

Attachment 1: Response to Public Submissions

issue	Submission	Proponents Response
Traffic/ cycling and pedestrians	- Does not object to proposal and believes traffic study addresses most issues, however requests a meeting between stakeholders to address any outstanding matters. - Road access should be upgraded. - Concerns are raised about the traffic flow at the intersection of Park and Forest Road which has high afternoon and weekend traffic flow and could pose traffic safety concerns. - Access to the Residential and Hospital uses in the vicinity have not been adequately catered for including the Piesley street Bridge which is generally inadequate. - There is no timing for the southern distributor road planned by Council. - One intersection point at Forest Road will result in motor vehicle congestion - No off-road easements are provided for cycling, pedestrians and does not provide for interconnected walking and cycle routes. Cycle routes are not provided from the residential areas to the Orange Township. - The western connection will divide the proposed suburb with a busy commuter road. - The proposal will relieve congestion in the CBD and not detract from the viability of the town. - The southern feeder road and associated links should be prioritised to facilitate better traffic links between the Hospital and the rest of Orange. - No provision (has been made) for the upgrade of Forest Road to cater for the increase in traffic use. - Further road links should be available to the west and public reserve links should be available to Forest Road	- The proposed Forest Road Intersection will be designed in accordance with the RTA and Councils requirements. The Intersection is part of Council's planning via the section 94 plan (Updated by Council in 2010) and the proposed subdivision layout and design reflects that. - Other road upgrades outside of the site boundaries are proposed by Council and where applicable the proposed development has incurred levies to assist in the construction of these upgrades. - Links to the West of the site have been considered and provided for in the proposed subdivision design. - The proposed Road hierarchy provides for public transport, cycle movement and pedestrian footpaths on every street. - The traffic study submitted with the report details the study of the proposed traffic movements and makes conclusions accordingly. A further supplementary explanation of the road hierarchy and its functionality is included in this submission.
Loss of Agricultural Land	- Development on agricultural land is a waste of a national asset required by future generations. - Disrupts the agricultural facility by splitting it in two and does not retain adequate buffers. - The development of the site will remove fertile agricultural land and Orange should not get any bigger.	- The proposed development will not impede the development of the Agriculture Institutes development. The land used for food production research is generally located to the most southern part of the site and other locations around the site. - The land proposed for development is no longer required for agricultural research, as all horticultural research is carried out on the southern area which is to be retained. Apart from minor trials which can be effectively undertaken on the grazing land to be retained, there is no longer

Attachment 1: Response to Public Submissions

		any animal research conducted at Orange Agriculture Institute. I&I have extensive grazing capacity at Cowra, Condobolin and Trangie which has considerably more effective and practical application to sheep and cattle research. I&I is moving toward a best practice model of off site research on co-operator properties such as the current trials at Panuara, as a more efficient and effective way of undertaking agricultural research.
Open Space/ recreation	• Open space provided is not sufficient, the riparian corridor is too narrow and there are no linkages with other open space • A community area with recreation and meeting facilities should be provided as well as community gardens.	• Council's recently updated section 94 plan provides for contributions from development including the provision of community facilities within the locality. When the subdivision plan is approved, these community facilities will be considered in the overall development of the site. • The provision of the riparian corridor reflects the topography of the land and provides connectivity between the open grazing land to the North and future development to the West. • Open space is provided on the basis that it reflects council's requirements, Council does not object to the area of open space proposed as it is adequate to serve the needs of the community.
Subdivision Design/ amenity	• Street and Lot design should be such as to encourage solar passive housing, a height limitation on plantings and double story dwellings to avoid solar access issues. • Plan does not take into account differing community needs such as crises care, aged care. • The design is antiquated and does not follow the principles of sustainable development. • The site does not address the 132 kv electrical line and associated health hazards. • The proposed high density development will impact negatively on the adjacent Parkwood Orchard by curtailing rural activities such as horticulture, irrigation pumping, and pest and weed control. • The development of the site will have a visual impact and does not have a significant connection to other sites. • There is no laneway for stock movement between the two parcels of the research	• The principles of the urban design are set out in the "Urban Design Rationale" – Annexure 2 of the EA. We suggest that the urban design proposal incorporates up to date urban design principles including sustainability and connectivity to surrounding land uses. The proposal provides for buffers to agriculture and existing infrastructure such as high powered electrical lines. The proposed road layout provides for ongoing flexibility of lot size to meet the future needs of the residential market. • I&I have engaged in extensive discussions with Consultants over the potential impact of

Attachment 1: Response to Public Submissions

	station. • The pump station of the dam is likely to cause conflict with residents. • Lot sizes of 450 -1000 square metres should be available for affordability. • No great objection to the modified grid layout concept, although there is some departure from the north - south, east - west orientation.	residential development adjacent to Institute. It has been concluded that I&I have no research current or planned which will have a negative impact on current or future residents, and all future research or other activities, will be developed with appropriate protocols to avoid impact on neighbours and future development. I&I agree with the proposed buffer zones and will be able to operate without negative impact on our activities or adjacent residents.
Water	• Water scarcity in Orange could be worsened by this development and there is insufficient water supply to service the proposed dwellings. • No wetland filtration system is proposed. • The impacts that the development will have on the Murray Darling Basin and Macquarie River are not studied. • Stormwater impacts of this development have not been investigated and flooding potential exists. • The proposal does not assess what the increased runoff effects will be on the dam and the catchment generally. • The subdivision will result in increased runoff and the I&I Dam will require upgrading to prevent flood impacts. •	• Council has provided confirmation that the site can be adequately serviced in all areas including water. The development will generate contributions to pay for any required upgrade works that will be staged throughout the sites development. • Water sensitive urban design that incorporates the appropriate measures to ensure that runoff is treated and water quality is maintained is part of the proposal. Any future subdivision will be required to meet the necessary standards in this area and there is ample scope for these measures to be incorporated in the future design.
Community Consultation	• There has been no community consultation in development of the concept plan. • Council has not been consulted regarding the staged land release of North Orange.	• There have been numerous discussions with Council regarding the issues relating to the development. The site has undergone two public exhibitions for the proposal (Rezoning and concept plan) and submissions have been received.
Retail	• The proposed lifting of the retail cap is not justified and will harm the CBD. • Local Business owners have not been consulted. • Retail expansion is not justified until there are 200 occupied dwellings. A smaller supermarket of 750 square metres may be justified.	• The retail study was commissioned to understand what size centre was sustainable on the site, and what its impacts would be on other areas of Orange. We believe that the conclusions in the report are sound and defensible and that a retail centre of 3,500m² in this location will be beneficial to the residents of Orange.

Attachment 1: Response to Public Submissions

Ecological	• The concept plan does not use the natural assets of the current landscape including drainage lines. • The local natural heritage and biodiversity values have not been assessed. • The dam foreshores and remnant box gum woodland need protection from urban encroachment. • The site contains threatened species on land to the north of the residential land and the proposal should be referred to the commonwealth under the EPBC Act 1999. • Encroachment of the development on the I&I dam will impact on threatened species that use the I&I dam – protective predator fencing should be installed as a condition of development.	• The rezoning proposal examined the flora and fauna impacts on the site and the zoning boundaries were drawn to reflect the importance of protecting identified habitat. All proposed residential and commercial development is within those zoning boundaries. Open space and riparian areas within the residential areas reflects the topography of the site as does the street layout. • The flora and fauna review that was undertaken as part of the SSS study concluded that there were no matters requiring referral to the Commonwealth under the EPBC Act. • Habitat areas reflected in the rezoning will be maintained in public ownership and the current management regime of that land will be maintained.
Infrastructure	• No consideration has been made by the applicant regarding infrastructure services required including water, traffic access public transport and schools. • Council will be unduly burdened financially for the provision of services. • Augmentation of sewer and water mains will be required	• Extensive discussions and studies have been undertaken with Council and specialist engineering consultants to determine the servicing requirements of the site. The development of the site will incur standard charges and require investments in infrastructure to ensure adequate levels of Service. Council has agreed that the site can be serviced in all areas and a the staging of these services will be implemented as the subdivision develops.
Other	• Should be delayed until North Orange is completed as Orange is not big enough for two major developments. • The subdivision is to be built on low lying areas where subsidence may occur. • The state government has rezoned its own land but doesn't rezone other peoples land.	• The department has advised that a portion of the land they own is not currently used for its original purpose of Agricultural research. The ultimate development of the site will only be possible if the site meets the demands of the market, and the current advice is that here is a strong market for the development of the site. The site is well positioned, readily serviceable and lacks physical constraints to development.

Attachment 1: Response to Public Submissions

	• Sporting Shooters Association of Australia has made a submission relating to the Rifle range and the current safety requirements they have. Although they do not oppose the development they believe it could interfere in their future.	• I&I have been in contact with the Orange Rifle club and exchanged letters relating to their future and the preferred closing time for the club which has been advised as July 2011. Letters between both parties are attached.
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Attachment 1: Response to Agency and Council Submissions

Issue	Agency Response	Proponents Response
Department Of Environment Climate Change and Water		
Construction hours & sediment and erosion control	- The Submission generally addresses the DGR's - The applicant incorrectly references construction hours and should be conditioned to include the correct commitment on construction hours. - The Applicant has not addressed sediment and erosion controls during construction and should be conditioned.	Noted, statement of commitments will be modified to reflect both points.
Rural Fire Service		
Bushfire	The RFS suggests that a further assessment is required before it can comment.	- The southern boundary of the development is currently outside the risk areas as identified in the draft bushfire plans released by the Orange City Council. It is understood that although the site is not mapped as bushfire prone, that there is concern that the DII land to the north of the residential land could become be revegetated with higher fuel loads and therefore become bushfire prone in the future. - I&I will maintain ownership of this land and manage it in accordance with the current practices that limit the bushfire risks. The land is currently grazed and this practice will continue.
NSW Transport		
	- Illustration and justification of Traffic Transport hierarchy and improved connectivity to the west. - Detail of the access arrangements at main entrance to the development including pedestrian, cyclist and vehicle traffic - Detail of the arrangements for pedestrian, cyclists along Forest Road	- The report included a road hierarchy and justification of different forms of transport including pedestrians, cycles and public transport. The attached Colston Budd Hunt and Kafes Letter further details and include cross section details. - The detail of the entrance has not been designed as part of this application. It is clear that the design detail at DA stage will need to address the issues raised in the NSW Transport letter at the project application / development application stage. - It should be noted that the applicant can only connect to the infrastructure at the site boundaries once detailed design is completed. At a future date it would be anticipated that works outside of the site may be completed in conjunction with others to facilitate logical connections.

Attachment 1: Response to Agency and Council Submissions

NSW Office of Water (NOW)		
	• Clarification of the status of the recycled stormwater rising main, pump and filtration system, whether the system is existing or proposed and whether it requires modification to current licensing. • Confirmation of the role of the recycled stormwater system in providing water supply to the proposed subdivision. • Assessment of the impact on dam ecology due to the modified runoff volumes and quality. • NOW requests a review of estimated water usage from OAI and hence the potential for modification of downstream flows. This is highlighted due to Annexure 7 of Appendix 10, indicating that losses were not considered in the usage figures, and that the existing licensing entitlement for this dam is 124 ML per annum.	• There is an existing pump, rising main and filtration system at the dam; however the condition and capacity of these has not been assessed in detail. At the detailed design stage, the system will need to be assessed for its ongoing suitability and it may be found that upgrade or replacement is required, or it may be found that the existing equipment is adequate. Depending on the outcome of this assessment and in view of the proposed changes to the current harvesting regime, a modification to the current infrastructure license may be required • The harvested stormwater is proposed to be harvested for the purposes of irrigation to the OAI site. This use will support and improve the ongoing viability of the current OAI land use in a sustainable fashion by reducing the demand on potable water from other sources. It is not proposed to reticulate the water within the subdivision given that there is an existing demand for the water by OAI. • It is proposed to treat stormwater runoff quality through the provision of water quality treatment facilities, including swales and bio-retention areas within the site, as indicated in the infrastructure report. Given the catchment's current rural land use, it is likely that there will be a significant improvement in the quality of runoff entering the dam. Water quantities entering the dam are expected to increase, however the proposal involves harvesting of the increased and more regular runoff into the dam. This will mean that average volume of water in the dam will be likely to remain similar to the current conditions; however the fluctuations in dam levels may be less significant. We consider that this is likely to have a positive impact on the ecology of the dam by improving water quality and reducing the level fluctuations and hence providing a more stable environment for aquatic life, particularly at the fringes of the dam. However this will of course need to be assessed in greater detail when the detailed design and staging of development is determined, at which point a targeted ecological investigation can be undertaken to give specific recommendations for impact minimisation. • The water balance assessment undertaken was based on data provided by OAI which nominated pumping hours, water levels and estimated dam volumes. The assessment did not consider losses as they could not be reliably determined. As such, estimated "usage" figures will most likely include significant losses. The purpose of the water balance however was to use historical water level data to demonstrate the viability of collecting

Attachment 1: Response to Agency and Council Submissions

		and harvesting the water within the existing dam, rather than to estimate usage by OAI. As such, we believe that the assessment remains valid for this purpose. In due course a more detailed assessment would be carried out, which would include geotechnical advice as to likely losses. We also acknowledge that the proposal may trigger the need for OAI to apply for an increase to its license entitlement; however any proposed increase in harvesting would be on the basis of an increase in available water volumes. As such, the proposal would seek to maintain existing downstream flow conditions by only harvesting additional water generated by the Bloomfield development.
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Attachment 1: Response to Agency and Council Submissions

RTA	
	The RTA suggested conditions: • A lit seagull intersection is to be constructed in accordance with the RTA Road Design Guide and the RTA Delineation Manual. RTA concurrence is required on the final intersection design prior to the commencement of any road works. • The access treatment is to be completed prior to any works being undertaken at the site. • The developer is to demonstrate in the plans for project approval that the internal road system will provide for the integration of public transport (bus) routes, off-street pedestrian facilities and off-street bicycle facilities. • The proposed landscaping, signage and fencing are not to impede sight lines of traffic and/or pedestrians within the development, or when entering and leaving the development • All works associated with the development are to be at no cost to the RTA. The RTA also noted that:- • The infrastructure in the greater Bloomfield area needs to be improved through the design and construction of off-street pedestrian footpaths and bicycle facilities interlinking with the surrounding amenities including the: existing Bloomfield hospital; public hospital currently under construction; proposed private hospital; DPII Research Facility; TAFE; Bloomfield Golf Course; and, primary and high schools in the Orange South, Glenroi and Warrendine areas. • The Traffic and Accessibility Impact Assessment for the Proposed Development (Traffic Report) does not address the impact of the development on the level railway crossing at the intersection of Huntley Road and Ash Street. The likely affect on the intersection and the suitability of the existing crossing infrastructure should be further assessed and considered before project approval is given. • The EA anticipates future development to the west of the subject site. Any such developments will require a fresh analysis of the suitability of the intersection treatment at Forest Road. • These comments are noted and the conditions accepted. • I&I commits to designing and integrating the future works onsite into the surrounding network. Where further study regarding the impact the intersection of Huntly and Ash streets, it is agreed that the impacts of a further project application should assess this. • I&I agrees that future development to the west should be assessed against it is impact on Forest Road. Just the I&I site has been required to pay levies towards the construction of the intersection on Forest Road, future development should also be levied via section 94 to contribute to any upgrades (if required) that are caused by the development of that land.

Attachment 1: Response to Agency and Council Submissions

Orange City Council		
Council and I&I have had numerous discussions relating to the site, before and after Council's submission to DoP. The exchange of correspondence is included in this submission. We have summarised Council's latest position on matters relating to the development below as Councils current correspondence supersedes their original submission.		
Retail	Council suggests that the short to medium term population is inadequate to support an increase of the retail floor space to 3,500m². It believes the centre would draw significant trade away from the CBD which is likely to undermine the vitality and regional significance of the CBD. Council suggests that documentation submitted does not provide evidence to the contrary and that the Pitney Bowes report does not address the North Orange shopping centres combined impact on the Orange CBD	The Pitney Bowes report clearly states the predicted impact on the various retail segments in the CBD and nominates percentages of trade that will be affected (page 49 & 50 annexure 4 of the EA). These figures are based on the research conducted and at no time has Council or their consultants provided an alternative study that refutes the figures. The Pitney Bowes report and subsequent response to issues raised clearly states that both proposed north and the south retail facilities will have an impact on trading in the CBD and that these affects and their timing are relatively minor. The impacts on any standard are impacts that would in the normal course of business be progressively absorbed over time.
Subdivision Design	- Council believes there should be a greater mix of allotment sizes and medium density around the village centre. - Council does not oppose the deformed street grid provided a future second viable connection can be achieved to Shiralee Road. - Council suggests that the internal road layout showing only one connection point to the west hinders future through connection to Shiralee road and that the layout should be modified to accommodate an additional connection to Shiralee Road. - Council believes that an overall DCP should be implemented for the future growth of all the land to the South of Orange.	- The road layout and indicative lot pattern represents allotment sizes that meets the current market for residentially zoned land. If medium density around the village centre is a commercial possibility for a future developer, then there is no barrier to this type of development outcome being pursued, provided it meets the requirements of Council in terms of service provision and design. - The density housing around the centre shopping centre will be determined by the requirements of the current zoning and the market. Nothing in the road layout that is shown on the concept plan precludes higher density housing, notwithstanding the zoning and the market. - A revised road layout has been submitted that shows two connections to the west to accommodate through traffic to Forest Road in accordance with Councils specifications. - Noted and agree. Nothing in the I&I proposal prevents the orderly development of the surrounding land
Open Space	Council Suggested that the amount of open space has reduced since the sketch plan submitted with the rezoning was tabled.	The amount of open space proposed in the current layout is 4.6 HA. It s all significant useable space and is centrally located in the park and riparian corridor. 4.6 HA represents a slight increase in the amount of open space that was shown on the plans attached to the rezoning state significant site study and the current plan locates the open space in areas that maximise its useability and areas that suit the natural features of the site. After the

Attachment 1: Response to Agency and Council Submissions

		open space areas were clarified with Council, they have endorsed the amount of open space in their latest correspondence.
Traffic Connections	The proposed Concept plan as submitted limits the potential to provide future connections to the West of the site.	The proposed concept plan has been modified to allow for this potential.
Road Widths	- The main link road through the site is in accordance with Council's standards - Any future link road to Shiralee Road should be a minimum width of 20 metres	- We note that the proposed road network is in accordance with the Council standards - The proposed additional link road is in accordance with this standard (20 metre wide road width) and the amended the plan has been provided.
Intersection Design	Council agrees with the concept of a channelised intersection on Forest Road, subject to final design criteria.	We note that the Council is endorsing the proposed Forest Road intersection, provided it meets Council and RTA design standards.
Section 94 & Section 64	- Council acknowledges agreement that Section 64 charges would apply to the development and infrastructure demand will be managed in consultation with Council engineers. - Section 94 contributions have been acknowledged by I&I.	- The applicant commits to fees and levies associated with servicing the site and is committed to working with Council to logically approach servicing. - The recently adopted contributions plan is current for the site.
Carman Property	Council welcomes the commitment to address access in the statement of commitments.	The access to Carmen site will be committed to as part of a future application once details are known.