

DETERMINATION AND STATEMENT OF REASONS

WESTERN REGIONAL PLANNING PANEL

DATE OF DETERMINATION	30 November 2022
DATE OF PANEL DECISION	30 November 2022
DATE OF PANEL MEETING	22 November 2022
PANEL MEMBERS	Garry Fielding (Chair), Sandra Hutton, Dawn Collins, Les Lambert
APOLOGIES	Graham Brown
DECLARATIONS OF INTEREST	None

Papers circulated electronically on 17 November 2022.

MATTER DETERMINED

PPSWES-84– Narromine– DA2021/36 - 515 Tantitha Road, Narromine - Annings Extractive Industry 'Reids Pit' (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 site inspections 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 prepared by the council's consultant, GHD.

CONDITIONS

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

- Condition 7 amended to remove wording 'including intersection'.
- Note at Condition 10 amended to require separate approval from ARTC for all works within the railway corridor.
- Condition 56 amended to include requirement for safety measures at the level crossing.
- Condition 63 amended to require the operator to submit a Section 138 Roads Act application to Council for approval to temporarily close Tantitha Road, in accordance with the Blast Management Plan.
- Condition 72 amended to replace 'anniversary' with 'at each anniversary'.

CONSIDERATION OF COMMUNITY VIEWS

In coming to its decision, the panel considered written submissions made during public exhibition.

PANEL MEMBERS



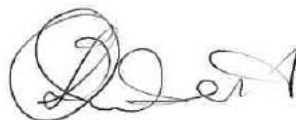
Garry Fielding (Chair)



Garry Fielding (Chair)



Les Lambert



Les Lambert

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	PPSWES-84 – Narromine – DA2021/36
2	PROPOSED DEVELOPMENT	Annings Extractive Industry 'Reids Pit'
3	STREET ADDRESS	515 Tantitha Road, Narromine
4	APPLICANT/OWNER	Orana Quarries & Crushing Pty Ltd / Ju-Lea Holdings Pty Ltd
5	TYPE OF REGIONAL DEVELOPMENT	Designated development - extractive industry
6	RELEVANT MANDATORY CONSIDERATIONS	- Environmental planning instruments: - State Environmental Planning Policy (State & Regional Development) 2011 - State Environmental Planning Policy (Mining, Petroleum and Extractive Industries) 2007 - State Environmental Planning Policy (Infrastructure) 2007 - State Environmental Planning Policy 33 (Hazardous and Offensive Development) - State Environmental Planning Policy – Koala Habitat Protections 2019 - State Environmental Planning Policy no. 55 – Remediation of land - Narromine Local Environmental Plan 2011 - Draft environmental planning instruments: Nil - Development control plans: - Narromine Development Control Plan 2011 - Planning agreements: Nil - Relevant provisions of the <i>Environmental Planning and Assessment Regulation 2021</i> - 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	- Assessment report prepared for Council by consultant GHD dated: 9 November 2022 - Written submissions during public exhibition: 1 - Total number of unique submissions received by way of objection: 1
8	MEETINGS, BRIEFINGS AND SITE INSPECTIONS BY THE PANEL	- Briefing and site inspection: 3 June 2021 <u>Panel members</u>: Garry Fielding (Chair), Sandra Hutton, Graham Brown, Craig Davies <u>Council assessment staff</u>: Emma Yule, Phil Johnston <u>DPE</u>: Jane Gibbs, Kim Holt - Final briefing to discuss council's recommendation: 20 September 2022 <u>Panel members</u>: Garry Fielding (Chair), Graham Brown, Dawn Collins, Les Lambert <u>Council assessment staff</u>: Emma Yule, Phil Johnston, Ben Luffman (consultant) <u>Applicant</u>: Darren Anning, Leanne Anning <u>DPE</u>: Sung Pak

		• Final briefing to discuss council's recommendation: 22 November 2022 - o <u>Panel members</u>: Garry Fielding (Chair), Sandra Hutton, Dawn Collins, Les Lambert - o <u>Council assessment staff</u>: Emma Yule, Phil Johnston, Ben Luffman (consultant) - o <u>Applicant</u>: Darren Anning, Leanne Anning, John Calvani, Mick Hedger, Joel Hedger, Jack Flanagan - o <u>DPE</u>: Sung Pak
9	COUNCIL RECOMMENDATION	Approval
10	DRAFT CONDITIONS	Attached to the council assessment report