

Attachment 1: Draft Reasons for Refusal

1. Pursuant to clause 1.7 of the Environmental Planning and Assessment Act 1979, matters relating to potential vegetation removal and offsetting requirements under part 7 of the Biodiversity Conservation Act 2016 remain unresolved.
2. Pursuant to the provisions of Section 4.15 1(a)(i) of the Environmental Planning and Assessment Act 1979, the development would be considered inconsistent with the following clauses of the Shellharbour Local Environmental Plan 2013:
 - Clause 5.13 Eco-tourist facilities;
3. Pursuant to the provisions of Section 4.15 (1)(a)(iii) of the Environmental Planning and Assessment Act 1979, it is considered the proposal fails to demonstrate consistency with the provisions of the Shellharbour Development Control Plan 2013:
 - Chapter 26 Bushfire Hazard.
4. Pursuant to the provisions of Section 4.15 (1)(b) of the Environmental Planning and Assessment Act, 1979, it is considered the proposal fails to demonstrate that the likely impacts of the development will not be adverse.
5. Pursuant to the provisions of Section 4.15 (1)(c) of the Environmental Planning and Assessment Act, 1979, it is considered the proposal fails to demonstrate that the site is suitable for the development.
6. Pursuant to the provisions of Section 4.15 (1)(d) & (e) of the Environmental Planning and Assessment Act, 1979, it is considered that with the submissions received and the circumstances of the case, the application fails to demonstrate that proposal is in the public interest.
7. Pursuant to the provisions of Section 4.46 of the Environmental Planning and Assessment Act 1979, general terms of approval in the form of a 100B Authorisation pursuant to the Rural Fires Act 1997 have not been obtained.