

Natasha Harras

From: Colleen Forbes <CForbes@tweed.nsw.gov.au>
Sent: Tuesday, 29 November 2016 10:04 AM
To: Natasha Harras
Cc: Peter Pennycuick; Mick Denny; Lindsay McGavin; Vince Connell; Danny Rose
Subject: FW: MP 08_0200 MOD 4 and MP 06_0316 MOD 5 - Cobaki - Water Servicing

Dear Natasha,

Please find below Council's comments in relation to the proponent's response to submissions.

Item 3(e) – Whilst it is recognised that an Authority under the WIC Act is not bound by Council's standards (in terms of type and style of water/sewer infrastructure) if a licence is issued, there are aspects of the DCP that need to be considered regardless of who the Authority is.

Item 4(a) – The proponent's response makes reference to a normal DA process for the WWTP which will incorporate public notification and requires Council consent. A development application (designated development) through Council would only apply if the proponent was unsuccessful in obtaining a network operators licence from IPART. As it stands, the proponent has lodged a licence application with IPART, which will incorporate a public exhibition period. If successful in obtaining a licence, a Part 5 approval will then need to be obtained from the EPA (given that an Environmental Protection Licence would be triggered by the WWTP).

Item 4(b) – The proponent was advised by Council that DA10/0800 (P1&2) should be withdrawn until such time that the Mod approval is obtained. It is considered unreasonable to have a DA in Council's system when the determination date was unknown, unnecessarily extending Council's DA timeframes. An alternate solution was to refuse the application. It was considered that withdrawal was the best approach, particularly given that the proponent has recently advised that they will be amending the consent for other reasons. DA10/0801 (P6) was withdrawn by the proponent with no input from Council.

In summary, there are no objections to the proponent's suggested amendment to Part 5.2 of the Development Code. Council's comments remain unchanged from that submitted on 13 September 2016.

Please contact me if you wish to discuss any of the matters raised above or in relation to Council's previous submission.

Regards,
Colleen

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From: Natasha.Harras@planning.nsw.gov.au [<mailto:Natasha.Harras@planning.nsw.gov.au>]

Sent: Monday, 21 November 2016 2:45 PM

To: Colleen Forbes

Subject: FW: MP 08_0200 MOD 4 and MP 06_0316 MOD 5 - Cobaki - Water Servicing