



KTHO/1054315/DA20-17

LEETON SHIRE COUNCIL

Preserving the Past, Enhancing the Future

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5 October 2017

Photon Energy Engineering Australia P/L
204/55 Grafton St
BONDI JUNCTION NSW 2022

Notice of Determination of a Development Application

Environmental Planning and Assessment Act 1979, Section 81(1)(a)

The Development Application **No. 20/2017** was determined on 28 September 2017 by the granting of consent to the following:

Development: **Installation of 25.8MW Solar Farm**

Property Description: **Lot 91 DP 751742, Lot 2 DP 1226897, Lot 1 DP 1226897, Lot 1 DP 1056420
176 Fivebough Road Leeton**

The consent will operate from: **28 September 2017**

The consent will lapse on: **28 September 2022**

Subject to the conditions specified in this Notice as follows:

1. The design, construction, layout and management of the proposed development is to comply with the following documents;
 - i) Leeton Solar Farm Statement of Environmental Effects Photon Energy, dated February 2017, Ref 2016.276 prepared by KMH Environmental.
 - ii) Plan dated 12/4/2017 Ref PEA-15-116-320, Project: Leeton PV Plant, Part: System Layout, Drawing Title: PV Array Layout.

{Reason: To ensure that the development is undertaken in accordance with the information provided by the Proponent and used for the purposes of assess this application}
2. All building works shall be carried out in accordance with the Building Code of Australia.

{Reason: Prescribed statutory condition under EP&A Act}
3. Temporary use structures shall be placed on-site in accordance with the requirements of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008, Division 3, Subdivision 3.

{Reason: To ensure compliance with Clause 2.112 Development Standards under State Environmental Planning Policy (Exempt and Complying Development Codes) 2008}

4. Clearing of land, excavation, and/or earthworks, building works, and the delivery of building materials shall be carried out between the following hours:

Mondays to Fridays - 7:00am to 6:00pm

Saturdays - 7:00am to 4:00pm except as noted in Clause 'b'

- a) No work is permitted on Sundays and Public Holidays
- b) No work is permitted on Saturdays when a public holiday is adjacent to that weekend, construction industry awarded rostered days off or on Construction industry shutdown long weekends.

{Reason: To protect the amenity of the surrounding environment and to meet compliance with the Protection of the Environment Operations Act 1997.}

5. All shipping containers installed on-site and used as permanent means of storage shall comply with the following:

- i) Containers must not be located over water, wastewater or stormwater mains or dedicated drainage easements.
- ii) Containers must not be located over gas lines or underground power lines.
- iii) Setbacks to overhead power lines must comply with the requirements of the relevant electricity authority.
- iv) Containers must be screened from the streetscape by suitable vegetation or other appropriate screening.
- v) Containers must be painted a neutral colour to blend with the surrounding natural environment and built structures.
- vi) Containers must be placed on flat, solid ground. Any associated earthworks (cut & fill) must be in accordance with Subdivision 15 – 'Earthworks and retaining walls' of Division 1 of the Codes SEPP.
- vii) Containers must not be stacked.
- viii) Containers must not contain sanitary facilities.
- ix) Containers must not be used to store contaminated or hazardous materials.
- x) Containers must at all times be maintained and used in a tidy and satisfactory manner.

{Reason: To ensure compliance with Clause 2.112 Development Standards under State Environmental Planning Policy (Exempt and Complying Development Codes) 2008}

6. The development is to be managed to ensure that post development drainage flow rates must not exceed pre-development flow rates.

All surface drainage water is to be managed via existing drainage points into Murrumbidgee Irrigation Ltd drainage assets. Murrumbidgee Irrigation Ltd have advised that all allotments created from Farm 2157 have one common drainage point of no more than 225mm for all blocks.

{Reason: To drain the property of stormwater in a responsible manner that does not adversely impact on the adjoining land owners.}

7. A Decommissioning Plan is to be submitted to Council within eighteen (18) months from the issue of the Occupational Certificate and is to include the matters listed under B6 of Section 5.2.3 Mitigation Measures – Construction and Decommissioning on page 36 of the document known as Leeton Solar Farm Statement of Environmental Effects Photon Energy, dated February 2017 prepared by KMH Environmental.

{Reason: To ensure the appropriate planning in the event that the site is decommissioned}

8. The development is to be provided with a water supply appropriate to the operation of the development and use of the site.

{Reason: To ensure that the development has an appropriate water supply for the operation of the site}

9. The development is to be provided with electricity supply appropriate to the operation of the development and use of the site.

{Reason: To ensure that the development has an appropriate electricity supply for the operation of the site}

10. The existing trees located along the southern boundary with Grevillia Road are to remain and be incorporated into the vegetation screening area.

{Reason: To maintain the amenity of the area}

11. The development is to comply with any requirements NSW Planning for Bush Fire Guidelines (NSW Rural Fire Service 2006) and be implemented in accordance with Section 5.11.3 Mitigation Measures – Bushfire on page 56 of the document known as Leeton Solar Farm Statement of Environmental Effects Photon Energy, dated February 2017 prepared by KMH Environmental.

{Reason: To ensure that the development is provided with adequate bush fire protection}

Pre-construction/Prior to the Issue of a Construction Certificate

12. No activity is to be carried out on site until the Construction Certificate has been issued, other than:

- a) Site investigation for the preparation of the construction, and/or
- b) Implementation of environmental protection measures, such as erosion control etc that are required by this consent.

{Reason: To ensure the construction certificate is issued prior to the commencement of works.}

13. All Construction Certificates for building/development works are to be issued by a Principal Certifying Authority appointed by the proponent prior to the commencement of any building works.

The Principal Certifying Authority (if not the Council) is to notify Council of their appointment and notify the person having the benefit of the development consent of any critical stage inspections and other inspections that are to be carried out in respect of the building work no later than 2 days before the building work commences.

{Reason: Compliance with Section 81A of the Environmental Planning & Assessment Act 1979.}

14. Prior to the issue of any Construction Certificate a practicing structural engineers design and certification of the solar panel steel framework shall be submitted to the Certifying Authority.

{Reason: To ensure the structure is certified by an appropriately qualified structural engineer and the footings are adequate for the site's soil conditions and imposed loadings.}

15. A copy of the stamped approved plans shall be kept on site for the duration of site works and be made available upon request to either the Principal Certifying Authority or an officer of the Council.

{Reason: To ensure the Principal Contractor has access to the approved plans.}

16. Site security and public access is to comply with the NSW WorkCover publication titled, 'Site Security and Public Access onto Housing Construction Sites' and all site security and public access measures are to be installed prior to the commencement of any demolition, excavation or building works and be maintained throughout construction.

The use of barbed wire and/or electric fencing is not to form part of the protective fencing to construction sites.

{Reason: To comply with the requirements set by WorkCover.}

17. A sign is required to be erected in a prominent position on the work site on which building work is being carried out. The sign shall indicate:

- a) The name, address and telephone number of the Principal Certifying Authority for the work;
- b) The name of the Principal Contractor and a telephone number at which that person may be contacted outside of working hours; and
- c) That unauthorised entry to the work site is prohibited.

Any such sign is to be maintained while the building work is being carried out, but shall be removed when the work has been completed.

{Reason: To ensure compliance with prescribed conditions made under Environmental Planning & Assessment Regulation 2000.}

18. Temporary closet accommodation are to be provided throughout the course of building operations by means of a chemical closet complying with the requirements of the Department of Environment and Climate Change or a temporary connection, by a licensed plumber and drainer, to Council's sewer where available.

{Reason: To ensure all workers on site have access to toilet facilities.}

19. The following Critical Stage Inspections are required to be carried out by the Principal Certifying Authority to enable the issue of an Occupation Certificate:

- a) After each building/development work has been completed and prior to any occupation certificate being issued in relation to the building work.

48 hours prior notice for all of the above inspections (where applicable) shall be given.

{Reason: Section 109E(3)(d) of the Environmental Planning & Assessment Act 1979, requires that critical stage inspections are carried out prior to the issue of an Occupation Certificate (OC).}

20. A Construction Environmental Management Plan is to be submitted to Council prior to the issue of any Construction Certificate and is to include the matters listed in Section 5 the document known as Leeton Solar Farm Statement of Environmental Effects, Photon Energy, dated February 2017 prepared by KMH Environmental and is to include the following plans;

- i) A Ecological Works Method Statement to include the matters listed under B4 of Section 5.2.3 Mitigation Measures – Construction and Decommissioning on page 36 of the document known as Leeton Solar Farm Statement of Environmental Effects Photon Energy, dated February 2017 prepared by KMH Environmental.
- ii) An Operational Environmental Management Plan to include the matters listed under B1, B2, B3 and B4, of Section 5.2.3 Mitigation Measures – Construction and Decommissioning on page 36 of the document known as Leeton Solar Farm Statement of Environmental Effects Photon Energy, dated February 2017 prepared by KMH Environmental.
- iii) The Operational Management Plan is also to provide protocols to lessen the potential to cause disturbance threatened birds within the Fivebough Wetlands though the creation of any vibration, noise or lighting.
- iv) A Noise Management Plan to include the matters listed under N1, N2 and N3 of Section 5.3.4 Mitigation Measures – Construction and Decommissioning on page 44 of the document known as Leeton Solar Farm Statement of Environmental Effects Photon Energy, dated February 2017 prepared by KMH Environmental.
- v) An Erosion and Sediment Control Plan to include the matters listed under S1, S3, S4, S5, S6 and S7 of Section 5.4.3 Mitigation Measures – Construction and Decommissioning on page 46 and matters listed under SWW2, SGW3, SGW4 and SGW5 of Section 5.9.3 on page 52 of the document known as Leeton Solar Farm Statement of Environmental Effects Photon Energy, dated February 2017 prepared by KMH Environmental.

The Plan is also to address the remediation through establishment of suitable vegetation of any bare ground resulting from land forming or construction activities.

No soil materials from the site are permitted to be tracked onto Fivebough Road by vehicles leaving the site. Should this occur measures are to be implemented to remove any dust/mud from Fivebough Road deposited by vehicles leaving the site.

- vi) A Construction Traffic Management Plan to include the matters listed under T1, T2 and T3 of Section 5.5.3 Mitigation Measures – Construction and Decommissioning on page 47 of the document known as Leeton Solar Farm Statement of Environmental Effects Photon Energy, dated February 2017 prepared by KMH Environmental.

The Construction Traffic Management Plan is to also include the following matters;

- a) Accesses shall be located and maintained so as to comply with the required Safe Intersection Sight Distance (SISD) in either direction or in accordance with the Austroads Publications as amended by the RTA supplements for the prevailing speed limit. The intended method of compliance with this requirement shall be submitted to Council for approval prior to issue of any Construction Certificate.
- b) A 'Rural' type vehicular access is to be provided for the development off Fivebough Rd. This will require construction of a new access for the allotment or the widening and upgrading of the existing access to the allotment in accordance with Council's Specification for 'Construction of Rural Type Access'.

- c) Any access gate and associated fencing shall be located at least the length of the design vehicle plus four (4) metres from the edge of the carriageway or at the property boundary, whichever is the greater. Details are required prior to the issue of any Construction Certificate
- d) Prior to any Construction Certificate being issued details of off street car parking associated with the construction/decommission phase of the development is to be provided.
 - a) A minimum of Twenty (20) spaces for Staff Parking and a minimum of Two (2) for Visitors Parking are to be provided.

Any parking required in excess of this are to be catered for on site.

- e) The developer is to provide sufficient area on site for loading and unloading of vehicles which will also allow for turning paths of servicing vehicles.
- f) The proposed development shall provide and maintain sufficient area on site to allow for the storage of all vehicles intending to access the site. At no time shall vehicles be required to queue on Fivebough Road. Details are required prior to the issue of any Construction Certificate.
- g) The developer is to provide a manoeuvring area of adequate size for the design vehicle so that ingress to the site and egress from the site is in a forward direction. Details are required prior to the issue of any Construction Certificate.
- h) An approval from Council pursuant to Section 138 of the Roads Act 1993 to carry out work, construct/alter vehicle crossovers and the installation of kerb and gutter and concrete footpath or any other structures within the road reserve for this development is required prior to issue of any Construction Certificate. This application must be accompanied by engineering design plans, reports, calculations and any other relevant documents.
- i) All development works undertaken on public land or assets must be done so by suitably experienced contractors acceptable to Council. They must maintain public liability insurance cover to the minimum value of \$20 million. The policy shall indemnify Council from all claims arising from the execution of the works. Documentary evidence of the currency of the policy shall be provided to Council prior to the commencement of work and upon request, during the progress of the work.
- j) Any damage to Council infrastructure in, on or under the road reserve as a result of works undertaken for the development site shall be rectified by the Developer to the satisfaction of the Council so as to ensure the integrity of public infrastructure. Any damage to Council's infrastructure which is obvious before construction is to be immediately notified to Council to avoid later conflict.
- k) All works undertaken in carrying out the development shall comply with Work Health and Safety Act 2011 and Regulations and Safe Work NSW Guidelines codes of practice as well as Safe Work Australia. Traffic Control Plans (TCP) are to be prepared by a person with the applicable certification from Roads and Maritime Services (RMS) in accordance with AS1742.3 and the RMS current version of the Traffic Control at Worksites manual. All TCP are to be implemented prior to the commencement of any works undertaken within the road reserve.

- vii) A Waste Management Plan to include the measures listed under Section 5.10.3 Mitigation Measures – Construction and Decommissioning on page 54 of the document known as Leeton Solar Farm Statement of Environmental Effects Photon Energy, dated February 2017 prepared by KMH Environmental.

{Reason: To ensure that the construction and establishment works are undertaken in a safe and approved manner to prevent or minimise any possible impact caused by the construction works to the site, environment, adjoining landowners or to Council infrastructure.}

21. The management of any Aboriginal object identified on the site whilst undertaking the Construction or Decommissioning stage to comply with the protocols listed under Section 5.7.3 Mitigation Measures – Construction and Decommissioning on page 49 of the document known as Leeton Solar Farm Statement of Environmental Effects Photon Energy, dated February 2017 prepared by KMH Environmental.

{Reason: To ensure the development complies with Part 6 of the National Parks and Wildlife Act 1974.}

22. The management of any non Aboriginal object identified on the site whilst undertaking the Construction or Decommissioning stage to comply with the protocols listed under Section 5.8.3 Mitigation Measures – Construction and Decommissioning on page 50 of the document known as Leeton Solar Farm Statement of Environmental Effects Photon Energy, dated February 2017 prepared by KMH Environmental.

{Reason: To ensure the development complies with the Heritage Act 1977.}

23. During construction air quality is to be maintained and monitored in accordance with the protocols specified under Section 5.12.3 Mitigation Measures – Construction and Decommissioning on page 57 of the document known as Leeton Solar Farm Statement of Environmental Effects Photon Energy, dated February 2017 prepared by KMH Environmental.

{Reason: To protect the amenity of the surrounding environment and in compliance with the Protection of the Environment Operations Act 1997.}

Prior to Issue of Occupation Certificate

24. An Operational Environmental Management Plan is to be submitted to Council prior to the issue of an Occupation Certificate and is to include the matters listed under B7 and B8 of Section 6.3 Summary of Mitigation Measures on page 62 of the document known as Leeton Solar Farm Statement of Environmental Effects Photon Energy, dated February 2017 prepared by KMH Environmental and is to also include the following Plans;

- i) A Fauna Monitoring Plan that establishes strategies for the monitoring, management and mitigation of potential impact of the development on fauna. The Plan is to record the monitoring of any fauna strike events resulting in the injury or death of any fauna, any increase in numbers of fauna frequenting the site, any event on the site that has the potential to impact fauna and a record of any action employed on the site to deter or protect fauna.

A copy of these records is to be lodged annually to LSC for the life of the development.

The Fauna Plan is to establish protocols that are to be implemented should an event occur that involves injury or death to any threatened or endangered fauna species. The protocols are to establish the requirement for the immediate reporting of such an event to LSC and the NSW Office of Environment and Heritage, a report detailing any possible mitigating factors (changes in climate, environment or operation) and the range of mitigation measures proposed to be taken to deter future events involving any threatened or endangered fauna species.

- ii) A Waste Management Plan for the management of all solid and liquid wastes generated by the development during its operational stage.
- iii) A Noxious Weeds Management Plan for the management of noxious weeds on the site of the proposed development.

{Reason: To ensure the appropriate operation and management of the approved use.}

25. Photon Energy, or the owner of the development at the time, to undertake all necessary mitigation measures, such as a minimum 1.8 metre high colourbond fence consistent with typical fencing in a residential development, should these works be necessary to maintain a suitable visual aspect from the following existing allotments in the event that these allotments are subject to future residential development;

Lot 638	DP 704408
Lot 1	DP 858247
Lot 2	DP 858247
Lot 2	DP 832791

{Reason: To ensure that in the event that the allotments mentioned above, which adjoin the site along its western boundary, are subject to future residential development, that should extra screening of the site be required that this will be undertaken.}

26. In accordance with Leeton Shire Council Section 94A Fixed Levy Plan a development contribution of \$240,000 applies to this development.

Payment of this development contribution is to be paid to Council either;

- i) In full prior to the issue of the Occupation Certificate, or
- ii) In accordance with a signed Voluntary Planning Agreement, prepared by Photon Energy, that is submitted and agreed to by both LSC and Photon Energy before the Occupation Certificate is issued, under which Photon Energy is required to pay an minimum annual monetary contribution for a maximum period of time so that at the cessation of the agreement a minimum amount of \$240,000 has been paid to LSC.

Any Voluntary Planning Agreement is to be prepared in accordance with the requirements of Part 4 Division 6, Subdivision 2 of the Environmental Planning and Assessment Act 1979 and Clause 2.13 of the Leeton Shire Council Section 94A Fixed Levy Plan.

{Reason: To ensure compliance with the Leeton Section 94A Fixed Levy Plan 2016 and in accordance with Section 94 of the Environmental Planning and Assessment Act 1979.}

27. A Landscape Management Plan is required to be submitted for the establishment of a vegetation screening border to be established immediately adjacent to the full length of the western and southern boundaries. The vegetation screening border is to be a minimum of 3m, consisting of dense at a suitable density to effectively screen the development from the west and southern aspects. The selected plantings are to include suitable quick growing, non deciduous plants that have maximum mature height of 3 metres. The plan is to include details on any proposed watering systems, maintenance, replacement of dead trees etc. The developer will be required to establish the vegetation screening plantings along the full length of the western and southern boundaries prior to the issue of an Occupation Certificate and will be required to maintain the vegetation screen for the life of the development.

Should the site also be used for the grazing of sheep for the control of weeds and long grass, the vegetation screening border is to be protected from grazing by the sheep to prevent the vegetation border from being reduced.

The Landscape Management Plan is to also incorporate measures to further address any visual impacts from the development once established to the following properties and areas that may be required in addition to the above landscaping requirements, should the visual impacts of the development warrant future visual mitigation works;

145 Fivebough Road Leeton.
95 Grevillia Street Leeton.
124 Grevillia Street Leeton.
To vehicle traffic along Fivebough Road.

{Reason: to reduce the impact of the development on adjoining development and to ensure survival and quality of landscaping features.}

28. Prior to any Occupation Certificate being issued the gated access to Grevillia St shall be fenced across so that it prohibits vehicular access from this location. This access is not to be used during construction activities.

{Reason: to limit the number of accesses to the site as the existing Grevillia Street is suitable for local residential traffic only.}

29. An Emergency Management Plan is to be prepared and submitted to establish protocols for the protection of the site and development from bush fire events.

The Emergency Management Plan is to include measures for local rural bush fire brigades to access the site and the provision of suitable bush fire retarding materials.

{Reason: To ensure that the development is provided with adequate bush fire protection}

Other Local Government Act Approvals

In seeking development consent, the following other *Local Government Act, 1993* approvals have been granted under Section 68 with the attached conditions:

Nil other approvals sought.

Right of Appeal

If you are dissatisfied with this decision section 97 of the *Environmental Planning and Assessment Act, 1979* gives you the right to appeal to the Land and Environment Court within 6 months after the date on which you receive this notice.


"section 97 of the Environmental Planning and Assessment Act 1979 does not apply to the determination of a development application for State significant development or local designated development that has been the subject of a Commission of Inquiry."

Review of Determination

The applicant may request Council to review this decision under Section 82A of the *Environmental Planning & Assessment Act, 1979* at any time before the expiry of the Right of Appeal.

Should further explanation of the terms or conditions of approval be required, please contact Council's Environment and Engineering Division.

Yours faithfully,



Garry Stoll

Manager

Planning, Building & Health



DETERMINATION AND STATEMENT OF REASONS
WESTERN JOINT REGIONAL PLANNING PANEL

DATE OF DETERMINATION	28 September 2017
PANEL MEMBERS	Gordon Kirkby – Chair, Ruth Fagan, Peter Brennan, George Weston, Emerson Doig
APOLOGIES	Mark Grayson
DECLARATIONS OF INTEREST	None

Public meeting held at Leeton Shire Council, 23 Chelmsford Place, Leeton on 28 September 2017, opened at 1.30pm and closed at 2:00pm.

MATTER DETERMINED

Panel Ref – 2017WES003

LGA – Leeton Shire

DA – 20/2017

Address - Lot 91 DP 751742 and Lot 1 DP 1056420; 176 Fivebough Road, Leeton

Description - Solar Energy System (Photovoltaic) Installation of 25.77 MW Solar Farm using photovoltaic panels

(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 the matters observed at site inspections listed at item 8 in Schedule 1.

The Panel determined to approve the development application as described in Schedule 1 pursuant to section 80 of the *Environmental Planning and Assessment Act 1979*.

The decision was unanimous.

REASONS FOR THE DECISION

The reasons for the decision of the Panel were:

- The development is permissible with consent and is not inconsistent with the objectives of the RU1 Primary Production Zone;
- The proposed development is consistent with Direction 11.1 of *Riverina Regional Environmental Plan 2036 – Implementation Plan 2017-2019* that promotes the diversification of energy supplies through encouraging renewable energy projects;
- The panel is satisfied that the potential impact of the development on the nearby RAMSAR listed Fivebough Wetlands can be managed or mitigated through implementation of conditions of consent including the redesign of the solar farm to provide for greater spatial separation of solar array groups through access tracks and the requirement for an Operational Environmental Management Plan including a Fauna Monitoring Program.
- The Panel is satisfied that the potential visual impact of the development on nearby residences can be appropriately mitigated through the implementation of conditions of consent requiring a landscape buffer and management plan for the western and southern boundaries of the site.

SCHEDULE 1

1	PANEL REF – LGA – DA NO.	20/2017
2	PROPOSED DEVELOPMENT	Solar Energy System (Photovoltaic) Installation of 25.77 MW Solar Farm using photovoltaic panels
3	STREET ADDRESS	Lot 91 DP 751742 and Lot 1 DP 1056420; 176 Fivebough Road, Leeton
4	APPLICANT/OWNER	Michael Gartner (Managing Director), Photon Energy Engineering Australia
5	TYPE OF REGIONAL DEVELOPMENT	Private infrastructure and community facilities over \$5 million
6	RELEVANT MANDATORY CONSIDERATIONS	<ul style="list-style-type: none"> • Environmental planning instruments: <ul style="list-style-type: none"> • <i>State Environmental Planning Policy No. 55 – Remediation of Land</i> • <i>State Environmental Planning Policy (Infrastructure) 2007</i> • <i>State Environmental Planning Policy (State and Regional Development) 2011</i> • <i>Leeton Local Environmental Plan 2014</i> • Draft environmental planning instruments: Nil • Development control plans: <ul style="list-style-type: none"> ○ Nil • Planning agreements: Nil • Provisions of the <i>Environmental Planning and Assessment Regulation 2000</i>: Nil • 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: 8 September 2017 • Written submissions during public exhibition: 7 • Verbal submissions at the public meeting: <ul style="list-style-type: none"> ○ Support - Nil ○ Object – Lawrence Collins (did not object but raised concern regarding impact on land value) ○ On behalf of the applicant – Robert Ibrahim
8	MEETINGS AND SITE INSPECTIONS BY THE PANEL	<ul style="list-style-type: none"> • Site inspection and briefing meeting 28 September 2017 • Final briefing meeting to discuss council's recommendation, 28 September 2017, 1pm. Attendees: <ul style="list-style-type: none"> ○ <u>Panel members</u>: Gordon Kirkby (Chair), Ruth Fagan, Peter Brennan, George Weston, Emerson Doig ○ <u>Council assessment staff</u>: Garry Stoll
9	COUNCIL RECOMMENDATION	Approval
10	DRAFT CONDITIONS	Attached to the council assessment report