

Planning Proposal - Orange Local Environmental Plan 2011 – Amendment 20

Annexure A – Land Reclassification Document

Draft Amendment 20
Orange Local Environmental Plan 2011

Proposed Reclassification

**Go-Kart Track
Lot 1 DP 502526
32 Perc Griffith Way and 70 Mitchell Highway**

PROPERTY CHECKLIST: Lot 1 DP 502526

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

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

PROPERTY DETAIL	
Council property number	28
Real property description	Lot 1 DP 502526
Street Address	32 Perc Griffith Way and 70 Mitchell Highway, Orange
Common name	Go-Kart Track
Area (m ²)	13.68ha
Copy of Deposited Plan and s88B Instrument	Attachment No. 3
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
Copy of Council's Geographic Information System cadastral mapping information showing services etc	Attachment No. 5
Existing Zone (Orange LEP 2011)	RE2 Private Recreation

LAND REGISTER	
Plan of Management Name and Date adopted	Plan of Management for Major Sportsgrounds, adopted 15 December 2005.
Category (existing classification – operational / community)	Community
Type (e.g. park, sportsground, drainage reserve)	Park

SEARCH OF COUNCIL'S LEGAL DOCUMENTS

Type of Public Land (e.g. public reserve, trust, vested land, dedicated land, reserved or zoned land, other)	Freehold unencumbered land
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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
Size of the land?	13.68ha
Shape of the land?	Rectangular with battleaxe access handle
Topography of the land?	Flat
Location of the land?	Eastern entrance to City, 3.5km from CBD
Difficulty in providing access?	NA – frontage to Mitchell Highway and Perc Griffith Way.

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	9/10/2007
Why Council acquired the interest	Amalgamation with Canobolas Shire Council 29 July 1977
How Council acquired its interest (e.g. land purchased using s94 funds – dedicated in lieu of s94)	Amalgamation
For land previously owned or controlled by Council, whether any aspect of the LEP formed part of the agreement to dispose of the land	No

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 future development of the land (and adjoining parcels) as a caravan park.
How the draft plan will affect planning control?	Caravan parks are a permitted landuse in the zone.
What prompted the preparation of the draft plan? (e.g. Council's intention to sell land, request from affected land owner)	A proponent has been identified for development of a caravan park on the land (and adjoining parcels).

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)	Development of a caravan park containing tourist sites, tourist accommodation and associated facilities.
Is the draft LEP being prepared to be permit a particular development (and is the proposal currently on exhibition)	The draft LEP will permit development for the purpose of a caravan park. The proposal is not currently on exhibition.

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	Not known
Describe in general detail any terms of agreement for lease or sale of land	Lease

PROPOSED CLASSIFICATION AND ZONE	
Classification Local Government Act 1993	Operational
Zoning Environmental Planning and Assessment Act 1979	RE2 Private Recreation

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:

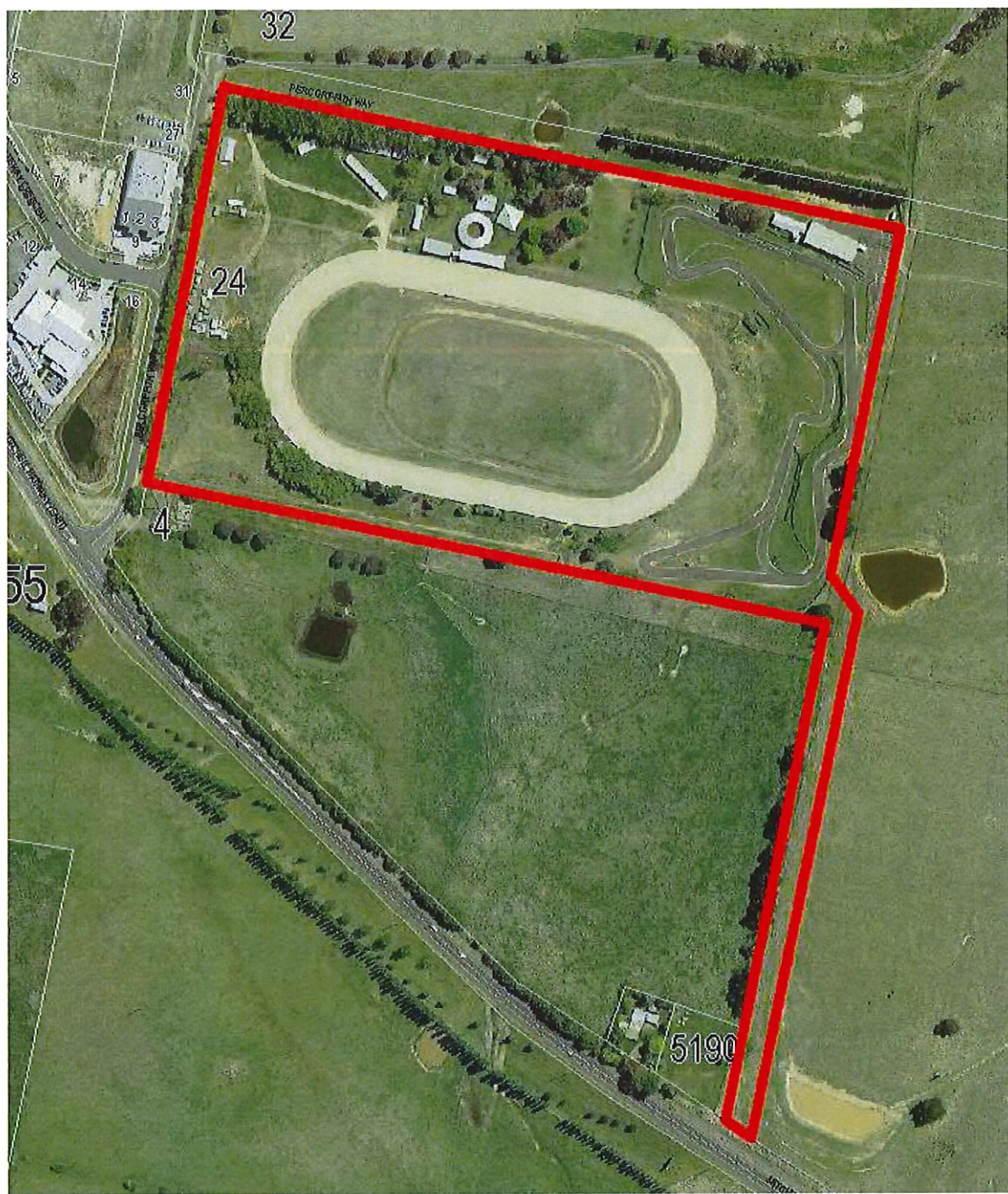
Criteria for a public reserve		Applicable to this site?
a	A public park (park means an area of open space used for recreation, not being bushland)	No
b	Land conveyed or transferred to Council under s340A of the <i>Local Government Act 1919</i>	No
c	Land dedicated or taken to be dedicated as a public 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 drainage reserves provided for in a subdivision – pre and post 15/6/1964)	No
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 is a public reserve and comprises Public Land as defined under the Local Government Act 1993.

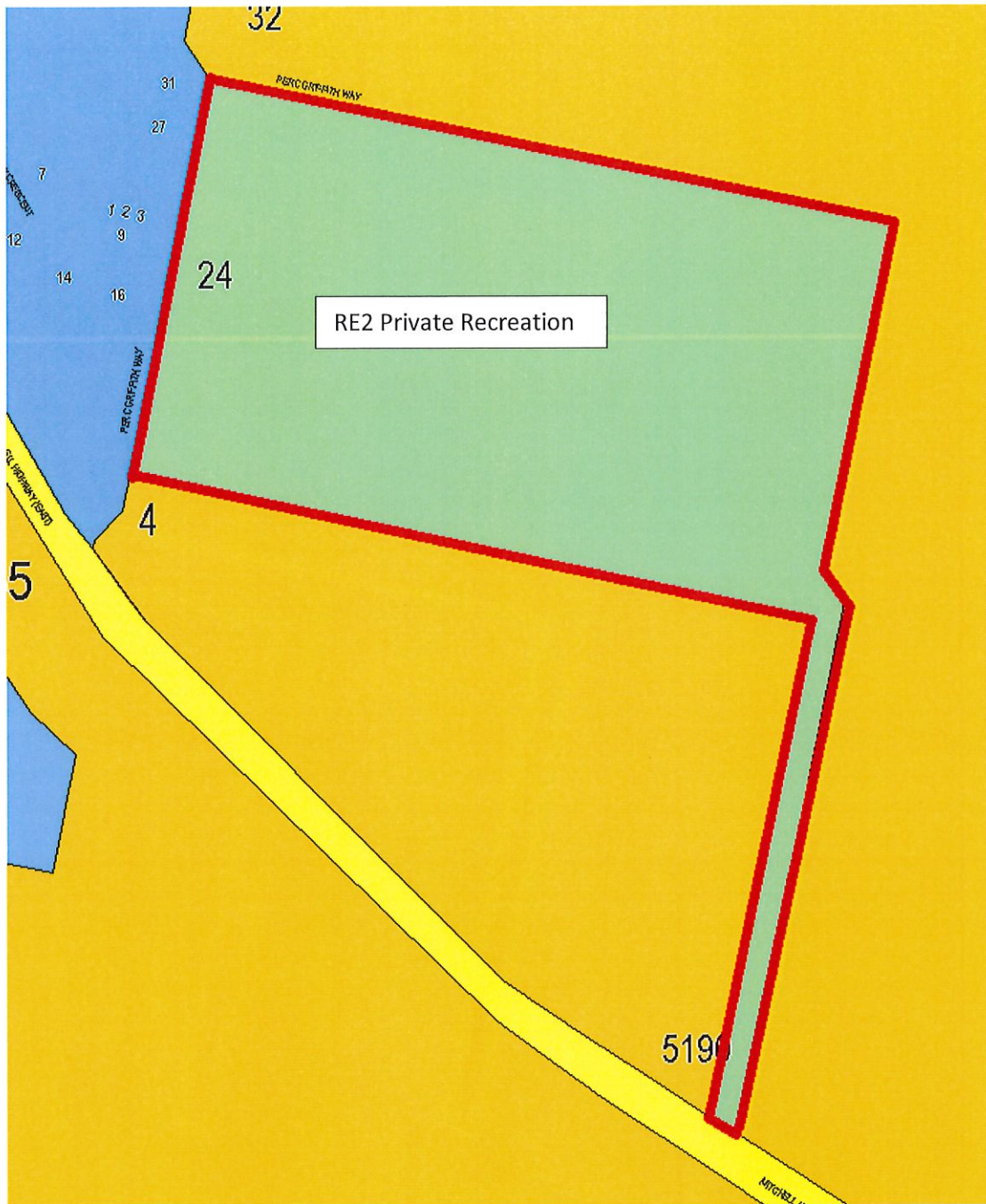
Attachment No 1

Aerial Image



Attachment No 2

Current Zoning Map
(Orange LEP 2011)



Attachment No 3

Deposited Plan

Attachment No 4

Certificate of Title

LAND AND PROPERTY INFORMATION NEW SOUTH WALES - TITLE SEARCH

FOLIO: 1/502526

SEARCH DATE	TIME	EDITION NO	DATE
24/1/2017	3:09 PM	2	9/10/2007

LAND

LOT 1 IN DEPOSITED PLAN 502526
AT SUMNER HILL
LOCAL GOVERNMENT AREA ORANGE
PARISH OF ORANGE COUNTY OF BATHURST
TITLE DIAGRAM DP502526

FIRST SCHEDULE

ORANGE CITY COUNCIL (CA97775)

SECOND SCHEDULE (5 NOTIFICATIONS)

- 1 RESERVATIONS AND CONDITIONS IN THE CROWN GRANT(S)
- 2 QUALIFIED TITLE. CAUTION PURSUANT TO SECTION 28J OF THE REAL PROPERTY ACT, 1900. ENTERED 16-12-2005 BK 3240 NO 286
- 3 LIMITED TITLE. LIMITATION PURSUANT TO SECTION 28T(4) OF THE REAL PROPERTY ACT, 1900. THE BOUNDARIES OF THE LAND COMPRISED HEREIN HAVE NOT BEEN INVESTIGATED BY THE REGISTRAR GENERAL.
- 4 BK 2769 NO 475 EASEMENT FOR WATER SUPPLY AFFECTING THE PART SHOWN SO BURDENED IN THE TITLE DIAGRAM
- 5 AD473285 LEASE TO ORANGE HARBOR RACING CLUB LIMITED EXPIRES: 6/6/2012.

NOTATIONS

UNREGISTERED DEALINGS: L: AE961450.

*** END OF SEARCH ***

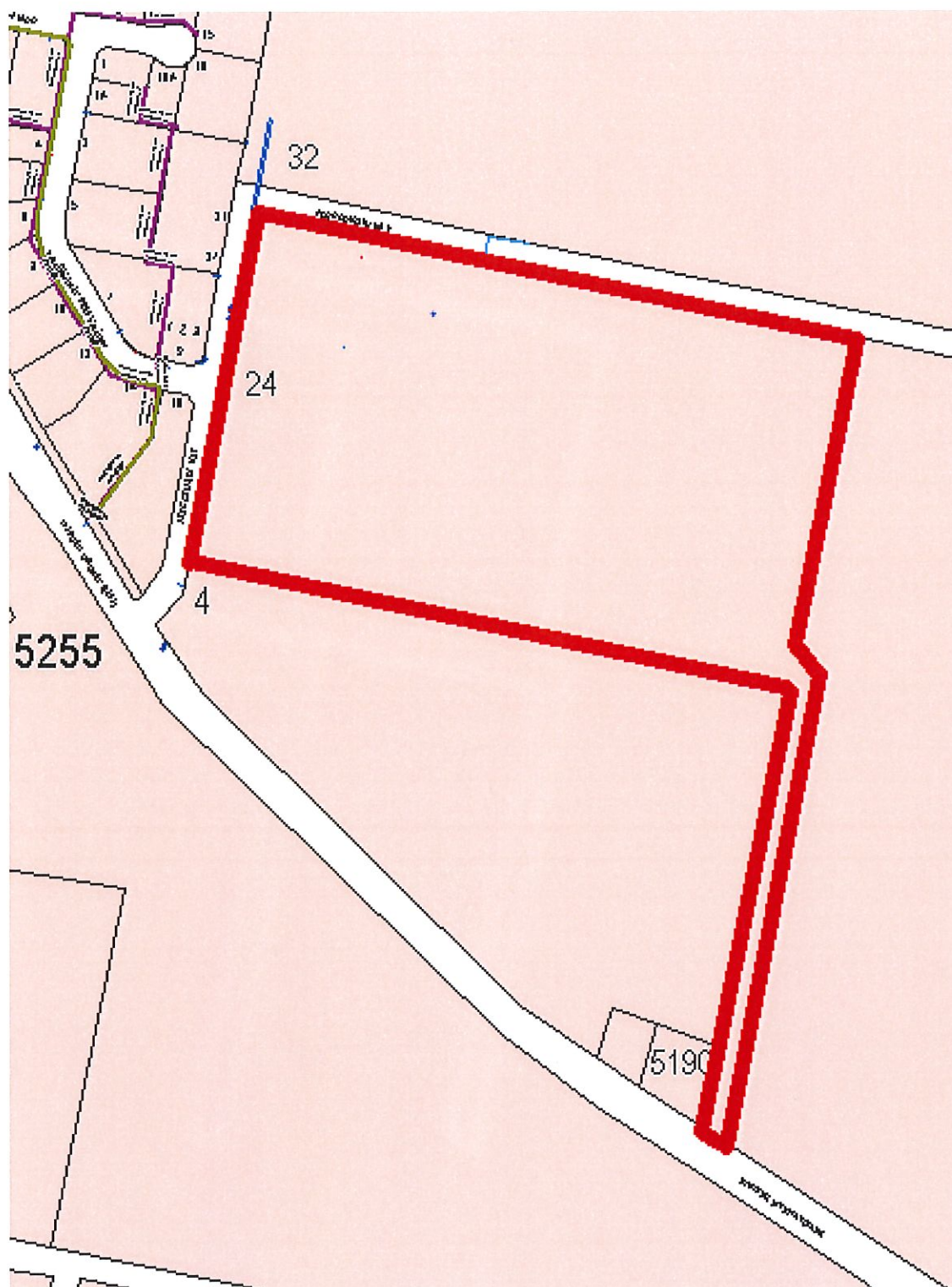
sumner

PRINTED ON 24/1/2017

* Any entries preceded by an asterisk do not appear on the current edition of the Certificate of Title. Warning: the information appearing under notations has not been formally recorded in the Register. InfoTrack an approved NSW Information Broker hereby certifies that the information contained in this document has been provided electronically by the Registrar General in accordance with Section 560(2) of the Real Property Act 1900.

Attachment No 5

Mapped location of land and services



*Water reticulation shown blue line; sewer reticulation shown purple line

Attachment No 6

Copy of any Leases

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