

DETERMINATION AND STATEMENT OF REASONS

WESTERN REGIONAL PLANNING PANEL

DATE OF DETERMINATION	14 July 2020
PANEL MEMBERS	Garry Fielding (Chair), Stuart McDonald, Andrew Hutton
APOLOGIES	None
DECLARATIONS OF INTEREST	Will Marsh declared a conflict on the basis he is Director, Engineering and Development Services of Bland Shire Council and as the application is located within the Bland LGA, shall not be a member of the panel considering the matter.

Electronic determination meeting held on 22 June 2020, opened at 12:00pm midday and closed at 1:00pm. Papers circulated electronically on 4 June 2020.

MATTER DETERMINED

PPSWES-9 – Bland Shire Council - DA2020/0004 at 331 Wargin Road, Wyalong – Millers Metal 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 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 proposed development is permissible with consent in the RU1 Primary Production zone applying to the site under Bland LEP 2011.
- The proposed development is satisfactory having regard to the matters for consideration under s4.15 of the EP&A Act 1979. The adopted recommendations appropriately address the relevant environmental planning considerations arising from Council's assessment of the DA.
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CONDITIONS

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

- Deferred Development Consent Condition 1 has been imposed to ensure that the proposed Planning Agreement is executed prior to the commencement of the proposed development.
- Condition 4 has been introduced to ensure that a Quarry Rehabilitation and Closure Plan has been prepared to Council's satisfaction prior to the commencement of the proposed development.

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)



Stuart McDonald



Andrew Hutton

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	PPSWES-9 – Bland Shire Council - DA2020/0004
2	PROPOSED DEVELOPMENT	Increase extraction limit from 100,000 tonnes per annum to 250,000 tonnes per annum
3	STREET ADDRESS	331 Wargin Road, Wyalong, 2671
4	APPLICANT/OWNER	Regional Hardrock 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"> Bland Local Environmental Plan 2011 SEPP (Mining, Petroleum Production and Extractive Industries) 2007 SEPP No. 33 – Hazardous and Offensive Development SEPP No. 55 – Remediation of Land Development control plans: <ul style="list-style-type: none"> Bland Development Control Plan 2012 Provisions of the <i>Environmental Planning and Assessment Regulation 2000</i>: 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: 27 May 2020 Written submissions during public exhibition: Nil
8	PAPERS CIRCULATED ELECTRONICALLY	<ul style="list-style-type: none"> Papers were circulated electronically on 4 June 2020
9	COUNCIL RECOMMENDATION	Approval
10	DRAFT CONDITIONS	Attached to the council assessment report