

DATE OF DETERMINATION	20 May 2022
DATE OF PANEL DECISION	20 May 2022
DATE OF PANEL MEETING	10 May 2022
PANEL MEMBERS	Graham Brown (Acting Chair), Sandra Hutton, Chris Bilkey, Nikki Cohen
APOLOGIES	None
DECLARATIONS OF INTEREST	None

Papers circulated electronically on 3 May 2022.

MATTER DETERMINED

PPSWES-125 – Murray River – DA10.2021.291.1 – Moama Solar Farm – Hillside Road, Moama – Construction and operation of a 4.95MW Solar Farm (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.

CONDITIONS

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

- Condition B4 Landscape Plan, amended to include part (e) as follows:
(e) The perimeter security fencing is to be located inside of the five (5) meter wide landscaping area. A cross section of the proposed landscaping, perimeter security fencing and internal road is to be provided as part of the amended Landscape Plan.

- Condition D1 Construction Hours, amended to read as follows:

D1 Construction Hours

The hours of demolition and/or building work shall be limited to the following hours:

(a) Monday to Friday: 7.00 am to 6.00 pm.

(b) Saturday: 8.00 am to 1.00 pm.



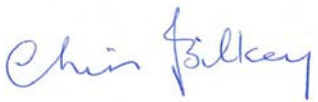

No Construction on Sundays or Public Holidays.

Unless otherwise approved within the Construction Site Management Plan, construction vehicles, machinery, goods or materials must not be delivered to the site outside the approved hours of site works. Note: Any variation to the hours of work requires Council's approval.

Reason: To ensure the amenity of the area is maintained during construction.

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	
 Graham Brown (Acting Chair)	 Sandra Hutton
 Chris Bilkey	 Nikki Cohen

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	PPSWES-125 – Murray River – DA10.2021.291.1
2	PROPOSED DEVELOPMENT	Construction and operation of a 4.95MW Solar Farm.
3	STREET ADDRESS	Moama Solar Farm - Hillside Road Moama
4	APPLICANT/OWNER	Applicant: Environmental Resources Management Australia Pty Ltd Owner: Ross Earnest Wild
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"> State Environmental Planning Policy (Planning Systems) 2021 State Environmental Planning Policy (Resilience and Hazards) 2021 State Environmental Planning Policy (Transport and Infrastructure) 2021 State Environmental Planning Policy (Biodiversity and Conservation) 2021 Draft Murray Local Environmental Plan 2021 Murray Local Environmental Plan 2011 (Deemed SEPP) Draft environmental planning instruments: Nil Development control plans: <ul style="list-style-type: none"> Murray Development Control Plan 2012 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: 3 May 2022 No Variations – Zone IN1 General Industrial Stamped Architectural Plans 3 May 2022 Recommended conditions of consent 3 May 2022 V2 Conditions of consent 3 May 2022 Written submissions during public exhibition: 0 Total number of unique submissions received by way of objection: 0
8	MEETINGS, BRIEFINGS AND SITE INSPECTIONS BY THE PANEL	<ul style="list-style-type: none"> Briefing: 8 February 2022 <ul style="list-style-type: none"> <u>Panel members</u>: Garry Fielding (Chair), Sandra Hutton <u>Council assessment staff</u>: Isobella Lucic <u>Panel Secretariat</u>: Carolyn Hunt, Brianna Cheeseman Site Visit: 23 March 2022 <ul style="list-style-type: none"> <u>Panel members</u>: Garry Fielding (Chair), Sandra Hutton, Graham Brown <u>Panel Secretariat</u>: Amanda Moylan

		<ul style="list-style-type: none">• Final briefing to discuss council’s recommendation: 10 May 2022<ul style="list-style-type: none">○ <u>Panel members</u>: Graham Brown (Acting Chair), Sandra Hutton, Chris Bilkey, Nikki Cohen○ <u>Council assessment staff</u>: Isobella Lucic○ <u>Panel Secretariat</u>: Carolyn Hunt, Holly McCann
9	COUNCIL RECOMMENDATION	Approval
10	DRAFT CONDITIONS	Attached to the Council Assessment Report