

DETERMINATION AND STATEMENT OF REASONS

SOUTHERN JOINT REGIONAL PLANNING PANEL

DATE OF DETERMINATION	6 December 2017
PANEL MEMBERS	Alison McCabe (Chair), Renata Brooks, Louise Camenzuli, Louise Wakefield, Denzil Sturgiss
APOLOGIES	Hon. Pam Allan
DECLARATIONS OF INTEREST	None

Public meeting held at Goulburn Mulwaree Council: Civic Centre at 184-194 Bourke Street, Goulburn on 6 December 2017, opened at 3.50 pm and closed at 5.45 pm.

MATTER DETERMINED

2017STH017 – Goulburn Mulwaree – DA/0330/1617 at Lots 1 & 2 DP 1094055, 63 & 65 Curlewin Lane (aka Part 288 Tiyces Lane and also referred to as 17033 Hume Highway) (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.

Moved by Louise Wakefield, seconded by Alison McCabe:

The Panel determined to refuse 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 Applicant was unable to satisfy the Panel in relation to:

1. Confirmation of landowners' consent for the proposed works within the road reserve and adjoining land for the realignment of Tiyces lane and the proposed acceleration lane.
2. Insufficient information to assess the environmental impacts and appropriateness of the proposed means of access to and from the development and associated works; and
3. The suitability of the proposed quarry within the E3 Environmental Management zone and compatibility with surrounding land uses.

CONDITIONS

Not Applicable

PANEL MEMBERS	
 Alison McCabe (Chair)	 Renata Brooks
 Louise Camenzuli	 Denzil Sturgiss
 Louise Wakefield	

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	2017STH017 – Goulburn Mulwaree – DA/0330/1617
2	PROPOSED DEVELOPMENT	Designated Development Extractive Industry (Quarry)
3	STREET ADDRESS	Lots 1 & 2 DP 1094055, 63 & 65 Curlewin Lane (AKA Part 288 Tiyces Lane and also referred to as 17033 Hume Highway)
4	APPLICANT/OWNER	Goulburn Mulwaree Council
5	TYPE OF REGIONAL DEVELOPMENT	Designated development - extractive industry
6	RELEVANT MANDATORY CONSIDERATIONS	<ul style="list-style-type: none"> Environmental planning instruments: <ul style="list-style-type: none"> State Environmental Planning Policy No 33 (Harardous and Offensive Development) State Environmental Planning Policy No 44 – Koala Habitat Protection and draft EIE public exhibition 18/11/16 – 3/3/17; State Environmental Planning Policy No 55 – Remediation of Land; State Environmental Planning Policy (Infrastructure) 2007 and draft SEPP; State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007; State Environmental Planning Policy (Rural Lands) 2008; State Environmental Planning Policy (State & Regional Development) 2011; State Environmental Planning Policy (Sydney Drinking Water Catchment) 2011; State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017 Goulburn Mulwaree Local Environment Plan 2009 (as amended) Draft environmental planning instruments: Draft State Environmental Planning Policy (Infrastructure), Draft State Environmental Planning Policy (Primary Production Land Rural Development), Draft State Environmental Planning Policy (Environment) Development control plans: <ul style="list-style-type: none"> Goulburn Mulwaree Development Control Plan 2009 (as amended) Goulburn Mulwaree Section 94 Contribution Plan 2009 (as amended) Planning agreements: Nil Provisions of the <i>Environmental Planning and Assessment Regulation 2000</i>: c77-81, 94A (Schedule 1,2 and 3) Coastal zone management plan: Nil 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: 23 November 2017 • Written submissions during public exhibition: 15 (4 submissions with no objection). • Verbal submissions at the public meeting: <ul style="list-style-type: none"> ○ Support – Nil ○ Object – Rod Lang, Debbie Polley, Kylie Barnes, Renee Ward, Tony Egan, Martin Webb ○ On behalf of the applicant – Madeleine Miller, Peter Miller
8	MEETINGS AND SITE INSPECTIONS BY THE PANEL	<ul style="list-style-type: none"> • Site inspection and briefing meeting 18 October 2017 • Final briefing meeting to discuss council's recommendation, 6 December 2017 at 1:15 pm. Attendees: <ul style="list-style-type: none"> ○ <u>Panel members</u>: Alison McCabe (Chair), Renata Brooks, Louise Camenzuli, Denzil Sturgiss, Louise Wakefield ○ <u>Council assessment staff</u>: Dianne James
9	COUNCIL RECOMMENDATION	Refusal
10	DRAFT CONDITIONS	NA