

Nita Scott

From: Andrew Napier <andrew@iplanprojects.com.au>
Sent: Friday, 21 July 2017 10:37 AM
To: Nita Scott; DPE PSVC Western Region Mailbox; Azaria Dobson
Cc: David Waddell; Graham Thornberry
Subject: Gateway Determination (PP_2017_ORANGE_002_00) - 386 Molong Rd, North Orange - Rezoning / Lot Size - Post-Gateway Review

c/-Azaria Dobson
Acting Manager
Dept. of Planning & Environment
cc. Orange City Council (David Waddell)
cc. Graham Thornberry (Proponent)

Azaria & Nita,

I hope you are well. I just wished to let you know that the Proponent (and we believe Council) are likely to seek a review of the Gateway Conditions issued in June 2017, in particular, the amendment to the Planning Proposal to remove reference to deleting the URA layer over the site i.e. we would like to continue to request that the URA layer IS removed from the site.

Whilst the Proponent may have missed the 14 day time period to initiate this review, it is my understanding that Council as RPA is able at any time to request that the Gateway determination be reconsidered and reissued (PS16-004). I have spoken to David Waddell of OCC this morning and believe we have his support to issue this request (though Council) shortly. In particular, we request that this is a fairly routine matter and can be altered without the need for a formal review / Planning Panel involvement / additional cost.

I will prepare a more detailed submission on this issue next week but some preliminary points are that:

- a) This is a site of no more than 15ha (i.e. it is not a major URA) and is supported by strategic land use plans for urban release;
- b) It has an existing approval for 61 residential lots so most major infrastructure issues have already been considered/addressed;
- c) An increase from 61 to 100-120 lots is unlikely to place significant increased pressure on local infrastructure (i.e. net increase of up to 60 lots);
- d) It has already received conditions from Office of Water regarding treatment of the creek systems and their input will be reconfirmed through the exhibition process;
- e) Access to the Northern Distributor Road has already been approved and it is more than 200m from the Mitchell Highway (i.e. it is not a traffic-generating development requiring RMS concurrence);
- f) Council is already aware of the capacity of sewer and water systems in the site and their engineers have been involved in the review of the Planning Proposal for additional density with no issues raised;
- g) Up to 60 additional lots is unlikely to affect 'state infrastructure' BUT we are willing to formally approach the necessary authorities for comment during the exhibition of the Planning Proposal.

The key issue for the Proponent is not the infrastructure issues but Clause 6.3 DCP in OLEP2011. Council has prepared a new Draft 2017 DCP but my understanding is they wish to put this to the new Council after the elections in September. With the caretaker mode prior to election, election process and unknowns associated with new Councillors, backlog of DAs, then Xmas likely to delay exhibition periods, and community consultation associated with adopting a new shire-wide DCP – it is our opinion that this could potentially delay the DA by 6-8 months. We are proposing a DA that subdivides nearly all of the lot roughly in accordance with the Subdivision Concept I provided for the Planning Proposal. We believe we can address any Council concerns re ensuring the appropriate outcomes are achieved and that the DCP requirement can be addressed in other ways.

It would be good if I could speak to Azaria early next week just to confirm the process for review and any reasoning that may have resulted in this amendment to the original Planning Proposal.

Regards

Andrew Napier

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