

DATE OF DETERMINATION	25 July 2024
DATE OF PANEL DECISION	25 July 2024
DATE OF PANEL MEETING	23 July 2024
PANEL MEMBERS	Dianne Leeson (Chair), Stephen Gow, Michael Wright, Paul Amos, and Sally Townley
APOLOGIES	None
DECLARATIONS OF INTEREST	None

Public meeting held by teleconference on 23 July 2024, opened at 2.30pm and closed at 3.35pm.

MATTER DETERMINED

PPSNTH-269 – Coffs Harbour – 0254/24DA – Newmans Road Woolgoolga 2456 – The development of a manufactured homes estate to be operated as an over-55's lifestyle community under the Residential (Land Lease) Communities Act 2013 and comprising the following:

- Installation of infrastructure and bulk-earthworks;
- Establishment of 180 dwelling sites;
- Construction of a clubhouse and communal amenity areas;
- Construction of stormwater detention and water quality basins;
- Construction of internal roads and a public pedestrian pathway;
- Landscaping; and
- The provision of 10 caravan storage spaces

(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 the site inspection listed at item 8 in Schedule 1.

Development application

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 Panel determined to approve the application for the reasons outlined in the Council Assessment Report.

The Panel agrees that the development generally satisfies the controls and requirements of the relevant instruments. The variations to the Coffs Harbour DCP are relatively minor and do not warrant refusal of the application.

The Panel is satisfied that the likely impacts of the development can be adequately mitigated through the imposition of conditions, in particular, traffic related impacts and environmental impacts on the neighbouring natural environments.

The Panel is satisfied the site is suitable for the proposed development and is in the public interest contributing to diversity of housing supply in the Coffs Harbour area and generating employment through construction and operation.

CONDITIONS

The Development Application was approved subject to the amended conditions (uploaded 23 July 2024) attached to the Council Assessment Report with the following amendments.

- Amend Condition 5 by:
 - Correcting the typographical error in part (1) to 'Ethos'
 - Inserting:
 - (6) Operational Waste Management Plan, prepared by Elephants Foot Consulting and dated 30 April 2024
- Amend Condition 14(i) to insert the word 'shared' after the words 'Construction of'
- Amend Condition 26 by inserting after the first sentence 'The Ecologist is also to be present at the time of clearing.'
- Amend Condition 29 by inserting the following:
 - (g) Detail measures to avoid construction traffic during peak traffic times on Solitary Island Way.
- Delete Condition 43 and renumber the remaining conditions accordingly
- Amend now Condition 51 (former Condition 52) Before issue of an Occupation Certificate, by inserting the following words in the second sentence after 'The plan must', 'be consistent with the Operational Waste Management Plan, prepared by Elephants Foot Consulting and dated 30 April 2024 and'
- Amend now Condition 56 (former Condition 57) by inserting the following words at the end of the sentence ' with certification provided by a suitably qualified geotechnical engineer'
- Insert new Conditions 65 and 66 which read as follows:
Bus Service:
65. A community bus is to be provided for use by the residents.
Emergency Services Access:
66. Measures are to be in place to allow prompt access by emergency services vehicles to the development at all times. Measures are to include a redundancy should the primary method/point of contact not be available.

CONSIDERATION OF COMMUNITY VIEWS

In coming to its decision, the Panel considered written submissions made during public exhibition and heard from all those wishing to address the Panel. The Panel notes that issues of concern included:

- Traffic – congestion on intersection, safety and increase in traffic
- Inadequate services – Ambulance/Fire/Police, medical services, shops
- Pressure on infrastructure – reduced water pressure, telecommunications and utilities, overloading existing utilities provision
- Visual impacts – over development, not enough green space, too many dwellings on site, not in character with the surrounding area
- Stormwater impacts – stormwater runoff from development to adjoining properties
- West Woolgoolga Urban Release Area – not consistent with indicative layout of the West Woolgoolga Masterplan

The Panel considers that concerns raised by the community have been adequately addressed in the Assessment Report and that no new issues requiring assessment were raised during the public meeting. The Panel notes that in addressing these issues appropriate conditions have been imposed.

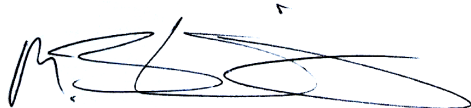
PANEL MEMBERS



Dianne Leeson (Chair)



Stephen Gow



Michael Wright



Paul Amos



Sally Townley

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	PPSNTH-269 – Coffs Harbour – 0254/24DA
2	PROPOSED DEVELOPMENT	<p>The development of a manufactured home estate to be operated as an over-55's lifestyle community under the Residential (Land Lease) Communities Act 2013 and comprising the following:</p> <ul style="list-style-type: none"> • Installation of infrastructure and bulk-earthworks; • Establishment of 180 dwelling sites; • Construction of a clubhouse and communal amenity areas; • Construction of stormwater detention and water quality basins; • Construction of internal roads and a public pedestrian pathway; • Landscaping; and • The provision of 10 caravan storage spaces
3	STREET ADDRESS	Lot 11 DP 830936 - Newman's Road, Woolgoolga
4	APPLICANT/OWNER	INA Plantations Development Pty Ltd
5	TYPE OF REGIONAL DEVELOPMENT	General development over \$30 million
6	RELEVANT MANDATORY CONSIDERATIONS	<ul style="list-style-type: none"> • Environmental planning instruments: <ul style="list-style-type: none"> ○ State Environmental Planning Policy (Biodiversity and Conservation) 2021 ○ State Environmental Planning Policy (Housing) 2021 ○ State Environmental Planning Policy (Planning Systems) 2021 ○ State Environmental Planning Policy (Transport and Infrastructure) 2021 ○ State Environmental Planning Policy (Resilience and Hazards) 2021 ○ Coffs Harbour Local Environmental Plan 2013 • Draft environmental planning instruments: Nil • Development control plans: <ul style="list-style-type: none"> ○ Coffs Harbour Development Control Plan 2015 • Planning agreements: Draft Voluntary Planning Agreement between Ingenia Communities (operating as INA Operations Pty Limited) and Coffs Harbour City Council • Relevant provisions of the <i>Environmental Planning and Assessment Regulation 2021</i> • 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	<ul style="list-style-type: none"> • Council Assessment Report: 27 June 2024 • Written submissions during public exhibition: 40 • Verbal submissions at the public meeting: <ul style="list-style-type: none"> ○ Ray Willing and Ken Bonham ○ Council assessment officer – Luke Perry and Glenn Petersen ○ On behalf of the applicant – Luke Feltis, Yvette Carr and Chris Piper • Total number of unique submissions received by way of objection: 28 • Late submissions received after completion of assessment report: 7

8	MEETINGS, BRIEFINGS AND SITE INSPECTIONS BY THE PANEL	<ul style="list-style-type: none"> • Briefing: 20 February 2024 <ul style="list-style-type: none"> ○ <u>Panel members</u>: Dianne Leeson (Chair), Stephen Gow, Michael Wright, Paul Amos, and Sally Townley ○ <u>Council assessment staff</u>: Glenn Petersen and Luke Perry ○ <u>Independent Consultant Planner</u>: Gareth Simpson ○ <u>Department staff</u>: Carolyn Hunt and Lisa Ellis • Site inspection: 10 July 2024 <ul style="list-style-type: none"> ○ <u>Panel members</u>: Dianne Leeson (Chair) and Stephen Gow ○ <u>Council assessment staff</u>: Luke Perry ○ <u>Applicant representatives</u>: Simon Burk and Luke Feltis • Final briefing to discuss Council's recommendation: 23 July 2024 <ul style="list-style-type: none"> ○ <u>Panel members</u>: Dianne Leeson (Chair), Stephen Gow, Michael Wright, Paul Amos and Sally Townley ○ <u>Council assessment staff</u>: Glenn Petersen, Luke Perry and Sally Whitelaw ○ <u>Department staff</u>: Carolyn Hunt and Lisa Ellis
9	COUNCIL RECOMMENDATION	Approval
10	DRAFT CONDITIONS	Attached to the Council Assessment Report (and updated on 23 July 2024)