

Concept Plan Refusal

Section 75O of the *Environmental Planning & Assessment Act 1979*

Under delegation of the Minister for Planning and Infrastructure dated 14 September 2011, the Planning Assessment Commission determines to refuse to give approval to the concept plan in Schedule 1, pursuant to section 75O(1) of the *Environmental Planning and Assessment Act 1979* for the reasons listed in Schedule 2.



Member of Commission



Member of Commission

Sydney 9 February 2012

SCHEDULE 1

Application No.:	MP 06_0153
Proponent:	Walter Elliot Holdings Pty Ltd
Approval Authority:	Minister for Planning and Infrastructure
Land:	Lot 156 DP 628026, 1 Creek Street, Hastings Point, Tweed Local Government Area.
Project:	Torrens Title subdivision of the subject land into 45 lots within Lot 156 including associated road and landscape works.

SCHEDULE 2

REASONS FOR REFUSAL

1. The scale and location of the development, together with the proposed flood mitigation measures would result in an unacceptable risk to life, health and property within this flood prone community;
 2. The development is inconsistent with the aims and objectives of State Environmental Planning Policy No 14 – Coastal Wetlands and State Environmental Planning Policy 71 - Coastal Protection and is contrary to the objects of the EP&A Act including the principles of Ecologically Sustainable Development particularly given that there is significant uncertainty as to whether ecological impacts can be avoided or minimised to acceptable levels;
 3. The development is incompatible with both the adjoining natural and built environment; and
 4. The proposal is not in the public interest.
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