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| MEMO |  |
| To: | Hunter and Central Coast Regional Planning Panel |
| From: | David Pavitt – Chief Development Engineer |
| File: | DA/2238/2017 | **Reference:** | PPSHCC-35 | Date: | 12 October 2021  |
| Subject: | Supplementary information – documentation and plans to support assessment report |

The following information is provided to the Panel to supplement and update the assessment report provided on 6 October.

**Lapsing of Concept Approval**

Page 4 and 30 of the assessment report identifies if the development application is refused, the Concept Approval would lapse.

DA/1199/2017 for a four lot subdivision at 41 Flowers Drive was lodged on 11 July 2017 prior to the lapsing date of the Concept Approval and has therefore enacted the Concept Approval. The application was approved on 19 March 2021.

The Concept Approval will not lapse irrespective of the outcome of the determination of the current development application being considered by the Panel.

**Ausgrid referral**

Council have received a response from Ausgrid on Tuesday 12 October. Ausgrid require that works certificates are not issued until Ausgrid are satisfied as to any upgrades that may be required (e.g. substation installation) for connection to the Ausgrid network.

Council recommend these facilities are conditioned to be located adjacent to public road or drainage reserves where assessment of impacts have been considered as part of the application.

**Contamination**

The applicant has sought advice from a NSW EPA Accredited Site Auditor to assess whether the site is suitable for residential use and can meet the provisions of the SEPP.

A report has been provided on Tuesday 12 October and will be reviewed with a summary provided to the Panel during the Council briefing meeting on Wednesday 13 October.

**Retention of dwellings – Hamlet B (Condition 1.31 Concept Approval)**

The applicant has sought advice regarding remediation works and grouting works, and impacts the existing dwellings in Hamlet B identified for retention.

A report has been provided on Tuesday 12 October and will be reviewed with a summary provided to the Panel during the Council briefing meeting on Wednesday 13 October.

**Impact on groundwater and groundwater dependent ecosystems (Condition 1.25 Concept approval)**

Page 11 and 12 of Attachment B identifies insufficient information has been submitted to confirm if two mine working areas containing water are subject to groundwater or surface water.

The reports submitted with the application by Douglas Partners, SMEC and RPS have sufficiently analysed the impacts of the development on groundwater levels and groundwater dependent ecosystems (GDEs) with respect to mine workings. The reports have confirmed the mine workings have no influence of the GDE (hydrogeologically separate) and therefore grouting to mitigate mine subsidence will have no impact on the groundwater that supplies the GDEs.

The reports also identify a majority of the adjacent GDEs would not be influenced by the development as they were hydrographically separate to the site soils – either upstream or on other side of ridgelines. For those GDEs that potentially are impacted it was concluded the stormwater management controls in the development will adequately manage the quality of runoff entering the GDE. The overall catchment draining to the GDEs is large compared to the site catchment draining and any volumetric increases in runoff would be minor and as such have negligible impact.

Council is satisfied with these conclusions.

The reports do not appear to consider contamination remediation works which may impact the alluvial soils along the northern boundary of Hamlet B. These alluvial soils provide groundwater which influence GDEs. Council will require a qualified expert to provide additional information that takes into account the potential influence of the contamination remediation works on the alluvial soils and provide comment on the potential impact on the adjacent GDEs.

Should you have any further questions, or require further information to assist in the Panel’s preparation for the meeting on Wednesday 13 October, please contact me on 02 4921 0455 or dpavitt@lakemac.nsw.gov.au.

David Pavitt

Chief Development Engineer

Development Assessment & Certification