



Your ref: MP 06_0143 MOD 4
Our ref: (1515900PN and 0631/08DA)

14 July 2020

NSW Department of Planning, Industry and Environment
Attention: Ms E Wilkinson
ella.wilkinson@planning.nsw.gov.au

Dear Sir/Madam,

**Response to Proposed Modification MP 06_0143 MOD 4 – Glades Estate
Lots 1 and 2 DP 725785, Pacific Highway, Moonee Beach**

Reference is made to the above modification to the Glades Estate.

Council has reviewed the information submitted to the Department and the following advice is provided for your consideration:

Flooding:

With regard to flooding matters, the following comments are provided:

- Council has no objection to the proposed amended condition D6.1 (a) and (b), as stated in the response to submissions.
- In terms of flooding the original Condition D6.2 is acceptable to be removed, however, it is noted that the condition may require something else to be set in place to protect the stormwater/WSUD infrastructure such as bioretention basins and swales. Previous comments provided in relation to this condition considered flooding aspects only. Please see further comments below under the heading of stormwater.

The Condition 6.2 recommended by OEH (“All stormwater treatment infrastructure such as swales and basin are to be located above the 5% AEP flood level”) is considered an acceptable condition with regards to flooding.

- From a flooding perspective, there is no objection to the removal of the second sentence in condition E16, as stated.
- Council requests that a condition be imposed requiring that a copy of the flood model result files be provided to council prior to the issuing of subdivision certificate (for the purposes of applying flood planning level to individual lots in the future).

- Council requests that a condition be imposed that requires a restriction be created on the title of the lots affected by the 1% AEP, restricting the use of this portion of the lot for any habitable building or structure

Earthworks:

With regard to earthworks, the following comments are provided:

- The location of a number of the sewer pump station appears to be located in flood impacted land and below the 1% AEP flood event. Sewer pump stations are required to be located above the 1% AEP level. Council recommends that the Department ask the applicant to amend the bulk earthworks plan to address this and any associated impacts of increased fill extents (it is also noted that the designated sewer pump station and bio-retention areas appear to be conflicting. See plans referenced in Condition A3 prepared by AusPacific Engineers drawing number P5 rev. C 'Stormwater Drainage and Catchment Plan' April 2008 and P7 rev A 'Conventional Sewerage Reticulation Concept Plan' April 2008).
- Council recommends that the Department ask the applicant to provide information that satisfactorily demonstrates that the proposed bulk earthworks will not affect the feasibility for compliant design of the sewer reticulation system and stormwater network (it is anticipated that the levels and grades of critical lines would be provided to demonstrate this).
- The proposed levels around the vegetated centre corridor, whilst slightly different from the original bulk earthworks, appears to align with the existing topography on the site with the exception of the southern corridor boundary.

Council recommends that the Department ask the applicant to clarify, through cross-sections or otherwise, how the landform in this area and associated impacts (e.g. stormwater, batters adjacent road, etc.) are proposed to be managed.

Stormwater:

Whilst Council has previously indicated no objection to the deletion of Condition D6.2 and the second sentence of E16 (see correspondence dated 20 June 2016 in Appendix B of Response to Submission), Council recommends that the Department seek further clarification from the applicant regarding how the modified development achieves the intention of this condition.

Please note that Council's previous response considered the flooding implications of the removal of the condition, but did not consider the potential impact on the groundwater table and surrounding environs, as indicated by AusPacific Engineers in their advice dated 4 April, 2008. Given this, Council is not in a position to provide informed advice to the Department with regards the deletion of the condition based on the information currently available to Council.

Biodiversity:

It is noted that while the applicant has now amended the application to no longer include the removal of the central wildlife corridor for the purpose of providing additional lots, it is noted that it is the applicant's intention to revisit this matter at a future point.

Council previously advised (in correspondence dated 14 April 2020):

“The only adequate offset for the loss of the central corridor would be to significantly increase the width of the eastern corridor adjoining Skinners and Moonee Creek. This would then also assist to meet the riparian zone requirements in Section E1.3 of the Coffs Harbour City Council Development Control Plan 2015 which specifies a riparian buffer of 50m for Skinners Creek and 100m for Moonee Creek. It is noted that this would require the loss of residential lots in the eastern part of the subdivision however it would assist to maintain water quality, aquatic and terrestrial habitat and provide an adequate and viable wildlife corridor.”

Council considers that it is worth noting at this point that the current application, now only involving earthworks for the existing footprint, will mean that the area potentially required for compensatory works for any future removal of the central wildlife corridor will be cut and significantly disturbed to the point where the ability to undertake any meaningful rehabilitation work is very unlikely. Indicatively, the affected residential lots are numbered 320-324.

It is recommended that the Department advise the applicant that undertaking the earthworks will likely affect the applicant's ability to remove vegetation in the central wildlife corridor in the future.

I also note that a comprehensive vegetation management plan for the site is still required.

For further information, please contact Renah Givney on 6648 4647.

Yours faithfully



Renah Givney
Development Assessment Officer – Senior