

DATE OF DETERMINATION	20 January 2022
DATE OF PANEL DECISION	20 January 2022
DATE OF PANEL MEETING	18 January 2022
PANEL MEMBERS	Garry Fielding (Chair), Sandra Hutton, Graham Brown
APOLOGIES	None
DECLARATIONS OF INTEREST	None

Papers circulated electronically on 10 December 2021.

MATTER DETERMINED

PPSWES-120 – Central Darling – 21/21 - Lot 102--/611504 Central Darling - White Cliffs Water Treatment Plant - Construct the new White Cliffs Water Treatment Plant (as described in Schedule 1)

PANEL CONSIDERATION AND DECISION

The panel considered: the matters listed at item 6, the material listed at item 7 and the material presented at meetings and briefings.

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 determined to approve the application for the following reasons:

- The proposed development is not considered to have any significant negative impacts upon the environment or upon the amenity of the locality.
- The proposed development is consistent with the objectives of the applicable Environmental Planning Instruments and Council policies.
- The proposed development will bring significant social benefits to the locality by guaranteeing a reliable potable water supply.
- The advice of the Council that the proposed development is consistent with SEPP No 55 - Remediation of Land.

CONDITIONS

The development application was approved subject to the conditions in the council assessment report with the following amendments.

- Condition 1, amended to read as follows:
 - (1) The development shall be undertaken generally in accordance with the Statement of Environmental Effects Report No DC17091 October 2021 (the SEE) prepared by Public Works Advisory and the stamped approved plans detailed as follows except where modified by any of the following conditions.

The development shall be undertaken generally in accordance with the following plans:

- White Cliffs Water Treatment Plant, Sheet 1, Rev D, dated 20/08/21 by Membrane Systems Australia,
- White Cliffs Water Treatment Plant, Sheet 2, Rev E, dated 16/08/21 by Membrane Systems Australia,
- White Cliffs Water Treatment Plant, Sheet 3, Rev E, dated 20/08/21 by Membrane Systems Australia,
- White Cliffs Water Treatment Plant, Sheet 4, Rev D, dated 03/09/21 by Membrane Systems Australia,
- White Cliffs Water Treatment Plant, Sheet 5, Rev E, dated 20/08/21 by Membrane Systems Australia,
- White Cliffs Water Treatment Plant, Sheet 6, Rev E, dated 29/09/21 by Membrane Systems Australia,
- White Cliffs Water Treatment Plant, Sheet 7, Rev E, dated 05/10/21 by Membrane Systems Australia,
- White Cliffs Water Treatment Plant, Sheet 7 (8?), Rev E, dated 05/10/21 by Membrane Systems Australia.

The applicant is reminded of their obligations contained in the SEE, specifically but not limited to:

- The preparation of a Construction Environmental Management Plan (conditions 37 and 40, pt 3.5.1, pt 3.5.4, pt 3.5.5, pt 3.5.7, pt 5.2.3, pt 5.3.1, pt 5.3.3, pt 6.1, pt 6.2.6, pt 6.2.7 of the SEE),
- The preparation of a Traffic Management Plan (pt 5.4.3, pt 6.2.8 of the SEE),
- The preparation of an Erosion and Sedimentation Control Plan (condition 24, pt 5.6.3, pt 6.2.2 of the SEE),
- The preparation of a Waste Management Plan (conditions 25, 26, 27, pt 5.8.3, pt 6.2.9 of the SEE).

{Reason: To ensure that the development is undertaken in accordance with that assessed}

- Condition 4, amended to read as follows:

- (4) Unless authorised by Council, building construction, delivery of material hours, demolition and excavation works are restricted to 8.00 am to 5.00 pm Monday to Sunday.

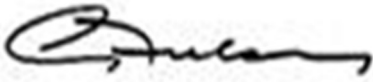
Excavation work includes the use of any excavation machinery and the use of jackhammers, rock breakers, excavators, loaders and the like, regardless of whether the activities disturb or alter the natural state of the existing ground stratum or are breaking up/removing materials from the site

{Reason: Council requirement to reduce the likelihood of noise nuisance}

CONSIDERATION OF COMMUNITY VIEWS

In coming to its decision, the panel notes that no written submissions were made during public exhibition and therefore no community concerns were raised.

PANEL MEMBERS



Garry Fielding (Chair)



Sandra Hutton



Graham Brown

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	PPSWES-120 – Central Darling – 21/21
2	PROPOSED DEVELOPMENT	White Cliffs Water Treatment Plant Upgrade
3	STREET ADDRESS	Lot 102--/611504 Central Darling
4	APPLICANT/OWNER	Simon Goddard/Central Darling Shire Council
5	TYPE OF REGIONAL DEVELOPMENT	Council related development over \$5 million
6	RELEVANT MANDATORY CONSIDERATIONS	<ul style="list-style-type: none"> • Local Government Act 1993 • National Parks and Wildlife Act 1974 • Protection of the Environment Operations Act 1997 • Water Management Act 2000 • Contaminated Land Management Act 1997 (NSW) • Biodiversity Conservation Act 2016 • Rural Fires Act 1997 (NSW) • Environment Protection and Biodiversity Conservation Act 1999 • Native Title Act 1993 • Central Darling LEP 2012 • ISEPP 2007 • Hazardous and Offensive SEPP • Remediation of Land SEPP • Koala Habitat Protection SEPP 2021 • No DCP mentioned
7	MATERIAL CONSIDERED BY THE PANEL	<ul style="list-style-type: none"> • Council assessment report: 10 December 2021 • Written submissions during public exhibition: 0
8	MEETINGS, BRIEFINGS AND SITE INSPECTIONS BY THE PANEL	<ul style="list-style-type: none"> • No site inspection was undertaken by Panel members as it was not considered necessary for the determination of the development application. • Final briefing to discuss council's recommendation: [18 January 2022] <ul style="list-style-type: none"> ○ <u>Panel members</u>: Garry Fielding (Chair), Sandra Hutton, Graham Brown ○ <u>Council assessment staff</u>: Glenda Dunn, Reece Wilson, Geoff Laan, Elham Nariyam ○ <u>Applicant representatives</u>: Simon Goddard, Rick Legg
9	COUNCIL RECOMMENDATION	Approval
10	DRAFT CONDITIONS	Attached to the council assessment report