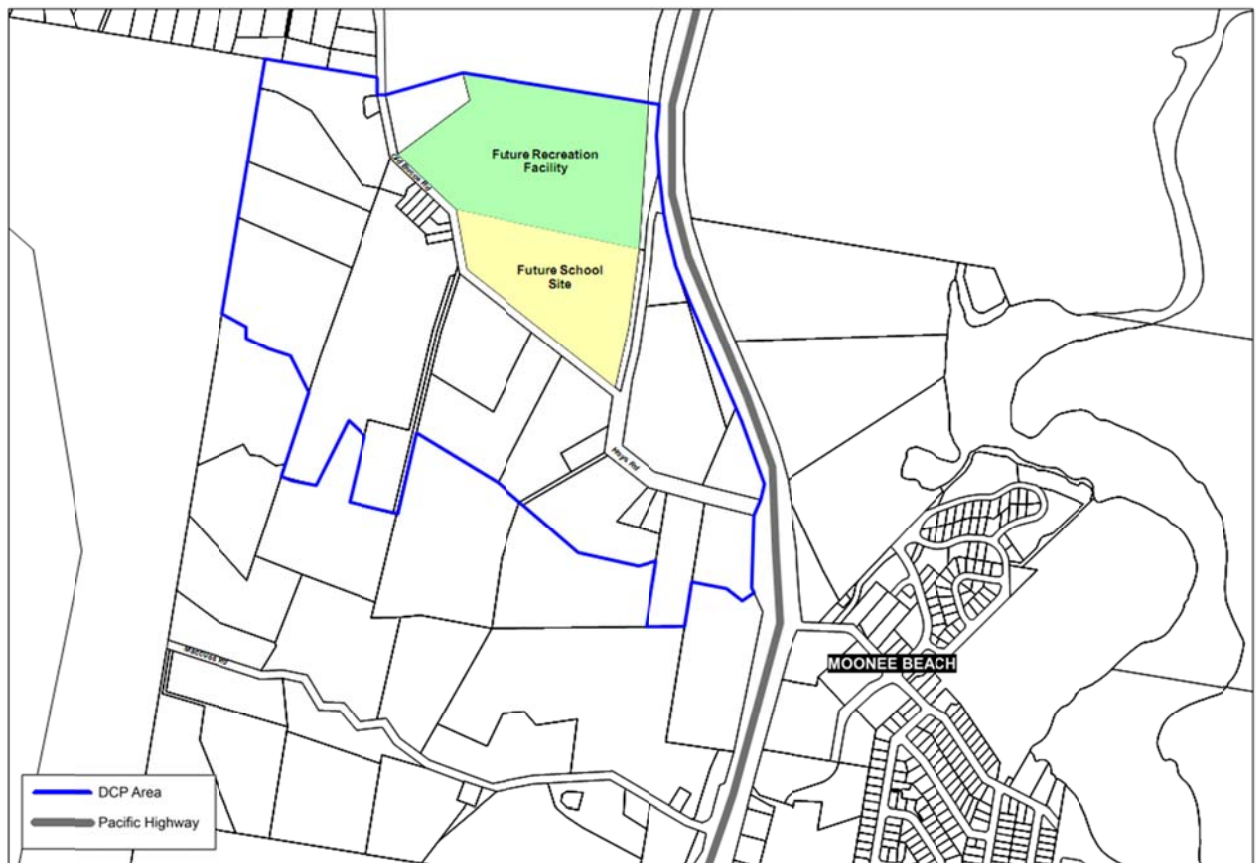


FIGURE 2: ENDANGERED ECOLOGICAL COMMUNITIES

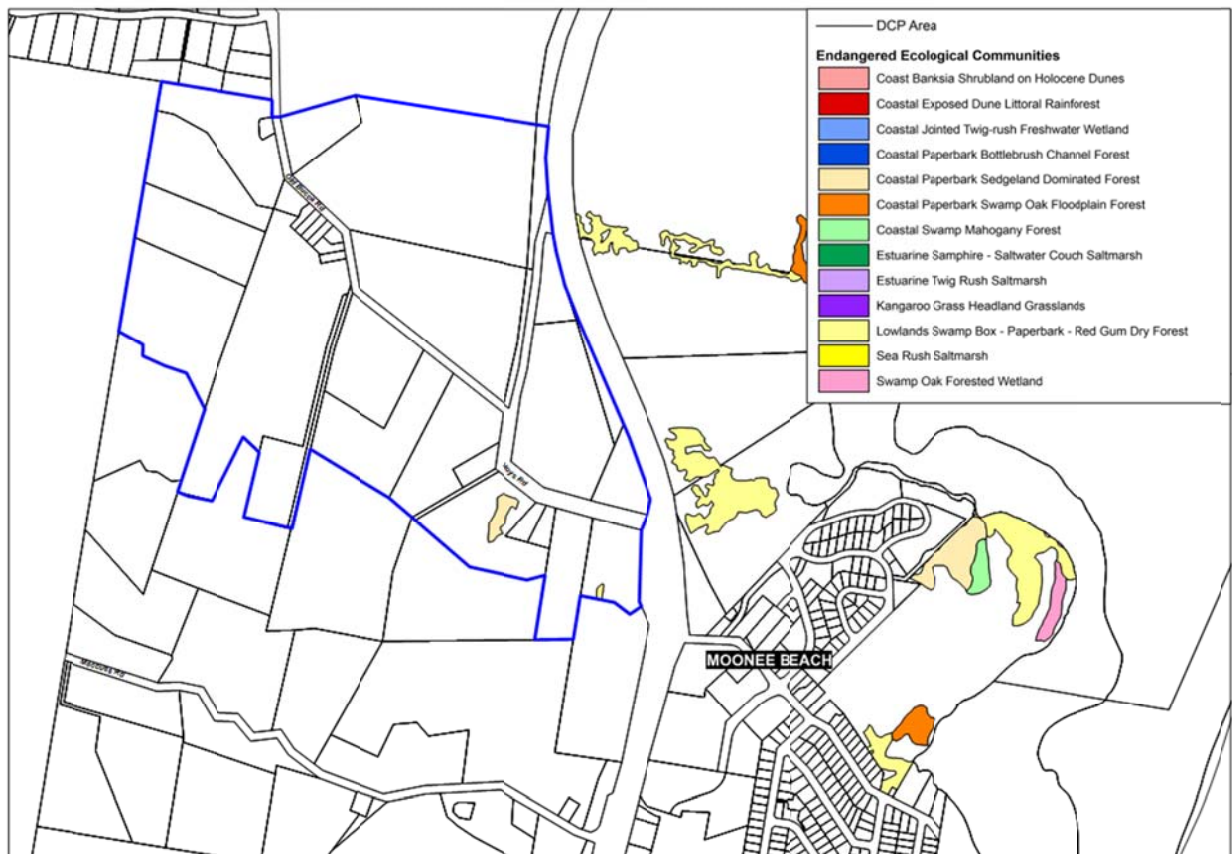


FIGURE 3: KOALA HABITAT MAP

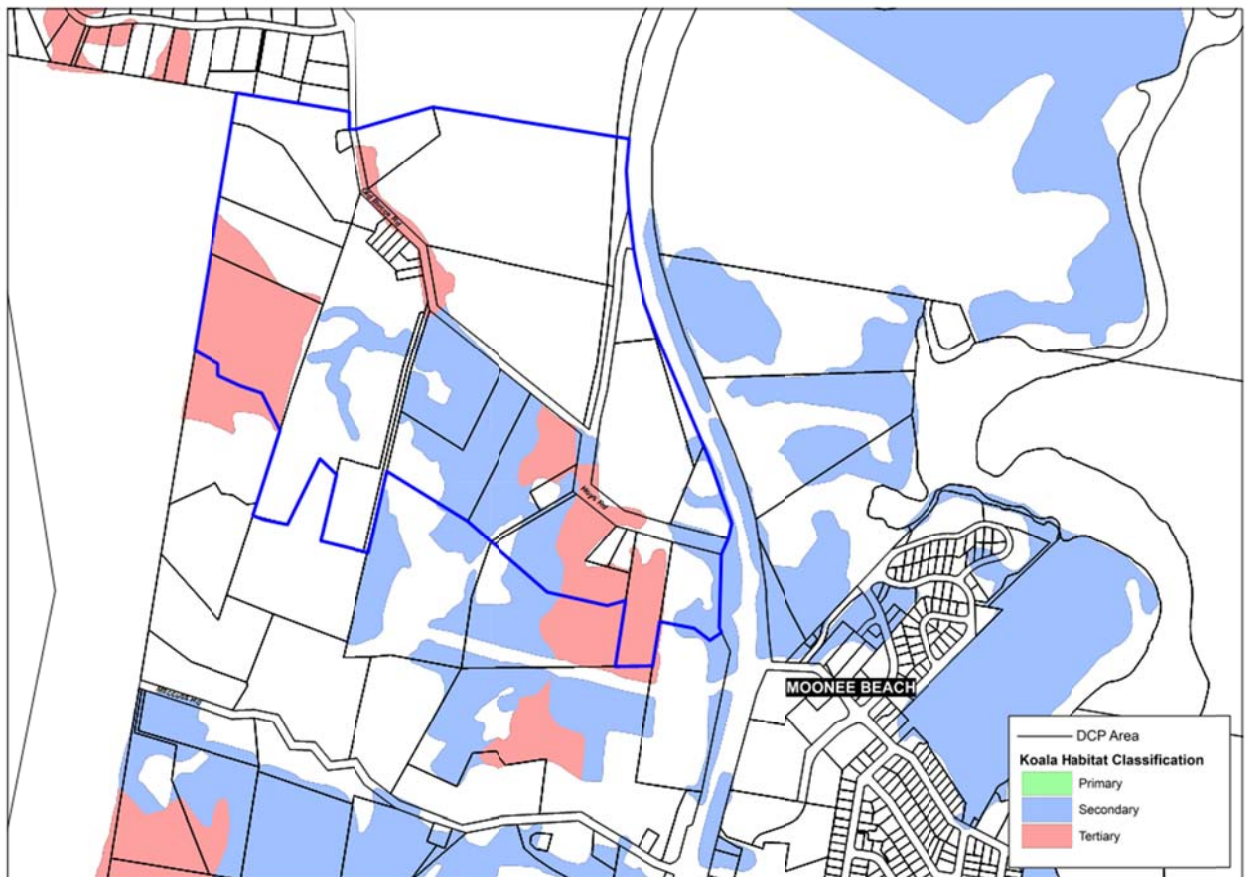


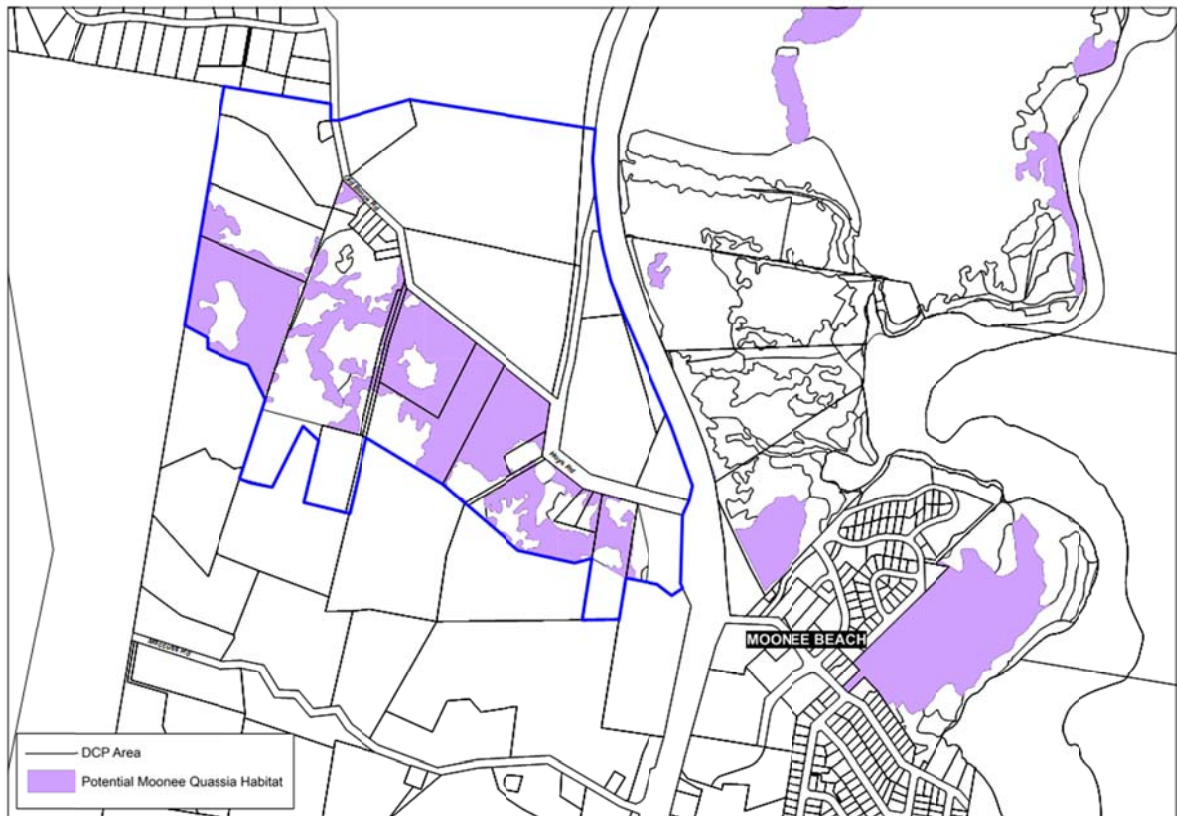
FIGURE 4: POTENTIAL MOONEE QUASSIA HABITAT

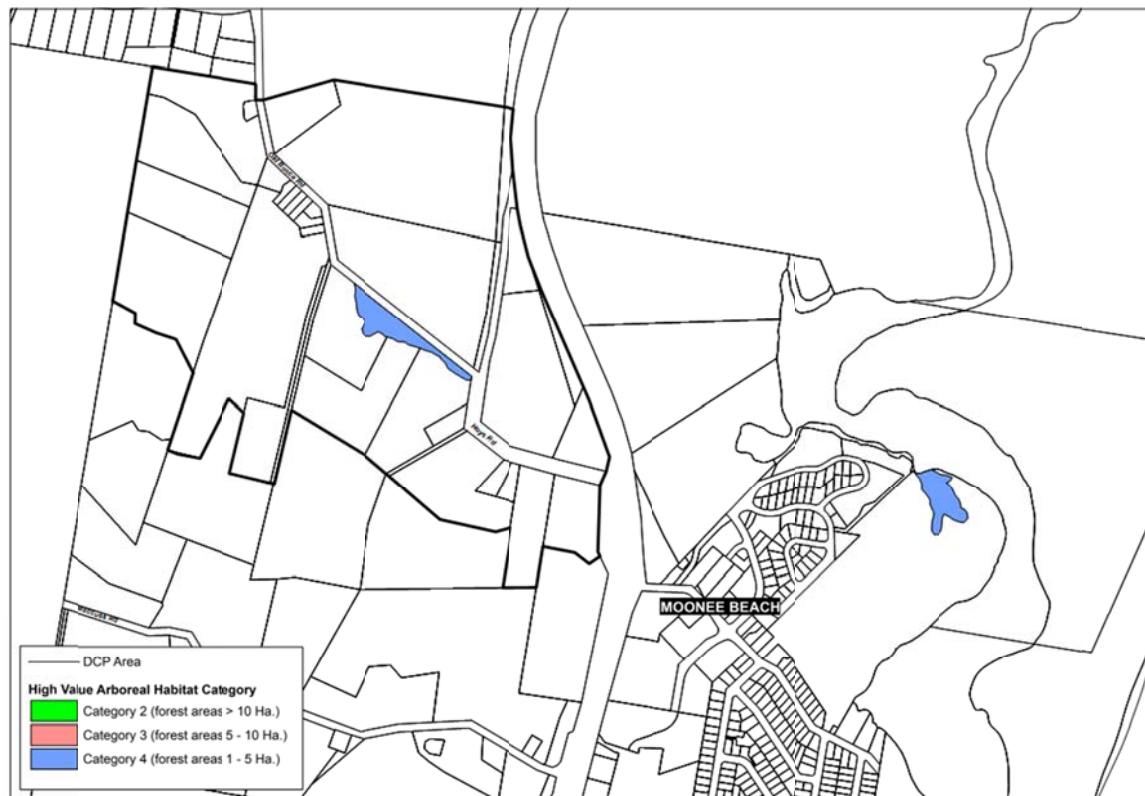
FIGURE 5: HIGH VALUE ARBOREAL HABITAT MAP

FIGURE 6: FINE SCALE VEGETATION MAP

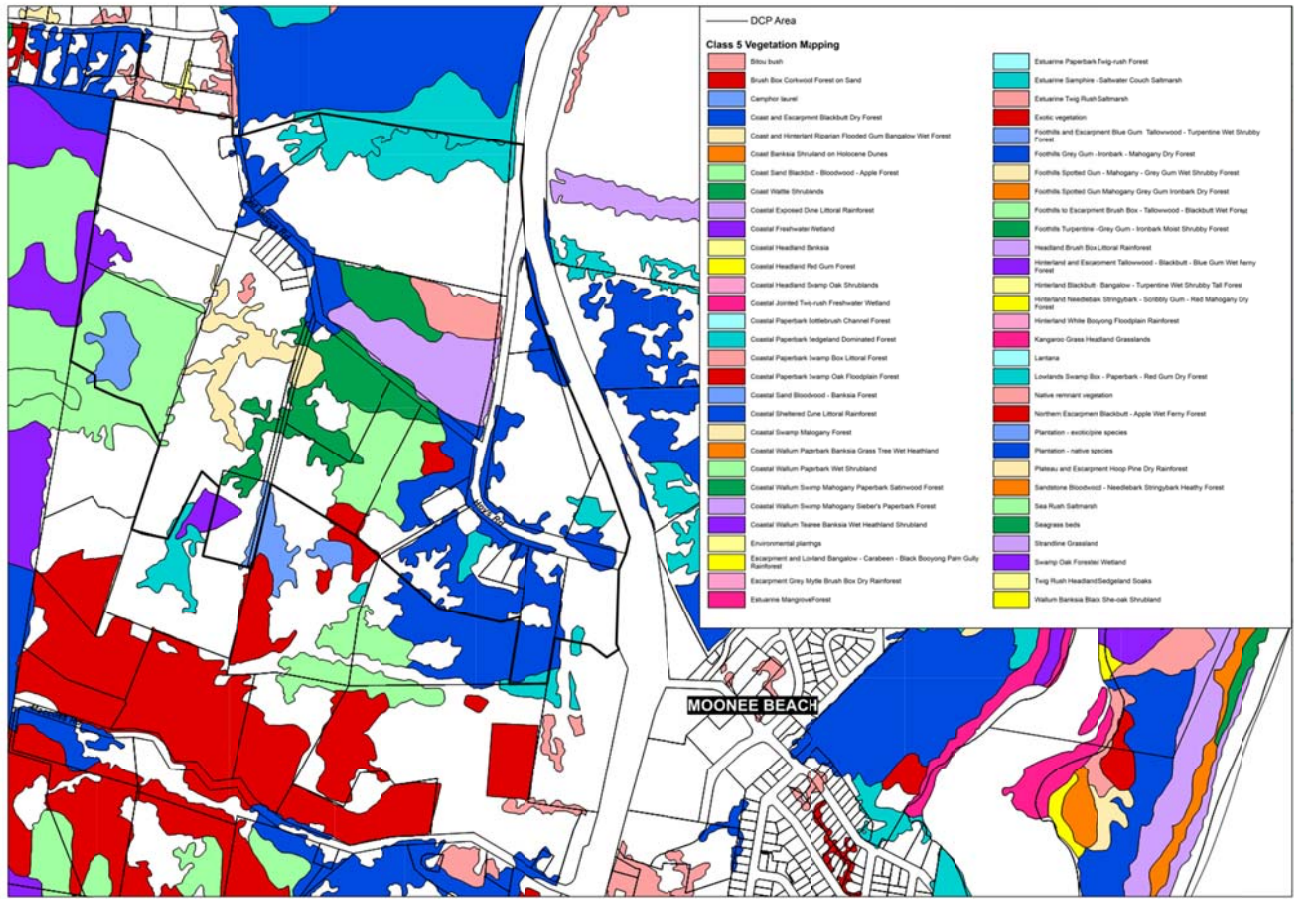


FIGURE 7: DRAFT LANDSCAPE CORRIDORS MAPPING (A RESOURCE TOOL, NOT POLICY AS IT HAS BEEN EXHIBITED BUT NOT ADOPTED BY COUNCIL).

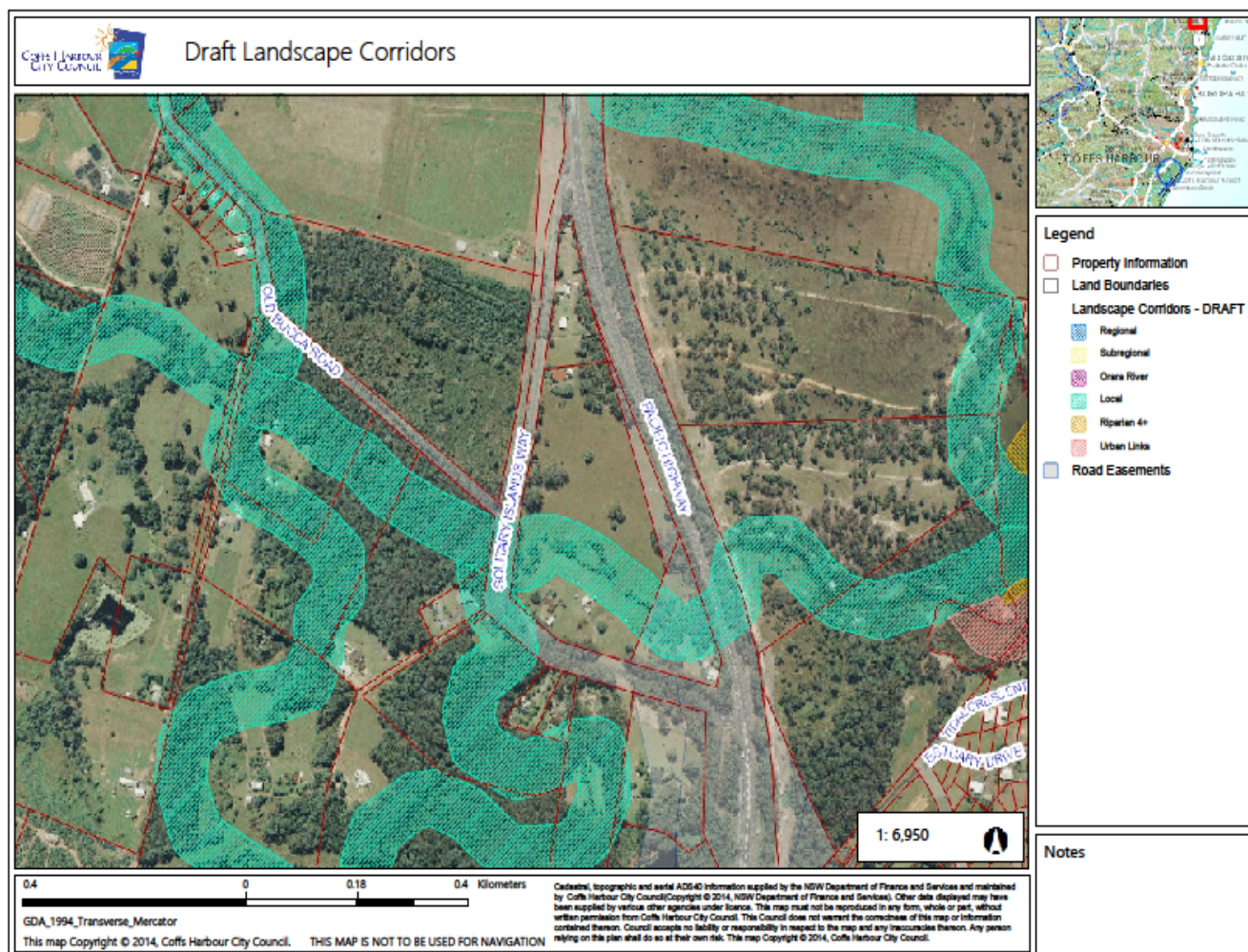


FIGURE 8: BUSHFIRE MAP

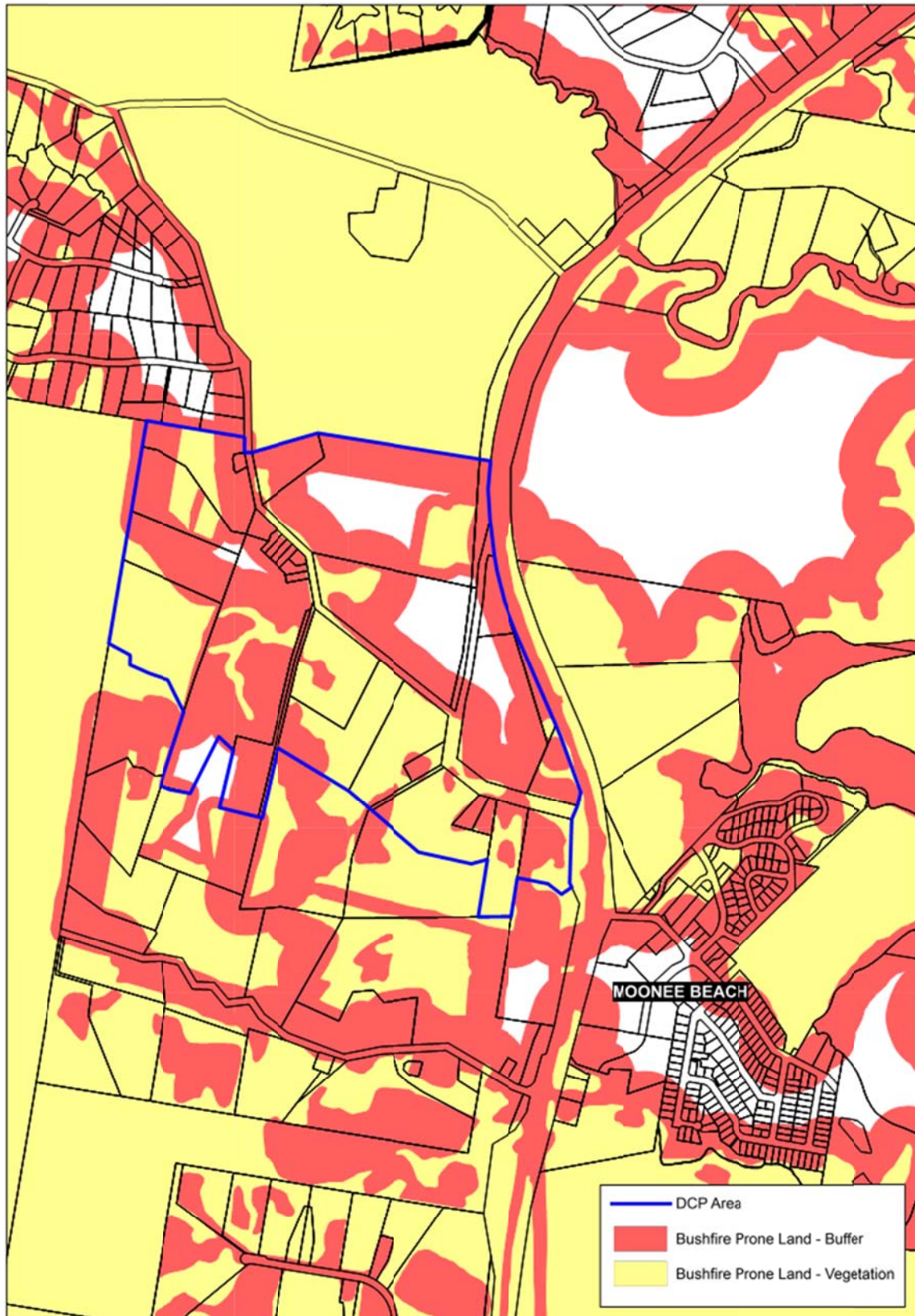


FIGURE 9: FLOOD PLANNING AREA

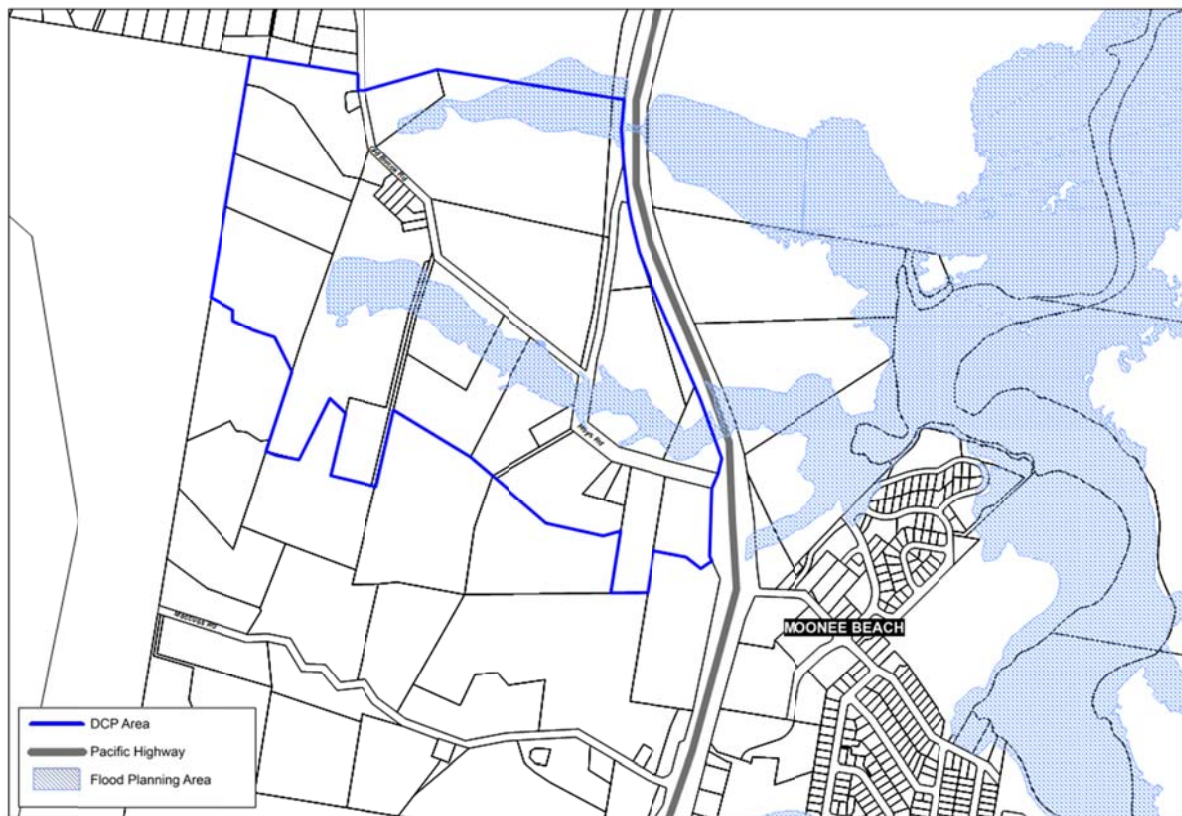


FIGURE 10: MASTER PLAN

