



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 contract 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 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 seek 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

DRAFT

