

**From:** Adam Smith  
**Sent:** Wednesday, 4 June 2014 2:50 PM  
**To:** Vince Connell  
**Cc:** Don Neale; Paul Barrett  
**Subject:** Mooball Planning Proposal

Hello Vince,

Thanks for your email and for seeking clarification. I guess our position may be best represented with reference to the comments below (against each resolution point) in red.

1. The Planning Proposal PP10/0007 relating Lot 2 in DP 534493 and Lot 7 in DP 593200 be updated to align with the preliminary subdivision layout illustrated in the Concept Master plan detailed within Figure 1 of this report; **This has been done**
2. The Planning Proposal, as amended in accordance with Resolution 1 above, be referred to the NSW Department of Planning and Infrastructure requesting a Gateway Determination under Section 56(1) of the *Environmental Planning and Assessment Act 1979*; **This has been done**
3. On receiving an affirmative Determination Notice all outstanding studies, to include Flood Impact Study (including cumulative impacts), Geotechnical and Slope Stability Assessment and Bushfire Hazard Assessment, and works be prepared and the Planning Proposal finalised, following which it is to be exhibited in accordance with the Determination or where there is no condition or a condition requiring a public notification less than 28 days, for a period not less than 28 days; and, **As highlighted we do not want to nor see the need, to undertake any of these studies right now.**
4. Following public exhibition of the Planning Proposal a report is to be submitted to Council at the earliest time detailing the content of submissions received and how those, if any, issues have been addressed. **Agreed**
- 5 Prior to any public exhibition of the Planning Proposal a Site Contamination Report demonstrating compliance with the provisions and requirements of State Environmental Planning Policy 55 - Remediation of Land, Clause 6, is to be prepared to Council's satisfaction. **Agreed, this has been emailed to Josh Townsend**
- 6 Prior to any public exhibition of the Planning Proposals provisions are put in place to protect the existing agricultural land-use pursuits of Lot B and against noise complaints, protection of the existing Right of Way servicing Lot B and for the exclusive use of Lot B, provision of an adequate clear buffer to retain rural amenity for the life of Lot B as a rural Lot and Plan of how the buffer is to be maintained/managed and including during earthworks/construction phase. **We do not agree to do this and consider these elements to have either been addressed in detail previously or should be addressed in a detailed plan to be prepared (perhaps even in the DCP). I am sure that through the exhibition period, the same requests will be made and we will need to respond accordingly before Council further resolves to push forward. As such we are formally seeking to have this element removed also.**

Please let me know if you have any queries or comments in regards to the matters above or if you have any concerns in respect of same.

Kind regards



**Adam Smith**  
Director

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