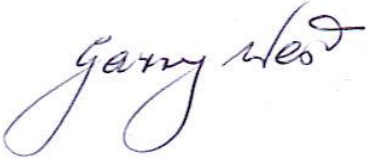






NORTHERN JOINT REGIONAL PLANNING PANEL

Meeting held at Richmond Valley Council offices in Evans Head on Wednesday 20 May 2015 at 11.30am		
Panel Members: Garry West (chair), John Griffin, Bruce Clarke, Cr Robert Hayes and Cr Daniel Simpson		
Apologies: None - Declarations of Interest: None		
Determination and Statement of Reasons		
2014NTH018 Richmond Valley Council DA2015.069 [at Bungawalbin-Whiporie Road, Bungawalbin] as described in Schedule 1.		
Date of determination: 20 May 2015		
Decision: The panel determined to approve the development application as described in Schedule 1 pursuant to section 80 of the <i>Environmental Planning and Assessment Act 1979</i> .		
Panel consideration: The panel considered: the matters listed at item 6, the material listed at item 7 and the material presented at meetings and the matters observed at site inspections listed at item 8 in Schedule 1.		
Reasons for the panel decision: The panel is satisfied the proposed development is consistent with the objectives of the zone within the Richmond Valley Council LEP and complies with the relevant State Environmental Planning Policies. The panel adopted the assessment of those matters in the Council Assessment Report. The principal reason for the panel decision was that the anticipated impacts have been addressed through appropriate conditions of consent. Other reasons for the panel decision were: 1) Upgrading of the public road network is conditioned to address traffic related issues; 2) Total truck movements are limited to a maximum of 76 Monday – Friday and 22 on Saturdays as well being restricted from the route during school bus drop off and pick up times; 3) A biodiversity offset is proposed to the satisfaction of OEH and no vegetation removal can commence until the legally binding mechanism is approved to the satisfaction of Richmond Valley Council; and 4) Progressive rehabilitation is included within the Operational Plan of Management and the Soil and Water Management Plan and must be implemented to the satisfaction of Richmond Valley Council.		
Conditions: The development application was approved subject to the conditions in Appendix A of the Council Assessment Report as amended. The panel adopts the Council Assessment Report and the recommended Conditions of Approval as amended, as the reasons for imposition of the conditions. The amendments are: Condition 3 removes the words “load” and inserts “truck movements”; Condition 27 is amended to clarify that Section 94 contributions will be allocated to the haul route roads. Condition 30 (17) is amended to provide flexibility in the standard of works required. Approved conditions are in Schedule B.		
Panel members:		
 Garry West (chair)	 John Griffin	 Bruce Clarke
 Robert Hayes	 Daniel Simpson	

NORTHERN JOINT REGIONAL PLANNING PANEL

SCHEDULE 1

1	JRPP Reference – LGA- Council Reference: Bungawalbin-Whiporie Road, Bungawalbin
2	Proposed development: Expansion of existing extractive industry from 30,000m ³ to 90,000m ³ per annum from two extraction sites totally 21 ha for up to 25 years. Importation of certified clean fill to a maximum of 30,000m ³ per annum for rehabilitation.
3	Street address: Bungawalbin-Whiporie Road, Bungawalbin
4	Applicant: NJ and KA Newman
5	Type of Regional development: Designated development – extractive industry
6	Relevant mandatory considerations <ul style="list-style-type: none"> • State Environmental Planning Policy No. 33 – Hazardous and Offensive Development • State Environmental Planning Policy No. 44 – Koala Habitat Protection • State Environmental Planning Policy No. 55 Remediation of Land • State Environmental Planning Policy (Infrastructure) 2007 • State Environmental Planning Policy (Mining, Petroleum Protection and Extractive Industries) 2007 • State Environmental Planning Policy (Rural Lands) 2008 • State Environmental Planning Policy (State and Regional Development) 2011 • Richmond Valley Local Environmental Plan 2012 • Richmond Valley Development Control Plan 2012 • 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 EPA Act or EPA Regulation. • The public interest.
7	Material considered by the panel: Council Assessment Report Dated: 6 May 2015 Written submissions during public exhibition: four (4) Verbal submissions at the panel meeting: Support- Nil; Against- Nil; On behalf of the applicant- John Newman; and on behalf of Council; Cherie Smith (Development Assessment Planner); Brian Eggins (Senior Administration Engineer); Andrew Hanna (Coordinator Environment & Regulatory Control); Paul Radnidge (Manager, Assessment, Environment & Regulation)
8	Meetings and site inspections by the panel: Site Visit and Briefing Meeting on 20 May 2015
9	Council recommendation: Approval
10	Draft conditions: Attached to council assessment report