

ANNEXURE D
STATEMENT OF CONSISTENCY, SECTION 117 DIRECTIONS
PLANNING PROPOSAL - ADDITIONAL PERMITTED USES
TOTALLY LOCAL, 426 MITCHELL HIGHWAY, ORANGE

1. EMPLOYMENT AND RESOURCES

1.1 Business and Industrial Zones

This Direction is not relevant to the Planning Proposal.

1.2 Rural Zones

This Direction is not relevant to the Planning Proposal.

1.3 Mining, Petroleum and Extractive Industries

This Direction is not relevant to the Planning Proposal.

1.4 Oyster Aquaculture

This Direction is not relevant to the Planning Proposal.

1.5 Rural Lands

This Direction is not relevant to the Planning Proposal.

2. ENVIRONMENT AND HERITAGE

2.1 Environment Protection Zones

This Direction is not relevant to the Planning Proposal.

2.2 Coastal Protection

This Direction is not relevant to the Planning Proposal.

2.3 Heritage Conservation

This Direction is applicable to the Planning Proposal because the subject land is in the vicinity of other identified heritage items. The Orange LEP 2011 Heritage map shows that the Ammerdown Carriageway (Item 331 of Local Significance) and Ammerdown Homestead (Item 2 of State Significance) are on the adjoining property to the north at 450 Mitchell Highway.

The objective of this Direction is to conserve items, areas, objects and places of environmental heritage significance and indigenous heritage significance.

According to this Direction, a planning proposal must contain provisions that facilitate the conservation of:

- a) items, places, buildings, works, relics, moveable objects or precincts of environmental heritage significance to an area, in relation to the historical, scientific, cultural, social, archaeological, architectural, natural or aesthetic value of the item, area, object or place, identified in a study of the environmental heritage of the area,
- b) Aboriginal objects or Aboriginal places that are protected under the National Parks and Wildlife Act 1974, and
- c) Aboriginal areas, Aboriginal objects, Aboriginal places or landscapes identified by an Aboriginal heritage survey prepared by or on behalf of an Aboriginal Land Council, Aboriginal body or public authority and provided to the relevant planning authority, which identifies the area, object, place or landscape as being of heritage significance to Aboriginal culture and people.

The Planning Proposal is inconsistent with this Direction only in the sense that it does not include or warrant specific provisions to the above effect. However, the inconsistency is justified on the grounds that the potential impacts are not significant and that a more detailed assessment can be undertaken at the DA stage. In this regard:

- This Planning Proposal does not alter the heritage status of the identified heritage items. The current provisions of Orange LEP 2011 require an assessment of potential heritage impacts.
- Prior to any development involving the item or land in the vicinity of the item, it will be necessary to prepare a Statement of Heritage Impact in accordance with the NSW Heritage Office publication *Statement of Heritage Impact Guidelines* (particularly Table 7 – Relevant HIS Questions). It is appropriate for this assessment to be undertaken at the DA stage.
- Subject to a more detailed assessment at the DA stage, there appear to be no aspects in the development concept that would adversely impact upon the heritage values of the identified item. In particular:
 - The listed items are considerably distant in relation to the subject land.
 - The development will not physically affect the items in terms of structure and/or fabric.
 - The development can be designed so as to maintain sight lines to and from the items.
- The Aboriginal archaeological value of the site is considered minimal. Due to previous orcharding and fruit packing purposes, and the current use by Totally Local, it has been highly modified for several years from its original state.

2.4 Recreation Vehicle Areas

This Direction is not relevant to the Planning Proposal.

3. HOUSING, INFRASTRUCTURE AND URBAN DEVELOPMENT

3.1 Residential Zones

This Direction is applicable to the Planning Proposal.

The objectives of this Direction are:

- a) to encourage a variety and choice of housing types to provide for existing and future housing needs,
- b) to make efficient use of existing infrastructure and services and ensure that new housing has appropriate access to infrastructure and services, and
- c) to minimise the impact of residential development on the environment and resource lands.

According to this Direction a planning proposal must include provisions that encourage the provision of housing that will:

- a) broaden the choice of building types and locations available in the housing market, and
- b) make more efficient use of existing infrastructure and services, and
- c) reduce the consumption of land for housing and associated urban development on the urban fringe, and
- d) be of good design.

A planning proposal must, in relation to land to which this Direction applies:

- a) contain a requirement that residential development is not permitted until land is adequately serviced (or arrangements satisfactory to the council, or other appropriate authority, have been made to service it), and
- b) not contain provisions which will reduce the permissible residential density of land.

In consideration of this Direction:

- The Planning Proposal is not adverse to the objective which seeks to encourage a choice and variety of housing types because it does not reduce dwelling opportunities.
- The Planning Proposal is not adverse to the objective that seeks to make efficient use of existing infrastructure and services and ensure that new housing has appropriate access to infrastructure and services.
- The Planning Proposal is not adverse to the objective that seeks to minimise the impact of residential development on the environment and resource lands.
- It is submitted that Orange has a reasonable supply of large lot residential land; thus the impact on housing supply and affordability as a result of this proposal would be negligible.

3.2 Caravan Parks and Manufactured Home Estates

This Direction is not relevant to the Planning Proposal.

3.3 Home Occupations

This Direction is not relevant to the Planning Proposal.

3.4 Integrating Land Use and Transport

This Direction applies to the Planning Proposal.

There are no aspects of the proposal that are inconsistent with the objectives of this Direction, particularly as:

- The existing road system would be of an adequate standard to cater for the additional traffic that would be generated by this proposal.
- The proposal will not result in changes to the car distances travelled by customers, employees and suppliers.
- The proposal is essentially an addition to an existing site/business which represents a well established component of the local traffic regime.

3.5 Development near Licensed Aerodromes

This Direction is not relevant to the Planning Proposal.

3.6 Shooting Ranges

This Direction is not relevant to the Planning Proposal.

4. HAZARD AND RISK

4.1 Acid Sulphate Soils

This Direction is not relevant to the Planning Proposal.

4.2 Mine Subsidence and Unstable Land

This Direction is not relevant to the Planning Proposal.

4.3 Flood Prone Land

This Direction is not relevant to the Planning Proposal.

4.4 Planning for Bushfire Protection

This Direction is not relevant to the Planning Proposal.

5. REGIONAL PLANNING

5.1 Implementation of Regional Strategies

This Direction is not relevant to the Planning Proposal.

5.2 Sydney Drinking Water Catchments

This Direction is not relevant to the Planning Proposal.

5.3 Farmland of State and Regional Significance on the NSW Far North Coast

This Direction is not relevant to the Planning Proposal.

5.4 Commercial and Retail Development along the Pacific Highway, North Coast

This Direction is not relevant to the Planning Proposal.

5.5 Development in the vicinity of Ellalong, Paxton and Millfield (Cessnock LGA)

Revoked

5.6 Sydney to Canberra Corridor

Revoked

5.7 Central Coast in vicinity of Ellalong, Paxton and Millfield (Cessnock LGA)

Revoked

5.8 Second Sydney Airport: Badgery's Creek

This Direction is not relevant to the Planning Proposal.

6. LOCAL PLAN MAKING

6.1 Approval and Referral Requirements

The Planning Proposal does not alter provisions relating to approval and referral requirements.

6.2 Reserving Land for Public Purposes

This Direction is not relevant to the Planning Proposal.

6.3 Site Specific Provisions

The Planning Proposal is not inconsistent with this Direction.

7. METROPOLITAN PLANNING

7.1 Implementation of the Metropolitan Strategy

This Direction is not relevant to the Planning Proposal.