

Orange LEP 2011 Administrative amendments and strategic urban land releases

Proposal Title :	Orange LEP 2011 Administrative amendments and strategic urban land releases		
Proposal Summary :	Amendment to the Orange LEP 2011 including the rezoning of land for residential purposes in accordance with an endorsed strategy, assessment of demand and supply; correction of drafting anomalies concerning dual occupancies, insertion of a clause permitting subdivision for intensive plant agriculture, amendment to maps for airport runway extension and update to heritage schedule following preparation of a community heritage study.		
PP Number :	PP_2013_ORANG_003_00	Dop File No :	13/03118

Planning Team Recommendation

Preparation of the planning proposal supported at this stage : **Recommended with Conditions**

S.117 directions :

- 1.2 Rural Zones
- 1.5 Rural Lands
- 3.1 Residential Zones
- 4.3 Flood Prone Land
- 4.4 Planning for Bushfire Protection

Additional Information :

1. The Planning Proposal should proceed generally as submitted by Council with the exception of Candidate Area 9, and 9(a). This area is regarded as excessive and will result in the non-strategic release of rural zoned urban land.
2. Prior to undertaking public exhibition, Council is to amend the planning proposal to remove the Candidate Areas 9 and 9a. A copy of the revised planning proposal and maps should be forwarded to the Department for information purposes.
3. Council is to ensure that the Candidate Area 8 of the planning proposal satisfies the requirements of State Environmental Planning Policy (SEPP) 55 - Remediation of Land. If required, Council is to prepare an initial site contamination investigation report to demonstrate that the site is suitable for rezoning. This report is to be included as part of the public exhibition material.
4. Community consultation is required under sections 56(2)(c) and 57 of the Environmental Planning and Assessment Act 1979 (EPAA) as follows:
 - (a) The planning proposal must be made publicly available for 28 days; and
 - (b) The relevant planning authority must comply with the notice requirements for public exhibition of planning proposals and the specifications for material that must be made publicly available along with planning proposals as identified in Section 5.5.2 of A Guide to Preparing LEPs (Department of Planning and Infrastructure 2012).
5. Consultation is required with the following public authorities under Section 56(2)(d) of the EPAA:
 - Essential Energy
 - Ambulance Service of NSW
 - Central West Catchment Management Authority
 - Office of Environment and Heritage
 - Department of Family and Community Services
 - Department of Education and Community Services
 - Family and Community Services - Housing NSW
 - Department of Trade and Investment
 - NSW Department of Primary Industries - Agriculture
 - NSW Department of Primary Industries - Minerals and Petroleum
 - Fire and Rescue NSW

NSW Police Force
NSW Office of Water
Transport for NSW
RailCorp
Roads and Maritime Services
State Emergency Services
Telstra
Adjoining LGAs (Blayney and Cabonne)

Each public authority is to be provided with a copy of the planning proposal and any relevant supporting material. Each public authority is to be given at least 21 days to comment on the proposal, or to indicate that they will require additional time to comment on the proposal. Public authorities may request additional information or additional matters to be addressed in the planning proposal.

6. A public hearing is not required to be held into the matter by any person or body under Section 56(2)(e) of the EPAA. This does not discharge Council from any obligation it may otherwise have to conduct a public hearing (for example, in response to a submission or if reclassifying land).

7. The timeframe for completing the LEP is to be 12 months for the week following the date of the Gateway determination.

Supporting Reasons :

1. Candidate Area 9 (and 9a) is used for productive agricultural land uses and is not required to satisfy urban demands at this stage. It is not appropriate to release this land without investigation into the availability of services and infrastructure or land suitability or capability. Other land releases in the locality will supply adequate land for urban density development in the short to medium term. This land has future urban uses.

2. As above

3. To ensure that the subject land is not affected by contaminants which would preclude rezoning for residential uses.

4. To ensure appropriate community consultation is achieved.

5. To ensure the views of public authorities are provided and incorporated into the Planning Proposal process.

6. Public hearing is considered to be necessary.

7. To allow an adequate timeframe to complete the Planning Proposal.

Panel Recommendation

Recommendation Date : 21-Feb-2013

Gateway Recommendation : Passed with Conditions

Panel

The Planning Proposal should proceed subject to the following conditions:

Recommendation :

1. Prior to undertaking public exhibition, Council is to amend the planning proposal to include a project timeline, consistent with Section 2.6 Part 6 of the A Guide to Preparing Planning Proposals. The project timeline is to provide a mechanism to monitor the progress of the planning proposal.

2. Council is to ensure that the planning proposal satisfies the requirements of State Environmental Planning Policy No 55 (SEPP 55) – Remediation of Land. If required, Council is to prepare an initial site contamination investigation report to demonstrate that the site is suitable for rezoning to the proposed zone. This report is to be placed on public exhibition with the planning proposal.

3. Community consultation is required under sections 56(2)(c) and 57 of the Environmental Planning and Assessment Act 1979 ("EP&A Act") as follows:

- (a) the planning proposal must be made publicly available for 28 days; and
- (b) the relevant planning authority must comply with the notice requirements for public exhibition of planning proposals and the specifications for material that must be made publicly available along with planning proposals as identified in section 5.5.2 of A Guide to Preparing LEPs (Department of Planning & Infrastructure 2012).

4. Consultation is required with the following public authorities under section 56(2)(d) of the EP&A Act:

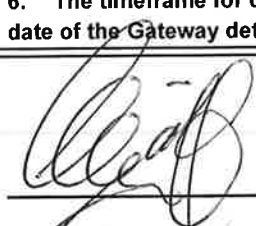
- Essential Energy
- Ambulance Service of NSW
- Central West Catchment Management Authority
- Office of Environment and Heritage
- NSW National Parks and Wildlife Services
- Department of Family and Community Services
- Department of Education and Communities
- Family and Community Services – Housing NSW
- Department of Trade and Investment
- NSW Department of Primary Industries – Agriculture
- NSW Department of Primary Industries – Minerals and Petroleum
- Fire and Rescue NSW
- NSW Rural Fire Service
- NSW Police Force
- NSW Office of Water
- Transport for NSW
- Railcorp
- Roads and Maritime Services
- State Emergency Services
- Telstra
- Adjoining LGAs

Each public authority is to be provided with a copy of the planning proposal and any relevant supporting material. Each public authority is to be given at least 21 days to comment on the proposal, or to indicate that they will require additional time to comment on the proposal. Public authorities may request additional information or additional matters to be addressed in the planning proposal.

5. A public hearing is not required to be held into the matter by any person or body under section 56(2)(e) of the EP&A Act. This does not discharge Council from any obligation it may otherwise have to conduct a public hearing (for example, in response to a submission or if reclassifying land).

6. The timeframe for completing the LEP is to be 12 months from the week following the date of the Gateway determination.

Signature:



Printed Name:

Neil McGaffin

Date:

6.3.13.