

<b>DATE OF DETERMINATION</b>	2 July 2018
<b>PANEL MEMBERS</b>	Garry West (Chair), Stephen Gow & Susan Budd
<b>APOLOGIES</b>	None
<b>DECLARATIONS OF INTEREST</b>	None

Electronic meeting held between 25 June 2018 and 2 July 2018.

#### **MATTER DETERMINED**

2017NTH030 – Byron – DA10.2017.509.1 at Kingsley Street Byron Bay (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 pursuant to section 4.16 of the *Environmental Planning and Assessment Act 1979*.

The decision was unanimous.


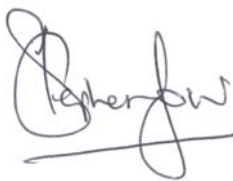

#### **REASONS FOR THE DECISION**

The panel determined to approve the application for the reasons outlined in the council assessment report.

#### **CONDITIONS**

The development application was approved subject to the conditions in the Council Assessment Report with the following amendment:

- Council to update conditions to reflect correct numerical order (Condition 29 jumps to Condition 32). No amendments to content of conditions.

<b>PANEL MEMBERS</b>	
 Garry West (Chair)	 Stephen Gow
 Susan Budd	

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	2017NTH030 – Byron – DA10.2017.509.1
2	PROPOSED DEVELOPMENT	Alterations and additions to Byron Bay Public School including removal of five demountable buildings, removal of twelve trees, demolition of classroom building ‘L’, construction of a new two storey classroom building containing ten home base rooms, covered walkway, new play area and associated landscaping.
3	STREET ADDRESS	Lot 1 in DP 805037, Lot 1 Section 43 in DP 758207, Lots 2 Section 43 in DP 758207, Kingsley Street Byron Bay
4	APPLICANT/OWNER	Lot 1 in DP 805037, Lot 1 Section 43 in DP 758207, Lots 2 Section 43 in DP 758207
5	TYPE OF REGIONAL DEVELOPMENT	Crown development 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.44 – Koala Habitat Protection</li> <li>State Environmental Planning Policy No.55 – Remediation of Land</li> <li>State Environmental Planning Policy No.71 – Coastal Protection</li> <li>State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017</li> <li>Byron Local Environmental Plan 2014</li> </ul> </li> <li>Draft environmental planning instruments: Coastal Management State Environmental Planning Policy (Draft)</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 92 &amp; 94</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: 3 May 2018</li> <li>Written submissions during public exhibition: nil</li> <li>Verbal submissions at the public meeting: <ul style="list-style-type: none"> <li>Support – nil</li> <li>Object – nil</li> <li>On behalf of the applicant – Johannes John</li> </ul> </li> </ul>
8	MEETINGS AND SITE INSPECTIONS BY THE PANEL	<ul style="list-style-type: none"> <li>Site inspection: 17 May 2018</li> <li>Final briefing meeting to discuss council’s recommendation, 17 May 2018, [time]. Attendees: <ul style="list-style-type: none"> <li>Panel members: Garry West (Chair), Stephen Gow, Susan Budd, Simon Richardson</li> <li>Council assessment staff: Ben Grant, Planner; Chris Larkin, Manager Sustainable Development</li> </ul> </li> </ul>
9	COUNCIL RECOMMENDATION	Approval
10	DRAFT CONDITIONS	Attached to the council assessment report

