

28th May 2014

Our Ref: 01523

The General Manager
Tweed Shire Council
PO Box 816
MURWILLUMBAH NSW 2484

Attention: Mr. Joshua Townsend

RE: Mooball Rezoning PP10/0007 – response to Gateway Determination

Dear Sir,

We refer to the matter above and recent discussions with Council officers. We also refer to the Gateway approval issued by the Department of Planning (**Attachment A**).

In this regard, we wish to advise, on behalf of the proponents of the rezoning that they do not believe that the information requested in the Council resolution of 21st November 2013 is justified nor relevant to Council's responsibilities with this application.

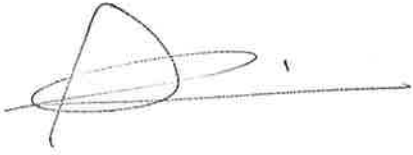
We note that the Gateway approval acknowledges same by omission of the information requested to be carried out in the immediate term, from the conditions of the Gateway approval. Indeed, the Gateway approval (condition / comment no.2) clearly states that the specialist site investigations and studies are sufficient for the purposes of public exhibition. In the event that we ignored the Department's position on this matter and pursued compliance with the above stated resolution, Council would in effect to be asking the proponents to spend upwards of \$120,000.00 to undertake studies that would be largely worthless from the day they were completed. This would be the case primarily as the investigations that the resolution refers to should only be carried out in the context of a known or relatively fixed development layout plan. As all parties would agree, we are not yet at that point and therefore the studies are pointless and a waste of both time and money that could otherwise be spent on facilitating this project and promoting affordable housing choice and employment opportunities. To continue to delay these elements serves no particular purpose other than to unnecessarily delay matters further.

We have nevertheless completed the additional contamination assessment referenced in the resolution, as this would ordinarily be a matter requiring attention at this stage. A copy of this report is attached for your reference (**Attachment B**).

We would appreciate if Council were able to acknowledge this information at its earliest as any additional delays will likely see the matter referred back to the Department of Planning for post Gateway review. These matters have been discussed to date with the Department, however our preference would of course to keep the matters local and to progress the proposal through to completion at the very earliest opportunity. In this context we would like Council to be aware that there is a very strong desire to complete the proposal in the immediate sense and to move forward to DA as soon as possible after the exhibition of the proposal so as to achieve some integration with a receptive market. Importantly this will also give residents an important affordable housing choice given that stock in Pottsville and the northern areas of the coast are almost complete.

We would be pleased if Council were able to treat this matter with some significant urgency.

Kind regards

A handwritten signature in black ink, consisting of a large, stylized 'A' followed by a horizontal line extending to the right.

Adam Smith
Director
PLANIT CONSULTING P/L

Enc.