

<b>DATE OF DEFERRAL</b>	Wednesday 25 July 2018
<b>PANEL MEMBERS</b>	Garry West (Chair), Stephen Gow, Pamela Westing, Jason Kingsley, Jim Simmons
<b>APOLOGIES</b>	NIL
<b>DECLARATIONS OF INTEREST</b>	None

Public meeting held at Dorrigo Public Hall, 36 Hickory Street Dorrigo on 25 July 2018, opened at 4.30pm and closed at 6pm.

#### **MATTER DEFERRED**

2016NTH022 – Clarence Valley – MOD2016/0035 at 242 Faheys & Bulgins Road, Bald Hills, Hernani (as described in Schedule 1)

#### **REASONS FOR DEFERRAL**

The Panel agreed to defer the determination of the matter until:

(a) the completion of the required process of re-notification and exhibition of the Draft Voluntary Planning Agreement (VPA) and advice to the Panel on Council's determination following the outcome of that process;

(b) the Panel has also considered a further submission from Council following consultation with the Applicant, concerning:




- (i) potential for management of traffic impacts of the proposal on regular special events in Bellingen, as advised by Bellingen Shire Council;
- (ii) arrangements for monitoring of quarry truck movements;
- (iii) the issue of potential overlap between the Draft VPA and provisions of the Roads Act 1993.

Reasons:

- The amended VPA still required advertising;
- The Panel requires advice on management of traffic impacts on regular special events in Bellingen raised at the meeting;
- Clarification of arrangements for monitoring truck movements from the quarry; and
- Resolution of overlap of provisions of the Roads Act 1993 and the VPA.

When this information has been received, the Panel will determine the matter electronically.

The decision to defer the matter was unanimous.

PANEL MEMBERS	
 Garry West (Chair)	 Stephen Gow
 Pamela Westing	Endorsed by email 2 August 2018 Jason Kingsley
Endorsed by email 28 July 2018 Jim Simmons	

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	2016NTH022 – Clarence Valley – MOD2016/0035
2	PROPOSED DEVELOPMENT	Modification to Extractive Industry (Sheridan's Hard Rock Quarry). Previous JRPP Reference 2014NTH005. Previous Clarence Valley Council Reference: DA2014/0098
3	STREET ADDRESS	242 Faheys & Bulgins Road, Bald Hills, Hernani
4	APPLICANT/OWNER	Outline Planning Consultants Pty Ltd for Matsid Pty Ltd
5	TYPE OF REGIONAL DEVELOPMENT	Section 4.55(2) Modification Application
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 (State and Regional Development) 2011</li> <li>State Environmental Planning Policy No. 33: Hazardous and Offensive Development</li> <li>State Environmental Planning Policy No. 44: Koala Habitat Protection</li> <li>State Environmental Planning Policy Mining and Petroleum and Extractive Industries 2007</li> <li>State Environmental Planning Policy (Rural Lands) 2008</li> <li>Clarence Valley Local Environmental Plan 2011</li> <li>Development Control Plan for Development in Rural Zones</li> </ul> </li> <li>Draft environmental planning instruments: Nil</li> <li>Development control plans: <ul style="list-style-type: none"> <li>Clarence Valley Development Control Plan 2011</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: 29 November 2016</li> <li>Council supplementary report: 28 June 2018</li> <li>Revised conditions: 24 July 2018</li> <li>Written submissions during public exhibition: 10</li> <li>Verbal submissions at the Panel meeting on 15 December 2016:</li> <li>Verbal submissions at the public meeting 25 July 2018: <ul style="list-style-type: none"> <li>Support – Matthew Fanning (Deputy General Manager Operations, Bellingen Council)</li> <li>Object – Christine Moore, Pauline Kidson (Friends of Waterfall Way), Elizabeth Hutchinson.</li> <li>On behalf of the applicant – Gary Peacock (Outline Planning Consultants)</li> </ul> </li> </ul>
8	MEETINGS AND SITE INSPECTIONS BY THE PANEL	<ul style="list-style-type: none"> <li>Site inspection: 15 December 2016</li> <li>Briefing meeting: 15 December 2016</li> <li>Public determination meeting: 15 December 2016</li> <li>Final briefing meeting to discuss Council's recommendation, 25 July 2018. Attendees: <ul style="list-style-type: none"> <li><u>Panel members</u>: Garry West (Chair), Stephen Gow, Pamela Westing, Jason Kingsley, Jim Simmons</li> <li><u>Council assessment staff</u>: Patrick Ridgway, Senior Development Planner; David Morrison, Manager Environment, Development &amp;</li> </ul> </li> </ul>

		Strategic Planning; Nigel Sutton, Development Engineer; and Scott Lenton, Development Services Engineer.
9	COUNCIL RECOMMENDATION	Approval
10	DRAFT CONDITIONS	Attached to the Council assessment report