

## NORTHERN JOINT REGIONAL PLANNING PANEL

Meeting held electronically between 17 July 2015 and 23 July 2015

Panel Members: Garry West (chair), John Griffin, Bruce Clarke, and John Burley

Apologies: None - Declarations of Interest: None

### Determination and Statement of Reasons

**2014NTH010 Kyogle 2014/027 [at Sextonville Road, Dobies Bight] as described in Schedule 1.**

**Date of determination:** 23 July 2015

#### Decision:

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*.

#### Panel consideration:

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.

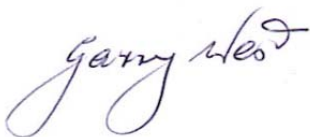
#### Reasons for the panel decision:

1. The development does not conflict with the requirements of the following SEPP numbers 33, 44 55;
2. The conditions of consent as amended satisfactorily address the issues around traffic generation and road safety;
3. The applicant has agreed to the S94 contributions;
4. The flora and Fauna issues identified have been deemed by OEH to be satisfactorily addressed and the necessary conditions of consent have been applied;
5. Water issues identified have been satisfactorily addressed through the conditions of consent;
6. The development has acceptable separation distance to residences; and
7. The development is in the public interest.

**Conditions:** The development application was approved subject to the conditions attached to the Addendum Report by Kyogle Council dated 17 July 2015, amended as follows:

The words "it is recommended that" to be removed from conditions commencing P2 (Aboriginal Heritage) Nos 2,3,4 & 5

#### Panel members:



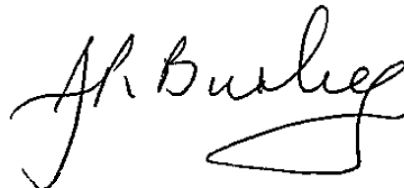
Garry West (chair)



John Griffin



Bruce Clarke



John Burley

## NORTHERN JOINT REGIONAL PLANNING PANEL

### SCHEDULE 1

1	<b>JRPP Reference – LGA- Council Reference:</b> 2014NTH010 Kyogle 2014/027
2	<b>Proposed development:</b> Extractive Industry (sand and sandstone quarry) with a maximum extraction of 22,500 tonnes per year for a maximum of 30 years.
3	<b>Street address:</b> Lots 155, 156 and 361 DP 755732 Sextonville Road, Dobies Bight
4	<b>Applicant:</b> Stephen Fletcher & Associates Pty Ltd
5	<b>Type of Regional development:</b> Designated development – extractive industry
6	<b>Relevant mandatory considerations</b> <ul style="list-style-type: none"> <li>• Kyogle Local Environmental Plan 2012</li> <li>• Kyogle Council Development Control Plan No 2 – Development in Rural Areas</li> <li>• Kyogle Development Control Plan 2014</li> <li>• North Coast Regional Environmental Plan</li> <li>• State Environmental Planning Policy No 33 – Hazardous and Offensive Development</li> <li>• State Environmental Planning Policy No 44 – Koala Habitat Protection (SEPP 44)</li> <li>• State Environmental Planning Policy No 55 – Remediation of Land</li> <li>• State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007</li> <li>• State Environmental Planning Policy (Rural Lands) 2008</li> <li>• <i>Environmental Planning and Assessment Regulation 2000</i></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 EPA Act or EPA Regulation.</li> <li>• The public interest.</li> </ul>
7	<b>Material considered by the panel:</b> Council Assessment Report Dated: 31 March 2015 Written submissions during public exhibition: three (3) Verbal submissions at the panel meeting held at Kyogle Council on Wednesday 6 May 2015 at 12:00 pm: on behalf of the applicant- Stephen Fletcher & Charlie Hewitt Addendum Council Assessment Report dated 17 July 2015
8	<b>Meetings and site inspections by the panel:</b> Site visit on 6 May 2015
9	<b>Council recommendation:</b> Approval
10	<b>Draft conditions:</b> Attached to addendum council assessment report