

Coffs Harbour Jetty Foreshores Rezoning Proposal

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THE REZONING PROPOSAL SHOULD BE REJECTED FOR MANY REASONS

General Comments:

The Ethos Urban State Assessed Planning Proposal (“SAPP”) is deficient in many areas. On Page 117 the report is more correctly and accurately named “**Planning Justification Report**” (“PJR”). Also, it is clearly a developer’s (Property and Development NSW “PDNSW”) sale’s document rather than an impartial and comprehensive explanation of why Public open space land should be rezoned.

Also, it is noted that nothing in SAPP is guaranteed. There is no actual plan, just possibilities.

Proposed zoning change – this is the substance of the PJR:

1. Rezoning RE1 land to MU1 should only happen in the most extreme circumstances,
2. The railway land is currently zoned for public recreation and to rezone to MU1 for commercial reasons is not acceptable to the community and contravenes stated government policy,
3. The Labour Government promised that the foreshores would not be available for residential and commercial development therefore there is no need to rezone to MU1,
4. MU1 Mixed Use is a blunt and open ended zoning without any real controls. MU1 is inappropriate across the whole of the foreshores because it allows almost any type of development without controls that reflect the sensitivity of the site. The use of more nuanced zoning categories that can provide some finesse and controls on types of buildings, activity, heights etc is far more appropriate.
5. The proposal is short-sighted and fails to understand the importance of this scarce resource now and especially when the city has over 100,000 residents.

Strategic priorities:

50% of the defined Strategic Priorities have NOT been satisfied by the SAPP.

Four strategic priorities are identified (Page 13 of SAPP). Two of these have not been satisfied:

- 1 “Providing more housing in accessible locations, including affordable housing”, and
- 2 “Providing better connections between places with more sustainable movement choices”

By the proponents own standard the case for rezoning fails.

Of the “aims” identified in the SAPP (p117) there is no proposal to “Improve connectivity between the foreshores and CBD”. In fact, elsewhere, the report goes further and states that there is no intention to improve the connectivity. There is no proposal or consideration of affordable housing. To even say there is an “aim” to achieve these targets is simply untrue.

On page 117, the report attempts to “justify” the rezoning because the proposal “aims” to achieve various targets. For such a sensitive and significant site simply aiming to achieve a target is unsatisfactory. The case for rezoning fails at this hurdle.

This proposal is NOT good for Coffs Harbour?

No cost-benefit analysis has been prepared to understand whether the proposals are financially realistic or good for Coffs Harbour as a whole. This planning of the foreshores is done in isolation. Coffs Harbour is already a poorly planned city with multiple commercial areas. The SAPP, as suggested, will create further deterioration of business conditions elsewhere thus exacerbating the existing problem of many empty shops in the Jetty Strip and CBD. The Coffs Harbour City Council, whilst at odds with the community, has also questioned both the benefit for Coffs Harbour as a whole and the long-term financial implications.

Currently there are residential development proposals/possibilities west of the railway line for more than 1,000 units. These will be delayed at best or abandoned in the short to medium term if residential development proceeds on the foreshores. A net gain of housing for Coffs Harbour is not demonstrated in the SAPP.

Currently, developers are struggling to get residential projects underway because of many factors including building costs, labour shortage, interest rates and so on. In the jetty area there is a huge potential for suitable mixed developments opposite the Jetty strip shops. The SAPP proposals will delay or replace these and other developments. Again, there will be no net gain for Coffs Harbour.

Any suggestion that the SAPP has anything to do with solving the housing crisis and, in particular, affordable housing, lacks any creditability. The Coffs Harbour City Council has questioned the absence of affordable housing which is a State Government policy. The State Government has been offered sites in Coffs Harbour to build affordable housing but declined. There are multiple sites across Coffs Harbour where housing could be built.

Access

The foreshores is a restricted area with two sub-standard access roads. McGregor Coxall, one of the earlier consultants, made public statements that the current road network is inadequate for a substantial increase in traffic movements and Camperdown Street is unsuitable as the secondary access. To have prime access across a level crossing to/from a completely substandard intersection is not acceptable. Residents use those access roads daily and know how sub-standard they are.

It was clear at the early stages of the planning process that PDNSW fully agreed that an alternative access was required. Howard Street (extension) was seriously considered as the solution. When the cost of that access was recognised the plan was abandoned. The bottom line is that there was a clear and correct recognition that an alternative road was required to support large scale development. Nothing has changed yet PDNSW and Ethos Urban think that the issue should just be ignored. This is very unprofessional.

The Coffs Harbour City Council has recognised the traffic problem and suggested a band-aid solution of reconfiguring the Orlando Street/Harbour Drive intersection with traffic lights. Will this lead to even more traffic will be queued across the level crossing?

Connections

The rezoning proposal aims to “provide better connections and accessibility to link the city with the harbour”

Objectives and intended outcomes: Creating a more coherent and accessible connection to the Jetty Foreshores that connects the city with the harbour. (SAPP P18)

Apart from a vague future proposal to build a footbridge at the railway station, nowhere in the proposals are better connections to the city dealt with. This is a complete failure. There is no credible intention to address this issue.

Currently the main access to foreshores is by a sub-standard level crossing linking to a difficult intersection. The secondary route is Camperdown Street which is a narrow, steep, hilly and often very busy road with a right-angle turn, missing footpaths requiring pedestrians to walk on the road, parking on both sides, a busy (school days) pedestrian crossing linking two parts of Jetty High School and a difficult right turn onto Harbour Drive. There is a proposal to build a roundabout at the Camperdown Street/Jordan Esplanade to help with a busy intersection and direct extra traffic to and from Camperdown Street. Traffic studies estimate a significant increase in Camperdown Street traffic to 575 movements per hour. This is a vehicle every 6.26 seconds. This is beyond accepted standards and is going to cause serious problems none of which have been addressed.

Camperdown Street – Harbour Drive intersection

On Page 98 the SAPP correctly recognises the current “poor performance” of the Camperdown/Hood/Harbour Drive intersection. [There is an extraordinary statement that the current poor performance cannot be “attributed the illustrative Masterplan”!]

The SAPP states that “no infrastructure upgrades are proposed for this intersection” and “any potential future upgrades will not be tied to the impacts of the planning proposal”. The SAPP confirms that an impact is expected. Elsewhere in reports, there is an expected huge increase in Camperdown Street traffic, therefore, a commonsense conclusion is that the Camperdown Street/Harbour Drive intersection performance will deteriorate from “poor” to something much worse. To just dismiss this issue is a significant planning failure. If the planning proposal goes ahead future upgrades will be imperative.

Community Consultation

There is a lot in the SAPP about “community consultation” and much of it is “spin”. Many times the community has been assured that the process is “community driven”. It is amazing that the results of the recent poll are not even mentioned. Various people have been disingenuous in stating that poll is not valid because it was not part of the PDNSW or CHCC process, that residents did not understand the question and so on. Pathetic and irrelevant arguments. PDNSW continues to squirm away from recognition of the fact that the Australian Electoral Commission conducted a legal and democratic poll that showed 69% of the voters do not support multi-storey residential on the foreshores land. The poll question was unanimously approved by Coffs Harbour City Council and has been the only comprehensive attempt to get

public opinion. This is a classic **INCONVENIENT TRUTH and an insult to our democracy**. Ethos Urban have been very unprofessional in not even noting the poll results in the report.

At every stage of this process, from the GHD studies to now, a clear majority of the community do not support many aspects of the proposal, especially residential on the foreshores. This does not mean that the community wishes to leave the railway land (in particular) as is. The community is smart enough and altruistic enough to understand that this area must remain as open space for the benefit of the whole community especially when there are more than 100,000 people in the area.

The PSAC consultation process was atrocious. This was a hand chosen group of people not representative of the whole community. It was a failed undemocratic process to ensure a predetermined result. Nothing was voted on! Initially, members were forbidden to even discuss any thoughts or proposals with the community! It took serious intervention for members to be allowed to ask the community what they thought about various ideas!

The Project Control Group was secret collection of people who failed to ensure that the process was open and inclusive. Coffs Harbour residents were forbidden to even know their names. It is amazing that this group did not ensure an open and inclusive process.

The process to date has not been community driven and, for at least one major and critical aspect, is not even a shared vision. Suggestions otherwise are simply spin.

On P24 of SAPP the statement that “most of the community support development of 2-6 storey building or higher...” is disingenuous and an unsafe statement. Disgracefully, the underlying survey question did not permit residents to choose “open space”. This unprofessional distortion of community opinion should be questioned and ultimately ignored. The only time the opinion of “most of the community” was obtained was via the poll. It is an “**inconvenient truth**” for PDNSW that 69% of the community said they do not support multi-storey residential development. That is an undeniable fact.

Parking

Parking is a critical element of the foreshores. The increase/decrease in various parking figures in the SAPP needs to be reviewed independently for accuracy. Other professional reviewers have serious doubts about how spaces are being calculated and what spaces are being included or excluded.

Building heights

The SAPP is deliberately misleading on proposed building heights. 25m is higher than the approved heights in adjacent areas and does not represent 6 stories as stated. A height limit of 18m is unacceptable but would be truthful.

Case for Change (Page 51 of SAPP)

“The population is expected increase to 106,575 by 2041.... Such change will increase the demand on regional open spaces and destinations and necessitates the facilitation of economic opportunities to accompany the growth.”

This is complete nonsense. How can the demand for open space be satisfied by the facilitation of economic opportunities? This statement is symptomatic of the whole process. The rezoning is commercially driven and has nothing to do with improvement for Coffs Harbour as a whole.

Aboriginal concerns

I will leave others to highlight this issue but, as I understand the situation, Aboriginal concerns and objections have been mostly ignored. There has been little respect shown.

State Design Review Panel

In Table 4 on page 27 it is revealed that that the State Design Review Panel failed to:

- recognise the existing poor connections to the rest of town,
- address one of the key strategic priorities, and
- question a possible negative impact on the Jetty Strip and the City centre.

One wonders what their role was beyond a “rubber stamp”.

Costs.

The SAPP does not address costs.

To date PDNSW has spent \$17.3m on this project including an unbelievable \$6.5m on the failed “public domain” building. An attractive building unsuitable for the location and now only lettable with peppercorn rent and the cost of an expensive fit-out? Simply not thought through. This expenditure represents +/- \$38,000 per proposed accommodation unit. Had this money been spent wisely the whole area could have been transformed into a world class recreation area with some public buildings, better facilities, growing vegetation and tourist attractions.

The FPD Infrastructure Schedule suggests that infrastructure will cost \$45m in today’s money. It is questionable whether \$4.13m (in the schedule) will cover all the local road upgrades, a roundabout, cycleways, pedestrian connections and 1,596 car parking spaces. To be realistic, infrastructure will blow out to at least \$90m and the final figure over the next 20 years is unknown. That represents \$100,000 per accommodation unit today and maybe \$200,000 or more in a few years’ time. Is there any economic sense in that? This also clearly confirms that none of the proposed housing is low cost or affordable.

Is this a Wednesbury unreasonableness case?

Wednesbury unreasonableness is a consideration. Should the Government or Minister approve the rezoning can it be argued that the decision is unreasonable given the extensive failures in the consultation and planning process or even lacked evidence and intelligible justification? It will be interesting to see if the case for a judicial review can be made.
