

Hi Lisa,

Mick Denny and I have reviewed the Panel question and concur that there may be potential for a legacy issue with the proposed **Conditions 24A and 66A**. Mick and I agree that it is appropriate that the conditions be amended to incorporate *'during the undertaking of the earthworks in Precincts 6, 7 and 9'* after the first occurrence of *'Precinct 11'*.

Accordingly Council recommends amendments to both conditions as follows:

24A. Prior to the issue of a Construction Certificate for Bulk Earthworks, the following detail in accordance with Council's Development Design and Construction Specifications shall be submitted to the Principal Certifying Authority for approval.

- (a) copies of compliance certificates relied upon
- (b) Detailed engineering plans and specifications, prepared in accordance with Development Design Specification D13 - particularly Section D13.09. The detailed plans shall include (but are not limited to) the following, unless approved otherwise by the PCA:
 - Earthworks
 - Clearly showing pre and post development levels (spot levels and contours) at a legible scale.
 - Compliance with the provisions of Council's Design Specification D6 - Site Regrading.
 - Batter slopes on drain cross sections and in public open space areas shall not exceed 1:4 (v:h), unless otherwise endorsed by Council.
 - Compliance with the provisions of NSW RFS Planning for Bushfire Protection Guidelines 2006.
 - **Overall site earthworks are limited to a maximum disturbed area of 5ha that have not been appropriately stabilised (and excluding any dedicated road and the future Cobaki Parkway). The only exception is earthworks for Precincts 6, 7 and 9 which are permitted to disturb an additional 10ha (in addition to the existing quarry area located within Precinct 11 during the undertaking of the earthworks in Precincts 6, 7 and 9) for a limited period, in accordance with the schedule of works contained in the Arcadis Report dated 23 March 2017 (with Appendix B Engineering drawings being conceptual only and subject to council's final approval associated with Construction Certificate(s) for Bulk Earthworks). No earthworks are to be undertaken in the Precinct 11 quarry concurrently with the earthworks (as detailed in the Arcadis Report dated 23 March 2017) in Precincts 6, 7 and 9.**
 - Detailing how the Cultural Heritage Parks permanently free drain and will not be subject to flooding inundation.
 - Cross sections provided through each proposed sedimentation basin to confirm suitable free drainage and capacity.
 - Details confirming the permanent drainage of Rehabilitation / Management Area 8 (applicable to Construction Certificate for Precinct 9).

- Including supporting calculations of proposed drainage swales to confirm compliance with the provisions of Council's Design Specification D5 - Stormwater Drainage Design (unless provided within the required SWMP).
- Stormwater drainage
- Landscaping works (as applicable)
- Sedimentation and erosion management plans
- Location of all service conduits (water, sewer, electricity supply and telecommunication infrastructure), as well as details and locations of any significant electrical servicing infrastructure - such as transformers and substations

The Environmental Planning and Assessment Act, 1979 (as amended) makes no provision for works under the Water Management Act 2000 and Section 138 of the Roads Act to be certified by an Accredited Certifier.

66A. Dust and Erosion Management

- (a) **Overall site earthworks are limited to a maximum disturbed area of 5ha that have not been appropriately stabilised (and excluding any dedicated road and the future Cobaki Parkway). The only exception is earthworks for Precincts 6, 7 and 9 which are permitted to disturb an additional 10ha (in addition to the existing quarry area located within Precinct 11 during the undertaking of the earthworks in Precincts 6, 7 and 9) for a limited period, in accordance with the schedule of works contained in the Arcadis Report dated 23 March 2017 (with Appendix B Engineering drawings being conceptual only and subject to council's final approval associated with Construction Certificate(s) for Bulk Earthworks). No earthworks are to be undertaken in the Precinct 11 quarry concurrently with the earthworks (as detailed in the Arcadis Report dated 23 March 2017) in Precincts 6, 7 and 9. Completed areas are to be topsoiled and seeded immediately to protect them from water and wind erosion.**
- (b) All topsoil stockpiles are to be sprayed with dust suppression material such as "hydromulch", "dustex" or equivalent. All haul roads shall be regularly watered or treated with dust suppression material or as directed on site.
- (c) All construction activities that generate dust shall cease when average wind speeds exceed 15m/s (54 km/h). The applicant shall be responsible for the monitoring of on-site wind speeds and be able to produce this data to the PCA on request.

Please advise if the above email will suffice or whether an additional memo is required.

Regards,
 Colleen
Colleen Forbes
 Team Leader Development Assessment
 Planning and Regulation