# PUBLIC EXHIBITION

**Saturday, XX Month to Monday, XX Month YEAR**

Optional emblematic photo or concept drawing

# Proposal to Amend Orange Local Environmental Plan 2011

# Amendment 22 “Former Hospital Site”

**WHAT IS ON EXHIBITION?**

Council has placed on exhibition a proposal to amend Orange Local Environmental Plan 2011 in respect of the former base hospital site, being land bounded by Sale Street, Anson Street, Dalton Street and Prince Street. The proposed changes include adjustments to the Height of Buildings Map and the Land Zoning Map. The intention is to facilitate potential redevelopment of the site upon demolition and site clearance of the old hospital and associated buildings.

Council previously undertook a conceptual master planning exercise to investigate appropriate urban design outcomes for the site. At the time this was predicated on a belief that the main building could potentially be adaptively re-used. Subsequent testing of the market and site conditions has altered this view.

Additionally, in April 2017, Property NSW issued a ‘call for expressions of interest’ to provide suburban A-Grade office accommodation to house the Department of Primary Industries in Orange. A developer has approached Council to purchase part of the old hospital site in order to meet Property NSW’s requirements.

This planning proposal outlines how the LEP may be amended to accommodate the requirements of Property NSW and retain the overall vision of the previous masterplan.

**EXHIBITION MATERIALS**

The planning proposal is also comprised of the following supplemental documents:

|  |  |  |
| --- | --- | --- |
| Gateway DeterminationDraft Height of Buildings Map | Draft Land Zone MapProperty NSW EOI | ‘Old’ Orange Base Hospital masterplan |

**WHERE CAN I SEE IT?**

The exhibition materials can be inspected by any interested person during business hours at Orange City Council Civic Centre, ground floor, 135 Byng Street (Cnr of Lords Place), Orange. All materials are also available on Councils website [www.orange.nsw.gov.au](http://www.orange.nsw.gov.au) under the “Planning & Development” section.

**SUBMISSIONS**

Written comments on the draft amendments are welcome. All submissions received by Council will be considered before final decisions are made. Any submission received may be made publicly available and may include the name(s), address, signature and contact details provided.

All submissions are to be received by close of business **Monday XX Month YEAR.**

Submissions on the proposal can be sent to:

**General Manager**

**Orange City Council**

**P.O. Box 35**

**Orange NSW 2800**

**Attention: Craig Mortell – Senior Planner**

**Alternatively submissions may also be emailed to** **Council@orange.nsw.gov.au**

**For further information please contact Council on (02) 6393 8000**

The following pages contain information required by the Department of Planning’s Guide to Preparing a Planning Proposal. The information is unavoidably technical, as it seeks to address a range of legislative requirements. Clarification may be sought from Councils planning staff during the exhibition period.

# Planning Proposal – Orange Local Environmental Plan 2011 – Amendment 22

## Introduction

The purpose of this document is to describe a planning proposal for an amendment of the Orange Local Environmental Plan 2011, to be known as amendment 22. The preparation of a planning proposal is the first step in preparing an LEP (or an amendment to an LEP).

Note: Throughout the course of preparing the proposed LEP, the planning proposal evolves. This is particularly the case for complex proposals in which the initial gateway determination will confirm the technical studies and consultation required to justify the proposal.

As the studies and consultation are undertaken, relevant parts of the planning proposal will be updated, amended and embellished. Therefore, particularly when viewed at an early stage, the level of detail in a planning proposal may appear to be limited in one or more respects.

This planning proposal has been prepared in accordance with the Department of Planning and Infrastructure’s document *A guide to preparing planning proposals* and is comprised of four parts;

**Part 1 Objectives and Intended Outcomes**

This part comprises a brief statement outlining the objectives and intended outcomes of the proposed amendment.

**Part 2 Explanation of the Provisions**

This part comprises a plain English explanation of the provisions and changes that are to be included in the amendment.

**Part 3 Justification**

This part establishes the justification for the objectives, outcomes and provisions and the process for their implementation.

**Part 4 Community Consultation**

This part details the level and methods of community consultation that is to be undertaken on the planning proposal.

**Part 5 Project Timeline**

This part consists of a table that sets out the key project milestones and anticipated commencement and completion dates for each milestone. The dates shown are indicative only and subject to review as the project progresses.

## Part 1 Objectives and Intended Outcomes

The objectives of this planning proposal are:

To provide for public administration buildings, recognising the significant role and value of such developments to the local community and economy, while also responding to recommendations contained within a master plan previously prepared for the site, and

To amend the Height of Buildings map to allow the site to accommodate appropriately dimensioned built form in relevant parts of the site, and

To amend the Land Zone map to enable part of the site to be developed for Public Administration Buildings as well as Restaurant or Café Premises and a mix of other non-residential uses and to guide where such developments are to be focussed, and

## Part 2 Explanation of the Provisions

|  |  |  |
| --- | --- | --- |
| **Item No.** | **Description** | **Proposed Change** |
| 1 | Plain English | Amendment of the Height of Buildings Map in accordance with the proposed Draft Height of Buildings Map shown at attachment 1 |
| 2 | Plain English | Amendment of the Land Zone Map in accordance with the proposed Draft Land Zone Map shown at attachment 2 |

## Part 3 Justification

### Section A – Need for the planning proposal

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

Yes. The Orange City Council previously undertook a master plan of the old base hospital site in 2012/13. This ‘preferred option’ of the master plan was predicated on the view then held that the main building could be retained and adaptively re-used. A range of factors including the buildings condition, presence of asbestos materials and testing of market interest in retaining the building has indicated that this aspect of the plan is not viable – however the overall vision of the master plan remains appropriate with some adaptation.

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

The planning proposal is the best known means of achieving the intended outcomes. In reaching this conclusion the following alternative approach was considered:

* Amending Schedule 1 to provide additional permitted uses on the site, for public administration buildings however this would unduly limit the long term future occupancy of such buildings to public authorities only. This would also leave building height limits at the current levels resulting in a broader physical footprint with a corresponding reduction in site area able to be kept for the master plan concept.
1. ***Is there a net community benefit?***

Yes.

* The result of the planning proposal will assist in retaining an important source of employment in Orange.
* Proximity of the site to the Orange CBD ensures the continued economic and trading stimulus to established commercial precincts
* The potential relocation of Department of Primary Industries will alleviate localised parking and traffic issues in Kite Street / Endsleigh Avenue / Edward Street. Provision of substantial on-site parking minimises the potential for such issues to be repeated at the subject site.

### Section B – Relationship to strategic planning framework

1. ***Is the planning proposal consistent with the objectives and actions contained within the applicable regional or sub-regional strategy?***

Not relevant.

1. ***Is the planning proposal consistent with the local council’s Community Strategic Plan, or other local strategic plan?***

Yes. The Orange Community Strategic Plan promotes the provision of employment opportunities, quality urban design and seeks to maintain the trading performance of the CBD.

1. ***Is the planning proposal consistent with applicable state environmental planning policies?***

Yes. A review of relevant SEPPs is attached.

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

Yes.

Direction 1.1 Business and Industrial Zones objectives include:

(a) encourage employment growth in suitable locations,

(b) protect employment land in business and industrial zones, and

(c) support the viability of identified strategic centres.

The direction requires that planning proposals must give effect to the objectives, retain existing business and industrial zones, not reduce total potential floor space for employment and related public services in business zones and industrial uses in industrial zones and ensure that proposed new employment areas are in accordance with a strategy that is approved by the Director General of the Department of Planning.

Relevantly the proposal will support the viability of the Orange CBD, which is identified in the Central West and Orange Regional Plan as a strategic centre. The proposal does not reduce floor space potential and the additional commercial potential generated by adopting a B4 zone over part of the site further enhances the CBD.

Direction 3.1 Residential Zones objectives include:

(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.

The direction requires that a planning proposal must 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.

 Additionally the direction requires that a planning proposal must:

(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.

The R3 portion of the site will continue to provide additional choice in terms of building types and forms to the local housing market. The density permitted ensures an efficient use of land, infrastructure and services. The master plan demonstrates how good design can ensure development maintains and positively contributes to the public realm and streetscapes of the area. The LEP already contains provisions in relation to adequate services.

### Section C – Environmental, social and economic impact

1. ***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 site is within the existing urban area and past development and landscaping has essentially removed any ecological values

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

None envisaged.

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

The proposal is anticipated to provide positive social and economic effects. Providing local employment opportunities and economic stimulus to the surrounding area and CBD. Provision of substantial off-street parking minimised disruption to surrounding areas.

### Section D – State and Commonwealth interests

1. ***Is there adequate public infrastructure for the planning proposal?***

Yes. The site was previously developed and used as the Orange Base Hospital. Utility services in the area were therefore sized accordingly and local road network adaptations already implemented. Further consideration of infrastructure requirements would be evaluated at the DA stage.

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

Not applicable, the planning proposal is at the pre-gateway stage.

## Part 4 Community Consultation

Community consultation will be undertaken in accordance with the requirements of the gateway determination. It is anticipated that this proposal will not be deemed to be a low impact proposal. Accordingly an exhibition period of 28 days is expected.

This will commence by giving notice of the public exhibition of the planning proposal via:

* an advertisement in the Central Western Daily;
* a notification on the Orange City Council website [www.orange.nsw.gov.au](http://www.orange.nsw.gov.au); and
* written advice direct to adjoining landowners.

All forms of the notice shall include:

* a brief description of the objectives and intended outcomes of the planning proposal;
* an indication of the land affected by the planning proposal;
* the location and dates where the planning proposal may be inspected;
* the contact name and address at Orange City Council where submissions may be directed; and
* the closing date of the submission process.

During the exhibition period, the following materials will be made freely available for public inspection:

* The planning proposal, in the form approved for community consultation by the Director-General of Planning;
* The gateway determination; and
* All studies and supporting material relied upon by the planning proposal.

Following the exhibition period, a report will be prepared analysing any submissions received and making recommendations as to any appropriate changes or adjustments to the planning proposal, for the consideration of Orange City Council.

Where contact details have been provided all persons and organisations making a submission will be advised of the date and time of the relevant council (or committee) meeting where the report is to be considered, and subsequently advised of the determination.

## Part 5 Project Timeline

The following table provides an overview of the intended project timeline for this Planning Proposal.

|  |  |  |
| --- | --- | --- |
| **Project stage** | **Commencement** | **Completion** |
| Gateway Determination | Late June 2017 |
| Government Agency consultation | July 2017 | Late July 2017 |
| Public Exhibition Period | Mid July 2017 | Mid August 2017 |
| Public Hearing | Not anticipated to be required |
| Consideration of Submissions | Late August 2017 | Mid September 2017 |
| Consideration of post exhibition proposals(Report to Council) | September 2017 |
| Seeking and obtaining legal opinion from Parliamentary Counsels Office | October 2017 | Late October 2017 |
| Submission to the Department of Planning and Infrastructure to finalise | Dependent on PCO |
| Anticipated date the plan will be forwarded to the Department for notification | Dependent on PCO |