APPENDIX B

DCP COMPLIANCE TABLE

Table 4 – Development Control Plan Matters and Assessment

Objective/ principle /requirement	Standard / Control	Assessment	Compliance?
PART A – PLAN INTRODUCTION			
Part A.3 – Aims and Objectives			
This Plan aims to: • *provide guidance on acceptable and appropriate development control standards for new development within the Yass Valley Local Government Area;* • *increase public awareness of hazards and to ensure that essential services and land uses are planned in recognition of the potential hazards;* • *ensure that only appropriate development occurs in areas affected currently impacted by, and likely to be impacted by future, hazards to ensure that risk to life and property is minimised by providing early, safe evacuation routes, buildings that are designed to withstand the hazard impacts*	N/A	The development is not antipathetic to the aims of the DCP. The assessment of the proposed development contained in this SEE has identified that it is unlikely to have any significant detrimental impact.	✓
The Objectives of this Plan are to: • *ensure that development occurs in a manner that is consistent and sustainable;* • *encourage sustainable development that is designed for a changing climate including extreme weather events;* • *support development that minimise waste and resource consumption;* • *provide for a variety of adaptable housing types to meet the changing demographics of Yass Valley;* • *promote high standards of development that provide positive planning outcomes on individual sites to the benefit of the wider community by encouraging new development that is responsive to the site characteristics, streetscape and neighbourhood character in which it is located;* • *encourage innovative design that achieves a high level of sustainability and is adaptable to changing climate conditions*	N/A	The development is not antipathetic to the objectives of the DCP. The assessment of the proposed development contained in this SEE has identified that it is unlikely to have any significant detrimental impact.	✓
Part A.4 – Where does this Plan apply?			
The plan applies to all land in the Yass Valley Local Government Area, except to that land to which the Parkwood Local Environmental Plan 2020 applies.	N/A	The site is within the Yass Valley Local Government Area such that the DCP applies.	Refer below.
Part A.12 – Land Use Matrix			

Objective/ principle /requirement	Standard / Control	Assessment	Compliance?
The land use matrix identifies the parts of the DCP to be considered according to the type of land use and development proposed.	N/A	The following Parts have been considered with respect to the land use matrix provided in Part A of the DCP and the proposed development of electricity generating works. Part E of the DCP has been considered in the context that the development is situated within the RU4 Land Use Zone.	Refer below.
PART B – PRINCIPLES FOR ALL DEVELOPMENT			
Part B1 – Sustainability			
In designing for sustainability the following principles, as outlined in Council's Sustainability Policy, are to be considered: *a. The precautionary principle, wherein if there are threats of serious or irreversible environmental damage, lack of full scientific certainty should not be used as a reason for postponing measures to prevent environmental degradation. In the application of the precautionary principle, public and private decisions should be guided by:* *i. Careful evaluation to avoid, wherever practicable, serious or irreversible damage to the environment* *ii. An assessment of the risk-weighted consequences of various options* *b. Intergenerational equity, – namely, that the present generation should ensure that the health, diversity and productivity of the environment is maintained or enhanced for the benefit of future generations.* *c. Conservation of biological diversity and ecological integrity, where conservation of biological diversity and ecological integrity should be a fundamental consideration.* *d. Improved valuation, pricing and incentive mechanisms, environmental factors should be included in the valuation of assets and services, such as:* *i. Polluter pays – that is, those who generate pollution and waste should bear the cost of containment, avoidance or abatement,* *ii. The users of goods and services should pay prices based on the full life cycle of costs of providing goods and services, including the use of natural resources and assets and the ultimate disposal of any waste.* *iii. Environmental goals, having been established, should be pursued in the most cost effective way, by establishing incentive structures, including market mechanisms, that enable those best placed to maximise benefits or minimise costs to develop their*	N/A	The assessment of the proposed development contained in this SEE has evaluated the potential impacts of the proposed development and detailed that it is unlikely to have any significant detrimental impact. The proposed development through providing grid flexibility services will support the efficiency of the electrical network, charging during periods of low demand and discharging during periods of higher demand. The ability of the BESS to support the efficiency of the electrical network aligns with the principles of sustainability, minimising the waste of generated energy. Through providing firming capacity the proposed development additionally supports the NSW electricity strategy including the transition to renewable forms of energy generation and associated benefits for sustainability.	✓

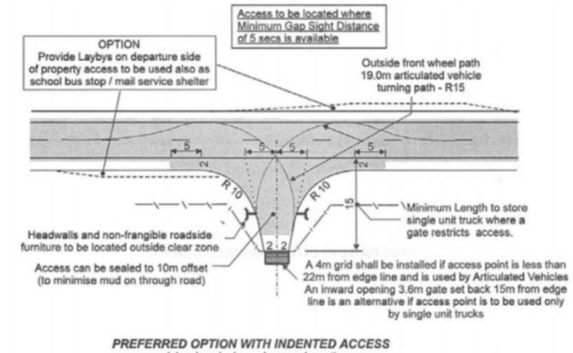
Objective/ principle /requirement	Standard / Control	Assessment	Compliance?
own solutions and responses to environmental problems			
To this end, this Plan aims to: a. Increase tree retention and provision at development stage to increase and enhance tree cover, for visual, social, environmental, economic and ecological values, b. Discourage the use of heat producing surfaces in prefer of natural materials, surfaces and finishes; c. Encourage the use of sustainable building materials; d. Avoid excessive resource consumption and minimise waste.	N/A	The retention and provision of trees has been considered in the design of the proposed development and through the assessment of impacts. Trees removal is limited to facilitating access to the development site and has been assessed by the Flora and Fauna Assessment in **Appendix D**. Landscaping for the proposed development will increase tree cover within the development site while further assisting to minimise visual impacts. The remaining aims of this Section of the DCP to discourage the use of heat producing surfaces, encourage the use of sustainable building materials and to avoid excessive resource consumption and minimise waste, are considered capable of being achieved through the finalisation of detailed design.	✓
Part B2 Site Suitability			
In determining whether a site is suitable for the proposed development the following need to be considered: *a. Physical constraints such as topography, flooding, heritage, bushfire and biodiversity;* *b. Adjoining land uses, this is particularly important for intensive agricultural and industrial uses which may require physical separation from residential areas and existing dwellings;* *c. The availability and location of all-weather access, electricity, reticulated water and sewer or other means of obtaining water and disposing of sewage;* *d. Zoning restrictions, easements and covenants;* *e. Site aspect, lot configuration to enable setbacks and restrict overshadowing.*	N/A	The suitability of the site and development has been considered in the context of physical constraints, topography and drainage, adjoining land uses, access arrangements, servicing, restrictions on land use and setbacks. As detailed within **Section 5.21** and the assessment of impacts provided throughout **Section 5** the site, subject to the implementation of appropriate mitigation measures, is suitable for the proposed development.	✓
Part B3 Site Analysis Plan			
All applications must be accompanied by a site analysis plan. A site analysis plan shall display, where relevant: *a. Site topography;* *b. Bushfire hazard of the site, including across roads, waterways, etc;* *c. Existing vegetation and mature trees, including hollow bearing trees;* *d. Heritage items in the vicinity;* *e. Views to and from the site;*	N/A	Figures of the development site and relevant constraints are provided within **Section 2.2** of this SEE and throughout the various appended specialist assessments. The figures provided via the SEE and appended specialist assessments are considered suitable for addressing the objective of this section.	✓

Objective/ principle /requirement	Standard / Control	Assessment	Compliance?
f. Impact of vegetation and buildings on adjoining land including privacy, shading, lighting and visual amenity; *g. Location of access points relative to pedestrian facilities and roadway structures;* *h. Solar access and predominant breeze;* *i. Flooding, including overland, riverine and on-site drainage;* *j. Proximity to community and social facilities.*			
Part B4 Crime Prevention and Safety			
Objective: *To ensure that development considers the principles of crime prevention and safety in the design phase and opportunities for crime occurrences are not increased by the development but opportunities for passive surveillance are improved*	**Controls:** All development shall consider the crime prevention measures contained in this part in the design phase of development	A consideration of CPTED principles is provided within **Section 5.15** of the SEE. The proposed development has been designed with consideration of safety, security and crime prevention. Fencing and periodic maintenance are anticipated to produce positive impacts with respect to crime prevention and safety.	✓
B4.1 Passive surveillance			
N/A	*a. Windows should be located to allow surveillance of internal driveway and carparking areas for commercial, industrial and multi dwelling development;* *b. Sensor or solar lighting should be provided adjacent to entries for commercial, industrial and multi dwelling development;* *c. Windows, balconies, fencing and the like should be designed and constructed to allow views and passive surveillance of any adjacent public reserve; or recreational area. Where necessary, fencing may be required to be transparent, rather than of solid construction;* *d. Security fittings, shutters and doors, where fitted should be at least 50% transparent at street level to allow passive surveillance in commercial, industrial and multi dwelling development;* *e. Mature heights and widths of vegetation plantings should be considered so as not to visually obscure entries/exits signage, lighting or present a security risk;* *f. Pedestrian areas should be visible from nearby dwellings, buildings, parking areas or the street, and sufficiently lit to facilitate safe pedestrian movement if used after dark;* *g. For commercial and industrial development toilets should be integrated into a development with their entries highly visible and well lit, and not be in an isolated location;* *h. Landscaping should minimise spaces where intruders can hide;* *i. Security lighting is to be provided to public accessways and parking areas and conform to AS1158.1 'Vehicular Traffic Lighting' in commercial and industrial developments,*	As above. The project has been designed in consideration of crime prevention and safety.	✓
B4.2 Access and space management			
N/A	*a. Buildings should provide clear and direct lines of sight between the street and building entrances;*	As above.	✓

Objective/ principle /requirement	Standard / Control	Assessment	Compliance?
	b. Pedestrian laneways should have more than one entrance to avoid "dead-ends" and entrapment spots; *c. The main entry and building number should be clearly visible from the street for pedestrians, motorists and emergency services;* *d. In commercial and industrial development staff and customer entries should be identified appropriately by signage and lighting;* *e. The building and site layout should ensure there are no entrapment spots - small, confined areas that may be used for hiding or to trap potential victims;* *f. Where buildings are set back from the street, the area should be designed to minimise hiding and entrapment spots;* *g. For uses which will operate after dark, clear sightlines should be provided from the building entrance to parking areas and/or public streets;* *h. Sharp corners or deep recesses in the length of walls or fences that reduce visibility should be avoided;* *i. Machinery and plant, down pipes, bin storage, balconies and fences should be located in such a way that they prevent access to windows;* *j. Landscaping (e.g. creepers, low hedges) should be incorporated to limit the opportunity for graffiti on solid fences and walls which face parks, streets or laneways;* *k. Building materials and finishes which have abuttal to parks, streets or laneways, should reduce opportunities for graffiti and vandalism and allow for ease of cleaning.*	The project has been designed in consideration of crime prevention and safety.	
Part B5 Neighbourhood Character			
Objective: *To encourage development which responds to and contributes positively to the character and topography of the existing streetscape.* *Ensure that new subdivisions establish a high quality of neighbourhood character and amenity*	**Controls:** a. Development should respect the scale, patterns and predominant building characteristics within a streetscape. b. The design should consider how the building/s will respond to the predominant characteristics of the neighbourhood such as dominant land uses, construction types and materials, roof pitch, setbacks, location and proportion of windows and doors, verandahs, vehicle parking/garaging, landscaping of public and private areas. c. New development should not dominate the streetscape. d. Building materials and finishes should reinforce or complement the dominant pattern within the streetscape. e. Buildings, driveways, fencing and landscaping should be designed to respond to the topography of the site by following contours or stepping down steeper sites f. Trees should be retained, both in the road reserve and private allotments. g. Facades should incorporate building elements that assist with thermal comfort controls and the use of sustainable building materials.	As detailed via the assessment of impacts provided throughout **Section 5** the proposed development, subject to the implementation of appropriate mitigation measures, is unlikely to have any significant detrimental impact, including with respect to considerations of context, scale, patterns and built form. The proposed BESS is not anticipated to dominate the streetscape or to result in significant visual impacts. Potential visual impacts of the BESS would be further considered during detailed design including measures to implement sustainable building materials and finishes that minimise impacts to the existing character of the landscape.	✓
PART E - RURAL, LARGE LOT AND ENVIRONMENTAL ZONE DEVELOPMENT			

Objective/ principle /requirement	Standard / Control	Assessment	Compliance?
This part applies to development within the R5 Large Lot Residential, RU1 Primary Production, RU2 Rural Landscape, RU4 Primary Production Small Lots, C3 Environmental Management, C4 Environmental Living.	N/A	The development is within the RU4 Primary Production Small Lots zone such that this part of the DCP applies.	Refer below.
This part seeks to ensure that: *• the siting of new development in the following zones maintain the low density, dispersed character, rural amenity and vistas of the Yass Valley;* *• ridgelines and scenic vistas are protected where buildings respect topography, use neutral non reflective materials and do not dominate the landscape;* *• separation distances are to be provided to ensure rural amenity and right to farm is maintained by limiting the potential for land use conflict. The right to farm, as described by NSW Department of Primary Industries, means a desire by farmers to undertake lawful agricultural practices without conflict or interference arising from complaints from neighbours and other land users.*	N/A	The development has been considered in the context of physical constraints, topography and drainage, adjoining land uses, access arrangements, servicing, restrictions on land use and setbacks. The proposed development is not considered likely to result in any significant impacts to rural amenity or to the right to farm.	✓
Part E.1 Siting of Buildings			
Objective: *To ensure that developments are sited in a manner to not dominant the rural landscape and minimise landuse conflict potential*	**Controls:** a. All buildings shall be located at least 40metres from the bank of any water course; b. All buildings must be located at clear of electricity transmission lines, structures or supporting ropes, wires, etc in accordance with the provisions of the energy provider such as the document "Developments near Essential Energy's infrastructure" or successive documents; c. All buildings shall have a setback of no less than 250 metres from the boundary of a property where the following activities exist: • forestry; • intensive plant agriculture (including vineyards and orchards); • mines and extractive industries; • railway lines. • A reduced setback will be permitted where measures are implemented to mitigate noise, light intrusion, dust and spray drift. d. The highest point of a building must be at least 5 metres below the highest ridgeline of any hill within 100 metres; e. Development on sloping sites should be designed to minimize cut and fill, allowing the building to respond to the slope of the land via use of split levels, or detached portions stepped down the slope.	As detailed in **Section 4.4** of the SEE, consultation with DPIE Water has confirmed that the development is not situated within 40 m of waterfront land. No Controlled activity approval is therefore required. The development has been situated in proximity to existing transmission lines to facilitate an electrical connection. Ongoing consultation is to be provided throughout project approval and construction to ensure the design of the project meets the requirements of service operators, including essential energy. Reviews of surrounding land uses have identified intensive plant agriculture on adjacent lots to the north and east of the proposed development. The footprint of the BESS is situated approximately 140 m south of the northern boundary and 260 m from the eastern boundary. The setback to the east achieves the setback provision of the DCP. The northern setback, however, is the below the threshold of the DCP provision and is therefore non-compliant. Notwithstanding it should be recognised that: • The location of the BESS has been considered in the context of physical constraints, topography and drainage, adjoining land uses, access arrangements, servicing, restrictions on land use and setbacks. The proposed location therefore is not solely	Non-compliant. The non-compliance is considered capable of being addressed through the implementation of mitigation measures to achieve the DCP's objective.

Objective/ principle /requirement	Standard / Control	Assessment	Compliance?
		informed by the setbacks of the DCP and represents a broader set of constraints to minimise the potential for adverse impacts. • Section 4.15 (3A) of the EP&A Act provides that if a development application does not comply with the standard of a DCP, the consent authority is to be flexible in applying provisions and allow reasonable alternative solutions that achieve the objects of those standards for dealing with that aspect of the development. • A review of satellite imagery for the adjacent intensive agricultural activities to the north indicates that these activities are predominantly contained within the northeastern extent of Lot 22 DP248413. The extent of vineyards is situated approximately 270 m further northwest from the northern boundary of the host lot where it is closest to the BESS footprint. • The proposed development is accompanied by a suite of mitigation measures, including landscaping maintained for the duration of the project lifespan and noise walls. The implementation of mitigation measures responds to the objective of the DCP control, ensuring the development does not dominant the rural landscape while further minimising the potential for land use conflicts. A conceptual design has been prepared to review cut and fill arrangements for the proposed development. To avoid excessive fill requirements and potential visual impacts the electrical components of the development including the MVPS and Battery units are currently proposed to be situated on elevated platforms with variable length pylons. The pylons would elevate the electrical components from the existing ground surface and result in electrical components stepping down the slope of the BESS compound. The final design of the project is subject to DA approval and the subsequent finalisation of detailed design.	
E.2 Access			

Objective/ principle /requirement	Standard / Control	Assessment	Compliance?
Objective: *To ensure that all developments are provided with safe and legal access that does not impede traffic movement*	**Controls:** a. Lots created upon which a dwelling is able to be situated must have legal direct frontage or right of carriageway to a public road; b. All property access shall be constructed to a rural property access as in figure 8 below; c. Where access is from a sealed road, the entrance shall be constructed of two coat bitumen seal from the edge of the road formation to the gate; d. Where access if from an unsealed road, the entrance shall be constructed of a minimum thickness 100mm approved compacted gravel from the edge of the road formation to the gate;  *Figure 18 - Access Treatment* e. Reinforced minimum diameter 300mm concrete pipes and headwalls are to be installed in table drains and setback a minimum of 2 metres from the edge of the road formation and provided with permanent erosion protection; f. Where topography does not permit the installation of pipes, a reinforced concrete dish drain may be constructed in the table drain; g. The finished surface of any earthworks required for driveway construction shall be graded to a maximum 1:4 cut and 1:2 fill; h. Entrances are to be located so that a Safe Intersection Sight Distance is achieved relative to the prevailing speed conditions as follows: ***Table 12 - Safe Intersection Sight Distance*** **Road Type/Location** | **Sight Distance Category** | **Normal Posted Speed** | **Sight Distance Required** Rural - Residential | ASD* | 70km/h | 92 metres Local Rural Roads | ASD* | 100km/h | 165 metres Regional Roads | SISD# | 100km/h | 262 metres State Roads/ Highways | SISD# | 100/110km/h | 262/300 metres or as specified by Transport for NSW * *Approach Site Distance* # *Safe Intersection Sight Distance* i. Consideration may be given to Approach Site Distance on difficult sites, subject to the provision of additional treatment to ensure traffic safety. j. Accesses onto Regional Roads and State Highways may require additional treatment, subject to the requirements of Transport for NSW as specified in their concurrence documents;	A Traffic Impact Assessment (TIA) forms part of this application and is provided in **Appendix E.** The TIA assesses impacts of the proposed development on traffic movements and details the provision of a suitably designed, safe and legal access arrangement. Subject to compliance with the measures within the TIA no significant traffic impacts are anticipated. As detailed via the recommendations of the TIA "the subject site access driveway should be constructed according to figure 7.4 in Austroads Guide to Road Design Part 4 requirements and to the council's satisfaction." The final design of the access arrangement is subject to DA approval and the subsequent finalisation of detailed design. Further consideration of the controls of the DCP associated with the access arrangement would therefore be provided during the detailed design stage.	✓

Objective/ principle /requirement	Standard / Control	Assessment	Compliance?
	k. All property accesses must ensure the roadside water can continue to flow downstream without ponding or forcing water onto the road or into adjacent lands		
E1 Dwellings			
This section applies to new dwellings, ancillary development, as well as alterations and additions to existing dwellings.	N/A	The development does not consist of a rural building for the purpose of Part E1 of the DCP.	N/A
E2 Farm Buildings and Outbuildings			
Farm buildings may be undertaken as exempt development in land zoned RU1 Primary Production, RU2 Rural Landscape, RU3 Forestry, RU$ Primary Production Small Lots	N/A	The development does not consist of a farm building or outbuilding for the purpose of Part E2 of the DCP.	N/A
E3 Rural Based Activities			
This section applies to common rural based activities likely to occur in the applicable zones and provides on acceptable development design, siting and operation.	N/A	The development does not consist of a rural based land-use activity for the purpose of Part E3 of the DCP.	N/A
PART H – DEVELOPMENT IN HAZARD AFFECTED AREAS			
The objectives of this Part are to: *a. Require developments with high sensitivity to flood risk to be designed so that they are subject to minimal risk;* *b. Allow development with a lower sensitivity to the flood hazard to be located within the floodplain, provided the risk of harm and damage to property is minimized;* *c. Minimise the intensification of the high flood risk areas, and if possible, allow for their conversion to natural waterway corridors;* *d. Ensure design and siting controls required to address the flood hazard do not result in unreasonable social, economic or environmental impacts;* *e. Minimise the risk to life by ensuring the provision of reliable access from areas affected by flooding;* *f. Ensure that the subdivision of land on which a dwelling is able to be erected is suitable for such development;* *g. Minimise the damage to property arising from flooding;* *h. Ensure the proposed development does not expose existing development to increased risks associated with flooding;* *i. Ensure that fencing does not result in the undesirable obstruction of free flow of floodwater;* *j. Ensure that fencing does not become unsafe during floods so as to threaten the integrity of structures or the safety of people;* *k. Ensure that fencing is constructed in a manner which does not significantly increase flood damage or risk on surrounding land;*	N/A	A Flood and Groundwater Assessment Report (FGAR) forms part of this application and is provided in **Appendix G.** The FGAR included modelling to evaluate flooding impacts and classifies the development site as flood hazard H1 which is generally safe for people vehicles and buildings. The FGAR recommends that critical infrastructure is set to be a minimum of 150mm above the existing ground level to reduce the risk associated with stormwater runoff impacting infrastructure. As previously detailed, electrical components of the development including the MVPS and Battery units are currently proposed to be situated on elevated platforms with variable length pylons. The pylons would elevate the electrical components from the existing ground surface and result in electrical components stepping down the slope of the BESS compound. The elevation provided from the pylons would be designed to achieved the recommendation of the FGAR elevating critical infrastructure to a minimum of 150mm above the existing ground surface. The FGAR, nevertheless concludes that importing fill to raise the areas where infrastructure is to be located is not likely to increase flood levels on neighbouring properties, however, should be tested within hydraulic models once the final layout is available.	✓

Objective/ principle /requirement	Standard / Control	Assessment	Compliance?
l. Protect life and property in the event of an emergency; *m. Ensure that buildings are suitable designed and located for the hazard applicable to the site;* *n. Ensure that any potentially contaminated land is suitably remediated for its intended purpose.*		The requirements of the DCP are considered capable of being achieved through the finalisation of detailed design.	
H1 Flooding			
Objective: *To ensure that development is appropriately located and constructed having account of the risk of flood impact*	**Controls** are contained within Tables 21-24.	As above. Refer to FGAR provided in **Appendix G**. The requirements of the DCP are considered capable of being achieved through the finalisation of detailed design.	✓
H1.1 Specific fencing controls			
Objective: *To provide specific guidance for fencing on flood impacted land*	**Controls:** a. An applicant will need to demonstrate that the fence (new or replacement fence) would create no impediment to the flow of floodwater. Appropriate fences must satisfy the following: • An open collapsible hinged fence structure or pool type fence, or louvre fencing; • Must be constructed of non-permeable materials; or • Must allow floodwaters to equalized on both sides and minimum entrapment of flood debris.	As above. Refer to FGAR provided in **Appendix G**. The requirements of the DCP are considered capable of being achieved through the finalisation of detailed design.	✓
H2 Bushfire Prone			
The objectives of this part are to *a. Prevent the loss of life and property by providing development that is compatible with the identified bushfire hazard;* *b. Ensure that the risks associated with bushfire are appropriately and effectively managed;* *c. Ensure that bushfire risk is managed in conjunction with the ecological values of the site and neighbouring lands.*	N/A	A Bush Fire Management & Emergency Response Plan (BFMERP) forms part of this application and is provided in **Appendix H**. The BFMERP has been prepared in accordance with the requirements of Planning for Bushfire Protection 2019 (PBP 2019) and identifies appropriate measures to address bushfire risks and the objective of this part of the DCP. The Flora and Fauna Assessment Report (FFAR) provided in **Appendix D** further concludes that, the proposed development is unlikely to generate any significant adverse impacts on the life cycle or habitat of any of threatened species or threatened ecological communities.	✓
H2.1 Water storage facilities			
Objective: *To ensure that adequate firefighting water is available in an accessible manner to emergency services*	**Controls:** a. In addition to any water requirements of BASIX a minimum 15,000 litre tanked water storage, or an amount required in accordance with the NSW Rural Fire Service document 'Planning for Bushfire Protection, 2019', whichever is the greater, should be dedicated for firefighting purposes;	The BFMERP details that a static water supply with a minimum capacity of 20,000L will be provided for the proposed development and designed in accordance with the requirements of Planning for Bushfire Protection 2019.	✓

Objective/ principle /requirement	Standard / Control	Assessment	Compliance?
	b. The water storage for bushfire fighting purposes shall be i. Easily identifiable from the street frontage appropriately directing emergency services to the storage facility; and ii. Located with a hard stand area which allow easy access for fighting vehicles. To this end consideration must be given to turning areas, building locations and storz fitting access. NOTE: Where the storage facility is underground it should have a 200mm access hole. Where the facility is via above ground tanks, they should be metal or concrete and have any stands protected. Bores and creeks should not be used for substitute firefighting water storage facilities.	The requirements of the DCP are considered capable of being achieved through the finalisation of detailed design.	
H2.2 Location of buildings			
Objective: *To ensure that buildings are located in areas on site less susceptible to a running bushfire*	**Controls:** a. Buildings on Bushfire Prone Land should be located away from ridge tops and steep slopes- particularly up slopes, avoiding saddles and narrow ridge crests; b. Outbuildings are to be located at least 6 metres away from the existing dwelling. Where outbuildings are within 6 metres of an existing building the must comply with the provisions of the National Construction Code for bushfire prone areas.	As above. Refer to BFMERP provided in **Appendix H.** The requirements of the DCP are considered capable of being achieved through the finalisation of detailed design.	✓
H2.3 Landscaping for Bushfire			
Objective: *To guidance on residential vegetation to assist in bushfire management*	**Controls:** a. Creepers over structures adjacent to a house add fuel and should be avoided; b. Low fuel areas, such as lawn, should be provided between the dwelling and the bushfire hazard. c. Trees with loose, stringy or ribbon bark should not be located near houses.	As above. Refer to BFMERP provided in **Appendix H.** The requirements of the DCP are considered capable of being achieved through the finalisation of detailed design.	✓
H2.4 Bushfire report			
Objective: *To ensure that development on bushfire prone land is designed and supported by the appropriate reports having regard to the hazard posed*	**Controls:** A Bushfire Risk Assessment Report is to be lodged with the Statement of Environmental Effects in support of the Development Application. The Bushfire Risk Assessment Report is to address the proposed development's consistency with Planning for Bushfire Protection 2019.	As above. Refer to BFMERP provided in **Appendix H.**	✓
H2.5 Asset protection areas			
Objective: *To ensure that development on bushfire prone land has adequate asset protection areas provided and measures in place to manage these areas*	**Controls:** a. Measures to control the placement of combustible materials in Inner Protection Areas are to be included as part of the development application; b. Asset Protection Areas are to be contained wholly within the property boundary and must not rely on adjacent land as part of the APZ, apart from roadways and road reserves.	The BFMERP provided in **Appendix H** details the provision of bushfire protection measures. This includes an APZ that is wholly within the property boundary and surrounds the electrical components of the proposed development. The requirements of the DCP with respect to the placement of combustible materials in the IPA of the APZ are considered capable of being achieved through the finalisation of detailed design. This would include a consideration on the requirement	✓

<table>
<tr><th>Objective/ principle /requirement</th><th>Standard / Control</th><th>Assessment</th><th>Compliance?</th></tr>
<tr><td></td><td></td><td>and materials utilised for acoustic barriers and any other components of the development within the provided APZ.</td><td></td></tr>
<tr><td>H3 Contaminated Land</td><td></td><td></td><td></td></tr>
<tr><td>Objective: To ensure that potentially contaminated land is suitable for the proposed development</td><td>Controls:
a. A landowner should undertake a search of the existing property file held by Council to assist in determining whether a potentially contaminating use has ever been approved or undertaken on the subject land;
b. Applicants should refer to Council’s adopted Contaminated Land Management Policy;
c. Land which was formerly used or suspected of being used for any of the following uses shown in Table 27 below, should be investigated for potential contamination. It may require remediation in accordance with State Environmental Planning Policy (Resilience and Hazards) 2021 and the Contaminated Land Management Act 1997.
Table 26 - Potentially Contaminating Activities<table><tr><td>acid/alkali plant and formulation</td><td>metal treatment</td></tr><tr><td>agricultural/horticultural activities</td><td>mining and extractive industries</td></tr><tr><td>airports</td><td>oil production and storage</td></tr><tr><td>asbestos production and disposal</td><td>paint formulation and manufacture</td></tr><tr><td>chemicals manufacture and formulation</td><td>pesticide manufacture and formulation</td></tr><tr><td>defence works</td><td>power stations</td></tr><tr><td>drum re-conditioning works</td><td>railway yards</td></tr><tr><td>dry cleaning establishments</td><td>scrap yards</td></tr><tr><td>electrical manufacturing (transformers)</td><td>service stations</td></tr><tr><td>electroplating and heat treatment premises</td><td>sheep and cattle dips</td></tr><tr><td>engine works</td><td>smelting and refining</td></tr><tr><td>explosives industry</td><td>tanning and associated trades</td></tr><tr><td>gas works</td><td>waste storage and treatment</td></tr><tr><td>iron and steel works</td><td>wood preservation</td></tr><tr><td>landfill sites</td><td></td></tr></table></td><td>A consideration of contamination risks is provided within the body of the SEE. This has included a review of the NSW EPA Contaminated Land Record and the EPA’s list of notified sites on the 21 November 2024.
Whilst the site is located on a site historically used for agricultural production, discussions with the landowner and reviews of historical aerial photography have not identified any significant contamination risks.
Whilst no known contamination risks have been identified, appropriate safeguards and mitigation measures, are recommended for implementation during the completion of site works and operation of the proposed activity to minimise the potential risks associated with encountering contamination.</td><td>✓</td></tr>
<tr><td>PART I -CAR PARKING AND ACCESS.</td><td></td><td></td><td></td></tr>
<tr><td>This part ensures that development provides carparking that is consistent with the demands of that development. It provides guidance to ensure that carparking requirements are considered in a consistent and transparent manner. This part also provides guidance on all types of vehicular access to ensure that access construction, placement and design are adequate for the development and the vehicles likely to visit and service that development. It ensures that accesses are safe and accessible for all users.
The objectives of the part are to:
a. provide off street parking that is consistent with the demands of the development;</td><td>N/A</td><td>A Traffic Impact Assessment (TIA) forms part of this application and is provided in Appendix E.
The TIA details the inclusion of a designated and accessible parking area suitable for the proposed development.</td><td>✓</td></tr>
</table>

Objective/ principle /requirement	Standard / Control	Assessment	Compliance?
b. provide landscaping and quality materials in the construction of parking areas to improve amenity; *c. ensure that parking and accessways for all modes of transport are safe, convenient and functional to meet anticipated needs;* *d. ensure access for people with disabilities is equitable, functional and safe;* *e. protect the occupational health and safety of employees and visitors to the site;* *f. ensure areas are set aside for onsite loading and maneuvering service vehicles;* *g. provide accesses are designed, placed and constructed safely to meet the needs of the public and the development*			
I1 Carpark Design			
Objective: *To ensure that carpark design facilitates the safe and efficient movement of pedestrian and vehicles*	**Controls:** a. Off street parking should be provided on the same site as the development, parking on adjoining land may be considered where there are legal mechanisms in place to ensure the use for carparking associated with the development; b. All parking areas must be designed to avoid concentration of water run off; c. Carpark design shall be in accordance with AS/NZS 2890.1 Parking facilities – Off Street Carparking and consider the location of pedestrian and vehicle entry points, load areas and the like, to minimise conflict between users; d. Pedestrians should be physically separated from vehicle traffic, through the use of pathways and landscaping e. Heavy vehicles should not conflict with passenger vehicle maneuvering in carparks, where heavy vehicles need to access loading docks and the like via carparks additional aisle width of carparks may be required; f. Carpark design should take account of the size, type and frequency of vehicles (including service and delivery vehicles) likely to enter and use the site; g. Tandem car parking arrangements should be avoided except in very low turnover uses, such as vehicle sales or repairs; h. Vehicle turning areas must be provided in carparks to allow vehicles to enter and leave the site safely in a forward direction; i. Loading docks are not to be used for parking, nor relied upon for vehicle turning or maneuvering; j. For every twenty (20) car parking spaces, one bicycle parking rack should be provided located next closest the access point of the development, after the required disabled parking space(s); k. Parking for disabled persons must maintain a clear height of 2.5 metres and shall be the closest parking space to the access point of the development;	As above. Refer to TIA provided in **Appendix E.**	✓

<table>
<tr><th>Objective/ principle /requirement</th><th>Standard / Control</th><th>Assessment</th><th>Compliance?</th></tr>
<tr><td></td><td>l. Off street carparking is to be provided for staff and customers;
m. Security lighting is to be provided to public accessways and parking areas and conform to AS1158.1 ‘Vehicular Traffic Lighting’ in commercial and industrial developments;
n. Where developments incorporate night time operations illumination must be in accordance with Australian Standard 4282, control of obtrusive effects of outdoor lighting;
o. Any lighting provided must be directional internal the site and not cause nuisance to road users or nearby dwellings;
p. Shade trees are to be provided in carparks at a rate of 1 per 6 spaces or part thereof;
q. Carparking spaces are to have the flowing dimensions (AS2890.1 Off Street Parking):</td><td></td><td></td></tr>
<tr><td>I2 Loading Docks</td><td></td><td></td><td></td></tr>
<tr><td>Objective: To ensure that loading docks are located and designed in a manner that facilities ease of truck usage and does not increase crime opportunities</td><td>Controls:
a. All vehicles shall enter and leave the site in a forward direction;
b. Loading dock area should be located toward the rear of the development and provided with surveillance equipment for safety;
c. Loading docks shall not be used for parking or as part of vehicle turning/maneuvering areas, nor for the storage of waste;
d. The maximum grade for a loading ramp is 1 in 12.5 to allow for truck reversing.</td><td>As above.
Refer to TIA provided in Appendix E.</td><td>✓</td></tr>
<tr><td>I3 Carpark Construction</td><td></td><td></td><td></td></tr>
<tr><td>Objective: To ensure that carpark construction is suitable for the type and number of vehicles likely to visit the site</td><td>Controls:
a. Carparking for commercial and industrial developments is to be constructed in accordance with AusSpec specifications and the design as approved by Council;
b. All commercial and industrial carparking areas are to be graded and drained to Council’s stormwater system or alternative as approved by Council;
c. Pavements are required to be designed and constructed in accordance with the Austroads Pavement Design Guide to the following standards:
Table 28 - Carparking Construction Details
<table>
<tr><th>Use</th><th>Minimum Gravel Thickness</th><th>Surface Treatment</th></tr>
<tr><td>Urban/Village – Commercial
Recreation – Tourist and Visitor Accommodation - Light passenger vehicles only</td><td>150mm</td><td>Two coat bitumen seal</td></tr>
<tr><td>Commercial Premises
Light vehicle use
Heavy vehicle Use</td><td>150mm</td><td>Two coat bitumen seal
or
Asphalt or concrete</td></tr>
<tr><td>Industry</td><td>150mm</td><td>Asphalt or concrete</td></tr>
<tr><td>All other areas (e.g. Rural)</td><td>100mm</td><td>Gravel</td></tr>
</table>
d. Commercial carparks or other uses which are limited to light vehicle traffic areas and internal driveways should be sealed with a minimum of a 2 coat 14mm/7mm bitumen seal;</td><td>As above.
Refer to TIA provided in Appendix E.</td><td>✓</td></tr>
</table>

Objective/ principle /requirement	Standard / Control	Assessment	Compliance?
	e. Large developments where significant heavy vehicle and/or passenger vehicle movements are expected, may be required to provide a higher standard of wearing surface such as concrete or asphalt as determined by Council; f. Temporary 'overflow' parking areas will only be considered to address parking demands for a nominated event or only expected to occur rarely, where such parking can be provided without compromising public safety or amenity, site functionality and accessibility. g. Parking areas shall be sign posted and linemarked with directional, informative and regulatory or warning signs in accordance with Transport for NSW and Australian Standards AS2890.1. h. Exits and entries and direction for vehicular traffic shall be clearly sign posted. i. Individual parking spaces, including those for specific uses (disabled, visitors, employees etc) should be clearly delineated with line marking and sign posting as required.		
I7 Property Access Crossings			
Objective: *To ensure that access to site is provided in a location and manner that facilitates safety, efficient traffic movement and minimise negative environmental impact*	**Controls:** a. Accesses shall be located clear of power poles, any existing services, the dripline of existing street trees, and maximise the available area for on street footpaths and parking; b. Accesses must be located to provide safe site distances in both directions for the prevailing speed limit of the area; c. Accesses shall be cross the footpath at right angles to the centerline of the road; d. Industrial development shall not be granted direct vehicle access to lots from Yass Valley Way or Black Range Road; e. Where an access is located over Council's water, sewer or stormwater infrastructure a minimum of 450mm cover is required; f. Accesses should be designed to avoid headlight glare into habitable rooms of adjacent dwellings; g. No more than one third of the width of the frontage of a property should be used for access; h. Accesses should be located at least 6 metres from the kerb tangent point of any intersection; i. Access to a development should be limited to a single driveway; j. The grade of the driveway from the kerb or edge of seal to the lot boundary shall be +2.5% (i.e. 2.5% sloping upwards from the kerb to the property boundary); k. The maximum allowable longitudinal change in grade is 12%.; l. Cut and fill batters within the road verge shall be graded to a maximum of 1 in 8; m. All areas of common vehicle access, parking and associated landscaping should be well defined to facilitate easy maintenance;	As above. Refer to TIA provided in **Appendix E.**	✓

Objective/ principle /requirement	Standard / Control	Assessment	Compliance?
	n. Driveways should comprise an all-weather pavement, such as a minimum 50mm thick gravel base with 100mm thick concrete layer (25 MPA with SL72 mesh), or similar.		
PART K - NATURAL RESOURCES (if necessary)			
This Part applies to development on land that is mapped as being subject to 'Dryland Salinity', 'High Soil Erodibility', 'Biodiversity', 'Watercourse' and 'Groundwater Vulnerability' on the Natural Resource Maps of the Yass Valley Local Environmental Plan 2013. It may also apply if, after a site inspection, land is identified as having any of these attributes. If works are proposed within an affected area, justification will be required to demonstrate that there is no other areas on the property that are more suitable for the proposed development. The proposal must detail all measures to avoid, minimize or mitigate likely impacts on the land. *The objectives of this part are to:* *a. Minimise acceleration or exacerbation on salinity, sedimentation and erosion;* *b. Avoid salt damage to buildings, infrastructure, vegetation and land capability;* *c. Minimize the disturbance of natural landforms to reduce erosion and runoff;* *d. Maintain and improve the biological diversity within the landscape;* *e. Encourage the conservation and recovery of threatened species, communities and their habitats;* *f. Prescribe the vegetation to which Section 9, Chapter 2, Vegetation in Non Rural Areas of State Environmental Planning (Biodiversity and Conservation) 2021 applies;* *g. Maintain and improve the vegetation and urban canopy cover;* *h. Protect and conserve vegetation and minimize unnecessary removal of trees or vegetation;* *i. Minimize potential for the contamination and depletion of vulnerable aquifers;* *j. Protect groundwater sources which supply towns or villages;* *k. Protect the quality and supply of water for downstream users;* *l. Protect waterways that have habitat values for fish, waterbirds, aquatic fauna and flora and encourage the recovery of any threatened species.*	N/A	The development is mapped as containing 'Biodiversity' via the LEP and this part therefore applies. For the avoidance of doubt, the site does not contain any land mapped as 'Dryland Salinity', 'High Soil Erodibility', 'Watercourse' or 'Groundwater Vulnerability' or via the LEP. As detailed via the assessment provided in **Section 5** of the SEE and the appended specialist assessments the development has been considered with respects to potential impacts associated with soils, water and biodiversity. Subject to the implementation of mitigation measures no significant impacts to natural resources are anticipated.	✓
K2.1 Mapped biodiversity			

Objective/ principle /requirement	Standard / Control	Assessment	Compliance?
Objective: *To ensure that any development does not negatively impact upon the biodiversity of the site or the regional overall*	**Controls:** a. Development should avoid impacting on the biodiversity attributes of the site, including those attributes that contribute to local and regional connectivity; b. If the removal of native vegetation (or other impacts to biodiversity) cannot be avoided, the amount of vegetation removal is to be minimised through careful consideration in planning processes and expert input to project design or management; c. Applications must include evidence that their proposed development does not trigger the Biodiversity Offset Scheme.	A Flora and Fauna Assessment Report (FFAR) forms part of this application and is provided in **Appendix D.** The FFAR concludes that the development is unlikely to cause a significant impact to any threatened species, populations, or ecological communities listed under the NSW BC Act or the EPBC Act. No significant impacts to biodiversity are anticipated to result from the proposed development. For the avoidance of doubt the FFAR details that the proposed native vegetation clearing is below the clearing threshold that triggers the Biodiversity Offset Scheme.	✓
PART L – MISCELLANEOUS LAND USES (IF NECESSARY)			
This part applies to development not covered elsewhere in this document that has the potential, if not provided with adequate guidelines and controls, to negatively impact upon the scenic, environmental and/or social values of the Yass Valley Local Government Area. *The objectives of this part are to:* *a. Ensure that development does not detract from the visual amenity of the surrounding environment;* *b. To ensure that the reuse of items and structures do not present any safety risk or structural hazard;* *c. Minimize landuse conflicts.*	N/A	As detailed via the assessment provided throughout **Section 5** the proposed development has been designed with consideration of potential visual impacts, hazards and safety risks and the potential for land use conflicts. Subject to the implementation of appropriate mitigation measures, the proposed development is considered unlikely to result in any significant adverse impacts.	✓
L4 Security Lighting			
Objective: *To ensure that security lighting does not result in negative offsite impacts*	**Controls:** a. Wherever possible security lighting should be sensor active with a limited time that the light is on; b. For pedestrian areas, lighting should be directed downward to the footpath area and adequately spaced to prevent dark areas on the path and immediate surrounds; c. Bollard lighting should be used at the front of commercial and industrial buildings for night time illumination; d. Flashing lights or illuminated signage should not be used in residential areas; e. Lighting should not spill outside of the property boundary and cause nuisance to neighbours and drivers	Requirements for security lighting are subject to the finalisation of detailed design. The requirements of the DCP associated with security lighting are considered capable of being achieved through the finalisation of detailed design.	✓
L6 Renewable Energy Development Projects			
Objective*: To provide guidance to developers of renewable energy projects on the local matters to be taken into consideration in addition to those in any state or national guidelines*	**Controls:** a. The location of any renewable energy development project shall be consistent with the Yass Valley Settlement Strategy (or subsequent document);	For the avoidance of doubt the project is not considered to represent a renewable energy development project as no generation of electricity	N/A

Objective/ principle /requirement	Standard / Control	Assessment	Compliance?
	b. The 5km buffer area along the NSW/ACT border identified in the Yass Valley Settlement Strategy is designed to protect and retain the existing environmental values and rural character of the area and is not suitable for renewable energy infrastructure; c. The infrastructure (e.g. turbines, panels, substations) not being within view lines of villages and towns or clusters of rural dwellings; d. The infrastructure not having an adverse impact on the amenity of any dwellings; e. The impact of infrastructure (e.g. turbines, panels) on the rural landscape and tourism values of the Yass Valley is to be minimized; f. A sharing the benefits scheme(s) with the host landowners, immediate neighbours and a Community Enhancement Fund (as per Council policy) shall be identified in any development application; g. Noise impacts at adjoining dwellings is to not exceed with the applicable standards; h. The project to commence within 5 years of a Consent being issued and completed within 5 years of commencement; i. The proposal and associated infrastructure (e.g. panels, turbines) shall not have a negative impact on the heritage values of the site and Yass Valley; j. The economic and social impacts on local communities and Yass Valley shall be clearly articulated in the proposal; k. Any community and Rural Fire Service concerns in relation to the bushfire risks and any impediments to firefighting operations shall be examined, minimized and achievable mitigation measures clearly explained; l. An assessment is to be included of any impacts in regards to potential land contamination as a consequence of a grass or bushfire and appropriate mitigation and rehabilitation measures outlines; m. The project to include the development of housing solutions for their workforce.	from renewable sources (solar wind tide etc.) is proposed. The battery components of the development are capable of storing energy, irrespective of the method of electrical generation.	