



D13/11024
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Ashley Albury
Western Region
Department of Planning and Infrastructure
PO Box 58
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Dear Ashley

DRAFT AMENDMENT 3 TO ORANGE LOCAL ENVIRONMENTAL PLAN 2011

Council writes to request a Gateway Determination for the enclosed Planning Proposal. The proposal is intended to become Amendment 3 to the Orange Local Environmental Plan 2011.

The Planning Proposal arises in part from the original Orange LEP 2011 process, which reclassified 12 Astill Drive to Operational Land. This was intended to facilitate the expansion of an adjoining industrial development, whose owner had approached Council with a view to purchasing some or all of 12 Astill Drive.

That process, however, left the land zoned RE1 Public Recreation and subsequently Council has received interest in the adjoining parcel of land, known as Lot 24 DP 1035913 situated to the rear of 14-20 Astill Drive and addressed as 230 Phillip Street. As these lands are segregated from residential land to the south-west by the construction of the Northern Distributor Road, they are collectively seen to be surplus to requirement. It is now proposed to reclassify the additional Lot 24 and to rezone both parcels to IN1 General Industrial, as per the intent of Council's original resolution for the main OLEP 2011.

Site 2 in this Planning Proposal arises from confidential reports presented to Council on 20 May 2010 and 31 May 2010. The clear intent of those reports was to seek Council approval to acquire land at 154 Lone Pine Avenue in order to subsequently develop and/or sell the land for a mooted Bulky Goods Centre. The site is already suitably zoned and has only become Community Land due to not including suitable wording in the resolution of those reports. Accordingly, operation of clause of the *Local Government Act 1993* has rendered the land Community Land contrary to the clear intent of the reports.

In summary, the enclosed Planning Proposal involves two reclassifications under the *Local Government Act 1993* and a spot rezoning from RE1 Public Recreation to IN1 General Industrial. Council awaits the Gateway's earliest convenience.

Yours faithfully

David Waddell
DIRECTOR DEVELOPMENT SERVICES
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