

## RECORD OF DEFERRAL

### NORTHERN REGIONAL PLANNING PANEL

<b>DATE OF DEFERRAL</b>	Wednesday, 12 December 2018
<b>PANEL MEMBERS</b>	Garry West (Chair), Pamela Westing and Stephen Gow
<b>APOLOGIES</b>	None
<b>DECLARATIONS OF INTEREST</b>	David Wright declared a conflict of interest. Nathan Willis, Sharon Cadwallader and Eoin Johnston declared a conflict of duties due to their involvement with this matter as councillors of Ballina Shire Council

Public meeting held at Ballina Shire Council on 12 December 2018, opened at 4pm and closed at Closing Time 5.33pm

#### MATTER DEFERRED

2017NTH014 – Ballina – DA 2017/244 at The Coast Road SKENNARS HEAD (as described in Schedule 1)

#### REASONS FOR DEFERRAL

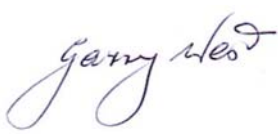

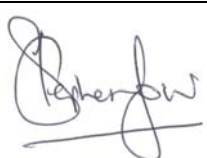
The panel agreed to defer the determination of the matter until:

- (i) further assessment and advice to the Panel by Council of draft revised conditions prepared on behalf of the Applicant and referenced at the meeting;
- (ii) submission to Council and the Panel of further support material, including court judgements, referenced by the Applicant's representative at the meeting; and
- (iii) written confirmation by the Applicant of their intention to dedicate proposed Lot 347 to Council free of cost.

as there is substantial disagreement between Council and the Applicant particularly regarding Ecological issues and the need for these issues to be resolved.

When this information has been received, the panel will determine the matter electronically and all persons who made submissions on the Application be advised of the outcome of the Panel's further consideration of the matter.

The decision to defer the matter was unanimous.

PANEL MEMBERS	
 Garry West (Chair)	 Pamela Westing
 Stephen Gow	

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	2017NTH014 – Ballina – DA 2017/244
2	PROPOSED DEVELOPMENT	To undertake the first stage of a residential subdivision comprising of 229 residential lots, 7 super lots, 1 lot associated with drainage functions, 1 lot for a sewer pumping station, 5 public reserves lots, and 1 residual lot. The proposed subdivision, to be carried out in stages, will involve the construction of a new access to The Coast Road incorporating the Sharpes Beach Car Park Access junction with a roundabout and facilitating connection into Headlands Drive. The subdivision also proposes extensive earthworks across the site, utilities augmentation, stormwater management and drainage, vegetation removal and associated works
3	STREET ADDRESS	Lot 6 in DP 1225206, The Coast Road SKENNARS HEAD
4	APPLICANT OWNER	Intrapac Skennars Head Pty Ltd c/o Elton Consulting Peter Stewart and Ruth Stewart
5	TYPE OF REGIONAL DEVELOPMENT	General development over \$20 million (DA lodged prior to 1 March 2018)
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 1 – Development Standards</li> <li>○ State Environmental Planning Policy No 55 – Remediation of Land</li> <li>○ State Environmental Planning Policy (Infrastructure) 2007</li> <li>○ State Environmental Planning Policy No 71 – Coastal Protection</li> <li>○ State Environmental Planning Policy (Coastal Management) 2018</li> <li>○ State Environmental Planning Policy No 14 – Coastal Wetlands</li> <li>○ State Environmental Planning Policy No 26 – Littoral Rainforests</li> <li>○ State Environmental Planning Policy No 62 – Sustainable Aquaculture</li> <li>○ State Environmental Planning Policy (Rural Lands) 2008</li> <li>○ Ballina Local Environmental Plan 2012</li> <li>○ Ballina Local Environmental Plan 1987</li> </ul> </li> <li>• Draft environmental planning instruments: Nil</li> <li>• Development control plans: <ul style="list-style-type: none"> <li>○ Ballina Development Control Plan 2012</li> </ul> </li> <li>• Section 94 Plans <ul style="list-style-type: none"> <li>○ S 94 Open Space and Community Facilities Contributions Plan 2016</li> <li>○ Ballina Shire Roads Contributions Plan</li> </ul> </li> <li>• Section 64: Sewer Servicing, Water Supply, Rous Water</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 November 2018</li> <li>• Written submissions during public exhibition: 114</li> </ul>

		<ul style="list-style-type: none"> <li>• Applicant Briefing 12 December 2018</li> <li>• Verbal submissions at the public meeting: <ul style="list-style-type: none"> <li>○ Support – NIL</li> <li>○ Object – Christine Fry, Steve Hohnen and Stephen Totterman</li> <li>○ Council assessment officer – Michael Tully, Consultant Planner SJB Planning and Peter Drew, Senior Town Planner Ballina Shire Council</li> <li>○ On behalf of the applicant – Jenny Rudolph, Elton Consulting; Steven Jarman, Ecological Australia; Blake Stevens, Knobel Consulting and Bill Knobel, Intrapac.</li> </ul> </li> </ul>
8	<b>MEETINGS, BRIEFINGS AND SITE INSPECTIONS BY THE PANEL</b>	<ul style="list-style-type: none"> <li>• Site inspection on 12 December 2018 and Final briefing to discuss council's recommendation, 12 December 2018 at 2.30pm. Attendees: <ul style="list-style-type: none"> <li>○ <u>Panel members</u>: Garry West (Chair), Pamela Westing and Stephen Gow</li> <li>○ <u>Council assessment staff</u>: Matthew Wood, Group Manager Development &amp; Environmental Health; Peter Drew, Senior Town Planner; Ian Gaskell, Environmental Scientist; Richard Jerome, Development Engineer; David Kelly, Manager Infrastructure Planning; and Michael Tully, Consultant Planner SJB Planning.</li> </ul> </li> </ul>
9	<b>COUNCIL RECOMMENDATION</b>	Approval
10	<b>DRAFT CONDITIONS</b>	Attached to the council assessment report