

COUNCIL ASSESSMENT REPORT

Panel Reference	2017WES004
DA Number	DA 2017/155
LGA	Cabonne Council
Proposed Development	Electricity Generating Works (Solar Farm)
Street Address	2340 Belgravia Road, Molong
Applicant/Owner	Geolyse / RA & M Wood
Date of DA lodgement	28 April 2017
Number of Submissions	0
Recommendation	For approval
Regional Development Criteria (Schedule 4A of the EP&A Act)	Clause 6 – Private Infrastructure and Community Facilities over \$5 million
List of all relevant s79C(1)(a) matters	<ul style="list-style-type: none"> • State Environmental Planning Policy (State and Regional Development) 2011 • State Environmental Planning Policy (Rural Lands) 2008 • State Environmental Planning Policy (Infrastructure) 2007 • State Environmental Planning Policy No 44 – Protecting Koala Habitat • State Environmental Planning Policy No 55 – Remediation of Land • Cabonne Local Environmental Plan 2012 • Development Control Plan No 5 General Rural Zones
List all documents submitted with this report for the Panel's consideration	Development Application 2017/155 Statement of Environmental Effects, Geolyse April 2017 Revised plans showing access to Belgravia Road
Report prepared by	Kate Blackwood, Senior Town Planner
Report date	

Summary of s79C matters

Have all recommendations in relation to relevant s79C matters been summarised in the Executive Summary of the assessment report? **Yes**

Legislative clauses requiring consent authority satisfaction

Have relevant clauses in all applicable environmental planning instruments where the consent authority must be satisfied about a particular matter been listed, and relevant recommendations summarized, in the Executive Summary of the assessment report?
e.g. Clause 7 of SEPP 55 - Remediation of Land, Clause 4.6(4) of the relevant LEP **Yes**

Clause 4.6 Exceptions to development standards

If a written request for a contravention to a development standard (clause 4.6 of the LEP) has been received, has it been attached to the assessment report? **Not Applicable**

Special Infrastructure Contributions

Does the DA require Special Infrastructure Contributions conditions (S94EF)? **No**
Note: Certain DAs in the Western Sydney Growth Areas Special Contributions Area may require specific Special Infrastructure Contributions (SIC) conditions

Conditions

Have draft conditions been provided to the applicant for comment? **No**
Note: in order to reduce delays in determinations, the Panel prefer that draft conditions, notwithstanding Council's recommendation, be provided to the applicant to enable any comments to be considered as part of the assessment report



**Development Application 2017/155
Doc ID 844403**

The following report provides an assessment of the Development Application (2017/155) for a solar farm upon Lot 1 DP 69704, land also known as 2340 Belgravia Road, Molong. The proposal also includes connection to an existing substation situated upon the land adjacent described as Lot 1 DP 542283.

The application has been referred to the Western Region Joint Regional Planning Panel for determination pursuant to Clause 6, Schedule 4A of the Environmental Planning and Assessment Act 1979, as the proposal is for private infrastructure works with a capital investment value (CIV) of more than \$5 million.

It is recommended that the application be approved subject to the attached draft conditions of consent.

Applicant: Terrain Solar c/o Geolyse Pty Ltd
Owner: RA & M Wood and Electricity Transmission Ministerial Holding Corporation
Proposal: Electricity Generating Works (Solar Farm)
Location: Lot 1 DP 69704 & Lot 1 DP 542283
Zone: RU1 Primary Production

The PROPOSAL

Council is in receipt of a Development Application for electricity generating works (solar farm) to be constructed and operated from land on Belgravia Road, Molong. The proposed solar farm has an estimated number of 101 562 solar panels to be installed over a total footprint of 100 ha plus a temporary construction compound with a total area of 13 ha. This temporary work area is to be decommissioned and returned to agriculture upon completion of the construction phase.

The proposed panels are similar in size and appearance to those used for domestic purposes and will operate as a single axis tracking system (SAT) which follows the sun during the course of the day to ensure optimal energy generation. The farm will consist of linear strings of mounted panels organized into blocks. Each block will connect to an inverter station that will convert the direct current (DC) energy into grid compatible alternating current (AC) energy.

In summary, all proposed infrastructure includes the solar panels, steel racking and piled supports, inverter stations, electrical cabling, telecommunications equipment, operations and maintenance building, site substation and perimeter fencing.

The electricity generated will be exported into the network by either an underground or overhead transmission line into the Transgrid substation, located immediately west of the site upon Lot 1 DP 542283.

Over the construction phase of the development the number of labourers will depend on the activities being undertaken. Installation and commissioning of modules is labour intensive and employment is expected to be approximately 100 workers over a six month period. Outside this peak period, the number of people onsite will be 20 or less.

During the operational phase of the development, the farm is to be monitored remotely with limited on-site presence, apart from routine maintenance. The proposal includes onsite staff facilities by means of an Operations and Maintenance building comprising basic amenities.

The SITE

The development site (Lot 1 DP 69704) is approximately 3km north east of Molong, on the Belgravia Road. The lot forms part of a 624 hectare rural property currently used for grazing and broadacre cropping. The development footprint of 100 hectares does not contain any natural watercourses and is predominantly cleared of any remnant vegetation except for 12 scattered eucalypt trees. The site is not mapped bushfire prone.

There is a cluster of buildings on the north western corner of the subject land containing a dwelling and farm infrastructure including stock yards, hay sheds and machinery sheds. Vehicle access is via an existing driveway, which connects to Belgravia Road.

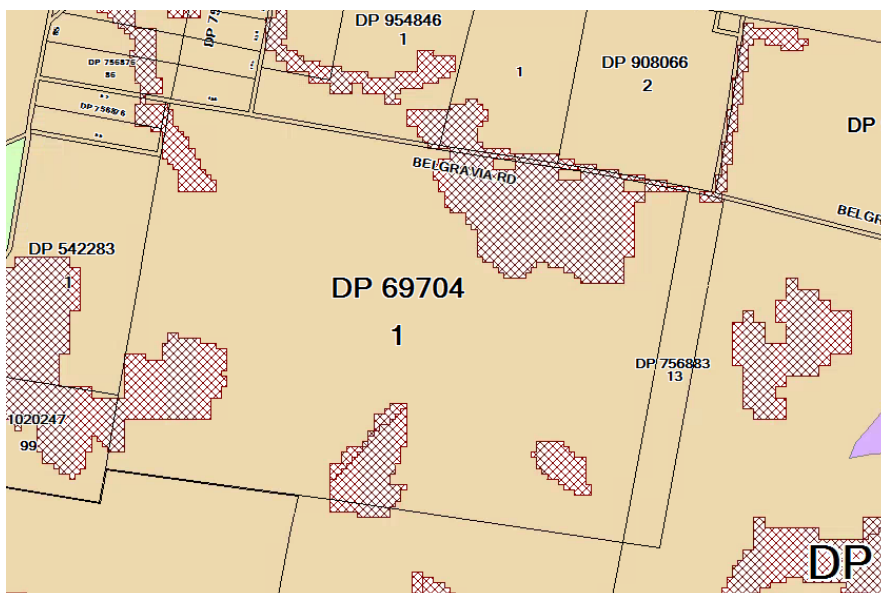
In terms of topography, the land slopes gradually to the south and is in a secluded amphitheater with no open, expansive views of the development site from the road or any neighbouring dwellings.

Land surrounding the site is also cleared grazing and cropping land with several dwellings located on small rural allotments. The Transgrid substation is on a separate allotment immediately to the west of the development site. It should be noted the land on which the substation is located also forms part of the development proposal for the solar farm.

Aerial View



Biodiversity Mapping (Red Stringybark, Blakely's Red Gum & Yellow Box woodland)



MATTERS FOR CONSIDERATION

Section 79C of the *Environmental Planning and Assessment Act 1979* requires Council to consider various matters, of which those pertaining to the application are listed below.

PROVISIONS OF ANY ENVIRONMENTAL PLANNING INSTRUMENT s79C(1)(a)(i)

Clause 1.2 Aims of the Plan

The broad aims of the LEP are as follows:

'a) to encourage development that complements and enhances the unique character and amenity of Cabonne, including its settlements, localities, and rural areas,

(b) to provide for a range of development opportunities that contribute to the social, economic and environmental resources of Cabonne in a manner that allows present and future generations to meet their needs by implementing the principles of ecologically sustainable development,

(c) to facilitate and encourage sustainable growth and development that achieves the following:

(i) contributes to continued economic productivity, including agriculture, business, tourism, industry and other employment opportunities,

(ii) allows for the orderly growth of land uses while minimising conflict between land uses within the relevant zone and land uses within adjoining zones,

(iii) encourages a range of housing choices and densities in planned urban and rural locations that is compatible with the residential and rural environment and meets the diverse needs of the community,

(iv) promotes the integration of land uses and transport to improve access and reduce dependence on private vehicles and travel demand,

(v) protects, enhances and conserves agricultural land and the contributions that agriculture makes to the regional economy,

(vi) avoids or minimises adverse impacts on drinking water catchments to protect and enhance water availability and safety for human consumption,

(vii) protects and enhances places and buildings of environmental, archaeological, cultural or heritage significance, including Aboriginal relics and places,

(viii) protects and enhances environmentally sensitive areas, ecological systems, and areas that have the potential to contribute to improved environmental, scenic or landscape outcomes.

Clause 1.9A Suspension of covenants, agreements and instruments

This clause provided that covenants, agreements or other similar instruments that restrict the carrying out of development upon the subject land do not apply unless such are:

- Covenants imposed or required by council
- Prescribed instruments under s183A of Crown Lands Act 1989
- Any conservation agreement under National Parks and Wildlife Act 1974
- Any trust agreement under the Nature Conservation Trust Act 2003
- Any property vegetation plan under the Native Vegetation Act 2003
- Any biobanking agreement under Part 7A of the Threatened Species Conservation Act 1995
- Any planning agreement made under Division 6 of Part 4 of the Environmental Planning & Assessment Act 1979

Mapping

The subject site is identified on the LEP maps in the following manner:

Land zoning map	Land zoned RU1 Primary Production
Lot size map	Minimum lot size 100 Ha
Heritage map	Not a heritage item or conservation area
Terrestrial Biodiversity Map	Vegetation on Overcleared Landscapes (containing Red Stringybark, Blakely's Red Gum & Yellow Box woodland)
Flood planning map	Not within a flood zone
Natural resource – karst map	Not within a karst area
Drinking water catchment map	Not within a drinking water catchment area
Riparian land and watercourse map, groundwater vulnerability map	Groundwater vulnerable (Moderately High – High)
Land reservation acquisition map	NA

These matters are addressed in the report following.

Cabonne Local Environmental Plan 2012

The subject land is zoned RU1 Primary Production by the Cabonne Local Environmental Plan 2012. Electricity generating works (solar farms) are permissible within this zone, subject to Council's development consent.

Electricity generating works means a building or place used for the purpose of making or generating electricity.

Objectives of the RU1 Primary Production zone

The proposal is not contrary to the aims of the LEP or the objectives of the RU1 zone. The development relates to and is consistent with the zone objectives which seek to

- To encourage sustainable primary industry production by maintaining and enhancing the natural resource base.
- To encourage diversity in primary industry enterprises and systems appropriate for the area.
- To minimise the fragmentation and alienation of resource lands.
- To minimise conflict between land uses within this zone and land uses within adjoining zones.
- To enable function centres, restaurants or cafes and appropriate forms of tourist and visitor accommodation to be developed in conjunction with agricultural uses.

Part 4 – Principal development Standards

There are no principal development standards that apply to the proposed development.

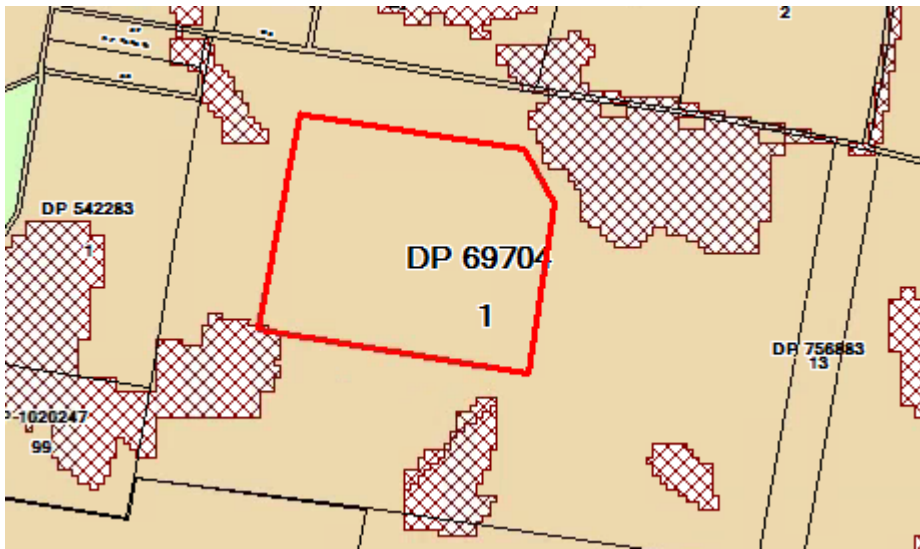
Part 5 – Miscellaneous provisions

There are no miscellaneous provisions that apply to the proposed development.

Part 6 – Additional local provisions

Clause 6.3 Terrestrial biodiversity

The site is mapped 'Biodiversity' on the Terrestrial Biodiversity Map in the Cabonne Local Environmental Plan 2012. The species identified on the site includes red stringybark, blakely's red gum and yellow box woodland. As per the diagram below, the development footprint of the solar farm is positioned so there will be minimal impact to these mapped areas of terrestrial biodiversity. It is noted 12 eucalypt trees are required to be removed for the development, however these trees are not mapped as significant biodiversity in the LEP mapping. Council is satisfied the proposed development complies with the requirements of clause 6.3(4)(a) *the development is designed, sited and will be managed to avoid any significant adverse environmental impact.*

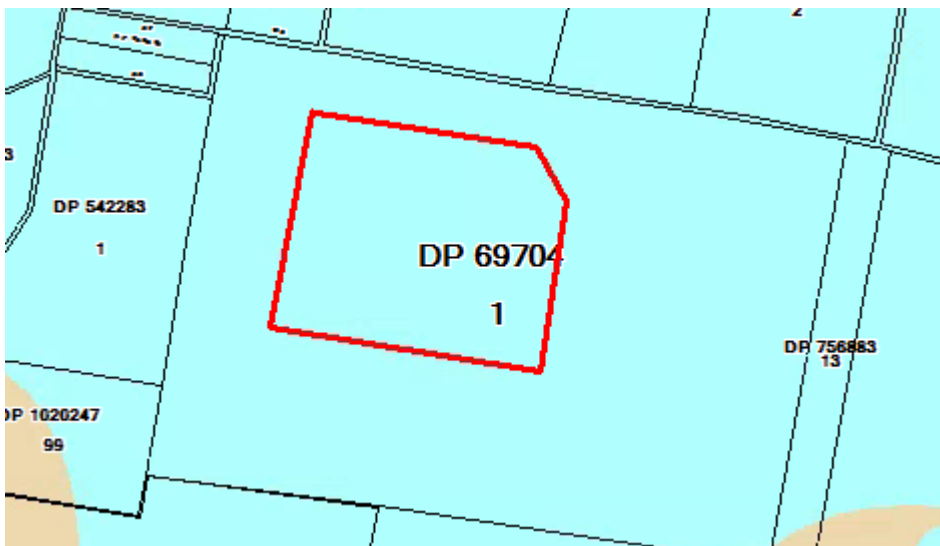


Clause 6.4 Groundwater vulnerability

The subject land is identified as groundwater vulnerable (Moderately high- High) in the Cabonne LEP 2012 mapping. The objectives of clause 6.4 Groundwater Vulnerable are as follows:-

- a. To maintain the hydrological functions of key groundwater systems,
- b. To protect vulnerable groundwater resources from depletion and contamination as a result of development.

Only minor disturbance of the site is required in the form of piling/footings into the ground. No levelling or other earthworks are proposed as part of the development. Also, subject to the installation of an appropriate on-site effluent disposal system (in accordance with AS/NZS 1547:2000 *On-site Domestic Wastewater Management*) the potential impact on groundwater from the staff amenities is deemed manageable. It is also noted solar electricity generating do not typically involve the storage or disposal of large quantities of liquid waste or chemicals.



Clause 6.8 Essential services

Council is satisfied the following essential services that are essential for the development are available:-

- a. The supply of water
- b. The supply of electricity
- c. The disposal and management of sewerage
- d. Stormwater drainage, &
- e. Suitable vehicle access

REGIONAL ENVIRONMENTAL PLANS

The Central West and Orana Regional Plan was in draft format at the time the development application was lodged to Council. The proposed development complies with the relevant goals outlined in the draft Plan.

STATE ENVIRONMENTAL PLANNING POLICIES

SEPP 44 (Koala Habitat Protection)

Cabonne Council is identified within the SEPP 44 schedule as having koala habitat. The applicant has not addressed the SEPP; however, the subject land is generally cleared and the proposed development will not impact upon any existing vegetation. There are no known sightings of koalas in the locality, or significant remnant vegetation therefore the site cannot be considered potential koala habitat and further assessment under this SEPP is not required.

SEPP (Infrastructure) 2007

Solar farms are permissible subject to seeking development consent under clause 34 of the Infrastructure SEPP. The proposal complies with the requirements of the SEPP and no further assessment is required.

State Environmental Planning Policy 55 – Remediation of land

SEPP 55 requires Council to consider if the land is contaminated and is it suitable for the proposed activities or does remediation need to be carried out before commencement of those activities.

The subject land has been historically used for agricultural activities and on other parts of the property there are machinery sheds, a shearing shed and associated holding yards, each of which may potentially be contaminated sites. Despite this, it is noted the development footprint does not contain any of these uses. The site is not considered to be subject to contamination and there are no further requirements for a contamination investigation. The proposed development is deemed to comply with Clause 7 of the SEPP.

State Environmental Planning Policy (Rural Lands) 2008

The Rural Lands SEPP applies to the Cabonne Council area. The SEPP requires Council to assess the proposed development against the aims of the policy and Rural Planning Principals listed under Part 2.

The proponent has specified the solar farm does not compromise the orderly and economic use of rural lands for rural and related purposes, compromise the proper management, development and protection of rural lands for promoting the social, economic and environmental welfare of the State or increase potential for land use conflict. Furthermore, it is noted the site is not listed as state significant land under the Rural Lands SEPP. Upon assessment of the application submitted to Council, it is considered the proposed development complies with the relevant Rural Planning Principals and therefore the proposed development is not contradictory to the aims of the SEPP.

PROVISIONS OF ANY DRAFT ENVIRONMENTAL PLANNING INSTRUMENT THAT HAS BEEN PLACED ON EXHIBITION s79C(1)(a)(ii)

There are no draft environmental plans that relate to the subject land or proposed development.

PROVISIONS OF ANY DEVELOPMENT CONTROL PLAN s79C(1)(a)(iii)

Development Control Plan No 5 – General Rural Zones applies to this development.

The proposal for a solar farm complies with the objectives of DCP No 5 which seek, in part, to enable other forms of development to be carried out on land within the General Rural Zones provided that such uses are in keeping with the rural character of the locality and are compatible with the existing or likely future land uses.

An assessment of the application against the relevant DCP standards indicates the proposal is generally in accordance with the requirements.

PROVISIONS PRESCRIBED BY THE REGULATIONS s79C(1)(a)(iv)

THE LIKELY IMPACTS OF THE DEVELOPMENT s79C(1)(b)

Visual amenity

Visible infrastructure associated with the development includes security fencing, modules (including support piles and tracking mounts), maintenance building, inverter stations and site substation. While the site slopes to the south, some infrastructure, including the security fencing, will be visible from Belgravia Road. There is not considered to be any adverse impact in terms of visual amenity from the public road reserve.

In terms of neighbouring properties, viewshed analysis by the proponent indicates three (3) residences may have views of the solar farm, not taking into consideration remnant vegetation and landscaping which may effectively screen the development site from these receptors. It is noted the proposal was notified to adjoining land holders and no submissions were received during the notification period. Any impacts from the development in terms of visual amenity is considered to be minor and there are no conditions for landscaping or screening.

Access & traffic

During the operational phase the solar farm will generate minor traffic movements that will be limited to permanent staff (up to 3) and periodic maintenance. This is not anticipated to have any adverse impact on the local road network or surrounding landuses.

During the construction phase, there will be significant additional truck and car movements to the site. Construction is expected to be completed over a 12 month period with an expected peak period of six months. During this peak it is anticipated that up to 100 workers will be on-site daily, and outside peak times this will be reduced to 20 or less workers at any one time.

It is noted daily traffic movements are an informed estimate only. The proponent proposes to use an Engineering Procurement and Construction (EPC) contractor to build and commission the solar farm. The contractor will carry out detailed engineering design, procure the equipment and materials necessary and construct the solar farm infrastructure. This includes generating a detailed Traffic Management Plan to be submitted to Council for approval. This will ensure Council can further assess the impacts of traffic generated during the construction phase development and local road safety along the haulage route.

The actual vehicle access to the site is via an existing access point on Belgravia Road (sealed). This access is required to be upgraded to provide for the largest vehicle accessing the site. Draft conditions will apply for the access and internal road to be designed and constructed to a standard that will accommodate the largest size of vehicles associated with the proposed development.

Waste

Any waste associated with the development would be generated during the construction phase. Solid waste, including packaging materials, off-cuts and building materials would be stored and removed in covered skips. A Waste Management Sub-Plan is to be prepared by the CEMP and submitted to Council for review prior to construction commencing.

With regard to the operational life of the solar farm, the emergence of the solar power industry in Australia and advancements in renewable energy technology, indicates the solar farm will not be decommissioned, rather upgraded as new technology emerges. However, the proponent has provided a brief outline of the commitment for removing the grid infrastructure if required. This includes the foundations, modules and racking system to be broken up, removed off-site and if possible, recycled. Underground cabling would also be removed where possible, however cables >300mm in depth may be left to avoid major disturbance to the soil. Retained cables at this depth are not considered to have any impact to farming or agricultural practices. A Decommission Management Plan would be submitted to Council for approval 12 months before decommissioning is proposed to occur. The objectives of decommissioning would be to restore the land to its pre-development land use of primary production.

In terms of waste water, dry port-a-loos would be provided for amenities throughout the construction phase. The fulltime staff will have permanent toilet facilities at the site, permanent bathroom facilities would be subject to a separate application (s68 OSSMS).

Noise

Noise impacts will be felt by nearby receptors during the construction phase only. The proponent has submitted a *construction noise assessment* as part of the Statement of Environmental Effects, outlining sources of noise and mitigation measures. Assembly of the solar panels and associated infrastructure is proposed to be carried out 7 days per week to allow for a shorter construction period. This is deemed appropriate for the development however, a draft condition has been imposed for building works not to cause offensive noise as per EPA guidelines for construction.

THE SUITABILITY OF THE SITE s79C(1)(c)

Physical Attributes and Hazards

There are no known technological or natural hazards that would affect the proposed development.

DEVELOPMENT CONTRIBUTIONS

No section 94 development contributions apply to the proposed development.

ANY SUBMISSIONS MADE IN ACCORDANCE WITH THE ACT s79C(1)(d)

The proposed development was neighbourhood notified and submissions were open for two weeks, closing on 19 May 2017. No submissions were received by the close of the exhibition phase.

PUBLIC INTEREST s79C(1)(e)

The proposed development is considered to be of minor interest to the wider public due to the relatively localised nature of potential impacts.

CONCLUSION

The proposed development is permissible with the consent of Council. The development complies with the relevant aims, objectives and provisions of the LEP. A section 79C assessment of the development indicates that the development is acceptable in this instance. Attached is a draft Notice of Approval outlining a range of conditions considered appropriate to ensure that the development proceeds in an acceptable manner.

RECOMMENDATION

It is recommended that the application for electricity generating works (solar farm) upon Lot 1 DP 69704 and Lot 1 DP 542283 land also known as 2340 Belgravia Road, Molong be approved subject to conditions of consent.

DRAFT CONDITIONS OF CONSENT

1. DEVELOPMENT IN ACCORDANCE WITH PLANS

Objective

To ensure the development proceeds in the manner assessed by Council.

Performance

Development is to take place in accordance with the attached stamped plans (Ref: DA 2017/155 Geolyse, Project No. 217242, dated 18 April 2017) and documentation submitted with the application and subject to the conditions below, to ensure the development is consistent with Council's consent.

The Principal Certifying Authority for the project may request an application for modification of this consent or a new application in the event that changes to the approved plans are subsequently made. An application to modify the development consent under s96 of the Environmental Planning and Assessment Act, 1979, as amended and will be subject to a separate fee.

2. BUILDING CODE OF AUSTRALIA 2016 – AUSTRALIAN STANDARDS

Objective

To satisfy the Building Code of Australia 2016 and relevant Australian Standards.

Performance

The approved building works must meet the relevant Australian Standards and the performance requirements of the Building Code of Australia 2016. Compliance with the Performance Requirements can only be achieved by:-

- a) complying with the Deemed to Satisfy Provisions; or
- b) formulating an Alternative Solution which: -
 - i) complies with the Performance Requirements; or
 - ii) is shown to be at least equivalent to the Deemed to Satisfy Provisions; or
 - iii) a combination of both a) and b).

3. APPOINTMENT OF PRINCIPAL CERTIFYING AUTHORITY

Objective

To ensure compliance with s81A of the Environmental Planning and Assessment Act 1979 as amended.

Performance

The person having the benefit of this consent must appoint a Principal Certifying Authority for the development, pursuant to Section 81A of the *Environmental Planning and Assessment Act 1979*, as amended and advise Council in writing of that appointment **BEFORE WORKS COMMENCE**.

That Certifying Authority may be the Council, or an Accredited Certifier appointed under the Act. The required written notice to Council may be satisfied by supplying a copy of the Application for a construction Certificate (Form 11) under the *Environmental Planning and*

Assessment Regulation 1994, as amended and must include the name, contact address, telephone and accreditation numbers of the selected Certifying Authority.

The Principal Certifying Authority and any other Certifiers appointed by that Authority will be responsible for the post-consent certification of the development. Copies of all certification is to be submitted to Cabonne Council referenced by the Development Application Number.

4. APPLICATION FOR CERTIFICATION

Objective

To satisfy the post-consent requirements of this Development Consent, and to comply with S.109 of the Environmental Planning and Assessment Act 1979, as amended.

Performance

The person having the benefit of this consent is required to apply for a:

CONSTRUCTION CERTIFICATE
OCCUPATION CERTIFICATE

5. SECTION 68 APPROVAL

Objective

To satisfy the requirements of the Local Government Act 1993 for any manufactured buildings.

Performance

Prior to the commencement of any works, an Activity Approval is required under Section 68, Part A – 1, of the Local Government Act 1993, for the installation of the relocatable buildings on the land.

6. IDENTIFICATION OF SITE

Objective

To clearly identify the site.

Performance

Provide a clearly visible sign to the site stating:

- a) Unauthorised entry is prohibited;
- b) Builders name and licence number; or owner builders permit number;
- c) Street number or lot number;
- d) Contact telephone number/after hours number;
- e) Identification of Principal Certifying Authority.

7. ON SITE WASTE WATER MANAGEMENT

Objective

To ensure that an accredited sewage management facility is designed, constructed and installed.

Performance

The Onsite Wastewater Management System is to be designed following a site specific examination of the site by a suitably qualified person, details of the proposed system along with an application to install an onsite wastewater management system are to be provided to Council prior to the issue of a Construction Certificate for the development.

8. PROVISION OF TEMPORARY FACILITIES

Objective

To provide temporary toilet facilities.

Performance

A temporary sewer or chemical toilet is to be provided on the property while building work is in progress to comply with the requirements of the Workcover Authority. NOTE: This must be on-site prior to the first inspection.

9. NOISE

Objective

To limit the impact of noise on adjoining properties.

Performance

Building work may only be carried out on the site between the following hours:

7.00am and 6.00pm Monday to Saturday

Building works carried out on Sundays and Public Holidays must not cause offensive noise as defined under the Protection of the Environment Operations Act. This includes site works and deliveries. Works carried out on Sunday or a public holiday will need to comply with the EPA Interim Guidelines for construction noise at all times.

10. USE OF FOOTPATHS

Objective

To permit access over public places.

Performance

- a) The storage of materials or the placement of sheds is not permitted on footpaths, roadways or in reserves. Rubbish and building materials must be contained on the site.
- b) No material, goods or machinery shall be stored, placed or otherwise permitted to stand between the building line and the street alignment.

11. DRAINAGE

Objective

To ensure satisfactory disposal of roof stormwater run-off.

Performance

All roofwater shall be collected through guttering and downpiping, connected to a 100mm or 90mm PVC pipeline and shall be disposed of:

1. 3m away from the building
2. well clear of the effluent absorption area to prevent infiltration or runoff to the area.
4. convey all roof rainwater to an approved absorption / rubble trench, having a cross-sectional area of 600 mm x 600 mm and being one (1) metre long for every 25m² of roof area drained thereto. Trenches are to be located three (3) metres clear of any Building or Lot boundary and not in a position to permit infiltration or overland flow to an effluent disposal area.

12. ASSET PROTECTION ZONE

Objective

To reduce the risk to the proposed future building from bushfire.

Performance

The area within and surrounding the development for a distance of 10 metres, is to be permanently maintained free of all combustible material in accordance with the requirements of Planning for Bushfire Protection 2006.

13. LANDSCAPING

Objective

To ensure landscaping to the site is to comply with the principles of Appendix 5 of Planning for Bush Fire Protection 2006.

Performance

Grassed areas/moved lawn/s or ground cover plantings being provided in close proximity to the building and solar farm.

Restrict planting in the immediate vicinity of the building which may over time and if not properly maintained come in contact with the building.

14. WATER SUPPLY

Objective

To provide a potable domestic supply for users of the site office.

Performance

Council requires the installation of at least 22,500 litres (5000 gallons) water storage facilities for domestic purposes.

15. WALL/ROOF CLADDING

Objective

To reduce the visual reflective impact on adjoining properties.

Performance

Non-reflective finish materials to be used on the wall/roof cladding

16. SPILLAGE OF LIGHT

Objective

To protect the amenity of the surrounding area.

Performance

Spillage of light, if any, shall be controlled so as not to cause nuisance to the amenity of adjoining land.

17. ENGINEERING DESIGN

Objective

To ensure design works are undertaken by a suitably qualified person and fulfil the relevant authority's requirements.

Performance

All engineering works to be designed by a competent person (eg. Professional Engineer) and carried out in accordance with Council's Codes and Development Control Plans, unless otherwise indicated, to ensure that these works are of a sustainable and safe standard.

The intersection of the proposed access with Belgravia Road will be designed in accordance with a Basic Right (BAR) turning treatment as shown in Figures 7.5 of the *Austrroads Guide to Road Design: Part 4A* shall be provided in Belgravia Road at its intersection with the vehicular access servicing the subject land. The widened shoulder is to be sealed and built for a 100km/h speed environment to provide a reasonable level of safety for traffic turning right into the access and to allow following traffic an area to pass the right turning vehicle on the left hand side.

Details to be provided to the satisfaction of the Certifying Authority **BEFORE THE ISSUE OF ANY CONSTRUCTION CERTIFICATE FOR THE DEVELOPMENT.**

Relevant work to be completed to the satisfaction of the Director of Environmental Services' nominee **BEFORE THE ISSUE OF AN OCCUPATION CERTIFICATE.**

18. PROVISION OF PRIVATE ACCESS

Objective

To ensure that safe and practical access is provided to the subject land.

Performance

Access must be provided to all proposed lots in accordance with Councils' Provision of Private Access Specification that is current at the time of application.

The Access is to prevent any queuing of associated traffic onto Cargo Road and is to have any gate, grid or similar structure setback a minimum of 25 meters from the current bitumen sealed edge of Belgravia Road.

An Access Construction Certificate must be obtained prior to commencement of construction of any access or accesses to the property from the adjoining road.

A joint inspection with the Principal Certifying Authority is to be held prior to commencing construction of the access. Please telephone Council's Development Engineer on 6392 3271 to arrange a suitable date and time for the inspection.

An Access Compliance Certificate for the access must be issued by Council before any Occupation Certificate can be issued.

19. TRAFFIC AND PEDESTRIAN MANAGEMENT PLAN

Objective

To ensure that any traffic or pedestrian movement through or past the work site is safe.

Performance

The applicant is to prepare and implement a Traffic Management Plan that provides necessary direction to traffic or pedestrian movement through or past the work site. The Traffic Management Plan is to be prepared by a suitably qualified person in accordance with the provisions of the relevant Australian Standards and is to be submitted to Council for approval PRIOR to its implementation.

20. PUBLIC LIABILITY INSURANCE

Objective

To ensure that the applicant and Council are both protected against any liability claim.

Performance

Prior to the commencement of any works on Council controlled land including a public road, the applicant is to affect Public Liability Insurance in the minimum amount of \$20 million. This insurance is to note Council's interest and is to remain current for at least the period from the issue of the Construction Certificate until the issue of a Compliance Certificate for the works. Documentary evidence of the currency of the cover is to be provided to Council prior to the issuing of any Access Construction Certificate.

21. SCALE

Objective

To ensure the scale of the activity does not increase beyond the scope of this approval without the further assessment of possible impact.

Performance

This approval enables the applicant to operate at a scale as submitted in the proposal. Any increase in the scale of the activity as submitted, will require the further approval of Council.

22. CONTROL OF NUISANCE

Objective

To protect the amenity of the surrounding area.

Performance

No nuisance or interference with the amenity of the area is to be created by reason of any process or operation on the premises causing the emission of noise, dust, smoke or any polluted discharge whatsoever. NOTE: Amendments to the POEO Act 1997, require Council to investigate complaints where only one person complains.

23. ENTRANCE / EXIT POINTS

Objective

To ensure on-site traffic flows in the manner assessed by Council.

Performance

Entrance / exit points are to be clearly signposted and visible from both the street and the site at all times.

24. LOADING / UNLOADING

Objective

To ensure loading / unloading does not interfere with the amenity of the street.

Performance

All loading and unloading operations are to take place at all times wholly within the confines of Lot 1 in DP 69704.

25. CAR PARKING SIGNAGE

Objective

To ensure available car parking is clearly defined.

Performance

Off street car parking is to be encouraged by the placement of prominent signs indicating its availability.

26. OFF STREET CAR PARKING

Objective

To ensure adequate car parking is available on site.

Performance

The applicant is to provide an adequate number of onsite car parking spaces on site, each having minimum dimensions as follows:

Covered (including garage) - 3m x 6m
Uncovered - 2.5m x 5.2m

Each space (other than garages) is to be marked, constructed of a hard standing material in contrast to the driveways, and maintained. Visitor car parking spaces are to be well indicated as such by signage.

27. INGRESS / EGRESS

Objective

To ensure reasonable driver / pedestrian safety.

Performance

All vehicles entering or leaving the subject property shall be driven in a forward direction.

28. SOIL EROSION

Objective

To protect the water catchments.

Performance

Provide and maintain a silt intercept fence along the lower boundary of the site or as otherwise directed by the Council to ensure that silt does not enter the stormwater system/catchment.

29. VEHICLE MANAGEMENT PLAN

Objective

To ensure that arrangements are made for any vehicles movements associated with the development.

Performance

The Vehicle Management Plan (VMP) is to detail all vehicle movements entering and leaving the site, including travel paths that are to be used to and from the site.

The VMP shall be prepared by the applicant and then submitted for approval by Council prior to issue of any Construction Certificate for the development.

30. ROAD DILAPIDATION REPORT**Objective**

To ensure the development does not have any adverse impact on Council's road network.

Performance

The applicant is required to submit to Council a Road Dilapidation Report prepared by a suitably qualified person. The Road Dilapidation Report is to include the pre and post development road condition for Belgravia and Euchareena Road. This report is to be submitted to Council for approval prior to any works commencing.

31. COMPLIANCE WITH CONDITIONS OF CONSENT**Objective**

To ensure all conditions of consent are complied with and development proceeds in the manner assessed by Council.

Performance

The use or occupation of the approved development shall not commence until such time as all conditions of this development consent have been complied with. The use or occupation of the development prior to compliance with all conditions of development consent may make the applicant / developer liable to legal proceedings.