



**muswellbrook
shire council**

Muswellbrook Shire Council

**DEVELOPMENT ASSESSMENT
COMMITTEE MEETING**

**BUSINESS PAPER
26 NOVEMBER 2018**



Development Assessment Committee

Aim

The aim of the Development Assessment Committee is to:

- To determine development applications;
- To monitor the progress of development applications not yet determined;
- To recommend to Council the need to develop or amend policies in relation to planning related matters – including strategic planning.

Associated Principal Activities:

Development Assessment & Regulation

Specific Tasks & Parameters

1. The determination of development applications under the *Environmental Planning and Assessment Act* 1979 not otherwise delegated to the General Manager except where: the development application is for, or in any way related to:
 - (a) (i) food and drink premises used for, or proposed to be used for, the sale of alcohol;
 - (ii) electricity generating works;
 - (iii) mines and extractive industries;
 - (iv) a waste disposal facility; or
 - (v) subdivisions into more than ten lots; or
 - (b) where the capital investment value of the development specified in the development application exceeds \$2,000,000; or
2. The Development Assessment Committee the determination of any development applications under the *Environmental Planning and Assessment Act* 1979 otherwise delegated to the General Manager, which the Development Assessment Committee by resolution elects to determine.
 3. The Development Assessment Committee be constituted as follows:
 - (i) the Councillor Spokesperson for Planning (as Chair);
 - (ii) the Councillor Spokesperson for Infrastructure;
 - (iii) the Councillor Spokesperson for Utilities; andin the absence of any of the councillors set out in (i) to (iii) any other councillor nominated by the Committee Chair or Acting Chair (as the case may be).

Recommendations

- Make recommendations Council;

Staff Support:

Director – Environment & Community Services
Assistant Director – Environment & Community Services
Senior Development Co-Ordinator
Project Engineer – Water & Waste
Manager – Roads, Drainage & Technical Services
Environment & Sustainability Co-Ordinator

DEVELOPMENT ASSESSMENT COMMITTEE MEETING, 26 NOVEMBER 2018

MUSWELLBROOK SHIRE COUNCIL

P.O Box 122

MUSWELLBROOK

23 November, 2018

Cr Martin Rush (Chair)
Cr Brett Woodruff
Cr Rod Scholes
Carolyn O'Brien
Sharon Pope
Hamish McTaggart
Gamini Hemachandra
Kellie Scholes
Mark Scandrett

You are hereby requested to attend the Development Assessment Committee Meeting to be held in the COUNCILLORS ROOM, Administration Centre, Muswellbrook on **26 November, 2018** commencing at 4.00pm.

Joshua Brown
MANAGER - INTEGRATED PLANNING & GOVERNANCE

Order of Business

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**MUSWELLBROOK SHIRE COUNCIL
DEVELOPMENT ASSESSMENT COMMITTEE MEETING**

AGENDA
MONDAY 26 NOVEMBER 2018

1 APOLOGIES AND LEAVE OF ABSENCE

Moved: _____ Seconded: _____

2 CONFIRMATION OF MINUTES OF PREVIOUS MEETING

RECOMMENDATION

That the Minutes of the Development Assessment Committee held on **5 November 2018**, a copy of which has been distributed to all members, be taken as read and confirmed as a true record.

Moved: _____ Seconded: _____

PRESENT: Cr M. Rush (Chair,) Cr R. Scholes and Cr M. Bowditch.

IN ATTENDANCE: Mrs C. O'Brien (Director – Environment & Community Services), Ms S. Pope (Assistant Director – Environment & Community Services), Mr H. McTaggart (Co-Ordinator Development) Mr G. Hemachandra (Project Engineer) and Mrs M. Sandell-Hay PA to the General Manager).

1 APOLOGIES AND LEAVE OF ABSENCE

RECOMMENDED on the motion of Crs Bowditch and Scholes that:

The apologies for inability to attend the meeting submitted by Cr. B. Woodruff be ACCEPTED and the necessary Leave of Absence be GRANTED.

2 CONFIRMATION OF MINUTES OF PREVIOUS MEETING

RECOMMENDED on the motion of Crs Bowditch and Scholes that:

The Minutes of the Development Assessment Committee held on 22 October 2018, a copy of which has been distributed to all members, be taken as read and confirmed as a true record.

3 DISCLOSURE OF ANY PECUNIARY AND NON-PECUNIARY INTEREST

Nil

4 PUBLIC PARTICIPATION

Mr & Mrs Doyle – raised concerns with the length of time that has been taken regarding their Development Application and inquired whether the Deed of Agreement that was currently with their solicitors could be considered separately to the Development Application. Mr and Mrs Doyle also raised concerns with the increase in builders prices due to the length of time it has taken for the DA to be considered.

Cr Rush advised Mr & Mrs Doyle that the Development Assessment Committee cannot take into account the Deed of Agreement when considering the Development Application.

General discussion took place and the Committee raised concerns with regards to safety of the occupants during floods as the rear sections of the lot, and the drain, flood.

5 BUSINESS ARISING

Nil

6 BUSINESS

6.1 DA 52/2018 DWELLING HOUSE LOT 18 DP 663977 14 LORNE STREET, MUSWELLBROOK

RECOMMENDED on the motion of Crs Rush and Scholes that:

DA 52/2018 for the construction of a dwelling house at 14 Lorne Street, Muswellbrook be considered at the Ordinary Meeting of Council scheduled for 13 November, 2018.

Mr and Mrs Doyle left the meeting

6.2 OUTSTANDING DEVELOPMENT APPLICATIONS REPORT

RECOMMENDED on the motion of Crs Scholes and Bowditch that:

The Committee note the undetermined Development Applications listed in Attachment A and the status of their assessment.

6.3 MEETING FREQUENCY

RECOMMENDED on the motion of Crs Rush and Scholes that:

Meetings of the Development Assessment Committee be held at the General Manager's discretion.

6.4 DEPARTMENT OF PLANNING

Ms Pope advised the meeting that the Department of Planning and Environment would be placing an application to extend the approval for the Queensland – Hunter Gas Pipeline permission by 5 years. The proposal will be on public exhibition from Thursday 8 November, 2018 to 22 November, 2018.

Cr Rush suggested that a meeting with the proponent be organised regarding the proposal.

6.5 SHORT TERM RENTAL ACCOMMODATION

Ms Pope advised the Department of Planning and Environment has a Short-Term Rental Accommodation planning framework on exhibition until 16 Nov 2018. Ms Pope further advised that Council was able to indicate the number of days that would be suitable for short-term rental accommodation to be allowed per annum (i.e. between 180 and 365)

RECOMMENDED on the motion of Crs Rush and Scholes that:

The Committee requested that a submission be drafted.

7 DATE OF NEXT MEETING

To be determined

8 CLOSURE

The meeting was declared closed at 4.40pm.

.....

Cr M. Rush

Chairperson

3 DISCLOSURE OF ANY PECUNIARY AND NON-PECUNIARY INTEREST

Section 451 of the Local Government Act requires that if a councillor or member of a council or committee has a pecuniary interest in any matter before the council or committee, he/she must disclose the nature of the interest to the meeting as soon as practicable and must not be present at, or in sight of, the meeting, when the matter is being discussed, considered or voted on.

A pecuniary interest is an interest that a person has in a matter because of a reasonable likelihood or expectation of financial gain or loss (see sections 442 and 443 of the Local Government Act).

A non-pecuniary interest can arise as a result of a private or personal interest which does not involve a financial gain or loss to the councillor or staff member (eg friendship, membership of an association, or involvement or interest in an activity). A councillor must disclose the nature of the interest to the meeting as soon as practicable.

Council's Model Code of Conduct now recognises two forms of non-pecuniary conflict of interests:

- Significant
- Less than significant

A Councillor must make an assessment of the circumstances and determine if the conflict is significant.

If a Councillor determines that a non-pecuniary conflict of interests is less than significant and does not require further action, they must provide an explanation of why it is considered that the conflict does not require further action in the circumstances.

If the Councillor has disclosed the existence of a significant non-pecuniary conflict of interests at a meeting they must not be present at, or in sight of, the meeting, when the matter is being discussed, considered or voted on.

4 PUBLIC PARTICIPATION

5 BUSINESS ARISING

6 BUSINESS

6.1 DA 74/2018 - OFFICE PREMISES AND CAR PARKING AREA ANCILLARY TO SECURITY AND TRAFFIC CONTROL AT BAYSWATER POWER STATION

Attachments:	A. DA 74/2018 Section 4.15 Assessment B. DA 74/2018 Recommended Conditions of Consent C. DA 74/2018 Proposed Plans D. DA 74/2018 Statement of Environmental Effects E. DA 74/2018 Bushfire Management Plan
Responsible Officer:	Carolyn O'Brien - Acting Director - Environment & Community Services
Author:	Hamish McTaggart - Co-Ordinator - Development
Community Plan Issue:	<i>A Council that is well managed, efficient and properly resourced and that is responsive to its communities and stakeholders</i>
Community Plan Goal:	<i>Maintain a strong focus on financial discipline to enable Council to properly respond to the needs of the communities it serves.</i>
Community Plan Strategy:	<i>Provide efficient and effective Development Application, Complying Development Certificate, Construction Certificate and Occupational Certificate assessment services.</i>

PURPOSE

This report has been prepared to inform the Development Assessment Committee in determining Development Application (DA) 74/2018. This Development Application has been assessed by Council Officers and a copy the Section 4.15 Assessment Report and recommended conditions of Consent are attached for the Development Assessment Committee's information.

Council is the consent authority for the proposed development as its determination is outside the delegations held by the Development Assessment Committee and the General Manager. The delegated function of both the Development Assessment Committee and General Manager include the following limitation:

[determine matters] which are for, or in any way related to electricity generating works.

The proposed development is located on land zoned SP2 Infrastructure (Power Station) and relates to the operation of Bayswater Power Station, a facility within definition of electricity generating works established by the Muswellbrook Local Environmental Plan (LEP) 2009.

Accordingly, the proposed development was reported to Council's 13 November 2018 Meeting for Determination. At this Meeting Council resolved that:

10.4 The determination of DA 74/2018 be delegated to the Development Assessment Committee

This report has been prepared in accordance with this recommendation to enable the Development Assessment Committee to consider and determine the development application. The Section 4.15 Assessment prepared by Council Staff in relation to the development application has been included as Attachment A to this report. The Section 4.15 Assessment recommends that development consent be granted to the proposed development subject to the conditions of consent in Attachment B.

OFFICER'S RECOMMENDATION

The Development Assessment Committee approve DA 74/2018 for Office Premises and Car Parking Area as part of Security and Traffic Control at Bayswater Power Station, subject to the recommended conditions of consent contained in Attachment B.

Moved: _____ Seconded: _____

DESCRIPTION OF THE PROPOSED DEVELOPMENT

The proposed development involves the installation of a building as a site security office and the construction of associated car parking at Lot 2 DP 1095515, known as Bayswater Power Station, New England Highway, Muswellbrook. The proposed building would be installed adjacent to an existing site office, vehicle access and security gate located on the private access road to the site accessible from the New England Highway.

ASSESSMENT SUMMARY

Council Officers have assessed the development application under the relevant heads of consideration under Section 4.15 of the *Environmental Planning and Assessment Act 1979*. A copy of the Section 4.15 Assessment is provided in Attachment A. The recommendation of the Section 4.15 Assessment and Council Staff is that the development application be approved subject to the recommended conditions of consent provided in Attachment B.

Key considerations and findings of the section 4.15 assessment include:

- The proposed development is in accordance with relevant provisions of the Muswellbrook LEP 2009.
- The land subject to this development application is zoned SP2 Infrastructure and is reserved for the purpose of a Power Station. Development for the purpose of a Power Station as well as development ordinarily incidental or ancillary to development for that purpose is permissible with consent in the Muswellbrook LEP 2009 in the SP2 zoned. The proposed development is intended to be used for security and traffic control at the power station and is thereby viewed as permissible with consent.
- The proposed development was considered against the provisions of relevant State Environmental Planning Policies (SEPP's) and there are no provisions which would prevent Council from granting development consent to the proposed development.
- The proposed development was considered against the requirements of the Muswellbrook Development Control Plan (DCP) and is in accordance with the requirements of the DCP.
- The land subject to this development application is identified as being bushfire prone by Council's Bushfire Information Mapping. The provisions of the NSW Rural Fire Services document Planning for Bushfire Protection 2006 are thereby relevant to this application. The applicant has provided a Bushfire Management Plan that specifies bushfire management procedures for the site and proposed development and it is considered that the proposed development would be in accordance with the relevant requirements of Planning for Bushfire Protection 2006.
- The proposed development was not considered to have any significant environmental impacts.

COMMUNITY CONSULTATION

The proposed development was advertised under the provisions of the Muswellbrook Development Control Plan. No submissions were received.

OPTIONS

Council Officers have completed an assessment of the proposed development against the relevant provisions of Section 4.15 of the *Environmental Planning and Assessment Act 1979*. This assessment concludes that the proposed development would be in accordance with the relevant provisions of Section 4.15 and recommends the approval of the development application subject to the conditions contained in Attachment B.

The Development Assessment Committee may:

- A) Grant development consent to the proposed development subject to the recommended conditions of consent,
- B) Grant development consent to the proposed development unconditionally or subject to amended conditions of consent, or
- C) Refuse development consent to the proposed development and nominate reasons for refusal.

LEGAL IMPLICATIONS

Where the applicant is dissatisfied with the determination of the development application they have an opportunity under the provisions of the *Environmental Planning and Assessment Act 1979* to appeal that determination at the Land and Environment Court.

CONCLUSION

DA 74/2018 is being reported to the Development Assessment Committee for determination as it is outside the function delegated to the General Manager and the Development Assessment Committee.

Council Officers have completed a Section 4.15 Assessment in relation to the proposed development. Council Staff recommend that the Development Assessment Committee grant development consent to DA 74/2018 subject to conditions of consent outlined in Attachment B.

DEVELOPMENT ASSESSMENT REPORT

Attached: Site Plan

REPORT TO THE GENERAL MANAGER

ADDRESS:	PT: 2 ALT: A DP: 1095515 New England Highway MUSWELLBROOK
APPLICATION No:	74/2018
PROPOSAL:	Office Premises and Car Parking Area Ancillary to Security and Traffic Control at Bayswater Power Station
OWNER:	AGL Macquarie Pty Ltd
APPLICANT:	Monteath & Powys Pty Ltd Po Box 2270 DANGAR NSW 2309
AUTHOR:	Libby Cumming
DATE LODGED:	20/08/2018
AMENDED:	29 October 2018
ADD. INFO REC'D:	29 October 2018
DATE OF REPORT:	24 October 2018

SUMMARY

ISSUES: Nil

SUBMISSIONS: 0

RECOMMENDATION: Approval subject to conditions

1.0 SITE AND LOCALITY DESCRIPTION

The proposed development relates to Lot 2 DP 1095515, which is the Bayswater Power Station site. The site of the proposed development adjoins the access into Bayswater Power Station from the legal access to the New England Highway.

2.0 DESCRIPTION OF PROPOSAL

The development will consist of the installation of a demountable site office and associated car parking area. The demountable site office will be approximately 3.1m in height and approximately 45m². The proposed development is adjacent to an existing security/office complex and boom gate. In addition to the site office a car parking area comprising a total of four parking spaces is to be constructed adjacent the gate house adjacent the existing site access on the public side of the boom gate. Two (2) trees within the development footprint will be removed to enable the construction of the building and five (5) trees for the construction of the car parking area. The trees proposed for removal are located in a highly disturbed area and are managed as landscaping along the power station primary access, are of a size and age to not contain hollows, and thereby are considered unlikely to comprise habitat for endangered ecological communities.

Once operational the new building would be used as offices associated with the security and traffic control operations of the premises.

3.0 ASSESSMENT

This report provides an assessment of the material presented in the Application against the relevant State and local planning legislation and policy.

Section 4.15 Matters for Consideration

Section 4.15(1)(a)(i) The provisions of any Environmental Planning Instrument (EPI)

The following EPIs, DCPs, Codes and Policies are relevant to this Application:

1. **Muswellbrook Local Environmental Plan 2009 (MLEP 2009)**

Land Use Zone and Permitted Land Use

The development site is zoned SP2 Infrastructure pursuant to MLEP 2009. The proposed development is ancillary to the use of the site as a power station and therefore the proposed development is viewed as development permissible with consent within the land use table for the SP2 zone.

Objectives of the SP2 Infrastructure Zone

- *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 protect the agricultural potential of rural land not identified for alternative land use, and to minimise the cost to the community of providing, extending and maintaining public amenities and services.*
- *To maintain the rural landscape character of the land in the long term.*

- To ensure that development for the purpose of extractive industries, underground mines (other than surface works associated with underground mines) or open cut mines (other than open cut mines from the surface of the flood plain), will not:
 - a) destroy or impair the agricultural production potential of the land or, in the case of underground mining, unreasonably restrict or otherwise affect any other development on the surface, or
 - b) detrimentally affect in any way the quantity, flow and quality of water in either subterranean or surface water systems, or
 - c) visually intrude into its surroundings, except by way of suitable screening.
- To protect or conserve (or both):
 - a) soil stability by controlling development in accordance with land capability, and
 - b) trees and other vegetation, and
 - c) water resources, water quality and wetland areas, and their catchments and buffer areas, and
 - d) valuable deposits of minerals and extractive materials by restricting development that would compromise the efficient extraction of those deposits.

The development proposal meets the objectives of the Zone.

Relevant Clauses applicable under the Muswellbrook Local Environmental Plan 2009

<i>Part 1 Preliminary</i>	
1.1 Name of Plan	Muswellbrook Local Environmental Plan 2009
1.1AA Commencement	The MLEP 2009 was gazette 17 April 2009.
1.2 Aims of Plan	Noted
1.3 Land to which Plan applies	The MLEP 2009 applies to the whole of Muswellbrook Local Government Area.
1.4 Definitions	Noted
1.5 Notes	Noted
1.6 Consent authority	The consent authority for this development is Muswellbrook Shire Council.
1.7 Maps	Noted.
1.8 Repeal of planning instruments applying to land	Noted.
1.8A Savings provision relating to pending development applications	Noted
1.9 Application of SEPPs	Noted
1.9A Suspension of covenants, agreements and instruments	Noted
<i>Part 2 Permitted or prohibited development</i>	
2.1 Land use zones	Noted
2.2 Zoning of land to which Plan applies	See above
2.3 Zone objectives and Land Use Table	See above
<i>Part 3 Exempt and complying development</i>	
<i>Part 4 Principal development standards</i>	
4.3 Height of buildings	MLEP 2009 specifies a maximum building height of 12 m in relation to the land. The proposal does not involve building works over 3.1m.
<i>Part 5 Miscellaneous provisions</i>	
5.10 Heritage conservation	AHIMS search completed. There are 33 sites located within a 200m buffer of the lot itself, but a visual inspection of the site indicates there are none within the development footprint. A condition will be placed on the application to ensure protection as per the NSW National Parks Guidelines
<i>Part 6 Urban release areas</i>	
<i>Part 7 Additional local provisions</i>	
7.1 Terrestrial biodiversity	This Clause applies to land identified as 'biodiversity'

	<p>by Council's biodiversity map.</p> <p>Parts of the land holding on which the proposed development is located is identified on the biodiversity map, however the land on which this development application is proposed is not identified as 'biodiversity', nor would the proposed development disturb any land within the 'biodiversity area'. Accordingly, the provisions of this Clause have no bearing on the assessment of the proposed development.</p>
7.6 Earthworks	<p>Earthworks involved with the proposed development would be minimal and associated with establishing the footing location for the proposed building.</p> <p>A condition would be imposed on any development consent to ensure the works are carried out in accordance with Council's standard requirements.</p>

2. State Environmental Planning Policy

State Environmental Planning Policy No. 55 – Remediation of Land

Under Clause 7 of this SEPP a consent authority must not consent to the carrying out of any development on land unless:

- (a) It has considered whether the land is contaminated, and*
- (b) If the land is contaminated, it is satisfied that the land is suitable in its contaminated state (or will be suitable, after remediation) for the purpose for which the development is proposed to be carried out, and*
- (c) If the land requires remediation to be made suitable for the purpose for which the development is proposed to be carried out, it is satisfied that the land will be remediated before the land is used for that purpose.*

The development site is located adjacent the Bayswater Power Station entrance road and is separated from the operational component of the power station. No evidence of any significant site contamination was observed by Council Officers during their inspection of the site, nor is it considered likely given the subject site is not actively utilised for power generation. The proposal does not involve a residential use.

Given the above it is considered unlikely that the land requires remediation under the SEPP for the proposed development to proceed.

State Environmental Planning Policy No. 44 – Koala Habitat Protection

Preliminary flora and fauna assessment indicated that the site of the proposed development is unlikely to contain potential or core koala habitat.

Section 4.15(1)(a)(ii) the provisions of any draft EPI.

There are no draft EPIs relevant to the subject Application.

Section 4.15(1)(a)(iii) the provisions of any development control plan

Section 3 – Site Analysis

It is considered that the documentation provided with the Development Application satisfies the provisions of Section 3 of the Muswellbrook DCP.

Section 4 – Notification

In accordance with the provisions of Section 4 of the Muswellbrook DCP 2009, neighbour notification was not required. However a notice was also placed in the local newspaper, the Hunter Valley News, on 29 August 2018, providing people 14 days to provide comments.

No submissions were received.

Section 10 – Industrial Development

10. INDUSTRIAL DEVELOPMENT	
10.1 Built Form	
<i>Setbacks</i>	450m from the New England Highway.
<i>Building Design</i>	The building will be both functional and suit its setting.
10.2 Environment	
<i>Drainage and Stormwater</i>	This will be catered for onsite and will be diverted away from the building and carpark respectively. The increase of water is considered to be minimal in relation to the impermeable surface area in context of the overall site.
<i>Landscaping</i>	No new landscaping is proposed. The surrounding vegetation will screen/soften the majority of the building from the New England Highway.
<i>Visual amenity with regard to car parking and operational areas</i>	See comment above. It is considered that the proposed building and carpark will not detract from the visual amenity of the access into nor the power station works itself.
<i>Vehicular Movements and Access</i>	There will be no issue created by this development, but rather it will aid in traffic flow and security for the power station itself.
10.3 Services	
<i>Water and Sewer</i>	Not Required.
<i>Services</i>	Electricity is the only service provided.

Section 16 – Car Parking and Access

16.3 Non – Residential Development	
16.4 Design Guidelines for off-street vehicular parking areas	
<i>16.4.1 Access to the site</i>	The carpark is easily accessed with entry and exit in a forward direction.
<i>16.4.2 Car Park Design</i>	The layout is compliant with AS2890.1, AS 2890.6 and Council requirements.
<i>16.4.3 Parking for people with disabilities</i>	Not required
<i>16.4.4 Loading/Unloading Facilities</i>	Not required
<i>16.4.5 Internal roads</i>	Not affected by this development.
<i>16.4.6 Construction Materials</i>	The carpark will be bitumen sealed to match the existing carpark and access road.
<i>16.4.7 Landscaping</i>	Not required due to the amount of existing vegetation surrounding and screening the carpark area.

Section 20 – Erosion and Sediment Control

	Comment
20.1 Legal Requirements	
20.2 Erosion and sediment control planning	
<i>i) Erosion and sediment control strategy (ESCS</i>	Earthworks involved with the proposed development would be minimal and associated with establishing the footing location for the proposed building. The carrying out of these earthworks is not anticipated to create any issue. A condition would be imposed on any development consent to ensure the works are carried out in accordance with Council's standard requirements.
<i>ii) Erosion and sediment control plan (ESCP)</i>	
<i>iii) Aims of and Erosion and Sediment control plan</i>	
<i>iv) Structure of erosion and sediment control plans</i>	
<i>v) Plan variations</i>	
20.4 Management of Erosion and Sediment control	
<i>i) Introduction</i>	The proposed development does not involve the disturbance of a large area of soil or the disturbance
<i>ii) Compliance responsibility</i>	

<i>iii) Development Control</i>	of steeply sloped unstable soils. It is recommended that issues relating to sediment and erosion control are managed through the imposition of a condition of consent.
<i>iv) Runoff Water Control</i>	
<i>v) Rehabilitation</i>	
<i>vi) Topsoil and Stockpile Management</i>	
<i>viii) Erosion and sediment control Maintenance</i>	
<i>20.5 Environmental performance bond</i>	

Section 24 – Waste Management

	Comment
<i>24.1 Site Waste Minimisation and Management</i>	Any vegetation or construction material waste will be either recycled or transferred to a waste management facility.
<i>24.2 Submission/Application requirements</i>	Not Applicable
<i>24.3 Assessment Criteria/controls for all development</i>	
<i>24.3.1 Demolition of buildings or structure</i>	Not Applicable
<i>24.3.2 Construction of buildings or structure</i>	The building is constructed offsite and installed onto footings. There will be minimal construction waste.

Section 94 Contributions Plan 2001

Not Applicable

Section 94A Contributions Plan 2009

A developer contribution of \$625.00 will apply to the proposed development should the Application be approved.

Section 4.15(1)(a)(iiia) the provisions of any planning agreement

There are no planning agreements relevant to the subject Application.

Section 4.15(1)(a)(iv) the provisions of the regulations

Division 8A of the Environmental Planning and Assessment Regulation 2000 applies to the development.

Section 4.15(1)(a)(v) the provisions of any coastal zone management plan

This item is not relevant to the subject Application. The Application does not relate to a coastal area.

Section 4.15(1)(b) the likely impacts of that development

Given the limited scope of the proposed development and its compatibility with the relevant provisions of Council's DCP and LEP the proposed development is considered be reasonable and in accordance with the type of ancillary development expected with a power station such as Bayswater. Accordingly the proposed development is considered unlikely to have any significant adverse environmental impacts in any of the following areas.

Context & Setting	Waste
Built Form	Energy
Potential Impact on Adjacent Properties	Noise and Vibration
Access, Traffic and Transport	Natural hazards
Public Domain	Technological hazards
Utilities	Safety, Security, and Crime Prevention
Heritage	Social Impact on Locality
Other land resources	Economic Impact on the Locality
Water	Site Design and Internal Design
Soils	Construction
Air & microclimate	Cumulative Impacts
Flora & fauna	

Section 4.15(1)(c) the suitability of the site for the development

It is considered that the development is compatible with surrounding land uses and site characteristics, subject to consent conditions.

The site is identified as bushfire prone land by Council's bush fire mapping. The NSW RFS's document, planning for Bushfire Protection 2006 has been reviewed in relation to the development. The following observations were made in respect to requirements for Asset Protection zones and bushfire Safety measures associated with the development:

- The proposed development involves an office area adjacent an existing office complex with a limited area. Noting the size and scope of the proposed development and that it does not specifically relate to a residential building it is considered to comprise an 'infill' development for the purpose of applying Planning for Bushfire Protection 2006.
- Planning for Bushfire Protections 2006 does not require a construction standard for Class 5 Buildings (Section 4.3.6).
- In relation to the aims and objectives of Planning for Bushfire Protection 2006, it is considered that the proposed development would not affect the achievement of these objectives. The larger Power Station complex is managed to reduce bushfire potential in accordance with the site operators Bushfire Management Plan. A copy of the site's Bushfire Management plans has been provided to Council which details various control and management measures to be implemented at the site.
- The proposed development is located in the vicinity of a landscaped and maintained area. In view that the proposed development would meet the objectives of planning for Bushfire Protection 2006 it is considered that no additional landscape management or asset protection zones are required.
- Existing water services are available and would be connected to the proposed development.

In view of the above considerations the site subject to this development application is considered to be a suitable site for development despite its bushfire affection.

Section 4.15(1)(d) any submissions made

Nil submissions were received.

Section 4.15(1)(e) the public interest.

The proposed development would be in accordance with the Muswellbrook LEP 2009, Muswellbrook DCP and is unlikely to have any adverse environmental impacts. Accordingly, the proposed development is considered to be generally in accordance with the public interest.

5 CONCLUSION

The application has been assessed in accordance with the legislation listed at the beginning of the report. The application has also been advertised in accordance with the provisions of the Muswellbrook DCP.

The proposed development has been assessed against the relevant heads of consideration of Section 4.15 of the Environmental Planning and Assessment Act 1979. As outlined above it is considered that the proposed development would be in accordance with the relevant planning provisions.

6 RECOMMENDATION

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

Signed by:

Libby Cumming
Contract Strategic Planner

Hamish McTaggart
Senior Development Planner

Date:

29 Oct 2018

DA 74/2018 Recommended Conditions of Consent:

IDENTIFICATION OF APPROVED PLANS

(1) Development in Accordance with Plans

The development being carried out in accordance with the development application, the statement of environmental effects and the drawings referenced below, and endorsed with Council's approval stamp, except where amended by the following conditions.

Drawing No.	Revision	Drawn by	Drawing Date	Received
001A Office Plan Section and Elevations	B	Marathon Modular	20/06/2018	21/08/2018
Survey Plan Sheet 1 of 2	-	Tony Mexon and Associates	29/06/2018	29/06/2018
Site Plan to be updated upon receipt of doc	2	Tony Mexon and Associates	29/06/2018	29/06/2018

OPERATIONAL CONDITIONS IMPOSED UNDER THE ENVIRONMENTAL PLANNING AND ASSESSMENT ACT AND REGULATIONS AND OTHER RELEVANT LEGISLATION

(2) Building Code of Australia

All building work must be carried out in accordance with the provisions of the Building Code of Australia.

(3) Access to Premises Standard

All building work must be carried out in accordance with the provisions of the Commonwealth (Access to Premises – Buildings) Standards 2010.

CONDITIONS TO BE ADDRESSED PRIOR TO THE ISSUE OF A CONSTRUCTION CERTIFICATE

(4) Construction Certificate Requirement

No works shall commence on site until such time as a Construction Certificate has been issued for either part or all of the works. If a certificate is issued for part of the works it must cover the works being undertaken onsite.

(5) Section 7.12 Contributions

Pursuant to section 4.17(1) of the Environmental Planning and Assessment Act 1979, and the Muswellbrook Shire Council Section 94A Development Contributions Plan 2010, a contribution of \$625.00 shall be paid to Muswellbrook Shire Council.

The amount to be paid is to be adjusted at the time of the actual payment, in accordance with the provisions of the Muswellbrook Shire Council Section 94A Development Contributions Plan 2010. The contribution is to be paid prior to the issue of the Construction Certificate.

CONDITIONS THAT MUST BE ADDRESSED PRIOR TO COMMENCEMENT
--

(6) Site Sign

A sign must be erected in a prominent position on any work site on which work involved in the erection or demolition of a building is being carried out:

- (a) stating that unauthorised entry to the work site is prohibited;
- (b) showing the name of the principal contractor (or person in charge of the work site), and a telephone number at which that person may be contacted at any time for business purposes and outside working hours; and
- (c) showing the name, address and telephone number of the Principal Certifying Authority for the work.

Any such sign must be maintained while building work or demolition work is being carried out, but must be removed when the work has been completed.

This condition does not apply to building works being carried out inside an existing building.

(7) Sediment and Erosion Control

Where construction or excavation activity requires the disturbance of the soil surface and existing vegetation, adequate measures for erosion and sediment control shall be provided. As a minimum control techniques are to be in accordance with 'The Blue Book' published by Landcom provisions on Erosion and Sediment Control, or a suitable effective alternative method.

All required sedimentation control techniques are to be properly installed prior to the commencement of any site works and maintained in a functional and effective condition throughout the carrying out the development.

(8) Damage to Public Infrastructure

The applicant shall bear the cost of all restoration works to Council property damaged during the course of this development. The applicant shall submit in writing and/or photographic record, of any existing damage to Council property

before commencement of work.

Note: This documentation will be used to resolve any dispute over damage to infrastructure. If no documentation is received prior to commencement of work it will be assumed that the infrastructure was undamaged and the applicant will be required to restore all damaged infrastructure at their expense.

(9) Site Facilities

- (a) If the development involves building work or demolition work, the work site must be fully enclosed by a temporary security fence (or hoarding) before work commences.
- (b) A minimum width of 1.2m must be provided between the work site and the edge of the roadway so as to facilitate the safe movement of pedestrians.
- (c) Any such hoarding or fence is to be removed when the work has been completed.
- (d) A garbage receptacle fitted with a tight fitting lid for the reception of all food scraps and papers from the work site must be provided prior to building work commencing and must be maintained and serviced for the duration of the work.
- (e) Toilet facilities must be provided on the work site at the rate of one toilet for every 20 persons or part of 20 persons employed at the work site.
- (f) Each toilet provided must:
 - be a standard flushing toilet, connected to a public sewer, or
 - if connection to a public sewer is not available, to an on-site effluent disposal system approved by the council, or
 - an approved temporary chemical closet.
- (g) The provision of toilet facilities must be completed before any other work is commenced.
- (h) A person having the benefit of this certificate who causes an excavation that extends below the level of the base of the footings of a building on an adjoining allotment of land must at their own expense and where necessary:
 - protect and support the building from damage, and
 - If necessary, underpin and support the building in accordance with the details prepared by a professional engineer.
- (i) A person having the benefit of this certificate who causes the excavation must, at least 7 days before commencing this work, give notice of intention to do so to the owner of the adjoining allotment of land and provide particulars of the proposed work.
- (j) Erosion and sediment controls must be provided in accordance with the details shown on the approved plans, prior to the disturbance of any soil on the work site.

CONDITIONS THAT MUST BE COMPLIED WITH DURING DEMOLITION AND BUILDING WORK

(10) Site Waste Minimisation

Throughout the carrying out of building works the person acting with this consent shall take reasonable steps to minimise waste from the carrying-out of the development in accordance with the following objections of Chapter 24 Waste Minimisation and Management of Council's Development Control Plan.

- Optimise adaptive reuse opportunities of existing building/structures
- Maximise reuse and recycling of materials
- Minimise waste generation
- Ensure appropriate storage and collection of waste
- Minimise environmental impacts associated with waste management
- Avoid illegal dumping
- Promote improved project management.

(11) Materials

In accordance with the provisions of the Muswellbrook Development Control Plan the external cladding of the building shall be constructed from non-reflective metal cladding. Zinalume or reflective white sheet metal cladding is not be used without the prior written approval from Council.

CONDITIONS WHICH MUST BE COMPLIED WITH PRIOR TO THE ISSUE OF THE OCCUPATION CERTIFICATE

(12) Occupation

The building is not to be used or occupied until a final inspection has been carried out and an occupation certificate has been obtained from the Principal Certifying Authority.

(13) Construction of Parking Areas

Prior to the issue of any Occupation Certificate, all required parking areas, loading bays, driveways, internal access ways, vehicular ramps and turning areas shall fully constructed, sealed, line marked, sign posted in accordance with the approved car parking plans and AS.2890.1 2004 Parking Facilities and the relevant provisions of AS1428.1 and AS1428.4.

Where an accessible parking space is required to comply with the provisions of the Building Code of Australia and/or the Access to Premises Standard, the proposed car parking arrangement is to be modified to include such a car parking space which is to be constructed sealed and line marked in accordance with the provisions of the relevant Australian Standard.

CONDITIONS THAT MUST BE COMPLIED WITH AT ALL TIMES

(14) Bush Fire Threat Management

At all times bushfire threat and vegetation control measures are to be maintained in relation to the proposed development in accordance with the Control Measures specified by Bushfire Risk Management Plan provided in respect to the sites operations or an updated version of that plan.

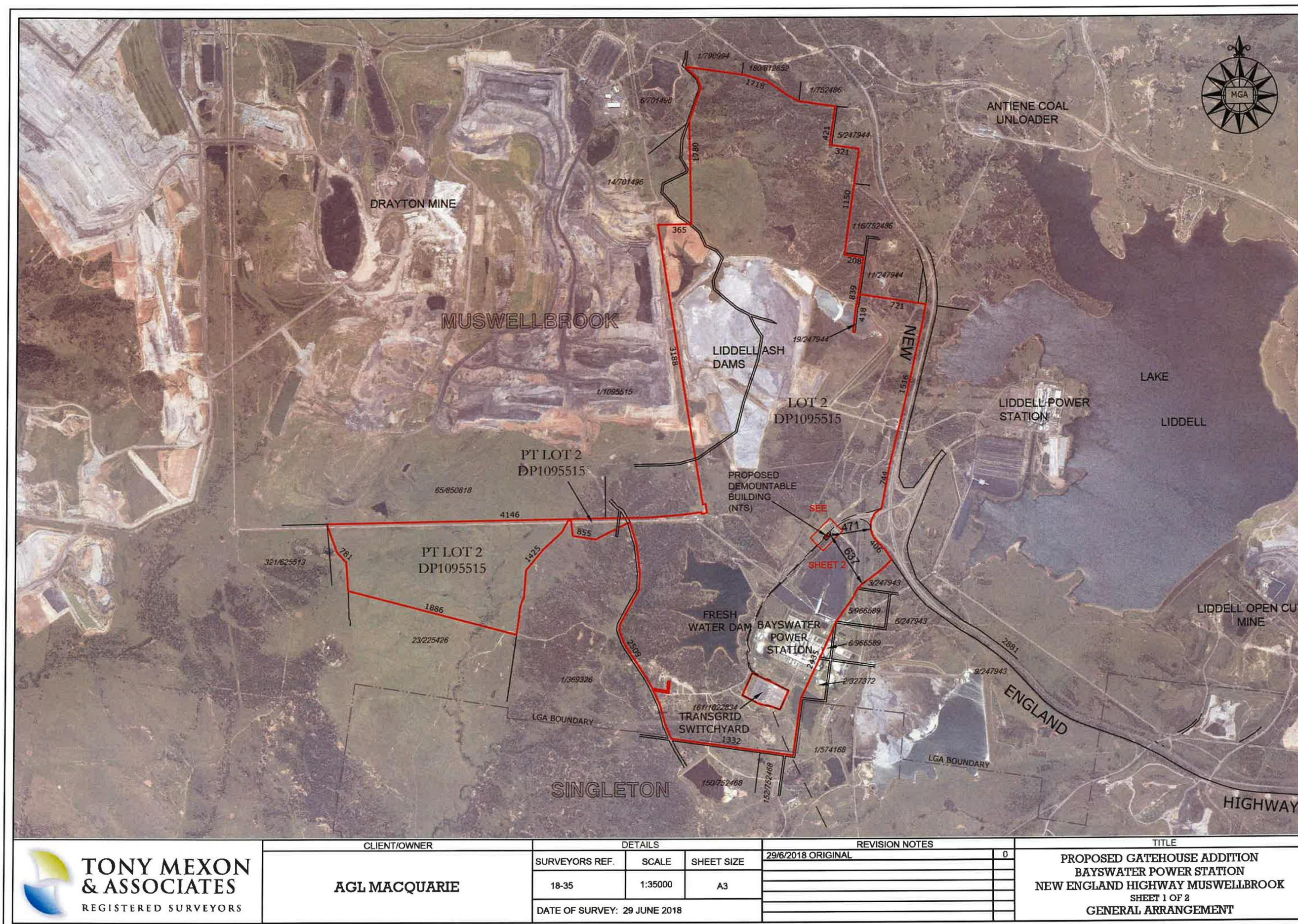
Where the Bushfire Risk Management Plan is updated a copy of the new document should be provided to Council for its records.

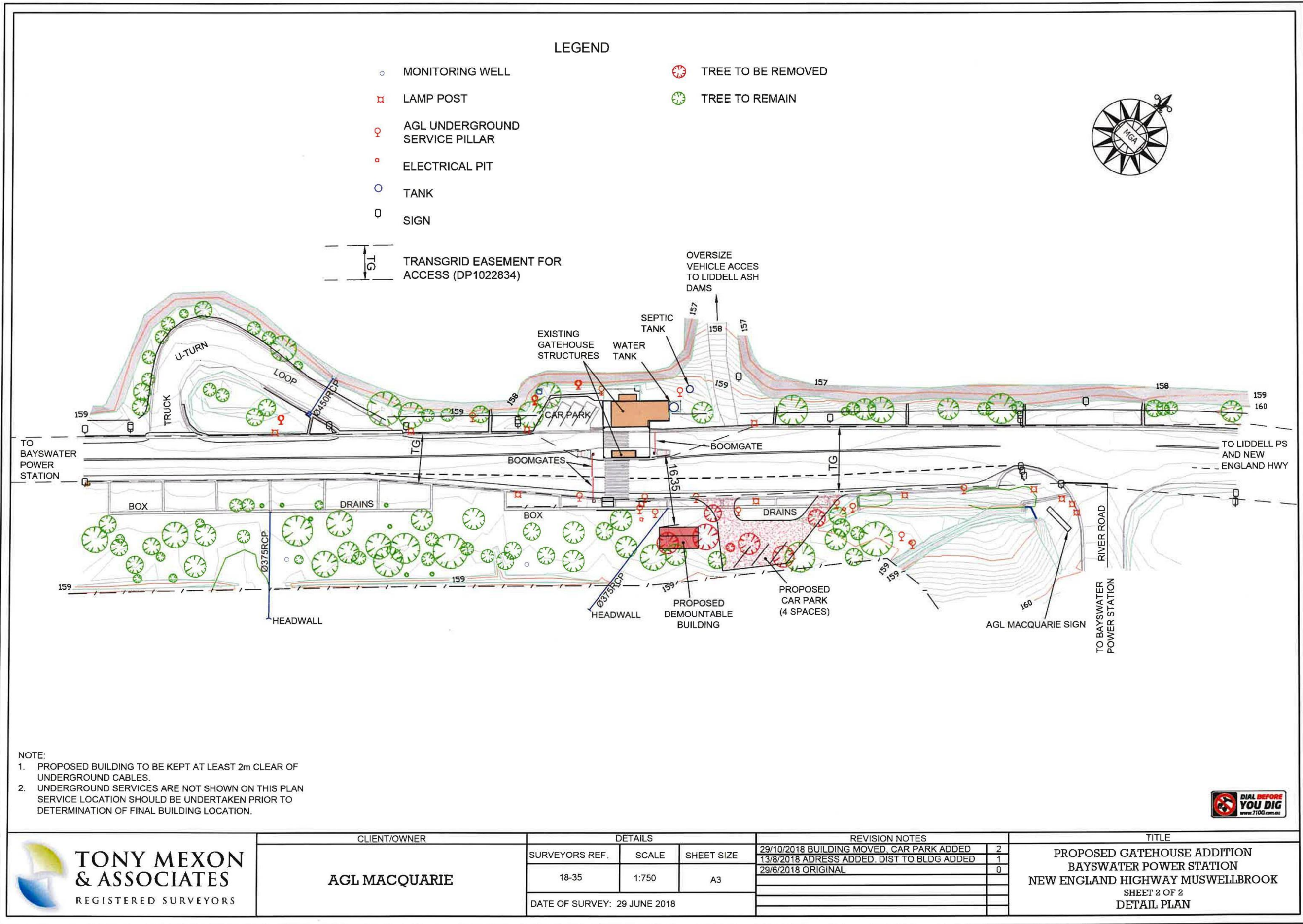
(15) Stormwater Disposal

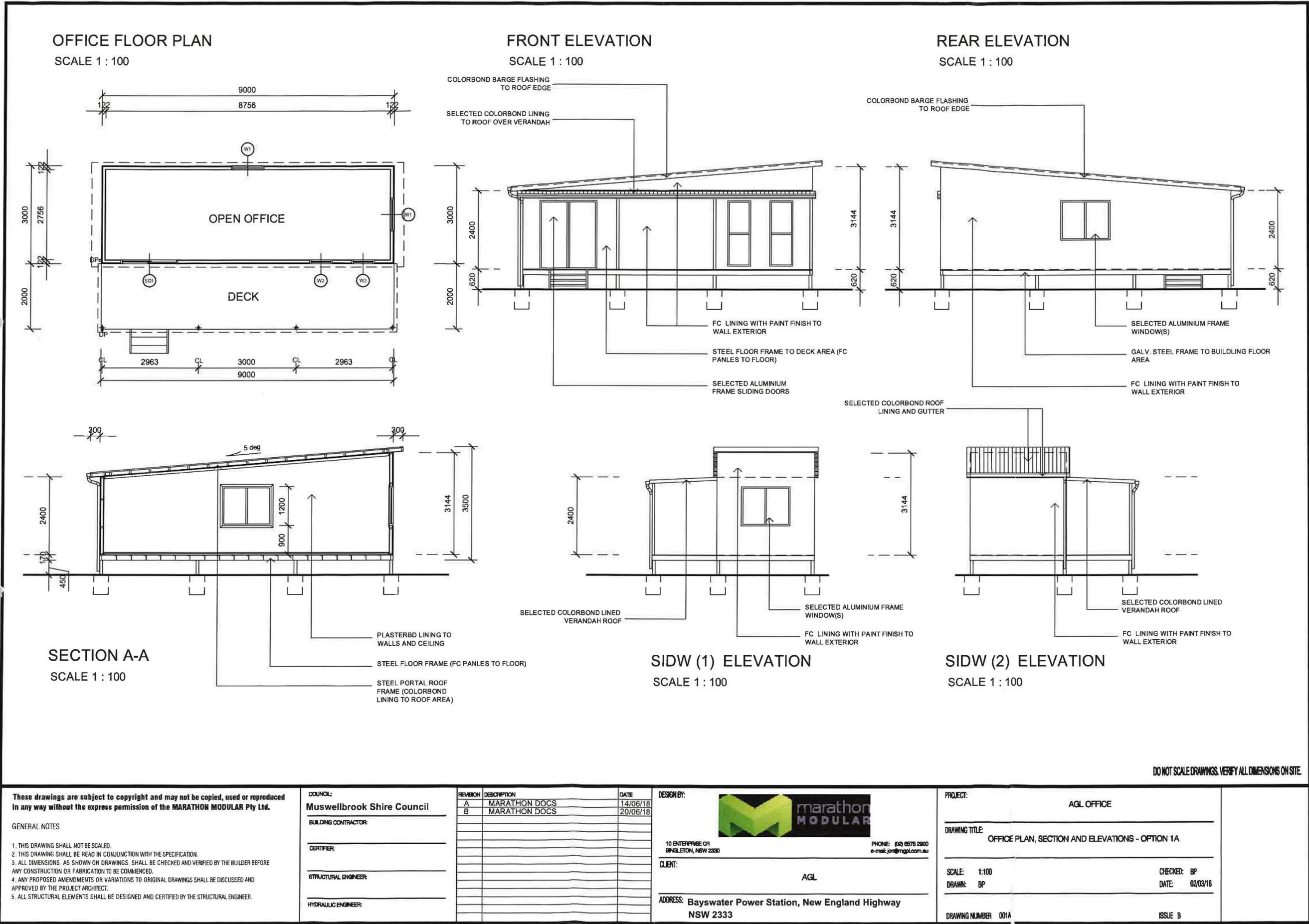
All stormwater from the development including all hardstandings and overflows from rainwater tanks is to be collected and disposed of to an appropriately constructed discharge into the sites existing stormwater infrastructure. The point of discharge for this stormwater is to be constructed and managed to avoid erosion of the adjacent ground.

(16) Decommissioning

All buildings, hard stand areas and other improvements, constructed as part of this consent, are to be removed, and the site rehabilitated with grass and native trees and shrubs when the security facilities are no longer required.







STATEMENT OF ENVIRONMENTAL EFFECTS

DEVELOPMENT APPLICATION FOR
DEMOUNTABLE SITE OFFICE, CAR PARKING
MACQUARIE BAYSWATER POWER STATION
FACILITY, NEW ENGLAND HIGHWAY,
MUSWELLBROOK



PLANNING CONTACT	
<i>Scott Fatches – Planner</i> <i>Darren Holloway – Manager</i>	
P: (02) 4926 1388	E: s.fatches@monteathpowys.com.au d.holloway@monteathpowys.com.au

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Quality ISO 9001 Certified System FS 559134*

 **Monteath & Powys** Pty Ltd



This report was prepared by Monteath & Powys Pty Limited

Project	Demountable Site Office, Car Parking and Vegetation Removal
Client	AGL Energy Limited
Our Reference	18/0251
Date	August 2018
Author	Scott Fatches
Certification	I hereby certify that this Statement of Environmental Effects has been prepared in accordance with the requirement of the Environmental Planning & Assessment Act 1979 and its associated Regulations. I certify that to the best of my knowledge the information contained within this report is neither false nor misleading.
Signature	
Checked By	Darren Holloway B.Sci. (Hons), MBEnv Registered Planner Manager – Planning & Environment
Signature	

Document Control					
Revision No:	Date	Revision Details	Author	Verifier	Approver
1	10/08/18	Client Review	SF	DH	DH

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1. INTRODUCTION

1.1 OVERVIEW

This Statement of Environmental Effects (SOEE) has been prepared on behalf of AGL Macquarie Pty Ltd by Monteath & Powys Pty Ltd. This SoEE is to accompany a Development Application to Muswellbrook Shire Council for the erection of a demountable site office, development of a car parking area for the purpose of the proposed development at the Macquarie Bayswater Power Station Facility, New England Highway, Muswellbrook, 2333.

1.2 CONSENT AUTHORITY

Muswellbrook Shire Council are the consent authority under the Environmental Planning and Assessment Act 1979 (EP&A Act). Owners consent has been provided on the Application Form for this DA.

1.3 CLASSIFICATION OF DEVELOPMENT

The proposed development is identified as the erection of a demountable site office, construction of a car parking area. Some tree removal is required. The location of the proposed development is presented in Appendix A. The development in question is ancillary to the existing Power Station use on the site.

This development is considered permissible with consent under the *Muswellbrook Local Environmental Plan 2009* (the LEP) as it is a development ancillary to the existing approved use of the land that supports the operations of an existing utility undertaking.

The proposed car parking area will require minor earthworks to ensure the appropriate levels can be achieved for the car park. Under *Clause 7.6* of the LEP, development consent is also required for earthworks.

The vegetation removal proposed is required for the construction of the site office. Plans provided for the works identify 2 trees are likely to be removed for the purpose of this development, and will comply with the objectives of *Clause 7.1* of the LEP. The area of development and the likelihood of the proposal to have a significant impact on any threatened species, populations or ecological communities is considered minimal.

1.4 SCOPE OF SOEE

This SoEE has been prepared pursuant to the Environmental Planning and Assessment Act 1979 (s4.12 (9)) and accompanying Regulation. The objectives of this SoEE are as follows:

- To provide a description of the site, existing development and the surrounding locality;
- To provide a description of the proposal and the key issues;



- To provide a discussion of the relevant Environmental Planning Instruments (EPI)s;
- To provide an assessment of the potential environmental impacts, having regard to the matters for consideration pursuant to the EP&A Act (s4.15) and other State, Regional and Local environmental planning policies and guidelines.



2. BACKGROUND

AGL Macquarie Pty Limited (AGLM) operates the Bayswater Power Station, located within the Muswellbrook Shire Council and Singleton Council local government areas (LGA), in the Upper Hunter region of NSW. The location of Bayswater Power Station is displayed in Figure 1.

The power station commenced operation in 1984, and has operated continuously (excluding scheduled maintenance shutdown periods) since that time.

Bayswater Power Station is a coal powered thermal power station which currently contributes around 2,640 megawatts (MW) of electricity to the NSW power grid. In addition to other assets, AGLM operates the Bayswater and Liddell Power Stations. These power stations are an important part of the total NSW electricity supply, and contribute up to approximately 30 % of supply to the state's total electricity.

2.1 DEVELOPMENT DESCRIPTION

The proposed development is identified as the erection of a demountable site office, construction of a car parking area and removal of vegetation (2 trees) that is associated with the area of development for the proposed development (**Appendix A**). The development in question is ordinarily incidental or ancillary to the existing Power Station Facility.

This development is considered permissible with consent under the *Muswellbrook Local Environmental Plan 2009* (the LEP) as it is a development ancillary to the existing approved use of the land that supports the operations of an existing utility undertaking.

The demountable site office will be approximately 3.1m in height and approximately 45m² in area (Appendix B). The proposed material to be used will be a combination of plastered lining, steel frame, selected Colorbond roofing, aluminium framing and glass for door and window application. Further details can be provided on the attached plans.

The proposed car parking will require minor cut and fill of land designated for the car parking. Under *Clause 7.6* of the LEP, development consent will be required for development of car parking to occur. It is proposed to create an additional four (4) car parking spaces. The parking layout is to be designed in accordance with AS2890.1, AS2890.6 and Council requirements.

The vegetation removal proposed (2 trees) is required for the construction of the site office. Vegetation removed will be minimal for the purpose of this development application and will comply with the objectives of *Clause 7.1* of the LEP. The area of development and the likelihood of the proposal to have a significant impact on any threatened species, populations or ecological communities is minimal.

2.2 VOLUNTARY PLANNING AGREEMENT

No voluntary planning agreements are proposed or required for the purpose of this development proposal.



2.3 CONSULTATIONS

Due to the nature of the proposal, no consultations were undertaken for the purpose of this development application.

Consultation with the adjoining neighbours is not considered necessary as the proposed works are unlikely to affect neighbouring properties, and will not impact on the character or amenity of the area.

3. SITE DETAILS

3.1 LOCATION AND CONTEXT

The Site is located entirely within the boundary of AGLM's Bayswater Power Station, approximately 28 kilometres (km) north-west of Singleton and 15km from Muswellbrook. The area of development is identified to be within the Muswellbrook LGA.

Land use in the surrounding areas includes large scale intensive coal mining operations (including Draxton Coal Mine, Liddell Coal Mine, Ravensworth Operations, Cumnock Coal Mine and Hunter Valley Operations), power generation (Liddell Power Station), agriculture, equine industry and infrastructure (New England Highway, powerlines and the Main Northern Railway Line).

The subject site can be legally identified as Lot 2 DP1095515, located on the New England Highway, Muswellbrook, 2333 (Figure 1). The overall site of the Bayswater Power Station has been subdivided into a number of different lots. However, for the purpose of this development application, the Lot and the subject site area of development is confined into the above mentioned site detail.

The site has legal access to the New England Highway via an access handle.

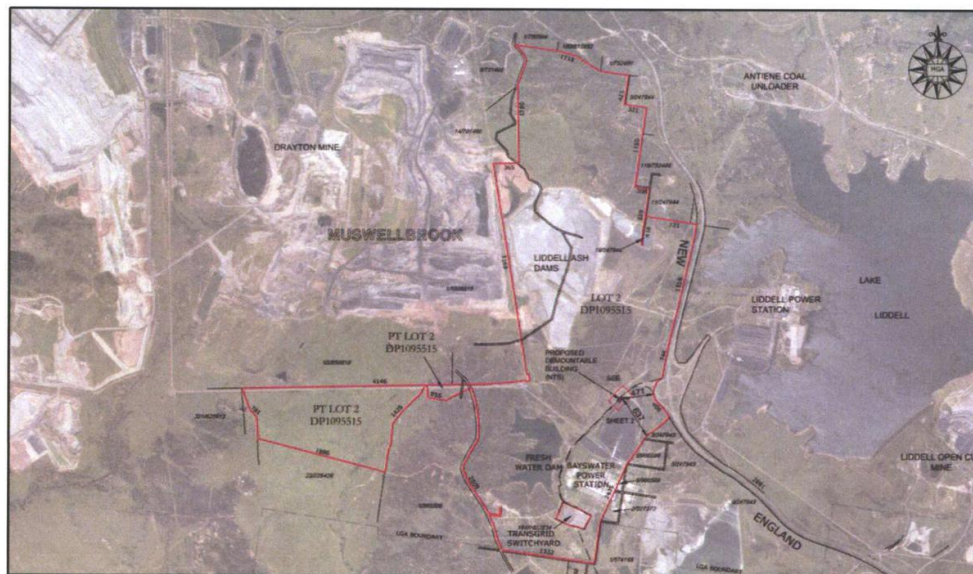


Figure 1: Locality Plan

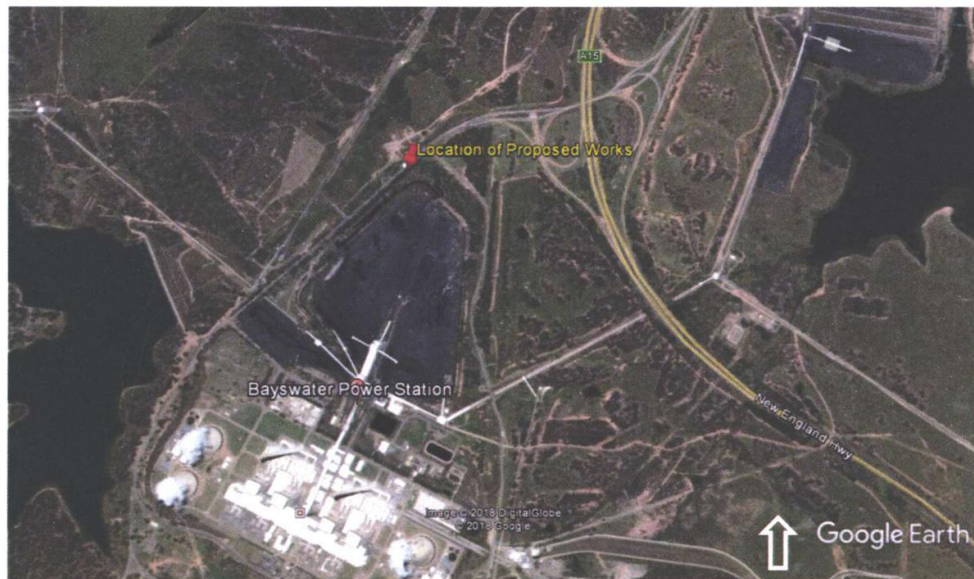


Figure 2: Contextual Plan

The site of development is the formal access route/ security bay area into the AGL Macquarie Power Station from the New England Highway. The proposed demountable office building will be located directly opposite of the existing security bay of the AGL facility.



Figure 3: Site Aerial



3.2 CURRENT USE

The site is currently owned and operated by AGL Macquarie for the Bayswater Power Station.

The Bayswater Power Station is a coal powered thermal power station which currently contributes around 2,640 megawatts (MW) of electricity to the NSW power grid. In addition to other assets, AGLM operates the Bayswater and Liddell Power Stations. These power stations are an important part of the total NSW electricity supply, and contribute up to approximately 30 % of supply to the state's total electricity. The proposed development is located within the existing operational boundary of Bayswater Power Station. The approved land use within the site is associated with electricity generation, and for which the proposed development is ancillary.

3.3 SITE CONDITIONS

3.3.1 Topography and Drainage

The surrounding landscape is characterised by open spaces and large scale infrastructure associated with open cut and underground mining operations and the Liddell Power Station. The subject site is obviously an existing power station. Surface water at the Bayswater Power Station drains to one of the operational dams, or is collected within the site's stormwater drainage and discharged to Lake Liddell through Tinkers Creek. Tinkers Creek is located to the north-east of the development area.

3.3.2 Access

Practical access is provided off the New England Highway into the AGL Macquarie Power Plant. Access arrangements are not proposed to be altered by the development.

3.3.3 Ecology

The area in the vicinity of the site has been previously disturbed as a result of mining, industrial and agricultural land uses. Natural features include some remnant areas of Narrabeen Footslopes Slaty Box Woodland located to the west of the site and Hunter Floodplain Red Gum Woodland Complex located to the east south east of the site. In the immediate vicinity of the site, the majority of the areas support pasture.

A search of the NSW Wildlife Atlas (Office of Environment and Heritage, 2017) identified records of 50 threatened species, and 20 threatened communities listed under the Biodiversity Conservation Act 2016 within a 10-km radius of the construction footprint. However, no records were identified within the construction footprint, or immediate surrounds.

A search of the EPBC Act Protected Matters Search Tool (Department of Environment and Energy, 2017) identified one wetland of international importance, 26 threatened species, 14 migratory species and four threatened ecological communities within a 10-km radius of the construction footprint. No records were identified in the immediate vicinity.



3.3.4 **Bushfire**

The site is identified as bushfire prone.

The proposed development is not of a category which would require a bushfire safety authority under section 100B of the *Rural Fires Act 1997*, and the application need not be referred to the Rural Fire Service (RFS).

3.3.5 **Flooding**

The site is not located within a flood identified area.

3.3.6 **Geotechnical**

Regional geology at the construction footprint is described in the Hunter Coalfield Regional Geology 1:100,000 map (Department of Mineral Resources, 1993).

The proposed development is situated between two geological formations from the Permian aged Maitland group. These are described as the Mulbring siltstone formation, comprising siltstone, claystone and minor sandstone; and the Branxton formation, comprising conglomerate, sandstone and siltstone. Formations associated with the Greta Coal Measures are also located immediately north-west of the construction footprint.

The site does not contain any evidence of acid sulfate soils.

3.3.7 **Contamination**

No soils from the area of works would be removed for storage outside this area. Some minor earthworks are required, however, no soil is proposed to be removed from the site. The Bayswater and Liddell Power Stations were notified to the EPA by AGLM under section 60 of the Contaminated Lands Management Act 1997 (NSW) (CLM Act) under previous assessments. No significant impact is expected from the works.

3.3.8 **Mine Subsidence**

The site is not identified to be in a Mine Subsidence District Map area.

3.3.9 **Aboriginal Heritage**

A search of the NSW National Parks and Wildlife's Aboriginal Heritage and Information Management Service (AHIMS) database was undertaken in June 2018. The AHIMS search identified thirty three (33) Aboriginal sites recorded within a 200m buffer vicinity of Lot 2 DP1095515 (Appendix C).

However, due to the large area of Lot 2 further investigations of the geographic coordinates supplied by AHIMS show that each of the identified sites in the AHIMS search (Appendix C) are not within 200m of the identified AHIMS sites.



Notwithstanding, the necessary care must be taken as part of the construction stage to ensure appropriate management methods are put in place in the event that Aboriginal heritage items are unearthed.

3.3.10 European Heritage

The State Heritage Register (SHR), Singleton LEP and Muswellbrook LEP were searched for the subject lot and returned no items of European heritage located within or adjacent to the proposed development. The closest identified State Heritage Item is the former Inn & Outbuildings site (SHR No: 00242) located on the Old New England Highway approximately 8km from the proposed development.

3.3.11 Utility Services

The site has been operating for some number of years and has access to electricity, telephone and physical, legal and emergency service access to the existing property. The site has available water and sewer services.

4. PROPOSED DEVELOPMENT

4.1 PROPOSED WORKS

The proposed development is identified as the erection of a demountable site office, construction of a car parking area and removal of vegetation (2 trees) (Appendix A). The development in question is ordinarily incidental or ancillary to the existing Power Station Facility.

This development is considered permissible with consent under the *Muswellbrook Local Environmental Plan 2009* (the LEP) as it is a development ancillary to the existing approved use of the land that supports the operations of an existing utility undertaking.

The demountable site office will be approximately 3.1m in height and approximately 45m² in area (Appendix B). The proposed material to be used will be a combination of plastered lining, steel frame, selected Colorbond roofing, aluminium framing and glass for door and window application. Further details can be provided on the attached plans. An existing shelter used for bus pick up will be removed from the site to allow the area for construction of the demountable site office.

The proposed car parking will require minor cut and fill of land designated for space for car parking. Under *Clause 7.6* of the LEP, development consent will be required for development of car parking to occur. It is proposed to create an additional four (4) car parking spaces. Parking layout is to be designed in accordance with AS2890.1, AS2890.6 and Council requirements.

The vegetation removal proposed is required for the construction of the site office. Vegetation removed will be minimal for the purpose of this development application and will comply with the objectives of *Clause 7.1* of the LEP. The area of development and the likelihood of the proposal to have a significant impact on any threatened species, populations or ecological communities is minimal.

During construction, appropriate environmental safeguards shall be implemented, including where necessary screening for dust, erosion and noise attenuation measures.

Works will be undertaken on weekdays between 7:00am and 5:00pm and Saturday between 8:00am and 1:00pm. No works will be undertaken on Sundays or public holidays.

Works will involve minor demolition, external/internal construction, fitouts and site preparation with relevant construction vehicles entering and leaving the site. Scaffolding/screening will be erected around the area if necessary to provide safe access during construction for staff and workers.

4.2 DRAINAGE

No changes to the sites existing drainage management will occur because of this development. The demountable site office will connect to the existing stormwater network on the site once constructed. The increase in impermeable area will be minimal. It is not



considered any further investigations of the drainage control/ management on the site are required.

4.3 LAND REMEDIATION

No land remediation is proposed or required for this site at this time of writing.

4.4 LANDSCAPING

No landscaping is proposed or required for this type of development.

4.5 ACCESS

Practical access is provided off the New England Highway into the AGL Macquarie Power Plant. Access arrangements are not proposed to be altered by the development.

4.6 SERVICING

The site has been operating for some number of years and has access to electricity, telephone and physical, legal and emergency service access to the existing property. The site has available water and sewer services. No changes or additions to the sites servicing infrastructure are proposed.

4.7 BUSHFIRE

The site is identified as bushfire prone.

The proposed development is not of a category which would require a bushfire safety authority under section 100B of the Rural Fires Act 1997, and the application need not be referred to the Rural Fire Service (RFS).

It is noted that under Section 4.14 of the EP&A Act, development consent (than a subdivision of land that could lawfully be used for residential or rural residential purposes or development for a special fire protection purpose) cannot be granted on bush fire prone land unless the consent authority is satisfied that the development conforms to the specifications and requirements of the Planning for Bush Fire Protection (NSW Rural Fire Service).

Under the Planning for Bush Fire Protection 2006 document, for other classes of buildings (such as factories, shops and warehouses) bushfire protection measures (BPMs) will only apply at the development assessment stage. Consent will be determined on a case by case basis without the need to refer the development application to the RFS. However, if the council is concerned that the development does not meet the aim and objectives of PBP, then the matter may be referred to the RFS for its advice.

As the proposed development is not of a category which would require a bushfire safety authority under section 100B of the Rural Fires Act 1997, it is not considered necessary to prepare any further report or justification, at this time.



4.8 CONSTRUCTION STAGING

No staging is proposed to occur from this development. Pending the outcome of this development application, construction will commence immediately (pending conditions of consent) and will cease once completed and development is operational.

4.9 WASTE MANAGEMENT/ DEMOLITION

The proposed activity will generate some general waste as part of the vegetation removal and construction works. An existing bus shelter will be removed to allow the installation of the demountable site office. Construction waste may include off cuts or other general refuse. Where possible, materials will be salvaged for recycling and reuse. The remaining waste will be transported to a recognised waste facility.

Given the scale of the activity, waste disposal will be minimal and there is sufficient capacity in the road network to cater for the limited number of waste disposal vehicles required to remove waste and necessary vegetation. The construction contractor should discuss the potential for recycling waste where appropriate with a waste management centre.

All disposed material will be done so in accordance to Council's regulations and recommendations to a relevant waste management facility. The construction contractor will prepare a waste management plan prior to the commencement of works. Specific details will be provided at the Construction Certificate stage of the development.

4.10 ADVERTISING SIGNAGE

No signage is proposed or required for this development, other than relevant safety signage.



5. STATUTORY CONSIDERATIONS

5.1 STRATEGIC PLANNING CONSIDERATIONS

5.1.1 Hunter Regional Plan

The Hunter Regional Plan indirectly identifies the Bayswater Power Station as state significant infrastructure for power generation for NSW. The Plan identifies that supporting industry in the region is important for attracting investment. The proposal is consistent with the Plan as it will facilitate efficient operations at the AGL Macquarie Power Plant and thus support one of NSW main energy suppliers.

5.1.2 Muswellbrook Shire Council Land Use Development Strategy

The Muswellbrook Shire Council Land Use Development Strategy (the Strategy) recognises the long term strategic direction in relation to the land use and development of the Shire. The key intent of this process is to put in place an overarching planning framework which is rational and outcomes focused, while being flexible enough to respond to new challenges, changed environments and emerging opportunities.

As the development proposed will be ancillary to the existing Power Plant, the proposed development will continue to comply with the relevant objectives of the Strategy by facilitating industrial development within the identified industrial area and minimise adverse impacts on adjoining non-industrial land uses.

It is also considered that the proposed development will continue to maintain a high quality of built form and maintain and preserve as much of the natural environment as possible over the long term. The proposed development is not considered to result in the loss of any industrial or employment lands but will in turn support and provide improved utility services that will benefit the land use into the future.

Therefore, it is concluded that the proposed development will reflect and comply with the Strategy and Council's vision for industrial development.

5.2 STATE LEGISLATION

5.2.1 Environmental Planning & Assessment Act 1979

The following details the proposal against the relevant heads of consideration in Section 4.15(1), EP&A Act, as amended, in particular:

- Environmental planning instruments that are in force, proposed or exhibited;
- Development control plans;
- Any planning agreement that has been entered into under Section 7.4, or any draft planning agreement that a developer has offered to enter into under Section 7.4;
- The regulations;
- Likely impacts to natural and built environments, society and economy;
- Suitability of the site for the proposed development; and

- Public interest

Under Section 4.46 of the EP&A Act, a development application lodged on this site would not be considered Integrated Development as none of the authorisations and approvals listed in the section are required for the development to be carried out (see detailed analysis below).

5.2.2 Other Legislation

Consideration was afforded to other legislation, including legislation concerning whether the proposal is integrated development. Integrated development is development that, in order for it to be carried out, requires development consent and one or more of the following approvals:

- *Fisheries Management Act 1994*
- *Threatened Species Conservation Act 1995/ Biodiversity Conservation Act 2016*
- *Heritage Act 1977*
- *Coal Mine Subsidence Compensation Act 2017*
- *National Parks and Wildlife 1974*
- *Protection of the Environment Operations Act 1997*
- *Roads Act 1993*
- *Rural Fires Act 1997*
- *Water Management Act 2000*
- *Crowns Lands Act 1989*

Fisheries Management Act 1994

No authorisation required.

Biodiversity Conservation Act 2016

No authorisation required. The proposed development would not impact on any on threatened species or threatened ecological communities or their habitats.

Heritage Act 1977

No authorisation required. No State heritage items were identified on the site, or impacted by the proposal.

Coal Mine Subsidence Compensation Act 2017

No authorisation required. The site is not identified in a Mine Subsidence District.

National Parks and Wildlife Act 1974

No authorisation required. A detailed investigation of data obtained from the NSW National Parks and Wildlife's Aboriginal Heritage and Information Management Service (AHIMS) database did not indicate the site to be within 200m of the identified AHIMS sites.

**Protection of the Environment Operations Act 1997**

No authorisation required. AGLM maintains an Environmental Protection Licence (EPL 779) for the Bayswater Power Station. No variation to the EPL is required to authorise the proposed development.

Roads Act 1993

No authorisation required. As no road works or works on a public or classified road are proposed, it is considered that no authorisation from the Roads and Maritime Service is required.

Rural Fires Act 1997

The site is identified as bushfire prone.

The proposed development is not of a category which would require a bushfire safety authority under section 100B of the *Rural Fires Act 1997*, and the application need not be referred to the Rural Fire Service (RFS).

It is noted that under Section 4.14 of the EP&A Act, development consent (other than a subdivision of land that could lawfully be used for residential or rural residential purposes or development for a special fire protection purpose) cannot be granted on bush fire prone land unless the consent authority is satisfied that the development conforms to the specifications and requirements of the Planning for Bush Fire Protection (NSW Rural Fire Service).

Under the Planning for Bush Fire Protection 2006 document, for other classes of buildings (such as factories, shops and warehouses) bushfire protection measures (BPMs) will only apply at the development assessment stage. Consent will be determined on a case by case basis without the need to refer the development application to the RFS. However, if the council is concerned that the development does not meet the aim and objectives of PBP, then the matter may be referred to the RFS for its advice.

As the proposed development is not of a category which would require a bushfire safety authority under section 100B of the *Rural Fires Act 1997*, it is not considered necessary to prepare any further report or justification, at this time.

No authorisation required.

Water Management Act 2000

The Proposed development is within the Hunter Regulated River Water Source water sharing plan. AGLM currently holds a Water Licensing Package as part of the operation of the Bayswater and Liddell Power Stations which authorises the take and use of the water treated at the WTP. No changes to this Water Licensing Package are proposed.

No authorisation required.

Crown Lands Act 1989

Works within, or the use of, crown land is not required. No authorisation required.

5.3 STATE ENVIRONMENTAL PLANNING POLICIES

5.3.1 State Environmental Planning Policy (Coastal Management) 2018

This SEPP updates and consolidates and repeals SEPP 14 (Coastal Wetlands), SEPP 26 (Littoral Rainforests) and SEPP 71 (Coastal Protection), including clause 5.5 of the Standard Instrument – Principal Local Environmental Plan.

The Coastal Management SEPP gives effect to the objectives of the Coastal Management Act 2016 from a land use planning perspective, by specifying how development proposals are to be assessed if they fall within the coastal zone.

The subject site is not identified to be within a Coastal Wetland Area, Littoral Rainforest Area, Coastal Environmental Area or Coastal Use area. As such, does not need assessment under the applicable coastal areas.

5.3.2 State Environmental Planning Policy No. 44 – Koala Habitat Protection

The Policy aims to *'encourage the proper conservation and management of areas of natural vegetation that provide habitat for koalas to ensure a permanent free-living population over their present range and reverse the current trend of koala population decline:*

1. *By requiring the preparation of plans of management before development consent can be granted in relation to areas of core koala habitat, and*
2. *By encouraging the identification of areas of core koala habitat, and*
3. *By encouraging the inclusion of areas of core koala habitat in environment protection zones'.*

SEPP 44 requires the consent authority to consider whether land subject to a development application (DA) is potential koala habitat or core koala habitat, as defined in SEPP 44. It is acknowledged that SEPP 44 apply to the Muswellbrook LGA.

Preliminary flora and fauna assessment indicates that the site of the proposed project is unlikely to contain potential or core koala habitat.

The proposed project would be primarily constructed on cleared land, however, the proposed demountable office building and associated infrastructure are likely to be constructed through areas of native vegetation. *Eucalyptus camaldulensis* occurs at the site within the vegetation lining the creeks. This vegetation may also provide habitat for the Koala.

Desktop analysis research on the matter issued searches within a number of public documents that have been published from past State Significant Assessment on the current Power Plant. Flora and Fauna Assessment commissioned by EcoLogical (2009) lodged under MP 09_0118 identified "No Koala (*Phascolarctos cinereus*) have been recorded on the site since the 1950's. The site contains a number of high quality feed trees (Forest Red Gum) at densities conducive to support Koala habitat. However, there is poor connectivity off site to suitable habitat, and low cumulative areas of suitable habitat that suggests the site would most likely be a movement corridor" (p.30). The report also identifies the site is not 'core' koala habitat and that development impacts would be likely to be 'nil' (Table 7, p. 46).



As such, it is considered not further work is required under this SEPP.

5.3.3 **State Environmental Planning Policy No. 55 – Remediation of Land**

The objectives of this SEPP are to promote the remediation of contaminated land for the purpose of reducing the risk of harm to human health or any other aspect of the environment:

- a) *By specifying when consent is required, and when it is not required, for a remediation work.*
- b) *By specifying certain considerations that are relevant in rezoning land and in determining Development Applications in general and Development Applications for consent to carry out a remediation work in particular.*
- c) *By requiring that a remediation work meet certain standards and notification requirements.*

Under Clause 7(1) of the SEPP a consent authority must not consent to the carrying out of any development on land unless:

- a) *It has considered whether the land is contaminated.*
- b) *If the land is contaminated, it is satisfied that the land is suitable in its contaminated state (or will be suitable, after remediation) for the purpose for which the development is proposed to be carried out.*
- c) *If the land requires remediation to be made suitable for the purpose for which the development is proposed to be carried out, it is satisfied that the land will be remediated before the land is used for that purpose.*

As the contaminated land register did not identify the site as being contaminated, no further investigations are therefore considered necessary.

No soils from the area of works would be removed for storage outside this area. The Bayswater and Liddell Power Stations were notified to the EPA by AGLM under section 60 of the Contaminated Lands Management Act 1997 (NSW) (CLM Act) under previous assessments.

The proposed development will not result in a change of use on the site; therefore clause 7(2) does not apply.

5.3.4 **State Environmental Planning Policy (Infrastructure) 2007**

This policy would not directly relate to the proposed development.

5.4 **MUSWELLBROOK LOCAL ENVIRONMENTAL PLAN 2009**

5.4.1 **Zoning and Permissibility**



The subject site is currently zoned SP2 – Infrastructure under the *Muswellbrook Local Environmental Plan 2009 (MLEP)*. Under the MLEP, the SP2 – Infrastructure zoning objectives include:

- To provide for infrastructure and related uses.
- To prevent development that is not compatible with or that may detract from the provision of infrastructure.
- To recognise existing railway land and to enable future development for railway and associated purposes.
- To prohibit advertising hoardings on railway land.
- To recognise major roads and to enable future development and expansion of major road networks and associated purposes.
- To recognise existing land and to enable future development for utility undertakings and associated purposes.

It is considered that the proposal complies with the relevant zoning objectives as it will not alter the use of the land for special infrastructure purposes, and will support the continued operations of the existing power station.

5.4.2 Clause 4.1 Minimum Lot Size

The site (Lot 2 DP1095515) is partially located within a minimum lot size of 80ha (AC) under the LEP. Despite this, the development proposed is not for the subdivision of the land.

5.4.3 Clause 4.3 Height of Buildings

The site is partially within a zone that restricts buildings of up to 12m, however, where the site is located, does not have a maximum height limit. Notwithstanding, the proposed development will be a maximum of 3.1m in height.

5.4.4 Clause 5.10 Heritage Conservation

The site does not contain any heritage items and is not located within a heritage conservation area.

5.4.5 Clause 7.1 Terrestrial Biodiversity

The site is acknowledged to contain land that is marked as “Biodiversity” on the *terrestrial Biodiversity Map*. However, the site that is marked as “Biodiversity” is not in proximity to the land that is marked to be developed on. No further reporting's are anticipated at this time.

5.4.6 Clause 7.6 Earthworks

Minor earthworks are proposed as part of this development application. Earthworks will be required for basic cut/ clearing for the provision of the demountable structure. Levelling and clearing will also be required to achieve the required gradient for the proposed parking area.

Sediment and erosion screening techniques will be put in place as per Councils standard conditions of consent for basic earthworks.

5.5 DEVELOPMENT CONTROL PLANS

Muswellbrook Development Control Plan 2009

The Muswellbrook DCP 2009 (DCP) complements the statutory provisions contained in the Muswellbrook Local Environmental Plan by providing detailed guidelines to assist applicants, staff and others involved and interested in development within the Muswellbrook Local Government Area.

The provisions of the DCP as they apply to the proposed development are presented in **Table 1** below.

The proposed development is consistent with the applicable controls.

Table 1: Elements of the Muswellbrook DCP that apply to the Proposed Development

DEVELOPMENT CONTROL	APPLICABLE TO PROPOSED DEVELOPMENT
Section 3 – Site Analysis	✓
Section 4 – Notification	✓
Section 10 – Industrial Development	✓
Section 16 – Car Parking and Access	✓
Section 20 – Erosion and Sediment Control	✓
Section 24 – Waste Minimization and Management	✓
Section 26 – Site Specific Control	x

5.5.1 Section 3 – Site Analysis

A site plan is provided giving the assessing officer a greater understanding and context of the proposed development (Appendix A). The proposed development is ordinarily incidental or ancillary to the Power Plant and will integrate within the existing security bay area of the site.

Notwithstanding the above, a site analysis is provided in part of the written statement of this document. The proposed development is considered minor in nature with little impact to the built or natural environment. The proposed vegetation that is to be removed is not considered significant to require further investigations as per past assessment of the site and its association with koala or other habitat potential. This statement has considered the potential impacts of the building envelope area and has determined that negligible impacts will be associated with this development.



5.5.2 **Section 4 – Notification**

It is anticipated that the proposed development will have no material impact on adjoining properties, given the size and nature of the development. Notwithstanding, it is acknowledged that notification to surrounding properties and relevant authorities is assessed and determined under merits by Council.

5.5.3 **Section 10 – Industrial Development**

- **10.1 – Built Form**

The proposed development will be confined within the boundaries of the Macquarie AGL Power Plant (Lot 2 DP1095515); specifically, at the location of the Macquarie AGL Power Plant security access bay.

In relation to the DCP and the applicable setback requirements for industrial related development, the overall building footprint of the proposed development will be approximately 450m away from the sites principle boundary that faces the New England Highway.

In relation to the building design of the ancillary industrial development, the demountable building will be pre-fabricated off-site (Appendix B) and will be installed within the defined space as per Appendix A.

As the development will be installed approximately 450m from public view and will be associated with the Power Plant for security related purposes, it is anticipated that the demountable will be both functional and attractive in the context of its environment. The proposed development will not be at a scale, density or nature to warrant further comments on the design guidelines.

- **10.2 – Environment**

No changes to the sites existing drainage management plan will occur because of this development. The existing stormwater network on the site will be utilised. The development of the proposed demountable and car parking area will result in a minimal increase in impermeable surface area in context to the overall site. As such, it is considered that further investigations of the drainage control/ management of the site are not warranted at this time.

In regards to the visual amenity with regard to car parking and operational areas, the development will be located approximately 450m away from the principle site frontage (facing the New England Highway). Existing vegetation will screen a majority of the development nonetheless.

No changes to vehicular movement and access are proposed with this development application.

Relevant existing services will be connected to the proposed demountable building.



5.5.4 **Section 16 – Car Parking and Access**

- **Non-Residential Development**

Parking layout is to be designed in accordance with AS2890.1, AS2890.6 and Council requirements.

The location of the parking space (Appendix A) is off the main access route into the Macquarie AGL Power Plant – in proximity to the main security bay. The location of the parking area will allow vehicles to enter and leave the parking site in a forward, safe direction.

Despite the DCP requiring the developer, owner or occupier to provide a risk management plan to ensure traffic movements are carried out in an adequate and safe manner, these provisions are believed to be enforced onto new land uses. As the Macquarie AGL Power Plant has been operational for some time and with these provisions likely to have been assessed in earlier assessments, it is considered unnecessary to provide this additional assessment, at this time.

- **Design Guidelines for Off-Street Parking Areas**

The proposed car parking area will be designed in accordance with the requirements of AS2890.1 OffStreet Car Parking and AS 2890.2 Commercial Vehicle Facilities for design and layout and Council's "Engineering Requirements for Development"

5.5.5 **Section 20 – Erosion and Sediment Control**

Appropriate sediment and erosion controls will be in place during the duration of the construction stage of this development application.

Overall, the development proposed is not anticipated to create erosion or sediment issues to the natural or built environment. The proposed development is minor in nature and will be controlled by the appropriate construction management plan prepared by the civil contractor.

5.5.6 **Section 24 – Waste Minimisation and Management**

The proposed activity will generate some general waste as part of the vegetation removal and construction works. Construction waste may include off cuts or other general refuse. Where possible, materials will be salvaged for recycling and reuse. The remaining waste will be transported to a recognised waste facility.

Given the scale of the activity, waste disposal will be minimal and there is sufficient capacity in the road network to cater for the limited number of waste disposal vehicles required to remove waste and necessary vegetation. The construction contractor should discuss the potential for recycling waste where appropriate with a waste management centre.

All disposed material will be done so in accordance to Council's regulations and recommendations to a relevant waste management facility. The construction contractor will prepare a waste management plan prior to the commencement of works. Specific details will be provided at the Construction Certificate stage of the development.



5.5.7 **Section 26 – Site Specific Controls**

The site is not located within an identified site specific area under the DCP.



6. SITE SUITABILITY

It is considered that the site is suitable for the proposed development. The proposal is in keeping with the existing and future character of the subject land. The proposed development will assist in the efficient operations of the AGL Bayswater Power Plant. As such, the proposal will support and facilitate the continued use of the land as a power plant.

Earlier sections of this SoEE have demonstrated that the proposed development can meet Council's development controls and standards. The proposal complies with other development controls and objectives, which has been demonstrated earlier in this Statement.

7. PUBLIC INTEREST

The development will not significantly impact on the character of the area. The development complies with the relevant standards and development controls of Council's LEP and DCP that apply to the subject site.

8. CONSULTATIONS

The application will be notified in accordance with the DCP and at Council's discretion. Any submissions will be required to be considered as part of the assessment of the application.

9. CONCLUSION

This submission has been prepared to accompany the Development Application for the demountable building, parking and associated vegetation clearing at the Macquarie AGL Power Plant.

It is considered that no significant environmental impact will result from the proposed development. Overall, the proposal is consistent with State and local strategic plans and local planning instruments. The proposal is also considered in the public interest and so should be supported as an ancillary use to the AGL Bayswater Power Plant.



APPENDIX A Site Plan





APPENDIX B Development Plans





APPENDIX C AHIMS Search



AGL Macquarie

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Power Stations Standing Instruction No. HSE-40/1

Mr S Pathiyil, Ext 3628

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SUBJECT: BUSHFIRE RISK MANAGEMENT PLAN**OBJECTIVE:**

To summarise the AGL Macquarie Bush Fire Risk Management Plan, which covers the property in and around the Bayswater and Liddell Power Stations.

MEANS OF ATTAINMENT:

The following plan has been developed to effectively manage the bushfire risk, which the AGL Macquarie land holdings and surrounding properties are exposed to, in such a manner as to meet the requirements of the Rural Fires Act 1997 and amendments and the Rural Fires Regulation 2013.

The plan requires review every two years to ensure that adequate measures are in place before the next fire season. It is considered necessary that the plan be reviewed and in place by September of the reviewing year so that the plan will be in place prior to the commencement of the declared bush fire danger period. The declared bush fire danger period normally commences 1 October and concludes 31 March the following year. However, the Commissioner of the NSW Rural Fire Service may declare variations to starting and finishing dates for specific local government areas.

The land belonging to AGL Macquarie differs, as well as the surrounding land, in terms of vegetation type and use. Therefore the fire management plan needs to address the variation that exists.

1. INTRODUCTION

The methods and techniques required to manage the risks associated with fire include the following:

- Passive management;
- Management of access to perimeter lands;
- Load reduction by clearing or burning;
- Maintenance of grassed zones; and
- Liaison with surrounding landholders.

AGL Macquarie is obliged under the Rural Fire Act 1997 and amendments to have in place a plan to reflect bushfire management. There are also the requirements to comply with the following:

- Protection of the Environment Operations (POEO) Act 1997;
- Environmental Planning and Assessment Act 1979;
- Protection of the Environment (Clean Air) Regulation 2016; and,
- To consider the environmental effects associated with bushfire management strategies, specifically the need to obtain a bushfire hazard reduction certificate for a ground fuel reduction burn-off.

Additionally, the Muswellbrook Shire Bushfire Management Plan (2011) requires AGL Macquarie to update and review the Bayswater and Liddell Bushfire Risk Management Plans.

The fire management plan must consider two important features:

- Strategies involving the protection of life and property
- Strategies involving preserving the activities occurring on the land such as wildlife conservation, grazing and the built environment.

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The perimeter lands around the power stations and dams in the buffer zones are being managed in such a way that the natural environment is being protected and some selected areas are being used for grazing. However, the neighbouring properties exhibit a wide variation in use.

These uses include:

- Residential;
- Coal mines;
- Farming;
- Road and rail transportation;
- Public recreation

Fire management practices must aim to protect the bio-diversity throughout the perimeter lands. Individual sections of the land may require different strategies for fire control as a reflection of the type of vegetation present and the type of activities being undertaken on the neighbouring properties.

As part of the strategy, records of all fires, which occur on AGL Macquarie lands are kept and can be used to ascertain if a cycle involving fire frequency or likelihood exists. Fire records are retained within the myHSE reporting system.

2. THE ASSESSMENT OF BUSHFIRE RISK

AGL Macquarie land holdings have been divided into 6 zones reflecting the stations and dams within the respective zone. These zones are further divided into individual units based on locality, accessibility and more importantly the amount, type and degree of similarity of vegetation that exists. Ground fuel-loadings are derived based on the method used by the rural fire brigades for these areas of similar vegetation. For the purposes of any bushfire management practice, fuel-loadings should be obtained during early autumn.

The calculation of the ground fuel-loading is important as it gives the estimation of how much fuel hazard reduction is required in certain areas before the next official bushfire season.

The natural features on any landscape dictate the rate of fuel accumulation and the risk posed to life and the built environment. These features are:

- Composition of vegetation;
- Area of the bushland or grassland;
- Aspect;
- Slope of the terrain;
- Type of the understorey;
- Amount and type of leaf-litter;
- Prevailing winds;
- Amount and type of surface vegetation

A Risk Assessment can be accessed via this link [JSEA Bush Fire Risk Management](#) or viewed via the portal.

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2.1 Access to AGL Macquarie Property

There are various keys required to gain access to AGL Macquarie property. The key series is the same in each fire management zone.

Individual access requirements for each zone are outlined in Section 3 of this PSSI.

Access keys are available from Security at Bayswater and Liddell Gatehouse buildings and from Shift Managers at both sites out of hours.

Drawing No BW805700 showing the AGL Macquarie land holding (Refer to Appendix 1) highlights the external property access gates which may be used for access in the event of a bushfire. The gates must be kept closed to ensure that cattle do not escape onto the main roads.

2.2 Roads within AGL Macquarie Property

All roads are kept in reasonable to good order and are negotiable by fire service tankers and certainly by 4-wheel drive vehicles. Roads are inspected on an occasional basis and maintenance when required is undertaken by station staff or a contractor.

2.3 Access to Water

Water is available from Plashett Dam, Freshwater Dam, CW Make-Up Dam, Liddell and Bayswater Ash Dams, and Liddell Cooling Water Dam. Access is available by tanker and the easiest access is shown on Drawing No BW805700. Fire hydrants are located around the inner perimeters of the power stations, to allow for refilling of tankers if required.

3. THE FIRE MANAGEMENT ZONES

There are six zones to be considered and each zone is divided up into the smaller units as previously stated. The zones are:

- Bayswater Power Station buffer zone - Yellow Colour
- Liddell Power Station buffer zone - Pink Colour
- Ravensworth Void Rehabilitation Site - Green Colour
- Ravensworth Rail Coal Unloader - Brown Colour
- Antiene Rail Coal Unloader - Red Colour
- Barnard River Pumping Station - Not Shown

The local zones are shown in sections 3.1 to 3.6 of this document and each zone is described in terms of its vegetation and topography. A further description relates to entry, exit and internal roads. With each zone description, included is the approximate area in hectares.

Note the requirement to obtain A Bushfire Hazard Reduction Certificate from the Rural Fire Service prior to undertaking and hazard reduction activities. Hazard reduction includes activities such as slashing and ploughing fire breaks and hazard reduction burning. It does not include fuel reduction by stock grazing.

Full details are provided in Section 4

3.1 Bayswater Power Station Buffer Zone

This buffer zone is comprised of that area between the New England Highway to the North East of the station to the Hunter River to the South and Mt Arthur mining lease to the West.

Access to Bayswater Power Station is via the Main Security Gatehouse located at the entrance to the site, an SS 1 key is required to gain access to AGL Macquarie property off the New England Highway and other public roads.

The area has been divided into three units, prefixed by the letter 'B' as follows:

Area	Description	Risk
B1	The area on the Western side of the New England Highway which is generally vegetated with grass and tree cover. 1500 hectares	Risk is HIGH due to grass build-up and the possibility of fires being started by passing traffic
B2	The area South of the Station including grazing country on either side of the River Road for a distance of approximately 10 km to where it meets the Hunter River. 3000 hectares	Because of the slopes the risk is HIGH especially if a Westerly wind is blowing
B3	The area to the West of the Station including the MA 2B/3B conveyor formation which continues out to the Mt Arthur Mine lease. 25 hectares	Risk is HIGH due to topography. Access is good.

3.1.1 Control Measures

Contact the AGL Macquarie Environment team for requirements in relation to ground disturbance or vegetation clearing prior to any works.

1. Plough fire breaks inside the Highway boundary fence at the commencement of the Spring/Summer period each year.
2. Ensure access roads are in good order, with access readily available when necessary.
3. Control unwanted vegetation growth by means of slashing and/or weed spraying along the edges and under the coal conveyors.
4. Continue grazing leases to selected portions of land within the buffer zones to assist the fire hazard reduction.
5. Reduce ground fuel-loading annually.
6. Burn off down-stream dam embankments every 2-3 years if the weather permits with external assistance.
7. Ensure all shrub or tree growth within each transmission line easement and from under power lines is removed on a regular basis.
8. For Coal conveyors external to the main station plant; a fire break is to be maintained along each side of each conveyor and coal spillages at transfer points regularly removed to minimise the possibility of a bushfire or grass fire causing damage to the conveyors.

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9. Ensure a fire break at least 3 metres wide is maintained around all remote electrical switchrooms/switchyards.
10. Ensure all grass around contractor's offices, workshops or storage compounds is removed on a regular basis by mowing/slashing and/or weed spraying and all firefighting equipment properly maintained to minimise the risk of a grass fire spreading through the area. All combustible material is to be stored in appropriate locations and contractor staff are to observe hot work procedures when working in these areas as required.

3.2 Liddell Power Station Buffer Zone

This buffer zone is comprised of that area between the Bayswater Power Station Buffer Zone to the South West of Liddell Power Station to Lake Liddell to the East and Drayton mining lease to the West.

Access to Liddell Power Station is via the Main Security Gatehouse located at the entrance to the site and entry to the Liddell Buffer zone requires an SS 1 key. Access to M3 Conveyor Drive will require a HS 4 key and Liddell Ash Dam a (BW) LD 17 key.

This area has been divided into three areas with area given the prefix 'L' as follows:

Area	Description	Risk
L1	The North/East half of the buffer zone which includes the area East of the New England Highway between the Antiene road and the Pikes Gully turn-off intersection and includes the area around the Liddell Cooling Water Dam. 1500 hectares	Risk is HIGH due to grass cover and Westerly winds There is a possibility of fires being started by passing traffic.
L2	The Liddell Ash Dam and buffer zone is located on the Western side of the New England Highway and extends from the point opposite the Antiene Road Southward to the Bayswater Gatehouse just off the New England Highway and abuts to the Drayton Mine Lease to the West 1150 hectares	Risk is HIGH due to grasslands and Westerly winds. Possibility of fires being started by passing traffic.
L3	Includes the 'M' series conveyor corridor area from Pikes Gully intersection down to the Ravensworth Rail Unloader boundary fence. It also includes the corridor for the 'L' series conveyors to the New England Highway underpass and the area surrounding the Gas Turbines and 33 kV Switchyard 50 hectares	Risk is HIGH due to the grass cover as well as coal fines along the edge of the conveyor. There is a possibility of fires being started by passing traffic.

3.2.1 Control Measures

Contact the AGL Macquarie Environment team for requirements in relation to ground disturbance or vegetation clearing prior to any works.

1. Plough firebreaks along the inside of the Highway boundary fence at the commencement of the Spring/Summer period each year.
2. Ensure access roads are in good order, with access readily available when necessary.

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3. Control unwanted vegetation growth by means of slashing and/or weed spraying along the edges and under the coal conveyors.. .
4. Continue grazing leases to selected portions of land along the 'M' series conveyor and the areas North of the Station and around Gas Turbines and 33 kV Switchyard.
5. Reduce ground fuel-loading annually.
6. Burn off down-stream dam embankments every 2-3 years if the weather permits with external assistance.
7. Ensure all shrub or tree growth within each transmission line easement and from under power lines is removed on a regular basis.
8. For Coal conveyors external to the main station plant; a fire break is to be maintained along each side of each conveyor and coal spillages at transfer points regularly removed to minimise the possibility of a bushfire or grass fire causing damage to the conveyors.
9. Ensure a fire break at least 3 metres wide is maintained around all remote electrical switchrooms/switchyards.
10. Ensure all grass around contractor's offices, workshops or storage compounds is removed on a regular basis by mowing/slashing and/or weed spraying and all firefighting equipment properly maintained to minimise the risk of a grass fire spreading through the area. All combustible material is to be stored in appropriate locations and contractor staff are to observe hot work procedures when working in these areas as required.
11. Ensure all grass around the external plant workshop, including storage areas and around items stored in the Large Items Storage Area, are regularly mowed or slashed to minimise the risk of grass fires. All combustible material is to be stored in appropriate locations and staff are to observe hot work procedures when carrying out any work as detailed in PSSI 114.
12. Keep all gates securely locked at the South end of the 'M' series conveyors near Pikes Gully.

3.3 Ravensworth Void Rehabilitation Site

The area is described as all that AGL Macquarie owned land that is included within the confines of the Ravensworth Void Rehabilitation Site.

At the Ravensworth Void Restoration Site, an RW or SS1 key is required to gain access off the Old Lemington Road or from the New Lemington Road. All other gates internal to the site are generally unlocked.

The area has been split up into two discrete areas with area given prefix 'R' as follows:

Area	Description	Risk
R1	Areas 1A, 1B, 2A, 2B, 3A, 3B and 4A Approximately 60% of the site has been rehabilitated by grassing and tree planting. With the introduction of bio-solids the grass cover is extremely good. 600 hectares	Risk is HIGH due to grass growth. Neighbouring property could be affected. Possibility of fires starting from passing traffic on the highway boundary.

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Area	Description	Risk
R2	Pockets of Spontaneous combustion on the site require continued action to ensure that it is actively controlled and does not pose a fire risk. These areas are treated with ash to smother the hot spots. 10 hectares	Risk is HIGH due to grass growth. Neighbours to the South could be affected.

3.3.1 Control Measures

Contact the AGL Macquarie Environment team for requirements in relation to ground disturbance or vegetation clearing prior to any works.

1. Continue grazing of all rehabilitated sections of the site on a rotating basis to ensure that all the grass growth is controlled and the fire hazard reduced.
2. Slash grass along external boundary fences and in particular along the Highway boundaries.
3. Keep all interior gates in areas R1 closed, but unlocked.
4. Continue actively managing spontaneous combustion.
5. Repeat ground fuel-loading procedures annually.
6. Clearing of vegetation and tree growth from under power lines annually.
7. Ensure all shrub or tree growth within each transmission line easement and from under power lines is removed on a regular basis (subject to vegetation clearing permits).

3.4 Ravensworth Rail Coal Unloader

Includes all the land within the external perimeter person-proof fence around the Coal Unloader Site which is located South-East of Liddell Power Station along the New England Highway.

At the Ravensworth Rail Unloader Site, a HS 2 key is required to gain access off the New England Highway. All other gates within the site are unlocked. Pacific National should be notified if an emergency exists.

This area has been divided into two areas with area given the prefix 'RU' as follows:

Area	Description	Risk
RU1	The general site is covered with vegetation and small clumps of tube stock trees. There are two earth mounds located along the inside of the southern perimeter fence and are sparsely planted with trees for screening purposes. 6 hectares	Can be HIGH due to the grass growth.
RU2	The AGL Macquarie land around the perimeter of the site is generally grassland with the occasional tree cover. 16 hectares	Risk can be HIGH due to varying vegetation and cleared zones.

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3.4.1 Control Measures

Contact the AGL Macquarie Environment team for requirements in relation to ground disturbance or vegetation clearing prior to any works.

1. Slash were practicable, portions of RU1 and RU2.
2. Repeat ground fuel-loading procedures annually.
3. Clean up any spilt coal along the edges of the rail loop tracks. Antiene Rail Coal Unloader.

3.5 Antiene Rail Unloader

Includes all the land within and external to the perimeter person-proof fence around the Coal Unloader Site which is located North of Liddell Power Station along Hebden Road.

Access to the Antiene Rail Unloader Site located on Hebden Road can be gained either through the locked gate which uses an RC EA 123 key or alternatively access can be gained through the sliding gate at the front of the facility. The facility is fully fenced and has a sliding gate into the AC2 conveyor corridor which is 5.5kms long, or alternatively access to the conveyor corridor can be gained through the Bayswater Power Station end, this access will require an RC EA 123 key. Aurizon should be notified if an emergency exists.

This area has been divided into two areas with area given the prefix 'AU' as follows:

Area	Description	Risk
AU1	The general site is covered with vegetation and small clumps of tube stock trees. There are two earth mounds located along the inside of the southern perimeter fence and are sparsely planted with trees for screening purposes. 10 hectares	Can be HIGH due to the grass growth.
AU2	The AGL Macquarie land around the perimeter of the site is generally grassland with a considerable amount of tree cover. 50 hectares	Risk can be HIGH due to varying vegetation and cleared zones.

3.5.1 Control Measures

Contact the AGL Macquarie Environment team for requirements in relation to ground disturbance or vegetation clearing prior to any works.

1. Slash were practicable, portions of AU1 and AU2.
2. Repeat ground fuel-loading procedures annually.
3. Clean up any spilt coal along the edges of the rail loop tracks.
4. Continue cattle grazing to the property around the perimeter of the rail unloader.
5. Plough perimeter fire breaks on an annual basis.

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3.6 Barnard River Pumping Station

Includes land along the access road and all the land in and around perimeter of the main buildings and switchyard, which is an area of approximately 130 hectares.

At the Barnard River Pump Station, an SS1 key is required to gain access off the Scone-Nundle Road towards Orham Creek and Barnard River. Coordinates 31.655S , 151.505 E

This area has been divided into two areas with area given the prefix 'BR' as follows:

Area	Description	Risk
BR1	The general site containing pump station buildings, switchyard and water storage dams are contained within an area of approximately one square kilometre with a fire break separating the buildings from the surrounding vegetation which is predominantly uncleared natural bushland. 100 hectares	Risk can be HIGH due to the natural bushland surrounding the site.
BR2	The windy partly sealed access road into the site is approximately 15 km in length and is generally bordered either side by grassland and native bushland cover. 30 hectares	Risk can be HIGH due grass growth along the access road into the pumping station.

3.6.1 Control Measures

Contact the AGL Macquarie Environment team for requirements in relation to ground disturbance or vegetation clearing prior to any works.

1. Selectively trim overhanging trees on and along the access road into the pumping station and remove unwanted vegetation around the perimeter of the switchyards and buildings.
2. Repeat ground fuel-loading procedures annually.
3. Control vegetation around the perimeter of all buildings and internal area of electrical switchyards by whipper snipping and poisoning.

4. REQUIREMENTS FOR FUEL HAZARD REDUCTION**4.1 Bush Fire Hazard Reduction Certificates**

Bush Fire Hazard Reduction Certificate (BFHR Certificate) is required for most fuel hazard reduction activities.

These include:

- Hazard reduction burning;
- Slashing, ploughing, pruning and any other mechanical reduction of fuel loads.

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The NSW Rural Fire Service provides a one stop shop for obtaining the required Certificate. This ensures that AGL Macquarie will address the requirements of the Environmental Planning and Assessment Act, 1979 and the Rural Fires Act, 1997.

In order to obtain a BHFR Certificate an application needs to be completed and submitted to the RFS Fire Control Centre at Bulga. A copy of the application form is shown in Appendix B. The application form is also available on the RFS website, www.rfs.nsw.gov.au. The application form will need to be signed by AGL Macquarie General Manager (equivalent to the owner).

The application needs to be accompanied by:

- A copy of this plan;
- A map showing location of existing infrastructure and buildings,
- Dams, road tracks, conveyor systems and pipelines;
- Vegetation types.

4.2 Rural Fire Service Contact

Contact information for the Bulga Fire Control Centre is:

- Address 2161 Putty Road Bulga 2330
PO Box 3111 Singleton 2330
- Phone 02 6575 1200
- Fax 02 6575 1290
- Email Hunternvalley.Team@rfs.nsw.gov.au

Operational Officer – Leanne Bell

- Mobile 0428 343 402
- Email Leanne.bell@rfs.nsw.gov.au

Local RFS brigades

Local volunteer brigades are located as follows:

- Muswellbrook Shire – Edinglassie (Muswellbrook), Mangoola (Denman), Hebden
- Singleton Shire – Jerry Plain, Glennies Creek

All initial contact for emergencies should be through 000. For routine matters, direct inquiries in the first place to the Bulga Fire Control Centre. RFS resources will be directed to AGL Macquarie property by the Fire Control Centre.

5. TOTAL FIRE BANS

5.1 Emergency Hot Works

Generally, it is an offence to light or maintain a fire in the open during declared total fire ban days (TOBAN). This includes any activity that can result in sparks or naked flames capable of starting a fire. Accordingly AGL Macquarie may not undertake routine activities such as hot works or welding on a TOBAN day.

However, the RFS Commissioner may grant an exemption to enable such activities to occur for emergency repair works on such a day. AGL Macquarie should lodge an application on the RFS form – Total Fire Ban Exemption Application.

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Any exemption is likely to be subject to the following conditions:

- Adequate fire fighting equipment is immediately available at the site of the works to prevent escape of any fire, spark or incandescent material from the site;
- Prior to proceeding with any work, contact the Bulga Fire Control Centre to provide details.

It should be noted that, notwithstanding the exemption, the local controller may impose additional conditions which may include a direction that the proposed activity be suspended

6. ACTION OF PERSON DISCOVERING A FIRE

If a fire is reported on AGL Macquarie property, the Shift Manager at Bayswater or Liddell Power Stations must be notified, as they become the Emergency Controller in this situation. On being advised of a fire the Shift Manager will direct the Fire Trained Emergency Responders to the fire and if required call in outside assistance. Refer to the relevant Emergency Services Plan for detailed actions required in the event of a bushfire (PSSI – HSE-01).

All fires must be reported to the PCR – Emergency Number 5555 or

- 6542 0555 – Bayswater
- 6542 1555 – Liddell

Advise the following information:

- Site and exact location of fire and plant affected
- Type of fuel, if known
- A description of the size or extent of the fire
- Any person(s) injured or trapped

K Coates
General Manager

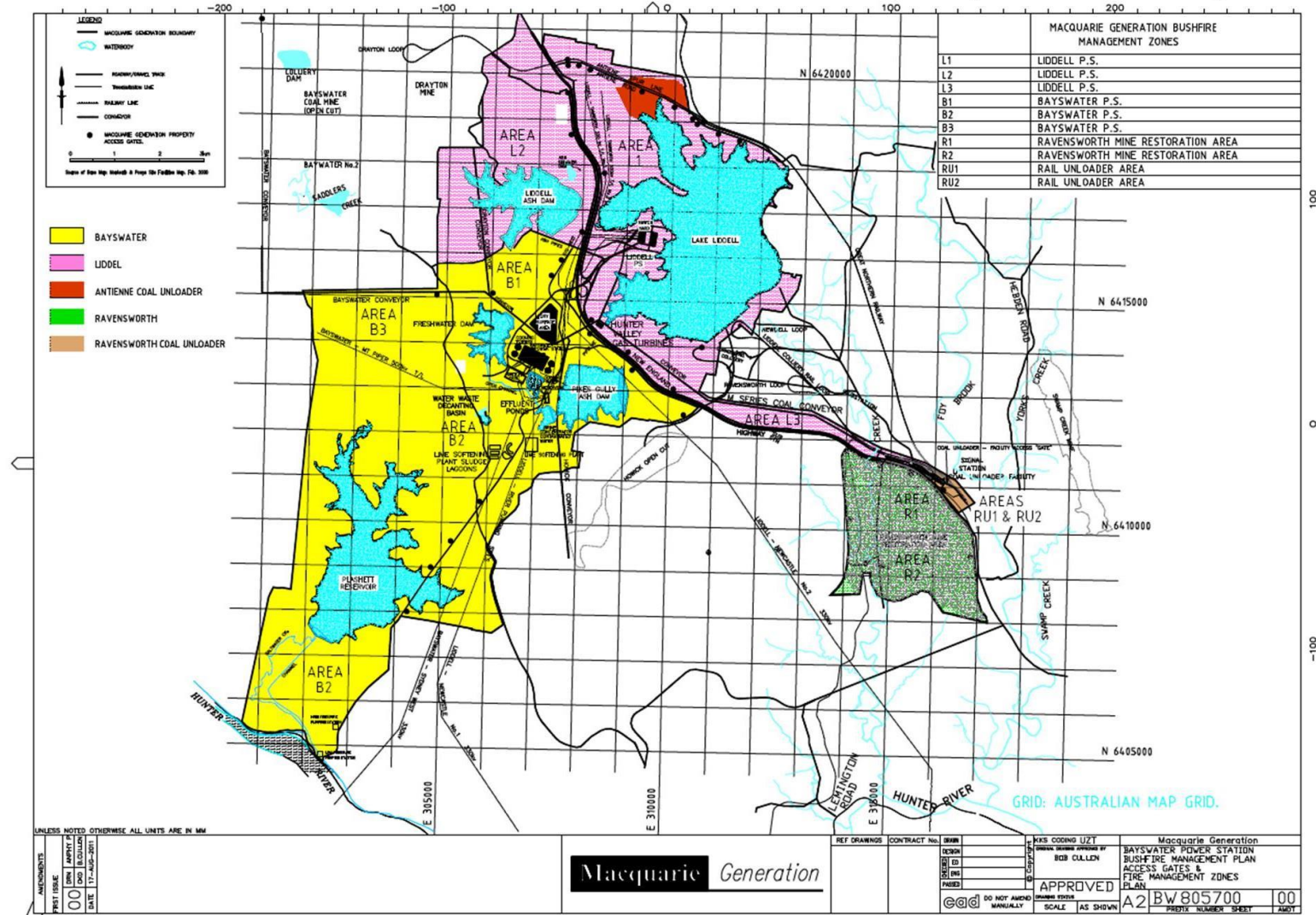
Issued: 24/01/2018

Initially Published:	19/08/2014	Review Completed:	20/12/2017
This Version Effective:	24/01/2018	Commence Review	01/08/2019

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APPENDIX 1

BUSHFIRE MANAGEMENT PLAN ACCESS GATES AND FIRE MANAGEMENT ZONES (DRAWING BW805700)



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6.2 OUTSTANDING DEVELOPMENT APPLICATIONS REPORT

Attachments:	A. Outstanding Development Applications 22 November 2018
Responsible Officer:	Carolyn O'Brien - Acting Director - Environment & Community Services
Author:	Hamish McTaggart - Co-Ordinator - Development
Community Plan Issue:	<i>Support initiatives which reduce the community's impact on the environment</i>
Community Plan Goal:	<i>Require all development proposals to avoid and mitigate against potential environmental impacts and facilitate improved environmental outcomes where possible.</i>
Community Plan Strategy:	<i>Require all development proposals to avoid and mitigate against potential environmental impacts and facilitate improved environmental outcomes where possible.</i>

PURPOSE**OFFICER'S RECOMMENDATION**

The Committee note the undetermined Development Applications listed in Attachment A and the status of their assessment.

Moved: _____ **Seconded:** _____

STATUTORY IMPLICATIONS

Under the provisions of the Environmental Planning and Assessment Regulation 2000 Council has a statutory obligation to assess:

General development applications within 40 days (excluding stop the clock days) of their receipt; and

The following types of development applications within 60 days (excluding stop the clock days) of their receipt:

- (i) Designated development,
- (ii) Integrated development,
- (iii) Development for which the concurrence of a concurrence authority is required, and
- (iv) A development application accompanied by a biodiversity development assessment.

Development Assessment Committee - Outstanding DAs as at 22/11/2018

<u>Account</u>	<u>Property</u>	<u>Applicant</u>	<u>Value</u>	<u>Received</u>	<u>Days</u>	<u>Current Status</u>
005.2018.00000108.001	Storage of Earthmoving Plant - Hardstand/Road Base Entire Yard LOT: 3 ALT: DP: 1119843 REF:	Robson Civil Projects Pty Limited	\$80,000	22/11/2018		DA Acknowledgement
005.2018.00000107.001	Heavy Industrial Storage Establishment - LOT: 4 ALT: DP: 1119843 REF:	Robson Civil Projects Pty Limited	\$80,000	22/11/2018		DA Acknowledgement
005.2018.00000106.001	Ancillary Development - Shed 11 Jackaroo CL MUSWELLBROOK LOT: 310 DP: 1180655	Mr R M Fleming	\$32,440	20/11/2018	2	DA Acknowledgement
005.2018.00000105.001	Ancillary Development - Shed LOT: 7 DP: 22107	Mr C B Foyle	\$24,464	15/11/2018	7	DA Acknowledgement
005.2018.00000104.001	Ancillary Development - Shed 18B Grey Gum RD DENMAN LOT: 3 DP: 1193029	Mr D J Almond	\$40,109	15/11/2018	7	Notify Adjoining Owners
005.2018.00000101.001	Resource Management Facility - Biorefinery 24 Carramere RD MUSWELLBROOK LOT: 22 DP: 1131270	Ethanol Technologies	\$28,617,649	13/11/2018	9	Advertisement - Proposal
005.2018.00000103.001	Dwelling house 15 Lou Fisher PL MUSWELLBROOK LOT: 17 DP: 1087125	Mr A L Higham	\$255,000	12/11/2018	10	Notify Adjoining Owners
005.2018.00000102.001	Ancillary Development - Removal of Fencing, Entry Gates and Sign. Construction of New Fencing, Landscaping and Business Identification Sign Maitland ST MUSWELLBROOK LOT: 133 DP: 610464 REF: GOLF 9080 New England HWY MUSWELLBROOK LOT: 132 DP: 610464 REF: CARAVAN	Broadlands Gardens C/O Ben Tebutt	\$217,250	5/11/2018	17	Advertisement - Proposal
005.2018.00000100.001	Dwelling House 19 Babbler CR MUSCLE CREEK LOT: 402 DP: 1197030	GJ Gardner Homes Hunter Valley	\$300,610	5/11/2018	17	Notify Adjoining Owners

Development Assessment Committee - Outstanding DAs as at 22/11/2018

<u>Account</u>		<u>Property</u>	<u>Applicant</u>	<u>Value</u>	<u>Received</u>	<u>Days</u>	<u>Current Status</u>
005.2013.00000064.002	S4.55 (2) Modification - Enclose Carport	64-66 Ironbark RD MUSWELLBROOK LOT: 101 DP: 1153819	Mr M D Thorley	\$0	26/10/2018	27	CC Application Received
005.2018.00000099.001	Demolition of a Shed and the Construction of a Centre-Based Child Care Facility Classroom, Storage Shed, Fencing and Signage	Turner ST DENMAN Lot: 230 DP:729996 Turner ST DENMAN PRT: 231 DP: 729996 REF: FIELD	HWD	\$638,000	23/10/2018	30	Refer to RFS - Local
005.2018.00000098.001	Ancillary Development - Garage and Deck	LOT: 7 DP: 5634	Ms J Tukaki	\$27,535	19/10/2018	34	Notify Adjoining Owners
005.2018.00000097.001	Signage (Business Identification Sign and Advertisement Structure)	49-51 Maitland ST MUSWELLBROOK LOT: 390 ALT: DP: 1144132 REF:	Mobil Oil Australia Pty Ltd	\$80,000	18/10/2018	35	CC Application Received
005.2018.00000096.001	Ancillary Development - Shed	2 Top Knot PL MUSWELLBROOK LOT: 312 DP: 1105347	Mr B Barnes	\$19,040	18/10/2018	35	Notify Adjoining Owners
005.2018.00000094.001	Ancillary Development - Above Ground Pool and Deck	LOT: 504 DP: 804146	Mr L E Worth	\$25,000	12/10/2018	41	Notify Adjoining Owners
005.2018.00000092.001	Ancillary Development - Retaining Wall	51A King ST MUSWELLBROOK LOT: 2 DP: 607907	Mr R J Hartin	\$9,749	11/10/2018	42	Advertisement - Proposal
005.2018.00000088.001	Commercial Alterations and Additions	Bell ST MUSWELLBROOK LOT: 265 DP: 1030447 REF: GOLF	Stanton Dahl Architects	\$68,162	26/09/2018	57	Additional Info Required

Development Assessment Committee - Outstanding DAs as at 22/11/2018

<u>Account</u>		<u>Property</u>	<u>Applicant</u>	<u>Value</u>	<u>Received</u>	<u>Days</u>	<u>Current Status</u>
005.2018.00000078.001	Service Station (Operating Hours - 24 hours, 7 days a week) and Restau rant (Operating Hours - 6:00am to 10:00pm, 7 days a week)	147/151 Bridge ST MUSWELLBROOK LOT: 1 DP: 159620 LOT: 1 DP: 161784 LOT: 1 DP: 784361 LOT: 1 DP: 794803	Inland Building and Construction	\$2,400,000	6/09/2018	77	Advertisement - Proposal
005.2018.00000074.001	Office Premises and Car Parking Area Ancillary to Security and Traffic Control at Bayswater Power Station	New England HWY MUSWELLBROOK PT: 2 ALT: A DP: 1095515	Monteath & Powys Pty Ltd	\$115,700	20/08/2018	94	Additional Info Required
005.2018.00000076.001	Installation of New Telecommunications Facility	Hill ST MUSWELLBROOK LOT: 18 DP: 1075238 REF: PARK	Kordia Solutions Australia	\$200,000	14/08/2018	100	Notify Adjoining Owners
005.2018.00000062.001	Two (2) Lot Subdivision	Honey LA SANDY HOLLOW LOT: 2 DP: 1234634	Monteath & Powys Pty Ltd	\$10,000	23/07/2018	122	Notify Adjoining Owners

Development Assessment Committee - Outstanding DAs as at 22/11/2018

<u>Account</u>		<u>Property</u>	<u>Applicant</u>	<u>Value</u>	<u>Received</u>	<u>Days</u>	<u>Current Status</u>
005.2018.00000054.001	Demolition of a Commercial Building and the Construction of a Two (2)	LOT: 1 DP: 11221 LOT: 2 DP: 11221 LOT: 7 DP: 71755 REF: LIBRARY PT: 8 ALT: A SEC: 6 DP: 758740 REF: LIBRARY 83 Hill ST MUSWELLBROOK LOT: 5 DP: 11221 REF: TERTIARY ED* 85 Hill ST MUSWELLBROOK LOT: 4 DP: 11221 LOT: 3 DP: 11221 Bridge ST MUSWELLBROOK PT: 8 ALT: B SEC: 6 DP: 758740 REF: WEIDMAN 83 Hill ST MUSWELLBROOK LOT: 5 DP: 11221 REF: CARPARK	Mr S Rose	\$3,556,300	15/06/2018	160	Notify Adjoining Owners
005.2018.00000047.001	Boarding House	28 Wollombi RD MUSWELLBROOK LOT: 495 DP: 1175898 REF: DOH	Baini Design	\$183,700	31/05/2018	175	Additional Info Required
005.2003.00000072.004	S4.55(2) Modification - Alter Hours of Operation of Restaurant Drive-t hru (McDonald's)	83-89 Maitland ST MUSWELLBROOK LOT: 100 DP: 793194	McDonalds Australia Limited	\$0	31/05/2018	175	Additional Info Required
005.2018.00000018.001	Water Treatment and Recycling Plant ancillary to Existing Winery and Distillery	Hunter ST MUSWELLBROOK LOT: 1 DP: 995228	Hunter Wine Services	\$400,000	28/02/2018	267	Advertisement - Proposal

Development Assessment Committee - Outstanding DAs as at 22/11/2018

<u>Account</u>		<u>Property</u>	<u>Applicant</u>	<u>Value</u>	<u>Received</u>	<u>Days</u>	<u>Current Status</u>
005.2002.00000342.005	S96(2) Modification - Consolidate Two Consent Documents into One with Modified Conditions Where Applicable	8440 New England HWY MUSWELLBROOK LOT: 30 ALT: DP: 815308	Casson Planning and Development Services	\$0	28/02/2018	267	Notify Adjoining Owners
005.2017.00000058.002	S96 (1A) Modification - Modify Condition 8	Jerdan ST DENMAN LOT: 1 DP: 151236	Ms M J Melville	\$0	19/02/2018	276	Advertisement - Proposal
005.2017.00000108.001	Extension to Existing Commercial Building	4 Lorne ST MUSWELLBROOK ALT: A DP: 332469	W.A. Brown Building Pty Ltd	\$44,000	14/12/2017	343	Additional Info Required
005.2017.00000095.001	Concrete Block Retaining Wall and Steel Framed Shed	70-72 Ironbark RD MUSWELLBROOK LOT: 103 DP: 1153819	Mr B J Osborn	\$145,000	27/10/2017	391	Additional Info Required
005.2017.00000060.001	Change of Use - Building Materials Recycling Depot	7 Glen Munro RD MUSWELLBROOK LOT: 5 DP: 1018378	Mr L McWhirter	\$0	23/06/2017	517	Additional Info Required
005.2000.00000212.006	S96(1a) Modification - Extension of timeframe of Operations & Extraction Area, Site Plan, Removal of Conditions	Denman PH COUNTY BRISBANE LOT: 1 DP: 221400 2449 Denman RD MUSWELLBROOK LOT: 12 DP: 1027580	Cardno (NSW/ACT) Pty Ltd	\$0	29/05/2017	542	Advertisement - Proposal
005.2016.00000032.001	Placement of Fill	110 Merriwa RD DENMAN LOT: 402 DP: 1175263 Merriwa RD DENMAN LOT: 403 DP: 1175263	Casson Planning and Development Services	\$5,000	12/04/2016	954	Additional Info Required

Development Assessment Committee - Outstanding DAs as at 22/11/2018

<u>Account</u>	<u>Property</u>	<u>Applicant</u>	<u>Value</u>	<u>Received</u>	<u>Days</u>	<u>Current Status</u>
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DAs Outstanding: 32

7 DATE OF NEXT MEETING

3 December 2018

8 CLOSURE