



Planning Proposal No. 31 – Orange LEP 2011 Eastside Precinct Amendment

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Introduction

Orange City Council, as the Planning Proposal authority, has prepared this Planning Proposal for an amendment to the Orange Local Environmental Plan 2011 ('the LEP'). The Planning Proposal has been prepared in accordance with Division 3.4 of the *Environmental Planning and Assessment Act 1979* ('EP&A Act'), *A Guide to Preparing Planning Proposals* (December 2018) and *A Guide to Preparing Local Environmental Plans* (December 2018) issued by the NSW Department of Planning, Industry and Environment (DPIE).

The Planning Proposal seeks to amend the Orange LEP to facilitate the renewal of the Eastside Precinct and encourage compatible uses that will support commercial activity and residential living in the Orange CBD. The Eastside Precinct Plan aims to attract residents, workers and visitors to the precinct and define its future role, function and composition within the Orange CBD and forms the basis for the Planning Proposal.

Further commentary on these matters can be found in the report, including under **Part 2 – Explanation of Provisions**.

Part 1 – Objectives and intended outcomes

The objectives of this Planning Proposal are to:

- Amend the LEP in response to Orange Eastside Precinct Plan and Site Specific Controls
- Include additional permitted uses to support residential use and ancillary facilities to support the needs of the community
- Support the ongoing role of the Orange CBD
- Amend the height of building provisions to incentivise renewal of the Eastside Precinct

Part 2 – Explanation of Provisions

The objective of this Planning Proposal will be achieved by:

- Amending Schedule 1 - Additional Permitted Uses to support Multi dwelling housing, Residential flat buildings, Attached dwellings, Secondary dwellings, Seniors housing and Centre-based child care facilities and include Additional Permitted Uses Map (proposed APU_008C) as outlined in **attachment 1**.
- Amending the Height of Building Map (HOB_008C) from 12m to 16m as outlined in **attachment 2**.

Part 3 – Justification

Section A - Need for the Planning Proposal

Q1. Is the Planning Proposal a result of an endorsed local strategic planning statement, strategic study or report?

The Planning Proposal is a result of the *Future City* (2020) which is a supporting strategy to the *Orange Local Strategic Planning Statement* (2020). A portion of the site subject included in the Planning Proposal is identified as a Special Project within the Future City Strategy that proposes mixed use typologies to support locals residing within walking distance of the Orange CBD, whilst improving the arrival experience into Orange for visitors and residents alike.

Subsequent to the strategic identification of the Eastside Precinct, Council engaged a consultant to undertake the *Orange East End Precinct Plan and Site Specific Controls* (endorsed February 2021)

(Attachment 3 & 4) which identified a number of changes required to ensure the appropriate uses and urban outcomes are achieved.

Q2. Is the Planning Proposal the best means of achieving the objectives or intended outcomes, or is there a better way?

The Planning Proposal intends to include additional permitted uses for the identified lots and amend the height of building for the Eastside Precinct, including mapping amendments. In order to achieve the identified outcomes in the East Orange Precinct Plan the Planning Proposal is the best available response to amend the LEP.

Other approaches have been explored within the Planning Proposal pathway, such as amending the zoning to B4 Mixed Use as part of the Planning Proposal instead of perusing additional permitted uses. However, Councils' role in supporting the Orange CBD as the core retail centre have historically not considered expanding blanket retail uses beyond the immediate retail area to ensure the economic functioning of the CBD is protected.

The following economic analysis was provided to Orange City Council by Leyshon Consulting in August 2020 and provides some insight into the current economy.

It will not be until 2021-22 that the impact of the pandemic on population growth in Orange will become clear.

We anticipate conditions in the retail sector will remain problematic for the next 12 to 18 months at least. Increasing levels of unemployment, the scaling-back of federal government assistance to households and individuals and a reduction in business income levels is likely to continue to result in difficult and unpredictable trading conditions for the retail sector. It is highly unlikely that Orange will be immune from these pressures.

The uncertainty in the retail environment referred to by Leyshon underscores the intent of boosting the resident population in and around the CBD as a means of supporting the trading performance of the centre.

Given that B4 Mixed Use permits retail premises it is deemed an unnecessary risk to allow further potential expansion outside of the immediate Orange CBD.

Best practice approach is to consider providing neighbourhood services within higher density urban areas, the B6 Enterprise Corridor does permit Neighbourhood shops, restaurants and cafes and takeaway food and drink premises which will support any future residents and visitors of the area.

Section B – Relationship to strategic planning framework.

Q3. Will the Planning Proposal give effect to the objectives and actions of the applicable regional, or district plan or strategy (including any exhibited draft plans or strategies)?

The Central West and Orana Regional Plan 2036

The *Central West and Orana Regional Plan 2036* ('CWO Regional Plan') (June 2017) by DPIE will guide the NSW Government's land use planning priorities and decisions in the region up to 2036. The CWO Regional Plan provides an overarching framework to guide subsequent and more detailed land use plans, development proposals and infrastructure funding decisions and is accompanied by an Implementation Plan. The goals of the CWO Regional Plan are to ensure:

- the most diverse regional economy in NSW
- a stronger, healthier environment and diverse heritage
- quality freight, transport and infrastructure networks
- dynamic, vibrant and healthy communities

For each goal, the CWO Regional Plan identifies directions and associated actions to assist in achieving the goal.

Table 1 below summarises the relevant directions of the CWO Regional Plan, provides comment on the directions and actions of the Plan that are directly relevant to the Planning Proposal, and indicates whether the Proposal is considered to be consistent or inconsistent with the Plan.

Table 1. Central West and Orana Regional Plan		
Goal 4: Dynamic, vibrant and healthy communities		Planning Proposal response – is the Proposal consistent with the Strategy?
DIRECTIONS & APPLICABLE ACTIONS	TIMEFRAME OF IMPLEMENTATION	COMMENTS
Direction 22: Manage growth and change in regional cities and strategic local centres	<i>Ongoing</i>	<p>The Planning Proposal is considered consistent with this direction.</p> <p>The Planning Proposal will support increase housing choices, encourage future investment and create job opportunities for those visiting and residing in close proximity to the Regional City CBD.</p>
Direction 25: Increase housing diversity and choice	<i>Ongoing</i>	<p>The Planning Proposal is considered consistent with this direction.</p> <p>The amendment will support increased housing choice that is accessible to services and jobs offered by the Orange CBD. Shop top style residential accommodation will increase diversity of housing products available and encourage increased housing affordability through product mix.</p>
Direction 26: Increase housing choice for seniors	<i>Ongoing</i>	<p>The Planning Proposal is considered consistent with this direction.</p> <p>The amendment will provide opportunities for uses that enable the development of seniors housing and increase the diversity of housing stock within close proximity to the Orange CBD. By providing increase housing choice this will allow for ageing in place and promote opportunities for independent living.</p>

<p>Direction 29: Deliver healthy built environments and better urban design</p>	<p><i>Ongoing</i></p>	<p>The Planning Proposal is considered consistent with this direction.</p> <p>Whilst the Planning Proposal will not set controls regarding the design outcomes, the LEP amendment will be accompanied by a site specific Development Control Plan (DCP) that sets controls, such as setbacks, articulation and landscaping to achieve high quality urban environments.</p>
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Better Placed

Better Placed (2017) is a strategic design policy for the built environment and establishes a baseline for good design across NSW. *Better Placed* provides a methodology and approach for design setting out seven core objectives.



The Planning Proposal responds to the following applicable objectives identified in **table 2**. Most of the objectives are relevant at the Development Application stage and will be further assessed as part of this process.

Table 2. Better Placed		
		Planning Proposal response – is the Proposal consistent with the Policy?
APPLICABLE OBJECTIVES	TIMEFRAME OF IMPLEMENTATION	COMMENTS
Objective 1. Better fit – Contextual, local and of its place	<i>Ongoing</i>	<p>The Planning Proposal is considered consistent with this direction.</p> <p>The proposed zoning, height and density for the site is responding to an increased need for housing in the Orange LGA. The medium density proposal is consistent with supporting the Orange CBD and providing the local community with housing within walking distance to local goods and services.</p>
		Planning Proposal response – is the Proposal consistent with the Policy?
APPLICABLE OBJECTIVES	TIMEFRAME OF IMPLEMENTATION	COMMENTS
Objective 2. Better Performance – sustainable, adaptable and durable	<i>Ongoing</i>	<p>The Planning Proposal is considered consistent with this direction.</p> <p>The proposal seeks to provide a housing typology that contributes to housing affordability and allows residents to age in place contributing positively to economic and social outcomes within the Orange LGA.</p>

Q4. Will the Planning Proposal give effect to a Council's endorsed Local Strategic Planning Statement, or another endorsed local strategy or strategic plan?

Orange Community Strategic Plan 2018

The Orange Community Strategic Plan (CSP) provides a 10 year vision for the Orange LGA and a series of long-term strategic goals and outcomes. The CSP outlines the importance of a balanced natural and built environment in ensuring natural, cultural, social and historical aspects of the community are preserved whilst recognising the need for growth and development.

Table 3 below summarises the relevant Planning Priorities, provides comment on the priorities and actions of the plan that are directly relevant to the Planning Proposal, and indicates whether the Proposal is considered to be consistent or inconsistent with the Plan.

Table 3. Orange Community Strategic Plan 2018		
Objective 9: Infrastructure for our growing community		Planning Proposal response – is the Proposal consistent with the Strategy?
APPLICABLE OBJECTIVES	TIMEFRAME OF IMPLEMENTATION	COMMENTS
9.3. Ensure that an appropriate level of pedestrian amenity is provided throughout the community	<i>Ongoing</i>	<p>The Planning Proposal is considered consistent with this direction.</p> <p>The Planning Proposal is in close proximity to the pedestrian bridge that provides connection to the railway station and beyond. The site is also within walking to distance to the Orange CBD connecting via the Bathurst Road/Summer Street footpath network.</p> <p>Building on the existing infrastructure the site specific DCP will include provisions around the improvement of pedestrian connections and infrastructure, including the identification of through site links and movement networks.</p>
9.4. Develop a vibrant civic and commercial precinct as a centre for the community	<i>Ongoing</i>	<p>The Planning Proposal is considered consistent with this direction.</p> <p>The Planning Proposal is in close proximity to the CBD and is proposing an amendment to the LEP that would support the ongoing role of the Orange CBD retail core.</p>

Objective 10: Celebrate our cultural, social, natural and built heritage assets		Planning Proposal response – is the Proposal consistent with the Strategy?
10.1. Engage with the community to ensure plans for growth and development are respectful of our heritage	<i>Ongoing</i>	<p>The Planning Proposal is considered consistent with this direction.</p> <p>The site is located adjacent to two Heritage Conservation Areas and Heritage Items. The site specific DCP will provide objectives and controls for how development will respond to the surrounding heritage items and conservation areas, which will be assessed at the Development Application stage.</p>

Orange Local Strategic Planning Statement (July 2020)

The Local Strategic Planning Statement ('LSPS') identifies planning priorities and subsequent actions for the next 20 years. The LSPS identifies a vision for the Orange LGA and outlines growth and change will be managed through future planning.

Table 4 below summarises the relevant Planning Priorities, provides comment on the priorities and actions of the plan that are directly relevant to the Planning Proposal, and indicates whether the Proposal is considered to be consistent or inconsistent with the Plan.

Table 4. Orange Local Strategic Planning Statement		
Planning Priority 2 – Support the delivery of new homes in residential release areas, including North Orange and Shiralee, and increase the range of housing options in existing urban areas.		Planning Proposal response – is the Proposal consistent with the Strategy?
APPLICABLE ACTIONS	TIMEFRAME OF IMPLEMENTATION	COMMENTS
4. Review and update development controls in relation to established areas, particularly heritage conservation areas and other neighbourhoods where the established character should be maintained or enhanced	<i>Ongoing</i>	<p>The Planning Proposal is considered consistent with this direction.</p> <p>The Planning Proposal seeks to amend the additional permitted land use adjoining two Heritage Conservation Areas. A site specific Development Control Plan will be developed to ensure that building siting and design is sympathetic with the surrounding conservation areas.</p>
Planning Priority 4. Provide diverse housing choices and opportunities to meet changing demographics and population needs, with housing growth in the right locations.		Planning Proposal response – is the Proposal consistent with the Strategy?
APPLICABLE ACTIONS	TIMEFRAME OF IMPLEMENTATION	COMMENTS
2. Review and update the Orange Development Control Plan with provisions tailored to the various forms of residential development.	<i>Ongoing</i>	<p>The Planning Proposal is considered consistent with this direction.</p> <p>The Planning Proposal will be supported by a site specific DCP that sets controls for suitable medium density built form design and infill development sympathetic with the surrounding local character.</p>

Planning Priority 9. Enhance local and neighbourhood centres as great, connected places, whilst maintaining the regional town atmosphere.		Planning Proposal response – is the Proposal consistent with the Strategy?
APPLICABLE ACTIONS	TIMEFRAME OF IMPLEMENTATION	COMMENTS
2. Improve pedestrian linkages throughout the city, particularly in proximity to significant destinations and parks.	<i>Ongoing</i>	<p>The Planning Proposal is considered consistent with this direction.</p> <p>The Planning Proposal is in close proximity to Endsleigh Park and the pedestrian bridge that provides connection to the railway station and beyond. The site specific DCP will include provisions around the upgrading and improvement of open space and pedestrian infrastructure to facilitate safe movement and high quality space.</p>
5. Develop precinct level masterplans for all commercial areas within Orange.	<i>Ongoing</i>	<p>The Planning Proposal is considered consistent with this direction.</p> <p>Subject to the identification of the Precinct in <i>Future City</i> (2020) Council engaged GHD to prepare the Eastside Precinct Plan and Site Specific Controls which is the basis for the proposed amendment to the LEP.</p>

Q5. Is the Planning Proposal consistent with applicable State Environmental Planning Policies?

Yes, the Planning Proposal is consistent with State Environmental Planning Policies. **Table 5** below summarises the relevant State Environmental Planning Policies and provides comment on the directions that are applicable to the Planning Proposal, and indicates whether the Proposal is considered to be consistent or inconsistent with the Plan.

Table 5. State Environmental Planning Policies		
APPLICABLE ACTIONS	CONSISTENCY	COMMENTS
<i>SEPP (Infrastructure) 2007</i>	The Planning Proposal is considered consistent with this direction.	<p>The SEPP contains requirements to consult with TfNSW where certain development is to occur within or adjacent to a classified road or, with John Holland Rail/UGL where certain development is to occur within or adjacent to a railway corridor.</p> <p>While it is unlikely that the subsequent DA would trigger these requirements, the rezoning would have that potential.</p> <p>Therefore, it is anticipated that a Gateway Determination would include a requirement to consult with TfNSW and John Holland/UGL.</p>
<i>SEPP No 55 Remediation of Land</i>	The Planning Proposal is considered consistent with this direction.	<p>SEPP No 55 aims to identify lands where potential contamination requires that land to be remediated prior to being developed, used, or zoned in a certain way. The Planning Proposal seeks to rezone a number of properties within the Precinct.</p> <p>Known contaminated sites are identified and included as part of the Planning Proposal. The additional permitted uses being sought under the Planning Proposal and the known history of the site, primarily as car yards and servicing centres would require formal investigation under any future Development Application.</p>

Q6. Is the Planning Proposal consistent with applicable Ministerial Directions (s.9.1 directions)?

Yes, the Planning Proposal is consistent with the Ministerial directions. **Table 6** below summarises the relevant Ministerial Directions (s.9.1 directions), provides comment on the directions that are applicable to the Planning Proposal, and indicates whether the Proposal is considered to be consistent or inconsistent with the Plan.

Table 6. Ministerial Directions (s.9.1 directions)		
1. Employment and Resources		
Direction	Consistent?	Comments
1.1 Business and Industrial Zones	No, but justified.	<p>This direction applies when a planning proposal will affect land within an existing or proposed business or industrial zone.</p> <p>The intent is to encourage employment growth in suitable locations, protect employment land and support the viability of identified centres.</p> <p>When the direction applies a planning proposal must:</p> <ul style="list-style-type: none"> (a) give effect to the objectives of this direction; (b) retain the areas and locations of existing business and industrial zones; (c) not reduce the total potential floor space area for employment uses and related public services in business zones; (d) not reduce the total potential floor space area for industrial uses in industrial zones; and (e) ensure that proposed new employment areas are in accordance with a strategy that is approved by the Secretary of the Department of Planning, Industry Environment. <p>However, a planning proposal may be inconsistent with the direction where justified by a relevant strategy, study, Regional or Sub-regional plan, or if the inconsistency is demonstrated to be of minor significance.</p> <p>This site is identified the <i>Future City</i> (2020) a supporting strategy to the <i>Orange Local Strategic Planning Statement</i> (2020). The Future City Strategy that's proposes mixed use typologies to support locals residing within walking distance of the Orange CBD, whilst</p>

		<p>improving the arrival experience into Orange for visitors and residents alike.</p> <p>The objective of the APU is to retain the B6 zone whilst permitting residential uses as part of mixed use developments that encourage a range of business, office and small scale retail uses that does not compete with the Orange CBD. Inclusion of residential uses will compete with commercial development for floor space. However, boosting resident population in the area will also enhance the trading performance of the commercial activities, both on site and in neighbouring commercial zones. Additionally, increasing the height limit will allow greater utilisation of the existing FSR allowance. It is intended to enable residential elements above ground floor commercial activities to make use of FSR potential that may have otherwise remained dormant. The overall result is considered to strengthen the performance of commercial floor space while also diversifying the housing stock. The former DPI building will be retained for commercial premises.</p>
2. Housing, Infrastructure and Urban Development		
3.4 Intergrating Land Use and Transport	The Planning Proposal is considered consistent with this direction.	<p>This direction applies when a planning proposal will create, alter or remove a zone or provision related to urban land for residential, business, industrial, village or tourist purposes.</p> <p>The intent is to improve access to housing, jobs and services by walking, cycling and public transport; increase the choice of available transport and reduce dependency on cars; reduce travel demand; support efficient and viable public transport services; and provide for the efficient movement of freight.</p> <p>The Direction requires the planning authority to have regard to:</p> <ul style="list-style-type: none"> • <i>Improving Transport Choice – Guidelines for planning and development</i> (August, 2001) by former NSW Department of Urban Affairs and Planning (DUAP), and • <i>The Right Place for Business and Services – Planning Policy</i> (August, 2001) by DUAP. <p><i>Improving Transport Choice</i> highlights the need to concentrate a mix of uses in centres, improve walkability and cyclability of urban areas, plan public transport to work with land use strategies, and design hubs in a way that they are to human-scale.</p>

		<p><i>The Right Place for Business and Services</i> outlines key objectives such as co-locating trip-generating activities in highly accessible areas, minimising car-dependence through limiting dispersed, inaccessible commercial development, ensuring public transport meaningfully connects to mixed use centres, protecting/maximising community investment in centres and dependent infrastructure, encouraging private and public investment into centres, and fostering growth, competition and innovation in centres.</p> <p>The planning proposal is considered consistent with the aims, objectives and principles of <i>Improving Transport Choice Guidelines for Planning and Development 2001</i> and <i>The Right Place for Business and Services – Planning Policy 2001</i>.</p> <p>The planning proposal seeks to allow medium density living within walking proximity to the Orange CBD, the Orange Railway Station and regional and local bus routes. The proposal includes Additional Permitted Uses to support Multi dwelling housing, Residential flat buildings, Attached dwellings, Secondary dwellings, Seniors housing and Centre-based child care facilities alongside uses compatible and permitted within the B6 Enterprise Corridor zone in the Orange LEP. Any future mixed use development under the uses being sought through the planning proposal will align with the CBD district and Summer Street/Bathurst Road Corridor.</p> <p>The site specific DCP that will be prepared as ancillary to the Planning Proposal will include objectives and controls that are consistent with ensuring appropriate active transport connectivity to regional and local public transport hubs and nodes.</p> <p>It is anticipated that the gateway conditions will stipulate consultation with Transport for NSW regarding road management.</p>
5. Regional Planning		
5.10 Implementation of Regional Plans	The Planning Proposal is considered consistent with this direction.	<p>This direction applies to all planning proposals. The intent is to give legal effect to the vision, land use strategy, goals, directions and actions contained in Regional Plans.</p> <p>When the direction applies a planning proposal must be consistent with the relevant Regional Plan.</p> <p>Further rationale is included in Table 1. Central West and Orana Regional Plan of this document.</p>

6. Local Plan Making		
6.1 Approval and Referral Requirements	The Planning Proposal is considered consistent with this direction.	<p>This direction applies when a planning proposal will allow a particular development to be carried out. The intent is to ensure that LEP provisions encourage the efficient and appropriate assessment of development.</p> <p>When this direction applies a planning proposal must discourage the inclusion of provisions that require concurrence, consultation or referral of development applications to a Minister or public authority. Additionally the Planning Proposal must not identify development as designated development.</p> <p>The Planning Proposal does not propose to require concurrence for reservations, and it is anticipated consultation will be required with TfNSW as part of the gateway determination.</p>
6.3 Site Specific Provisions	The Planning Proposal is considered consistent with this direction.	<p>This direction applies when a planning proposal will allow a particular development to be carried out. The intent is to discourage unnecessarily restrictive site specific planning controls.</p> <p>When the direction applies a planning proposal must allow the intended use to be carried out in the zone the land is situated on, or rezone the site, or allow the land use on the relevant land without imposing any development standards or requirements other than those already applying to the land or zone concerned. Additionally, a planning proposal must not contain or refer to drawings that show details of the development proposal.</p> <p>A site specific Development Control Plan is considered appropriate to allow for urban design outcomes to be clearly articulated and expressed to help inform the design of built form and landscaping across the site. Such a DCP should not be viewed as adding site specific provision in this sense, but rather serve to clarify the expectations of the community that are already required under DCP 2004.</p>

Section C – Environmental, social and economic impact

Q7. 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 has been no identified critical habitat or threatened species, populations or ecological communities given the historical use as commercial premises.

Q8. Are there any other likely environmental effects as a result of the Planning Proposal and how are they proposed to be managed?

Groundwater

Orange has a high water table and large areas of the LGA are identified as groundwater vulnerable in the Groundwater Vulnerability Map of the LEP. Any future development that seeks to include basement car parking will be required to respond to *clause 7.6 Groundwater vulnerability* of the LEP. It is unlikely that any future development will impact on groundwater table.



Figure 1: Groundwater Analysis

Flooding

Part of the subject site (Lot 15 DP 1134650 and Lot 149 DP 750401) are affected by the overland flow path and will be required with any future Development Application to respond to *clause 7.2 Flood planning* of the LEP.

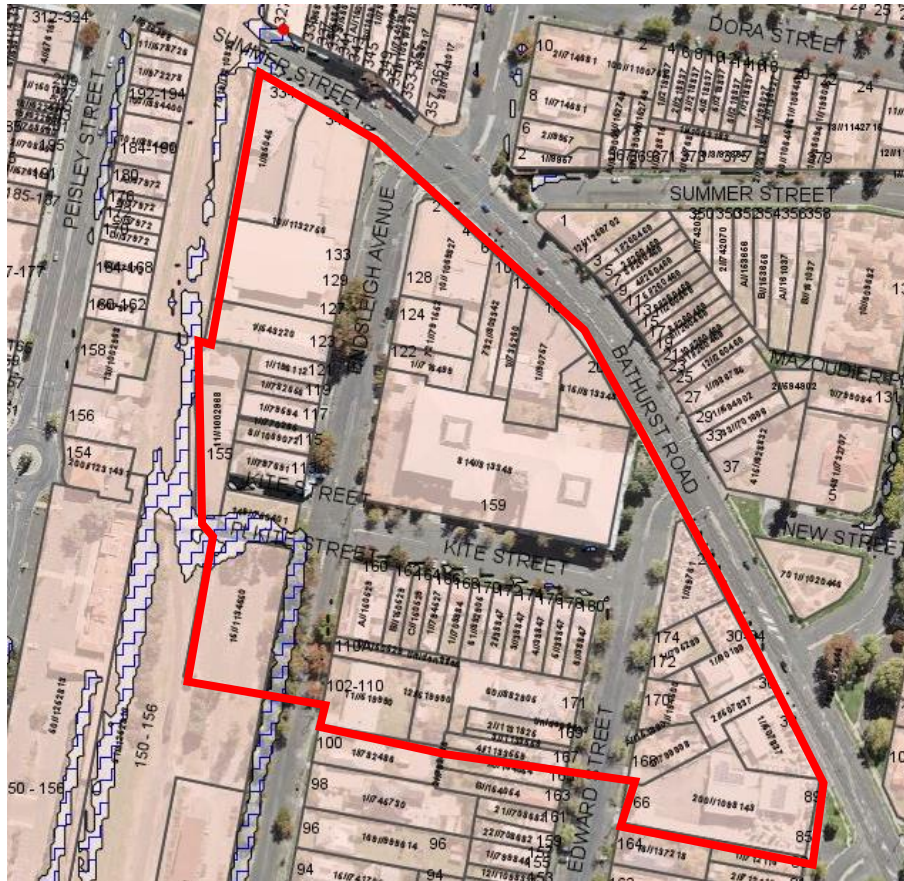


Figure 2: Flooding Analysis

Noise Impacts

Any future residential Development Application will be required to comply with *SEPP 65 — Design Quality of Residential Apartment Development*, Draft *Design and Place SEPP* and *SEPP (Infrastructure) 2007* which calls upon the *Development near Rail Corridors and Busy Roads - Interim Guideline*. The site specific DCP will also provide objectives and controls to ensure that any future residential development is designed in such a way that noise impacts will be limited from the Bathurst Road corridor.

Noise associated with the night time economy in Orange is focussed on the western side of the rail corridor. Accordingly this site is well positioned to provide additional resident population to the CBD, yet remain separated from such noise generating activities as pubs, nightclubs, live music and the like. The potential for land use conflict is therefore considered to be low.

Q9. Has the Planning Proposal adequately addressed any social and economic effects?

European Heritage

The southernmost portion of the site includes the Glenroi Heritage Conservation Area. The subject site also encompasses a number of local heritage items including the “Lamrock Terraces” the “Rhodesia” dwelling and “Warrenbah” house of which are adjacent to the former DPI building. There are also two additional heritage items on Kite Street being the “Ivanhoe” dwelling and shops. The Orange Railway Station including the pedestrian bridge are listed as state heritage item.

The north-eastern portion of the site is adjacent to the East Orange Heritage Conservation Area. Adjacent to the Precinct within the Conservation Area is the Five Ways Uniting Church a local heritage item and “Bowen Terrace” terrace houses which are listed as state significant.

Any future Development Application adjacent to a heritage item or conservation will need to be assessed against the site specific DCP to ensure that development does not detract from any heritage items or areas and that new development is sited to minimise impact and materials are sympathetic to the character of any items or areas.

It is not envisaged that that future redevelopment of any adjacent sites will negatively impact the area but instead contribute to the amenity and character of the precinct.

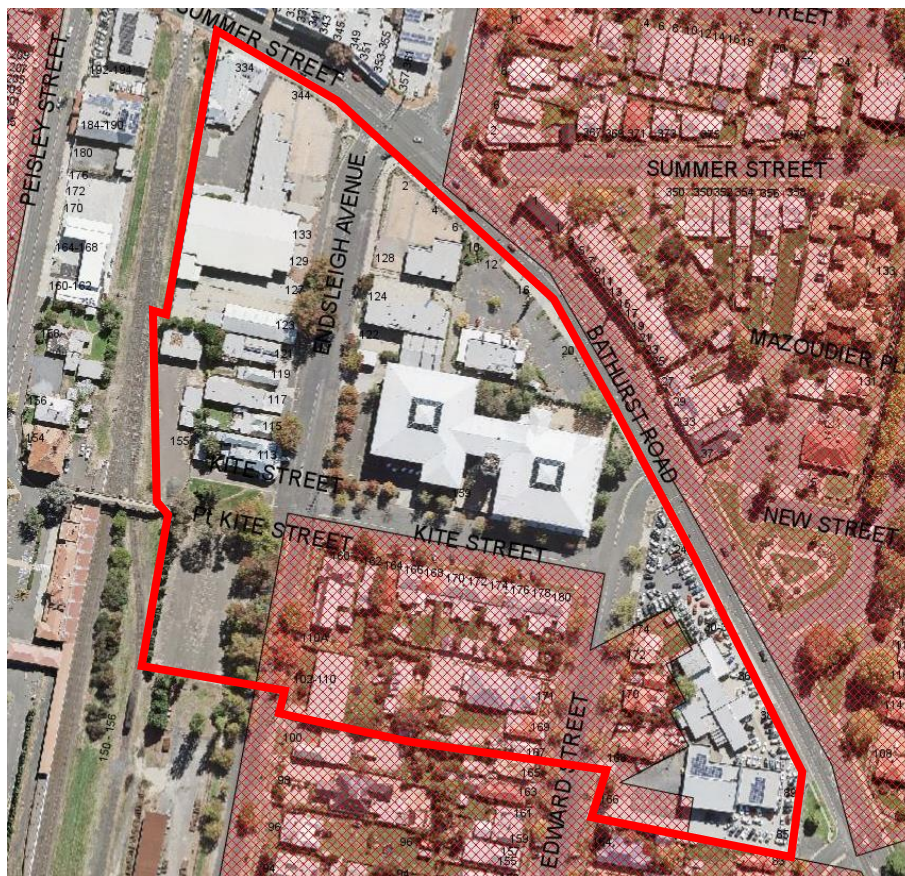


Figure 3: Heritage Conservation Areas

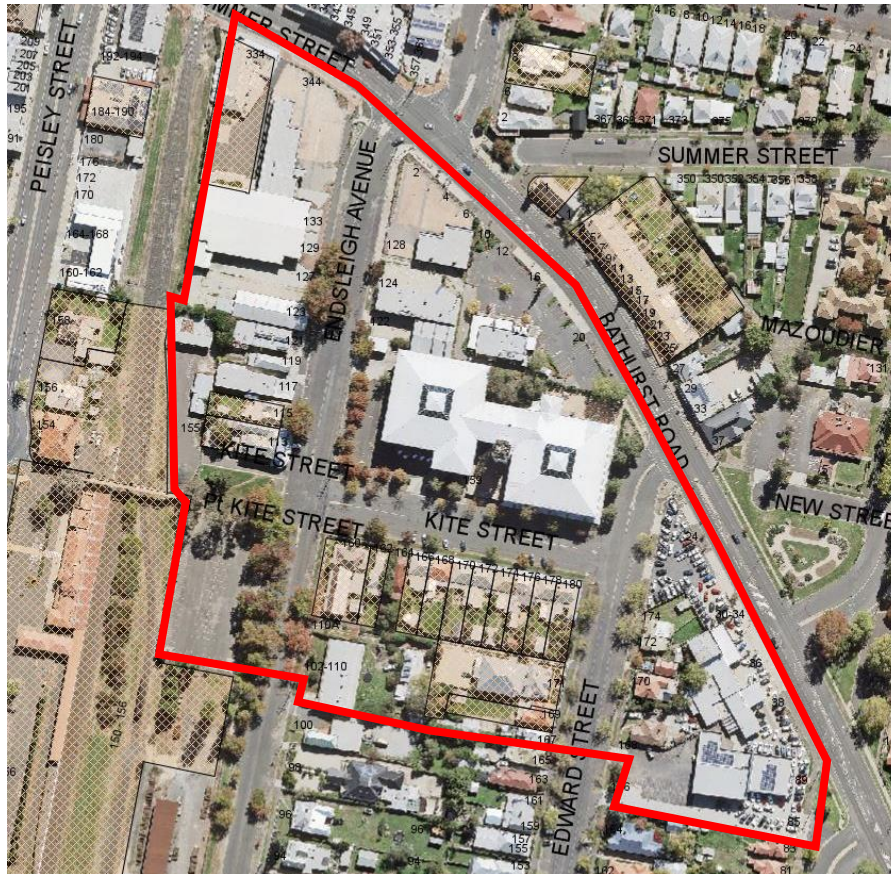


Figure 4: Heritage Items

Aboriginal Heritage

There is no known aboriginal heritage items within the precinct. However, any future Development Application on the site will need to indicate how the design of built form and public domain responds to Country as per the *Draft Design and Place SEPP*.

Residential Growth

The Planning Proposal is likely to have a beneficial effect on residential growth. The proposal will allow for a range of residential typologies within close proximity to the Orange CBD and a range of public transportation services.

Employment

The Planning Proposal is likely to have a beneficial effect on employment. With the inclusion of the APU for residential uses it is likely that nature of commercial and small scale retail will evolve to a certain extent as the site is redeveloped. Refer to **Table 6. Ministerial Direction (s9.1 directions) - 1.1 Business and Industrial Zones.**

Social Infrastructure

The Planning Proposal is likely to have a beneficial effect on the public domain and open space within the precinct. Opportunities identified within the Eastside Precinct Plan include improved through site linkages and permeability, public meeting places and improved open space at Endsleigh Park with the opportunity of enhancing the link to the railway station. With these improvements comes opportunity for enhanced landscaping which has social benefits including, but not limited to, reduction in crime, improved workplace productivity, improved mental health and encouraging activity transport (*Greener Places Discussion Draft*, 2017, Government Architects Office).

Retail Centres

The Planning Proposal will reinforce the role of the Orange CBD as the key retail and commercial centre for the Orange region and surrounds. The Planning Proposal seeks an APU and increase in height whilst retain the B6 Enterprise Corridor use, therefore not permitting blanket retail uses on site.

Section D – State and Commonwealth interests

Q10. Is there adequate public infrastructure for the Planning Proposal?

Utilities

Existing urban zones are equipped with adequate utilities (water, sewer, electricity, stormwater, NBN infrastructure). Water/sewer headworks charges may apply to proposed development, and this would be levied at the development application stage.

Public Transport

The subject area of Orange are serviced by buses that capture public transport users from residential areas of Orange and surrounds regions (including Molong, Lucknow, and Bathurst). The planning proposal is not anticipated to unduly impact on the operation of transport services.

Roads

The gateway determination will likely require consultation with TfNSW regarding Bathurst Road. An increase in density will likely increase traffic generation

Waste Management and Recycling Services

The Planning Proposal is unlikely to create significant impacts on the provision of waste management and recycling services.

Emergency Services Provision

The Planning Proposal is unlikely to generate significant demand on the existing emergency services network.

Q11. What are the views of state and Commonwealth public authorities consulted in accordance with the Gateway determination?

Preliminary views of State or Commonwealth public authorities have not been obtained prior to preparing this Planning Proposal. Having regard to the Ministerial Directions and overall scope of the Planning Proposal, Transport for NSW and John Holland Rail/UGL have been identified as agencies that should be consulted in connection with progressing the Proposal. The Gateway Determination may stipulate additional consultation requirements in the planning proposal process.

Part 4 – Mapping

The Planning Proposal seeks to amend the LEP maps including:

- Inclusion of the proposed Additional Permitted Uses Map APU_008C as identified in **attachment 1**.
- Amendment to Height of Buildings Map Sheet HOB_008C as identified in **attachment 2**.

Part 5 – Community Consultation

Community consultation will be undertaken in accordance with the requirements of the Gateway Determination. It is, however, anticipated that an exhibition period of 28 days will be required per the default in Schedule 1 of EP&A Act 1979.

Consultation will commence by giving notice of the Planning Proposal via:

- an advertisement in a local newspaper,
- a notification on the Orange City Council website (www.orange.nsw.gov.au), and
- social media.

All forms of the notice will 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 DPIE,
- the Gateway Determination, and
- any studies and supporting material relied upon by the Planning Proposal. This will primarily be the Heritage Conservation Area Review.

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 6 – Project Timeline

The anticipated project timeline for completion of the Planning Proposal is outlined in **Table 6**.

Table 6. Project timeline

Project stage	Commencement	Completion
Gateway Determination	Early April 2021	
Government Agency consultation	Late April 2021	May 2021
Public Exhibition Period	Late April 2021	May 2021
Public Hearing	Not anticipated to be required	
Consideration of Submissions	June 2021	June 2021
Consideration of post exhibition proposals (Report to Council)	August 2021	
Seeking and obtaining legal opinion from Parliamentary Counsels Office	August and September 2021	September 2021
Submission to DPE to finalise	October 2021	
Anticipated date Council will make the plan (if delegated)	November 2021	
Anticipated date Council will forward to DPE for notification	November 2021	

Attachments

[Attachment 1. Amend Schedule 1 Additional permitted uses](#)

The APU to be included in Schedule 1 Additional permitted uses and mapped.

Schedule 1 Additional Permitted Uses

5 Use of certain land at

- 1) This clause applied to the following land in Orange, identified as item 4 on the Additional Permitted Uses Map -
 - a) 344 Summer Street, being Lot 10 DP 1132756
 - b) 113 Endsleigh Avenue, being Lot 1 DP 797691
 - c) 115 Endsleigh Avenue, being Lot 8 DP 1069072 and Lot 1 DP 770265
 - d) 117 Endsleigh Avenue, being Lot 1 DP 79594
 - e) 119 Endsleigh Avenue, being Lot 1 DP 782656
 - f) 121 Endsleigh Avenue, being Lot 1 DP 196112
 - g) 122 Endsleigh Avenue, being Lot 1 DP 716499
 - h) 123 Endsleigh Avenue, being Lot 1 DP 543220
 - i) 124 Endsleigh Avenue, being Lot 721 DP 791552
 - j) Endsleigh Avenue, being Lot 15 DP 1134650
 - k) 102-110 Endsleigh Avenue, being Lot 11 DP 519990
 - l) 110A Endsleigh Avenue, being Lot 12 DP 519990
 - m) 155 Kite Street, being Lot 11 DP 1002968
 - n) 160 Kite Street, being Lot A DP 150529
 - o) 162 Kite Street, being Lot B and Lot D, 150529
 - p) 164 Kite Street, being Lot C 150529
 - q) 166 Kite Street, being Lot 1 DP 794527
 - r) 168 Kite Street, being Lot 1 DP 708884
 - s) 170 Kite Street, being Lot 61 DP 882905
 - t) 172 Kite Street, being Lot 2 DP 38847
 - u) 174 Kite Street, being Lot 3 DP 38847
 - v) 178 Kite Street, being Lot 5 DP 38847
 - w) 180 Kite Street, being Lot 6 DP 38847
 - x) 2-6 Bathurst Road, being Lot 10 DP 1069827
 - y) 10 Bathurst Road, being Lot 732 DP803342
 - z) 12 Bathurst Road, being Lot 1 DP 735260
 - aa) 16 Bathurst Road, being Lot 1 DP 90757
 - bb) 20 Bathurst Road, being Lot 815 DP 813348
 - cc) 24 Bathurst Road, being Lot 1 DP 89761
 - dd) 30-34 Bathurst Road, being Lot 1 DP 90199
 - ee) 36 Bathurst Road, being Lot 2 DP 507837
 - ff) 38 Bathurst Road, being Lot 38 DP 507837
 - gg) 85-89 McLachlan Street, being Lot 200 DP 1098143
 - hh) 168 Edward Street, being Lot 1 DP 799998
 - ii) 168 Edward Street, being Lot A DP 151880
 - jj) 170 Edward Street, being Lot 1 DP 194500
 - kk) 172-174 Edward Street, being Lot 1 and Lot 2 DP 795289

Development for the purpose of Multi dwelling, Residential flat buildings, Attached dwellings, Secondary dwellings, senior housing, childcare centre is permitted with development consent.

Additional Permitted Uses Map – APU 008C

Formal LEP mapping to be provided prior to public exhibition.



Figure 5: Lots subject to APU amendment

Attachment 2. Amend Height of Buildings Mapping

Height of Buildings Map – HOB 008C

Formal LEP mapping to be provided prior to public exhibition.



Figure 5: Lots subject to Height of Building amendment

Attachment 3. Eastside Precinct Plan and Site Specific Controls

Attachment under separate cover.

Attachment 4. Eastside Precinct Plan – Site Plans

Attachment under separate cover.