

PLANNING PROPOSAL

**Rezone Precinct 1 Bloomfield Private Hospital Site from
R1 General Residential to B2 Local Centre
1517 Forest Road, Orange**



**Prepared for
James Richmark Pty Ltd
17 December 2018**

Ref: PP – PJB18001

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1.0 INTRODUCTION

1.1 OVERVIEW

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

The Planning Proposal seeks to rezone Precinct 1 of the Bloomfield Private Hospital Site from R1 General Residential to B2 Local Centre. The land to be rezoned is described as part of Lot 1 DP 549856 and Lot 100 DP 1147525, at 1517 Forest Road, Orange.

The Bloomfield Private Hospital Site is the subject of a Concept Approval (MP 07_0072) based on four precincts as follows:

- Precinct 1 has Project Approval (MP 08_0232) for Health Facilities and Retail. The proposed complex within Precinct 1 has been approved to accommodate health facilities such as pathology, medical imaging, medical suites, chemist and the like; as well as retail activities, including a convenience store; newsagent; hairdresser; shops; restaurant; and takeaway food and drink premises.
- Precinct 2 has Project Approval (MP 08_0233) for the Private Hospital (a 12,630m² tower building currently under construction) and Medi-Motel (82 rooms plus function/restaurant area).
- Precinct 3 does not have Project Approval but has Concept approval for a 100 place Child Care Centre and 7,500m² GFA for residential purposes (equivalent to approximately 59 x 2 bedroom apartments).
- Precinct 4 does not have Project Approval but under the Concept has approval for 17,000m² GFA for residential purposes (equivalent to approximately 157 x 2 bedroom apartments).

The proposed rezoning of Precinct 1 to B2 Local Centre does not materially change the concept for the Bloomfield Private Hospital Site, other than to allow the currently approved retail complex in Precinct 1 to be anchored by a supermarket. The supermarket would start with a floor area of approximately 1650m² but would be planned to grow to approximately 3000m² (subject to a future Planning Proposal) in line with population growth in the South Orange area (an indicative concept is provided in *Annexure A*).

Precincts, 2, 3 and 4 remain largely unaffected by the Planning Proposal. The only difference would be that some of the health facilities that were planned under the

Precinct 1 Concept and Project Approvals may now be accommodated in the Private Hospital tower building in Precinct 2, noting that there is an abundance of space in this building (some 12,630m²).

This Planning Proposal is supported by an Economic Impact Assessment by Location IQ (*Annexure B*) and a Traffic Assessment by Terraffic Pty Ltd (*Annexure C*).

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*.

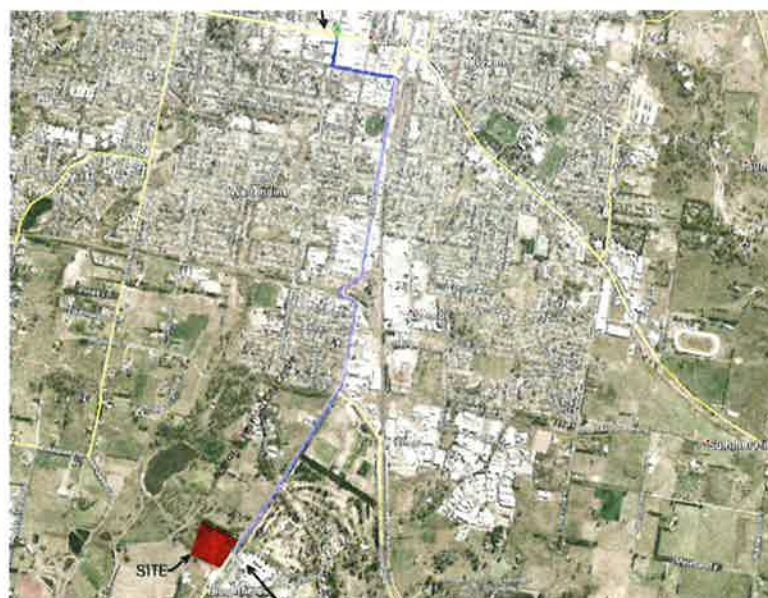
It represents the first step in the process of amending the LEP and the intent is to provide enough information to determine whether there is merit in the proposed amendment proceeding to the next stage of the plan-making process.

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.

1.2 SUBJECT LAND

a) Location

The Bloomfield Private Hospital Site is located at 1517 Forest Road, Orange approximately 3.5 kilometres to the south of the Orange CBD and immediately opposite the Orange Health Service (public hospital).



b) Site Description

The Bloomfield Private Hospital Site is described as Lot 1 DP 549856 and Lots 100 and 101 DP 1147525. It comprises a total area of 6.7 hectares. Land plans are provided in *Annexure D*.

The subject land for this Planning Proposal is Precinct 1 of the Bloomfield Private Hospital Site masterplan (outlined in red below). It takes in all of Lot 100 DP 1147525 and part of Lot 1 DP 549856. Precinct 1 has an area of approximately 1.58 hectares.



For context, the Bloomfield Private Hospital Site Masterplan is summarised as follows:

- Precinct 1 has Project Approval (MP 08_0232) for Health Facilities and Retail. The proposed complex within Precinct 1 has been approved to accommodate health facilities such as pathology, medical imaging, medical suites, chemist and the like; as well as retail activities, including a convenience store; newsagent; hairdresser; shops; restaurant; and takeaway food and drink premises. The floor area breakdown is as follows:

– Health facilities	3,062m ²
– Retail space	1,498m ²
– Restaurant	293m ²

- Precinct 2 has Project Approval (MP 08_0233) for the Private Hospital (a 12,630m² tower building currently under construction) and Medi-Motel (82 rooms plus function/restaurant area).
- Precinct 3 does not have Project Approval but has Concept approval for a 100 place Child Care Centre and 7,500m² GFA for residential purposes (equivalent to approximately 59 x 2 bedroom apartments).
- Precinct 4 does not have Project Approval but under the Concept has approval for 17,000m² GFA for residential purposes (equivalent to approximately 157 x 2 bedroom apartments).

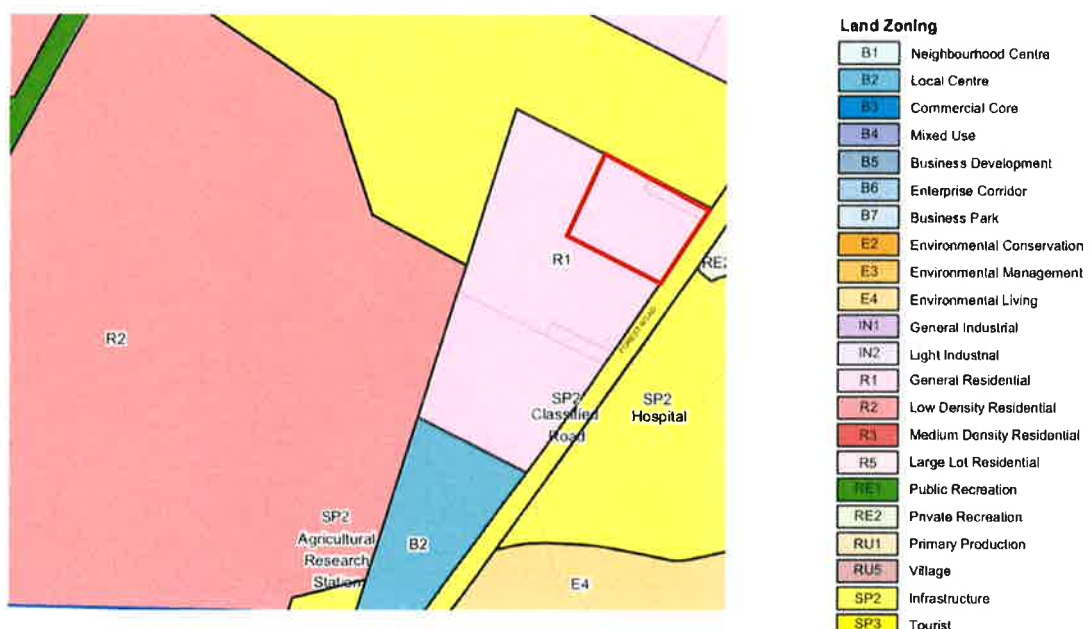
The Bloomfield Private Hospital Site development is supported by more than 830 off-street parking spaces; appropriate on-site manoeuvring arrangements for regular and service vehicles; and a four-way signalised intersection on Forest Road which is currently under construction.

Precinct 1 is currently vacant. However construction works have commenced on the private hospital building in Precinct 2 to the south.

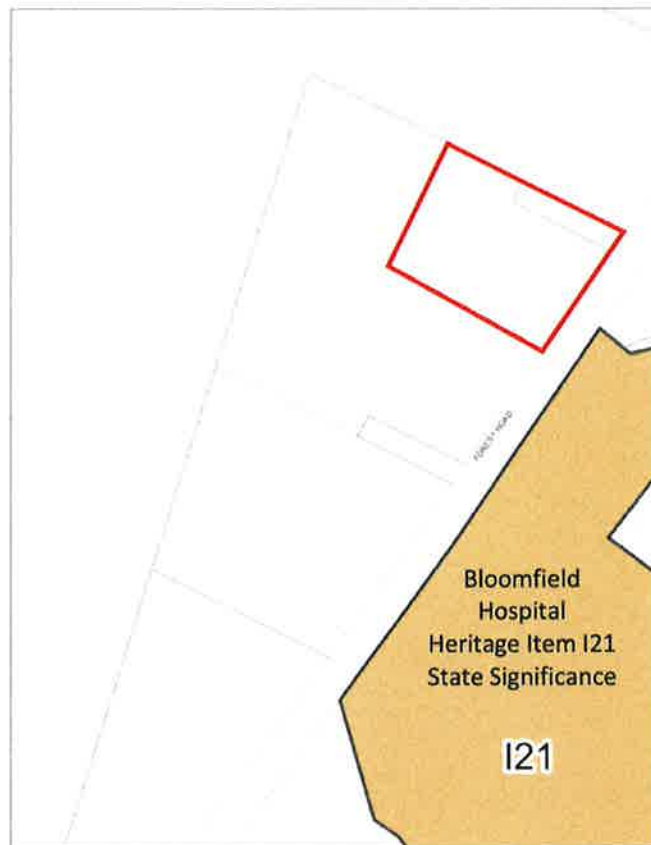
c) Current LEP Provisions

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

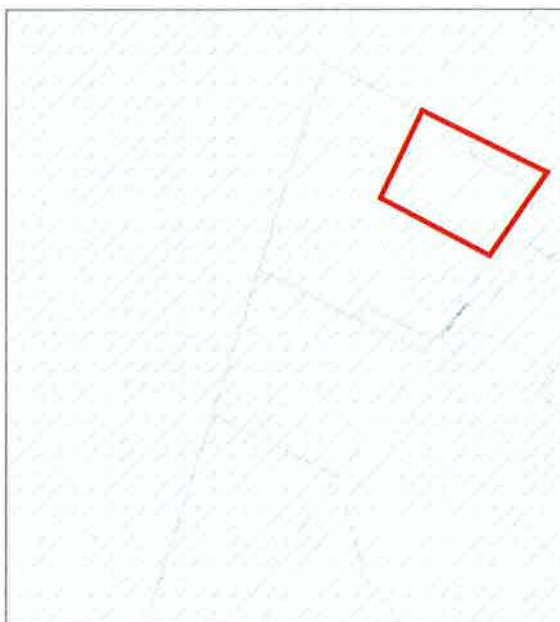
The land (outlined approximately in red in the LEP map extract below) is zoned R1 General Residential and Forest Road along its frontage is zoned SP2 (Classified Road).



The subject land (indicated approximately in red below) is not within a Heritage Conservation Area. However, it is in the vicinity of “Bloomfield Hospital” which is identified in the LEP as a heritage item of State significance (refer LEP map extract below).



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.



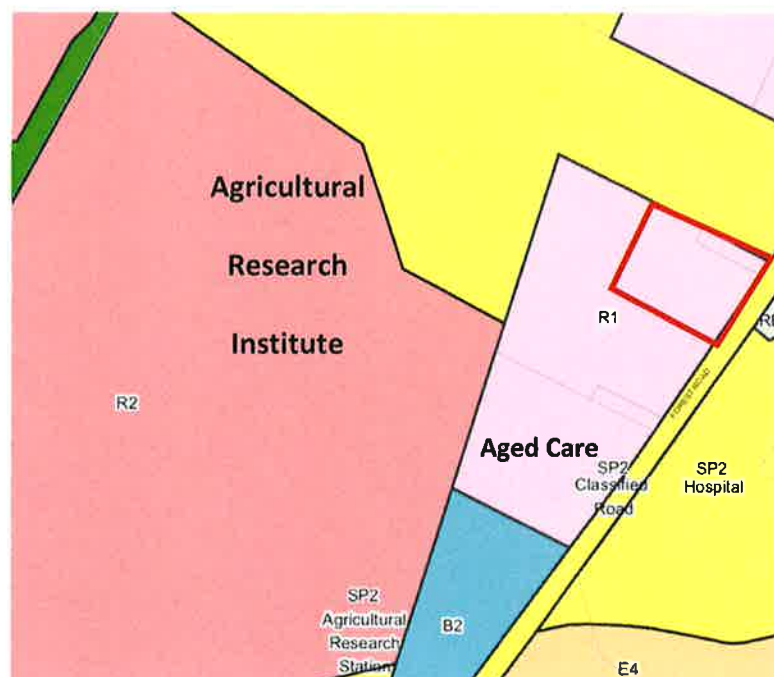
Groundwater

Groundwater Vulnerability

d) Surrounding Development

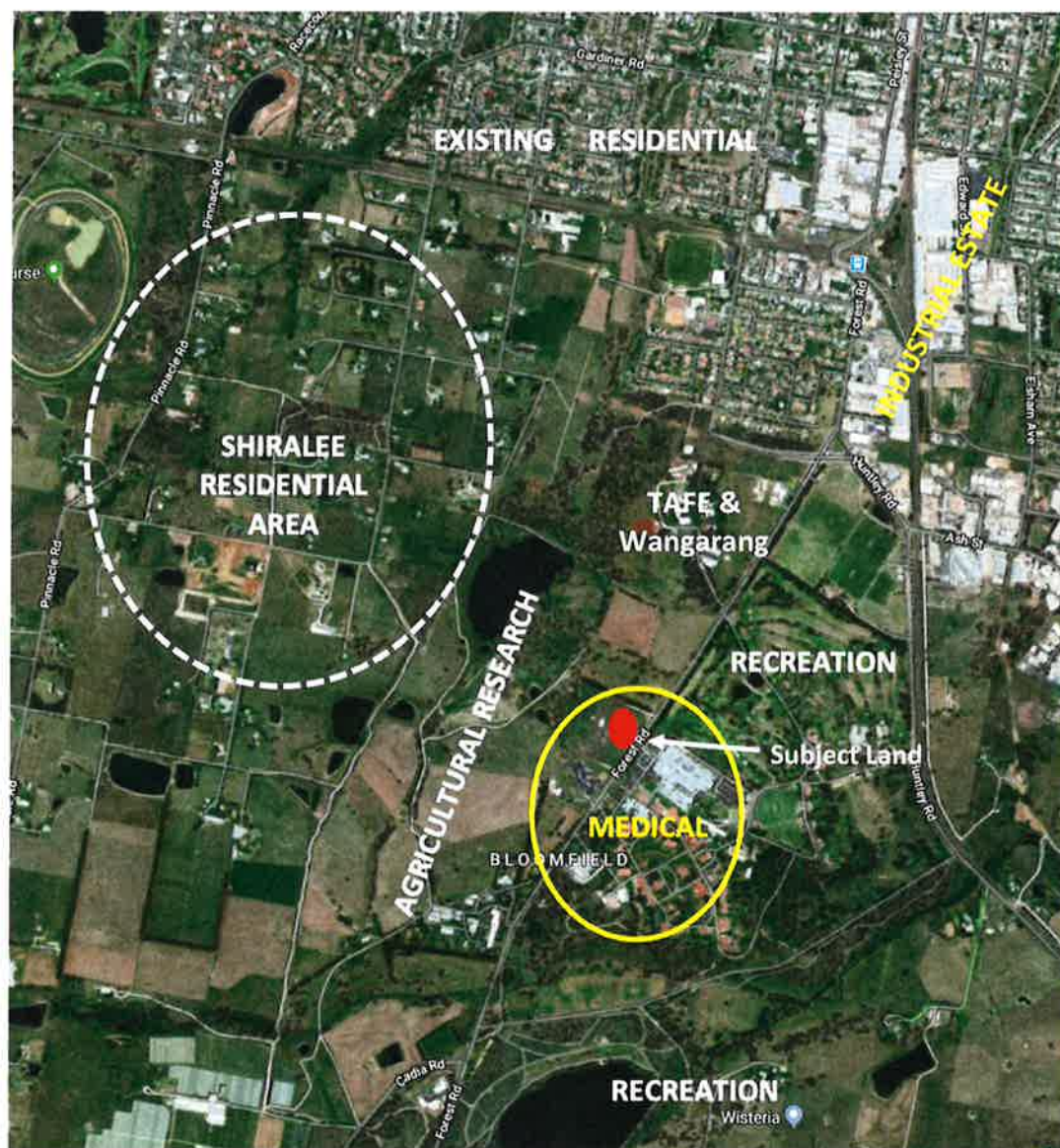
The surrounding development pattern is summarised as follows:

- Land associated with the Orange Agricultural Institute lies to the north, west and south of the subject land. The Orange Agricultural Institute is subject to a range of zones as follows:
 - The northern section (adjacent to the northern and western sides of the subject land) is zoned SP2 Agricultural Research Station and R1 General Residential. It is used as rural land for agricultural research purposes.
 - The southern section (to the southwest and south of the subject land) is zoned R2 Low Density Residential; SP2 Agricultural Research Station; and small section in the east is zoned B2 Local Centre. The majority is used as rural land for agricultural research purposes. The Institute buildings are located in a complex towards the southern end.
- The Gosling Creek Aged Care facility is immediately south of the subject land and is zoned R1 General Residential.
- The Orange Health Service (public hospital) to the east and south east on the opposite side of Forest Road and zoned SP2 Hospital.
- The Bloomfield Country Club (golf course) is to the northeast on the opposite side of Forest Road and is zoned RE2 Private Recreation.



In a broader context, the subject land lies within the South Orange urban fringe which is established or becoming established with a range of urban roles and purposes including:

- **Health and Aged Care.** The Bloomfield Private Hospital Site; in conjunction with the Orange Health Service and Gosling Creek Aged Care facility form the nucleus of a medical precinct that not only serves the City of Orange but also the broader region. The regional importance of this precinct is recognised in the *Orange Blayney and Cabonne Regional Economic Development Strategy, 2018 – 2022*.
- **Residential.** The emerging Shiralee residential area lies to the west of the subject land. The first stages of this new residential suburb are underway and it is planned to provide some 1,750 dwellings. Part of the Agricultural Research Institute land (to the southwest of the subject land) is zoned for residential purposes and whilst it has the potential to provide some 500 to 800 dwellings the intention for this site is not clear at this stage. The nearest established residential neighbourhoods in South Orange commence just over a kilometre to the north of the subject land.
- **Education, Training, Research and Innovation.** The Orange Agricultural Institute is a well-established component of the South Orange land use pattern. Apart from its offerings in regard to agriculture, science and biosecurity, it has recently introduced GATE (Global Ag-Tech Ecosystem) which is an initiative of the NSW Department of Primary Industries designed to cultivate and develop Australian and global agricultural-technology ideas. A campus of TAFE Western lies just to the north of the subject land. The Orange Health Service has established education and training links with Sydney University; Newcastle University; and Charles Sturt University. Wangarang Industries, north of the subject land, provides a range of jobs, training and support services for people with a variety of disabilities.
- **Industry, Services and Employment.** The established Leewood Industrial Estate commences approximately 1.5km to the north east of the subject land and serve an employment and industrial role, largely through a range of small business enterprises. Larger employers in the area include the Orange Health Service; the Agricultural Research Station; TAFE Western; Rural Fire Service; and Wangarang Industries. The area is on the main route to the Cadia Mines, the City's largest employer.
- **Recreation.** The Bloomfield Country Club (golf course); Jack Brabham Sports Fields; and the Gosling Creek reserve are representative of the recreational land uses within the South Orange area.



The role and function of this South Orange precinct as outlined above is recognised in the *ActivateOrange Strategic Vision* (Orange City Council, September 2018) as a *new economic activation precinct*, entitled the *Life Sciences Precinct* and is outlined in the following extract from the document:

A key element of the ActivateOrange Strategic Vision is the plan for a new Life Sciences Precinct. The new precinct will incorporate the existing hospital site, the proposed private hospital, the Department of Primary Industries agribusiness accelerator (the GATE), education facilities and life sciences businesses.

Orange City Council has lodged an expression of interest to have the Life Sciences Precinct designated as a Special Activation Zone. Special Activation Zone designation will ensure that potential investors into the zone will benefit from a coordinated approach to land use and infrastructure planning and have the best access to incentives announced under the State Government Regional NSW Investment Attraction Package. The intention would be to formulate a strategic plan for the precinct on the back of the Special Activation Zone designation.

Orange has the unique set of attributes to make its Life Sciences precinct - a diverse ecosystem of health services, educational facilities, research institutes, multinationals and innovative high growth SMEs clustered in an activation precinct - a success.

- As identified in the recent Regional Economic Development strategy for Orange, Blayney and Cabonne, medical services and healthcare infrastructure are major endowments of the region. Building on the region's core specialisation in healthcare was one of 5 major strategies identified for the region in that plan. Orange is already served by an exceptional collection of hospitals, public and private health services, research organisations and an award-winning Clinical Trials Unit. It has a unique legacy of provision rural and other health to the entire Western region. Orange Hospital is one of the largest regional hospitals in NSW and health and social assistance is the region's major employing sector;
- There are numerous opportunities that will stimulate private investment into the precinct, including opportunities to leverage off work that is already being done by Western NSW Local Health District to support the attraction of investment from overseas for multi-national clinical trials at its award-winning Clinical Trials Unit and expand its medical research capacity in association with its four partner universities;
- A new private hospital – the Bloomfield Private Hospital – is currently being constructed adjacent to the existing public hospital. This will significantly increase the capacity of the health sector in Orange and ensure that medical professionals are attracted to the region with an expected growth of 500 full-time equivalent staff when fully operational once the flow-on impacts are taken into account. It will also expand the potential patient cohort for research, clinical training and clinical trials;
- Charles Sturt University has recently received Commonwealth funding for the Murray Darling Medical School, which will complement the research and clinical training activities of University of Sydney, University of Newcastle and University of Wollongong already undertaken on the site in relation to rural and regional general and mental health. A strong university sector will ensure that more research is done in Orange, which will in turn increase the opportunity for the spin out of health and life sciences SMEs. In addition, it will ensure a home grown workforce that will be required as the precinct matures;
- Orange's natural attractions, cosmopolitan lifestyle and education options has attracted a unique workforce in a regional location– for example there are currently over 120 medical specialists servicing the City. In addition, innovative companies such as Phocas (a data analytics and business intelligence multinational whose R&D Lab is located in Orange) have indicated that lifestyle considerations were a major factor in its decision to set up in Orange;
- Proximity to Sydney and other major metropolitan cities. Orange is located within a 3.5 hour drive of Sydney and 3 hours' drive of Canberra. It is also serviced by air services to Sydney, Melbourne and Brisbane. This is important in attracting interstate and foreign direct investment to the region and will ensure the continued attraction and retention of a skilled workforce;
- There is significant land around the existing public hospital site which is either Crown Land or owned by the NSW State Government through Health Infrastructure or the Department of Primary Industries. This will allow the Special Activation Precinct to be of a critical scale, while still maintaining the unique heritage of the site. In addition, it will ensure that there is sufficient space for health and life sciences services, educational facilities, national and multinationals and innovative high growth SMEs to be clustered together. International experience (including <http://www.corridormanchester.com>) has indicated that the key advantage of a precinct is the enhanced ability for open collaboration and hence enhanced opportunities for economic development.

This project is a joint initiative of the Orange City Council and NSW Planning, involving NSW Premiers and Cabinet, NSW Health, TAFE, local Universities, research organisations and industry which encompasses the existing Orange Hospital, Bloomfield Mental Health Facility, the Bloomfield Private Hospital, Gosling Aged Care Facility, Wangarang Disability Industries, the Orange Agricultural Research Institute and the Department of Primary Industries Global Agri-Tech Ecosystem Centre, as well as education and research facilities of Charles Sturt University, the University of Sydney, Newcastle University and Western Sydney University.

The subject land in the Planning Proposal is centrally located within the Life Sciences Precinct.

2.0 OBJECTIVES OR INTENDED OUTCOMES

2.1 PLANNING PROPOSAL OBJECTIVES

The objectives of this Planning Proposal are:

- To rezone the site from R1 General Residential to B2 Local Centre.
- To improve the convenience offerings for the local resident and working population by providing appropriate retail opportunities in conjunction with the other offerings of the Bloomfield Private Hospital Site.
- 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 demonstrate 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 the currently approved retail complex in Precinct 1 of the Bloomfield Private Hospital Site to be anchored by an appropriately sized supermarket.

The relationship between the proposed supermarket and existing and planned development in the South Orange area is important.

In combination with the approved mixed-use development that is known as the Bloomfield Private Hospital Site, the proposed supermarket will contribute to a health/service/convenience precinct that will be of benefit to:

- The existing residential population in South Orange.
- The expected residential population in the emerging Shiralee estate.
- The local workforce attributed to Orange Health Service; Allity Aged Care; Agricultural Research Station; Rural Fire Service; TAFE Western; Wangarang; the nearby industrial areas; and the new private hospital itself.
- Commuters between Orange and Cadia Mines; Orange and Blayney/Millthorpe.
- Visitors to the Orange Health Service; Allity Aged Care; and the new private hospital itself.
- Users of the local recreation facilities (Bloomfield golf course; Jack Brabham Sports Fields; and the Gosling Creek Reserve.

The Economic Impact Assessment (EIA) prepared by Location IQ (refer *Annexure B*) presents an independent assessment of the need and demand for a convenience-based retail centre as part of the development of the mixed-use Bloomfield Private Hospital Site. The EIA supports the following:

- **Stage One:**
 - a small supermarket of 1,649m².
 - one mini-major tenant of some 416m².
 - specialty space of some 845m²

With the first full year of operation being 2020/21.
- **Stage Two:**
 - expansion of the supermarket to 3,000m².
 - a mini-major tenant of some 936m².
 - specialty space of some 856m².

Assumed to be operational by 2024/25. The expansion of the supermarket will absorb some of the specialty space developed in Stage One. The total retail floorspace provision following the development of Stage Two is approximately 4,800m².

It should be noted that this Planning Proposal only seeks rezoning in respect of Stage 1 as described above. A separate Planning Proposal would be required in the future prior to Stage 2 proceeding.

In effect, this Planning Proposal would increase the amount of retail that is currently approved in Precinct 1 from 1,791m² (1,498m² attributed to 11 shops plus 293m² attributed to a restaurant) to 2,910m². The net increase is some 1,119m².

Other than to allow a judicious increase in convenience retail opportunities (as proposed), the rezoning of Precinct 1 to B2 Local Centre would not materially change the concept for the Bloomfield Private Hospital Site. In this regard:

- Precincts, 2, 3 and 4 remain largely unaffected by the Planning Proposal. The only difference would be that some of the health facilities that were planned under the Precinct 1 Concept and Project Approvals would ultimately need to be accommodated in the Private Hospital tower building in Precinct 2, should the Stage 2 retail component proceed. The hospital tower has a floor area of some 12,630m² and would comfortably accommodate the floor space requirements of future health facility providers.
- The Planning Proposal maintains the key elements of the approved Bloomfield Concept Plan and supports the original theme on which it was predicated; that is, a mixed-use development that forms a cohesive, harmonious and interrelated whole about a nucleus of health services.

The indicative development concept is depicted in *Annexure A* (and below over page). It shows that the additional retail space can be incorporated within the approved building floor area for Precinct 1; and can generally integrate with the approved site arrangement in terms of access, internal driveways and off-street parking.

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 concept plan in no way guarantees that the land will be limited to or used only for the purposes depicted or in the configuration shown.
- Should the rezoning be successful, the B2 Zone would permit a range of other uses that are not necessarily depicted in the concept plan.
- The final development option will be subject to analysis, design, assessment, and the approvals process.



3.0 EXPLANATION OF PROVISIONS

The objectives or intended outcomes of this Planning Proposal would be achieved as follows:

- Amend the *Orange Local Environmental Plan 2011 Land Zoning Map (Sheet LZN_008B)* so that the subject land is zoned B2 Local Centre (refer draft zoning plan in *Annexure E*).
- Amend the *Orange Local Environmental Plan 2011 Floor Space Ratio Map (Sheet FSR_008B)* so that the subject land (Precinct 1) has a maximum FSR of 0.37:1 (refer draft FSR map in *Annexure E*). The suggested FSR is based on the following:
 - The subject land (Precinct 1) has an area of 15,800m². The potential building within Precinct 1 has a total floor area of 5,313m² comprising approximately 4,794m² of tenancy space and 519m² of amenities/common space. Based on the area of Precinct 1, the proposed floor area represents an FSR of 0.34:1.

- However, it would be sensible to allow a slightly higher FSR to accommodate minor variations that may arise due to design or construction requirements. The suggested FSR of 0.37:1 would allow a total floor area of 5,846m² which would provide a floor area buffer of approximately 10% more than what is envisaged.
- The suggested FSR would provide Precinct 1 with sufficient floor area that can be used for a mix of health and Stage 1 retail facilities. Once the Stage 2 retail expansion occurs in the future (subject to a separate Planning Proposal), it will not result in retail floor areas that exceed the overall limit recommended in the EIA.

The proposed FSR would allow the total floor area for Precinct 1 to be created in advance. It is acknowledged that there is a need to prevent exceedance of the Stage 1 retail limit of 2,910m² (as recommended in the EIA). However, the suggested FSR is justified for the following reasons:

- The EIA suggests that the transition from Stage 1 to Stage 2 retail would be approximately 3 to 4 years. Given the time taken for the rezoning process, it makes sense to have the relevant planning provisions in place now to cater for both stages.
- Council is able to control the amount of retail floor area that can be achieved via the Development Application process; and via its power under Clause 1.9A of the LEP to impose a covenant that reinforces the recommended staging of retail floor area within Precinct 1.

4.0 JUSTIFICATION

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 landowner to have the subject land rezoned to broaden the uses of the site.

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 and Floor Space Ratio Map is the best means of achieving the objectives or intended outcomes.

The current LEP provisions that apply to the subject land prohibit a supermarket on the subject land. The B2 Zone is an appropriate selection because it permits retail activity of the type envisaged by this Planning Proposal (i.e. a small supermarket and ancillary shops themed on local convenience. Further, the proposal is reflective of the objectives for the B2 Zone, which are:

- To provide a range of retail, business, entertainment and community uses that serve the needs of people who live in, work in and visit the local area.
- To encourage employment opportunities in accessible locations.
- To maximise public transport patronage and encourage walking and cycling.
- To ensure that retail, business and community uses in North Orange and South Orange will not detract from the role of the CBD as the primary business centre within the City.

Based on the information provided above in *Section 3*, the proposed FSR control is an appropriate mechanism to ensure that the site does not cause an oversupply of retail floor space which may potentially impact upon the CBD or other business centres within the City.

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 given the intention for it to become a health/service/convenience precinct that will be of benefit to the South Orange area.

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:

- Due to the current Concept and Project approvals that apply, the Bloomfield Private Hospital Site is identified as a mixed-use precinct with health, medical, retail, community and residential offerings.
- A judicious increase in convenience retail opportunities will complement the range of uses already approved.

It is submitted that the potential impacts that may be associated with the uses that are currently approved for the site would not be unlike the potential impacts associated with the likely additional uses that may be permitted under the proposed B2 Zone.

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

We are not aware of other spot rezonings in the locality.

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

Yes. A broadening of the commercial/business land use options will increase the potential for the land to be used for employment generating activities. According to the EIA, “some 209 jobs are likely to be provided both directly and indirectly as a result of the proposal. This includes a number of youth employment opportunities with retail developments generally employing a large number of younger staff.”

The Planning Proposal 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, largely because the site is already approved and being developed for non-residential uses.

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:

- Forest Road is undergoing a major upgrade to serve the emerging development in this area. this major upgrade includes a four-way signalised intersection that will serve the subject land and the Orange Health Service opposite.
- Forest Road will intersect with the proposed Southern Feeder Road, just to the north of the site, and will therefore connect the site to the City's distributor road network.
- The site is already served by Route 537 whereby buses currently operate on a daily basis between the Orange CBD and the main entrance to the Orange Health Service (public hospital). The site is within easy walking distance of that bus stop and pedestrian access will be facilitated by the safe crossings provided in the proposed four-way signalised intersection.
- The proposed four-way signalised intersection will provide for pedestrian connections between the campus and the public hospital.
- Cycling access will be assisted by the existing bike and pedestrian path that extends along the eastern side of Forest Road.

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 established location and integration with the local road network, the proposal will not result in changes to the car distances travelled by customers, employees and suppliers.

By improving the retail offering with a small supermarket, the proposal will contribute to the “one-stop” convenience of the precinct and would be likely to shorten travel distances for the local residential and employment population.

According to the EIA, “smaller shopping is usually undertaken 2 – 3 times a week, meaning the subject development will result in substantial time and petrol savings.”

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.

The proposal is likely to bring convenience to existing Government services in the area, including Orange Health Service; TAFE Western; and NSW Rural Fire Service.

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 proposal is compatible/complementary to surrounding land uses.

In combination with the approved mixed-use development that is known as the Bloomfield Private Hospital Site, the proposed supermarket will contribute to a health/service/convenience precinct that will be of benefit to:

- The existing residential population in South Orange.
- The expected residential population in the emerging Shiralee estate.
- The local workforce attributed to Orange Health Service; Allity Aged Care; Agricultural Research Station; Rural Fire Service; TAFE Western; Wangarang; the nearby industrial areas; and the new private hospital itself.

- Commuters between Orange and Cadia Mines; Orange and Blayney/Millthorpe.
- Visitors to the Orange Health Service; Allity Aged Care; and the new private hospital itself.
- Users of the local recreation facilities (Bloomfield golf course; Jack Brabham Sports Fields; and the Gosling Creek Reserve.

As indicated in *Section 1.2(d)* of this report, the ActivateOrange Strategic Vision espouses a strategic economic vision for this South Orange area to be developed as a *Life Sciences Precinct*. An increase in retail convenience as offered by this Planning Proposal is considered entirely compatible and complementary to this strategic vision.

In terms of amenity, *Section 4.3* of this report considers the key relevant issues and demonstrates that the proposal will not adversely affect the amenity of the location and wider community.

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?

This is not regarded as a stand-alone proposal because it only seeks to increase the retail offering within the already approved and developing Bloomfield Private Hospital Site. The EIA contemplates a Stage 2 expansion of the supermarket in the short to medium term.

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:

- Respond to the needs of time poor consumers by providing convenience for multiple customer segments (local residents, workers, visitors).

- 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?

Council's Business Centre Strategy was most recently updated in the *Business Centres Review Study* by Leyshon Consulting in 2010. Relevant to this proposal:

- The Strategy estimates that the Orange trade area could support up to 25,490m² of additional retail floorspace between 2009-21 under a low population growth scenario; and up to 40,974m² of additional floorspace under a high population growth scenario.
- The Strategy indicates that annual spending in the supermarket sector in Orange is estimated to increase by \$44.9 million (\$2009) between 2009-21 under a low population growth scenario and \$72.5 million under a high population growth scenario. In this context, the Strategy indicated that Orange will require another full-line supermarket (apart from that planned for North Orange) by 2021.

The Strategy considered retail floor space requirements for South Orange. The Strategy does not suggest an amount of such floor area that may be appropriate in South Orange but states:

Even with the development of up to 800 residential lots on the so-called "DPI land" in South Orange and the associated development of a new public and private hospital, a small local retail facility on the DPI land in South Orange appears to be all that is required for the foreseeable future.

Based on the above information, the relevance of the Strategy to this proposal can be distilled to the following points:

- In terms of retail floor space, this proposal represents only a very modest addition to the overall supply for the City. In effect the proposed additional retail floor space of 1,119m² represents 0.4% of the low population growth scenario of 25,490m² or 0.3% of the high population growth scenario of 40,974m².
- There is acknowledgment at a strategic planning level that South Orange will require a “small retail facility”. The Strategy does not nominate a floor area to address this need but suggests that it does not need to be too large because it would only service 800-900 residential lots (on the DPI land) plus the public and private hospitals. However, since the Strategy was authored in 2010, the South Orange area is evolving as a growth and activity zone due to the following:
 - The expected residential population in the emerging Shiralee estate plus the existing residential population in South Orange.
 - The Bloomfield Private Hospital site itself which not only provides for a much larger hospital than was originally proposed when the Strategy was written, but also provides for an 82 room medi-motel; potential residential accommodation equivalent to more than 200 x 2-bedroom apartments; and a 100 place child care centre.
 - The local workforce attributed to Orange Health Service; Allity Aged Care; Agricultural Research Station; Rural Fire Service; TAFE Western; Wangarang; the nearby industrial areas; and the new private hospital itself.
 - Commuters between Orange – Cadia Mines; and Orange – Blayney/Millthorpe.
 - Visitors to the Orange Health Service; Allity Aged Care; and the new private hospital itself.
 - Users of the local recreation facilities (Bloomfield golf course; Jack Brabham Sports Fields; and the Gosling Creek Reserve.

- There is acknowledgement at a strategic planning level that the City will need another full-line supermarket, other than that planned for North Orange. Based on the above points, it is a reasonable suggestion that a supermarket in South Orange would be well justified. Further support is expressed throughout the EIA, but the following points taken from it are particularly relevant:
 - According to the EIA, *there are currently 17,440 persons residing in the Bloomfield resident main trade area, including 5,510 persons within the primary sector. A population of this size is typically served by at least two convenience-focused retail centres, anchored by a supermarket.*
 - *This demand for a convenience shopping destination will increase in the future, with the resident main trade area population projected to increase to 20,750 by 2031.*
 - *Typically, a population of around 8,000 – 9,000 persons is required to support a full-line (3,200m² or larger) supermarket. This indicates that two full-line supermarkets are currently supportable within the resident main trade area, with none currently provided to support a population of nearly 17,440. The worker and visitor market would generate additional demand for such facilities.*
 - *The inclusion of a supermarket of 1,649m² in the proposed Bloomfield development will provide a convenient supermarket shopping destination for residents of the development Shiralee Village residential estate, with main trade area residents primarily travelling into the Orange CBA in order to undertake their weekly food and grocery shop.*

The Proposal would not conflict with Council's long held strategic objective that seeks to consolidate the Orange CBD as the dominant retail centre. In this regard, the EIA provides the following commentary:

- *The only existing supermarket facility within the resident main trade area is the Supa IGA (2,500m²) anchoring Bernardi's Marketplace in Blayney (secondary south sector), some 30 km to the south-west of the Bloomfield site. Residents of the primary and secondary north sectors currently direct the majority of their food and grocery spend to supermarket facilities in the Orange CBA to the north.*
- *Future population growth within the region will be focused in southern Orange (in the primary sector), based on the development of the Shiralee Village which is expected to ultimately accommodate an additional 4,800 residents.*

- *By 2024/25, the primary sector population is expected to reach around 7,000 and as such could independently support a full-line supermarket (3,000m² or larger). Over the short-medium term, the growing resident population in this region will require access to convenience retail facilities. The current primary sector population alone could support a small format supermarket of 1,649m², which could be expanded to a full-line offer once the population within the area can sustain it.*
- *The provision of a smaller format supermarket facility at the Bloomfield site will reduce the number of trips made by residents of the main trade area for this type of shop.*
- *Given that Orange CBA is the focus for higher-order retail within the region, residents of the main trade area will still visit these retail facilities regularly for non-food expenditure. The Orange CBA also serves the visitor and worker markets.*
- *As such, proposed retail facilities at the Bloomfield site would be well positioned to serve convenience needs of the existing primary sector population and the growing Shiralee Village residential estate.*

The Proposal would not conflict with the strategic objective that seeks to maintain the viability of other centres. In this regard, the proposed retail site in the Shiralee residential area; and the existing B2 Zone in the “DPI land” require consideration.

Compared to the retail site at Shiralee, the EIA prefers the Bloomfield site for the following reasons:

- *It can be developed in the short-term. The development of Shiralee Village is expected to commence in the longer term given the land consolidation issues.*
- *It will serve multiple customer segments (local residents, workers, visitors), given its location directly opposite the hospital.*
- *It is easily accessible, being located with frontage onto Forest Road, a main north-south arterial route through the region. The Shiralee Village site is somewhat internalised, and as such would likely only serve local residents.*

On the last point, the planned Southern Feeder Road will provide an efficient link between the Shiralee residential area and the Bloomfield site.

In regard to the B2 Zone in the “DPI land”:

- The future development plans and timing for that site are not clear; whereas the intention under this proposal is to augment the approved retail offering within the Bloomfield site immediately.
- Further to the above point, the *Orange Blayney and Cabonne Regional Economic Development Strategy, 2018 – 2022* seems to imply that the DPI land has a role to play as part of the Regional Action Plan to “develop agriculture, agricultural processing, agri-technology and manufacturing.” In this regard, Part 7.1 of the Regional Action Plan identifies the following as an “Early Stage Priority Action”:

NSW DPI maintains a research focus on current and future needs of the region’s agricultural sectors with an early focus of the livestock and wine industries. New agricultural start-ups are achieved through the DPI’s GATE program.

- The potential for a meaningful retail offering is limited by the fact that the DPI site is subject to an FSR control of 0.0421:1. Based on its site area of 34,930m², the maximum floor area for any purpose allowed in the B2 Zone (not necessarily retail) is approximately 1,470m².

Finally, as indicated in *Section 1.2(d)* of this report, the *ActivateOrange Strategic Vision* espouses a strategic economic vision for this South Orange area to be developed as a *Life Sciences Precinct*. An increase in retail convenience as offered by this Planning Proposal is considered entirely compatible and complementary to this strategic vision.

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.

State Environmental Planning Policies – Schedule of Consideration	
SEPP	Relevance/Comment
SEPP No. 1 - Development Standards	Not applicable
SEPP No. 2 - Minimum Standards for Residential Flat Development	Repealed by SEPP No. 20
SEPP No. 3 – Castlereagh Liquid Waste Disposal Depot	Repealed by Infrastructure SEPP
SEPP No.4 - Development without Consent and Miscellaneous Complying Development	Not applicable
SEPP No. 5 - Housing for Older People or People with Disability	Repealed by SEPP (Housing for Seniors or People with a Disability) 2004
SEPP No. 6 - Number of Storeys in a Building	Not applicable
SEPP No. 7 - Port Kembla Coal Loader	Repealed by Infrastructure SEPP
SEPP No. 8 - Surplus Public Land	Repealed by Infrastructure SEPP
SEPP No. 9 - Group Homes	Repealed by Infrastructure SEPP
SEPP No. 10 - Retention of Low-Cost Rental Accommodation	Not applicable
SEPP No. 11 - Traffic Generating Developments	Repealed by Infrastructure SEPP
SEPP No. 12 - Public Housing (Dwelling Houses)	Repealed by SEPP No. 53
SEPP No. 13 - Sydney Heliport	Repealed by Sydney REP No. 26 - City West
SEPP No. 14 - Coastal Wetlands	Not applicable
SEPP No. 15 - Rural Land Sharing Communities	Not applicable
SEPP No. 16 - Tertiary Institutions	Repealed by Infrastructure SEPP
SEPP No. 17 - Design of Building in Certain Business Centres	Did not proceed
SEPP No. 18 - Public Housing	Did not proceed
SEPP No. 19 - Bushland in Urban Areas	Not applicable
SEPP No. 20 - Minimum Standards for Residential Flat Development	Repealed by SEPP No. 53
SEPP No. 21 – Caravan Parks	Not applicable
SEPP No. 23	Not allocated
SEPP No. 24 - State Roads	Did not proceed
SEPP No. 25 - Residential Allotment Sizes	Repealed by SEPP No. 53
SEPP No. 26 - Littoral Rainforests	Not applicable

State Environmental Planning Policies – Schedule of Consideration	
SEPP	Relevance/Comment
SEPP No. 27 - Prison Sites	Repealed by Infrastructure SEPP
SEPP No. 28 - Town Houses and Villa Houses	Repealed by SEPP No. 25
SEPP No. 29 - Western Sydney Recreation Area	Not applicable
SEPP No. 30 - Intensive Agriculture	Not applicable
SEPP No. 31 - Sydney (Kingsford Smith) Airport	Repealed by Infrastructure SEPP
SEPP No. 32 - Urban Consolidation (Redevelopment of Urban Land)	Not applicable
SEPP No. 33 - Hazardous and Offensive Development	Not applicable
SEPP No. 34 - Major Employment Generating Industrial Development	Repealed by SEPP (Major Projects) 2005
SEPP No. 35 - Maintenance Dredging of Tidal Waterways	Repealed by Infrastructure SEPP
SEPP No. 36 - Manufactured Home Estates	Not applicable
SEPP No. 37 - Continued Mines and Extractive Industries	Repealed by SEPP (Mining, Petroleum Production and Extractive Industries) 2007
SEPP No. 38 - Olympic Games and Related Development	Repealed by SEPP (Major Projects) 2005
SEPP No. 39 - Spit Island Bird Habitat	Not applicable
SEPP No. 40 - Sewerage Works	Did not proceed
SEPP No. 41 - Casino/Entertainment Complex	Not applicable
SEPP No. 42 - Multiple Occupancy and Rural Land (Repeal)	Repealed
SEPP No. 43 - New Southern Railway	Repealed by Infrastructure SEPP
SEPP No. 44 - Koala Habitat Protection	Not applicable
SEPP No. 45 - Permissibility of Mining	Repealed by SEPP (Mining, Petroleum Production and Extractive Industries) 2007
SEPP No. 46 - Protection and Management of Native Vegetation	Repealed by Native Conservation Act, 1997
SEPP No. 47 - Moore Park Showground	Not applicable

State Environmental Planning Policies – Schedule of Consideration	
SEPP	Relevance/Comment
SEPP No. 48 - Major Putrescible Land Fill Sites	Repealed by Infrastructure SEPP
SEPP No. 49 - Tourism Accommodation in Private Homes (Draft Only)	Not applicable
SEPP No. 50 - Canal Estates	Not applicable
SEPP No. 51 - Eastern Distributor	Repealed by Infrastructure SEPP
SEPP No. 52 - Farm Dams and Other Works in Land and Water Management Plan Areas	Not applicable
SEPP No. 53 - Metropolitan Residential Development	Not applicable
SEPP No. 54 - Northside Storage Tunnel	Repealed by Infrastructure SEPP
SEPP No. 55 - Remediation of Land	Applicable. Addressed in Planning Proposal at Section 4.3(b) <i>Land/Site Contamination</i>
SEPP No. 56 - Sydney Harbour Foreshores and Tributaries	Repealed by SEPP (Major Projects) 2005
SEPP No. 57	Not allocated
SEPP No. 58 – Protecting Sydney’s Water Supply	Repealed by Clause 7(3) of the Drinking Water Catchments REP No. 1
SEPP No. 59 - Central Western Sydney Economic and Employment Area	Not applicable
SEPP No. 60 - Exempt and Complying Development	Not applicable
SEPP No. 61 – Exempt and Complying Development for White Bay and Glebe Island Ports	Repealed by Infrastructure SEPP
SEPP No. 62 - Sustainable Aquaculture	Not applicable
SEPP No. 63 - Major Transport Projects	Repealed by Infrastructure SEPP
SEPP No. 64 - Advertising and Signage	Not applicable
SEPP No. 65 - Design Quality of Residential Flat Development	Not applicable
SEPP No. 67 - Macquarie Generation Industrial Development Strategy	Repealed by Infrastructure SEPP
SEPP No. 69 - Major Electricity Supply Projects	Repealed by Infrastructure SEPP

State Environmental Planning Policies – Schedule of Consideration	
SEPP	Relevance/Comment
SEPP 70 - Affordable Housing (Revised Schemes)	Not applicable
SEPP No. 71 - Coastal Protection	Not applicable
SEPP No. 72 - Linear Telecommunications Development – Broadband	Repealed by Infrastructure SEPP
SEPP No 73 – Kosciuszko Ski Resorts	Repealed by SEPP (Kosciuszko National Park – Alpine Resorts) 2007
SEPP No. 74 - Newcastle Port and Employment Lands	Repealed by SEPP (Major Projects) 2005
SEPP (Housing for Seniors or People with a Disability) 2004	Not applicable
SEPP (Building Sustainability Index: BASIX) 2004	Not applicable
SEPP (ARTC Rail Infrastructure) 2004	Repealed by Infrastructure SEPP
SEPP (Sydney Metropolitan Water Supply) 2004	Repealed by Infrastructure SEPP
SEPP (Development on Kurnell Peninsula) 2005	Not applicable
SEPP (Major Development) 2005	Not applicable
SEPP (Sydney Region Growth Centres) 2006	Not applicable
SEPP (Mining, Petroleum Production & Extractive Industries) 2007	Not applicable
SEPP (Temporary Structures) 2007	Not applicable
SEPP (Infrastructure) 2007	Consistent
SEPP (Kosciuszko National Park – Alpine Resorts) 2007	Not applicable
SEPP (Rural Lands) 2008	Not applicable
SEPP (Exempt and Complying Development Codes) 2008	Consistent
SEPP (Western Sydney Parklands) 2009	Not applicable
SEPP (Affordable Rental Housing) 2009	Not applicable
SEPP (Western Sydney Employment Area) 2009	Not applicable

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

Section 117 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 and the EIA, the proposed B2 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. Rather, the proposal has the potential to increase floor space area for employment uses.
- The proposal does not reduce floor space area for industrial uses in industrial zones.
- 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 Protection

This Direction is not relevant to this Planning Proposal.

2.3 Heritage Conservation

This Direction is applicable to the Planning Proposal. The subject land is not a heritage item and is not within a Heritage Conservation Area. However, it is in the vicinity of “Bloomfield Hospital” which is identified in the LEP as a heritage item of State significance.

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

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

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

The Planning Proposal is consistent with this Direction because it does not conflict with or impact upon the existing LEP provisions that seek to protect heritage values.

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 applicable to the Planning Proposal. The objectives of this Direction are:

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

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

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

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

- a) contain a requirement that residential development is not permitted until land is adequately serviced (or arrangements satisfactory to the council, or other appropriate authority, have been made to service it), and

- b) not contain provisions which will reduce the permissible residential density of land.

In consideration of this Direction:

- The Planning Proposal reduces the amount of land zoned for housing. However, the impact in this case is neutral. Despite its current residential zoning, the land is the subject of Concept and Major Project approvals which already relate to non-residential land uses.
- Orange has an abundant supply of residential land thus the impact on housing supply and affordability as a result of this proposal would be negligible.

3.2 Caravan Parks and Manufactured Home Estates

This Direction is not relevant to 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 and planned road system would be of an adequate standard to cater for the additional traffic that would be generated by this proposal.
- The proposal will not result in changes to the car distances travelled by customers, employees and suppliers.

3.5 Development near Licensed Aerodromes

This Direction is not relevant to this Planning Proposal.

3.6 Shooting Ranges

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

Revoked

5.8 Second Sydney Airport: Badgery's Creek

This Direction is not relevant to this Planning Proposal.

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.

Central West and Orana Regional Plan 2036	
Direction	Comment
1. Protect the region's diverse and productive agricultural land	Not relevant
2. Grow the agribusiness sector and supply chains	Not relevant
3. Develop advanced manufacturing and food processing sectors	Not relevant
4. Promote and diversify regional tourism markets	Not relevant

Central West and Orana Regional Plan 2036	
Direction	Comment
5. Improve access to health and aged care services	<p>The proposal is consistent with Action 5.1 because it is within an establishing health precinct around a hospital in a regional city.</p> <p>The proposal is consistent with Action 5.2 because it contributes appropriately to the mixed-use nature of the precinct.</p> <p>In consideration of Action 5.4, the proposal represents a compatible land use adjacent to health facilities.</p>
6. Expand education and training opportunities	Not relevant
7. Enhance the economic self-determination of Aboriginal communities	Not relevant
8. Sustainably manage mineral resources	Not relevant
9. Increase renewable energy generation	Not relevant
10. Promote business and industrial activities in employment lands	<p>Consistent with this Direction.</p> <p>A broadening of the retail offering will increase the potential for the subject land to be used for employment generating activities.</p>

Central West and Orana Regional Plan 2036	
Direction	Comment
Direction 10 continued.....	<p>The proposal is consistent with Action 10.6. According to the EIA, <i>some 209 jobs are likely to be provided both directly and indirectly as a result of the proposal. This includes a number of youth employment opportunities with retail developments generally employing a large number of younger staff.</i></p> <p>In regard to Action 10.7, the EIA demonstrates how the proposal responds to retail demand and innovations/trends in the retail sector. Further, the proposal makes efficient use of public transport and community infrastructure, and will also contribute positively to the quality of public areas/precinct.</p>
11. Sustainably manage water resources for economic opportunities	Not relevant
12. Plan for greater land use compatibility	<p>Consistent. Convenience retail is a compatible land use in a mixed-use precinct adjacent to health facilities.</p> <p>The proposal represents a broadening of already approved retail land use. Consistent with Action 12.4, the proposed B2 zoning would deliver greater certainty of land use in this precinct.</p>

Central West and Orana Regional Plan 2036	
Direction	Comment
13. Protect and manage environmental assets	Not relevant
14. Manage and conserve water resources for the environment	Not relevant
15. Increase resilience to natural hazards and climate change	Not relevant
16. Respect and protect Aboriginal heritage assets	Not relevant
17. Conserve and adaptively re-use heritage assets	Not relevant
18. Improve freight connections to markets and global gateways	Not relevant
19. Enhance road and rail freight links	Not relevant
20. Enhance access to air travel and public transport	Not relevant
21. Coordinate utility infrastructure investment	Not relevant
22. Manage growth and change in regional cities and strategic and local centres	Not relevant

Central West and Orana Regional Plan 2036	
Direction	Comment
23. Build the resilience of towns and villages	Not relevant
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 urbanised 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.

Visual Impact

The potential visual impacts are a matter for detailed assessment at the DA stage. However, the approvals on the site to date demonstrate that a high level of visual appeal can be achieved. The following principles should apply:

- Maintain the characteristics of the currently approved development within the Bloomfield Private Hospital Site, particularly in terms of building height and scale and the modern and contemporary architecture.
- Maintain view corridors to the west to Mount Canobolas and the western hinterland of Orange.
- Maintain an open and spacious visual environment along the site frontage.
- 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.
- A reasonable level of landscaping should be provided so as to provide appropriate softening of buildings and vehicle areas.

Traffic

Consultants Terraffix Pty Ltd have prepared a Traffic and Parking Assessment Report for this Planning Proposal (refer *Annexure C*). In terms of traffic impacts, the findings of the Assessment are summarised as follows:

- An indication of the existing traffic conditions on the road network in the vicinity of the site is provided by peak period traffic surveys undertaken at the intersection of Forest Road and Base Hospital main access driveway between 7.00-10.00am and 3.30-6.00pm on Wednesday 27th June and Thursday 28th June 2018. The results of the traffic surveys are reproduced in full in Appendix B of the Assessment and reveal that traffic flows on Forest Road have remained constant with no significant change in comparison to the traffic counts last conducted by Terraffix in 2014.
- In the context of the entire Bloomfield Private Hospital Site, the Assessment provides detailed AM and PM peak period traffic generation rates for the currently approved development and compares them to the proposed development. As a result of this comparison, the Assessment finds as follows:
 - The proposal would see the AM inbound/outbound total increase from 406 vehicle trips per hour (vtph) to 609 vtph.
 - The proposal would see the PM inbound/outbound total increase from 457 vtph to 653 vtph.
- The main traffic implications of the proposed development relate to the ability of the new intersection that serves both the Bloomfield Private Hospital Site and the public hospital to accommodate the potential traffic increases generated by the proposed development.
- The ability of this intersection to accommodate the projected post-development traffic demand was assessed using the SIDRA traffic model. The results of the SIDRA analysis are detailed in the Assessment and reveal that the intersection would operate as follows:
 - ‘A’ Level of Service in the AM (good operation).
 - ‘B’ Level of Service in the PM (good with acceptable delays and spare capacity).
- In the circumstances, the Assessment concludes that the proposed development has no unacceptable traffic implications.

Parking

The parking implications of the proposal are considered firstly in the context of the entire Bloomfield Private Hospital Site and are presented in the following table.

The rates adopted in the Table are consistent with the assessment provided in respect of the current Concept and Project Approvals that apply to the site.

USE	DCP REQUIREMENT	CALCULATION UNIT	SPACES
Hospital (as approved)	1 space for every 3 beds plus 1 space each resident doctor plus 1 space for every 2 visiting doctors plus 1 space for every 2 employees.	104 beds = 35 spaces Allow 130 staff including doctors = 65 spaces	100
Health Consulting Rooms (as approved)	2 spaces for every 1 practitioner with spaces being available for customer and staff use.	Allow 24 practitioners = 48 spaces	48
Motel (as approved)	1 space per unit plus 1 space for manager plus 1 space for every 2 employees plus 1 space per 3 seats in restaurant plus 1 space per 10m ² of entertainment or function room	82 units = 82 spaces 1 manager = 1 space Say 12 staff = 6 spaces 90 seat restaurant=30 spaces 140m ² function= 14 spaces	133
Restaurant (as approved)	1 space per 10m ² GFA or 1 space for every 3 seats, whichever is greater	150 seats = 50 spaces or 293m ² = 29 spaces	50
Childcare Centre (as approved)	1 space for every 4 children in attendance	100 places = 25 spaces	25
Residential Units (as approved)	1.2 spaces per 2-bedroom unit 0.2 visitor spaces per unit	216 x 2 bed units=259 spaces 216 x 0.2 = 43 visitor spaces	302
Shops (as proposed by this Planning Proposal)	6.1 spaces per 100m ² GLFA	GLFA 2,617m ² = 160 spaces	160
TOTAL PARKING REQUIREMENT			818

The site masterplan and Concept/Project Approvals contemplate the provision of 835 spaces for the entire site which would satisfy the above parking requirements.

The parking implications of the proposal are also considered in the context of only Precincts 1 and 2 of the Bloomfield Private Hospital Site (given that these precincts represent the first phases of the overall development and there is expected to be strong cross-connections between the 2 precincts). The following table outlines the parking requirements in this regard.

PROPOSED USE	DCP REQUIREMENT	CALCULATION UNIT	SPACES REQUIRED
Hospital (as approved)	1 space for every 3 beds plus 1 space each resident doctor plus 1 space for every 2 visiting doctors plus 1 space for every 2 employees.	104 beds = 35 spaces Allow 130 staff including doctors = 65 spaces	100
Health Consulting Rooms (as approved)	2 spaces for every 1 practitioner with spaces being available for customer and staff use.	Allow 24 practitioners = 48 spaces	48
Motel (as approved)	1 space per unit plus 1 space for manager plus 1 space for every 2 employees plus 1 space per 3 seats in restaurant plus 1 space per 10m ² of entertainment or function room areas	82 units = 82 spaces 1 manager = 1 space Say 12 staff = 6 spaces 90 seat restaurant=30 spaces 140m ² function= 14 spaces	133
Restaurant (as approved)	1 space per 10m ² GFA or 1 space for every 3 seats, whichever is greater	150 seats = 50 spaces or 293m ² = 29 spaces	50
Shops (as proposed by this Planning Proposal)	6.1 spaces per 100m ² GLFA	GLFA 2,617m ² = 160 spaces	160
TOTAL PARKING REQUIREMENT			491

As indicated in the attached Planning Proposal concept plan (and the latest Project Approval plans) a total of 515 car parking spaces will be provided across Precincts 1 and 2 to address the above parking requirements.

Of these, 32 spaces are identified as overflow parking, some of which may be lost to accommodate a service vehicle manoeuvring area for the proposed supermarket. Notwithstanding, there is ample opportunity within the site to provide at least 491 parking spaces.

Consultants Terraffic Pty Ltd have prepared a Traffic and Parking Assessment Report for this Planning Proposal (refer *Annexure C*). In terms of parking, the Terraffic assessment largely agrees with the above assessment but actually considers that the parking demand across Precincts 1 and 2 would be less than that indicated in the above table.

Terraffic have determined that the Precinct 1 and 2 parking demand would be 441 spaces instead of the 491 spaces shown in the above table. The reduction in 50 spaces is attributed to the *dual and complementary use* associated with the approved motel and its restaurant/function centre component. In this regard, Terraffic states:

The parking requirement for the motel restaurant was considered excessive as a substantial proportion of restaurant patronage, if not all of it, will be drawn from motel guests and patients. Any additional motel restaurant patrons (who are not already in the area) would utilise the vacant parking spaces allocated to the health facility and retail shops that will be closed at night (complementary use).

In any event, it can be concluded that the Planning Proposal will be satisfactory in terms of parking provision.

Noise

There appear to be no aspects of the proposal that would exacerbate noise issues in the locality over and above the development that has already been approved within the Bloomfield Private Hospital Site.

Lighting

A lighting assessment may 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

The proposal does not involve any processes or activities that would impact on water quality. In any event, the potential impacts can be addressed at the DA stage.

Air Quality

The proposal does not involve processes or activities that would affect the neighbourhood in terms of waste, dust, odour or atmospheric discharges.

Overshadowing

The proposal does not create the potential for overshadowing of sensitive receivers (dwellings).

Heritage

Schedule 5 of Orange LEP 2011 identifies the Bloomfield Hospital campus (to the east of the subject land on the opposite side of Forest Road) as a heritage item of State significance. More specifically, the listing refers to *Bloomfield Hospital “Nymagee Lodge” (including landscape features, entry gateway, Elm avenue and grounds)*.

A review of the Bloomfield Hospital Conservation Management Plan (CMP) indicates that this proposal is located well beyond the primary heritage curtilage and thus presents even less of a potential impact upon the heritage values of the place.

It should also be noted that the new public hospital is a modern and bulky building that now characterises the precinct. This building and its external support areas diminish the visual relationship between the heritage item and the subject land.

Archaeology

The potential impacts on Aboriginal heritage were considered in the environmental assessment for the current Concept and Project Approvals for the site. There are no aspects of the proposal that would generate additional impacts in this regard.

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.

Ecology

The potential impacts on native flora and fauna were considered in the environmental assessment for the current Concept and Project Approvals.

There are no aspects of the proposal that would generate additional impacts in this regard.

Land/Site Contamination

The provisions of SEPP 55 were addressed in the environmental assessment for the current Concept and Project Approvals for the site. A Stage 1 site assessment was undertaken by Environmental Investigation Services and concluded that the subject land did not indicate any obvious on site activity that could be expected to generate significant soil contamination. Further, the results of laboratory testing on selected soil samples indicated levels below the adopted health-based assessment criteria.

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. The EIA considers that the proposal would generate a net community benefit as follows:

- It is the conclusion of this report that a substantial net community benefit will result from the development of the proposed convenience retail centre at Bloomfield. Offsetting the trading impacts on some existing retailers, there are very substantial positive impacts including the following:
 - The creation of a convenience shopping destination for local residents that will ultimately include a full-line supermarket and a complementary provision of specialty floorspace in a centralised location.
 - The reduction in travel time and savings in petrol consumption. Smaller shopping is usually undertaken 2 – 3 times a week, meaning the subject development will result in substantial time and petrol savings.
 - The creation of additional employment which will result from the project, both during the construction period, and more importantly, on an ongoing basis once the development is complete and operational. In total, some 209 jobs are likely to be provided both directly and indirectly as a result of the proposed Bloomfield development. This includes a number of youth employment opportunities with retail developments generally employing a large number of younger staff.

- It is concluded that the combination of the substantial positive economic impacts serves to more than offset the trading impacts that could be anticipated for a small number of the existing retail stores, particularly supermarkets, in the region. Further, the impacts would not threaten the viability of any of these retailers or 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

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

This Planning Proposal warrants support due to the following:

- It is not adverse to the relevant strategic planning framework.
- The proposed rezoning of Precinct 1 to B2 Local Centre does not materially change the concept for the Bloomfield Private Hospital Site, other than to allow the currently approved retail complex in Precinct 1 to be anchored by a supermarket.
- In combination with the approved mixed-use development that is known as the Bloomfield Private Hospital Site, the proposed supermarket will contribute to a health/service/convenience precinct that will be of benefit to the existing and expected residential population in South Orange; the local workforce; visitors to public and private hospitals and the aged care facility; users of the nearby recreational facilities; and commuters through the area.
- It is a reasonable submission that the need for such a site was not foreseen when the current zoning provisions were developed. This Proposal represents a sensible response to the evolution of development in the South Orange area, noting that the regional importance of this precinct is recognised in the *Orange Blayney and Cabonne Regional Economic Development Strategy, 2018 – 2022*.
- For the reasons outlined in the EIA, it encourages economic development and therefore would assist to increase employment and retain spending within Orange and create a stronger business destination that would better serve the needs of the surrounding population.
- For the reasons outlined in the EIA, 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

Indicative Concept

Annexure B

Economic Impact Assessment by Location IQ

Annexure C

Traffic Assessment by Terraffix

Annexure D

Land Plans

Annexure E
Draft LEP Maps