

From: [Sargent, Narelle](#)
To: [Cilliers, George](#)
Cc: [Power, David](#); [Green, Ben](#); [Sandeman, Graham](#)
Subject: Southern Asphalt Services DA Ref 201936510 , 5 Paspaley St., Block 67 Section 22, Hume ACT 2620
Date: Tuesday, 19 May 2020 12:06:15 PM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.jpg](#)
[image005.jpg](#)

Dear Environment Planning & Sustainable Development Directorate (EPSDD)

In response to additional information provided to both the ACT Planning Authority and the Environment Protection Authority (EPA), the Office of the Environment Protection Authority (OEPA) has undertaken a further assessment of the supporting documentation provided with Development Application 201936510 for a proposed Asphalt Plant at 5 Paspaley Street, Block 67 Section 22, Hume ACT 2620 and **does not support** the Development Application.

EPA provide the following:

No comments	
Recommend Conditions of Approval	
Advice for the applicant	
Recommend Lease Conditions	
Recommend Not Supported	X
Further Information/amendments Required	

In light of the technical deficiencies raised regarding the SLR report the OEPA believes that the SLR air quality assessment report needs to be independently reviewed to ensure that the air quality modelling is satisfactory to demonstrate the proposed development is compatible with surrounding permitted land uses.

Yours sincerely
Narelle Sargent
Environment Protection Authority

Narelle Sargent | the Environment Protection Authority
Office of the Environment Protection Authority (EPA)
Access Canberra | Chief Minister Treasury and Economic Development Directorate | ACT
Phone: 02 6207 5782 | Mobile [REDACTED] | Email: narelle.sargent@act.gov.au
470 Northbourne Avenue, Dickson | GPO Box 158 Canberra ACT 2601 | www.act.gov.au/accessCBR



From: Cilliers, George
Sent: Friday, 15 May 2020 10:21 AM
To: Sargent, Narelle <Narelle.Sargent@act.gov.au>
Cc: EPAPlanningLiaison <EPAPlanningLiaison@act.gov.au>; Power, David <DAVID.POWER@act.gov.au>; Green, Ben <Ben.Green@act.gov.au>; Sandeman, Graham <Graham.Sandeman@act.gov.au>
Subject: RE: Southern Asphalt Services DA Ref 201936510 , 5 Paspaley St., Block 67 Section 22, Hume ACT 2620
Importance: High

UNCLASSIFIED

Thank you Narelle,

I note your recommendation. This appears to be at odds with the most recent advice received from EPA, being supportive of a conditional approval - see attached email dated 7 May 2020. Grateful if you can provide us with EPA's final advice for this development application as soon as possible. (We are now well overdue with this decision and need to make a decision soon.)

Regards

George

From: Sargent, Narelle <Narelle.Sargent@act.gov.au>

Sent: Tuesday, 12 May 2020 11:03 AM

To: Cilliers, George <George.Cilliers@act.gov.au>

Cc: EPAPanningLiaison <EPAPanningLiaison@act.gov.au>; Power, David <DAVID.POWER@act.gov.au>; Green, Ben <Ben.Green@act.gov.au>; Michael, Tara <Tara.Michael@act.gov.au>; EPD, Customer Services <EPDCustomerServices@act.gov.au>

Subject: Southern Asphalt Services DA Ref 201936510 , 5 Paspaley St., Block 67 Section 22, Hume ACT 2620

Dear George

Sorry – reports attached.

Warm regards

Narelle

From: Sargent, Narelle

Sent: Tuesday, 12 May 2020 9:50 AM

To: Cilliers, George <George.Cilliers@act.gov.au>

Cc: EPAPanningLiaison <EPAPanningLiaison@act.gov.au>; Power, David <DAVID.POWER@act.gov.au>; Green, Ben <Ben.Green@act.gov.au>; Michael, Tara <Tara.Michael@act.gov.au>; EPD, Customer Services <EPDCustomerServices@act.gov.au>

Subject: Southern Asphalt Services DA Ref 201936510 , 5 Paspaley St., Block 67 Section 22, Hume ACT 2620

Dear George

The Environment Protection Authority (EPA) has received the attached reports from the Village Building Company regarding DA201936510 for a proposed asphalt plant at 5 Paspaley Street, Block 67 Section 22, Hume ACT 2620. The Village Building Company have raised significant land use compatibility concerns due to the proximity of the proposed asphalt plant to their residential development in NSW. The conclusion in the reports commissioned by the Village Building Company are significantly different to the conclusions in the reports submitted by the applicant.

It is recommended that the Planning Authority engage a suitably qualified independent consultant undertake a review of the DA, the applicants reports and the Village Building Company's submission.

The review should also include the residential developments ongoing impacts to other current and permitted industrial activities in the Hume industrial precinct and whether planning changes should be made to the Hume precinct.

Following review of the independent report, the EPA will be able to provide further comment in relation to the proposed development.

For further information please contact Robin Brown, Environment Protection Authority Planning Liaison at EPAPlanningLiaison@act.gov.au or on 02 6207 5642.

Yours sincerely
Narelle Sargent
Environment Protection Authority

**Narelle Sargent | the Environment Protection Authority
Office of the Environment Protection Authority (EPA)**

Access Canberra | Chief Minister Treasury and Economic Development Directorate | ACT

Phone: 02 6207 5782 | Mobile [REDACTED] | Email: narelle.sargent@act.gov.au

470 Northbourne Avenue, Dickson | GPO Box 158 Canberra ACT 2601 | www.act.gov.au/accessCBR

cid:image001.png@01D5ECBB.4C5BECF0



From: Ronan Pringle [[mailto:\[REDACTED\]@villagebuilding.com.au](mailto:[REDACTED]@villagebuilding.com.au)]

Sent: Friday, 1 May 2020 1:09 PM

To: Brown, Robin <Robin.Brown@act.gov.au>

Cc: Sargent, Narelle <Narelle.Sargent@act.gov.au>

Subject: Southern Asphalt Services DA Ref 201936510 , 5 Paspaley St., Block 67 Section 22, Hume ACT 2620

Hi Robin

I am writing in regards to the pending Development Application, Ref 201936510, for a new asphalt batching facility at the above address, which I understand you are the officer reviewing on behalf of the EPA.

Village Building Company is in the process of developing the new residential suburb of South Jerrabomberra, which is directly across the NSW border from Hume and will be the location of at least 1500 homes as well as childcare and aged care facilities. In addition to these new homes there will be a Regional sports facility, new high school and significant employment lands in North Tralee, to the immediate north of South Jerrabomberra.

We are concerned that a problem may emerge due to the potential escape of odour and noise from the proposed new asphalt plant, which could have a detrimental impact to both South Jerrabomberra and North Tralee. Due to our concerns we engaged specialist consultants ERM Australia Pacific Pty Ltd to provide us with advice, in regard to both the new proposed asphalt plant as well as the existing asphalt plant in Hume.

Our initial advice is that both the existing and new asphalt plants may emit an offensive odour that interferes unreasonably with the comfort or rest of residents in South Jerrabomberra. Therefore, the operators of the asphalt plants could be in breach of the ACT Environment Act 1997, the NSW Protection of the Environment Operations Act 1997 as well as their Sublease obligations, for causing the emission of an offensive odour which interferes unreasonably with the comfort of a person outside the premise.

Following that advice we lodged an objection to the Development Application on 3 February 2020, a copy of our submission is attached for your reference.

The basis for the objection was due to the following issues:

1. Non compliance with the ACT Government Separation Distance Guidelines for Air Emissions 2018.
2. Failure to submit an assessment in accordance with the South Australian Environmental Protection (Air Quality) Policy 2016 and associated South Australian EPA modelling Guidelines.

3. Failure to take into account the sensitive land uses of South Jerrabomberra for air quality and noise.
4. Inadequate Noise Management Plan.
5. Potential for sleep disturbance noise impacts from 24hr operation.
6. Our modelling demonstrates there may be odour impacts at South Jerrabomberra.
7. Inadequate level of control of proposed plant for odour emissions.

Subsequent to our objection we received from the applicant, on 21 April 2020 and attached for your reference, Odour and Noise reports prepared by SLP Consulting Australia Pty Ltd.

We have had these reports reviewed by our consultant ERM. ERM have found these reports to be inadequate in addressing the issues we raised in our objection. In addition they do not demonstrate compliance with the above mentioned Regulations and Acts.

Copies of the ERM review reports are attached and you will note the following issues as detailed in the ERM reports:

- Odour
 - If the plant proposed to be installed is as per the diagram in the SLR report, the key sources of fumes are not enclosed as is assumed by SLR in the report.
 - Odour emission rates assumed appear to be extremely low without adequate justification.
 - Dispersion modelling appears to be overly optimistic due to low odour emission rates assumed in modelling.
 - Cumulative impacts from existing sources have not been factored in.
 - Weather observations from Canberra airport have not been considered in the modelling.
- Noise
 1. SLR have assumed a single point over our large housing estate, the location of which is not identified. Therefore, the claims made by SLR cannot be reviewed and are deemed insufficient for impacts across the large area of South Jerrabomberra.
 2. Night time operations assumptions require to be clarified as unclear.
 3. Modelling of meteorological conditions should be considered on impacts to South Jerrabomberra.

We have spoken with the applicants and provided them with copies of the ERM reports.

Our position remains that the proposed asphalt plant DA should not be approved for this location.

We look forward to your review of the attached reports and consideration of the points raised.

Regards

Ronan Pringle
Chief Operating Officer

P 02 6241 6844

M [REDACTED]

W www.villagebuilding.com.au

A Argyle Corner, 92 Hoskins Street Mitchell ACT 2911



cid:Insights-email-signature_bb0cfc75-e169-41dc-9a07-30a0d86c4326.jpg



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From: [Sargent, Narelle](#)
To: [Cilliers, George](#)
Cc: [EPAPanningLiaison](#); [Power, David](#); [Green, Ben](#); [Michael, Tara](#); [EPD, Customer Services](#)
Subject: Southern Asphalt Services DA Ref 201936510 , 5 Paspaley St., Block 67 Section 22, Hume ACT 2620
Date: Tuesday, 12 May 2020 11:03:12 AM
Attachments: [0523454 VBC South Jerrabomberra AQ and Noise submission F3.pdf](#)
[Air Report 670.11108-R02-v1.0 200320.pdf](#)
[Noise Report-R01-v3.0 200305.pdf](#)
[0523454 VBC South Jerrabomberra AQ Capital Review FINAL.PDF](#)
[0523454 VBC South Jerrabomberra Noise Capital Review FINAL.PDF](#)
[image001.png](#)
[image002.png](#)
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Warm regards
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To: Cilliers, George <George.Cilliers@act.gov.au>
Cc: EPAPanningLiaison <EPAPanningLiaison@act.gov.au>; Power, David <DAVID.POWER@act.gov.au>; Green, Ben <Ben.Green@act.gov.au>; Michael, Tara <Tara.Michael@act.gov.au>; EPD, Customer Services <EPDCustomerServices@act.gov.au>
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Yours sincerely
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Environment Protection Authority

**Narelle Sargent | the Environment Protection Authority
Office of the Environment Protection Authority (EPA)**

Access Canberra | Chief Minister Treasury and Economic Development Directorate | ACT

Phone: 02 6207 5782 | Mobile [REDACTED] | Email: narelle.sargent@act.gov.au

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From: Ronan Pringle [[mailto:\[REDACTED\]@villagebuilding.com.au](mailto:[REDACTED]@villagebuilding.com.au)]

Sent: Friday, 1 May 2020 1:09 PM

To: Brown, Robin <Robin.Brown@act.gov.au>

Cc: Sargent, Narelle <Narelle.Sargent@act.gov.au>

Subject: Southern Asphalt Services DA Ref 201936510 , 5 Paspaley St., Block 67 Section 22, Hume ACT 2620

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We have spoken with the applicants and provided them with copies of the ERM reports.

Our position remains that the proposed asphalt plant DA should not be approved for this location.

We look forward to your review of the attached reports and consideration of the points raised.

Regards

Ronan Pringle
Chief Operating Officer

P 02 6241 6844

M [REDACTED]

W www.villagebuilding.com.au

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cid:Insights-email-signature_bb0cfc75-e169-41dc-9a07-30a0d86c4326.jpg

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From: [EPAPanningLiaison](#)
To: [EPD, Customer Services](#)
Subject: RE: REFERRAL-EPA-201936510-S141A-67/22 HUME-01 [SEC=UNCLASSIFIED]
Date: Tuesday, 14 April 2020 11:47:23 AM
Attachments: [image001.png](#)

Environment Planning & Sustainable Development Directorate,
DA 201936510

BLOCK: 67	SECTION: 22	DIVISION: HUME
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EPA provide the following:

No comments	
Recommend Conditions of Approval	
Advice for the applicant	
Recommend Lease Conditions	
Recommend Not Supported	
Further Information/amendments Required	X

Further information:

Prior to the EPA being able to support the DA, a map is required of the site detailing how stormwater will be captured and treated on site including details of the equipment that will be used to treat the stormwater prior to discharge.

Note the map will be required to be received as a formal DA referral from ACTPLA to ensure the details become part of the approved plans for the site.

Following the further information being received and reviewed, recommended conditions of approval will be provided by the EPA.

Regards,

Robin Brown | Environment Protection Authority Planning Liaison

Phone 02 6207 5642

Environmental Quality | Office of the Environment Protection Authority | Access Canberra | ACT Government

470 Northbourne Ave Dickson ACT 2602 | GPO Box 158 Canberra ACT 2601 | www.environment.act.gov.au

From: EPD, Customer Services

Sent: Tuesday, 24 March 2020 2:07 PM

To: EPAPanningLiaison <EPAPanningLiaison@act.gov.au>

Subject: REFERRAL-EPA-201936510-S141A-67/22 HUME-01 [SEC=UNCLASSIFIED]

DEVELOPMENT APPLICATION NO: 201936510

BLOCK: 67 SECTION: 22 DIVISION: HUME

S141 Further Information prior to decision – PROPOSAL FOR A INDUSTRIAL BUILDING -

Construction of new asphalt plant including ancillary buildings and structures, signage, site services, landscaping, bulk earthworks, retaining walls and associated on-site and off-site works.

Pursuant to Section 148(1) of the Planning and Development Act 2007 the ACT Planning and Land Authority requests that you consider the above mentioned development application and provide any written advice no later than 15 working days after the date of this notice 16/04/2020.

In accordance with Section 150 of the Planning and Development Act 2007 If advice is not received within the prescribed time it will be taken that you have supported the application.

Please forward any written advice via email to Customer Services

EPDcustomerservices@act.gov.au

Please use the following format in the subject line of the email when providing advice:

COMM-Agency Name-20080XXXX-Block XX Section XX SuburbXXXXX-01

Example: COMM-Heritage-200801234-Block 10 Section 10 Dickson-01

Kind Regards

Ceara Farr

Phone 6207 1923

EPDCustomerServices@act.gov.au

www.act.gov.au/accesscbr

Access Canberra | ACT Government

16 Challis Street, Dickson | GPO Box 158 Canberra ACT 2601

cid:image005.png@01D5E7E2.8CB6E800



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From: [EPAPanningLiaison](#)
To: [Michael, Tara](#)
Subject: RE: REFERRAL-EPA-201936510-S141A-67/22 HUME-01 [SEC=UNCLASSIFIED]
Date: Thursday, 7 May 2020 10:06:10 AM
Attachments: [image001.png](#)

Hi Tara,

Provided the stormwater map will form part of the “stamped plans” and they will be enforced under the P&D Act the proposed approach will be fine.

Regards,

Robin Brown | Environment Protection Authority Planning Liaison
Phone 02 6207 5642
Environmental Quality | Office of the Environment Protection Authority | Access Canberra | ACT Government
470 Northbourne Ave Dickson ACT 2602 | GPO Box 158 Canberra ACT 2601 | www.environment.act.gov.au

From: Michael, Tara
Sent: Wednesday, 6 May 2020 5:45 PM
To: EPAPanningLiaison <EPAPanningLiaison@act.gov.au>
Subject: RE: REFERRAL-EPA-201936510-S141A-67/22 HUME-01 [SEC=UNCLASSIFIED]

UNCLASSIFIED

Good Afternoon Robin,

Thank you for your advice below. I have discussed your advice with my stage manager, and rather than go back to the applicant with another request for further information, we were hoping to be able to condition the Decision. I have provided a condition for your review below. The intention is we could progress the application now, and this information would be provided before the approval takes effect - to the satisfaction of the EPA. If we take this approach, and this information comes in as a s165 application, the stormwater map will form part of the approved plans.

I realise that this is not your preferred option, but we would appreciate your support for this approach.

Your advice on other relevant conditions would be also appreciated at this stage also.

Thank you and regards,

Tara

1. APPROVAL DOES NOT TAKE EFFECT

The approval does not take effect until the lessee has prepared;

- a) A map of the site detailing how stormwater will be captured and treated on site including details of the equipment that will be used to treat the stormwater prior to discharge, to the satisfaction of the EPA.
- b) Evidence of the EPA endorsement of the plan, and a copy of the plan, is to be submitted to the planning and land authority as satisfying this condition of approval under s165 of the Planning and Development Act 2007.

From: EPAPlanningLiaison <EPAPlanningLiaison@act.gov.au>
Sent: Tuesday, 14 April 2020 11:47 AM
To: EPD, Customer Services <EPDCustomerServices@act.gov.au>
Subject: RE: REFERRAL-EPA-201936510-S141A-67/22 HUME-01 [SEC=UNCLASSIFIED]

Environment Planning & Sustainable Development Directorate,

DA 201936510

BLOCK: 67	SECTION: 22	DIVISION: HUME
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EPA provide the following:

No comments	
Recommend Conditions of Approval	
Advice for the applicant	
Recommend Lease Conditions	
Recommend Not Supported	
Further Information/amendments Required	X

Further information:

Prior to the EPA being able to support the DA, a map is required of the site detailing how stormwater will be captured and treated on site including details of the equipment that will be used to treat the stormwater prior to discharge.

Note the map will be required to be received as a formal DA referral from ACTPLA to ensure the details become part of the approved plans for the site.

Following the further information being received and reviewed, recommended conditions of approval will be provided by the EPA.

Regards,

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Environmental Quality | Office of the Environment Protection Authority | Access Canberra | ACT Government
470 Northbourne Ave Dickson ACT 2602 | GPO Box 158 Canberra ACT 2601 | www.environment.act.gov.au

From: EPD, Customer Services
Sent: Tuesday, 24 March 2020 2:07 PM
To: EPAPlanningLiaison <EPAPlanningLiaison@act.gov.au>
Subject: REFERRAL-EPA-201936510-S141A-67/22 HUME-01 [SEC=UNCLASSIFIED]

DEVELOPMENT APPLICATION NO: 201936510
BLOCK: 67 SECTION: 22 DIVISION: HUME

S141 Further Information prior to decision – PROPOSAL FOR A INDUSTRIAL BUILDING -
Construction of new asphalt plant including ancillary buildings and structures, signage, site services, landscaping, bulk earthworks, retaining walls and associated on-site and off-site works.

Pursuant to Section 148(1) of the Planning and Development Act 2007 the ACT Planning and Land Authority requests that you consider the above mentioned development application and provide any written advice no later than 15 working days after the date of this notice 16/04/2020.

In accordance with Section 150 of the Planning and Development Act 2007 If advice is not received within the prescribed time it will be taken that you have supported the application.

Please forward any written advice via email to Customer Services
EPDcustomerservices@act.gov.au

Please use the following format in the subject line of the email when providing advice:
COMM-Agency Name-20080XXXX-Block XX Section XX SuburbXXXXX-01
Example: COMM-Heritage-200801234-Block 10 Section 10 Dickson-01

Kind Regards

Ceara Farr
Phone 6207 1923
EPDCustomerServices@act.gov.au
www.act.gov.au/accesscbr
Access Canberra | ACT Government
16 Challis Street, Dickson | GPO Box 158 Canberra ACT 2601

cid:image005.png@01D5E7E2.8CB6E800



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From: [EPD, Customer Services](#)
To: [EPAPanningLiaison](#)
Subject: REFERRAL-EPA-201936510-S141A-67/22 HUME-01 [SEC=UNCLASSIFIED]
Date: Tuesday, 24 March 2020 2:06:00 PM
Attachments: [PLANS-S141A.OBR](#)
[SUPPORTING DOC-S141A.OBR](#)
[image001.png](#)

DEVELOPMENT APPLICATION NO: 201936510

BLOCK: 67 SECTION: 22 DIVISION: HUME

S141 Further Information prior to decision – PROPOSAL FOR A INDUSTRIAL BUILDING -

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COMM-Agency Name-20080XXXX-Block XX Section XX SuburbXXXXX-01

Example: COMM-Heritage-200801234-Block 10 Section 10 Dickson-01

Kind Regards

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From: Pieter Van Der Walt
To: @capitalasphalt.com.au
Cc: Alexia Foster-Bohm
Subject: FW: Independent Expert Review - Proposed asphalt plant Block 67 Section 22 Hume
Date: Tuesday, 4 August 2020 1:36:24 PM
Attachments: [image002.png](#)
[21_1004 FR1V1.pdf](#)
[Coverletter Letter - EPA - Reports.pdf](#)
[670_11108-L01-v1.pdf](#)
[21_1004 L1V1.pdf](#)
[NOTICE OF DECISION-201936510-67_22_HUME-SIGNED.PDF](#)
Importance: High

Chris,

Condition A1 satisfied – need to get this to EPSDD formally to get the approval to take effect

Pieter

From: Sargent, Narelle <Narelle.Sargent@act.gov.au>
Sent: Tuesday, 4 August 2020 12:45 PM
To: Pieter Van Der Walt @CanberraTownPlanning.com.au
Cc: EPAPanningLiaison <EPAPanningLiaison@act.gov.au>; Power, David <DAVID.POWER@act.gov.au>
Subject: Independent Expert Review - Proposed asphalt plant Block 67 Section 22 Hume
Importance: High

Dear Pieter

Thank you for submitting the attached information for the Environment Protection Authority's (EPA) consideration in relation to condition 1a in the Notice of Decision dated 25 May 2020 for DA201936510 (attached)

The Letter Report dated 15 July 2020 prepared by Northstar Air Quality (Reference: 21 1004 FR1V1) and associated information satisfies the EPA's requirements for the purposes of condition 1a in the Notice of Decision

The operator of the asphalt plant will require an Environmental Authorisation (EA) to be granted by the EPA prior to the asphalt plant operating. A condition in the EA will require the operation of the plant to be conducted in accordance with an Environmental Management Plan (EMP) endorsed by the EPA

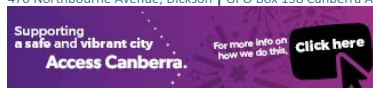
For further information about applying for an EA please see the following website:

https://www.accesscanberra.act.gov.au/app/answers/detail/a_id/3286/~environmental-authorisations#:~:text=Contact%20options-Overview,call%20for%20an%20environmental%20authorisation&text=Each%20authorisation%20can%20be%20individually,the%20conduct%20of%20the%20activity

For further information please contact Robin Brown, Environment Protection Authority Planning Liaison on 02 6207 5642 or at EPAPanningLiaison@act.gov.au

Warm regards
Narelle

Narelle Sargent | the *Environment Protection Authority*
Office of the Environment Protection Authority (EPA)
Access Canberra | Chief Minister Treasury and Economic Development Directorate | ACT
Phone: 02 6207 5782 | Mobile: | Email: narelle.sargent@act.gov.au
470 Northbourne Avenue, Dickson | GPO Box 158 Canberra ACT 2601 | www.act.gov.au/accessCBB



From: Pieter Van Der Walt (<mailto:pieter.van.der.walt@canberra.townplanning.com.au>)
Sent: Friday, 31 July 2020 6:21 PM
To: Power, David <DAVID.POWER@act.gov.au>; Brown, Robin <Robin.Brown@act.gov.au>
Cc: Sargent, Narelle <Narelle.Sargent@act.gov.au>; @capitalasphalt.com.au; Robyn King <@CanberraTownPlanning.com.au>
Subject: Independent Expert Review - Proposed asphalt plant Block 67 Section 22 Hume

Hi Robin, David,

Please find attached four documents commensurate to our e-mail dated 7 July 2020 and discussion we shared in relation to the matters that transpired with the Development Application and approval of DA201936510

The documents represent:

- Cover Letter from the proponent setting out the happenings in the review and context of the consultant advice presented,
- Two letters from the Independent Expert representing initial commentary on the modelling performed by SLR and recommendations to progress and update the modelling and resultant report as well as the final acceptance from the expert consultant that all matters have been successfully addressed in the remodelled work
- The SLR report representing the remodelled advice

We discussed the Proponent is preparing to submit an amendment to DA201936510 to EPSDD which will include a request that Condition 1 be augmented to allow construction to commence. The proponent expects that operation is subject to environmental licencing and would be happy for endorsement to state that operation can only commence with EA licencing granted – as would be the normal way under the statute

We would appreciate it if you can make yourself available for a meeting early next week to discuss the information provided and we look forward to your timely response to this matter

Thank you in advance

Regards

Pieter



This message may be confidential. If you are not the intended recipient please contact the sender and permanently delete the message.

From: Power, David <DAVID_POWER@act.gov.au>
Sent: Tuesday, 7 July 2020 4:46 PM
To: Pieter Van Der Walt <[REDACTED]@CanberraTownPlanning.com.au>; Robyn King <[REDACTED]@CanberraTownPlanning.com.au>
Cc: Sargent, Narelle <Narelle.Sargent@act.gov.au>
Subject: Independent Expert Review - Proposed asphalt plant Block 67 Section 22 Hume

UNOFFICIAL

Hi Pieter

Northstar Air Quality Pty Ltd, as the Independent Expert Reviewer (IER) are to undertake an independent expert review of the SLR odour study (SLR Ref: 670 11108-R02, March 2020) commissioned by the Southern Asphalt Services Pty Ltd

The review will cover the technical aspects of the SLR report and any other technical aspects that the IER may identify, including specific reference to any inputs and data. In undertaking this review the IER must consider the recommendations made in the attached ERM Report dated 1 May 2020

The main role of the IER is to review and verify the assumptions in the SLR report and that the conclusions reached are sound in engineering/scientific terms, and are consistent with best available technology and best environmental practice

In the event that the IER recommends modifications to the study then the amendment should be implemented and documented by SLR if they are convinced of the merit of the change. If there is disagreement between the IER and SLR, then the matter should be noted and referred to the EPA for consideration

If the IER or yourself have any question regarding this advice please don't hesitate to contact me

Regards

David

David Power | Manager Environmental Quality
Phone: 02 62075311 | Email: david.power@act.gov.au
Construction, Environment and Workplace Protection | Access Canberra | ACT Government
GPO Box 158 Canberra ACT 2601 | <http://www.act.gov.au/accesscbr>



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August 2020

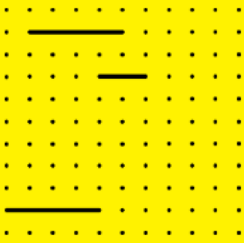
Notification Team

Environment, Planning and Sustainable Development Directorate

Response to s165 Conditions of Notice of Decisions for Application ID: 201936510

This letter has been prepared in response to the Notice of Decision dated 25 May 2020 for Conditions of Approval of 201936510.

Elements	Response
PART A – CONDITIONS OF APPROVAL	
1. Approval does not take effect – Environment Protection Authority	
<p>a) This approval does not take effect unless the lessee/applicant has obtained the written approval from the Environment Protection Authority (EPA) in relation to the air quality and noise management measures for the development and any other issues identified by the EPA, and submits such approval to the planning and land authority as satisfying this condition of approval under s165 of the Planning and Development Act 2007.</p> <p>The EPA may require additional information, clarification, or further review of matters identified by the EPA prior to providing its advice or decision. The EPA may also impose further conditions in addition to the conditions of this decision.</p> <p>Notes: Any additional conditions imposed, and any amended drawings or environmental reports relied on for the EPA's support must be included to the information submitted to the planning and land authority. Any substantial changes to the development required for EPA approval will need to be submitted for the consideration of the planning and land authority with an application to amend the approval under s197 of the Planning and Development Act 2007.</p>	<p>On Tuesday 4 August 2020 the EPA provided written confirmation (via email) that Condition A1 has been satisfied.</p> <p>Northstar Air Quality Pty Ltd have been engaged as the independent expert reviewer (IER) of the SLR odour study. The review has covered the technical aspects of the SLR report and have considered recommendations made in the ERM Report.</p> <p>The following documentation was provided to the EPA to satisfy Condition A1:</p> <ul style="list-style-type: none"> – Cover Letter from the proponent setting out the happenings in the review and context of the consultant advice presented, – Two letters from the Independent Expert representing initial commentary on the modelling performed by SLR and recommendations to progress and update the modelling and resultant report as well as the final acceptance from the expert consultant that all matters have been successfully addressed in the remodelled work. – The SLR report representing the remodelled advice.
b) The lessee / application must comply with any additional conditions imposed by the EPA.	Noted.
2. Compliance with condition 1 (EPA) – approval will end	
Noted.	
3. Approval does not take effect – Grant of Crown Lease	
<p>This approval does not take effect until a Crown lease that permits the approved development is granted over Block 67 Section 22 Division of Hume and registered at Access Canberra (Land Titles and Rental Bonds).</p>	<p>A Crown Lease has now been granted over Block 67 Section 22 Hume. Please refer to Crown Lease and Title provided with this submission.</p>
4. Compliance with condition 3 – approval will end	
Noted.	
5. Commencement and completion of development	
Noted.	
6. Works not to comment – ICON Water	
<p>No works in relation to this development approval is to commence until the lessee/applicant has obtained written approval (Statement of Compliance) from ICON Water and submits such approval to the</p>	<p>Please refer to the hydraulic masterplan stamped in principle by Icon Water.</p>



Elements	Response
planning and land authority as satisfying this condition of approval under s165 of the Planning and Development Act 2007.	
(b) The lessee/applicant must comply with any additional conditions imposed by ICON Water. Notes: Refer to ICON Water "Failed to Comply" statement included with this decision. Endorsed plans may not be released prior to compliance with this condition - to the discretion of the planning and land authority. Any substantial changes to the development required for ICON Water approval will need to be submitted for the consideration of the planning and land authority with an application to amend the approval under s197 of the Planning and Development Act 2007. A resubmission to Icon Water will be required and be approved prior to commencement.	Please refer to the hydraulic masterplan stamped in principle by Icon Water.
7. Further Information	
Within 28 days from the date of this decision, or within such further time as may be approved in writing by the planning and land authority, the applicant shall lodge with the planning and land authority for approval:	
Revised plans and any other relevant documentation, based on the relevant drawings submitted as part of the application, showing:	
(i) storage capacities for any liquid storage on the site to the satisfaction of the planning and land authority, Note: As this approval has been granted in the Merit track, the planning and land authority cannot support any storage that involve the storage of the placard quantity of a Schedule 11 (Work Health and Safety Regulation 2011) hazardous chemical – refer to Schedule 4 of the Planning and Development Act 2007.	Further information will be subject to a s197 amendment which is to be submitted shortly. We will provide further advice in relation to this condition as soon as the s197 is in assessment.
(ii) fencing details to the satisfaction of the planning and land authority, with a preference for a less impermeable fence type for areas visible from the public domain, and	Further information will be subject to a s197 amendment which is to be submitted shortly. We will provide further advice in relation to this condition as soon as the s197 is in assessment.
(iii) external lighting to building frontages, to all pathways, roads/laneways and car parking areas in accordance with Australian Standard 1158.1.3 Pedestrian Lighting and AS 4282 Control of the Obtrusive Effects of Outdoor Lighting, and to the satisfaction of the planning and land authority. Note: Exterior lighting including of the production facility must ensure that there is no/minimum light spill, so as not to distract aircraft approaching or departing Canberra Airport. Further evidence to this end may be required by the planning and land authority.	Further information will be subject to a s197 amendment which is to be submitted shortly. We will provide further advice in relation to this condition as soon as the s197 is in assessment.

Overall, the proposed development remains consistent with all other planning requirements.

If you have any questions, please contact me on 0439116088.

This letter is for the use only of the party to whom it is addressed and for no other parties. No responsibility is accepted to any third party who may use or rely on the whole or any part of the content of this letter.

Your sincerely,





Alexia Foster-Bohm
Town Planner



Pre-Application Meeting Notes

BLOCK:	67	PROPOSAL NUMBER:	201935370
SECTION:	22	DATE OF MEETING:	02/04/2019
SUBURB:	Hume		
PROPOSAL:	Asphalt batching plant and associated structures		
EPSDD CONTACT DETAILS:	Clinton & Anna DA Gateway Team 02 6205 2888		
PROPONENT:	[REDACTED] – Southern Asphalt Services Pty Ltd		
OTHER ATTENDEES:	[REDACTED] – Capital Asphalt		
ENTITY ATTENDEES:	TCCS – Jose Henriquez Impact team – Linda Ren		

KEY CONTACTS FOR ENTITIES

Transport Canberra and City Services (TCCS):	TCCS.DA@act.gov.au (02) 6207 0019
Icon Water:	BAsubmission_watersewer@iconwater.com.au
Environment Protection Authority (EPA):	EPAPlanningLiason@act.gov.au
Heritage Office:	heritage@act.gov.au

COMMENTS ON PROPOSAL

What is the proposal	Asphalt batching plant and associated structures
Is there a Crown lease	No
Uses permissible under lease	There is not currently a lease for the site
Zone	IZ1 – General Industry
Use proposed	The use appears to be Hazardous Industry (see notes below)
Is use permissible in zone	Yes
Development codes	Industrial Zones Development Code
Precinct codes	Hume
General codes to consider	Parking and Vehicular Access General Code Access and Mobility General Code Crime Prevention through Environmental Design General Code Signs General Code

	WaterWays: Water Sensitive Urban Design General Code
Entity referral and consultation	Yes –
Mandatory referrals	<ul style="list-style-type: none"> • TCCS • Icon Water
Further entity consultation required or recommended before lodgement?	Yes – To seek further advice regarding dangerous substances. The applicant is also encouraged to liaise with ICON water, and the Environment Protection Authority to ensure their needs are addressed during the design process.
Assessment track	Merit or Impact (awaiting clarification on the classification and quantity of substances to be use don site)
If impact track, requirements for lodgement	N/A
Is pre-DA community consultation required?	No
Key issues	<ul style="list-style-type: none"> • <u>Industrial Zone Development Code</u> <p>The sketch provided to support the pre application meeting contains general concept information only. The applicant is encouraged to consider the requirements of this Code when finalising the design of the site and proposed structures and buildings.</p> <ul style="list-style-type: none"> • Building design, siting and materials used should be carefully considered in the proposed design. • Please ensure all onsite parking required for the development that meets the requirements of the Parking and Vehicular Access General Code is shown on site. • Adequate site landscaping should be shown on the proposed development plans <p><u>Input on the proposed land use</u></p> <p>Based on the information provided prior to the meeting it appears the development would be defined as Hazardous Industry for the purposes of a defined land use in the Territory Plan.</p> <p>N.B - This defined land use is independent of the placard quantities of hazardous chemicals referenced in item 11, part 4.2, schedule 4, Planning and Development Act 2007.</p>
DA Leasing comments	There is no Crown lease granted over the premises as yet, so no uses can be confirmed as being permitted by the lease. Until a lease is granted, including the settlement of the

	<p>purchase, no development can commence on the site. If a lease variation is required, no lease variation can be applied for until after the lease is granted.</p>
<p>Meeting discussion points</p>	<p>TCCS – Transport Canberra and City Services</p> <ul style="list-style-type: none"> • TCCS will require information regarding the curb line and verge works taking place as once works are completed the verge areas become TCCS assets. • All verge crossings will be required to be industrial strength and wide enough to accommodate the largest vehicle to enter/exit the site. • The existing footpath should be continued and any pedestrian pathways take precedence over the verge crossing. • You will need to ensure your proposal complies with the relevant sightline requirements. • A Landscape Management Protection Plan will be required with application. • You will need to consider the waste management code. A waste management plan will be required with application identifying waste from any excavation works, waste during construction and waste collection for operation. • Truck turning templates will be required with application to show the movement of trucks on site. • A stormwater plan will be required with application. • A site management plan will be required with assessment. • You may consider consulting with a civil engineer to assist with any civil works included with this application. <p>Impact team</p> <ul style="list-style-type: none"> • Schedule 4 of the Planning and Development Act 2007 identifies works that require an EIS in an Impact track assessment. If the development includes the storage of the placard quantity of Schedule 11 hazardous chemicals than schedule 4 triggers an Impact track assessment. • Based on the information in Section 2 of the safety data sheet for the diesel product, this would be a Schedule 11 hazardous chemical due to the hazard of “Flammable Liquids: Category 4”. The placard quantity threshold would be 10,000L and the manifest quantity threshold would be 100,000L. The proponent need to confirm the quantity of diesel storage on the site. <p>The safety data sheets submitted for “Bitulastic Asphalt PMB” and “Industrial Grade Bitumen” do not appear to be current. The dangerous substances team informed that they do not recognise a safety data sheet as being current if one or more of the following apply:</p>

- Section 2 refers to hazard identification according to NOHSC criteria; or
- Section 2 contains risk phrases starting with an “R” and/or safety phrases starting with an “S”; or
- The safety data sheet was last revised more than five years ago.

Therefore, the proponent needs to provide a current safety data sheet to help us determine whether those two products are hazardous chemical and if so whether meet the placard quantity.

Based on the information of the provided safety data for the remaining products, none of these would be Schedule 11 hazardous chemicals.

Advice on dangerous substances can be obtained from DangerousSubstances@act.gov.au

Environment Protection Authority

– Advice provided via email. EPA did not attend the meeting

Environmental Authorisations

1. The production of road building materials is a class A activity and will trigger the need for an environmental authorisation
2. If an asphalt plant is to be installed (solid particles, nitrogen dioxide and VOC's) the air emissions must be managed
3. Dust from raw materials must also be managed
4. An environmental authorisation is required if more than 50 cubic metres of petroleum products are stored at the site
5. Site runoff must be managed through stormwater improvement device or be bunded
6. Noise from plant operation to be managed within 65/55dB(A)
7. Light spill must be managed if the plant will be operated beyond daylight hours

Contaminated Sites

8. All soil subject to disposal from the site must be assessed in accordance with EPA [Information Sheet 4 - Requirements for the Reuse and Disposal of Contaminated Soil in the ACT](#)
9. No soil is to be disposed from site without EPA approval

Air Quality

10. The proposal will need to be assessed against the Environment, Planning and Sustainable Development Directorate *Separation Distance Guidelines for Air Emissions*. If the separation distance of 1000m cannot be achieved the proponent may need to undertake a detailed air quality assessment. This assessment needs to be done in accordance with the South Australian EPA *Ambient air quality assessment* guideline

Because the impact of pollutants (such as noise) on NSW residents is enforced under the *Environmental Protection Act 1997 (ACT)*, it is advised that the applicant consider the potential impacts of the asphalt batching plant on the future urban area of Tralee.

STANDARD DA LODGEMENT REQUIREMENTS - DESIGN AND SITING

There may be additional requirements for your development required by the Territory Plan. Please also note the acknowledgement at the end of this document.

DA form – correctly completed with lessee details <i>Please note: for works involving a body corporate (for example, works affecting a common boundary wall), the body corporate must have signed as a lessee. For works on unleased territory land (for example, the road reserve) the land custodian must sign the DA form as lessee.</i>	<input type="checkbox"/> Yes
Survey certificate	<input type="checkbox"/> maybe
Statement against relevant criteria	<input type="checkbox"/> Yes
Site plan	<input type="checkbox"/> Yes
Floor plan <i>Please note: for residential development two floor plans are required, one showing an internal layout and one without the internal layout. The public register and public notification do not show the internal floor plan.</i>	<input type="checkbox"/> Yes
Area plan <i>Not required for single residential development.</i>	<input type="checkbox"/> Yes
Elevations	<input type="checkbox"/> Yes
Sections	<input type="checkbox"/> Yes
Driveway plan and turning circles	<input type="checkbox"/> Yes
Colour sample schedule	<input type="checkbox"/> Yes
Shadow diagrams	<input type="checkbox"/> maybe
Demolition plan	<input type="checkbox"/> maybe
Pollution control plan	<input type="checkbox"/> Yes
Water sensitive urban design documentation <i>Please note: this is required for all new single dwellings and additions and alterations that trigger Water Sensitive Urban Design requirements. Also required for new multi unit development & developments that trigger the Water Sensitive Urban Design General Code.</i>	<input type="checkbox"/> Yes
Unapproved existing works plan <i>Please note: this needs to be signed by a surveyor.</i>	<input type="checkbox"/> no
Tree Management Plan <i>Please note: this is required where any trees under the Tree Protection Act 2005 requires groundwork within the tree protection zone of a protected tree, or is likely to cause damage to or removal of, any protected trees.</i>	<input type="checkbox"/> no
Composite streetscape elevation	<input type="checkbox"/> Yes
Noise Management Plan <i>Please note: the EPA have been requesting a Noise Management Plan for new developments and must address all permissible uses regardless of use being taken up.</i>	<input type="checkbox"/> no

Bill of costs (must be provided for projects over \$10 million)	<input type="checkbox"/> maybe
Parking plan	<input type="checkbox"/> Yes
Off site works plan	<input type="checkbox"/> Yes
Landscape plan	<input type="checkbox"/> Yes
Access and Mobility Report	<input type="checkbox"/> No
Signage plan	<input type="checkbox"/> Maybe
Waste management plan	<input type="checkbox"/> Yes
Assessment of Environmental Effects	<input type="checkbox"/> no

IMPORTANT INFORMATION ABOUT YOUR DEVELOPMENT AND THESE NOTES

- Lodgement of development applications are electronic in the ACT and must be lodged using eDevelopment. Further information can be obtained at www.planning.act.gov.au.
- This information shall not be taken to be pre-application advice for the purposes of s138 of the *Planning and Development Act 2007*. Pre-application advice can be formally requested from the planning and land authority under s138.
- This document reflects preliminary information provided by the applicant and/or concept sketches submitted to the planning and land authority. The submitted information was not subjected to a formal assessment and this advice will not be binding on the determination of any future development application that may be lodged. It is also advised that relevant policies may alter between the time the information on this form is provided and the lodgement of the development application.
- Any information relating to advice by other authorities or entities reflected in these notes are for guidance only and must not be relied upon. It is the responsibility of the proponent to confirm any requirements of other authorities or entities directly with that authority or entity.
- A decision to sell unit 'off a plan', or a property forming part of an unapproved development, is a marketing decision entirely for the risk of the developer or Crown lessee. This practice will by no means be given any consideration in the assessment of a future development application, and sales contracts or 'off-the-plan' sales does not pre-empt or influence the planning and land authority's decision in any way.

From: [EPAPanningLiaison](#)
To: [Elizabeth Slapp](#)
Subject: RE: Capital Asphalt Proposal - Block 67 Section 22 Hume [SEC=UNCLASSIFIED]
Date: Thursday, 17 October 2019 2:28:14 PM
Attachments: [ENVIRONMENTAL GUIDELINES FOR PETROLEUM STORAGE IN THE ACT JUNE 2019 \(A20.....pdf](#)

Hi Elizabeth

These are the air emission limits in the currently authorised asphalt plants in the Territory. The Environmental Authorisations (EAs) for asphalt plants (0401 and 0716) can be found here <https://www.accesscanberra.act.gov.au/app/services/epa-water-search#/epa-authorisations>. It may assist to review those EA's as they will provide information about the likely content of the EA the proponent will require to obtain prior to operations.

The operations at the site will be required to be managed to ensure that emissions from the asphalt plant do not exceed the following air emission standards:

Parameter	Criteria
Solid particles (total)	50Nmg/m ³
Nitrogen dioxide	350mg/Nm ³
Volatile organic compounds (VOCs), as n-propane	40mg/Nm ³

The plant may also be required to be designed in accordance with the attached guidelines and other emissions will be required to be controlled including noise and to stormwater.

Happy to assist further where I can.

Regards,

Robin Brown | Environment Protection Authority Planning Liaison

Phone 02 6207 5642

Environmental Quality | Office of the Environment Protection Authority | Access Canberra | **ACT Government**
470 Northbourne Ave Dickson ACT 2602 | GPO Box 158 Canberra ACT 2601 | www.environment.act.gov.au

From: Elizabeth Slapp [mailto:██████████@CanberraTownPlanning.com.au]

Sent: Tuesday, 15 October 2019 10:30 AM

To: EPAPanningLiaison <EPAPanningLiaison@act.gov.au>

Subject: Capital Asphalt Proposal - Block 67 Section 22 Hume

Importance: High

Hi Robin,

Further to our meeting with you on Friday 13 September 2019, please find attached some information in relation to the asphalt plant proposed to be installed on Block 67 Section 22 Hume.

At this stage, there are two preferred plant options that Capital Asphalt is considering. At this stage, the preferred option is the Marini BE Tower 2000. However, the Team is travelling to China this weekend to inspect the TTM TS1501, which is a larger plant with greater material production output.

For the purpose of issuing an informal scoping document, can you please utilise the information attached as it related to the TTM. This would be the worst case scenario.

Give me a call should you require anything further.

Ta.

-E


CTP Logo



Elizabeth Slapp
Director – Senior Town Planner

5/32 Lonsdale Street, Braddon 2612

Mobile [REDACTED]
[REDACTED]@canplan.com.au
canberratownplanning.com.au



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23 March 2020

DA Enquiries
Environment, Planning and Sustainable Development Directorate
GPO Box 158
CANBERRA ACT 2601
Via email DAEnquiries@act.gov.au

Dear Sir/Madam,

RE: DA201936510 Block 67 Section 22 Hume – Further Information Request and Response to public Representations

This document serves as both responses to the Section 141 Further Information Request received from EPSDD as well to the Public Representations received during the notification period for DA201936510.

The s141 request was issued on Thursday 27 February 2020.

The following documents have been produced to support this submission and inform the responses to the matters raised by EPSDD and the Community:

- An Updated Noise Management Plan (SLR Consulting Australia)
- Updated Air Quality Impact Assessment Report (SLR Consulting Australia)
- Updated Traffic Impact Assessment Report (Graeme Shoobridge Consulting)
- Hydraulic Master Plan – endorsed in principle by Icon Water
- Response to public comments letter (drafted by Robsons Environmental)

This document also provides a summary of public representations and key themes raised with responses to each.

Below is a response to the elements of the further information request.

Elements	Response
ICON WATER	
All Icon Water Values, hydrants, meters and maintenance holes / pits must have 24/7 access by Icon Water and Emergency Services. The developer is to obtain Icon Water padlocks which must be installed in a daisy chain fashion at each entry and exit point of the construction site. No stockpile, Temporary structures or equipment is to be located within the pipe protection envelope. This is to be noted on relevant verge plans.	24/7 access will be available via the front gates as stated in email correspondence with Icon Water on 26/02/2020. Padlock requirements have been noted and will be complied with during and post construction. Refer to endorsed hydraulic masterplan provided by John Randall Consulting.
Design Acceptance for External Services or off-site works must be in principle design approved by Icon Water Hydraulic Assets. Phone Icon Water Asset Acceptance on ph: 02 6248 3111 or email hydraulicassetacceptance@iconwater.com.au . This needs to be referred back to Icon Water Building Approvals area for approval prior to any DA/ BA Approval for ACTPLA or certifiers.	An updated engineering design has been endorsed principle. Please see hydraulic masterplan provided by John Randall Consulting. Detail Design may be completed along with detail design post approval and the proponent request consideration that a condition of approval may facilitate finalising design matters.



Elements	Response
<p>Emergency access to sewerage manholes has not been provided, contrary to section 124 of the Utility Act.</p>	<p>See updated (and principally endorsed) hydraulic masterplan provided by John Randall Consulting. Detail Design may be completed along with detail design post approval and the proponent request consideration that a condition of approval may facilitate finalising design matters.</p>
<p>Please complete attached Icon Water Design Form Pack, Hydraulic servicing plans and email to hydraulicassetacceptance@iconwater.com.au . Icon Water will then identify whether your development falls into the capital contribution code scheme, and will write you a letter to confirm.</p>	<p>A Design Form Pack has been completed for the site. See updated hydraulic masterplan provided by John Randall Consulting. Detail Design may be completed along with detail design post approval and the proponent request consideration that a condition of approval may facilitate finalising design matters.</p>
<p>A design "In-Principle" acceptance must be approved by Icon Water – Hydraulic Asset Acceptance team prior to the DA being assessed. Please contact your hydraulic consultant to submit the 'Design Form Pack -Minor Works' to Icon Water – Hydraulic Asset Acceptance team for approval;</p>	<p>The design has been approved in principle. Please see hydraulic masterplan provided by John Randall Consulting for details.</p>
<p>Icon Water requires 24/7 emergency access (min. 1.5m wide x 2.2m high) to the existing manhole located in the North-East corner of the block. Please provide details for Icon Water emergency access or contact Bibek Ligal on 6180 6964 to discuss any alternate solutions;</p>	<p>24/7 access will be available via the front gates as stated in email correspondence with Icon Water on 26/02/2020. Refer to hydraulic masterplan provided by John Randall Consulting.</p>
<p>The retaining wall on the North-East corner besides the easement impedes Icon Water's access to the manhole and the easement. Please provide details of the proposed retaining wall. Icon Water requires unobstructed access to the manhole/easement which can be ramped to a max of 1 in 4 slope with sufficient turning chamfer for change of direction;</p>	<p>Please see updated hydraulic masterplan provided by John Randall Consulting for details.</p>
<p>Icon Water requires the structural details for retaining walls along North-East corner adjacent to the easement (similar to the Rap Bunker footing details provided in drawing A505);</p>	<p>Please see updated hydraulic masterplan provided by John Randall Consulting for details.</p>
<p>The sewer main along the easement have not been handed over to Icon Water as yet therefore, we are unable to verify the location of the mains within the easement. Icon Water will require evidence of the location of the sewer main location within the easement or the asset to be handover prior to approving any structures besides it;</p>	<p>Please see updated hydraulic masterplan provided by John Randall Consulting for details.</p>
<p>Environmental Protection Authority (EPA)</p>	
<p>Noise Management Plan The Noise Management Plan must be revised to include an assessment of the anticipated/predicted noise levels from the plant equipment at the boundary and from trucks operating on the site.</p>	<p>The updated Noise Management Plan includes an assessment of anticipated / predicted noise levels from six locations directly adjacent to the plant, including Rose Cottage and residential land across the NSW border. The assessment addresses predicted noise levels for the operation of the facility during the day and at night-time. Refer to update SLR Consulting Report for details.</p>



Elements	Response
	<p>The report includes a range of recommendations that may be implemented to ensure compliance and an acceptable operational context for the proposed plant. The proponent would be happy to adopt the recommendations as set out in the report conclusion.</p>
<p>Air Quality Report The Air Quality Report (AQR) must include further details about the proposed management of air and odour emissions. The recommendations in the AQR must ensure emissions meet the required standards.</p>	<p>The updated Air Quality Impact Assessment Report provided by SLR Consulting includes further details regarding the management of air and odour emissions in relation the South Australian Environmental Protection (Air) Quality Policy 2016 and South Australian EPA ambient air quality assessment guidelines 2016. In addition – Robson’s environmental have provided a letter responding to public comments made during notification. Please refer to this document for further details regarding air quality. The report concludes that not only is the proposed plant operating well within the acceptable standards but that the plant in conjunction with the other operation will not increase emissions to unacceptable levels.</p>
<p>Water Management It must be demonstrated that any potentially contaminated water will not be discharged to stormwater.</p>	<p>The Environmental Protection Agreement requires the proponent to actively manage any impacts associated with stormwater and wastewater. Waste Water will be controlled within the site and disposed of appropriately (likely contaminated water will not be discharged to stormwater networks).</p> <p>In addition, the proposed site is a ‘greenfields’ site (not yet developed for industrial purposes) and therefore this proposal has the opportunity to construct traps and facilitate the plant to be placed on a sealed concrete pad which will substantially manage the opportunity to control onsite storm- and waste-water management.</p>

Public Representations

A total of 5 submissions were submitted during the public notification period. Representation raised a range of matters that were considered and distilled into the impact theme's below. The proponent further commissioned additional investigations (included in this submission) as alluded to in the introduction of this correspondence to outline the context, likely impact and suggested mitigation measures (where appropriate) to manage the proposed development to minimise impact to acceptable levels.

The matters raised (themes) a description summary and short response are outlined below; for further information (where applicable) reference to the technical investigations are made to assist in the consideration of the response. These documents must be considered concurrently and in tandem.

The key issues and our summary responses are presented below:

Theme	Submission Summary	Response
Air Quality	Toxic release of chemicals harming the health of workers in nearby business and residents of South Jerrabomberra	<p>Well-constructed and managed modern manufacturing plants are designed to manage environmental impacts appropriately and minimise the likely opportunities for environmental harm flowing from proposed operations.</p> <p>The choice of new technology being a modern plant, is a cornerstone in the proponent's interest and desire to run a well-managed and environmentally responsible plant and operations.</p> <p>The proponent is investing in state-of-the-art equipment that will be operated under best in industry and best practice operational management procedures and structures.</p> <p>The proposed plant will operate under the applicable EPA licences, Environmental Management agreements and require active management, auditing and monitoring procedures. The operations will be closely monitored by EPA; similarly, to the existing operation within the same industrial estate – this is a highly regulated industry and environmental impact is closely monitored by the proponent and EPA at all times.</p> <p>The updated Air Quality Impact Assessment Report includes new modelling which indicates that all emissions (from both this plant and the second operation separately and combined) will be within the South Australian Environmental Protection (Air) Quality Policy 2016 and South Australian EPA ambient air quality assessment guidelines 2016 which includes all sensitive receptor locations and businesses at each boundary. Appropriate mitigations have been put in place in both the selection of plant and equipment, design of the operation and in the proposed management and operational plans and procedures to reduce and minimise the likelihood for release of toxic chemicals.</p>



Theme	Submission Summary	Response
		<p>Please refer to the updated report and 'Response to comments' document provided by Robson's Environmental for further details . This should be read in conjunction with the Air Quality Impact Assessment report submitted.</p>
	<p>Recommended buffer distances between air emissions and sensitive land uses (residential) have not been considered. South Australian Environment Protection (Air Quality) Policy 2016 and South Australian EPA ambient air quality assessment guidelines 2016 need to be evaluated & Robson report needs to contain reference to atmospheric dispersion modelling given that within 1000m buffer area</p>	<p>Please refer to the updated Air Quality Impact Assessment Report which includes atmospheric dispersion modelling. The findings of this report suggest that the proposed plant and its operation will not exceed the guideline thresholds for air emissions.</p> <p>Please also refer to Robsons Response to Public Comments document for further detail.</p>
	<p>Plants operating below capacity are less efficient. More starts and stops cause increased emissions. As a result higher emissions would be expected from three plants operating like this in one region. Baseline air quality assessment is required to show if additional plant will add to cumulative effects.</p>	<p>Please refer to S4. of the Air Quality Impact Assessment report which addresses the 'existing air quality', plant and cumulative impact considerations as requested.</p> <p>Please refer to Robsons Response to Public Comments document for further detail.</p> <p>The proposal is investing in state-of-the-art equipment that will be operated under best in industry and best practice operational management procedures and structures. The plant's efficiency will be well within the proponent and regulator's expectations and will have comparative low levels of emissions when considered and compared with other operators in the area.</p>
	<p>Robson report doesn't mention whether polymer binders or crumb rubber activities will be used. These are the highest emitters of odour and volatile organic compounds – if proposed please state in report otherwise emissions are underrepresented.</p>	<p>Please refer to Robsons Response to Public Comments document for further detail.</p> <p>The updated Air Quality Impact Assessment Report identifies the volatile organic compounds likely to be produced from the plant and has modelled BTEX Compounds.</p> <p>Please refer to the report which indicates that fugitive emissions will be minimised during the operation of the plant due to effective redirection of emissions via the baghouse and baghouse stack.</p> <p>The proposal is investing in state-of-the-art equipment that will be operated under best in industry and best practice operational management procedures and structures that will result in low emissions levels from its operations.</p>
	<p>The EPA separation distance guidelines are not being met (development is within 1000m) which can cause disturbances to businesses (dust, noise and toxic odours). Predictions for air quality, odour and noise must look at all sensitive use locations within a 1000m buffer (i.e. the current noise assessment only considers a single residence in NSW).</p>	<p>Please refer to the updated Noise Management Plan which models noise at the boundary, at Rose Cottage and at the NSW border. In accordance with the Environmental Protection Regulation 2005 the compliance point for noise is at the NSW boundary hence no more receptors have been assessed.</p>



Theme	Submission Summary	Response
		<p>The Air Quality Impact Assessment provided by SLR Consulting models a total of eight residential receptor locations along the NSW border and five industrial receptors (immediately surrounding the site).</p> <p>Dust has been addressed as part of this assessment. Please refer to this report which identifies mitigations taken to ensure that the guidelines at met within 1000m for both residential and industrial receptors.</p> <p>The proposal is investing in state-of-the-art equipment that will be operated under best in industry and best practice operational management procedures and structures that will result in low emissions levels from its operations.</p>
Odour	<p>Odour emissions and their impact on residential receptors have not been evaluated within the Robsons report. the proposed plant is located within 600m of South Jerrabomberra boundary, Hume industrial area and residential development. ERM studies show odour travels up to 600m from source. In accordance with the SA EPR Air assessment guidelines an odour unit objective of 2 odour units (OU) is appropriate. Results of the modelling indicate that OU well above this (10 - 20 at western edges of residential areas and 30 within buffer areas). Appropriate mitigations should be included in modelling.</p> <p>Cumulative harmful odour impacts to residents as the result of another plant in addition to existing Downer Plant in Hume Industrial Area.</p>	<p>The Air Quality Impact Assessment Report uses Schedule 3 of the South Australian Environment Protection (Air Quality) Policy 2016 to model odour predictions. A conservative number of 2 (ou) is used in assessment and modelling has taken place at the nearest industrial and residential receptor. Results of the modelling indicate concentrations are well below the criterion.</p> <p>In addition, please refer to Robsons Response to Public Comments document and air report for further detail.</p> <p>The cumulative impact of odour has also been addressed in the Air Impact Assessment Report. Refer to Section 7.7 of the report which indicates that cumulative impacts (Downer and proposed plant) will still operate well within criterion.</p> <p>Also refer to Robsons Response to Public Comments document which responds to this issue.</p>
	<p>Odour control is not adequate in proximity to sensitive land uses - Robsons report to discuss odour abatement through NSW EPA 2006 technical framework which assesses management of odour from stationary sources. This framework will review control measures such as determining :</p> <ol style="list-style-type: none"> a) Best management practice during operation of the plant i.e. establish risk programs and choice of raw materials b) Suitable odour control technology i.e. lower temperatures and heighten stacks c) How to best manage odour between the plant and nearby receptors i.e. landscaping and buffer heights 	<p>In the absence of ACT guidelines for air quality the South Australian EPA's Ambient Air Quality Assessment Guideline (SA EPA 2016) were adopted which addresses odour from stationary sources.</p> <p>Please refer to chapter 8 of the Air Quality Impact Assessment Report which determines suitable odour control technology used to mitigate impacts during the operation of the plant.</p> <p>The proposal is investing in state-of-the-art equipment that will be operated under best in industry and best practice operational management procedures and structures that will result in low emissions levels from its operations.</p> <p>Please also refer to Robsons Response to Public Comments document for further detail.</p>



Theme	Submission Summary	Response
Noise	<p>65dB is exceeded beyond the boundary. The noise report indicates an increase between 3dB - 13dB increase which is unsafe and distracting, exceeding acceptable levels.</p> <hr/> <p>Noise barriers were stated as non-viable but are a necessity. Regardless, barriers would probably have minor impacts given exceedances.</p> <hr/> <p>The noise report has not established noise criteria or predicted noise impacts on South Jerrabomberra residential area. Schedule 2 of the EPR regulation using noise management measures should be modelled which aim to demonstrate compliance with recommended 45dB day time and 35dB night time criteria.</p> <hr/> <p>Sleep disturbance among residents with 24 hour operation. Predictions using the NSW Noise Policy for Industry 2017 criteria should be implemented.</p>	<p>The proposed plant will mostly operate between 6am and 4pm – these types of exceedances are likely to occur during occasional night-time operations at which will not affect sensitive receptors. In all cases guidelines are met for sensitive receptors and negligible exceedances of up to 2dB occur during the daytime for industrial receptors and is unlikely to result in noise complaints.</p> <p>It is to be expected that these adjoining uses create similar noises and are appropriately managed – this operation will be able to achieve the same or better performance given its location and the recommendations made in the noise assessment. Please refer to the updated Noise Management Plan for further details.</p> <hr/> <p>Common areas directly adjacent to the boundaries of the site include carparking, material storage, waste stockpiles etc which aren't considered noise sensitive uses. In addition, noise barriers are not stated as a requirement in the guidelines.</p> <p>Future development surrounding the site will help to screen the impacts of noise. Please refer to the Noise Management Plan for further details.</p> <p>The lessee will adopt the recommendations of the Nosie Report to limit impact from operations as per the report findings.</p> <hr/> <p>Schedule 2 of the EPR Regulation has been adopted and demonstrates compliance with this schedule, please refer to the updated Noise Management Plan.</p> <p>The lessee will adopt the recommendations of the Nosie Report to limit impact from operations as per the report findings.</p> <hr/> <p>In most cases the plant will operate from 6am – 4pm, notwithstanding this the proposed plant demonstrates compliance with guidelines during night- time operation.</p> <p>Please refer to the Noise Management Plan which discusses the NSW Noise Policy for Industry 2017.</p> <p>The lessee will adopt the recommendations of the Nosie Report to limit impact from operations as per the report findings.</p>
Assessment and ongoing monitoring and management of development	<p>Insufficient management and monitoring of dust, air and run off events may contaminate and damage adjacent property.</p>	<p>Please refer to the Air Quality Impact Assessment Report which determines mitigation and management for the operation of the plant.</p> <p>State of the art technology will be used which will minimise impacts on the environment and surrounding uses and sensitive receivers. Backed-up by best in industry and best practice operational management procedures the plant and operations will operate at low emissions levels.</p>



Theme	Submission Summary	Response
		<p>Coupled with the expectation that the proponent will be required to operate under strict EPA license and operational requirements that will include both active and passive monitoring and reporting requirements this matter is readily addressed, management and viewed by the lessee and regulator.</p> <p>Please refer to Robsons Response to Public Comments document for further detail.</p>
	<p>Robust conditions are required to ensure that impacts are projected onto entities causing the impact.</p>	<p>The proposed development and its operations will be highly regulated in accordance the proponents licence agreement which will determine matters such as emissions requirements, allowable production limits, operational requirements and the like.</p> <p>Proponents and operations such as this are commonly (under an authorisation and/or agreement) required to self-audit the operation of the plant to ensure operations are within licenced parameters and within the capacity limitations of their licence. This information is periodically given to and will be used to inform regular monitoring by EPA as to compliance matters for the operations.</p> <p>These types of operations are highly regulated, managed and controlled by requirements from the appropriate regulators.</p>
	<p>Suitability of site –</p> <ul style="list-style-type: none"> • The adjacent site is considered fire prone – questionable as to whether the presence of a plant containing flammable material is appropriate. • Alternative sites have not been evaluated or considered 	<p>The proposed development is situated within the IZ1 General Industrial zones of the ACT, and is both zoned and leased for the proposed purpose. Both the Territory Plan and specimen Crown Lease envisions this type of operation to be situated in the Hume industrial area and authorised the use of the land for such activities; albeit where the proposed plant and operations can be demonstrated to be operated within acceptable parameters and limits.</p> <p>Prior to purchase of the land the proponent investigated a number of sites in the ACT and determined the subject land is well located , appropriately zoned and leased, able to house the operations, allow integration with the urban fabric, be designed and can operate within the expected planning context and environmental limitations; in short it meets all of the environmental, commercial, planning and other objectives needed to invest into the establishment of the operation.</p> <p>There is no specific requirement to demonstrate a comparative site assessment process where the land is zoned and leased for the use; this work was undertaken with the establishment of the Territory Plan and preparation and sale of the Crown Lease and is not for assessment in the Development Application.</p>



Theme	Submission Summary	Response
	<p>Environmental assessments should be based on the maximum capacity of 1600t per day. There is risk otherwise that the proponent’s activities go beyond what is assessed in the DA.</p>	<p>The proposed development will be highly regulated in accordance the proponents licence agreement which determines the allowable production; the opportunity to operate outside the licence agreement is limited and could result in the licence be revoked and punitive measures be levelled against the operator; this is unlikely to occur.</p> <p>The proponent will be required to self-audit the operation of the plant to ensure that they are operating within the capacity that is issued under their licence and report the findings to the EPA. This information will be used to inform regular monitoring by EPA to assure compliance of the licence and operational/environmental agreements that the proponent will be required to enter into.</p>
<p>Economics - Demand, development by stealth and Feasibility of Plant</p>	<p>Demand for a third asphalt plant in the ACT given that other two plants are operating at less than 50%.</p> <hr/> <p>The capacity of the plant is far greater than the expected production (1600t per day capacity, 800t expected production). It is not clear why the proponent requires this capacity when the market is below 50%.</p> <hr/> <p>200t is not feasible in the long term and will result in job losses.</p>	<p>The matter of demand, competition and economic performance of any specific operation is not a matter for consideration in the Territory Plan.</p> <p>This is not a matter of interest in the assessment of this planning proposal.</p> <p>Notwithstanding, the plant being modern and able to produce product in a low emission environment may well result in beneficial impacts should it have the result of attracting increased production in comparison to other operators.</p> <hr/> <p>The choice in plant and the operating capacity there-off is a factor of good planning and future proofing; it leaves an ability to grow if future production demands increase and is not an uncommon business and operational decision.</p> <p>It does not per se mean that the plant will be operated in this manner. The plant will always be operating within the ACT guidelines, the planning approvals sought and is approved, given, environmental licenses and agreements, operational rules and the like that will be controlled by the EPA and other regulators.</p> <p>This is a highly regulated industry and the opportunity to operate at with and without boundaries and limits are highly unlikely.</p> <hr/> <p>The economic feasibility of the proposed plant has been extensively investigated by the proponent and they are prepared to invest into this operation.</p> <p>The matter of demand, competition and economic performance of any specific operation is not a matter for consideration in the Territory Plan.</p>



Theme	Submission Summary	Response
		<p>This is not a matter of interest in this assessment. Notwithstanding the plant being modern and able to produce product in a low emission environment may well result in beneficial impacts should it have the result of attracting increased production in comparison to other operators.</p>
	<p>Land used unnecessarily for a use not required – this development will not diversify the industrial base.</p>	<p>The Hume Industrial Estate has been specifically created, zoned and planning controls written to permit and house various forms of industrial uses within this area of Canberra and the ACT. This is part of the role of prudent Town Planning.</p> <p>The matter of demand, competition and economic performance of any specific operation is not a matter for consideration in the Territory Plan.</p> <p>Both the Territory Plan and specimen Crown Lease envisions this type of operation to be situated at the site and authorised the use of the land for such activities; albeit where the proposed plant and operations can be demonstrated to be operated within acceptable parameters and limits. The documentation provided with the DA and this submission demonstrate that these matters can be successfully addressed.</p>
	<p>Lack of demand will result in economic impacts such as job losses. Baseline economic information is required to understand the potential economic impact of a plant being developed in this location to satisfy the objectives of the Act (which states that economic considerations must be accounted for in decision making).</p>	<p>The matter of demand, competition and economic performance of any specific operation is not a matter for consideration in the Territory Plan.</p>
Traffic	<p>Asphalt is likely required to be travelled further out. Deliveries are made during the day affecting afternoon peak traffic periods. The assumptions in the report aren't reflective of asphalt operations.</p>	<p>Majority of deliveries will occur between 10am and 3pm – these are not considered peak time periods. Up to eight trucks will transport from 6.30am in the morning leaving every 10 minutes to limit traffic impacts. Please refer to the updated Transport Impact Assessment Report for further details.</p>
	<p>Parking and queuing are likely to arise from cul-de-sac and only having one driveway in and out of the site. This will affect other neighbouring businesses. The cumulative impact of traffic doesn't seem to be assessed.</p>	<p>The industrial area has been designed for this kind of development - for larger trucks and the like. The purpose of the area is industrial and is frequently utilised by heavy vehicle traffic as is expected. The truck storage onsite is considered adequate for the quantity of asphalt to be produced on a daily basis and the site includes a separate driveway in and out of the site. Please refer to the updated Transport Impact Assessment Report for further details.</p>



Summary

We trust that this response satisfactorily addresses the matters raised in the information request. Should you have any queries, please do not hesitate to contact the applicant.

Yours Sincerely,

Pieter van der Walt
Director



22 September 2020

EPSDD

Dame Pattie Menzies House
GPO Box 198 Canberra ACT 2601

Via e-development

Dear EPSDD,

RE: Section 197 amendment – DA201936510: Block 67 Section 22 Hume

In relation to the above DA for proposed Asphalt plant which has already been approved, the proponent is seeking to submit a DA amendment in accordance with section 197 of the *Planning and Development Act 2007*.

The application is submitted with revised plans labelled:

- A101 Site Plan
- A102 Pavement Plan
- A503 Bunker Floor Plan
- A504 Bunker Roof Plan
- A505 Bunker Elevations
- A506 Bunker Sections
- A508 Retaining Wall Elevations

The amendment application provides for the following changes, as illustrated in the above detailed plans:

1. Walls adjusted and roof added over bunkers and cold feed bins (shown on A101, A102, A503, A504, A505 and A506)
2. Retaining wall position adjusted (shown on A101 and A102)
3. Air Recirculation note added (shown on A102)
4. Location of substation slightly adjusted

A description of the proposed changes are provided in detail in the table below.

DA Amendment	CTP Assessment
Applicable to all changes listed above	<p>An assessment has been made against all applicable codes and plans. The proposed changes have been considered in relation to relevant planning controls within the Tuggeranong District Precinct Map and Code and the Hume Precinct Map and Code. The assessment concludes that the proposed changes are acceptable having regards to the relevant provisions of the Territory Plan.</p> <p>Tuggeranong District Precinct Map and Code Relevant but no provisions apply. No additional rules of criteria apply in relation to the proposed site.</p> <p>Hume Precinct Map and Code Relevant but there are no specific controls or additional rules and criteria that are applicable to the site.</p>
1. Walls adjusted, and roof added over bunkers and cold feed bins (shown on A101, A102, A503, A504, A505 and A506)	<p>Proposed changes include an added roof over the cold feed bins and extend roof over RAP bunker in the south eastern portion of the block. Proposed changes have been assessed against the Industrial Zones Development Code (effective 21 February 2020) paying particular attention to the requirements for height and materials and finishes.</p> <p>Cold Feed bins</p>

	<p>R11 Height – the increase in height of the enclosed bin area and bunkers is 0.73m, making the total height of the cold feed bins and bunkers 5.735m which is below the maximum height of 12m above natural ground level.</p> <p>RAP Bunkers R11 Height – As shown in the elevation A508 the roof located above the bins is within the 12m height requirements. The proposed roof is 6.770m in height.</p> <p>C17 Materials and Finishes – the roof of bins and bunkers is proposed to be colourbond roof sheeting which is a dark ‘monument’ colour. In accordance with the criterion the roof sheeting is not white or off white, is of a material that will reduce reflectivity and is not untreated metal.</p> <p>Based on the assessment of the Industrial Zones Development Code this amendment to add roof over the cold feed bins and extend roof over RAP bunker area meets the requirements relating to height and materials and finishes.</p>
<p>2. Retaining wall position (shown on A101 and A102)</p>	<p>Proposed changes to retaining walls include the position of the wall where the conveyor. As per the Site plan A101 the clouded area identifies the previous location (hatched) of the wall which has been moved to optimise the layout of the plant, noting that only the position is proposed to change. Incorporated into this change is an added level platform for the Plant Office to be sited on .</p> <p>An assessment against the Industrial Zones Development code identifies:</p> <ul style="list-style-type: none"> • that there are no rules or criteria relating to the positioning of the wall specifically as the heights nor materials and finishes are proposed to change. • The office plant continue to comply with the Access and Mobility requirements outlined in C23 of the Industrial Zones Development Code. The level platform has been designed to comply with the requirements for disabled access and mobility in accordance with the Building Code of Australia (BCA) and Australian Standard AS1428. As shown on the site plan the platform includes a balustrade to comply with AS1428.1. <p>Based on the assessment of this code this amendment is considered acceptable.</p>
<p>3. Air Recirculation note added (shown on A102)</p>	<p>Proposed changes include a note to be added on the Site Plan to identify the ‘drop point recirculation system’ – noting that no changes are required to the design of the site. This system demonstrates best practice examples being used to address odour impacts by ensuring that fumes associated with the load out of asphalt by trucks is minimised. The proposed change has been considered in the context of the Industrial Zones Development Code (effective 21 February 2020), addressing matters such as access in relation to loading areas.</p> <p>R26 of the code states “Loading docks or vehicular entries to buildings are not provided on the street frontages of buildings.” – The proposed loading areas have not been moved and therefore continue to meet this rule.</p> <p>Based on the assessment of the Industrial Zones Development Code this amendment to add a note to the site plan only, which identifies the recirculation system does not trigger any items of the code as no design changes are required from the original proposal.</p>
<p>4. Location of substation has been adjusted slightly (to the west) (A101)</p>	<p>Proposed changes include the location of the substation to be shifted slightly to the west. The proposed changes have been assessed against the Industrial Zones Development Code (effective 21 February 2020), addressing matters such as setbacks and external services equipment.</p>

C12 states *Front and side boundary setbacks provide an acceptable design solution for the development of the site and are not detrimental to the visual relationship with adjoining buildings or the streetscape.* The new location of the substation is slightly to the west which does not change the current setback from the street.

C14 states *External service equipment must be integrated into the building design.* Proposed changes include a slight shift in the location of the substation. The substation is still integrated into the building design and the area will be landscaped to screen the area as per the original proposal.

C31 states *The minimum setback area includes landscaping, comprising advanced trees and shrubs, in order to minimise the visual impacts of buildings, car-parking areas, and plant and materials stored on site.* In accordance with the Site Plan (A101) the proposed shift in location continues to provide a landscaped area around the plant to ensure adequate screening.

Satisfying requirements for submission of an amendment

Under section 198(2)(i) of the *Planning and Development Act 2007*, a development application under assessment cannot be amended unless the authority is satisfied that the development applied for after the amendment will be substantially the same as the development applied for originally.

The revised proposal is considered to be 'substantially the same' under the proposed amendments as the original development proposal for the following reasons:

- The amendment is limited to the following:
 - adding notes to the plans which relate to existing design features proposed as part of the original proposal
 - adjusting proposed walls and adding roofs to existing bunkers and cold feed bins under original proposal
 - adjusting location of substation slightly
- The impact track for the development is not changed by the proposed amendments;
- The proposed amendments are within the industrial zone already assessed either under the original development application.
- The proposed changes do not trigger requirements under the Tuggeranong District Precinct Map and Code or Hume Precinct Map and Code;

The proponent therefore considers that the proposed changes to the development satisfy the requirements for lodging a DA amendment under section 197 of the Act.

Summary

I trust this information addresses the requirements for consideration of an amendment application. Should you have any questions, please contact me on [REDACTED]

This letter is for the use only of the party to whom it is addressed and for no other parties. No responsibility is accepted to any third party who may use or rely on the whole or any part of the content of this letter.

Yours Sincerely,

[REDACTED]

Alexia Foster-Bohm

Town Planner | Canberra Town Planning

From: [Sargent, Narelle](#)
To: [AC, EPD Customer Services](#)
Cc: [George, Emil](#); [EPAPlanningLiaison](#)
Subject: REFERRAL-EPA-201936510-S197E-67/22 HUME-01
Date: Tuesday, 8 December 2020 3:34:02 PM
Attachments: [image001.png](#)
[image002.png](#)
Importance: High

Dear AC, EPD Customer Services,

Thank you for the opportunity to review and provide comment (see below) on the Development Application (DA) - Description – **S197 Amendment - Proposed amendment to DA approval – AMENDMENT TO APPROVED DA201936510. Amendment to the development application proposal for industrial building - the amendment includes: walls adjusted and roof added over bunkers and cold feed bins; retaining wall position adjusted; air recirculation note added; location of substation adjusted; and associated works.**

DA 202036510

BLOCK: 67	SECTION:22	DIVISION: HUME
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Previous comments provided by the Environment Protection Authority as detailed in the signed Notice of Decision stand.

Yours sincerely

Narelle Sargent

Environment Protection Authority

Narelle Sargent

Environment Protection Authority (including Water Resources)

Clinical Waste Controller

Delegate for Lakes

Access Canberra | Chief Minister, Treasury and Economic Development Directorate | ACT Government

Phone: 02 6207 5782 | Mobile: [REDACTED] | Email: narelle.sargent@act.gov.au

480 Northbourne Avenue, Dickson | GPO Box 158 Canberra City ACT 2601 | www.act.gov.au/accessCBR



From: AC, EPD Customer Services <ACEPDCustomerServices@act.gov.au>

Sent: Wednesday, 25 November 2020 2:15 PM

To: EPAPlanningLiaison <EPAPlanningLiaison@act.gov.au>

Subject: REFERRAL-EPA-201936510-S197E-67/22 HUME-01

DEVELOPMENT APPLICATION NO: 201936510-S197E

BLOCK: 67 **SECTION:** 22 **DIVISION:** HUME

S197 Amendment - Proposed amendment to DA approval – AMENDMENT TO APPROVED DA201936510. Amendment to the development application proposal for industrial building - the amendment includes: walls adjusted and roof added over bunkers and cold feed bins; retaining wall position adjusted; air recirculation note added; location of substation adjusted; and associated works.

Pursuant to Section 148(1) of the Planning and Development Act 2007 the ACT Planning and Land Authority requests that you consider the above mentioned development application and provide any written advice no later than 15 working days after the date of this notice (**16/12/2020**).

In accordance with Section 150 of the Planning and Development Act 2007 If advice is not received within the prescribed time it will be taken that you have

supported the application. **Please note that an extension of time to the nominated due date to provide any written advice will not be granted under the Planning and Development Act 2007.**

Please forward any written advice via email to Customer Services

EPDcustomerservices@act.gov.au

Please use the following format in the subject line of the email when providing advice:

COMM-Agency Name-20080XXXX-Block XX Section XX SuburbXXXXX-01

Example: COMM-Heritage-200801234-Block 10 Section 10 Dickson-01

Kind Regards

Emil George

Phone 6207 1923

EPDCustomerServices@act.gov.au

www.act.gov.au/accesscbr

Access Canberra | ACT Government

8 Darling Street, Mitchell | GPO Box 158 Canberra ACT 2601



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