

PLANNING PROPOSAL

GORMAN ROAD - DEAN DRIVE - THE ESCORT WAY

Planning proposal for proposed rezoning to create serviced allotments
with an average lot size of 4,000m²
Lot 2 DP 589770; Lot 1 DP 581736; Lot 99 DP 756869; Lot 3 DP 1036031 and
Pt Lot 12 DP 1141754 (area of 13.24ha)
Gorman Road, Dean Drive and The Escort Way, Orange

Orange City Council



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PART 1 OBJECTIVES OR INTENDED OUTCOMES

The purpose of this planning proposal is to allow the redevelopment of Lot 2 DP 589770; Lot 1 DP 581736; Lot 99 DP 756869; Pt Lot 12 DP 1141754 (area of 13.24ha); and Lot 3 DP 1036031 - Gorman Road, Dean Drive and The Escort Way, Orange for serviced allotments with an average lot size of 4,000m².

PART 2 EXPLANATION OF PROVISIONS

Amendment of the Orange LEP zoning map in accordance with the proposed zoning map shown at Attachment A. This includes rezoning of Lot 2 DP 589770; Lot 1 DP 581736; Lot 99 DP 756869; Pt Lot 12 DP 1141754 (area of 13.24ha); and Lot 3 DP 1036031 - Gorman Road, Dean Drive and The Escort Way, Orange from 1(c) Rural Residential to 2(a) Urban Residential.

PART 3 JUSTIFICATION

SECTION A Need for the planning proposal.

1. Is the planning proposal a result of any strategic study or report?

No - the proposal is in response to anecdotal evidence which suggests that large, serviced allotments with an average lot size of 4,000m² are not presently available in the current residential land supply for Orange and that there is a demand for these lots. The proposal aims to service this perceived demand.

This site has a history of submissions which have previously been encouraged and supported through Council resolutions and Council strategies. In 2005 Council resolved to provide for contained and integrated urban development on the site. This was consistent with the Sustainable Settlement Strategy (2005) at the time which gave consideration to an area west of Gorman Road to be considered for residential development of up to 250 lots due to some spare servicing capacity in the area. In August 2005 a submission was lodged seeking to have the land zoned for urban residential development with a capacity of 250 lots.

In October 2006, Council indicated that its preferred strategic planning approach for the Gorman Road/Murphy Lane area was that land to the south of an identified dominant ridge be considered for serviced large lot development with a minimum size of 4,000m², and that land to the north of that ridge remain for rural residential development (average lot size of 2ha).

A further submission was then lodged in October 2007 as a submission in respect of the Orange Principal LEP. In December 2007 it was reported to Council's Sustainable Development Committee that the proposed rezoning can be justified in principle by adopted planning strategies, subject to further investigations in relation to the provision of urban services.

In 2004 Orange City Council had a Sustainable Settlement Strategy (SSS) prepared by Parsons Brinckerhoff. The purpose of the SSS is *"to provide Council with a strategic plan to manage growth and to provide strategic direction for urban and rural residential land release in the City"*. This did not, however, provide any discussion on the supply and demand of 1 acre blocks in Orange.

It is considered appropriate that the Sustainable Settlement Strategy will need to be updated to include a comprehensive analysis on the supply and demand of 1 acre blocks in Orange in order to determine future demand.

2. Is the planning proposal the best means of achieving the objectives or intended outcomes, or is there a better way?

It is expected that dealing with this planning proposal as a spot rezoning is the best means of achieving the objectives and intended outcomes. Previously it was intended that this site would be dealt with under the comprehensive Orange LEP which has been developed under the Standard Instrument Order.

In April 2009 the Department of Planning (DoP) wrote to all councils in NSW advising that the State-wide progress on implementing the Standard Local Environment Plan Program has not been as fast as initially anticipated. In May 2009 Orange City Council's Sustainable Development Committee resolved that there would be no immediate benefit in prioritising its Plan, providing certain key economic development proposals can be dealt with by way of spot rezonings. As a result, DoP has agreed to progress a number of compelling spot rezoning applications that are justified with planning merit and considered important to delivering critical housing, employment or other opportunities in a priority manner.

It was agreed that by bringing forward a number of priority rezonings and by taking a more considered approach to finalising Council's comprehensive plan, this will enable Council to await the outcomes of the Draft Centres Policy, monitor ongoing changes to the Standard LEP Template and to take additional time to properly consider its Additional Local Provisions. Ultimately this will ensure that the new LEP is a more robust plan with greater community acceptance. It will also enable key sites which have the ability to provide economic stimulus and employment generating activity to the city of Orange to be fast tracked ahead of the new LEP based on the Standard Instrument.

DoP has expressed an interest in Council continuing to complete the draft LEP 2009. To date progress on refining the draft LEP 2009 has continued in-house and will continue once the proposed spot rezonings are completed and the outstanding issues with the Standard Instrument are resolved.

3. Is there a net community benefit?

It is envisaged that this proposal will result in an overall net community benefit. Detail on how the proposal meets the Net Community Benefit Test is dealt with through Attachment B to this report.

SECTION B Relationship to strategic planning framework.

4. Is the planning proposal consistent with the objectives and actions contained within the applicable regional or sub-regional strategy (including the Sydney Metropolitan Strategy and exhibited draft strategies)?

Not applicable. Orange City Council does not have any applicable regional or sub-regional strategy.

5. Is the planning proposal consistent with the local council's Community Strategic Plan, or other local strategic plan?

In 2004 Orange City Council had a Sustainable Settlement Strategy (SSS) prepared by Parsons Brinckerhoff. The purpose of the SSS is *"to provide Council with a strategic plan to manage growth and to provide strategic direction for urban and rural residential land release in the City."* The objectives of the SSS are as follows:

- *To undertake a strategic analysis into the supply and demand characteristics for urban and rural residential growth, investigating possible supply issues in land zoned for residential development that is yet to be developed;*
- *To determine infrastructure servicing constraints;*
- *To identify the appropriate direction and form for future growth in the City, including revisiting the role of the existing Rural Residential zoned land in the vicinity of Gorman Road and Murphy Lane; and*
- *The staging options for land release in the City.*

The subject land lies within LU-4 and LU-5 as defined in the SSS. The SSS considers the area as a potential resource in accommodating future urban growth and recommends that the area is retained as rural and rural residential in the long term.

- In order to accommodate urban development in the future, the following zoning and development controls are recommended:
 - More intensive development is supported on land in Ploughmans Creek catchment which has already been developed for rural residential purposes.

- That a Development Control Plan be prepared to preserve the opportunity for the remainder of Broken Shaft Creek valley to be developed for urban purposes at a later date. Matters such as potential future road pattern, easements to support future water/sewer services, and restrictive building envelopes should be addressed.

The proposed rezoning will represent an extension of the existing Ploughmans Valley 2(a) Urban Residential zone, although the large lot pattern will represent a transition zone between the City's urban footprint and its rural hinterland.

The site of the proposed rezoning is considered to be appropriate due to the following:

- The SSS supports limited urban residential development in the area east of Broken Shaft Creek;
- The subject site fits within the Preliminary Development Envelope defined in the SSS.
- The proposed site is not unreasonably affected by the composite urban development constraints identified in Figure 10.1 of the SSS.
- The proposed site is sufficiently removed from the western boundary of LU-4, thus minimising the potential for long term landuse conflicts attributed to agricultural/residential interface.

6. Is the planning proposal consistent with applicable State Environmental Planning Policies (SEPPs)?

There are no existing State Environmental Planning Policies (SEPPs) or known draft policies that would prohibit or restrict the planning proposal. An assessment against **relevant** SEPPs is provided below:

SEPP	Relevance	Consistency	Comments
SEPP (Infrastructure) 2007	Aims to more efficiently facilitate the delivery of infrastructure through the establishment of consistent planning provisions for infrastructure and services.	Yes	It is Council's intention that a new Development Control Plan be prepared to preserve the opportunity for the remainder of Broken Shaft Creek valley to be developed for urban purposes at a later date. Matters such as potential future road pattern, easements to support future water/sewer services, and restrictive building envelopes will be addressed.
SEPP No 19 - Bushland in Urban Areas	Aims to prioritise the conservation of bushland in urban areas. Requires consideration of aims in preparing a draft amendment.	Yes	There will be no potential loss of bushland as a result of the rezoning
SEPP No 55 - Remediation of Land	Establishes planning controls and provisions for remediation of contaminated land.	Yes	The requirement for a contamination study is unlikely based on existing knowledge of the site but otherwise would occur at DA stage

SEPP	Relevance	Consistency	Comments
SEPP (Building Sustainability Index: BASIX) 2004	This SEPP operates in conjunction with Environmental Planning and Assessment Amendment (Building Sustainability Index: BASIX) Regulation 2004 to ensure the effective introduction of BASIX in NSW. The SEPP ensures consistency in the implementation of BASIX throughout the State by overriding competing provisions in other environmental planning instruments and development control plans, and specifying that SEPP 1 does not apply in relation to any development standard arising under BASIX. The draft SEPP was exhibited together with draft Regulation amendment in 2004.	Yes	BASIX would be applied at the DA stage.

7. Is the planning proposal consistent with applicable Ministerial Directions (s.117 directions)?

The proposed rezoning will not contravene any existing Ministerial Directions under Section 117(2) of the Environmental Planning and Assessment Act, 1979.

Ministerial Direction	Relevance	Consistency	Implications
1.1 – Employment & Resources	The direction aims to encourage employment growth, protect employment land in business and industrial zones and support the viability of strategic centres	Yes	The proposed rezoning would facilitate future development associated with the subject land resulting in employment growth in Orange.
1.3 – Mining Petroleum and Extractive Industries	The direction requires consultation with the Director- General of the Department of Primary Industries where a draft LEP will restrict extractive resource operations.	Yes	Future uses would not prohibit mining or restrict development of resources
2.1 – Environmental Protection Zones	The direction requires that the draft LEP contain provisions to facilitate the protection of environmentally sensitive land.	Yes	There will be no potential for loss of vegetation as a result of the proposed rezoning.

Ministerial Direction	Relevance	Consistency	Implications
2.3 – Heritage Conservation	The direction requires that the draft LEP include provisions to facilitate the protection and conservation of aboriginal and European heritage items.	Yes	No known Aboriginal or European heritage items have been identified within the subject land at this stage.
2.4 – Recreation Vehicle Areas	The direction restricts a LEP from enabling land to be developed for recreation vehicle area	Yes	The site is not proposed as a recreation vehicle area.
3.1 – Residential zones	This direction seeks to optimise housing choice and location whilst minimising impact of residential development on the environment and resource lands.	Yes	• The subdivision will create large serviced allotments (average lot size of 4,000m²) and offer residential living opportunities that are not presently available in the current residential land supply for Orange. • The proposed rezoning will contribute to the residential land supply in the north western side of the City, thus providing choice in the land market.
3.2 – Caravan Parks and Manufactured Home Estates	The direction requires a draft LEP to maintain provision and land use zones that allow the establishment of Caravan Parks and Manufactured Homes Estates.	Yes	The proposal will not affect provisions relating to Caravan Parks or Manufacture Homes Estates.
3.3 Home Occupations	The direction requires that a draft LEP include provisions to ensure that Home Occupations are permissible without consent.	Yes	Not relevant to this proposed rezoning
3.4 – Integrating Land Use and Transport	The direction requires consistency with State policy in terms of positioning of urban land use zones.	Yes	The land is well positioned to maximise its accessibility to transport networks including the Northern Distributor and local roads and adjoining residential zones.
4.2 – Mine Subsidence and Unstable Land	The direction requires consultation with the Mine Subsidence Board where a draft LEP is proposed for land within a min subsidence district.	Yes	Consultation with the Mines Subsidence Board will be undertaken if directed by the DoP under the EP&A Act 1979.
4.4 – Planning for Bushfire Protection	The direction applies to land that has been identified as bushfire prone, and requires consultation with the NSW Rural Fire Service, as well as the establishment of Asset Protection Zones.	Yes	The site does not contain land identified as bushfire prone.
5.1 – Implementation of Regional Strategies	The direction requires a draft amendment to be consistent with the relevant State strategy that applies	Yes	The draft amendment will be consistent with this requirement.

Ministerial Direction	Relevance	Consistency	Implications
	to the Local Government Area.		
6.1 – Approval and Referral Requirements	The direction prevents a draft amendment from requiring concurrence from, or referral to, the Minister or a public authority.	Yes	The draft amendment will be consistent with this requirement.
6.2 – Reserving Land for Public Purposes	The direction prevents a draft LEP from altering available land for public use.	Yes	Public use of the land is not proposed.
6.3 – Site specific provisions	The objective of this direction is to discourage unnecessarily restrictive site specific planning controls.	Yes	The draft amendment will be consistent with this requirement.

SECTION C Environmental, social and economic impact.

8. 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?

There does not appear to be a need for a Local Environmental Study as there are no critical habitat or threatened species, populations or ecological communities or their habitats on the site.

Council is of the view that there is no need to consult with the Director General of the Department of Environment and Climate Change under Section 34A of the EP&A Act with regard to this planning proposal.

9. Are there any other likely environmental effects as a result of the planning proposal and how are they proposed to be managed?

The land has a history of cropping and therefore will require a chemical study under State Environmental Planning Policy No 55 (Remediation of Land). No other likely environmental effects are envisaged as a result of the planning proposal.

This planning proposal is not located on land that is affected by any landuse planning constraints or subject to natural hazards. The land is not identified as Bushfire Prone Land, nor is it affected by potential Flood inundation or subject to potential landslip. In addition, the proposal is not located in the Orange Water Catchment area.

10. How has the planning proposal adequately addressed any social and economic effects?

The proposed rezoning will have a positive economic effect due to the following:

- It is estimated that it will cost approximately \$80,000 to develop each lot. Based on a lot yield of 59 lots (from Lot 99 DP 756869 and Pt Lot 12, DP 1141754) the project will have the potential to generate some \$4.7 million in works and involve various contractors and professionals engaged in the land development industry. This represents significant economic stimulus.
- Anecdotal evidence suggests that large serviced allotments with an average lot size of 4,000m² are not presently available in the current residential land supply for Orange. The Orange Sustainable Settlement Strategy does not address this issue and it is possible that this strategy needs to be updated to do a comprehensive analysis on the supply and demand of 4,000m² blocks.
- The proposed rezoning will contribute to the residential land supply in the north-western side of the City, thus providing choice in the land market.

There are no known items or places of European or aboriginal cultural heritage. Therefore it is not envisaged that this planning proposal will have any adverse impacts on such items.

SECTION D State and Commonwealth interests.

11. Is there adequate public infrastructure for the planning proposal?

Council's Water and Sewerage Operations Manager has advised that with respect to water supply, each of the lots have access to town water, however they may be subject to low water pressure due to the altitude of the lots. The water supply system in that area is not boosted and so water connections to any lots on the high ground would be considered to be for topping-up of rainwater tanks only.

Council's Water and Sewerage Operations Manager has advised that the existing sewer reticulation system has been designed to service Ploughmans Valley only, thus it does not have any spare capacity for additional connections. However, work required to upgrade the capacity of the existing trunk sewers and pump stations in Ploughmans Valley has been included in the soon to be adopted Developer Servicing Plan (DSP). This is to service the reduced lot sizes and increased densities for the ridgetop land within the existing urban zoning. The proposed new DSP charges include the capacity upgrade of the trunk system. The trunk mains run along the bottom of the valley parallel to the creek. Developments on the fringe of the existing developing urban zone will have to design and construct, at their own cost, connections to the existing system at a location where there is spare capacity.

Additional demand on community services will be addressed through Council's Section 94 Plan which will apply to this site.

12. What are the views of State and Commonwealth public authorities consulted in accordance with the gateway determination?

Various State and Commonwealth public authorities will be consulted following the outcomes of the gateway determination. Consultation will be carried out in accordance with section 57 of the EP&A Act. Council intends to seek comment from the following agencies with regard to this proposal:

- Roads and Traffic Authority
- Country Energy
- Department of Housing
- Department of Environment and Climate Change
- Department of Lands and
- Department of Water and Energy.

PART 4 COMMUNITY CONSULTATION

Under Section 57(2) of the Environmental Planning and Assessment Act, before community consultation is undertaken the Director-General of the Department of Planning must approve the form of planning proposals to comply with the gateway determination.

Council is of the view that this site does not meet the criteria as a 'low impact planning proposal' in its "Guide to Preparing Local Environmental Plans" and thus this planning proposal shall be exhibited for 28 days.

Council intends to advertise the proposed rezoning in the following manner:

- Advertisement in the Central Western Daily newspaper.
- Exhibited material will be on display for 28 days at Council's Civic Centre located on the corner of Byng Street and Lords Place.
- Exhibition material will also be made available on Council's website throughout the duration of the exhibition period.
- Letters will be issued to adjoining property owners advising them of the proposed rezoning.

The gateway determination will specify any additional consultation that must be undertaken on the planning proposal.

ATTACHMENT A – MAPS

GORMAN ROAD

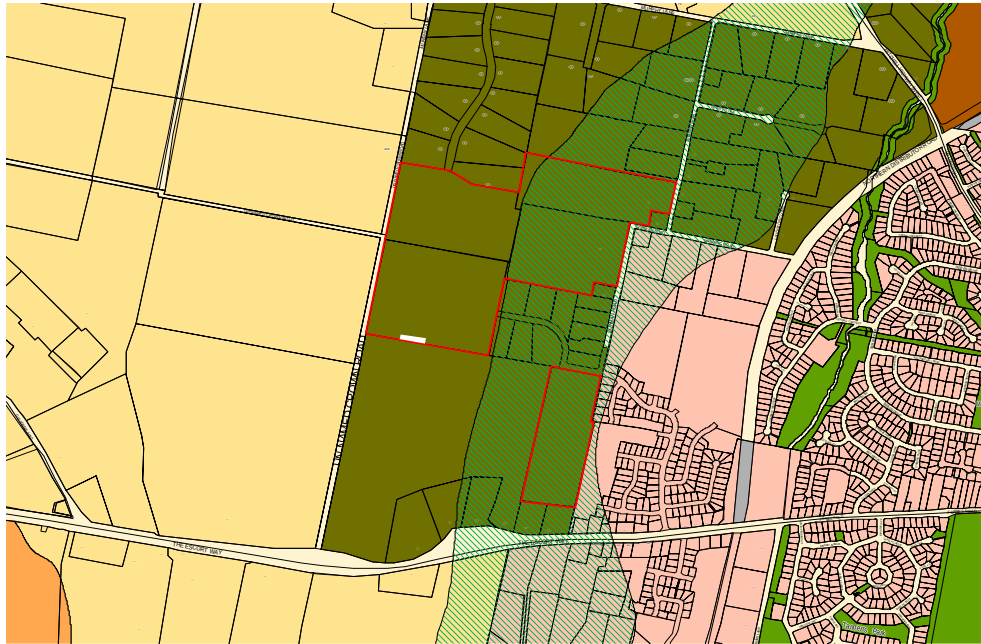
Proposed rezoning of Lot 2 DP 589770; Lot 1 DP 581736; Lot 99 DP 756869; Pt Lot 12 DP 1141754 (area of 13.24ha); and Lot 3 DP 1036031 - Gorman Road, Dean Drive and The Escort Way, Orange

Rezoning to create serviced allotments with an average lot size of 4,000m².

AERIAL PHOTO



EXISTING ZONING



1. RURAL (a) GENERAL FARMING (c) RURAL RESIDENTIAL	 	3. BUSINESS (a) REGIONAL CENTRE (b) BUSINESS SERVICES (c) BULK RETAIL	  	5. SPECIAL USES (a) PUBLIC PURPOSES (b) DISTRIBUTOR ROAD	 
2. RESIDENTIAL (a) URBAN RESIDENTIAL (b) URBAN TRANSITION (c) VILLAGE	  	4. INDUSTRIAL (a) INDUSTRIAL AND EMPLOYMENT		6. OPEN SPACE OPEN SPACE AND RECREATION	
				7. ENVIRONMENT PROTECTION WATER SUPPLY CATCHMENT	

ATTACHMENT B - NET COMMUNITY BENEFIT

GORMAN ROAD

Proposed rezoning of Lot 2 DP 589770; Lot 1 DP 581736; Lot 99 DP 756869; Pt Lot 12 DP 1141754 (area of 13.24ha); and Lot 3 DP 1036031 - Gorman Road, Dean Drive and The Escort Way, Orange

Rezoning to create serviced allotments with an average lot size of 4,000m².

The following information is provided to the Department of Planning to assist with the assessment of net community benefit. The information is based on the Evaluation Criteria (p25) provided in the NSW Department of Planning *Draft Centres Policy, Planning for Retail and Commercial Development*.

1. Will the LEP be compatible with agreed State and regional strategic direction for development in the area (eg land release, strategic corridors, development within 800 metres of a transport node)?

In 2004 Orange City Council had a Sustainable Settlement Strategy (SSS) prepared by Parsons Brinckerhoff. The purpose of the SSS is *“to provide Council with a strategic plan to manage growth and to provide strategic direction for urban and rural residential land release in the City.”* The objectives of the SSS are as follows:

- *To undertake a strategic analysis into the supply and demand characteristics for urban and rural residential growth, investigating possible supply issues in land zoned for residential development that is yet to be developed;*
- *To determine infrastructure servicing constraints;*
- *To identify the appropriate direction and form for future growth in the City, including revisiting the role of the existing Rural Residential zoned land in the vicinity of Gorman Road and Murphy Lane; and*
- *The staging options for land release in the City.*

The subject land lies within LU-4 and LU-5 as defined in the SSS. The SSS considers the area as a potential resource in accommodating future urban growth and recommends that the area is retained as rural and rural residential in the long term.

- In order to accommodate urban development in the future, the following zoning and development controls are recommended:
 - More intensive development is supported on land in Ploughmans Creek catchment which has already been developed for rural residential purposes.

- That a Development Control Plan be prepared to preserve the opportunity for the remainder of Broken Shaft Creek valley to be developed for urban purposes at a later date. Matters such as potential future road pattern, easements to support future water/sewer services, and restrictive building envelopes should be addressed.

The proposed rezoning will represent an extension of the existing Ploughmans Valley 2(a) Urban Residential zone, although the large lot pattern will represent a transition zone between the City's urban footprint and its rural hinterland.

The site of the proposed rezoning is considered to be appropriate due to the following:

- The SSS supports limited urban residential development in the area east of Broken Shaft Creek.
- The subject site fits within the Preliminary Development Envelope defined in the SSS.
- The proposed site is not unreasonably affected by the composite urban development constraints identified in Figure 10.1 of the SSS.
- The proposed site is sufficiently removed from the western boundary of LU-4, thus minimising the potential for long term landuse conflicts attributed to agricultural/residential interface.

The proposal represents a reasonable and logical extension of the present Urban Residential zone that adjoins the eastern boundary of LU-4 and LU-5. In this regard:

- The planned urban layout to the east provides for road links to Gorman Road and the new road serving Silverdown Estate.
- On a broader scale, the site will relate effectively to the Upgraded Access Links to the Mitchell Highway, The Escort Way, and the Northern Distributor Road as recommended in the SSS.
- All urban services are available nearby due to the developing 2(a) Urban Residential zone immediately to the east of the site.
- The creation of large lots within the site will serve to disrupt any sense of urban sprawl.

It is, however, not considered that Orange has any housing supply issues. The City currently has sufficient land either approved and undeveloped or zoned for an estimated 3,600 lots (of which about 1,400 are subject to current approvals). The current take-up rate is approximately 200 lots per annum. It is estimated that Orange has approximately 15-18 years of supply for existing residential land under the provisions of the existing and proposed comprehensive LEPs. This residential surplus has since been extended through the approval for the Minister of Planning to list a number of Department of Primary Industry holdings as a "State Significant Site" in Schedule 3 of SEPP Major Projects. It is generally agreed that there is now a gross surplus of residential land in Orange. The potential for an additional 110 lots in the Gorman Road area could prematurely inflate the land availability. The proposal argues however that the 400m² market is underserved.

- 2. 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.

- 3. Is the LEP likely to create a precedent or change expectations of the landowner or other landholders?**

The LEP is unlikely to create a precedent or change expectations, as it is consistent with the findings of the Sustainable Settlement Strategy (SSS).

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

There are no other spot rezoning proposals in this locality.

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

Not applicable.

- 6. Will the LEP impact upon the supply of residential land and therefore housing supply and affordability?**

The proposed LEP will contribute to the residential land supply in Orange, thus providing choice in the land market. The Sustainable Settlement Strategy advises that demand for land in Orange is sound and that planning to avoid shortages is important.

- There are a range of submarkets in terms of price, size, and perceived prestige of certain release areas.
- Some zoned land is being withheld from the market by owners not ready to develop.
- A range of allotments need to be maintained to suit these different markets at any one time to maintain choice for the range of homebuyers in Orange, and to plan and fund infrastructure.

7. 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?

It is Council's intention that a new Development Control Plan be prepared to preserve the opportunity for the remainder of Broken Shaft Creek valley to be developed for urban purposes at a later date. Matters such as potential future road pattern, easements to support future water/sewer services, and restrictive building envelopes will be addressed.

Roads and Access

Links have been provided to the developing urban residential development on the eastern side of Gorman Road, while provision is made for connections to the existing rural residential land generally to the north and south of the site.

The area is currently connected to the Mitchell Highway via Gorman Road and then Murphy Lane. Access to The Escort Way is also planned and will occur as the adjacent Ploughmans Hill residential estate continues to develop.

Public transport to service the area (ie bus services) will eventually be provided as demand for such increases.

Council's Water and Sewerage Operations Manager has advised that with respect to water supply, each of the lots have access to town water, however they may be subject to low water pressure due to the altitude of the lots. The water supply system in that area is not boosted and so water connections to any lots on the high ground would be considered to be for topping-up of rainwater tanks only.

Council's Water and Sewerage Operations Manager has advised that the existing sewer reticulation system has been designed to service Ploughman's Valley only, thus it does not have any spare capacity for additional connections. However, work required to upgrade the capacity of the existing trunk sewers and pump stations in Ploughmans Valley has been included in the soon to be adopted Developer Servicing Plan (DSP). This is to service the reduced lot sizes and increased densities for the ridgetop land within the existing urban zoning. The proposed new DSP charges include the capacity upgrade of the trunk system. The trunk mains run along the bottom of the valley parallel to the creek. Developments on the fringe of the existing developing urban zone will have to design and construct, at their own cost, connections to the existing system at a location where there is spare capacity.

Stormwater

The internal stormwater drainage system will be designed to convey stormwater runoff from the subdivision at a 1 in 10 year average recurrence interval design storm as per Council's standard design criteria.

Council currently requires that all new subdivisions provide onsite retention of stormwater flows to the 1 in 100 year storm occurrence.

Consistent with the recommendations of the SSS, the final engineering design for the development should adopt the principle that "suitable control measures should be identified to ensure that the conditions at full development will not be worse than the existing conditions". In this regard and in addition to the retention basins, water quality control ponds and gross pollutant traps will also be considered.

Power, Telephone and Gas

Due to the existing level of development and proximity to the established urban area, power, telephone and gas services can be provided to the subject land, pursuant to the requirements of the relevant supply authorities.

- 8. 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?**

The rezoning represents the expansion of existing residential areas generally in accordance with an adopted planning strategy. The new area will be serviced by existing and upgraded transport routes. Ultimately the site will be integrated with the emerging landuse pattern and road system that supports it.

- 9. Are there significant Government investments in infrastructure or services in the area whose patronage will be affected by the proposal? If so what is the expected impact.**

There are no significant Government investments of infrastructure or services in the area whose patronage will be affected by this proposal.

- 10. Will the proposal impact on land that the Government has identified a need to protect (eg 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. There are no physical characteristics that will significantly constrain the proposed development.

- 11. Will the LEP be compatible/complementary with surrounding landuses? What is the impact on amenity in the location and wider community? Will the public domain improve?**

The land to the east is a developing urban residential estate and this proposal represents a logical extension of that development pattern.

The land to the north and south of the subject land is defined in the SSS as a future expansion area for urban residential development. It is presently zoned for rural residential development. Accordingly, links have been provided in this proposal to facilitate such future development and its connection to urban areas and services.

The SSS indicates that protection of existing agricultural enterprises and the amenity of future residents are important. In respect of this proposal, adjacent land to the west (still zoned 1(a) General Farming) is considered to maintain some agricultural value until it is developed for urban purposes. Accordingly, a buffer is proposed along the western boundary of the site whereby the formation of this section of the Murphy Lane road reserve in conjunction with larger lots provides a reasonable urban edge. This treatment is considered appropriate in the circumstances, particularly as the long term strategy is for the land west of the site to also be developed for urban residential purposes.

The proposal will not adversely affect the public domain.

12. Will the proposal increase choice and competition by increasing the number of retail and commercial premises operating in the area?

Not applicable.

13. If a stand alone proposal and not a centre, does the proposal have the potential to develop into a centre in the future?

Not applicable.

14. 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, according to the proponent the proposed rezoning will facilitate effective economic development within a reasonable period due to the following:

- A DA for the subdivision of Lot 99 DP 756869 and Pt Lot 12 DP 1141754 will be submitted immediately upon gazettal of the spot rezoning. Construction of the subdivision will commence as soon as possible after development approval.
- Preliminary estimates suggest that it will cost approximately \$80,000 to develop each lot. Based on a lot yield of 59 lots (from Lot 99 DP 756869 and Pt Lot 12 DP 1141754) the project will have the potential to generate some \$4.7 million in works and involve various contractors and professionals engaged in the land development industry. This represents significant economic stimulus.

- The subdivision will create large serviced allotments (average lot size of 4,000m²) and offer residential living opportunities that are not presently available in the current residential land supply for Orange.
- The proposed rezoning will contribute to the residential land supply in the north western side of the City, thus providing choice in the land market.

The SSS advises that choice in the land market is important, particularly due to the following local factors:

- Demand for land in Orange is sound and planning to avoid shortages is important, particularly having regard to the duration of the rezoning process.
- There are a range of submarkets in terms of price, size, and perceived prestige of certain release areas.
- Some zoned land is being withheld from the market by owners not ready to develop.
- A range of allotments need to be maintained to suit these different markets at any one time to maintain choice for the range of homebuyers in Orange, and to plan and fund infrastructure.