

*Connell Wagner Pty Ltd
ABN 54 005 139 873
116 Military Road
Neutral Bay
New South Wales 2089 Australia*

*Telephone: +61 2 9465 5599
Facsimile: +61 2 9465 5598
Email: cwsyd@conwag.com
www.conwag.com*

***Coffs Harbour Highway Planning
Coffs Harbour Section***

***Statutory and Strategic Planning Issues
Working Paper No 1***

*February 2004
Reference 1093.66.GE*

Table of Contents

<i>Section</i>	<i>Page</i>
Summary of Findings	iii
1. Introduction	1
1.1 Project Background	1
1.2 Study Methodology	1
1.3 Description of Corridor Options	2
2. Statutory Planning Framework	4
2.1 Introduction	4
2.2 Environmental Planning and Assessment Act 1979	4
2.3 Coffs Harbour Local Environmental Plan 2000	4
2.4 Other Local Planning Instruments and Policies	5
2.5 Regional Environmental Planning Instruments	6
2.6 State Environmental Planning Instruments	6
2.7 NSW Environmental Legislation	7
2.8 Commonwealth Environmental Legislation	7
3. Strategic Planning Issues	9
3.1 NSW Strategies and Policies	9
3.2 Regional Strategies and Policies	10
3.3 Local Strategies and Policies	12
4. Planning Implications of Options	14
4.1 Permissibility	14
4.2 Impact of Options on Land Use Planning	14
5. Process and Implementation	17
5.1 Process	17
5.2 Future Actions	18
6. References	19

Figures

Figure 1.1 Route Options

Figure 2.1 Zoning Map

Summary of Findings

The Coffs Harbour Highway Planning Strategy (CHHPS) is being developed with the objective of addressing the need to upgrade the highway between Sapphire and Woolgoolga, while planning for the future traffic needs within the Coffs Harbour Urban area.

The Statutory and Strategic Planning Issues working paper focuses on the Coffs Harbour section of the strategy and has been prepared to review the existing statutory and strategic planning framework, NSW State Government policies and the planning implications of the options and to investigate the statutory alternatives for implementing the strategy.

Roads are a permitted use with consent from Coffs Harbour City Council in the majority of land-use zones specified in the Coffs Harbour Local Environmental Plan (LEP) 2000. The exceptions are the Rural 1F State Forest zone and the National Parks and Reserves 8 zone where authorisation under the *Forestry Act 1916* and the *National Parks and Wildlife Service Act 1974* respectively would be required.

Both the existing highway and Inner Bypass Options lie adjacent to the Korora Nature Reserve. As long as the upgraded highway fronting that Reserve does not extend outside the existing road reservation, there is nothing in the LEP that would prohibit or tend to impede either upgrading the highway corridor or any of the inner bypass options. In any event, under the Savings provisions of the LEP, road transport undertakings can be undertaken without development consent and are subject to the provisions of Part 5 of the *Environmental Planning and Assessment Act 1979*.

There are numerous State, regional and local planning strategies and policies that are of relevance to the strategic highway options being considered. The overall transport need for an upgraded Pacific Highway through the Coffs Harbour LGA (as part of the Pacific Highway Upgrade Program) is recognised in these policies. Road safety and the need to improve travel times for local, regional, tourist and commercial traffic are key drivers in this regard. Other policies relevant to the future highway upgrade options relate to the need to protect the sensitive environmental characteristics of the North Coast region and locality while ensuring that the needs of an increasing population are met in terms of infrastructure provision and other services.

Although the direct land use impacts associated with the “ultimate” existing highway upgrade option would be substantially less than for the inner bypass corridor, there are still potentially significant planning implications, especially for the main city centre. With the envisaged changes to access and the progressive intensification of traffic activity along the corridor, there is the possibility of market forces leading to major land use change over time.

The land use planning impacts associated with an inner bypass corridor are significant. The areas set aside as release / investigation areas at North Boambee, West Coffs and Korora are all fundamentally affected by the inner bypass options. Council and the community will need to reconsider the most appropriate land use for these areas, where practicable, so they can be compatible with a major highway. Notwithstanding the significant planning implications with the inner bypass, there are opportunities (especially with the North Boambee area) to devise alternative land use scenarios that could be of major benefit to the community.

In the process of identifying and refining indicative alignments for the Inner Corridor, Council planning officers have worked closely with the project team. It is considered these options represent alignments that take into account changes to local and regional development that have occurred since the Coffs Harbour Urban Development Strategy was released in 1996.

Previous information releases on the CHHPS have identified the need, in the event of an inner bypass corridor being adopted, to reserve land before further land use change and urban growth precludes such opportunity. With the review of Council's Urban Development Strategy currently underway, it is timely that planning for the future of the Pacific Highway through Coffs Harbour be resolved concurrently with strategic land-use planning.

1. Introduction

1.1 Project Background

The Coffs Harbour Highway Planning Strategy (CHHPS) is being developed with the objective of addressing the need to upgrade the highway between Sapphire and Woolgoolga, while planning for the future traffic needs within the Coffs Harbour Urban area. The Strategy covers a study area from Sawtell in the south to Arrawarra in the north.

The Strategy was publicly launched in September 2001 and, in March 2002, an information sheet containing the following key announcements was released:

- Identification of four initial corridor options for the northern section of the strategy area from Sapphire to Woolgoolga.
- A decision that the Inner Corridor in the southern section of the strategy area between Sawtell and Sapphire / Moonee was the only potentially feasible bypass option suitable for further consideration.
- Commencement of a detailed comparison of upgrading the existing highway in the southern section of the strategy area as an alternative to an inner corridor bypass.

Following a decision by Coffs Harbour City Council (CHCC) to conduct an independent peer review of the work completed up to March 2002, work on the southern section of the study area between Sawtell and Sapphire was deferred, while work proceeded on the northern section between Sapphire and Woolgoolga. Following Council's receipt of the peer review in October 2002, investigations recommenced on the southern section. The peer review made a number of recommendations and broadly endorsed the findings of the Strategy to date.

A community update released in December 2002 described five route options for the Sapphire to Woolgoolga upgrade and a decision on a preferred route was expected to be announced in mid 2003.

In parallel with these activities, a review of the community generated "Coastal Ridge Way" option was undertaken. This review is presented separately in *Review of the Coastal Ridge Way Proposal* (Connell Wagner, 2004a).

As part of the investigations on the southern Coffs Harbour section, two indicative route options have been developed in the inner corridor. A range of studies has been undertaken to determine the performance of these options in comparison with a major upgrading of the existing highway. The feasibility of each of the options in terms of transport function, socio-economic implications and environmental consequences has been determined. Each option is compatible with all of the route options currently being examined in the northern part of the CHHPS from Moonee to Woolgoolga.

This study has been carried out to investigate the statutory and strategic planning implications of the alternative options.

1.2 Study Methodology

The following activities were carried out as part of the study:

- Review of the Local, Regional and State strategic policy documents and discussion of the implications of the route options for future strategic planning in the LGA.
- In broad terms, the permissibility of a road proposal in the areas covered by the route options.
- The statutory alternatives available for reserving of a bypass corridor or reserving additional land adjacent to the existing highway corridor.
- The process for implementing the strategy.

1.3 Description of Corridor Options

1.3.1 Inner Bypass

Two route options have been developed in the inner bypass corridor. Each is between 11.0 and 11.4km long with a common “cross-over point” in the vicinity of Coramba Road, near its intersection with Bennetts Road. The northern and southern sections of the options are interchangeable and combine to form four variants of the two main alignments. These are illustrated in Figure 1.1 and described as follows:

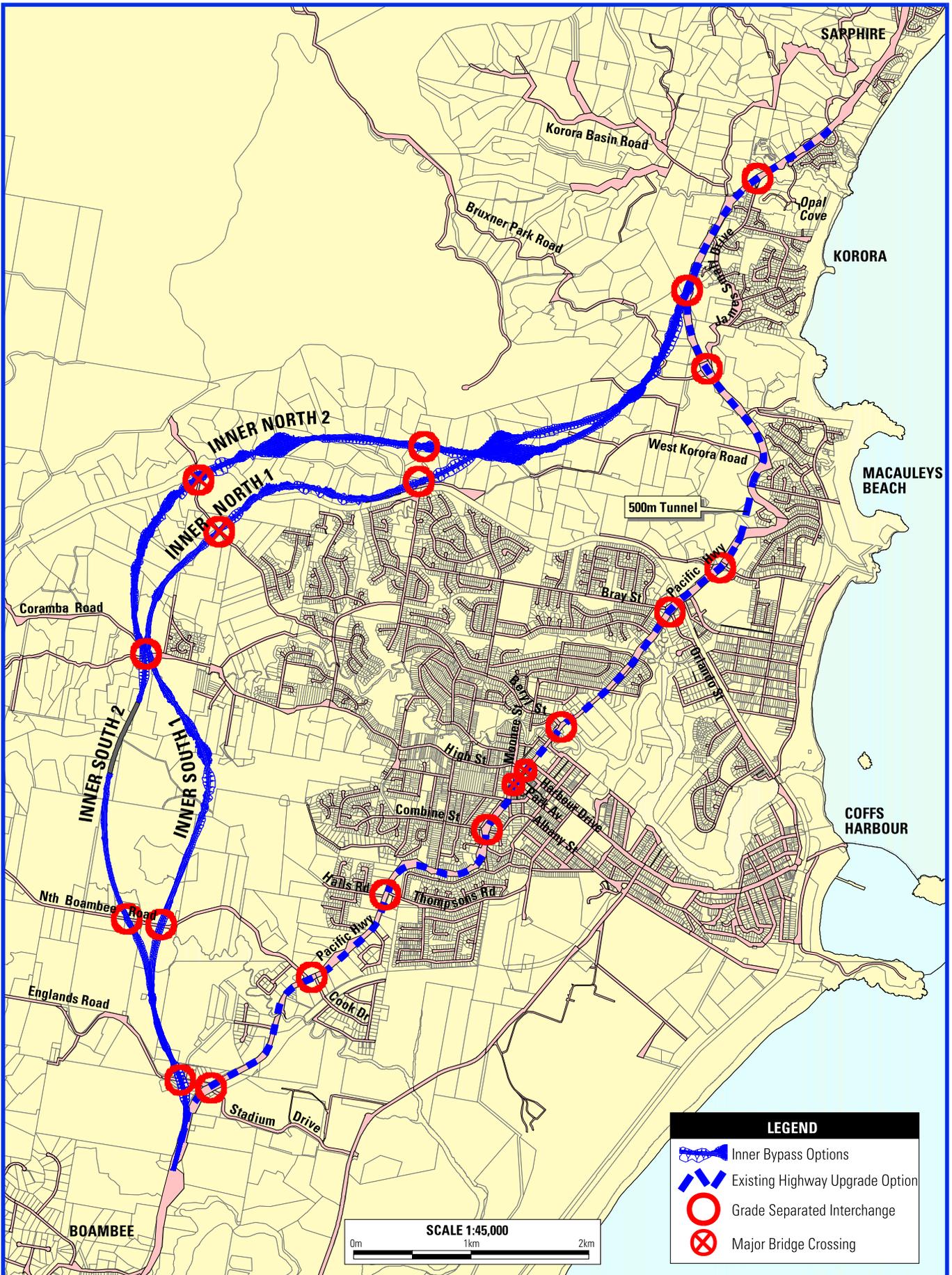
- *Inner South 1:* This option deviates from the existing highway just south of the Englands Road roundabout, aligning to the east of the CHCC waste depot and to the west of Isles Industrial Park. It crosses North Boambee Road approximately 300m west of Bishop Druitt College and continues north toward the low saddle in the Roberts Hill ridgeline approximately 100m west of Buchanans Road before proceeding north-west to Coramba Road, crossing near the Bennetts Road intersection.
- *Inner South 2:* This alignment is initially the same as Inner South 1 but deviates from that route south of North Boambee Road and tracks further to the west, to the Roberts Hill ridgeline about 800m west of the other alignment. Because of the higher terrain, this ridge traverse would necessitate a 560m long tunnel (a cutting is not feasible at this location).
- *Inner North 1:* From Coramba Road this alignment veers north-east, crossing Spagnolos Road and Shephards Lane before turning easterly, in close and parallel to the railway line for about 1.6km up to Mackays Road. From this point it deviates from the railway line to pass through another main ridgeline near the western end of Gatelys Road. Further north the alignment skirts the West Korora basin crossing Bruxner Park Road before rejoining the existing highway at Korora Hill.
- *Inner North 2:* This alternative alignment features a more westerly sweep of the West Coffs Harbour basin, providing more separation between the alignment and existing residential areas. It crosses Shephards Lane at its western extremity passing over the railway east of the railway tunnel under Shephards Lane. The route passes through and then behind a major ridgeline near the end of Shephards Lane and traverses a relatively isolated valley that is shielded from the residential areas of West Coffs Harbour. It then passes through the same ridge line as Inner North 1 near the western end of Gatelys Road and from that point the two northern alternatives are the same on the curved approach to the existing highway.

With both of the northern options, short tunnels could be used to eliminate potentially 60m deep cuttings (one on Inner North 1 and two on Inner North 2). Further discussion on tunnelling issues is provided in the Strategy Report.

1.3.2 Existing Highway Upgrade

The concept for an “ultimate” upgrade of the existing highway through Coffs Harbour is based on contemporary urban motorway schemes and has been developed to provide a dual-carriageway facility with grade-separated interchanges at key locations for local east-west traffic movements. These would be complemented by the provision of local north-south service roads or adjustments to existing local roads for access to properties and businesses along the existing corridor.

The existing highway upgrade concept is based on schematic design ideas (refer Figure 4.1 of *Coffs Harbour Highway Planning: Strategy Report* (Connell Wagner, 2004g)). Considerable



COFFS HARBOUR HIGHWAY PLANNING
 COFFS HARBOUR SECTION
 STATUTORY AND STRATEGIC PLANNING ISSUES



FIGURE 1.1
ROUTE OPTIONS

engineering concept development would be required in the event of it being adopted as the preferred Strategy. The concept was developed to a form that allows a valid comparison with a possible bypass scenario within the inner corridor.

The main features of the concept as developed to date are as follows:

- A total of 9 grade separated interchanges at:
 - Englands Road / Stadium Drive
 - North Boambee Road / Cook Drive
 - Thompsons Road / Halls Road
 - Combine Street / Albany Street
 - north of Coffs Creek near Beryl Street
 - Bray Street / Orlando Street
 - Arthur Street / Mastrocolas Road
 - Bruxner Park Road / James Small Drive (south)
 - Old Coast Road / James Small Drive (north).
- Rationalisation and connection of industrial area access roads on the southern outskirts between Englands Road and Thompsons Road.
- Horizontal alignment improvements (larger radii) and widening between Thompsons Road and Albany Street.
- Lowering of the highway (possibly in an open slot arrangement) through the CBD area between Park Avenue and Coff Street.
- Provision of a service road on the eastern side of the highway over the same length.
- Additional east / west overbridges at Park Avenue / Moonee Street and High Street / Harbour Drive.
- A 500 metre long tunnel through Macauleys Headland, with local traffic remaining on the existing highway.

2. Statutory Planning Framework

2.1 Introduction

This section of the working paper provides an overview of planning policies and environmental planning instruments that constitute the NSW planning framework. This framework currently applies to planning and land-use issues associated with investigating the inner bypass alignments and comparing them to the existing highway upgrade option. Many of the planning policies and strategies have been summarised during the course of development of the Coffs Harbour Highway Planning Strategy (refer Connell Wagner 2002a, 2002b).

2.2 Environmental Planning and Assessment Act 1979

Development in NSW is governed by the NSW Environmental Planning and Assessment Act 1979 (EP&A Act). As the government authority responsible for the management and development of roads, the Roads and Traffic Authority (RTA) would be the proponent for the Pacific Highway upgrading which would be subject to assessment under the provisions of the EP&A Act.

As the anticipated planning horizon for a future bypass of Coffs Harbour is possibly 20 years, specific details of the statutory requirements of the Act and the statutory obligations of the RTA with respect to environmental impact assessment¹ and determination may no longer be relevant at that time. It is relevant, however, to review the local, regional and state planning policies and instruments made under the EP&A Act that are likely to influence decision-making on route alignment options for a major upgrading of the Pacific Highway through Coffs Harbour.

2.3 Coffs Harbour Local Environmental Plan 2000

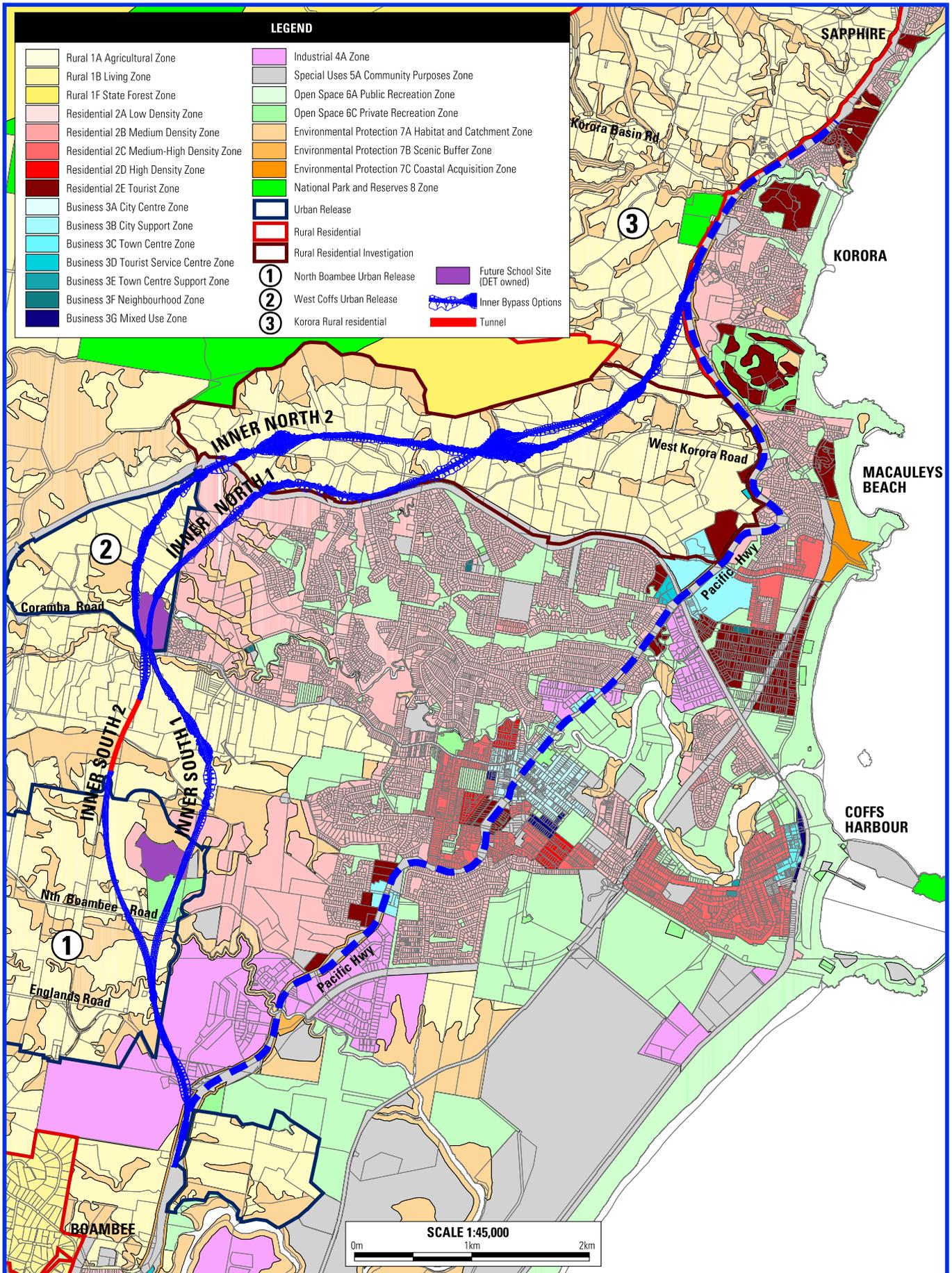
The main environmental planning instrument applicable to development in Coffs Harbour local government area (LGA) is Coffs Harbour Local Environmental Plan (CHLEP) 2000. Both the existing highway upgrade and the inner bypass options traverse numerous zones under the CHLEP as summarised in Table 2.1 and shown on Figure 2.1.

It should be noted that because the conceptual designs of the upgrade options are at a strategic level of development, a conservative view of the likely effect of the options has been taken. That is, all land use zones adjacent to any of the route options have been considered in the following assessment.

Table 2.1 Land use zones potentially affected by upgrade options

Zone	Inner Corridor				Existing Highway Upgrade
	Inner South 1	Inner South 2	Inner North 1	Inner North 2	
1A Rural Agriculture	✓	✓	✓	✓	✓
1B Rural Living	x	x	x	x	x
1F Rural State Forest	x	x	x	x	x
2A Residential Low Density	✓	x	✓	✓	✓
2B Residential Medium Density	x	x	x	x	x
2C Residential Medium-High Density	x	x	x	x	✓
2D Residential High Density	x	x	x	x	x
2E Residential Tourist	x	x	x	x	✓
3A Business City Centre	x	x	x	x	✓
3B Business City Support	x	x	x	x	✓
3C Business Town Centre	x	x	x	x	x
3D Business Tourist Service Centre	x	x	x	x	✓
3E Business Town Centre Support	x	x	x	x	x

¹ Refer Connell Wagner 2002a, Section 2.4, for detailed discussion of current statutory requirements under the EP&A Act.



COFFS HARBOUR HIGHWAY PLANNING
 COFFS HARBOUR SECTION
 STATUTORY AND STRATEGIC PLANNING ISSUES



FIGURE 2.1
ZONING MAP

Zone	Inner Corridor				Existing Highway Upgrade
	Inner South 1	Inner South 2	Inner North 1	Inner North 2	
3F Business Neighbourhood	x	x	x	x	x
3G Business Mixed Use	x	x	x	x	x
4A Industrial	✓	✓	x	x	✓
5A Special Uses Community Purposes – Electricity	x	x	x	x	✓
5A Special Uses Community Purposes – Public School	✓	x	✓	✓	x
5A Special Uses Community Purposes – Railway	x	x	✓	✓	✓
5A Special Uses Community Purposes – Hospital	x	x	x	x	✓
5A Special Uses Community Purposes – Classified Road	✓	✓	✓	✓	✓
6A Open Space Public Recreation	x	x	x	x	✓
6C Open Space Private Recreation	✓	x	x	x	✓
7A Environmental Protection Habitat and Catchment	✓	✓	✓	✓	✓
7B Environmental Protection Scenic Buffer	✓	✓	✓	✓	✓
7C Environmental Protection Coastal Acquisition	x	x	x	x	x
8 National Park and Reserves	x	x	✓	✓	✓

Key: ✓ Potentially affected
x Not affected

2.4 Other Local Planning Instruments and Policies

2.4.1 Korora Draft Local Environmental Plan (2001)

The Korora Local Environmental Study (LES) has been prepared by CHCC to provide background information with regard to preparing a more detailed Local Environmental Plan (LEP) for the area inclusive of West Korora, Korora Basin and West Sapphire, situated to the north of the main Coffs Harbour urban area. A draft Development Control Plan (DCP) was also prepared to set out the overall masterplan and strategy for the release area and set down specific development controls.

The common northern section of the inner bypass alignments connect with the existing Pacific Highway adjacent to the Korora basin, which was identified in the Rural Residential Strategy 1999 for proposed rural-residential development. Map 3 of the DCP shows that the inner corridor alignment would affect several lots in the area proposed for 1ha minimum subdivision between West Korora Road and Bruxner Park Road.

Notable aspects of the draft LEP and DCP that would need to be reviewed and amended to accommodate the inner bypass option include the traffic and transport strategy, subdivision controls and road and access controls.

2.4.2 North Boambee Valley Release Area

The overall concept plan for the North Boambee Valley residential release area was released in 1996 and provided for a three-staged release of land in the valley based on an anticipated population of 9,350 persons (refer Figure 2.1). Stage 1 of the release was zoned mainly residential in 2000. The concept plan provided a number of strategies for development of all three stages of the valley including housing, traffic and transport, community facilities and services, business, natural environment, landscape and recreation and servicing strategies. Detailed controls applying to density, dual occupancy, open space, acoustics, site coverage, environmental protection, drainage and water quality, setbacks to banana lands, and protection of archaeological artefacts were also provided for development in Stage 1 of the release area.

The Inner South 1 option affects Stage 1 of the release area, while the Inner South 2 option affects Stage 2. The implications of these impacts are discussed in Section 4.2 of this report.

2.4.3 Coffs Harbour Koala Plan of Management

The Coffs Harbour Koala Plan of Management (KPOM) was issued as a draft for public comment in February 1998. A joint Department of Environment and Conservation (DEC) and CHCC initiative, it identified and mapped koala habitat throughout the LGA, categorising primary, secondary and tertiary koala habitat as a basis for protection of the habitat in the LEP. The KPOM was prepared to fulfil the statutory requirements of SEPP 44 and to facilitate both koala conservation and strategic planning objectives in Coffs Harbour.

The KPOM set down a number of ongoing management actions for public education, research and implementation as well as making recommendations for protecting koala habitat by means of planning controls on development, clearing, disturbance, habitat fragmentation or isolation.

Both the Inner Bypass options and the Existing Highway option would require the provision of fauna underpasses due to the presence of wildlife linkages, which include a number of Koala movement corridors. A detailed discussion of the upgrade options in relation to koala habitat is contained in *Working Paper No5: Ecological Assessment* (Connell Wagner, 2004b).

2.5 Regional Environmental Planning Instruments

The North Coast Regional Environmental Plan (NCREP) is the only regional environmental planning instrument that applies to the area containing the upgrade options. Prepared in 1988, the NCREP establishes the regional planning framework for the North Coast region of NSW. The focus of the NCREP is on identifying issues for consideration in the making of local environmental planning instruments and, in particular, the need to maintain and enhance the environmental qualities of the region, while at the same time providing for efficient and important economic growth and development.

NCREP does contain some provisions that relate to development control at a project specific level. These provisions include matters to be considered by Council in the determination of whether or not to grant development consent to the following activities:

- Agricultural activities (Clause 12).
- Activities within, adjoining or upstream of wetlands or fishery habitat areas (Clause 15).
- Clearing of natural vegetation in environmental protection, scenic protection or escarpment preservation zones (Clause 29A).
- Development of Coastal Lands (Clause 32B and 33)
- Development adjacent to the ocean or a waterway (Clause 81)

Relevant provisions of the above clauses provide a basis for assessment of the options.

2.6 State Environmental Planning Instruments

State Environmental Planning Policies (SEPP) are made under the EP&A Act and policies currently relevant to the Coffs Harbour section of the Pacific Highway upgrading are summarised below. While these are likely to be amended prior to a detailed design and assessment stage, it is relevant to consider the intent of relevant policies and their implications for any highway upgrading.

2.6.1 State Environmental Planning Policy 26 – Littoral Rainforests

The aim of SEPP 26 is to protect littoral rainforest within the State by establishing a mechanism for the consideration of development applications that are likely to affect areas of littoral rainforest. However, there are no areas of littoral rainforest affected by the upgrade options and therefore SEPP 26 is not relevant.

2.6.2 State Environmental Planning Policy 14 – Coastal Wetlands

The aim of SEPP 14 is to protect areas of coastal wetlands identified under the SEPP. Works within wetlands identified under SEPP 14 are defined as designated development therefore requiring that an EIS be prepared and consent obtained under Part 4 of the EP&A Act. It is noted that it is commonly interpreted that SEPP 4 does not override the consent requirements of SEPP 14. The only SEPP 14 wetland in the vicinity of the upgrade options is No 321 near the Showground to the east of the existing highway. Since this wetland would not be directly affected by any upgrading works, SEPP 14 is not relevant.

2.6.3 State Environmental Planning Policy 44 – Koala Habitat Protection

The aim of SEPP 44 is to encourage the proper conservation and management of areas of natural vegetation that provide habitat for koalas. SEPP 44 does not apply to the Coffs Harbour LGA because a Koala Plan of Management (refer Section 2.4.3 above) has been prepared for the LGA and as such, has no implications for the proposal.

2.6.4 State Environmental Planning Policy 71 – Coastal Protection

The aim of SEPP 71, which commenced in November 2002, is to ensure that the coastal zone is protected in accordance with the principles of ecologically sustainable development. SEPP 71 will ensure that development in the coastal zone is appropriate and suitably located and that there is a clear and consistent development framework for the coastal zone.

The SEPP relates predominantly to development undertaken in accordance with Part 4 of the EP&A Act. As such, its relevance to the highway upgrading proposals in terms of implications for the statutory approvals process is likely to be limited.

2.7 NSW Environmental Legislation

A number of other statutes are potentially applicable to the planning and assessment of highway proposals. At this strategic level of planning it is not necessary to discuss them in any detail, but rather to acknowledge that they need to be considered at the detailed planning stage of a project. The statutes are listed below and discussed in more detail in Connell Wagner 2002a (Section 2.5):

- Protection of the Environment Operations Act 1997
- Threatened Species Conservation Act 1995
- Fisheries Management Act 1994
- Native Vegetation Conservation Act 1997
- Heritage Act 1977
- National Parks and Wildlife Act 1974
- Water Management Act 2000
- Contaminated Land Management Act 1995

2.8 Commonwealth Environmental Legislation

The Commonwealth *Environment Protection and Biodiversity Conservation (EPBC) Act 1999* came into force on 16 July 2000. The EPBC Act requires that approval from the Commonwealth Minister for

the Environment is required if the proposal is likely to have or would have a significant effect on a matter of "National Environmental Significance" (an NES matter).

For the purposes of the EPBC Act, NES matters are defined as:

- World Heritage properties
- Ramsar wetlands
- Nationally threatened species and ecological communities
- Migratory species
- Commonwealth marine areas
- Nuclear actions.

The Commonwealth Department of Environment and Heritage (formerly Environment Australia) has produced the "EPBC Act Administrative Guidelines on Significance" (July, 2000), which establish a process for determining whether or not a significant effect is likely to occur. If a significant effect is likely to occur, the proposal is required to be referred to the Commonwealth Minister for the Environment to determine whether or not it constitutes a "controlled action" and thus whether approval is required under the EPBC Act.

It is considered unlikely that either of the options would result in a significant effect on World Heritage properties, Ramsar wetlands or Commonwealth marine areas and the works would not constitute nuclear actions. A discussion of the upgrade options in relation to nationally threatened species and ecological communities and migratory species is contained in *Working Paper No5: Ecological Assessment* (Connell Wagner, 2004b).

Furthermore, the Act also provides that approval from the Commonwealth Environment Minister is required for:

- an action on Commonwealth land that has, will have, or is likely to have a significant impact on the environment
- an action outside Commonwealth land that has, will have or is likely to have a significant impact on the environment on Commonwealth land
- an action undertaken by the Commonwealth which has, will have or is likely to have a significant impact on the environment anywhere in the world.

The upgrading works would not be undertaken on or in the proximity of any Commonwealth owned land or by a Commonwealth agency.

3. Strategic Planning Issues

3.1 NSW Strategies and Policies

3.1.1 Action for Transport

Action for Transport 2010 contains the NSW Government's long-term vision for meeting the transport needs of NSW. *Action for Transport 2010* includes the following 12-point action plan to achieve this vision :

- Meeting the needs of the growing and changing population
- Safeguarding the environment
- Improving air quality
- Reducing car dependency
- Getting more people on public transport
- Improving access for rural communities
- Making freight more competitive
- Keeping the network in good order
- Getting the best out of the system
- Giving the community value for money
- Making space for cyclists and walkers
- Preventing accidents and saving lives

Action for Transport 2010 notes that the North Coast is the State's fastest growing region and contains commitments to the continuation of the Pacific Highway Upgrading Program (PHUP) being jointly funded by the State and Commonwealth governments. The planning phase investigations for the CHHPS are being funded as part of the PHUP and the project objectives developed for both the northern (Sapphire to Woolgoolga) and southern (Coffs Harbour) sections will need to be consistent with the objectives of the PHUP.

3.1.2 Action for Air

The NSW Government has released a policy document entitled *Action for Air* (1998), which provides key strategies and guidelines for protecting and improving the quality of air in New South Wales. The Policy covers a range of key strategies, including the following, which are relevant to the development of transport infrastructure projects:

- integrating air quality goals and urban transport planning – integrate transport and infrastructure planning, and improve the management of freight transport
- provide more and better transport choices – provide better public transport, promote cycling and walking, and change travel behaviour through education
- make cars, trucks and buses cleaner – reduce car emissions, reduce diesel emissions, and promote cleaner fuels.

An overview assessment of air quality issues associated with the Highway Upgrade and Inner Bypass Options has been prepared and is reported in the *Coffs Harbour Highway Planning: Strategy Report* (Connell Wagner, 2004g). The second key strategy cited above will become increasingly important as Coffs Harbour continues to grow and opportunities will need to be examined and developed as part of the ongoing plans for the preferred Strategy. The latter strategy will be influenced by broader government and industry initiatives, but it is noted that the options under consideration have been developed so that more efficient vehicle operations can be achieved, including for the significant number of freight vehicles that traverse the area.

3.1.3 Road Safety 2010

Road Safety 2010 is the NSW State Government's policy document focussing on the need to improve road safety on the metropolitan and regional road networks. Road Safety 2010 contains commitments to building and maintaining better and safer roads and cites the upgrading of the Pacific Highway as key initiative in this regard.

A high standard of road design has been adopted in the concepts developed for the highway upgrade and inner bypass corridor options, especially in relation to definition of interchanges, vertical and horizontal alignment and the indicative cross sections used. Road safety will be an important criterion used in the comparative assessment leading to adoption of a preferred highway strategy.

3.2 Regional Strategies and Policies

3.2.1 North Coast Regional Environmental Plan

The statutory implications of the NCREP were discussed in Section 2.5. In relation to strategic objectives, the primary objectives of the REP are to guide future development in a way that does not compromise or affect existing and proposed areas of agricultural land, as well as areas of natural environment and scenic beauty.

The REP also provides specific guidelines for the provision and development of strategic transport links, principally roads, which are the key to economic growth and prosperity in the region. Clause 53 (2)(b) states that "where traffic is in conflict with local traffic, make provision for traffic to bypass major urban areas". This is especially true for designated primary arterial roads, of which the Pacific Highway is one.

There is little doubt that traffic conflicts on the Pacific Highway through Coffs Harbour will increase as the through and local traffic progressively grows. The highway upgrade option (although not a bypass), is a legitimate strategic option for the future highway as it could be designed so as to provide good standard highway capacity and substantially reduce conflict with local traffic.

Strategic planning objectives of the NCREP of particular relevance to this stage of highway planning are listed in Table 3.1.

Table 3.1: NCREP Strategic Planning Objectives

Objective
Agricultural Resources
To conserve the productive potential of agricultural land.
To ensure that commercial agriculture is not affected adversely by incompatible uses which impair its long term sustainability.
To ensure that industries and services that support agriculture are not disrupted.
Geological Resources
To prevent sterilisation of known resources by inappropriate development on or near to potential extraction sites.
Natural Environment
To protect areas of natural vegetation and wildlife from destruction and to provide corridors between significant areas.
To protect the scenic quality of the region, including natural areas, attractive rural areas and areas adjacent to waterbodies, headlands, skylines and escarpments.
Coastal Planning
To enhance the visual quality of the coastal environment.

Objective
Heritage
To conserve the environmental heritage (including the historic, scientific, cultural, social, archaeological, architectural and aesthetic heritage) of the North Coast Region.
To encourage the conservation of the Region's historic townscapes which contain one or more buildings or places of heritage significance or which have a character and appearance that is desirable to conserve.
Transport
To safeguard the role and efficiency of the main road system of the region, particularly by recognising the importance of primary arterial roads.
To facilitate maintenance and improvement of transport in the region.

Both the inner bypass and existing highway upgrade options could be developed to fulfil the transport objectives identified in the REP. The likely implications of both options in relation to the other objectives are assessed in *Working Paper No 2 Urban Design and Visual Assessment*, *Working Paper No 5 Ecological Assessment*, *Working Paper No 6 Socio-Economic Assessment* and *Working Paper No 7a Indigenous Heritage Assessment* (Connell Wagner, 2004e) and *Working Paper No 7b Non-Indigenous Heritage Assessment*. (Connell Wagner, 2004f).

3.2.2 North Coast Urban Planning Strategy

The *North Coast Urban Planning Strategy – Into the 21st Century*, prepared by the NSW Department of Planning in 1995, outlines a range of strategy outcomes for the future settlement patterns for the North Coast area of NSW. This Strategy applies to all local government areas between Tweed Heads and Hastings (Port Macquarie).

The Strategy aims to provide for a more coherent approach to the planning of settlements along the North Coast, with regard to a number of issues related to each area's capacity and constraints, in order to better accommodate the predicted growth in population. The Strategy also complements the North Coast REP.

The Strategy envisages a proposed population for Coffs Harbour of 87,000 by the year 2016. It notes that there is sufficient zoned land to accommodate for this increase, however there are significant planning issues associated with such an increase in population. These issues relate specifically to water supply and waste management.

With regard to transport links within the region, the Strategy recognised the RTA's broad options at the time to upgrade the Pacific Highway, namely the "Pacific Highway Upgrade" scenario and the subsequently discarded second proposal referred to as the "Motorway Pacific" option.

The Strategy discusses the need for specific attention to be given to increasing traffic congestion and associated problems around Coffs Harbour. This was seen as an impediment to growth and has been highlighted as a strategic issue for further investigation.

3.2.3 North Coast Road Strategy (1993)

In 1993 the RTA released a North Coast Road Strategy for the entire North Coast region, stretching from Hexham, north of Newcastle to the Queensland border. The Strategy outlined two primary road-upgrading strategies for the Pacific Highway corridor. These consisted of a "Motorway Pacific" proposal and a program of selected upgrading of sections of the existing highway prone to accidents, referred to as the "Pacific Highway Upgrade" strategy.

The Motorway Pacific option discussed in the Strategy would have seen approximately 600 kilometres of new freeway-standard road, built generally along a new alignment away from the present highway, constructed between Hexham and Tweed Heads. This option was regarded as having the most beneficial impacts to travel time and safety issues along the Pacific Highway corridor, though was likely to result in significant adverse impacts on the many towns and centres bypassed.

Conversely, the Strategy also canvassed a second primary option, which involved selected upgrading of important sections of the existing Highway at desired locations which were affected by significant operational deficiencies and had a poor history of traffic accidents. It was envisaged this program of highway upgrading would include, where justified, local bypasses of urban centres along the coast.

The Motorway Pacific strategy was abandoned by the government and in recent years the NSW Government in conjunction with the Federal Government, has embarked on a program of progressive upgrading of the Pacific Highway at certain locations between Hexham and the Queensland border. This upgrading program is similar to the "Pacific Highway Upgrade" option, as canvassed in the North Coast Road Strategy. Many of the recently completed or planned projects along the Highway corridor, including the current investigations for Coffs Harbour, reflect the proposals in the North Coast Road Strategy.

3.2.4 Upgrading the Pacific Highway Discussion Paper

The RTA's Discussion Paper on upgrading the Pacific Highway was released in 1997 and contained details of the proposed funding and management arrangements for the 10 year upgrading program between Hexham and Tweed Heads. The Discussion Paper identified priorities for the first three years and a draft 10 year strategy for the upgrade of the entire Highway.

3.3 Local Strategies and Policies

3.3.1 Coffs Harbour Urban Development Strategy (1996) and Effects on Future Residential Development

To assist with the planning of future development in the local government area, CHCC released an Urban Development Strategy in 1996 to guide urban settlement planning and identify issues for further analysis to help shape the region's predicted increase in population.

The Urban Development Strategy focuses on several key aspects of the region's development, including housing needs, economic development, physical infrastructure, community services and recreational facilities. The Strategy outlines each of these key areas in more detail, and provides associated population predictions for low, medium and high targets at five-year increments up to the year 2021.

Significant transport and infrastructure issues were also discussed as part of the Strategy. The Strategy identified that approximately 80% of all travel in the city area is undertaken by private motor vehicle, with only 9% by public transport (Coffs Harbour City Council, 1996). The Strategy proposed an option to alleviate internal traffic congestion within and through Coffs Harbour. Known as the Eastern Distributor, the proposal runs from Hogbin Drive in the south through to Arthur Street in the north. Originally acquired by the RTA, Council has identified this route as a potential alternative arterial route to the Pacific Highway, which suffers from major traffic congestion through the town centre. Such congestion is expected to worsen with the additional through traffic and the predicted increase in population envisaged for the Coffs Harbour area.

Council has indicated that it is currently reviewing and updating the Strategy in relation to future residential land use in the LGA. This review is one component of Council's Sustainable Settlement Strategy, which commenced in 2003 and forms part of Council's Draft Management Plan that was on exhibition at the time of preparing this report.

3.3.2 Coffs Harbour City Council Rural Residential Strategy (1999)

In 1999 CHCC prepared a Rural Residential Strategy to assist in the planning for possible locations of rural residential living within the local government area. The Strategy largely focuses on new areas that have been targeted for possible rural residential development, to cater for the increase in demand for such living. The areas that have been targeted for rural residential development are mainly situated immediately to the south and north of Coffs Harbour. To the north, the area to the west of the existing Korora suburb has been nominated for preferred rural residential development, as well as an area immediately to the north known as West Sapphire.

3.3.3 Draft Rural Lands Strategic Plan (November 2001)

The Coffs Harbour Rural Lands Strategic Plan was developed by CHCC in partnership with the community. A Preliminary Draft of the plan was prepared in November 2001 as a basis for community information workshops. When finalised, the plan will amend the Urban Development Strategy and the Rural Residential Development Strategy with respect to certain village areas and other areas nearby.

The Rural Lands Strategic Plan is supplemented by a draft LEP that will also amend the Coffs Harbour City LEP 2000 in a number of ways. Most of the amendments apply to the rural villages. However, of relevance to the future highway corridor options, will be the proposed provision in the LEP that removes the 40ha subdivision restriction on some land zoned 1A Rural Agriculture in the coastal strip. Currently, LEP 2000 allows subdivision to 6ha lots exclusively for banana growing. The proposed amendment would allow retention and enhancement of native vegetation, and the potential for alternative agricultural uses or farm forestry.

Also of relevance is the proposed DCP for Coastal Rural Lands, which will impose a number of general and specific controls on development including landform modification, heritage conservation, rehabilitation of riparian areas, avoiding koala habitat and compensatory revegetation. Similarly, the proposed Place Management Plans for Bonville and for the Coffs Rural area (including Korora, Coffs Harbour, Coffs West, North Boambee Valley) have a strong emphasis on community involvement in the preparation of such actions as resolving highway access issues.

Assuming there will be no major changes to the Rural Lands Strategy, the main implications lie with the inner options where they pass through areas of land zoned 1A Rural Agriculture. The proposed lifting of the 40ha subdivision restriction on these lands for non-banana production will allow more options for small farm areas and lessen the impact on native vegetation resulting from a new highway corridor. The strategy also proposed that incentives be established for rehabilitation of abandoned banana farms.

4. Planning Implications of Options

4.1 Permissibility

Land-use zones traversed by the inner bypass and existing highway options have been identified in Table 2.1. Roads are a permitted use with consent from CHCC in the majority of land use zones specified in the LEP. None of the options pass through the Rural 1F State Forest zone or the National Parks and Reserves 8 zone where authorisation under the *Forestry Act 1916* and the *National Parks and Wildlife Service Act 1974* would be required. However, the existing highway fronts the Korora Nature Reserve which is zoned National Parks and Reserves 8. As long as that section of the highway fronting the reserve does not extend outside the existing road reserve, there is nothing in Coffs Harbour LEP 2000 that would prohibit or tend to impede either upgrading the highway corridor or any of the inner bypass options.

Clause 7 of the Savings provisions of Coffs Harbour LEP 2000 provides that development consent is not required for any activity listed in Schedule 1. Schedule 1 includes:

- (5) *The carrying out by persons carrying on public utility undertakings, being road transport undertakings, on land comprised in their undertakings, of any development required in connection with the movement of traffic by road including the construction, reconstruction, alteration, maintenance and repair of buildings, works and plant required for that purpose, except:*
 - (a) *the erection of buildings and the reconstruction or alteration of buildings so as materially to affect their design or external appearance, or*
 - (b) *the formation or alteration of any means of access to a road.*

Any proposal to upgrade the Pacific Highway falls within the definition contained in Schedule 1 of “road transport undertakings”. As such, in zones where the proposal would have otherwise required development consent or been prohibited, Clause 7 of the LEP allows such works to be permissible and to be undertaken without the need for development consent and thus be subject to Part 5 of the EP&A Act.

Therefore, within all the zones traversed by the upgrade options, roadworks can be undertaken without development consent and are subject to the provisions of Part 5 of the EP&A Act.

4.2 Impact of Options on Land Use Planning

4.2.1 Existing Highway Upgrade

The impact of the “ultimate” existing highway upgrade scheme would mainly result from the new interchanges, access ramps and service road arrangements. Property acquisition would be required in some sections along the existing road reserve and some properties would lose their existing frontage and access to the highway. It is likely this would result in some commercial and other land use in the main urban area “turning its back” on the redeveloped highway with new access obtained from parallel local roads. Although this may not occur on a wholesale basis at the time of highway construction, substantial change could be expected in the city centre over time. In general terms, the land-use implications would be less direct in nature compared to those of the inner bypass options but they could, nonetheless be significant.

4.2.2 Inner Bypass

The inner bypass options would impact mainly on existing rural agricultural and rural residential land uses – mainly in the form of smaller landholdings.

At the southern end, both the Inner South 1 and Inner South 2 options would impact on land zoned Industrial near Englands Road while the Inner South 1 option would also impact on Stage 1 of the North Boambee release area, bisecting the school site. The Inner South 2 option runs to the west of the school site and bisects the Stage 2 area.

North of Coramba Road, both northern options affect the reserved school site on Spagnolas Road. At the northern end, the inner bypass options also impact on areas designated for rural residential release and urban investigation in the Korora Basin.

Pending finalisation of the updated Urban Development Strategy, discussions were held with Council regarding likely future land releases / take-up in the study area to determine the effects of the upgrade options. Table 4.1 provides a summary of the likely future development areas and the potential effects of the indicative inner bypass options.

Table 4.1 Effects of Inner Bypass Options on Investigation / Release Areas

Release Area	Anticipated Yield¹	Status and Timing	Implications of Upgrade Options
West Coffs Urban Investigation Area	Originally 3,100 people. Yield now expected to be less	Medium term. Council now delaying further planning action pending outcome of Highway planning	<ul style="list-style-type: none"> Both Inner North options bisect the 10.6ha Combined Primary / High School Department of Education site on Spagnolas Road. Alternative site may be needed but there are no current need or plans for new school(s).
North Boambee Stage 1	Originally 9,350 for whole valley (approx. 3,000 per stage) Current estimate for whole valley approx. 3,500	Stage 1 zoned in 2000	<ul style="list-style-type: none"> Inner South 1 option has major impact on 9ha Combined Primary / High School zone – bisects site at eastern end where there are drainage and koala constraints. Need for High School may be diminished as revised estimates for population may be too small. Opportunities exist for relocating either as combined site or as smaller, Primary School site. Substantial replanning of release area would be required. Opportunity exists to investigate land use more compatible with a highway, including employment generation precincts Potential acoustic impacts on school zone from Inner South 2
North Boambee Stage 2	Not known – modest urban development potential now anticipated	Dependent on Stage 1 rate of development	<ul style="list-style-type: none"> Inner South 2 option bisects Stage 2 area to west of school site – proximity impacts an issue and may warrant relocating school site.
North Boambee Stage 3	Not known – constrained by quarry buffer, new bushfire controls, koala corridor	Dependent on Stage 1 and 2 rate of development	<ul style="list-style-type: none"> Planning of this stage would need to consider land use constraints imposed by Highway severing it from Stages 1 and 2 of release area.
Korora Rural Residential Development Area (Draft DCP status)	750 people	Short term (2000-2005)	<ul style="list-style-type: none"> Both Inner North options cross several properties in the area proposed for 1ha minimum subdivision between West Korora Road and Bruxner Park Road. Substantial replanning of Korora DCP would be required.

Release Area	Anticipated Yield¹	Status and Timing	Implications of Upgrade Options
Korora Rural Residential Investigation Area (as identified in Coffs Harbour Urban Development Strategy 1996)	400 people	Medium to long-term	<ul style="list-style-type: none"> • Affected by both Inner North 1 and Inner North 2 options • Inner North 2 option would have greater impact than Inner North 1 as it runs east-west bisecting almost the full extent of the area longitudinally, whereas Inner North 1 runs along the southern boundary near the railway line at the western end of the Investigation Area. Would require replanning.

1. Without Inner Bypass

5. Process and Implementation

5.1 Process

The process for reserving land for the preferred Strategy is dependent on a number of factors. In the preceding section it was evident that both the inner bypass options and the upgrade of the existing highway options would require land acquisition, but it is apparent that the inner bypass would require substantial replanning of urban and rural strategies. Should the Inner Bypass be adopted as the preferred Strategy, Council would need to integrate the bypass corridor into revised land use plans for future urban and rural residential release areas. The resultant land use change in those areas could potentially take a quite different form to that currently envisaged.

The scope of the plan-making process set down by the EP&A Act is broad and goes beyond controlling land use. In addition to controlling development, environmental planning instruments can reserve land for public purposes. The three different kinds of environmental planning instruments that could be used to reserve land for a future upgrade are discussed below.

5.1.1 State Environmental Planning Policies

SEPPs are made for planning matters of significance for environmental planning for the State. The majority of SEPPs are not policy documents but are made to amend LEPs and expand the range of permissible activities.

Several SEPPs have been introduced to permit infrastructure work to proceed without development consent and make the Minister the consent authority rather than the local council. Examples in Sydney include the new Southern Railway, the Eastern Distributor and the Northside Storage Tunnel. Although public comment is mostly sought in making SEPPs, there is no statutory requirement in the EP&A Act for public comment to be considered.

5.1.2 Regional Environmental Plans

REPs are made for planning matters of significance for environmental planning for a region or part of a region. In practice, the question of what constitutes a region is at the discretion of the Minister and can cover a number of local government areas or, in the Sydney region, only part of a council area.

REPs also vary in their content with some acting as surrogate LEPs and others providing a planning framework by setting performance objectives for future development. Some, such as the North Coast REP set out regional policies both to control LEP preparation and to be considered when development control decisions are made. Another category focuses on a specific issue within a broadly defined region. With REPs, the Act provides opportunity for public comment after a draft plan has been produced.

5.1.3 Local Environmental Plans

LEPs take two very different forms either as forward plans dealing with the whole of a local government area or a significant part of it, or as site-specific zoning. LEPs are primarily the domain of local government, although the draft plan can be altered at the discretion of the Minister if it affects matters of State or regional planning significance. As with REPs, public comment is usually sought after the draft plan has been produced. Although SEPPs and REPs do not necessarily take precedence over LEPs, there are provisions in the Act to ensure that new LEPs are consistent with existing SEPPs and REPs. The Minister for Infrastructure, Planning and Natural Resources also has the power of veto in regard to approving LEPs.

5.2 Future Actions

The Strategy will be on public display in Coffs Harbour and Woolgoolga. The dates and locations will be advised in the Community Update and in Press notices. The displays contain large-scale maps of the strategy options showing the proposals in greater detail.

Community feedback will be considered as part of the process to select a preferred option. Each option will be compared to identify the route that achieves the best balance between social, ecological, engineering and economic factors while providing for the future needs of road users and local communities.

A workshop with technical and non-technical participants, representing a range of government, council and community interests will be held. The recommendations arising from the workshop will be an input to the subsequent evaluation of the strategy options.

A Preferred Options Report will be prepared to document the evaluation of the options. A recommendation will be forwarded to the NSW Government for consideration.

6. References

Coffs Harbour City Council (1996) *Coffs Harbour Urban Development Strategy*.

Coffs Harbour City Council (1999) *Rural Residential Strategy*.

Coffs Harbour City Council (2001) *Korora Local Environmental Study*.

Connell Wagner (2004a) *Review of the Coastal Ridge Way Proposal*. February 2004

Connell Wagner (2004b) *Working Paper No5 Ecological Assessment*. February 2004

Connell Wagner (2004c) *Working Paper No6 Socio-Economic Assessment*. February 2004

Connell Wagner (2004d) *Working Paper No2 Urban Design and Visual Assessment*. February 2004

Connell Wagner (2004e) *Working Paper No7a Indigenous Heritage Assessment*. February 2004

Connell Wagner (2004f) *Working Paper No7b Non-Indigenous Heritage Assessment*. February 2004

Connell Wagner (2004g) *Coffs Harbour Highway Planning: Strategy Report*. February 2004

Connell Wagner (2002a) *Sapphire to Woolgoolga Route Options Working Paper No 1 Statutory and Strategic Planning Issues*, November 2002.

Connell Wagner (2002b) *Coffs Harbour Bypass Corridor Options – Working Paper No. 3 Environmental Planning Overview Report*. March 2002.

NSW Department of Planning (1995) *North Coast Urban Planning Strategy*.

NSW Roads and Traffic Authority (1993). *North Coast Road Strategy*.

NSW State Government (1998) *Action for Air*.

NSW State Government (undated) *Action for Transport 2010*.