

D19/73342  
F140

6 December 2019

Damien Pfeiffer  
PO Box 58,  
Dubbo NSW 2830

Dear Damien

**Re: Orange LEP 2011 Amendment 13 – Extension of time**

Current condition 9 of the gateway determination for the above matter (PP\_2016\_ORANG\_002\_00) requires the LEP to be completed by 17 December 2019. We request that the proposal be extended for an additional 6 months to enable finalisation.

We also wish to advise that Council considered the above amendment at its meeting of 3 December 2019 and resolved as follows:

**RESOLVED - 19/589**

**Cr R Kidd/Cr S Romano**

That Council resolves:

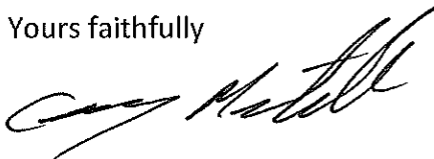
- 1 That Council advise the Department of Planning, Infrastructure and Environment of support for the planning proposal subject to the following matters arising from the consultation process being resolved.
- 2 That staff forward the matter to the Department of Planning, Infrastructure and Environment for final determination, on the basis that the site becomes an Urban Release Area requiring a site specific Development Control Plan and Development Contributions Plan.
- 3 That the proponent be advised of the requirement for a site specific Development Control Plan, that addresses all matters within section 6.3 of the LEP as well as:
  - A plan that identifies elevated sites and steeply sloping sites to be subject to additional privacy controls, including land at or above an elevation of 874m AHD.
  - A staging plan that provides for such elevated land in the north-eastern corner of the site to be developed last.
  - A landscaping plan that establishes vegetative screens to provide a visual screen for elevated properties to obscure views from future dwellings.
  - That land east of the ridge be required to have building envelopes nominated on the lots, providing space for appropriate screen landscaping between the dwellings and the orchard east of the site.
  - Urban design controls for elevated or sloping sites that ensure landscaping provides a visual screen obscure views below the horizontal visual plane for a standing adult on the uppermost floor of the respective dwelling.
  - A requirement that the visual screen landscaping for lots in the final stage be planted out as part of the first stage – providing time for such plantings to mature, specifically all plantings in the public realm as well as plantings within the proposed lots but outside of the building envelopes.

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- Identification of appropriate trigger points that would need to be met before subsequent stages can be developed or released, including Riparian corridor and public realm landscaping being established.
  - Stormwater harvesting being designed to ensure that post development runoff levels are no greater than predevelopment runoff, and along the north-eastern boundary adjoining Lot 26 DP 668540 that the post development runoff is no less than predevelopment levels and of equal or improved water quality to predevelopment flows.
  - That additional access and egress connections be identified to connect the estate to Clergate Road, designed and constructed in consultation with RMS and John Holland Rail, suitable for emergency vehicles and with all upgrade costs at the developers expense.
  - A revised conceptual layout being provided that responds to all of the above and meets or exceeds the Planning for Bushfire Protection 2006 requirements
- 4 That the proponent be advised of the requirement of a site specific Development Contributions Plan that provides for the following:
- Sewer and water headworks charges
  - Open space and recreation
  - Community and Cultural
  - Roads and traffic management
  - Local Area facilities
  - Plan preparation and administration

Accordingly full documentation will be forwarded to the Department in coming days. It should be noted that delegations were withheld from Council in the original determination issued 10 June 2016. As such the above resolution should be regarded as Council endorsing the amendment and requesting that the Department proceed to make the plan.

Yours faithfully



Craig Mortell

**SENIOR PLANNER DEVELOPMENT SERVICES**