

DETERMINATION AND STATEMENT OF REASONS

NORTHERN JOINT REGIONAL PLANNING PANEL

DATE OF DETERMINATION	Thursday, 6 July 2017
PANEL MEMBERS	Garry West (Chair), Pamela Westing, Stephen Gow, Denise Knight and George Cecato
APOLOGIES	None
DECLARATIONS OF INTEREST	George Cecato disclosed a pecuniary interest less than significant. He is a tenant at the Arrival Terminal of the Coffs Harbour Airport, where his business operates a small booth, under the trade name of Thrifty. He has been a tenant for 20 years, and looks after the corporate and travelling sector. He does not man this booth, the business only meets customers that have bookings on the incoming flights. His major place of business is the City Office. He does not have a financial interest in this proposed development.

Public meeting held at Coffs Harbour Council on Thursday, 6 July 2017, opened at 10:00 am and closed at 10.25am

MATTER DETERMINED

2015NTH010 – Coffs Harbour City Council – 0871/15DA AT Lot 54 DP 1199012 (Airport Drive, Coffs Harbour) (AS DESCRIBED IN SCHEDULE 1)

PANEL CONSIDERATION AND DECISION

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.

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*. The decision was unanimous.

REASONS FOR THE DECISION

The reasons for the decision of the Panel were:

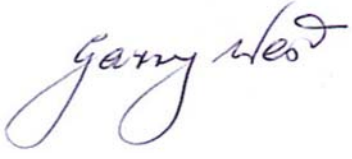
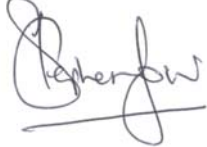
- SEPP 55 issues were considered and it is assessed that the subject land is suitable for the proposed commercial / industrial subdivision.
- The site was confirmed as not being Core Koala Habitat, therefore the relevant provisions of SEPP 44 are satisfied.
- Airport operations are not impacted by the subdivision as the permissible height of buildings under the Coffs Harbour LEP 2013 will not change and is located outside of the 20 ANEF noise contour.
- The subdivision has been designed to not exacerbate down or upstream flooding and appropriate engineering conditions have been adopted to effectively manage flood events on the subject site.
- Approved modifications to the existing road network will not create unreasonable impacts on these roads or intersections.

CONDITIONS

The development application was approved subject to the conditions attached to the Supplementary Council Assessment Report with the following amendments:

- Condition 4 (10) was amended to confirm an Acid Sulphate Soil Management Plan has been prepared;

- Condition 30 was amended to detail action required if new contamination information comes to light during remediation, demolition or construction works; and
- Advisory Note 4 regarding aircraft noise intrusion was deleted as it is no longer required

PANEL MEMBERS	
Garry West (Chair) 	Pamela Westing 
Stephen Gow 	Denise Knight 
George Cecato 	

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	2015NTH010 – Coffs Harbour City Council – 0871/15DA
2	PROPOSED DEVELOPMENT	Demolition, Earthworks and Subdivision of land into 98 lots and 1 residue lot
3	STREET ADDRESS	Lot 54 DP 1199012, including multiple lease lots, Airport Drive Coffs Harbour
4	APPLICANT/OWNER	De Groot & Benson / Coffs Harbour City Council
5	TYPE OF REGIONAL DEVELOPMENT	Council related development over \$5 million
6	RELEVANT MANDATORY CONSIDERATIONS	• State Environmental Planning Policy No 55 - Remediation of Land • State Environmental Planning Policy No 71 - Coastal Development • State Environmental Planning Policy (State & Regional Development) 2011 • State Environmental Planning Policy No 44 (Koala Habitat Protection) • State Environmental Planning Policy No 14 (Coastal Wetlands) • State Environmental Planning Policy No 26 (Littoral Rainforests) • Coffs Harbour Local Environmental Plan 2013 • Coffs Harbour Development Control Plan 2015 • The likely impacts of the development, including environmental impacts on the natural and built environment and social and economic impacts in the locality • The suitability of the site for the development • Any submissions made in accordance with the <i>Environmental Planning and Assessment Act 1979</i> or regulations

		The public interest, including the principles of ecologically sustainable development
7	MATERIAL CONSIDERED BY THE PANEL	- Council assessment report: 20 February 2017 - Written submissions during public exhibition: two (2) - Verbal submissions at the public meeting on 15 March 2017: - Support – Peter Wardman and Martin Wells (Coffs Harbour Chamber of Commerce) - Object – Sally Townley and Mark Graham (North Coast Environment Council) - On behalf of the applicant – Robert McTaggart, Geoff Smyth, Rob De Groot and Graham Knight - Supplementary assessment report received from Council on 2 June 2017 - Additional advice received from Council on 5 July 2017 - Verbal submissions at the panel meeting on 6 July 2017: - Support – 1 - Object – NIL - On behalf of the applicant – 3
8	MEETINGS AND SITE INSPECTIONS BY THE PANEL	- Panel discussion on 14 March 2017. <u>Attendees:</u> Garry West (Chair), Pamela Westing, Stephen Gow, Denise Knight and George Cecato - Site inspection and briefing meeting on 15 March 2017. <u>Panel members:</u> Garry West (Chair), Pamela Westing, Stephen Gow, Denise Knight and George Cecato <u>Council assessment staff:</u> Ben Oliver, Tim Smith, Sally Whitelaw, Marion Rhodes, Dennis Martin, Rob McTaggart, Ian Fitzgibbon, Andrew Beswick <u>Independent Planning Consultant:</u> Peter and Michelle Chapman - Briefing meeting on 27 April 2017 Attendees: <u>Panel members:</u> Garry West (Chair), Pamela Westing, Stephen Gow, Denise Knight and George Cecato <u>Council assessment staff:</u> Ben Oliver
9	COUNCIL RECOMMENDATION	Approval
10	DRAFT CONDITIONS	Attached to Supplementary Assessment Report