

Determination

Section 80 of the *Environmental Planning and Assessment Act 1979*

I, the Minister for Infrastructure and Planning, refuse the development application referred to in Schedule 1.

My reasons for refusing the development application are outlined below:

- a) The proposed development is inconsistent with the relevant aims and objectives of *Sydney Regional Environmental Plan No. 17 – Kurnell Peninsula (1989)*;
- b) I am not satisfied that the necessary consent under the *National Parks and Wildlife Act 1974* for the proposed development would be granted, and I am therefore unable to grant consent to the carrying out of the proposed development under clause 23B of *Sydney Regional Environmental Plan No. 17 – Kurnell Peninsula (1989)*;
- c) the Department of Infrastructure, Planning and Natural Resources is not satisfied that suitable arrangements for the proper utilisation and protection of natural groundwater resources have been made, and I am therefore unable to grant consent to the carrying out of the proposed development under clause 25 of *Sydney Regional Environmental Plan No. 17 – Kurnell Peninsula (1989)*;
- d) the requirements of *State Environmental Planning Policy No. 55 – Remediation of Land* have not been adequately addressed;
- e) the proposed development is likely to have unacceptable environmental impacts; and
- f) the proposed development is not in the public interest.

Craig Knowles MP
Minister for Infrastructure and Planning
Minister for Natural Resources

Sydney 24 April 2005

SIGNED

File No. S01/00594

SCHEDULE 1

Development Application:	DA No. 286-11-2004;
Applicant:	Rocla Pty Limited;
Consent Authority:	The Minister for Infrastructure and Planning;
Land:	Land described as Lot 8 DP 586986, Captain Cook Drive, Kurnell;
Proposed Development:	The Kurnell Sand Development Proposal involving extraction of sand, importation of various materials including virgin excavated materials (VENM), processing of extracted sand and imported materials, and landform reconstruction activities using VENM and processing residues.