

# Project Approval

Section 75J of the *Environmental Planning and Assessment Act 1979*

I, the Director-General of the Department of Planning, as delegate of the Minister for Planning, approve the project referred to in Schedule 1, subject to the conditions of approval in the attached Schedule 2 and the proponent's Statement of Commitments in the attached Schedule 3.

These conditions are required to:

- Adequately mitigate the environmental impact of the project;
- Protect ecologically significant land, sensitive receiving waters and wildlife corridors;
- Maintain the amenity of the local area; and
- Encourage good subdivision design.

  
Sam Haddad  
Director-General

Sydney, 15<sup>th</sup> December 2009

## SCHEDULE 1

### PART A—TABLE

<b>Application made by:</b>	BBK Development Corporation Pty Ltd
<b>Application made to:</b>	Minister for Planning
<b>Project Application:</b>	07_0075
<b>On land comprising:</b>	45 Hearnese Lake Road, Woolgoolga Lot 21 DP 714858
<b>Local Government Area</b>	Coffs Harbour
<b>For the carrying out of:</b>	A 41 lot subdivision comprising 38 residential lots, 1 lot as a drainage reserve, 1 lot as a pocket park and 1 lot as an environmental reserve.
<b>Type of development:</b>	Major Project
<b>Determination made on:</b>	
<b>Date approval is liable to lapse:</b>	5 years from the date of determination unless works have physically commenced in accordance with Section 75Y of the Act.

### PART B—NOTES RELATING TO THE DETERMINATION OF APPLICATION 07\_0075

#### **Responsibility for other consents / agreements**

The Proponent is solely responsible for ensuring that all additional consents and agreements are obtained from other authorities, as relevant.

#### **Appeals**

The Proponent has the right to appeal to the Land and Environment Court in the manner set out in the *Environmental Planning and Assessment Act 1979* and the *Environmental Planning and Assessment Regulation 2000*.

#### **Appeals—Third Party**

A third party right to appeal to this approval in the manner set out in the *Environmental Planning and Assessment Act 1979* and the *Environmental Planning and Assessment Regulation 2000*.

#### **Legal notices**

Any advice or notice to the approval authority shall be served on the Director-General.

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## PART C—DEFINITIONS

In this approval,

**Act** means the *Environmental Planning and Assessment Act 1979*.

**Advisory Notes** means advisory information relating to the approved development but do not form a part of this approval.

**BCA** means Building Code of Australia

**Construction Certificate** means a construction certificate for bulk earthworks or civil works unless specified otherwise.

**Council** means Coffs Harbour City Council.

**CPI** means Consumer Price Index.

**Department** means the Department of Planning or its successors.

**Director-General** means the Director-General of the Department.

**Environmental Assessment** means the *Environmental Assessment. 45 Hearnese Lake Road, Woolgoolga proposed Land Subdivision. Part 3A Application* report prepared by Mersonn Pty Ltd and dated April 2009.

**Minister** means the Minister for Planning.

**Project** means the project as described in Condition A1 to this approval.

**PCA** means a Principal Certifying Authority and has the same meaning as Part 4A of the Act.

**Preferred Project Report** means the *45 Hearnese Lake Road, Woolgoolga proposed Land Subdivision. Preferred Project Report* prepared by Mersonn Pty Ltd and dated September 2009.

**Proponent** means BBK Pty Ltd or any party acting upon this approval.

**Regulation** means the *Environmental Planning and Assessment Regulation 2000*.

**Site** has the same meaning as the land identified in Part A of this schedule.