

PLANNING PROPOSAL

DEFERRED AREAS FROM COFFS HARBOUR LOCAL ENVIRONMENTAL PLAN 2013 - HEARNES LAKE/SANDY BEACH, EMERALD BEACH AND MOONEE BEACH AREAS

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Contact

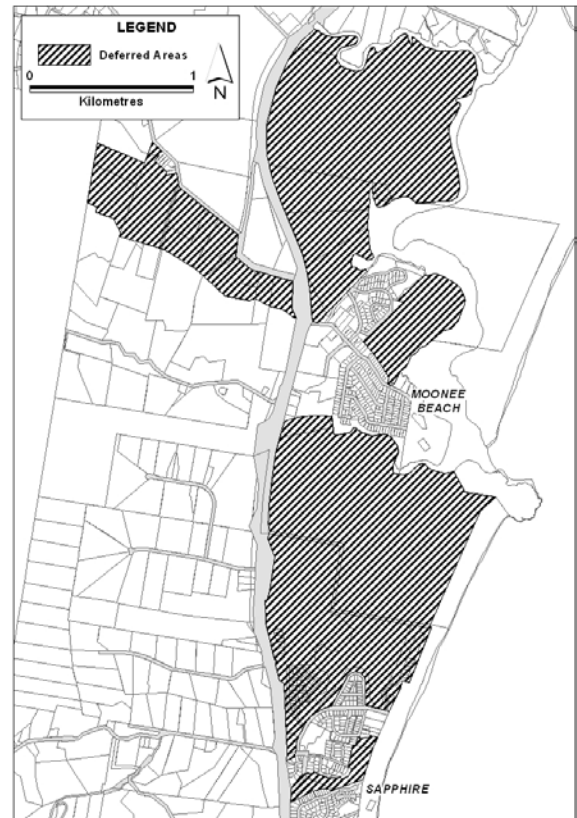
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Summary

This Planning Proposal is for the rezoning of lands previously deferred when Coffs Harbour Local Environmental Plan (LEP) 2013 was made. The Planning Proposal will facilitate the orderly development of the subject lands which are located at Hearn's Lake/Sandy Beach, Emerald Beach and Moonee Beach (see maps below).



The main purpose of the Planning Proposal and associated documents is to provide consistency in the decision making process throughout the Coffs Harbour Local Government Area (LGA). NSW Planning and Environment (P&E) would be aware that the Deferred Areas are still governed by the provisions of Coffs Harbour City LEP 2000 because these lands were excluded from Coffs Harbour LEP 2013 on 13 December 2012 until further environmental work was undertaken to guide zone footprints to be applied to the lands.

Monteath and Powys, in association with David Broyd Consulting Services Pty Ltd, were engaged by Council to prepare the necessary documentation to best determine appropriate zones for the Deferred Areas. An up-to-date environmental study has been prepared (provided as an attachment to Council report) to address the environmental, social and economic issues associated with the Deferred Areas, as well as provide a justification for the Planning Proposal. Further, it provides an assessment of the general suitability of the area for development purposes and the appropriateness of zonings that would be complementary to surrounding areas. Draft Development Control Plans (DCPs) and Section 94 Developer Contributions Plans have also been prepared to provide further clarity for development in the study area. These will be publicly exhibited with the Planning Proposal and environmental study once a gateway determination has been issued by NSW P&E.

Part 1 - Objectives or Intended Outcomes

The intended outcome of the Planning Proposal is to rezone the subject lands to achieve balanced outcomes for the social, economic and environmental factors prevalent in the study area and to bring these lands under the provisions of Coffs Harbour LEP 2013. It should be noted that a number of the outcomes of the Planning Proposal have been substantially based on determinations made under Part 3A of the Environmental Planning and Assessment (EP&A) Act 1979 for many of the constituent properties. This has been based on NSW P&E's own recommendation to Council on the need to incorporate these determinations in their entirety into the subject Planning Proposal.

To achieve the intended outcome, the Planning Proposal recommends amendments to the Minimum Lot Size and Height of Buildings Maps (see Part 4).

The objectives of the Planning Proposal are to:

- (a) rezone the areas deferred from Coffs Harbour LEP 2013 i.e. Hearnes Lake/Sandy Beach, Emerald Beach, Moonee Beach and Sapphire Beach, for:
 - residential development,
 - environmental conservation and management, and
 - public and private recreation;
- (b) achieve an evidence-based balance between the range of environmental, social and economic issues involved and thereby resolve strongly competing interests of stakeholders;
- (c) enable the implementation of relevant policies and population targets in the Mid North Coast Regional Strategy (MNCRS) for Hearnes Lake/Sandy Beach, Emerald Beach, Moonee Beach and Sapphire Beach; and
- (d) integrate the determinations of development applications (DA) made under Part 3A of the EP&A Act 1979 (as amended).

Part 2 - Explanation of Provisions

The Principal Planning Instrument is Coffs Harbour LEP 2013. However, the subject lands are currently governed by the provisions of Coffs Harbour City LEP 2000. Hence, the need for this Planning Proposal.

Maps of the existing and proposed zones are included in Part 4 of this report.

The following tables provide an explanation of recommended zones and associated minimum lot sizes (MLS) by sub-areas.

Table 1: Recommended Zonings by Sub-Areas

Locality	Recommended Zone(s)	Comments	Part 3A Approval
Hearnes Lake	RE2 Private Recreation R2 Low Density Residential Development E2 Environmental Conservation	RE2 zone currently permits caravan parks. SEPP 14 and vegetated areas zoned for environmental conservation. Development has been identified in this area in previous Council planning documents. However, larger minimum lot sizes are identified in the north-eastern area where more environmentally sensitive areas exist.	Yes MP07_0075 (43 lots) 45 Hearnes Lake Road
Sandy Beach (west)	R2 Low Density Residential E2 Environmental Conservation SP2 Infrastructure	Approved residential development off Solitary Islands Way to be zoned R2. Other areas for potential development are also zoned R2. Land to the immediate west of the Pacific Highway has some environmental constraints and is proposed to be zoned E2. Land in north-eastern corner proposed to be zoned SP2 Infrastructure as part of the Pacific Highway upgrade works. Some vegetation in the southern corner is proposed to be zoned for E2 Environmental Conservation purposes.	Yes MP08_0148 (42 lots) Old Sandy Beach Mill site
Sandy Beach (east)	R2 Low Density Residential E2 Environmental Conservation	Residential development approval under Part 3A of the EP&A Act lands to be predominantly zoned R2 Low Density Residential. There are significant constraints in some parts of this area with an environmental protection zone being considered appropriate. It is noted that a Part 3A modification has been lodged for an additional part of the site to be approved for residential development. This approval has been lodged under the previous zoning. If approved, Council will need to undertake an LEP amendment or preferably NSW P&E request the Minister/DG to amend the zoning as part of the approval. It should be noted that this proposed residential area was previously rejected by the then Department of Planning and Infrastructure and as such has not been identified for residential development. It is	Yes MP05_0083 (280 lots) Concept Approval only

Locality	Recommended Zone(s)	Comments	Part 3A Approval
		considered that if the modification is approved it will be more efficient for the Minister/DG to instigate a new zoning on the site, whereas a DA which is approved by Council as a rezoning would take significantly longer for a Council initiated rezoning than a rezoning instigated by NSW P&E.	
Moonee Beach (north)	R2 Low Density Residential E2 Environmental Conservation RE1 Public Recreation SP2 Infrastructure	Buffers to creek recommended (indicatively 50 metres) and proposed to be zoned E2. Vegetated areas and riparian corridors zoned for environmental conservation purposes. Developable area proposed to be zoned R2. Some slight increase in R2 areas to cater for future infrastructure where appropriate. In general, approximately 20 metres or up to the edge of vegetated areas has been identified. Proposed recreation spaces identified as RE1. SP2 zone in the south west corner for Highway works.	Yes MP 06_0143 (524 lots) Glades Estate
Moonee Beach (west)	R2 Low Density Residential	Areas identified for low density residential development. Some areas may not be fully developed due to ecological issues which will need to be assessed as part of future DAs. However, proposed recreational node and school to the north support consideration for future residential development, as well as previous zoning provisions.	No
Moonee Beach (east)	E2 Environmental Conservation RE1 Public Recreation R2 Low Density Residential	Key stakeholders have identified this as an environmentally sensitive site. It is recommended the site be zoned part E2 and part RE1. The proponent raised the issue of a dwelling on this property. A dwelling house is permissible under this zone, however, would require further detailed assessment from Council given the sensitive nature of the site. The area adjacent to Moonee Creek has been dedicated to Council as part of a DA and is proposed to be zoned RE1. A small existing residential area will maintain a low density residential zone consistent with the approved DA.	No
Emerald Beach (north)	Existing caravan park RE2 Private Recreation Area north of caravan park Part E2 Environmental Conservation and part R2 Low Density Residential Other areas to be zoned E2 Environmental Conservation	The RE2 permits a caravan park whereas the rural zones prohibit them now. Council has recently (26/3/15) refused a 38 lot subdivision for land to the north of Emerald Beach. Stakeholders and residents have raised various issues with respect to the undevelopable potential of the land particularly regarding the environmental constraints. However, it has been concluded that a residential zone is warranted on part of the site. The justification being	No Part 3A revoked

Locality	Recommended Zone(s)	Comments	Part 3A Approval
		<p>consistency with the Section 117 Directions in relation to the fact that the site has been zoned for residential development under Coffs Harbour LEP 2000. Further, it is understood that residential development has been permissible on these lands since 1988, bringing into consideration equity issues given the sites historical zoning provisions. Notwithstanding, there are pertinent issues that need to be adequately addressed on this site before development can occur including flood liability, potential sea level rise impacts, bushfire and visual impacts. It is noted that there is a biobanking agreement applicable to the site as well. Overall, a number of issues were weighed up in coming to the proposed zonings in this area particularly the ecological analysis undertaken as part of this study. It is considered that this is a challenging site, however, at this strategic level it is considered some residential zoning is warranted after balancing up all the issues investigated as part of this study. Larger minimum lot sizes (550 sq m) are also recommended to protect the integrity of the site.</p>	
Sapphire (north)	R2 Low Density Residential E2 Environmental Conservation	<p>Area of approved development to be zoned for low density residential development.</p> <p>Areas adjacent to the watercourse identified for E2.</p> <p>Lot 66 DP551005 is a RMS Biodiversity offset site which is proposed to be zoned for environmental conservation. This land was previously privately owned, however, it is Council's understanding that it is proposed to be incorporated into the Coffs Coast Regional Park. This land is classified as community land.</p>	Yes 130_05_2005 (247 lots)
Sapphire	RE2 Private Recreation E2 Environmental Conservation	<p>Existing caravan park to be rezoned to RE2.</p> <p>Environmentally sensitive areas to be zoned E2.</p>	No

Table 2: Minimum Lot Sizes (MLS) by Sub-Areas

Sub-Area	Minimum Lot Sizes (MLS)	Explanation(s)
Hearnes Lake/Sandy Beach	400m ² ; 3000m ² and 40ha	400m ² is standard MLS for R2 low density residential zoning in LEP 2013. 3000m ² is to ensure good design and development capability given ecological sensitivity in this sector. 40 ha is standard MLS for E2 Environmental conservation zoning in LEP 2013 and in accordance with State policies.
Emerald Beach	550m ² and 40 ha	The 550m ² reflects the DA that was lodged for the site but more importantly reflects the most appropriate MLS for the site given the inherent constraints of the land.
Moonee	400m ² , 600m ² and 40ha	400m ² is standard MLS for R2 low density residential zoning in LEP 2013. Area to the West of the Highway proposed for 600m ² reflecting some of the environmental issues in this area. 40 ha is standard MLS for E2 Environmental conservation zoning in LEP 2013 and in accordance with State policies.
Sapphire Beach	400m ² and 40 ha	400m ² is standard MLS for R2 low density residential zoning in LEP 2013. 40 ha is standard MLS for E2 Environmental conservation zoning in LEP 2013 and in accordance with State policies.

Building heights are proposed to be 8.5 metres maximum for all recommended zones in accordance with current Council policies (see figures in Part 4 of this report).

A draft DCP chapter for the deferred areas has been drafted to be consistent with the Planning Proposal, which is being incorporated into the City Wide DCP at a later stage by Council.

Two draft Developer Contributions Plans - for Hearnes Lake/Sandy Beach and Moonee Beach - have been prepared based upon the recommendations in this Planning Proposal and related estimates of lot/dwelling yields and population growth.

Based on the investigations undertaken as part of the environmental study and other issues (such as the lack of permission from site owners to enter sites) it became evident that there are a number of issues that need to be fully resolved prior to any DAs proceeding in the West Moonee area. The area in West Moonee has been zoned for residential development since 1988. It is well known that there are some environmental issues in this part of the Coffs Harbour LGA; however, the lack of ecological information (mainly due to limited site access) was a matter that required significant consideration. Weighing up all these issues, including potential population growth in the LGA, it was considered that there is sufficient information at this strategic stage of the process to justify maintaining the existing residential zoning in the area. However, it was considered that guidance needs to be provided to the landowners and the community on what information needs to be provided to Council as part of any future DA. This guidance was identified in the form of a site specific draft DCP. To ensure the draft DCP was enacted it was recommended that the LEP include the West Moonee area as a Key Site and include local provisions to ensure that the preparation of a DCP does occur prior to any future DA approvals in this area.

Key Site Provisions

Recommended provisions include:

- Insert in the Dictionary a definition for the Key Sites Map which would be similar to '*Key Sites Map means the Coffs Harbour LEP 2013 Key Sites Map*' (refer to Figure 14).
- Insert in Part 7, after Clause 7.17 of Coffs Harbour LEP 2013, the following clause:

7.18 Development on certain land at West Moonee

- (1) The objectives of this clause are as follows:
 - (a) to ensure that development in West Moonee is in accordance with sound planning principles that recognise the site constraints and incorporate relevant design principles for any future development,
 - (b) to ensure that development in West Moonee provides guidance for the management of land use conflict issues from adjacent agricultural pursuits.
- (2) This clause applies to the following land identified as West Moonee on the *Key Sites Map*.
- (3) Development consent must not be granted for development on land to which this clause applies unless a development control plan that provides for the matters specified in subclause (4) has been prepared for the land.
- (4) The development control plan must make provision for all of the following:
 - (a) a staging plan for the timely and efficient release of urban land, making provision for necessary infrastructure and sequencing,
 - (b) a balance between the residential development yield and infrastructure construction with the ecological attributes, and other constraints (i.e. bushfire, flood liability, water quality, aboriginal heritage, and adjacent State Forest and agricultural activities) which affect West Moonee,
 - (c) a high quality subdivision layout compatible with the attributes and constraints of West Moonee,
 - (d) the protection, maintenance and where appropriate rehabilitation of high conservation value land,
 - (e) the dedication of suitable land of high conservation value which is of significant public benefit.
- (5) Subclause (3) does not apply to development for any of the following purposes:
 - (a) a subdivision for the purpose of a realignment of boundaries that does not create additional lots,
 - (b) a subdivision of land if any of the lots proposed to be created is to be reserved or dedicated for public open space, public roads or any other public or environmental protection purpose,
 - (c) a subdivision of land in a zone in which the erection of structures is prohibited,
 - (d) development of land that is of a minor nature only, if the consent authority is of the opinion that the carrying out of the development would be consistent with the objectives of the zone in which the land is situated.

Part 3 – Justification

Section A - Need for the Planning Proposal

1. Is the planning proposal a result of any strategic study or report?

The need for the Planning Proposal derives from the determination that the subject sites be classified as “Deferred Areas” when Council adopted the then Coffs Harbour draft LEP 2012 on 13 December 2012 (now LEP 2013). No strategic study or report preceded that determination. As a result, Council commissioned that a comprehensive Environmental Assessment to provide strategic foundation for this Planning Proposal be prepared. This would provide a means of resolving the appropriate zones and planning provisions for these deferred areas on sound bases of comprehensive studies and strategic planning, as well as reflecting historical Part 3A determinations. Attachment B shows the location of Part 3 determinations in the Study Area.

Studies reviewed as part of the Environmental Assessment are presented in Attachment A. The Planning Proposal will provide clarity and certainty for land owners and the community for the localities of Hearnes Lake/Sandy Beach, Emerald Beach, Moonee Beach and Sapphire Beach which are currently deferred from LEP 2013. Attachment C outlines the estimated areas for residential and environmental zones by locality in the study area.

2. Is the Planning Proposal the best means of achieving the objectives or intended outcomes, or is there a better way?

Yes, Council considers that this Planning Proposal has been based upon a comprehensive Environmental Assessment providing a strategic foundation as the best means of achieving the objectives and intended outcomes stated previously. Alternatively, the Planning Proposal could follow the review of the broader Our Living City (OLC) Settlement Strategy (now referred to as the Local Growth Management Strategy (LGMS)) but this would incur delays and not necessarily add value to the planning of outcomes for these Deferred Areas. Hence, it is considered that the timing of this Planning Proposal is timely and in the public interest for resolution of these Deferred Areas.

In addition to the above, the Planning Proposal will achieve the following net positive community benefits:

- the provision of clarity and certainty for land owners, interest groups and the community generally in terms of the planning, development and environmental outcomes for these Deferred Areas;
- the implementation of relevant policies in the MNCRS for growth areas in this sector of Coffs Harbour - policies which have a sound foundation in State Government regional planning; and
- the balanced planning for future social, economic and environmental outcomes for the areas which includes some re-zonings for residential development and thereby the timely and potential increase in land supply for housing to respond to regional housing demand.

Section B - Relationship to strategic planning framework.

3. Is the planning proposal consistent with the objectives and actions of the applicable regional or sub-regional strategy (including the Sydney Metropolitan Strategy and exhibited draft strategies)?

The MNCRS applies to the Coffs Harbour LGA.

The MNCRS 2009 was prepared by the then NSW Department of Planning and Infrastructure. The regional strategy identifies Coffs Harbour as a “Major Regional Centre” and Woolgoolga is identified as a “Major Town”. The MNCRS includes growth areas around Sandy Beach, Emerald Beach, Moonee Beach, and Sapphire Beach. This Planning Proposal is generally considered to be consistent with the objectives and actions contained in the MNCRS with the exception of the land north of Emerald Beach. This land has been zoned for residential purposes since the 1980’s and as such would not be considered a growth area in the MNCRS. The environmental study has justified the retention of a residential zone to part of the site after taking into consideration the environmental, social and economic issues.

The Mid North Coast Farmland Mapping Project was prepared in 2009 to identify the most important areas of farmland that should be protected from urban and rural residential development. The project, undertaken by the NSW Department of Planning and Infrastructure in consultation with farmers, identifies areas of regionally significant farmland in the six LGAs of Port Macquarie-Hastings, Kempsey, Nambucca, Coffs Harbour, Bellingen and Clarence Valley. The basic aim of the project was to ensure regionally significant farmland is not identified for future urban development. A review of the mapping concludes that no regionally significant farmland is identified in the Deferred Areas and hence the Planning Proposal is consistent with this project.

The NSW Coastal Policy is highly relevant and includes a range of goals and strategic actions with which this Planning Proposal is consistent.

4. Is the planning proposal consistent with the council’s local strategy or local strategic plan?

Council’s OLC Settlement Strategy (interim document) is the local urban growth management strategy and was endorsed by Coffs Harbour City Council on 5 July 2007. However, in November 2010 Council amended this Settlement Strategy to reflect the findings of the final MNCRS and the advice of the Director General. This city wide strategy embraces the vision adopted by Council and the community, and aims to direct the community’s aspirations into strategic actions for future development and growth to 2031. The OLC Settlement Strategy is based on the “triple bottom line” objectives of environmental, economic and social sustainability, implements the MNCRS for Coffs Harbour and connects to the Council’s vision of a healthy, smart and cultural city.

Council has recently adopted Stage 1 of the LGMS which undertook a Land Capacity Assessment Audit. This Audit essentially concluded that Council has sufficient land zoned for all purposes except industrial until at least 2031. The LGMS is now Council’s most significant strategy document.

In 2009 Council adopted a 20 year *Community Strategic Plan (2030)*. This Plan is based on five key themes being:

1. Learning and Prospering,
2. Places for Living,
3. Moving Around,
4. Looking After our Community, and
5. Looking After our Environment.

This Planning Proposal is generally consistent with the following relevant objectives:

Objective: LC3 We have strong civic leadership and governance.

Strategy: LC3.1 Council supports the delivery of high quality, sustainable outcomes for Coffs Harbour.

By implementing the recommendations contained in this Planning Proposal, Council is ensuring its strategic planning documents ensure transparency and accountability in local government. Their implementation enables Council to identify and respond to community issues and concerns.

Objective: LE3 Our natural environment and wildlife are conserved for future generations.

Strategy: LE3.2 Enhance protection of our catchments, waterways and marine areas.

By applying environmental protection zones to ecologically sensitive areas and waterways, Council ensures inter-generational equity for future generations as well as ensuring the community and all relevant stakeholders comply with its adopted strategic policy documents i.e. Koala Plan of Management, Fine Scale Vegetation Mapping and Estuary Management Plans.

Objective: MA2 We have a system of well-maintained and safe roads for all users.

Strategy: MA2.2 Facilitate safe traffic, bicycle and pedestrian movement.

MA2.3 Reduce the impact of the highway on our community.

By incorporating an overall transport movement hierarchy in the draft DCP for the study area, a simple and safe traffic movement system for private vehicles, public transport, pedestrians and cyclists is achieved. The Sapphire to Woolgoolga Pacific Highway upgrades has rationalised access points onto this main thoroughfare resulting in net community benefits to residents living in the study area and beyond.

Coffs Harbour LEP 2013 was made on 27 September 2013. All of the sites identified as 'Deferred Areas' do not have a specific zoning under LEP 2013. Zonings under Coffs Harbour LEP 2000 continue to apply (refer to Part 4 of this Planning Proposal, Figures 2(a) and 2(b)).

Coffs Harbour DCP 2013 applies to all land within the Coffs Harbour LGA. DCP 2013 does not have a specific area plan that applies to the study area. A draft area-specific DCP has been prepared for the Deferred Areas and will come into effect once the Planning Proposal has been made.

Two draft "Developer Contributions Plans" for Hearnese Lake/Sandy Beach and Moonee Beach Release Areas have also been prepared as part of the Deferred Areas project.

The Coffs Harbour City Rural Residential Strategy 2009, Review of Coffs Harbour Business Centres Hierarchy 2009 and Employment Lands Strategy 2009 were also considered during the preparation of this Planning Proposal.

As a result, by implementing the recommendations contained in this Planning Proposal, Council demonstrates strong civic leadership in its strategic planning documents to ensure transparency and accountability in local government. Their implementation enables Council to identify and respond to community issues and concerns.

5. Is the planning proposal consistent with applicable State Environmental Planning Policies (SEPP)?

The following SEPPs apply to the Deferred Areas and have been considered during the preparation of this Planning Proposal.

Table 3: Consistency/Inconsistency of SEPPS

STATE ENVIRONMENTAL PLANNING POLICY (SEPP)	CONSISTENCY OF THE PLANNING PROPOSAL WITH THE SEPP
<p>SEPP No. 14 – Coastal Wetlands</p> <p>The aim of this policy is to ensure that the coastal wetlands are preserved and protected in the environmental and economic interests of the State.</p>	<p>CONSISTENT</p> <p>SEPP 14 Wetlands exist in Hearnese Lake (see Figure 6(a)) and Moonee Beach (see Figure 6(d)). These lands, as well as buffers to them, have been zoned E2 Environmental Conservation.</p>
<p>SEPP No. 21 – Caravan Parks</p> <p>The aim of this Policy is to encourage:</p> <ul style="list-style-type: none"> (a) the orderly and economic use and development of land used or intended to be used as a caravan park catering exclusively or predominantly for short-term residents (such as tourists) or for long-term residents, or catering for both, and (b) the proper management and development of land so used, for the purpose of promoting the social and economic welfare of the community, and (c) the provision of community facilities for land so used, and (d) the protection of the environment of, and in the vicinity of, land so used. 	<p>CONSISTENT</p> <p>There are two existing caravan parks in the study area and these have been zoned RE2 Private Recreation to reflect their future intended use.</p>
<p>SEPP No. 26 – Littoral Rainforests</p> <p>The aim of this Policy is to provide a mechanism for the consideration of applications for development that is likely to damage or destroy littoral rainforest areas with a view to the preservation of those areas in their natural state.</p>	<p>CONSISTENT</p> <p>SEPP 26 lands exist on land north of Hearnese Lake Road. This land, as well as appropriate buffers, have been zoned E2 Environmental Conservation (see Figure 6(a)).</p> <p>Appropriate buffers will be required for any future development/ works and addressed in preceding applications.</p>
<p>SEPP No. 33 – Hazardous and Offensive Development</p> <p>This Policy aims:</p> <ul style="list-style-type: none"> (a) to amend the definitions of hazardous and offensive industries where used in environmental planning instruments, and (b) to render ineffective a provision of any environmental planning instrument that prohibits development for the purpose of a storage facility on the ground that the facility is hazardous or offensive if it is not a hazardous or offensive storage establishment as defined in this Policy, and (c) to require development consent for hazardous or offensive development proposed to be carried out in the Western Division, and (d) to ensure that in determining whether a development is a hazardous or offensive industry, any measures proposed to be employed to reduce the impact of the development are taken into account, and (e) to ensure that in considering any application to carry out potentially hazardous or offensive development, the consent 	<p>CONSISTENT</p> <p>No hazardous and offensive industries are proposed or affected by this Planning Proposal.</p>

STATE ENVIRONMENTAL PLANNING POLICY (SEPP)	CONSISTENCY OF THE PLANNING PROPOSAL WITH THE SEPP
<p>authority has sufficient information to assess whether the development is hazardous or offensive and to impose conditions to reduce or minimise any adverse impact, and</p> <p>(f) to require the advertising of applications to carry out any such development.</p>	
<p>SEPP No. 36 – Manufactured Home Estates (MHEs)</p> <p>The aims of this Policy are:</p> <p>(a) to facilitate the establishment of manufactured home estates as a contemporary form of medium density residential development that provides an alternative to traditional housing arrangements, and</p> <p>(b) to provide immediate development opportunities for manufactured home estates on the commencement of this Policy, and</p> <p>(c) to encourage the provision of affordable housing in well-designed estates, and</p> <p>(d) to ensure that manufactured home estates are situated only in suitable locations and not on land having important resources or having landscape, scenic or ecological qualities that should be preserved, and</p> <p>(e) to ensure that manufactured home estates are adequately serviced and have access to essential community facilities and services, and</p> <p>(f) to protect the environment surrounding manufactured home estates, and</p> <p>(g) to provide measures which will facilitate security of tenure for residents of manufactured home estates.</p>	<p>CONSISTENT</p> <p>There are three caravan parks in the study area at Hearnese Lake, Emerald Beach and Sapphire Beach which include some mobile homes (or manufactured homes). All sites are proposed to be zoned RE2 Private Recreation which will allow for future MHEs as well as caravan parks.</p> <p>It should be noted that these lands are privately owned and hence do not require any reclassification.</p>
<p>SEPP No. 55— Remediation of Land (SEPP 55)</p> <p>This Policy aims to promote the remediation of contaminated land for the purpose of reducing the risk of harm to human health or any other aspect of the environment:</p> <p>(a) by specifying when consent is required, and when it is not required, for a remediation work, and</p> <p>(b) by specifying certain considerations that are relevant in rezoning land and in determining development applications in general and development applications for consent to carry out a remediation work in particular, and</p> <p>(c) by requiring that a remediation work meet certain standards and notification requirements.</p>	<p>CONSISTENT</p> <p>Some sites have been previously identified as having potential contamination because of past agricultural uses. It is recommended that any proposed future development potentially affected by contamination must be subject to a contamination study, outline the resultant remediation work in accordance with SEPP 55 and the associated Guidelines. Relevant Part 3A Approvals all provided specific contamination and remediation works consistent with SEPP 55 requirements.</p>
<p>SEPP No. 71—Coastal Protection</p> <p>This Policy aims:</p> <p>(a) to protect and manage the natural, cultural, recreational and economic attributes of the New South Wales coast, and</p> <p>(b) to protect and improve existing public access to and along coastal foreshores to the extent that this is compatible with the natural attributes of the coastal foreshore, and</p> <p>(c) to ensure that new opportunities for public access to and along coastal foreshores are identified and realised to the extent that this is compatible with the natural attributes of the coastal foreshore, and</p> <p>(d) to protect and preserve Aboriginal cultural heritage, and Aboriginal places, values, customs, beliefs and traditional knowledge, and</p>	<p>CONSISTENT</p> <p>The subject land is identified within a coastal protection zone. The Planning Proposal is consistent with these aims.</p> <p>In preparing the Planning Proposal, Council must consider a range of matters identified in Clause 8 of the SEPP. A brief response to those is as follows:</p> <ul style="list-style-type: none"> • The Planning Proposal will not affect public access to the coastal foreshore or generate the need to provide new access; • It will not result in impacts upon the scenic qualities of the coast or any animals or fish that occur along the coast.

STATE ENVIRONMENTAL PLANNING POLICY (SEPP)	CONSISTENCY OF THE PLANNING PROPOSAL WITH THE SEPP
<ul style="list-style-type: none"> (e) to ensure that the visual amenity of the coast is protected, and (f) to protect and preserve beach environments and beach amenity, and (g) to protect and preserve native coastal vegetation, and (h) to protect and preserve the marine environment of New South Wales, and (i) to protect and preserve rock platforms, and (j) to manage the coastal zone in accordance with the principles of ecologically sustainable development (within the meaning of section 6 (2) of the Protection of the Environment Administration Act 1991), and (k) to ensure that the type, bulk, scale and size of development is appropriate for the location and protects and improves the natural scenic quality of the surrounding area, and (l) to encourage a strategic approach to coastal management. 	
<p>SEPP (Infrastructure) 2007</p> <p>The aim of this Policy is to facilitate the effective delivery of infrastructure across the State by:</p> <ul style="list-style-type: none"> (a) improving regulatory certainty and efficiency through a consistent planning regime for infrastructure and the provision of services, and (b) providing greater flexibility in the location of infrastructure and service facilities, and (c) allowing for the efficient development, redevelopment or disposal of surplus government owned land, and (d) identifying the environmental assessment category into which different types of infrastructure and services development fall (including identifying certain development of minimal environmental impact as exempt development), and (e) identifying matters to be considered in the assessment of development adjacent to particular types of infrastructure development, and (f) providing for consultation with relevant public authorities about certain development during the assessment process or prior to development commencing. 	<p>CONSISTENT</p> <p>There are potential growth areas adjacent to the Pacific Highway. The RMS will be consulted on future DAs. The RMS have advised that the projections of growth from these Deferred Areas was not factored into the RMS planning and design for the Sapphire to Woolgoolga Highway upgrade.</p>
<p>SEPP (Rural Lands) 2008</p> <p>The aims of this Policy are as follows:</p> <ul style="list-style-type: none"> (a) to facilitate the orderly and economic use and development of rural lands for rural and related purposes, (b) to identify the Rural Planning Principles and the Rural Subdivision Principles so as to assist in the proper management, development and protection of rural lands for the purpose of promoting the social, economic and environmental welfare of the State, (c) to implement measures designed to reduce land use conflicts, (d) to identify State significant agricultural land for the purpose of ensuring the ongoing viability of agriculture on that land, having regard to social, economic and environmental considerations, (e) to amend provisions of other environmental planning instruments relating to concessional lots in rural subdivisions. 	<p>CONSISTENT</p> <p>The Rural Lands SEPP does not directly apply as no land in the Deferred Areas is currently zoned Rural.</p> <p>Certain principles are addressed in detail following on from this table as the land west of the Pacific Highway is recommended to retain a residential zoning (R2 – Low Density) and has DCP provisions recommended to ensure adequate buffers are established adjacent to currently, and potentially productive, adjacent rural land.</p>

Although the Rural Lands SEPP 2008 does not directly apply, the following principles in the Rural Lands SEPP have been taken into account:

- (a) the promotion and protection of opportunities for current and potential productive and sustainable economic activities in rural areas,*
- (b) recognition of the importance of rural lands and agriculture and the changing nature of agriculture and of trends, demands and issues in agriculture in the area, region or State,*
- (c) recognition of the significance of rural land uses to the State and rural communities, including the social and economic benefits of rural land use and development,*
- (d) in planning for rural lands, to balance the social, economic and environmental interests of the community,*
- (e) the identification and protection of natural resources, having regard to maintaining biodiversity, the protection of native vegetation, the importance of water resources and avoiding constrained land,*
- (f) the provision of opportunities for rural lifestyle, settlement and housing that contribute to the social and economic welfare of rural communities,*
- (g) the consideration of impacts on services and infrastructure and appropriate location when providing for rural housing,*
- (h) Ensuring consistency with any applicable regional strategy of the Department of Planning or any applicable local strategy endorsed by the Director-General.*

The importance of rural lands and actual /potential agricultural production as an integral part of this study area has been duly recognised. There is an extended and important history of banana plantations with a significant recent transition to blueberries. The economic and scenic values of these activities have been taken into account in terms of zoning, needs for buffers etc. There are provisions recommended in the DCP to ensure adequate buffers are provided within the land recommended to be zoned R2 Low Density Residential west of the Pacific Highway.

Other SEPPs that were reviewed but are considered to be irrelevant to this Planning Proposal are:

- SEPP 62 Sustainable Aquaculture
- SEPP 64 Advertising and Signage
- SEPP 65 Design Quality of Residential Flat Buildings
- SEPP - Affordable Rental Housing 2009
- SEPP - Housing for Seniors or People with a Disability 2004
- SEPP - Major Development 2005
- SEPP - Mining, Petroleum Production and Extractive Industries 2007
- SEPP - State and Regional Development 2011

6. Is the planning proposal consistent with applicable Ministerial Directions (s.117 directions)

The table below summarises the consistency and inconsistencies of the Planning Proposal with the relevant Section 117 Ministerial Directions.

Table 4: Consistency/Inconsistency of Section 117 Ministerial Directions

SECTION 117(2) DIRECTION Title, Objectives and what a Planning Proposal must do	CONSISTENCY OF THE PLANNING PROPOSAL – Council comments
1. Employment and Resources	
<p>1.1 Business and Industrial Zones</p> <p>The objectives of this direction are to:</p> <ul style="list-style-type: none"> (a) encourage employment growth in suitable locations, (b) protect employment land in business and industrial zones, and (c) support the viability of identified strategic centres. <p>A planning proposal must:</p> <ul style="list-style-type: none"> (a) give effect to the objectives of this direction, (b) retain the areas and locations of existing business and industrial zones, (c) not reduce the total potential floor space area for employment uses and related public services in business zones, (d) not reduce the total potential floor space area for industrial uses in industrial zones, and (e) ensure that proposed new employment areas are in accordance with a strategy that is approved by the Director-General of the Department of Planning. 	<p>CONSISTENT</p> <ul style="list-style-type: none"> (a) The Planning Proposal continues to provide for employment growth in the Moonee Town Centre. (b) The Planning Proposal retains the location of existing business and industrial zones adjacent to the boundaries of the study area. (c) The Planning Proposal does not impact on floor space areas for employment uses. (d) The Planning Proposal does not affect industrial zones.
<p>1.2 Rural Zones</p> <p>The objective of this direction is to protect the agricultural production value of rural land.</p> <p>A planning proposal must not rezone land from a rural zone to a residential, business, industrial, village or tourist zone.</p>	<p>CONSISTENT</p> <p>No rural zoned lands have been affected by the Planning Proposal. There are some lots (e.g. west of Moonee Beach) of which part are in the study area and parts are not. Those areas zoned for rural uses are not expected to be affected by this Planning Proposal as they have already been zoned RU2 Rural Landscape under Coffs Harbour LEP 2013. There is no regionally significant farmland in the Deferred Areas.</p>
2. Environment and Heritage	
<p>2.1 Environment and Heritage</p> <p>The objective of this direction is to protect and conserve environmentally sensitive areas.</p> <p>A planning proposal shall include provisions that facilitate the protection and conservation of environmentally sensitive areas. A planning proposal that applies to land within an environment protection zone or land otherwise identified for environment protection purposes in a LEP shall not reduce the environmental protection standards that apply to the land (including by modifying development standards that apply to the land). This requirement does not apply to a change to a development standard for minimum</p>	<p>CONSISTENT</p> <p>This Planning Proposal does not remove environmental protection zones. In fact, there is an increase in the amount of land recommended for conservation purposes as a result of this Planning Proposal. Please refer to Attachment C: Estimated Areas for Residential and Environmental Zones by Locality.</p>

SECTION 117(2) DIRECTION Title, Objectives and what a Planning Proposal must do	CONSISTENCY OF THE PLANNING PROPOSAL – Council comments
lot size for a dwelling in accordance with clause (5) of Direction 1.5 “Rural Lands”.	
<p>2.2 Coastal Protection</p> <p>The objective of this direction is to implement the principles in the NSW Coastal Policy.</p> <p>A planning proposal shall include provisions that give effect to and are consistent with:</p> <ul style="list-style-type: none"> (a) the <i>NSW Coastal Policy: A Sustainable Future for the New South Wales Coast 1997</i>, and (b) the <i>Coastal Design Guidelines 2003</i>, and (c) the manual relating to the management of the coastline for the purposes of section 733 of the <i>Local Government Act 1993</i> (the <i>NSW Coastline Management Manual 1990</i>). 	<p>CONSISTENT</p> <p>Land that applies to this Planning Proposal is located within the coastal zone.</p> <p>The Planning Proposal will give effect to the NSW Coastal Policy. It will not affect public access to the coastal foreshore or generate the need to provide new access; it will not result in impacts upon the scenic qualities of the coast or any animals or fish that occur along the coast.</p> <p>The Planning Proposal will not alter the relevance or effect the Coastal Design Guidelines.</p>
<p>2.3 Heritage Conservation</p> <p>The objective of this direction is to conserve items, areas, objects and places of environmental heritage significance and indigenous heritage significance.</p> <p>A planning proposal shall contain provisions that facilitate the conservation of:</p> <ul style="list-style-type: none"> (a) items, places, buildings, works, relics, moveable objects or precincts of environmental heritage significance to an area, in relation to the historical, scientific, cultural, social, archaeological, architectural, natural or aesthetic value of the item, area, object or place, identified in a study of the environmental heritage of the area, (b) Aboriginal objects or Aboriginal places that are protected under the <i>National Parks and Wildlife Act 1974</i>, and (c) Aboriginal areas, Aboriginal objects, Aboriginal places or landscapes identified by an Aboriginal heritage survey prepared by or on behalf of an Aboriginal Land Council, Aboriginal body or public authority and provided to the council, which identifies the area, object, place or landscape as being of heritage significance to Aboriginal culture and people. 	<p>CONSISTENT</p> <p>Nothing in this Planning Proposal will stop or inhibit the conservation of heritage items, places or relics or Aboriginal objects or places.</p>
<p>3. Housing, Infrastructure and Urban Development</p>	
<p>3.1 Residential Zones</p> <p>The objectives of this direction are:</p> <ul style="list-style-type: none"> (a) to encourage a variety and choice of housing types to provide for existing and future housing needs, (b) to make efficient use of existing infrastructure and services and ensure that new housing has appropriate access to infrastructure and services, and (c) to minimise the impact of residential development on the environment and resource lands. <p>A Planning Proposal shall include provisions that encourage the provision of housing that will:</p> <ul style="list-style-type: none"> (a) broaden the choice of building types and locations available in the housing market, and (b) make more efficient use of existing infrastructure and services, 	<p>CONSISTENT</p> <ul style="list-style-type: none"> (a) The Planning Proposal encourages a range of housing types throughout the study area. (b) The Planning Proposal does not adversely impact on

SECTION 117(2) DIRECTION Title, Objectives and what a Planning Proposal must do	CONSISTENCY OF THE PLANNING PROPOSAL – Council comments
<p>and</p> <p>(c) reduce the consumption of land for housing and associated urban development on the urban fringe, and</p> <p>(d) be of good design.</p>	<p>existing medium density housing in a well serviced location adjoining the Moonee Shopping Centre.</p> <p>(c) The Planning Proposal helps to facilitate the outcomes of the Moonee and Hearnese Lake DCPs with respect to urban growth.</p> <p>(d) Detailed urban design controls are included in the draft Coffs Harbour DCP 2015 currently on public exhibition.</p>
<p>3.2 Caravan Parks and Manufactured Home Estates</p> <p>The objectives of this direction are:</p> <p>(a) to provide for a variety of housing types, and</p> <p>(b) to provide opportunities for caravan parks and manufactured home estates.</p> <p>In identifying suitable zones, locations and provisions for caravan parks in a Planning Proposal, Council shall:</p> <p>(a) retain provisions that permit development for the purposes of a caravan park to be carried out on land, and</p> <p>(b) retain the zonings of existing caravan parks, or in the case of a new principal LEP zone the land in accordance with an appropriate zone under the Standard Instrument (Local Environmental Plans) Order 2006 that would facilitate the retention of the existing caravan park.</p>	<p>CONSISTENT</p> <p>The Planning Proposal recommends existing caravan parks (in Hearnese Lake and Sapphire Beach) be zoned RE2 Private Recreation which permits these types of uses.</p>
<p>3.3 Home Occupations</p> <p>The objective of this direction is to encourage the carrying out of low-impact small businesses in dwelling houses.</p> <p>Planning Proposals shall permit home occupations to be carried out in dwelling houses without the need for development consent.</p>	<p>CONSISTENT</p> <p>Home based child care and home occupations are permitted without consent in the R2 zone. The Planning Proposal does not change the land use table for home occupations.</p>
<p>3.4 Integrated Land Use and Transport</p> <p>The objective of this direction is to ensure that urban structures, building forms, land use locations, development designs, subdivision and</p> <p>street layouts achieve the following planning objectives:</p> <p>(a) improving access to housing, jobs and services by walking, cycling and public transport, and</p> <p>(b) increasing the choice of available transport and reducing dependence on cars, and</p> <p>(c) reducing travel demand including the number of trips generated by development and the distances travelled, especially by car, and</p> <p>(d) supporting the efficient and viable operation of public transport services, and</p> <p>(e) providing for the efficient movement of freight.</p>	<p>CONSISTENT</p>

SECTION 117(2) DIRECTION Title, Objectives and what a Planning Proposal must do	CONSISTENCY OF THE PLANNING PROPOSAL – Council comments
<p>A Planning Proposal shall locate zones for urban purposes and include provisions that give effect to and are consistent with the aims, objectives and principles of:</p> <p>(a) <i>Improving Transport Choice – Guidelines for planning and development</i> (DUAP 2001), and</p> <p>(b) <i>The Right Place for Business and Services – Planning Policy</i> (DUAP 2001).</p>	<p>Consideration was afforded to the integration of transport and land use into this Planning Proposal. The Environmental Study for the Deferred Areas examines a range of transport services including the road network, implications of the Pacific Highway upgrade, cycling and pedestrian access as well as linkages with the existing Moonee shopping centre.</p>
<p>4. Hazard and Risk</p>	
<p>4.1 Acid Sulfate Soils</p> <p>The objective of this direction is to avoid significant adverse environmental impacts from the use of land that has a probability of containing acid sulfate soils.</p>	<p>CONSISTENT</p> <p>Any areas that are identified as potentially having acid sulfate soils must comply with the provisions of Clause 7.1 of Coffs Harbour LEP 2013. Appropriate assessment has been completed and further assessment will be required as part of any future DA.</p>
<p>4.3 Flood Prone Land</p> <p>The objectives of this direction are:</p> <p>(a) to ensure that development of flood prone land is consistent with the NSW Government’s Flood Prone Land Policy and the principles of the <i>Floodplain Development Manual 2005</i>, and</p> <p>(b) to ensure that the provisions of an LEP on flood prone land is commensurate with flood hazard and includes consideration of the potential flood impacts both on and off the subject land.</p> <p>A Planning Proposal shall include provisions that give effect to and are consistent with the NSW Flood Prone Land Policy and the principles of the <i>Floodplain Development Manual 2005</i> (including the <i>Guideline on Development Controls on Low Flood Risk Areas</i>).</p> <p>A Planning Proposal shall not rezone land within the flood planning areas from Special Use, Special Purpose, Recreation, Rural or Environmental Protection Zones to a Residential, Business, Industrial, Special Use or Special Purpose Zone.</p> <p>A Planning Proposal shall not contain provisions that apply to the flood planning areas which:</p> <p>(a) permit development in floodway areas,</p> <p>(b) permit development that will result in significant flood impacts to other properties,</p> <p>(c) permit a significant increase in the development of that land,</p> <p>(d) are likely to result in a substantially increased requirement for government spending on flood mitigation measures, infrastructure or services, or</p> <p>(e) permit development to be carried out without development consent except for the purposes of agriculture (not including dams, drainage canals, levees, buildings or structures in floodways or high hazard areas), roads or exempt development.</p> <p>A Planning Proposal must not impose flood related development controls above the residential flood planning level for residential</p>	<p>JUSTIFIABLY INCONSISTENT</p> <p>Studies have been completed by landowners and Council to ensure any developments meet the provisions of the NSW Floodplain Development Manual. Any future DAs where flooding is considered an issue will also have to comply with this Manual.</p> <p>It should be noted that some of the Deferred Areas have approvals for development which are identified as being flood prone under some of Council’s flood management strategies. In addition, some of the Deferred Areas that are currently governed by the provisions of Coffs Harbour City LEP 2000 for residential development are also identified in Council’s Flood maps as being flood prone.</p> <p>It is considered that existing approvals on land within the Deferred Areas have adequately addressed flood planning issues as part of the assessment process. In addition, any future DAs will also have to address the Flood Plain Development Manual and provide flood assessments as part of the DA process. Sufficient provisions are already in place to address flood issues. Maps have been provided in the Environmental Study to ensure landowners have an understanding of where flood liable land occurs to ensure it is adequately considered in future DAs. Additional controls are also provided in the area DCP components that have been prepared as an adjunct to this Planning Proposal (these are to be incorporated into Council’s city-wide DCP).</p> <p>It should be noted that there is no increase in residential densities as a result of this Planning Proposal. Where</p>

SECTION 117(2) DIRECTION Title, Objectives and what a Planning Proposal must do	CONSISTENCY OF THE PLANNING PROPOSAL – Council comments
<p>development on land, unless a council provides adequate justification for those controls to the satisfaction of the Director-General (or an officer of the Department nominated by the Director-General).</p> <p>(8) For the purposes of a draft LEP, a council must not determine a flood planning level that is inconsistent with the Floodplain Development Manual 2005 (including the <i>Guideline on Development Controls on Low Flood Risk Areas</i>) unless a council provides adequate justification for the proposed departure from that Manual to the satisfaction of the Director-General (or an officer of the Department nominated by the Director-General).</p>	<p>lands are currently zoned 2A Residential Low Density under the provisions of LEP 2000, they are now proposed to be zoned R2 Low Density Residential under the provisions of LEP 2013. The minimum lot size (MLS) for the bulk of these lands has been recommended to be retained at 400m², however, for lands with high levels of environmental constraints (e.g. West Moonee and land to the north of Emerald Beach), the MLS has been increased to 550m².</p> <p>An approval for a variation to this 117 Direction is requested.</p>
<p>4.4 Planning for Bushfire Protection</p> <p>The objectives of this direction are:</p> <ul style="list-style-type: none"> (a) to protect life, property and the environment from bush fire hazards, by discouraging the establishment of incompatible land uses in bush fire prone areas, and (b) to encourage sound management of bush fire prone areas. <p>In the preparation of a Planning Proposal, a Council shall consult with the Commissioner of the NSW Rural Fire Service under section 62 of the EP&A Act, and take into account any comments so made,</p> <p>A Planning Proposal shall:</p> <ul style="list-style-type: none"> (a) have regard to <i>Planning for Bushfire Protection 2006</i>, (b) introduce controls that avoid placing inappropriate developments in hazardous areas, and (c) ensure that bushfire hazard reduction is not prohibited within the APZ. <p>A Planning Proposal shall, where development is proposed, comply with the following provisions, as appropriate:</p> <ul style="list-style-type: none"> (a) provide an Asset Protection Zone (APZ) incorporating at a minimum: <ul style="list-style-type: none"> (i) an Inner Protection Area bounded by a perimeter road or reserve which circumscribes the hazard side of the land intended for development and has a building line consistent with the incorporation of an APZ, within the property, and (ii) an Outer Protection Area managed for hazard reduction and located on the bushland side of the perimeter road, (b) for infill development (that is development within an already subdivided area), where an appropriate APZ cannot be achieved, provide for an appropriate performance standard, in consultation with the NSW Rural Fire Service. If the provisions of the draft LEP permit Special Fire Protection Purposes (as defined under section 100B of the <i>Rural Fires Act 1997</i>), the APZ provisions must be complied with, (c) contain provisions for two-way access roads which links to perimeter roads and/or to fire trail (d) networks, (e) contain provisions for adequate water supply for firefighting purposes, (f) minimise the perimeter of the area of land interfacing the hazard which may be developed, (g) introduce controls on the placement of combustible materials in the Inner Protection Area. 	<p>CONSISTENT</p> <p>The Planning Proposal will affect areas of land identified as being bushfire prone. However, it will not impact on the existing planning controls that address the issue of bushfire hazard on these lands.</p>

SECTION 117(2) DIRECTION Title, Objectives and what a Planning Proposal must do	CONSISTENCY OF THE PLANNING PROPOSAL – Council comments
5. Regional Planning	
<p>5.1 Implementation of Regional Strategies</p> <p>The objective of this direction is to give legal effect to the vision, land use strategy, policies, outcomes and actions contained in regional strategies.</p> <p>Draft LEPs shall be consistent with a regional strategy released by the Minister for Planning.</p>	<p>JUSTIFIABLY INCONSISTENT</p> <p>This Planning Proposal is for a number of areas ‘deferred’ under Coffs Harbour LEP 2013. Based on the broader population targets presented in the MNCRS, it is considered that the deferred areas will not match the MNCRS targets when a pro-rata base is considered. However, a Stage 1 review of Council’s LGMS, which included a Land Capacity Assessment Audit, has concluded that there is more than sufficient residential zoned land throughout the LGA to cater for the needs of the population until 2031 and beyond. Further, Council is very shortly about to embark on the preparation of a Residential Lands Strategy (Stage 2 review of LGMS) which will provide a review of population yields and residential land controls. This will address the broader MNCRS targets and how these targets will be achieved throughout the LGA.</p> <p>An approval for a variation in this 117 Direction is requested.</p>
6. Local Plan Making	
<p>6.1 Approval and Referral Requirements</p> <p>The objective of this direction is to ensure that LEP provisions encourage the efficient and appropriate assessment of development.</p> <p>A Planning Proposal shall:</p> <ul style="list-style-type: none"> (a) minimise the inclusion of provisions that require the concurrence, consultation or referral of development applications to a Minister or public authority, and (b) not contain provisions requiring concurrence, consultation or referral of a Minister or public authority unless the council has obtained the approval of: <ul style="list-style-type: none"> (i) the appropriate Minister or public authority, and (ii) the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General), prior to a certificate under section 65 of the Act being issued, and (c) not identify development as designated development unless the council: <ul style="list-style-type: none"> (i) can satisfy the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General) that the class of development is likely to have a significant impact on the environment, and (ii) has obtained the approval of the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General) prior to a certificate being issued under section 65 of the Environmental Planning and Assessment Act 1979. 	<p>CONSISTENT</p> <p>No new referral requirements are proposed.</p>
6.2 Reserving Land for Public Purposes	CONSISTENT

SECTION 117(2) DIRECTION Title, Objectives and what a Planning Proposal must do	CONSISTENCY OF THE PLANNING PROPOSAL – Council comments
<p>The objectives of this direction are:</p> <p>(a) to facilitate the provision of public services and facilities by reserving land for public purposes, and</p> <p>(b) to facilitate the removal of reservations of land for public purposes where the land is no longer required for acquisition.</p> <p>A Planning Proposal must not create, alter or reduce existing zonings or reservations of land for public purposes without the approval of the relevant public authority and the Director-General of the Department of Planning (or an Officer of the Department nominated by the Director-General).</p>	<p>All lands proposed under this Planning Proposal to be zoned for public recreational purposes are currently on private land. Council has negotiated the transfer of these lands through dedication via the DA process.</p> <p>The land will be automatically classified “community” as a result of this process and will come into Council’s ownership.</p> <p>The following properties are proposed to be zoned RE1 Public Recreation due to them being dedicated to Council as a result of DA or Part 3A Application:</p> <ul style="list-style-type: none"> • Part Lots 1 and 2, DP725785, Moonee Beach; • Lot 13, DP1189952, Moonee Beach (previously Lot 2, DP1130676); • Lot 200, DP1191172, Sandy Beach (previously Lot 99, DP1165173). <p>Note: As advised previously, the following lands have existing caravan parks on them, are privately owner and will require no reclassification:</p> <ul style="list-style-type: none"> • Lot 31, DP840116, Sapphire Beach; • Lot 31, DP1038983, Emerald Beach; • Lot 106, DP1144462, Hearnese Lake.

Section C – Environmental, social and economic impact.

7. Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected as a result of the proposal?

There are a number of extensive ecological studies completed for sites within the Deferred Areas the subject of applications under Part 3A of the EP&A Act 1979.

An ecological assessment has been prepared for the Environmental Study justifying the preparation of this Planning Proposal by Niche Environment and Heritage (Niche) – (as sub-consultants to Monteath & Powys). The result of the literature review, field survey and GIS interpretation identified the following constraints across the study area.

Eight Threatened Ecological Communities (TECs) were identified:

1. Over cleared vegetation types.
2. Hollow-bearing trees.
3. Wildlife corridors.
4. Areas of candidate old growth forest.
5. Watercourses.
6. Threatened and migratory species, with habitat suitability for at least 31 threatened flora and 61 threatened or migratory fauna.
7. State Environment Planning Policy (SEPP) 14 Coastal Wetlands.
8. SEPP 44 Koala Habitat Protection.

As stated above, the recommendations of the Niche report underpin the proposed zonings as part of this Planning Proposal and are based upon the following principles:

- **Impact Avoidance** - zonings reducing impacts on biodiversity. Avoidance of large patches of vegetation, locations of threatened biodiversity and hollow-bearing trees and the conservation of corridors that link important areas of habitat; and
- **Impact Mitigation** - where impacts from the proposed zoning and development on TECs, threatened species and important habitat features (e.g. hollow-bearing trees) are unavoidable, installation and monitoring and / or the implementation of a bushland regeneration program within conserved vegetation are proposed.

Where native vegetation is to be removed, it is recommended that consideration be given to the provision of formal biodiversity offsets to address residual impacts (e.g. an in perpetuity conservation outcome through the NSW Biodiversity Banking Offsets Scheme). Areas that may be used for offsets include those areas of high biodiversity constraints.

The proposed zonings seek to optimise koala habitat conservation. Should future development proposals potentially impact on koala habitat then the specified provisions/criteria in the Comprehensive Koala Management Plan (CHCC) must be fully adhered to by a proponent and subsequently assessed by the responsible consent authority in accordance with clause 7.8(2) of Coffs Harbour LEP 2013.

This Planning Proposal recognises the need to maintain and protect locally significant links for koalas and to provide resources across the landscape for koalas to maintain normal social behavioural patterns within the population such as dispersal / recruitment of animals, maintenance of male social hierarchy and seasonal responses to habitats' resources.

For regionally significant links, this Planning Proposal provides mechanisms to enhance the effectiveness of the area as a koala habitat link.

The Environmental Study includes an assessment pathway prior to the completion of any further biodiversity investigations. The following options for assessing the proposal's impact on threatened biodiversity in the study area are relevant:

- Impact assessment (i.e. Seven Part Tests under Section 1 Part 5A of the EP&A Act, and EPBC Protected Matters Assessments);
- NSW Bio-Banking Scheme; or
- Biodiversity Certification.

The result of the assessment will determine the need for a Species Impact Statement (SIS) and any referrals to the Commonwealth Government.

Hence, ecological constraints and issues have been identified within the study area including a combination of TECs, OCVTs within areas of SEPP 14 wetlands, and Moonee Quassia Habitat/Potential Moonee Quassia Habitat. These are shown in the constraints mapping Part 4 of this Planning Proposal. Refer to Figures 10 (a) to 10 (d) and 11(a) and 11 (b). Area D (see Figure 11(a)) and Area H (see Figure 11 (b)) generated the greatest portion of high constraints.

8. Are there any other likely environmental effects as a result of the planning proposal and how are they proposed to be managed?

Acid Sulfate Soils:

Areas that are identified as potentially having acid sulfate soils are governed by the provisions of Clause 7.1 of the Coffs Harbour LEP 2013. Appropriate assessment has been completed for this Planning Proposal and further analysis will be required as part of any future DA.

Land Contamination:

There is an extensive history of agriculture, particularly banana plantations, in the study area. A significant amount of potentially contaminated land has been mapped to the west of the Pacific Highway. Some contaminated studies have already been prepared as part of DAs already lodged or Part 3A project applications. This is an important issue that has been addressed in the relevant DCPs prepared as part of this Planning Proposal process as well as in future DAs.

Geotechnical Issues:

There have been a number of geotechnical reports which have been prepared as part of previous DAs and Part 3A project applications. SEPP 55 and related Guidelines together with the appropriate Australian Standards and DCP requirements for minor earthworks and erosion and sediment control will have to be complied with. This is mainly a DA/assessment issue.

Flooding:

Any proposed developments will need to consider appropriate guidelines including the NSW Floodplain Development Manual. Hearnese Lake is an ICOLL and as such this will need to be considered in any proposed development proposals in this area. Council are continually updating flood models in accordance with new modelling techniques and software. As such, any future development proposals will need to consider the most up to date flood modelling and/or flood studies. Current 1% Average Recurrent Interval based mapping can be viewed in Part 4 of this Planning Proposal (refer to Figures 12(a) and 12 (b)).

Council has endorsed (via a Council resolution) a Climate Change policy which adopts a sea level rise benchmark for the Coffs Harbour LGA of a 91cm increase by 2100 (above 1990 mean sea levels). Council are currently undertaking a review of coastal planning provisions in the LGA. This policy has been applied appropriately to underpin this Planning Proposal and will also need to be considered in any future relevant DAs.

Bushfire Risk:

Bushfire management needs to be fully considered for lands within the Deferred Areas. This Planning Proposal acknowledges that relevant provisions and controls have been included in the subsequent DCP prepared for the subject areas. There are several locations within the Deferred Areas where an E2 Environmental Conservation zone is adjacent to a residential zone. The issues of bushfire risk management in these situations have been addressed in Part 4 of this Planning Proposal (refer to Figures 13(a) and 13 (b)).

Aboriginal and European Cultural Heritage:

A review of Coffs Harbour LEP 2013 identifies that there are no European Heritage items within the Deferred Areas.

There are anticipated to be a number of sites of potential Aboriginal cultural significance and identification of these sites via further detailed work and consultation will be required as part of any future DAs.

9. How has the planning proposal adequately addressed any social and economic effects?

• *Social Impacts*

Social sustainability has been addressed in the Planning Proposal by making provision for the following:

- good traffic and transport network;
- water and sewer services;
- public open space;
- opportunities for employment; and
- new residential areas being located in close proximity to existing centres and services.

Further to the above, the Pacific Highway between Coffs Harbour (Sapphire) and Woolgoolga has been upgraded to a dual lane carriageway (in each direction). As part of the upgrade exits and entry points to the proposed Highway are constructed, and as such will dictate egress and access to the areas in this study.

The issue of interconnectivity between the townships within the study area has been evaluated. It is noted that as part of the Highway upgrades there is provision for some 'local' road construction to ensure townships have links to the Pacific Highway. This includes 'local' roads that run adjacent to the Pacific Highway between Graham Drive at Sandy Beach and Sapphire Beach. The only 'local' link road that is not on the eastern side of the Pacific Highway will be between Moonee Beach Road at Moonee Beach and Split Solitary Road in Sapphire Beach, where the link road will be on the western side of the Pacific Highway, but will be able to be accessed from Moonee Beach and Sapphire Beach by overpasses. The outcome of this is then whether any access (pedestrian or vehicle) is required into the future to link northern Sapphire Beach to Moonee Beach on the eastern side of the Pacific Highway.

- ***Civic Leadership***

Over the course of this project, Council will continue to work closely with the community, stakeholders, government authorities, landowners and developers to ensure the outcomes are a clear representation of the views expressed by various stakeholders/groups.

- ***Economic Impacts***

Coffs Harbour has been identified in the MNCRS as a major regional centre. It is estimated that the Gross Regional Product (GRP) is approximately \$2.7 billion which represents about 0.6% of the GSP. The LGA has a significant number of employment generating industries in Coffs Harbour including medical services, tertiary education, tourism and retail, and the airport. The main employment generating industries in the area are retail trade, accommodation and food / services, health care and social assistance, construction, and education and training. These five industry sectors contribute to approximately 57% of the workforce in Coffs Harbour. With an ageing population it is expected as in other LGAs that health care and social assistance oriented jobs will increase as a proportion of the workforce.

Council's economic and business strategies identify the major regional centres near the study area as Coffs Harbour and Woolgoolga with subject townships providing more localised services and facilities. The northern end of the study area is likely to rely more on Woolgoolga for services and facilities, while the southern areas will rely more on Coffs Harbour. It is noted that all areas will generally utilise Coffs Harbour for more regional services (e.g. medical services).

Overall, Coffs Harbour is identified as a major regional centre and it is likely that this function will be enhanced in the future. This underpins anticipated growth in residential demand. The Planning Proposal makes provision for local services for the day-to-day needs of residents.

Section D - State and Commonwealth interests.

10. Is there adequate public infrastructure for the planning proposal?

The majority of the study area is currently serviced by reticulated water and sewer, or servicing plans are in place to provide the entire study area with reticulated water and sewer. Provision for electricity, gas services and telecommunication services is also readily available for future development.

The Pacific Highway is the main thoroughfare linking the study area with Coffs Harbour in the south and Woolgoolga in the north. Access and egress to the townships identified in this Planning Proposal are mainly via the Pacific Highway. Any future development will need to consider the Pacific Highway and how and proposed development addresses the main access and egress points.

11. What are the views of State and Commonwealth public authorities consulted in accordance with the gateway determination?

This Planning Proposal has yet to achieve gateway determination. As a result, formal public consultation and government agency referrals have yet to be undertaken.

However, as part of this project to date, a number of consultations with key stakeholders and Government agencies have been conducted. Letters were sent to all land holders in the deferred areas inviting them (and their representatives) to a meeting on 3 February 2014.

The consultations included:

- Council Officers (August 2013, October 2013, February 2014);
- State Government Agencies (workshop – 4 February 2014);
- Key Stakeholders i.e. land holders and / or their consultants within the deferred areas (3 February 2014);
- Workshops and meetings were held with Council staff across a number of professional disciplines within Council including (but not limited to) engineering (including flood management, water and sewer infrastructure provision), environmental assessment, planning, and developer contributions / section 94.

State Government Agencies' Comments/Feedback

A forum was held on 4 February 2014 with State Government Agencies to ascertain their key issues, concerns and responsibilities for this Planning Proposal. The following agencies were represented:

- Coffs Harbour and District Aboriginal Land Council (CHDALC);
- Office of Environment and Heritage, Coffs Harbour (OEH);
- Department of Primary Industries (Agriculture) (DPI);
- NSW Office of Water (OW);
- Marine Park Authority (MPA).

The forum was also attended by representatives of David Broyd Consulting Services (DBCS), Monteath & Powys (MP) and Coffs Harbour City Council (CHCC). The feedback provided by the abovementioned agencies is summarised below.

The Office of Environment and Heritage (OEH):

- Regional / sub-regional corridors are prevalent in the study area and these require selective enhancement / restoration;
- Major sea level rise issue is apparent at Hearnes Lake and Moonee. Council has adopted the policy of 0.46 metres, sea level rise increase by 2050 and OEH enforce this when giving advice to land owners /developers;
- Moonee quassia is highly endemic to the study area;
- Appropriate buffer distances are highly important as this has been a key issue for the Moonee study area for the last 15 – 20 years;
- OEH will not support any further development on the property: Lots 12 and 13 DP 1189952 as this land contains a number of endangered ecological communities (EECs) and OEH will not allow any more loss of habitat on this site;
- OEH is concerned about access to the beach and this needs to be formalised to a greater extent.

Coffs Harbour and District Aboriginal Land Council (CHDALC):

- Lots 12 and 13 DP 1189952 is a property with an intact Aboriginal site – extensive assessment was undertaken when a 12 lot subdivision was given consent with the residue lot being dedicated to Council at no further cost;
- In the Moonee area there are at least 124 artefacts, one complete intact site and over 200 disturbed sites;
- There has been an Aboriginal land claim over Green Bluff;
- There are 50 midden locations in South Moonee Forest with one of the largest being found in this area;
- Many artefacts are found on the south banks of Moonee Creek Trippetry Property that housed the former Pettina Park, Moonee Shopping Centre and all through Tidal Crescent;
- CHDALC has prepared a study for Mr Barker’s property and this is a well renowned women’s area for gathering;
- The property - Lot 1 and 2, DP 725785 – includes a ridgeline and sites containing volcanic material as well as high valued charred material. “Tommy Two Heads” which has mythological significance is also believed to be present on this site;
- Double Crossing Creek and Hearnes Lake – there is an old Aboriginal camp site located in this area as well as copious amounts of artefacts;
- The south western corner of the property owned by A V Jennings contains six artefact sites;
- CHDALC has grave concerns for Aboriginal artefacts to remain intact if the Sandy Shores development proceeds;
- There are dams on land in the northern part of the Hearnes Lake area containing black quartz which contains pressure flaking qualities and the Elders have traded in this over the years;
- It is important to be proactive in documenting what is found during the rezoning and DA stages;
- Aboriginal cultural heritage is of paramount importance especially in the Hearnes Lake area.

Department of Primary Industries (Agriculture) (DPI):

- It is crucially important to ensure that rural lands are not fragmented further. Development on the western side of the Pacific Highway should be the natural barrier to no further development;
- It is important to check consistency / inconsistency with the Regionally Significant Farmland Mapping;
- Ongoing issues of significance are weeds, chemical sprays, netting and visual impacts;
- The study should have regard to the “frost free horticultural maps”;
- There have been incidents of major land use conflict from the impacts of chemical spraying of blueberries onto residential lands;
- DPI’s preferred option is to remove split zones south of Old Bucca Road, i.e. only RU2 zoned land, not part RU2 / R2 land.

The Office of Water (OW):

- In terms of surface water setbacks, there are significant concessions available and minimum standards can be found on the OW’s website. 40 metres from the top of the high bank for lakes and channels is the current policy position and this is also the policy relative to mean high water mark for tidal waterways;
- OW does not have a concurrence role for Part 3 applications;
- Despite historical policies, the 100 metre buffer is not now a policy required by OW;
- Parts of the Water Management Act have not been consolidated as yet, e.g. flood works approvals (levees and flood gates will require approval);
- Proponents of North Sapphire have recently applied for a Controlled Activity Approval (CAA) and this CAA related to stormwater infrastructure only, not water quality. Riparian zones have been revegetated to a high standard and this is a sufficient buffer;
- EPA are the water quality monitoring and licencing body;
- The definition of “waterfront land” e.g. Emerald Beach and the berm at Hearn’s Lake can be found in the dictionary of the Water Management Act. Again, measurements are usually from the top of the bank of rivers and lakes plus 40 metres.

Consultation was subsequently conducted with a professional representative of DPI - Fisheries and the main issues raised were:

- To ensure that sound planning occurred for water quality and related buffers; it was suggested that more emphasis should be given to water quality in planning controls;
- Satisfaction with 50m buffers was expressed and that additional infrastructure (e.g. water quality design measures) should be between the buffers and the development.

The ***Roads and Maritime Services*** provided a written submission to this Planning Proposal identifying that future development should consider egress and access points to the Highway (and potential impacts at these points), and support for an appropriate zoning on their biodiversity offset site.

Part 4 – Mapping

The maps below seek to provide required supporting information and to fully respond to the Guidelines for Part 4 in the DEP’s “Guide to Preparing Planning Proposals”. It is noted that acid sulfate soils maps and watercourses map as presented in Coffs Harbour LEP 2013 will also be required to be updated. The update of these maps will be based on currently available maps held by Council and State Government agencies.

Figure 1: Location of Deferred Areas under LEP 2013 (the subject lands)



Figure 2(a): Zoning Provisions under Coffs Harbour LEP 2000 (northern areas)

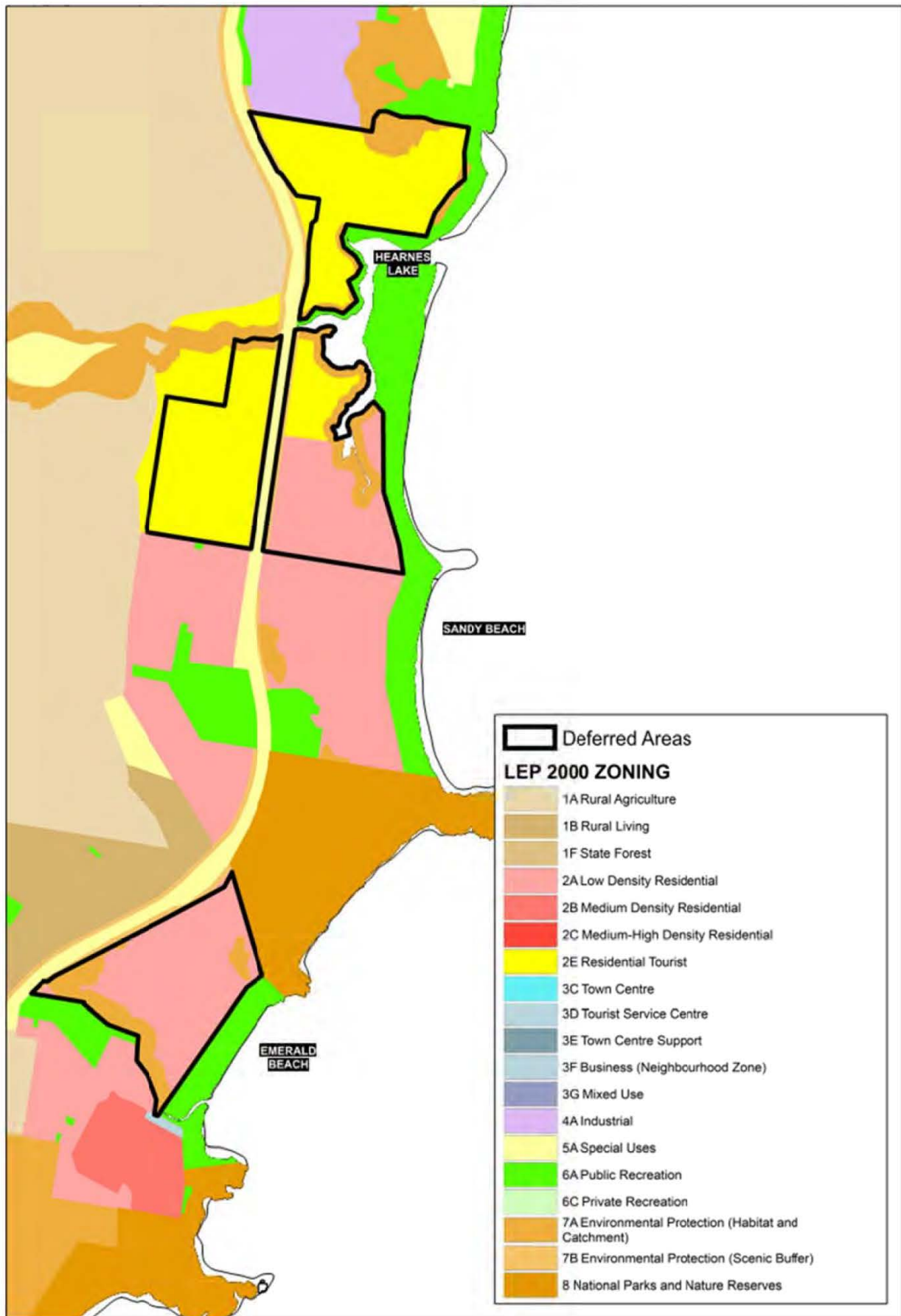


Figure 2(b): Zoning Provisions under Coffs Harbour LEP 2000 (southern areas)

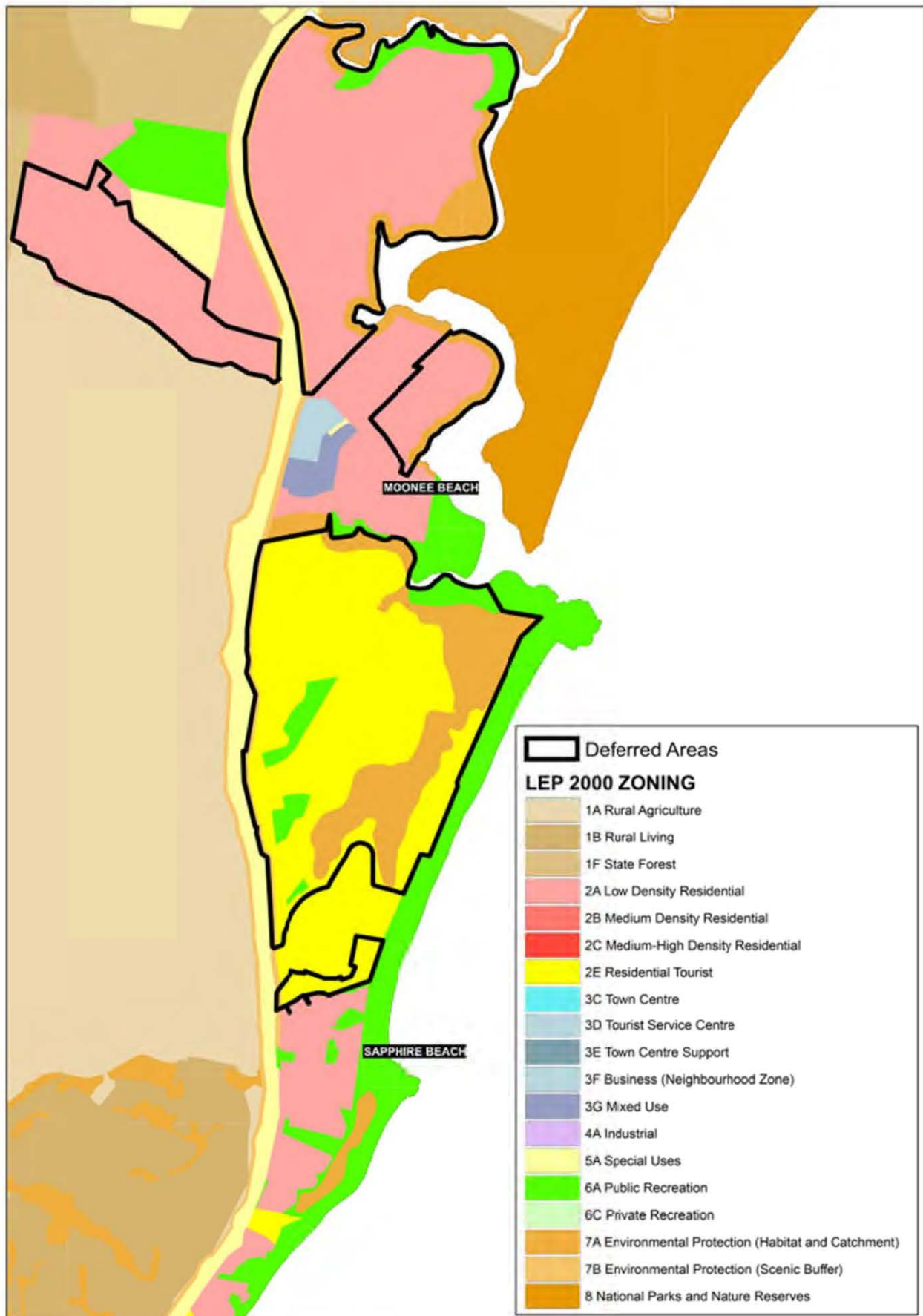


Figure 3: Draft LEP Amendment 24, Coffs Harbour LEP 2000

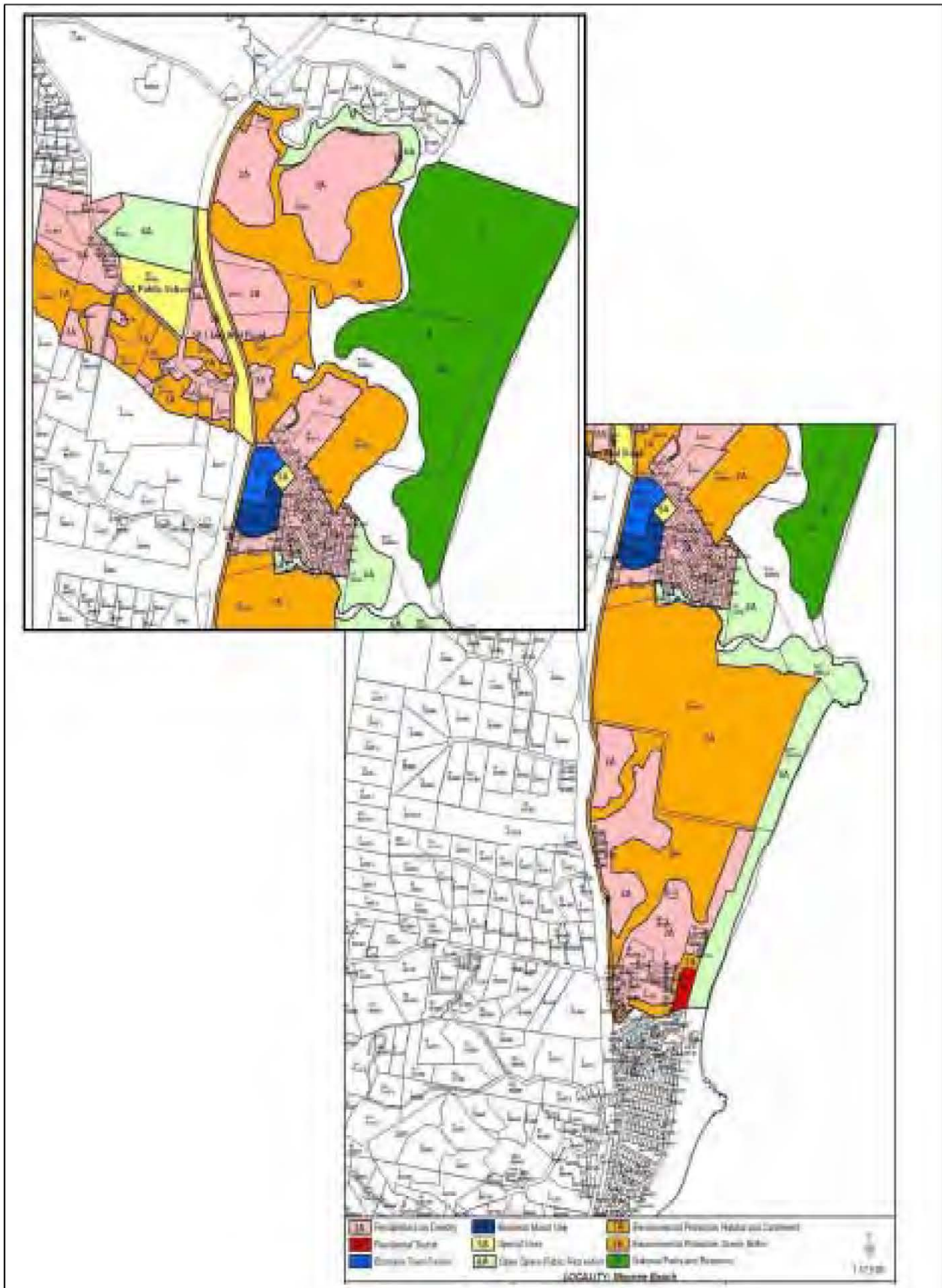


Figure 4: Draft LEP 2000 Amendment 29, Coffs Harbour



Figure 5(a): Current Zoning Provisions under LEP 2013

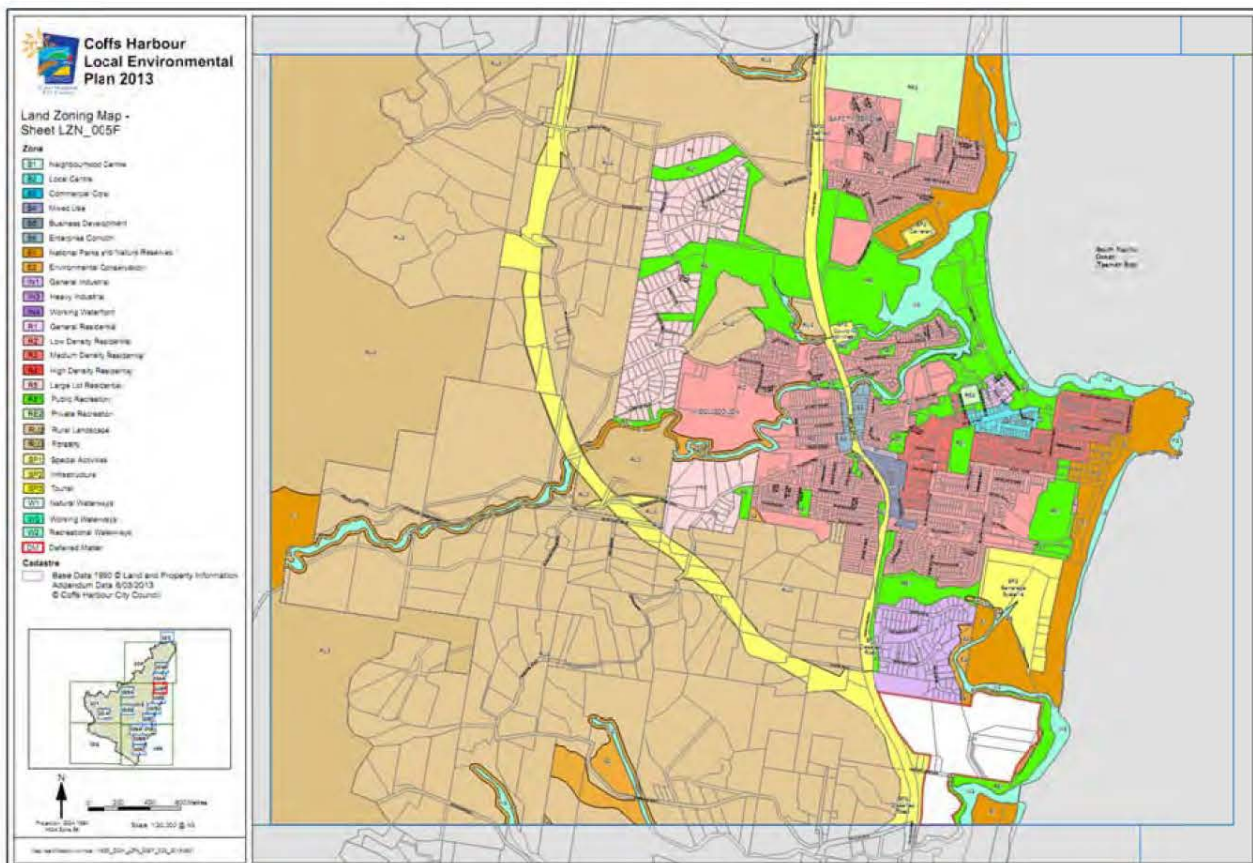
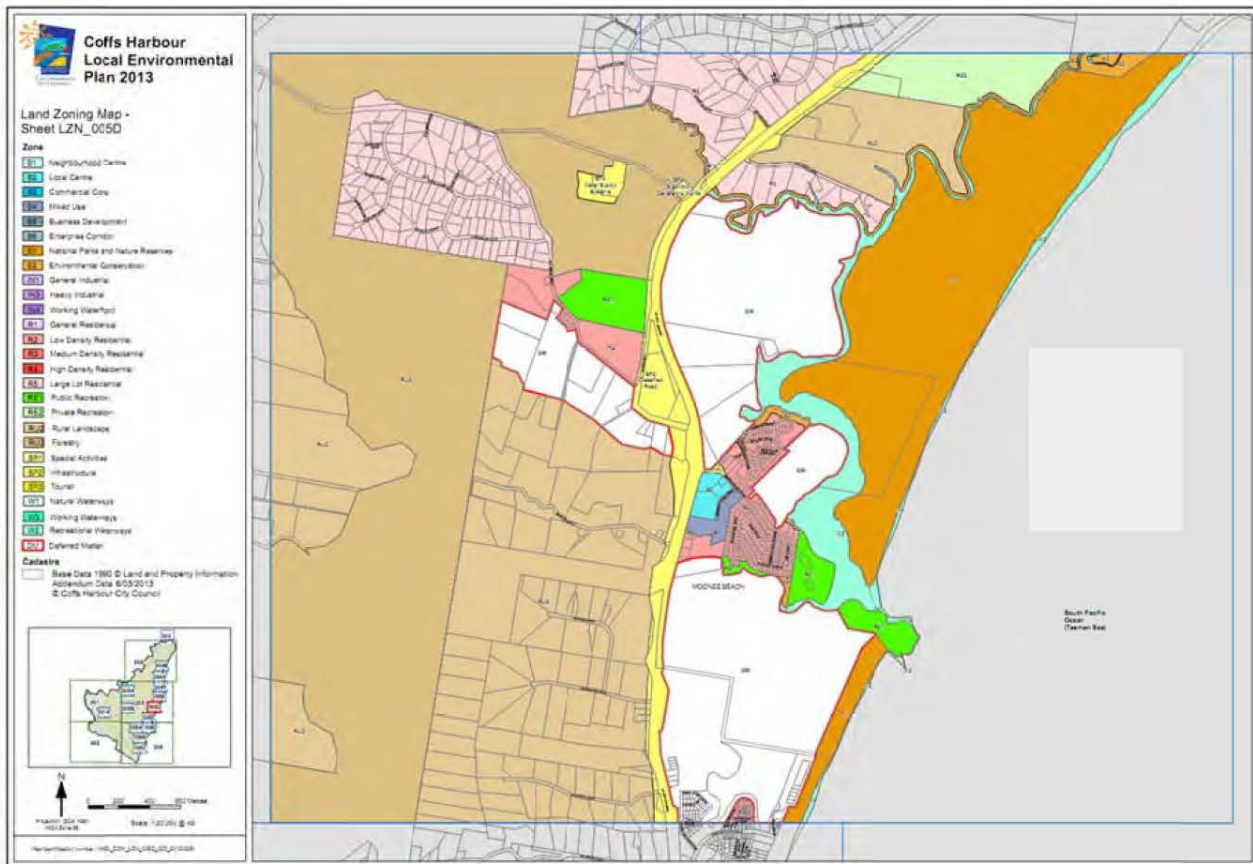


Figure 5(b): Current Zoning Provisions under LEP 2013

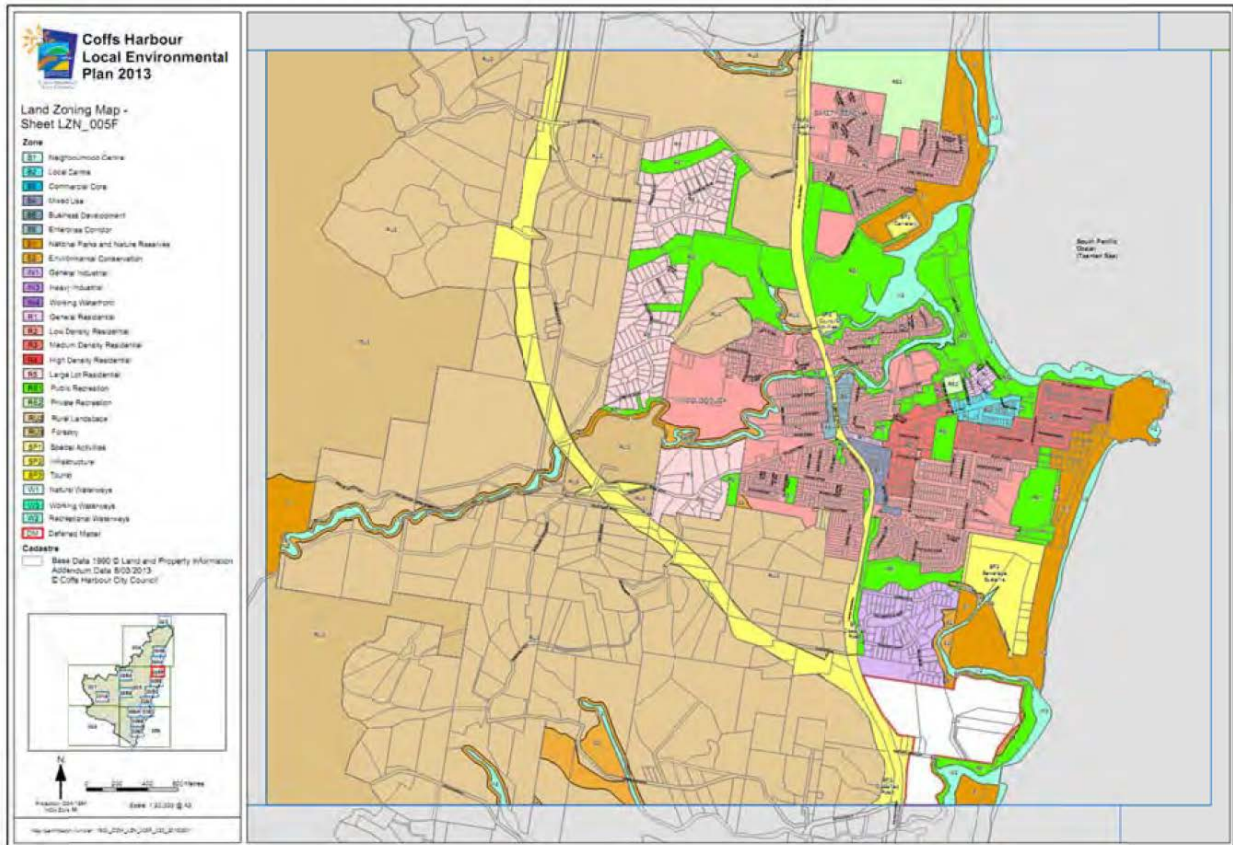


Figure 6 (a): Recommended Zonings in the Planning Proposal: Hearnese Lake/Sandy Beach

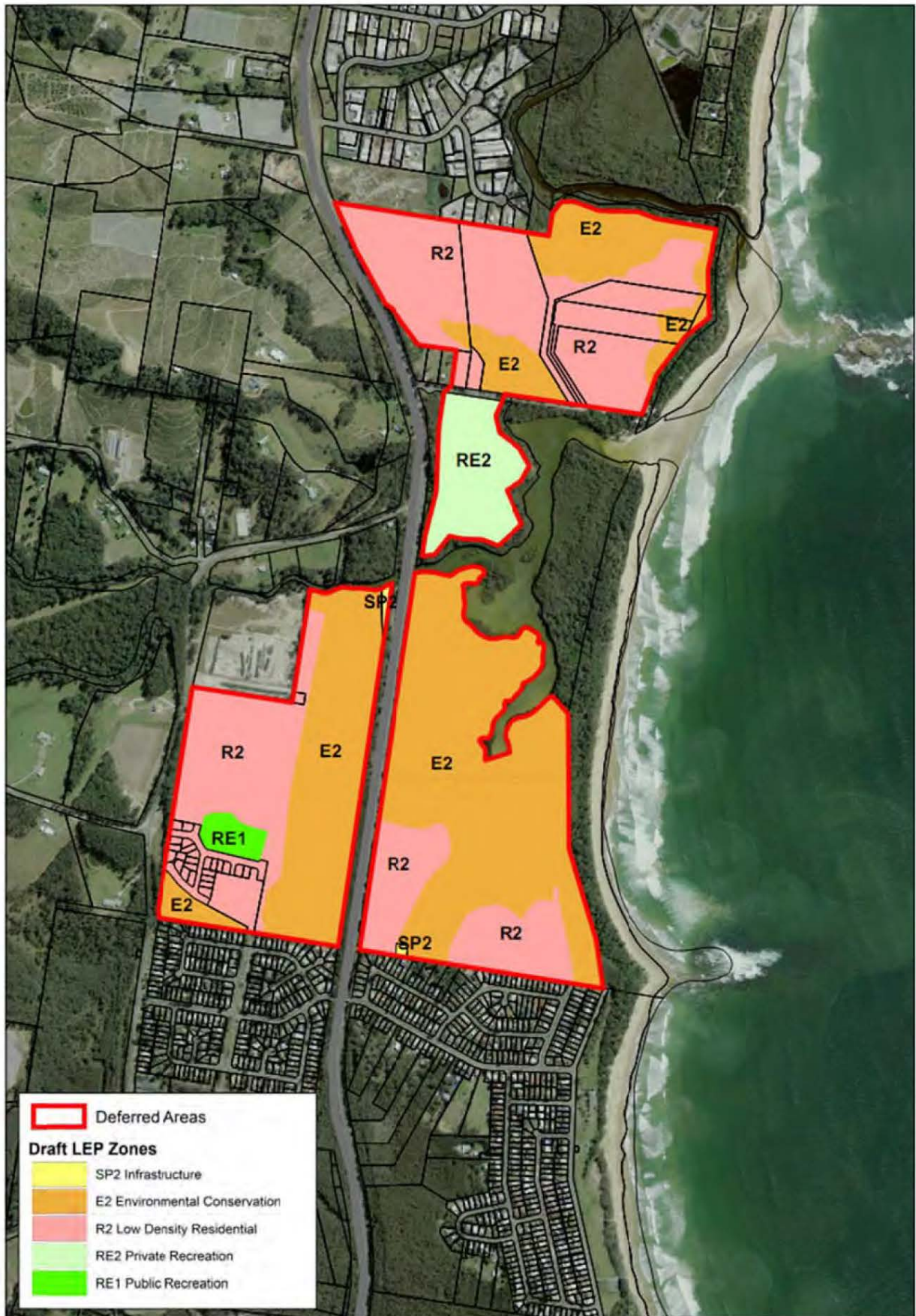
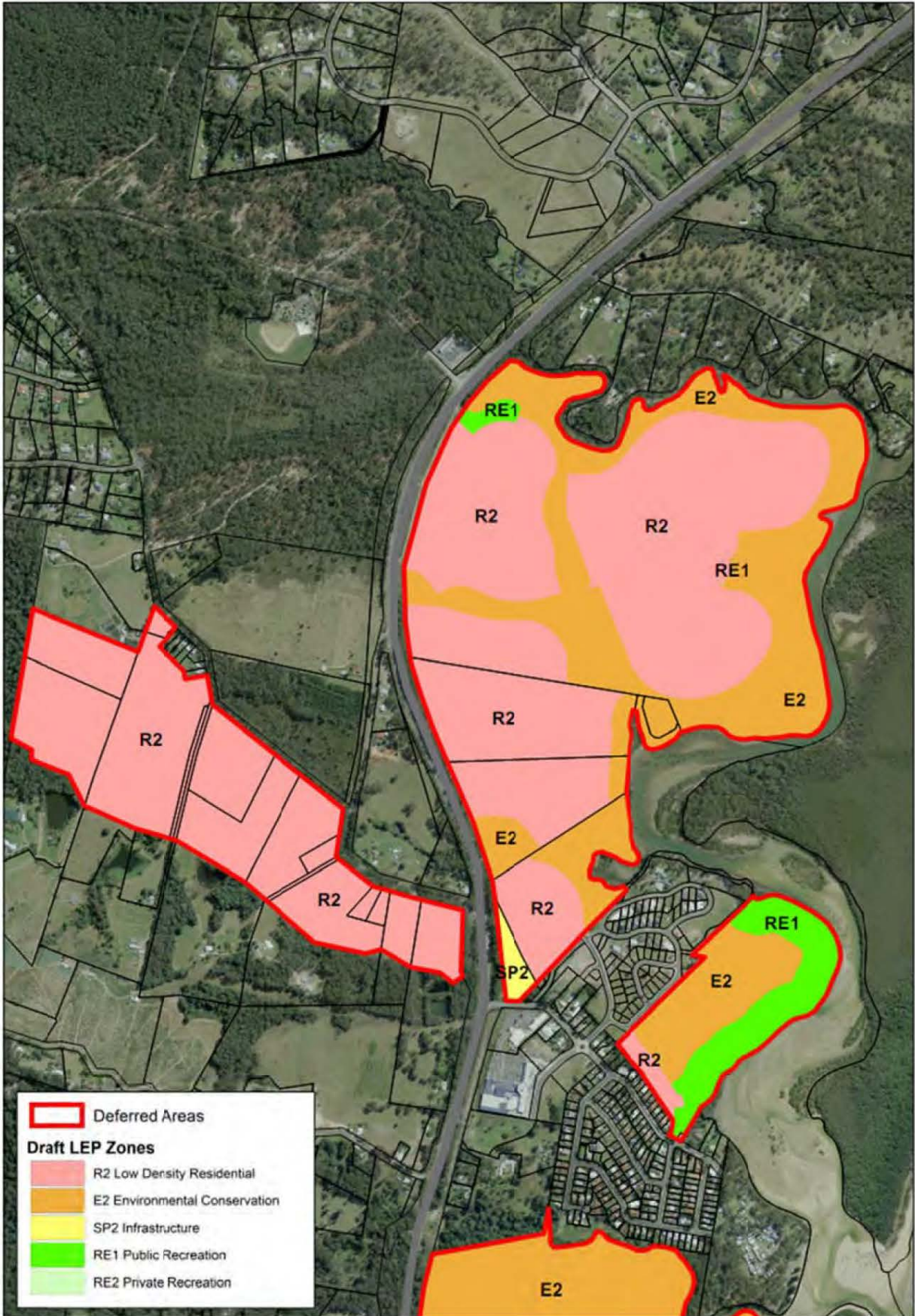


Figure 6 (b): Proposed Zonings in the Planning Proposal:
Emerald Beach



Figure 6 (c): Proposed Zonings in the Planning Proposal:
Moonee Beach



**Figure 6 (d): Proposed Zonings in the Planning Proposal:
Sapphire Beach**

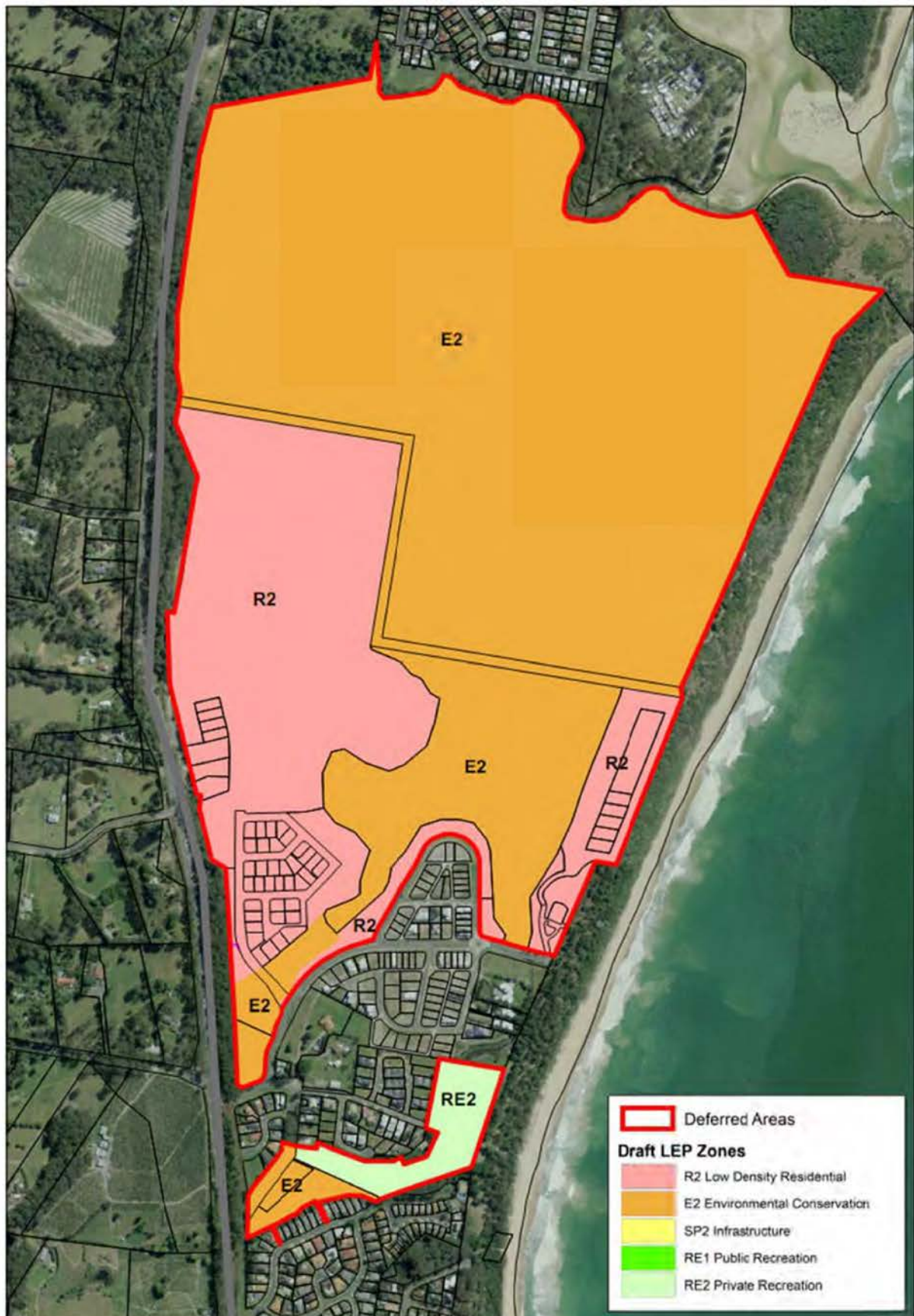


Figure 7: Solitary Islands Marine Park

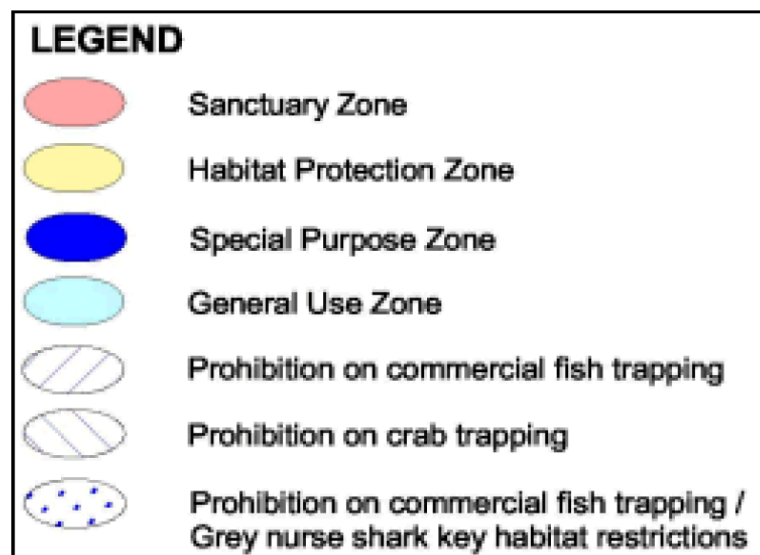
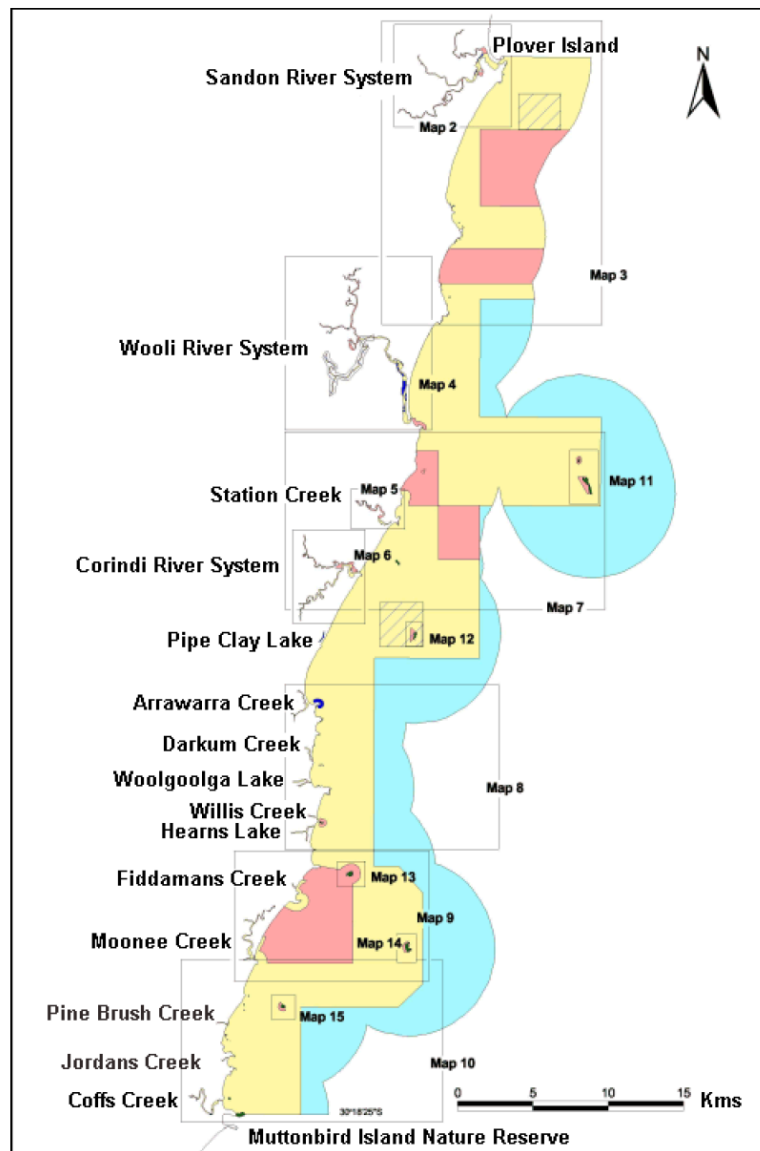


Figure 8(a): Minimum Lot Size Map in the Planning Proposal:
Hearnes Lake/Sandy Beach

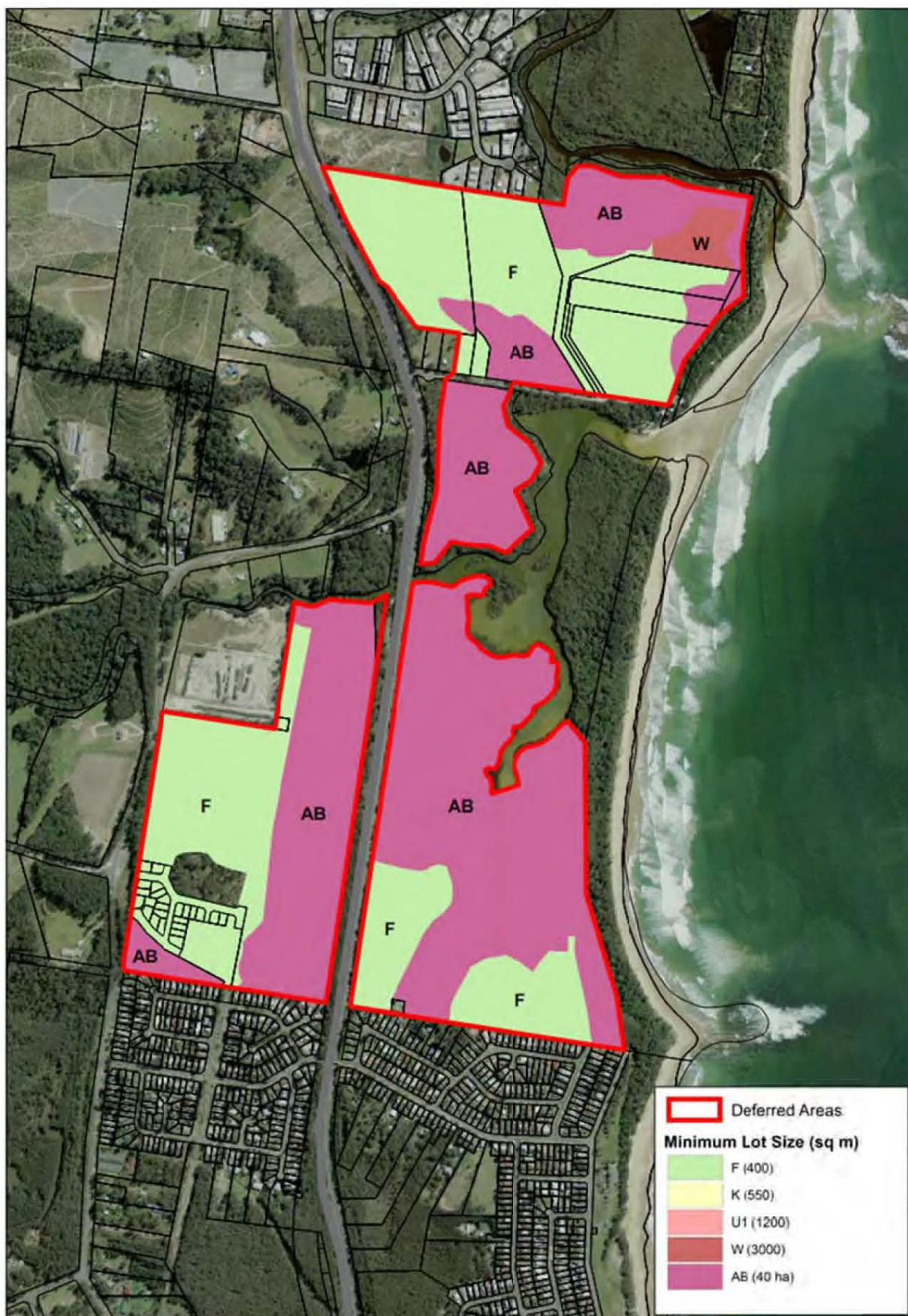


Figure 8 (b): Minimum Lot Size Map in the Planning Proposal:
Emerald Beach

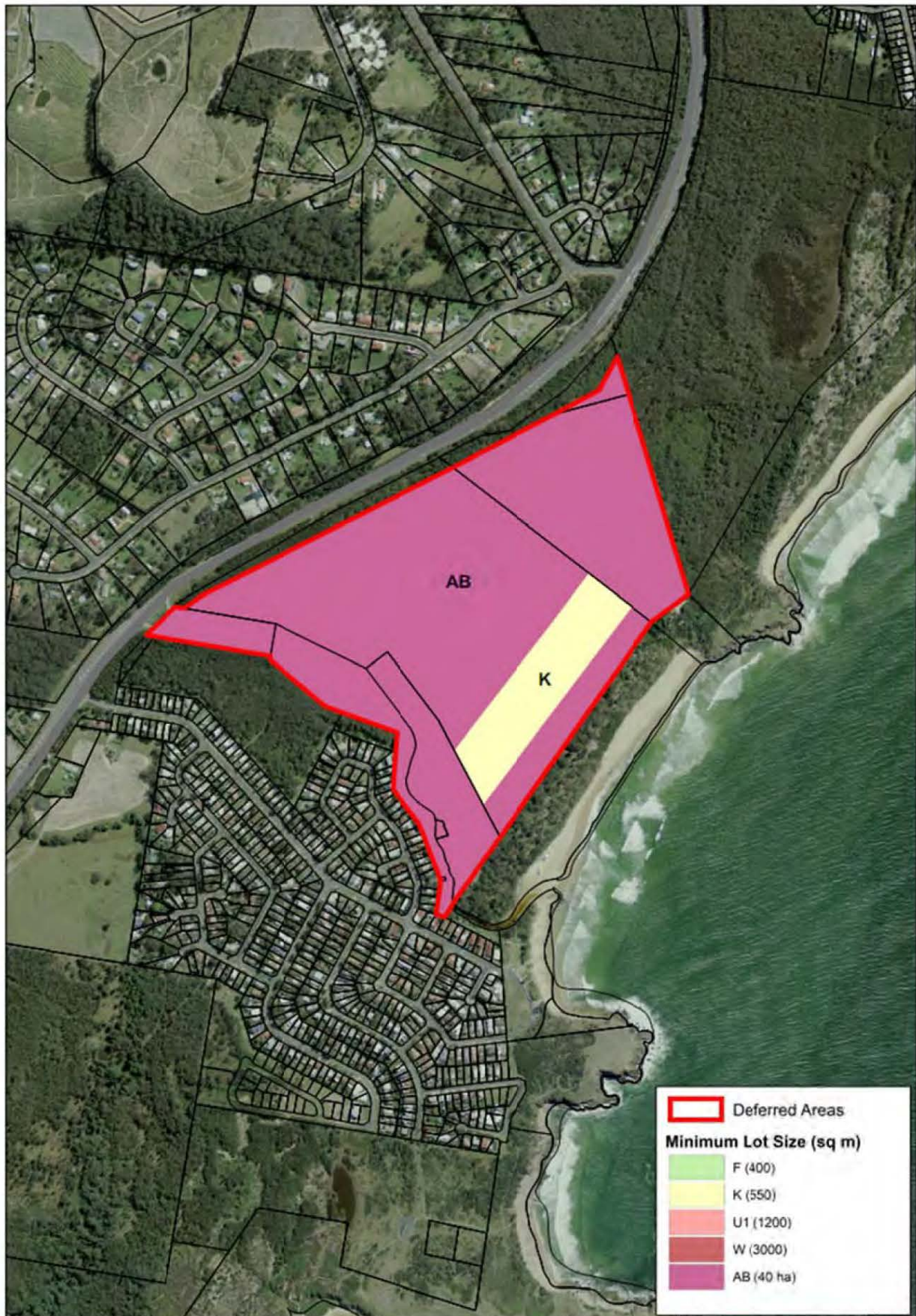


Figure 8 (c): Minimum Lot Size Map in the Planning Proposal:
Moonee Beach

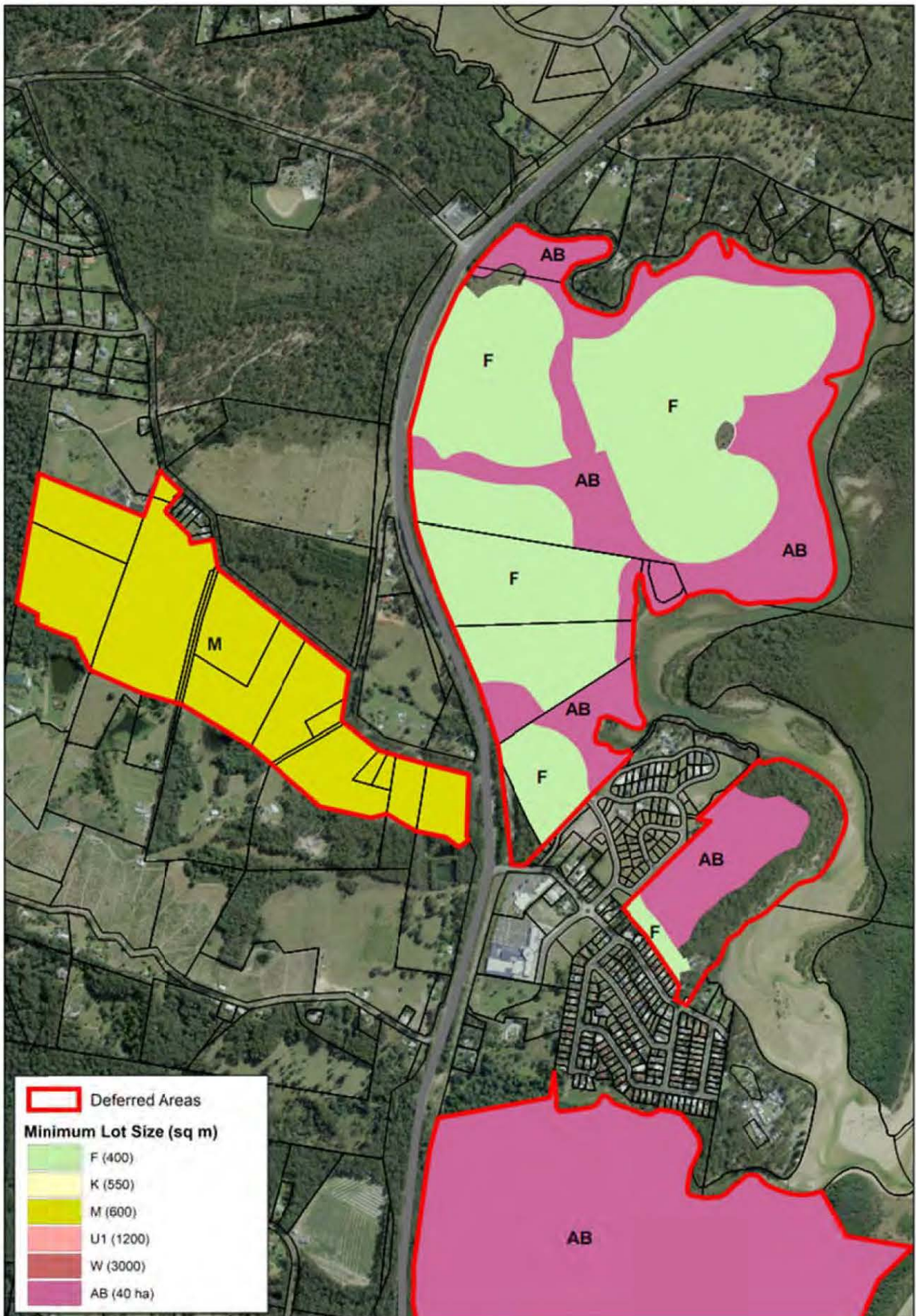
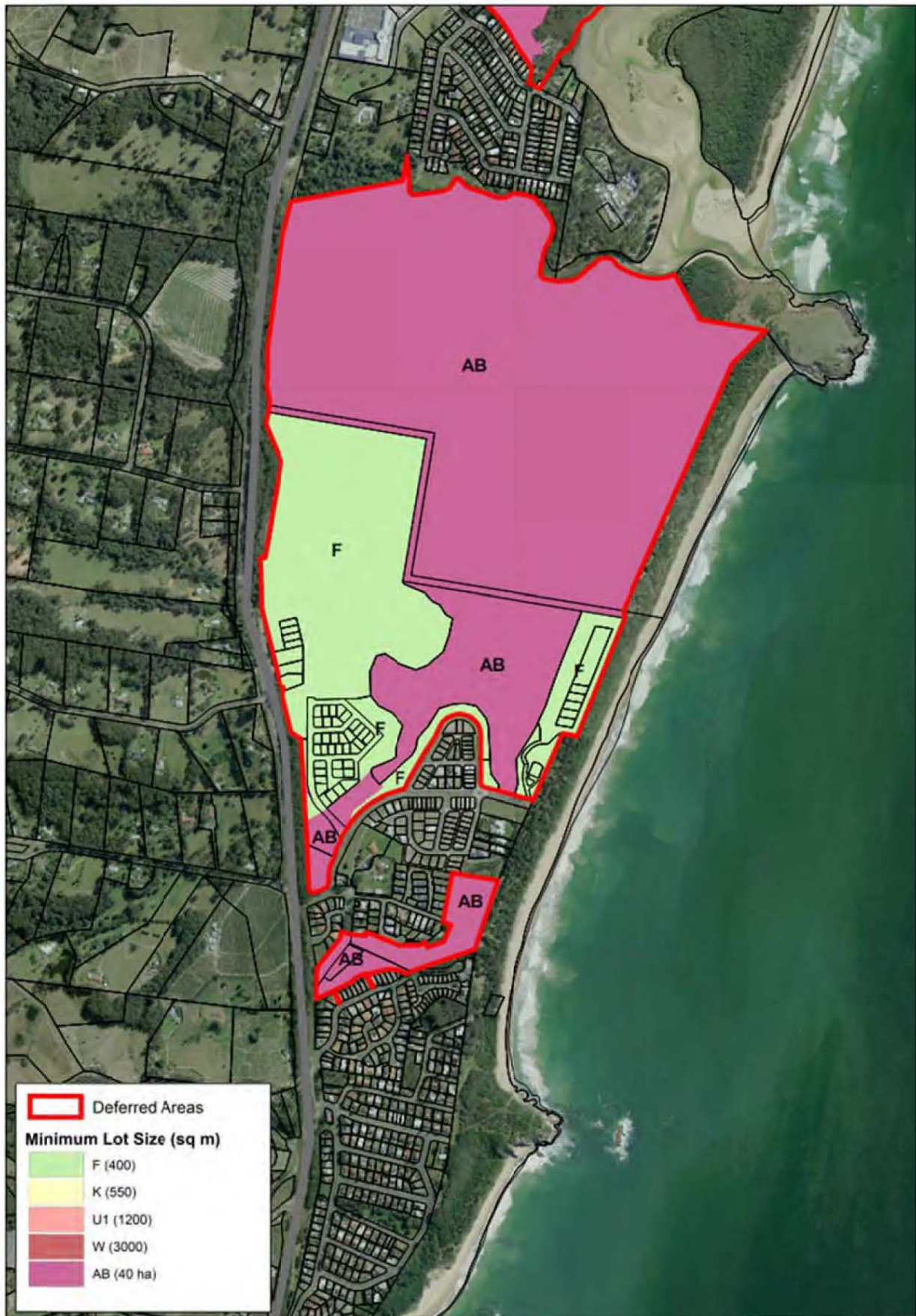


Figure 8 (d): Minimum Lot Size Map in the Planning Proposal:
Sapphire Beach



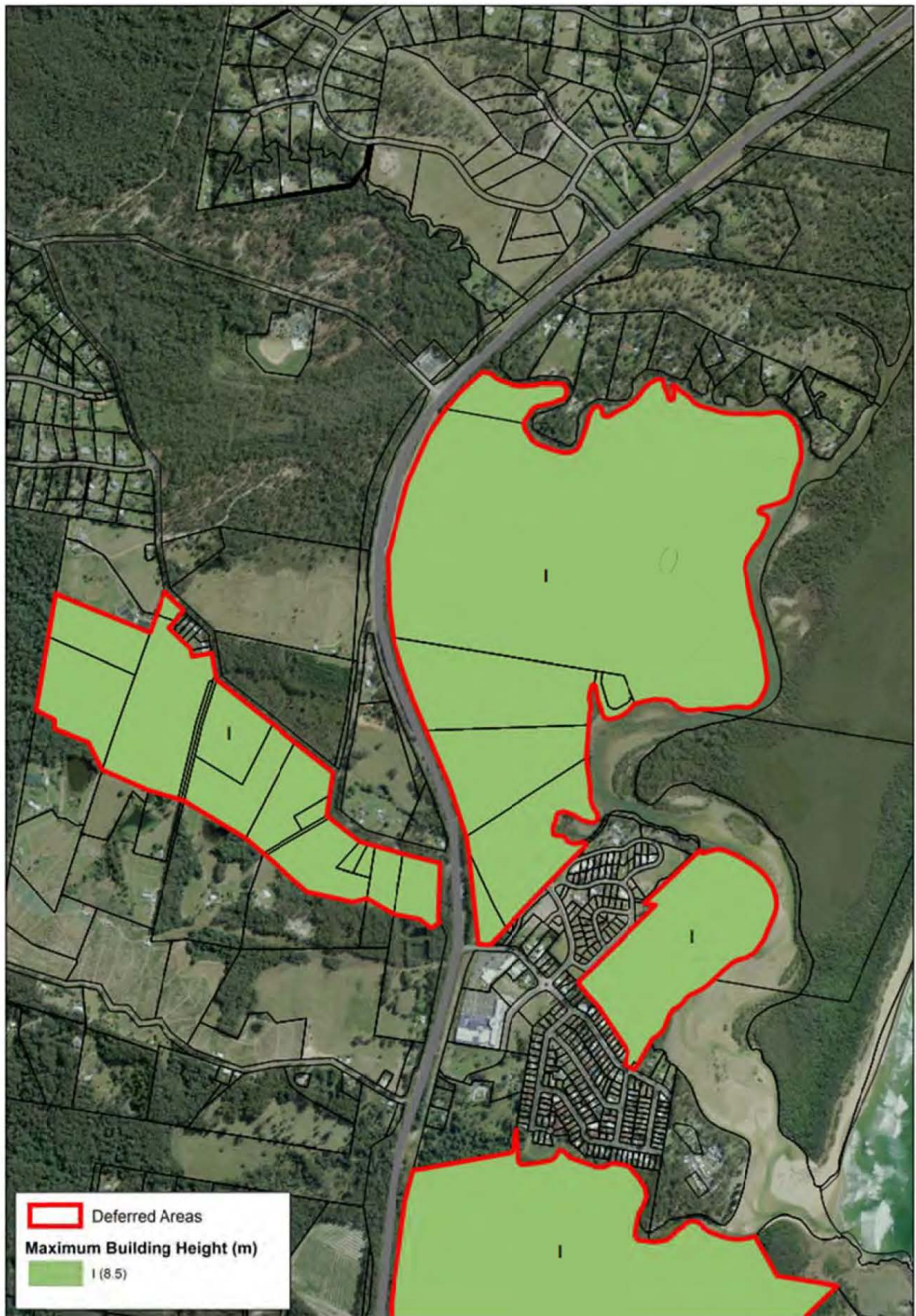
**Figure 9 (a): Recommended Building Heights:
Hearnes Lake/Sandy Beach**



**Figure 9 (b): Recommended Building Heights:
Emerald Beach**



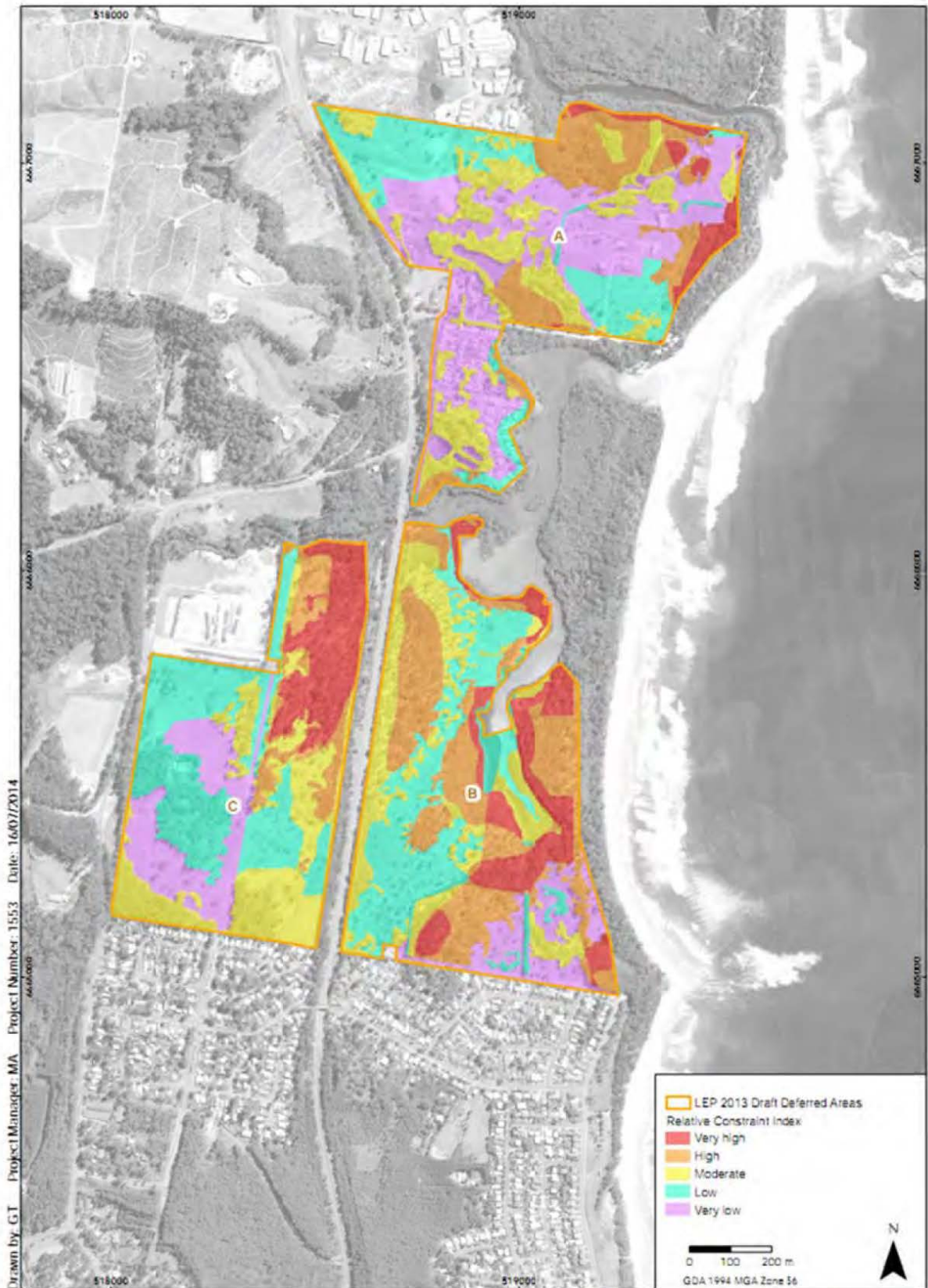
**Figure 9 (c): Recommended Building Heights:
Moonee Beach**



**Figure 9 (d): Recommended Building Heights:
Sapphire Beach**

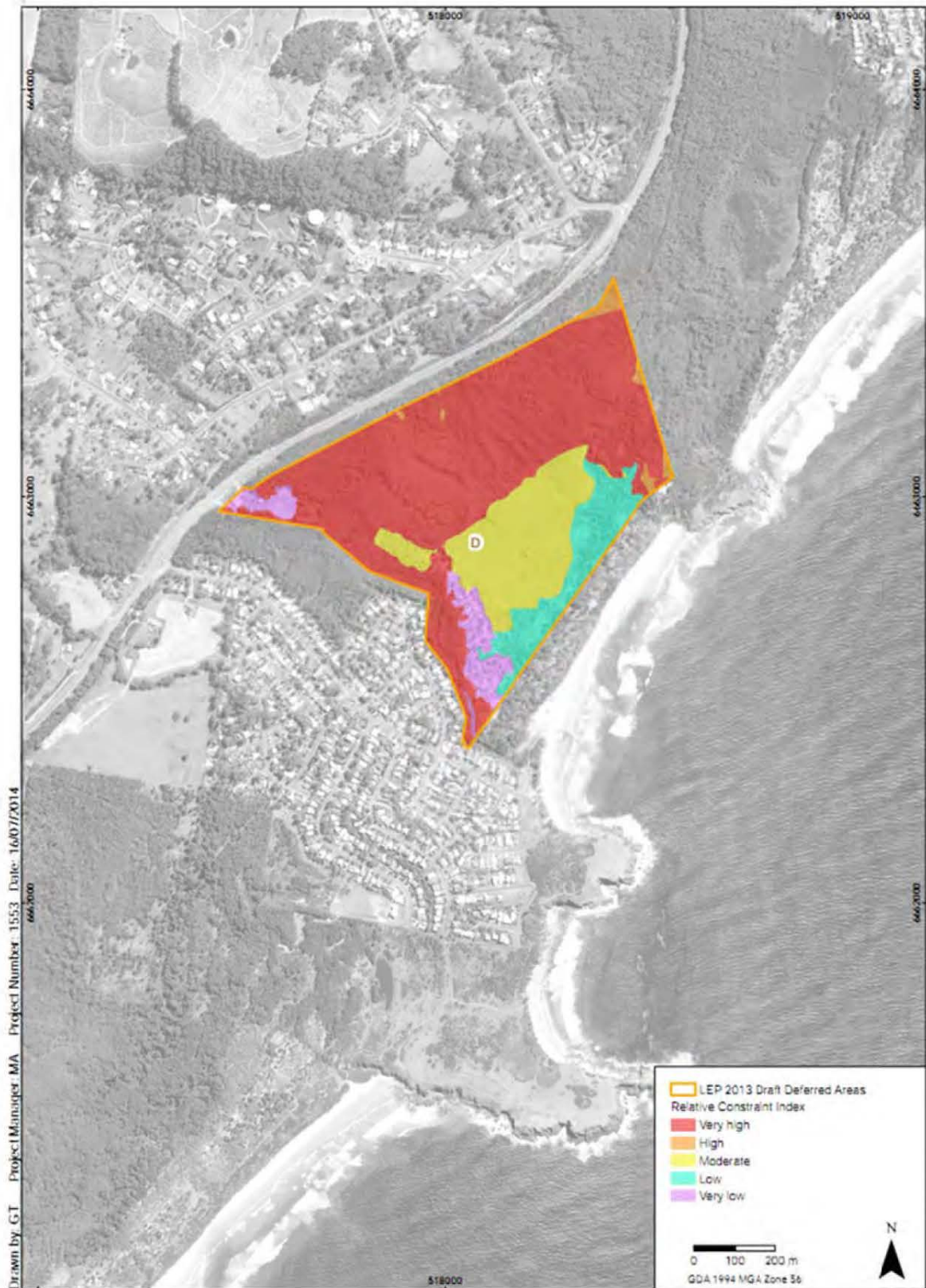


Figure 10 (a): Ecological Constraints Mapping: Hearn's Lake/Sandy Beach



Biodiversity constraints (areas A, B and C)
Coffs Harbour LEP Deferred Areas Local Environmental Study

**Figure 10 (b): Ecological Constraints Mapping:
Emerald Beach**



Biodiversity constraints (area D)

Coffs Harbour LEP Deferred Areas Local Environmental Study

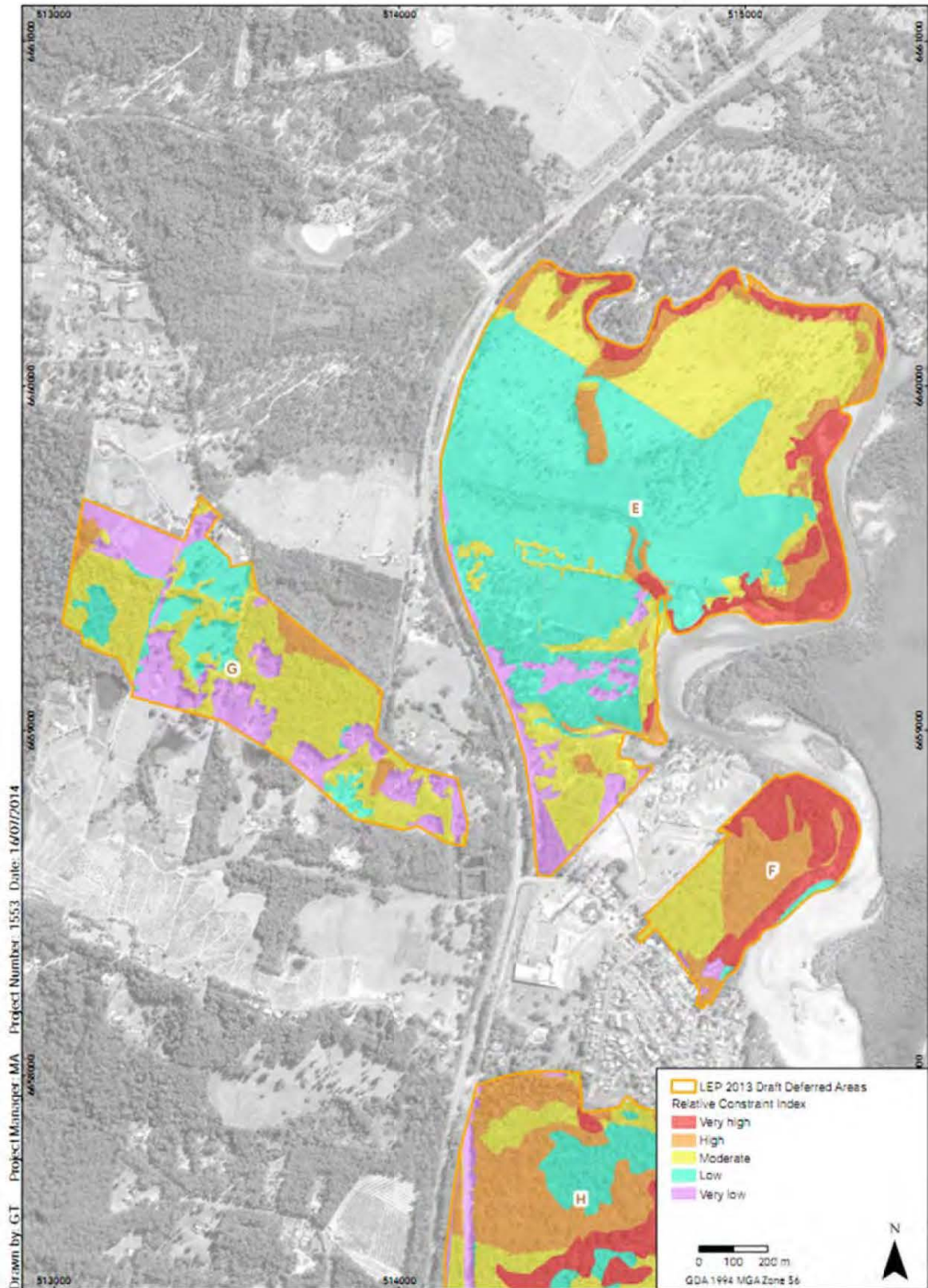


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FIGURE 28

Imagery: (c) CCC 2009

Figure 10 (c): Ecological Constraints Mapping:
Moonee Beach



Biodiversity constraints (areas E, F and G)

Coffs Harbour LEP Deferred Areas Local Environmental Study

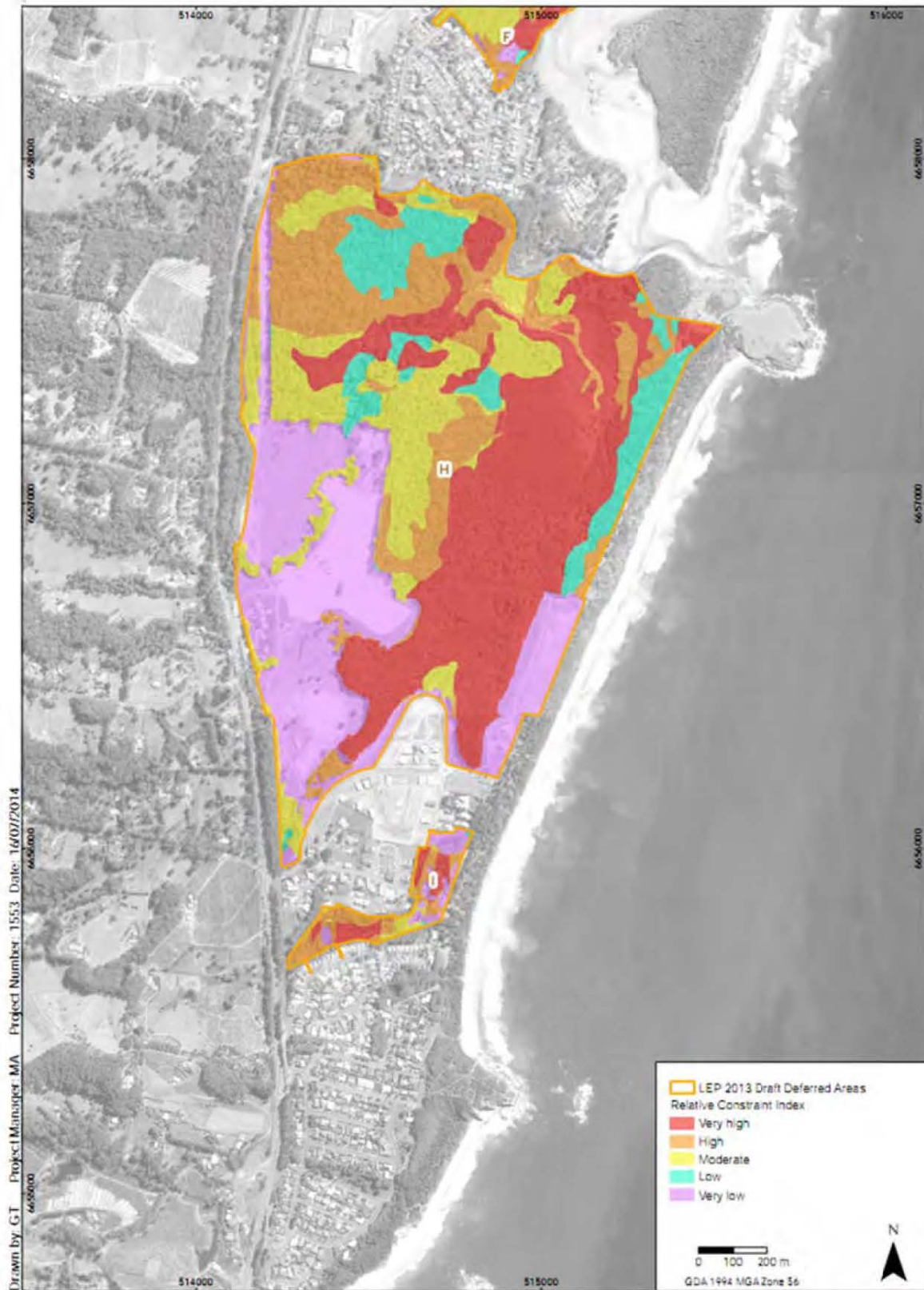


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FIGURE 29

Imagery: (c) CCC 2009

Figure 10 (d): Ecological Constraints Mapping:
Sapphire Beach



Drawn by: G.T. Project Manager: MA Project Number: 1553 Date: 16/07/2014

Biodiversity constraints (areas H and I)

Coffs Harbour LEP Deferred Areas Local Environmental Study

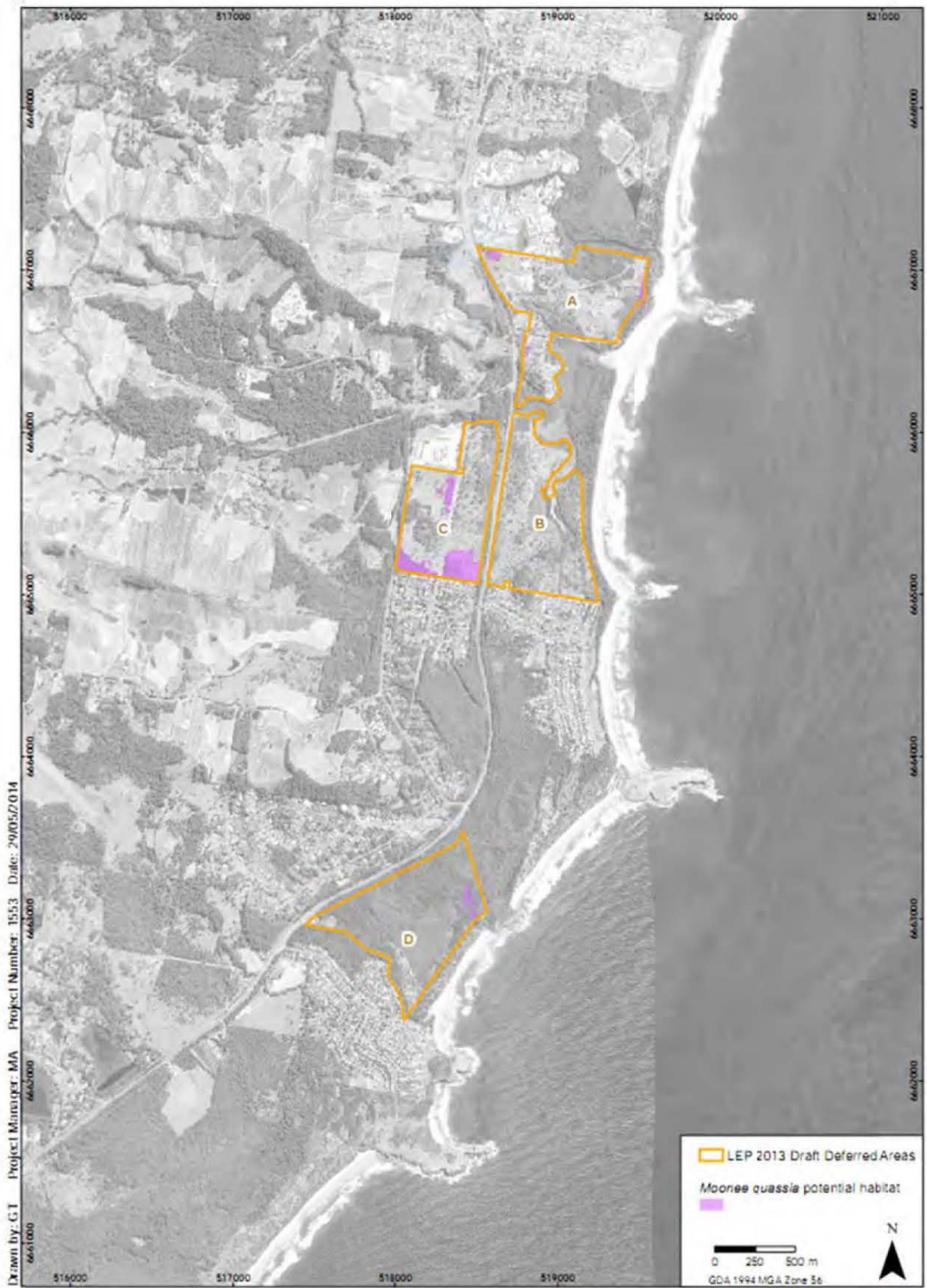


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FIGURE 30

Imagery: (c) CCC 2009

Figure 11 (a): Moonee Quassia Habitat Mapping, Northern Areas



Moonee Creek Quassia records (study area north)
Coffs Harbour LEP Deferred Areas Local Environmental Study

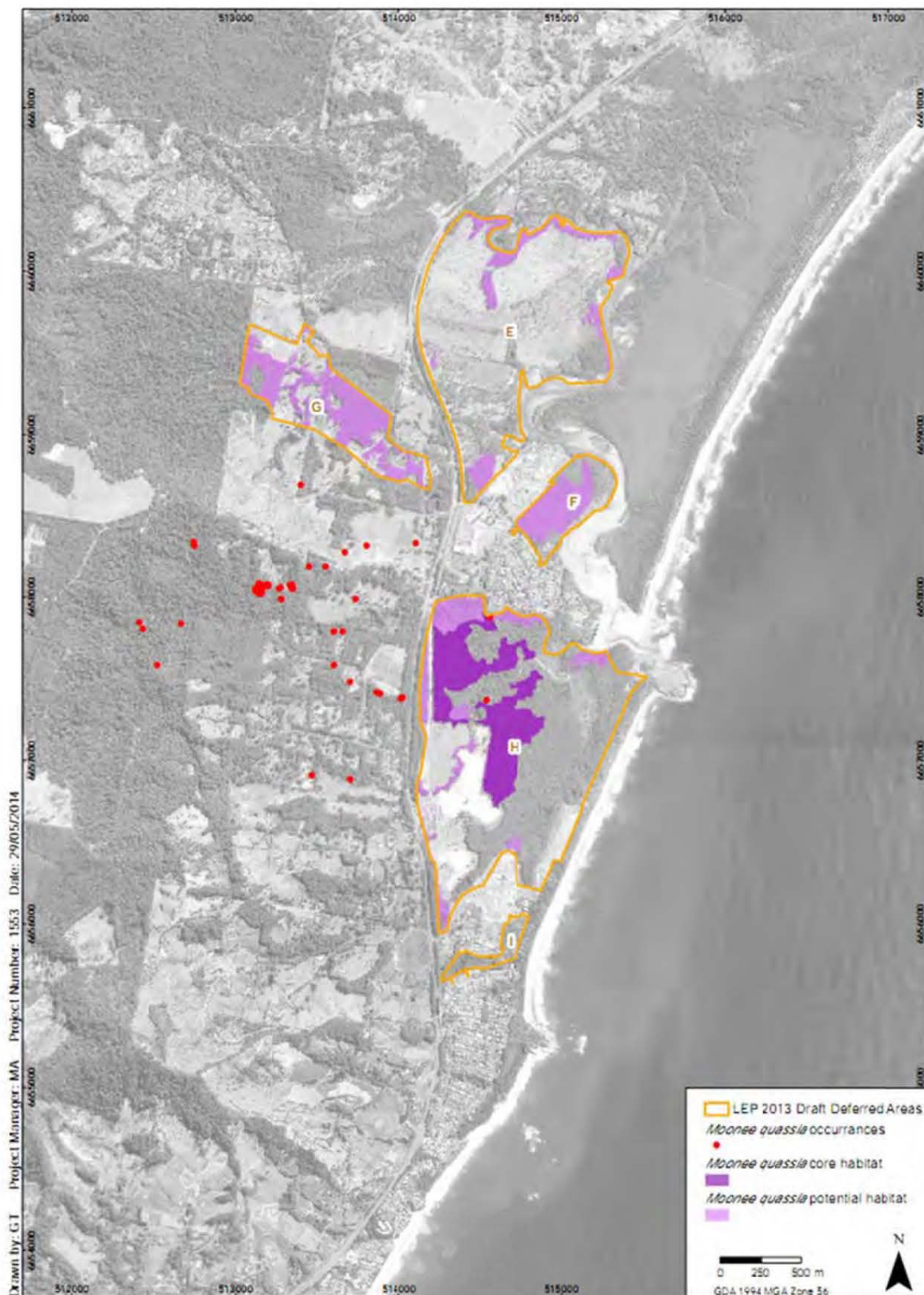


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FIGURE 22

Imagery: (c) CCC 2009

Figure 11 (b): Moonee Quassia Habitat Mapping, Southern Areas



Moonee Creek Quassia records (study area south)

Coffs Harbour LEP Deferred Areas Local Environmental Study



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FIGURE 23

Imagery: (c) CCC 2009

Figure 12 (a): Indicative Flood Prone Areas and Flood Planning Areas, Northern Areas

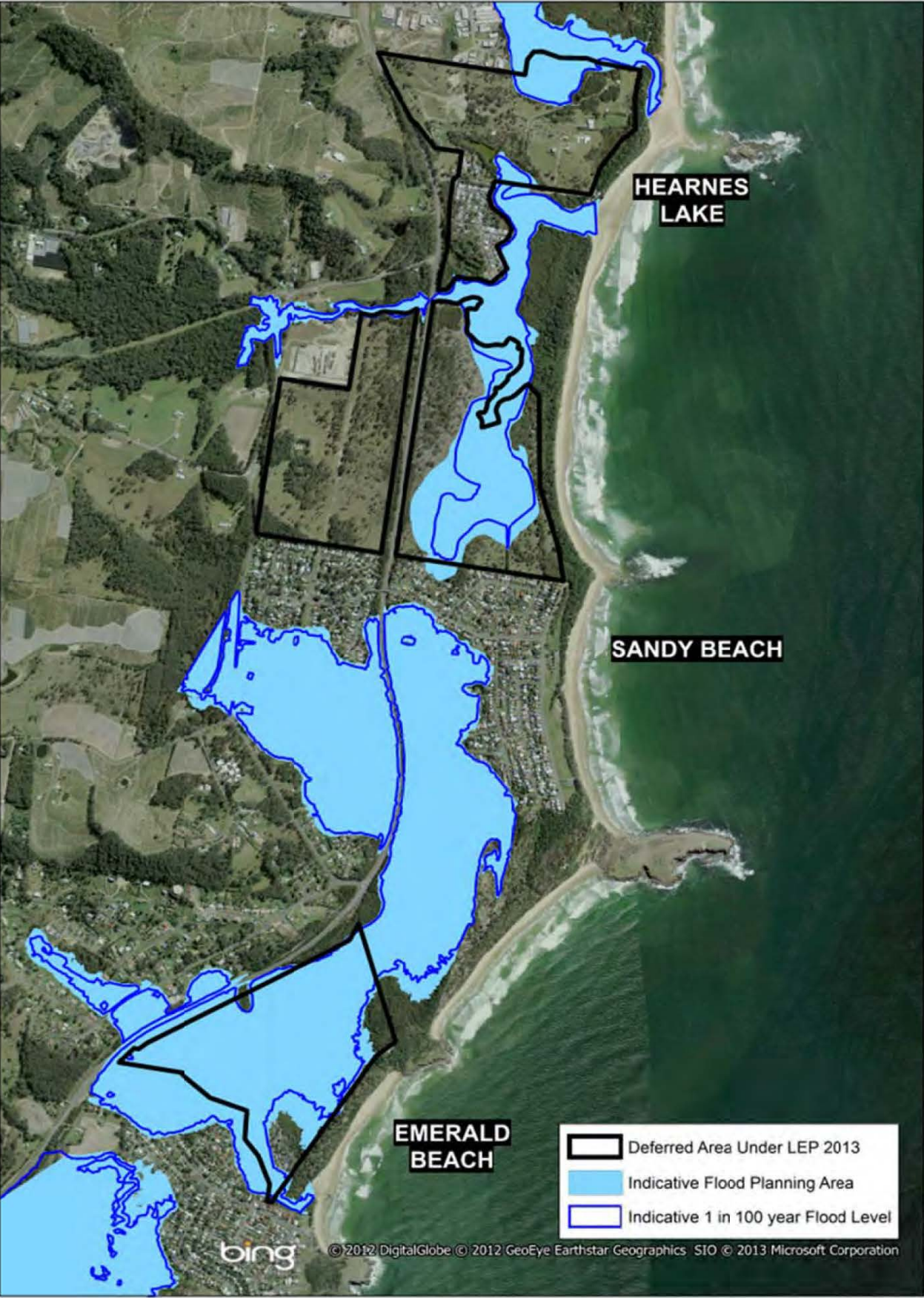


Figure 12 (b): Indicative Flood Prone Areas and Flood Planning Areas, Southern Areas

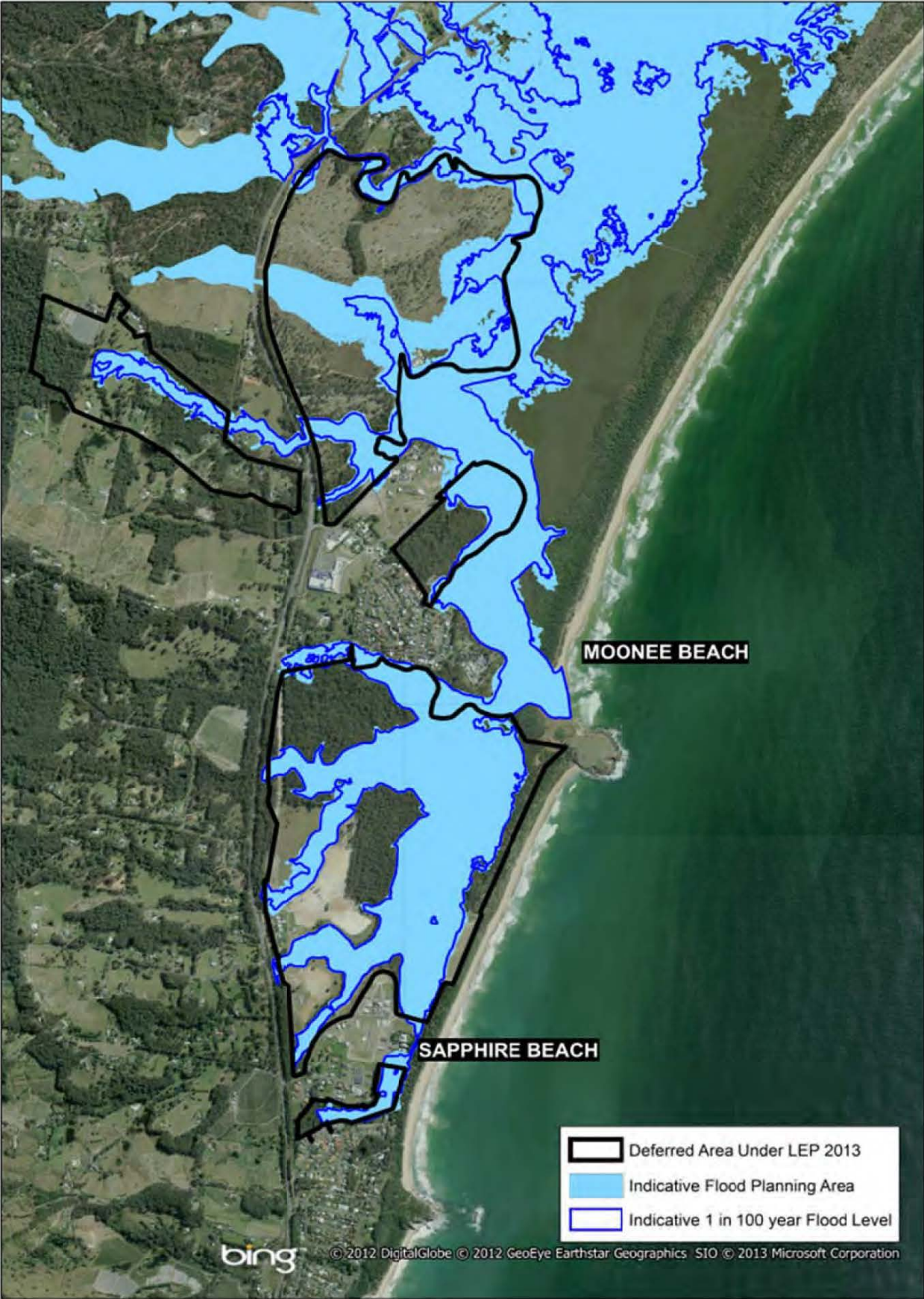


Figure 13 (a): Bushfire Prone Areas, Northern Areas

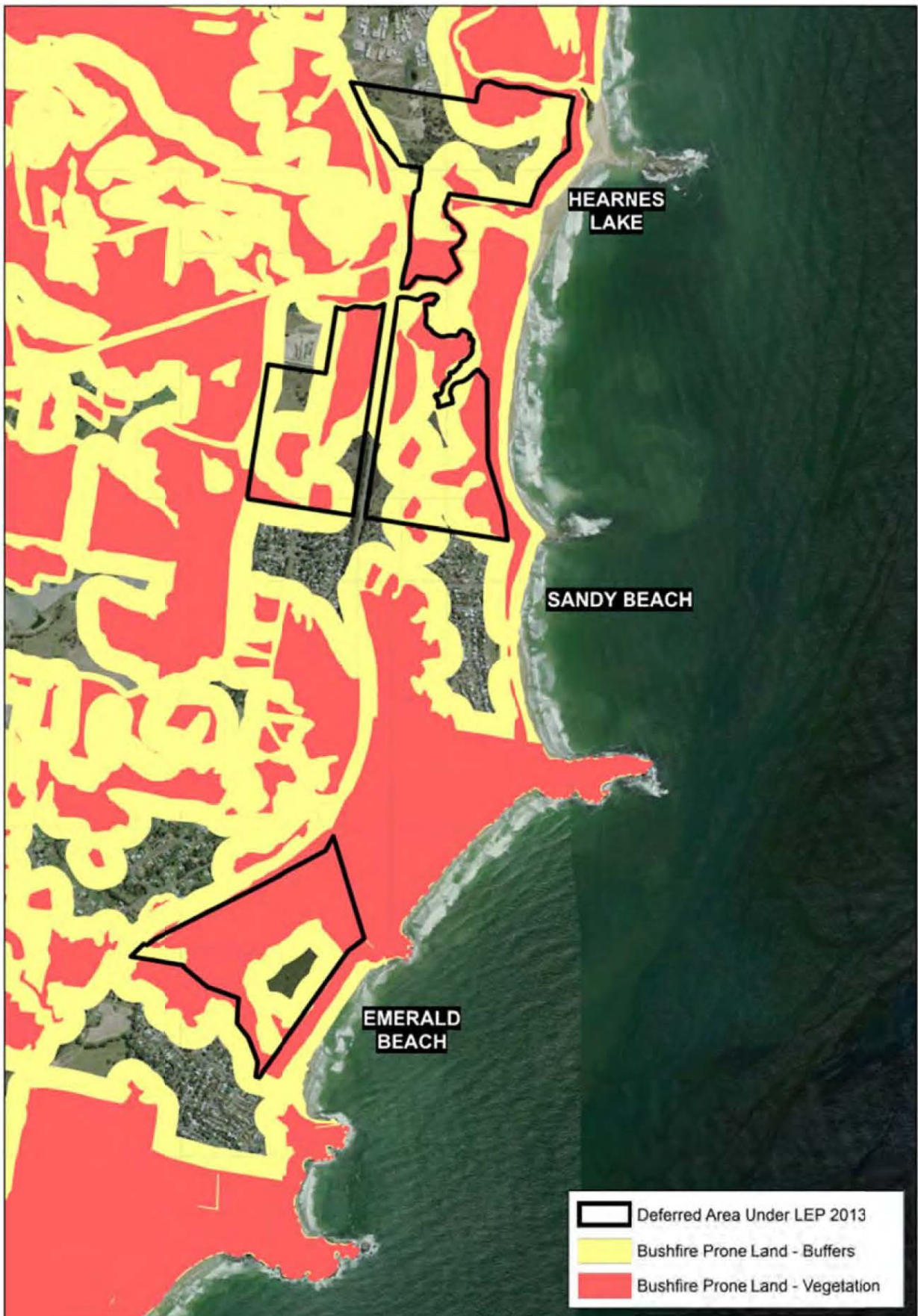


Figure 13 (b): Bushfire Prone Areas, Southern Areas

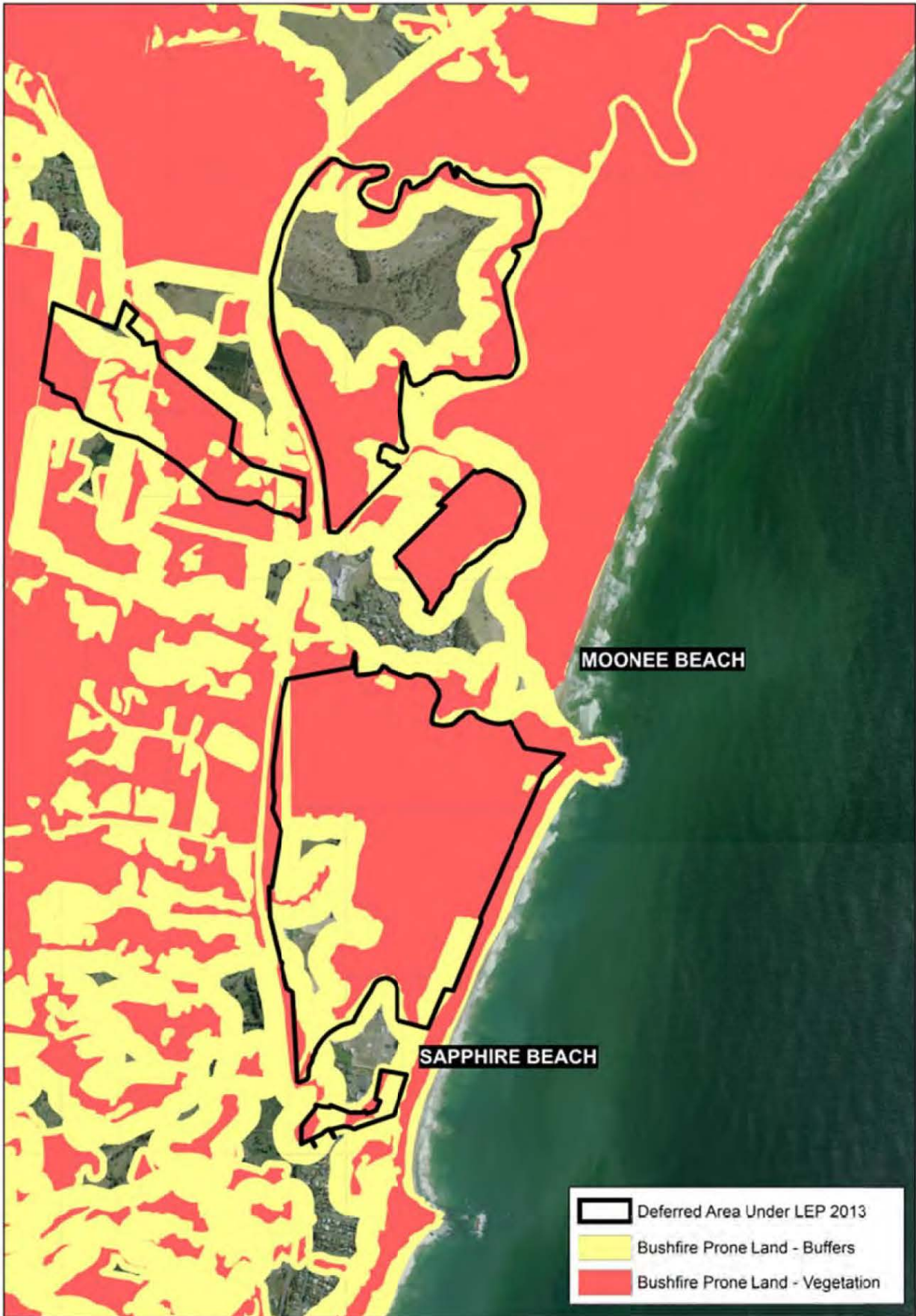
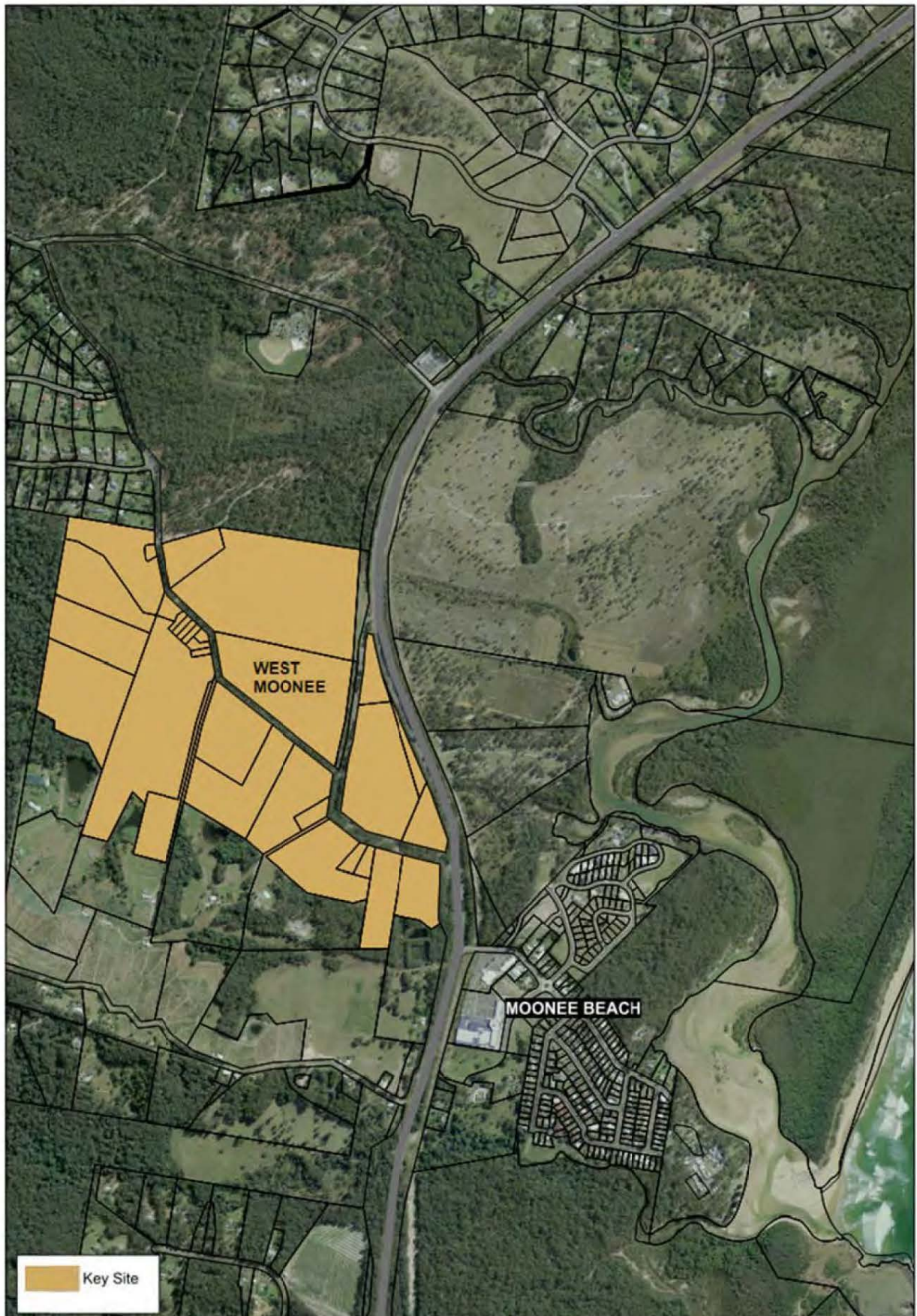


Figure 14: Proposed Key Sites Map



Part 5 – Community Consultation

At this stage, this Planning Proposal is anticipated to be placed on formal public exhibition for 28 days in accordance with the EP&A Act 1979 as essentially a proposal of local rather than sub-regional or regional significance.

This means that the Planning Proposal is:

- generally consistent with the pattern of surrounding land use zones and/or land uses;
- is consistent with the strategic planning framework; presents no issues with regard to infrastructure servicing;
- is not a principal LEP; and
- does not reclassify public land.

(‘A Guide to Preparing Local Environmental Plans’, S.5.5.2, NSW P&I, April 2013)

A public hearing is currently not considered necessary but may prove to be needed as consultations with State agencies, land owners and the general community evolve. However, it should be noted that there is no reclassification of public lands proposed in this Planning Proposal.

Part 6 – Project Timeline

March 2015	Consideration of draft Planning Proposal, Environmental Study, draft DCPs and draft Developer Contributions Plan by Council.
June 2015	Planning Proposal to NSW P&E for Gateway Determination.
July/August 2015	Public Exhibition / Consultation period.
September/October 2015	Consideration of submissions.
November 2015	Report to Council for determination of the Planning Proposal.
December 2015	Submission to NSW P&E, requesting the making of the LEP Amendment by the Minister, pending adoption by Council.
January/February 2016	Finalisation of the LEP Amendment

ATTACHMENT A: STUDIES REVIEWED AS PART OF THE ENVIRONMENTAL STUDY

Site	Lot and DPs	Number of Houses/Lots	Status	Application Number	Documents Sited
1 Hearnes Lake Road	Lot 4 DP 612977	86	Revoked	MP 05_0095	Part 3A DGRs
					Preliminary Environmental Assessment for Part 3A
					SEPP 71 Ministerial Submission
					SEPP 71 Planning Report
45 Hearnes Lake Road	Lot 21 DP 714858	38	Project Approval	MP 07_0075	Environmental Assessment (Mersonn Pty Ltd) Apr 2009
					Stormwater Management Strategy (BMT WBM) Jul 2008
					Coastal Hazard Definition & Lake Entrance Processes (Patterson Britton) Oct 2004 and updated Jul 2008
					Flood Assessment (DeGroot and Benson) Apr 2009
					Sandy Beach North Flood Assessment (Worley Parsons) Feb 2009
					Water & Sewer (DeGroot and Benson) Oct 2007
					Flora and Fauna (ELA) Jul 2007
					Traffic Study (RoadNet) Dec 2007
					Aboriginal Cultural Heritage Assessment (Jacqueline Collins) Dec 2007
					Bushfire Protection Assessment (ABPP) Oct 2007
					Review of Environmental Constraints Analysis (ELA) Mar 2007
					Road Traffic Noise Assessment (Heggies) Jun 2008
					Geotechnical Assessment (Holmes and Holmes) Aug 2003
					Landscape Plan and Visual Assessment (Anne Harrison) Sep 2007
					Department of Planning Report Dec 2009
Preferred Planning Report (Mersonn) Sep 2009					
Woodhouse Road, Moonee Beach	Lot 211 DP 1044292 Lot 1 DP 262300	31	Project Approval Modification (no 1) approved	MP 08_0003	Environmental Assessment (Geoff Smyth) Jul 2009
					Phase 1 Contamination Assessment (GHD) Jan 2009
					Traffic Impact Assessment (GHD) Dec 2008
					Archaeological Assessment (BCA) Jun 2009
					Bushfire Assessment (Bushfire Safe Australia) Mar 2007
					Geotechnical Assessment (DeGroot and Benson) Jul 2009
					Acoustic Assessment (BlackEarth) Mar 2009
					Preliminary Acid Sulfate Soil Assessment (GHD) Jan 2009
					Flora and Fauna Assessment (James Warren & Associates) Jul 2007
Modification 1 - Stormwater Plan (DeGroot and Benson) Oct 2010					

Site	Lot and DPs	Number of Houses/Lots	Status	Application Number	Documents Sited
					Director Generals Environmental Assessment Report Jun 2012
					Modification 1 - Director Generals Environmental Assessment Report Sep 2013
Moonee Parklands, Moonee Beach	Lot 1 DP 1097743 Lot 6 DP 25223	159	Concept Plan application	MP 09_0067	Environmental Assessment (JW Planning) Jun 2013
					Bushfire Hazard Assessment (Building Code and Bushfire Hazard Solutions) Mar 2013
					Aboriginal Heritage Assessment (Myall Coast Archaeological Services) Jan 2013
					Geotechnical and Acid Sulfate Soil Assessment (Martens) Mar 2013
					Stage 1 Land Contamination Assessment (Martens) Mar 2013
					Flood Assessment (Martens) Mar 2013
					Hydrogeological Study (Martens) Mar 2013
					Ecological Assessment (PEA) Mar 2013
					Noise Assessment (Wilkinson Murray) Sept 2012
					Traffic Impact Assessment (BTF) Dec 2012
					Concept Stormwater Management Plan (Martens) Mar 2013
Graham Drive Sandy Beach	Lot 21 DP 1070182	102	Revoked	MP 08_0120	DGRs
Sandy Beach Mill, Graham Drive, Sandy Beach	Lot 260 DP 1110719	40	Project Approval	MP 08_0148	Environmental Assessment (SJ Connelly) Jul 2009
					ESA and Remediation Action Plan (Coffeys) Mar 2007
					Water Quality Amendment Report (Coffeys) Jun 2009
					Flora and Fauna Assessment (Peter Parker) Jul 2009
					Cultural Heritage Assessment (Davis Heritage) May 2009
					Bushfire Hazard Assessment (Holiday Coast Bushfire Solutions) Jun 2009 and addendum Jun 2010
					Traffic Noise Assessment (Atkins Acoustics) Oct 2006
Glades Estate, Moonee Beach	Lot 1 and 2 DP 725785	524	Project Approval	MP 06_0143	Aboriginal Cultural Heritage Assessment (ERM) Oct 2007
					Bushfire Risk Assessment (RDM) Sept 2007
					Flora and Fauna (James Warren and Associates) Nov 2007
					Geotechnical Assessment (Coffeys) Dec 2005
					Hydraulic Assessment (Cardno) Mar 2007 (Figures Only)
					Noise Assessment (HK Clarke and Associates) Jan 2006
					Environmental Assessment (ERM) Nov 2007

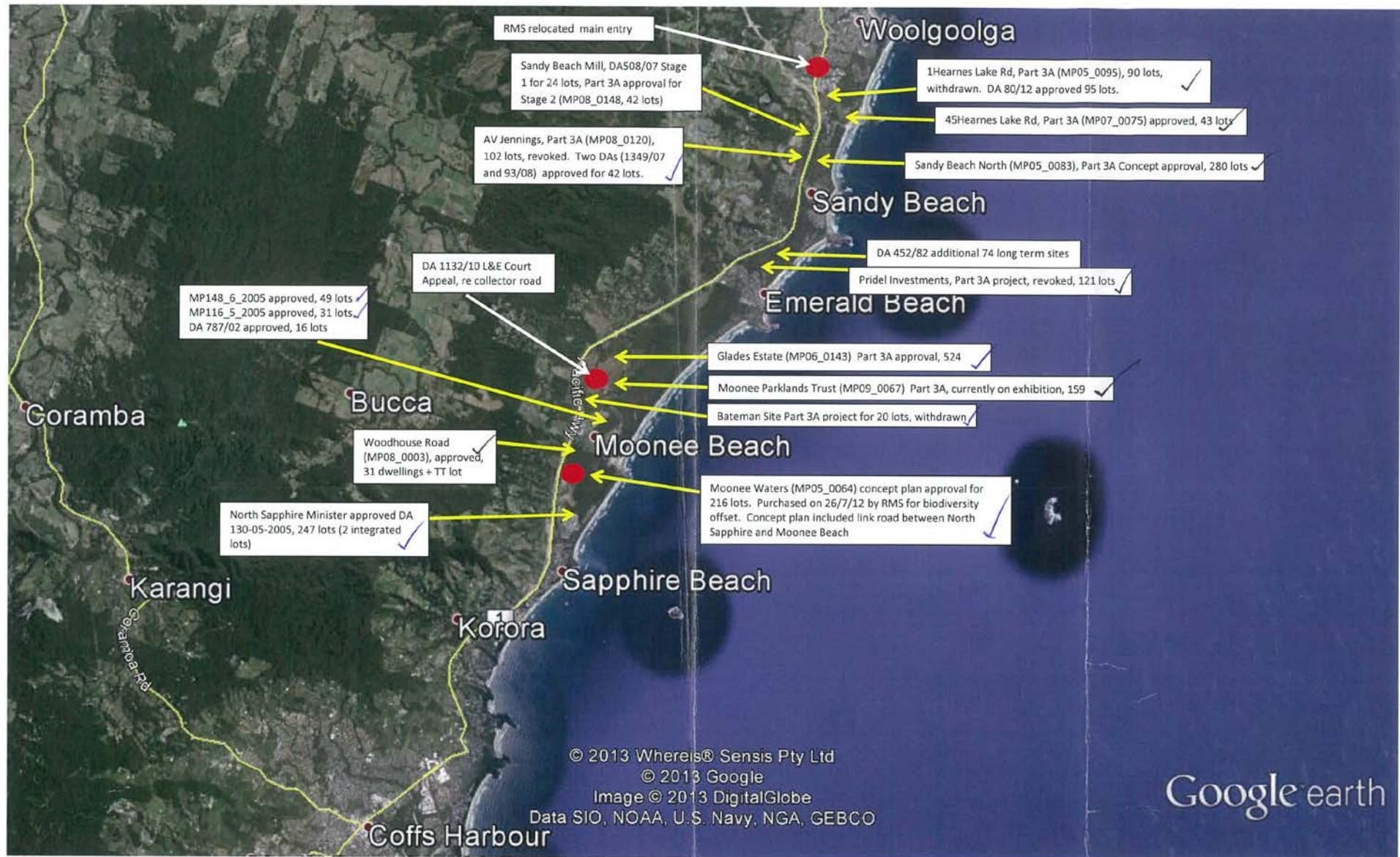
Site	Lot and DPs	Number of Houses/Lots	Status	Application Number	Documents Sited
Bateman Site, Moonee Beach	Lot 5 DP 252223	20	Withdrawn	MP 08_0242	Preliminary Environmental Assessment (Geoff Smyth) Sept 2008 Preliminary Flora and Fauna (James Waren and Associates) Aug 2008
Moonee Waters, Moonee Beach	Lot 66 DP 551005	98	Concept Plan approval	MP 05_0064	Environmental Assessment (Annand Alcock Urban Design) Nov 2007 Water Management Report (Patterson Britton) Oct 2007 Traffic Noise Assessment (GHD) Nov 2007 Flora and Fauna (F Dominic Fanning) Aug 2006 Coastal Hazard Definition Study (Patterson Britton) Jun 2007 Aboriginal and Archaeological Survey and Assessment (Umwelt) Dec 2006 Bushfire Assessment (ABPP) Nov 2007 Traffic Report (John Coady Consulting) May 2007
North Sapphire Beach	Part 13/882816, 49/861518, 50/881378, Part 441/100712	300	DA approved Department of Planning March 2006. Three subsequent modifications.	DA 130-05-2005	DA Assessment Report Department of Planning Reports for DA and Modifications Statement of Environmental Effects (Modification 3) Oct 2012 Stormwater Management Strategy Stages 5-10 (GHD) Oct 2012 Bushfire Report Modification 3 (Holiday Coast Bushfire Solutions) Nov 2012
Emerald Beach, Pridel Investments	Lot 2 DP 840016	121	Revoked	MP 05_0076	Preliminary Environmental Assessment (Aspect North) Apr 2006
Sandy Beach North	Lot 22 DP 1070182 Lots 497 and 498 DP	200	Concept Plan Approval	MP 05_0083	Concept Plan Approval Dec 2010 Environmental Constraints Analysis (Sainty and Associates) Sep 2006 Preferred Project Report (Willana Associates) Aug 2010
The Pines Caravan Park, Hearnes Lake	8 Hearnes Lake Rd Lot 106 DP 1144462	53	Approved	MP 08_0005	Environmental Assessment (CoastPlan) August 2010 Environmental Site Assessment (Coffeys) Sep 2009 Preliminary Geotechnical and Acid Sulfate Soil Assessment (Coffeys) Sep 2009 Traffic Impact Assessment (GHD) Sep 2009 Noise Impact Assessment (Reverb) Sept 2009 Bushfire Assessment (Australian Bushfire Assessment Consultants) Sep 2009 Ecological Assessment (Geolink) Jan 2008 Aboriginal Cultural Heritage Assessment (Jacqueline Collins) Sep 2009
No 1 Hearnes Lake Road	Lot 4 DP 612977	96	Approved	DA 80-12	Statement of Environmental Effects (Geoff Smyth Consulting) 2011 Bushfire Assessment (Bushfire Safe (Aust) Pty Ltd) 2009 Engineering Issues Statement (De Groot and Benson) 2011

Site	Lot and DPs	Number of Houses/Lots	Status	Application Number	Documents Sited
					Flora and Fauna Assessment (James Warren & Associates) 2010
					Cultural Heritage Assessment (Bonhomme Craib & Associates) 2010
					Geotechnical Study (Holmes and Holmes) 2003
					Road Traffic Noise Assessment (SLR) 2011
					Stormwater Management Report (De Groot and Benson) 2011
					Contamination Assessment (De Groot and Benson) 2009
198 Graham Drive, Sandy Beach	Lot 21 DP 1070182	18	Approved Dec 08	DA 93-08	Flora Assessment (Idyll Spaces Environmental Consultants) 2007
					Bushfire Hazard Assessment (Idyll Spaces Environmental Consultants) 2007
					Management Plan for the Salvage of Artefactual Material (John Appleton) 2007
					Traffic Impact Study (RoadNet) 2007
					Fauna Assessment (Kendall & Kendall Ecological Consultants) 2007
					Noise Impact Assessment (HK Clarke & Associates) 2007
13 & 15 Split Solitary Rd, Sapphire Beach	Lot 15 DP 882816 and Lot 1 DP 1121000	26	Approved Mar 13	DA 167-13	Statement of Environmental Effects (Newnham Karl Weir & Partners) 2012
					Traffic Management Plan (Geoff Slattery Partners) 2012
					Aboriginal Objects Due Diligence Site Inspection and Assessment Report (Castlereagh Lachlan Environmental Services) 2012
					Flora and Fauna Assessment (Bushfire Safe (Aust) Pty Ltd) 2011
					Preliminary Soil Assessment (GHD) 2011
					Water Management Plan (Geoff Slattery & Partners) 2012
					Bushfire Risk Management Plan (Bushfire Safe (Aust) Pty Ltd) 2011
Emerald Beach North	Lot 62 DP 1143405	38	Being Assessed	DA 172-14	Statement of Environmental Effects (Bennell & Associates) 2013
					Archaeological Investigations (John Appleton) 2011
					Coastal Assessment (Worley Parsons) 2012
					Flooding and Climate Change Report (WBM) 2012
					Stormwater Management Plan (WBM) 2012
					Bushfire Hazard Assessment (Holiday Coast Bushfire Solutions) 2012
					Biobanking Assessment (Patricia Chadwick) 2013
					Limited Phase 2 Environmental and Geotechnical Site Investigation (RCA) 2007
					Construction Noise Impact Assessment (CRG) 2011

Site	Lot and DPs	Number of Houses/Lots	Status	Application Number	Documents Sited
Graham Drive, Sandy Beach(Sandy Beach Mill)	Lot 260 DP 1110719	24	DA approved (deferred commencement) Feb 08	DA 508-07	Statement of Environmental Effects (SJ Connelly Pty Ltd) 2006
					Environmental Site Assessment & Preliminary Geotechnical & Acid Sulfate Soils Assessment (Coffey Geotechnics) 2006
					Traffic Impact Study (RoadNet) 2005
					Flood Assessment (GHD) 2006
					Flora and Fauna Survey (Peter Parker Environmental Consultants) 2006
					Bushfire Hazard Assessment (Barry Eadie Consulting Pty Ltd) 2005
					Traffic Noise Planning Assessment (Atkins Acoustics) 2006
					Water Quality Assessment (GHD) 2006
1026 Pacific Highway, Sapphire Beach	Lot 1 DP 1110623	6	DA approved Jun 2007	DA 770-07	Environmental Study (Peterson Consulting Group) 2007
					Preliminary Site Contamination Assessment (GHD) 2004
					Testing for Chemical Residues Split Solitary Road Sapphire (Holmes & Holmes) 1995
					Bushfire Risk Management Report (Bushfire Safe (Aust) Pty Ltd) 2006
3 Moonee Beach Rd, Moonee Beach	Lot 4 DP 252223	16	DA approved Jun 2002	DA 787-02	Statement of Environmental Effects (Smyth, Maher and Associates) 2001
Spilt Solitary Rd, Sapphire Beach	Lot 11 DP 1081287	9	DA approved Aug 2005	DA 984-05	NA
Moonee Beach Rd, Moonee Beach	Lot 6 DP 1140702, Lot 6 DP 252223, Lot 1 DP 1097743	NA	DA approved in L&E Court	DA 1132-10	Statement of Environmental Effects (RDM) 2010
198 Graham Drive, Sandy Beach	Lot 21 DP 1070182	24	DA approved Apr 2008	DA 1349-07	Vegetation Management Plan (GHD) 2010
North Sapphire Beach Beachfront Precinct	Lot 13 DP 882816	12	Assumed approved	DA 1474-06	REF Pedestrian Access Way and Dune Rehabilitation (Great Eastern Ecology) 2006
					Acid Sulfate Soil Assessment (Coffey) 2006
					Bushfire Risk Management Report (Bushfire Safe (Aust) Pty Ltd) 2006
					Coastline Hazard Definition Study (Patterson Britton) 2005
					Engineering Infrastructure Development Application Report (GHD) 2005
					Flora and Fauna Survey (Peter Parker Environmental Consultants) 2006
					Groundwater and Water Cycle Report (GHD) 2006

Site	Lot and DPs	Number of Houses/Lots	Status	Application Number	Documents Sited
31 Split Solitary Rd, Sapphire Beach	Lot 1 DP 628408	17	Approved (Deferred Commencement) Nov 2003	DA 1926-03	Linen plan issued by Council 27/10/2004. Validation of arsenic remediation 29/07/2004.

ATTACHMENT B: MAP OF PART 3A APPLICATIONS



ATTACHMENT C: ESTIMATED AREAS FOR RESIDENTIAL AND ENVIRONMENTAL ZONES BY LOCALITY

Proposal Zone	Area (Ha)				Total	Total %
	Emerald Beach	Hearnes Lake/Sandy Beach	Moonee Beach	Sapphire Beach		
E2	41.3	72.0	55.8	124.6	293.7	51.7%
R2	5.6	59.0	134.0	45.1	243.7	42.9%
RE1		1.8	10.3		12.1	2.1%
RE2	4.2	8.7		3.8	16.7	2.9%
SP2		0.4	1.4		1.8	0.3%
Total	51.1	141.8	201.6	173.5	568.0	100%
Total %	9%	25.0%	35.5%	30.5%	100%	