

Subregional Rural and Industrial Lands Strategy 2019 to 2036 - Draft

Blayney Shire Council, Cabonne Council and Orange City Council

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1 Introduction

The Blayney, Cabonne and Orange City local government areas (referred to in this report as the 'subregion') are located in Central West NSW, approximately 3½ hours west of Sydney. The subregion is known for its natural beauty, attractive landscapes and highly productive agricultural lands. The key economic drivers in terms of economic output are mining healthcare and retail trade. As individual LGAs Cabonne and Blayney have strengths in agriculture and mining respectively, while Orange is dominated by the healthcare and social assistance sector. This is reflected in the key engines of growth sectors being; mining, healthcare, manufacturing, agriculture, government administration and tourism.

The Rural and Industrial Land Strategy (Strategy) seeks to respond to the key issues in the context of industrial and rural lands. It aims to protect and promote economic, environmental and landscape values associated with rural land as well as respond to competing demands for the use of rural land.

Structure

The Strategy document is structured as follows:

Section 1 Introduction – provides an overview and context.

Section 2 Rural Lands Strategy - responds to the diversity in rural land and established rural industries such as agriculture and forestry, promotes a balance between agriculture and tourism and highlights the need to better address mining, rural lifestyle development and agriculture.

Section 3 Rural Land Strategies and Actions – provides a series of strategies and actions to address key rural land use issues

Section 4 Industrial Land Strategy – provides an overview of the key objectives

Section 5 Industrial Land Use Strategy Actions – outlines the individual precincts and key opportunities and actions

Section 6 Governance – Identifies the process for monitoring and review

Appendices – these provide additional discussion in relation to key issues and provide the rationale for the actions identified in the Strategy.

1.1 Background and Purpose

In 2008 GHD prepared a subregional Rural and Industrial Lands Strategy (2008 Strategy) in collaboration with the NSW Government.

The 2008 Strategy provided a comprehensive rural and industrial lands strategy to guide and inform land use planning for the subregion for the next 30 years. It also informed the preparation of Standard Instrument LEPs for each of the three councils. The NSW Department of Planning and Environment (DPE) and the three councils engaged Elton Consulting to undertake a review and update of the 2008 Strategy.

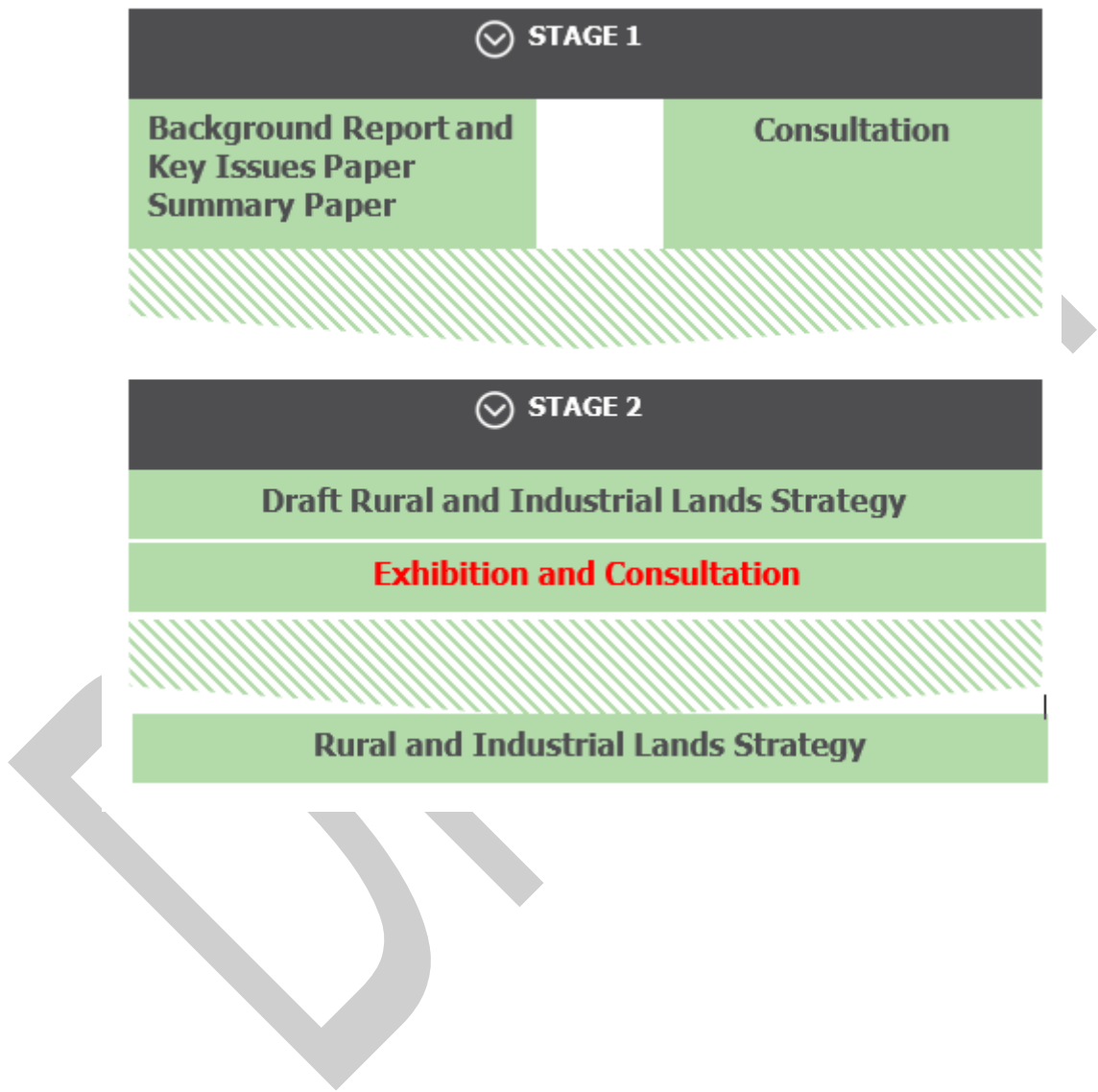
In 2017 the NSW Government published the Central West and Orana Regional Plan (Regional Plan). Developed by the Department of Planning and Environment, the Regional Plan is intended to guide the NSW Government's land use planning priorities to 2036 and provide a framework for more detailed land use plans. The Regional Plan is accompanied by an Implementation Plan. The Strategy has been prepared to be consistent with and assist with the delivery of the Regional Plan in the context of rural and industrial land in the subregion.

More recently, the councils jointly adopted a Regional Economic Development Strategy (REDS) with the NSW Government in 2018, reflecting their positioning as a functional economic region. Prepared with input from the

local community, the REDS identifies and builds on the competencies and strengths of the subregion. The Strategy aligns with the relevant actions in the REDS.

1.2 Approach

The review of the Strategy has been undertaken in two stages. Stage 1 included a comprehensive review of the existing document and constraints analysis which included a full land use audit of all industrial land in the subregion. This stage also included early community and agency engagement. This work resulted in a Background Report and Key Issues Paper (including a Summary Issues Paper). The following diagram represents the relationship between Stages 1 and 2 followed by a table identifying the key issues.



1.3 Key economic drivers

The Regional Economic Development Strategy provides a vision for the subregion as:

A large and diverse regional economy with a vibrant network of towns and villages that leverage opportunities from being at the heart of NSW in order to grow wealth and prosperity

Driving the growth of tourism, supporting growth in mining and mining services and developing agriculture, agricultural processing, agri-technology and manufacturing are the key areas in the Regional Economic Development Strategy that need to be supported by land use planning.

Agriculture

The protection of agricultural land needs to be considered in light of current and future needs, taking into account future changes such as climate change, advances in agricultural and land management practices, and emerging technologies. Primary production will continue to be important within the subregion and there is an opportunity to value-add through agricultural processing. Engaging in manufacturing in the mining agricultural support services sector.

Horticulture and the Wine Industry

The subregion is already recognised as a key wine region and well positioned to capture growth and investment in this industry. The wine industry has the potential to generate local employment both on farm and across the value chain, attracting opportunities for research and development, training and technological advancements. The relationship between the wine and food and tourism industries need to be acknowledged and nurtured through sound land use planning.

Mining and mining services

Recognising the potential for the expansion of mining in the subregion either via advancement in technology or future mine extension of existing operations having regard to maximising economic benefits while ensuring that social and environmental impacts are minimised.

1.4 Overview and Context

While agriculture is the predominant land use and a significant economic contributor, the region also has a long history of mining that continues to drive the region's economy today. Healthcare and social assistance, retail trade, education and training and state government administration are also important industries in the subregion.

The subregion has a growing population and a vision to be a 'large and diverse regional economy with a vibrant network of towns, villages and a regional city that leverage opportunities from being at the heart of NSW in order to grow wealth and prosperity'. The subregion's economic strategy seeks to leverage its key strengths and advantages in **agriculture, mining, healthcare, education, public administration and tourism**.

The subregion benefits from its rainfall, climate and soil, mineral and natural resources, location and access via rail to Sydney and via air to Sydney, Brisbane and Melbourne. It has significant infrastructure assets including Orange airport, Charles Sturt University and one of the largest regional hospitals in NSW, and stands to benefit from Inland Rail in the coming decades.

Orange is the main regional service centre, supported by a range of smaller towns and villages shown in **Table 1**. A map of the subregion is shown **Figure 1**.

Figure 1 Subregion

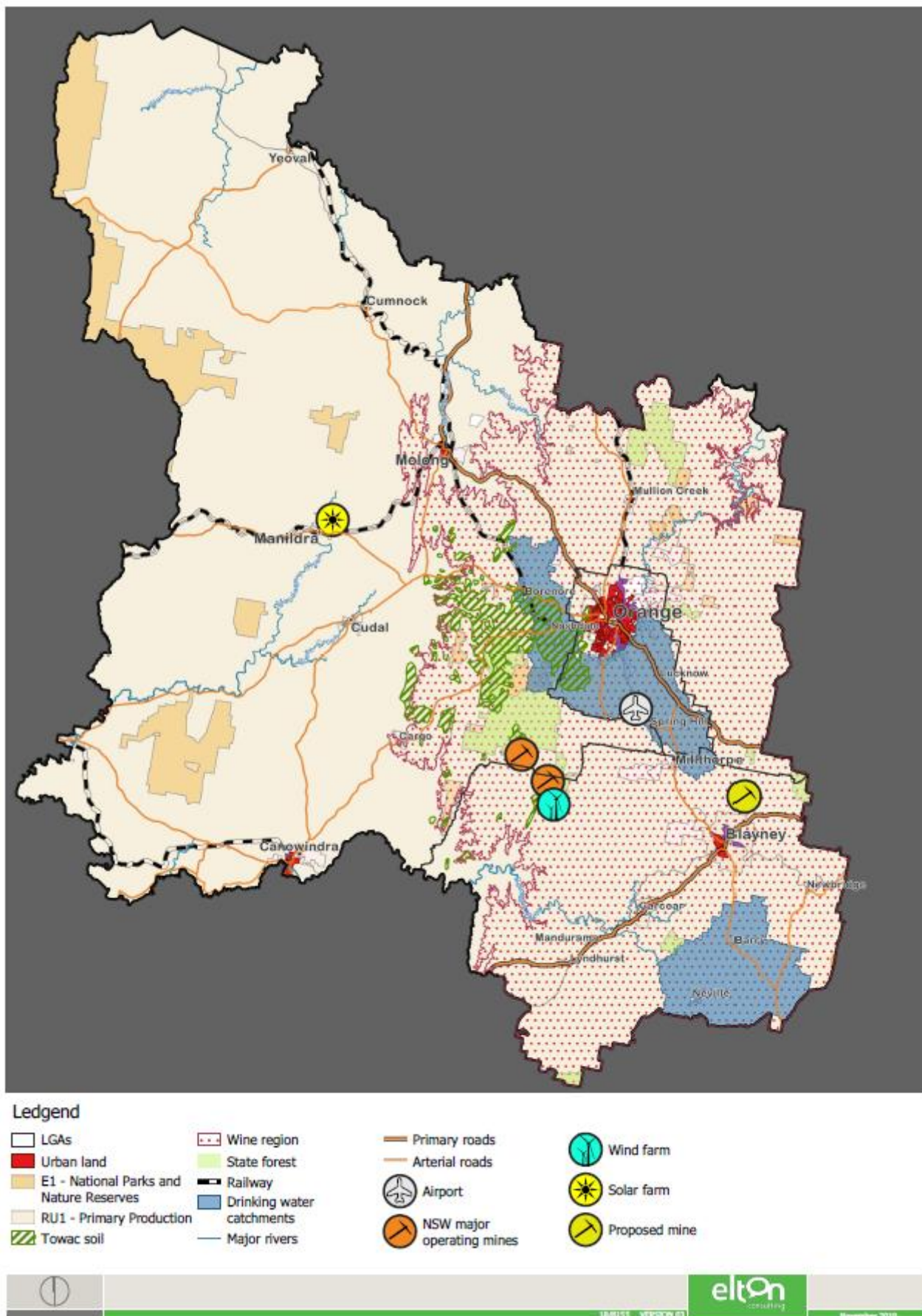


Table 1 Key characteristics

| | Area (km ²) | Land use | Population (2016) | Towns and villages |
|----------------|-------------------------|---|-------------------|--|
| Blayney | 1,600 | » Rural: 1448 km ² (98%) » Industrial: 173 ha (0.1%) » Residential: 24 km ² (1.6%) | 7,257 | Blayney, Barry, Carcoar, Lyndhurst, Mandurama, Millthorpe, Neville and Newbridge |
| Cabonne | 6,000 | » Rural: 5565 km ² (92%) » Industrial: 53 ha (0.01%) » Residential: 35 km ² (0.6%) | 13,386 | Molong, Canowindra, Cargo, Cudal, Cumnock, Eugowra, Manildra, Yeoval |
| Orange | 290 | » Rural: 48 km ² (17%) » Industrial: 4.9 km ² (2%) » Residential: 41 km ² (14%) » Environmental Management Land (E3): 156 km ² (55%) | 40,344 | Orange, March, Lucknow, Shadforth, Spring Hill, Huntley and Spring Terrace |
| Total | 7,890 | | 60,987 | |

1.5 Key Issues

The Background and Issues Paper provided a framework for the Strategy with the identification of issues in the development of strategies for the long-term management of industrial and rural land in the subregion. It provides the analysis, land use constraints and context and should be read in conjunction with the Strategy. The key issues are identified below.

| Issue | Comment |
|--|--|
| Rural Land | |
| Promote and protect sustainable agriculture | Despite the growth in service industries, health and education, the value of agriculture to the region cannot be underestimated. Long term protection of the agricultural sector should be a key consideration in land use planning in the rural areas of the subregion. |
| Support rural economic development | Both the Regional Plan and Regional Economic Development Strategy focus on rural economic development; a growing agribusiness, value adding industries and increase in food manufacturing as essential to the continuing prosperity of the subregion. Land use plans and local planning policy should support, rather than inhibit the growth of agribusiness. |
| Consistency in local planning, land use and zoning controls for rural land | With the Standard Instrument Local Environmental Plan, a jointly endorsed Regional Economic Development Strategy and overlapping services and infrastructure across the subregion, there is also an opportunity to better align individual planning controls, particularly in relation to rural zoning and land use. |
| Need for a coordinated, collaborative approach to managing land use around Mount Canobolas | The agricultural productivity is generated largely in the Cabonne LGA, however, Orange see a greater share of the tourism benefit. Even so the flow on benefits from tourism are felt throughout the whole subregion. Growth pressure from rural lifestyle development, fragmentation of holdings and the nature of some agricultural activities themselves (bird and hail netting for example) have the potential to erode the scenic character of the area. The strategy should look to specific controls to provide balance. |
| Mining activity and post mining land use | Developing mining in the region is a key element of the Regional Economic Development Strategy. Fragmentation of rural land in the short term can result in significant costs to both the community in terms of impact of mining on adjoining land and the viability of projects themselves increasing the cost of acquisition and managing impacts such as dust, traffic and noise. A consistent approach to managing mining projects is needed and the extent that Council have a role could be investigated. Post mining land use needs to be considered, in particular the ability for land to be returned to productive agriculture. |

| Issue | Comment |
|--|---|
| Industrial Land | |
| Efficient use of existing industrial land | The industrial land analysis found that there is sufficient land identified to support the existing and anticipated growth in the sector in the medium to long term. That said, future needs are based on historic trends and even this data can be inconsistent. Anticipating changes in industrial land demand beyond relying on historic data and trends is challenging. The strategy should be informed by the best available information to plan for future needs and ensure suitable land is preserved for that purpose. |
| Availability of industrial land in all three LGAs | <p>While consideration was given to industrial land supply as a gross area at subregional level, industry needs and behavioural patterns lean towards ensuring that each LGA can retain a sufficient area of industrial land to meet current and future demand.</p> <p>A key consideration for the strategy is the extent to which the rural LGAs, in particular Blayney, provide industrial land for the benefit of the region and the appetite for industry to consider a range of opportunities depending on their individual needs.</p> |
| Pressure on existing industrial land supply and land use conflict | The encroachment of residential and rural residential development (existing and future) on industrial land remains a consideration for the strategy. Planning to avoid future land use conflict is a key element of the broader planning for industrial land. |
| Opportunity for the subregion to attract industry from other major centres | The subregion should be continuing to position itself to attract industry from other areas and sectors. Capitalising on the competitive advantages and considering how this can be facilitated through local land use planning should be further investigated. |

2 Rural Land Strategy

The Rural Land Use Strategy provides a framework to guide growth and development within the rural land of the subregion to 2036. The Strategy responds to the diversity in rural land and established rural industries such as agriculture and forestry, promotes a balance between agriculture and tourism and highlights the need to better address mining, rural lifestyle development and agriculture.

It provides an approach to the management of contested land, building on the work undertaken both in the previous strategy and more recently other collaborative strategic planning supported by all three Councils.

The Strategy acknowledges the importance of rural land in the context of land use planning and provide a framework to support rural and agricultural enterprises while recognising mining and tourism as drivers in the rural economy and balancing environmental constraints.

In particular the Strategy seeks to:

Promote and protect sustainable agriculture – identify objectives for the protection of agriculture based on an understanding the existing and potential land use, managing key threats and recognising opportunities.

Support rural economic development – providing a land use framework that supports long term investment in agriculture, enables agribusiness and value-adding in the agricultural sector.

Rural tourism – Provide a consistent approach to support, manage and facilitate rural tourism.

Recognise and manage development on Mt Canobolas – identify the value of managing contested landscapes of Mt Canobolas across rural living, agriculture, the wine industry and tourism investigating options to better manage competing land uses

Support mining – recognise the importance of mining and provide direction as to the suitability of mining in particular locations.

Protect environmental values and manage threats including climate change – protect and preserve key environmental attributes. Recognise climate change and build resilience into planning controls

Manage the rural – urban interface – contain urban growth to the west and south of Orange towards Mt Canobolas and the more fertile landscape to the south of Orange.

2.1 Current planning controls

The Background and Issues Paper identified the key aspects in terms the tree LEPs. For the most part, the planning instruments are generally consistent. There may be a need to better align the interpretation of land uses in some instances. Additional discussion in relation to the current planning controls and the rationale for the actions proposed in the Strategy refer to **Appendix A**. There is a need to provide consistency between environmental planning controls across the three LGAs.

2.1.1 Zoning

The application of the RU1 Primary Production zone is applied to rural land across Cabonne, Blayney and the north of the Orange LGA.

The most notable zoning inconsistency in the application of zones is way in which the drinking water catchment is identified. In the Orange LEP this area is zoned E3 Environmental Management. Cabonne LEP applies the RU2 Rural Landscape zone and Blayney LEP applies the RU1 Primary Production zone. The permissibility of land uses in the three zones, particularly in terms of agriculture and associated ancillary uses remains similar, however, the E3 Environmental Management zone inhibits the application of the Exempt and Complying Development Code

which results in some limitations in the application of complying development. The RU2 Rural Landscape zone in Cabonne includes an additional objective related to the protection of the drinking water catchment and objectives in relation to tourism and diversity is agricultural systems. The zone also notably prohibits intensive livestock agriculture and turf farming, rural industries and truck depots.

2.1.2 Managing the Drinking Water Catchment

Protecting the drinking water catchment is an important. The three LEPs, as noted above have a different approach to zoning, however, there are consistencies in that they all include local provisions in the LEP to deal with development in the drinking water catchment. It is the local provision, more so that the zoning, that provides the checks and balances for development in the catchment.

It is important that the three LEPs are aligned in their approach to management of the drinking water catchment and the land uses within it. Additional discussion in relation to the options for managing the drinking water catchment is attached in **Appendix A**.

2.1.3 Tourism related accommodation and development

Tourism is a key driver of the local economy and the land use planning framework across the three LGAs needs to be consistent in managing the development of tourism related land uses. Driving tourism growth is identified in the REDS for the subregion with priorities with "Visitor accommodation including temporary caravan parks, camping and backpackers through to five-star destination hotels" marked as an infrastructure priority.

Tourist and visitor accommodation is limited in terms of permissibility throughout the rural areas across the subregion. In particular destination hotels, or hotels of any scale are prohibited along with caravan parks. Camping grounds are permissible in RU1 and RU2 zones in Blayney and Cabonne LEPs but prohibited the E3 and RU1 zones in Orange.

In order to align the land use planning controls with the adopted REDS, additional consideration will need to be given to the application of the whole suite of tourist and visitor accommodation zones in rural areas. This is discussed in more detail in **Appendix C**.

2.1.4 Historic dwelling provisions

Preserving the opportunity for the erection of dwellings on land in rural zones is provided in the three LEPs under the respective Clause 4.2A provisions. The objectives of the clause are consistent across the three LEPs; to minimise unplanned rural residential development, and to enable the replacement of lawfully erected dwelling houses (and in the case of Cabonne and Blayney LEPs, dual occupancies) in rural (and in the cases of Orange LEP, environmental protection zones). However, there is some uncertainty in the interpretation to the clause when it references existing holdings and previous planning instruments.

Environmental planning instruments have evolved over time in response to our changing social, economic and environmental priorities. Land uses that were perfectly acceptable across the entire rural landscape in the 1950's may now be more limited in terms of suitability. Intensive animal agriculture for example is limited through planning instruments to manner both land use conflict and environmental impacts that may not have been considered in the past. This is now managed in part through zoning in environmental planning instruments and local policies. Existing use rights for development that, over time, becomes a less suitable in a particular location is another mechanism that is used for managing conflict and community expectations.

As with other land uses, consideration should be given to the suitability of residential land uses on certain rural land and whether the provisions continue to support the best land use outcome.

2.2 Rural Tourism

Tourism in the subregion is strengthened by a number of factors including;

- » The wine and food industry
- » Proximity to Sydney providing a weekend destination
- » Historic integrity of the regional towns and villages, for example Millthorpe and Carcoor

The economic benefit of rural tourism has been highlighted in the Background and Issues Paper. Rural-based tourism development and activities are seen as an opportunity to value-add and diversify where the productive capacity of agricultural land is not reduced.

2.3 Manage development on Mt Canobolas

Evidence provided in the Background and Issues Paper indicates that the fragmentation of land for to create the opportunity for rural living or lifestyle lots is more of a threat the closer the land is to a settlement and of particular concern in the area around Mt Canobolas.

Mt Canobolas is unique geological and soil landscape. The combination of geology, soil, slope, orientation and elevation combine to represent the designated Orange Wine Region – above 600m. In addition to the natural features, the proximity of Orange City has continued to put pressure on the resources of Mt Canobolas for rural lifestyle development taking advantage of the rural character and views as well as the proximity to Orange.

The Background and Issues Paper references other jurisdictions, in particular South Australia, where the Character Preservation (Barossa Valley) Act 2012 and Character Preservation (McLaren Vale) Act 2012 recognise the special character of these areas and provide statutory protection from inappropriate urban development.

Similar characteristics prevail in the Orange Wine Region, particularly concentrated around Mt Canobolas. As in South Australia, it is important to:

- » Protect valuable productive rural land
- » Conserve significant and unique landscapes and tourism and environmental resources
- » Provide certainty for wine and fruit growers as to the ongoing sustainability of their investment
- » Provide clear guidance as to the extent of urban and residential growth.

Defining the extent of this area is necessary if planning controls are going to be applied to protect the agricultural land and manage competing land uses. The rationale and options for the delineation of the area through LEPs is discussed in **Appendix B**.

2.4 Support mining

Mining represents the largest contributor to regional GDP. Mining as a land use activity is managed across the State under State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007 (Mining SEPP). The Mining SEPP has precedent over local planning controls.

There are a number of mines operating successfully across the subregion with a further proposal in Blayney in the planning stage. Balancing the economic benefit with the social and environmental impacts is part of the assessment process for mining approvals.

It is important that area with potential for mineral extraction are protected from development that will impact the current or future use. Minimising the fragmentation of rural land, and limit rural residential development are key factors in managing the long-term barriers to future mining operations. These objectives are equally important in the protection of productive agricultural land for agriculture.

Mining, like other land uses, is not suited to every location and while the industry remains an important economic driver, it needs to coexist with agricultural and tourism. Mt Canobolas does not provide a suitable location for mining activities.

A recent decision by the Planning Assessment Commission in NSW highlighted the importance of agricultural land as a key consideration in the selection of mining sites and subsequent approval process. Rather than engaging in

a process that results in uncertainty for both the community and a proponent, the Strategy proposes that certain land on Mt Canobolas be excluded from the operation of the Mining SEPP on the basis that it is strategic agricultural land for which a validation certificate under the Mining SEPP cannot be issued.

2.4.1 Temporary Accommodation

Accommodation needs of the workforce for mining and major projects changes throughout the life of the project. In particular, the initial establishment and construction can generate a significant temporary workforce in addition to the longer term employment opportunities.

While the influx of people to the region is positive, there is a need to accommodate them in a manner that does not undermine the existing rental and tourism accommodation markets. The three councils, together with Orange 360 have undertaken an accommodation audit uncovering opportunities for short term accommodation to assist in the housing of the fly in lay out (FIFO) and drive in drive out (DIDO) workforce. To the extent that these beds are within the rural areas, the planning controls should be aligned to facilitate this initiative as a preferable alternative to camps.

3 Rural Land Strategies and Actions

The Strategy is overarching and it has a corresponding Action or series of Actions

Implementation Outcome provides a simple measure of the success in delivery of the Action

Timeframe is in Short 1-5 years, Medium 5-10 years, Long 10 years plus. The majority of the actions can be achieved concurrently when Council's undertake comprehensive review of their LEPs. Timeframes may vary as priorities change in response to growth

Responsibility relevant Council but some Actions require collaboration of all three Councils and/or industry and other government agencies

Objective A: Promote and protect sustainable agriculture

| Strategy | Action | Implementation Outcome | Timeframe | Responsibility |
|--|--|--|----------------|-------------------|
| A1 Apply rural land use zones consistently to and ensure land use tables facilitate the use of productive land for agriculture as the primary function | A 1-1 Review Land Use Tables in the RU1 Primary Production zone A 1- 2 Review the application of the RU2 Rural Landscape zone as it applies to Cabonne and Blayney, including objectives and land use permissibility. | Productive and potentially productive agricultural land is zoned consistently and appropriately to ensure long term access for agricultural purposes. | Short | Councils/DPIE |
| A2 Provide land use planning framework that supports the growth in agriculture | A 2-1 Continue to include provisions that enable farm amalgamation, boundary adjustments and subdivision for agricultural purposes in LEPs/DCPs | Small properties are used for agricultural purposes where possible. | On-going | Councils/Industry |
| A3 Prioritise agriculture and associated economic development over rural lifestyle development | A 3-1 Educate residents living in or near rural zoned land, or people enquiring about living in these locations about the issues A 3-1 Provide controls in DCPs that highlight Right to Farm policy A 3-3 Include requirements in DCPs for buffers, separation distances and setbacks to be provided as part | Existing and potential landuse conflicts are identified and managed Subdivision of rural zoned land is managed where potential for conflict with existing or potentially productive agricultural land could occur, or where the use of the land | Short/On-going | Council |

| Strategy | Action | Implementation Outcome | Timeframe | Responsibility |
|--|---|---|-----------|----------------|
| | of development for dwellings close to intensive agricultural operations | for agricultural purposes would be reduced. | | |
| A4 Reduce Long Term Fragmentation of Agricultural Land | <p>A 4-1 Reduce fragmentation for rural land by retaining suitable MLS and the RU1 Primary Production zone with a large minimum lot size</p> <p>A 4-2 Consider removing additional opportunities for subdivision for the purpose of dwellings in the RU2 zone land, especially around Mt Canobolas</p> <p>A4-3 Address the anomalies in LEPs that enable the erection of dwellings using historic holdings provisions</p> | <p>Fragmentation of farms and rural properties is minimised.</p> <p>Provide certainty as to land use and the erection of dwellings in rural zones</p> | Short | Council/DPIE |

Objective B: Preserve the Character of Mt Canobolas

| Strategy | Action | Implementation Outcome | Timeframe | Responsibility |
|--|---|---|-----------|----------------|
| B1 Recognise the value of managing contested landscapes of Mt Canobolas across rural living, agriculture, the wine industry, tourism and environmental resources investigating options to better manage competing land uses. | <p>B1-1 Define the most critical area by soil type for the purpose of applying more specific land use planning guidelines.</p> <p>B1-2 Review the land use zones that currently apply to the Towac Soil Landscape and the drinking water catchments in the three LEPs</p> | The highest quality and most important land is identified in the planning framework | Short | Cabonne/Orange |
| B2 Identify a range of land use planning controls to manage the Mt Canobolas landscape | B2-1 Identify a suite of land uses that enable the development of agriculture alongside tourism | Provision of clear land use management objectives and policies for the area | Medium | Councils |

| Strategy | Action | Implementation Outcome | Timeframe | Responsibility |
|---|--|--|-------------------------|-------------------------|
| | <p>B1-2 Consider the inclusion of local provisions in the LEPs that provide additional heads of consideration addressing the landscape character of Mt Canobolas defined by the Towac Soil Landscape</p> <p>B1-3 Consider the inclusion of local provisions in the LEPs that provide additional heads of consideration/guidelines for development with the Wine Region as defined by the Geographical Area above 600m.</p> <p>B4-4 Work together to deliver DCP provisions that are consistent in the three LGAs</p> <p>B4-5 Consider limiting further subdivision for any purpose other than boundary adjustments and agriculture in the RU2 zone</p> | | | |
| B3 Limit mining activity on Important Agricultural Land | B3-1 Advocate for the prohibition of mining and extractive industries from certain Towac Soil Landscapes or from the RU2 rural landscape zone as a local provision on the relevant LEPs | Specific areas are excluded from the operation of the SEPP | On-going Medium/Long | Orange/Cabonne/ DPIE |

Objective C: Support rural economic development

| Strategy | Action | Implementation Outcome | Timeframe | Responsibility |
|---|---|--|-------------------|-------------------------|
| C1 Provide a land use framework that supports long term investment in | C1-1 Prioritise agriculture and agri-business, including tourism over | Land use planning supports economic development in agriculture and tourism | Short On-going | Council's/DPIE/Industry |

| Strategy | Action | Implementation Outcome | Timeframe | Responsibility |
|--|---|------------------------|-----------|----------------|
| agriculture, enables agribusiness and value-adding in the agricultural sector. | <p>rural lifestyle development in rural zones</p> <p>C1-2 Review land use tables to ensure that they facilitate rural economic development and include rural industries, artisan food and drink industries and temporary uses</p> <p>C1-3 The use of existing public infrastructure and planning for additional infrastructure is reviewed to support development of rural industries and agricultural activities.</p> <p>C1-4 Innovation, diversification and value-added farming enterprises and activities are encouraged and supported.</p> | | | |
| C2 Support investment in infrastructure | <p>C2-1 Improvements in local rural communication networks, information sharing, skills development, education, landuse, farming and business practices and marketing methods are facilitated.</p> <p>C2-2 Development of rural industry-specific growth strategies are supported and encouraged.</p> | | | |

Objective D: Support and promote rural tourism

| Strategy | Action | Implementation Outcome | Timeframe | Responsibility |
|---|---|---|-----------|-------------------|
| D1 Provide a consistent approach to support, manage and facilitate rural tourism. | <p>D1-1 Review the characterisation of land uses in the three LEP/DCP</p> <p>D1-2 Prepare clear guidelines for the development of tourism uses and supporting local planning policies and a consistent approach to DCP provisions across the three LGAs as relevant</p> <p>D1-3 Increase the awareness of the opportunities to provide tourism related uses within the rural areas and reduce the barriers to the establishment of tourism uses in the rural areas. Eg Prepare information packages or facts sheets to assist the industry and potential operators in navigating the planning approval system</p> | Consistent land use controls and improved awareness of the planning process | Short | Councils/Industry |
| D2 Allow for tourism development that does not adversely impact the operation of existing agricultural businesses | <p>D2-1 Consider the scale and permissibility of tourism uses, including accommodation, in the different rural zones.</p> <p>D2-2 Identify criteria for development of destination accommodation; hotels, resorts, spas; that would need to be addressed as part of a strategic merit test in a planning proposal</p> | <p>Tourism uses appropriately located</p> <p>Land use planning framework aligned with RADS and destination accommodation suitably located</p> | Long | Councils/Industry |

Objective E: Manage the rural urban interface

| Strategy | Action | Implementation Outcome | Timeframe | Responsibility |
|---|--|--|-----------|-------------------------------|
| E1 Manage incompatible land use activities on the urban fringe of urban areas | <p>E1-1 Review the Urban Growth Strategy for Orange to prevent further development from encroaching into the Towac Soil Landscape and BASL.</p> <p>E1-2 Consider rezoning land in the Orange LEP in the Towac Soil Landscape where it interfaces with Cabonne LEP to RU2</p> <p>E1-2 Consider the implementation of buffers; natural and built in DCPs to protect productive agricultural land from the impact of residential development in urban and rural zones</p> | <p>Extent of the Orange City urban zone reconsidered and important agricultural land protected for agricultural uses</p> <p>Reduction in land use conflict complaints</p> <p>Reduction in the complexity of planning controls between the LEPs</p> | Short | Council/Landowners/Developers |

Objective F: Support mining as an important industry in the subregion

| Strategy | Action | Implementation Outcome | Timeframe | Responsibility |
|--|--|--|-----------|---|
| F1 Recognise the importance of mining and provide direction as to the suitability of mining in particular locations. | <p>F1-1 Provide clear guidelines for the benefit of the community in relation to the approval process for State Significant mining projects</p> <p>F1-2 Consider opportunities for colocation of mining and other industrial land uses taking advantage of infrastructure, such as water and energy provided on site for mining</p> <p>F1-3 Preserve certain land on Mt Conobolas from any mining activity</p> | Mining is development with minimal impact on the community and environment | On-going | Council/Industry/DPIE (Division of Resources and Geosciences) |

| Strategy | Action | Implementation Outcome | Timeframe | Responsibility |
|---|---|--------------------------|------------|------------------------------|
| F2 Provide accommodation opportunities for temporary workers engaged in mining and major projects | <p>F2-1 Work together with mining companies, Orange 360 and tourism operators and the community to unlock existing accommodation infrastructure.</p> <p>F2-2 Support those wanting to transition suitable accommodation to ensure that it satisfies planning and building regulation.</p> | Additional beds provided | Short-term | Council, Industry/Orange 360 |

Objective G: Protect natural resources and promote best practice environmental management

| Strategy | Action | Implementation Outcome | Timeframe | Responsibility |
|--|--|--|-----------|-------------------------|
| G1 Protect the integrity of the drinking water catchment | <p>G1-1 Consider the application of the RU2 zone consistently across the three LEPs to include the drinking water catchments</p> <p>G1-2 Review the local clause in the Orange LEP to include measures to avoid, minimise or mitigate potential impacts.</p> <p>G1-3 Ensure that best practice Water Sensitive Urban Design measure are incorporated into DCPs</p> | Consistent approach to the management of the drinking water catchment across the three LGAs | Short | All/DPIE (WaterNSW) |
| G2 Protect Biodiversity | <p>G2-2 Review LEPs to ensure that that environmental constraints are consistently mapped and applied across the three LGAs</p> <p>G2-1 Avoid development in identified biodiversity corridors</p> | <p>High environmental value land is protected from development</p> <p>Biodiversity corridors avoided</p> | On-going | Council /LLS/DPIE (OEH) |

4 Industrial Land Strategy

The Industrial Use Strategy will enable the subregion to build on its key strengths and advantages in agriculture, health care, mining, manufacturing, public administration and tourism. It provides a framework to guide growth and development within the individual towns and villages and subregion as a single entity to 2036. The Strategy responds to the need to provide industrial land in the key local centres and enable the subregion to respond quickly to opportunities over time.

The Strategy for industrial land has been developed on a precinct basis.

Key Principles

The Industrial Lands Strategy is underpinned by the following commercial principles.

Affordability

Industrial land should remain price competitive over time, supported by an orderly supply of quality land relative to the particular LGA

The cost of developing industrial land should not be prohibitive (eg infrastructure and services, site preparation, roads and utilities)

Diversity

A range of offerings relative to price, land area, access to transport and infrastructure and location, both within individual towns and across the subregion

Adequate supply of industrial lands to support existing and future industrial demand and meet long term needs

Suitability

There is well located land available near all key centres

Development of land minimises the impact on non-industrial uses

Environmental impacts of land development can be mitigated

Growth

The subregion will support the delivery of the Regional Economic Development Strategy particularly in relation to support services for the mining, manufacturing, agricultural and tourism industries.

Business investment, research, innovation and new technologies and partnerships will be supported.

4.1 Overview

The Industrial Lands Strategy builds on the 2008 Strategy for the location and development of industrial land.

The Industry Land Strategy is largely guided by the goals and directions in the Orana and Central West Regional Plan and Regional Action Plan articulated in the Regional Economic Development Strategy.

The Industrial Lands Strategy provides a series of precinct based actions. It creates pathways for future investment with a focus on the collaboration across the three LGAs to foster regional economic benefits.

4.1.1 Developed Land

The Background and Issues Paper looked at vacant industrial land across the entire subregion. One of the issues that was found to be repeated across all towns and industrial areas, with the exception of Central Orange, was

the evidence of the under-utilisation of land area. There continue to be opportunities to achieve greater efficiencies in the development of industrial land.

Despite these inefficiencies, there is an adequate supply of industrial land across the subregion.

4.1.2 Maintaining a supply of land in all the LGAs

The Strategy identifies actions that are a joint response to the development of industry in the subregion. However, as highlighted in the Background and Issues Paper, it remains important to ensure that each LGA maintains a supply of industrial land. Further, being a large Regional Centre places Orange in competition with other regional centres for employment and industry. While Blayney or Manildra may be able to market land offerings at a more competitive rate, it is important that existing businesses looking to relocate or upsize and new business moving into the subregion are continued to be provided with a range of offerings suited to their land and workforce needs.

4.1.3 Regional specialisations

Develop agriculture, agricultural processing, agri-technology and manufacturing is a strategy included in the REDS. The subregion has industry specialisations in agricultural and cropping, agricultural processing such as food and wine production and support services to mining and agriculture. The land use framework needs to be responsive to and provide for the growth in these areas.

Support economic growth in mining and mining activities is a strategy included in the REDS. It is necessary to provide sufficient serviced industrial land, particularly in Blayney and Orange to support the development of industry associated with the continued growth in mining.

4.1.4 Leveraging Transport Infrastructure

The REDS highlights the opportunity the Council's have to work collaboratively to integrate the Subregion into the Parkes Intermodal Freight Terminal to better service grain growers and other freight dependent businesses.

A new Western Parkland City is in the planning stages. A city of 3 million people centred around the new Western Sydney Airport it will likely displace thousands of hectare of agricultural produce industries. While some of this production will move into the designated agri-business zone adjacent to the airport, other producers will be forced out of the Sydney Basin and the subregion is well situated to accommodat some of this growth.

4.1.5 Development of the Airport

The Airport provides a key opportunity to provide for future business development and light industrial land. A key element of successful regional centres is access to air transport, a strategy implemented by centres including Armidale, Dubbo and Tamworth. While there is not an immediate need for additional industrial land, the Strategy supports the identification of land for this form of development at the airport.

4.2 Alignment of the Actions with the Regional Plan

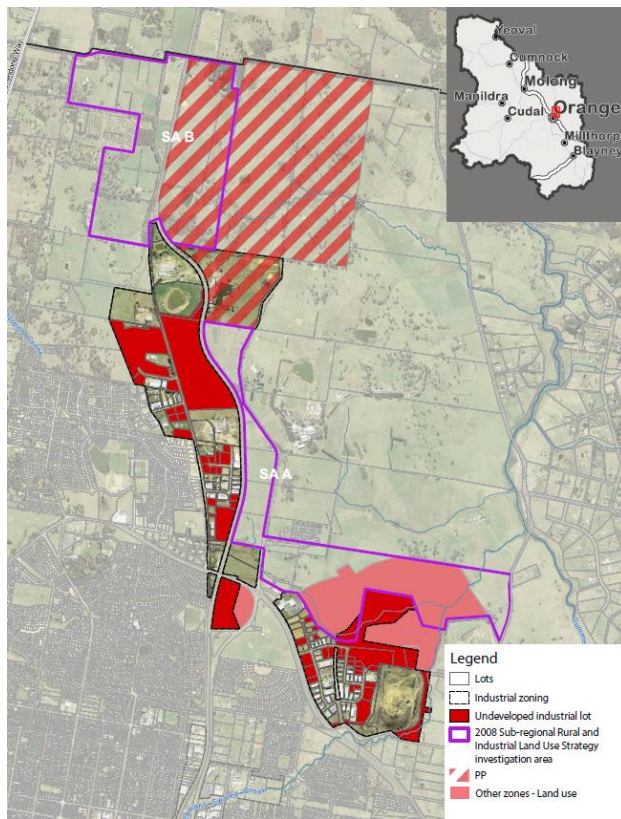
The Key Actions identified for each precinct area aligned with the Regional Plan, refer **Appendix F**.

5 Industrial Land Use Strategy Actions

4.3 Orange

Orange is divided into two industrial precincts, North Orange and Central Orange.

Orange North



Key Data

181ha developed

55ha available (excludes former abattoir site)

Additional 86ha of B7 Business Park zone

2008 Strategy Recommendations

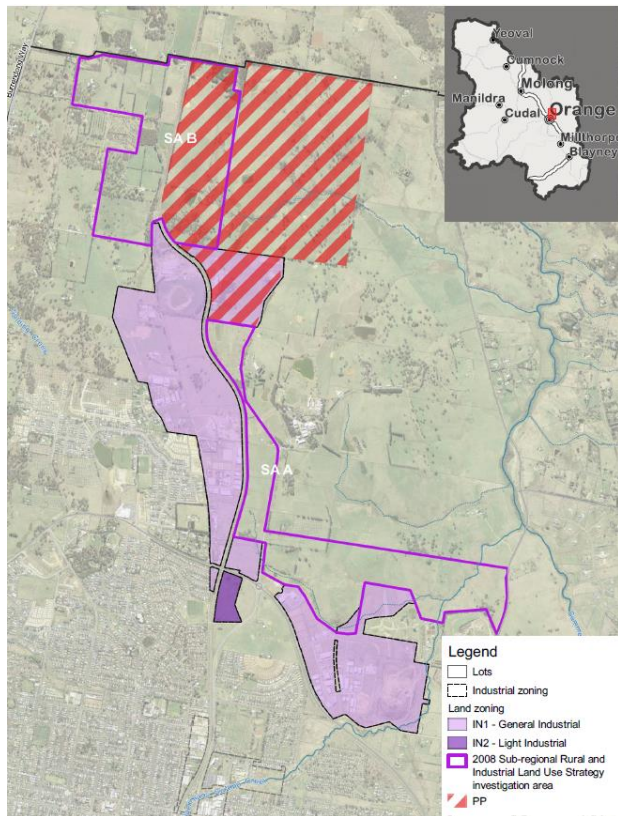
SA A – Narrambala extension. Adjacent to existing industrial and buffer to lifestyle development. Partially zoned SP and balance zoned B7 Business Park. No change proposed.

SA B – North Clergate – extension to existing North Clergate industrial area, opportunities for land lots. Area is divided by the railway corridor and eastern portion relies on use of abattoir site for industrial purposes.

Support removal of eastern portion of SA B and retain area west of the rail corridor.

Environmental constraints

Minimal except for small pockets of land with biodiversity value



Other key issues

Development viability of repurposing the abattoir site for industrial use.

Risks and mitigations including market interventions

- » Land use conflict with Rural Residential Planning Proposal to the north – ensure adequate buffers to industrial land and consider the suitability of land use change for the former abattoir site
- » Leveraging the potential agglomeration of education, business and industrial - attracting a catalytic land use
- » 62% rating in terms of economic opportunity analysis*

* Comparison of the development potential comparing Clergate North, Towac West, Orange Airport, NDR Corridor and the Rail Corridor. Each area was rated according to 7 weighted criteria including; flat topography suitable for industrial development, ability to accommodate large sites that may attract major "catalyst" employers infrastructure provision, transport connections, commuting range, relationship to the city water catchment, and potential for land use conflict with surrounding land uses.

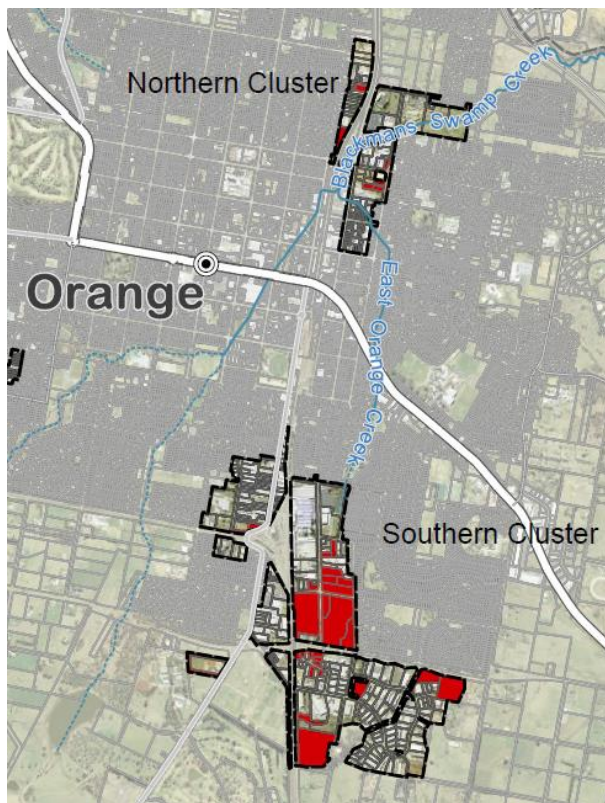
Key opportunities

- » Proximity to Orange, the key regional hub for the Central West
- » Quality connection to the ring road around Orange for inter-regional flexibility
- » Catalytic potential with proximity the Charles Sturt University campus
- » Adjoining a B7 zone to encourage economic diversity but also agglomeration
- » Renewable energy generation
- » Convergence of transport infrastructure and land suitability for industrial development

| Key Planning Actions | | Responsibility | Timeframe |
|----------------------|---|---|----------------------|
| ON2 | Consideration of the uses of the former abattoir site to ensure minimisation of land use conflict between industrial and rural residential uses north of the site. | Orange Council | Short term |
| ON3 | Work with the NSW Government to develop a strategy for the clean-up and remediation of the abattoir site | Orange Council, DPIE | Short term |
| ON4 | Provide a buffer area between future rural residential and industrial land uses | Orange Council | Short term |
| ON5 | Develop a business investment case for Orange North outlining the advantages of the location including cross-pollination with Charles Sturt University, access to the ring road north of Orange, potential for rail freight access, convergence of B7 and industrial land and access to the electricity network | Orange Council, DPIE in collaboration with Charles Sturt University | Short to medium term |

| Key Planning Actions | Responsibility | Timeframe |
|---|----------------|----------------------|
| ON6 Engage with the emerging agri-finance hub in the region to determine barriers to developing advanced food processing/manufacturing section from a land use/zoning perspective. | Councils, DPIE | Short to medium term |
| ON7 Engage with the agri-business sector/landowners/operators to understand any emerging markets and add-value processes and any impacts on land uses e.g. organic grain and other food produce | Councils, DPIE | Short to medium term |
| ON 8 Assess the suitability of the additional industrial land identified in the 2008 Strategy or other locations for electricity generating works including proximity to electricity grid node. Consider additional land rezoning where particularly favourable to protect supplies of industrial land. | Orange Council | Short term |

Orange Central



Key Data

239ha developed

31.3ha available (30.27ha in IN1 and 1.03ha in IN2)

2008 Strategy Recommendations

No specific recommendations.

Environmental constraints

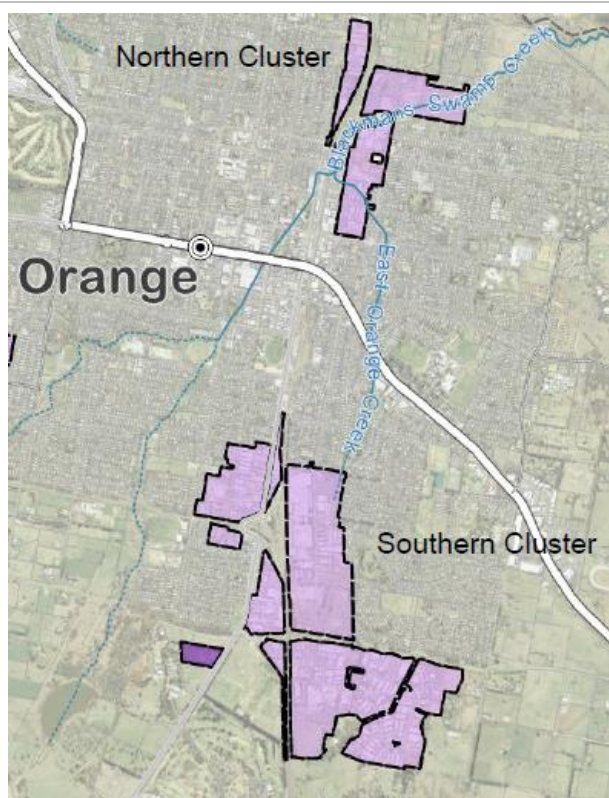
Southern cluster: Local and State heritage items flank the south-west border with other items in close proximity to the south-east.

Northern cluster: Local heritage items are present to the north of one part of the industrial zoned land and to the east of the other part. Residential development surrounds the bulk of the remaining area.

Some lots in both clusters are impacted by flooding.

Other key issues

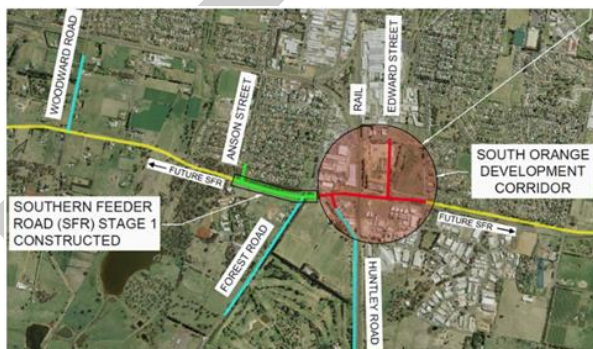
Parts of the southern cluster industrial area have very poor access. However, road network improvements are currently being undertaken which will mean that industrial land in the location is now more accessible. The road network and rail overpass is currently under construction.



https://yoursay.orange.nsw.gov.au/news/news_feed/new-grant-clears-way-for-new-rail-bridge-east-orange-road-upgrades

Risks and mitigations including market interventions

The southern cluster where new opportunities are being unlocked has a minimum lot size of 3,000sqm. There may be a need to re-assess parts of the land to ensure there are a variety of land size opportunities. However, this should not undermine any opportunity to attract larger, regionally-significant operations.



Key opportunities

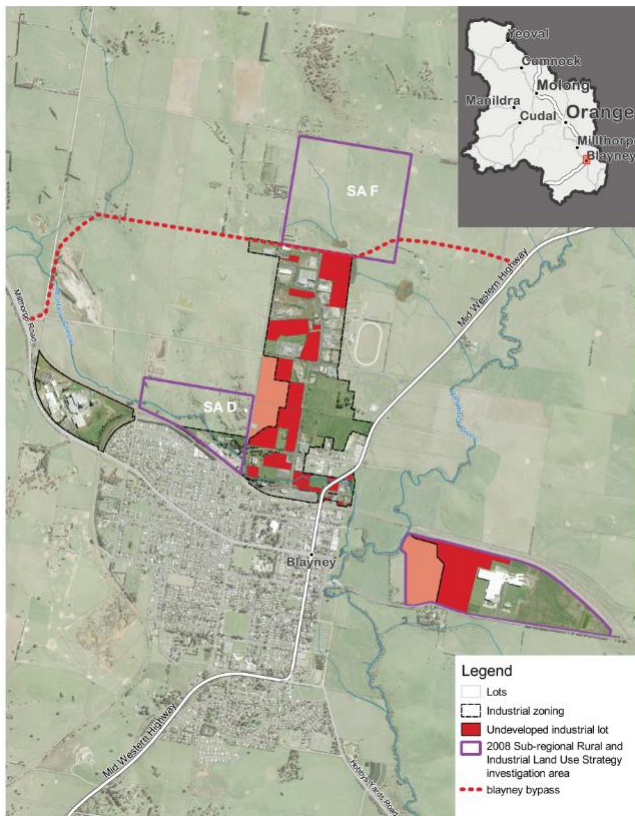
- » Former sale yards site remains one of few vacant sites and is close to new southern feeder road
- » Redevelopment of the former Electrolux site
- » Suitable for both urban services to cater for the growing Orange community and for regional economic development (variety of lot sizes for various sizes of operations)
- » New roadworks (B-double ready) will unlock opportunities previously landlocked

| Key Actions | | Responsibility | Timeframe |
|-------------|---|----------------------|--------------------|
| OC1 | Evaluate the impacts of road network improvements and identify if a small portion of land should have smaller lot sizes to promote a diversity of employment activity. | Orange Council, DPIE | Short term |
| OC2 | Advocate to capitalise on the upgrades to the Main West Line (NSW Freight and Ports Plan 2018-2023) and the improved road transport to Greater Sydney with improvements to road infrastructure. | Councils | Short term |
| OC3 | Assess the rate of take-up of industrial land post the completion of the improved road network in the southern cluster. Identify the typologies of development (urban services, servicing inter-regional markets, mining-services related). | Orange Council | Medium – long term |
| OC4 | Engage with the emerging agri-finance hub in the region to determine barriers to developing advanced food processing/manufacturing section from a land use/zoning perspective. | Councils, DPIE | Ongoing |

| Key Actions | | Responsibility | Timeframe |
|-------------|--|----------------|------------|
| OC5 | Engage with the agri-business sector/landowners/operators to understand any emerging markets and add-value processes and any impacts on land uses e.g. organic grain and other food produce. | Councils, DPIE | Ongoing |
| OC6 | Manage competition between renewable energy development and other industrial uses in industrial land. | Orange Council | Ongoing |
| OC7 | Support the master planning and delivery of the former saleyards and Clergate Road sites to the market | Orange Council | Short term |

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4.4 Blayney



Key Data

57.6ha (IN1)

4.68ha (IN2)

193 ha total

130 ha developed

1ha of IN2 constrained

7ha of IN1 constrained

Zoned – sufficient industrial land supply

2008 Strategy Recommendations

SA D – Former Abattoir Site – part of the area was subsequently re-zoned, however, is impacted by flooding. No further extension is proposed.

SA E – Newbridge Road – this site was rezoned based on the existing land use. There remains a significant area of land as yet undeveloped. No change is proposed.

SA F – Marshalls Lane – flagged as a logical extension of the existing industrial area. No yet zoned. Proposed should be retained as future industrial land opportunity.

Total remaining capacity

16 lots (IN1) – 62 lots available with subdivision at the minimum lot size of 6,000sqm

21 lots (IN2) available – some are subject to a Development Application/Approval and therefore have been removed from the area available

Total industrial precinct land minus:

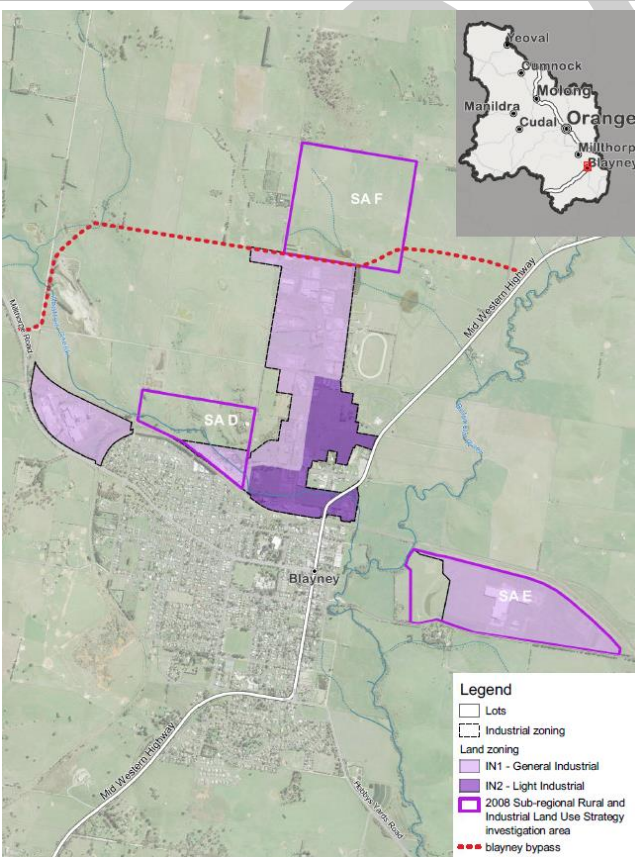
- Already developed (or expected to)
- Constrained land

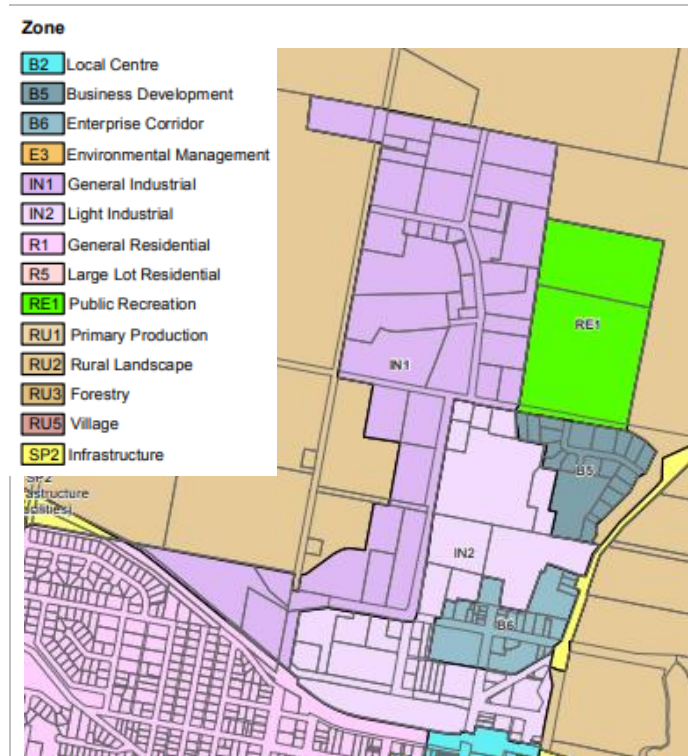
Environmental constraints

Flooding does impact some of the IN2 industrial land in Blayney.

Other key issues

There is the potential for a solar farm to absorb much of the IN2 zoned industrial land resources. Considering the increasing viability of solar technology, this land use may accelerate the take-up of industrial land. Even though the SEPP Infrastructure 2007 overrides the LEP and permits





electricity generating works on rural land, it is prohibited on rural land in the LEP. Conversely it is permitted in the industrial zones.

Land that is suitable for industrial uses, adjacent to but not in conflict with residential uses in town centres, needs to be preserved for long-term employment generating uses and logistic functions. This could be undermined by take-up by large-scale solar projects (**Appendix D**).

The B5 Business development and B6 Enterprise Corridor zones accommodate similar land uses with home businesses and service stations and highway service centres being differences. These zones could be reconsidered with rationalisation of objectives and land uses. (**Appendix E**).

Key opportunities

- » This is the closest industrial land to the McPhillamy's Gold Mine project and would be a logical location for ancillary services to the mining industry, should it be approved.
- » Land areas of serviced land zoned and available for development
- » High profile positions on main road
- » Limited impact on other urban land uses
- » Connectivity to Orange and Bathurst
- » Proximity to mining existing and pipeline projects
- » Potential for colocation of suitable heavy industrial uses with mining either in the medium or longer term as a transition from mining and to promote the long term sustainability of investment in infrastructure; water and electricity.

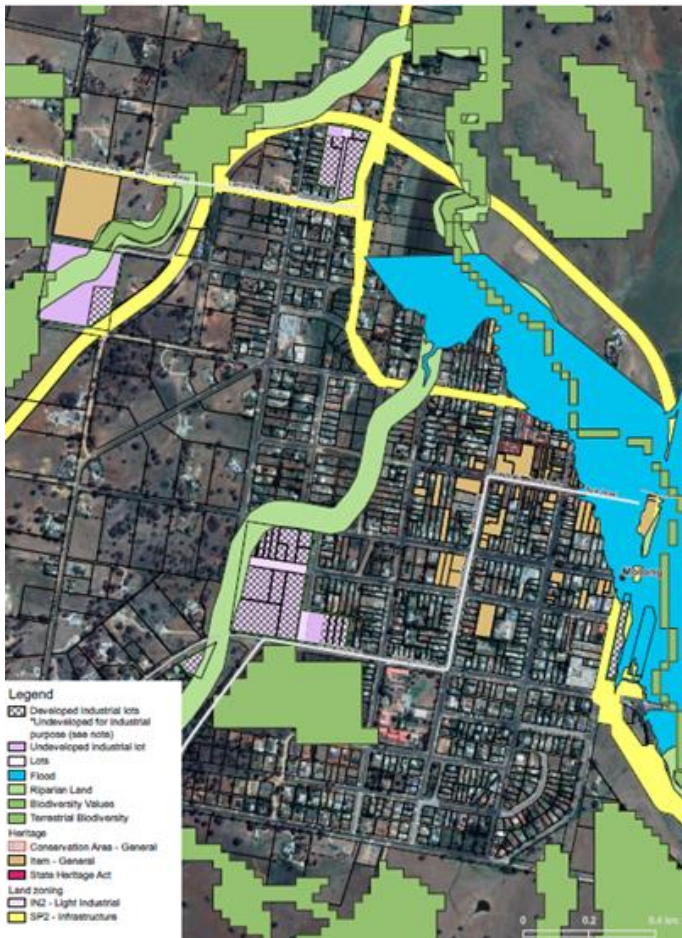
| Key Actions | | Responsibility | Timeframe |
|-------------|---|--|-------------------|
| BL1 | Advocate to capitalise on the upgrades to the Main West Line (NSW Freight and Ports Plan 2018-2023) | Blayney, Orange and Cabonne Councils, DPIE | Ongoing |
| BL2 | Liaise with key parties such as the Regis McPhillamy's Gold Mine regarding ancillary services that would be desirable to locate in Blayney should mining projects be approved. Identify any key issues that Council may be able to assist resolve to encourage development. | Council | Short-medium term |
| BL3 | Continue to promote the connection of quality produce, land and workforce for food processing and inter-modal transport. Consider identifying key sites within the industrial land to actively promote. | Council | Short term |

| Key Actions | Responsibility | Timeframe |
|--|----------------|-------------|
| BL4 Consider adopting Guidelines for Renewable Energy projects on certain industrial and rural land to minimise the impacts of permissibility of electricity generating works on industrial zoned land. Monitor the take-up of industrial land for electricity generating works. | Councils | Short term |
| BL5 Engage with the emerging agri-finance hub in the region to determine barriers to developing advanced food processing/manufacturing section from a land use/zoning perspective. | Councils | Short term |
| BL6 Engage with the agri-business sector/landowners/operators to understand any emerging markets and add-value processes and any impacts on land uses e.g. organic grain and other food produce. | Councils | Short term |
| BL7 Consider the rationalisation of the B5 Business Development and B6 Enterprise Corridor zones | Council | Medium term |

4.5 Cabonne

Three towns with specific industrial precincts; Molong, Manildra and Canowindra

Molong



Key Data

17 ha total

12.12ha developed

4.88ha undeveloped industrial land

Zoned – sufficient industrial land supply

2008 Strategy Recommendations

No Specific Recommendations

Total remaining capacity

9 IN2 zoned lots currently undeveloped – no minimum lot size. No vacant IN1 land - lots.

Environmental Constraints

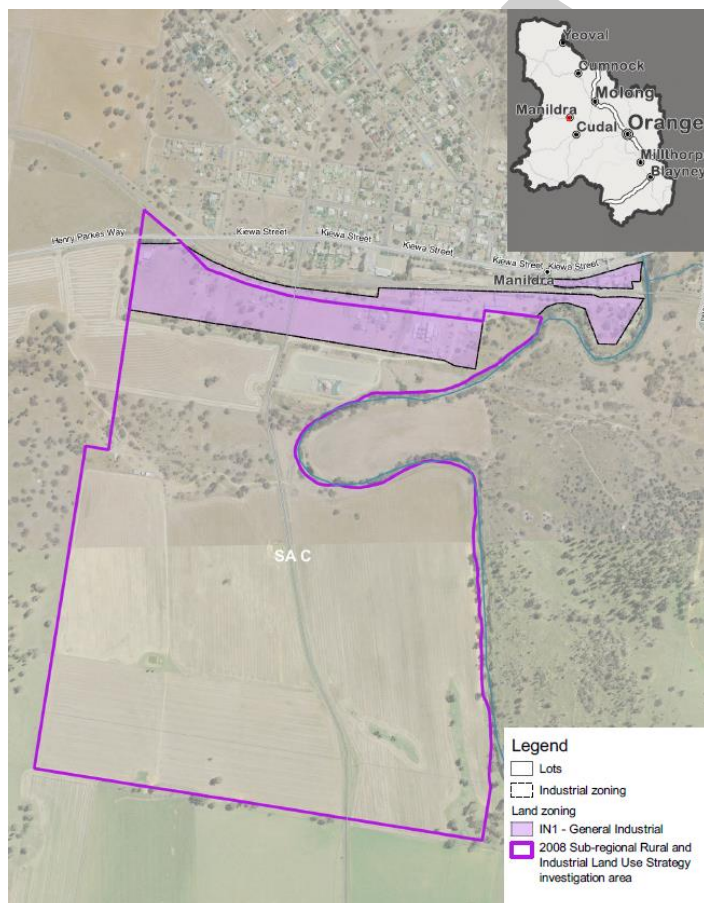
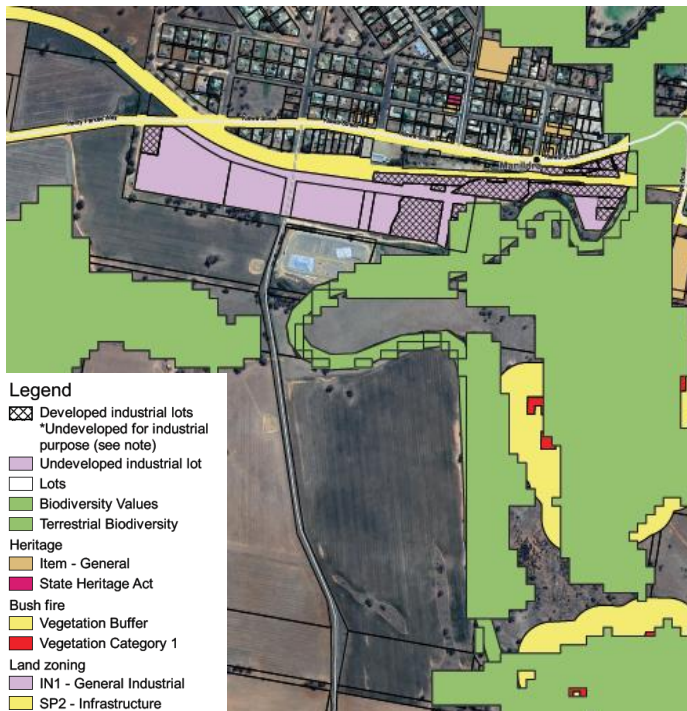
Minimal.

Other key issues

The most significant undeveloped industrial site is a presumed former quarry. The suitability of feasibility of any redevelopment of this is unknown at this point.

Molong may be attractive to solar electricity-generating works due to its proximity to a node in the electricity network.

Manildra



Key Data

17ha total

6.4ha developed

10.6ha available

Zoned – sufficient industrial land supply at the moment

2008 Strategy Recommendations

SA C – Land adjacent to existing industrial and railway. Note zoned. No change proposed despite the significant size of the holding.

Note that any rezoning would need to consider biodiversity constraints. Likely to be limited to the north western portion of the site, least constrained and contiguous with existing industrial land.

Total remaining capacity

5 lots available – no minimum lot size so the number of opportunities not able to be calculated. Given the nature of the location and the specific type of use (food processing and logistics), no minimum lot size is appropriate. It should be noted that some of the lots identified as undeveloped has minor development on it but not of a nature that was undermine the feasibility of redeveloping for higher order industrial purposes.

Environmental constraints

Riparian, biodiversity and fire risk is present on some of the land to the south of the industrial zoned land (identified as part of the 2008 Strategy).

Other key issues

Accessibility of railway logistics - Manildra Flour Mill is currently investigating funding to expand the siding to increase capacity and encourage further industrial/logistics development. Manildra may also be subject to increased development applications for solar farms as the locality is on a node of the electricity network.

Key opportunities

- » Excellent proximity to a key cropping location in NSW combine with railway access
- » Potential to locate food-processing to increase the add-value of food production (e.g. organic grain/associated products)
- » Significant renewable energy resources and potential may increase the attractiveness of industrial processing at the location or competition for industrial land resources.
- » Some opportunity for expansion of industrial area but more likely needs to be in close proximity to the rail – discussions with key landowners should be undertaken to assess if a further rezoning of some land should be undertaken should the rail siding project proceed.

Organic grain reference: <https://www.abc.net.au/news/rural/2017-01-04/organic-grain-traders-urge-conventional-grain-growers-to-switch/8161064>

Canowindra

| Zone | |
|------|------------------------------------|
| B2 | Local Centre |
| B5 | Business Development |
| E1 | National Parks and Nature Reserves |
| E2 | Environmental Conservation |
| IN1 | General Industrial |
| IN2 | Light Industrial |
| R1 | General Residential |
| R5 | Large Lot Residential |
| RE1 | Public Recreation |
| RE2 | Private Recreation |
| RU1 | Primary Production |
| RU2 | Rural Landscape |
| RU3 | Forestry |
| RU5 | Village |
| SP2 | Infrastructure |
| W1 | Natural Waterways |



Key Data

28ha total

11.24ha undeveloped

18ha developed

Zoned – sufficient industrial land supply

2008 Strategy Recommendations

No Specific Recommendations

Total remaining capacity

25 IN2 zoned lots currently undeveloped – no minimum lot size. No vacant IN1 land – 3 lots. No subdivision potential.

Environmental Constraints

Minimal.

Other issues

Nil

| Key Actions | Responsibility | Timeframe |
|--|--|------------|
| MA1 Plan for the change to the logistics chain with the Parkes hub on the Inland Rail Project. | All Councils, Cabonne Council for specific implications for Manildra | Short term |
| MA2 Engage with landowners to assess any planning requirements for the expansion of the siding and assist to develop the most efficient planning pathway. Assess any additional land requirements associated with emerging add-value trends. | Cabonne Council | Short term |
| MA3 Engage with the emerging agri-finance hub in the region to determine barriers to developing advanced food processing/manufacturing section from a land use/zoning perspective. | All Councils | Short term |
| MA4 Engage with the agri-business sector/landowners/operators to understand any emerging markets and add-value processes and any impacts on land uses e.g. organic grain and other food produce. | All Councils, Cabonne Council for specific implications for Manildra, DPIE | Short term |
| MA5 Work with renewable energy investors and industry regarding any improved market competitiveness using alternative energy sources. Manage competition between renewable energy development and other industrial uses at key logistics locations. | All Councils, DPIE | Short term |
| MA6 Continue to monitor the take-up rate of industrial land | Cabonne Council | Ongoing |
| MA7 Assess the suitability of the additional industrial land identified in the 2008 Strategy or other locations for electricity generating works including proximity to electricity grid node. Consider additional land rezoning where particularly favourable to protect supplies of industrial land. | Cabonne Council | Short term |
| CA1 Continue to monitor the uptake of industrial land in Canowindra | Cabonne Council | On-going |

4.6 Orange Airport



Risks and mitigations including market interventions

- » Competition from other transport-oriented hubs e.g. Western Sydney Aerotropolis and other regional airports – monitor and assess specific competitive advantages related to the Central West's core economic outputs
- » Manage the interface with E3 Environmental Management zone

Key opportunities

- » Proximity to Orange, the key regional hub for the Central West. An economic hub around the airport may assist the agricultural industry better leverage existing and emerging international markets
- » Close proximity to the Blayney and Cabonne LGAs with the ability to operate as a regional and inter-regional hub leveraging the air transport capabilities
- » Located adjacent to the key connector between the two largest centres in the region - Orange and Blayney
- » Catalytic potential of the airport to grow the agri-business potential of the region
- » Future further potential to increase transport infrastructure agglomeration with close proximity to the inter-regional rail line
- » Land suitability for industrial and serviceable
- » 80% rating in terms of economic opportunity analysis*

* Comparison of the development potential comparing Clergate North, Towac West, Orange Airport, NDR Corridor and the Rail Corridor. Each area was rated according to 7 weighted criteria including; flat topography suitable for industrial development, ability to accommodate large sites that may attract major "catalyst" employers infrastructure provision, transport connections, commuting range, relationship to the city water catchment, and potential for land use conflict with surrounding land uses.

Key Data

Up to 160ha

Future rezoning – monitor business/industrial land supply

Current capacity for industrial/business

Future potential capacity

Minimum lot size not to be determined at this stage as this should respond to market demand at the time of rezoning

Environmental constraints

- » Drinking water catchment – can be appropriately managed with servicing
- » Small pockets of biodiversity – can be appropriately managed
- » Riparian corridor on southern edge – development can be appropriately managed to avoid

Other key issues

- » Aircraft noise – compatible with industrial uses and can be appropriately managed for other employment uses
- » Proximity to Spring Hill

| Key Actions | | Responsibility | Timeframe |
|-------------|--|----------------|------------|
| OA1 | Identify land around the Orange Airport for future business and light industrial land uses | Orange | Short term |
| OA2 | Continue to support the upgrade of infrastructure to service the Orange Airport | Orange | On-going |

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5 Governance

The governance arrangements are a key part of the delivery, monitoring and on-going validation of the Strategy.

The Strategy will be adopted by all three Councils and endorsed by the DPIE. The analysis, particularly in relation to industrial land considered timeframe to 2036 and beyond. In practice, the majority of the actions in the Strategy are short term or on-going. Some will require the continued collaboration of the three Councils. Others will be implemented independently at a local level.

A governance structure has been developed to ensure that the Strategy remains current and responsive to the needs of the three Councils. In endorsing the Strategy, the three Councils are entering into a Memorandum of Understanding as to the governance arrangements.

There may be an opportunity to align the monitoring and review of the Strategy with the implementation of the REDS.

5.1 Monitoring and Review

The Strategy once endorsed, should be monitored as follows:

Local Actions

Annual review or 'check-in' by individual Councils to monitor local actions. This should include a report to Council as to the progress of the actions in the Strategy. This reporting can be undertaken in conjunction with reporting of other land use planning matters and the detail is at the discretion of the individual council.

Joint Actions

Joint actions should be reviewed annually and collaboratively by the three Council's at operation level. Each Council shall nominate a representative to participate and engage with the other respective representatives to be referred to as the subregional Planning Group. The nominated individuals can each determine how they will report the review back to their respective organisations.

Five-year review

Undertaken to update the entirety of the actions, revise timeframes. This review, coordinated by the subregional Planning Group, may be timed to coincide with the review of Local Strategic Planning Statements or LEPs. The outcome of the review should be reported to each of the three Councils. Minor amendments, for example, checking or marking the completion of an action, need no be notified to the community. If it is agreed that changes are required as a result of the review, the Strategy shall be notified for a period of 28 days.

Changes to the Strategy outside the 5-year review period

While it has been generally agreed that a review within 5 years should not be necessary, there may be circumstances where one Council seeks such an amendment. For example:

- » Emerging industries otherwise unaccounted for
- » Regional strategic shifts
- » Unforeseen development opportunity

In these circumstances, in the first instance, the Council seeking the amendment should make a request in writing to the other two Councils. Such a request should include the details of the proposed departure from the Strategy, the reason that Council is seeking or supporting the departure and the implications of such a departure and the consultation proposed to be undertaken should the amendment be supported.

If the three Council's are able to reach a consensus, the amendment should be made and noted in a Schedule of Amendments appended to the Strategy. Any such amendment will be required to be notified. The administration of the amendment will be the responsibility of the Council proposing the amendment overseen by the subregional Planning Group.

In circumstances where the three Councils are not in agreement as to the merit of an amendment, the proposed amendment will be peer reviewed by a third party. The third-party reviewer could be; a local government planning professional from another Council outside the subregion, a professional with qualifications in land use planning, land economics, urban design, environmental science or similar. The Three Councils must agree on the independent third-party reviewer.

If the recommendation from the peer review is to support the amendment, the Strategy will proceed through an amendment process. Administration associated with the amendment will be undertaken by the Council seeking the amendment. The details of the administration, process and responsibility should be agreed between the three Councils at the commencement on the review.

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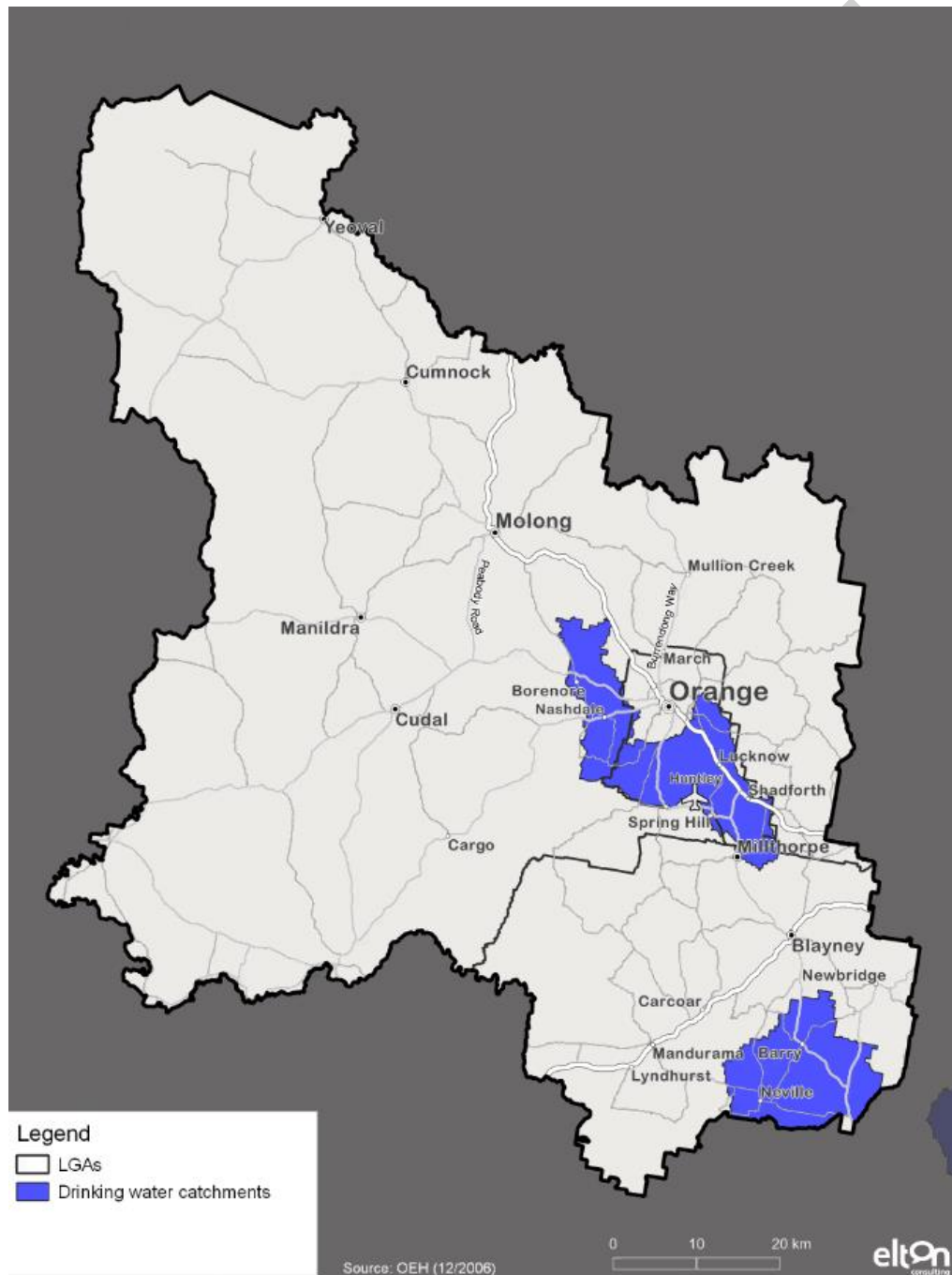
Appendices

A Appendix A heading

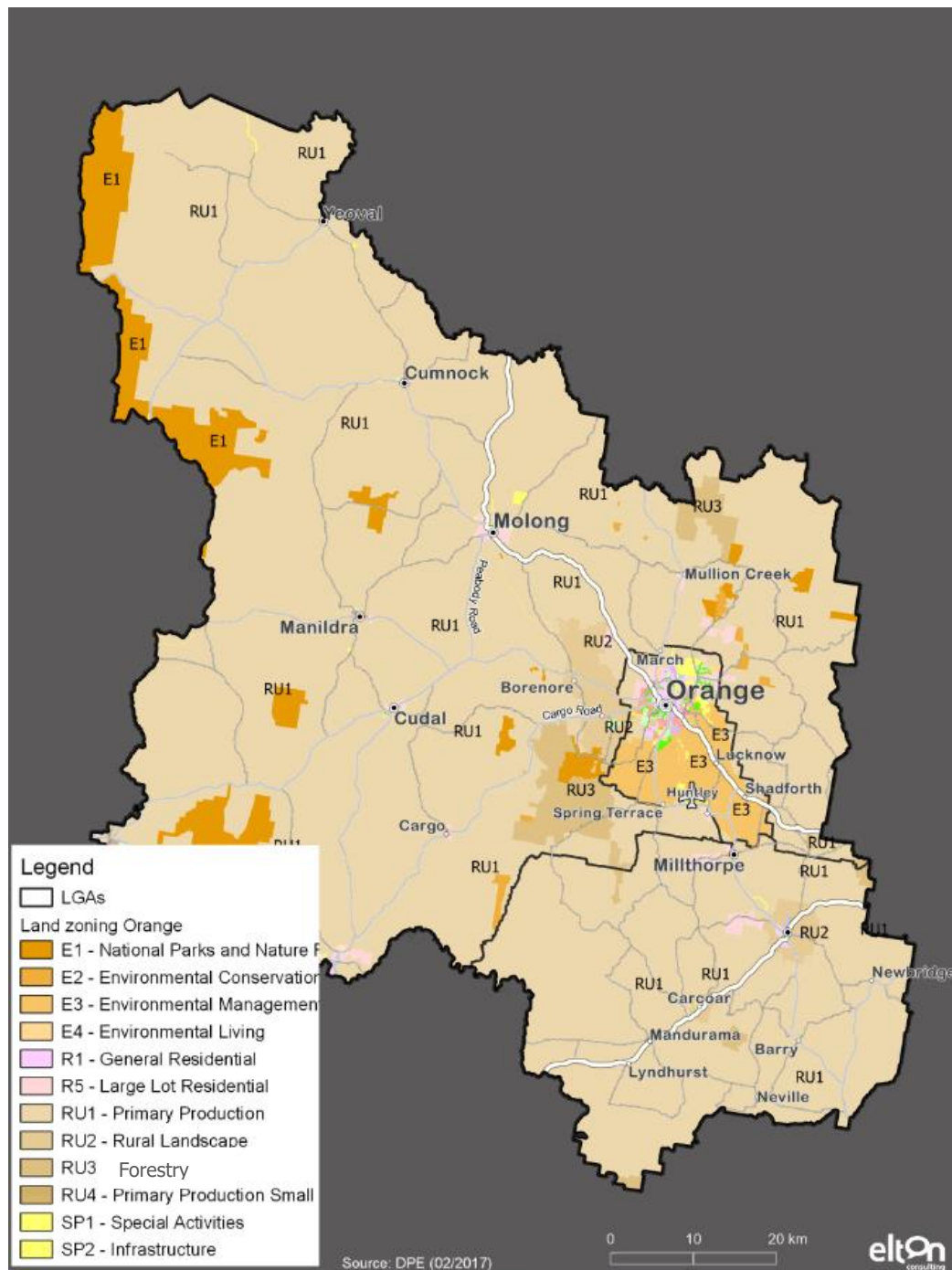
A Planning Controls

The following discussion provides a comparison between the E3 Environmental Management and the RU1 Primary Production and RU2 Rural Landscape zones as they apply to the drinking water catchment areas in the subregion (**Figure 1**).

Figure 2 Drinking Water Catchment



It is clear from the map that the drinking water catchment impacts all three LGAs. While Cabonne and Blayney rely on a local provision in their respective LEPs to manage development in the drinking water catchment, Orange apply the E3 Environmental Management zone (**Figure 2**).

Figure 3 Land Use Zones

Comparison between zones

Despite the objective of the E3 to “provide for a limited range of development” the land uses in the E3 and RU1 zones are very similar. The notable difference is that viticulture is permissible without consent in the RU1 zone and requires consent in the E3 zone. Where the E3 zone in the Orange LEP transitions to the RU2 Rural Landscape zone in the Cabonne LEP (at the foot of Mt Canobolas and in the Nashdale area), viticulture is development that does not require consent. The RU2 zone in the Cabonne LEP also include an additional objectives discussed below.

Rural industries, intensive plant agriculture and extractive industries are permissible in the E3 Environmental Management and RU1 Primary Production zones with consent. The RU2 Rural Landscape zone prohibits intensive livestock agriculture and turf farming, rural industries and truck depots.

The RU2 Rural Landscape zone is also applied in the Blayney LEP to land immediately surrounding the town itself. Like Cabonne, the RU2 zone in Blayney is a more tightly controlled zone that prohibits land uses including intensive livestock agriculture, industries, rural industries and truck depots.

Both the Cabonne and Blayney RU2 Rural Landscape zones include objectives to support the tighter land use controls. The additional objective/s are as follows:

Cabonne LEP RU2 Rural Landscape zone

- » To encourage ***diversity in primary industry enterprises*** and systems appropriate for the area.
- » To provide for a range of ***tourism-related uses that support the agricultural industry*** or are compatible with agricultural uses.
- » To ***protect drinking water catchments from the impacts of development*** by minimising impacts on the quality and quantity of water entering drinking water storages.

Through the application of the zone in Cabonne, the LEP is addressing the particular needs of the drinking water catchment and at the same time acknowledging the different focus and land use controls for rural land around Nashdale and Borenore. However, it is noted that, despite the reference to tourism in the objectives, the tourism related land use zones are the same as provided for in the RU1 Primary Production zone. This is discussed further in the **Appendix A**.

Other observations include:

The objectives refer to encouraging diversity in primary industry enterprises, however, actually provide a narrow set of permissible uses and prohibit rural industries.

The reference to the protection of the drinking water catchment could be more effective if drafted in a manner similar to the objective included in the E3 Environmental Management zone in the Orange LEP; *To manage development within water supply catchment lands to conserve and enhance the city and district's water resources.*

Blayney LEP RU2 Rural Landscape zone

- » To encourage development that will not have an adverse impact on the environmental and scenic qualities of the existing landscape.

The objective of the RU2 Rural Landscape zone in Blayney is clearly to recognise the value of scenic amenity and reinforces the mandated objective to maintain the rural landscape character of the land.

Local Provisions for development in the drinking water catchment

Drinking water catchments are prevalent across the state and the way in which development within these sensitive environments is managed varies. The three LEPs in the subregion include specific local provisions addressing the water catchment. The use of local provisions is considered an effective way to manage the actual development within the water catchment and have been incorporated into environmental planning instruments across the state. The provisions are in the form of a specific clause in Part 6 – Additional local provisions (or Part 7 as is the case in the Orange LEP) of the LEPs and are accompanied by a map that identifies the area to which the clause applies.

The local provisions as currently drafted are identical in the case of Cabonne and Blayney. In the case of Orange, the provision is similar, however, lacks the additional consideration being the requirement that the consent authority also consider:

(b) any appropriate measures proposed to avoid, minimise or mitigate the impacts of the development.

The inclusion of the local provisions coupled with the RU2 Rural Landscape zone is a better approach that allows for the streamlining low impact development under the complying development pathway and a merit assessment of other forms of permissible land use through the application of the clause.

Summary

Providing a differentiation in zones provides the opportunity to be clearer about the intended land use outcome by;

- » Including additional specific objectives
- » Providing a range of land uses that are more aligned with the intended outcome of the zone
- » Including additional local provisions that apply to specific zones
- » Providing the ability to include specific DCP controls for a land use in a particular zone, rather than applying the same rules across the board.

The E3 Environmental Management zone could be replaced with a RU2 Rural Landscape zone which includes objectives relating to the protection of the water catchment and provision of compatible tourist related uses. The zone would also apply to the highly contested land at the interface with the Cabonne LGA on the southern and western edge of Orange.

Part of the function of the RU2 zone now is to recognise the relationship between agriculture and tourism. The zone as it applies to Cabonne could be extended to encompass the Towac soil landscape.

Extract Orange LEP E3 and RU1 Zone Objectives and Land Use Tables

Zone E3 Environmental Management

1 Objectives of zone

- To protect, manage and restore areas with special ecological, scientific, cultural or aesthetic values.
- To provide for a limited range of development that does not have an adverse effect on those values.
- To manage development within water supply catchment lands to conserve and enhance the city and district's water resources.
- To maintain the rural function and primary production values of the area.
- To ensure development along the Southern Link Road has alternative access.

2 Permitted without consent

Environmental protection works; Extensive agriculture; Home occupations

3 Permitted with consent

Air transport facilities; Animal boarding or training establishments; Bed and breakfast accommodation; Boat sheds; Cellar door premises; Dual occupancies (attached); Dwelling houses; Eco-tourist facilities; Electricity generating works; Environmental facilities; Extractive industries; Farm buildings; Farm stay accommodation; Forestry; Helipads; Home businesses; Home industries; Information and education facilities; Intensive plant agriculture; Kiosks; Oyster aquaculture; Pond-based aquaculture; Recreation areas; Recreation facilities (outdoor); Research stations; Roads; Roadside stalls; Rural industries; Sewerage systems; Tank-based aquaculture; Water supply systems

4 Prohibited

Industries; Multi dwelling housing; Residential flat buildings; Retail premises; Seniors housing; Service stations; Warehouse or distribution centres; Any other development not specified in item 2 or 3

Zone RU1 Primary Production

1 Objectives of zone

- To encourage sustainable primary industry production by maintaining and enhancing the natural resource base.
- To encourage diversity in primary industry enterprises and systems appropriate for the area.
- To minimise the fragmentation and alienation of resource lands.
- To minimise conflict between land uses within this zone and land uses within adjoining zones.
- To promote the unique agricultural character of Orange and facilitate a variety of tourist and visitor accommodation land uses that are compatible with agriculture.
- To ensure that development along the Southern Link Road has an alternative access.

2 Permitted without consent

Environmental protection works; Extensive agriculture; Home-based child care; Home occupations; Viticulture

3 Permitted with consent

Agriculture; Airstrips; Animal boarding or training establishments; Aquaculture; Bed and breakfast accommodation; Business identification signs; Cellar door premises; Community facilities; Dwelling houses; Eco-tourist facilities; Environmental facilities; Extractive industries; Farm buildings; Farm stay accommodation; Forestry; Helipads; Home businesses; Home industries; Information and education facilities; Intensive livestock agriculture; Intensive plant agriculture; Landscaping material supplies; Open cut mining; Recreation areas; Recreation facilities (major); Recreation facilities (outdoor); Roads; Roadside stalls; Rural industries; Secondary dwellings; Veterinary hospitals; Water supply systems

4 Prohibited

Any development not specified in item 2 or 3

Extract Cabonne LEP RU1 and RU2 Zone Objectives and Land Use Tables

Zone RU1 Primary Production

1 Objectives of zone

- To encourage sustainable primary industry production by maintaining and enhancing the natural resource base.
- To encourage diversity in primary industry enterprises and systems appropriate for the area.
- To minimise the fragmentation and alienation of resource lands.
- To minimise conflict between land uses within this zone and land uses within adjoining zones.
- To enable function centres, restaurants or cafes and appropriate forms of tourist and visitor accommodation to be developed in conjunction with agricultural uses.

2 Permitted without consent

Building identification signs; Environmental protection works; Extensive agriculture; Home occupations; Viticulture

3 Permitted with consent

Air transport facilities; Airstrips; Animal boarding or training establishments; Aquaculture; Bed and breakfast accommodation; Boat launching ramps; Boat sheds; Business identification signs; Camping grounds; Cellar door premises; Cemeteries; Community facilities; Correctional centres; Depots; Dual occupancies; Dwelling houses; Eco-tourist facilities; Environmental facilities; Extractive industries; Farm buildings; Farm stay accommodation; Flood mitigation works; Forestry; Function centres; Helipads; Home-based child care; Home businesses; Home industries; Home occupations (sex services); Industrial training facilities; Information and education facilities; Intensive livestock agriculture; Intensive plant agriculture; Jetties; Landscaping material supplies; Moorings; Open cut mining; Plant nurseries; Recreation areas; Recreation facilities (major); Recreation facilities (outdoor); Research stations; Restaurants or cafes; Roads; Roadside stalls; Rural industries; Truck depots; Veterinary hospitals; Water recreation structures; Water storage facilities

4 Prohibited

Stock and sale yards; Any other development not specified in item 2 or 3

Zone RU2 Rural Landscape

1 Objectives of zone

- To encourage sustainable primary industry production by maintaining and enhancing the natural resource base.
- To maintain the rural landscape character of the land.
- To provide for a range of compatible land uses, including extensive agriculture.
- To encourage diversity in primary industry enterprises and systems appropriate for the area.
- To provide for a range of tourism-related uses that support the agricultural industry or are compatible with agricultural uses.
- To protect drinking water catchments from the impacts of development by minimising impacts on the quality and quantity of water entering drinking water storages.

2 Permitted without consent

Building identification signs; Environmental protection works; Extensive agriculture; Home occupations; Viticulture

3 Permitted with consent

Agricultural produce industries; Agriculture; Animal boarding or training establishments; Aquaculture; Bed and breakfast accommodation; Business identification signs; Camping grounds; Cellar door premises; Community facilities; Depots; Dual occupancies; Dwelling houses; Eco-tourist facilities; Environmental facilities; Extractive industries; Farm buildings; Farm stay accommodation; Flood mitigation works; Helipads; Home-based child care; Home businesses; Home industries; Home occupations (sex services); Information and education facilities; Open cut mining; Plant nurseries; Recreation areas; Recreation facilities (outdoor); Restaurants or cafes; Roads; Roadside stalls; Veterinary hospitals; Water storage facilities

4 Prohibited

Intensive livestock agriculture; Turf farming; Any other development not specified in item 2 or 3

Extract Blayney LEP RU1 and RU2 Zone Objectives and Land Use Tables

Zone RU1 Primary Production

1 Objectives of zone

- To encourage sustainable primary industry production by maintaining and enhancing the natural resource base.
- To encourage diversity in primary industry enterprises and systems appropriate for the area.
- To minimise the fragmentation and alienation of resource lands.
- To minimise conflict between land uses within this zone and land uses within adjoining zones.
- To enable function centres, restaurants and appropriate forms of tourist and visitor accommodation to be developed in conjunction with agricultural uses.

2 Permitted without consent

Building identification signs; Environmental protection works; Extensive agriculture; Home occupations

3 Permitted with consent

Airstrips; Animal boarding or training establishments; Aquaculture; Bed and breakfast accommodation; Boat launching ramps; Boat sheds; Business identification signs; Camping grounds; Cellar door premises; Cemeteries; Community facilities; Correctional centres; Depots; Dual occupancies; Dwelling houses; Eco-tourist facilities; Environmental facilities; Extractive industries; Farm buildings; Farm stay accommodation; Forestry; Function centres; Helipads; Heliports; Home-based child care; Home businesses; Home industries; Home occupations (sex services); Industrial training facilities; Information and education facilities; Intensive livestock agriculture; Intensive plant agriculture; Jetties; Landscaping material supplies; Moorings; Open cut mining; Plant nurseries; Recreation areas; Recreation facilities (major); Recreation facilities (outdoor); Research stations; Restaurants or cafes; Roads; Roadside Stalls; Rural industries; Truck depots; Veterinary hospitals; Water recreation structures; Water supply systems

4 Prohibited

Any development not specified in item 2 or 3

Zone RU2 Rural Landscape

1 Objectives of zone

- To encourage sustainable primary industry production by maintaining and enhancing the natural resource base.
- To maintain the rural landscape character of the land.
- To provide for a range of compatible land uses, including extensive agriculture.
- To encourage development that will not have an adverse impact on the environmental and scenic qualities of the existing landscape.

2 Permitted without consent

Building identification signs; Environmental protection works; Extensive agriculture; Home occupations

3 Permitted with consent

Agricultural produce industries; Aquaculture; Bed and breakfast accommodation; Boat launching ramps; Boat sheds; Business identification signs; Cemeteries; Dual occupancies; Dwelling houses; Eco-tourist facilities; Environmental facilities; Extractive industries; Farm buildings; Farm stay accommodation; Heliports; Home-based child care; Home businesses; Home industries; Home occupations (sex services); Intensive plant agriculture; Jetties; Moorings; Open cut mining; Plant nurseries; Recreation areas; Research stations; Roads; Roadside stalls; Veterinary hospitals; Water recreation structures; Water supply systems

4 Prohibited

Any other development not specified in item 2 or 3

B Mt Canobolas

The importance of Mt Canobolas in terms of topography, geology and soils, scenic landscape and character and the highly productive agricultural land can not be understated. Fragmentation of rural land this part of the subregion has occurred as incompatible land uses compete. The greatest threat to the long-term sustainability of agriculture on and around Mt Canobolas is from residential development; both rural lifestyle lots and the creep of the urban fringe of Orange city into the most productive agricultural land in the Orange LGA and the potential for mining.

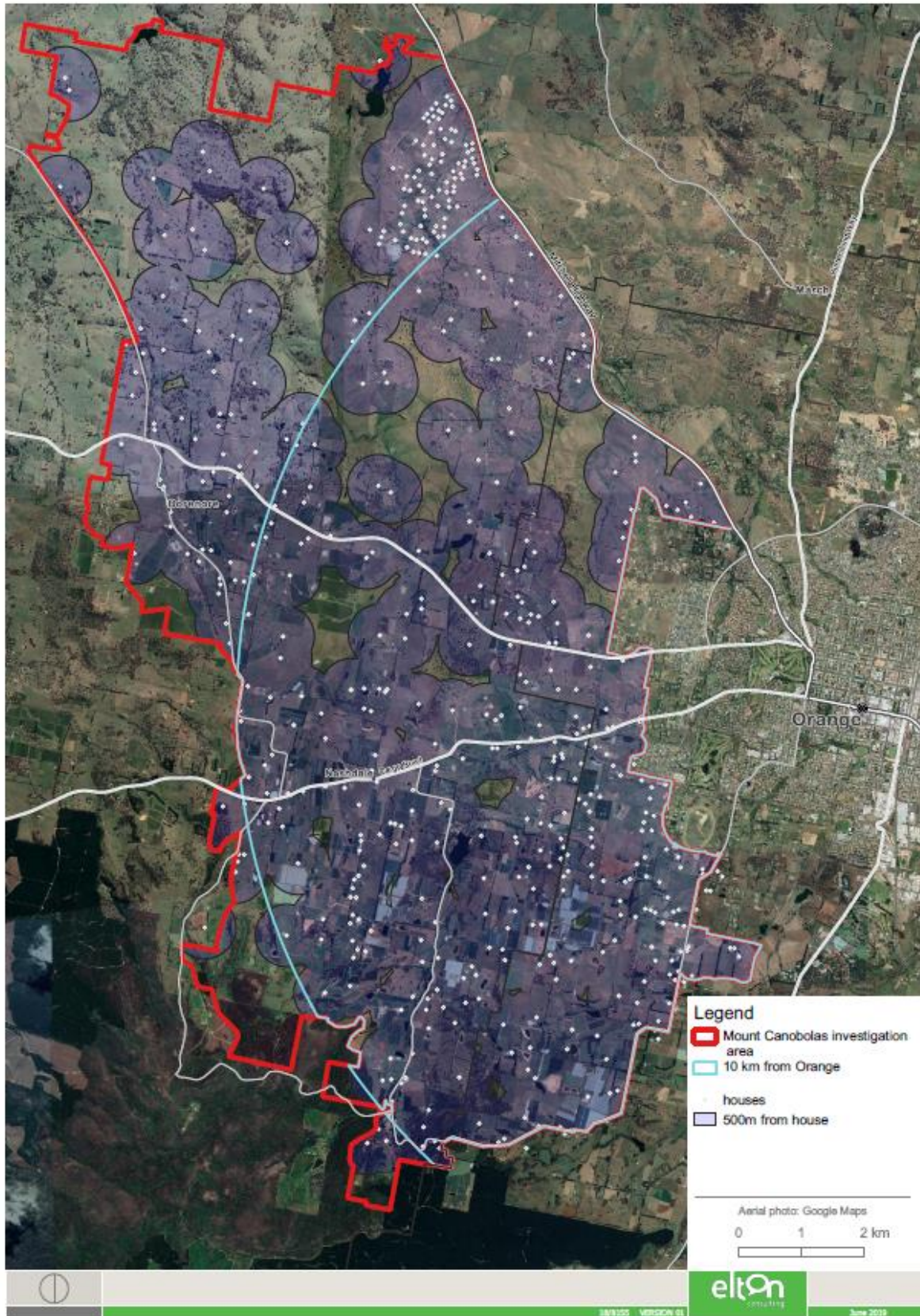
Lifestyle development

The fertility of the soil and historic use of the land for intensive horticulture, in particular orchards and vineyards influenced the subdivision pattern as smaller land areas were required for viable and productive horticultural pursuits. More recently, the landscape character and amenity, views and topography and importantly proximity to Orange City has increased demand for rural lifestyle development.

In order to determine the extent to which the rural landscape of Mt Canobolas was being impacted, an initial mapping exercise was undertaken to look at the impact of dwellings. The study area was defined as a 10km arc from the centre of Orange west. The boundary of the drinking water catchment in this direction was also used as a marker.

Once the dwellings were identified, a 500m radius was applied. Five hundred metres was used because it is used as a “typical” buffer distance in statutory planning instruments to separate dwellings from potentially incompatible land uses such as intensive agriculture or rural industries. The result is illustrated in **Figure 1** with the purple areas referred to as contested land.

Figure 4 Dwellings on Mt Canobolas



Mining

Mining is an important industry in NSW and the subregion. The Regional Economic Development Strategy (REDS) includes a strategy to “support ongoing growth in mining and mining services”. It remains an important industry in the subregion, however, the high agricultural productivity, significant soil landscapes, relationship between the wine industry and tourism and extent to which residential development has occurred in the Mt Canobolas area collectively highlight the unsuitability of mining in this location.

State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007 (Mining SEPP) promotes the economic use and land containing mineral resources. It also recognises the need to consider the relationship between mining and agriculture and includes the following aim:

Clause (2) (d) to establish a gateway assessment process for certain mining and petroleum (oil and gas) development

(i) to recognise the importance of agricultural resources, and

(ii) to ensure protection of strategic agricultural land and water resources, and

(iii) to ensure a balanced use of land by potentially competing industries, and

(iv) to provide for the sustainable growth of mining, petroleum and agricultural industries.

This does not preclude mining, rather, requires that, where mining is proposed on land identified as strategic agricultural land, additional consideration is undertaken.

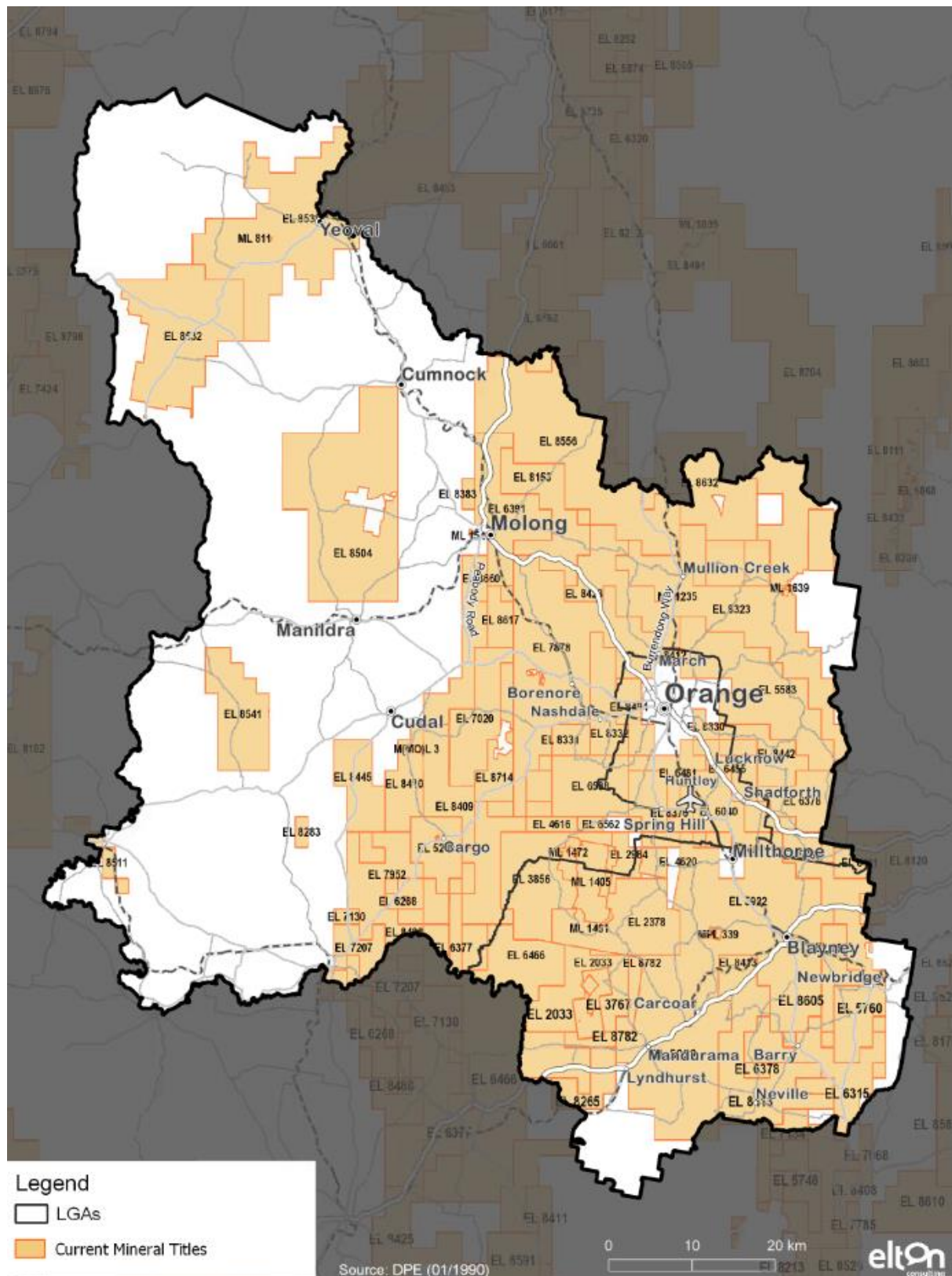
There are a number of exploration licences throughout the subregion including the Mt Canobolas area (refer **Figure 2**).

In a decision on 18 September 2019 by the Independent Planning Commission (IPC) to refuse to grant consent to the Bylong Coal Project¹ (lodged in July 2015) the IPC included the perceived lack of evidence to support the feasibility of rehabilitating the site to BSAL equivalence post-mining as an important factor in the decision. Groundwater and land disturbance, insufficient assessment of Aboriginal cultural heritage impacts and failure to adequately address green house gas emissions were the other key factors in the decision.

Given that decision and the circumstances of the development in terms of location and impact, it is difficult to conceive of a circumstance where mining on or under Mt Canobolas could be considered. On that basis, and to provide certainty for both the community, landowners and companies looking for opportunities to extract mineral resources, advocating for an exclusion from mining in the immediate vicinity of Mt Canobolas should be considered.

¹ <https://www.planningportal.nsw.gov.au/major-projects/project/25516>

Figure 5 Current Mineral Titles



Defining the area

Important Agriculture Land

The DIPE in conjunction with DPI have mapped Important Agriculture Land (IAL). This is discussed in the Background and Issues Paper in Section 5. This mapping, collectively, identifies almost all the rural land in the subregion as IAL and provides assistance at a very high level to understand the type of risks associated with unsuitable subdivision and development on agricultural land but has no statutory weight. The Important Horticulture/Viticulture Land is shown in **Figure 3**.

Biophysical Strategic Agricultural Land

The Biophysical Strategic Agricultural Land (BSAL), again discussed in Section 5, provides some degree of statutory protection to the land to which it applies. Introduced in 2012, the BSAL maps identify national and state significant soil and water characteristics on land for agriculture. The BSAL is incorporated into the State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007 (Mining SEPP) to the extent that an application for a site verification certificate to include land mapped as BSAL in a mining application.

In the subregion, the BSAL is heavily concentrated on the Towac soil landscape around Mt Canolobas (although it does extent beyond this area). The relationship between the BSAL, the Geographical Area known to be the Orange Wine Region and Class 2 soil classification is shown in **Figure 4**.

Figure 6 Important Horticulture/Viticulture Land

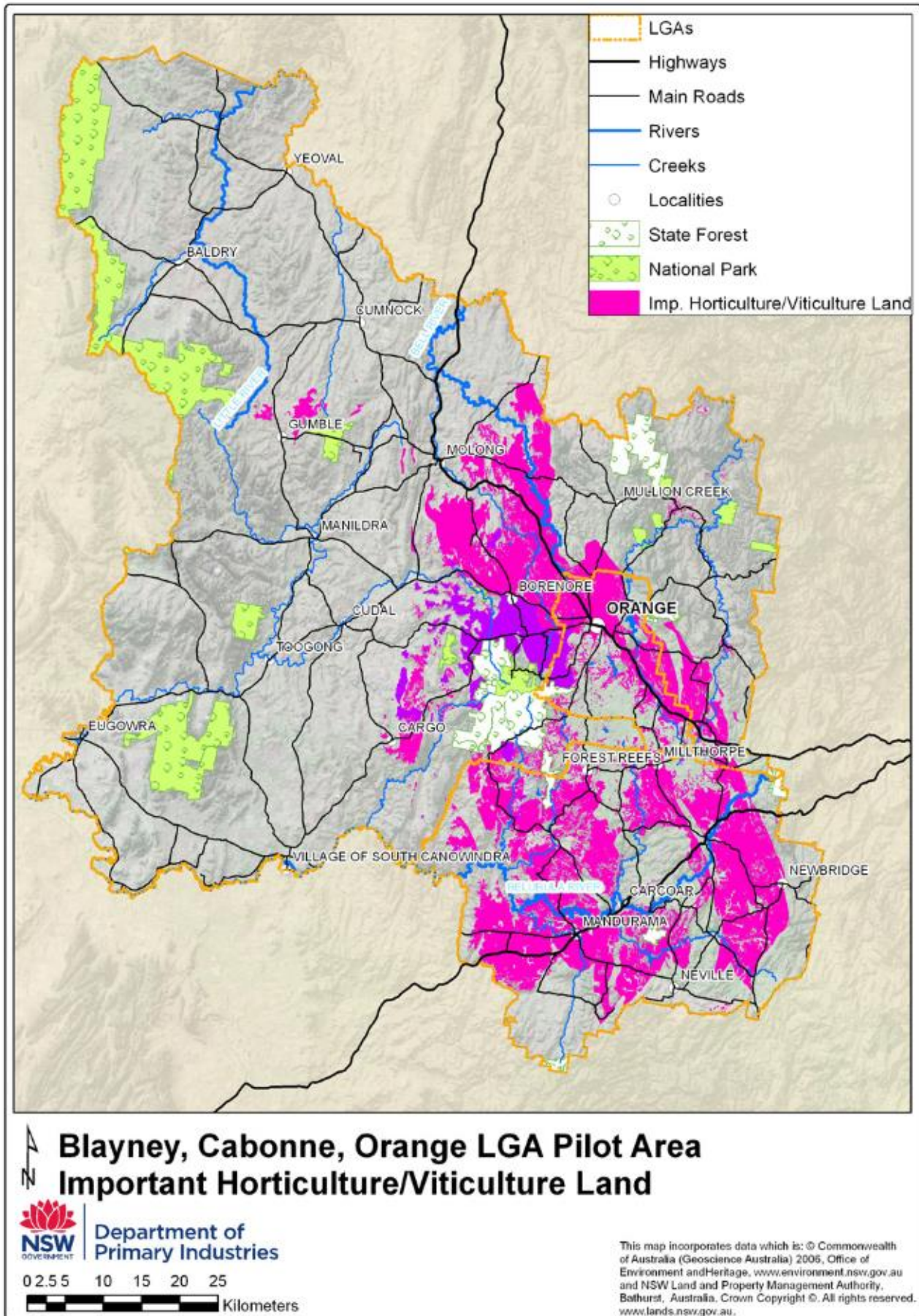


Figure 7 BASL

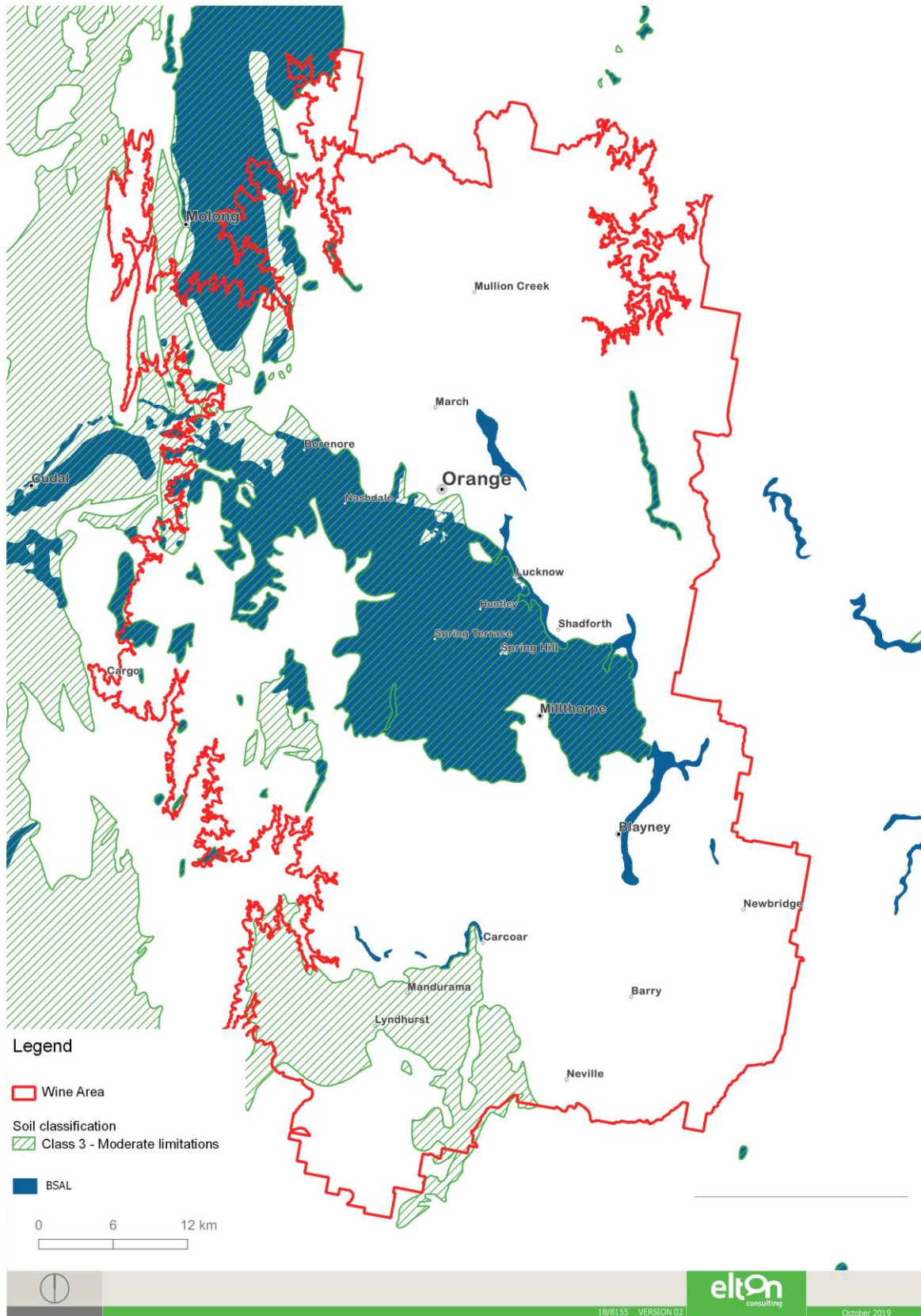
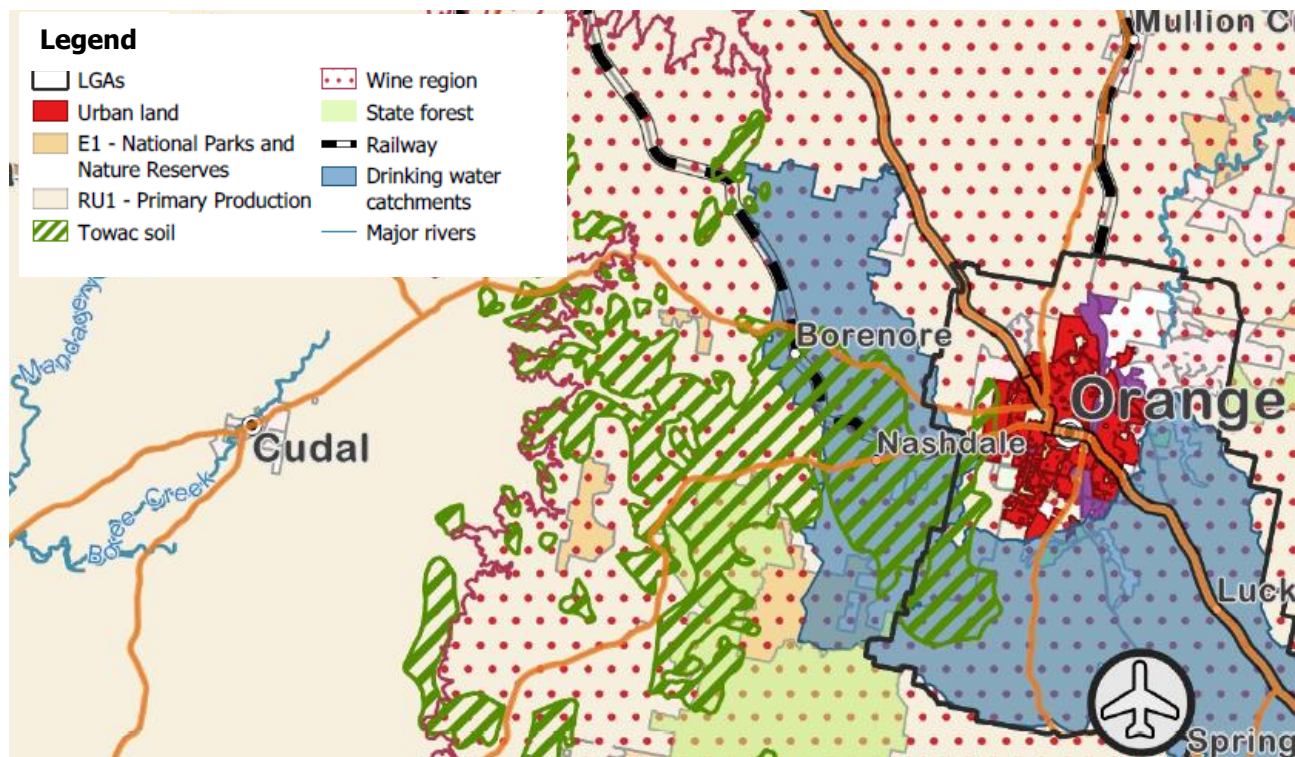


Figure 9 Combined Attributes Mt Canobolas

Managing the urban fringe

Orange City has continued to expand west and south west. The South Orange Urban Release Area and development west of Ploughmans Way and north and south of the Escort Way has already encroached into significant agricultural land in terms of BSAL and Towac Landscapes and Class 2 land and soil classification being very highly capable land.

While the scope of the Strategy does not extend to rural residential development or other general residential land use, investigations into the nature and importance of maintaining the integrity of the agricultural necessarily included looking at the interface between the urban and non-urban zones. This is best illustrated in **Figure 5** showing the extent of the Towac Soil Landscape into the urban area and **Figure 6** above where the Towac Soil Landscape extends up into the urban area (shown in red).

The growth of the city is already constrained to the south to a large extent by the drinking water catchment (although serviced residential development can be delivered without impacting on water quality if appropriate mitigation measure area in place which presumable is the case at Shiralee which is also in the drinking water catchment). However, further expansion of the city in the west and south west should be limited.

The Orange Sustainable Development Strategy (updated in 2010) included a structure plan that included the identification of long term new urban residential areas west of Orange on land currently zoned RU1 Primary Production. This land is strategic agricultural land (under the Mining SEPP) and part of the area to be conserved for primary production on Mt Canobolas.

Urban development is already compromising the ongoing viability agriculture, particularly in the highly fertile yet fragmented landscape on the east and northern face of Mt Canobolas. Managing any further fragmentation of this area is critical if the industry is to remain intact. The topography, rural aspect and proximity to Orange are the features that attract lifestyle development. This landscape is also one of the most productive orchard and wine grape growing parts of the subregion. It is the proximity to Orange and rural character that also provide an attractive proposition for tourist accommodation and commercial tourism operations either as a value add to an existing business or stand alone. Maintain a fine balance between agriculture and tourism development is key to the long-term sustainability of both.

The encroachment of the urban fringe into productive agricultural land creates land use conflict and should be avoided. Land is already highly fragmented providing sufficient opportunities for rural lifestyle development under current planning controls. Further, designated rural residential zones are the preferred mechanism for diversity of housing in fringe areas close to services.

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C Tourism

Tourism is a key economic driver in the region and the land use planning framework needs to support the continued development of the industry.

There is a close relationship between the urban centres; Orange, Molong and Blayney in the provision of services that support the wine and broader tourist industry as well as a role played by the other towns and villages in the provision of accommodation, activities and festivals that together support the growth of the industry across the region. In the context of the rural land strategy, the focus is on tourist related land uses in the rural areas.

The provision of a range of accommodations options targeting the diverse tourist market is an important function of the planning system and consistency in the approach across the three LEPs will assist the industry and the operators as the industry grows.

Driving tourism growth is identified in the REDS for the subregion with priorities with "Visitor accommodation including temporary caravan parks, camping and backpackers through to five-star destination hotels" marked as an infrastructure priority.

Tourist and Visitor Accommodation

There is an anecdotal demand for accommodation that is nestled within the rural landscape, taking advantage of rural views and the proximity of cellar doors, wineries and related land uses.

Encouraging rural tourist accommodation in association with existing rural business enterprises, particularly in more intensively farmed areas assists in managing the expectations guests, particularly during busy periods (harvesting, spraying, cultivating) when the impacts from farm operations are likely to be more prevalent.

There are a number of definitions in the Standard Instrument LEP that fall within or can be categorised under the group definition of tourist and visitor accommodation and defined as follows:

tourist and visitor accommodation means a building or place that provides temporary or short-term accommodation on a commercial basis, and includes any of the following—

- (a) backpackers' accommodation,
 - (b) bed and breakfast accommodation,
 - (c) farm stay accommodation,
 - (d) hotel or motel accommodation,
 - (e) serviced apartments,
- but does not include—
- (f) camping grounds, or
 - (g) caravan parks, or
 - (h) eco-tourist facilities.

The type of tourist accommodation in the rural area is generally either bed and breakfast accommodation or self-contained accommodation such as cabins which can be associated with an existing rural land use. As the industry grows, there is likely to be increasing pressure for larger format accommodation, like hotels or resorts that may include ancillary uses such as restaurants and functions centres (discussed below). As noted above, the RADS explicitly identifies a range of tourist accommodation. Given the limitation in terms of site area and land availability in the urban areas, some of this may fall to the rural areas to provide.

In the first instance, it is important to establish the relationship between the minimum lot size of the erection of a dwelling and the permissibility of tourist and visitor accommodation. Typically this would be included in a Development Control Plan (DCP) and clarify that:

- » The lot on which the development is proposed must comply with the MLS on the Lot Size Map in the relevant LEP; or
- » If the lot is below the MLS there is a lawful dwelling on the site.

Councils may want to include absolute minimum lot sizes for tourist and visitor accommodation; for example farm stay accommodation will only be considered on lots greater than 40ha.

The farm stay accommodation definition includes (with reference to clause 5.4 of the respective LEPs) a maximum number of bedrooms. Provisions in a (DCP) Council include a maximum number of individual cabins or buildings.

Bed and Breakfast accommodation

This form of accommodation is defined as follows:

bed and breakfast accommodation means an existing dwelling in which temporary or short-term accommodation is provided on a commercial basis by the permanent residents of the dwelling and where—

- (a) meals are provided for guests only, and
- (b) cooking facilities for the preparation of meals are not provided within guests' rooms, and
- (c) dormitory-style accommodation is not provided.

There is an opportunity through clause 5.4 in all of the LEPs to limit the number of bedrooms and in all three cases the limit is 5.

Further, bed and breakfast accommodation is recognised in the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 (Codes SEPP) as complying development. The intention of the Codes SEPP is to streamline the approval process provided that certain criteria can be met. If the proposal is for 4 bedrooms or less and not within the E3 Environmental Management zone or on bushfire prone land then the development may be considered complying development.

Bed and breakfast accommodation is generally a very low impact development.

Subdivision 1 Bed and breakfast accommodation

4A.1 Specified complying development

Bed and breakfast accommodation is development specified for this code if it is—

- (a) permissible with development consent under an environmental planning instrument applying to the land on which the development is carried out, and
- (b) not constructed or installed on **bush fire prone land**.

4A.2 Development standards

The standards specified for that development are that the development must—

- (a) be in an existing dwelling house, and
- (b) consist of not more than **4 guest bedrooms** or, if there is a local environmental plan applying to the land that was made under section 3.20 of the Act, the maximum number of bedrooms specified in clause 5.4(1) of that plan, and
- (c) have at least 1 guest bathroom, and
- (d) have a fire extinguisher and fire blanket in the kitchen, and
- (e) have at least 1 off-road car parking space per guest bedroom, and
- (f) not display any advertisement on the premises (other than a notice or sign indicating the name and occupation of the resident), and
- (g) if the dwelling house is subject to the Strata Schemes Management Act 1996 or the Community Land Management Act 1989—have the prior approval of the owners corporation, or the community, precinct or neighbourhood association.

Note. The use of a dwelling as bed and breakfast accommodation will result in a change of building class for the dwelling under the Building Code of Australia. There will be new fire safety and access requirements.

Farm stay accommodation

Farm stay accommodation is a problematic land use definition in that it can only be applied to a *working farm* and there is no consistent criteria as to what constitutes a working farm. It relies on Council have a separate policy or DCP that includes a definition or provides the circumstance in which this form of development will apply.

Like bed and breakfast accommodation, clause 5.4 allows the individual council to determine the number of bedrooms and in the case of the three LEPs this is; Cabonne and Blayney 12 bedrooms and Orange 5 bedrooms.

Also consistent with bed and breakfast accommodation, farm stay accommodation is also permissible in all the LEPs in the RU1 Primary Production zones, in the RU2 Rural Landscape zones as they apply to Cabonne and Blayney and in the E3 Environmental Management zone as it applies in Orange.

The key difference between farm stay and bed and breakfast accommodation is the former has additional qualifications about how the rooms and services are provided and the latter does not.

farm stay accommodation means a building or place that provides temporary or short-term accommodation to paying guests on a **working farm** as a secondary business to primary production.

The definition is loosely constructed and open to interpretation.

There is a question as to whether the inclusion of this definition is either necessary or helpful. Tourist and visitor accommodation should be able to be managed under the definitions of either bed and breakfast accommodation or serviced apartments (see below), illuminating the need to complicate the offering or have to interrogate the term “working farm”.

However, if there is a desire to limit accommodation to working farms, Council will need to be specific in the development control plans as to the construction of the definition and when and how it will be applied.

In considering development controls for farm stay accommodation the following matters may be relevant:

- » The number of “cabins” or “apartments” per site. This could relate to the size of the holding or simply be a maximum.
- » Suitability of the location to manage on-site sewerage
- » Availability of potable and non-potable water
- » Access and parking
- » Visual amenity and impact on adjoining development

Self-contained accommodation

Self-contained accommodation includes cabins or dwellings that don’t require the homeowner to be present in the building and will generally have their own kitchen and bathroom facilities.

There is no definition that clearly addresses self-contained accommodation of the type typically occurring in regional areas. Working within the confines of the Standard Instrument LEP, the option available is serviced apartment.

serviced apartment means a building (or part of a building) providing self-contained accommodation to tourists or visitors on a commercial basis and that is regularly serviced or cleaned by the owner or manager of the building or part of the building or the owner’s or manager’s agents.

This terminology, in particular the use of the term apartment, is at odds with the ordinary description of self-contained accommodation. None the less the term is used in some rural LEPs to manage tourist and visitor accommodation in rural areas.

At present the RU1 zones and E3 zones in all three LEPs prohibit serviced apartments, presumably relying on farm stay accommodation as the preferred term.

As with the other rural accommodation and tourism uses, include specific guidelines as the expectation for the deliver of this form of development in a (DCP) would be useful.

The elements that would need to be considered are the same as for farm stay accommodation above.

Hotel and motel accommodation

This is not a form of development that is currently permissible in the rural zones. However, there may be circumstances where a destination hotel or resort style complex might be more suited to a rural environment. Given the discussion in **Appendix B** in relation to the importance of maintain the agricultural integrity of Mt Canobolas, maintaining the prohibition on this form of development in the RU2 Rural Landscape zone is preferable. For development that is a destination in itself, proximity, while important is not as critical.

Blayney LGA does not have the same development pressure in terms of the wine industry or concentration of cellar doors and there are a number of smaller villages that support tourism in the subregion, providing accommodation, restaurants and heritage walks and festivals. Millthorpe, for example, is a well establish tourist destination in the subregion that, along with Carcoor is within half an hour to an hour from the larger centre of Orange with Blayney in the centre. Blayney LGA might therefore lend itself to a destination hotel/resort as considered in the RADS. Leveraging both the proximity to wineries and a quality rural landscape character there may be the opportunity to look to other areas such as Dalesford in Victoria in formulating a model for destination tourist accommodation.

Inclusion of hotel and motel accommodation as a permissible land use in an RU1 Primary Production zone would be difficult to rationalise and it may be a land use that if considered outside the urban areas will always require a planning proposal process.

Tourism related uses

There are a number of land uses that function as either a value-add to existing rural industries or agriculture or operate as stand alone uses that support tourism. Most prominently in the subregion are food and

beverage uses cellar doors, breweries or distilleries and associated café and restaurants, tasting rooms and artesian arts and crafts. On a small scale these types of uses can readily integrate and coexist with agriculture, however, continued growth in tourism will likely see an increase in development pressure for large scale facilities that are not necessarily associated with the on-site, adjoining or adjacent land use. In particular, the increase in destination weddings in regional areas has lead to an opportunity for the development of function centres.

Cellar Doors

A cellar door is an established land use and go hand in hand with wine grape production in wine regions world wide. The use is defined as:

cellar door premises means a building or place that is used to sell wine by retail and that is situated on land on which there is a commercial vineyard, and where most of the wine offered for sale is produced in a winery situated on that land or is produced predominantly from grapes grown in the surrounding area.

The definition includes a number of qualifications which increases the opportunity for interpretation. In particular the terms “commercial vineyard” and “most of the wine” generally require qualification in a local policy or development control plan.

The Orange Wine Region was recognised as a distinct Geographic Area by the Australian Wine and Brandy Corporation in 1997 and is defined as the contiguous land above 600m elevation in the LGAs of Orange, Cabonne and Blayney³. The extent of the region is shown outlined in red on **Figure 1** below. Within this the Geographic Area vineyards and cellar doors are more concentrated in the Nashdale and Borenore. This area is also characterised by the Towac Soil Landscape which have been used as a mechanism to refine the most important agricultural land (refer also the **Appendix B** dealing with Mt Canobolas). In considering the range of land uses that may otherwise compliment agriculture in its various forms, special consideration should be given to the *Towac*.

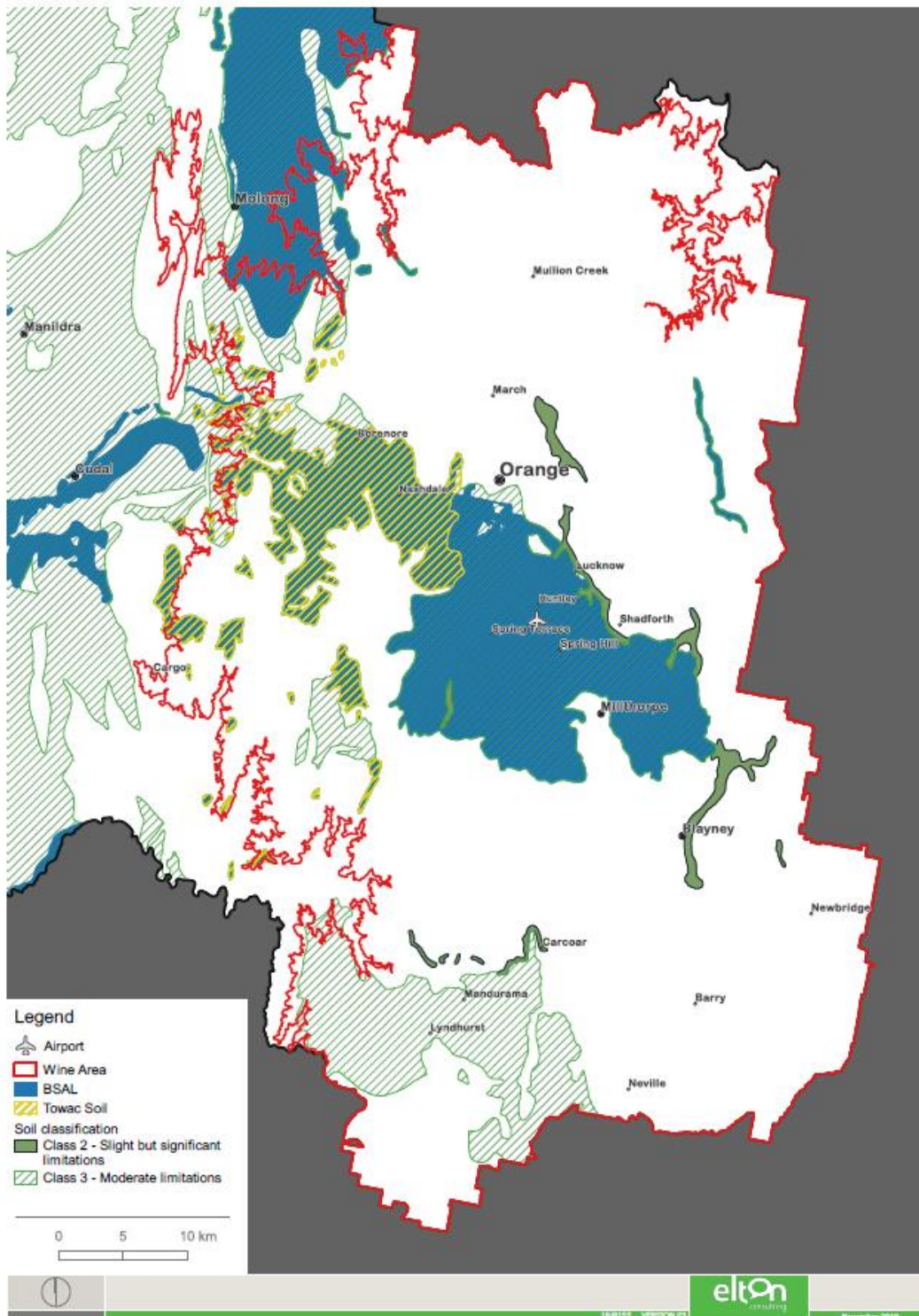
A Development Control Plan provides the opportunity to clarify the scope of cellar door premises and provide guidelines as to the minimum requirements for this form of development. The DCP controls could deal with:

- » Defining a commercial vineyard
- » What is meant by “most” of the wine; eg 51% or 90%
- » The size of the cellar door itself – eg. Orange DCP requires that the size of the sales area should be relative to the size of a vineyard, however, if the majority of the wine is from grapes “grown in the surrounding area” how should this be accommodated when looking at floor area (if at all)
- » Access and carparking – generally related to the total floor area
- » Hours of operation normal hours of operation
- » Events – functions outside normal hours; this might be related to the existing adjoining land uses, in particular any residential development not associated with the cellar door
- » Ancillary development – café, restaurant, gift shop. What constitutes “ancillary” , particularly where the use would be otherwise prohibited.

These types of controls should respond to the needs of the industry, at the same time ensuring that as new uses, they will not create conflict with the surrounding development.

Orange DCP includes planning outcomes for Cellar doors in Section 6.12 which deals with the sale of rural produce. Cabonne recently exhibited DCP controls for cellar doors in the LGA. Consideration should be given to the consistency in the application of controls, particularly given the interface between the two LEPs immediately west of Orange at the foot of Mt Canobolas.

³ Hedberg,P and McGowen, I. *Orange Region Terroir 2010, A review of the features of the Orange wine region NSW – Australia*. Orange Region Vignerons Association. 2010.

Figure 10 Wine Region

Restaurants, Cafes and Function Centres

Included in a group definition of food and drink premises, restaurants and cafes are often associated with cellar door premises, distilleries or other legitimate rural uses. However, again, the proximity and concentration of other tourist uses close to Orange is likely to lead to pressure for more of these types of activities. There is also inconsistency in the permissibility of these uses between the three LEPs.

The respective land uses are defined below:

restaurant or cafe means a building or place the principal purpose of which is the preparation and serving, on a retail basis, of food and drink to people for consumption on the premises, whether or not liquor, take away meals and drinks or entertainment are also provided.

Restaurants and cafes are permissible uses in Cabonne and Blayney LEPs in the RU1 zones, permissible in the RU2 zone in Cabonne (but prohibited in Blayney) and prohibited in the E3 Environmental Management and RU1 zones in Orange (although cellar door premises are permissible with consent).

The key issue is the relationship with and potential impact on the surrounding land uses whether agriculture or, more significantly, non-related residential land uses.

As noted above, there may be circumstances where a land use is as “ancillary” use. Ancillary land uses are dealt with in some detail in Planning Circular PS 13-001. The Planning Circular is helpful in part, however, the statement that development could be described as a “mixed use development” is misleading in that “mixed use” is not in itself a land use. The lack of clarity in the circular and the fact that the advice is at odds with case law was highlighted in an article by Frances Tse of Lindsay Taylor Lawyers where she said:

The draft circular suggests that when determining whether a component of a development is ancillary or independent, consideration should be given to what area of land is used for the different components as of the development. This is inconsistent with the caselaw which states that an ancillary use may be more than a minor use and whether a use is ancillary or not is not capable of being reduced to a mathematical formula (see Macquarie International Health Clinic Pty Ltd v University of Sydney (1998) 98 LGERA 218 cited in Bardsley-Smith & Anor v Penrith City Council & Others [2012] NSWLEC 79). It always involves questions of fact and degree.⁴

Ancillary use

An ancillary use is a use that is subordinate or subservient to the dominant purpose. The concept is important when a development involves multiple components on the same land.

To put it simply:

- if a component serves the dominant purpose, it is ancillary to that dominant purpose;
- if a component serves its own purpose, it is not a component of the dominant purpose but an independent use on the same land. It is a dominant use in its own right. In such circumstances, the development could be described as a mixed use development.

Extract: Planning Circular PS 13-001. *How to characterise development* 21 February 2013.

The proper characterisation depends on the facts of the individual case and for the most part, it would be difficult to characterise a restaurant even if operated on the same site as a cellar door as ancillary development. A café, may be more readily classified, however, again, in both cases it depends on the circumstances of the dominate use.

The disparity in the application of the land use between the Orange LEP and the other two LEPs should be resolved. In considering whether to amend the LEP for Orange to allow restaurants and cafes the Council will need to understand the potential impacts. It is also useful to differentiate between restaurants and function centres, that latter, by the nature of the use, likely to result in greater impacts.

Function centres

The Central West is increasing in popularity as a wedding and major event destination. Traditional function rooms were in clubs, restaurants, hotels and motels. Growth in tourism, the availability of premium regional

⁴ Tse, F. *Draft DoPI Circular on characterisation of development*, published on the LTL Website 14/1/13.

food and wine and popularity of destination weddings have contributed to an increased trend in country weddings in rural locations. Function centres are not currently permitted in any of the RU1, RU2 or E3 zones in the three LEPs.

A function centre is defined as:

function centre means a building or place used for the holding of events, functions, conferences and the like, and includes convention centres, exhibition centres and reception centres, but does not include an entertainment facility.

The definition is broad encompassing a garden to a shearing shed and everything in between. The format of a traditional wedding includes amplified music. It also involves the amplification of the voice and intermitted applause. It is the noise impacts that tend to create that most angst and conflict. Traffic, parking and dust also have the potential to create problem for adjoining neighbours.

Assessing noise impacts of a development that will have the potential to be noisy in this circumstance is problematic. Sound waves are measured in frequency and amplitude using Decibels (DdB). Traditionally, maximum noise limits are put on development as a maximum DdB above background, however, when you have very low background noise, as in the case in rural areas, any noise can create an impact.

In addition, function centres of the kind increasing in popularity, are not necessarily constructed with four solid walls. Marquees, both temporary and semi-permeant can be opened to create an indoor/outdoor space. Containing sound in a marquee is almost impossible.

Despite the challenges, there are circumstances where this type of development can work typically a significant distance from any neighbouring residential properties. Given the density of rural and lifestyle development around Orange, site selection would be the most important factors. Considerations include:

- » Access and availability for parking
- » The scale of the development, number of patrons
- » The proximity to adjoining uses, particularly residential development and including along the road, especially if it is unsealed
- » The number of events per year
- » The type of events to be held
- » Topography and local climate anomalies that impact the travel path of sound

While function centres are not currently a permissible use, there is some evidence to suggest that barrel rooms at existing wineries, packing sheds or existing approved cellar doors and restaurants are offering the respective spaces for functions.

There is merit in development the tourism offering to include function centres, however, any amended to LEPs should be consistent across the three and be accompanied by tight controls on location and siting to ensure that the form of the function centre being proposed will not result in unacceptable impacts on non-related land uses.

Artisan food and drink industry

A recent amendment to the Standard Instrument LEP was made to include a definition for artisan food and drink industry. The new land use term requires that as well as the manufacture of boutique, artisan or craft food or drink, at least one of the following services must be included – retail sales, a café or restaurant, tours, workshops and tastings.

The amendment was made in response to the increasing popularity of the boutique, craft or artisan food and drink products and the such they provide to industries such as tourism and hospitality as well as the contribution to local employment.

Classified as a light industry, this type of land use is reflective of the type of tourism offering available in regional areas. It is defined as:

artisan food and drink industry means a building or place the principal purpose of which is the making or manufacture of boutique, artisan or craft food or drink products only. It must also include at least one of the following—

- (a) a retail area for the sale of the products,
- (b) a restaurant or cafe,
- (c) facilities for holding tastings, tours or workshops.

Like bed and breakfast accommodation, clause 5.4 of the relevant LEPs provides further clarification for this type of land use.

As a sub-set of “light industry” the land use is permissible wherever “light industry” is permissible in LEPs. Council’s also have the opportunity to amend their LEPs to identify artisan food and drink industry as a permissible use in particular zones.

None of the RU1, RU2 or the E3 zones in the three LEPs permit light industry and amendments have not been made to specifically identify artisan food and drink industry as a permissible use.

There is, however, merit in consider this land use as complimentary to the other tourism offerings available in some rural locations.

D Solar Power

State Environmental Planning Policy (Infrastructure) 2007 and potential impacts on industrial and rural land in the Blayney, Orange and Cabonne Local Government Areas

The number of solar farms approved in NSW doubled in 2017. Central West NSW proved to be a hotspot in 2017, with six of the 10 proposals in NSW coming from the region. The production of sustainable energy in the region is likely to become an important economic generator and may assist other important industries in the region, such as the food processing industry, to increase competitiveness with reliable and sustainable energy resources.

However, with this escalating growth of solar farms (under the land use category of electricity generating works), it is important that land resources for other important economic generators are balanced. This includes industrial and rural uses.

Under State Environmental Planning Policy (Infrastructure) 2007 certain prescribed zones, regardless of the Local Environment Plan that governs land, permits with consent electricity generating works in the following relevant prescribed zones:

- » Zone RU1 Primary Production,
- » Zone RU2 Rural Landscape,
- » Zone RU3 Forestry,
- » Zone RU4 Primary Production Small Lots.
- » IN1 General Industrial,
- » IN2 Light Industrial,
- » SP1 Special Activities,
- » SP2 Infrastructure.

In these prescribed zones, electricity generating works are permitted with consent.

What is means for this Strategy?

Industrial Land

This could have significant implications for the supply of industrial land for other purposes such as food processing plants. The take-up of industrial land has been assessed on historic rates of take-up to a certain extent, which is not able to fully predict the emerging electricity generating works land use.

There has been one instance (Blayney), with the potential for more, electricity generating works proposals on industrial zoned land.

There are good reasons why industrial land may be highly attractive to this land use including:

- Land that has been set aside but not taken up for industrial use may be of a lower cost than other land resources
- As land is within the boundary of industrial precincts, then there is likely to be less public reaction to proposals and land use conflict issues to consider (e.g. scenic protection)
- Electricity generating works next near major electricity users are may be advantageous to both parties
- In some cases, industrial land may have high quality access to electricity network substations that can provide the most cost-effective access to the broader grid.

The negative impacts may be that land set aside for industrial uses that have the best access to transport and logistics infrastructure are near to towns but separated enough to avoid land use conflict may be taken up with electricity generating works that do not provide high volumes of ongoing jobs.

It is also important that as much high production rural land is maintained for that purpose and so similarly, a strategic approach to balancing these uses is required.

Rural Land

Loss of prime agricultural land, impact on adjoining land uses, including residential and tourism land uses and a broader impact on rural landscape character and amenity are key issues that will need to be considered.

The DPIE have released a Large-Scale Solar Energy Guideline for State Significant Development. In the absence of similar guidelines for local development, Council's are encouraged to consider applying the principles in the Guideline to local situations through DCPs. In particular, DCPs should replicate the environmental and site constraints identified in the Guideline that include consideration of:

- » nearby residences and urban land
- » biophysical strategic agricultural land (BSAL)
- » Aboriginal heritage items
- » historic heritage items
- » threatened species and endangered ecological communities
- » watercourses
- » flood prone land
- » existing infrastructure
- » land use zoning
- » any proposed vegetation screening.

Further, to avoid conflict and consistent with actions identified in the Rural Land Strategy to recognise the importance of the rural landscape of Mt Canobolas, consideration could be given into discouraging, or

prohibiting medium and large scale solar projects from this area. This would require the support of the NSW Government and amendments to the SEPP.

Recommendations of this Strategy

The recommendations of this Strategy is to create a policy framework and DCP to guide electricity generating proposals to choose the best locations in both the industrial and rural context. These include:

Identifying key locations that are likely to attract the land use in addition to appropriate solar resources.

Two key factors are:

- Access to electricity grid network substations

- Adjacency to large electricity using operations

The substation network in the region is outlined below.

By identifying locations and a policy framework, this will provide potential energy operators more certainty about locations that will provide a smoother approval process. For land that is particularly suitable for electricity generating works and unlikely to conflict with other potential land uses, consideration of SP2 Infrastructure zones to accommodate this development may also be considered.

Adoption of the Large-Scale Solar Energy Guideline into DCPs will also provide a more structured approach to site selection and the development assessment of local small to medium size projects.

Finally, prohibiting this land use from the most sensitive visual and productive agricultural land at Mt Canobolas should be considered.

Figure 11 Transgrid network of substations



Source: https://www.transgrid.com.au/news-views/lets-connect/consultations/Documents/Appendix_P_-_Network_Map.pdf

E Industrial and certain business zones

The Standard Instrument includes four industrial zones, two of which are utilised in the study area, and a number of business development zones. These have been applied with varying degrees of consistency across the three LGAs. There are opportunities for a more streamlined and simpler approach to the application of the zones in the individual Local Environmental Plans.

Guidelines on the Application of Zones

Industrial zones

The Department of Planning, Industry and Environment provided a Planning Practice Note (PN 11-002 10 March 2011) to assist Council's with the application of zones in their LEPs. The relevant industrial zones are extracted below.

IN1 General Industrial

This zone is generally intended to accommodate a wide range of industrial and warehouse uses and includes 'general industry,' 'high technology industries,' 'industrial training facilities' and 'depots.' This zone would be suitable where a council wishes to have a range of industrial land uses and other compatible land uses generally catered for in an industrial zone. In 2011, a new objective was added to highlight that the purpose of industrial zones is to support and protect land for industrial uses.

IN2 Light Industrial

This zone is for land that provides a range of 'light industry', 'warehouse or distribution centres' and 'depots.' Vehicle trade and other urban service industries may also be considered appropriate. The types of uses need to be 'light' in nature, meaning they will not cause nuisance or adversely affect the surrounding amenity such as noise or emissions. Bulky goods retailing should be located in a business zone and not in an industrial zone to ease pressure on employment lands. In 2011, a new objective was added to highlight that the purpose of industrial zones is to support and protect industrial land for industrial uses.

IN3 Heavy Industrial*

This zone should be used where it is necessary to designate particular land for heavy industrial uses that require separation from other land uses, due to their potential risk to human health or the biophysical environment. The need for such a zone will depend on the type and nature of industrial uses that exist or that are likely to take place in the area. Other forms of industry might also be permitted in the zone if appropriate. To highlight the purpose of the zone, a new core objective was included in 2011.

There is also a IN4 industrial zone that applies only to waterfront activities and is not relevant in this context.

*This zone has not been applied in any of the LEPs

In addition, the Standard Instrument include mandatory objectives for industrial zones as well as mandatory uses. Individual Council have the opportunity to add (but not subtract) from these.

Standard Objectives and mandatory land use for Industrial zones

Zone IN1 General Industrial

Direction: The following must be included as either “Permitted without consent” or “Permitted with consent” for this zone—

Roads

1 Objectives of zone

To provide a wide range of industrial and warehouse land uses.

To encourage employment opportunities.

To minimise any adverse effect of industry on other land uses.

To support and protect industrial land for industrial uses.

To ensure development along the Southern Link Road has an alternative access (Orange LEP)

2 Permitted without consent

3 Permitted with consent

Depots; Freight transport facilities; Garden centres; General industries; Hardware and building supplies; Industrial training facilities; Light industries; Neighbourhood shops; Oyster aquaculture; Places of public worship; Tank-based aquaculture; Warehouse or distribution centres

4 Prohibited

Pond-based aquaculture

Neither Cabonne nor Blayney include additional objectives.

Zone IN2 Light Industrial

1 Objectives of zone

To provide a wide range of light industrial, warehouse and related land uses.

To encourage employment opportunities and to support the viability of centres.

To minimise any adverse effect of industry on other land uses.

To enable other land uses that provide facilities or services to meet the day to day needs of workers in the area.

To support and protect industrial land for industrial uses.

2 Permitted without consent

Environmental protection works

3 Permitted with consent

Agricultural produce industries; Depots; Funeral homes; Garden centres; Hardware and building supplies; Industrial training facilities; Kiosks; Landscaping material supplies; Light industries; Neighbourhood shops; Oyster aquaculture; Places of public worship; Roads; Rural supplies; Sawmill or log processing works; Sewage reticulation systems; Take away food and drink premises; Tank-based aquaculture; Timber yards; Vehicle sales or hire premises; Warehouse or distribution centres; Waste or resource transfer stations; Water recycling facilities; Any other development not specified in item 2 or 4

4 Prohibited

Agriculture; Air transport facilities; Airstrips; Amusement centres; Boat launching ramps; Boat sheds; Camping grounds; Caravan parks; Car parks; Cemeteries; Centre-based child care facilities; Charter

and tourism boating facilities; Commercial premises; Correctional centres; Eco-tourist facilities; Educational establishments; Entertainment facilities; Exhibition homes; Exhibition villages; Farm buildings; Forestry; Function centres; Health services facilities; Heavy industrial storage establishments; Heavy industries; Highway service centres; Home-based child care; Home businesses; Home occupations; Home occupations (sex services); Information and education facilities; Jetties; Marinas; Mooring pens; Moorings; Passenger transport facilities; Pond-based aquaculture; Public administration buildings; Recreation facilities (major); Recreation facilities (outdoor); Registered clubs; Residential accommodation; Respite day care centres; Restricted premises; Rural industries; Service stations; Sewerage systems; Tourist and visitor accommodation; Waste or resource management facilities; Water recreation structures; Wharf or boating facilities

Industrial zones are “open” in that they identify the specific prohibitions and permit all other uses.

Business zones

The B1 Commercial Core and B2 Local Centre zones have a retail and commercial function and have not been addressed here. The B4 Mixed use zone is applied in Orange as a transition between the Commercial Core and residential zones.

Certain other business zones also function as “employment zones” in particular contexts.

Cabonne applies the B5 Business development zone to one site and Orange also uses the same zone to specifically zone individual sites.

Orange applies the B6 Enterprise corridor zone to land along the railway and highway corridors.

The Strategy does not deal with these instances. However, there are two areas where the business zones have been considered, to a limited extent as part of the “industrial” land mix. These are the B7 Business park zone in North Orange and the use of the B5 Business Development and B6 Enterprise Corridor zones in Blayney.

B7 Business Development zone – Orange

The Business Development zone in Orange, while not initially part of the scope of the Strategy, should be considered in terms of the potential land supply on the eastern side of the rail corridor north of the ring road and south of the university. The area was identified in the 2008 GHD Strategy as Strategy Area A Narrambla extension. It was seen as an opportunity to provide a buffer between lifestyle development and adjoining industrial uses and was subsequently zoned B7 Business Development. The zone permits light industry and remains a reasonable land use option.

B5 Business Development and B6 Enterprise Corridor zones – Blayney

The Employment Lands Scoping Study, North Blayney Industrial Lands (2015) considered whether the vision for the North Blayney industrial lands should be amended to accommodate additional residential land. The finding was that in the short term, the industrial and business zones remain in place the preferred land use.

In Blayney the B5 Business Development and B6 Enterprise Corridor zones have been applied on land adjacent to the Industrial zones. A comparison of the land use tables for the zones in the Blayney LEP have been identified in Table 1 below. Based on the similarity between the permissible uses, there may be an opportunity to reduce the number of zones and in doing so simplify the LEP and planning controls.

The B6 zone applies to a small pocket of land between the railway line and the industrial uses in the IN2 zone. The existing land use here includes a school and a number of older residential dwellings. While the dwellings enjoy an existing use right, dwellings themselves are prohibited. Again, this was considered in the 2016 study and it was recommended that the zoning be retained, however, the Study also recommended a regular review to determine whether it is worthwhile retaining the two separate zones.

The recommendation of the Strategy is to:

- » Consolidated the B5 and B6 zones; and

» Include intended outcomes and specific controls for development in each area on the DCP.

The Objectives for the zones are included in the Standard Instrument LEP as follows. Additional objectives added in the Blayney LEP are in orange.

B6 Enterprise Corridor zone

The zone objectives include the following:

1 Objectives of zone

To promote businesses along main roads and to encourage a mix of compatible uses.

To provide a range of employment uses (including business, office, retail and light industrial uses).

To maintain the economic strength of centres by limiting retailing activity.

To provide for residential uses, but only as part of a mixed use development (Blayney LEP)

The objectives include the provision of business, office and retail uses but the land use table prohibits commercial premises which includes:

commercial premises means any of the following—

- (a) business premises,
- (b) office premises,
- (c) retail premises.

Further, the additional objective in relation to residential uses, seems at odds with the mandatory objectives that precede it. The land use table goes on to prohibit residential accommodation which include shop top housing. In essence, the additional object included in the Blayney LEP has no work to do.

The other business zone of note is the B5 Business Development zone. This is the site of the new industrial estate on the corner of the Mid-Western Highway and Marshalls Lane. The majority of the lots are undeveloped.

The objectives of the zone are:

Zone B5 Business Development

1 Objectives of zone

To enable a mix of business and warehouse uses, and specialised retail premises that require a large floor area, in locations that are close to, and that support the viability of, centres.

The key land use permitted in this zone and not in the other industrial zones is *Specialised retail premises* (formerly known as bulky goods premises). The other use that needs consideration is service station.

Industrial and certain Business zones in Blayney

Table 2 Blayney Industrial Zones (land uses in red text highlight the differences between permissible uses in land zones)

| IN1 General Industrial | IN2 Light Industrial | B5 Business Development | B6 Enterprise Corridor |
|--|--|--|---|
| Prohibited | | | |
| <p>Objectives of zone</p> <ul style="list-style-type: none"> To provide a wide range of industrial and warehouse land uses. To encourage employment opportunities. To minimise any adverse effect of industry on other land uses. To support and protect industrial land for industrial uses. | <p>Objectives of zone</p> <ul style="list-style-type: none"> To provide a wide range of light industrial, warehouse and related land uses. To encourage employment opportunities and to support the viability of centres. To minimise any adverse effect of industry on other land uses. To enable other land uses that provide facilities or services to meet the day to day needs of workers in the area. To support and protect industrial land for industrial uses. | <p>Objectives of zone</p> <ul style="list-style-type: none"> To enable a mix of business and warehouse uses, and specialised retail premises that require a large floor area, in locations that are close to, and that support the viability of, centres. | <p>Objectives of zone</p> <ul style="list-style-type: none"> To promote businesses along main roads and to encourage a mix of compatible uses. To provide a range of employment uses (including business, office, retail and light industrial uses). To maintain the economic strength of centres by limiting retailing activity. To provide for residential uses, but only as part of a mixed use development. |
| Prohibited | Prohibited | Prohibited | Prohibited |
| Agriculture; Air transport facilities; Airstrips; Amusement centres; Biosolids treatment facilities; Boat launching ramps; Boat sheds; Camping grounds; Caravan parks; Cemeteries; Centre-based child care facilities; Charter and tourism boating facilities; Commercial premises; Eco-tourist facilities; Educational establishments; Entertainment facilities; Exhibition homes; Exhibition villages; Farm buildings; Forestry; | Agriculture; Air transport facilities; Airstrips; Amusement centres; Biosolids treatment facilities; Boat launching ramps; Boat sheds; Camping grounds; Caravan parks; Cemeteries; Centre-based child care facilities; Charter and tourism boating facilities; Commercial premises; Correctional centres; Eco-tourist facilities; Educational establishments; Entertainment facilities; Exhibition homes; Exhibition villages; Farm | Agriculture; Air transport facilities; Airstrips; Amusement centres; Animal boarding or training establishments; Biosolids treatment facilities; Boat building and repair facilities; Boat launching ramps; Boat sheds; Camping grounds; Caravan parks; Cemeteries; Charter and tourism boating facilities; Commercial premises; Correctional centres; Crematoria; Eco-tourist facilities; Electricity generating works; | Agriculture; Air transport facilities; Airstrips; Amusement centres; Animal boarding or training establishments; Biosolids treatment facilities; Boat building and repair facilities; Boat launching ramps; Boat sheds; Camping grounds; Caravan parks; Cemeteries; Charter and tourism boating facilities; Commercial premises; Correctional centres; Crematoria; Eco-tourist facilities; Electricity generating works; |

| IN1 General Industrial | IN2 Light Industrial | B5 Business Development | B6 Enterprise Corridor |
|---|--|---|---|
| Function centres; Health services facilities; Highway service centres; Home-based child care; Home businesses; Home occupations; Home occupations (sex services); Jetties; Marinas; Mooring pens; Moorings; Pond-based aquaculture; Public administration buildings; Registered clubs; Residential accommodation; Respite day care centres; Restricted premises; Service stations; Sewage treatment plants; Stock and sale yards; Tourist and visitor accommodation; Water recreation structures; Water recycling facilities; Wharf or boating facilities; Wholesale supplies | buildings; Forestry; Function centres; Health services facilities; Heavy industrial storage establishments; Heavy industries; Home-based child care; Home businesses; Home occupations; Home occupations (sex services); Jetties; Marinas; Mooring pens; Moorings; Pond-based aquaculture; Public administration buildings; Registered clubs; Residential accommodation; Respite day care centres; Rural industries; Sewage treatment plants; Tourist and visitor accommodation; Waste disposal facilities; Water recreation structures; Water recycling facilities; Wharf or boating facilities | Entertainment facilities; Exhibition homes; Exhibition villages; Farm buildings; Forestry; Freight transport facilities; Function centres; Heavy industrial storage establishments; Highway service centres; Home-based child care; Home businesses; Home industries; Home occupations; Home occupations (sex services); Industries; Jetties; Marinas; Mooring pens; Moorings; Mortuaries; Pond-based aquaculture; Public administration buildings; Recreation facilities (major); Registered clubs; Residential accommodation; Restricted premises; Rural industries; Service stations; Sewage treatment plants; Sex services premises; Tourist and visitor accommodation; Transport depots; Truck depots; Waste disposal facilities; Water recreation structures; Water recycling facilities; Water treatment facilities; Wharf or boating facilities | Entertainment facilities; Exhibition homes; Exhibition villages; Farm buildings; Forestry; Freight transport facilities; Function centres; Group homes (transitional); Heavy industrial storage establishments; Industries; Jetties; Marinas; Mooring pens; Moorings; Mortuaries; Pond-based aquaculture; Recreation facilities (major); Registered clubs; Residential accommodation; Restricted premises; Rural industries; Sewage treatment plants; Sex services premises; Tourist and visitor accommodation; Vehicle body repair workshops; Waste disposal facilities; Water recreation structures; Water recycling facilities; Water treatment facilities; Wharf or boating facilities Allows service stations, highway service centres, range of home occupation and businesses |

The key difference between the B5 and B6 zones are highlighted in red. Council could consider whether there is a need to retain both zones or whether the land uses could be rationalised and the DCP used as the mechanism to assist in site suitability and assessment of applications on merit.

F Alignment of Industrial Strategy Actions with Regional Plan

The industrial and employment land actions have been considered under **Goal 1: The most diverse regional economy in NSW**

| Precinct Action Code | Key actions in this Strategy | Rationale for actions in this Strategy |
|--|--|--|
| Direction 2: Grow the agribusiness sector and supply chains | | |
| ON5 MA2 BL3 OA1 OA2 | <p>Orange North: Develop an investment case for Orange North clearing articulating the advantages of the locality. Engage with Charles Sturt University regarding potentially catalytic projects.</p> <p>Manildra: Engage with landowners to assess any planning requirements for the expansion of the siding and assist to develop the most efficient planning pathway. Assess any additional land requirements associated with emerging add-value trends.</p> <p>Blayney: Continue to promote the connection of quality produce, land and workforce for food processing and inter-modal transport. Identify key sites within the industrial land to actively promote.</p> <p>Orange Airport: Monitor the need for an additional economic and employment land precinct at the airport, capitalising on access to broader markets.</p> | <p>Orange North: No further rezoning of land due to sufficient supply. Engagement with Charles Sturt University to promote agri-business/research/food processing or other agglomerations in both the industrial and B7 zone. Advantages such as potential rail access, electricity network advantages, access to Orange's northern ring road should be clearly articulated.</p> <p>Manildra: Engage with Manildra Flour Mills about the plans for the rail siding to investigate if further rezoning should occur, emerging markets and potential add-value or supply chain requirements.</p> <p>Blayney: Blayney has attracted significant food processing operations. Continuing to promote the connection between access to produce, workforce and land availability with an intermodal terminal to get goods to market will be key. The emerging renewable energy sector should also be promoted ensuring reliable and cost-effective access to energy for businesses.</p> <p>Orange Airport: With changing and increasingly diverse international markets for agricultural produce, connection with transport hubs is essential. Orange Airport provides a significant opportunity to achieve better connection with domestic and international markets. While the demand is not currently present, the future strategic advantages around the hub should be recognised and future potential as an economic hub should be preserved.</p> |
| Direction 3: Develop advanced manufacturing and food processing sectors | | |
| ON6 ON7 OC5 | <p>Orange North/Manildra/Blayney: Engage with the emerging agri-finance hub in the region to determine barriers to developing advanced food</p> | <p>Orange North/Manildra/Blayney: A key location with the best access to potential rail transport and potential for renewable electricity supply, connected to a key node in the electricity grid.</p> |

| Precinct Action Code | Key actions in this Strategy | Rationale for actions in this Strategy |
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| OC6 BL5 BL6 MA3 MA4 | processing/manufacturing section from a land use/zoning perspective. Engage with the agri-business sector/landowners/operators to understand any emerging markets and add-value processes and any impacts on land uses e.g. organic grain and other food produce. | Canowindra: Canowindra has several large vegetable growers and processing businesses and some of the nation's largest honey processors, a rapidly growing export industry. There is sufficient supply and low take-up rates. At less than an hour by road transport to Parkes, there is likely to be further agglomeration of logistics, add-value food and other forms manufacturing, capitalising on the Inland Rail Project at Parkes. This is likely to exacerbate lack of demand for industrial land in Canowindra. |
| Direction 9: Increase renewable energy generation | | |
| All locations with special consideration of locations near key electricity network nodes ON8 MA7 MA1 OC6 | Develop a renewable energy location policy. Collaborate with the renewable energy investors and industry regarding any improved market competitiveness using alternative energy sources. (e.g. solar farm operator already in the area). Consider adopting Guidelines for Renewable Energy projects on certain industrial and rural land. Review all three LEPs to align the land use tables with the Infrastructure SEPP and provide consistency and clarity Incorporate best practice community engagement for renewable projects into Community Participation Plans. Manage competition between renewable energy development and other industrial uses in industrial land. Orange North, Orange Central, Manildra and Molong: Assess the suitability of the additional industrial land identified in the 2008 Strategy or other locations for electricity generating works including proximity to electricity grid node. Consider additional land rezoning where particularly favourable to protect supplies of industrial land. | Important to recognise opportunities for renewable energy in suitable locations across the three LGAs, in particular where there is access to a key electricity network node. Electricity generating works are competing for space in some industrial zoned land. This trend needs to be carefully monitored to ensure that the supply of land with access to towns and ancillary servicing of major projects needs to be carefully managed in this regard. Manage competition between renewable energy development and other industrial uses at key industrial locations. Need to address locational factors, sale and compatibility with existing and potential land uses. Consider key rural landscapes and the visual impact of solar projects on rural character. |
| Direction 10: Promote business and industrial activities in employment lands | | |
| AP | Ensure there is sufficient supply of industrial/employment land to support the marketing and distribution of agricultural goods. Continue to monitor supply, including competing land uses for industrial land including electricity generating works. | At present, there is sufficient industrial land zoned. However, it is essential that ongoing monitoring of supply occurs, including competing land uses for industrial land including electricity generating works. Orange North: Orange North has the advantage of proximity to the Charles Sturt University Orange campus, the potential for rail access, close connection to |

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| ON5 | Orange North: Develop an investment case for Orange North clearing articulating the advantages of the locality. | the northern ring of Orange, close connection to a key node in the electricity network and an interface with B7 land to promote a diversity of inter-related economic activity. Developing an economic growth strategy for this location is a key action. |
| OC1 | Orange Central (Southern cluster): Evaluate the impacts of road network improvements and identify if a small portion of land should have smaller lot sizes to promote a diversity of employment activity. | |
| OC3 | Orange Central: Assess the rate of take-up of industrial land post the completion of the improved road network in the southern cluster. Identify the typologies of development (urban services, servicing inter-regional markets, mining-services related). | |
| Direction 12: Plan for greater land use compatibility | | |
| ON1 | Orange North: Consideration of the uses of the former abattoir site to ensure minimisation of land use conflict between industrial and rural residential uses north of the site. | Orange North: The interface with the proposed large lot residential needs to be carefully managed to ensure land use conflict does not sterilise economic opportunity including the continuation of 24 hour operations and potential rail freight access. The buffer areas should be included into any land use planning control for rural residential land and included in Council Development Control Plans |
| ON3 | Work with the NSW Government to develop a strategy for the clean-up and remediation of the abattoir site | |
| ON4 | Provide a buffer area between future rural residential and industrial land uses. | |
| Direction 18: Improve freight connections to markets and global gateways and Direction 19: Enhance road and rail freight links | | |
| BL1 | Blayney, Orange Central, Orange North: Advocate to capitalise on the upgrades to the Main West Line (NSW Freight and Ports Plan 2018-2023) and the improved road transport to Greater Sydney with improvements to road infrastructure. | The re-emergence of rail freight, combined with quicker to market road freight, increases the attractiveness of both fresh and processed food logistics/manufacturing. |
| OA1 | | The region also needs to be fully prepared for the shift in logistics from a “to Greater Sydney” model to an equally “north-south” model enabled by the Inland Rail Project. |
| ON1 | | |
| OC2 | | |
| MA1 | Manildra and Canowindra: Plan for the change to the logistics chain with the Parkes hub on the Inland Rail Project. | |
| CA1 | | |
| MA6 | | |
| CA2 | | |
| | Manildra and Canowindra: Continue to monitor the take-up rate of industrial land | |

| Precinct Action Code | Key actions in this Strategy | Rationale for actions in this Strategy |
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| Direction 20: Enhance access to air travel and public transport | | |
| OA2 | <p>Orange Airport: Monitor the need for an additional economic and employment land precinct at the airport, capitalising on access to broader markets.</p> <p>Orange Airport: Ensure than other land uses do not dilute opportunity at Orange Airport.</p> | <p>Orange Airport: With changing and increasingly diverse international markets for agricultural produce, connection with transport hubs is essential. Orange Airport provides a significant opportunity to achieve better connection with domestic and international markets. While the demand is not currently present, the future strategic advantages around the hub should be recognised and future potential as an economic hub should be preserved.</p> |

References

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