

## NORTHERN JOINT REGIONAL PLANNING PANEL

Meeting held at Coffs Harbour City Council on Thursday 8 October 2015 at 10:45 am

Panel Members: Garry West (chair), John Griffin, Bruce Clarke, Cr Denise Knight and Cr Garry Innes

Apologies: None - Declarations of Interest: None

### Determination and Statement of Reasons

**2014NTH011 Coffs Harbour DA 1031/14 [at Lot 198 DP 1191172 Lot 98 DP1165173 1452, Solitary Islands Way, Sandy Beach] as described in Schedule 1.**

**Date of determination:** 8 October 2015

**Decision:**

The panel determined to approve the development application as described in Schedule 1 pursuant to section 80 of the *Environmental Planning and Assessment Act 1979*.

**Panel consideration:**

The panel considered: the matters listed at item 6, the material listed at item 7 and the material presented at meetings and the matters observed at site inspections listed at item 8 in Schedule 1.

**Reasons for the panel decision:**

A Preliminary Soil Assessment assessed a small part of the western section of the site, mapped as former banana lands, concluded that the land is not contaminated to a degree that would require remediation. The subject land is located within a 'sensitive coastal location' and the Minister has waived the requirement for the preparation of a master plan in accordance with Clause 18 of SEPP No 71.





The panel adopted the assessment of those matters in the Council Assessment Report.

The principal reason for the panel decision was that the proposal represents a significant residential development in the Sandy Beach locality; other reasons for the panel decision were:

- 1) The subdivision is considered unlikely to affect koala habitat populations and is considered that the proposed development will not fragment existing koala habitat or impact on potential koala movement through the site;
- 2) The conditions (via a Section 88B Instrument) address the acoustic treatment required into the design of future dwellings to ensure that road traffic noise will be within acceptable internal levels;
- 3) Part of the site mapped as flood prone will not be used for residential development and will form part of a proposed public reserve to be dedicated to Council;
- 4) Traffic access has been satisfactorily addressed including the upgrading of the existing southern intersection;
- 5) The proposed development is not expected to have any significant impacts to the biodiversity values of the land; and
- 6) The proposed development is not contrary to the public interest.

**Conditions:** The development application was approved subject to the conditions in Attachment C of the Council Assessment Report as amended at the meeting to require inclusion of a condition detailing the hours of work permitted.

**Panel members:**

 <b>Garry West (chair)</b>	 <b>John Griffin</b>	 <b>Bruce Clarke</b>
 <b>Denise Knight</b>	<p>Approved by email 13/10/15</p> <b>Garry Innes</b>	

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### SCHEDULE 1

1	<b>JRPP Reference – LGA- Council Reference: 2014NTH011 Coffs Harbour DA 1031/14</b>
2	<b>Proposed development:</b> Residential subdivision (125 lots, including 123 residential lots, roads and dedication of public reserves)
3	<b>Street address: Lot 198 DP 1191172 Lot 98 DP1165173 1452, Solitary Islands Way, Sandy Beach</b>
4	<b>Applicant:</b> GHD
5	<b>Type of Regional development:</b> Coastal subdivision including subdivision of land for residential purposes into more than 100 lots where the land is located wholly or partly within a 'sensitive coastal location'.
6	<b>Relevant mandatory considerations</b> <ul style="list-style-type: none"> <li>• State Environmental Planning Policy No. 55 – Remediation of Land</li> <li>• State Environmental Planning Policy No. 71 – Coastal Development</li> <li>• State Environmental Planning Policy (State and Regional Development) 2011</li> <li>• Coffs Harbour Local Environmental Plan 2000</li> <li>• Draft Coffs Harbour Local Environmental Plan 2013</li> <li>• Notification Development Control Plan</li> <li>• Subdivision Development Control Plan</li> <li>• Hearn's Lake / Sandy Beach Development Control Plan</li> <li>• Coffs Harbour Coastal Zone Management Plan</li> <li>• The likely impacts of the development, including environmental impacts on the natural and built environment and social and economic impacts in the locality.</li> <li>• The suitability of the site for the development.</li> <li>• Any submissions made in accordance with the EPA Act or EPA Regulation.</li> <li>• The public interest.</li> </ul>
7	<b>Material considered by the panel:</b> Council Assessment Report Dated: 22 September 2015 Council response to panel questions dated 29 September 2015 Written submissions during public exhibition: none Verbal submissions during the public meeting: Shaun Lawer, Senior Planner, GHD on behalf of the Applicant; Renah Givney, Development Assessment Planner; Rachel Binskin, Biodiversity Officer and Bill Richardson, Acting Engineer (subdivisions) on behalf of Council.
8	<b>Meetings and site inspections by the panel:</b> Electronic discussion by email between 28 September 2015 and 30 September 2015; site visit and determination on 8 October 2015
9	<b>Council recommendation:</b> Approval
10	<b>Draft conditions:</b> As attached to Council Assessment Report