

DA 10.2017.201.3

Response to 2 x email requests from Carolyn Hunt dated 20/5/24

Note. Council response in blue text

- *Stockpiling – issue to be addressed, noting the approval of the fill material on the site under the original consent, but an assessment underpinning the proposed changes to the conditions.*

Is all the fill material required for the development now stored in this stockpile ? It was noted that condition 19 is proposed to be amended to delete the paragraph "Fill sources are to nominated such that at least 50,000 cubic metres can be provided from the same source, to limit the amount of differing imported materials being used on the site". Is this because all the fill material has already been imported into stage 1 and 2 and the fill stockpile ? Explanation needed.

The proposed amendment to Condition 19 "Fill material" will achieve 2 objectives. Firstly, it will enable the retention of the temporary stockpile on the site. Secondly, it will negate the need to source a minimum of 50,000m³ from the same source.

Temporary fill stockpile

During construction works, surplus fill material was brought into the site. Imported fill is subject to certification which confirms that it is clean, uncontaminated and suitable for use. Topsoil within works areas is stripped and also stockpiled with the surplus fill material for later use. The soil stockpile has been managed in accordance with the relevant erosion and sedimentation control conditions.

Enabling the retention of the temporary fill stockpile will minimise local disturbance in the event that fill material remains in excess of that required for the immediate construction works. In the absence of this proposed amendment, excess material would need to be trucked out of the site and then brought back at the start of the subsequent construction stage. Additional fill material will be required for future stages.

Fill sources

One of the requirements for the existing Condition 19 relates to the source of the fill - "Fill sources are to nominated such that at least 50,000 cubic metres can be provided from the same source, to limit the amount of differing imported materials being used on the site". Sourcing 50,000m³ locally is extremely challenging and possible sources of suitable local fill are limited to other local construction sites involving excavation. In order to satisfy this condition the applicant states that fill would need to be imported from outside the local area.

- *Monitoring period - Council's Ecologist and Council's EHO both do not support the removal of the 12 month monitoring period between stages, noting inadequate acid frog surveying and water quality analysis to date. Whilst Council's Ecologist supports the alteration to the staging program, it was noted that Council's EHO does not – clarification requested*

Both Council's Ecologist and EHO concluded that more time was required for monitoring. The proposed modification includes, among other things, amalgamation of staging from 3-7 to 3-4; and the removal of the 12 months monitoring period between stages. Neither the Ecologist or the EHO supported these two components of the proposal. However, from a

planning engineering perspective, noting likely efficiencies in construction for the developers and reducing the time frame to complete this development, a consolidation of the stages is supported.

Has the RFS integrated development approval been received to this modification application? Recommended changes to Condition 8 are relevant? Clarification required whether the more recent RFS approval is being used?

An attempt was made to refer this s4.56 modification to the RFS on 1/3/24 and again on 10/4/24 by Council's development support staff. In the absence of a response from the RFS the s4.45 was again referred to the RFS on 13/5. The most recent referral is due for completion by 3/6/24. An urgency email request was sent to RFS on 21/5/24 to finalise response by 22/5/24.

The recommended changes to Condition 8 are relevant. The RFS GTA's were updated for 10.2017.201.2, however, Condition 8 was not updated to reflect the date of the GTA's. Further details provided in Section 2.1 and Table 3 of the report.

- *GTAs from the RFS - The referral to the RFS was sent but has not been returned and so this is unresolved. The Panel shouldn't be making changes to GTAs without RFS comment (regardless of how minor). Request for timeframe for GTAs.*

The most recent referral is due for completion by 3/6/24. An urgency email request was sent to RFS on 21/5/24 to finalise response by 22/5/24.

- *Proposed change to Condition 97 (Works as executed plans) - Council's report did not comment on the applicant's requested changes to remove the need for a road safety audit. It does not appear in the draft conditions and so it is assumed that Council does not support it but would be good for some commentary on the reasons.*

The proposed modification of Condition 97 was not supported by Council's Development Engineer. The Statement of Environmental Effects did not provide the detail to the satisfaction of Council that a Road Safety Audit was superfluous.