

13th December 2012

Orange City Council
Lords Place
Orange NSW 2800

Attention Craig Mortell

Dear Sir

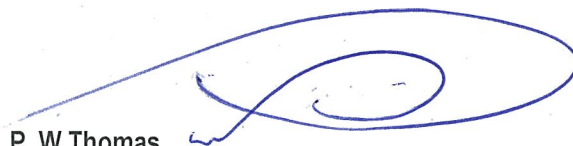
Re: Development Application 284/2012
Orange Calare Aged Care, 1501 – 1503 Forest Road, Orange, NSW
Recommendation to the Joint Regional Planning Panel

Craig, many thanks for providing copies of Council's recommendations to the Joint Regional Planning Panel. We have reviewed the draft Consent conditions and respectfully suggest some changes. These are listed below with our reasons. As always happy to discuss:

Clause	Wording change requested	Reasons
9, 23, 50, 55	Add words in red Any adjustments to existing utility services that are made necessary by this development proceeding are to be at the full cost of the developer unless subject to the terms and conditions of the Voluntary Planning Agreement.	This clause does not differentiate between those utility services council will work on and extend and those within the site that are the Developer's responsibility. We propose the addition of words in red clarifies this.
17	Delete words in red and move to clause 59 A Restriction-as-to-User under section 88B of the NSW Conveyancing Act 1979 is to be created on the title of proposed lots requiring that no structures are to be placed on the site, or landscaping or site works carried out on the site, in a manner that affects the continued operation of the inter-lot drainage system.	This is purely a timing issue, the clause seeks, an 88B registered in the Title of the Lots, however these cannot not be created, until works are substantially constructed, serviced and can be surveyed, ie close to completion, not as contemplated here at CC. Accordingly we propose this paragraph be moved to become a second para to clause 59.
18	Delete the words in red A 150mm-diameter sewer main is to be constructed from Council's existing main to serve the proposed lots. Orange City Council or an Accredited Certifier (Categories B1, C3, C4, C6), prior to issuing a Construction Certificate, is to approve engineering plans for this sewerage system.	The deletion of the words as shown remove the potential for this clause to be misunderstood later.

20	<p>Delete the words in red</p> <p>The reticulation system internal to the site is to be designed to supply a peak instantaneous demand by gravity of 0.15 L/s/tenement at a minimum residual head of 200kPa</p>	<p>Again we have suggested minor word changes to remove the potential for this clause to be misunderstood later.</p>
24, 51, 56	<p>Add the words in red to 2nd para</p> <p>The developer is to be entirely responsible for the provision of water, sewerage and drainage facilities capable of servicing the development from Council's existing infrastructure unless subject to the terms and conditions of the Voluntary Planning Agreement. The developer is to be responsible for gaining access over adjoining land for services where necessary and easements are to be created about all water, sewer and drainage mains within and outside the lots they serve unless subject to the terms and conditions of the Voluntary Planning Agreement.</p>	<p>Ditto above</p>
25, 57	<p>Add the words in red</p> <p>All driveway and parking areas except where shown on approved plans are to be sealed with bitumen, hot mix or concrete and are to be designed for all expected loading conditions (provided however that the minimum pavement depth for gravel and flush seal roadways is 200mm) and be in accordance with the Orange City Council Development and Subdivision Code</p>	<p>The plans have two gravel driveways, one along the northern boundary, to be used infrequently as an emergency access route and the road leading to the existing house.</p> <p>The design provided for these two roads to comprise engineered subgrade with a gravel topping to reduce the quantity of impervious surfaces on the site. In view of the infrequent use we feel this is appropriate.</p> <p>All main roads and car parks will either have a bitumen or concrete finish.</p>
35	<p>Add the words in red</p> <p>All services are to be contained within the Common Property allotment extended to the allotment that they serve. A Statement of Compliance, from a Registered Surveyor, is to be submitted to the Principal Certifying Authority prior to the issuing of a Subdivision Certificate.</p>	<p>The clause as written is not consistent with the design philosophy, which is to lay trunk services in the Common Property road lot, branching into each lot. The addition of the words in red rectifies this.</p>
52	<p>Add the words in red</p> <p>Water and sewer services, including mains construction, pumping station construction, easements and all associated materials and works, are to be provided for the development at the cost of the developer unless subject to the terms and conditions of the Voluntary Planning Agreement.</p>	<p>Ditto above</p>

Yours sincerely



P. W Thomas
Senior Development Manager
cc Simon Paget