

<b>DATE OF DETERMINATION</b>	30 June 2025
<b>DATE OF PANEL DECISION</b>	30 June 2025
<b>PANEL MEMBERS</b>	Garry Fielding (Chair), Natasha Harras, Peter Shelley, Scott Barwick
<b>APOLOGIES</b>	Graham Brown, Julian Geddes
<b>DECLARATIONS OF INTEREST</b>	Donna Rygate

Papers circulated electronically on 17 June 2025.

#### **MATTER DETERMINED**

PPSWES-269 – Mid-Western – DA0070/2025 at 1848 Castlereagh Highway, Tallawang – Extractive Industry (Hard Rock 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 meetings and briefings and the matters observed at the site inspection, as 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:



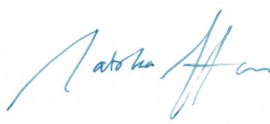

- The proposed landscaping screen is to be increased to a minimum width of 20m for its full length within the subject land and is to be planted with a double row of trees with under storey shrubs. A new condition is to be inserted that prior to the commencement of operations on the subject land the site plan is to be amended and submitted to Council for approval detailing the required 20m wide landscaping screen and the necessary reduction in the extent of the proposed quarry works.
- A new condition 15(1)(d) is to require an updated dilapidation report or reports to be prepared (and a copy in each instance provided to the relevant landowners) if any new buildings are constructed or major additions are made to existing dwellings within a 1km radius of the proposed quarry.
- Condition 46 is to be amended to require:
  - watering and irrigation measures as part of the maintenance schedule;
  - an independent report (including photographs) to be submitted to Council 5 years from commencement of the proposed quarry to confirm that the required landscaping screen is in place and in healthy condition; and
  - the landscaping to be maintained for the life of the quarry.

## CONSIDERATION OF COMMUNITY VIEWS

In coming to its decision, the Panel considered written submissions made during public exhibition. The Panel was also addressed by a nearby property owner concerning perceived impacts of the proposed development upon the locality. The Panel notes that issues of concern included:

- Site suitability
- Inadequacies of specialist reports
- Environmental impacts on ground water
- Loss of ecology
- Loss of agricultural land
- Cumulative impacts
- Concerns over the growth of the renewable energy zone
- Land use conflicts
- Potential adverse impacts on surrounding communities
- Loss of amenity
- Noise concerns
- Impacts of blasting
- Traffic generation
- Air quality (dust)
- Visual impacts

The Panel considers that concerns raised by the community have been adequately addressed in the Assessment Report.

PANEL MEMBERS	
 Garry Fielding (Chair)	 Scott Barwick
 Natasha Harras	 Peter Shelley

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	PPSWES-269 – Mid-Western – DA0070/2025
2	PROPOSED DEVELOPMENT	Extractive Industry (Hard Rock Quarry) with an extraction rate of up to 350,000 tonnes per annum (tpa) over an area of 7.34ha for a period of 25-30 years.
3	STREET ADDRESS	1848 Castlereagh Highway, Tallawang
4	APPLICANT/OWNER	Outline Planning Consultants P/L / Hamish & Sally Drury
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> <li>State Environmental Planning Policy (Biodiversity and Conservation) 2021</li> <li>State Environmental Planning Policy (Resilience and Hazards) 2021</li> <li>State Environmental Planning Policy (Primary Production) 2021</li> <li>State Environmental Planning Policy (Resources and Energy) 2021</li> <li>State Environmental Planning Policy (Transport and infrastructure) 2021</li> <li>Mid-Western Regional 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>Mid-Western Development Control Plan 2013</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 June 2025</li> <li>Written submissions during public exhibition: 12</li> <li>Total number of unique submissions received by way of objection: 9</li> </ul>
8	MEETINGS, BRIEFINGS AND SITE INSPECTIONS BY THE PANEL	<ul style="list-style-type: none"> <li>Preliminary Briefing: 18 February 2025 <ul style="list-style-type: none"> <li><u>Panel members</u>: Garry Fielding (Chair), Donna Rygate, Julian Geddes</li> <li><u>Council assessment staff</u>: Hannah Draper, Lindsay Dunstan</li> <li><u>Applicant representatives</u>: Gary Peacock</li> <li><u>Department staff</u>: Lillian Charlesworth, Jade Buckman</li> </ul> </li> <li>Site inspection: 7 April 2025 <ul style="list-style-type: none"> <li><u>Panel members</u>: Garry Fielding (Chair), Peter Shelley, Julian Geddes</li> <li><u>Council assessment staff</u>: Hannah Draper, Lindsay Dunstan</li> <li><u>Applicant representatives</u>: Gary Peacock, Hamish &amp; Sally Drury</li> </ul> </li> <li>Submitter Briefing: 24 June 2025 <ul style="list-style-type: none"> <li><u>Panel members</u>: Garry Fielding (Chair), Scott Barwick, Peter Shelley, Julian Geddes, Natasha Harras</li> </ul> </li> </ul>

		<ul style="list-style-type: none"> <li>○ <u>Council assessment staff</u>: Hannah Draper, Lindsay Dunstan</li> <li>○ <u>Public speakers</u>: Michael and Hugh Nott</li> </ul> <ul style="list-style-type: none"> <li>● Final briefing to discuss Council's recommendation: 24 June 2025 <ul style="list-style-type: none"> <li>○ <u>Panel members</u>: Garry Fielding (Chair), Peter Shelley, Julian Geddes, Natasha Harras, Scott Barwick</li> <li>○ <u>Council assessment staff</u>: Hannah Draper, Lindsay Dunstan</li> <li>○ <u>Applicant representatives</u>: Gary Peacock, Hamish &amp; Sally Drury</li> <li>○ <u>Department staff</u>: Lillian Charlesworth</li> </ul> </li> </ul>
9	<b>COUNCIL RECOMMENDATION</b>	Approval
10	<b>DRAFT CONDITIONS</b>	Attached to the Council Assessment Report. A final set of conditions incorporating changes requested by the Panel were uploaded to the Portal on 30 June 2025.