# Planning Proposal – Orange Local Environmental Plan 2011 – Amendment 8

## 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 8. 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 amend the minimum land zoning map and floor space ratio map to enable an expansion of the North Orange shopping centre.

## Part 2 Explanation of the Provisions

Amendment of the Land Zoning Map in accordance with the proposed Land Zoning Map shown at attachment 1

Amendment of the Floor Space Ratio Map in accordance with the proposed Floor Space Ratio 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 proponent has submitted an economic case for the expansion of the shopping centre. This has been peer reviewed and compared to the Business Centres Review strategy, finding that a moderate expansion of the shopping centre is now warranted given the continued expansion and growth of the North Orange population base.

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 alternative sites have previously been rejected by Council due to land use conflicts that are not apparent on the current proposal.

1. ***Is there a net community benefit?***

Yes. The result of the planning proposal will provide greater employment and access to a broader range of facilities for the growing population base. This will in turn reduce traffic congestion in the CBD.

### 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 – no applicable sub-regional strategy.

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

Yes.

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

Yes.

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

Yes.

### 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 sites selected for Amendment 8 have been chosen to avoid conflicts with ecologically sensitive lands. The land concerned has been heavily disturbed and cleared through previous agricultural practices.

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 fundamental intention of the proposal will provide direct economic benefits to the local community, both in terms of employment opportunities and improved shopping options.

### Section D – State and Commonwealth interests

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

Yes. The proposal is to be considered in conjunction with the establishment of a link road at the northern end of Telopea Way heading westwards to connect with an as yet unconstructed section of Diamond Drive. This link road will provide significant relief to the congestion currently evident at the intersections of Telopea Way, Farrell Road and the NDR.

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. It is anticipated that the project will involve consultations with:

RMS and Dept of Planning and Environment,

## 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.

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| **Project stage** | **Commencement** | **Completion** |
| Gateway Determination | November 2016 | November 2016 |
| Government Agency consultation | November 2016 | December 2016 |
| Public Exhibition Period | November 2016 | January 2017 |
| Public Hearing | as per the Gateway Determination | |
| Consideration of Submissions | January 2017 | January 2017 |
| Consideration of post exhibition proposals  (Report to Council) | February 2017 | |
| Seeking and obtaining legal opinion from Parliamentary Counsels Office | February 2017 | March 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 | |