

DATE OF DETERMINATION	2 April 2026
DATE OF PANEL DECISION	2 April 2026
DATE OF PANEL BRIEFING	31 March 2026
PANEL MEMBERS	Chris Wilson (Chair), Juliet Grant, Grant Christmas, Mitchell Nadin, Russell Fitzpatrick
APOLOGIES	None
DECLARATIONS OF INTEREST	None

Papers circulated electronically on 27 March 2026.

MATTER DETERMINED

PPSSTH-411 – BEGA VALLEY – DA 2024.109 at 28 Coral Park Road, Wolumla (Lots 4 and 7 DP252442 and Lot 18 DP851163) – Proposed use of blasting to enable vertical expansion of extractive activities at Coral Park 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, the material presented at meetings and briefings, and the matters observed at the site inspection listed at item 8 in Schedule 1.

Development application

The Panel determined to approve the development application pursuant to section 4.16 of the *Environmental Planning and Assessment Act 1979*.

The decision was unanimous.

REASONS FOR THE DECISION

The Panel was satisfied that:

- The development was consistent with the objectives of the *Environmental Planning and Assessment Act 1979*.
- The Council's assessment report had demonstrated that the relevant prerequisites to the grant of consent had been met.
- A thorough assessment in terms of section 4.15 of the *Environmental Planning and Assessment Act 1979* had been undertaken.
- Subject to the imposition of the conditions of consent as amended, the development is unlikely to result in any unacceptable environmental, amenity or land-use safety impacts either on site or on the surrounding landscape.
- The site is suitable for the development as proposed.
- The continued operation of the quarry would ensure the ongoing supply of material to the regional construction industry.

CONDITIONS

The Development Application was approved subject to the conditions in the Council Assessment Report, with the following amendments.

- To further protect the amenity of the area, Condition 6 was amended to prohibit blasting on Saturdays, Sundays and Public Holidays.

- Condition 21 was amended to clarify the upgrades to Coral Park Road that are required prior to Stage 1 commencing.

At the determination meeting, the Applicant raised concern regarding Condition 17, which requires the upgrade of Coral Park Road to be completed before Stage 1 commences. The Applicant's key concern was that the s138 approval process under the Roads Act is likely to delay the commencement of Stage 1. The Panel noted that this was exacerbated by the need to complete the Crown Lands transfer of Coral Park Road to Council before any such s138 approval can be issued.

The Applicant suggested that a time limit be placed on Council's consideration of the s.138 application in the Conditions.

The Panel considered the matter and declined to impose such a requirement, given:

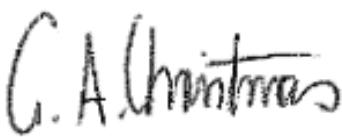
- Placing a time limit via a condition on a third party is beyond the power of the consent authority
- The Panel was satisfied that the transfer of ownership of Coral Park Road from Crown Lands to the Council could be done concurrently with the preparation and consideration of both s138 applications, being the upgrade of Coral Park Road (The Council), and the upgrade of the Princess Highway and Coral Park Road intersection (Transport for NSW).

CONSIDERATION OF COMMUNITY VIEWS

In reaching its decision, the Panel considered written submissions made during the public exhibition. The Panel notes that issues of concern included the potential impact of the development on:

- the acoustic environment
- wildlife and domestic animals
- property values.

The Panel considers that concerns raised by the community have been adequately addressed in the Council's Assessment Report and through the conditions as amended and imposed.

PANEL MEMBERS	
 Chris Wilson (Chair)	 Juliet Grant
 Grant Christmas	 Mitchell Nadin
 Russell Fitzpatrick	

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	PPSSTH-411 – BEGA VALLEY – DA 2024.109
2	PROPOSED DEVELOPMENT	Proposed use of blasting to enable vertical expansion of extractive activities at Coral Park Quarry
3	STREET ADDRESS	28 Coral Park Road, Wolumla (Lots 4 and 7 DP252442 and Lot 18 DP851163)
4	APPLICANT/OWNER	Applicant: John McKee, Metro Planning Owner: Murray Walsh, Coral Park Earthmoving & Landscape Supplies Pty Ltd
5	TYPE OF REGIONAL DEVELOPMENT	Designated development - extractive industry
6	RELEVANT MANDATORY CONSIDERATIONS	- Environmental planning instruments: - State Environmental Planning Policy (Primary Production) 2021 - State Environmental Planning Policy (Planning Systems) 2021 - State Environmental Planning Policy (Resources and Energy) 2021 - State Environmental Planning Policy (Resilience and Hazards) 2021 - State Environmental Planning Policy (Transport and Infrastructure) 2021 - State Environmental Planning Policy (Biodiversity and Conservation) 2021 - Bega Valley Local Environmental Plan 2013 - Environmental Planning and Assessment Act 1979 (EP&A Act 1979) - Environmental Planning and Assessment Regulation 2021 - Protection of the Environment Operations Act 1997 - Draft environmental planning instruments: - Draft Remediation of Land - Planning Proposal – Bega Urban Land Release Planning Proposal - Development control plans: - Bega Valley Development Control Plan 2013 (BVDCP 2013) - Bega Valley Local Infrastructure Contribution Plan 2024-2036 - Planning agreements: Nil - Relevant provisions of the <i>Environmental Planning and Assessment Regulation 2021</i> - 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	- Council Assessment Report: 24 March 2026 - List any clause 4.6 variation requests here: Nil - Written submissions during public exhibition: 2 - Total number of unique submissions received by way of objection: 2
8	MEETINGS, BRIEFINGS AND SITE INSPECTIONS BY THE PANEL	- Site inspection: 23 May 2024 <u>Panel members</u>: Chris Wilson (Chair), Juliet Grant, Grant Christmas <u>Council assessment staff</u>: Fay Steward, Mark Fowler, Cecily Hancock

		• Briefing: 13 August 2024 ○ <u>Panel members</u>: Chris Wilson (Chair), Juliet Grant, Grant Christmas, Mitchell Nadin, Russell Fitzpatrick ○ <u>Council assessment staff</u>: Mark Fowler, Cecily Hancock, Vicki Andre ○ <u>Applicant representatives</u>: John McKee (Metro Planning), Murray Walsh (Owner, Coral Park Earthmoving & Landscape Supplies) ○ <u>DPHI</u>: Tim Mahoney, Tracey Gillett • Final briefing to discuss council's recommendation: 31 March 2026 ○ <u>Panel members</u>: Chris Wilson (Chair), Juliet Grant, Grant Christmas, Mitchell Nadin, Russell Fitzpatrick ○ <u>Council assessment staff</u>: Fay Steward, William Nichols, Mark Fowler, Cecily Hancock ○ <u>Applicant representatives</u>: John McKee (Metro Planning), Murray Walsh (Owner, Coral Park Earthmoving & Landscape Supplies) ○ <u>DPHI</u>: Tracey Gillett
9	COUNCIL RECOMMENDATION	Approval
10	DRAFT CONDITIONS	Attached to the Council Assessment Report and amended by the Panel with Final Conditions of Consent uploaded to the NSW Planning Portal on 2 April 2026.