



JRPP SAVE PORT STEPHENS COUNCIL A TRIP TO COURT

Independent Assessor slams Council's proposal to subdivide land at Salamander Bay, forcing a Council back down.

"Port Stephens Councillors should be thanking the Joint Regional Planning Panel (JRPP) for saving them from ending up in court over Council's flawed plan to sub-divide land at Salamander Bay," Bob Young, Chair of the Tomaree Residents and Ratepayers Association (TRRA) said today.

"If this proposal had not been referred to the JRPP, Council would have very likely approved the development. If that had happened then Council would now be spending time and more ratepayers' money on another case in the Land and Environment Court" he explained.

"The independent assessor, who reviewed the proposal, has clearly identified the very significant problems with Council's proposal." Mr Young said. "The proposal did not comply with at least 3 State Planning Policies, or Council's own LEP and Koala Plan of Management.

Legal advice obtained by TRRA asserts that Council would have been open to legal action if they had approved this development, because they were failing to protect koalas and koala habitat."

Mr Young added "Serious questions need to be asked of the General Manager as to why a development which was so clearly in breach of State policies and Council's own plans was allowed to be pursued for so long and at so much expense."

"It is a shame that Council did not undertake a professional Masterplan for this site. If they had not wasted 2 years on the hopeless proposal, we would most likely now have an Aldi and Big W in the area now."

"Instead of trying to shoot the messengers by calling for the JRPP to be abolished, TRRA call on Council to initiate a professional Masterplan for the Salamander Bay area, which will transform it into the vibrant commercial and community centre we all want."

"If Raymond Terrace can have a Masterplan for their new commercial centre, why can't Salamander Bay?" Mr Young concluded.

Media enquires call: Bob Young

NOTE: See next page for details of why the proposal is so very bad.

The full Independent Assessor report can be found on the JRPP website at:
http://www.jrpp.nsw.gov.au/DevelopmentRegister/tabid/62/ctl/view/mid/424/JRPP_ID/148/language/en-AU/Default.aspx

Independent Assessor slams Council's proposal to subdivide land at Salamander Bay, forcing a Council back down.

Recommendation from the Independent Assessors Report to the JRPP (From page 20)

That the Joint Regional Planning Panel refuse development consent to development application (DA16-2009-811-1) for the following reasons:

- 1.** The development application would result in the unacceptable loss of vegetation within an endangered ecological community and koala habitat that has the potential to impact on koalas and other threatened species;
- 2.** The proposal does not comply with the statutory provision contained in SEPP No. 14 Wetlands, SEPP No. 44 Koala Habitat Protection, SEPP No. 71 Coastal Protection and the performance criteria contained in the Port Stephens Council Comprehensive Koala Plan of Management;
- 3.** The proposal will have an unreasonable impact on the adjoining residential lands to the north;
- 4.** The Circuit Road to the north and west of Lots 4, 5 and the reserve and those lots should not be included in the development application as the impacts are considered to be unacceptable.
- 5.** The proposed Plan of Subdivision does not provide design guidelines that might include: buffer areas; pedestrian connectivity and safety; setbacks; building articulation; landscaping; and, other key considerations that would result in good design. A comprehensive DCP prepared in consultation with key stakeholders could provide assurance to the community that good design will occur.