

Draft Amendment 3

Orange Local Environmental Plan 2011

Proposed Reclassification Site 02

Bulky Goods Centre
154 Lone Pine Avenue, Orange NSW

PROPERTY CHECKLIST: Lot 1 DP 153167

	Information	Check
1	Aerial Image	Attachment No. 1
2	Zoning Map (LEP 2011)	Attachment No. 2
3	Proposed Zoning Map	Attachment No. 3
4	Deposited Plan and s88B Instrument	Attachment No. 4
5	Certificate of Title	Attachment No. 5
6	Mapped Location of land & Services	Attachment No. 6
7	Copy of Any Leases	Attachment No. 7

The following information describes the property and existing classification of the land under the *Local Government Act 1993*.

PROPERTY DETAIL	
Council property number	3245
Real property description	Lot 1 DP 153167
Street Address	154 Lone Pine Avenue, Orange
Common name	Unnamed
Area (m ²)	40,874
Copy of Deposited Plan and s88B Instrument	Attachment No. 4
Copy of Certificate of Title and ownership schedule and restrictive covenants	Attachment No. 5
Copy of map/s showing cadastral information for land and the locality	Attachments No. 1, 2 & 6
Copy of Council's Geographic Information System cadastral mapping information showing services etc	Attachment No. 6
Existing Zone (Orange LEP 2011)	B5 Business Development

LAND REGISTER	
Plan of Management Name and Date adopted	N/A
Category (existing classification – operational / community)	Community Land
Type (e.g. park, sportsground, drainage reserve)	Vacant commercial land

SEARCH OF COUNCIL'S LEGAL DOCUMENTS	
Type of Public Land (e.g. public reserve, trust, vested land, dedicated land, reserved or zoned land, other)	N/A

Local Government Act 1993 (S.32 Reclassification of land dedicated under s94 of the EP&A Act 1979 – land un/suitability considerations)	
Was the land dedicated under s94 of the EP&A Act 1979?	No – Private Treaty Purchase
Size of the land?	40,880m ²
Shape of the land?	Rectangular
Topography of the land?	Flat with negligible fall to east
Location of the land?	Fronting Lone Pine Avenue with rear access via Redmond Place (south of homemaker centre)
Difficulty in providing access?	None envisaged

The following section provides the information required to be publicly provided by Council in the Department of Planning Practice Note PN 09-003 – *Classification and Reclassification of Public Land through a Local Environmental Plan* at the time a draft LEP that seeks to reclassify public lands is prepared and exhibited.

The Department of Planning Practice note “PN 09-003 – *Classification and Reclassification of Public Land through a Local Environmental Plan*” requires that certain written information be placed on public exhibition with the draft Orange LEP 2011 Amendment that either reclassifies and/or rezones the land. This is to include and describe or address, as appropriate, the following matters:

STATEMENT OF COUNCIL'S INTEREST (This section describes Council's interest in the land)	
Nature of interest (e.g. freehold ownership, land leased for x years)	Freehold ownership – Torrens Title
Date of issue of Title	Circa 8 July 1935
Why Council acquired the interest	To facilitate expansion of Bulky Goods Precinct
How Council acquired its interest (e.g. land purchased using s94 funds – dedicated in lieu of s94)	Private Treaty – following an auction at which property was passed in
For land previously owned or controlled by Council, whether any aspect of the LEP formed part of the agreement to dispose of the land	N/A

PURPOSE OF THE DRAFT LOCAL ENVIRONMENTAL PLAN (This describes why Council is preparing the draft LEP amendment)	
Why the draft plan is being prepared? (e.g. to sell or allow a particular use)	To facilitate expansion of the Bulky Goods Precinct
How the draft plan will affect planning control?	Negligible - Site is already zoned
What prompted the preparation of the draft plan? (e.g. Council's intention to sell land, request from affected land owner)	Councils acquisition with the stated intent to sell land so as to promote the expansion of the Bulky Goods Precinct

ANTICIPATED DEVELOPMENT (This describes the type of development that may result from the changing in planning controls and assist people to understand how they may be affected.)	
Likely physical or operational changes to the land (e.g. erection of dwelling)	Erection of Bulky Goods Premises

Is the draft LEP being prepared to be permit a particular development (and is the proposal currently on exhibition)	No, site is already zoned for the intended purpose.
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FINANCIAL IMPLICATIONS (Whilst protecting commercial confidence, this generally describes the financial implications of a change in planning controls.)	
Indicate the magnitude of value that will be added to the land by comparing current and future land value	Negligible change to land value, as the site is already zoned. However by combining with other council land to the east the site may become more desirable
Describe in general detail any terms of agreement for lease or sale of land	Subject of current negotiations

PROPOSED CLASSIFICATION AND ZONE	
Classification Local Government Act 1993	Operational
Zoning Environmental Planning and Assessment Act 1979	B5 Business Development

OTHER IMPORTANT RELATED INFORMATION

1. Definition of Public Land and Public Reserve

Public Land means any land (including a public reserve) vested in or under the control of the council, but does not include:

- (a) a public road, or
- (b) land to which the *Crown Lands Act 1989* applies, or
- (c) a common, or
- (d) land subject to the *Trustees of Schools of Arts Enabling Act 1902*, or
- (e) a regional park under the *National Parks and Wildlife Act 1974*.

Public Reserve means any one or more of the following:

Criteria for a public reserve		Applicable to this site?
a	A public park (park means an area of open space used for recreation, not being bushland)	No
b	Land conveyed or transferred to Council under s340A of the <i>Local Government Act 1919</i>	No
c	Land dedicated or taken to be dedicated as a public reserve under s340C or s340D of the <i>Local Government Act 1919</i>	No
d	Any land dedicated or taken to be dedicated under s49 or s50 (refer to s49 & s50 – public reserve and range reserves provided for in a subdivision – pre and post	No

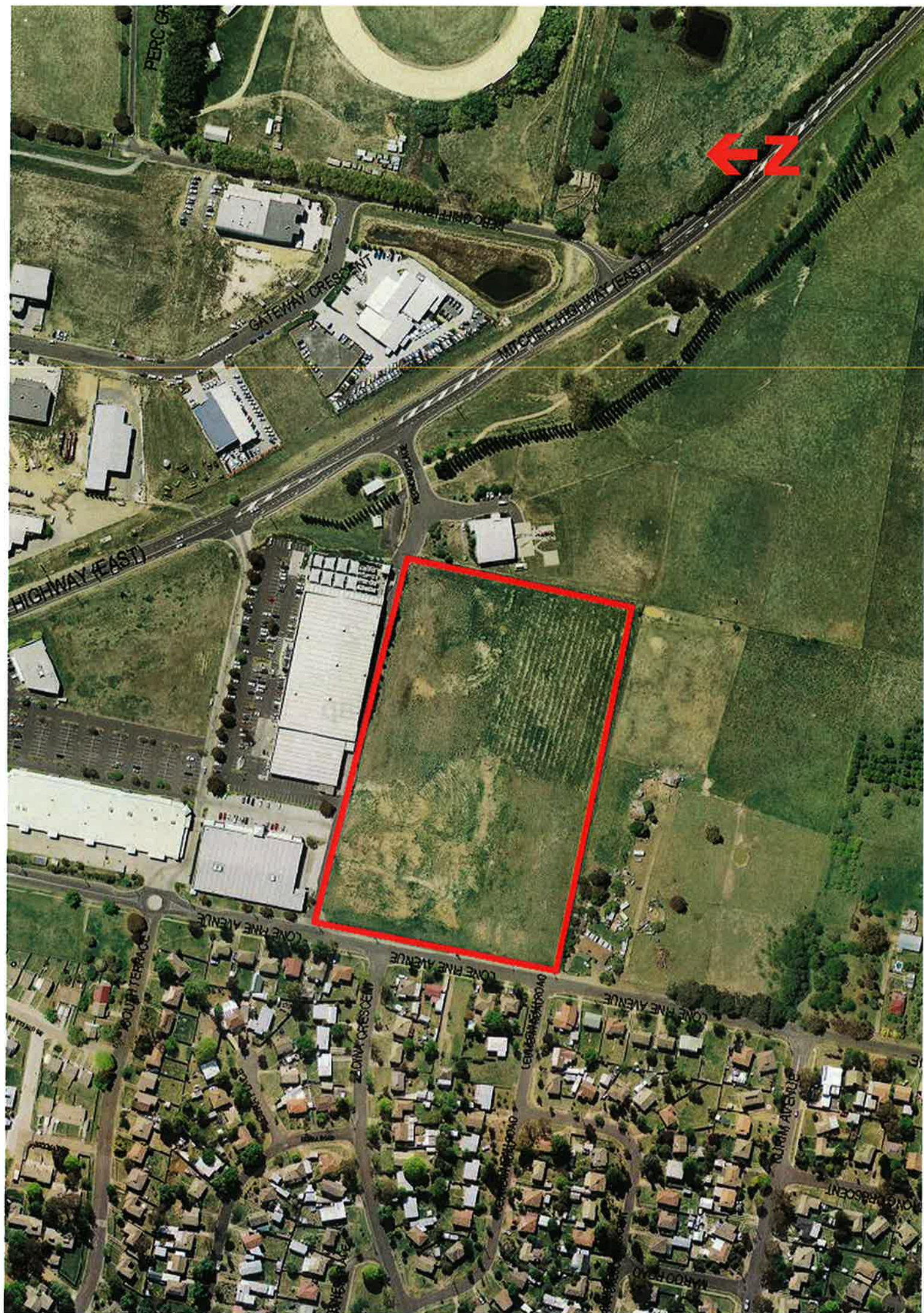
	15/6/1964)	
e	Any land vested in Council and declared to be a public reserve under s37AAA of the <i>Crown Lands Consolidation Act 1989</i>	No
f	Any land vested in Council and declared to be a public reserve under s76 of the <i>Crown Lands Act 1989</i>	No
g	A Crown Reserve that is dedicated or reserved: i. For public recreation or ii. For a purpose that is declared to be a purpose within the scope of this definition by means of an order published in the Gazette by the Minister administering the Crown Lands Act 1989, being a Crown Reserve in respect of which Council has been appointed as manager of a reserve trust of the reserve or for which no reserve trust has been established	No
h	Land declared to be a public reserve and placed under the control of Council under s52 of the State Roads Act 1986	No
i	Land declared to be a public reserve and placed under the control of Council under s159 of the State Roads Act 1993	No

And includes a public reserve of which council has the control under s344 of the Local Government Act 1993, 1919 or s48, but does not include a common.

The land was acquired on the open market post-auction with the intent to resell as part of a larger development site. Therefore the land is NOT a public reserve and does NOT comprise Public Land as defined under the Local Government Act 1993.

Attachment No 1

Aerial Image



Attachment No 2

Current Zoning Map (Orange LEP 2011)

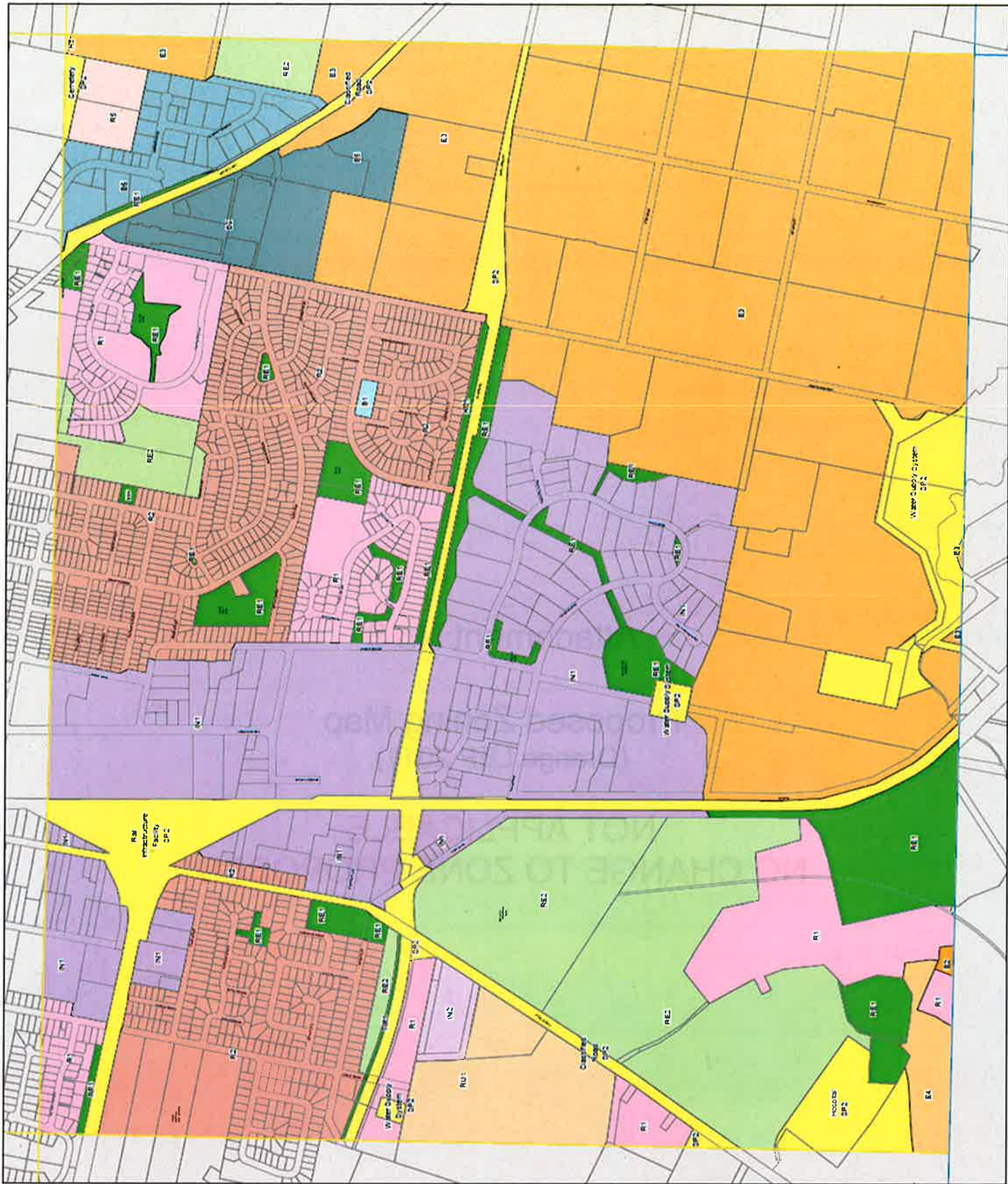
Orange Local Environmental Plan 2011

Land Zoning Map - Sheet LZN_008D

- Land Zoning**
- B1 Neighbourhood Centre
 - B2 Local Centre
 - B3 Commercial Core
 - B4 Mixed Use
 - B5 Business Development
 - B6 Enterprise Corridor
 - B7 Business Park
 - E2 Environmental Conservation
 - E3 Environmental Management
 - E4 Environmental Living
 - IN1 General Industrial
 - IN2 Light Industrial
 - R1 General Residential
 - R2 Low Density Residential
 - R3 Medium Density Residential
 - R5 Large Lot Residential
 - RE2 Public Recreation
 - RE3 Private Recreation
 - RU1 Primary Production
 - RU5 Village
 - SP2 Infrastructure
 - SP3 Tourist
- Cadastre**
- Orange 2003/2010 Land and Property Information (LPI)



Projection: GDA 1984
 Zone 55
 Map Identification Number
 WNSL/LOCAL/ENVP/008D/2011/2011/02/05



Attachment No 3

**Proposed Zoning Map
(Orange LEP 2011)**

**NOT APPLICABLE
NO CHANGE TO ZONE PROPOSED**

Attachment No 4

Deposited Plan

NO s88B INSTRUMENT APPLIES



DP 153167

LINKS	METRES
52.4	16.616
100	20.117
760.8	197.049
767.8	154.457
826.9	166.229
1264	254.276
1272.5	292.986

AC RU P	HA
10 - 16 1/2	4.088

That needs to be left from solution

C 367511 — PLAN

DP 153167

EP.163167

— of part of Portion 25 —

— Parish of Orange — County of Bathurst

Scale 4 Chains to an inch.

LAST CONVEYANCE
No 141 Book 1704.

U. S. O. S.

3167

25. PIA

26

16

10a: Or. 16½p

Land in R.P. Application
Nº 22811

27

Plan Approved, and covered by
Shire Clerk's Certificate No
105 of 8 July 1935.

077 Verming - Spire Clark

-Note-

All lengths are in links.

I certify that this list has been compiled from the information in

Also in Real Property App. Act. 22M.R., and is correct.

Nöte

This plan is not to be used for purposes of Real Property Application.

J. K. W. Mackenzie

*Receptor published under Copyright Act, 1925

This is the plan marked "referred to in" *United*

Attachment No 5
Certificate of Title

BOX 201N
(AF612185)



NEW SOUTH WALES
CERTIFICATE OF TITLE
REAL PROPERTY ACT, 1900



FORMING TITLE REFERENCE	
1/153167	
EDITION	DATE OF ISSUE
18	7/7/2010
CERTIFICATE AUTHENTICATION CODE	
K3TT-LZ-MPNY	

I certify that the person described in the First Schedule is the registered proprietor of an estate in fee simple (or such other estate or interest as is set forth in that Schedule) in the land within described subject to such exceptions, encumbrances, interests and entries as appear in the Second Schedule and to any additional entries in the Folio of the Register.


REGISTRAR GENERAL



LAND

LOT 1 IN DEPOSITED PLAN 153167
AT GLENROI.
LOCAL GOVERNMENT AREA: ORANGE.
PARISH OF ORANGE COUNTY OF BATHURST
TITLE DIAGRAM: DP153167

FIRST SCHEDULE

ORANGE CITY COUNCIL

(T AF612185)

SECOND SCHEDULE

1. RESERVATIONS AND CONDITIONS IN THE CROWN GRANT(S)
2. DP1006624 EASEMENT FOR ELECTRICITY PURPOSES 12.4 METRE(S) WIDE AFFECTING THE PART(S) SHOWN SO BURDENED IN DP1006624
3. DP1006624 RIGHT OF ACCESS 10 METRE(S) WIDE APPURTENANT TO THE LAND ABOVE DESCRIBED
4. DP1006624 RIGHT OF ACCESS 10 METRE(S) WIDE AFFECTING THE PART(S) SHOWN SO BURDENED IN DP1006624

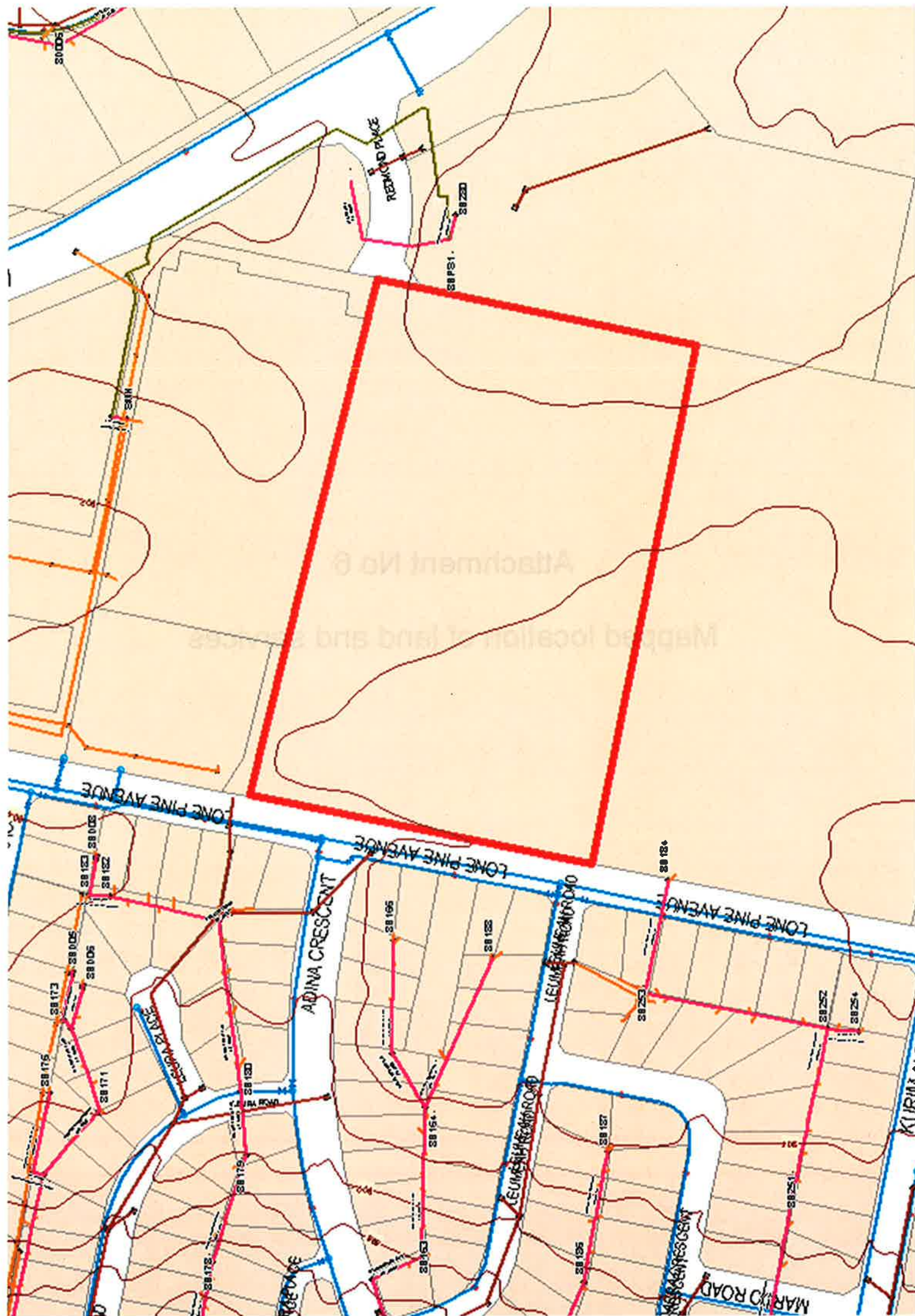
**** END OF CERTIFICATE ****

THIS CERTIFICATE COULD RESULT IN HEAVY FINES OR IMPRISONMENT (S.111 REAL PROPERTY ACT).

3526025

Attachment No 6

Mapped location of land and services



Attachment No 7

Copy of any Leases

**NOT APPLICABLE
NO LEASES APPLYING TO THE SITE**

13/09230