




## Relevant JOINT REGIONAL PLANNING PANEL

Meeting held at Goulburn Mulwaree Council on 29 July 2015 at 2.05 pm		
Panel Members: Pam Allan (Chair), Allen Grimwood, Mark Grayson, Cr Denzil Sturgiss		
Apologies: Cr Robin Saville Declarations of Interest: None		
<b>Determination and Statement of Reasons</b>		
<b>2014STH013 – GOULBURN MULWAREE - DA/0360/1314 – Lot 1 DP 1094055 Part 288 Tiyces Lane, (also known as 63 Curlewin Lane) Towrang as described in Schedule 1.</b>		
<b>Date of determination:</b> 29 July 2015		
<b>Decision:</b> The panel determined to refuse the development application as described in Schedule 1 pursuant to section 80 of the <i>Environmental Planning and Assessment Act 1979</i> .		
<b>Panel consideration:</b> 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.		
<b>Reasons for the panel decision:</b>  The Panel refused the development application for the following reasons: <ol style="list-style-type: none"> <li>1. That the resource survey information was inadequate to determine whether the Basalt resource can be extracted without blasting and, therefore, whether extraction can take place without breaching noise limits imposed by the EPA.</li> <li>2. Lack of information supplied with the Development Application to assess the visual impact of the extraction and associated structures on adjoining properties and public places.</li> <li>3. The Panel was not satisfied that the proposed deferred condition of consent regarding the dedication of the land for road widening on Tiyces Lane can be satisfied in the absence of the consent of the owner of the land affected by the proposed road widening.</li> <li>4. The Panel was not satisfied that the proposed access onto Tiyces Lane to meet the required minimum sight distance has been adequately addressed in terms of potential environmental and road safety impacts.</li> <li>5. Notwithstanding the advice of the RMS to require a code of conduct to be imposed in order to restrict truck movements to left turn only, the Panel was not satisfied as to the safe use of the intersection of the Hume Highway and Tiyces Lane from potential north bound truck movements associated with the proposed quarry.</li> </ol>		
<b>Conditions:</b> Not applicable		
<b>Panel members:</b>		
  <b>Pam Allan (Chair)</b>	  <b>Allen Grimwood</b>	  <b>Mark Grayson</b>
Approved by email  <b>Cr Denzil Sturgiss</b>		

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### SCHEDULE 1

1	<b>2014STH013 – GOULBURN MULWATEE - DA/0360/1314 –</b>
2	<b>Proposed development:</b> Extractive Industry (Quarry)
3	<b>Street address:</b> Lot 1 DP 1094055 Part 288 Tiyces Lane, (also known as 63 Curlewin Lane) Towrang
4	<b>Applicant:</b> Peter F Miller on behalf of Argyle (NSW) Pty Ltd <b>Owner:</b> Argyle Gravel & Concrete P/L as Trustee for Figtree Reserve Superannuation Fund
5	<b>Type of Regional development:</b> Extractive Industry (Quarry)
6	<b>Relevant mandatory considerations:</b> <ul style="list-style-type: none"> <li>• State Environmental Planning Policy No 33 – Hazardous and Offensive Development;</li> <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 (Infrastructure) 2007;</li> <li>• State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007</li> <li>• State Environmental Planning Policy (Rural Lands) 2008</li> <li>• State Environmental Planning Policy (State &amp; Regional Development) 2011</li> <li>• State Environmental Planning Policy (Sydney Drinking Water Catchment) 2011</li> <li>• Goulburn Mulwaree LEP 2009</li> <li>• Goulburn Mulwaree DCP 2009</li> <li>• Goulburn Mulwaree Section 94 Contribution Plan 2009</li> <li>• NSW Industrial Noise Policy</li> <li>• NSW Road Noise Policy</li> <li>• Department of Environment and Conservation (NSW) Approved Methods for the Modelling and Assessment of Air Pollutants in NSW</li> <li>• Department of Environment and Conservation (NSW) Approved for the Sampling and Analysis of Air Pollutants in NSW</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 20 July 2015 Written submissions during public exhibition: 17 Verbal submissions at the panel meeting: <ul style="list-style-type: none"> <li>• On behalf of the applicant – Peter Miller</li> <li>• On behalf of the applicant – Keith Allen from Laterals Planning, Engineering &amp; Management</li> <li>• On behalf of the applicant- Robert Mowle from Laterals Planning, Engineering &amp; Management</li> </ul>
8	<b>Meetings and site inspections by the panel:</b> <b>Site Inspection:</b> 29 July 2015 <b>Briefing:</b> 29 July 2015 <b>Determination Meeting:</b> 29 July 2015
9	<b>Council recommendation:</b> Approve with conditions
10	<b>Draft conditions:</b> Attached to Assessment Report