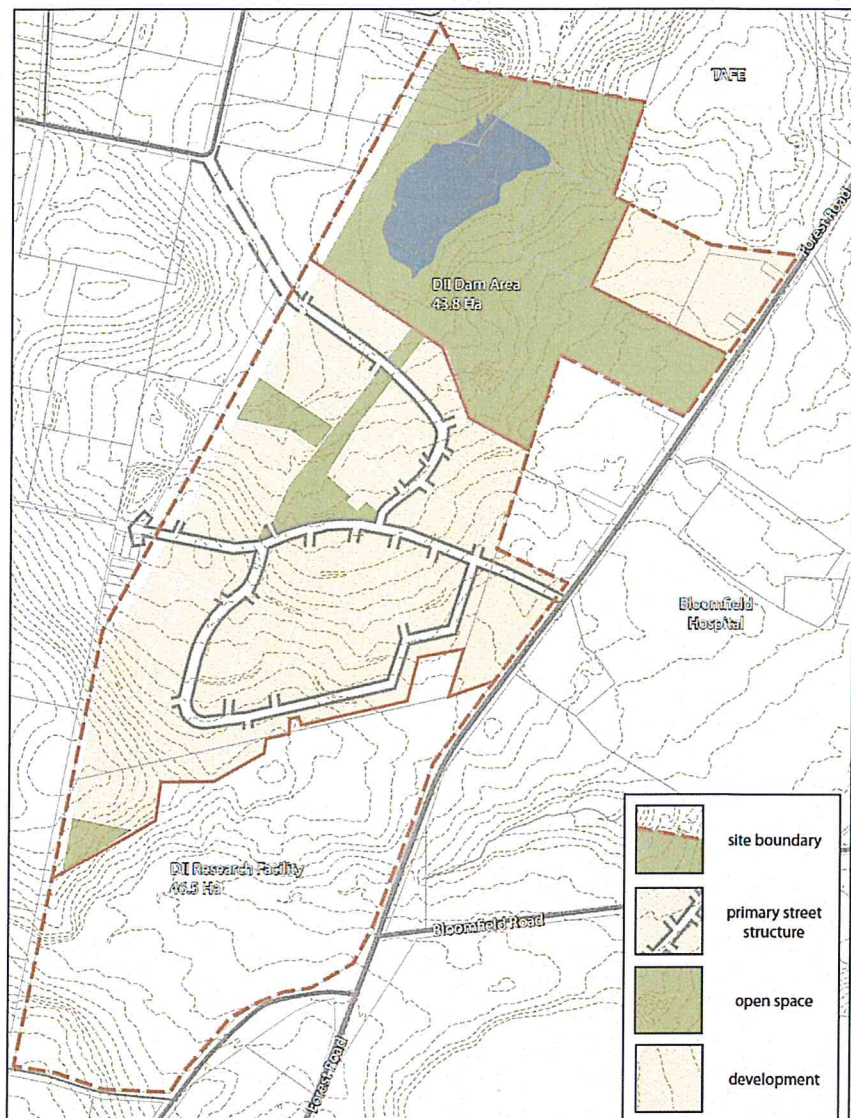


MAJOR PROJECT ASSESSMENT:
Bloomfield Concept Plan
Forest and Rifle Range Roads, Bloomfield
(MP 10_0021)



Director-General's
Environmental Assessment Report
Section 75I of the
Environmental Planning and Assessment Act 1979

June 2011

ABBREVIATIONS

CIV	Capital Investment Value
Department	Department of Planning & Infrastructure
DGRs	Director-General's Requirements
Director-General	Director-General of the Department of Planning & Infrastructure
EA	Environmental Assessment
EP&A Act	<i>Environmental Planning and Assessment Act 1979</i>
EP&A Regulation	Environmental Planning and Assessment Regulation 2000
EPI	Environmental Planning Instrument
MD SEPP	State Environmental Planning Policy (Major Development) 2005
Minister	Minister for Planning & Infrastructure
PAC	Planning Assessment Commission
Part 3A	Part 3A of the <i>Environmental Planning and Assessment Act 1979</i>
PEA	Preliminary Environmental Assessment
PPR	Preferred Project Report
Proponent	State Property Authority
RtS	Response to Submissions

Cover Photograph: Urban Structure Plan (Source: State Property Authority)

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EXECUTIVE SUMMARY

This report is an assessment of a Concept Plan application seeking approval for urban development of former agricultural research land at Bloomfield pursuant to Part 3A of the *Environmental Planning and Assessment Act 1979* (EP&A Act). The site comprises 10 lots and is located on the eastern side of Forest Road, Bloomfield.

Concept Plan approval is sought for the urban development of the site comprising: an urban structure plan including distribution of residential, retail, mixed use, open space and public domain (roads) uses across the site; street layout; consolidation, subdivision and realignment of allotment boundaries (Stage 1); staging plan; utilities and servicing plan and development principles to support further subdivision into residential lots. An increase in the retail floor space cap prescribed for the site in the *Orange Local Environmental Plan 2000* (OLEP 2000) for the site from 1,500m² to 3,500m² is also proposed.

The Capital Investment Value (CIV) of the development proposed in the Concept Plan is approximately \$33.389 million.

The site is zoned SP2 Infrastructure, R2 Low Density Residential and B4 Mixed Use under OLEP 2000 and the proposed development is permissible in the relevant zones.

The proposal was exhibited from 28 August 2010 to 27 September 2010. The Department received submissions from Orange City Council, the Roads and Traffic Authority (RTA), the Office of Environment and Heritage (OEH), Transport NSW, NSW Rural Fire Service (RFS) and NSW Office of Water. A total of 18 submissions were received from the public, 12 objecting to the proposal, two supporting the proposal and four not objecting but raising issues. Key issues raised in the submissions included: loss of agricultural and agricultural research land; traffic impacts; inconsistency with strategic planning for Orange; poor subdivision design; land use conflict with surrounding uses; economic impact on Orange CBD; inadequate open space; infrastructure and community facilities; and inadequate level of community consultation.

Following the exhibition the Proponent submitted a Preferred Project Report (PPR) and response to submissions which provided a revised urban structure plan, including an additional local distributor road which provides greater connectivity to the west and north-west.

The Department has assessed the merits of the proposal and has found the key issues associated with the project include economic impact, transport and access, subdivision design and layout, land use impacts; ecological impact, bushfire management, water management, development contributions and cultural heritage. The Department is satisfied that the impacts of the proposed development have been addressed via the Environmental Assessment, Preferred Project Report and Statement of Commitments, and can be adequately managed through the recommended modifications to the Concept Plan, including limiting the amount of retail floor space for the site to 2,000m². Furthermore, the Department considers that the proposed consolidation, subdivision and realignment of lots from 10 lots to five 'super' lots does not require any further environmental assessment.

The Department considers the site to be suitable for the proposed development and that the application is in the public interest and is consistent with: the objects of the EP&A Act (including ecologically sustainable development); the NSW State Plan; the zoning of the site; and local strategic planning policies. Consequently, the Department recommends that the Concept Plan be approved subject to modifications and that the super lot consolidation, subdivision and realignment component of the proposal (Stage 1) be approved without further environmental assessment, subject to conditions.

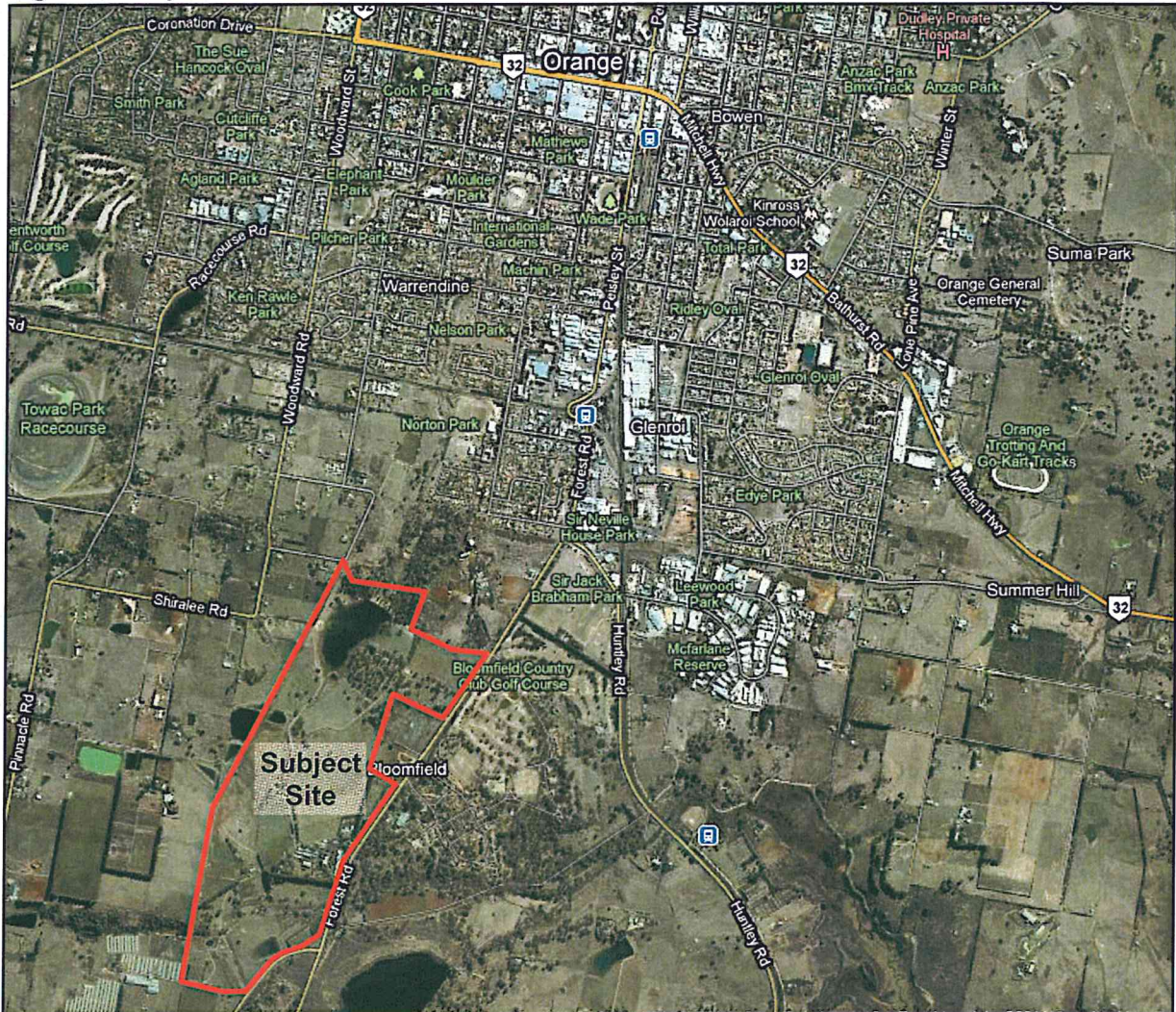
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1. BACKGROUND

State Property Authority (the Proponent) is seeking Concept Plan approval to facilitate the redevelopment of an existing agricultural research site for urban uses including residential and retail uses, at Forest and Rifle Range Roads, Bloomfield. The Bloomfield Concept Plan would establish the urban structure and development principles to guide future residential and retail development on the site. The project location is shown in Figure 1.

Figure 1: Project Location



1.1 Site location and description

The site is located in the suburb of Bloomfield within the Orange local government area (LGA). The site is comprised of 10 lots and is generally bound by: a TAFE and private rifle range to the north; Forest Road and private properties to the east; Cadia Road and Ballykeane Lane to the south; and private agricultural land to the west.

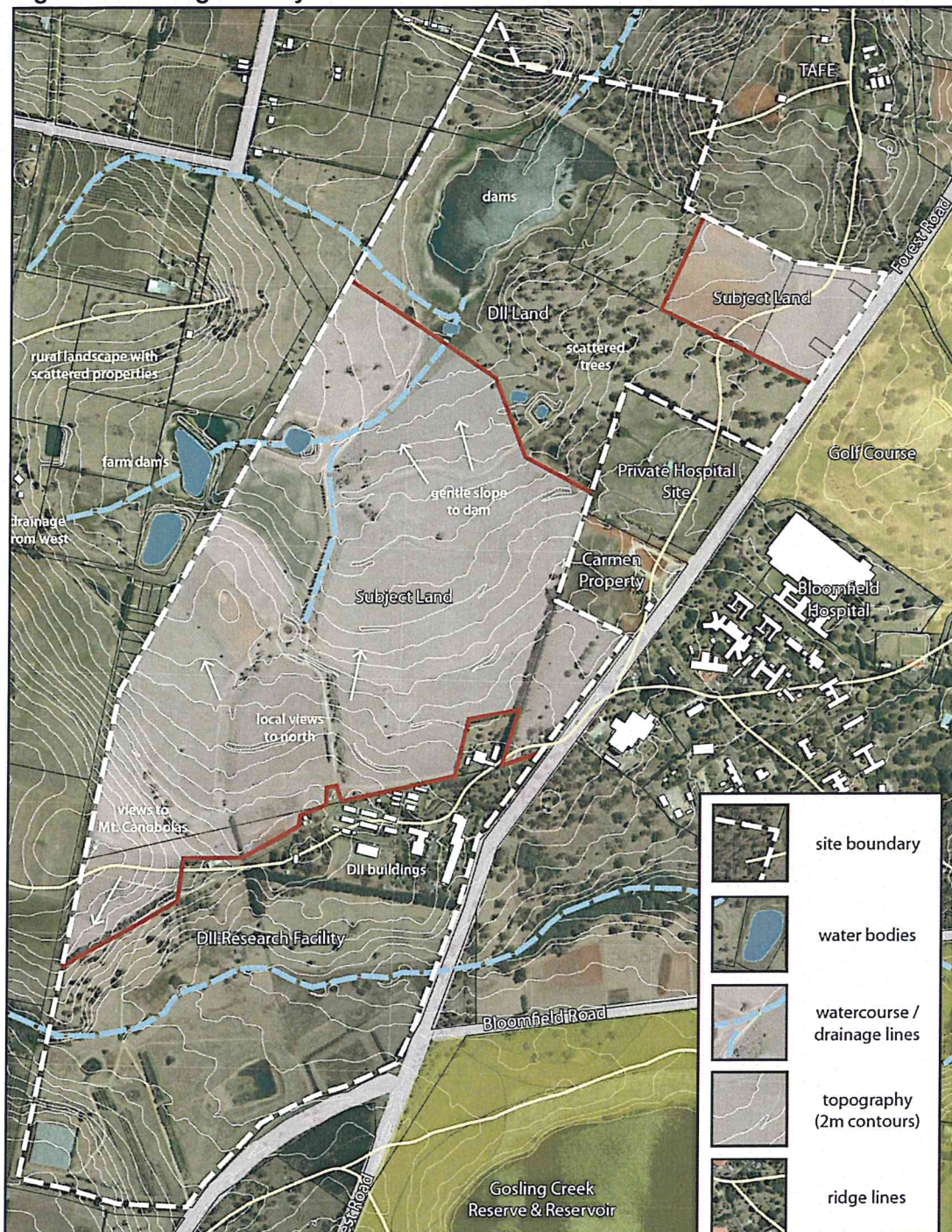
The site is located approximately 3.5 kilometres south of the Orange CBD.

The site is irregular in shape and has a total area of approximately 165 hectares. The site is currently utilised for agricultural research purposes by the Department of Trade and Investment, Regional Infrastructure and Services (DTIRIS). The site predominantly comprises vacant grazing land with the Orange Agricultural Institute research facility buildings located towards the south-east of the site. A total of 90.3 hectares (43.8 hectares in the north of the site and 46.5 hectares in the south of the

site) is to be retained as agricultural land and the remainder is considered to be surplus and no longer required for agricultural research purposes.

The site is generally clear of mature vegetation except in the north surrounding an existing dam. A transmissions line connecting Orange to Cadia runs along the western boundary of the site. A safety zone for the adjoining rifle range is also located on the north-western part of the site. Groups using the rifle range have indicated that if upgrades are made to the rifle range, the safety zone can be reduced so that it would no longer extend into the subject site. However, if these upgrades are not provided and no relocation of the rifle range occurs, the safety zone would still be operational until any lease to occupy or use the site for rifle range purposes are extinguished. A site layout illustrating existing structures on the site is at Figure 2.

Figure 2: Existing Site Layout



Whilst the land to be retained for agricultural purposes forms part of the site, the Urban Structure Plan predominantly relates to identifying the appropriate land uses for the surplus land (the central portion of the site). The retained agricultural land only forms part of the application for boundary consolidation, subdivision and realignment purposes to reflect the zoning boundaries for the site.

1.2 Surrounding Development

The surrounding land uses comprise:

- a TAFE and private agricultural land to the north;
- a private retail property (Carmen property), Orange Base Public Hospital (formerly Bloomfield Hospital), including the University of Newcastle's Centre for Rural and Remote Mental Health, a proposed private hospital, a golf course, and DTIRIS agricultural research land to the east;
- DTIRIS agricultural research land to the south;
- Gosling Creek Reserve and Reservoir to the south-east; and
- Private agricultural and rural residential to the west.

2. PROPOSED PROJECT

2.1. Project Description

The Proponent seeks Concept Plan approval to enable the future development of the agricultural land for residential and retail purposes. The key components of the project are listed in Table 1. The urban structure plan which identifies the various proposed land uses, including residential, retail and open space, is shown in Figure 3.

Table 1: Key Project Components

Aspect	Description
Project Summary	• Urban Structure Plan which identifies the various uses and specifies: ○ 90.3 hectares of land to be retained for agricultural research purposes; ○ 40.6 hectares reserved for residential lots; ○ 17.8 hectares reserved for the roads and the public domain; ○ 5.6 hectares reserved for open space; and ○ 3.16 hectares for commercial/retail development. • Increase the maximum retail floor space cap from 1,500m² (as prescribed in the OLEP 2000) to 3,500m²; • Street layout plan and street typologies; • Stage 1 – consolidation, subdivision and realignment of 10 lots into five lots (see Figure 4); • Staging Plan; • Utilities and servicing plan; and • Development principles to support further subdivision into residential lots within the residential area.
CIV	\$33.389 million
Jobs	49 operational and 20 construction

Figure 3: Project Layout

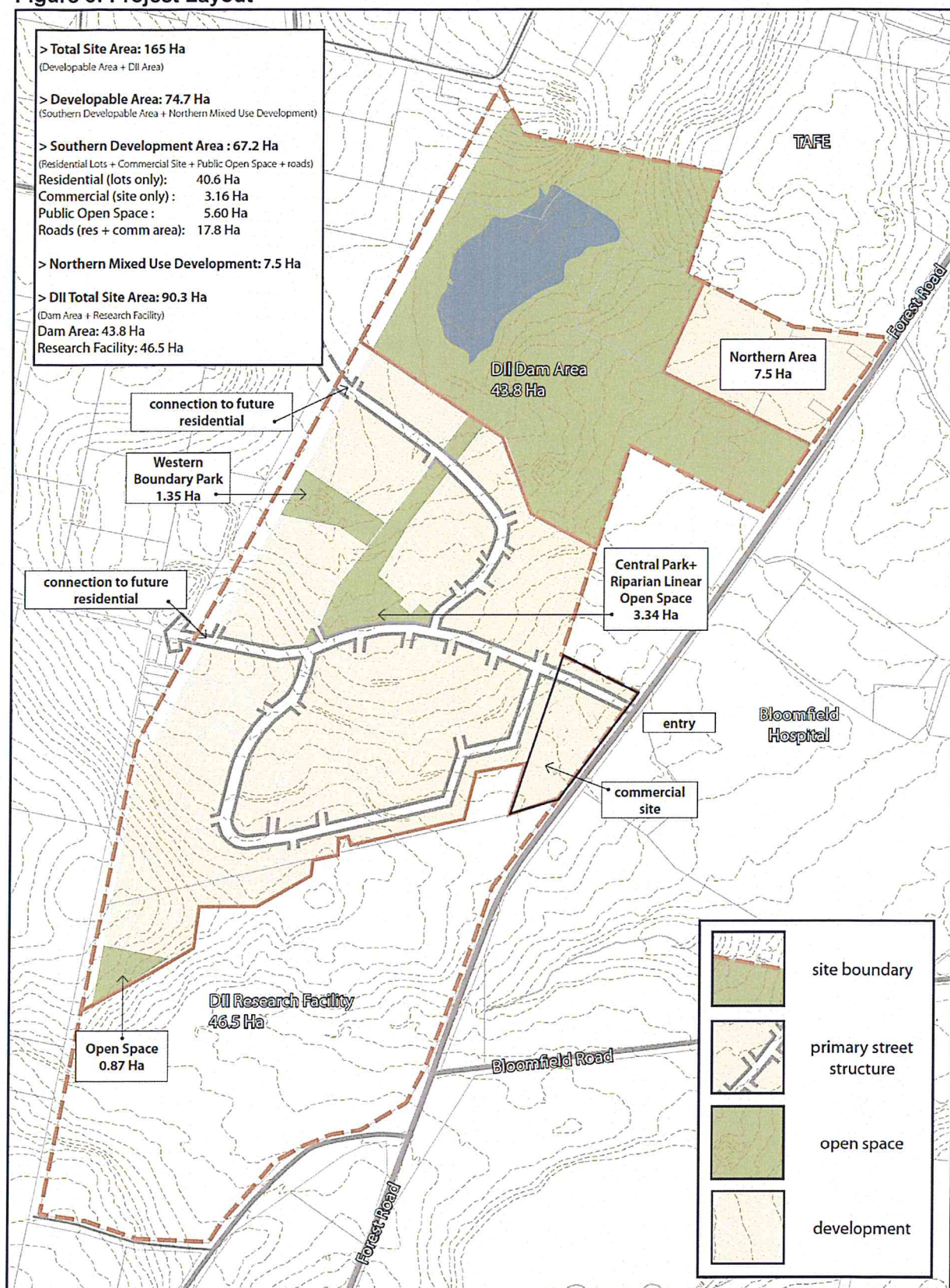
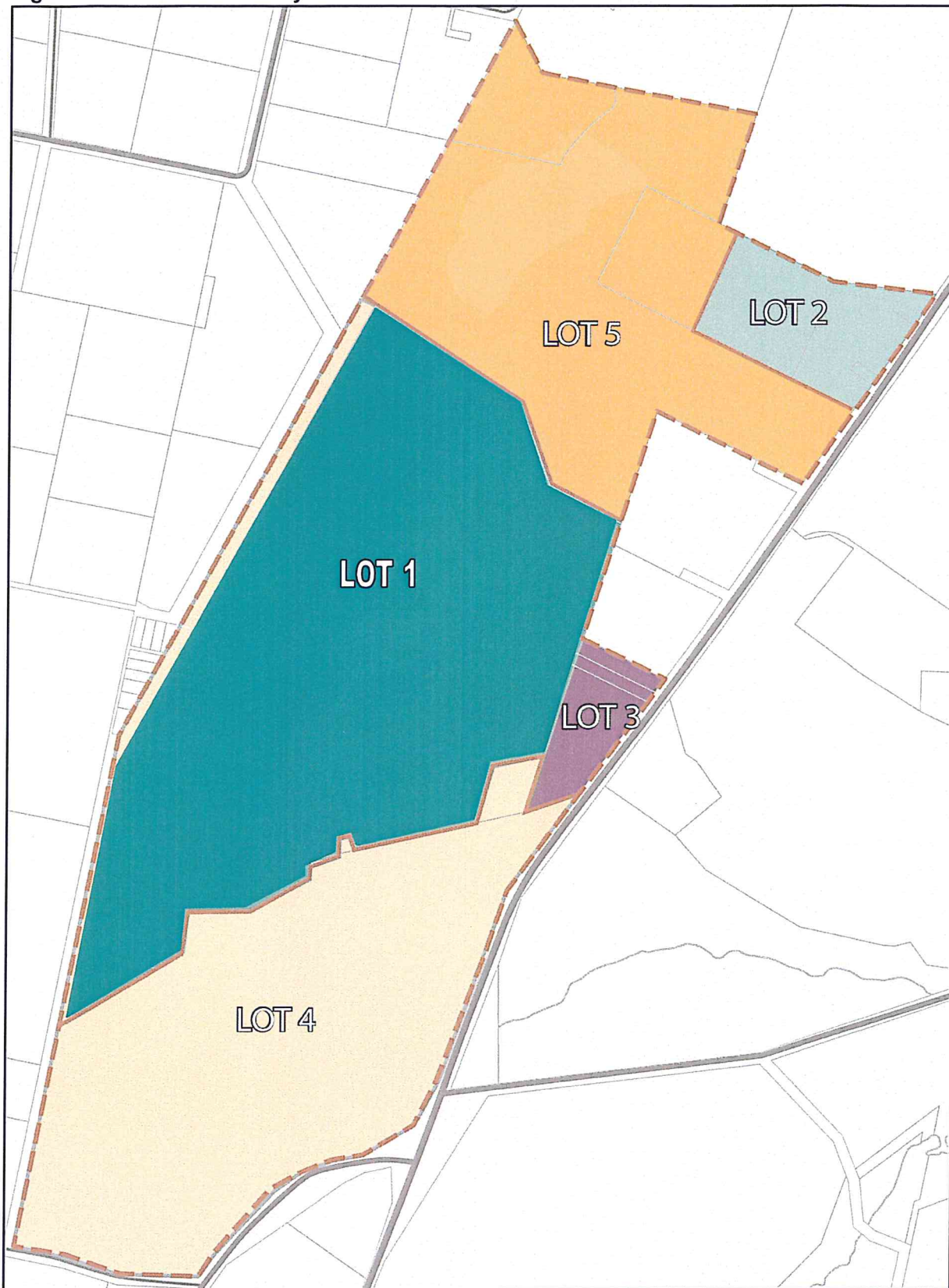


Figure 4: Consolidated lot layout

2.2. Project Need and Justification

The proposed development would support the orderly development of land no longer required for agricultural research use. The parts of the site that were no longer required for agricultural research purposes were identified as having low productive

value and only suitable for grazing. Accordingly, these areas were rezoned from agricultural and farming land to residential, commercial and retail to support NSW State Plan priorities to locate jobs closer to home, improve housing affordability and supporting increased business investment. The Department considers that the proposed redevelopment of the agricultural land for residential and retail/commercial uses would provide public benefits to the wider community through the generation of additional jobs and additional housing close to social infrastructure.

The Concept Plan would enable development of the site in multiple stages over a period of nine years with the delivery of approximately 60 lots annually. The Concept Plan facilitates the delivery of additional housing to support the continued growth of Orange, to the south, and in close proximity to the new Orange Base Public Hospital and the approved Bloomfield Private Hospital. The proposed commercial and retail would provide increased business opportunities and support the workers and visitors to the hospitals. The Concept Plan identifies the infrastructure requirements and an appropriate framework for the delivery of the infrastructure. The Concept Plan also establishes a street layout and hierarchy that would be appropriate for the future residential and retail/commercial subdivision and would facilitate a future linkage to the Orange CBD via the west. This potential linkage would also benefit existing residents in Orange as it would provide greater access to the new Orange Base Public Hospital in the long term. The new connections also cater for potential future residential development to the west of the site.

The Concept Plan would facilitate the disposal of the site by providing greater certainty regarding the urban structure, infrastructure requirements and the staging of future development. The proceeds from the disposal of the parts of the site that are surplus to DTIRIS needs and rezoned for residential, commercial and retail would enable DTIRIS to further progress a State significant partnership for agricultural industries of NSW between Charles Sturt University and the Orange Agricultural Institute.

The NSW State Plan also seeks to achieve improved regional environments and deliver sustainable development, through reductions in greenhouse gas emissions by developing in close proximity to existing centres, services and transport. The proposal would achieve the State Plan objectives by providing additional housing to support the new public and private hospitals which adjoin the site which are important employment generators and social infrastructure. Furthermore, the area is identified for medium to long term urban residential growth in Orange Council's Sustainable Settlement Strategy and Local Environmental Study and the rezoning of the site for residential and retail/commercial development through the State Significant Site listing.

2.3. Concept Plan

The Proponent has applied for approval of a Concept Plan under section 75M of the EP&A Act. The Concept Plan, as outlined in the EA and modified in the PPR, proposes to develop the existing agricultural research land for residential, retail and open space purposes and seeks approval for the broader development framework including:

- distribution of land uses;
- development principles to support future residential and retail development;
- the open space; and

- vehicle access arrangements and street typology.

The future residential subdivisions will be subject to further development applications to be lodged with Council.

3. STATUTORY CONTEXT

3.1. Major Project

The proposal is a major project under Part 3A of the *Environmental Planning and Assessment Act 1979* (EP&A Act) because it met the criteria of development for the purpose of residential, commercial or retail with a CIV greater than \$50 million (at the time of declaration) and was determined important in achieving State or regional objectives. This is consistent with the criteria of clause 13 of Schedule 1 of *State Environmental Planning Policy (Major Projects) 2005* which was in force at the time the project was declared. The then Minister also authorised the lodgement of a Concept Plan. The project has been retained as a major project as a result of transitional arrangements announced on 13 May 2011 relating to the repeal of Part 3A.

The CIV of the project was originally \$54.5 million when the project was declared. The project originally sought to accommodate approximately 836 dwellings. However, as part of the State Significant Site rezoning of the site the land identified for residential purposes was reduced from 67.5 hectares (approximately 836 dwellings) to 40.6 hectares (approximately 550 dwellings) to support the retention of significant ecological communities. Consequently, the CIV of the project was revised in August 2010 to reflect the modified scope of the project and resulted in a CIV of \$33.38 million. This did not affect the Part 3A declaration.

On 28 May 2011 the Minister for Planning and Infrastructure delegated to the Planning Assessment Commission (PAC) the function as an approval authority to determine a Concept Plan application under section 75O and powers and functions under section 75P of the *Environmental Planning and Assessment Act 1979*.

3.2. State Significant Site Listing

The site was previously rezoned from Rural 1(a) General Farming under *Orange Local Environmental Plan 2000* (OLEP 2000) to R2 Low Density Residential, B4 Mixed Use and SP2 Infrastructure as part of the State Significant Site listing gazetted on 9 April 2009. These provisions were subsequently transferred into the OLEP 2000 on 12 November 2010 (see Figure 5).

The following development standards and controls were also transferred from the MD SEPP to OLEP 2000:

- maximum height of 9 metres for the Low Density Residential and Mixed Use zones;
- minimum lot size of 450m²;
- maximum FSR of 0.5:1 for the Low Density Residential and Mixed Use zones; and
- maximum amount of retail floor space for Area 2 in Figure 5 of 1,500m² and retail floor space prohibited in Area 1 in Figure 6.

The following development standards and controls were also transferred from the MD SEPP to OLEP 2000:

- maximum height of 9 metres for the Low Density Residential and Mixed Use zones;
- minimum lot size of 450m²;
- maximum FSR of 0.5:1 for the Low Density Residential and Mixed Use zones; and
- maximum amount of retail floor space for Area 2 in Figure 5 of 1,500m² and retail floor space prohibited in Area 1 in Figure 6.

Figure 5: Zoning Map

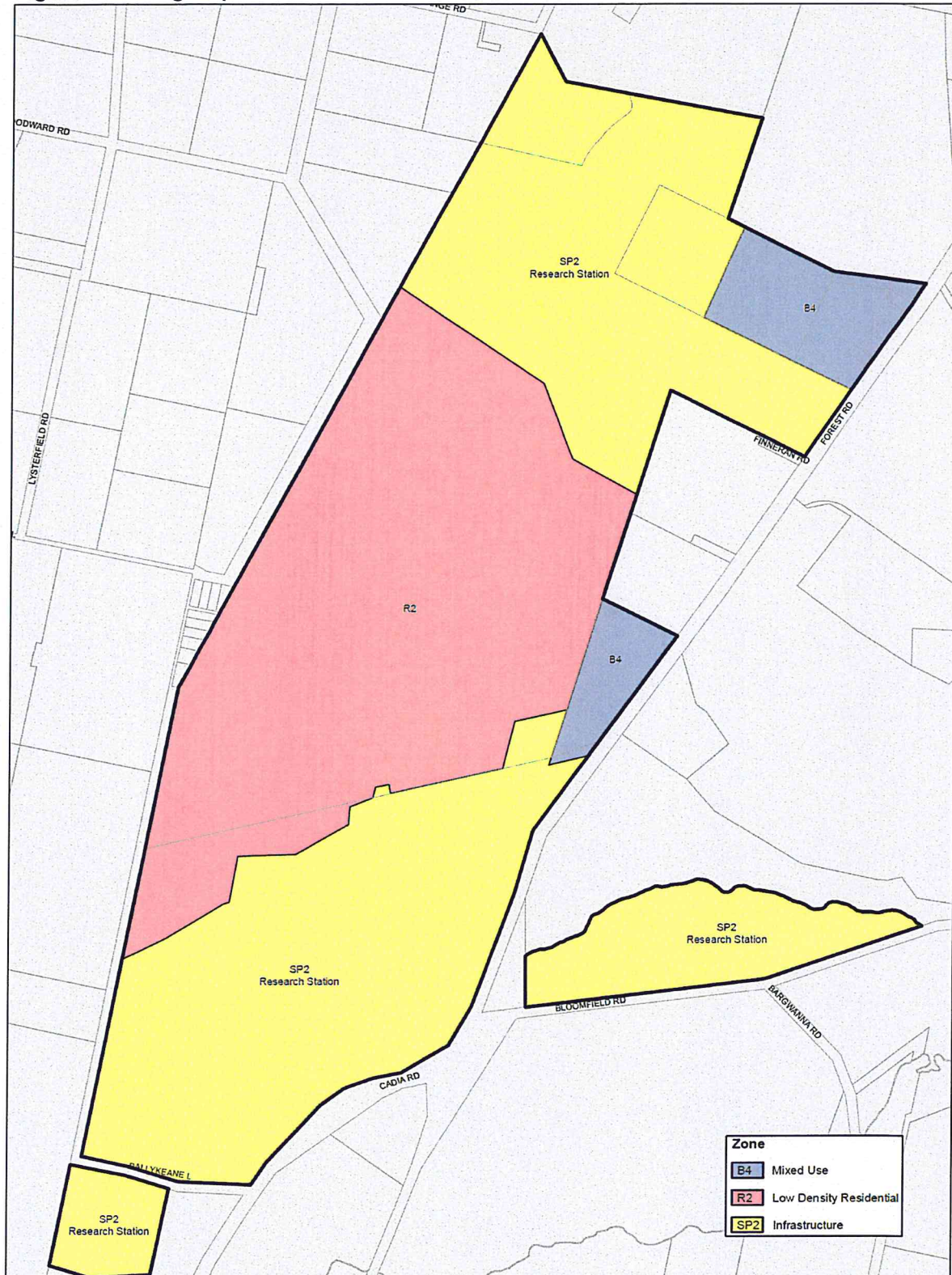


Figure 6: Floor Space Ratio Map

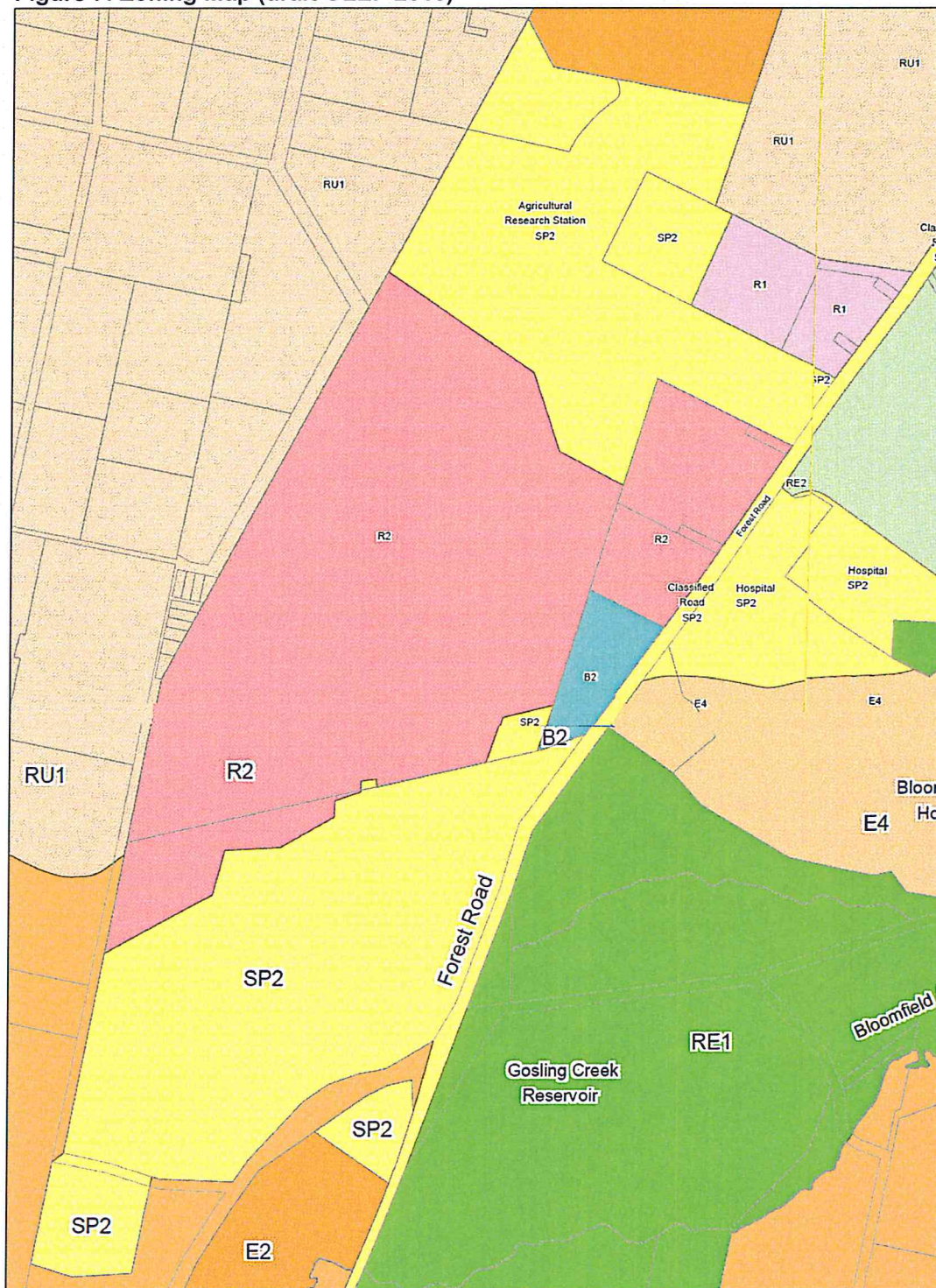


3.3. Permissibility

The site is currently zoned R2 Low Density Residential, B4 Mixed Use and SP2 Infrastructure under OLEP 2000 (see Figure 5). The proposed residential subdivision and retail development are permissible in the respective zones.

The site is proposed to be zoned R2 Low Density Residential, B2 Local Centre, R1 General Residential and SP2 Infrastructure under the draft Orange Local Environmental Plan 2010 (draft OLEP 2010) (see Figure 7). The proposed residential and retail development is permissible in the respective zones.

Figure 7: Zoning Map (draft OLEP 2010)



3.4. Environmental Planning Instruments

Under Sections 75I(2)(d) and 75I(2)(e) of the EP&A Act, the Director-General's report for a project is required to include a copy of, or reference to, the provisions of any State Environmental Planning Policy (SEPP) that substantially governs the carrying out of the project, and the provisions of any environmental planning instruments (EPI) that would (except for the application of Part 3A) substantially govern the carrying out of the project and that have been taken into consideration in the assessment of the project.

The Department's consideration of relevant SEPPs and EPIs is provided in Appendix D and include:

- *State Environmental Planning Policy (Major Development) 2005;*
- *State Environmental Planning Policy (Infrastructure) 2007;*
- *State Environmental Planning Policy No. 55 - Remediation of Land;*
- *Orange Local Environmental Plan 2000; and*
- *Draft Orange Local Environmental Plan 2010.*

3.5. Objects of the EP&A Act

Decisions made under the EP&A Act must have regard to the objects of the Act, as set out in Section 5 of the Act. The relevant objects are:

- (a) *to encourage:*
 - (i) *the proper management, development and conservation of natural and artificial resources, including agricultural land, natural areas, forests, minerals, water, cities, towns and villages for the purpose of promoting the social and economic welfare of the community and a better environment,*
 - (ii) *the promotion and co-ordination of the orderly and economic use and development of land,*
 - (iii) *the protection, provision and co-ordination of communication and utility services,*
 - (iv) *the provision of land for public purposes,*
 - (v) *the provision and co-ordination of community services and facilities, and*
 - (vi) *the protection of the environment, including the protection and conservation of native animals and plants, including threatened species, populations and ecological communities, and their habitats, and*
 - (vii) *ecologically sustainable development, and*
 - (viii) *the provision and maintenance of affordable housing, and*
- (b) *to promote the sharing of the responsibility for environmental planning between the different levels of government in the State, and*
- (c) *to provide increased opportunity for public involvement and participation in environmental planning and assessment.*

The Department has considered the objects of the EP&A Act and considers that the application is consistent with the relevant objects. The assessment of the application in relation to these relevant objects is provided in Section 3.6 and Section 5 of this report. A detailed assessment of ESD issues is contained at Section 3.6 of this report. On the basis of this assessment, the Department is satisfied that the proposal encourages ESD in accordance with the objects of the EP&A Act.

3.6. Ecologically Sustainable Development

The EP&A Act adopts the definition of Ecologically Sustainable Development (ESD) found in the *Protection of the Environment Administration Act 1991*. Section 6(2) of that Act states that ESD requires the effective integration of economic and environmental considerations in decision-making processes and that ESD can be achieved through the implementation of:

- (a) *the precautionary principle,*
- (b) *inter-generational equity,*
- (c) *conservation of biological diversity and ecological integrity,*
- (d) *improved valuation, pricing and incentive mechanisms.*

The proposal is located on the urban fringe and has been identified for residential development in the medium to long term. The site has been rezoned residential and mixed use and the Concept Plan seeks to establish the urban development framework. The urban redevelopment of parts of the site would not result in loss of any threatened or vulnerable species, populations, communities or significant habitats. The site is also unlikely to be impacted by changes in sea level resulting from climate change.

The Proponent has incorporated sustainable subdivision features into the proposed residential subdivision including:

- orientation of lots to optimise solar access;
- street layout designed with consideration of topography of the site to facilitate drainage and avoid intrusive site engineering;
- street connectivity which reduces travel distances and promotes active transport modes (walking and cycling);
- street edges surrounding open space areas to provide buffers to minimise ecological impacts;
- incorporation of natural drainage systems and use of bio-retention swales;
- re-use of materials to minimise waste and re-use of cleared vegetation; and
- balanced cut and fill.

The Department has recommended that future dwellings would need to demonstrate that they meet *State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004* (BASIX SEPP) requirements and any commercial/retail premises demonstrate that they can achieve a minimum 4 star Green Star rating.

3.7. Statement of Compliance

In accordance with section 75I of the EP&A Act, the Department is satisfied that the Director-General's environmental assessment requirements have been complied with.

4. CONSULTATION AND SUBMISSIONS

4.1. Exhibition

Under section 75H(3) of the EP&A Act, the Director-General is required to make the environmental assessment (EA) of an application publicly available for at least 30 days. After accepting the EA, the Department publicly exhibited it from 28 August 2010 until 27 September 2010 (31 days) on the Department's website, and at the

Department of Planning & Infrastructure's Sydney and Dubbo offices, and Orange City Council's Civic Centre. The Department also advertised the public exhibition in the Orange Central Western Daily on 28 August 2010 and notified landholders and relevant State and local government authorities in writing.

The Department received 24 submissions during the exhibition of the EA - six submissions from public authorities and 18 submissions from the general public and special interest groups.

A summary of the issues raised in submissions is provided below.

4.2. Public Authority Submissions

Six submissions were received from public authorities. None of the authorities objected to the proposal, however, all the authorities either raised issues or provided recommended conditions. A summary of the issues and recommended conditions is provided below.

Orange City Council (Council) does not specifically object to the project but raised the following issues:

- the proposed retail floor space of 3,500m² is unviable and inconsistent with the broader strategic planning in Orange, which seeks to strategically deliver appropriate levels of retail floor space concurrently with development of growth areas to minimise economic impact on the CBD. The also assessment has not taken into consideration the cumulative economic impacts from the North Orange Woolworths development;
- the proposed street network, including connections and carriageways, do not cater for the long term strategic growth of Orange and does not provide adequate connectivity with the existing street network which is critical for Orange residents given the potential through-site access to the emerging Hospital precinct. The delivery of road infrastructure should also be undertaken in earlier stages to increase connectivity of the site;
- the design of the Forest Road intersection treatment may conflict with the existing vehicle access on the opposite side of Forest Road and may not be adequate to cater for the cumulative impact of the proposal and future developments;
- the proposal has not demonstrated a sustainable subdivision design and does not represent "best practice". The strictly linear layout of the streets and residential allotments is unimaginative and does not reflect the natural topography of the site;
- increased housing diversity and variety in lot sizes, including higher density development in the vicinity of the Village Centre, would be more appropriate;
- appropriate buffers should be incorporated into the design to minimise potential land use conflict with the agricultural uses;
- the proposal should provide linkages for threatened and migratory bird species and the kangaroo population located in the Industry and Investment NSW land to the north surrounding the dam;
- a reduction in open space from previously indicated quantity in the rezoning process and an isolated pocket of open space is proposed at the southern boundary of the residential area which is highly unlikely to be actively used and could potentially become a dumping ground for waste given its isolation;
- the proposal would result in potential drainage and flooding issues from the removal of the dam and impacts on overland flow capacity;

- access to the Carmen property should be included in the proposal and inclusion of the Carmen property in the retail zone should be considered; and
- riparian, vegetation and open space corridors and linkages and potential walking trail and cycleways should be incorporated into the proposal.

Council also provided the following recommended conditions:

- a VPA must be entered prior to construction of Stage 1;
- provide additional access to the west;
- a requirement for further consultation with Council regarding final subdivision layout; and
- apply the B2 zoning for all retail components of the development.

The **Roads and Traffic Authority (RTA)** does not object to the project and provided the following comments:

- off-street pedestrian footpaths and bicycle facilities need to be improved for the Bloomfield area and provide linkages to the existing Bloomfield hospital, new public hospital, proposed private hospital, research facility, TAFE, golf course, and schools in southern Orange;
- greater consideration of impacts on the level railway crossing at the intersection of Huntley Road and Ash Street prior to any project approval; and
- any further development to the west will require further analysis of the intersection treatment at Forest Road.

RTA also provided the following recommended conditions:

- a lit seagull intersection be constructed in accordance with RTA requirements and that RTA approval of the final design prior to commencement of any works;
- access treatment to be completed prior to any works on site;
- plans for future development stages must demonstrate that the internal road system would provide for the integration of bus routes, off-street pedestrian facilities and off-street bicycle facilities;
- any landscaping, signage or fencing shall not impede sight lines within the development, or when entering or leaving the development; and
- all works are to be at no cost to the RTA.

The **Office of Environment and Heritage (OEH)** does not object to the project and recommended the following conditions be imposed:

- construction hours consistent with OEH's Interim Construction Noise Guideline; and
- preparation of an erosion and sediment plan as part of the Construction Environmental Management Plan.

Transport NSW does not object to the project and provided the following comments:

- demonstrate transport access hierarchy including traffic, bus, cyclist and pedestrian routes and connectivity between Village Centre and residential areas to the west of the site;
- demonstrate safe access arrangements at the Forest Road entrance and along Forest Road for pedestrians and cyclists; and
- early development of the Village Centre would facilitate integrating land use and transport goals.

NSW Rural Fire Service (RFS) does not object to the proposal, however, requested a Bush Fire Assessment Report.

NSW Office of Water does not object to the proposal and provided the following comments:

- clarification regarding existing and proposed stormwater infrastructure;
- details regarding the role of the recycled stormwater system in providing water supply for the proposed subdivision;
- dam ecology impact given increased run-off; and
- review of estimated water usage from the on-site dam and potential for modification to downstream flows.

4.3. Public Submissions

18 submissions were received from the public. This included submissions from the following special interest groups:

- Environmentally Concerned Citizens of Orange;
- Sporting Shooters Association of Australia; and
- Orange Business Chamber.

Of the 18 public submissions, 12 (67%) objected to the project, two (11%) supported the project and four (22%) did not object but raised concerns. The key issues raised in public submissions are listed in Table 2.

Table 2: Summary of Issues Raised in Public Submissions

Issue	Proportion of submissions (%)
• Loss of agricultural and agricultural research land • Traffic impacts along Forest Road - intersection upgrades required and delivery of Southern Distributor	61%
• Inconsistent with strategic planning (planned development in the north) • Poor subdivision design and layout, including poor solar access/orientation • Potential land use conflict with surrounding farming and agricultural uses	44%
• Adverse economic impact on existing Orange CBD • Inadequate open space provisions, community facility provisions and water supply to cater for the proposal	28%
• Inadequate public transport and active transport provisions (bike paths, pedestrian and bicycle linkages) • Inadequate infrastructure provisions, including stormwater and drainage • Inadequate level of community consultation • Potential land use conflict with agricultural research facility	22%
• Greater housing variety required, including potential for higher density type dwellings and greater variety in lot sizes • Inadequate site access points and design of access points	17%
• Potential flooding impacts • Impacts to biodiversity and natural heritage • Climate change • Potential adverse health impacts due to power lines • Connectivity of Industry and Investment land – no livestock route	11%
• Social issues and potential adverse impact on tourism • Impacts on rifle range • Visual impacts	6%

The Department has considered the issues raised in submissions in its assessment of the project, as outlined in Section 5.

4.4. Proponent's Response to Submissions

The Proponent provided a response to the issues raised in submissions on 23 December 2010 and additional information on 31 January 2011 (see Appendix B). The response included a Preferred Project Report which provided a revised urban structure plan, including an additional local distributor road which provides greater connectivity to the west and north-west.

Council, RFS and Office of Water were consulted regarding the Proponent's response to issues raised in submissions. Council supports the revised internal layout and the use of Council's controls to guide the urban design of the future development. However, Council considers that:

- any future development should address Council's subdivision and urban design guidelines as relevant at the time of development;
- commit to timing of road infrastructure to ensure that any future residential development to the west is not impeded;
- address potential land use conflict with the private agricultural lands to the west; and
- the Proponent should commit to providing a minimum of two connections to the Carmen property on each of the two boundaries where the site adjoins the Carmen property.

RFS maintained the view that a Bushfire Assessment Report was necessary.

Office of Water indicated in discussions with the Department that any future application would need to address potential water licensing issues.

The Department has included in the recommended future environmental assessment requirements that the Proponent should:

- demonstrate that the future design is consistent with Council's design guidelines;
- provide a Bushfire Assessment Report and incorporate in the layout of the Concept Plan any mitigation measures, such as APZs, where required;
- demonstrate appropriate buffers to the west and include appropriate mitigation measures into future design of the southern allotments to address interface with retained agricultural research land; and
- appropriate connections are provided to the Carmen property prior to any subdivision or development of land adjoining the Carmen property.

5. ASSESSMENT

The Department considers the key environmental issues for the project to be:

- economic impact;
- transport and access;
- subdivision design and layout;
- land use impacts;
- ecological impact;
- bushfire protection;
- water management; and
- development contributions.

5.1. Economic Impact

Orange CBD has grown around the main shopping strip and is located approximately 3.5 kilometres north of the site. Council is also planning for the development of a supplementary retail centre in northern Orange to support the northern residential growth areas.

The Proponent seeks to provide 3,500m² of retail floor space to support the residential subdivision at Bloomfield as part of the Concept Plan. OLEP 2000 currently specifies a 0.5:1 floor space ratio for the Low Density Residential and Mixed Use zones on the site. OLEP 2000 also prescribes a maximum 1,500m² of retail floor space for the commercial site (Area 2 in floor space ratio map – see Figure 6). The 1,500m² cap was identified as a development standard in the State Significant Site listing in Schedule 3 of the MD SEPP and was then transferred into the OLEP 2000 when the Schedule 3 listing for the Bloomfield site was repealed.

The retail cap of 1,500m² of floor space was identified by Leyshon Consulting (on behalf of Council) when the site was rezoned from agricultural research to residential and mixed use as an appropriate level of retail to support:

- the future residential subdivision;
- new Orange Base Hospital;
- proposed private hospital;
- workers of the Orange Agricultural Institute; and
- existing residents in south Orange.

The Proponent has sought to increase the permissible retail floor space to cater for a larger catchment area including:

- the proposed residential subdivision;
- the new public and private hospitals being developed;
- the rural skills centre and the TAFE;
- the employees of the agricultural research station;
- employees of the Cadia mine (which is located to the south of the site and has approval for an expansion); and
- southern Orange residents.

The Proponent's economic assessment prepared by Pitney Bowes found that 3,500m² of retail floor space would be viable for the Bloomfield site and would have an acceptable level of economic impact on the Orange CBD. The Pitney Bowes assessment found that the proposal would provide the following positive impacts:

- choice and convenience for residents, visitors and workers of South Orange;
- additional retail employment opportunities in the order of approximately 177 employment opportunities and subsequent expenditure into the local economy from the new workers; and
- additional construction employment opportunities.

The Pitney Bowes assessment found that the development of 3,500m² of retail floor space would reduce sales in the Orange CBD by approximately 5.1% and this impact would not threaten the ongoing viability of the Orange CBD. Council raised the issue of cumulative impacts on the Orange CBD from the development of the North Orange retail area and the proposed Bloomfield retail area. Pitney Bowes however, did not consider that the North Orange development provided competitive relevance to the development of the retail centre proposed on the site.

Whilst the northern retail area provides no competition and hence no threat to the viability of the proposed retail area on the site, the Department acknowledges that developing both a northern and southern retail centre could have a cumulative impact on the Orange CBD. The travel distances between the proposed retail centre and the existing CBD would be approximately 4 kilometres. Given the potential impacts on the Orange CBD due to the proximity of the site to the CBD, the additional retail being developed in the north and the previous studies indicating that 1,500m² was an appropriate amount of retail to support the Bloomfield residential development, the Department engaged SGS Economics and Planning (SGS) to undertake an independent peer review of the Pitney Bowes' assessment. The SGS report, at Appendix E, reviewed the viability of 3,500m², the type of retail proposed and the impact that 3,500m² of retail floor space would have on the Orange CBD.

The Department and SGS consider the main purpose of any additional retail should be to support the Bloomfield residential subdivision and cater for convenience shopping for essential items. Accordingly, SGS considered that a Village or Town Centre would be the most appropriate scale of commercial centre for the site. SGS was then able to identify the catchment area based on the travel distance people are willing to travel for day-to-day shopping at a Village/Town Centre. The main trade area identified by Pitney Bowes suggests that retail would have an attraction similar to a Major Town Centre. The Department supports SGS's view that the retail centre on the site should be at a Village/Town Centre scale given the restricted release of land for residential urban growth for at least the next 12 years, as evident in the *draft Orange Local Environmental Plan 2010* that was recently exhibited which does not rezone any land beyond the site in southern Orange for residential growth.

SGS concluded that the Pitney Bowes assessment had:

- a higher food expenditure per capita than Australian Bureau of Statistics estimations and SGS projections;
- underestimated the retail turnover density required for a viable retail centre for the site given the competition from existing retail in Orange CBD and the potential residents expenditure on retail;
- identified a trade area similar to a major centre, where SGS considered the retail area should be of a smaller scale and in the form of a Village or Town Centre;
- overinflated supermarket sales forecast given the higher food expenditure per capita projection; and

- considered the overall impacts on the Orange CBD, however, had not considered that there could be localised trading impacts, including up to a 20% decrease at Orange Central.

SGS projected both a pessimistic and optimistic scenario for generation of retail demand based on: the projected residential population; additional demand generated from the surrounding employment uses including, the hospitals, TAFE and Cadia mine; average persons per household; and the population's spending behaviour (expenditure on food). The potential population generating a demand for retail (see Table 3) is significantly lower than the 7,415 to 8,840 population that Pitney Bowes considered would be available to support the retail uses. Based on the two above scenarios, SGS recommended that the area could support between 700m² to 2,000m² of retail floor space (see Table 3).

Table 3: Retail Demand for Bloomfield Retail Area

	Pessimistic		Optimistic	
	Population (2.5 persons per dwelling)	Floor space demand	Population (3 persons per dwelling)	Floor space demand
residential population – existing including growth	1,800	581m ²	2,000	1,427m ²
residential population – Bloomfield site	1,000		2,700	
demand generated from the surrounding employment	1,923	116m ²	2,023	597m ²
Total	4,723	697m²	6,723	2,024m²

The Department considers that whilst SGS did not review the cumulative impacts from the northern development and the proposed Bloomfield retail on the Orange CBD, SGS has identified an appropriate and viable level of retail to support residential urban growth for south Orange. Accordingly, the Department considers a maximum 2,000m² can be supported on the Bloomfield site (i.e. an increase of 500m² from the current OLEP 2000 cap) as:

- it would be a viable level of retail floor space that would not have an adverse economic impact on the Orange CBD;
- it would be appropriate to apply the maximum given the proposal is seeking Concept Plan approval and any future application for the retail development would be able to consider more detailed population projections as subdivision plans for the residential part of the site and potential household sizes and number of dwellings would have evolved;
- it would provide an appropriate level of flexibility to support any future residential subdivision given the potential for higher projections given:
 - Council's previous indication that they would be supportive of higher density type development in the Village Centre and in the vicinity of the hospitals (higher density housing is permissible in both the northern mixed use development area and the commercial site under the existing zoning);
 - relative unknown plans regarding the northern mixed use development area; and

- at a minimum lot size of 450m², the site can accommodate over 900 lots in any future subdivision.

The Department forwarded the peer review to Council and the Proponent for review. Council considered the findings were consistent with its views regarding the existing retail cap for the site and reiterated that the 1,500m² is an appropriate level of retail floor space for the site. The Proponent indicated that they would accept a maximum 2,000m² of retail floor space at this time, however expressed reservations regarding the findings and the assumptions identified in the peer review.

In considering whether to vary the development standard of 1,500m², the Department has considered the potential regional significance and the public benefit. The Department considers that the increase would not have a regional impact as an independent review found that the site can support up to 2,000m² and the retail would be supporting key public and social infrastructure that provides significant employment for the local and regional area.

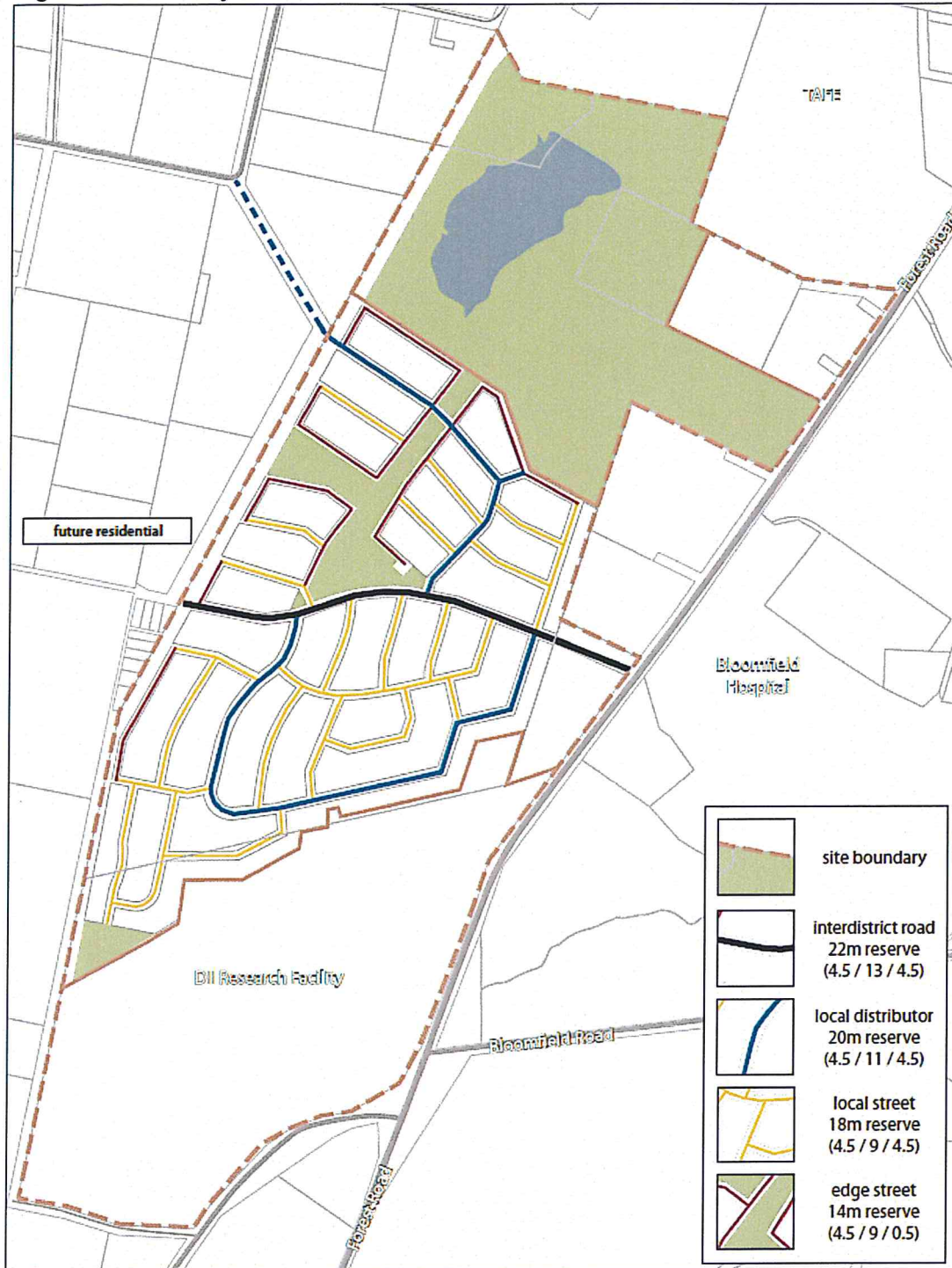
5.2. Transport and Access

5.2.1 Access

The proposed access points into the site (as identified in the EA) is a direct access point off Forest Road at the Village Centre and an access point on the western boundary that aligns with a road reserve to the west. These two access points would be connected by an interdistrict road. The Department and Council raised a number of issues with the proposed road hierarchy and access points including:

- suitability of the access points and road hierarchy to support through site movements to the future western growth areas and existing developed areas to the north west of the site;
- the proposed street layout required greater consideration of the potential for a connection to Shiralee Road;
- suitability of the proposed intersection design off Forest Road and the potential for congestion given the single access point is located at the Village Centre; and
- access arrangements to the adjoining Carmen property.

The Proponent's PPR provides a revised urban structure plan which includes an additional access point in the north-west of the residential area that can connect to Shiralee Road via an existing 30 metre road reserve. The additional north-west access point is connected to the main through site interdistrict distributor in the form of a local distributor road (see Figure 8). The new access point to the north-west of the residential subdivision area and potential connection to Shiralee Road would provide an alternate route to southern and western Orange. The provision of this connection would also negate the need to utilise the 30 metre road reserve that adjoins the western boundary of the site, which Council identified would encounter engineering and design issues due to the dams located on the private property immediately to the west of the road reserve and potential overflows.

Figure 8: Street Layout

The interdistrict distributor provides an east-west connection through the site and would provide the main connection to Forest Road for any future urban growth to the west of the site. The interdistrict distributor links the main access into the site, to the commercial site, residential area and land to the west of the site. Whilst the western connection of the interdistrict road would not provide a connection to any urban areas in the medium to long term, the Department does consider that the retention of this road reserve would facilitate the orderly and economic development of any future residential development to the west of the site.

The Department also considers the road reserves identified in the street layout would be adequate to support appropriate carriageways and footpaths and have been designed in accordance with appropriate road design guidelines. The detailed design of the roads would need to be addressed in future applications to demonstrate that these roads could support larger vehicles, such as buses.

Council also raised concerns regarding the appropriateness of the seagull intersection given the existing vehicle access point to the east of this location on Forest Road. Council has noted in further correspondence with the Proponent that the seagull intersection would be an acceptable intersection treatment at this stage, however, would need to be modified to cater for future development to the west. RTA considers that the seagull intersection is appropriate for the development.

The Department considers that the revised urban structure plan in the PPR provides improved connections to existing Orange CBD and appropriately caters for connections required for future residential growth. The preservation of an interdistrict road corridor would ensure that any future development to the west would have appropriate access to Forest Road and access to important social infrastructure, including the hospitals and the TAFE. The Department supports the additional local distributor as it would provide an alternative route to the Orange CBD. Whilst Council initially raised concerns regarding the potential congestion issues with locating the access point at the Village Centre and potential future congestion for emergency vehicles to the hospitals, Council has acknowledged the seagull intersection treatment as acceptable at this stage of development. The Department considers that the proposed location is appropriate as the Village Centre is the main point of access from Forest Road and the co-location of the Village Centre with the main access, the hospital and other retail development supports integrating land use and transport objectives. Any potential congestion issues would need to be considered in future plans for long term residential growth to the west.

5.2.2 Transport

The main form of transport in regional areas is primarily private vehicular use. Accordingly, the proposal would result in additional traffic generation. The proposal when fully developed would generate a maximum additional 440 vehicle trips on Forest Road in the morning peak period and 560 vehicle trips on Forest Road during the afternoon peak period.

The impact on the operation of intersections is the primary indicator of the impact on traffic efficiency. The main intersections that would be impacted by the proposal include:

- the proposed seagull intersection providing access into site;
- Summer Street/Piesley Street;
- the new hospital access on Forest Road;
- Forest Road/Huntley Road; and
- Forest Road/Sharp Road intersections.

The Proponent has factored into the traffic assessment the cumulative impacts from the surrounding development by incorporating the traffic generation of the approved hospital expansion into the base model to determine the existing Level of Service (see Table 4).

Table 4: Intersection Performance

Intersection	Existing Level of Service	Existing Level of Service (with hospital development)	Projected Level of Service with the proposal
New access into site	-	-	B
Summer Street/Piesley Street	C	C	C
Forest Road hospital access	A/B	B	B
Forest Road/Huntley Road	B	B	B
Forest Road/Sharp Road	B	B	B

The Proponent has indicated that the average delays at the impacted intersections would increase marginally, however, a Level of Service B or C (good to satisfactory performance level) would be maintained, provided the Forest Road intersections with Huntley Road and Sharp Road are upgraded. The upgrade works are an interim measure to improve traffic as the southern distributor planned to facilitate urban growth in Southern Orange is not planned for a minimum of 10 years, consistent with Council's draft LEP which does not anticipate further urban residential growth in southern Orange beyond this proposal. The interim upgrade would widen Forest Road and provide two northbound and two southbound lanes on approach to these intersections.

RTA raised no issue with the traffic generation of the proposal, however, requested greater consideration of impacts on the level railway crossing at the intersection of Huntley Road and Ash Street prior to any project approval, which the Department considers appropriate. Accordingly, future applications will need to demonstrate when the intersection upgrade works are required and provide details at the relevant stage. Further analysis of the impacts to the level railway crossing at the Huntley Road and Ash Street should be considered in future applications.

Transport NSW requested further details regarding the transport access hierarchy and improved connectivity to the Village Centre for cyclists and pedestrians. The Proponent provided further details including a typical cross-section to demonstrate the access hierarchy. The Department considers the hierarchy is satisfactory to address the modes of transport that would be prevalent in the area and should be reflected in future detailed subdivision plans and the design of the public domain. Whilst the bus service is currently located 2 kilometres from the site, given the proximity to the public and private hospitals, the proposal would establish a transport node and could support the potential extension of the bus service. The Village Centre and residential subdivision should be designed to facilitate potential bus movements. The Department has recommended as a future environmental assessment requirement that the Proponent demonstrate that pedestrian, cycle and public transport linkages have been considered in the detailed design of the site and that the detailed public domain plans reflect the access hierarchy.

5.3. Subdivision Design and Layout

5.3.1 Realignment

The Proponent has sought approval to realign the lots (see Figure 4) to better reflect the current zone boundaries (see Figure 5). This would result in the consolidation, subdivision and realignment of 10 lots into five lots. The Department considers this would be appropriate as it would facilitate future development and would ensure the respective uses are confined to the relevant allotments. The Department has

recommended that the consolidation, subdivision and realignment of lots be approved with no further environmental assessment, subject to conditions.

5.3.2 Minimum Lot Sizes

The Orange LEP provides a minimum lot size of 450m² across the Bloomfield site. The proposed residential area in the urban structure plan is equivalent to 40.6 hectares and therefore the average lot size would be approximately 738m² based on the indicative 550 lots identified by the Proponent. The site could accommodate a maximum 902 lots.

Council initially raised concerns with the type and density of housing. The Department notes that the Proponent has not sought approval for the residential subdivision, however, has sought approval for residential development principles and guidelines with lot sizes that range from under 500m² to over 750m². The Department notes that the residential low density zone does not allow multi-dwelling, however does allow attached and semi-detached dwellings. Furthermore, the zoning and the proposal would not preclude medium density housing in the form of semi-detached dwellings, dual occupancies and town houses from being developed within the mixed use zones. The Department has recommended as a future environmental assessment requirement that the Proponent demonstrate that a variety of lot sizes has been incorporated into future subdivision plans to ensure that a variety of housing choice is provided. This would support more affordable housing given the lower prices for medium density housing, providing greater housing opportunities for seniors, students and low-income workers in the vicinity of the hospitals and the TAFE.

The Department requested that the Proponent provide additional design principles to guide future development and to complement the urban design rationale for the urban structure plan. In response, the Proponent has adopted Council's subdivision controls as an appropriate guide for future development and has committed to development in accordance with these provisions. Council considered that any future application should address Council's guidelines that are relevant at the time. The Department has recommended that future applications should demonstrate consistency with Council's controls and guidelines.

5.3.3 Open Space

The Proponent has committed to providing 5.6 hectares of open space. Council initially raised concerns with the level of open space provided, however, have since accepted the level of open space as appropriate. The Department considers the open space area consistent with that previously proposed in the rezoning of the site as a State Significant Site in the MD SEPP and is also comparable with open space areas provided in other urban growth areas in western and northern Orange. Furthermore, the site is close to a major open space facility, Sir Jack Brabham Park, and a golf course. The Department therefore considers the future residents of the site would have appropriate access to open space provisions and recreational spaces. Accordingly, the level of open space is supported.

In regards to the location of the open space, the Department considers that the location of the open space is appropriate as it aims to conserve any biodiversity values on the site and is located centrally within the residential precinct.

5.4. Land Use Impacts

5.4.1 Agricultural Land Use Conflict

The Proponent has indicated that the site would have appropriate buffers to agricultural land uses, including the land retained for agricultural research. Council reiterated in its response to the PPR that the potential for land use conflict with the private agricultural land to the west has not been adequately resolved.

The Department considers an appropriate buffer is provided to the private agricultural to the west as:

- a 30 metre road reserve adjoins a large section of the western boundary of the site; and
- a 20 metre transmission easement is proposed for the western boundary and located within the easement would be edge streets (14 metre road reserve), cycle and pedestrian paths and residential setbacks.

The Department has recommended that future applications demonstrate that these provisions have been incorporated into the plans.

The proposal incorporates edge streets along the northern edge of the residential area where residential lots adjoin agricultural research land (grazing land) to be retained to the north, which provide a minimum 14 metre buffer to the agricultural research land. The Department considers that this is an adequate buffer to the grazing land. In regards to a buffer to the Orange Agricultural Research Institute buildings to the south of the residential area, no dedicated buffer to the southern allotments of the future residential subdivision has been provided. These lots would rely on larger lot sizes and treatments including 1.8 metre fencing and plantings within five metres of the rear fencing. The Department therefore considers that the future allotments to the south, adjoining the Orange Agricultural Institute, should demonstrate that appropriate measures (including easement or restrictions) are included in any subdivision plan and treatments are incorporated in any development to minimise any conflict. The Proponent has indicated that the uses of the agricultural research facilities would not result in adverse amenity impacts to future residents.

The Department also notes that the Proponent has indicated that the northern and southern areas would be retained as agricultural research and the northern area would be grazing land. The Proponent has not indicated how adequate access and linkage can be maintained between the two sites for water supply and any livestock routes. The Department has recommended that, prior to any future application for subdivision or development on the site, the Proponent demonstrate appropriate provisions for water supply and any routes for livestock between the two parcels of agricultural research lands are appropriately protected.

5.4.2 Rifle Range Land Use Conflict

A rifle range adjoins the site to the north and the Orange Rifle Club Inc has a permissive occupancy for the purposes of a safety zone across parts of the Bloomfield site. The Proponent intends to terminate the permissive occupancy to allow for the future residential development of the subject site. The Proponent has provided in their response to submissions correspondence from the Orange Rifle Club Inc that acknowledges that the range will have to close once residential development commences. The Proponent has stated that no other licence or rights of access to the Bloomfield site exist.

The Department also understands that if the rifle range facilities were upgraded, there is potential that some of the groups using the range may be able to continue to do so as the current safety zone across part of the Bloomfield site intended for residential use would no longer be required.

Accordingly, there is minimal potential for land use conflict with the adjoining rifle range, as the Proponent has stated that they intend to terminate the permissive occupancy, which would render the range unfeasible without upgrades and safety improvements. If the upgrades and safety improvements are undertaken by operators or users of the range, an adequate buffer to the use would be provided by the land retained as agricultural research land to the north of the residential development. Accordingly, the Department has recommended that the Proponent demonstrate that the safety zone located on the site is removed or no longer operational prior to the approval of any future application for residential subdivision or the retail/commercial development.

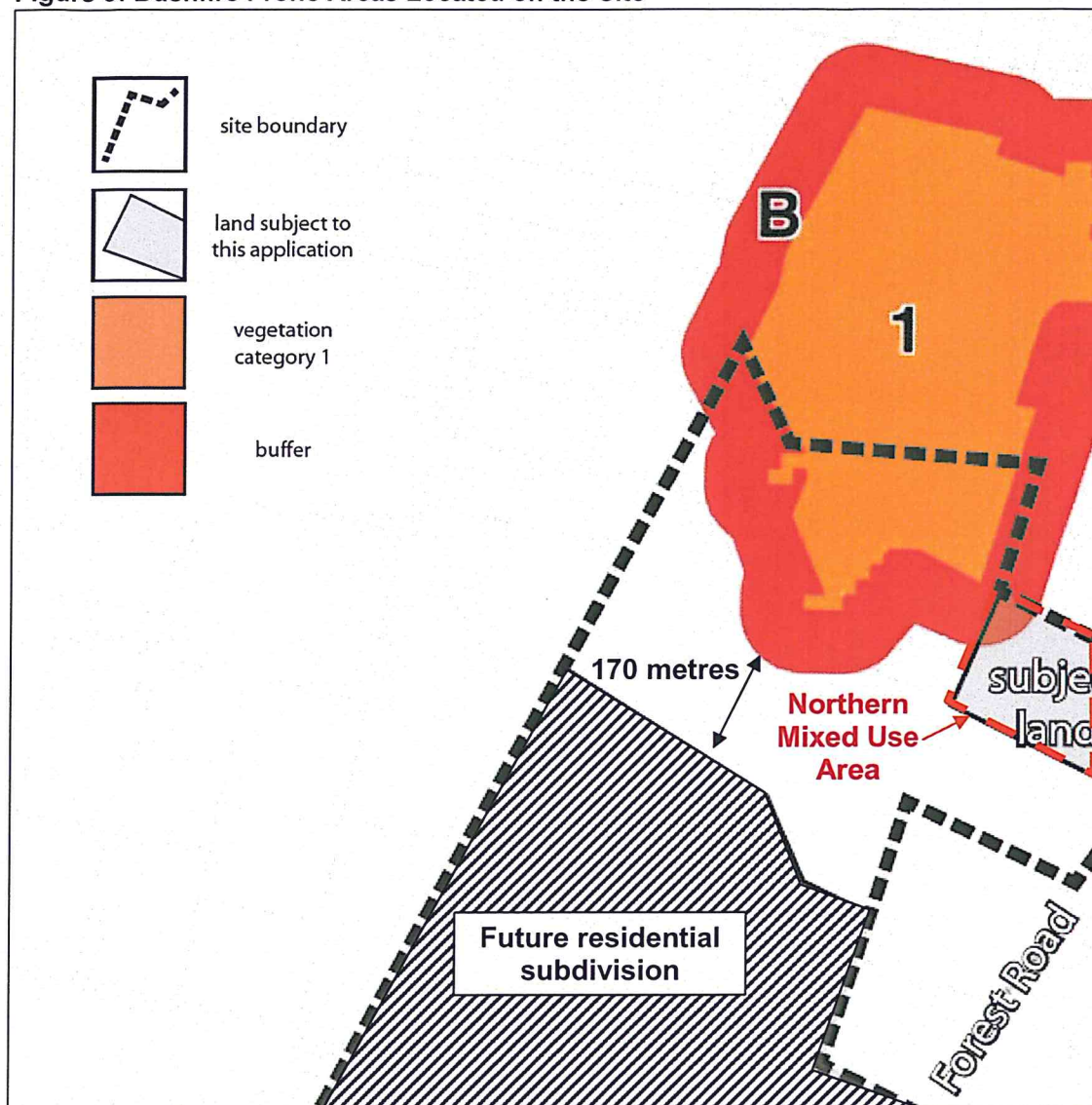
5.5. Ecological Impact

The northern agricultural research land has recognised biodiversity value due to the existence of significant flora and fauna. Accordingly, the wetland area (dam) and the woodland area in the north is zoned SP2 Infrastructure and the proposal does not seek to develop this parcel of land. Council has also identified that a number of threatened species may occur in the northern area. As the northern area would continue to support agricultural research, predominantly grazing land, the Department considers the impact to biodiversity would be minimal given the ongoing use and management of the land as agricultural research and the buffers to the residential development provided by the edge roads.

A riparian corridor that runs north-south, in the northern part of the residential area, would be protected as a 40 metre corridor is reserved for open space as part of the urban structure plan. OEH raised no issues with the proposal or the open space area along the potential riparian zone. The Department considers that the proposal would not have any adverse impact on threatened species or their habitat. The retention of the riparian corridor also provides an opportunity to retain any vegetation and potential foraging resources. The Department has recommended that future applications would have to demonstrate that the existing vegetation would be retained and managed.

5.6. Bushfire Protection

The northern part of the site is located in bushfire prone land and a bushfire buffer zone (see Figure 9). The part of the site that is within bushfire prone land is to be retained as agricultural research land. The part of the site located in a bushfire buffer zone is the northern mixed use development area. No development or subdivision is being sought for this zone as part of the Urban Structure Plan.

Figure 9: Bushfire Prone Areas Located on the Site

The Proponent indicated that the bushfire prone land is separated from the area seeking approval for the urban redevelopment by agricultural research land and the northern mixed use development area does not form part of the Urban Structure Plan. The Department considers that whilst the northern mixed use area does not form part of the urban structure plan, it does form part of the Concept Plan as it forms part of the site that is seeking realignment of the boundaries and subsequently consolidation and subdivision (see Figure 4).

RFS requested a Bushfire Assessment Report be prepared and in discussions with the Department highlighted the potential for the agricultural land to regenerate. In their response to submissions, the Proponent confirmed that the land would be maintained for grazing purposes and therefore is unlikely to support regeneration of the vegetation and therefore not present an increased bushfire hazard for any future residential subdivision.

RFS maintained the view that a Bushfire Assessment Report, including an assessment of the Asset Protection Zone's (APZ's), is required to address the bushfire hazard located on the agricultural research land that forms part of the site (dam area to the north which borders the southern development area), including its

potential for revegetation or regrowth, the riparian areas and any adjoining grassland areas. RFS has reiterated that the APZ's should be wholly within the development or a registered easement provided. The Bushfire Assessment Report would also address building construction requirements, water, roads, access and services for the whole of the development.

The Department notes that the bushfire hazard and buffer is located on the northern boundary of the site and approximately 170 metres from the proposed residential part of the site. The site is also predominantly clear of mature vegetation. The Department considers the residential area would not be adversely impacted by the bushfire hazard, provided the agricultural research land continues to be managed and operated as grazing land. This would provide an adequate area for any required APZ to support future residential development to the south (see Figure 9). Furthermore, the Department notes that the grassland to the west is agricultural land and not identified as bushfire hazard.

The potential bushfire risk associated with the riparian zone and open space is primarily associated with the potential for regeneration of vegetation to the north and within these areas. Management of these areas can generally be addressed in future application stages. However, as the Proponent has sought approval for subdivision and realignment of the boundaries and the Department is recommending that the subdivision and realignment be approved with no further environmental assessment, the Department considers the bushfire assessment will need to be undertaken prior to any future application, to identify the location of any APZs. Furthermore the Proponent would also need to undertake the assessment prior to any subdivision and realignment of the boundaries as the subdivision plan will need to identify any APZs. Therefore, the Department has recommended a Bushfire Assessment Report be required as a modification to the Concept Plan. The Department has recommended that this report be prepared in consultation with RFS and approved by the Department.

The northern mixed use development area is located within the bushfire buffer zone; however, no uses or specific works have been proposed for this site and therefore a bushfire assessment cannot be undertaken at this stage. Furthermore, the Proponent has indicated that the development of this site would be subject to a separate application.

5.7. Water Management

A predominantly dry creek and riparian corridor runs north-south centrally through the north of the residential component of the site. Linked to this corridor, and located to the north of the site (on land to be retained for agricultural research use and grazing land) is a large dam. The dam would continue to provide water for irrigation purposes for the Orange Agricultural Research Institute located on the southern part of the site. The additional impervious surfaces created by the residential development will allow for rainwater to be captured in the stormwater system on the site and discharged into the dam to provide additional water supply. The additional water supply would also support the irrigation practices and the viability of the research facilities, as well as minimise the ecological impact by reducing the frequency of low levels in the dam.

Management of overland flow paths, water runoff and water quality needs to be considered, given the proposed redevelopment and potential groundwater impacts,

water quality impacts and potential biodiversity impacts on the dam where additional runoff would be diverted. One of the key objectives of water sensitive urban design is to enhance and protect natural water systems in urban development. The Department considers the proposed water sensitive urban design measures are appropriate as the natural drainage patterns are generally being maintained including the riparian corridor that connects to the dam. The proposal incorporates bio-swales and bio-filtration systems to manage water quality, while the loss of groundwater through increased impervious surfaces (roads, paths, etc) is compensated through the re-use of captured rainwater.

The NSW Office of Water sought clarification regarding stormwater infrastructure, the role of the recycled stormwater system in providing water supply for the proposed subdivision, dam ecology impact given increased run-off, need for review of estimated water usage from the on-site dam and potential impact to downstream flows. The Proponent provided a satisfactory response to these issues in the PPR. The NSW Office of Water, in discussion with the Department, indicated that they had no further issues with the response, however, any use of water from the dam would require review of existing or future licensing from the NSW Office of Water. The Department has incorporated these requirements in the recommended future environmental assessment requirements.

5.8. Development Contributions

5.8.1 Section 94, Environmental Planning and Assessment Act 1979

The Proponent has indicated that any future applications would be subject to Council's recently adopted Contributions Plan or a Voluntary Planning Agreement. Orange Council has previously requested that the Proponent enter into a VPA to ensure that any necessary facilities are provided. Council's Contributions Plan has been recently updated and now factors into the plan the proposed development of the site given the rezoning for urban growth. Council notes that the plan may need to be updated if additional or alternative works are required. The Department supports the Proponent's commitment to enter into a VPA or make payments in accordance with Council's contributions plan. The Department has recommended that any future applications should demonstrate whether a VPA has been agreed to or acceptance of contributions applied in accordance with Council's relevant Contributions Plan.

5.8.2 Section 64, Local Government Act 1993

Council has prepared a Developer Servicing Plan (DSP) and incorporated the development of the site into its servicing plan. Under Section 64 of the Local Government Act, Council may levy contributions where the anticipated development would or is likely to increase the demand for water supply and sewerage services in accordance with Council's DSP.

Interim works and upgrades are required to be carried out by Orange Council in order to provide the site with water and sewerage services for the first 180 lots (Stages 1 to 3). Accordingly, section 64 contributions are applicable to ensure Council can support the delivery of the necessary infrastructure to support the new dwellings. Council and the Proponent have agreed to the following:

- charges would be levied in accordance with Council's DSP per lot at time of linen registration, current levies are \$6,808.90 for water and \$3,768.85 per lot;
- Council would upgrade the Forest Road Pump Station through DSP funds;

- the lead-in main required for the future subdivision from Forest Road would be provided/funded by the Developer;
- further upgrades, including the construction of a 300mm main along Forest Road and a new reservoir would be required to service the next 180 lots (Stages 4 to 6); and
- the remaining trunk infrastructure works would be required for the remaining Stages.

The Department has recommended that prior to each future application the Proponent must demonstrate that adequate water and sewerage services are available to support each stage and if new water or sewerage services are required, that the timing of delivery of the infrastructure works are identified and co-ordinated.

5.9. Heritage

5.9.1 European

The site is located opposite the State Heritage listed Bloomfield Hospital. The Bloomfield Hospital (now known as the Orange Base Public Hospital) has high historic, associative and aesthetic significance. The Proponent's heritage assessment considered the proposal would have no adverse impacts on the significance of the hospital site.

The Department considers that the proposal would have minimal heritage impacts given that the curtilage of the heritage item ends at the Bloomfield Hospital site's boundary on the opposite side of Forest Road. Furthermore, the residential development on the subject site will be separated from the heritage item by the Carmen property and the approved Bloomfield Private Hospital. The only parts of the Concept Plan that will interface with the Bloomfield Hospital are the northern mixed use area and the commercial site. The development of the northern mixed use area does not form part of the urban structure plan and therefore would have no impact on the Bloomfield Hospital. The proposal is seeking approval for subdivision of land that has already been zoned for urban redevelopment and does not seek approval for any physical structures or building works on the commercial site. Furthermore, the Department notes that significant building works have recently been approved and are currently under construction on the hospital site and a number of these new buildings would obstruct views to and from existing buildings on the hospital site.

Accordingly, the Department considers the proposal would have minimal impacts. However, future development of the commercial site will interface with the Bloomfield Hospital site. Therefore, the Department recommends that future applications for the development of the commercial site shall consider impacts on the heritage significance of buildings within the Bloomfield Hospital site, and development should be undertaken in accordance with the guidelines in the NSW Heritage Manual, including consideration of whether the development on the commercial site would have any significant impacts to the curtilage of the heritage item, significant impacts to views to and from the heritage item and demonstrate whether future development would need to be sympathetic to the heritage item.

5.9.2 Aboriginal

The Proponent's Aboriginal cultural heritage assessment included a desk top review which identified that no known Aboriginal items, places or sites were identified within the site and that any potential items would have been disturbed due to the current

activities on the site. The heritage assessment found that potential items that could be located on the site would be scarred trees and objects and likely to occur in areas retained as woodland and areas identified as open space, and any objects found outside of these areas would be unlikely to be in-situ. The heritage assessment recommended a monitoring program, focussing on mapping, recording and salvage of any Aboriginal objects found during the initial stages of development by Aboriginal community representative and an appropriately qualified archaeologist. The Department notes that the proposal is seeking Concept Plan approval for the urban structure and is not seeking to undertake any works or remove any trees at this stage.

OEH raised no issue with the Aboriginal cultural heritage assessment and recommendations. The Department considers further investigations, including on site investigations, are required prior to any future applications involving subdivision, building works or tree removal. Accordingly, the Department has recommended that further investigations considering the potential impact on Aboriginal cultural heritage be undertaken prior to any residential subdivision or future commercial/retail applications.

6. RECOMMENDATION

The Department has reviewed the environmental assessment and duly considered advice from public authorities as well as issues raised in public submissions in accordance with Section 75I(2) of the Act. All the relevant environmental issues associated with the proposal have been assessed.

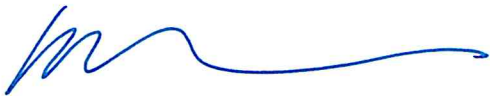
The urban development of part of the agricultural research land at Bloomfield would provide housing to support the recent development and expansion of the Orange Base Public Hospital and the approved private hospital. The development is consistent with the strategic objectives for the area, as it is consistent with the rezoning of the site from general farming to residential, mixed use and infrastructure, which is consistent with the priorities in the NSW State Plan.

The Proponent has adequately addressed the Director General's Environmental Assessment Requirements and satisfactorily mitigated the potential environmental impacts associated with the proposal. The recommended modifications to the Concept Plan, including limiting the retail floor space to 2,000m² and implementation of the measures detailed in the Proponent's EA and appendices, PPR and appendices, and Statement of Commitments, seek to maintain the amenity of the local area, and adequately mitigate the environmental impacts of the proposal.

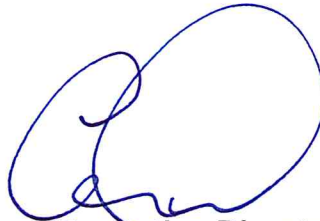
The Department considers the site to be suitable for the proposed development and that the application is in the public interest. Consequently, the Department recommends that the Concept Plan be approved, subject to modifications and that the consolidation, subdivision and realignment of the proposal is approved without further environmental assessment, subject to conditions. It is recommended that future applications be subject to Part 4 of the EP&A Act. Future applications arising out of the Concept Plan will be determined by the Council, under Part 4 of the EP&A Act.

It is recommended that the Planning Assessment Commission:

- a) **Consider** the findings and recommendations of this report;
- b) **Approve** the Concept Plan (MP 10_0021), subject to modifications, under section 75O(1) of the EP&A Act, having considered all relevant matters in accordance with (a) above;
- c) **Approve** the consolidation, subdivision and realignment of 10 lots to five lots, subject to conditions, under Section 75J(1) of the EP&A Act and specify that under Section 75P(1)(c) that no further environmental assessment is required;
- d) **determine** that approval to carry out the project is to be subject to Part 4 of the EP&A Act under Section 75P(1)(b);
- e) **specify** that under Section 75P(2)(c) the future environmental assessment requirements for the project under Part 4 are as identified in Schedule 4 of the instrument at Appendix F; and
- f) **Sign** the attached Instrument of Approval (Appendix F).

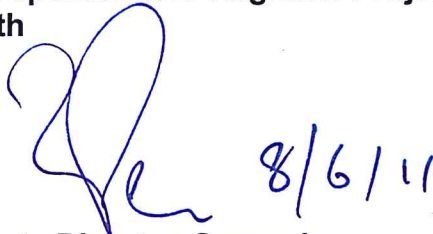


Director
Metropolitan and Regional Projects
North



Executive Director
Major Projects Assessment

8.6.11



Deputy Director-General
Development Assessment & Systems
Performance



Director-General

8/6/2011