

Orange City Council - Rezoning, reclassification and extinguish Public Reserve status - Lot 43 DP 255071 30 Leewood Drive Orange - "Catto Park"

Proposal Title :	Orange City Council - Rezoning, reclassification and extinguish Public Reserve status - Lot 43 DP 255071 30 Leewood Drive Orange - "Catto Park"		
Proposal Summary :	Orange City Council LEP 2011 Amendment No 10 - Lot 43 DP 255071 30 Leewood Drive, Orange - Catto Park. Rezone from RE1 Public recreation to IN1 General Industrial and reclassify from community to operational and extinguish public reserve.		
PP Number :	PP_2015_ORANG_003_00	Dop File No :	15/12687

Proposal Details

Date Planning Proposal Received :	24-Aug-2015	LGA covered :	Orange
Region :	Western	RPA :	Orange City Council
State Electorate :	ORANGE	Section of the Act :	55 - Planning Proposal
LEP Type :	Reclassification		

Location Details

Street :	30 Leewood Drive		
Suburb :	Glenroi	City :	Orange
		Postcode :	2800
Land Parcel :	Lot 43 DP 255071- currently zone RE1 Public Recreation- 1313m2		

DoP Planning Officer Contact Details

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RPA Contact Details

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DoP Project Manager Contact Details

Contact Name :	Ashley Albury
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Land Release Data

Growth Centre :	N/A	Release Area Name :	N/A
Regional / Sub Regional Strategy :	N/A	Consistent with Strategy :	N/A

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MDP Number :		Date of Release :	
Area of Release (Ha) :	0.13	Type of Release (eg Residential / Employment land) :	Employment Land
No. of Lots :	0	No. of Dwellings (where relevant) :	0
Gross Floor Area :	0	No of Jobs Created :	0

The NSW Government Lobbyists Code of Conduct has been complied with : **Yes**

If No, comment :

Have there been meetings or communications with registered lobbyists? : **No**

If Yes, comment : **No known meetings or communications**

Supporting notes

Internal Supporting Notes : **The land is located in an industrial area and the change to such use is consistent with an endorsed strategy to encourage employment lands. In terms of recreation use the land being located in an industrial area is not of a size or shape that makes it usable for public recreation purposes.**

Council can not be authorised to exercise delegation as the Governors approval is required to remove the public reserve status on the land.

External Supporting Notes :

Adequacy Assessment

Statement of the objectives - s55(2)(a)

Is a statement of the objectives provided? **Yes**

Comment : **The objective to rezone the land to zone IN1 General Industrial and reclassify the land to operational and remove the public reserve status.**

Explanation of provisions provided - s55(2)(b)

Is an explanation of provisions provided? **Yes**

Comment :

Justification - s55 (2)(c)

a) Has Council's strategy been agreed to by the Director General? **Yes**

b) S.117 directions identified by RPA :

1.1 Business and Industrial Zones

* May need the Director General's agreement

6.2 Reserving Land for Public Purposes

Is the Director General's agreement required? **Yes**

c) Consistent with Standard Instrument (LEPs) Order 2006 : **Yes**

d) Which SEPPs have the RPA identified?

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e) List any other matters that need to be considered :

Have inconsistencies with items a), b) and d) being adequately justified? **Yes**

If No, explain : **Council provided further information on 28/8/2015 justifying the inconsistency with s117 6.2 Reserving land for public purposes. It is considered that the nominated officer of the Department (General Manager Western Region) can approve the reduction in the public recreation for this land is acceptable and also be satisfied that the inconsistency with this Direction is of minor significance.**

Mapping Provided - s55(2)(d)

Is mapping provided? **Yes**

Comment : **Adequate locality mapping is provided. However, mapping compliant with Technical Guidelines will be required at section 59 stage.**

Community consultation - s55(2)(e)

Has community consultation been proposed? **Yes**

Comment : **28 days community consultation is proposed and is acceptable. A public hearing is required as the land is being reclassified.**

Additional Director General's requirements

Are there any additional Director General's requirements? **No**

If Yes, reasons :

Overall adequacy of the proposal

Does the proposal meet the adequacy criteria? **Yes**

If No, comment :

Proposal Assessment

Principal LEP:

Due Date :

Comments in relation to Principal LEP : **Orange LEP 2011 was notified on 24 February 2012**

Assessment Criteria

Need for planning proposal : **A planning proposal and LEP amendment is required to rezone, reclassify and remove the public reserve status on the land**

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Consistency with strategic planning framework :

The proposal is consistent with the endorsed Blayney, Orange Cabonne Rural and Industrial Sub regional strategy in that the proposal provides opportunity for employment generating development.

In relation to recreation Council's Recreation Needs Study in 2008 and 2011 indicates that there is adequate developed and usable recreation land available in Orange. The subject land is located in an industrial area and is of a shape and size not adequate for usable public recreation.

It is therefore reasonable and justified that the land be changed to industrial as it is the best use of this land in this location.

Environmental social economic impacts :

Council has adequately addressed the environmental, social and economic impacts and there are no known adverse impacts.

Assessment Process

Proposal type : **Consistent** Community Consultation Period : **28 Days**

Timeframe to make LEP : **12 months** Delegation : **Nil**

Public Authority Consultation - 56(2) (d) :

Is Public Hearing by the PAC required? **No**

(2)(a) Should the matter proceed ? **Yes**

If no, provide reasons :

Resubmission - s56(2)(b) : **No**

If Yes, reasons :

Identify any additional studies, if required. :

If Other, provide reasons :

Identify any internal consultations, if required :

No internal consultation required

Is the provision and funding of state infrastructure relevant to this plan? **No**

If Yes, reasons :

Documents

Document File Name	DocumentType Name	Is Public
Orange 6150_COM_LZN_008D_010_20150319.pdf	Map	No
Orange 6150_COM_MCS_20140513.docx	Proposal	No
Orange Council Resolution.pdf	Proposal	No
Orange Draft Planning Proposal.docx	Proposal	No
Orange Gateway Request Letter.pdf	Proposal Covering Letter	No
Orange Council report.pdf	Proposal	No
Orange LEP Map LZN008D - current.pdf	Map	No

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Orange City Council Recreational Needs Study January 2008.pdf	Proposal	No
Orange Recreation Needs Study - 2011 Review.pdf	Proposal	No

Planning Team Recommendation

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

S.117 directions: **1.1 Business and Industrial Zones**
6.2 Reserving Land for Public Purposes

Additional Information : 1. Community consultation is required under sections 56(2)(c) and 57 of the Environmental Planning and Assessment Act, 1979 as follows:
(a) the planning proposal must be made publicly available for a minimum of 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 2013).
No consultation is required with public authorities under section 56(2)(d) of the Environmental Planning and Assessment Act, 1979.

2. Orange City Council is to include and clearly explain in its community consultation package that it is intending to rezone, reclassify and change interests in the land.

3. Orange City Council is to conduct a public hearing in accordance with the requirements of section 29 of the Local Government Act, 1993 as the proposal involves reclassification of the land from community to operational.

4. A public hearing is not required to be held into the matter by any person or body under section 56(2)(e) of the Environmental Planning and Assessment Act, 1979.

5. Prior to submission of the planning proposal under Section 59 of the Environmental Planning and Assessment Act, 1979, the LEP maps must be prepared and be compliant with the Department's 'Standard Technical Requirements for LEP maps'.

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

Supporting Reasons : The proposal has been justified and the best use of the land in this location is for industrial purposes rather than public recreation. The shape, location and size of the land is not suitable for effective public recreation and there is no connectivity with other recreational land. The proposal is consistent with the endorsed land use strategy and the change is supported by Council's Recreation Needs Study 2008 & 2011.

Signature:



Printed Name:

Ashley Albury

Date:

8-9-2015