

MEMO

SUBJECT: D22-193 - Amendments To Draft Conditions - Solar Farm - 261 The Old Road Geurie

TO: Carolyn Hunt - Senior Planning Officer & Tracey Gillett - Project Officer

FROM: Tracie Smart, Senior Planner

DATE: 4 August 2022

FILE: AU22/352

Reference is made to the planning report and associated documents uploaded to the planning portal (reference PPSWES-138) and the subsequent E-determination meeting held today in relation to the abovementioned development application.

The applicant was provided a copy of the assessment report and draft conditions and raised concerns with the following conditions:

- B4 (Bush fire Management)

During the E-determination meeting it was noted the condition was provided with two (2) subclause (a) which require amendment. This amendment is indicated below in red.

B4 Bush fire Management

Where the site is identified as bush fire prone land, the solar farm shall comply with the relevant specifications and requirements of *Planning for Bushfire Protection (2019)* prepared by the NSW Rural Fire Service including the following:

- (a) Asset Protection Zones (APZ) – An Asset Protection Zone (APZ) of minimum width of 10 m shall be provided around the solar modules and associated infrastructure. The APZ shall be provided and maintained in accordance with the requirements of the “Planning for Bush Fire Protection 2019” guidelines for the life of the subject development.

Such APZ may be implemented as ‘managed land’ where by the required minimum width of 10 m is provided as one or a combination of the following:

- i. The existing grassland vegetation is maintained in a low fuel condition by regularly mowing to achieve a nominal height no greater than 100 mm; and/or
- ii. Maintained lawns.

The APZ shall be established prior to the issue of the solar modules Occupation Certificate(s).

- (b) Access arrangements
An access driveway to the solar modules and associated infrastructure shall be provided and must have a minimum width of 4 m with an additional 1 m cleared strip of vegetation on each side of such new access driveway. The access driveway must be capable of supporting fully laden fire fighting vehicles.
- (c) Water supply and utilities

A water storage tank to service the development shall be provided. Such water storage tank shall have a minimum storage of 10,000 litres of water. The water storage tank shall meet the following requirements:

- (i) For an under-ground storage tank:
 - a. Unobstructed access provided directly to the storage for fire-fighting appliances;
 - b. A hardened surface for truck access is provided within 4 m of the access hole;
 - c. An access hole of at least 200 mm provided in the lid of the storage tank;
- (ii) For an above-ground storage tank:
 - a. A 65 mm Storz outlet with a metal gate or ball valve and blanking cap provided at the lowest possible point;
 - b. The tank is to be of concrete or metal construction (plastic or fibreglass is not acceptable);
 - c. The tank and its Storz outlet must be located so that it is accessible by fire-fighting units and personnel;
 - d. All above-ground water piping external to the building to be metal, including taps; and
 - e. The water pressure pump(s) is to be shielded from direct heat and flame contact.



(d) Emergency management arrangements

Prior to the issue of any Construction Certificate an Emergency Management Plan for First Responders and Emergency Services shall be submitted to Council for approval. Such Plan shall be kept at the front entrance of the solar farm development for the entirety of its operation.

Prior to the issue of any Construction Certificate a Bush Fire Emergency Management and Operations Plan is to be submitted.

Relevant details are to be demonstrated on the Construction Certificate plans.

Reason: To ensure the development complies with the relevant requirements for bushfire management and to protect the safety of occupants on the site.

- **B5 (Vehicle Access Requirements)**

The applicant raised concerns with this condition as it would seem the condition is worded in a way that could be misinterpreted to require the entire access driveway to be sealed. The following amendments in red are recommend for clarification:

*The **intersection of the** proposed access servicing the Solar Farm off The Old Road shall be constructed and sealed by **and** at full cost to the Developer with construction of a T intersection at the existing access gates across The Old Road including resealing the short section of existing seal at the same location to Council's satisfaction to accommodate B-doubles.*

All works required to fulfil the above condition are to be undertaken in accordance with Council's adopted AUS-SPEC #1 Development Specification Series - Design and Construction standards, with detailed engineering design plans being submitted to, and approved prior to any construction works commencing.

Should Council's Senior Development Engineer (or his representative) not undertake the required routine inspections during the course of construction of this condition, then a detailed list of inspections undertaken by an accredited private certifier verifying compliance with Council standards will be required to be lodged with Council prior to the issue of the Occupation Certificate for the proposed development.

Reason: To ensure safe, practical and legal vehicle access is provided to the site.

- **B9 (Car parking area)**

The applicant raised concerns with the car parking area construction requirements. As the car parking area will be temporary the applicant requested that the condition reflect this. The following amendments in red are recommend for clarification:

*The **temporary** car parking area is to be provided **with a minimum of 40 parking spaces and** a suitable hard stand area appropriate to the proposed use and vehicles. Details of the surface treatment are to be provided to as part of the Construction Certificate application.*

Reason: To ensure the car parking area is suitable for the intended use.

- **E6 (Fencing and Gateway)**

The applicant raised concerns with the upgrade requirements this condition imposes. Further discussion of the Panel determined that this should be included in the Part D (During works) portion of the conditions. A subsequent email from Carolyn Hunt confirmed the amended condition be inserted into Part C.

As such, E6 should be deleted and the following inserted:

C7 Gateway Fencing

An unimpeded B-double que length is to be provided within the boundary of the subject land, such that at a bare minimum a 26.0m B-double is able to 'stand clear' and be totally contained within the subject land boundaries and not at any stage overhang onto the road reserve area.

Reason: To avoid queuing on the public road and to provide safety for the travelling public utilising the public road system.

- **F3 (Vehicle Management)**

Again, the applicant raised concerns in relation to the condition being onerous considering the car parking area would be temporary and used only during construction. The following amendments in red are recommend for clarification:

The premises shall be operated in accordance with the following vehicle management requirements:

- (a) All loading and unloading of vehicles must be undertaken wholly within the site and all vehicles must enter and leave the site a forward direction.
- (b) A minimum of 2 car parking spaces are to be provided on the site as indicated on the approved plans, with no car parking to occur on the public road network in the vicinity of the site.
- (c) The vehicle entry and exit points are to be clearly signposted and visible from both the street and the site at all times and must be maintained in good condition for the life of the development.
- (d) No vehicles larger than a B-Double 26.0m in length (utilising the Austroads design templates) are permitted to access the subject land and the development proposal
- (e) All vehicular traffic associated with the development must travel to and from the site via The Old Road and via the approved site entry points. Access from the Mitchell Highway over the Main Western Line railway is prohibited.

Reason: To ensure the operation of the solar farm does not adversely affect the surrounding road network and has adequate car parking provided on the site.

Council raises no concerns with the above amendments.

Additionally, as part of the E-determination meeting the Panel requested the following amendments:

- **A3** – amend to read as follows:

A3 Compliance with the National Construction Code

All building work shall be carried out in accordance with the provisions of the National Construction Code. A reference to the National Construction Code is a reference to that Code as in force on the date the application is made for the relevant construction certificate.

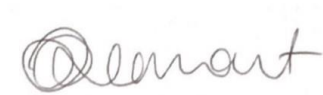
Reason: To ensure the building work complies with the National Construction Code.

- **B4** – remove 10,000 and insert 20,000
- **F1** – amend to read as follows:

F1 Decommission Management Plan

The required decommissioning of the proposed development shall be carried out in accordance with the submitted report titled Waste and Decommissioning Assessment – Geurie 1C Solar Farm prepared by ITP Development Pty Ltd, and occurring no later than 18 months following the cessation of operations.

Reason: To ensure the decommissioning of the solar farm occurs in an orderly and sustainable manner, that the amenity of the area is maintained while the solar farm is being decommissioned and to ensure the site can be returned to its original condition.



Tracie Smart
Senior Planner