

10 August 2021

Our Reference: J7148

The General Manager
Byron Shire Council
PO Box 219
MULLUMBIMBY NSW 2482

Attention: Ivan Holland

**Section 4.56 Application to Modify Development Consent 10.2017.201.1
Harvest Estate, West Byron**

Dear Ivan,

We write in response to the public submissions made regarding the subject application.

The following table summarises what was raised in the 8x public submissions made during the public consultation period for this Modification Application and discusses how we see the application responds to these concerns.

Response Theme	Feedback	Feedback Response
Uncertain Groundwater & Stormwater Conditions Raised in submission 1, 2, 3, 4, 5, 6, 7, 8	<p>The proposal to reduce the timeframe for monitoring groundwater changes between development stages is not supported. The submissions raised concern that:</p> <ul style="list-style-type: none">• The changing conditions of groundwater and stormwater in the area are not fully known as a result of the STP, increased development and climate change.• Modelling of groundwater in the area is not considered to reflect the true characteristics of groundwater activity in the area.• The staging and timeframe between each stage ensured a full year of monitoring, capturing all weather and season conditions.• The conditions ensure appropriate safeguard and apply a precautionary approach to the development, ensuring enough time to observe and ensure accuracy in the model, changes in the groundwater and surrounding ecosystems.	<p>Acknowledging the concerns raised in the submissions and through consultation with Council, the applicant has agreed to not seek a change to Condition 4 of the consent. A 12x month 'stop and monitor' period will remain between development stages as a precautionary approach to the development.</p>
Public interest	<p>The submissions noted that the DA was opposed by the community. Further</p>	<p>The staging of the development and associated conditions of consent have been proposed to be redrafted, to support an efficient construction program,</p>

Response Theme	Feedback	Feedback Response
Raised in submission 3, 4, 5, 6, 7, 8	changes to the consent were therefore not considered to be in the public interest. The submissions considered the proposal is based on developer / financial gain, with no benefit to the community.	reducing the length of time that the estate will remain as a construction zone. This will benefit the community, minimising the timeframe that the local area and new residents within the estate are exposed to subdivision construction activities, such as haulage truck movements, bulk earthworks, construction material and plant entering and exiting the site after each stage and use of heavy machinery. This also expedites the delivery of Council's primary housing growth area, assisting to alleviate housing pressure within the LGA.
Fill Raised in submission 4	Concern was raised regarding the increase in fill and hardstand in the area and that this will detrimentally impact surrounding environments. The submission raised concern regarding the impacts associated with truck movements for importing fill.	The proposed modifications to the consent will not impact / change the amount of fill or hard surface areas approved for the site. The proposal is seen to reduce potential impacts from truck movements, as noted above.
Legal point of discharge Raised in submission 4	The submission raised concern that there was no new assessment regarding flow paths and impacts on receiving environments.	The proposed modification to the consent will not impact / change the approved drainage strategy for the site.

We look forward to hearing from you and confirm, should you have any enquires on this matter, please contact Luke Blandford to discuss on (02) 6674 5001.

Yours sincerely,



Luke Blandford
Planit Consulting