

Orange LEP 2011 - Amendment 3

Proposal Title : **Orange LEP 2011 - Amendment 3**

Proposal Summary : **Amend LZN map to convert land at 12 Astill Drive and 230 Phillip Street, Orange from RE1 Public Recreation to IN1 General Industrial zone. 230 Phillip Street and 154 Lone Pine Avenue will also be added to Schedule 4 of the Orange LEP 2011, to identify the land as being converted from community land to operational land.**

PP Number : **PP_2013_ORANG_004_00**

Dop File No :

13/09230

Proposal Details

Date Planning Proposal Received : **28-May-2013**

LGA covered :

Orange

Region : **Western**

RPA :

Orange City Council

State Electorate : **ORANGE**

Section of the Act :

55 - Planning Proposal

LEP Type : **Spot Rezoning**

Location Details

Street : **230 Phillip Street**

Suburb : **Orange**

City : **Orange**

Postcode : **2800**

Land Parcel : **Lot 24, DP1035913**

Street : **154 Lone Pine Avenue**

Suburb : **Orange**

City : **Orange**

Postcode : **2800**

Land Parcel : **Lot 1, DP 1031236**

Street : **12 Astill Drive**

Suburb : **Orange**

City : **Orange**

Postcode : **2800**

Land Parcel :

DoP Planning Officer Contact Details

Contact Name : **Dan Wagner**
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RPA Contact Details

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DoP Project Manager Contact Details

Contact Name : **Dan Wagner**
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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
MDP Number :		Date of Release :	
Area of Release (Ha) :	4.85	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 communications.			

Supporting notes

Internal Supporting
Notes :

External Supporting
Notes :

Adequacy Assessment

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

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

Comment : **Council's planning proposal states that the objectives of the planning proposal are:**

- * to support the local economy through a minor expansion of industrial land between Phillip Street and Astill Drive**
- * To amend the land zoning map to convert land zoned RE1 Public Recreation to the IN1 General Industrial zone at 12 Astill Drive and 230 Phillip St, Orange.**
- * To insert two new listings in Schedule 4 of the LEP to reclassify two parcels of land from Community Land to Operational Land under the Local Government Act 1993, so as to facilitate subsequent sale and development of each site - at 230 Phillip St and 154 Lone Pine Avenue, Orange.**

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

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

Comment : **Council has provided clear explanation of the intended amendments to the LEP.**

- * Amend the land zoning map tile (LZN) 007D to change the zoning of 12 Astill Drive and 230 Phillip St, Orange from RE1 Public Recreation to IN1 General Industrial.**
- * Insert property details for 230 Phillip St and 154 Lone Pine Avenue, Orange in Schedule 4, Part 1 - Land classified, or reclassified as operational land-no interests changed of the Orange LEP 2011**

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**
6.2 Reserving Land for Public Purposes

* May need the Director General's agreement

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

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

d) Which SEPPs have the RPA identified? **N/A**

e) List any other matters that need to be considered : **Due to the minor nature of the proposal, no other matters have been identified.**

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

If No, explain : **The planning proposal will facilitate an expansion of 4.84 ha of industrial zoned land in the LGA.**

The land's potential at Astill Drive/Phillip St as a public recreation space has diminished since the construction of the Northern Distributor Road, which separates the site and surrounding industry from residential uses to the south and west.

Orange's Community Strategic Plan draws upon findings from the 2008 Orange Recreational Needs Study which identified that Orange has a distinct surplus of open space.

The Blayney, Cabonne, Orange subregional strategy includes policy action 2.4 which states "rehabilitate and make available underutilized industrial land for new development". Further to this, Council's Business Centres Review Study found that a demand exists for between 15,102 and 24,433m2 of bulky goods land.

Mapping Provided - s55(2)(d)

Is mapping provided? **Yes**

Comment : **Mapping provided is in Standard Instrument format and suitable for exhibition.**

Community consultation - s55(2)(e)

Has community consultation been proposed? **Yes**

Comment : **As the proposal involves reclassification of public land, public consultation must be undertaken for at least 28 days.**

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 : **February 2012**

Comments in relation to Principal LEP : **The Orange SI LEP came into effect on 24 February 2012.**

Assessment Criteria

Need for planning proposal :	A planning proposal is the only way to facilitate the outcomes sought. The planning proposal provides an increase to employment lands in line with strategic planning already undertaken for the LGA. The planning proposal for reclassifying land is necessary as the land was acquired by Council more than 3 months ago.
Consistency with strategic planning framework :	Council has appropriately demonstrated consistency with relevant S117 directions and local strategies. Relevant S117 directions include 1.1 Business and Industrial Zones, and 6.2 Reserving Land for Public Purposes. The rezoning proposal provides an increase of 4.8456 hectares of employment lands. Whilst the land is currently zoned for public recreation, Council has justified that the land be converted to the IN1 General Industry zone in that the recreation area is separated from residential development by the Northern Distributor Road, Orange's major bypass which lies to the north of the Orange Urban Area. As such, it's value as a recreation area is diminished. Council's open space asset management plan identifies a surplus of recreation land in the LGA. The lot to be converted to operational land at 154 Lone Pine Avenue is already zoned B5 Business Development.
Environmental social economic impacts :	The impacts of the reduction in open space land have been fully justified by open space management planning. As such, social impacts should be minimal.

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As discussed, the planning proposal provides an increase in employment land within the LGA.

No known environmental impacts exist on the site. Consultation with the Catchment Management Authority and Office of Environment and Heritage will ensure that any environmental matters of State significance are given due consideration.

Assessment Process

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

Timeframe to make LEP : **9 Month** Delegation : **RPA**

Public Authority Consultation - 56(2)(d) : **Central West Catchment Management Authority
Office of Environment and Heritage
Department of Trade and Investment
Transport for NSW
Fire and Rescue NSW
Transport for NSW - Roads and Maritime Services**

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
Incoming letter - Orange Am3.pdf	Proposal Covering Letter	Yes
Orange Am3 PP.pdf	Proposal	Yes
Reclassification documentation 230 Phillip St.pdf	Proposal	Yes
Reclassification documentation 154 Lone Pine Av.pdf	Proposal	Yes
Orange Am 3 PlanningTeamReport.pdf	Determination Document	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 : **The planning proposal should proceed subject to the following conditions:**

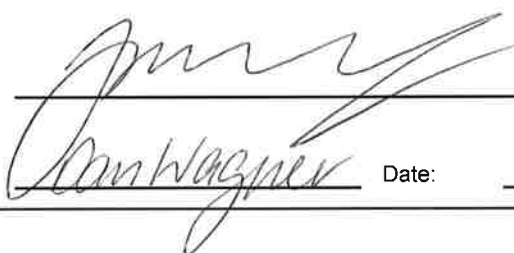
- 1. The planning proposal be publicly notified for 28 days.**
- 2. Consultation is required with the following entities:**
 - Central West Catchment Management Authority
 - Office of Environment and Heritage
 - Department of Trade and Investment
 - Transport for NSW
 - Transport for NSW - Roads and Maritime Services
 - Fire and Rescue NSW
- 3. The relevant planning authority must conduct a public hearing in regard to the reclassification of public land. The requirements for conducting public hearings is contained in section 5.5.3 of 'A guide to preparing local environmental plans' (Department of Planning and Infrastructure (2012)).**
- 4. The LEP must be made within 9 months.**

Council have accepted plan making delegations as described in PS 12-006. It is appropriate that the making of this LEP be delegated to Orange City Council, as the relevant planning authority.

Supporting Reasons : **The planning proposal demonstrates consistency with relevant S117 directions and local strategic planning. Environmental impacts of the proposal can be assessed by Office of Environment and Heritage and the Catchment Management Authority during consultation, after which the Council as the relevant planning authority and proponent can address any issues raised.**

Signature:

Printed Name:



Date: 01/06/2013