

PLANNING PROPOSAL

Orange Local Environmental Plan 2011 – Housekeeping Amendment (Administrative)

Prepared by Orange City Council

September 2025

Document Control

Version	Status	Date of Issue
A	FINAL—For Gateway Alteration	15 July 2025
B	DRAFT – For Gateway Submission	11 August 2025
C	REVISED FINAL – For Gateway Submission	10 September 2025

CONTENTS

Introduction.....	4
Part 1 – Objectives and Intended Outcomes.....	4
Part 2 – Explanation of Provisions.....	5
2.1 Heritage Corrections.....	5
2.2 Zoning minor updates.....	5
2.3 Land Use table updates.....	6
2.4 Clause Amendments	7
2.5 Schedule Amendments	10
Part 3 – Justification of Strategic and Site-Specific Merit	12
3.1 Strategic Merit.....	12
3.2 Site-Specific Merit.....	14
3.3 Matters for consideration.....	20
Part 4 – Maps	22
Part 5 – Community Consultation	24
Part 6 – Project Timeline.....	24
Attachments.....	25
Attachment 1 – Draft LEP Map Amendments (Heritage Layer)	25
Attachment 2 – Draft LEP Map Amendments (Land Zoning)	31
Attachment 3 – Draft LEP Map Amendments (ADDITIONAL PERMITTED USES)	34
Attachment 4 – Draft Clause Amendments	35
Attachment 5 – Copy of relevant land titles.....	39

INTRODUCTION

This Planning Proposal has been prepared by Orange City Council in accordance with Division 3.4 of the Environmental Planning and Assessment Act 1979 (EP&A Act) and the Local Environmental Plan Making Guideline (August 2023). The proposal seeks to undertake a series of minor “housekeeping” amendments to the Orange Local Environmental Plan (LEP) 2011 to correct mapping and schedule errors, update land use tables and clause references, resolve zoning anomalies, and facilitate minor community events.

The amendment is administrative in nature and does not facilitate significant development potential beyond that already envisaged by the LEP.

Part 1 – Objectives and Intended Outcomes

Objectives:

- To correct minor errors in heritage item schedules, mapping, and zoning layers.
- To resolve clause inconsistencies and administrative anomalies within the LEP.
- To enable community events through a simplified permitting process.
- To enhance the usability and accuracy of the LEP without changing strategic policy intent.

Intended Outcomes:

- Updated maps and schedules to accurately reflect the current cadastral and heritage information.
- Alignment of LEP zoning and land-use tables with actual land ownership and use.
- Update to the Land Use Table to facilitate Creative Industries in the Central Business District.
- Update to the Land Use Table to facilitate Secondary Dwellings in the R5 Large Lot Residential Zone.
- Amend a clause to remove a potential subdivision loophole under Strata or Community Title.
- Introduce an Additional Permitted Use for the E4 General Industrial Zone to allow development for the purpose of a Companion Animal Care Centre in the zone.
- Amend a clause to clarify the allowed size of secondary dwellings.
- Amend a clause in relation to buffer areas to enable the clause in more areas where appropriate.
- Create a new clause to permit minor community events without formal development consent.

Part 2 – Explanation of Provisions

2.1 HERITAGE CORRECTIONS

The 11 heritage corrections result from either discovery of errors or updates following registration of approved subdivisions. The proposed updates seek to improve the reliability of the LEP as an accurate reflection of the location of important heritage values that have been previously identified.

HERITAGE – SCHEDULE ONLY CORRECTIONS

1. **Item I53** – Amend schedule entry to correct item number from “II53” to “I53”.
2. **Item I273** – Correct street name typographical error to “Glenroi Avenue”.
3. **Item I318** – Remove duplicate listing for former Lot 93 DP 1120242 at 101-105 Burrendong Way.

HERITAGE – MAP ONLY CORRECTIONS

4. **Item I37** – Update mapping label for “Brownholm” house (currently mislabeled as part of I38).
5. **Item I106** – Correct mapping: move heritage overlay from 137 Edward Street to 135 Edward Street.
6. **Item I247** – Refine mapping to eastern parts of Lot 1 & Lot 2 DP 354656 at 350 Peisley Street.
7. **Item I346** – Expand heritage mapping for Spring Hill Cemetery to include part Lot 7300 DP 114472.
8. **Item I353** – Extend mapping of railway infrastructure (bridges & culverts) adjacent to multiple Huntley Road & Kinghorne Lane parcels.

HERITAGE – MAP AND SCHEDULE CORRECTIONS

9. **Item I71** – Update listing and mapping following subdivision: now 92 Woodward Street (Lot 1 DP 1307410); remove mapping from Lots 2 & 3 DP 1307410 and road reserve.
10. **Item I113** – Update listing and mapping to Lot 3 DP 1262729; remove mapping from Lot 1 DP 15399043.
11. **Item I286** – Update to Lot 5 DP 1311057 (170 Shiralee Road); remove mapping from superseded parent lots.

2.2 ZONING MINOR UPDATES

ZONING MINOR UPDATES

Changes 12 and 13 in this proposal relate to correcting the alignment of two areas of RE1 land away from established residential houses and one spot rezoning from R1 to E4.

12. Realign RE1 Public Recreation zone at 8 Glendale Crescent and 24 Pine Ridge Drive to correctly apply to Lots 38 & 39 DP 841430, instead of neighbouring residential lots.
13. Correct RE1 zone alignment on Molong Road opposite Northstoke Way affecting residential properties from 32 – 36A Turner Crescent to remove minor RE1 encroachment into rear yards of the affected lots in Turner Crescent.

The RE1 changes will remove the RE1 zone from neighbouring residential properties which has arisen due to changes in the underlying cadastre and ensure that the RE1 zone is correctly applied to Council owned parks and reserves.

14. Rezone 205–207 Byng Street from R1 General Residential to E4 General Industrial to reflect existing approved industrial use.

The spot rezoning from R1 to E4 relates to 205 – 207 Byng Street which, although zoned residential, was approved for industrial use under the former Orange LEP 2000 by operation of clause 26 Development Near Zone Boundaries. As that clause was not rolled over into LEP 2011 it has forced the site to rely upon existing use rights for any subsequent change of use or change of operator.

This limits the flexibility of the site to accommodate uses that, while appropriate in an industrial context, would not fit within the scope of the previous development consents. Notably there are no residential homes on the northern side of Byng Street between McLachlan Street and William Street and as such the streetscape character of this block of Byng Street is entirely commercial / industrial.

Accordingly, the rezoning will recognise the established use and built form pattern by placing the property into a zone consistent with the adjoining industrial lands to the west.

2.3 LAND USE TABLE UPDATES

LAND USE TABLE UPDATE

15. **Land Use Table** - Add “creative industry” as an additional permitted land use in Zone E2 (Central Business District).

The term “creative industry” was established by the Department of Planning as part of the Creative Communities policy in December 2023. Defined as a sub term of Light Industries the use was automatically enabled in zones with that use. The scope of the definition is suitable for the E2 Zone which applies to the Orange Central Business District. The definition specifically includes a demonstration to the public, implying that these activities are likely to attract the general public.

Including this term in the land use table for the E2 zone will encourage a boost of foot traffic, thereby enhancing the trading performance in the CBD. This approach will also allow those creative industries that benefit from public attendance to be located in high visitation areas making them more viable, while also allowing creative industries that are more independent of public attendance to still seek suitable locations in traditional industrial estates.

The planning proposal therefore broadens support for the range of Creative Industry business models.

16. **Land Use Table** - Add “secondary dwellings” as an additional permitted land use in Zone R5 Large Lot Residential.

Secondary dwellings were originally omitted from the R5 zone on the advice of the Department of Planning. That advice indicated that as the use would be permissible in the zone via a SEPP pathway it would be redundant to list the use in the zone directly. Unfortunately this has had an unintended consequence of limiting secondary dwellings in the R5 zone to 60m². Elsewhere in the LGA secondary dwellings are able to call upon the provisions of clause 5.4 that also permits them to be up to 50% of the size of the principal dwelling.

The limitation of 60m² arises due to the construction of the clause in SEPP (Housing) where clause 52(2)(c)(ii) states:

if a greater floor area is permitted for a secondary dwelling on the land under another environmental planning instrument—the greater floor area.

The intent appears to be to mimic the operation of LEP clause 5.4 but the wording “permitted . . . on the land” requires that the use be permissible in the zone. Due to the Departments advice back in 2010 – 2011 the use was omitted from the zone and therefore under the OLEP is prohibited locking out the percentage rule from consideration.

Most land in the R5 zone is larger in size, often around 2ha. To limit the size of secondary dwellings on such lots to 60m² while allowing secondary dwellings in urban areas, with much smaller lot sizes, to be as large as 50% of the principal dwelling appears to be a perverse outcome.

The proposal therefore seeks to list secondary dwellings as permissible with consent in the R5 land use table, which will enable consideration under clause 5.4 of the percentage rule. This change is consistent with Section 9.2 Ministerial Direction 6.1

2.4 CLAUSE AMENDMENTS

AMENDMENT TO CLAUSE 4.1AA

17. **Clause 4.1AA** – Extend reinstated minimum lot size controls to Zones R1, R2, R5 and RU5 to close strata/community title loophole.

Currently, clause 4.1AA ensures that strata title and community title arrangements are not used as a means to circumvent the minimum lot size requirements in the RU1, C2, C3 and C4 zones. This is required to clause 4.1(4) creating an exception to the MLS for strata title and community title schemes. It is assumed that the exception exists to allow Residential Flat Buildings, Multi-dwelling housing and other forms of multiple dwelling developments to be subsequently strata or community titled, rather than as a means of being able to subdivide greenfield land to any size desired.

In the Orange context it is considered that the protection afforded by clause 4.1AA should be extended to the RU5, R1, R2 and R5 zones. Most of the R1 zone and substantial parts of the R2 zone have no minimum lot size applying to them and in such locations they do not require 4.1(4) exception to be able to be strata or community titled. Where Council has applied minimum lot sizes this is intended to regulate the appropriate level of density in various areas. All R5 and RU5 zones have corresponding minimum lot sizes applied and this is intended control the desired level of density.

Consequently, the absence of R1, R2, R5 and RU5 from the list of zones in clause 4.1AA leave open the potential for abuse resulting in greenfield subdivision patterns that with far smaller lots than anticipated. This in turn would place strain on the provision of public utilities and infrastructure as it would be difficult to anticipate the expected load or demand when rezoning new areas. The Orange Local Housing Strategy has identified a number of candidate areas that are anticipated to be rezoned to one or more of these zones. Provisioning services for these areas needs some degree of reliability in terms of anticipated yield.

The RU5 zone applies to the villages of Lucknow and Spring Hill only. These villages have traditional lot sizes of 1000m² and above. In this instance the absence of the RU5 zone from clause 4.1AA risks enabling a much higher density of development than has been anticipated. Such intensification is likely to alter the character

of the villages, both of which are listed as heritage conservation areas and also contain individual heritage items. Inclusion of RU5 in the 4.1AA clause will assist in maintaining these important cultural values.

Clause 4.1B provides some flexibility in relation to dual occupancies and multi-dwelling housing in areas that are subject to minimum lot sizes.

AMENDMENT TO CLAUSE 4.1B

18. **Clause 4.1B** – to be renamed to remove reference to Residential Flat Buildings as these are not mentioned in the body of the clause.

The clause title includes “residential flat buildings” despite this term not being referenced in the body of the clause. The proposal seeks to remove this reference to avoid ambiguity or confusion.

AMENDMENT TO CLAUSE 5.5

19. **Clause 5.5** – Amend to permit secondary dwellings in rural zones up to the greater of 60m² or 50% of the principal dwelling floor area.

Clause 5.5 establishes the maximum floor area for secondary dwellings in rural zones. Currently the clause applies to the greater of either 0m² or 50% of the total floor area of the principal dwelling.

The 0m² provision is an error, presumably arising from the introduction of the clause in November 2021. This view is formed on the basis that a) clause 5.5 was introduced by the State government in November 2021 and b) there has been no policy decision by Council to establish the 0m² criteria. Council has in reviewing this planning proposal effectively nominated the standard that is now being sought.

All other secondary dwellings in Orange, whether permitted under the LEP or via a SEPP have the criteria of 60m² or 50% of the principal dwelling. The Housing SEPP itself seeks to establish the criteria of 60m² or “if a greater area is permitted for a secondary dwelling on the land under another environmental planning instrument – the greater floor area” CI 52

Given that the clause specifically relates to rural zones, where the typical lot is assumed to have more land than land in urban zones, it is appropriate to amend the clause to be consistent with the prevailing standard of 60m² or 50% of the principal dwelling.

Consequently amending clause 5.5(a)(i) to be 60 square metres will make the clause consistent with the clause 52 of the Housing SEPP and clause 5.4(9) of the LEP. It should be noted that amending this clause does not in itself establish permissibility for secondary dwellings, as that is a matter for the land use table under the LEP, or via the relevant provisions of the SEPP.

AMENDMENT TO CLAUSE 7.15

20. **Clause 7.15** – Replace specific reference to “Shiralee Hilltop Park Buffer” with general term “Development in Buffer Areas” to capture Redmond Place precinct.

The title of the clause references the “Shiralee Hilltop Park Buffer Area” as this was the only area considered at the time of the introduction of the clause. Subsequently Council has relied upon a similar “buffer area” mechanism in relation to the Redmond Place Precinct (subject to clauses 7.16 and 7.17).

The purpose of the clause is to ensure that newly rezoned greenfield areas with specific urban design outcomes are temporarily exempted from the application of State Environmental Planning Policy (Exempt and Complying Development Codes) for a period of 10 years.

By amending the clause to remove references to Shiralee Hilltop Park and relying instead on the more general term Buffer Area and adjusting subclause 4 into a table that establishes dates for each relevant precinct, the proposal will make this mechanism more broadly available.

The planning proposal that created the Redmond Place Precinct was assessed by the rezoning pathway for social and affordable housing, by the Special Activation Precinct (SAP) team. Council staff had requested that a similar buffer be applied to the lots that would front the main road across from the linear park. The parkland forms a very important entrance to the city and Council is keen to ensure that the visual appeal of this entrance is not compromised by generic CDC style development. The fact that the buffer was established but in a manner that does not trigger the current form of clause 7.15 is disappointing and we request the State government to rectify this oversight.

Accordingly, the proposal seeks to:

- Re-title the clause as Development in Buffer Areas
- Replace the reference to 'Shiralee Hilltop Park Area' in subclause 1 to read 'identified buffer areas'.
- Redraft subclause 4 to establish a table where one column identifies specific areas such as Shiralee Hill Top Park or Redmond Place Precinct and another column establishes the date on which the clause ceases to have effect for that area. An example draft of this change is shown below.

(4) this clause ceases to have effect on the land identified in Column 1 of the Table to this clause on the corresponding date shown in Column 2 of the Table.

Column 1

Shiralee Hill Top Park
Redmond Place Precinct

Column 2

1 August 2034
1 July 2035

21. **New Clause 7.18** – creation of a new clause to facilitate events permitted without development consent. Creation of a new clause to facilitate the holding of community based events, meetings, exhibitions and the like without needing to undertake a formal development application. (Refer to Attachment 4 for indicative drafting of the proposed new clause). Council frequently receives requests and enquiries – often at short notice – from community organisations and groups seeking to hold a public event. Such events are generally regarded as providing a positive contribution to the social and economic fabric of Orange.

This is modelled on clause 7.12 of the Greater Taree Local Environmental Plan 2010. The clause differs from the standard clause 2.8 Temporary Use of Land by enabling a range of community events without the need to seek development consent. As landowner of public reserves and local roads Council can manage such events through a streamlined permitting process and Roads Act approvals.

Many event organisers (often out of ignorance) will leave seeking formal permission for small scale events until late in the process up to and including the day before the event is due to be held. As such even a streamlined DA lodged under clause 2.8 would block the event from occurring in the timeframe

desired. Such events are an important aspect of both the local economy and cultural life of the city and Council wishes to enable rather than obstruct such events.

The proposed clause avoids the need for lengthy assessment processes and public notification, and Council can manage impacts through permitting processes with standard requirements for matters such as hours of operation, public address systems, toilet and waste facilities and post event clean up.

7.18 Events permitted without development consent

- (1) The objective of this clause is to provide for the temporary use of public reserves and public roads for exhibitions, meetings, concerts or events.
- (2) Despite any other provision of this Plan, development (including any associated temporary structures) for the purpose of a temporary event may be carried out on a public reserve or public road without development consent.

Note— Other approvals may be required, and must be obtained, under other Acts, including the Local Government Act 1993, the Roads Act 1993 and the Crown Land Management Act 2016. Planning Proposal (Administrative Amendment) 9

- (3) In this clause—

public reserve has the same meaning as in the Local Government Act 1993.

temporary event means an exhibition, meeting, concert or other event that is open to the public for which land is used for a period of not more than 52 days (whether or not consecutive) in any period of 12 months.

2.5 SCHEDULE AMENDMENTS

22. **120 Calton Road** – Repeal entry 4 in relation to 120 Calton Road as the 2 year sunset provision has now expired and remove the related item 3 from the Additional Permitted Uses Map.

Schedule 1 entry 4 relates to enabling a dwelling entitlement on land at 120 Calton Road. This listing is subject to a 2 year sunset provision which has now lapsed. The dwelling entitlement was not acted upon in this period and has therefore been lost. The Planning Proposal seeks to repeal this entry from the schedule in the interest of removing any doubt or ambiguity as to the dwelling entitlement remaining.

23. **Companion Animal Care Centres in Zone E4 General Industrial** – creation of a new entry in schedule 1 to allow with consent development for the purposes of a Companion Animal Care Centre. Legal opinion provided to Council affirms that the use is distinct from an “animal boarding or training establishment” as it lacks the provision of overnight accommodation for the animals and does not involve any element of training.

This would cause the use to default to Business Premises. Due to the nature of the operation, the minding of multiple dogs throughout the day, the use is unlikely to be appropriate in conventional commercial / business areas. Potential for noise generation and odour suggests an industrial zone is more appropriate. However, enabling business premises in the E4 zone may result in a flight of other



business premises from the CBD. For this reason Council wishes to enable the use in an appropriate zone without jeopardizing the trading performance of established commercial precincts.

The use is best defined as the temporary care and management of domestic companion animals for commercial purposes but does not include breeding, overnight boarding, training or keeping of animals.

Part 3 – Justification of Strategic and Site-Specific Merit

3.1 STRATEGIC MERIT

The strategic merit of the proposal draws primarily from the need to ensure the orderly and efficient development of land within the Orange LGA is maintained.

Consistency with Strategic Planning Frameworks

This Planning Proposal is consistent with the applicable strategic planning documents, Ministerial Directions, and State Environmental Planning Policies, as outlined below:

- **Central West and Orana Regional Plan 2041**

The proposal supports key directions of the Regional Plan, particularly:

- Direction 12: Enhance the productivity of the region's agricultural lands, through the removal of a lapsed Additional Permitted Use (APU) on biophysical strategic agricultural land at 120 Calton Road, thereby reinforcing rural land protections.
- Direction 17: Revitalise and strengthen regional city and local centres, through amendments that enable and encourage Creative Industries in the Orange CBD, contributing to economic diversification, activation of public spaces, and creative employment opportunities.
- Direction 20: Protect and celebrate heritage, by correcting heritage schedule and mapping entries to ensure greater accuracy and protection of known cultural and historic values.

Orange Local Strategic Planning Statement (LSPS) 2020

The proposal aligns with the LSPS priorities as follows:

LIVEABILITY AND PLACE IDENTITY

- Planning Priority 6: Protect and celebrate our heritage assets
"Orange has a rich and layered history that is visible in the built and natural environment. Protection of these assets is important to reinforce the city's identity and narrative."

The proposed corrections to the heritage schedule and mapping directly support this priority by ensuring identified assets are accurately represented and protected.

ECONOMIC PROSPERITY

- Planning Priority 8: Grow and diversify the economy
"There is potential for the city to foster creative industries and innovation sectors, particularly in the Central Business District, supporting a vibrant economy."

The land use table amendment to include Creative Industry in the E2 Zone reflects this aspiration and supports the development of knowledge-based and cultural sectors.

- Planning Priority 9: A vibrant city centre
“Continue to encourage activation and diversity of land uses in the CBD that support retail, entertainment, professional services, and the creative sector.”

The proposed changes facilitate such activation through expanded permissible uses tied to public interaction and creative production.

ENVIRONMENTAL SUSTAINABILITY

- Planning Priority 2: Manage urban growth efficiently
“Ensure that rural land is not prematurely or unnecessarily fragmented in ways that could compromise its long-term value or constrain future land use flexibility.”

The amendment to restrict unintended subdivision under strata/community title further supports efficient and intentional growth management.

- Planning Priority 3: Protect and manage valued environmental and agricultural land
“Protecting agricultural lands and environmental assets from fragmentation and incompatible development is critical for long-term sustainability.”

Removal of the lapsed APU at 120 Calton Road and the boundary adjustment clause for rural and environmental zones uphold this principle by preventing ad hoc increases in dwelling entitlements.

Ministerial Directions under Section 9.1 of the EP&A Act

The Planning Proposal is consistent with relevant Directions, including:

- **Direction 1.1 – Implementation of Regional Plans**

This direction applies as the proposal relates to land to which the Central West and Orana Regional Plan applies and requires that the planning proposal be consistent with the regional plan.

The Planning Proposal directly supports implementation of the Central West and Orana Regional Plan 2041, refer to discussion under section 3.1, and will give legal effect to the vision, strategy, directions, goals and actions of the regional plan.

- **Direction 3.2 – Heritage Conservation**

This direction applies as the Planning Proposal makes amendments to the heritage schedule and heritage map.

The Planning Proposal complies with the direction by improving the accuracy of heritage mapping and scheduling, and ensuring statutory protection aligns with actual site conditions. This update will assist in conserving items, areas, objects and places of environmental heritage significance.

- **Direction 6.1 – Residential Zones**

This direction applies as the proposal will affect land within existing residential zones.

The proposal seeks to rezone one lot at 205-207 Byng Street from residential to industrial, reflecting the current use and past approvals on the site. This will result in a minor loss of residential potential but this is offset by the employment potential of the site. See section 2.2 item 14 and section 3.2 for further discussion.

The proposal also seeks to add Secondary dwellings into the R5 Large Lot Residential zone as permissible with consent. This will remove an impediment to secondary dwellings that are currently capped at 60m² in the zone due to a historic omission of the use from the zone on the advice of the department of planning. See section 2.3 item 16 for further discussion.

On balance the proposal is broadly consistent with the Direction as it will enable more residential opportunities in the form of secondary dwellings in the R5 zone which will more than offset the theoretical loss of a single lot in Byng Street.

- **Direction 7.1 –Employment Zones**

This direction applies as the proposal will affect land within an existing Employment Zone.

The proposal complies by enabling Creative Industries in the E2 CBD Zone without undermining core commercial functions. Additionally, the proposal will enable a “companion animal care centre” concept in the E4 General Industrial zone and also rezone an existing commercial building from residential to E3 Productivity Support.

These changes will encourage employment growth in suitable locations, protect employment land in employment zones and support the viability of the CBD and existing industrial estates.

State Environmental Planning Policies (SEPPs)

The proposal does not conflict with the aims or provisions of any applicable SEPPs and complements:

- SEPP (Exempt and Complying Development Codes) 2008: by clarifying the scope of temporary exclusions in newly rezoned buffer areas such as Shiralee and Redmond Place, thereby preserving urban design outcomes during key transition periods.
- SEPP (Primary Production and Rural Development) 2021: by ensuring rural boundary adjustments do not inadvertently increase dwelling entitlements or reduce agricultural viability.

3.2 SITE-SPECIFIC MERIT

The various components of the proposal are considered to have strategic merit as follows:

Additional Permitted Use Schedule change

The Planning Proposal seeks to repeal an APU entry in relation to 120 Calton Road. The land is within and surrounded by the C3 Environmental Management Zone and is also on land classed as Biophysical Strategic Agricultural Land (BSAL). The land and neighbouring properties are subject to a 100ha minimum lot size in

recognition of their agricultural value. Removal of the APU listing is considered to affirm the intent to protect the agricultural value of the area.

Heritage Corrections

- Schedule only corrections

- **Item I53** “Chinamen’s Bend Cemeteries” is currently listed as I153 (with a duplicate letter I) which causes confusion with item I153 “Five Ways Uniting Church”. The proposal will remove the duplicate letter I from Item I53 “Chinamen’s Bend Cemeteries”. This will improve the reliability of the schedule.
- **Item I273** is currently listed as being located at 33-45 Glenroi Street. The correct address is “Glenroi Avenue”. The proposal will replace Street with Avenue to correctly align with the street address thereby improving reliability of the schedule.
- **Item I318** and **Item I138** appear to be a duplication of the same heritage item. This may be due to a slight boundary adjustment having occurred. Item I138 relates to the current Lot 3 DP 12233201, while item I318 relates to Lot 93 DP 1120242 which no longer exists. However the label on the heritage map currently reads I318 and the polygon is consistent with the current boundaries of Lot 3 DP 12233201.

Accordingly, the proposal will delete the entry for item I138 entirely and update the Lot and DP information for Item I318 to read Lot 3 DP 12233201. This will align the schedule to the existing heritage map and improve the reliability of both.

- Map only corrections

- **Item I37** – Update mapping label for “Brownholm” house (currently mis-labelled as part of I38).
- **Item I106** – Correct mapping: move heritage overlay from 137 Edward Street to 135 Edward Street.
- **Item I247** – Refine mapping to eastern parts of Lot 1 & Lot 2 DP 354656 at 350 Peisley Street.
- **Item I346** – Expand heritage mapping for Spring Hill Cemetery to include part Lot 7300 DP 114472.
- **Item I353** – Extend mapping of railway infrastructure (bridges & culverts) adjacent to multiple Huntley Road & Kinghorne Lane parcels.

- Map and schedule corrections

- **Item I71** – Update listing and mapping following subdivision: now 92 Woodward Street (Lot 1 DP 1307410); remove mapping from Lots 2 & 3 DP 1307410 and road reserve.
- **Item I113** – Update listing and mapping to Lot 3 DP 1262729; remove mapping from Lot 1 DP 15399043.
- **Item I286** – Update to Lot 5 DP 1311057 (170 Shiralee Road); remove mapping from superseded parent lots.

Zoning Map Corrections

- 8 Glendale Crescent and 24 Pine Ridge Drive.

The RE1 zone is currently mapped intruding onto residential properties at:

- 7 Glendale Crescent (Lot 37 DP 841430),

- 5 Westhaven Place (Lot 22 DP 829469),
- 15 Pine Ridge Drive (lot 23 DP 829469) and
- 22 Pine Ridge Drive (Lot 25 DP 829469).

These above lots adjoin Council owned land at:

- 8 Glendale Crescent (lot 38 DP 841430) and
- 24 Pine Ridge Drive (Lot 39 DP 841430).

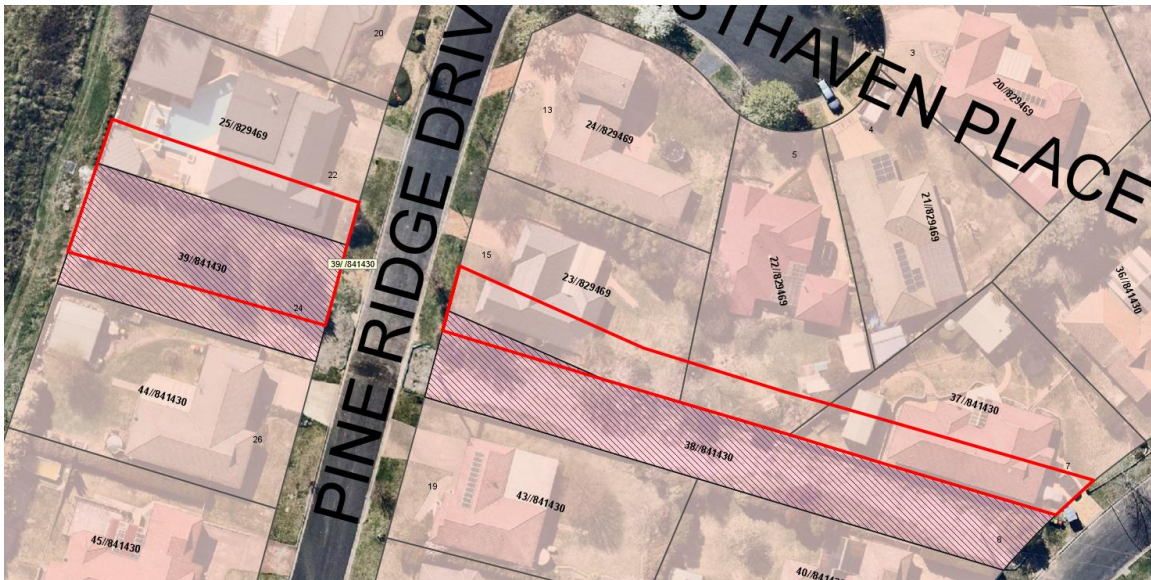


Figure 1 aerial image of misalignment between Council Land and the RE1 zone boundary

Figure 1 above the council owned lands are shown hatched, these are currently maintained as midblock pedestrian linkages. The heavy red outline illustrates the current RE1 zoned land, which currently encompasses part of three dwellings and the yard area of four.

The Council owned land is managed as a public reserve and is best suited for the RE1 zone. It should be noted that prior to amendment 24 the RE1 zone and Council owned land were properly aligned (Figure 2). It is not clear how or why the current misalignment emerged. Amendment 24 was, in part, responding to a change to the NSW cadastre that occurred a few years ago. This error appears to have emerged from that process.

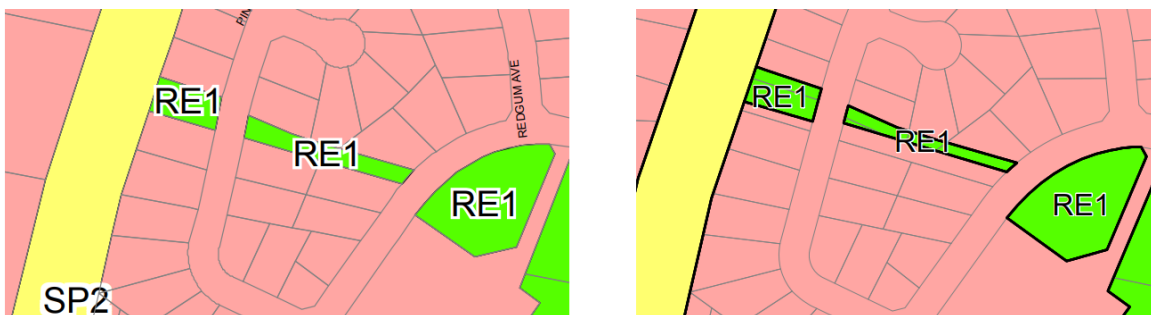


Figure 2 Original Zone alignment (left) Zone Alignment post Amendment 24 (right)

The council owned lands have the same area and dimensions as the RE1 zone polygon and are identified as a public reserve. The privately owned land identified above have each been developed for normal residential purposes consistent with the R2 zone that generally applies in the area. It is therefore considered that the zoning and cadastre have 'slipped' out of alignment during an unknown update of the latter.

A title search of the affected properties has not revealed any reason for the neighbouring properties to be partially zoned RE1 Public Recreation (refer Attachment 5).

The proposal will enhance the accuracy of the LEP by correcting the zoning map to apply the RE1 zone to Lots 38 & 39 DP 841430 and restore the R2 Low Density Residential zone to the neighbouring private dwellings. This will ensure the orderly use and future development / redevelopment of the private dwellings described above.

- 32 – 36A Turner Crescent

The RE1 zone is currently mapped intruding onto residential properties at:

- 32 Turner Crescent (Lot 208 DP 1279673)
- 32A Turner Crescent (Lot 207 DP 1279673)
- 34 Turner Crescent (Lot 206 DP 1279673)
- 32A Turner Crescent (Lot 205 DP 1279673)
- 36 Turner Crescent (Lot 204 DP 1279673)
- 36A Turner Crescent (Lot 203 DP 1279673)

These lots adjoin Council owned land fronting onto Molong Road known as Lot 196 DP 1007290. The intrusion of the RE1 zone onto the residential lots consists of a small sliver being approximately 500mm at its widest point. This appears to be a minor but clear misalignment of the Zone and Cadastral boundaries.

The proposal will enhance the accuracy of the LEP by correcting the zoning map to apply the RE1 zone to Lot 196 DP 1007290 and restore the R2 Low Density Residential zone to the neighbouring private dwellings. This will ensure the orderly use and future development / redevelopment of the private dwellings described above.

- 205 – 207 Byng Street

The land at 205–207 Byng Street (Lot A DP 151915) is currently zoned R1 General Residential and it adjoins the E4 General Industrial zone to the immediate west of the site. Historically, Orange LEP 2000 contained clause 26 *Development Near Zone Boundaries* which enabled consent for uses on land that adjoin a neighbouring zone if the proposed use was permissible in that adjoining zone. This was effectively the equivalent of standard instrument clause 5.3 *Development Near Zone Boundaries*, which has not been adopted by Orange LEP 2011.

Under Orange LEP 2000, half of the land was approved for a public building (central west group apprentices), which would broadly match the standard instrument definition of Industrial Training Facility. While the remainder of the site was approved as a commercial/warehouse use. Both of these uses relied upon clause 26 of the Orange LEP 2000.

As a result of the adoption of Orange LEP 2011 these uses are now reliant upon existing use rights provisions which significantly restricts the ability of the site to support a commercial or industrial change of use. The built form is that of a pair of traditional warehouse / factory units and are not suitable for conversion to residential use.

The adjoining land to the west in Byng Street is commercial / industrial in nature while to the immediate east is commercial use occupying a traditional, heritage listed, corner store style of building. As such there is no residential character to the northern side of this block of Byng Street (between McLachlan Street and William Street).

The proposal will therefore rezone 205 – 207 Byng Street from the current R1 General Residential zone to the E4 General Industrial Zone to better reflect the existing approved industrial use and the streetscape character of this part of the Byng Street. This will allow for the orderly and efficient use of the land by enabling a range of potential use changes consistent with the built form and neighbourhood context.

The current use was approved as DA 365/2007(1) under LEP 2000 clause 26 Development near zone boundaries with the notice of determination issued 3 October 2007. Later when LEP 2011 was adopted in February of 2012 Council decided not to adopt a similar development near zone boundaries clause (i.e. standard instrument clause 5.3).

This decision effectively stranded the site in a manner that was never anticipated by the site owner when seeking the original approval, nor was it the intention of Council to pressure such sites to revert to residential usage. In short the current proposed rezoning can be seen as correcting an oversight made when Orange LEP 2011 was adopted, due to not having the resources to fully survey every property on a zone boundary that might have been approved under LEP 2000 clause 26.

Google streetview images have captured the site 8 times between 2008 and 2024 (Figure 3). The building has been utilized for commercial / trades purposes throughout showing periodic updates to the façade, which suggest a willingness of the current owner to maintain and refresh the premises over time. The building is structurally sound with many years of economic life remaining. As such it is extremely unlikely to be converted to residential use. Rezoning it now to reflect its current use and built form will enable a more orderly use of the land and secure its ongoing contribution to the local economy.

Section 9.1(2) Ministerial Direction 6.1 relates to residential zones and applies to all planning proposals that will affect land within an existing residential zone. Under the Direction a planning proposal must include provisions that 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.

Secondly 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.



Figure 3 street view images from 2008 - 2024 showing changes in facade

In respect of this Direction and the proposed rezoning of 205-207 Byng Street the proposal is inconsistent with the requirements (other than making efficient use of existing infrastructure and

services). The main inconsistency being that it will reduce the permissible residential density of the land to zero.

However, the direction states that a proposal may be inconsistent with the direction if the inconsistency is of minor significance. Given the existing development of the site, the remaining structural lifespan of the buildings, the context of being situated alongside industrial / commercial uses. In this regard the loss of a single 936m² lot will have a negligible effect on housing supply and is offset by the additional employment potential provided by the current industrial buildings.

3.3 MATTERS FOR CONSIDERATION

SECTION A – NEED FOR THE PLANNING PROPOSAL

1. Is the planning proposal a result of an endorsed LSPS, strategic study or report?

No. The matters in the Planning Proposal have been identified through the normal course of administering and regulating development in the LGA.

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

The Planning Proposal is considered to comprise the best method of achieving each of the objectives. Relevant alternatives considered include:

- Proposing a new definition for the dictionary to enable companion animal centres to be directly added to the land use tables. It is understood that dictionary terms have to be applied to all LEPs in the state and therefore this approach would have broader implications beyond the LGA.

SECTION B – RELATIONSHIP TO THE STRATEGIC PLANNING FRAMEWORK

3. 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)?

Yes. See discussion under section 3.1

4. Is the planning proposal consistent with a Council LSPS that has been endorsed by the Planning Secretary or GCC, or another endorsed local strategy or strategic plan?

Yes. See discussion under section 3.1

5. Is the planning proposal consistent with any other applicable State and regional studies or strategies?

Given the administrative nature of the proposal, no other applicable State or regional studies are considered relevant.

6. Is the Planning Proposal consistent with applicable SEPPs?

Yes. See discussion under section 3.1

7. Is the Planning Proposal consistent with applicable Ministerial Directions (section 9.1 Directions) or key government priority?

Yes. See discussion under section 3.1

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 because of the proposal?

No. Any minor impact arising from secondary dwellings in rural areas will be assessed as part of the DA process.

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

No. Any minor impacts arising from the proposal will be addressed during DA assessment processes.

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

Yes. Most changes proposed are minor administrative matters.

- The addition of companion animal care centres in the E4 General Industrial zone will marginally increase the range of economic opportunities.
- Clarification of the treatment of secondary dwellings in the R5 and rural zones will marginally increase the provision of housing.
- The spot rezoning of 205-207 Byng Street to industrial will better reflect the current use of the site and enable future changes of use to occur in a more orderly and efficient manner.

SECTION D – INFRASTRUCTURE (LOCAL, STATE AND COMMONWEALTH)

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

Yes. The minor administrative nature of the proposal is not considered to add demand for public infrastructure.

SECTION E – STATE AND COMMONWEALTH INTERESTS

12. What are the view of State and Federal public authorities and government agencies consulted in order to inform the Gateway determination?

Unknown, given the minor administrative nature of the proposal there has been no preliminary consultation with State or Federal public authorities. Council will engage with any public agencies required by the Gateway Determination.

Part 4 – Maps

HER - Heritage Map changes

HER_007D

- **Item I247 – 350 Peisley Street.** Refine mapping to eastern parts of Lot 1 & Lot 2 DP 354656 at 350 Peisley Street.

HER_008A

- **Item I71 – 92 Woodward Street.** Update mapping following subdivision: item is now Lot 1 DP 1307410; remove heritage mapping from Lots 2 & 3 DP 1307410 and road reserve.

HER_008B

- **Item I286 – 170 Shiralee Road.** Update map to match Lot 5 DP 1311057; remove mapping from superseded parent lots (172 – 176 Shiralee Road).

HER_008C

- **Item I37 – 82 Byng Street.** Update mapping label for “Brownholm” house (currently mislabelled as part of I38).
- **Item I106 – 137 Edward Street and 135 Edward Street** Correct mapping: remove heritage overlay from 137 Edward Street and create heritage overlay on 135 Edward Street.

HER_008D

- **Item I113 – 84 Brabham Way** Update mapping to Lot 3 DP 1262729; remove mapping from Lot 1 DP 15399043.

HER_015

- **Item I346 – Spring Hill Cemetery.** Expand heritage mapping for Spring Hill Cemetery to include part Lot 7300 DP 114472.

HER_008D and HER_009

- **Item I353 –** Extend mapping of railway infrastructure (bridges & culverts) adjacent to multiple Huntley Road & Kinghorne Lane parcels.
Part Lot 7603 DP 1290581 and part Lot 1 DP 1155339, Part Lot 7604 DP 1290587 and part Lot 12 DP 817638,

LZN - Land Zoning Map to be updated in relation to land at:

- 8 Glendale Crescent (Lot 38 DP 841430) to be fully zoned RE1 Public Recreation
- 7 Glendale Crescent (Lot 37 DP 841430) to be fully zoned R2 Low Density Residential



- 5 Westhaven Place (Lot 22 DP 829469) to be fully zoned R2 Low Density Residential
- 15 Pineridge Drive (Lot 23 DP 829469) to be fully zoned R2 Low Density Residential
- 24 Pineridge Drive (Lot 39 DP 841430) to be fully zoned RE1 Public Recreation
- 22 Pineridge Drive (Lot 25 DP 829469) to be fully zoned R2 Low Density Residential
- 32 – 36A Turner Crescent (Lots 203-208 DP 1279673) to remove minor RE1 encroachment, leaving each lot as R2 Low Density Residential.
- 205–207 Byng Street (Lot A DP 151915) to be rezoned from R1 General Residential to E4 General Industrial.

Additional Permitted Uses Map

APU_008D – 120 Calton Road to be updated to remove Item 3 and the mapping of 120 Calton Road.

Part 5 – Community Consultation

The Planning Proposal is anticipated to follow the “basic” amendment pathway as outlined in the LEP Plan Making Guidelines (August 2023). Public exhibition will be undertaken for a minimum of 28 days in accordance with the Gateway Determination, including notification via the NSW Planning Portal, Council’s website, and local press. Agencies with a specific interest in heritage or infrastructure will be notified directly.

Part 6 – Project Timeline

Project Stage	Anticipated Start	Anticipated Completion
Gateway Determination	Early August 2025	Late August 2025
Agency Consultation	September 2025	Early October 2025
Public Exhibition	September 2025	Early October 2025
Post-Exhibition Review	Early October 2025	Early November 2025
Legal Drafting & PCO Review	Early November 2025	Late November 2025
LEP Finalisation & Gazettal	December 2025	December 2025

Attachments

ATTACHMENT 1 – DRAFT LEP MAP AMENDMENTS (HERITAGE LAYER)

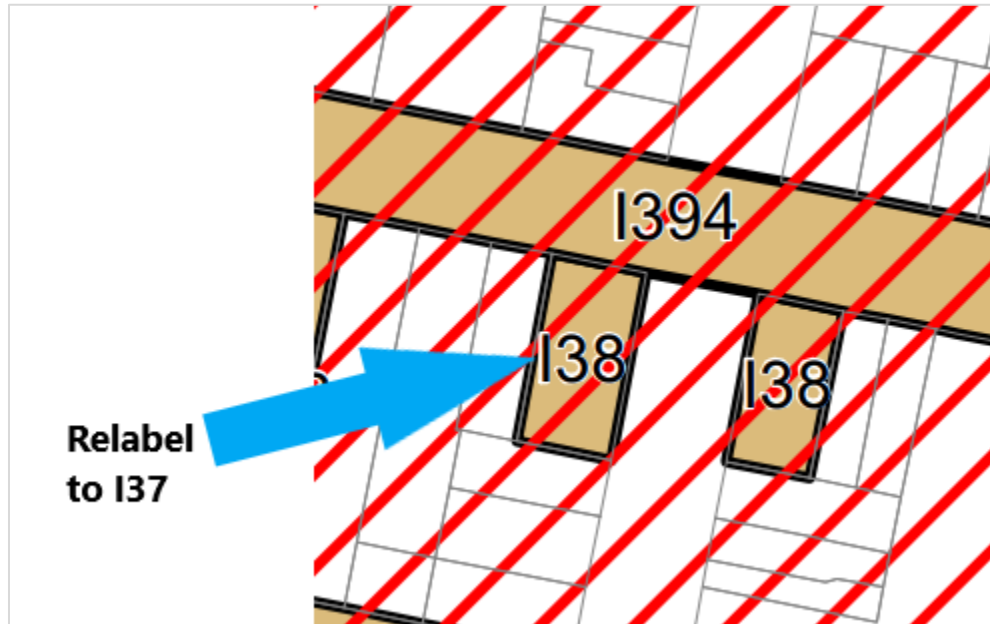


Figure 4 Heritage Item I37 – Update mapping label for “Brownholm” house (currently mislabelled as part of I38).

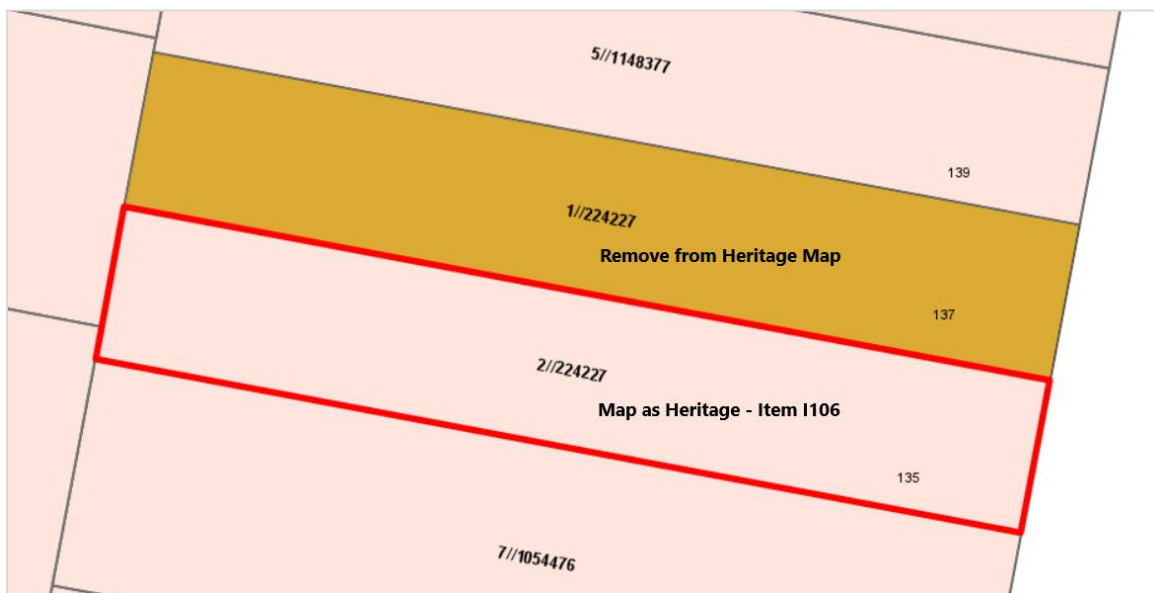


Figure 5 Heritage Item I106 – Correct mapping: remove 137 Edward Street, map 135 Edward Street.

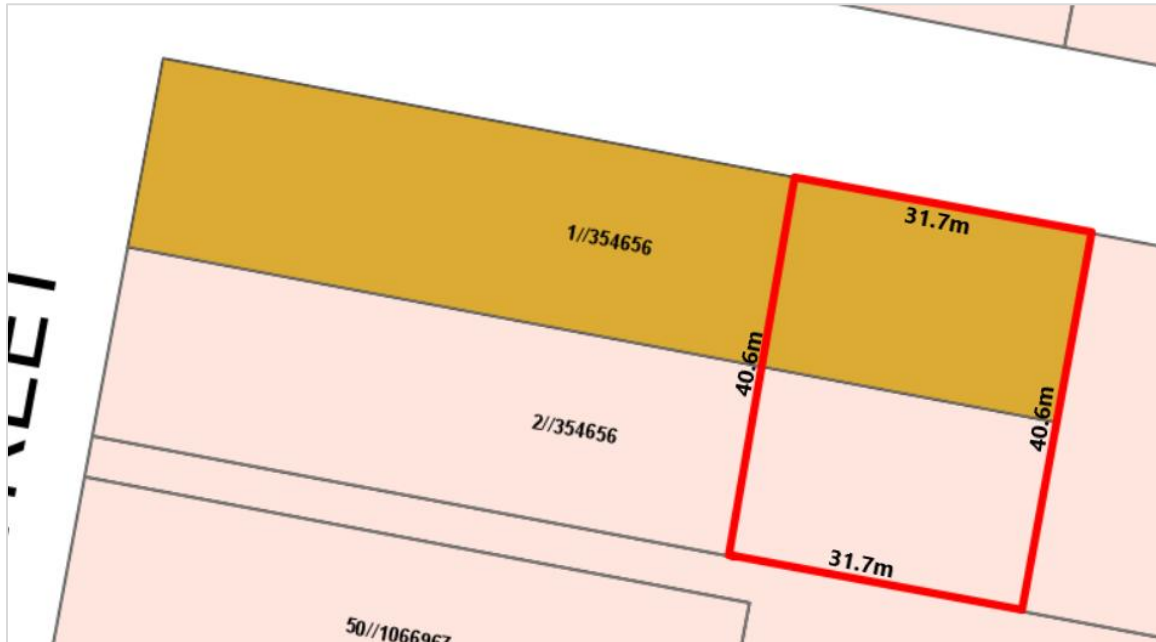


Figure 6 Heritage Item I247 – Refine mapping to eastern parts of Lot 1 & Lot 2 DP 354656 at 350 Peisley Street.

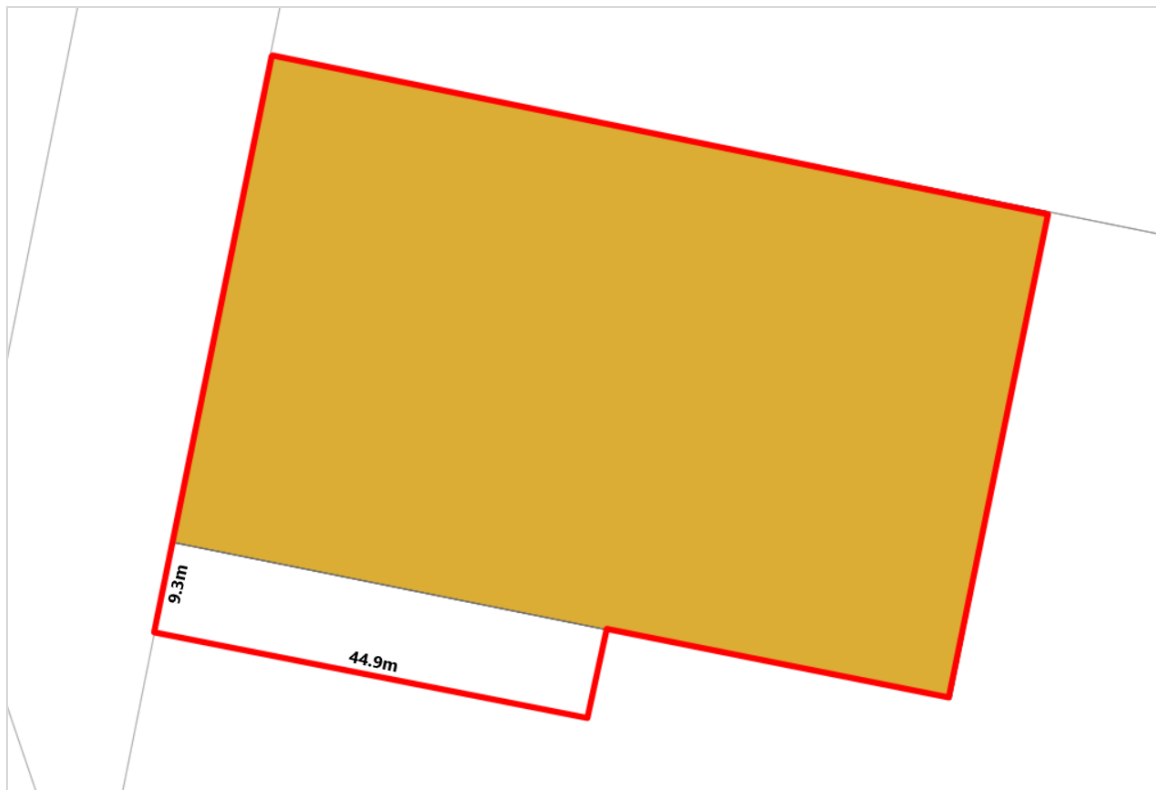


Figure 7 Heritage Item I346 – Expand Spring Hill Cemetery to include part Lot 7300 DP 114472.

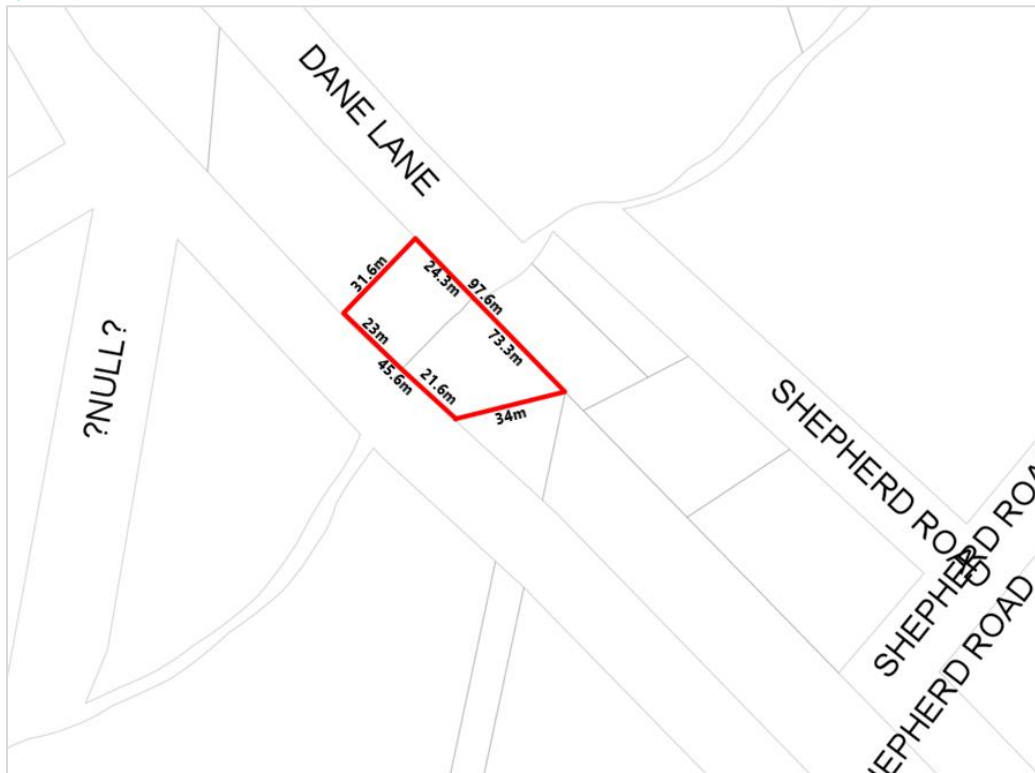


Figure 8 Heritage Item I353 - Part A (railway infrastructure (bridges & culverts))

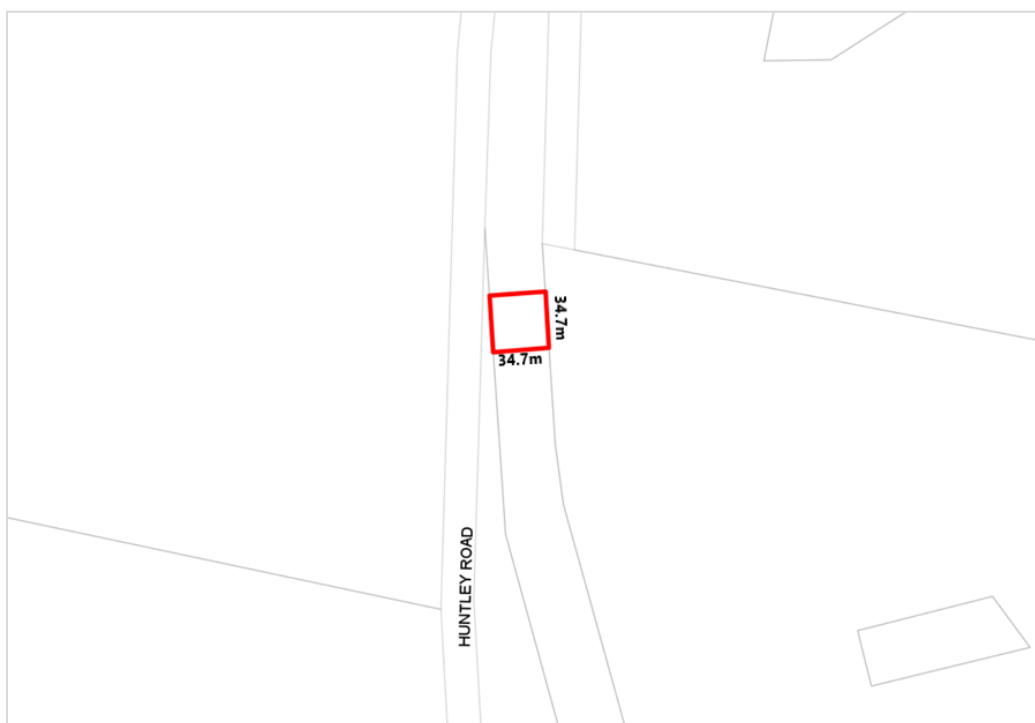


Figure 9 Heritage Item I353 - Part B (railway infrastructure (bridges & culverts))

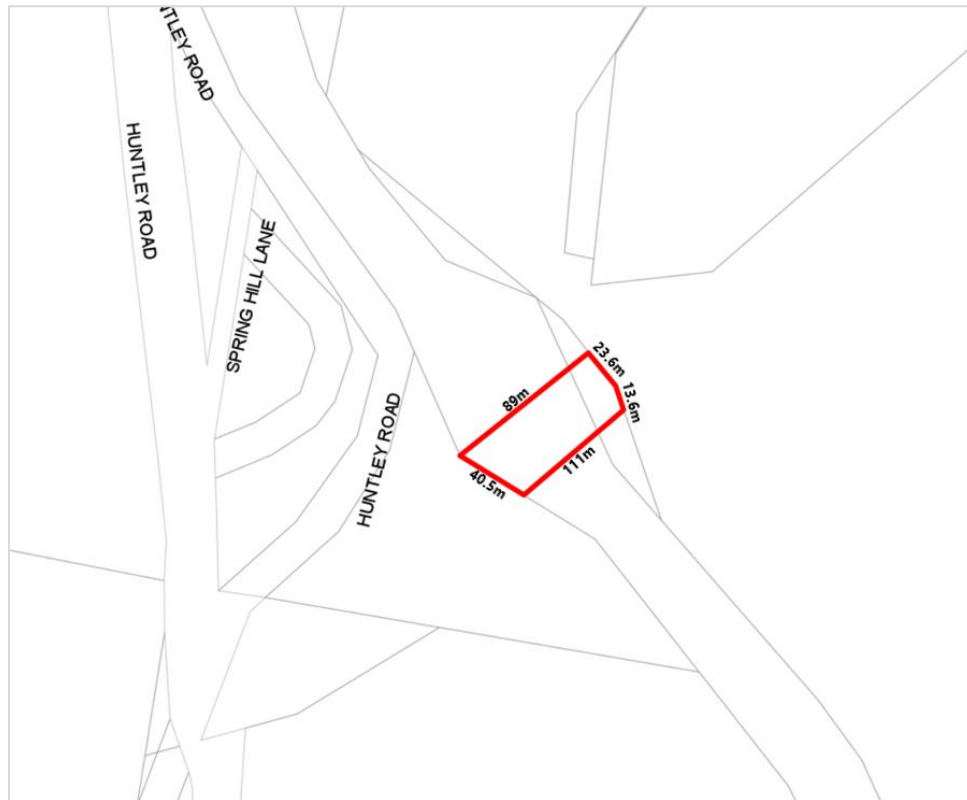


Figure 10 Heritage Item I353 - Part C (railway infrastructure (bridges & culverts))



Figure 11 Heritage Item I353 - Part D (railway infrastructure (bridges & culverts))

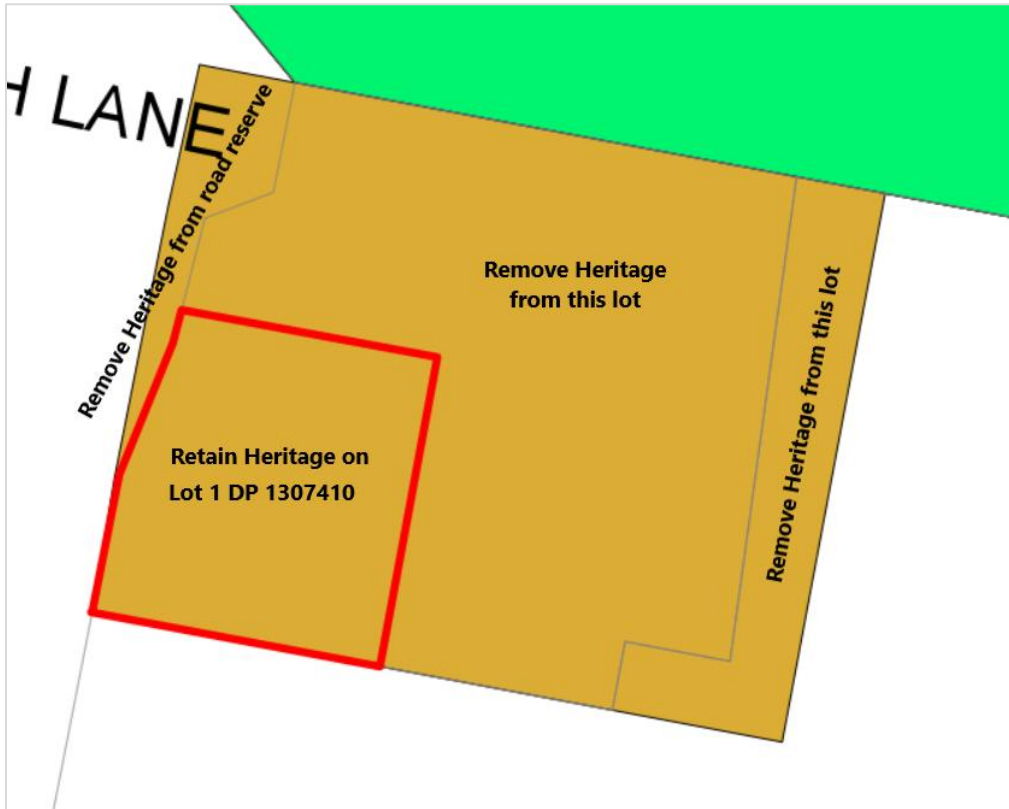


Figure 12 Heritage Item I71 – Update mapping: item reduced to just 92 Woodward Street (Lot 1 DP 1307410); remove mapping from Lots 2 & 3 DP 1307410 and remove from road reserve.

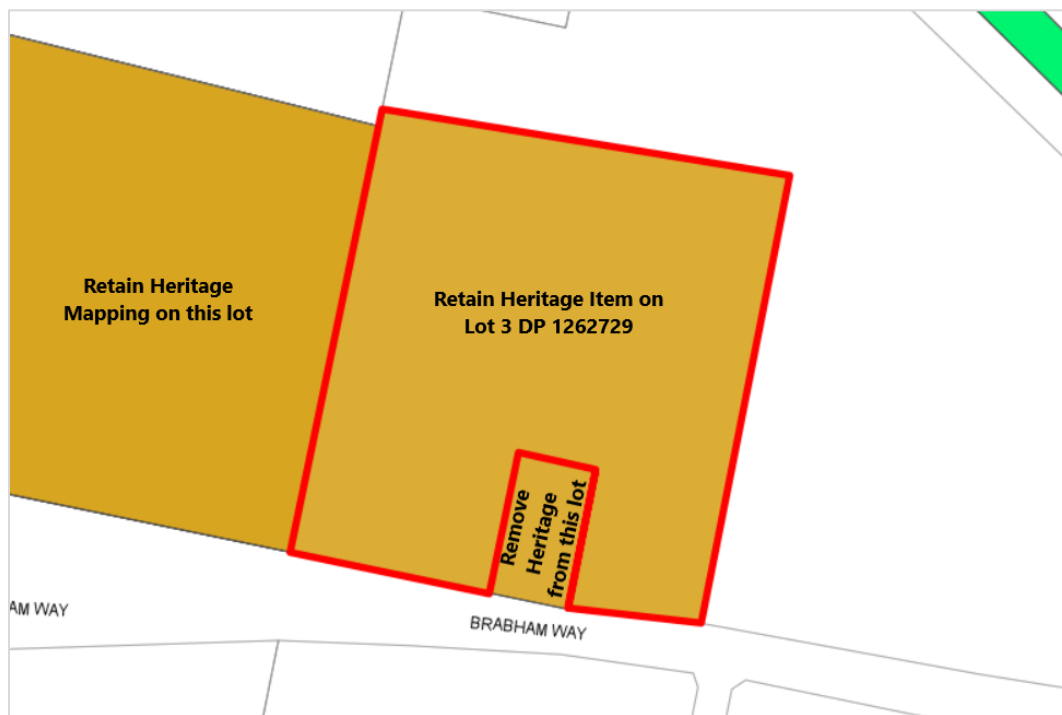


Figure 13 Heritage Item I113 – Update mapping of item to Lot 3 DP 1262729; remove mapping from Lot 1 DP 15399043. Do not change neighbouring item

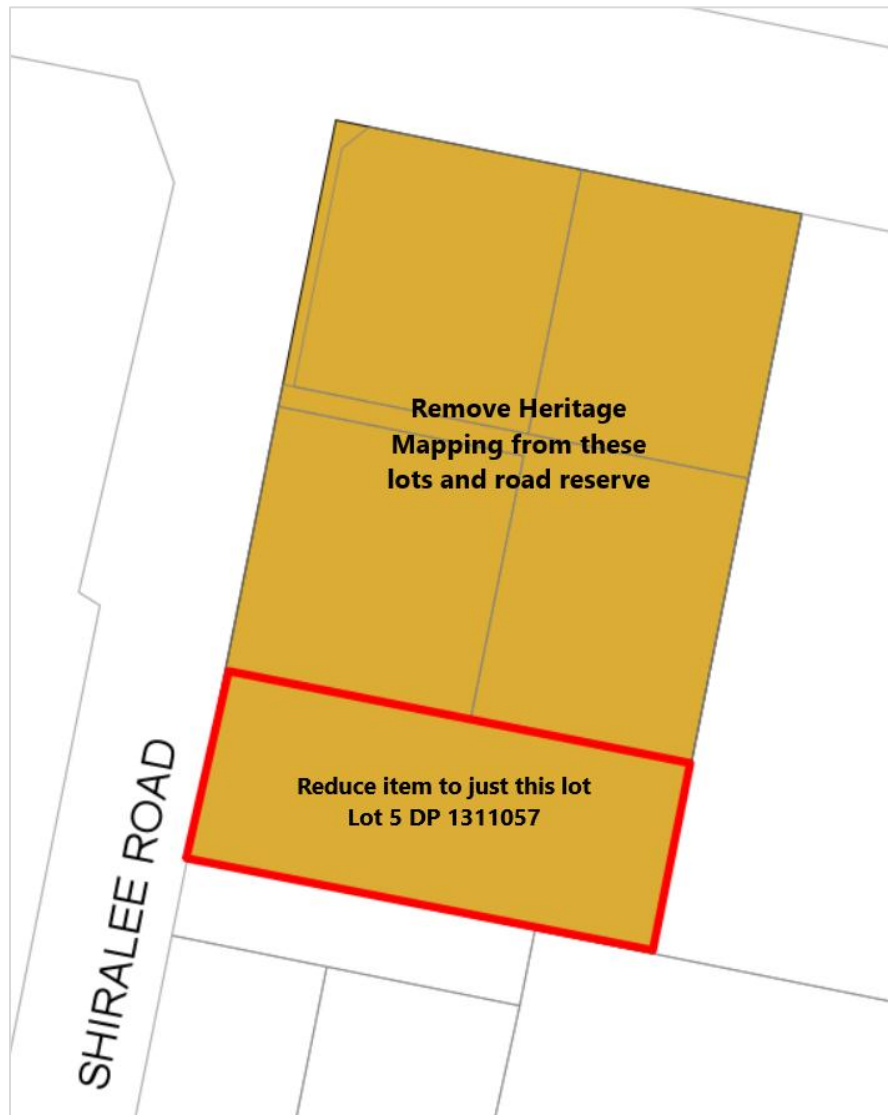


Figure 14 Heritage Item I286 – Update to Lot 5 DP 1311057 (170 Shiralee Road); remove mapping from superseded parent lots.

ATTACHMENT 2 – DRAFT LEP MAP AMENDMENTS (LAND ZONING)

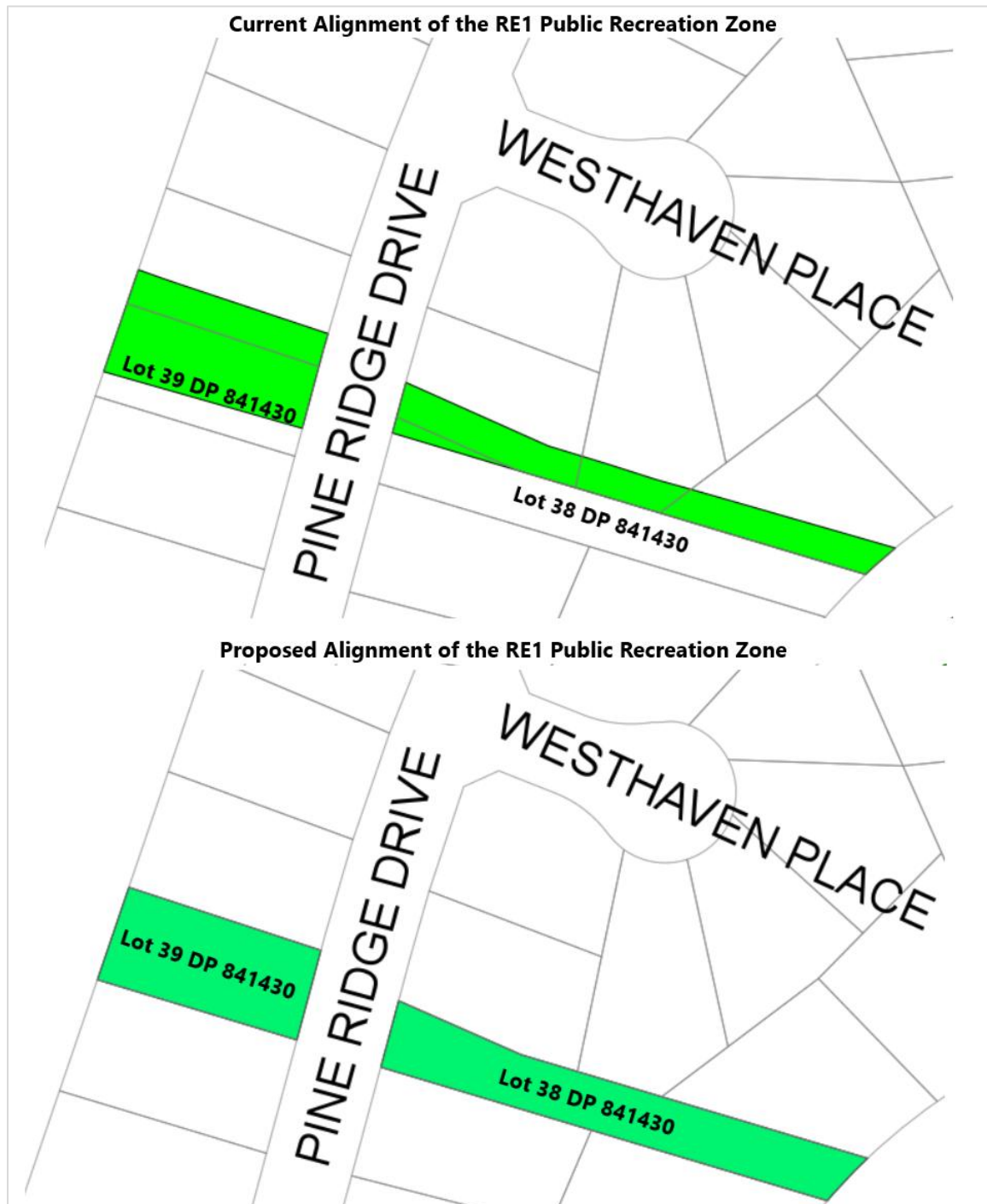


Figure 15 Realignment of RE1 Public Recreation zone at 8 Glendale Crescent and 24 Pine Ridge Drive to correctly apply to Lots 38 & 39 DP 841430, instead of neighbouring residential lots.

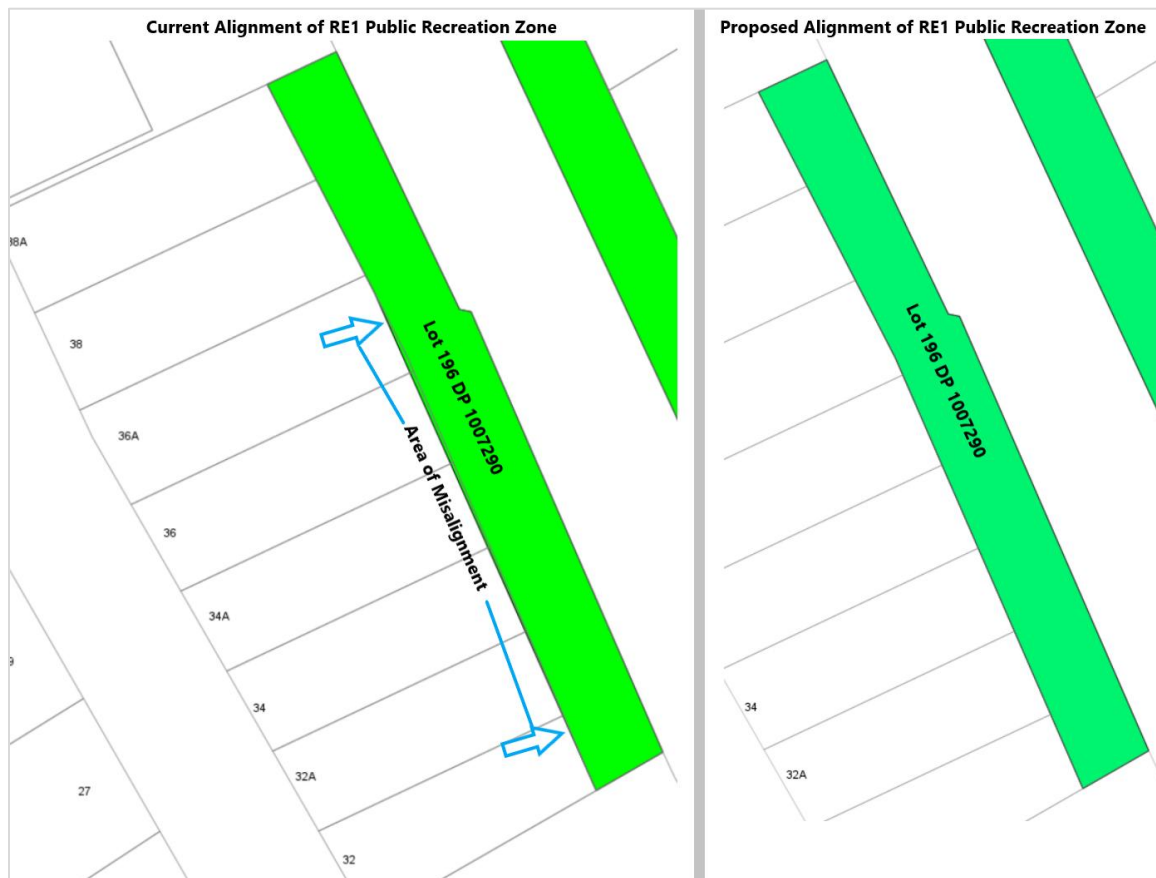


Figure 16 Correction of RE1 zone alignment on Molong Road opposite Northstoke Way affecting residential properties from 32 – 36A Turner Crescent to remove minor RE1 encroachment into rear yards of the affected lots in Turner Crescent.

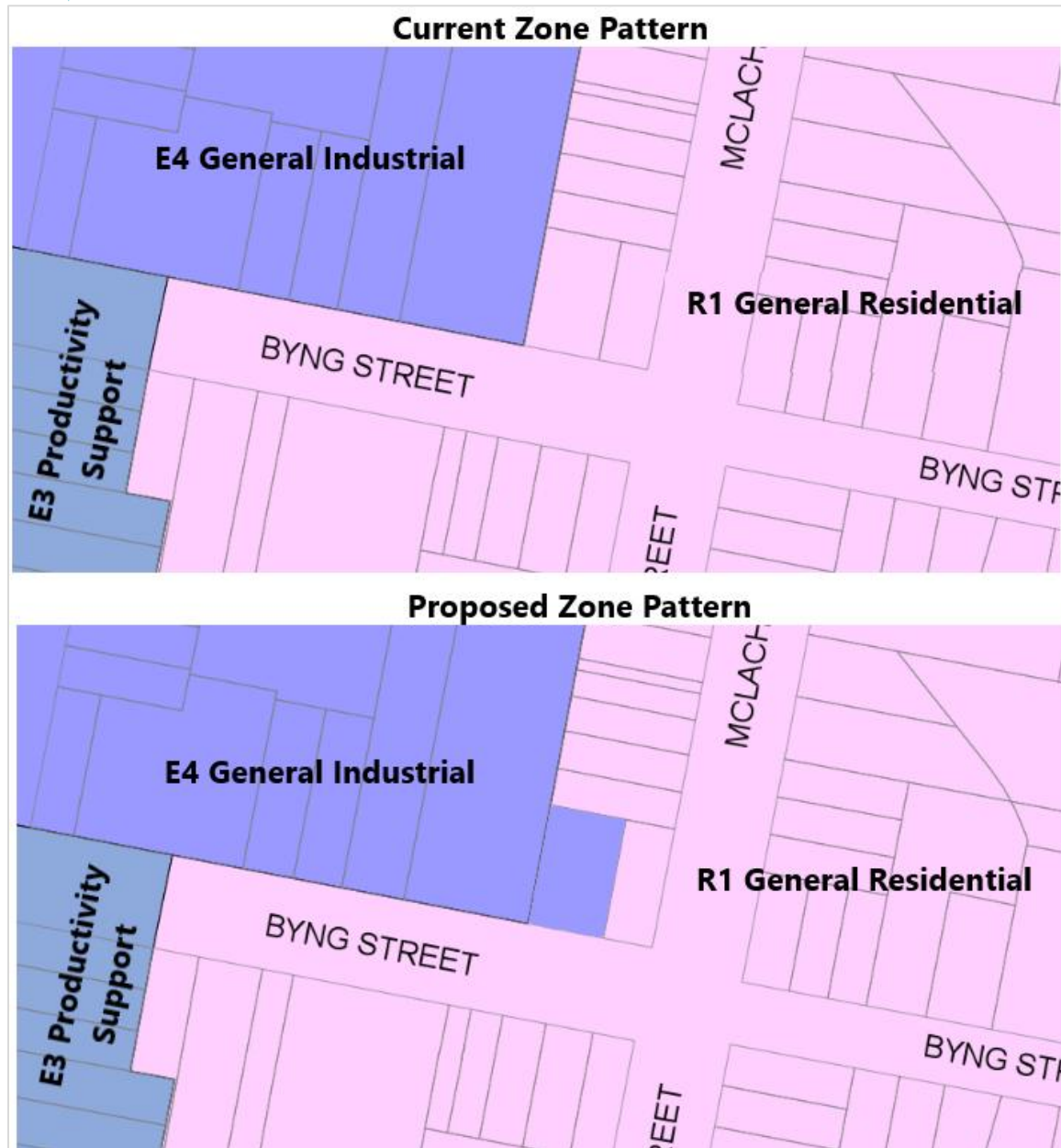


Figure 17 Rezone 205-207 Byng Street from R1 General Residential to E4 General Industrial to reflect existing approved industrial use.

ATTACHMENT 3 – DRAFT LEP MAP AMENDMENTS (ADDITIONAL PERMITTED USES)

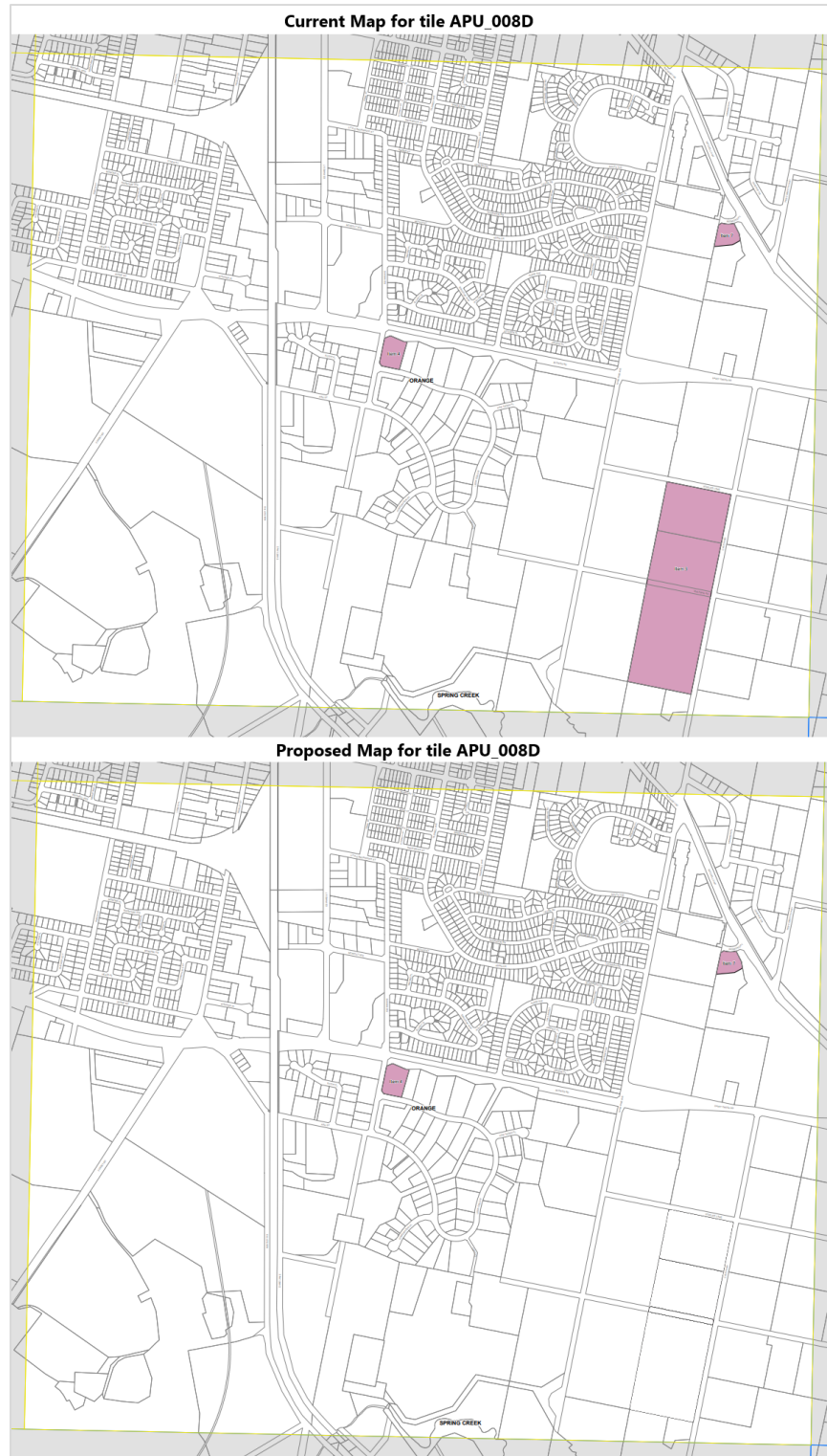


Figure 18 Removal of the Additional Permitted Use “item 3” relating to 120 Calton Road

ATTACHMENT 4 – DRAFT CLAUSE AMENDMENTS

Land Use Table - Add “creative industry” as permissible land use in Zone E2 (Central Business District).

Zone E2 Commercial Centre

1 Objectives of zone

- To strengthen the role of the commercial centre as the centre of business, retail, community and cultural activity.
- To encourage investment in commercial development that generates employment opportunities and economic growth.
- To encourage development that has a high level of accessibility and amenity, particularly for pedestrians.
- To enable residential development only if it is consistent with the Council’s strategic planning for residential development in the area.
- To ensure that new development provides diverse and active street frontages to attract pedestrian traffic and to contribute to vibrant, diverse and functional streets and public spaces.
- To promote development that contributes to the role of the Orange CBD as the primary retail and business centre in the City and region.

2 Permitted without consent

Environmental protection works; Home occupations; Home-based child care

3 Permitted with consent

Amusement centres; Artisan food and drink industries; Backpackers’ accommodation; Boarding houses; Centre-based child care facilities; Commercial premises; Community facilities; **Creative Industries**; Dwelling houses; Entertainment facilities; Function centres; Group homes; Home industries; Hotel or motel accommodation; Information and education facilities; Local distribution premises; Medical centres; Mortuaries; Oyster aquaculture; Passenger transport facilities; Places of public worship; Recreation areas; Recreation facilities (indoor); Recreation facilities (outdoor); Registered clubs; Respite day care centres; Restricted premises; Secondary dwellings; Shop top housing; Tank-based aquaculture; Vehicle repair stations; Veterinary hospitals; Any other development not specified in item 2 or 4

4 Prohibited

Agriculture; Air transport facilities; Airstrips; Animal boarding or training establishments; Boat building and repair facilities; Boat launching ramps; Boat sheds; Camping grounds; Caravan parks; Cemeteries; Charter and tourism boating facilities; Correctional centres; Crematoria; Depots; Eco-tourist facilities; Exhibition homes; Exhibition villages; Extractive industries; Farm stay accommodation; Forestry; Freight transport facilities; Heavy industrial storage establishments; Helipads; Highway service centres; Home occupations (sex services); Industrial retail outlets; Industrial training facilities; Industries; Jetties; Marinas; Mooring pens; Moorings; Open cut mining; Recreation facilities (major); Research stations; Residential accommodation; Resource recovery facilities; Rural industries; Sewerage systems; Sex services premises; Storage premises; Transport depots; Truck depots; Vehicle body repair workshops; Vehicle sales or hire premises; Warehouse or distribution centres; Waste disposal facilities; Water recreation structures; Water supply systems; Wholesale supplies

Land Use Table – Add Secondary dwellings as a permissible land use in zone R5 Large Lot Residential.

Zone R5 Large Lot Residential

1 Objectives of zone

- To provide residential housing in a rural setting while preserving, and minimising impacts on, environmentally sensitive locations and scenic quality.
- To ensure that large residential lots do not hinder the proper and orderly development of urban areas in the future.
- To ensure that development in the area does not unreasonably increase the demand for public services or public facilities.
- To minimise conflict between land uses within this zone and land uses within adjoining zones.
- To provide for student housing in close proximity to the Charles Sturt University.
- To ensure development is ordered in such a way as to maximise public transport patronage, and encourage walking and cycling, in close proximity to settlement.
- To ensure development along the Southern Link Road has an alternative access.

2 Permitted without consent

Environmental protection works; Home-based child care; Home occupations

3 Permitted with consent

Animal boarding or training establishments; Bed and breakfast accommodation; Boarding houses; Building identification signs; Business identification signs; Centre-based child care facilities; Community facilities; Crematoria; Dwelling houses; Environmental facilities; Exhibition homes; Extensive agriculture; Home businesses; Home industries; Information and education facilities; Kiosks; Neighbourhood shops; Oyster aquaculture; Places of public worship; Pond-based aquaculture; Recreation areas; Recreation facilities (indoor); Recreation facilities (outdoor); Respite day care centres; Roads; **Secondary Dwellings**; Tank-based aquaculture; Veterinary hospitals; Water supply systems

4 Prohibited

Any development not specified in item 2 or 3

Clause 4.1AA – Extend reinstated minimum lot size controls to Zones R1, R2, R5 and RU5 to close strata/community title loophole.

4.1AA Minimum subdivision lot size for community title schemes

- (1) The objectives of this clause are as follows—
 - (a) to ensure that the land to which this clause applies is not fragmented into lots that would create additional dwelling opportunities.
- (2) This clause applies to a subdivision (being a subdivision that requires development consent) under the *Community Land Development Act 2021* of land in any of the following zones—
 - (a) RU1 Primary Production,
 - (b) C2 Environmental Conservation,
 - (c) C3 Environmental Management,
 - (d) C4 Environmental Living,

- (e) R1 General Residential,
- (f) R2 Low Density Residential,
- (g) R5 Large Lot Residential,
- (h) RU5 Village,

but does not apply to a subdivision by the registration of a strata plan.

- (3) The size of any lot resulting from a subdivision of land to which this clause applies (other than any lot comprising association property within the meaning of the *Community Land Development Act 2021*) is not to be less than the minimum size shown on the *Lot Size Map* in relation to that land.
- (4) This clause applies despite clause 4.1.

Draft wording of amended clause 4.1AA - changes shown in red

Clause 4.1B – to be renamed to remove reference to Residential Flat Buildings as these are not mentioned in the body of the clause.

4.1B Minimum lot sizes for dual occupancy and multi dwelling housing ~~and residential flat buildings~~

Draft wording of amended clause 4.1B title - changes shown in red

Clause 5.5 – Amend to permit secondary dwellings in rural zones up to the greater of 60m² or 50% of the principal dwelling floor area.

5.5 Controls relating to secondary dwellings on land in a rural zone

If development for the purposes of a secondary dwelling is permitted under this Plan on land in a rural zone—

- (a) the total floor area of the dwelling, excluding any area used for parking, must not exceed whichever of the following is the greater—
 - (i) 60 square metres,
 - (ii) 50% of the total floor area of the principal dwelling, and
- (b) the distance between the secondary dwelling and the principal dwelling must not exceed 60 metres.

Draft wording of amended clause 5.5 - changes shown in red

Clause 7.15 – to be amended to replace specific reference to “Shiralee Hilltop Park Buffer” with general term “Development in Buffer Areas” and to capture the Redmond Place precinct.

7.15 Development in Buffer Areas

- (1) The objective of this clause is to ensure high quality urban design outcomes in key urban areas.
- (2) This clause applies to land identified as “Public Park Buffer Area” or “Richmond Place Precinct Buffer Area” on the *Buffer Zone Map*.

Note—

State Environmental Planning Policy (Exempt and Complying Development Codes) 2008, clause 1.19(1)(e)(i) provides that complying development must not be carried out on land identified by an environmental planning instrument as being within a buffer area.

- (3) Development consent must not be granted to development on land to which this clause applies unless the consent authority has considered the following—
- (a) the urban design outcomes arising from the siting, design and orientation of the development,
 - (b) the opportunities for passive surveillance of the public park,
 - (c) interfaces between the development and the public park,
 - (d) fencing and borders between the development and the public park,
 - (e) whether the development is likely to adversely affect the design, visual character, operation or maintenance of the public park.
- (4) this clause ceases to have effect on **the land identified in Column 1 of the Table to this clause on the corresponding date shown in Column 2 of the Table.**

Column 1

Shiralee Hill Top Park
Redmond Place Precinct

Column 2

1 August 2034
1 July 2035

Draft wording of amended clause 7.15 - changes shown in red

Clause 7.18 - insert to permit minor events with formal development consent.

7.18 Events permitted without development consent

- (1) The objective of this clause is to provide for the temporary use of public reserves and public roads for exhibitions, meetings, concerts or events.
- (2) Despite any other provision of this Plan, development (including any associated temporary structures) for the purpose of a temporary event may be carried out on a public reserve or public road without development consent.

Note— Other approvals may be required, and must be obtained, under other Acts, including the Local Government Act 1993, the Roads Act 1993 and the Crown Land Management Act 2016. Planning Proposal (Administrative Amendment) 9

- (3) In this clause—

public reserve has the same meaning as in the Local Government Act 1993.

temporary event means an exhibition, meeting, concert or other event that is open to the public for which land is used for a period of not more than 52 days (whether or not consecutive) in any period of 12 months.

Draft wording of a new clause 7.18

ATTACHMENT 5 – COPY OF RELEVANT LAND TITLES

24 Pine Ridge Drive

**LAND
REGISTRY
SERVICES****Title Search**

NEW SOUTH WALES LAND REGISTRY SERVICES - TITLE SEARCH

FOLIO: 39/841430

SEARCH DATE	TIME	EDITION NO	DATE
8/9/2025	10:10 AM	1	28/7/1994

LAND

LOT 39 IN DEPOSITED PLAN 841430
AT CALARE
LOCAL GOVERNMENT AREA ORANGE
PARISH OF BORENORE COUNTY OF WELLINGTON
TITLE DIAGRAM DP841430

FIRST SCHEDULE

ORANGE CITY COUNCIL

SECOND SCHEDULE (3 NOTIFICATIONS)

- 1 RESERVATIONS AND CONDITIONS IN THE CROWN GRANT(S)
- 2 K200000P CAVEAT BY THE REGISTRAR GENERAL FORBIDDING
UNAUTHORISED DEALINGS WITH PUBLIC RESERVES
- 3 DP840025 RESTRICTION(S) ON THE USE OF LAND

NOTATIONS

UNREGISTERED DEALINGS: NIL

*** END OF SEARCH ***

Craig Mortell...

PRINTED ON 8/9/2025

* 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 96B(2) of the Real Property Act 1900.

Copyright © Office of the Registrar-General 2025

Received: 08/09/2025 10:10:47

8 Glendale Crescent**LAND
REGISTRY
SERVICES****Title Search**NEW SOUTH WALES LAND REGISTRY SERVICES - TITLE SEARCH
-----FOLIO: 38/841430

SEARCH DATE	TIME	EDITION NO	DATE
-----	----	-----	----
8/9/2025	10:10 AM	1	28/7/1994

LAND
-----LOT 38 IN DEPOSITED PLAN 841430
AT CALARE
LOCAL GOVERNMENT AREA ORANGE
PARISH OF BORENORE COUNTY OF WELLINGTON
TITLE DIAGRAM DP841430FIRST SCHEDULE

ORANGE CITY COUNCIL

SECOND SCHEDULE (3 NOTIFICATIONS)

- 1 RESERVATIONS AND CONDITIONS IN THE CROWN GRANT(S)
- 2 K200000P CAVEAT BY THE REGISTRAR GENERAL FORBIDDING
UNAUTHORISED DEALINGS WITH PUBLIC RESERVES
- 3 DP840025 RESTRICTION(S) ON THE USE OF LAND

NOTATIONS

UNREGISTERED DEALINGS: NIL

*** END OF SEARCH ***

Craig Mortell...

PRINTED ON 8/9/2025

* 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 96B(2) of the Real Property Act 1900.

15 Pine Ridge Drive



**LAND
REGISTRY
SERVICES**

Title Search



NEW SOUTH WALES LAND REGISTRY SERVICES - TITLE SEARCH

FOLIO: 23/829469

SEARCH DATE	TIME	EDITION NO	DATE
8/9/2025	10:10 AM	4	9/9/2018

LAND

LOT 23 IN DEPOSITED PLAN 829469
AT WEST ORANGE
LOCAL GOVERNMENT AREA ORANGE
PARISH OF BORENORE COUNTY OF WELLINGTON
TITLE DIAGRAM DP829469

FIRST SCHEDULE

AS JOINT TENANTS

(T U977497)

SECOND SCHEDULE (4 NOTIFICATIONS)

- 1 RESERVATIONS AND CONDITIONS IN THE CROWN GRANT(S)
- 2 EASEMENT(S) AFFECTING THE PART(S) SHOWN SO BURDENED IN THE TITLE
DIAGRAM CREATED BY:
DP829469 EASEMENT TO DRAIN WATER 2 WIDE
- 3 I630897 COVENANT
U977496 VARIATION OF RESTRICTION ON USER
- 4 U977498 MORTGAGE TO NATIONAL AUSTRALIA BANK LIMITED

NOTATIONS

UNREGISTERED DEALINGS: NIL

*** END OF SEARCH ***

Craig Mortell...

PRINTED ON 8/9/2025

* 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 96B(2) of the Real Property Act 1900.

**LAND
REGISTRY
SERVICES****Title Search**NEW SOUTH WALES LAND REGISTRY SERVICES - TITLE SEARCH
-----FOLIO: 25/829469

SEARCH DATE	TIME	EDITION NO	DATE
8/9/2025	10:10 AM	6	9/9/2018

LAND
-----LOT 25 IN DEPOSITED PLAN 829469
AT WEST ORANGE
LOCAL GOVERNMENT AREA ORANGE
PARISH OF BORENORE COUNTY OF WELLINGTON
TITLE DIAGRAM DP829469FIRST SCHEDULE
-----

AS JOINT TENANTS

(T AF781964)

SECOND SCHEDULE (3 NOTIFICATIONS)

- 1 RESERVATIONS AND CONDITIONS IN THE CROWN GRANT(S)
- 2 U115876 COVENANT
- 3 AF781965 MORTGAGE TO NATIONAL AUSTRALIA BANK LIMITED

NOTATIONS

UNREGISTERED DEALINGS: NIL

*** END OF SEARCH ***

Craig Mortell...

PRINTED ON 8/9/2025

* 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 96B(2) of the Real Property Act 1900.

**LAND
REGISTRY
SERVICES****Title Search**NEW SOUTH WALES LAND REGISTRY SERVICES - TITLE SEARCH
-----FOLIO: 22/829469

SEARCH DATE	TIME	EDITION NO	DATE
8/9/2025	10:10 AM	7	2/9/2018

LAND
----LOT 22 IN DEPOSITED PLAN 829469
AT WEST ORANGE
LOCAL GOVERNMENT AREA ORANGE
PARISH OF BORENORE COUNTY OF WELLINGTON
TITLE DIAGRAM DP829469FIRST SCHEDULE

[REDACTED]
[REDACTED]

AS JOINT TENANTS

(T AD109703)

SECOND SCHEDULE (3 NOTIFICATIONS)

- 1 RESERVATIONS AND CONDITIONS IN THE CROWN GRANT(S)
- 2 I313131 COVENANT
- 3 AD109704 MORTGAGE TO COMMONWEALTH BANK OF AUSTRALIA

NOTATIONS

UNREGISTERED DEALINGS: NIL

*** END OF SEARCH ***

Craig Mortell...

PRINTED ON 8/9/2025

* 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 96B(2) of the Real Property Act 1900.

7 Glendale Crescent**LAND
REGISTRY
SERVICES****Title Search**NEW SOUTH WALES LAND REGISTRY SERVICES - TITLE SEARCH
-----FOLIO: 37/841430

SEARCH DATE	TIME	EDITION NO	DATE
8/9/2025	10:10 AM	9	1/6/2018

LAND
-----LOT 37 IN DEPOSITED PLAN 841430
AT CALARE
LOCAL GOVERNMENT AREA ORANGE
PARISH OF BORENORE COUNTY OF WELLINGTON
TITLE DIAGRAM DP841430FIRST SCHEDULE
-----

AS JOINT TENANTS

(T AN389073)

SECOND SCHEDULE (3 NOTIFICATIONS)

- 1 RESERVATIONS AND CONDITIONS IN THE CROWN GRANT(S)
- 2 DP840025 RESTRICTION(S) ON THE USE OF LAND
- 3 AN389074 MORTGAGE TO COMMONWEALTH BANK OF AUSTRALIA

NOTATIONS

UNREGISTERED DEALINGS: NIL

*** END OF SEARCH ***

Craig Mortell...

PRINTED ON 8/9/2025

* 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 96B(2) of the Real Property Act 1900.