

DETERMINATION AND STATEMENT OF REASONS

WESTERN REGIONAL PLANNING PANEL

DATE OF DETERMINATION	15 April 2025
DATE OF PANEL DECISION	15 April 2025
PANEL MEMBERS	Garry Fielding (Chair), Graham Brown, Donna Rygate
APOLOGIES	Nil
DECLARATIONS OF INTEREST	Nil

Papers circulated electronically on 9 April 2025.

MATTER DETERMINED

PPSWES-295 – Murray River – 10.2024.157.1 at 234 Milgate Road, Moama – Extractive Industry – Temporary increase in extraction volume of up to 80,000 tonnes per annum for a period of up to 24 months (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 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

Council's recommended conditions of consent were amended by the Panel to include the following changes:

- Condition no. 2(a) remove the word "approval" and replace with "granting".
- Heading "Conditions which must be fulfilled on approval of this consent" shall be changed to "Conditions which must be fulfilled prior to commencement of operations."

CONSIDERATION OF COMMUNITY VIEWS

In coming to its decision, the Panel notes that no written submissions were made during public exhibition and therefore no issues of concern were raised.

PANEL MEMBERS	
 Garry Fielding (Chair)	 Graham Brown
 Donna Rygate	

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	PPSWES-295 – Murray River – 10.2024.157.1
2	PROPOSED DEVELOPMENT	Extractive Industry – Temporary increase in extraction volume of up to 80,000 tonnes per annum for a period of up to 24 months.
3	STREET ADDRESS	234 Milgate Road, Moama
4	APPLICANT/OWNER	Hanson Construction Materials Pty Ltd
5	TYPE OF REGIONAL DEVELOPMENT	Designated development - extractive industry
6	RELEVANT MANDATORY CONSIDERATIONS	<ul style="list-style-type: none"> Environmental planning instruments: <ul style="list-style-type: none"> State Environmental Planning Policy (Primary Production) 2021 State Environmental Planning Policy (Biodiversity and Conservation) 2021 State Environmental Planning Policy (Resilience and Hazards) 2021 State Environmental Planning Policy (Planning Systems) 2021 State Environmental Planning Policy (Resources and Energy) 2021 Murray Local Environmental Plan 2011 Draft environmental planning instruments: Nil Development control plans: <ul style="list-style-type: none"> Murray Development Control Plan 2012 Planning agreements: Nil Relevant provisions of the <i>Environmental Planning and Assessment Regulation 2021</i> Coastal zone management plan: Nil The likely impacts of the development, including environmental impacts on the natural and built environment and social and economic impacts in the locality The suitability of the site for the development Any submissions made in accordance with the <i>Environmental Planning and Assessment Act 1979</i> or regulations The public interest, including the principles of ecologically sustainable development
7	MATERIAL CONSIDERED BY THE PANEL	<ul style="list-style-type: none"> Council Assessment Report: 9 April 2025 Written submissions during public exhibition: 0
8	MEETINGS, BRIEFINGS AND SITE INSPECTIONS BY THE PANEL	<ul style="list-style-type: none"> Final briefing to discuss council's recommendation: 15 April 2025 <ul style="list-style-type: none"> <u>Panel members</u>: Garry Fielding (Chair), Graham Brown, Donna Rygate <u>Council assessment staff</u>: Vishal Chandra, Gary Arnold <u>Applicant representatives</u>: Nicholas Warren, Garth Stacey, Mike Fake, Adrian Bourke <u>Department staff</u>: Lillian Charlesworth, Jade Buckman
9	COUNCIL RECOMMENDATION	Approval
10	DRAFT CONDITIONS	Attached to the revised Council Assessment Report uploaded to the Portal on 14 April 2025 and as amended by the Panel (see above).