

**RECORD OF DEFERRAL**  
WESTERN REGIONAL PLANNING PANEL

<b>DATE OF DEFERRAL</b>	15 November 2022
<b>DATE OF PANEL MEETING</b>	7 November 2022
<b>PANEL MEMBERS</b>	Garry Fielding – Chair, Sandra Hutton, Graham Brown, and Frank Crawley
<b>APOLOGIES</b>	Chris Bilkey
<b>DECLARATIONS OF INTEREST</b>	Nikki Cohen





**MATTER DETERMINED**

PPSWES-137 – Murray River – DA-10.2022.56.1 - 55 Milgate Road, Moama (as described in Schedule 1).

**REASONS FOR DEFERRAL**

Noting that the assessment report recommended the refusal of consent for the proposed development, the Panel has resolved to defer determination of the application until it reconvenes for a final determination on 14 December 2022 to allow for the following matters to be addressed:

- Submission of a BDAR by 21 November 2022 by the applicant; and
- Referral of BDAR to DPE BCD for consideration and advice; and
- An amended assessment report to be uploaded to the ePlanning Portal by Murray River Council by 12 December 2022.

<b>PANEL MEMBERS</b>	
 Garry Fielding (Chair)	 Sandra Hutton
 Graham Brown	 Frank Crawley

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	PPSWES-137 – Murray River – DA-10.2022.56.1
2	PROPOSED DEVELOPMENT	Electricity generating works – Installation of a 4.95 MW photovoltaic electricity generating system and associated works.
3	STREET ADDRESS	55 Milgate Road, Moama
4	APPLICANT/OWNER	Green Gold Pty Ltd / Gave and Sue Milgate
5	TYPE OF REGIONAL DEVELOPMENT	Private infrastructure and community facilities over \$5 million
6	RELEVANT MANDATORY CONSIDERATIONS	<ul style="list-style-type: none"> <li>Environmental planning instruments: <ul style="list-style-type: none"> <li>Section 1.7 of EP&amp;A Act 1979</li> <li>State Environmental Planning Policy (Biodiversity and Conservation) 2021;</li> <li>State Environmental Planning Policy (Planning Systems) 2021;</li> <li>State Environmental Planning Policy (Resilience and Hazards) 2021;</li> <li>State Environmental Planning Policy (Transport and Infrastructure) 2021;</li> <li>Murray Local Environmental Plan 2011;</li> </ul> </li> <li>Draft environmental planning instruments: Nil</li> <li>Development control plans: <ul style="list-style-type: none"> <li>Murray Development Control Plan 2012</li> </ul> </li> <li>Planning agreements: Nil</li> <li>Relevant provisions of the <i>Environmental Planning and Assessment Regulation 2021</i></li> <li>Coastal zone management plan: Nil</li> <li>The likely impacts of the development, including environmental impacts on the natural and built environment and social and economic impacts in the locality</li> <li>The suitability of the site for the development</li> <li>Any submissions made in accordance with the <i>Environmental Planning and Assessment Act 1979</i> or regulations</li> <li>The public interest, including the principles of ecologically sustainable development</li> </ul>
7	MATERIAL CONSIDERED BY THE PANEL	<ul style="list-style-type: none"> <li>Council Assessment Report: 2 November 2022</li> <li>Written submissions during public exhibition: 2</li> <li>1</li> </ul>
8	MEETINGS, BRIEFINGS AND SITE INSPECTIONS BY THE PANEL	<ul style="list-style-type: none"> <li>Site inspection: 7 November 2022  <u>Panel members:</u> Garry Fielding – Chair, Sandra Hutton, Graham Brown and Frank Crawley <ul style="list-style-type: none"> <li><u>Council assessment staff:</u> Chris O’Brien</li> </ul> </li> <li>Final briefing to discuss council’s recommendation: 7 November 2022  <u>Panel members:</u> Garry Fielding – Chair, Sandra Hutton, Graham Brown and Frank Crawley <ul style="list-style-type: none"> <li><u>Council assessment staff:</u> Chris O’Brien</li> <li><u>Applicant representatives:</u> Duncan Lewis and Darren Spriggs</li> </ul> </li> </ul>
9	COUNCIL RECOMMENDATION	Refusal

10	DRAFT CONDITIONS	Not supplied
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