

<b>DATE OF DEFERRAL</b>	27 October 2021
<b>PANEL MEMBERS</b>	Gordon Kirkby (Chair), Renata Brooks, Tim Fletcher, Neil Smith and Greg Conkey
<b>APOLOGIES</b>	None
<b>DECLARATIONS OF INTEREST</b>	None

Public meeting held by teleconference on 19 October 2021, opened at 11am and closed at 1pm.

**MATTER DEFERRED**

PPS-2019STH007 – WAGGA WAGGA – DA19/0036 at 225-265 Trahairs Road, Bomen 2650 (Lot 2 DP 1249028, Lot 4 DP 1249028) – Waste Disposal Facility (Non-Putrescible Landfill) (as described in Schedule 1).

**REASONS FOR DEFERRAL**

The panel agreed to defer the determination of the matter until required information or assessment is provided by applicant and/or Council:

1. Submission of an independent review of the potential impact of the development on existing overland flows and groundwater contamination. The independent review shall be undertaken by a suitably qualified expert, whose appointment shall be endorsed by Council.

The independent review shall address:

- The veracity of the hydrological and hydrogeological assessment provided by the Applicant. In particular,
- Potential for contamination or other long-term impacts on the existing groundwater supplies and the implications for surrounding groundwater users (ie. bores)
- Advise on appropriateness of the proposed monitoring and management measures proposed by the Applicant.
- Make recommendations, if appropriate, with respect to additional measures that could be put in place to manage the potential impacts of the development.






Following receipt of the independent assessment, Council shall prepare a supplementary report for the Panel on the additional information.

2. Advice, prepared by a suitably qualified expert, addressing the potential for airborne particles associated with landfill material, in particular fly ash, to contaminate agricultural produce associated with the Riverina Oils facility. The advice should address the risk of contamination and management and mitigation measures that could be employed to manage this risk.
3. Advice from Council with regard to how the proposed development addresses the following objective of the Regional Enterprise Zone under *State Environmental Planning Policy (Activation Precincts) Amendment (Wagga Wagga) 2021*:

*To effectively manage land uses of varying intensities or environmental sensitivities, and to minimise the risk of conflict associated with incompatible land uses*

When this information has been received, the panel will determine the matter.

The decision to defer the matter was unanimous. The Panel adjourned during the meeting to deliberate on the matter and formulate a resolution.

PANEL MEMBERS	
 Gordon Kirkby (Chair)	 Renata Brooks
 Tim Fletcher	 Neil Smith
 Greg Conkey	

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	2019STH007 – WAGGA WAGGA – DA19/0036 at 225-265 Trahairs Rd, Bomen 2650 (Lot 2 DP 1249028, Lot 4 DP 1249028)
2	PROPOSED DEVELOPMENT	Waste Disposal Facility (Non-Putrescible Landfill)
3	STREET ADDRESS	225 Trahairs Rd, Bomen, NSW 2650
4	APPLICANT/OWNER	Applicant: Christopher Egan, Riverina Warehousing Solutions Pty Ltd Owner: Riverina Warehousing Solutions Pty Ltd
5	TYPE OF REGIONAL DEVELOPMENT	Designated Development - Waste Facility
6	RELEVANT MANDATORY CONSIDERATIONS	<ul style="list-style-type: none"> <li>Environmental planning instruments: <ul style="list-style-type: none"> <li>Wagga Wagga Local Environmental Plan 2010</li> <li>State Environmental Planning Policy (Activation Precincts) 2020</li> <li>State Environmental Planning Policy (Infrastructure) 2007</li> <li>State Environmental Planning Policy No 55 – Remediation of Land</li> <li>State Environmental Planning Policy No 33 – Hazardous and Offensive Development</li> <li>State Environmental Planning Policy (Koala Habitat Protection) 2021</li> <li>State Environmental Planning Policy (State and Regional Development) 2011</li> </ul> </li> <li>Draft environmental planning instruments: Nil</li> <li>Development control plans: <ul style="list-style-type: none"> <li>Wagga Wagga Development Control Plan 2010</li> </ul> </li> <li>Planning agreements: Nil</li> <li>Provisions of the <i>Environmental Planning and Assessment Regulation 2000</i>: <ul style="list-style-type: none"> <li>Clause 92A of the Environmental Planning and Assessment Regulation 2000 - Additional matters that consent authority must consider for Wagga Wagga</li> </ul> </li> <li>Coastal zone management plan: Nil</li> <li>The likely impacts of the development, including environmental impacts on the natural and built environment and social and economic impacts in the locality</li> <li>The suitability of the site for the development</li> <li>Any submissions made in accordance with the <i>Environmental Planning and Assessment Act 1979</i> or regulations</li> <li>The public interest, including the principles of ecologically sustainable development</li> </ul>
7	MATERIAL CONSIDERED BY THE PANEL	<ul style="list-style-type: none"> <li>Council assessment report: 5 October 2021</li> <li>Written submissions during public exhibition: 42</li> <li>Verbal submissions at the public meeting 19 October 2021: <ul style="list-style-type: none"> <li>Community Members: Graeme Obst, Carol Obst, Madeline Obst, Isobella Obst, Claudia Obst, Marie Suthern, James Schultz, Ben Large, Craig Thamm, Anthony Marriner, Will Stone, Michael Coville, John Gary, Ron Kerr, Howard Pollard, Jan Pollard, Michael Fromholtz, Anthony Dunn, Peter Simpson, Bill Shultz as President of the Eunony Valley Association, Anthony O’Kane, Catherine O’Kane, Lynette Lablack, Wendy Anderson</li> <li>Council assessment officer: Steven Cook</li> <li>On behalf of the applicant: Chris Egan</li> </ul> </li> </ul>
8	MEETINGS AND SITE INSPECTIONS BY THE PANEL	<ul style="list-style-type: none"> <li>Final briefing to discuss council’s recommendation: Tuesday, 19 October 2021</li> </ul>

		<ul style="list-style-type: none"><li>○ <u>Panel members</u>: Gordon Kirkby (Chair), Renata Brooks, Tim Fletcher, Neil Smith and Greg Conkey</li><li>○ <u>Council assessment staff</u>: Steven Cook, Paul O’Brian, Peter Thompson</li><li>○ <u>Panel Secretariat staff</u>: Sung Pak, Michelle Burns</li></ul>
9	COUNCIL RECOMMENDATION	Approval
10	DRAFT CONDITIONS	Attached to the council assessment report