

## Questions on Notice from IPC and DPE Meeting 20 March 2019 – Narrawallee MP 06 0276 MOD 3

### **1. Please clarify the timing for the dedication of the central reserve**

Conditions A1 and E27(4)(c) require the Proponent to dedicate the southern vegetated reserve (i.e. the central reserve) to Council prior to the release of the Subdivision Certificate for Stage 7.

However, the Department notes the existing Condition E15 is inconsistent with the above conditions and requires the Proponent to dedicate the southern vegetated reserve to Council prior to the release of the Subdivision Certificate for Stage 2.

As the Subdivision Certificates have been issued for Stages 1 to 3, and Council has confirmed the southern vegetated reserve has not been dedicated, the Department recommends the IPC revise the wording of Condition E15 as follows to clarify the timing for the dedication of the southern vegetated reserve:

#### Existing Conditions recommended to be revised

##### ***“E15 Southern Vegetated Reserve***

*The Southern vegetated Reserve is to be weeded as necessary in accordance with the approved Weed Management Plan and dedicated to Council upon registration of Stage ~~2~~ **7**. Council is to inspect and confirm that the reserve is in a suitable condition for dedication prior to the release of the Subdivision Certificate for Stage ~~2~~ **7**”.*

The Department also notes there is a similar inconsistency between conditions A1, E14 and E27, which require the dedication of the northern vegetated reserve to Council prior to the issue of the Subdivision Certificate for either Stage 6 (conditions A1 and E27) or Stage 4 (Condition E14). To correct this inconsistency, the Department recommends the IPC re-word Condition E14 as follows:

##### ***“E14 Northern Vegetated Reserve***

*The Northern Vegetated Reserve is to be weeded as necessary in accordance with the Weed Management Plan and dedicated to Council upon registration of Stage 4 ~~6~~. Council is to inspect and confirm the reserve is in a suitable condition for dedication prior to the release of the Subdivision Certificate for Stage 4 ~~6~~.”*

### **2. Condition A1: Stage 7 includes “Completion of southern vegetated reserve and dedicate to Council”- Is this referring to the central vegetated reserve? Or the southern open space reserve?**

Condition A1 identifies the central vegetated reserve as the “southern vegetated reserve”. The reserve proposed for conversion into six residential lots is identified as the “southern open space reserve” in Condition A1.

### **3. How many additional lots did the original modification request propose in the northern vegetated reserve? (i.e. two or four?)**

The original modification request sought approval to re-subdivide lots 621, 622, 311 and 421 to create 4 additional lots (see **Figures 1 and 2** overleaf).



**4. Provide map showing location of second speed hump (between Aries Place and Scorpio Grove).**

The proposed location of the second speed hump between Aries Place and Scorpio Grove is provided at **Appendix 1**.

**5. Please clarify Council's advice on the capacity of the stormwater management system?**

Council's response to submissions email dated 22 May 2018 states:

*"Drainage for the addition of lots along the southern boundary (replacing the small reserve) can be contained within the existing and proposed drainage system with suitable onsite stormwater detention possible if required"*

Given the above, the Department is satisfied there is sufficient capacity in the stormwater management system. However, as a safeguard, the Department has recommended a new condition (Condition B15A) to ensure the Proponent provides a statement from a suitably qualified expert prior to the issue of a Construction Certificate for Stage 8 to demonstrate:

- the existing stormwater infrastructure has capacity to accommodate proposed lots 801 to 806
- proposed lots 801 to 806 will not generate any additional flooding impacts.

Further, if the analysis required above demonstrates the stormwater management system is incapable of supporting the proposed lots, proposed Condition B15A requires the Proponent to undertake suitable augmentation works as approved by Council.

**6. Why does condition B21A (1) use the word 'maximum' rather than 'minimum' in the sentence: "All APZs within Stage 8 must provide for future dwellings to achieve a maximum BAL of 29"?**

AS 3959 divides bushfire prone areas into six categories based on a building's potential exposure to ember attack, radiant heat and direct flame contact. Appendix 3 of *Planning for Bushfire Protection 2006* (PBP 2006) identifies construction standards (BALs) for dwellings in each category based on the degree of radiant heat flux and separation distance from the bushfire hazard.

*The RFS has recommended the use of a maximum BAL of 29 for the proposed development based on the requirements of PBP 2006, which specify BAL 29 as the maximum construction standard that can be applied to facilitate compliance with the deemed-to-satisfy requirements of the national construction code for dwellings outside the flame zone.*

**What does the fire trail through the super lot achieve?**

The fire trail through the superlot will provide emergency egress until the western perimeter road is connected to Seaspray Street. As the Proponent does not have landowners consent to provide this connection, Condition B2 requires the establishment of the fire trail, and prevents the subdivision of the superlot until the site is connected to Seaspray Street.

**7. When will the western perimeter road be completed?**

Condition A1 requires the western perimeter road to be completed as part of the Stage 7 works. In addition, conditions B17 and E2 require all road infrastructure within each stage to be constructed prior to the issue of each Subdivision Certificate.

**8. Provide map showing location of quarry on central vegetation reserve.**

The Environmental Assessment and Preliminary Contamination Report prepared to support the approved project state the former quarry is located in the southern open space reserve. However, the Department notes Council's submission dated 22 May 2018, indicates there is also a deep excavation associated with the former quarry within the southern vegetated reserve (see **Figures 1 and 2** below).



*Old ridge gravel quarry from the ground and the air*

**Figure 1:** Photographs of the quarry (Source: Environmental Assessment for MP 06\_0267)



**Figure 2:** Aerial photograph showing the location of the disused quarry (Base source: Nearmap)

**9. Is there a Voluntary Planning Agreement?**

MOD 2 included a draft Voluntary Planning Agreement (VPA) between the Applicant and Council to enable the Proponent to construct and dedicate an unformed section of Bishop Drive in lieu of paying a monetary contribution toward the Bishop Drive, Southern Link Road and Matron Porter Drive road projects identified in Council's Contributions Plan. The Department understands Council has advised the IPC this VPA has been executed.

The Department has reviewed the requirements of Condition E27 and is satisfied that E27(5) turns off the requirement to pay contributions toward the above road projects as per the intent of the VPA, provided the Bishop Drive upgrades have been constructed to Council's satisfaction prior to the issue of the relevant Construction Certificate.

**10. Are any modifications required to the Statement of Commitments (SOCs) referenced in Condition E27(4)(b)?**

The Department has reviewed the SOCs and has concluded the terms of Condition A5 ensure the conditions of approval prevail to the extent of any inconsistency with the SOCs dated 7 April 2008.

In addition, the Department notes Council advised the monetary contribution referenced in Condition E27(4)(b) has been paid. On this basis, the Department has concluded no modifications are required to the approved SOCs.

## Appendix 1:

Aerial map showing location of the existing and proposed speed hump (Base source: Nearmap)

