

Resolution

This is a resolution of the Southern Regional Planning Panel (**Panel**) in accordance with a decision of the Panel made at a meeting of the Panel on 7 June 2018 at which a majority of its members were present, in accordance with Part 5 Schedule 2 of the *Environmental Planning and Assessment Act 1979*.

Panel decision




In respect of M.H. Earthmoving Pty Ltd v Cootamundra-Gundagai Regional Council Land and Environment Court proceedings 7966 of 2018, the Panel resolves to:

1. direct the Council to:
 - (a) not enter into the draft section 34 agreement provided on 25 May 2018 with the applicant; and
 - (b) instruct the Department of Planning and Environment to file a notice of motion with the Land and Environment Court seeking that the Panel be joined as a respondent to the proceedings.

AND

2. delegate the functions of the Panel under section 8.15(4) of the *Environmental Planning and Assessment Act 1979* in relation to this appeal, including directing and controlling the Council, seeking legal advice and providing instructions, to Pam Allan (Chair) and Alison McCabe (acting Chair when the Panel determined the development application the subject of the appeal).

Panel members

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| Pam Allan (Chair) | Alison McCabe | Renata Brooks |