

DETERMINATION AND STATEMENT OF REASONS
WESTERN REGIONAL PLANNING PANEL

DATE OF DETERMINATION	27 June 2025
DATE OF PANEL DECISION	27 June 2025
PANEL MEMBERS	Garry Fielding (Chair), Donna Rygate, Scott Barwick
APOLOGIES	Graham Brown
DECLARATIONS OF INTEREST	None

Papers circulated electronically on 17 June 2025.

MATTER DETERMINED

PPSWES-298 – Murray River – 10.2025.31.1 at 580 Swan Hill Road, Murray Downs – Alterations and additions to Almond processing facility (Ancillary Solar Energy Facility) (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 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

On 25 June 2025, Council uploaded to the Portal revised recommended conditions that included a new condition 13 to enable Council to collect Section 7.12 Contributions. The Development Application was approved subject to the revised conditions with the following amendment:

- Condition 23 is to require monitoring of construction noise with the results to be provided to Council on request

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	
 Garry Fielding (Chair)	 Scott Barwick

Donna Rygate

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	PPSWES-298 – Murray River – 10.2025.31.1
2	PROPOSED DEVELOPMENT	Installation of a 12 megawatts photovoltaic solar energy system and associated battery storage system to supply electricity to an existing almond processing facility located within the subject site.
3	STREET ADDRESS	580 Swan Hill Road, Murray Downs
4	APPLICANT/OWNER	James Golsworthy / Murray Downs Processing Pty Ltd
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 (Biodiversity and Conservation) 2021○ State Environmental Planning Policy (Planning Systems) 2021○ State Environmental Planning Policy (Primary Production) 2021○ State Environmental Planning Policy (Resilience and Hazards) 2021○ State Environmental Planning Policy (Transport and Infrastructure) 2021○ Wakool Local Environmental Plan 2013• Draft environmental planning instruments: Nil• Development control plans:<ul style="list-style-type: none">○ Wakool Development Control Plan 2013• Planning agreements: Nil• Relevant provisions of the <i>Environmental Planning and Assessment Regulation 2021</i>• 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: 10 June 2025• Written submissions during public exhibition: 0
8	MEETINGS, BRIEFINGS AND SITE INSPECTIONS BY THE PANEL	<ul style="list-style-type: none">• Preliminary Briefing: 8 April 2025<ul style="list-style-type: none">○ <u>Panel members</u>: Garry Fielding (Chair), Graham Brown, Donna Rygate○ <u>Council assessment staff</u>: Vishal Chandra, Christopher O'Brien○ <u>Applicant representatives</u>: James Golsworthy○ <u>Department staff</u>: Lillian Charlesworth, Jade Buckman

		<ul style="list-style-type: none"> • Final briefing to discuss Council's recommendation: 24 June 2025 <ul style="list-style-type: none"> ○ <u>Panel members</u>: Garry Fielding (Chair), Donna Rygate, Scott Barwick ○ <u>Council assessment staff</u>: Vishal Chandra, Christopher O'Brien ○ <u>Applicant representatives</u>: James Golsworthy, Richard Johnston, Jono Pye ○ <u>Department staff</u>: Lillian Charlesworth
9	COUNCIL RECOMMENDATION	Approval
10	DRAFT CONDITIONS	Recommended Conditions of Consent version 2 as uploaded by Council to the NSW Planning Portal on 25 June 2025