

DETERMINATION AND STATEMENT OF REASONS
NORTHERN JOINT REGIONAL PLANNING PANEL

DATE OF DETERMINATION	Wednesday 16 August 2017
PANEL MEMBERS	Garry West (Chair), Stephen Gow, Jim Simmons and Jason Kingsley
APOLOGIES	Pamela Westing
DECLARATIONS OF INTEREST	None

Public meeting held at Clarence Valley Council on Wednesday 16 August 2017, opened at 3pm and closed at 3.10pm.

MATTER DETERMINED

2017NTH007 – Clarence Valley – DA 2017/0177 at Boundary Creek Forrest Road Nymboida Hard Rock Quarry (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 as described in Schedule 1 pursuant to section 80 of the *Environmental Planning and Assessment Act 1979*.

The decision was unanimous.




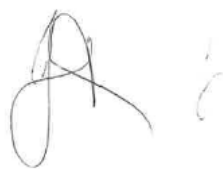
REASONS FOR THE DECISION

The reasons for the decision of the Panel were:

- This stage 2 development will not operate concurrently with area 1, therefore the maximum annual extraction rate will not exceed 200,000 tonnes for the full life of the quarry (Area 1 and 2);
- The development complies with the standards and requirements of the LEP and DCP and is consistent with the relevant objectives;
- No objections were raised by the relevant agencies and no public submissions were received;
- The alternate location for the site office and on-site waste water disposal system better suit the site than originally approved; and
- All other aspects of the quarry for area 2, including haulage routes, traffic movements, hours of operation and rehabilitation remain as approved for area 1.

CONDITIONS

The development application was approved subject to the conditions in the Council Assessment Report.

PANEL MEMBERS	
 Garry West (Chair)	 Stephen Gow
 Jim Simmons	 Jason Kingsley

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	2017NTH007 – Clarence Valley – DA 2017/0177
2	PROPOSED DEVELOPMENT	Extractive Industry (hard rock quarry) – stage 2
3	STREET ADDRESS	Boundary Creek Forrest Road Nymboida Hard Rock Quarry
4	APPLICANT OWNER	Greensill Bros P/L (c/o GeoLINK) Unwin Gaine Cartmill
5	TYPE OF REGIONAL DEVELOPMENT	Designated development - extractive industry
6	RELEVANT MANDATORY CONSIDERATIONS	<ul style="list-style-type: none"> • State Environmental Planning Policy No 33 – Hazardous and Offensive Development • State Environmental Planning Policy No 44 – Koala Habitat Protection • State Environmental Planning Policy No 55 – Remediation of Land • State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007 • State Environmental Planning Policy (Rural Lands) 2008 • State Environmental Planning Policy (State and Regional Development) 2011 • Clarence Valley Local Environmental Plan 2011 • Clarence Valley Council Rural Zones Development Control Plan 2011 • The likely impacts of the development, including environmental impacts on the natural and built environment and social and economic impacts in the locality • The suitability of the site for the development • Any submissions made in accordance with the <i>Environmental Planning and Assessment Act 1979</i> or regulations • The public interest, including the principles of ecologically sustainable development
7	MATERIAL CONSIDERED BY THE PANEL	<ul style="list-style-type: none"> • Council assessment report: 2 August 2017 • Written submissions during public exhibition: nil • Verbal submissions at the public meeting: <ul style="list-style-type: none"> ○ Support – NIL ○ Object – NIL ○ On behalf of the applicant – Simon Waterworth
8	MEETINGS AND SITE INSPECTIONS BY THE PANEL	<ul style="list-style-type: none"> • Final briefing meeting to discuss council's recommendation, 16 August 2017. Attendees: <ul style="list-style-type: none"> ○ <u>Panel members</u>: Garry West (Chair), Stephen Gow, Jim Simmons and Jason Kingsley ○ <u>Council assessment staff</u>: Sarah Sozou, Development Planner; Nigel Sutton, Development Engineer
9	COUNCIL RECOMMENDATION	Approval
10	DRAFT CONDITIONS	Attached to the council assessment report