

Assessment: 2039075, File: 4027/02

16 August 2012

Joint Regional Planning Panels
Panel Secretariat
GPO Box 39
Sydney NSW 2001
Attn: Daniel Livermore

**Subject: Re: Forbes Business Centre, Newell Highway,
Forbes**

Dear Sir/Madam,

I refer to development application 2012/0051 for the former Forbes Shire Council's saleyards proposing the redevelopment to the Forbes Business Centre. Specific reference is made to the to the planning officer's report and draft conditions forwarded to the Secretariat.

Draft Condition 75 of the report relates to contamination and validation of the aforementioned site. Specific reference is made to the requirement within that condition that states:

The concrete stockpiles 214 and 304 contain levels of arsenic that exceed Recovered Aggregate Guidelines (EPA, 2011) Stockpiles 214 and 304 shall be kept separate and disposed of in appropriate licensed landfill. All other concrete from saleyards contains anolytes within the Recovered Aggregate Guidelines (EPA, 2010) and is suitable for road making activities, building, landscaping and construction works. A validation report shall be prepared to confirm the effective remediation of the development site prior to the issue of the Construction Certificate.

Council has received further information by way of a contamination report that addresses the portion of these specific stockpiles of materials on the site. The report clarifies that the material subject of the stockpiles can now be kept on site and used for fill.

It is therefore acknowledged that Condition 75 would need to be amended to delete the portion requiring stockpiles 214 and 304 to be removed from the site.

Please find attached a copy of draft Condition 75 to replace the one attached to the existing report.

Should you have any enquiries, please contact **Mr Brendan Hayes**, Manager, Development & Regulatory Control on **6850 2344**

Yours faithfully



Paul Bennett
Director
ENVIRONMENTAL SERVICES & PLANNING

- 75. A remediation action plan shall be prepared describing the following works:**

Remediation of the soil contaminated with E. coli is required before the site is suitable for the proposed commercial land-use. The recommended remediation method is cultivation to 300mm and the addition of lime. An environmental management plan (EMP) shall be prepared to manage disturbances of the asbestos cement pipes.

The EMP will provide procedures to be implemented for disturbance of asbestos cement pipes in excavations. Any work on asbestos should be undertaken in accordance with Work Health and Safety Regulations 2011 and Safe Work Australia 2011.

Decommissioning of the pond can be undertaken by filling with natural excavated material.

A validation report shall be prepared to confirm the effective remediation of the development site prior to the issue of the construction certificate.

REASON: To ensure public safety & Council indemnity. Section 79C(1)(e) of the Environmental Planning and Assessment Act 1979, as amended.