

1 context

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1.1 PLANNING HISTORY

The Coffs Harbour LEP (2000) zones the site as both Residential 2E Tourist Zone in the higher lands above flood liable / wetland areas and; Environmental Protection 7A Habitat Catchment Zone in low lying areas and SEPP No 14 - Coastal Wetlands.

In recent times, Council has prepared a vegetation / conservation management DCP which suggests that the whole site be conserved. Environmental studies prepared by the landowners suggest that this DCP is overly conservative and difficult and expensive to implement.

The owners of the site thus propose a mixed residential/tourism/conservation scheme which will conserve approx. 73% of the site funded by strategic and environmentally responsible development of the remainder of the site.

Negotiations with Coffs Harbour City Council in this regard have been underway since early 2004.

Due to the complexity and sensitivity of the area, the proposed development of the site will need to address the requirements of a number of planning instruments and government acts including:

- Coffs Harbour Local Environment Plan 2000;
- Moonee Development Control Plan (DCP) 2004;
- Coffs Harbour Subdivision DCP;
- Coffs Harbour Low Density Housing DCP;
- Coffs Harbour Residential Tourist Lands DCP;
- Coffs Harbour Off Street Car Parking DCP;
- NSW Threatened Species Conservation Act 1995 (TSC Act);
- Community Land Development Act, 1989;
- SEPP 71 Coastal Protection;
- North Coast Regional Environmental Plan;
- Landform Modification Information Sheet;
- Potentially Flood Prone Land Information Sheet;
- Fire Hazard Information Sheet;
- Contaminated Land Information Sheet;
- Koala Habitat Information Sheet;
- NSW Coastal Policy 1997;
- Coastal Design Guidelines;
- Sustainable Urban Settlement Guidelines.

The part of the site that is the subject of the Concept Plan is zoned 2E Residential Tourist under Coffs Harbour LEP 2000. The proposed development is permissible with consent under that zone. The site also includes land zoned 7A – Environmental Protection Habitat and Catchment, which is not affected by this application, apart from provision to ensure appropriate land management, and to provide for pedestrian paths. Other parts of the site within the 2E zone have been assessed as being less suitable for development, and are proposed to be retained and managed as an environmental conservation area.

On 16th September 2004 Council resolved to prepare an LEP for the Moonee area. This was subject to negotiation with the owners of the subject site regarding potential dedication of part of the site in exchange for housing on other parts. These negotiations are still underway and are non-conclusive at this time. At the same meeting the Council adopted Moonee Development Control Plan 2004.

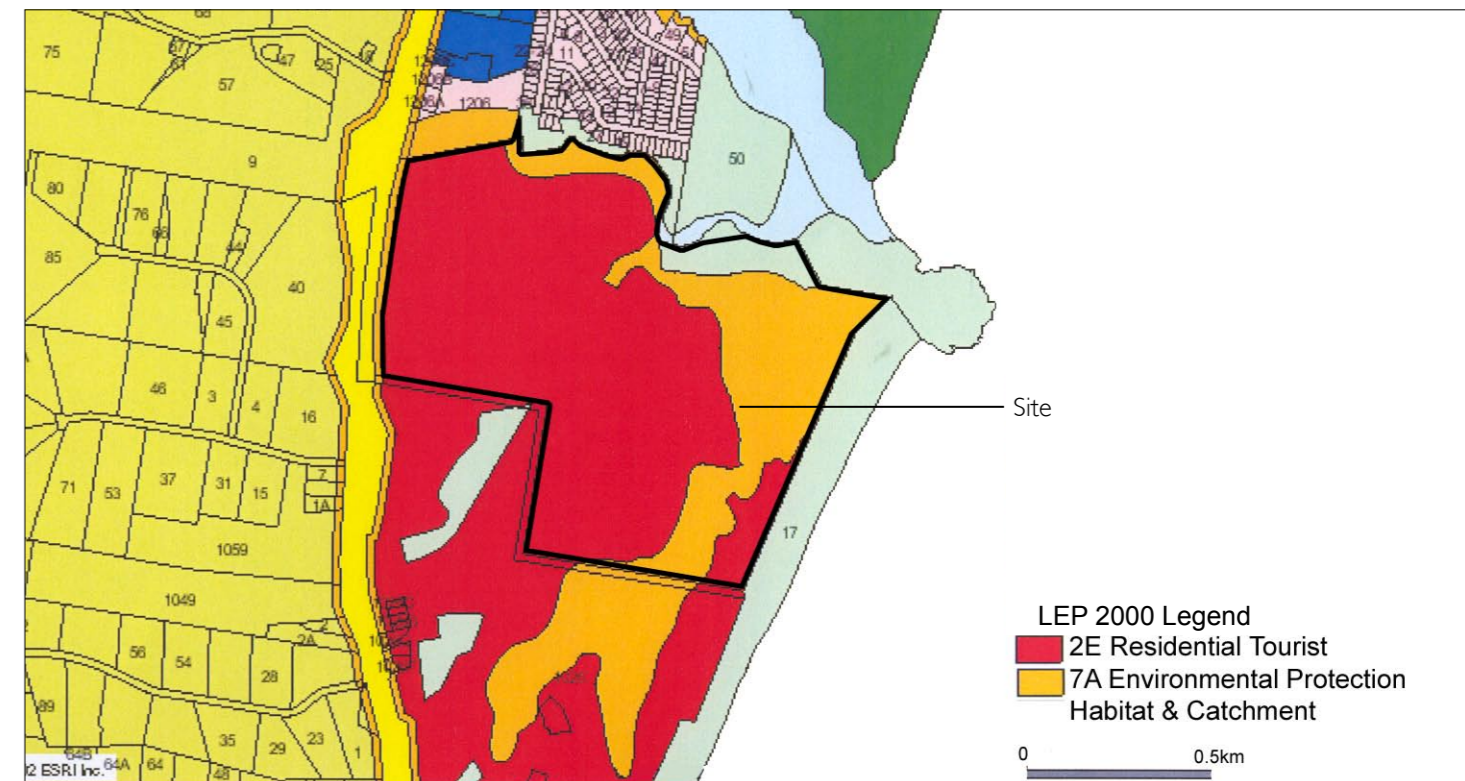


Fig 1-1: Coffs Harbour LEP 2000 Plan Identifying site as zones 2E and 7A

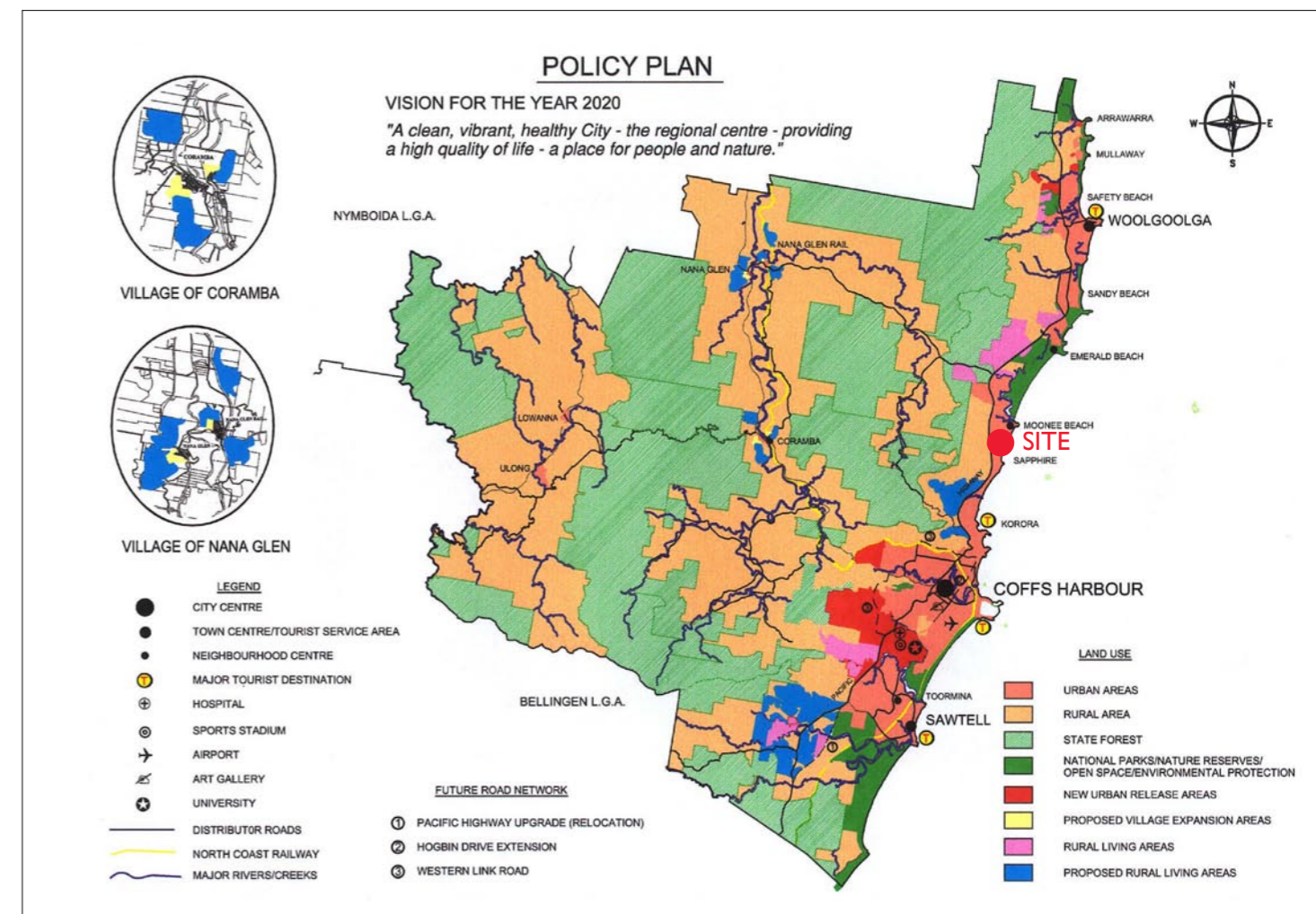


Fig 1-2: Coffs Harbour LEP 2000 Policy Plan Identifying Site as "Urban" Land Use

1.2 REGIONAL PLAN: DRAFT MID-NORTH COAST REGIONAL STRATEGY AND “OUR LIVING CITY” SETTLEMENT STRATEGY

During preparation of studies and plans by the proponent a variety of changes have occurred to the planning process in NSW.

As a result this project has been deemed a “Major Project” and as such part 3A of the EP & A Act applies and the Minister is the Approval Authority.

Department of Planning (DoP) has released a Mid-North Coast Strategy. According to this Strategy, our site is located within an area that will experience “the greatest population growth pressure”. New initiatives to manage coastal growth are considered to be necessary to accommodate the expected growth while protecting coastal values. To ensure that new developments are environmentally sustainable, as well as compatible with existing towns and villages, it is critical to protect not only the coastal values, but also the economic benefits arising from tourism that depends on these coastal values. Our development has considered issues and objectives within this Strategy and applied “Settlement Planning Guidelines” as a design consideration.

Four distinct sub-regions have been identified in the Strategy to manage housing demand and settlement growth:

- Clarence—incorporating the Clarence Valley local government area and centred on Grafton
- Coffs Coast—incorporating the local government areas of Coffs Harbour, Bellingen and Nambucca and centred on Coffs Harbour
- Hastings—Macleay Valley—incorporating the local government areas of Kempsey and Port Macquarie—Hastings and centred on Port Macquarie Manning Valley—Great Lakes—incorporating the local government areas of Greater Taree and Great Lakes and centred on Taree.
- The dwelling projections for the four sub-regions are set out below.

Dwelling projections for the four subregions

Subregion	Dwelling projection
Clarence	7000 dwellings
Coffs Coast	18 600 dwellings
Hastings—Macleay Valley	17 800 dwellings
Manning Valley—Great Lakes	15 000 dwellings

Coffs Harbour, Moonee Beach, Woolgoolga and Sawtell—Toormina—Boambee East have the greatest potential to accommodate the growth expected in the coastal areas of this subregion. Land supply on the coast is likely to be supplemented by new releases at Boggy—Cow Creek near Nambucca Heads. Several other coastal villages also have some limited capacity for expansion.

Coffs Harbour Council released “Our Living City” Settlement Strategy. This strategy proposed the site as part conservation and part “unlikely to be developed”.

It should be noted that the area indicated as “unlikely to be developed” will only be partially developed and as proposed is an infill site between Sapphire Beach and Moonee Beach with major conservation areas and two major corridors running east west connecting towards the Orana State Forest.

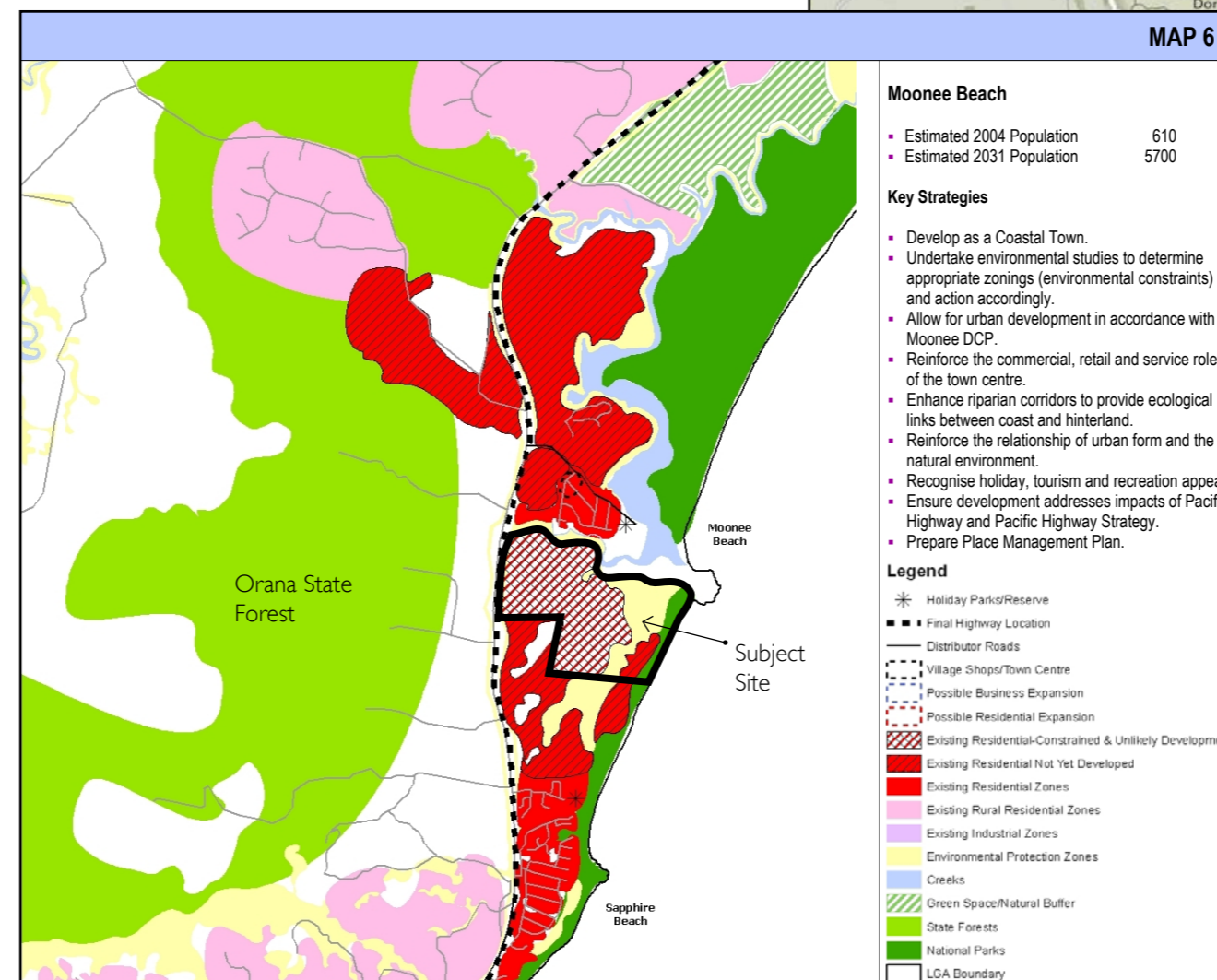


Fig I-3B: “Our Living City” Draft Settlement Strategy - Strategy Maps for Urban Areas - Map 6

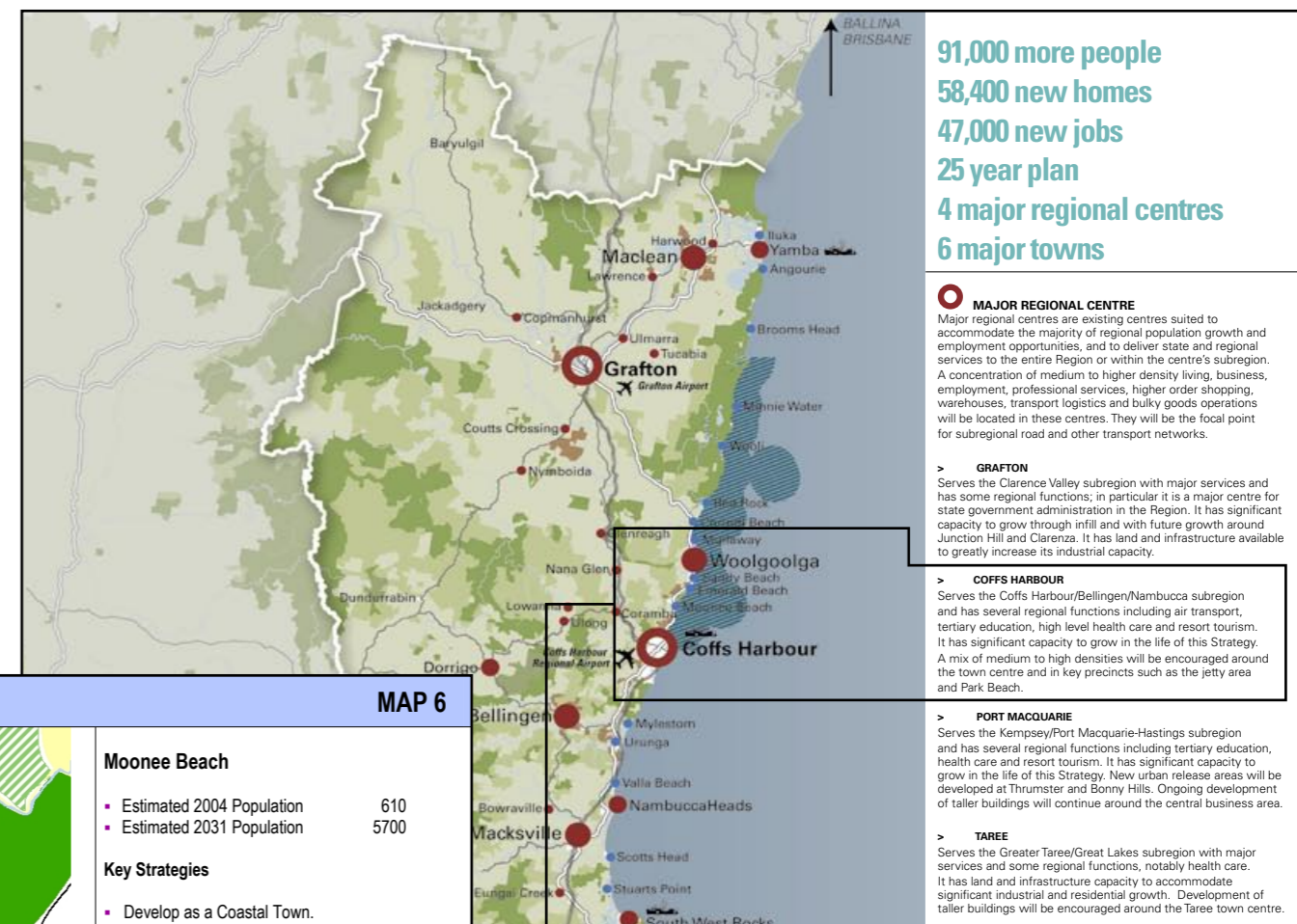
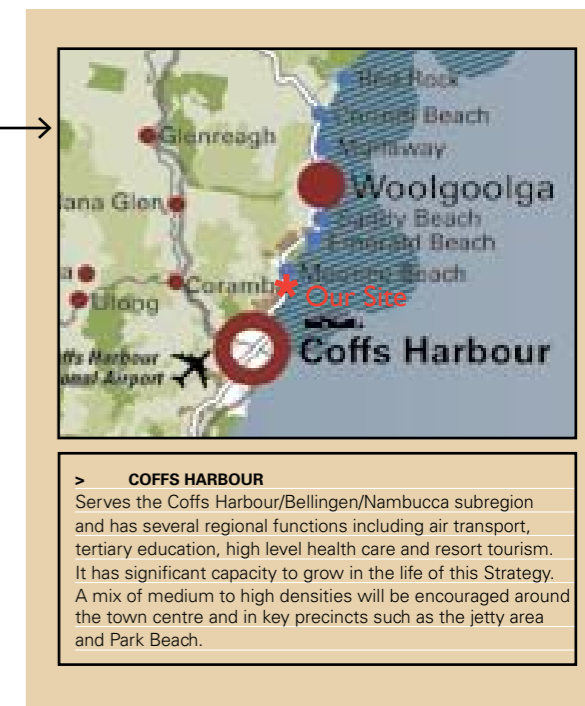


Fig I-3A: Draft Mid-North Coast Strategy - Strategy in a Glance



1.3 LOCAL CONTEXT

The site is located approximately 10km north of Coffs Harbour, situated between the coastal village of Moonee Beach to the north and Sapphire Beach to the south.

The overall site comprises Lot 66 in DP 551005 and fronts the Pacific Highway at Moonee Beach. It is irregular in shape and has an area of approximately 102ha and a frontage of approximately 575m to the Pacific Highway. It is bounded by the Pacific Highway to the west, Moonee Creek to the north, a public foreshore reserve to the east, and unmade public roads to the south.

The site is currently vacant and contains a mixture of heavily vegetated areas of varying quality, wetlands and dune systems. The site features substantial changes in level and topographical articulation.

An existing dedicated road reservation connects with the Pacific Highway on the southern edge of the site which provides access to the proposed southern village. A further access point is proposed to the northern village. These access points can connect with a proposed link road connecting Highway access to the north at Moonee Beach with access to the south, at Sapphire Beach.

The proposed development areas are generally confined to the more elevated parts of the site closest to the Highway, with an area closer to the beach behind the dunes, proposed to be dealt with as a deferred matter. The proposal has no negative impact on surrounding land uses or activities.

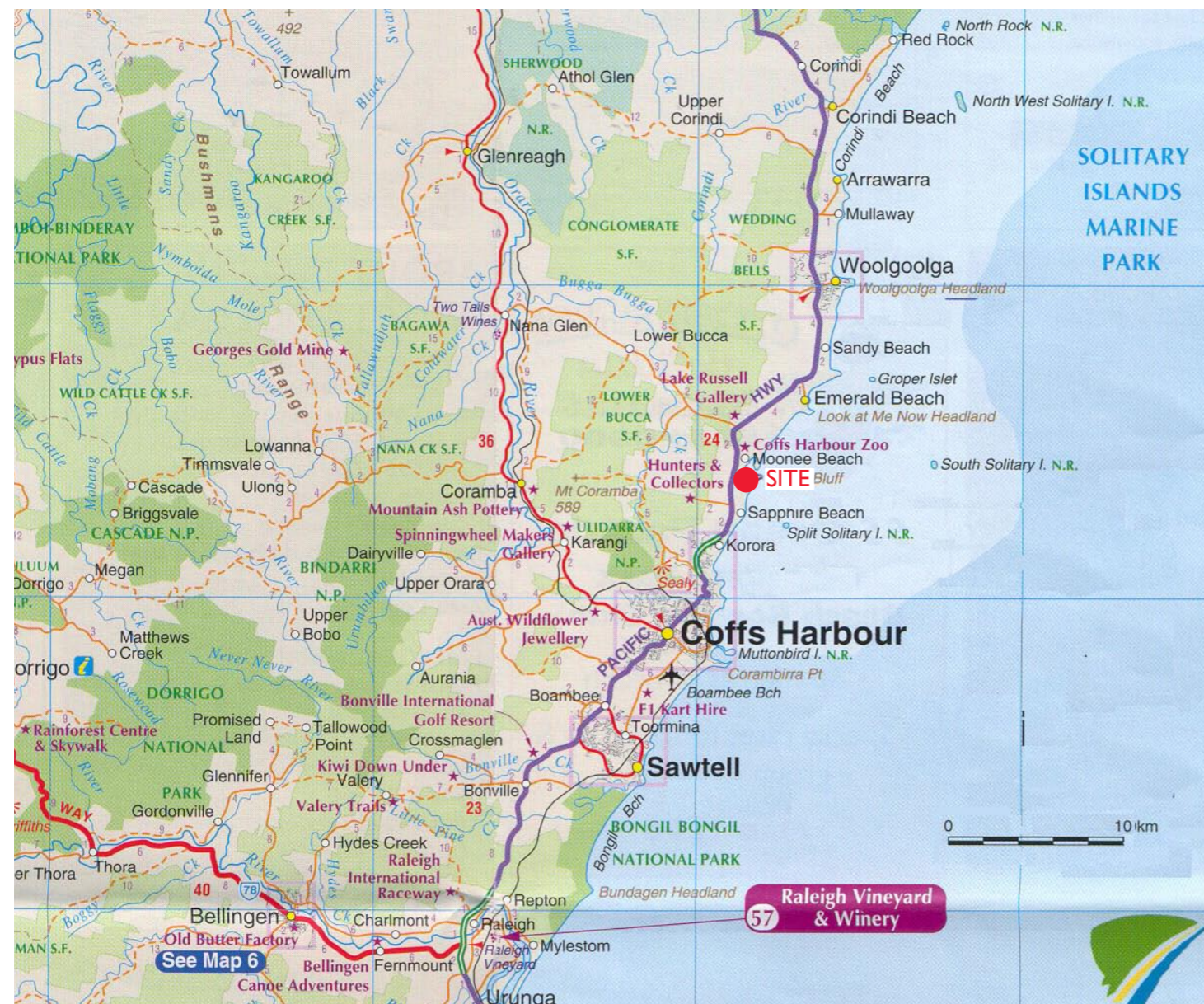


Fig I-4: Regional Context



Fig I-5: Local Context

1.4 SITE CONTEXT

The site includes the following landscape and environmental attributes:

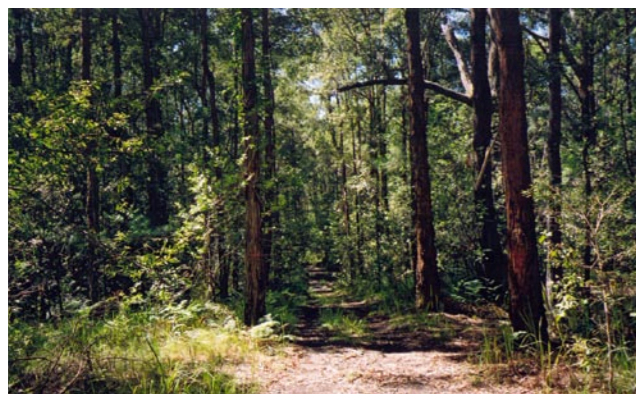
Coastal Dunes and Beach running north-south and separating the ocean from the wetlands.

Coastal Wetlands which lie behind the dunes and extend inland creating a low flood liable area which drains to Moonee Creek

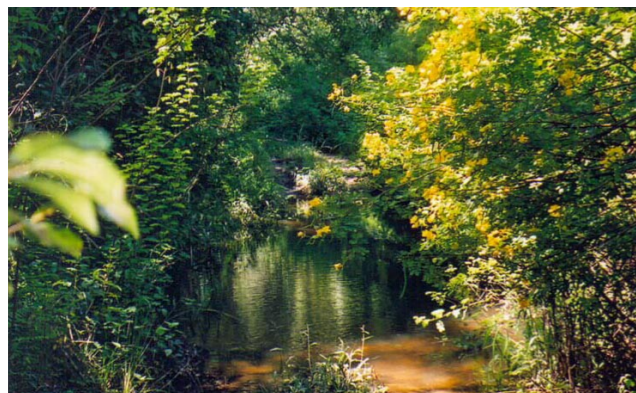
Potential Development Areas which have increased elevation and sit out of the wetlands. These areas support dry coastal forest vegetation which is a relatively common plant community type both locally and regionally.



Moonee Creek



Coastal forest



Coastal creek



Adjacent cleared area



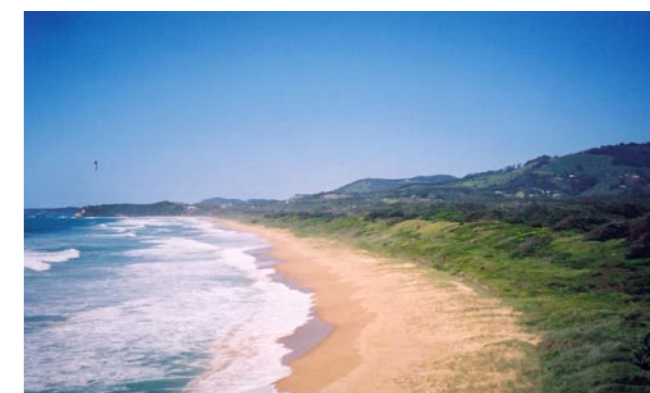
Moonee Creek



Coastal dunes



Wetlands



Beachfront and Coastal dunes