Sydney Road - Planning Proposal 11.04.16 (1)
Matthew Wales
to:
nicholas.murphy, council
11/04/2016 04:09 PM
Hide Details
From: "Matthew Wales" <matthew@walesassociates.com.au>
To: <nicholas.murphy@bathurst.nsw.gov.au>, <council@bathurst.nsw.gov.au>,

2 Attachments

image001.png Constraints Plan (Revised) 11.04.16.pdf

Nicholas....please disregard the previous email as there was an attachment at the end that was mistakenly included. The information below is now correct.
Regards
Matthew

From: Matthew Wales [mailto:matthew@walesassociates.com.au]
Sent: Monday, 11 April 2016 4:04 PM
To: 'nicholas.murphy@bathurst.nsw.gov.au' <nicholas.murphy@bathurst.nsw.gov.au>
Subject: Sydney Road - Planning Proposal 11.04.16

PLANNING PROPOSAL UPDATE

Nicholas.....I refer to our previous conversations regarding the above Planning Proposal for Sydney Road and would request that the matter be brought back to Council at the earliest available meeting date. In support of this application, I would confirm our previous discussions and advice as set out below.

I refer to the report presented to Council on the 16th September 2015 and the Council's Resolution to further meet with the applicant on the 11th November 2015. As a result of that resolution, I would confirm our subsequent meeting with both you Janet Bingham at Council on the 7th October 2015 in order to discuss a range of issues relating to the Planning Proposal. The key issues raised at the meeting included planning considerations associated with the:-

(i) Bathurst City Housing Strategy 2001;
(ii) Bathurst Region Urban Strategy 2007;
(iii) Bathurst Community Strategic Plan 2036;
(iv) Bathurst Vegetation Management Plan 2004;
(v) Servicing Considerations; and
(vi) Site constraints

We note your reservations regarding the Planning Proposal on the basis that the subject lands were not included in the Bathurst Region Urban Strategy although it should be noted that my clients made numerous representations to Council during the community consultation process to have the lands included. It is our view that the planning assessment and justification for the departure from the Bathurst Region Urban Strategy can be further addressed notwithstanding the detailed assessment made in the Planning Proposal document lodged with the application. Our discussions with Council's senior planning staff in October highlighted a number of specific issues which the owner has since considered especially in relation to the site constraints including:-

(i) the road buffer off Sydney Road;
(ii) the riparian buffer along the existing watercourse;
(iii) agricultural buffer along the eastern boundary;
(iv) open space areas; and

(v) city gateway treatment

A Draft Constraints Plan is attached for your reference.

In relation to the issue of servicing the property, it is our view that this appears to be one of the underlying issues that has hampered the progression of this application. As detailed in the Directors Report, that portion of the land above the RL708m contour cannot be currently serviced from Council's existing water reticulation infrastructure. This is also the case for all the current Stage 2 areas in the Kelso/Laffing precinct that are presently zoned for residential use. It is our understanding that Council has completed the design of the Limekilns Reservoir in Limekilns Road (to the north of the subject lands) which is to provide water supply to the current Stage 2 lands. The reservoir has a capacity of some 8 Megalitres with sufficient static head to provide water supply above the RL708m contour up to approximately RL730m. The subject lands fall within this range.

It is also our understanding that the Council has awarded the contact for the construction of the Limekilns Reservoir to Eodo Pty Limited and that work is due to commence next week on the project with the expected completion date of June 2017. It is anticipated that the Limekilns Reservoir will enable lands within the Stage 2 areas to be developed. It is further understood that the Limekilns Reservoir may have additional capacity to accommodate the proposed residential allotments within the subject site although this would require consultation with Council's water and sewer engineering staff to determine the impact on the proposed facility and any augmentation works that may be required. We understand that the funding of the reservoir is fully budgeted.

By simply curtailing the progression of the current Planning Proposal application will forever exclude the subject lands from being considered for servicing within the current strategies.

The owners remain of the view that the issues raised by staff and contained within the Directors Report can be addressed in consultation with Council's senior strategic planning staff as the Planning Proposal is progresses to the Department of Planning. The additional information that staff have identified as being required can be included as a condition of any Gateway Determination that may be issued by the Department. Consequently, a recommendation can be made to Council that it resolve:-

"Council requests that the Gateway determination include a requirement to undertake the following studies prior to exhibition, which will be required to be carried out by the applicant:

(i) an assessment of the traffic implications including intersection treatments and points of ingress/egress. This should include a review of the Kelso Traffic Study and consultation with the RMS;
(ii) an assessment of noise implications from Sydney Road;
(iii) an assessment of appropriate land use buffers including setbacks off Sydney Road, riparian setbacks off the existing watercourse and agricultural setbacks off the eastern boundary;
(iv) additional information relating to site contamination and aboriginal heritage; and
(v) justification for the departures from the Bathurst Region Urban Strategy 2007

As Council can appreciate, a commitment from the owners to provide the additional information is not insignificant but is a commitment the owners are willing to make as part of the progression of the Planning Proposal. By allowing the proposal to proceed, the Council is not placed in any disadvantage with the onus on the applicant to address these issues to the satisfaction of Bathurst Regional Council prior to Exhibition. On this basis, we seeking Council's support for the Planning Proposal to further progress with the inclusion of the above matters as part of Council's Resolution in support of the application.

Regards

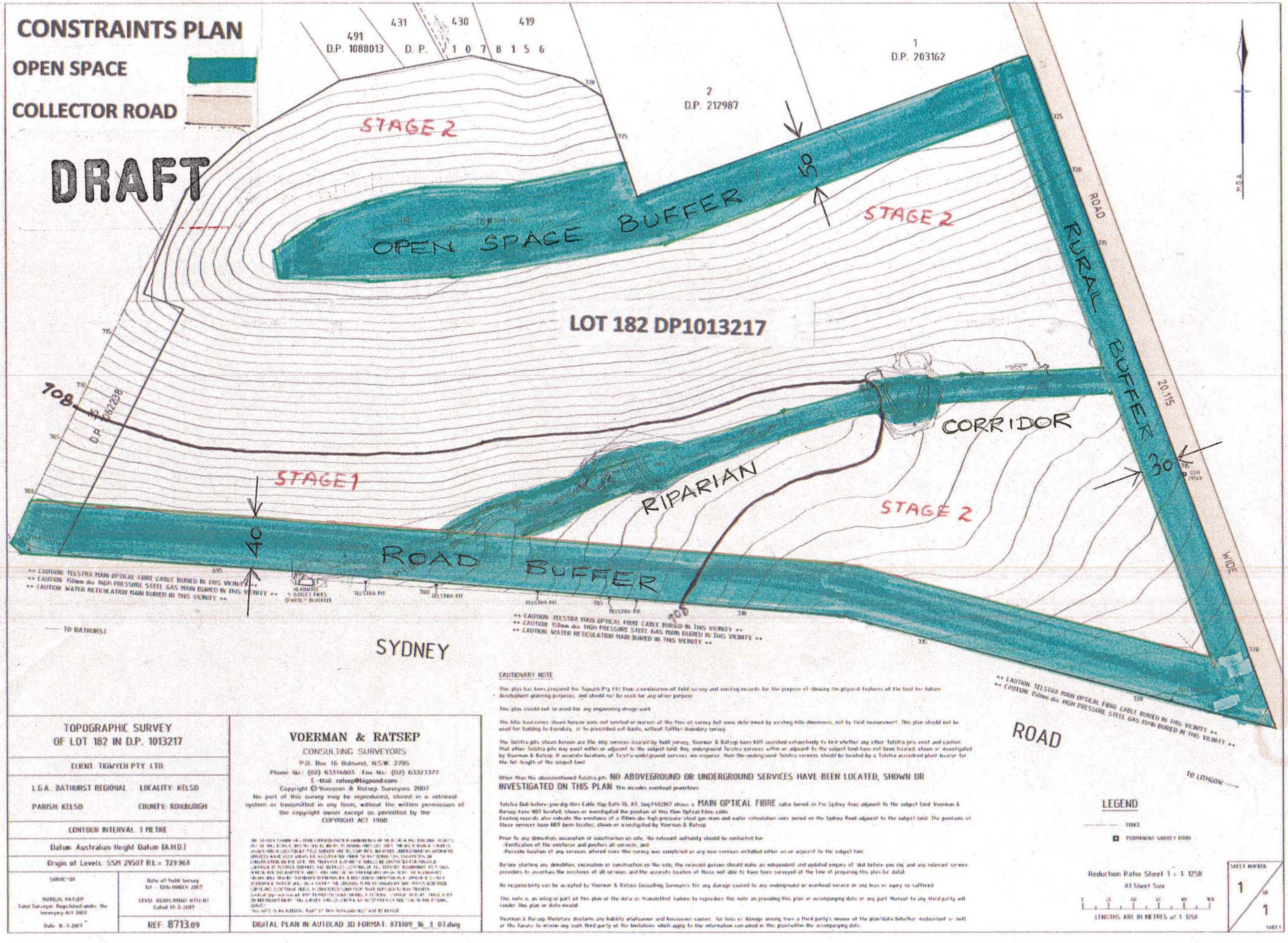
Matthew

CONSTRAINTS PLAN

OPEN SPACE

COLLECTOR ROAD

DRAFT



TOPOGRAPHIC SURVEY OF LOT 182 IN D.P. 1013217

CLIENT: TIGWYCH PTY. LTD.

L.G.A.: BATHURST REGIONAL — LOCALITY: KELSO

PARISH: KELSO — COUNTY: BOXBURGH

CONTOUR INTERVAL: 1 METRE

Datum: Australian Height Datum (A.H.D.)

Origin of Levels: SSM 29507 R.L. = 729.961

SURVEYED: MARIUS RATSEP, Land Surveyor Registered under the Surveying Act 2002. Date: 10-3-2017

Date of Field Survey: 6th – 10th MARCH 2017

LEVEL ADJUSTMENT RECEIVED: Dated 10-3-2017

REF: 8713.09

VOERMAN & RATSEP

CONSULTING SURVEYORS

P.O. Box 16 Bathurst, N.S.W. 2795

Phone No.: (02) 63316803 Fax No.: (02) 63323377

E-Mail: ratsep@bigpond.com

DIGITAL PLAN IN AUTOCAD 3D FORMAT: 871309_16_3_07.dwg

CAUTIONARY NOTE

This plan has been prepared for Tigwych Pty Ltd from a combination of field survey and existing records for the purpose of showing the physical features of the land for future development planning purposes, and should not be used for any other purpose.

This plan should not be used for any engineering design work.

The title boundaries shown hereon were not verified or marked at the time of survey but were determined by existing title dimensions, not by field measurement. This plan should not be used for building to boundary, or to prescribed set-backs, without further boundary survey.

The Telstra pits shown hereon are the only services located by field survey. Voerman & Ratsep have NOT searched exhaustively to find whether any other Telstra pits exist and caution that other Telstra pits may exist within or adjacent to the subject land. Any underground Telstra services within or adjacent to the subject land have not been located, shown or investigated by Voerman & Ratsep. If accurate locations of Telstra underground services are required, then the underground Telstra services should be located by a Telstra accredited plant locator for the full length of the subject land.

Other than the aforementioned Telstra pits, NO ABOVEGROUND OR UNDERGROUND SERVICES HAVE BEEN LOCATED, SHOWN OR INVESTIGATED ON THIS PLAN this includes overhead powerlines.

Telstra Dial-before-you-dig Plan Cable Map Bath 15, A1 Seq1442310 shows a MAIN OPTICAL FIBRE cable buried on the Sydney Road adjacent to the subject land. Voerman & Ratsep have NOT located, shown or investigated the position of this Main Optical Fibre cable.
Existing records also indicate the existence of a 150mm dia high pressure steel gas main and water reticulation mains buried on the Sydney Road adjacent to the subject land. The positions of these services have NOT been located, shown or investigated by Voerman & Ratsep.

Prior to any demolition, excavation or construction on site, the relevant authority should be contacted for:
-Verification of the existence and position of services, and
-Possible location of any services altered since the survey was completed or any new services installed either on or adjacent to the subject land.

Before starting any demolition, excavation or construction on the site, the relevant person should make an independent and updated enquiry of 'dial before you dig' and any relevant service providers to ascertain the existence of all services and the accurate location of those not able to have been surveyed at the time of preparing this plan or detail.

No responsibility can be accepted by Voerman & Ratsep Consulting Surveyors for any damage caused to any underground or overhead service or any loss or injury so suffered.

This note is an integral part of this plan at the date as transmitted below. Any reproduction of this note or providing this plan or accompanying data or any part thereof to any third party will render this plan or data invalid.

Voerman & Ratsep therefore disclaims any liability whatsoever and howsoever caused for loss or damage arising from a third party's misuse of the plan/data (whether inadvertent or not) or the failure by whom any such third party of the limitations which apply to the information contained in the plan/within the accompanying data.

LEGEND

FENCE

PERMANENT SURVEY MARK

Reduction Ratio Sheet 1 = 1 1250

A1 Sheet Size

LENGTHS ARE IN METRES at 1 1250

SHEET NUMBER 1 OF 1 SHEET