



PUBLIC EXHIBITION

Proposal to Amend Orange Local Environmental Plan 2011

Amendment – “Towac Equine Estate”

WHAT IS ON EXHIBITION?

The proposal incorporates a specialist equine precinct that encourages the establishment of rural residential holdings in support of training, breeding and horse management. A critical part of the concept relates to the management of such facilities and availability for horses to have access to the Towac Park race track facility.

It is envisaged that residents will have opportunities for stables, round yards, equestrian training areas and the like. Dwellings will allow on site management and is an integral part of equine management to be on site with exercise, veterinary needs and breeding management.

EXHIBITION MATERIALS

The planning proposal is also comprised of the following supplemental documents:

| | | |
|--|--|--|
| Gateway Determination Draft LEP Map | Supporting Planning Proposal Draft DCP Draft LEP | |
|--|--|--|

WHERE CAN I SEE IT?

The exhibition materials can be inspected by any interested person during business hours at Orange City Council Civic Centre, ground floor, 135 Byng Street (Cnr of Lords Place), Orange. All materials are also available on Councils website www.orange.nsw.gov.au under the "Planning & Development" section.

SUBMISSIONS

Written comments on the draft amendments are welcome. All submissions received by Council will be considered before final decisions are made. Any submission received may be made publicly available and may include the name(s), address, signature and contact details provided.

All submissions are to be received by close of business **Monday XXXXXX**.

Submissions on the proposal can be sent to:

**General Manager
Orange City Council
P.O. Box 35
Orange NSW 2800
Attention: Craig Mortell**

Alternatively submissions may also be emailed to Council@orange.nsw.gov.au

For further information please contact Council on (02) 6393 8000

The following pages contain information required by the Department of Planning's Guide to Preparing a Planning Proposal. The information is unavoidably technical, as it seeks to address a range of legislative requirements. Clarification may be sought from Councils planning staff during the exhibition period.

Equine Planning Proposal – Orange Local Environmental Plan 2011 – Amendment

Introduction

The purpose of this document is to describe a planning proposal for an amendment of the Orange Local Environmental Plan 2011, to be known as Equine LEP amendment. The preparation of a planning proposal is the first step in preparing an LEP (or an amendment to an LEP).

Note: Throughout the course of preparing the proposed LEP, the planning proposal evolves. This is particularly the case for complex proposals in which the initial gateway determination will confirm the technical studies and consultation required to justify the proposal.

As the studies and consultation are undertaken, relevant parts of the planning proposal will be updated, amended and embellished. Therefore, particularly when viewed at an early stage, the level of detail in a planning proposal may appear to be limited in one or more respects.

This planning proposal has been prepared in accordance with the Department of Planning and Infrastructure’s document *A guide to preparing planning proposals* and is comprised of four parts;

Part 1 Objectives and Intended Outcomes

This part comprises a brief statement outlining the objectives and intended outcomes of the proposed amendment.

Part 2 Explanation of the Provisions

This part comprises a plain English explanation of the provisions and changes that are to be included in the amendment.

Part 3 Justification

This part establishes the justification for the objectives, outcomes and provisions and the process for their implementation.

Part 4 Community Consultation

This part details the level and methods of community consultation that is to be undertaken on the planning proposal.

Part 5 Project Timeline

This part consists of a table that sets out the key project milestones and anticipated commencement and completion dates for each milestone. The dates shown are indicative only and subject to review as the project progresses.

Part 1 Objectives and Intended Outcomes

The objectives of this planning proposal are:

The proposal incorporates a specialist equine precinct that encourages the establishment of rural residential holdings in support of training, breeding and horse management. A critical part of the concept relates to the management of such facilities and availability for horses to have access to the Towac Park race track facility.

It is envisaged that residents will have opportunities for stables, round yards, equestrian training areas and the like. Dwellings will allow on site management and is an integral part of equine management to be on site with exercise, veterinary needs and breeding management.

The following is an extract from the owners with a detailed description of the equine management large lot concept:

Lifestyle precincts are a growing sector allowing people of similar mindsets to enjoy and share their hobbies and way of life with likeminded neighbours.

Acreage subdivisions generally and more specifically those located close to the Central Business District in Orange, have always been well received by locals and out of town buyers. The latter tends to fall into two groups, those who are looking for a tree change and escape from the larger cities as well as persons downsizing from rural property and would like to be closer to the facilities available in town, however, still desire rural residential space and serenity.

While there are no specific statistics available on the equestrian set per se, it is relatively common knowledge that horsey people tend to come from the more affluent socio-economic groups and are generally prepared to expend more in order to maintain their standard of living.

There are already a number of successful equine precincts in Australia with particular note of those in and around the Kembla Grange Racecourse and along the Mornington Peninsula.

Orange has always had a diverse collection of interests covering a range of sports as well as wide selection of other activities. The region is experiencing significant growth in professional people that have come to the region to take advantage of the vast array on offer.

The ideal 'equine precinct' facility should have the following attributes;

- *Acreage space to stable and ride horses*
- *Conveniently located to work (CBD)*
- *Conveniently located to multi-purpose equestrian facilities:*

- Dressage

- Jumping

- Cross Country

- Leisure Riding

- Racing

This segment is quite prepared to outlay the necessary funds to procure the home they are after in a desirable location. They are busy people who are generally time poor, enjoy spending weekends with their family and are looking to minimise travel time to/from work for recreational purposes. Therefore the thought of having their horses close to hand and within close proximity to other equestrian facilities is extremely attractive. Keeping the animals fed, clean and maintained is a time consuming process and therefore the closer to home the better it is.

A specialised 'equine zone' within the Towac Park Precinct would allow many walks of life to enjoy a quality homes on manageable acreage. The convenience of using the nearby facilities where horses can be stabled and the family are able to enjoy more time together at all times without the need consider travelling to and from agistments.

Establishing an 'equine precinct' in the area outlined in the following map, will ensure we maximise the usage of a currently under-utilized facility and may realise a more profitable potential for Council and ratepayers alike.

It has been identified that the proposed land use is not permissible in the R5 Large Lot zone and submit that 1 - 2 hectare lots (with private sewer treatment with Towac Racecourse) would allow for the keeping of horses in holding yards and stables whilst having communal access to Towac Park. A similar scenario exists at Goulburn Racecourse with regard to waste water irrigation.

To provide for a diversity of lifestyle options and housing opportunities at a mix of price points, within the capacity of existing and planned infrastructure, having regard to the need to protect and maintain productive agricultural lands and ecological values, and recognise the need for equine associated land uses close to Towac Park.

To amend the minimum lot size map to provide for additional rural residential development opportunities in proximity to the urban areas of Orange without compromising the long term urban expansion needs of the community, and

To amend the minimum lot size map and the land zoning map to provide for an RU4 Small Lots zone for additional equine based rural residential opportunities in proximity to existing and planned infrastructure close to Towac Park, and

To introduce a new provision permitting 2 hectare and some 1 hectare subdivision of dual occupancies below the minimum lot size on certain land in Ploughmans Valley, and

Part 2 Explanation of the Provisions

| Item No. | Description | Proposed Change |
|-----------------|--------------------|--|
| 1 | Plain English | Amendment of the LEP Map in accordance with the proposed Equine DCP Map shown at attachment 1 |
| 2 | Plain English | Amendment of the Equine DCP Map in accordance with the proposed Equine Map shown at attachment 2 |
| 3 | Plain English | Insert “RU4 Land use” into list of land uses permitted without consent in zone (Land Use Tables) Amend clauses 4.2 and 4.1AA regarding additional zone and subdivision of land in the RU4 zone. |

Part 3 Justification

Section A – Need for the planning proposal

1. *Is the planning proposal a result of any strategic study or report?*

Yes. The Orange City Council Sustainable Settlement Strategy (SSS) and its May 2010 update identified land suitable for rural residential equine development. The Blayney, Orange, Cabonne subregional strategy identifies lands that are suitable for small rural lots.

The planning proposal is the result of a council resolution of 3 April 2018, which:

- 1 That Council give in principle support to the planning proposal, subject to:
 - a preliminary design and costing of a horse underpass to convey horse riders to Towac Park without conflicting with future Southern Feeder Road traffic.
 - a draft Development Control Plan masterplan being prepared containing specific equine controls and an indicative lot layout, with horse laneways and provisions relating to the construction of horse stables, exercise paddocks and animal welfare requirements.
- 2 That the Local Environmental Plan amendment be drafted on the basis of amending the land use zone and minimum lot size maps to reflect:
 - rezoning the subject land to RU4 Primary Production Small Lots, excluding the residue land (to remain RU1 Primary Production).
 - establishing a minimum lot size of 2ha for the subject land, excluding the residue land (to remain 100ha) and also establishing a minimum lot size of 1ha for the easternmost property (Lot 1 DP 310521).
- 3 That once the above matters are completed, the planning proposal be returned to Council for further consideration to determine whether the matter proceed to a Gateway determination.

2. *Is the planning proposal the best means of achieving the objectives or intended outcomes, or is there a better way?*

The planning proposal is the best known means of achieving the intended outcomes. The planning proposal will introduce a In reaching this conclusion the following alternative approaches were considered:

- Drafting a local clause to address equine associated land use. This was rejected on the grounds that further detail is needed at a DCP level.
- Amending the Orange LEP map to identify equine development. This was rejected on the grounds that the LEP relates to a wide range of land uses, not just equine development.

3. *Is there a net community benefit?*

Yes. The result of the planning proposal will provide greater opportunity for equine activity in a compatible land use precinct. Additionally, flexibility in rural residential land use will enable the land to

respond to its best, highest order use within an equine associated context. This will also enhance the equine industry as a regional drawcard and the viability of this sector of the local economy.

Section B – Relationship to strategic planning framework

4. Is the planning proposal consistent with the objectives and actions contained within the applicable regional or sub-regional strategy?

Yes. The Blayney, Orange, Cabonne subregional strategy details the need to provide a mix of rural residential land and compatible semi rural activity.

5. Is the planning proposal consistent with the local council's Community Strategic Plan, or other local strategic plan?

Yes. The Orange Community Strategic Plan allows for a broader mix of land use types and housing diversity.

6. Is the planning proposal consistent with applicable state environmental planning policies?

Yes. The SEPP Rural Lands applies. The land is not classed as State Significant Rural Land. The objectives of the SEPP are discussed below:

2 Aims of Policy

The aims of this Policy are as follows:

- (a) to facilitate the orderly and economic use and development of rural lands for rural and related purposes,*
- (b) to identify the Rural Planning Principles and the Rural Subdivision Principles so as to assist in the proper management, development and protection of rural lands for the purpose of promoting the social, economic and environmental welfare of the State,*
- (c) to implement measures designed to reduce land use conflicts,*
- (d) to identify State significant agricultural land for the purpose of ensuring the ongoing viability of agriculture on that land, having regard to social, economic and environmental considerations,*
- (e) to amend provisions of other environmental planning instruments relating to concessional lots in rural subdivisions.*

We consider the use of the land for an equine focussed land use in conjunction with the Towac Racecourse precinct allows an opportunity to promote equine activity as a form of agricultural agistment and other rural based activities such as vet services, training and rural based recreation.

We consider that the nature of the proposal to concentrate equine activity in a designated precinct allows for responsible management and reduced potential for land use conflicts. Equine activity can involve varied hours of operation and vehicle movements that are well suited in the locality.

On a broader agricultural perspective, the fragmented subdivision pattern of the proposal area and limited opportunity for intensive agriculture so close to Orange urban area results in minimal loss to NSW and Australia agricultural land resources.

The proposal does not involve the creation of any concessional lots though historically some lots exist in the precinct, supporting the need to consider rural residential development in the area.

7. *Is the planning proposal consistent with applicable Ministerial Directions (s.117 directions)?*

Yes. The planning proposal attached refers to specific requirements.

Section C – Environmental, social and economic impact

8. *Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected as a result of the proposal?*

No. The sites selected for equine activity have been chosen to avoid conflicts with ecologically sensitive lands.

9. *Are there any other likely environmental effects as a result of the planning proposal and how are they proposed to be managed?*

None envisaged.

10. *How has the planning proposal adequately addressed any social and economic effects?*

Yes. The proposal report investigates the supply and demand for rural residential.

Refer to our land supply and demand analysis in our Planning Proposal submission.

Section D – State and Commonwealth interests

11. *Is there adequate public infrastructure for the planning proposal?*

Yes. Rural-residential subdivisions of 2ha and above do not require reticulated sewer and the existing road network in the vicinity of the selected sites are able to absorb the minor increase in traffic.

12. What are the views of State and Commonwealth public authorities consulted in accordance with the gateway determination?

Not applicable, the planning proposal is at the pre-gateway stage.

Part 4 Community Consultation

Community consultation will be undertaken in accordance with the requirements of the gateway determination. It is anticipated that this proposal will not be deemed to be a low impact proposal. Accordingly an exhibition period of 28 days is expected.

This will commence by giving notice of the public exhibition of the planning proposal via:

- an advertisement in the Central Western Daily;
- a notification on the Orange City Council website www.orange.nsw.gov.au; and
- written advice direct to adjoining landowners.

All forms of the notice shall include:

- a brief description of the objectives and intended outcomes of the planning proposal;
- an indication of the land affected by the planning proposal;
- the location and dates where the planning proposal may be inspected;
- the contact name and address at Orange City Council where submissions may be directed;
- and
- the closing date of the submission process.

During the exhibition period, the following materials will be made freely available for public inspection:

- The planning proposal, in the form approved for community consultation by the Director-General of Planning;
- The gateway determination; and
- All studies and supporting material relied upon by the planning proposal.

Following the exhibition period, a report will be prepared analysing any submissions received and making recommendations as to any appropriate changes or adjustments to the planning proposal, for the consideration of Orange City Council.

Where contact details have been provided all persons and organisations making a submission will be advised of the date and time of the relevant council (or committee) meeting where the report is to be considered, and subsequently advised of the determination.

Part 5 Project Timeline

The following table provides an overview of the intended project timeline for this Planning Proposal.

| Project stage | Commencement | Completion |
|--|---|------------|
| Gateway Determination | July 2018 | |
| Government Agency consultation | August 2018 | |
| Public Exhibition Period | August 2018 | |
| Public Hearing | Not required (as per the Gateway Determination) | |
| Consideration of Submissions | September 2018 | |
| Consideration of post exhibition proposals (Report to Council) | September 2018 | |
| Seeking and obtaining legal opinion from Parliamentary Counsels Office | October 2018 | |
| Submission to the Department of Planning and Infrastructure to finalise | Dependent on PCO | |
| Anticipated date the plan will be forwarded to the Department for notification | Dependent on PCO | |