



# PLANNING PROPOSAL

Rezone 185 Leeds Parade, Orange  
(Lot 4 DP 1185665) from  
IN2 Light Industrial to SP3 Tourist

Prepared for  
JASBE Petroleum  
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Ref: PP – PJB19068

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## 1.0 INTRODUCTION

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### 1.1 OVERVIEW

This Planning Proposal describes a proposed amendment to Orange Local Environmental Plan 2011 (the LEP).

The subject land is located at 185 Leeds Parade, Orange. The Real Property description is Lot 4 DP 1185665, Parish of Orange, County of Wellington.

The subject land is zoned SP3 Tourist and IN2 Light Industrial. This Planning Proposal seeks to extend the SP3 Zone to facilitate certain development within the subject land.

The proposed extension of the SP3 Zone is requested due to the following:

- Due to its frontage, exposure and accessibility to the Northern Distributor Road (being one of the City's major transport routes) the subject land represents a suitable site for the range of uses that are permitted in the SP3 Tourist Zone. By their very nature, many of these uses rely on direct frontage, exposure and access to a major transport route. Therefore, it is a reasonable proposition to amend the SP3 Zone so that it at least extends along the entire frontage to Northern Distributor Road.
- Planning for recent projects within the subject land has demonstrated that the extent of the current SP3 Zone is insufficient to accommodate specific developments that are proposed. In this regard, the proposed rezoning will facilitate development of the land as outlined below and in the attached concept plan (refer *Annexure B*):
  - The north eastern section of the site is the subject of a current development application (DA 332/2019(1)) which seeks approval for a *highway service centre*. This part of the subject land is already zoned SP3 and a *highway service centre* is permissible development. This application is currently being assessed by Orange City Council.
  - The same proponent also proposes to establish 4 fast food outlets (*food and drink premises*) to the west of the proposed *highway service centre*. This part of the subject land is zoned IN2 Light Industrial and prohibits *food and drink premises*. The intention is for the fast food outlets to complement the proposed highway service centre. The extension of the SP3 Zone onto this part of the land is necessary to facilitate this aspect of the development.

- An interest has been expressed in the south eastern section of the site by another fast food operator seeking to become accessible to northbound traffic along Leeds Parade.
- The extended SP3 Zone will encompass the highway service centre and fast food outlet proposals to form a cohesive tourism/service/convenience precinct that will firstly be of benefit for travellers along the Northern Distributor Road, Leeds Parade and also for the expanding North Orange area which includes existing and proposed residential areas; the Narrambla industrial estate; and Charles Sturt University.

The Planning Proposal has been prepared in accordance with Section 3.33 of the Environmental Planning & Assessment Act 1979 (the Act) and the Department of Planning's advisory document *A Guide to Preparing Planning Proposals*. It represents the first step in the process of amending the LEP and the intent is to provide enough information to determine whether there is merit in the proposed amendment proceeding to the next stage of the plan-making process.

A Gateway determination under Section 3.34 of the Act is requested. It is acknowledged that the Gateway determination will confirm the information (which may include studies) and consultation required before the LEP can be finalised.

This Planning Proposal is supported by the following documentation:

Annexure A: Land Plans and Draft LEP Map

Annexure B: Concept Plan

Annexure C: Traffic Impact Assessment

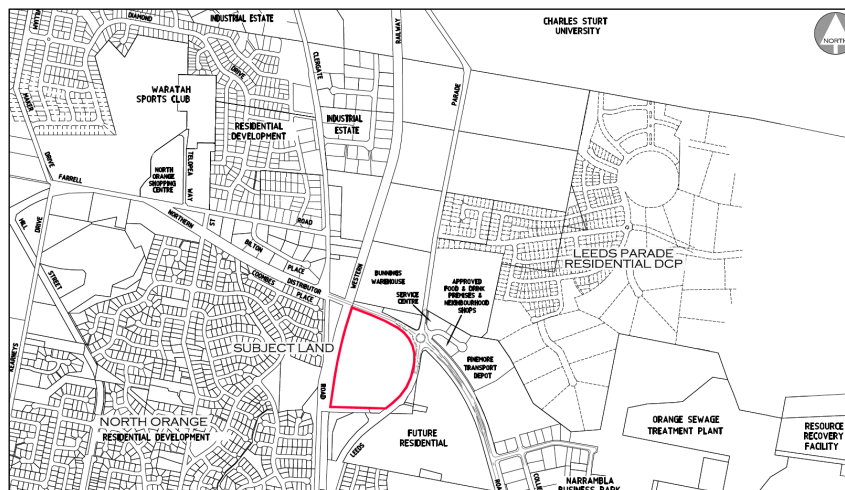
Annexure D: Planning Noise Assessment

Annexure E: Environmental Site Assessment

## **1.2 SUBJECT LAND**

### **a) Location**

The subject land is located on the south western corner of the Leeds Parade and Northern Distributor Road. The street address is 185 Leeds Parade, Orange.



## b) Site Description

The Real Property description of the land is Lot 4 DP 1185665, Parish of Orange, County of Wellington (land plans are provided in *Annexure A*).

The subject land is vacant with an area of 12.2 hectares. It is a corner allotment with curved road frontages to Northern Distributor Road, (which forms the northern boundary) and Leeds Parade (which forms the eastern boundary). The western boundary is formed by the Great Western Railway corridor. The southern boundary adjoins the former alignment of Leeds Parade.

The terrain is gently undulating with a gradual fall towards the south western corner. The predominant surface cover is grass. Except for a lone eucalypt in the north eastern section, the land is clear of native vegetation.

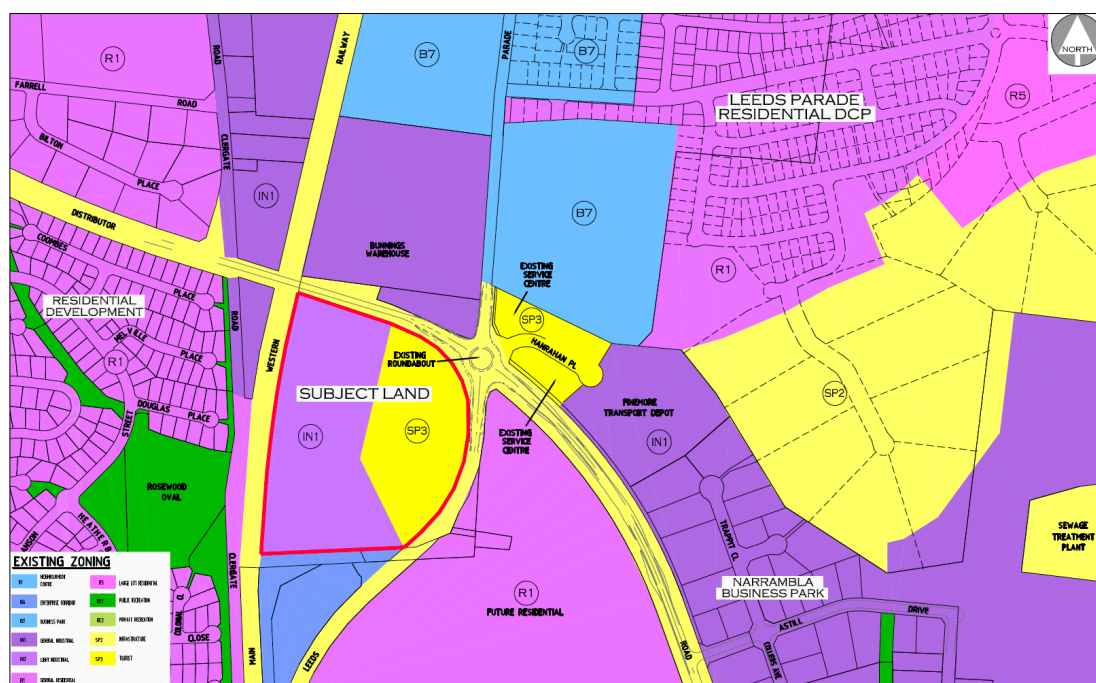
Drainage occurs via the natural surface. The land is not affected by any defined watercourses. A small dam is located in the north western corner.

The site of the proposed highway service centre development (DA332/2019(1)) is located in the north eastern section of the subject land, with the intention to achieve reasonable exposure to traffic along Northern Distributor Road.

The surrounding development and zoning pattern is depicted below and includes:

- The Bunnings Warehouse site to the north on the opposite side of Northern Distributor Road.
- The Hanrahan Place precinct to the north east on the opposite side of Northern Distributor Road. This precinct comprises two existing highway service centres

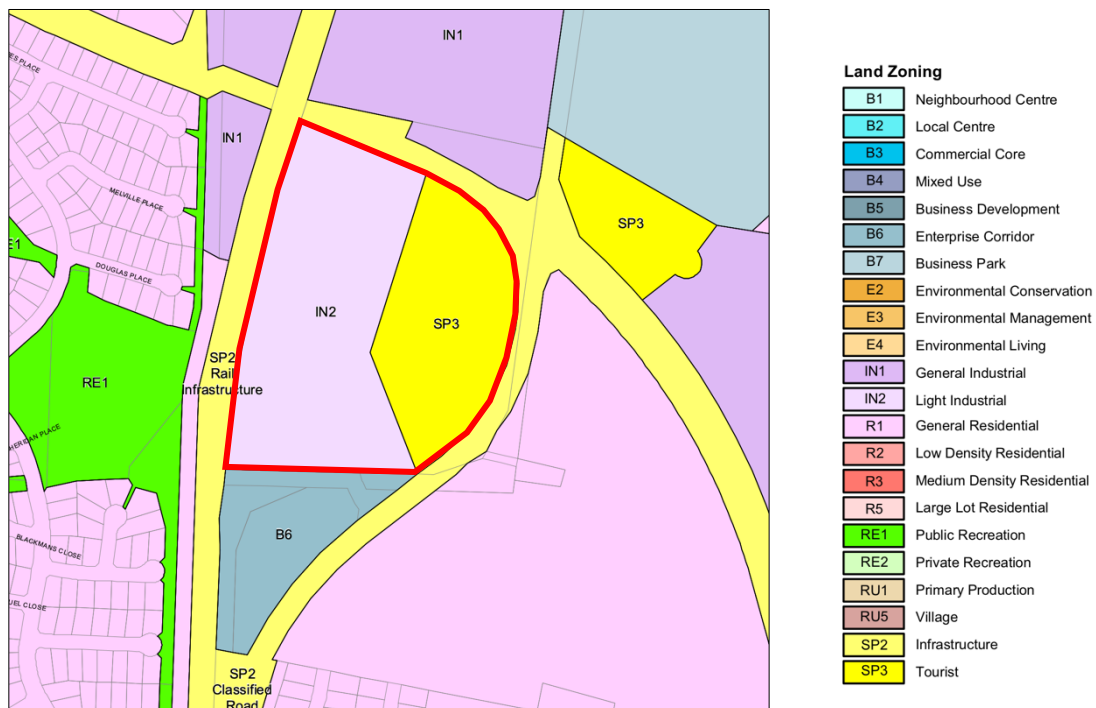
- Zoned but undeveloped residential land to the east on the opposite side of Leeds Parade.
- Zoned but undeveloped land zoned B6 Enterprise Corridor to the south.
- The Great Western Railway corridor along the western boundary with residential neighbourhoods commencing on the western side of the railway corridor.
- An existing industrial site to the north west on the opposite side of the railway corridor and Northern Distributor Road.



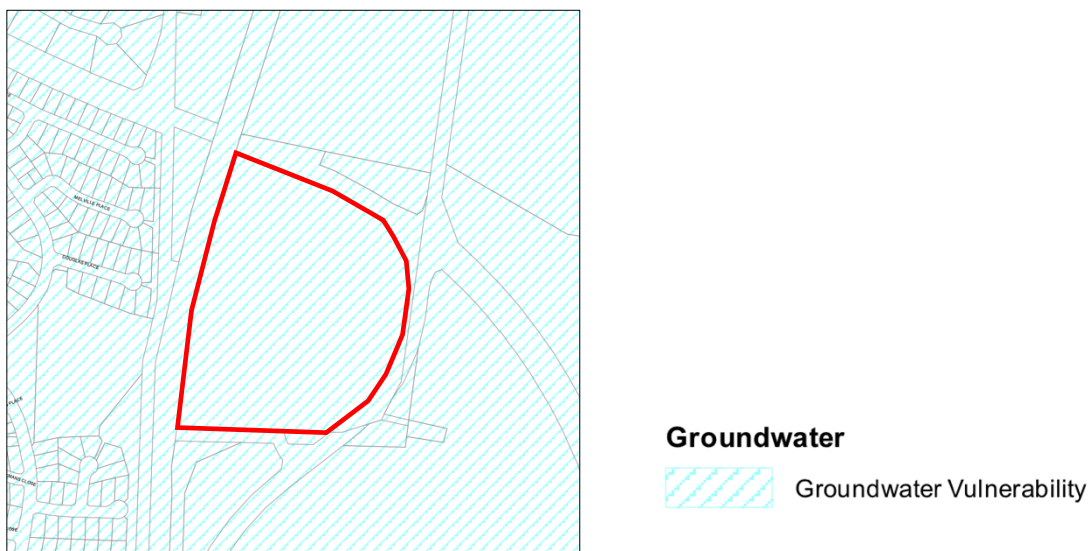
### c) Current LEP Provisions

The site is subject to certain provisions of Orange Local Environmental Plan 2011 which are relevant to this Planning Proposal and outlined below.

The land (outlined in red in the LEP map extract below) is zoned SP3 Tourist and IN2 Light Industrial. Leeds Parade and Northern Distributor Road along the site frontages are zoned SP2 (Classified Road).



The subject land (indicated approximately in the LEP map extract below) is defined as having groundwater vulnerability, as is the majority of the Orange urban area and its surrounds.



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## 2.0 OBJECTIVES OR INTENDED OUTCOMES

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### 2.1 PLANNING PROPOSAL OBJECTIVES

The objectives of this Planning Proposal are:

- To rezone part of the subject land from IN2 Light Industrial to SP3 Tourist.
- To satisfy the relevant aims and objectives of Orange LEP 2011.
- To demonstrate that the proposal would not generate unacceptable impacts in the locality.
- To ensure that the proposal would not have an unreasonable impact on the primacy of the Orange CBD or the hierarchy of existing business zones in Orange.

### 2.2 PLANNING PROPOSAL OUTCOMES

The intended outcome of the Planning Proposal is to enable development of the site as a cohesive and interrelated tourism/service/convenience precinct that will be of benefit for travellers along the Northern Distributor Road and also for the expanding North Orange area which includes existing and proposed residential areas; the Narrambla industrial estate; and Charles Sturt University.

To this end, and with reference to the development concept plan in *Annexure B*:

- The north eastern section of the site is the subject of a current development application (DA 332/2019(1)) which seeks approval for a *highway service centre*. That development proposes the following:
  - A main building which will comprise a service station; convenience store; takeaway food and drink tenancies (including drive-through); in-house dining/seating; public toilets and amenities; and dedicated areas for truck drivers.
  - On-site parking including a dedicated area for trucks.
  - Construction of a new access point onto Northern Distributor Road and a new road through the site that links to Leeds Parade.



- The same proponent also seeks to establish 4 fast food outlets (*food and drink premises*) to the west of the proposed *highway service centre*. With reference to the development concept plan:
  - Access would be provided via the new road and intersections proposed as part of the current DA for the *highway service centre*.
  - Each fast food outlet will provide a drive-through as well in-house dining.
  - The outlets are focussed around a central car parking area.
- Another fast food operator has expressed an interest to become established in the south eastern corner of the site to become accessible to northbound traffic along Leeds Parade. Typical of fast food operations of this type, it would provide a drive-through as well in-house dining and be provided with on-site car parking.

The concept plan shows that the subject land would be suitable for the proposal, particularly in regard to the following:

- The frontage, access and exposure to Northern Distributor Road and Leeds Parade, as well as the proximity to expanding residential and industrial areas represent logical and important attributes that underpin the overall concept for this site.
- The site is not constrained in terms of vehicle manoeuvring and parking. In this regard the concept shows that:
  - Future entrance and exit points can be established to integrate with the planned road and intersections.
  - The site has ample capacity to address off-street parking requirements.
  - The site can accommodate the turn path of vehicles likely to be associated with the development.
- The site provides reasonable opportunity for landscaping to be provided around buildings; vehicle areas; and road frontages.
- The intervening rail corridor provides reasonable separation between the subject site and the residential area that commences to the west. This physical separation in conjunction with sensible development design and management may assist to minimise potential impacts in terms of noise and residential amenity.

Notwithstanding the fact that fast food operators have expressed a firm commitment to the site, it is important to note that:

- The concept plan is indicative only at this stage for the high-level purpose of a Planning Proposal.
- The final development option will be subject to analysis, design, assessment, and the approvals process.
- Should the rezoning be successful, the SP3 Zone would also permit a range of other uses that are not necessarily depicted in the concept plan.

### 3.0 EXPLANATION OF PROVISIONS

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The objectives or intended outcomes of this Planning Proposal would be achieved by amending the *Orange Local Environmental Plan 2011 Land Zoning Map (Sheet LZN\_007D)* so that the relevant section of the subject land is zoned SP3 Tourist.

### 4.0 JUSTIFICATION

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#### 4.1 NEED FOR THE PLANNING PROPOSAL

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

The Planning Proposal is not the result of any strategic study or report. It represents a submission by the proponent to have the subject land rezoned to facilitate a specific development concept.

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

An amendment to the Orange LEP 2011 Land Zoning Map as it applies to the subject land is the best means of achieving the objectives or intended outcomes.

The Planning Proposal is a response to a shortcoming in the current zoning pattern. The extent of the current SP3 Zone within the subject land appears somewhat arbitrary. It does not fully capture the generous exposure and frontage to the

Northern Distributor Road, which are recognised as important and logical attributes that underpin the SP3 Tourist Zone. Also, the adjustment of the zone that would occur in the south eastern corner would relate to the proposed new road alignment and tie the zoning pattern to a cadastral boundary.

An amendment to enable the proposal via the Additional Permitted Use schedule of Orange LEP 2011 is not preferred. The nomination of specific uses may prove too narrow for the development potential of this site.

**c) Is there a net community benefit?**

The following information is provided to assist with the assessment of net community benefit. The information is based on the Evaluation Criteria (p.25) provided in the NSW Department of Planning *Draft Centres Policy, Planning for Retail and Commercial Development*.

***Will the LEP be compatible with agreed State and regional strategic direction for development in the area (e.g. land release, strategic corridors, development within 800 metres of a transport node)?***

There are no State or regional strategies of this type applicable to the proposal.

***Is the LEP located in a global/regional city, strategic centre or corridor nominated within the Metropolitan Strategy or other regional/sub-regional strategy?***

No.

***Is the LEP likely to create a precedent or change expectations of the landowner or other landholders?***

The Planning Proposal is unlikely to create a precedent or change expectations due to the following:

- Part of the subject land is already identified within the SP3 Tourist Zone.
- The proposal does not introduce a new land use zone to the area. It simply seeks to expand the existing SP3 Zone across land in the IN2 Light Industrial Zone. An area of IN2 Zone land will be retained.
- The expanded SP3 zone would more appropriately capture the generous exposure and frontage of the site to the Northern Distributor Road, which are recognised as important and logical attributes that underpin the SP3 Tourist Zone.

- It is submitted that the potential impacts that may be associated with the uses that are currently permitted in the IN2 Zone would not be unlike the potential impacts associated with the likely uses that may be permitted in the SP3 Zone.

***Have the cumulative effects of other spot rezoning proposals in the locality been considered? What was the outcome of these considerations?***

There are no known spot rezoning proposals in the locality.

***Will the LEP facilitate permanent employment generating activity or result in a loss of employment lands?***

Yes. The Planning Proposal is to facilitate a specific development for the site which will generate an increase in employment opportunities.

Whilst the Planning Proposal would reduce the amount of IN2 Zone land, it does not reduce the current amount of employment lands within the Orange LGA.

***Will the LEP impact upon the supply of residential land and therefore housing supply and affordability?***

The Planning Proposal does not reduce the supply of residential land.

Under the present zoning, the subject land does not permit residential accommodation. This situation remains unchanged by the Planning Proposal.

***Is the existing public infrastructure (roads, rail, utilities) capable of serving the proposed site? Is there good pedestrian and cycling access? Is public transport available or is there infrastructure capacity to support future public transport?***

The site integrates with public infrastructure. In this regard:

- It is adjacent to the Northern Distributor Road and Leeds Parade which form part of the City's distributor road network.
- It is within reasonable cycling distance of existing residential neighbourhoods.
- Pedestrian access is not ideal but this is largely due to the primary focus as a service and convenience precinct for the travelling public and local traffic. Notwithstanding, the site is served by pedestrian pathways that link it to residential areas to the south and west.

***Will the proposal result in changes to the car distances travelled by customers, employees and suppliers? If so what are the likely impacts in terms of greenhouse gas emissions, operating costs and road safety?***

Due to its location and integration with the local road network, the proposal is unlikely to result in changes to the car distances travelled by customers, employees and suppliers.

By facilitating an interrelated tourism/service/convenience, the proposal may shorten travel distances for the local residential and employment population.

***Are there significant Government investments in infrastructure or services in the area whose patronage would be affected by the proposal? If so what is the expected impact.***

Generally, there are no significant Government investments of infrastructure or services in the area whose patronage would be affected by this proposal.

However, the proposal may be of convenience to the existing Charles Sturt University Campus which lies north of the site.

***Will the proposal impact on land that the Government has identified a need to protect (e.g. land with high biodiversity values) or have other environmental impacts? Is the land constrained by factors such as flooding?***

The proposal will not impact on land that the Government has identified a need to protect.

The land is not constrained by flooding or other factors.

***Will the LEP be compatible/complementary with surrounding land uses? What is the impact on amenity in the location and wider community? Will the public domain improve?***

Yes. The intent is to facilitate land uses that are complementary to the uses that exist or are permissible in this area.

In terms of amenity, *Section 4.3* of the Planning Proposal considers the key relevant issues, including:

- Visual impacts
- Traffic generation and car parking

- Noise, dust, light and odour generation
- Privacy and overshadowing
- Proximity to residential development

There are no aspects of the Proposal that would detract from the public domain.

***Will the proposal increase choice and competition by increasing the number of retail and commercial premises operating in the area?***

Yes, the broadening of the range of uses on the subject land has the potential to increase choice and competition.

***If a stand-alone proposal and not a centre, does the proposal have the potential to develop into a centre in the future?***

The proposal is regarded as stand-alone and does not have the potential to develop into a centre in the future.

***What are the public interest reasons for preparing the draft plan? What are the implications of not proceeding at that time?***

In terms of the public interest, the proposal would:

- Facilitate a cohesive and interrelated tourism/service/convenience precinct that will be of benefit for travellers along the Northern Distributor Road and also for the expanding North Orange area which includes existing and proposed residential areas; the Narrambla industrial estate; and Charles Sturt University.
- Increase employment opportunities.
- Reduce travel times and fuel consumption.

To not proceed would result in a lost opportunity and perhaps a loss of potential social and economic benefits.

## **4.2 RELATIONSHIP TO STRATEGIC PLANNING FRAMEWORK**

- a) Is the planning proposal consistent with the objectives and actions contained within the applicable regional or sub-regional strategy?**

There is no Regional Strategy that is relevant to the subject land or proposal.

**b) Is the planning proposal consistent with the local Council's Community Strategic Plan or other local strategic plan?**

The subject land was broadly identified in the *Orange Business Centre Strategy Review (2005)* as Site D.

The *Orange Business Centre Strategy Review (2005)* by Leyshon Consulting made the following comments/assessment of the site:

- The site would cater for the identified long-term retail needs of North Orange.
- The site is considered less suitable than other sites given it is less central to the initial stages of the residential release in North Orange and is not as proximate to existing and proposed community and recreational facilities.
- The site would reduce the amount of zoned industrial land in Orange but this may not be a significant consideration as the area can be made up elsewhere.

Having regard to the above comments, the proposal is not considered to be adverse to the Strategy due to the following:

- The proposal does not seek to establish the site for the type of retailing that can be accommodated in other centres around the City, especially the CBD. Instead, the proposal seeks to facilitate a suite of complementary uses to create a tourism/service/convenience precinct that will be of benefit for travellers along the Northern Distributor Road and also for the expanding North Orange area which includes existing and proposed residential areas; the Narrambla industrial estate; and Charles Sturt University.
- Whilst the proposal would reduce the amount of industrial zoned land, the perceived loss would be acceptable from a planning point of view due to the following:
  - The site (or part thereof) has been zoned SP3 Tourist under Orange LEP 2011. Therefore the site does not fully represent the industrial land supply that was mentioned in the Strategy.
  - Further, there remains a considerable supply of zoned and currently undeveloped industrial land further to the north along Clergate Road. The take up rate of this supply remains slow.

- If employment generation is a goal of having industrial zoned land, then it is a reasonable suggestion that the range of uses permitted in the SP3 Zone are themselves employment generating (particularly food and drink premises, and tourist and visitor accommodation) and would bring similar benefits.

The *Orange Business Centre Strategy Review (2005)* was most recently updated in the *Business Centres Review Study* by Leyshon Consulting in 2010. It is our submission that the Proposal remains consistent with the Strategy to the following extent:

- The Strategy review estimates that the Orange trade area could support up to 25,490m<sup>2</sup> of additional retail floorspace between 2009-21 under a low population growth scenario; and up to 40,974m<sup>2</sup> of additional floorspace under a high population growth scenario. This Proposal represents only a modest addition to the retail floor space supply for the City and would be limited to only the types of retail allowed under the SP3 Zone. Given the projected floor space requirements provided in the Strategy, it is submitted that the impact of this Proposal would be negligible.
- The Proposal would not conflict with the long held strategic objective that seeks to consolidate the City Centre as the dominant retail centre. In this regard:
  - As indicated above, it is recognised at a strategic level that the site has some role to play in serving the retail needs of North Orange. As a result of the SP3 Zone and recently approved development it also has a role to serve the retail needs of the travelling public.
  - The site requirements/arrangements for this Proposal (drive-through facilities; expansive off-street parking areas; large vehicle manoeuvring areas; and the like ) cannot be met in the CBD. In any case, a CBD site, if it could be found, is of no use given that the intent of this proposal is to serve the travelling public along Northern Distributor Road, as well as the expanding residential and workforce populations in North Orange.
- The Proposal would not conflict with the strategic objective that seeks to maintain the viability of other centres. In this regard, the North Orange Shopping Centre is the nearest to the subject land but would be unable to accommodate the proposed development partly due to zoning constraints but mainly due to the lack of sufficient site area.



**c) Is the planning proposal consistent with applicable State Environmental Planning Policies?**

The consistency of the proposal in relation to the applicable State Environmental Planning Policies is indicated in the schedule below.

<b>State Environmental Planning Policies – Schedule of Consideration</b>	
<b>SEPP</b>	<b>Relevance/Comment</b>
SEPP No. 1 - Development Standards	Not applicable
SEPP No. 19 - Bushland in Urban Areas	Not applicable
SEPP No. 21 – Caravan Parks	Not applicable
SEPP No. 33 - Hazardous and Offensive Development	Not applicable
SEPP No. 36 - Manufactured Home Estates	Not applicable
SEPP No. 44 - Koala Habitat Protection	Not applicable
SEPP No. 50 - Canal Estates	Not applicable
SEPP No. 55 - Remediation of Land	Applicable. Addressed in Planning Proposal at Section 4.3 <i>subheading Land/Site Contamination</i>
SEPP No. 64 - Advertising and Signage	Not applicable
SEPP No. 65 - Design Quality of Residential Flat Development	Not applicable

<b>State Environmental Planning Policies – Schedule of Consideration</b>	
<b>SEPP</b>	<b>Relevance/Comment</b>
SEPP 70 - Affordable Housing (Revised Schemes)	Not applicable
SEPP (Aboriginal Land) 2019	Not applicable
SEPP (Affordable Rental Housing) 2009	Not applicable
SEPP (Building Sustainability Index: BASIX) 2004	Not applicable
SEPP (Coastal Management) 2018	Not applicable
SEPP (Concurrences) 2018	Not applicable
SEPP (Educational Establishments and Child Care Facilities) 2017	Not applicable
SEPP (Exempt and Complying Development Codes) 2008	Not applicable
SEPP (Gosford City Centre) 2018	Not applicable
SEPP (Housing for Seniors or People with a Disability) 2004	Not applicable
SEPP (Infrastructure) 2007	Consistent
SEPP (Kosciuszko National Park – Alpine Resorts) 2007	Not applicable

<b>State Environmental Planning Policies – Schedule of Consideration</b>	
<b>SEPP</b>	<b>Relevance/Comment</b>
SEPP (Kurnell Peninsula) 1989	Not applicable
SEPP (Mining, Petroleum Production & Extractive Industries) 2007	Not applicable
SEPP (Miscellaneous Consent Provisions) 2007	Not applicable
SEPP (Penrith Lakes Scheme) 1989	Not applicable
SEPP (Primary Production and Rural Development) 2019	Not applicable
SEPP (State and Regional Development) 2011	Not applicable
SEPP (State Significant Precincts) 2005	Not applicable
SEPP (Sydney Drinking Water Catchment) 2011	Not applicable
SEPP (Sydney Region Growth Centres) 2006	Not applicable
SEPP (Three Ports) 2013	Not applicable
SEPP (Urban Renewal) 2013	Not applicable
SEPP (Vegetation in Non-Rural Areas) 2017	Not applicable

State Environmental Planning Policies – Schedule of Consideration	
SEPP	Relevance/Comment
SEPP (Western Sydney Employment Area) 2009	Not applicable
SEPP (Western Sydney Parklands) 2009	Not applicable

**d) Is the planning proposal consistent with applicable Ministerial Directions?**

Section 9.1 of the Environmental Planning and Assessment Act, 1979 allows the Minister to give directions to Councils regarding the principles, aims, objectives or policies to be achieved or given effect to in the preparation of draft Local Environmental Plans.

A Planning Proposal needs to be consistent with the requirements of the Direction but can be inconsistent if justified using the criteria stipulated.

The consistency or otherwise of the planning proposal with the Ministerial Directions is indicated below.

**1. EMPLOYMENT AND RESOURCES**

**1.1 Business and Industrial Zones**

This Direction is applicable to the Planning Proposal because the Planning Proposal affects land within an existing or proposed business or industrial zone (including the alteration of any existing business or industrial zone boundary).

The objectives of this Direction are to:

- a) encourage employment growth in suitable locations,
- b) protect employment land in business and industrial zones, and
- c) support the viability of identified centres.

According to this Direction, a planning proposal must

- a) give effect to the objectives of this direction,
- b) retain the areas and locations of existing business and industrial zones,
- c) not reduce the total potential floor space area for employment uses and related public services in business zones,
- d) not reduce the total potential floor space area for industrial uses in industrial zones, and
- e) ensure that proposed new employment areas are in accordance with a strategy that is approved by the Secretary of the Department of Planning and Environment.

The Planning Proposal is consistent with this Direction due to the following:

- It upholds the objectives of the Direction as follows:
  - The proposal will encourage employment growth in a location that is already established for employment purposes.
  - The proposal would assist to increase employment opportunities.
  - For the reasons outlined in this report the proposed expansion of the SP3 Zone does not threaten the viability and function of the City's existing business centres (particularly the Orange CBD).
- It does not reduce the total potential floor space area for employment uses and related public services in business zones.
- The expansion of the SP3 Zone would reduce the IN2 Zone. As such, the proposal would reduce floor space area for industrial uses in industrial zones. However, the loss of industrial zoned land has been justified for the following reasons:
  - The site (or part thereof) is already zoned SP3 Tourist under Orange LEP 2011.
  - There remains a considerable supply of zoned and currently undeveloped industrial land further to the north along Clergate Road. The take up rate of this supply remains slow.

- If employment generation is a goal of having industrial zoned land, then it is a reasonable suggestion that the range of uses permitted in the SP3 Zone are themselves employment generating (particularly food and drink premises, and tourist and visitor accommodation) and would bring similar benefits.
- It does not involve new employment areas in any strategy that is approved by the Director-General of the Department of Planning.

### ***1.2 Rural Zones***

This Direction is not relevant to this Planning Proposal.

### ***1.3 Mining, Petroleum and Extractive Industries***

This Direction is not relevant to this Planning Proposal.

### ***1.4 Oyster Aquaculture***

This Direction is not relevant to this Planning Proposal.

### ***1.5 Rural Lands***

This Direction is not relevant to this Planning Proposal.

## **2. ENVIRONMENT AND HERITAGE**

### ***2.1 Environment Protection Zones***

This Direction is not relevant to this Planning Proposal.

### ***2.2 Coastal Management***

This Direction is not relevant to this Planning Proposal.

### ***2.3 Heritage Conservation***

This Direction is not relevant to this Planning Proposal.

### ***2.4 Recreation Vehicle Areas***

This Direction is not relevant to this Planning Proposal.

***2.5 Application of E2 and E3 Zones and Environmental Overlays in Far North Coast LEPs***

This Direction is not relevant to this Planning Proposal.

**3. HOUSING, INFRASTRUCTURE AND URBAN DEVELOPMENT*****3.1 Residential Zones***

This Direction is not applicable to the Planning Proposal.

***3.2 Caravan Parks and Manufactured Home Estates***

This Direction is not relevant to this Planning Proposal.

***3.3 Home Occupations***

This Direction is not relevant to this 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 contribute to the “one-stop shop” aim of the precinct and should therefore facilitate multi-purpose trips at a single location.
- As such it is expected to reduce travel distances for the travelling public; residents of North Orange; students/staff/residents at Charles Sturt University; and employees engaged at the nearby industrial estates.
- Traffic associated with the future likely uses of the site is expected to integrate with the existing local traffic regime.

***3.5 Development near Regulated Airports and Defence Airfields***

This Direction is not relevant to this Planning Proposal.

**3.6 Shooting Ranges**

This Direction is not relevant to this Planning Proposal.

**3.7 Reduction in non-hosted short term rental accommodation period**

This Direction is not relevant to this Planning Proposal.

**4. HAZARD AND RISK****4.1 Acid Sulphate Soils**

This Direction is not relevant to this Planning Proposal.

**4.2 Mine Subsidence and Unstable Land**

This Direction is not relevant to this Planning Proposal.

**4.3 Flood Prone Land**

This Direction is not relevant to this Planning Proposal.

**4.4 Planning for Bushfire Protection**

This Direction is not relevant to this Planning Proposal.

**5. REGIONAL PLANNING****5.1 Implementation of Regional Strategies**

This Direction is not relevant to this Planning Proposal.

**5.2 Sydney Drinking Water Catchments**

This Direction is not relevant to this Planning Proposal.

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

This Direction is not relevant to this Planning Proposal.



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

This Direction is not relevant to this 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**

Revoked

**5.8 Second Sydney Airport: Badgery's Creek**

Revoked

**5.9 North West Rail Link Corridor Strategy**

This Direction is not relevant to this Planning Proposal

**5.10 Implementation of Regional Plans**

This Direction requires the Planning Proposal to be consistent with the *Central West and Orana Regional Plan 2036*. Consideration of the proposal against the Directions in the Regional Plan is provided below.

<b>Central West and Orana Regional Plan 2036</b>	
<b>Direction</b>	<b>Comment</b>
1. Protect the region's diverse and productive agricultural land	Not relevant to this PP
2. Grow the agribusiness sector and supply chains	Not relevant to this PP

<b>Central West and Orana Regional Plan 2036</b>	
<b>Direction</b>	<b>Comment</b>
3. Develop advanced manufacturing and food processing sectors	Not relevant to this PP
4. Promote and diversify regional tourism markets	Consistent. The proposal will contribute to an improvement in tourism related services
5. Improve access to health and aged care services	Not relevant to this PP
6. Expand education and training opportunities	Not relevant to this PP
7. Enhance the economic self-determination of Aboriginal communities	Not relevant to this PP
8. Sustainably manage mineral resources	Not relevant to this PP
9. Increase renewable energy generation	Not relevant to this PP
10. Promote business and industrial activities in employment lands	Consistent with this Direction. The PP facilitates development of a type that will increase the potential for the subject land to be used for employment generating activities.
11. Sustainably manage water resources for economic opportunities	The subject land is identified as having ground water vulnerability (as is much of the Orange urban area). Appropriate measure can be considered at the DA stage to ensure future development does not generate additional impacts in this regard.

Central West and Orana Regional Plan 2036	
Direction	Comment
12. Plan for greater land use compatibility	Consistent. The SP3 Zone is not a new zone in this area. In effect the Proposal would see the expansion of the existing SP3 Zone, essentially to replace the existing IN2 Zone. The uses that are permitted under the SP3 Zone are considered to be no less compatible with the surrounding development pattern than the uses that are permitted under the IN2 Zone.
13. Protect and manage environmental assets	Not relevant to this PP
14. Manage and conserve water resources for the environment	Not adverse to this Direction
15. Increase resilience to natural hazards and climate change	Not adverse to this Direction
16. Respect and protect Aboriginal heritage assets	Not relevant to this PP
17. Conserve and adaptively re-use heritage assets	Not relevant to this PP
18. Improve freight connections to markets and global gateways	The Proposal facilitates appropriate development adjacent to a transport corridor.
19. Enhance road and rail freight links	The Proposal facilitates appropriate development adjacent to a transport corridor.

<b>Central West and Orana Regional Plan 2036</b>	
<b>Direction</b>	<b>Comment</b>
20. Enhance access to air travel and public transport	Not relevant to this PP
21. Coordinate utility infrastructure investment	Not relevant to this PP
22. Manage growth and change in regional cities and strategic and local centres	Not adverse to this Direction
23. Build the resilience of towns and villages	Not adverse to this Direction
24. Collaborate and partner with Aboriginal communities	Not relevant
25. Increase housing diversity and choice	Not relevant
26. Increase housing choice for seniors	Not relevant
27. Deliver a range of accommodation options for seasonal, itinerant and mining workforces	Not relevant
28. Manage rural residential development	Not relevant
29. Deliver healthy built environments and better urban design	Not adverse to this Direction

### 4.3 ENVIRONMENTAL, SOCIAL AND ECONOMIC IMPACT

- a) **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 subject land is within the urbanised fringe with no ecological value.

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

The potential impacts of the Planning Proposal are considered below.

<b>Visual Impact</b>
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Due to it being adjacent to the City's distributor road network, the site is considered relatively prominent. It is important for any development to make a positive contribution to the visual amenity of this area.

Whilst the potential visual impacts are a matter for detailed assessment at the DA stage, the following principles should apply:

- Maintain appropriate building height and scale.
- Building bulk and mass should be addressed by a well-articulated facades and architectural detailing that includes commercial glazing; mixed wall finishes; awnings; and parapet treatments.
- Use high quality materials and finishes commensurate with modern commercial architecture.
- Signage zones should be defined and incorporated in the building design.
- Mechanical plant and equipment should be sensitively located.
- Site design should be such that "back-of-house" elements are not easily viewed from the streets or public area.
- Maintain an open and spacious visual environment along the site frontages.
- A reasonable level of landscaping should be provided so as to provide appropriate softening of buildings and vehicle areas.

## Traffic Impact

Consultants TTPP have prepared a Traffic Impact Assessment (TIA) in respect of this Planning Proposal (refer *Annexure C*).

The TIA takes into account the development depicted in the submitted concept plan (refer *Annexure B*) which comprises:

- The proposed *highway service centre* which is the subject of development application DA 332/2019(1) which is currently being assessed by Council.
- The proposed 4 fast food outlets (*food and drink premises*) to the west of the proposed *highway service centre*.
- The proposed fast food outlet (*food and drink premises*) to the south of the proposed *highway service centre*.

The findings of the TIA are summarised below.

### ***Traffic Assessment***

#### Traffic Generation

Table 5.3 of the TIA (see extract below) indicates that the proposed development is expected to generate a total of 544 – 798 vehicles per hour during the road network peak periods. This would include a net increase of 272 – 399 vehicle trips per hour to the road network with consideration for passer-by traffic.

**Table 5.3: Traffic Generation Summary**

Land Use	Trips		Passing Trade	Additional Vehicle Trips	
	AM	PM		AM Peak	PM Peak
Fast Food (x5)	440	673	50%	220	337
Service Station	104	125		52	62
<b>Total</b>	<b>544</b>	<b>798</b>		<b>272</b>	<b>399</b>

#### Traffic Growth

The TIA provides forecasted traffic volumes for the year 2028 to inform the assessment of the access points (intersections) onto Northern Distributor Road and Leeds Parade.

### Traffic Distribution

The TIA has distributed the proposed development traffic based on the following assumptions:

- A 50% inbound/ 50% outbound split has been assumed to enter and exit the site.
- Traffic has been distributed to/from Northern Distributor Road and Leeds Parade based on existing flows (i.e. Northern Distributor Road carries more traffic than Leeds Parade). On the basis of the existing traffic flows, 65% of development traffic has been assumed to arrive and depart to Northern Distributor Road.
- Similarly, 65% of the estimated pass-by traffic is assumed to access the site via Northern Distributor Road
- Traffic at Leeds Parade has been distributed based on existing flows, with 60% travelling northbound and 40% travelling southbound in the AM peak and vice versa in the PM peak.

### Intersection Analysis

*SIDRA Intersection 8.0* was used to assess the future performance of the Leeds Parade and Northern Distributor Road intersections as a result of the proposed development. The SIDRA analysis indicates that both intersections will perform mostly at an A Level of Service (*good operation*) for the future scenario.

### ***Internal Layout and Servicing***

The accommodation of service vehicles and loading areas for the proposed fast food outlets will be the subject of detailed design and consideration at the DA stage. There are no aspects of the subject land that would pose a constraint in this regard. The servicing and loading arrangements for the proposed highway service centre have already been addressed in the TIA provided in support of the DA for that development already lodged with Council.

The car park is required to be in accordance with the requirements of AS2890:2004 in regard to the access arrangements; car park circulation; and parking spaces and aisle dimensions. This will be the subject of detailed design and consideration at the DA stage. There are no aspects of the subject land that would pose a constraint in this regard.

### ***Parking Assessment***

The TIA provides a parking assessment for the fast food outlets pursuant to the parking rates provided in *Orange Development Control Plan 2004 – 15 Car Parking*. The assessment is based on the concept plan that accompanies this planning proposal only to indicate the capacity of the subject land to accommodate future parking needs. A more formal assessment would be provided at the DA stage, once the final development design is confirmed.

For the purpose of this assessment, the TIA assumes that:

- Each of the four fast food outlets in the north west sector of the site (referred to as Area 1 in the TIA) will comprise 60 internal seats; 18 external seats; and a drive-through facility.
- The single fast food outlets in the south east sector of the site (referred to as Area 1a in the TIA) will comprise 88 internal seats; and a drive-through facility.

On this basis, the parking need would be as follows:

- *Orange Development Control Plan 2004 – 15 Car Parking* requires parking for such development to be provided at the rate of 1 space per 2 seats (internal seating) or 1 space per 3 seats (internal and external seating), whichever is the greater. Therefore:
  - A total of 120 spaces would be required for Area 1.
  - A total of 44 spaces would be required for Area 1a.

The submitted concept demonstrates that the subject land has capacity for on-site parking in excess of the above minimum requirements.

- *Orange Development Control Plan 2004 – 15 Car Parking* requires drive-through facilities to provide a queuing area for 5 to 12 cars measured from the pick-up point and a minimum of 4 spaces queued from the ordering point. There is ample capacity within the site to enable future development to be designed to comply with this requirement.

The parking requirements for the proposed highway service centre have already been addressed in the TIA provided in support of the DA for that development already lodged with Council.



## Noise Impact

Consultants, Atkins Acoustics have prepared a Planning Noise Assessment (PNA) in respect of this Planning Proposal (refer *Annexure D*). The PNA relates only to the proposed 4 fast food outlets (*food and drink premises*) to the west of the proposed *highway service centre*; and the single fast food outlet to the south of the proposed *highway service centre*.

A separate noise assessment has already been prepared by Atkins Acoustics for the proposed highway service centre itself and forms part of the documentation that has already been lodged with Council in support of that DA. That assessment concludes that the highway service centre will be satisfactory in terms of potential noise impacts.

A summary of the PNA for the 5 fast food outlets is provided below.

### ***Sensitive Receivers***

The assessment identified the nearest noise sensitive development. The sensitive receivers are indicated below in the aerial plan extract from the Atkins Acoustics report. The measurement locations are identified as M1 and M2.



- R1 – single storey residence – 118 Clergate Road
- R2 – single storey residence – 27 Coombes Place
- R3 – single storey residence – 11 Melville Place
- R4 – single storey residence – 13 Melville Place
- R5 – single storey residence – 8 Douglas Place
- R6 – single storey residence – Leeds Parade

### **Noise Sources**

The PNA identified the following noise sources:

- The main mechanical plant of acoustical significance includes air-conditioning, refrigeration condensers and exhaust fans. For modelling and evaluating mechanical plant noise, sound power levels from typical plant presented in Table 6 of the PNA have been established from generic plant selections, manufacturer data and field measurements. It has been assumed that the air conditioning condensers are selected with soft start variable speed motors and a night mode operating controllers.
- For transient onsite activities including the drive-through, noise measurements undertaken by Atkins Acoustics established that noise levels are dependent on the activity. Audit measurements for car doors closing, vehicles starting, manoeuvring, accelerating have been utilised to determine source levels for assessing noise from typical onsite activities. The sound power levels summarised in Table 7 of the PNA represent a typical range and maximum levels for speech and onsite vehicles.

### **Noise Modelling**

Mechanical plant noise has been modelled and the predicted noise levels at the most potentially affected receivers are presented in Table 8 of the PNA (see extract below).

The results in Table 8 indicate that noise from plant and equipment, with appropriate selection, design and installation, satisfies the recommended assessment goals at the identified receivers.

**Table 8. Summary of Predicted Noise Levels (Mechanical Plant)***L<sub>Aeq,15min</sub> dBA re: 20 x 10<sup>-6</sup> Pa*

Description	Assessment Noise Goals dBA			Predicted Sound Pressure Levels dBA			Compliance		
	Day	Evening	Night	Day	Evening	Night	Day	Evening	Night
Reference Assessment Location R1 – 118 Clergate Road									
Mechanical Plant	52	43	37	38	38	37	√	√	√
Reference Assessment Location R2 - 27 Coombes Place									
Mechanical Plant	52	43	37	35	35	34	√	√	√
Reference Assessment Location R3 – 11 Melville Place									
Mechanical Plant	44	43	35	36	36	35	√	√	√
Reference Assessment Location R4 - 13 Melville Place									
Mechanical Plant	44	43	35	36	36	35	√	√	√
Reference Assessment Location R5 – 8 Douglas Place									
Mechanical Plant	44	43	35	34	34	33	√	√	√
Reference Assessment Location R6 – Leed Parade									
Mechanical Plant	44	43	35	36	36	35	√	√	√

**NOTES:**

1. Day: 7.00am to 6.00pm Monday to Saturday, 8.00am to 6.00pm Sunday and public holidays
2. Evening: 6.00pm to 10.00pm
3. Night: 10.00pm to 7.00am Monday to Saturday, 10.00pm to 8.00am Sunday and public holidays

Noise contributions from on-site vehicles and customer activities have been modelled and the predicted noise levels at the most potentially affected receivers are presented in Table 10 of the PNA (refer extract below).

**Table 10. Summary of Noise Levels (Night-time Transient Activities)***L<sub>A1,1min</sub> dBA re: 20 x 10<sup>-6</sup> Pa*

Description	Assessment Noise Goals dBA			Calculated Sound Pressure Levels dBA	Compliance
	Day	Evening	Night		
Reference Assessment Location R1 – 118 Clergate Road					
Transient (L <sub>A1,1min</sub> )	n/a		52* 60/65^	9 - 48	√
Reference Assessment Location R2 - 27 Coombes Place					
Transient (L <sub>A1,1min</sub> )	n/a		52* 60/65^	8 – 43	√
Reference Assessment Location R3 - 11 Melville Place					
Transient (L <sub>A1,1min</sub> )	n/a		52* 60/65^	10 – 44	√
Reference Assessment Location R4 - 13 Melville Place					
Transient (L <sub>A1,1min</sub> )	n/a		52* 60/65^	11 – 44	√
Reference Assessment Location R5 - 8 Douglas Place					
Transient (L <sub>A1,1min</sub> )	n/a		52* 60/65^	11 –43	√
Reference Assessment Location R6 – Leed Parade					
Transient (L <sub>A1,1min</sub> )	n/a		52* 60/65^	9 -43	√

**NOTES:**

1. \* EPA screening test (Section 4.1.3)
2. ^ RNP recommended external L<sub>A1, 1min</sub> level

The results in Table 9 demonstrate that noise from transient onsite activities is predicted to satisfy the EPA screening test for assessing sleep awakening reactions.

### **Assessment**

The modelling demonstrates:

- Noise from the plant and equipment with appropriate selection, design and installation can be controlled and satisfy assessment goals established from *Noise Policy for Industry* (NPfI) procedures; and
- Noise from transient onsite vehicle and customer activities satisfies the NPfI recommended screening test (52dBA) for assessing sleep awakening reactions.

### **Recommendations**

The PNA makes the following recommendations:

- Assessment goals established from NPfI procedures developed for controlling intrusive noise impacts and managing ambient noise creep;
- Mechanical plant selections, design and installation to satisfy the acoustic performance referenced in Chapter 5;
- Air-conditioning condensers selected with soft start variable speed motors and night mode operating controllers;
- If required, roof mounted air-conditioning and refrigeration condensers and exhaust fans installed with acoustic rated screens; and
- When individual operators are confirmed, detailed acoustic assessments of potential noise impacts are undertaken for each operator and the findings/recommendations submitted with pending Development Applications for Council approval.

### **Conclusion**

The PNA concludes as follows:

*Jasbe Petroleum has requested acoustic investigations be undertaken to assess possible acoustic planning issues associated with the development of five (5) conceptual Fast Food facilities on the site (Attachment 1).*

*The conceptual layout for the Precinct (Attachment 2) provides for five (5) Fast Food operators with associated drive-thru facilities and onsite parking.*

*The proposed operating hours for the Proposal are twenty four (24) hours, seven (7) days a week.*

*The results of modelling show that noise from the indicative plant and equipment can be controlled through selection, design, installation and satisfy the recommended noise goals.*

*Noise from transient onsite activities have been addressed in accordance with the NPfI procedures for assessing sleep awakening reactions. Modelling has shown that noise from onsite customer and vehicle activities satisfy the NPfI screening test assessment level of 52dBA.*

*Acoustic design requirements for operators would be subject to Council requirements and individual Development Applications. The DA documentation for each operator would address acoustic requirement, mechanical plant, transient onsite activities, site management requirements and noise mitigation required to address and satisfy any pending noise conditions imposed by Council*

### **Lighting**

A lighting assessment will be required to accompany a future development application, to ensure that lighting for future development does not cause adverse impacts upon surrounding development or the road network.

### **Water Quality**

Orange LEP 2011 identifies the subject land as having groundwater vulnerability. Potential impacts on water quality relate to the following:

- Erosion and sedimentation as a result of earthworks during the construction phase of development.
- A likely increase in impervious surfaces as a result of buildings and vehicle areas which will increase the volume and velocity of run-off from the site.
- Management of effluent and wastewater generated by future development.

Whilst the potential impacts on water quality would become more apparent at the DA stage, the following principles should apply:

- Erosion and sediment controls are to be implemented and maintained as required to ensure that water quality is not affected as a result of construction or operational activities.
- Water quality measures will be required to ensure that post-development water quality is at least equivalent to pre-development water quality. The management of stormwater from buildings and vehicle areas will be subject to Council's normal requirements for development in urban areas.
- Liquid trade waste that may be generated by any future uses will be subject to a trade waste agreement between the relevant operator and Council.

### **Air Quality**

Whilst the potential impacts on air quality would become more apparent at the DA stage, the following principles should apply:

- All vehicle areas are to be sealed so as to minimise the potential for raised dust.
- Food businesses will require appropriate kitchen exhaust equipment.

### **Air Quality**

Future development can be designed to minimise overshadowing of adjoining properties.

### **Heritage**

The subject land is not identified as having heritage value. There are no heritage items in the vicinity of the subject land.

### **Archaeology**

The potential for Aboriginal archaeology to occur within the site is considered minimal. However, should any Aboriginal or European Relics be unexpectedly discovered during works associated with the concept plan, all excavations or disturbances in the area will stop immediately and the NSW Heritage Office and NSW National Parks and Wildlife Service shall be informed immediately.

### Biodiversity

The proposal is not likely to have an adverse effect on biodiversity due to the following:

- The subject land does not contain native vegetation, having been highly disturbed from its natural state due to a long history of agricultural use.
- The subject land is not identified on the *Orange Local Environmental Plan 2011 – Terrestrial Biodiversity Map* as having biodiversity value.
- According to the OEH Biodiversity Values Map, there are no areas within the subject land that are identified as having high biodiversity value.
- The proposed development does not represent a key threatening process as there are no threatened species or ecological communities identified within or around the subject land, and none within the vicinity of the proposed development.
- The subject land is not a declared area of outstanding biodiversity value.

### Land/Site Contamination

An environmental site assessment (ESA) has been undertaken by Resolve Environmental (refer *Annexure E*). The ESA was prepared in respect of the DA for the proposed highway service centre but sampling was undertaken across the whole of the subject land (i.e. Lot 4 DP 1185665). The ESA found as follows:

#### **Conclusion**

*The objective of this assessment was to support a development application by assessing the suitability of the site soil quality for the proposed development. This objective has been met with the completion of the works described herein.*

*Resolve conducted a desktop assessment to assess the potential for the site to be contaminated, and subsequently assessed the soil contamination status of the site. The relative level and significance of the contaminants reported in soil at the site have been compared to established Australian and NSW environmental and/or human health -based investigation levels.*

*The desktop review and walkover did not indicate any publicly available evidence of gross contamination of the subject land that would constrain future development and use of the land.*

*One soil analytical exceedance of criteria protective of terrestrial ecosystems was noted for sample TP12\_1.0 for zinc (6,270 mg/kg). This sample was collected from burnt fill materials of the burn pit and determined to be limited in extent as was delineated by the underlying validation sample TP12\_1.5. Under a commercial/industrial setting with limited access to soils, this would likely not pose an environmental liability.*

*Asbestos in ACM as cement sheeting was confirmed by the laboratory to be present at sample locations TP16 (driveway, within construction/demolition waste); TP20 (driveway, within construction/demolition waste); and TP21 (stockpile (cattle ramp), within construction/demolition waste). Any potential risk to construction workers of the proposed development and future site users of the proposed development posed by the presence of ACM in limited areas of the site is expected to be adequately managed with onsite treatment of the asbestos contaminated soil and implementation of standard health and safety protocols and documentation at the time of site development.*

*Based on the findings of this assessment and subject to the limitations in Section 11, the site considered to be suitable for future ongoing use as a petroleum service station.*

**c) How has the planning proposal adequately addressed any social and economic effects?**

The social and economic benefits of the Planning Proposal are considered to be positive due to the following:

- Provides services and facilities that benefit the travelling public.
- Provides services and facilities that benefit local residents.
- Increases expenditure in Orange due to operational spending.
- Increases expenditure in Orange due to construction spending.
- Creates additional employment, both during the construction period and, more importantly, once the development is operational.



- Complements and enhance the role of Orange as a major regional business centre.
- Would not threaten the viability of other centres.

#### 4.4 STATE AND COMMONWEALTH INTERESTS

**a) Is there adequate public infrastructure for the Planning Proposal?**

Yes. The Planning Proposal applies to existing and developed urban zones. All urban utilities and relevant infrastructure are available.

**b) What are the views of State and Commonwealth public authorities consulted in accordance with the gateway determination?**

The view of State and Commonwealth public authorities are not required on the Planning Proposal until after the Gateway determination.

## 5.0 COMMUNITY CONSULTATION

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The Planning Proposal will be subject to public exhibition and agency consultation as part of the Gateway process. The Gateway determination will specify the community consultation that must be undertaken on the Planning Proposal.

This Planning Proposal is considered to be a minor proposal for the following reasons:

- This Planning Proposal provides information to demonstrate that it is not adverse to the relevant strategic planning framework and that the potential impacts are not unreasonable.
- Issues pertaining to infrastructure servicing are not significant and can be adequately addressed.
- The Planning Proposal is not for a principal LEP.
- The Planning Proposal does not seek to reclassify public land.

Community consultation would involve:

- An exhibition period of 28 days.
- The community is to be notified of the commencement of the exhibition period via a notice in the local newspaper and on Council's website. The notice will:
  - Give a brief description of the objectives or intended outcomes of the planning proposal;
  - Indicate the land affected by the planning proposal;
  - State where and when the planning proposal can be inspected;
  - Provide the name and address for the receipt of submissions; and
  - Indicate the closing date for submissions.
- Written notification to adjoining and surrounding land owners.

During the exhibition period, it is expected that Council would make the following material available for inspection:

- The Planning Proposal in the form approved for community consultation by the Director General of Planning;
- Any studies (if required) relied upon by the planning proposal.

Electronic copies of relevant exhibition documentation to be made available to the community free of charge.

At the conclusion of the notification and public exhibition period Council staff will consider submissions made in respect of the Planning Proposal and prepare a report to Council.

## 6.0 CONCLUSION

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This Planning Proposal warrants support due to the following:

- It is not adverse to the relevant strategic planning framework.
- It is reasonable to suggest that the required extent for the SP3 Zone was not foreseen when the current zoning provisions were developed. The Planning Proposal is a response to a shortcoming in the current zoning pattern. The extent of the current SP3 Zone within the subject land appears somewhat arbitrary. It does not fully capture the generous exposure and frontage to the Northern Distributor Road, which are recognised as important and logical attributes that underpin the SP3 Tourist Zone.
- The extended SP3 Zone will facilitate a specific development of the subject land encompassing a proposed highway service centre and fast food outlets to form a cohesive tourism/service/convenience precinct that will serve the needs of the travelling public and the surrounding residential and workforce population.
- It encourages economic development and therefore would assist to increase employment and retain spending within Orange and create a stronger business destination.
- For the reasons outlined in this report, the Proposal would not threaten the viability and function of the City's existing business centres.

Yours faithfully

***Peter Basha Planning & Development***



Per:

**PETER BASHA**

Annexure A

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*Land Plans and Draft LEP Map*

Annexure B

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*Concept Plan*

Annexure C

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*Traffic Impact Assessment by TTPP*

Annexure D

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*Planning Noise Assessment by Atkins Acoustics*

Annexure E

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*Environmental Site Assessment by Resolve Environmental*