

ATTACHMENT 1 - RECOMMENDED REASONS FOR REFUSAL

1. Insufficient information has been provided for Council to be satisfied as to the impact of the development on koalas or koala habitat, in accordance with the provisions of section 4.9, *State Environmental Planning Policy (Biodiversity and Conservation) 2021* (s4.15(1)(a)(i) of the EPA Act).
2. The proposed development does not meet the land use definition for an 'eco-tourist facility' in section 2.3, *Wingecarribee Local Environmental Plan 2010*, because insufficient information has been provided for Council to be satisfied that the proposed development has been sensitively designed and located so as to minimise bulk, scale and overall physical footprint and any ecological or visual impact. (s4.15(1)(a)(i) of the EPA Act).
3. The proposed development is inconsistent with the objectives for Zone C3 Environmental Management in section 2.3, *Wingecarribee Local Environmental Plan 2010*, because insufficient information has been provided for Council to be satisfied that the proposed development would protect, manage and restore any areas within the site with special ecological value or that the development would not have an adverse effect on those values. (s4.15(1)(a)(i) of the EPA Act).
4. The consent authority is not satisfied that:
 - the development would be located, constructed, managed and maintained so as to minimise any impact on, and to conserve, the natural environment,
 - the development will promote positive environmental outcomes and any impact on native flora and fauna will be minimal, and
 - the following matters are addressed or provided for in a management strategy for minimising any impact on the natural environment—
 - (i) measures to remove any threat of serious or irreversible environmental damage,
 - (ii) the maintenance (or regeneration where necessary) of habitats,
 - (iii) mechanisms for monitoring and reviewing the effect of the development on the natural environment.

in accordance with the provisions of section 5.13, *Wingecarribee Local Environmental Plan 2010* (s4.15(1)(a)(i) of the EPA Act).
5. The consent authority is not satisfied that the development is designed to ensure that the proposed earthworks will not have a detrimental impact on environmental functions and processes, in accordance with the provisions of section 7.3, *Wingecarribee Local Environmental Plan 2010* (s4.15(1)(a)(i) of the EPA Act).
6. The consent authority is not satisfied given Council has been unable to properly consider any potential adverse impact on the native ecological community, habitat of any threatened species, population or ecological community, any regionally significant species of fauna, flora or habitat, and habitat elements providing connectivity, in accordance with the provisions of section 7.4, *Wingecarribee Local Environmental Plan 2010* (s4.15(1)(a)(i) of the EPA Act).
7. The proposed development is inconsistent with the Objectives and Controls as they relate to the following provisions of the Rural Lands Development Control Plan (s4.15(1)(a)(iii) of the EPA Act):

- (a) A3.6 Cut and Fill



- (b) A4.5 Landform and Vegetation Modification
 - (c) A4.7 Protection of Trees, Bushland and Vegetation during Construction.
8. The design of the development is likely to have adverse impact on the natural and built environments in the locality (s4.15(1)(b) of the EPA Act).
 9. The site is not suitable for the development as proposed (s4.15(1)(c) of the EPA Act).
 10. The development is not in the public interest (s4.15(1)(e) of the EPA Act).