

Section 3

Issue Identification and Prioritisation

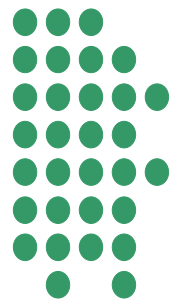
Preamble

This section of the EIS provides information outlining the steps undertaken to identify and prioritise the relevant environmental issues that are required to be addressed to allow an assessment of the proposed road.

The steps undertaken to identify environmental issues include:

- *consultation with the local community;*
- *consultation with State and local government authorities; and*
- *a review of relevant State, Regional and Local Planning legislation, regulation and policies.*

This section concludes with an assessment of the priorities of each of the identified environmental issues to be addressed.



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3.1 ISSUE IDENTIFICATION

3.1.1 Introduction

In order to prepare a comprehensive EIS for the Proposal, appropriate emphasis needs to be placed on those issues likely to be of greatest significance to the local environment, the surrounding and wider community and users of the proposed road. In order to ensure this has occurred, a program of community and government consultation and a review of relevant Federal, State and local legislation, regulation and policies was undertaken to identify relevant environmental issues and potential impacts. Furthermore, the experience gained by Council during the construction of the Northern Distributor Road has also assisted to identify and prioritise issues likely to be relevant in the construction and operation of the North Orange By-pass. This information was used to prioritise the assessment of the identified environmental issues within this EIS.

3.1.2 Community Consultation and Feedback

3.1.2.1 Introduction

Two Community Newsletters were produced and distributed during the planning stages of the proposed road. Following distribution of each of these newsletters, a community forum or information session was held. These provided the Council and R.W. Corkery and Co. Pty Limited with an opportunity to brief the community on the design of the proposed road, as it was then envisaged, and for the community to provide Council with feedback on the design. At each of the community forums, a feedback form was provided. Following each session, the community feedback was reviewed and appropriate modifications made to the design of the proposed road.

In addition to the community newsletters, forums and the information sessions, individual discussions were held with a number of community members, including a meeting with a group of Icely Road residents.

This section provides an overview of each of the community forums, the information session and the Icely Road meeting and identifies the feedback provided by the community during and following each.

3.1.2.2 First Community Forum

The first community forum was held on 4 June 2008 from 6.30pm and 8.30pm at the offices of Orange City Council and was attended by approximately 27 members of the community and five Council officers.

Notification of the meeting, together with a copy of the First Community Newsletter, a feedback form and a registration form, was placed in the letter boxes of all properties adjoining the proposed road corridor and the time and location of the forum was identified in local print and television media outlets.



The forum commenced with a presentation by Mr Mitchell Bland of R.W. Corkery & Co. Pty. Limited outlining the proposed design of the road, including the design of each of the intersections and the status of each of the specialist consultant studies. The community was then invited to ask questions and responses were provided by Mr Bland and the Council representatives present.

Issues raised at the first forum and where those issues are addressed in the EIS included the following.

- The design of the Ophir Road intersection - some attendees expressed concern that the proposed intersection would not provide safe access for the users of Ophir Road and that unreasonable delays would be experienced by those users (Sections 2.3.4.4 and 2.3.5.2)
- Access from Priest Lane to the proposed road (Section 2.3.4.4).
- Anticipated traffic movements on the proposed road compared with measured traffic movements on intersecting roads (Section 1.4.5.2 and **Figures 2.16 to 2.19**).
- Under road drainage and impacts on groundwater (Sections 2.3.7.3 and 4.9.5.2).
- Speed limits on the proposed and surrounding roads (Section 2.3.2.2).
- Anticipated noise emissions (Section 4.3).
- The presence or otherwise of gold deposits within the proposed road corridor (Section 4.1.2).
- The likely ecological impact of the Proposal (Section 4.4.5).
- The potential to use the road corridor to re-establish a native vegetation corridor (Section 2.4.9.8 and 4.4.4).
- Visual impacts of the Proposal (Section 4.10).
- Provision of a cycleway/footpath (Section 2.3.9).
- Provision of street lighting (Section 2.3.8.3).

As a result of the feedback at and following the community forum, the following modifications were made by Council to the proposed road design.

- Three alternative intersections were designed and indicative costs prepared for the Ophir Road intersection. These were as follows.
 - Option 1 - Offset T-intersections (subsequently removed as an Option).
 - Option 2 - Roundabout (as presented in Section 2.3.4.4).
 - Option 3 - Underpass (as presented in Section 2.3.5.2).
- Additional traffic counts were undertaken on March and Dalton Streets and Astill Drive (North and South).



3.1.2.3 Second Community Forum

A second community forum was held on 12 November 2008 from 6.30pm to 8.30pm at the offices of Orange City Council and was attended by approximately 250 members of the community and five Council officers.

Notification of the meeting was via:

- a letter, including a copy of the Second Community Newsletter, to community members who had registered their interest in attending subsequent forums following the first community forum;
- signage on Icely and Ophir Roads; and
- coverage in local print and television media.

In addition, a group of Ophir Road users undertook to notify other residents who use Ophir Road of the forum. In response to demand for additional copies of the Second Community newsletter, a copy was made available on the website of R.W. Corkery & Co. Pty. Limited.

The meeting commenced with a presentation by Mr Bland briefly outlining the Proposal as it was at that time, followed by a more detailed presentation of the design options for the Ophir Road intersection and the associated traffic and noise implications for each design option. Following the presentation, the community was provided with an opportunity to ask questions of Council's representatives and make comments.

In addition to the feedback received at the meeting, a feedback form was provided to allow attendees at the forum, and those who were unable to attend to provide feedback. In summary, the following issues were identified by the community during and following the second forum. Reference is made to the relevant section(s) of the EIS where each of these issues is addressed.

- Road safety, in particular the perceived safety performance of the three Ophir Road intersection designs. A very strong preference was expressed during the forum and following in the feedback sheets for Options 2 or 3 over Option 1 (Sections 2.3.4.4 and 2.3.5.2).
- Traffic flows, noise and intersection performance of the Ophir Road intersection were identified as the next most important issues for the community (Sections 2.5.3, 4.3.7 and 4.2.2).
- Pedestrian access and access for cyclists (Sections 2.3.9 and 2.3.11).
- The impact of fog and periods of low visibility on road safety, particularly in relation to the safety of the Icely and Ophir Road intersections (Section 2.3.8.2).
- The community expressed a clear preference that the proposed road should eventually be classified at the "Mitchell Highway".



Following the forum, the following modifications were made to the design of the proposed road.

- Council resolved to construct a roundabout at the Ophir Road intersection (option 2) and seek funding to construct a grade separated intersections or underpass (Option 3) (as presented in Sections 2.3.4.4 and 2.3.5.2).
- Council committed to installation of automated low visibility warning signs (as presented in Section 2.3.8.2).

In addition, a commitment was made that a safety audit of the proposed Ophir Road intersection design options would be undertaken. This audit is in progress and the findings will be used as input into the detailed design process prior to construction of the proposed road.

3.1.2.4 Icelly Road Meeting

Following the Second Community Forum, a number of Icelly Road residents expressed concern that the focus of the Second Community Forum was on the Ophir Road intersection and that their concerns in relation to the Icelly Road intersection had not been heard. As a result, a meeting was held on 2 November 2008 between 12.15pm and 1.45pm in the West Room at the Orange Civic Centre. The meeting was attended by 10 community members and Mr Bland of R.W. Corkery and Co. Pty Limited.

Mr Bland gave a brief presentation on the proposed design of the intersection between the proposed road and Icelly Road and the community members present provided feedback on the proposed design. The community members indicated that they had concerns in relation to the proposed right-left T-intersection as proposed in Section 2.3.4.5. However, it was recognised that the traffic levels on Icelly Road (see Section 1.4.5.2) could not justify the cost of an underpass or roundabout. However, the community expressed a support for a left-right intersection as described in Section 2.3.5.3.

Following the meeting, Council committed to seeking funding for construction of a left-right intersection at Icelly Road.

3.1.3 Government Agency Consultation

A planning focus meeting was held for the proposed road on 20 May 2008. The planning focus meeting was attended by representatives of the following government agencies and utility providers.

- Work Cover.
- NSW Roads and Traffic Authority.
- NSW Police.
- Department of Environment and Climate Change.
- Country Energy.



The meeting allowed the relevant government agencies the opportunity to inspect the road corridor and obtain an understanding of the proposed road as it was then envisaged. Following the Planning Focus Meeting, a request was made for Director-General's Requirements from the Department of Planning. A copy of the requirements is provided in **Appendix 1**. The requirements identified that the following agencies should be consulted during preparation of the EIS.

- NSW Roads and Traffic Authority
- Department of Environment and Climate Change
- Department of Water and Energy
- Department of Primary Industries
- NSW Police
- Central West Catchment Management Authority
- Orange Local Aboriginal Land Council

Following the Planning Focus Meeting, formal written requirements for matters to be covered within the EIS were received from the following agencies. Copies of the relevant correspondence are provided in **Appendix 1**.

- Department of Planning
- Department of Water and Energy
- NSW Roads and Traffic Authority
- NSW Police
- Department of Environment and Climate Change
- Department of Primary Industries
- Central West CMA

The Orange LALC was consulted during the Heritage Assessment and correspondence indicating satisfaction with the Proposal and the Heritage Assessment is included as Annexure 2 in OzArk (2009).

3.1.4 Legislation, Planning Issues and Environmental Guidelines

3.1.4.1 National Legislation

Environment Protection and Biodiversity Conservation Act 1999

The *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) is the central piece of Commonwealth environmental legislation. The Act provides a framework to protect and manage nationally and internationally important flora, fauna, ecological communities and heritage places. These are collectively referred to as matters of national environmental significance. The Act identifies the following matters as matters of national environmental significance.

- World heritage sites.



- National heritage places.
- Ramsar wetlands or wetlands of international importance.
- Nationally listed threatened species and ecological communities.
- Migratory species.
- Commonwealth marine areas.
- Nuclear actions.

Under the Act, where a proposed development has the potential to have a significant impact on a matter of national environmental significance, the proposal is required to be referred to the Commonwealth Department of the Environment, Water, Heritage and the Arts for assessment of the likelihood of a significant impact requiring assessment under the Act. It should be noted that a bilateral agreement between the NSW and Commonwealth governments allows NSW government agencies to assess referrals under the EPBC Act, where required.

The ecological assessment of the proposed road determined that there would be no significant impact on endangered or threatened flora and fauna species, populations or communities listed under the EPBC Act (OzArk ,2009).

3.1.4.2 NSW Legislation

Environmental Planning and Assessment Act 1979

Approval to undertake development or "activities" in NSW is governed by the *Environmental Planning and Assessment Act 1979* (EP&A Act). Construction and operation of the proposed road is a 'work' or 'use of land' under Section 110 of the EP&A Act and is not a designated development under Schedule 3 of the *Environmental Planning and Assessment Regulation 2000* (EP&A Regs). As a result, the proposed works may be classified as an "activity" for which approval under Part 5 of the EP&A Act is required. The Planning Division of Council is the determining authority and, in order to ensure transparency in the approval process, has determined that an EIS is required to be prepared under Section 112 of the EP&A Act to support the proposal to construct and operate the proposed road.

Section 113 of the EP&A Act requires that a copy of the EIS must be made available to be publicly inspected for a period of at least 30 days and that any person may during that time make a submission in relation to the proposed activity.

Section 115 of the EP&A Act states that regulations may be made specifying the form and contents of the EIS and the matters to be taken into consideration by the determining authority when assessing the proposal. Section 115 of the *Environmental Planning and Assessment Act 1979* states that regulations may be made specifying the form and contents of the EIS and the matters to be taken into consideration by the determining authority when assessing the application. Part 14, Division 2 of the *Environmental Planning and Assessment Regulations 2000* identifies the requirements for an EIS under Part 5 of the Act and Division 3 identifies the requirements in relation to public participation. Divisions 2 and 3 of Part 5 of the Act identify the matters which must be taken into consideration when determining an application under that Part.



Roads Act 1993

Council is defined as a 'roads authority' under the *Roads Act 1993* (Roads Act). Sections 71 and 139 of the Roads Act state that, subject to gaining of approval under the EP&A Act, a roads authority may carry out road work on any public road for which it is the roads authority and on any other land under its control. However, Section 138 of the Roads Act states that a person, including a roads authority, must not connect a road (whether public or private) to a classified road without the consent of the appropriate roads authority. The Mitchell Highway is classified as a State Highway ie State Highway 7. As a result, Council may construct and operate the proposed road, however, a permit or a works authority deed under Section 138 of the Act will be required from the RTA for construction activities within the Mitchell Highway road reserve.

Fisheries Management Act 1994

The *Fisheries Management Act 1994* seeks to conserve fish stocks, fish habitats and threatened fish species. The Act applies to all waters within NSW. Section 200 of the Act prohibits dredging and reclamation by a local government authority, except under the authority of a permit issued by the Minister. As a result, construction of the proposed Blackman's Swamp Creek Bridge and Dairy Creek Arch will require a permit under Section 200 of the Act.

Heritage Act 1977

Section 24 of the *Heritage Act 1977* permits the making of an interim heritage order by the Minister for a place or relic of State or local heritage significance. In addition, Section 32 of the Act permits the Minister to order any place or relic placed onto the State Heritage Register. Section 57 of the Act prohibits the damage or destruction of places or relics that are the subject of an interim order or listed on the State Heritage Register without an approval.

The non-Indigenous Heritage Assessment (see Section 4.6) identifies a number of features of non-Indigenous heritage significance we present in the vicinity of Chinaman's Bend adjacent to the Mitchell Highway. These features have not been the subject of an interim heritage order and are not listed on the State Heritage Register. However, even if such an order were to be made, the non-Indigenous heritage assessment concluded that the proposed road would be unlikely to result in any adverse impacts on the identified heritage features. As a result, no approval under the Act will be required.

Native Vegetation Act 2003

Section 12 of the *Native Vegetation Act 2003* (NV Act) prohibits clearing of native vegetation without development consent. However, Section 25(h) of the Act identifies that the Act does not apply where the clearing is carried out in accordance with an approval under Part 5 of the EP&A Act. As this document has been prepared in accordance with Part 5 of the EP & A Act, the NV Act will not apply following granting of approval, if it is granted.

Protection of the Environment Operations Act 1997

The aims of the *Protection of the Environment Act 1997* (POEO Act) are to protect, restore and enhance the quality of the environment in NSW and reduce the risks to human health and degradation of the environment through the prevention of pollution and elimination of harmful wastes.



Section 48 of the Act requires any occupier of a premise to only undertake scheduled activities if an appropriate licence is held for that premises. In addition, Section 49 of the Act requires that a person who carries out a scheduled activity that is not premises based must only do so if an appropriate licence is held.

Paragraph 35 of Schedule 1 of the POEO Act identifies that scheduled road construction activities only apply to construction of roads that would have a width of four lanes or more for more than 3km of their length and the road would be classified as a main road. As the proposed road would be a two-lane rural road, construction of the proposed road would not be a scheduled activity and there would be no requirement to obtain an Environment Protection Licence.

Threatened Species Conservation Act 1995

The *Threatened Species Conservation Act 1995* (TSC Act) aims to conserve biological diversity, promote ecologically sustainable development, prevent the extinction and promote the recovery of threatened species, population and ecological communities and protect habitat.

Certain species, populations and ecological communities may be listed under the TSC Act. Section 91 of the Act identifies that a licence is required to harm an animal or pick a plant that is part of a threatened species, population or ecological community or damage the habitat of such an animal or plant. In determining whether such a licence is required, Section 94(1) of the Act requires that the significance of an action on a threatened species, population or ecological community must be determined in accordance with the requirements of Section 94(3).

It is noted that the requirements of Section 94(3) of the TSC Act are reproduced in Section 5A of the EP&A Act. An assessment of the likely significance of impacts associated with the proposed road on threatened species, populations and ecological communities concluded that the impacts would not be significant (see Section 4.4.5).

As a result, a licence under Section 91 of the TSC Act would not be required.

Water Management Act 2000

Section 91E(1) of the *Water Management Act 2000* (WM Act) prohibits the carrying out of a controlled activity on waterfront land without approval. A controlled activity is defined as the placement of material or vegetation, or the deposition of material, on the land surface. Waterfront land is defined as any land within 40m of the highest bank of any watercourse.

Council proposes to construct two creek crossings, one over Blackman's Swamp Creek and one over Dairy Creek. These activities may be classified as a controlled activity on waterfront land, requiring a controlled activity approval. However, clause 39A of the *Water Management (General) Regulation 2004* identifies that local councils are exempt from Section 91E(1) of the WM Act. As a result, a controlled activity permit is not required for the proposed construction operations.

In addition, as the construction and operation of the proposed road would not impact on groundwater resources and all water required during construction operations would be extracted from Council's standpipe network, no other approval or permit under the WM Act would be required.



3.1.4.3 NSW, Regional and Local Planning Policies

State Environmental Planning Policy (Infrastructure) 2007

State Environmental Planning Policy (Infrastructure) 2007 (Infrastructure SEPP) was introduced to facilitate the delivery of infrastructure across the State by improving regulatory certainty and efficiency. The Infrastructure SEPP commenced on 1 January 2008 and applies to the entire State.

The relevant aims of the Infrastructure SEPP are to provide a consistent planning regime under the EP&A Act that:

- provides greater flexibility in the location of infrastructure and services by identifying a broad range of zones where types of infrastructure are permitted;
- allows for the efficient development, redevelopment or disposal of government owned land by permitting additional uses on State land and allowing adjacent land uses to be undertaken on State land (except conservation lands) if the uses are compatible with surrounding land uses;
- outlines the approval process and assessment requirements for infrastructure proposals; and
- identifies works of minimal environmental impact as exempt or complying development to improve turnaround times for maintenance and minor upgrades.

Part 3, Division 17 of the Infrastructure SEPP relates to roads and traffic. Clause 94 states that development for the purpose of a road or road infrastructure facilities may be carried out by or on behalf of a public authority without consent on any land. Road infrastructure facilities include:

- construction compounds;
- embankments;
- extraction of extractive materials and stockpiling of those materials;
- temporary roads;
- alterations or additions to an existing road; and
- environmental management works, if the works are in or adjacent to a road corridor.

Consent, when referred to in the context of carrying out of a development without consent includes any type of consent, licence, permission, approval or authorisation required by or under an environmental planning instrument. As a result, development consent is not required for construction and operation of the proposed road where, but for the operation of the Infrastructure SEPP, such consent would be required. As a result, an approval under Part 5 of the EP & A Act is required for all activities within those sections of the road corridor classified as Zones 1c, Zone 2a, Zone 6, Zone 7. This issue is discussed further in the following subsection.



Orange Local Environmental Plan 2000

The principal document that controls and directs the use of land in the City of Orange is the *Orange Local Environmental Plan 2000* (Orange LEP). This plan identifies the preferred location of all land uses within the City and aims to encourage development which complements and enhances the character of the City. The plan also aims to provide for a range of development opportunities which contribute to the social, economic and environmental resources of the City in a manner that allows present and future generations to meet their needs by implementing the principles for ecologically sustainable development.

The Orange LEP also addresses:

- water resource management;
- rural land management;
- providing for range of housing choices;
- managing environmental heritage and landscape issues;
- managing development around major industry; and
- improving accessibility with traffic relief routes.

Figure 3.1 shows the land zoning within and surrounding the road corridor.

Most of the of the road corridor is zoned “5(b) Distributor Road”. The area covered by this Zone was determined prior to gazettal of the Orange LEP. As a result, during preparation of the preliminary design for the proposed road, some sections of the road and the road corridor were widened and / or relocated to allow for a more consistent grade for the road or to allow for construction of the proposed noise barriers. As a result, sections of the proposed road and road corridor occur within zones other than Zone 5(b). These include the following.

- Zone 1(c) Rural Residential.
- Zone 2(a) Urban Residential.
- Zone 6 Open Space and Recreation.
- Zone 7 Water Supply Catchment.

In addition, the following special clause conditions apply to sections of the road corridor.

- Control Area for Industry / Utility Installation.
- Water Quality Protection Area.

Finally sections of land adjacent to the road corridor are identified as being subject to the “Scenic Area (Clause 17)” special clause condition.

The objective of Zone 5(b) Distributor Road is to:

- “identify land required for proposed roads to provide for an alternate heavy vehicle route around the City Centre and to distribute local traffic through the City;” and
- “to protect the land from incompatible development pending the construction of these roads.”



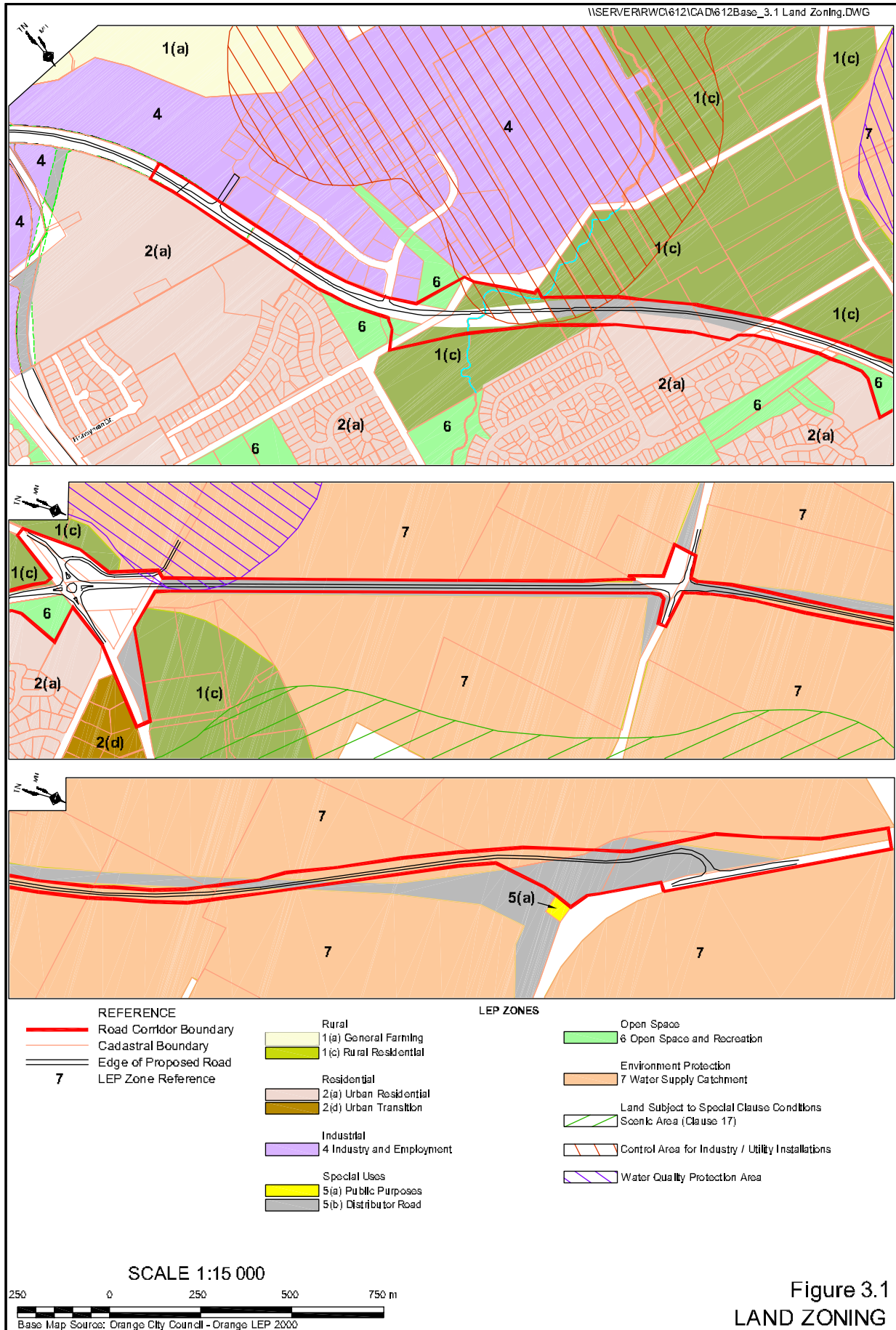


Figure 3.1
LAND ZONING



Development for the purpose of roads and associated works may be undertaken with Zone 5(b) without development consent.

The objective of Zone 1(c) Rural Residential is to “provide for rural lifestyle opportunities and complementary uses on small holdings with close proximity to the Orange urban area. Development for the purposes of “roads” is permitted with development consent.

The objective of Zone 2(a) Urban Residential is to “provide for a fully serviced urban residential environment with a range of housing forms and complementary community and business uses taking into account the distinct character of existing and proposed localities within the urban area.” Development for the purposes of “roads” is permitted with development consent.

The objective of Zone 6 Open Space and Recreation is to “ensure that public and private open space meets a range of recreational needs of residents of the City, and enhances and protects the environment of Orange.” Development for the purposes of “roads” is permitted with development consent.

The objective of Zone 7 Water Supply Catchment is to “manage development within those rural areas which comprise water supply catchments in a way that conserves and enhances the City’s and district’s water resources while maintaining the rural function and character of the area generated by productive primary industries and some living opportunities.” Development for the purposes of “roads” is permitted with development consent.

As identified previously, Clause 94 of the Infrastructure SEPP states that development consent for the purposes of roads and road infrastructure may be undertaken by or on behalf of a public authority without development consent on any land. As a result, the requirement for development consent for the proposed road within Zones 1(c) Rural Residential, Zone 2(a) Urban Residential, Zone 6 Open Space and Recreation and Zone 7 Water Supply Catchment does not apply.

Within the area identified on **Figure 3.1** as “Control Area for Industry / Utility Installation” the consent authority is required to consider the suitability of the development in relation to potential effects of

“odour, noise, dust, fumes and visibility from any offensive industries, utility installations, waste disposal areas or extractive industries in the vicinity, and the effectiveness of all measures employed and proposed to be employed according to the best available technology (not entailing excessive cost) to reduce or minimise the impact of offensive industries, utility installations, waste disposal areas or extractive industries in the vicinity.”

It is unlikely that construction and operation of the proposed road would be adversely effected by or would adversely effect industrial or utility development within the vicinity of the Narambla Industrial Estate.

Within the area identified as “Water Quality Protection Area” on **Figure 3.1** the consent authority must not grant consent for development unless the development provides for:

- “the stability of streambanks or foreshores of the water body, and



- protection and enhancement of aquatic and riparian ecosystems, and
- retaining drainage patterns, and
- protecting water quality, and
- the needs of existing and potential users of water from that waterbody”

In addition, the consent authority must be satisfied that the development will not result in:

- *“destruction of native riparian vegetation in the area, or*
- *siltation of the water body, or*
- *an on-site sewage management facility being located on the land from which effluent or nutrients are likely to enter the water body.”*

Construction and operation of the proposed road would be unlikely to have any adverse impact on stream stability, aquatic or riparian ecosystems, drainage patterns, water quality or the users of Summer Hill Creek or Suma Park Reservoir within the area identified as “Water Quality Protection Area.” In addition, construction and operation of the proposed road would be unlikely to result in destruction of native vegetation or siltation of any water body within the identified area. Finally, as identified in Section 2.4.9.9, the only sewerage management facilities that would be utilised within the road corridor would be chemical toilets. These facilities would be serviced by appropriately licensed contactors. As a result, the proposed activities would be unlikely to result in effluent or nutrients entering any waterbody.

Within the area identified as “Scenic Area” on **Figure 3.1** the consent authority:

“must be satisfied that the proposed development will blend into the landscape through the use of appropriate siting and design, external materials and colours, and by retaining existing trees, including remnant vegetation, and enhancing the skyline when viewed either from the urban area of Orange or from public places in the vicinity of the land.”

The road corridor does not occur within the area identified. In addition, Section 4.10 identifies that proposed road and would not significantly impact on the visual amenity of residents in the vicinity of the road corridor or public vantage points in the vicinity of the road corridor.

3.1.4.4 Other Planning and Environmental Plans and Strategies

Central West Catchment Action Plan

The Central West Catchment Action Plan (CWCAP) was prepared by the Central West Catchment Management Authority and published in 2005. The plan identified a series of seven themes, each of which is supported by catchment and management targets to be achieved by 2016. The seven themes identified in the CWCAP are as follows.

- Salinity.
- Water
- Vegetation.
- Biodiversity.



- Soils.
- People & Community.
- Aboriginal and Non-Aboriginal Cultural Heritage.

This EIS has been prepared to be, as far as practicable, consistent with the themes and targets presented in the CWCAP.

Orange Development Control Plan 2004

The *Orange Development Control Plan 2004* (Orange DCP) was adopted by Council on 12 May 2008 and seeks to provide details and criteria for assessing development to support the statutory provisions of the Orange LEP. The purpose of the plan is to encourage and promote development within the city that complements and enhances the natural and cultural resources of the city.

Section 10.2 of the Orange CDP describes development of and in the vicinity of distributor roads.

The Plan identifies that the existing NDR would be constructed from the Escort Way to Leeds Parade and that the remaining sections of the North Orange By-pass would be constructed in due course. The Plan also identifies the following

- Development adjacent to the distributor road zone is to be adequately offset from it, taking into account reasonable road impacts.
- Any development undertaken within distributor-road land may be removed when required.
- New access to distributor roads will be limited to a small number of collector roads.
- Distributor-road land may be acquired as required.

The Proposal is consistent with each of the planning outcomes identified above.

Blayney, Cabonne & Orange City Sub-Regional Rural and Industrial Land Use Strategy – Draft Strategy

The Blayney, Cabonne, Orange City Sub-Regional Rural and Industrial Land Use Strategy – Draft Strategy (Draft Land Use Strategy) was prepared by the following organisations.

- Blayney Shire Council
- Cabonne Council
- Orange City Council
- Department of Planning



The objectives of the Draft Land Use Strategy are to identify the agenda for land use development within the Blayney, Cabonne and Orange Local Government Areas (LGAs) use conflicts.

The Draft Land Use Strategy provides a description of:

- the population within the combined LGAs;
- an overview of existing regional land use and likely changes to land use requirements;
- a description of the natural resources within the combined LGAs;
- a description of the infrastructure, including road infrastructure within the combined LGAs, including road infrastructure; and
- an analysis of rural land holdings within the combined LGAs, including the demand for and supply of rural settlement land.

The proposed road would be consistent with the Draft Land Use Strategy.

Orange Sustainable Settlement Strategy and Local Environment Study

The Orange Sustainable Settlement Strategy and Local Environment Study (the Strategy) was developed by consultants engaged by Council and was published in 2004. The purpose and objectives of the Strategy is to provide Council with:

- a strategic plan to manage growth within the City;
- undertake a strategic analysis of the characteristics for urban and rural residential growth;
- investigate possible supply issues in land zoned for residential development that is yet to be developed;
- determine infrastructure servicing constraints; and
- identify the appropriate direction and form for future growth in the City.

The proposed road has been designed to complement the Strategy.

NSW State Plan

The State Plan: A New Direction for NSW (the Plan) was released by the NSW government in November 2006 following extensive community consultation. The Plan focuses on five areas of activity, including:

- rights, respect and responsibility;
- delivering better services;
- fairness and opportunity;
- growing prosperity across NSW; and
- environment for living.



Each of these activity areas is supported by a series of goals and priorities. The design of the proposed road and preparation of this EIS has taken into account the various goals and priorities and is consistent, as far as practicable, with those goals and priorities.

3.1.5 Summary of Issues Identified

Table 3.1 presents a summary of the environmental issues identified, and the frequency with which each was identified as part of the issue identification process. The frequency of identification provides an initial indication of those environmental aspects perceived to be at greatest risk and hence of greatest priority and **Table 3.1** has been ordered accordingly (from most to least frequently identified).

Table 3.1
Identified Environmental Issues

Environmental Issue	Source and Frequency of Identification		
	Community Consultation	Government Consultation	Planning Policies
Traffic, Road Safety and Intersection Performance	168	6	1
Noise	28	1	-
Ecology	7	1	2
Air Quality	-	1	-
Non-Indigenous Heritage	-	1	-
Indigenous Heritage	-	1	-
Surface Water and Groundwater	-	7	-
Soils	-	1	-
Visual Amenity	3	1	-

3.2 ISSUE PRIORITISATION

Based on the summary of identified environmental issues in **Table 3.1**, the identified environmental issues relating to the construction and operation of the proposed road have been prioritised in order of decreasing priority. This order of priority has been used to inform the level of assessment undertaken for each identified environmental issues and the order in which each issue is addressed in Section 4 of this EIS.

1. Traffic
2. Noise
3. Ecology
4. Air Quality
5. Non-Indigenous Heritage
6. Indigenous Heritage
7. Surface Water and Groundwater
8. Soils and Land Capability
9. Visual amenity