

1 April 2019

Damien Pfeiffer  
Department of Planning and Environment  
Western Region  
PO Box 58  
Dubbo NSW 2830

Dear Damien

**Planning Proposal: Towac Equine Precinct, Ploughmans Lane, Orange**

I refer to the gateway determination for Amendment 17 to Orange LEP 2011 and advise that the agency consultation required by condition 1 has been completed.

In accordance with condition 2 please find attached copies of the submissions received from the four agencies that responded. I note that condition 2 requires that OCC advise the Department of how Council is addressing "any issue raised" in relation to the following matters:

- a. The spatial extent of the proposal after considering the impact on commercial agriculture, physical constraints and heritage in the locality.*

The submissions received did not raise or express concerns with respect to the spatial extent of the proposal, its potential to impact on commercial agriculture, physical constraints or heritage in the locality. Accordingly Council does not propose to amend the spatial extent of the planning proposal prior to the public exhibition phase.

- b. Any servicing considerations (water, sewer).*

As previously advised Councils engineering staff have reviewed the proposal and are supportive of the servicing arrangements therein. Accordingly Council does not propose to amend the planning proposal prior to the public exhibition phase.

- c. Contamination assessment to address SEPP 55.*

The proponent has supplied a preliminary contamination assessment to address SEPP 55 (attached). Accordingly Council does not propose to amend the planning proposal prior to the public exhibition phase.

Condition 3 required Council to amend the proposal to rezoning of the land to R5 (the previous version had suggested introduction of an RU4 zone consistent with Kembla Grange approach in Wollongong).

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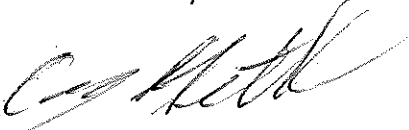
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This adjustment has now been made and the proposal now seeks to zone the subject site as R5 Large Lot Residential with a minimum lot size of 2ha only (the previous version had a small area of 1ha on the eastern edge). The updated document is attached for your review.

It is noted that the gateway determination letter withheld delegations for Council to act as the local-plan making authority in this instance, stating that the matter would be reviewed once conditions 1 and 2 were satisfied.

Council requests that the department review the planning proposal and advise whether it considers conditions 1 – 3 have been satisfactorily addressed, and whether delegations may now be provided. Upon receipt of such advice Council will proceed with the public exhibition requirement as stipulated in condition 4.

Yours faithfully

A handwritten signature in black ink, appearing to read 'Craig Mortell', written in a cursive style.

Craig Mortell

**SENIOR PLANNER DEVELOPMENT SERVICES**