

STATEMENT OF REASONS

DA Number	DA2015/069 24.5(1A) Modification Application
Property Address	Lot 193 DP 75603 Bungawalbin Whiporie Road, Bungawalbin
Matter Determined	Modification Application – Condition 7 of DA2015/0069 Pursuant to s4.55(1A) of the Environmental Planning & Assessment Act, 1979
Date of Decision	05/05/2020
Decision	Approved
Application Determined by	Delegation

Reasons for the Decision

Relevant Mandatory Considerations – Statutory Requirements	<ul style="list-style-type: none"> • The proposed development is of minimal environmental impact and is substantially the same as the approved development. Changes relate to deletion of a condition for a licence that is not required and modification of the way in which the Heavy Haulage Contribution is paid. • The modification complies with requirements the provisions of Richmond Valley Council Local Environmental Plan 2012. • The proposed development is permissible with consent in the RU1 Primary Production Zone. • The proposed development as modified remains consistent with provisions of the State Environmental Planning Policies as applied to the original application • The proposed modifications do not change any matter previously considered under the provisions in place under former Richmond River Council planning controls. • The proposed modification complies with Environmental Planning & Assessment Regulation 2000. • The proposed modification will not have significant adverse impact on the natural, built or social environment or economic impacts on the locality provided it is managed and operated in accordance with the Consent granted. • The proposed modification is considered suitable for the proposed site. • The modification was notified from 5 June 2019 to 8 July 2019. Eight submissions were received. • The proposed modification does not raise any matter of significant public interest. • Consent conditions have been recommended to be amended as contained within the development consent notice.
Material Considered in the Decision	<ul style="list-style-type: none"> • Statement of Environmental Effects and Information Submitted with the Application • Plans • Amendment to Modification Application
Community Views Raised in Submissions	<ul style="list-style-type: none"> • The DA was notified in accordance with Development Control Plan 2015. Eight submissions were received. The submission raised concerns with a proposed modification to condition 27, however the modification application was amended to retain condition 27 as approved. Condition 7 does not change the intensity of approved operations and its approval for rehabilitation fill supplies is in the public interest.