

<b>DATE OF DEFERRAL</b>	19 June 2025
<b>DATE OF PANEL MEETING</b>	18 June 2025
<b>PANEL MEMBERS</b>	Dianne Leeson (Chair), Michael Wright, Stephen Gow
<b>APOLOGIES</b>	None
<b>DECLARATIONS OF INTEREST</b>	Kate McGrath and Colleen Fuller declared a conflict of interest due to Gunnedah Council having an interest in the application.

Public meeting held via teleconference on 18 June 2025, opened at 10:00am and closed at 11.20pm.

#### **MATTER DEFERRED**

**PPSNTH-288 – GUNNEDAH – 10.2023.00000046.001** 809 Oakey Creek Road Piallaway

Continuation and expansion of existing extractive industry (40,000 tonnes per annum and total resource of approximately 734,000 tonnes) (as described in Schedule 1).

#### **REASONS FOR DEFERRAL**

The Panel considered the matters listed at item 6, the material listed at item 7 and the material presented at meetings and the matters observed at the site inspection listed at item 8 in Schedule 1.

The Panel agreed to defer the determination of the matter to allow for the provision and assessment of the following information:

1. Updated comprehensive site plan including the location of the sump and updated vehicular turning areas,
2. Updated General Terms of Approval from the NSW EPA which are consistent with the updated site plan,
3. Further site investigations and bore testing for ground water penetration to specify the location and depth of the groundwater table within the sump footprint to ensure that:
  - there is no interaction or penetration of water within the sump with groundwater; and,
  - finished surface levels to the base of the sump do not extend below the groundwater table

The decision to defer the matter was unanimous.



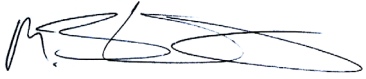
#### **ACTIONS**

To allow for the progression of the Development Application to determination, the Panel directed that:

1. The Applicant upload the following information to the Planning Portal **within one month of publication of this decision**:
  - a. an updated comprehensive site layout plan
  - b. detailed site investigation and bore testing results identifying the location and depth of the water table within the footprint of the proposed sump location
2. Council is requested to:
  - a. Seek updated General Terms of Approval (GTAs) from the NSW EPA, consistent with the updated comprehensive site layout plan; and
  - b. provide an addendum independent assessment report responding to the matters above, and including any updated draft conditions of consent, which is to be uploaded to the Planning Portal within two (2) weeks of the upload of the updated GTAs and the information required to be submitted by the Applicant.

When the addendum assessment report is received by the Panel, it will be published on the Sydney and Regional Planning Panels portal and the Panel will hold a final briefing with Council's independent assessment planner and the applicant. The Panel will then finalise its decision by way of electronic determination.

If the outstanding information is not provided by time frames indicated above, the Panel may move to determine the Development Application based on the information currently at hand.

PANEL MEMBERS	
 Dianne Leeson (Chair)	 Stephen Gow
 Michael Wright	

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	PPSNTH-288 – GUNNEDAH – DA 2023/046
2	PROPOSED DEVELOPMENT	Operation of an Extractive Industry (Gravel Quarry), 40,000 Tonnes per annum and total volume 734,000 Tonnes
3	STREET ADDRESS	809 OAKEY CREEK ROAD PIALLOWAY 2342, Lot 139 DP 751012,
4	APPLICANT/OWNER	Gary Peacock - Outline Planning Consultants Pty Ltd (on behalf of Gunnedah Shire Council/ Michael Edward Bolger (leasing the quarry site to Gunnedah Shire Council)
5	TYPE OF REGIONAL DEVELOPMENT	Designated development - extractive industry
6	RELEVANT MANDATORY CONSIDERATIONS	<ul style="list-style-type: none"> <li>Environmental planning instruments: <ul style="list-style-type: none"> <li>State Environmental Planning Policy (Biodiversity and Conservation) 2021</li> <li>State Environmental Planning Policy (Planning Systems) 2021</li> <li>State Environmental Planning Policy (Resilience and Hazards) 2021</li> <li>State Environmental Planning Policy (Resources and Energy) 2021</li> <li>State Environmental Planning Policy (Transport and Infrastructure) 2021</li> <li>Gunnedah Local Environmental Plan 2012</li> </ul> </li> <li>Draft environmental planning instruments: Nil</li> <li>Development control plans: <ul style="list-style-type: none"> <li>Gunnedah Development Control Plan 2012</li> </ul> </li> <li>Planning agreements: Nil</li> <li>Relevant provisions of the <i>Environmental Planning and Assessment Regulation 2021</i></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: 7 May 2025</li> <li>Written submissions during public exhibition: 21</li> <li>Verbal submissions at the public meeting: <ul style="list-style-type: none"> <li>Margaret Vincent, Tim Vincent</li> <li>Independent assessment officer – Lillian Charlesworth</li> <li>Council assessment staff – Wade Hudson, Daniel Abrahams</li> <li>On behalf of the applicant – Peter Smith, Gary Peacock</li> </ul> </li> <li>Total number of unique submissions received by way of objection: 18</li> </ul>
8	MEETINGS, BRIEFINGS AND SITE INSPECTIONS BY THE PANEL	<ul style="list-style-type: none"> <li>Applicant Briefing: 22 May 2024 <ul style="list-style-type: none"> <li><u>Panel members</u>: Dianne Leeson (Chair), Stephen Gow, Donna Ausling</li> <li><u>Apology</u>: Michael Wright</li> <li><u>Council assessment staff</u>: Wade Hudson and Daniel Abrahams</li> <li><u>Department staff</u>: Carolyn Hunt and Lisa Ellis</li> </ul> </li> <li>Site Visit: 6 February 2025</li> </ul>

		<ul style="list-style-type: none"> <li>○ <u>Panel members</u>: Dianne Leeson (Chair), Michael Wright, Stephen Gow</li> <li>○ <u>Applicant representatives</u>: Peter Smith</li> <li>○ <u>Council assessment staff</u>: Wade Hudson, Daniel Abraham</li> </ul> <ul style="list-style-type: none"> <li>• Final briefing to discuss Council's recommendation: 18 June 2025 <ul style="list-style-type: none"> <li>○ <u>Panel members</u>: Dianne Leeson (Chair), Michael Wright, Stephen Gow</li> <li>○ <u>Council assessment staff</u>: Wade Hudson, Daniel Abrahams</li> <li>○ <u>Independent assessment planner</u>: Lillian Charlesworth</li> <li>○ <u>Department staff</u>: Amanda Moylan, Nikita Lange, Ilona Ter-Stepanova</li> </ul> </li> </ul>
9	<b>COUNCIL RECOMMENDATION</b>	Approval
10	<b>DRAFT CONDITIONS</b>	Attached to the Council Assessment Report