

## RECORD OF DEFERRAL

### NORTHERN JOINT REGIONAL PLANNING PANEL

<b>DATE OF DEFERRAL</b>	Thursday 17 May 2018
<b>PANEL MEMBERS</b>	Garry West (Chair), Stephen Gow, Susan Budd
<b>APOLOGIES</b>	Pamela Westing, David Miledge
<b>DECLARATIONS OF INTEREST</b>	<p>Sharyn Finch declared a conflict as her role in strategic planning could have a perceived conflict.</p> <p>Shannon Burt declared a conflict having been copied in on emails regarding this development application felt it precluded her from participating.</p>

Public meeting held at Byron Shire Council 70-90 Station Street Mullumbimby on 17 May 2018, opened at 1.45pm and closed at 310pm.

#### MATTER DEFERRED


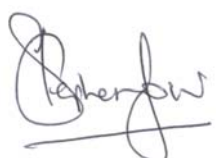

2016NTH020 – Byron – DA10.2016.399.1 at 15 McGettigans Lane Ewingsdale (AS DESCRIBED IN SCHEDULE 1)

#### REASONS FOR DEFERRAL

The Panel unanimously resolved to defer the determination of DA 2016NTH020 advising Council and the Applicant to consult on Draft Conditions of Consent for the proposed development including a Plan of Management to manage the impacts and the intended staging of the development.

Council are requested to submit a supplementary report and conditions to the Planning Panels Secretariat by 6 June 2018.

When this information has been received, the panel will hold another public determination meeting on 20 June 2018.

PANEL MEMBERS	
 Garry West (Chair)	 Stephen Gow
 Susan Budd	

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	2016NTH020 – Byron – DA10.2016.399.1
2	PROPOSED DEVELOPMENT	Hospital (medical consulting rooms, day theatre, pharmacy, specialist consulting rooms, twelve accommodation units, café/restaurant, basement and ground level parking) Removal of trees, Earthworks and Demolition of existing dwelling house.
3	STREET ADDRESS	15 McGettigans Lane, Ewingsdale
4	APPLICANT/OWNER	Brunsmmed Pty Ltd
5	TYPE OF REGIONAL DEVELOPMENT	Private infrastructure and community facilities over \$5 million
6	RELEVANT MANDATORY CONSIDERATIONS	<ul style="list-style-type: none"> <li>Environmental planning instruments: <ul style="list-style-type: none"> <li>State Environmental Planning Policy No.55 – Remediation of Land</li> <li>State Environmental Planning Policy (Infrastructure) 2007</li> <li>State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004</li> <li>State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017</li> <li>Byron Local Environmental Plan 2014</li> </ul> </li> <li>Draft environmental planning instruments: Nil</li> <li>Development control plans: <ul style="list-style-type: none"> <li>Byron Development Control Plan 2014</li> </ul> </li> <li>Planning agreements: Nil</li> <li>Provisions of the <i>Environmental Planning and Assessment Regulation 2000</i>: Nil</li> <li>Coastal zone management plan: Nil</li> <li>The likely impacts of the development, including environmental impacts on the natural and built environment and social and economic impacts in the locality</li> <li>The suitability of the site for the development</li> <li>Any submissions made in accordance with the <i>Environmental Planning and Assessment Act 1979</i> or regulations</li> <li>The public interest, including the principles of ecologically sustainable development</li> </ul>
7	MATERIAL CONSIDERED BY THE PANEL	<ul style="list-style-type: none"> <li>Council assessment report: 28 September 2017</li> <li>Council supplementary report: 24 April 2018 (received 2 May 2018)</li> <li>Written submissions during public exhibition: 10</li> <li>Verbal submissions at the public meeting 18 October 2017: <ul style="list-style-type: none"> <li>In objection - Colin McLannet and Ken Smith</li> <li>On behalf of the applicant – Simon Halcrow, Steve Brooke, Joel Wertheimer and Andrew Armstrong</li> </ul> </li> <li>Verbal submissions at the public meeting 17 May 2018: <ul style="list-style-type: none"> <li>In support - NIL</li> <li>In objection – John Flick</li> <li>On behalf of the applicant – Joel Wertheimer, Simon Halcrow, Andrew Armstrong and Andrew Eke.</li> </ul> </li> </ul>
8	MEETINGS AND SITE INSPECTIONS BY THE PANEL	<ul style="list-style-type: none"> <li>Site inspection: 18 October 2017</li> <li>Briefing meeting: 18 October 2017</li> <li>Site Inspection and Final briefing meeting to discuss council's recommendation, 17 May 2018 Attendees: <ul style="list-style-type: none"> <li><u>Panel members</u>: Garry West (Chair), Stephen Gow, Susan Budd</li> <li><u>Council assessment staff</u>: Paul Mills, Senior Planner; Chris Larkin, Managere Sustainable Development; and Chris Soulsby, S94 Infrastructure Services Manager.</li> </ul> </li> </ul>
9	COUNCIL RECOMMENDATION	Refusal
10	DRAFT CONDITIONS	Attached to the council assessment report