

<b>DATE OF DETERMINATION</b>	20 December 2024
<b>DATE OF PANEL DECISION</b>	18 December 2024
<b>DATE OF PANEL MEETING</b>	17 December 2024
<b>PANEL MEMBERS</b>	Garry Fielding (Chair), Donna Rygate and Graham Brown
<b>APOLOGIES</b>	None
<b>DECLARATIONS OF INTEREST</b>	None

Papers circulated electronically on 10 December 2024.

#### **MATTER DETERMINED**

PPSWES-146 – Narromine – DA 2022/38 at 224 Warren Road, Narromine – Browning Sand Quarry (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 briefings listed at item 8 in Schedule 1.

#### **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 reasons outlined in the Council Assessment Report.

#### **CONDITIONS**

The Development Application was approved subject to the conditions in the Council Assessment Report, with the following amendments:

- The addition of a condition under *Operational Requirements* regarding the approved hours of operation
- The correction of construction hours under condition 31, i.e. 6pm not 8pm
- The amendment of condition 1 to include a list of specialist reports, requiring compliance with the recommendations of these reports and advice that the statutory General Terms of Approval (GTAs) prevail should there be any inconsistency
- The inclusion of the GTAs in the Notice of Determination
- The amendment of condition 48(a) to replace “toolbox meetings” with “appropriate measures”, together with the correction of minor typographical edits indicated by the Applicant in an email dated 16 December 2024

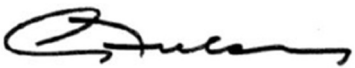


#### **CONSIDERATION OF COMMUNITY VIEWS**

In coming to its decision, the Panel considered written submissions made during public exhibition. The Panel notes that issues of concern included:

- Noise and dust
- Impacts on the river
- Groundwater

- Traffic

The Panel considers that concerns raised by the community have been adequately addressed in the Assessment Report. The Panel notes that in addressing these issues, appropriate conditions have been imposed.

PANEL MEMBERS	
 Garry Fielding (Chair)	 Graham Brown
 Donna Rygate	

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	PPSWES-146 – Narromine – DA2022/38
2	PROPOSED DEVELOPMENT	Browning Sand Quarry
3	STREET ADDRESS	224 Warren Road, Narromine
4	APPLICANT/OWNER	Macquarie Valley Rock and Sand Pty Ltd
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 (Planning Systems) 2021</li> </ul> </li> <li>• Draft environmental planning instruments: Nil</li> <li>• Development control plans: <ul style="list-style-type: none"> <li>◦ Narromine Development Control Plan 2011</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: 10 December 2024</li> <li>• Written submissions during public exhibition: 5</li> <li>• Total number of unique submissions received: 4</li> </ul>
8	MEETINGS, BRIEFINGS AND SITE INSPECTIONS BY THE PANEL	<ul style="list-style-type: none"> <li>• Briefing: 20 September 2022 <ul style="list-style-type: none"> <li>◦ <u>Panel members</u>: Garry Fielding (Chair), Graham Brown, Dawn Collins and Les Lambert</li> <li>◦ <u>Council assessment staff</u>: Emma Yule, Phil Johnston, Ben Luffman (Consultant)</li> <li>◦ <u>Department representatives</u>: Sung Pak</li> </ul> </li> <li>• Briefing: 6 March 2024 <ul style="list-style-type: none"> <li>◦ <u>Panel members</u>: Garry Fielding (Chair), Graham Brown, Donna Rygate, Dawn Collins and Les Lambert</li> <li>◦ <u>Council assessment staff</u>: Emma Yule, Phil Johnston, Ben Luffman (Consultant)</li> <li>◦ <u>Department representatives</u>: George Dojas, Adam Iskander and Suzie Jattan</li> </ul> </li> <li>• Final briefing to discuss council's recommendation: 17 December 2024 <ul style="list-style-type: none"> <li>◦ <u>Panel members</u>: Garry Fielding (Chair), Graham Brown, Donna Rygate</li> <li>◦ <u>Council assessment staff</u>: Emma Yule</li> <li>◦ <u>Department representatives</u>: Lillian Charlesworth, Jade Buckman</li> </ul> </li> <li>• Applicant Briefing: 17 December 2024 <ul style="list-style-type: none"> <li>◦ <u>Panel members</u>: Garry Fielding (Chair), Graham Brown, Donna Rygate</li> <li>◦ <u>Council representatives</u>: Emma Yule, Ben Luffman (consultant Planner)</li> <li>◦ <u>Department representatives</u>: Lillian Charlesworth, Jade Buckman</li> </ul> </li> </ul>

		<ul style="list-style-type: none"><li>○ <u>Applicant representatives:</u> Jack Flanagan, Claudia Le Quesne, Jodie Browning, Tim Wheelhouse</li></ul>
9	COUNCIL RECOMMENDATION	Approval
10	DRAFT CONDITIONS	Attached to the Council Assessment Report