

DETERMINATION AND STATEMENT OF REASONS
NORTHERN REGIONAL PLANNING PANEL

DATE OF DETERMINATION	Wednesday, 17 April 2019
PANEL MEMBERS	Garry West (Chair), Douglas Lord and Paul Drake
APOLOGIES	Greg Britton, Bruce Thom and Robert Hussey
DECLARATIONS OF INTEREST	None

Public meeting held at Port Macquarie-Hastings Council on 17 April 2019, opened at 10am and closed at 10.35am.

MATTER DETERMINED

2019NTH010 – Port Macquarie-Hastings – DA 2018-978 at Tuppenny Road, Port Macquarie – coastal protection works (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 briefings and the matters observed at site inspections listed at item 8 in Schedule 1.

The Panel determined to approve the development application pursuant to section 4.16 of the *Environmental Planning and Assessment Act 1979*.

The decision was unanimous.

REASONS FOR THE DECISION

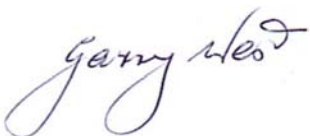
- The site is considered suitable for the proposed coastal protection works and adequately addresses the relevant planning controls.
- The proposed works are considered to provide a positive contribution and to be in the public interest and will not result in significant adverse social, environmental or economic impact.
- Council confirmed the proposed works have been designed to accommodate a 2050 scenario, factoring sealevel rise.
- Consideration of the criteria outlined in the current SEPP (Coastal Management) 2018 was in accordance with the requirements for a “Coastal Use/Coastal Environment Area” under the SEPP. Council advise that no mapping has been prepared for a “Coastal Vulnerability Area” and therefore the criteria was not considered.

CONDITIONS

The development application was approved subject to the conditions in the Council Assessment Report.

CONSIDERATION OF COMMUNITY VIEWS

No public submissions were received.

PANEL MEMBERS	
 Garry West (Chair)	 Douglas Lord
 Paul Drake	

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	2019NTH010 – Port Macquarie-Hastings – DA 2018-978
2	PROPOSED DEVELOPMENT	Coastal protection works – construction of Flynn's Beach seawall
3	STREET ADDRESS	Lot 7052 DP1121282, Pacific Drive/Tuppenny Road, Port Macquarie
4	APPLICANT/OWNER	Michilis Pty Ltd/Port Macquarie-Hastings Council (as Trustee)
5	TYPE OF REGIONAL DEVELOPMENT	Certain Coastal Protection Works
6	RELEVANT MANDATORY CONSIDERATIONS	- Environmental planning instruments: - State Environmental Planning Policy No 44 – Koala Habitat Protection - State Environmental Planning Policy No 55 – Remediation of Land - State Environmental Planning Policy No 62 – Sustainable Aquaculture - State Environmental Planning Policy (State and Regional Development) 2011 - State Environmental Planning Policy (Coastal Management) 2018 - Port Macquarie-Hastings Local Environmental Plan 2011 - Draft environmental planning instruments: Nil - Development control plans: - Port Macquarie-Hastings Development Control Plan 2013 - Planning agreements: Nil - Provisions of the <i>Environmental Planning and Assessment Regulation 2000</i>: Nil - Coastal zone management plan: Nil - 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: 4 April 2019 - Written submissions during public exhibition: Nil - Verbal submissions at the public meeting: - In support – Nil - In objection – Nil - Council assessment officer – Dan Croft - On behalf of the applicant – Gary Randell, Group Manager Infrastructure Delivery
8	MEETINGS, BRIEFINGS AND SITE INSPECTIONS BY THE PANEL	- Site inspection: 17 April 2019 at 9am and final briefing to discuss council's recommendation, 17 April 2019. Attendees: <u>Panel members</u>: Garry West (Chair), Douglas Lord and Paul Drake <u>Council assessment staff</u>: Dan Croft, Group Manager Development Assessment; Gordon Cameron, Waste & Environmental Manager; Gary Randall, Group Manager Infrastructure Delivery; and Chris Pell, Works Engineer Infrastructure Delivery.
9	COUNCIL RECOMMENDATION	Approval
10	DRAFT CONDITIONS	Attached to the council assessment report

