

DATE OF DETERMINATION	2016STH026 – Richmond Valley – DA 2017/0054
PANEL MEMBERS	Garry West (Chair), Stephen Gow, Abigail Goldberg
APOLOGIES	Pam Westing
DECLARATIONS OF INTEREST	Cr Robert Hayes, Cr Daniel Simpson as the land is owned by Richmond Valley Council

Public meeting held at Evans Head Recreation Hall, 18 Park St, Evans Head on 17 August 2017, opened at 1:15 pm and closed at 2.30pm.

MATTER DETERMINED

2016NTH026 – Richmond Valley – DA 2017/0054 at 17 Memorial Airport Drive, Evans Head (AS DESCRIBED IN SCHEDULE 1)

PANEL CONSIDERATION AND DECISION

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.

The Panel determined to approve the development application as described in Schedule 1 pursuant to section 80 of the *Environmental Planning and Assessment Act 1979*.

The decision was unanimous.

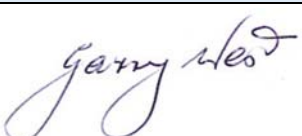
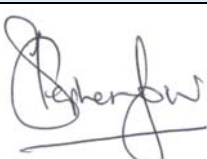
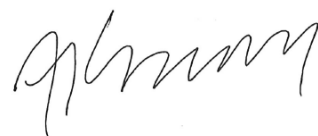
REASONS FOR THE DECISION

The reasons for the decision of the Panel were:

- Extensive remediation works have been undertaken to ensure the site is suitable for residential use and Council has received clearance from the site auditor that remediation works have been carried out in accordance with the relevant guidelines and in accordance with the Remediation Action Plan.
- The proposed layout was amended in response to issues raised by the Office of Heritage (OEH) in recognition of the heritage values of the site and the adjoining land.
- The OEH General Terms of Approval pertaining to the heritage significance of the area have been included with the approved conditions.
- Manufactured home estates are a permissible land use within the zoning of the site.
- The density of the proposed development is lower than that approved under DA 2011.223 in March 2012.
- The project delivers an alternative housing supply that is not currently available in the Evans Head village.

CONDITIONS

The development application was approved subject to the conditions in the Council Assessment Report.

PANEL MEMBERS	
 Garry West (Chair)	 Stephen Gow
 Abigail Goldberg	

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	2016STH026 – Richmond Valley – DA 2017/0054
2	PROPOSED DEVELOPMENT	Manufactured Home Estate –199 (including a managers residence) dwelling sites; construction of communal facilities (clubhouse, bowling greens and pool); construction of internal access roads and associated works. The application is nominated Integrated Development under Section 58 of the Heritage Act 1977 and Section 100B of the Rural Fires Act 1997.
3	STREET ADDRESS	17 Memorial Airport Drive EVANS HEAD
4	APPLICANT/OWNER	Oasis Evans Head Unit Trust (Applicant) Richmond Valley Council (Owner)
5	TYPE OF REGIONAL DEVELOPMENT	Council related development over \$5 million
6	RELEVANT MANDATORY CONSIDERATIONS	<ul style="list-style-type: none"> Environmental planning instruments: <ul style="list-style-type: none"> State Environmental Planning Policy No 36 – Manufactured Home Estates State Environmental Planning Policy No 71 – Coastal Protection State Environmental Planning Policy No 55 – Remediation of Land State Environmental Planning Policy (Infrastructure) 2007 Richmond Valley Local Environment Plan 2012 Draft environmental planning instruments: <ul style="list-style-type: none"> Draft Coastal Management State Environmental Planning Policy 2016 Development Control Plans: <ul style="list-style-type: none"> Richmond Valley Development Control Plan 2015 Planning agreements: Nil Provisions of the <i>Environmental Planning and Assessment Regulation 2000</i> Coastal zone management plan: Nil

		<ul style="list-style-type: none"> • 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 <i>Environmental Planning and Assessment Act 1979</i> or regulations • Heritage Act 1977 • Rural Fires Act 1997 • Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2005 • The public interest, including the principles of ecologically sustainable development
7	MATERIAL CONSIDERED BY THE PANEL	<ul style="list-style-type: none"> • Council assessment report: 31 July 2017 • Written submissions during public exhibition: four (4) • Verbal submissions at the public meeting: <ul style="list-style-type: none"> ○ Support – NIL ○ Object – Craig Dale, Dr Richard Gates on behalf of the Evans Head Memorial Aerodrome Committee Incorporated and Ian Rankin ○ On behalf of the applicant – Peter Childs • The Panel noted a written representation tabled by Dr Richard Gates on behalf of the Evans Head Memorial Aerodrome Committee Incorporated.
8	MEETINGS AND SITE INSPECTIONS BY THE PANEL	<ul style="list-style-type: none"> • Site inspection 17 August 2017 • Final briefing meeting to discuss council's recommendation, 17 August 12:45pm Attendees: <ul style="list-style-type: none"> ○ <u>Panel members</u>: Garry West (Chair), Steven Gow, Abigail Goldberg ○ <u>Council assessment staff</u>: Sonja Kennedy, Development Assessment Planner; Brian Eggins, Senior Development Engineer; Andrew Hanna, Manager of Development and Environment
9	COUNCIL RECOMMENDATION	Approval
10	DRAFT CONDITIONS	Attached to the council assessment report