



ORDINARY COUNCIL MEETING

AGENDA

7 APRIL 2020

Notice is hereby given, in accordance with the provisions of the Local Government Act 1993 that an **ORDINARY MEETING of ORANGE CITY COUNCIL** will be held **via the video conferencing platform Zoom on Tuesday, 7 April 2020** commencing at **7.00PM**.

David Waddell

CHIEF EXECUTIVE OFFICER

For apologies please contact Administration on 6393 8218.

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1 INTRODUCTION

1.1 APOLOGIES AND LEAVE OF ABSENCE

1.2 RECORDING OF COUNCIL MEETING

Due to Covid-19, all Ordinary Council Meetings will take place via the video conferencing platform, Zoom. Therefore, this Council Meeting will only be recorded and will be published to the Council website the day after the meeting.

Please ensure that if and when you speak at this Council Meeting that you ensure you are respectful to others and use appropriate language at all times. Orange City Council accepts no liability for any defamatory or offensive remarks or gestures made during the course of this Council Meeting. A recording will be made for administrative purposes and will be available to Councillors.

We appreciate your patience and understanding while we adapt to this new way of servicing our community.

1.3 ACKNOWLEDGEMENT OF COUNTRY

I would like to acknowledge the Wiradjuri people who are the Traditional Custodians of the Land. I would also like to pay respect to the Elders both past and present of the Wiradjuri Nation and extend that respect to other Aboriginal Australians who are present.

1.4 DECLARATION OF PECUNIARY INTERESTS, SIGNIFICANT NON-PECUNIARY INTERESTS AND LESS THAN SIGNIFICANT NON-PECUNIARY INTERESTS

The provisions of Chapter 14 of the Local Government Act, 1993 (the Act) regulate the way in which Councillors and designated staff of Council conduct themselves to ensure that there is no conflict between their private interests and their public role.

The Act prescribes that where a member of Council (or a Committee of Council) has a direct or indirect financial (pecuniary) interest in a matter to be considered at a meeting of the Council (or Committee), that interest must be disclosed as soon as practicable after the start of the meeting and the reasons given for declaring such interest.

As members are aware, the provisions of the Local Government Act restrict any member who has declared a pecuniary interest in any matter from participating in the discussion or voting on that matter, and requires that member to vacate the Chamber.

Council's Code of Conduct provides that if members have a non-pecuniary conflict of interest, the nature of the conflict must be disclosed. The Code of Conduct also provides for a number of ways in which a member may manage non pecuniary conflicts of interest.

RECOMMENDATION

It is recommended that Councillors now disclose any conflicts of interest in matters under consideration by the Council at this meeting.

2 MAYORAL MINUTES

2.1 MAYORAL MINUTE - LATE MR JOE LEONE

RECORD NUMBER: 2020/555

MAYORAL MINUTE

Mr Joe Leone passed suddenly on 14 March 2020 aged 72.

For many years, Joe has looked after the local apple and pear orchards of Ballykeane, St Albans, Merlewood and Mount Lofty providing both the local and Sydney regions with wholesale fruits.

Joe has donated bulk bins of apples to Australia Day functions for many years as well as to various schools, promoting healthy eating programs.

His wife, Maureen, was a Maroney and sister of Orange's Jack Maroney who played cricket for Australia.

I would ask everyone to observe a minutes silence in tribute to Joe and his contribution to the Orange community.

RECOMMENDATION

That the information contained in this Mayoral Minute be acknowledged.

Reg Kidd
MAYOR

2.2 MAYORAL MINUTE - MAYORAL CENTROC AND CNSW JOINT ORGANISATION BOARD REPORT

RECORD NUMBER: 2020/502

MAYORAL MINUTE

I attended the Board meetings of Centroc and the Central NSW Joint Organisation (JO) on Thursday 27 February 2020 at the Community Hub Centre in Grenfell. This Mayoral Minute provides a summary of that meeting and attaches minutes for your information.

RECOMMENDATION

That the Mayoral Report from the Board meetings for Centroc and the Central NSW Joint Organisation Meeting held 27 February 2020 in Grenfell be noted; and

- 1 Council receive a report on its Sister City relationships with a view to fostering closer links to communities in western Sydney; and**
- 2 Council provide advice to the JO on its position with regard to climate change and advice on programming being undertaken with a view to this being showcased.**

Cr Reg Kidd

MAYOR**SUPPORTING INFORMATION****Reports from Centroc**

In line with direction from the Auditor, windup is anticipated by June 30, 2020 and a report for Forbes Council will be drafted in due course.

Reports from the CNSW Joint Organisation**Chairman's Minute**

The Minute provided direction to the CNSWJO on activities and priorities for the year in the context of the broader JO Statement of Strategic Priorities. After good discussion, it was resolved that the overall focus for the year's effort is to align with the Federal Government's vision for an agricultural economy of \$100bn by 2030. This would be supported by activity in two areas.

- i. Watering the West
 - a. leveraging raising the wall at Wyangala; and
 - b. assuring urban water security in region; and
- ii. Freight links.

This region has four priorities in its Statement of Strategic Priorities. It was further suggested that there be a maximum of two headline priorities for the areas of Intergovernmental Cooperation and Regional Prosperity. The Board agreed to focus on the following activities within its Plan.

Intergovernmental Collaboration

- 1 Reporting value to members through the operational support program.
- 2 Supporting the sustainability of the broader JO network.

Regional Prosperity

- 1 Progressing support for the visitor economy.
- 2 Developing and monitoring the progress of the Regional Prosperity Subcommittee noting the agricultural focus.

The Minute also provided advice on the structure of Board meetings for the balance of the year.

- Moving the Federal meeting to August and changing the format to include a round table in the Deputy Prime Minister's office seeking to progress the above. The idea here is to have a more in-depth discussion to progress the region's direction with a view to various Ministers making commitments and announcements at the Ministerial session on the following day. Pre-meetings and briefings will hopefully lead to more targeted outcomes.
- Launching the Food and Fibre Strategy at the mid-year Board meeting in Parliament House at a lunch being hosted by the member for Cootamundra, Steph Cooke MP, where we showcase local produce.
- A Summit held on the date of the last Board meeting of the year. This will launch the next round of strategic consultation as the current plan is only until 2020. The Summit would again retain the agricultural focus.

Given the challenges over the summer period of drought, fire and flood, the Board is seeking feedback from members on their policy with regard to climate change with a view to informing regional policy. Board discussion was that there is a great deal of positive action being taken in region and this should be showcased. Please see the recommendation at the end of the report.

Procurement and Administration

The Board approved

- a 12-month extension of the coldmix asphalt contract (S3_2018) with Boral Asphalt and Civil Independence until 31 May 2021;
- a 12-month extension of the compliance training contract (WHS1_2015) with Allens Training, ATAC, Mines Rescue and TAFE until 31 March 2021;
- a 6-month extension of the Asset Management Maturity Audit contract with University of Technology, Sydney; and
- a procurement process for the revaluation of water and sewer assets, including a 5% contract management fee payable to CNSWJO.

The new Logo was adopted and all collateral will be updated accordingly.

Energy Program

The Board were updated on the progress of the Southern Lights LED Streetlight rollouts in Bathurst and Orange.

Sourced Energy has calculated the cost savings that councils have achieved through the procurement process and the associated contracts with Energy Australia (large market sites) and Origin Energy (small market sites). The cost savings are calculated by multiplying the existing incumbent rates by the 3 years of forecast load, compared to the new contract rates multiplied by the 3 years of forecast load.

Please note that the savings are based on forecast loads provided by councils, inclusive of energy efficiency upgrades (e.g. Southern Lights) and the installation of planned solar installations. The reduction in load from the Southern Lights Project is based on the existing Bulk Lamp Replacement schedule provided by Essential Energy, current at November 2019.

The network charges for 2020, 2021 and 2022 have been used to calculate both the 'total cost (using contracted rates)' and the 'total cost (using incumbent rates)', i.e. no savings shown for network charges. These rates are pass-through rates and cannot be negotiated through the procurement process.

The estimated cost savings are shown in the tables below.

Council	Total Spend (new contract rates)	Total spend (incumbent rates)	Total Savings (3 year contract)	Percentage saving
Bathurst	\$ 8,472,923	\$ 9,172,125	\$ 699,202	7.62%
Blayney	\$ 666,006	\$ 723,328	\$ 57,323	7.92%
Cabonne	\$ 1,202,279	\$ 1,310,767	\$ 108,487	8.28%
Central Tablelands Water	\$ 1,170,785	\$ 1,259,334	\$ 88,549	7.03%
Cowra	\$ 3,171,958	\$ 3,425,587	\$ 253,629	7.40%
Forbes	\$ 2,390,367	\$ 2,596,278	\$ 205,911	7.93%
Lachlan	\$ 2,313,239	\$ 2,498,470	\$ 185,231	7.41%
Oberon	\$ 477,126	\$ 512,496	\$ 35,370	6.90%
Orange	\$ 9,041,638	\$ 9,813,148	\$ 771,511	7.86%
Parkes	\$ 5,568,979	\$ 6,053,297	\$ 484,318	8.00%
Weddin	\$ 395,755	\$ 431,136	\$ 35,381	8.21%
CNSWJO Total	\$ 34,871,054	\$ 37,795,966	\$ 2,924,912	7.74%

Report on JO Chairs Forum progress including feedback to the Minister on JO sustainability

The Board endorsed the advice provided to the Minister for Local Government's Advisory Committee with regard to sustainability of the broader network. The Board's policy position is that the focus of effort for JO sustainability be working, through the Minister's Office, with State agencies on a funding framework that offers value to both JO members and the State where the value to the State is recognised by remuneration.

While this JO is under less financial stress than others, the reduction in members from the ROC and the increased compliance burden will result in an ongoing deficit budget position unless more income can be identified.

Regional Transport

Please request the full report where it provided advice on:

- 1 The GWH Upgrade Program Response;
- 2 The revised Transport Advocacy Plan;

Progress on Board resolve regarding freight route mapping;

- 3 Update on the TfNSW Central NSW and Orana Land Use and Transport Plan;
- 4 The updated Terms of Reference for the Regional Strategic Transport Group to reflect machinery of government and other minor changes;
- 5 The Roads of Strategic Importance consultation;
- 6 The CNSWJO response to the Road Classification Review Terms of Reference; and
- 7 The request from Vital Intermodal Transport Links (VITL) vital.org.au regarding support for both a petition and a social media campaign in support of a safe swift link between Sydney and Central NSW.

The Board were asked to provide feedback on the Central West and Orana Future Transport Regional Plan and comment on the suggested feedback already drafted.

The Board endorsed a submission on the Lithgow to Katoomba Corridor.

A response to the independent panel for the Regional Road Transfer and NSW Road Classification Review Terms of Reference was endorsed and the region has asked the Review Committee to meet with the JO.

The Terms of Reference for the Regional Strategic Transport Group who meet quarterly was endorsed.

Regional Water

It was resolved to seek advice from DPIE Water on project status, particularly where the barriers are in delivering Council water projects.

The Board will develop advocacy material identifying the problems and solutions in assuring urban water supply during the unprecedented drought.

Representation will be made to the Premier, Deputy Premier, Minister for Water and respective agencies providing advice on the challenges and solutions for this region in securing water.

Further, Infrastructure Australia will be invited to the next meeting to provide advice on opportunities for this region identified in its recent Priority List 2020.

Reporting on progress of the Strategic Plan

Advice was provided on progress on the four priorities in the Strategic Plan. Notably:

- The Minister for Local Government announced further funding for JOs in August 2019, we received advice in February that we will be granted \$150k in funding. An agreement with the Office of Local Government (OLG) is anticipated in the near future.
- An Equal Opportunity Management Plan was adopted by the Board.
- Approval was given to the Alliance between Safe NSW and the JO WHS working group for 2020-2022.

Value for members

At the Chair's request, the following summary advice is provided on value to members.

Value for members	Activity FYTD	Activity this Quarter
Submissions	11	041119 - Inquiry into Regional Australia 221119 - Request for issues for the NSW State Water Strategy 221119 - Response to the Discussion Paper Kickstarting the Productivity Conversation 281119 - Inquiry into growing Australian agriculture to \$100 billion by 2030 291119 - Inquiry into the impacts of drought on regional NSW 161219 - Submission Katoomba to Lithgow - GWH upgrade program 181219 - Submission, A New Risk Management and Internal Audit Framework for Local Councils in NSW
Plans, strategies and collateral	20	Three Advocacy Plans adopted at the Nov Board and have been provided to LGNSW. (Regional Prosperity and Advocacy Plan; Regional Transport Advocacy Policy; and Regional Water, Advocacy Plan and Drought Advocacy Plan) Three JO building capacity applications lodged with OLG for project funding
Grants	3	This quarter is \$2112 where the YTD total for this program is \$16,706 including training delivered under funding by TAFE NSW to Parkes Shire Council in the October – December 2019 quarter. Application to OEH for funding for the Southern Lights Project – Funding has been received for high residual, the exact amount will be reported once known. \$150K being negotiated for the JO with OLG.
Compliance	10	Compliance training courses delivered across the region: <ul style="list-style-type: none"> • Traffic Control Training (PWZTMP x 1-day refresher) – 8 participants • Consultative Committee x 2 courses – 25 participants in total • Confined Spaces – 11 participants • Chain Saw Operations – 12 participants Mandatory Independent Audits of DPIE Water Performance Monitoring Data completed for Orange and Bathurst and reports provided. Dam Surveillance inspections completed for dams owned by Parkes, Cowra, Weddin, Cabonne, Hilltops, Orange, CTW and Bathurst.
Data	4	Tourism data project through WRI DPIE Water Performance Monitoring Data currently being collated for benchmarking the region's LWUs. Please note CWRDA data using REMPLAN now available through their website. REDS data packs being reviewed by the Regional Prosperity Subcommittee.

Value for members	Activity FYTD	Activity this Quarter
Media including social media	8 please request the full Excel Spreadsheet on tourism publications	<p>041019 - Getting smart about street lighting</p> <p>251019 - Water NSW Media Release, Wyangala storage volume offers drought options in Lachlan</p> <p>301019- Less blame and more whole of Government work on solutions</p> <p>151119 - Tourism Awards, Nothing but Gold!</p> <p>151119 - Host Survey Visitors who come to stay contribute to the local economy</p> <p><u>Tourism PR update</u></p> <p>The following PR update has been provided by Ms Brewer as at November 2020; PR updates for 2020 have not yet been provided:</p> <ul style="list-style-type: none"> • Incredibly busy and successful media visits program with 17 media touring the region on 2-7 day famils. Supported by local tourism industry, and a few times by Destination NSW, each journalist 'unearthing' the region's unique cultural attractions within their stories. • Wrote and issued 9 media releases with a news or thematic angle, distributed to 400+ media and industry contacts • Over 150 articles in digital news and travel media, newspapers, magazines, radio, TV and blogs • Featured events, accommodation, retail, art and culture, food and wine, history and heritage, nature, tours and attractions • Targeted couples and family market in Sydney and NSW • Articles driving people to the website www.visitcentralnsw.com.au <p><u>Social Media</u></p> <ul style="list-style-type: none"> • Central NSW Joint Organisation Facebook Page – 303 likes; 400 Followers • Central NSW Tourism Facebook Page – 12,575 likes 12,980; Followers • Screen Central Facebook Page – 304 likes; 349 Followers • Central NSW Tourism Instagram Page – 4,486 Followers • Central NSW JO Twitter – 927 Followers
Cost Savings	\$821k since 1 July 2019	A breakdown of the cost savings is found later in this report. No new contracts commenced between October and December 2019.
Representation	65	<p>241019 - Lachlan Regional Water Strategy Meeting</p> <p>61119 - Tourism Group Meeting</p> <p>71119 - WaterNSW Lake Rowlands to Carcoar Pipeline Briefing</p> <p>81119 - Critical Water Advisory Panel meeting</p> <p>151119 - Upper Macquarie Regional Water Strategy Meeting</p> <p>261119 - Centroc and CNSWJO Board meetings</p> <p>261119 - Lachlan Valley Councils – Water Executive Group meeting</p> <p>271119 - Round table discussions with various Federal politicians at Parliament House</p> <p>21219 - Transport Technical Meeting</p> <p>31219 - WHS Group Meeting</p> <p>41219 - Critical Water Advisory Panel Meeting</p>

Value for members	Activity FYTD	Activity this Quarter
		91219 - Strategic Transport Meeting 91219 - Lachlan Regional Water Strategy Meeting 101219 - HR Group meeting 101219 - Regional Integrated Transport Group 111219 - WSAA Workshop - Recycled Water 121219 - CWUA meeting 131219 - Southern Lights -Essential Energy meeting 191219 - Meeting with Lachlan Valley Water on Regional Water Strategy 150120 - 6 JOs collaborating on better outcomes from the Safe and Secure Water Program 160120 - DPIE and Orana - optimizing outcomes through the Safe and Secure Water Program and Drought funding 300120 - GMAC 310120 - Lachlan Water Strategy follow up meeting 060220 - CW and Orana Regional Leadership Executive Meeting 070220 - Regional Prosperity Subcommittee Meeting 070220 - Public Hearing for Inquiry into for Agriculture Committee's \$100 Billion by 2030 110220 - Essential Energy Level of Service meeting in Bathurst 120220 - SAP Skills working group meeting in Parkes 130220 - Strategic Approach to Bridges with TfNSW, Public Works Advisory and other JOs - Bathurst 140220 - Upper Macquarie Water Strategy follow up meeting 190220 - Government's Roads of Strategic Importance (ROSI) initiative consultation - Parkes 200220 - CWUA meeting in Cowra– NSW Audit Office in attendance
Opportunities councils have been afforded	23	<ul style="list-style-type: none"> • Feedback to the Internal Audit Framework for Local Councils in NSW • DPE Freight mapping • WRI Data Program • Australian Traveller Promotional Campaign • Consultations with individual councils for regional water strategies in the Lachlan and Macquarie as well as specific projects such as raising Wyangala and the Windamere to Carcoar pipeline • Review of Central West and Orana Future Transport Regional Plan • Workshop on Recycled Water for Drinking • Government's Roads of Strategic Importance (ROSI) initiative consultation • Feedback to Audit Office on the Audits being undertaken in the water space.

Savings

The following table shows the savings achieved by member councils through aggregated procurement and programming. An explanation of the meaning of each column has been reported previously and is available on request. The table reflects savings in the current financial year.

SAVINGS	Water Utilities Alliance Contracts	HR Contracts	WHS contracts	IT contracts	Supply contracts	Roads/ Transport contracts	Energy contracts	RDOCs contracts	Other contracts	Training	Legal advice re Procurement	Participation in regional procurement	Total
Bathurst	\$0	\$35,105	\$0	\$0	\$12,013	\$0	\$127,897	\$571	\$0	\$45	\$0	\$1,000	\$176,631
Blayney	\$0	\$12,754	\$0	\$0	\$16,473	\$0	\$17,586	\$0	\$0	\$0	\$0	\$1,000	\$47,813
Cabonne	\$0	\$15,066	\$6,823	\$0	\$32,028	\$0	\$22,366	\$318	\$0	\$0	\$0	\$5,000	\$81,601
Central Tablelands Water	\$0	\$133	\$0	\$0	\$0	\$0	\$0	\$481	\$0	\$0	\$0	\$5,000	\$5,614
Cowra	\$0	\$14,464	\$1,954	\$0	\$19,247	\$0	\$35,895	\$293	\$0	\$45	\$0	\$5,000	\$76,898
Forbes	\$0	\$11,759	\$0	\$0	\$25,777	\$0	\$28,877	\$417	\$0	\$0	\$0	\$5,000	\$71,830
Lachlan	\$0	\$24,388	\$0	\$0	\$37,472	\$0	\$28,889	\$434	\$0	\$1,675	\$0	\$5,000	\$97,858
Oberon	\$0	\$16,518	\$0	\$0	\$8,589	\$0	\$12,353	\$517	\$0	\$3,120	\$0	\$5,000	\$46,097
Orange	\$0	\$52,443	\$1,595	\$0	\$20,000	\$0	\$141,907	\$500	\$0	\$1,700	\$0	\$5,000	\$223,145
Parkes	\$0	\$10,560	\$0	\$0	\$20,131	\$0	\$41,023	\$284	\$0	\$4,738	\$0	\$1,000	\$77,735
Weddin	\$0	\$64	\$0	\$0	\$4,684	\$0	\$15,241	\$538	\$0	\$0	\$0	\$5,000	\$25,528
Sub Total	\$0	\$193,255	\$10,372	\$0	\$196,414	\$0	\$472,035	\$4,351	\$0	\$11,323	\$0	\$43,000	\$930,750
												Cost to members	\$109,617
												Total	\$821,134

The cost to members is calculated on a percentage of each CNSWJO staff member and their corresponding workload on procurement and contract management. This figure will be updated quarterly in line with the cost savings.

Financial report

It is anticipated a full year loss of \$60,601 at 30 June 2020 against a budgeted loss of \$52,128.

The increase in the anticipated loss against the budget is due to the reduction in expected interest income and the lesser LGP rebate income.

As resolved at the Board meeting 27 November 2019, the Centroc reserves of \$527,387 have been transferred across to the Joint Organisation. The remaining Centroc assets and accumulated surplus at 30 June 2019 will be transferred across to the Joint Organisation as further winding up of Centroc occurs.

ATTACHMENTS

- 1 Centroc Board Meeting - 27 February 2020 - Minutes, D20/14757 [↓](#)
- 2 Central NSW Joint Organisation Meeting - 27 February 2020 - Minutes, D20/14759 [↓](#)

Minutes of the Centroc Board meeting 27 February 2020 held at Grenfell

Board Delegates in bold

Cr B Bourke	Bathurst Regional Council	Cr K Sajowitz	Oberon Council
Mr A Cattermole (Acting)	Bathurst Regional Council	Mr G Wallace	Oberon Council
Cr A Ewin	Blayney Shire Council	Cr R Kidd	Orange City Council
Ms R Ryan	Blayney Shire Council	Cr K Keith	Parkes Shire Council
Cr K Beatty	Cabonne Council	Cr M Liebich	Weddin Shire Council
Cr D Somervaille	Central Tablelands Water	Cr C Brown	Weddin Shire Council
Cr D Somervaille	Central Tablelands Water	Mr G Carroll	Weddin Shire Council
Cr B West	Cowra Council	Mr P Evans	OLG
Ms K Alberry	Cowra Council	Mr S Harma	RDACW
Cr P Miller	Forbes Shire Council	Mr A Albury	DPC
Mr S Loane	Forbes Shire Council	Ms J Bennett	Centroc
Cr J Medcalf	Lachlan Shire Council	Ms K Barker	Centroc

Chaired by Cr John Medcalf the meeting opened at 12.11pm

1. Apologies

Cr S Ferguson, Mr D Sherley, Mr P Devery, Mr G Tory, Mr D Waddell, Mr K Boyd, Ms C Weston, Mr G Rhodes and Mr B Byrnes

Resolved	Cr B West/Cr R Kidd
That the apologies for the Centroc Board meeting 27 February 2020 listed above be accepted.	

2. Minutes

2a Confirmation of the Minutes of the Board Meeting 27 November 2019 at Canberra

Resolved	Cr B West/Cr K Keith
That the Minutes of the Centroc Board Meeting 27 November 2019 held at Canberra be confirmed.	

3 Wind up of Centroc

Resolved	Mr S Loane/Mr G Wallace
That the Central NSW Councils (Centroc) Board note the report regarding the windup of Centroc as a Section 355 Committee of Forbes Shire Council.	

4 Financial report

Resolved	Cr R Kidd /Cr B West
That the Board note the Financial report	

The General Meeting of the Centroc Board closed at 12.17pm

Page 1 is the last page of the Centroc Board Minutes 27 February 2020

Minutes of the Central NSW Joint Organisation meeting 27 February 2020 held in Grenfell

Attendees, voting members in bold.

Cr B Bourke	Bathurst Regional Council	Cr J Medcalf	Lachlan Shire Council
Cr A Ewin	Blayney Shire Council	Cr K Sajowitz	Oberon Council
Cr K Beatty	Cabonne Council	Cr R Kidd	Orange City Council
Cr B West	Cowra Shire Council	Cr K Keith	Parkes Shire Council
Cr P Miller	Forbes Shire Council	Cr M Liebich	Weddin Shire Council

Mr A Cattermole	Bathurst Regional Council	Cr D Somervaille	Central Tablelands Water
Ms R Ryan	Blayney Shire Council	Cr C Brown	Weddin Shire Council
Mr B Byrnes	Cabonne Council	Mr P Evans	OLG
Ms K Alberry	Cowra Shire Council	Mr S Harna	RDA CW
Mr S Loane	Forbes Shire Council	Mr A Albury	DPC
Mr G Wallace	Oberon Council	Ms J Bennett	Central NSW JO
Mr G Carroll	Weddin Shire Council	Ms K Barker	Central NSW JO
Mr G Rhodes	Central Tablelands Water		

1. **Opening meeting 10.05am**
2. **Acknowledgement to Country by Chair**
3. **Welcome to Weddin – By Cr Liebich.**
4. **Apologies applications for a leave of absence by Joint Voting representatives**

Cr S Ferguson, Mr D Sherley, Mr P Devery, Mr G Tory, Mr K Boyd, Mr D Waddell, Ms C Weston.

Resolved	Cr R Kidd/Cr B West
That the apologies for the Central NSW Joint Organisation Board meeting 27 February 2020 listed above be accepted.	

5. **Confirmation of the Minutes of the Central NSW Joint Organisation meeting 27 November 2019 in Canberra**

Resolved	Cr R Kidd/Cr K Keith
That the Central NSW Joint Organisation Board confirm the Minutes of the meeting 27 November 2019 held in Canberra.	

6. **Business Arising from the Minutes – Matters in Progress**

Resolved	Cr R Kidd/Cr B Bourke
That the Central NSW Joint Organisation Board note the Matters in Progress, making deletions as suggested.	

10.22am - Cr P Miller and Mr S Loane arrived

7. Chairman's Minute

Resolved	Cr M Liebich/Cr B Bourke
That the Board adopt the Chairperson's Minute on the advocacy approach for 2020 and	
<ol style="list-style-type: none"> 1. Adopt the over focus for the years to align with the Federal vision to grow the agricultural sector to \$100bn by 2030; 2. Note that this includes two priority areas of activity – these being: <ol style="list-style-type: none"> 1. Watering the West <ol style="list-style-type: none"> i. leveraging raising the wall at Wyangala and ii. assuring urban water security in the CNSW region; and 2. Freight links 3. Adopt the priorities for inter-council cooperation as: <ol style="list-style-type: none"> 1. Reporting value to members of the operational support program; and 2. Supporting the sustainability of the broader JO network; 4. Adopt the priorities for regional prosperity as: <ol style="list-style-type: none"> 1. Progressing support for the visitor economy; and 2. Developing and monitoring the progress of the Regional Prosperity Subcommittee noting the agricultural focus; 5. Adopt the changes to the Board calendar as follows: <ol style="list-style-type: none"> 1. 3 June Board meeting in Penrith and 4 June meeting with State representatives at Macquarie Street, Sydney including launch of the Central West NSW Food and Fibre Strategy; 2. August Board meetings in Canberra at a venue TBA; and 3. The November meeting be part of a Summit, again retaining the agricultural focus; 6. Encourage members to form or activate friendship agreements with Councils in Western Sydney; and 7. Seek feedback from members to inform policy with regard to a regional response to Climate Change. 	

8. Reports to Statement of Regional Strategic Priority**Priority One: Inter-council Co-operation****a. Procurement Report (Priority 1.1a)**

Resolved	Cr R Kidd/Cr K Boyd
That the Board note the Procurement Report and	
<ol style="list-style-type: none"> 1. approve the 12-month extension of the coldmix asphalt contract (S3_2018) with Boral Asphalt and Civil Independence until 31 May 2021; 2. approve the 12-month extension of the compliance training contract (WHS1_2015) with Allens Training, ATAC, Mines Rescue and TAFE until 31 March 2021; 3. approve the 6-month extension of the Asset Management Maturity Audit contract with University of Technology, Sydney; and 4. approve a procurement process for the revaluation of water and sewer assets, including a 5% contract management fee payable to CNSWJO. 	

b. Administration Update (Priority 1.2)

Resolved	Cr K Keith/Cr B West
That the Board note the timeline for the implementation of the JO and adopt the logo.	

c. Energy Programming Report (Priority 1.3)

Resolved	Cr R Kidd/Cr K Keith
That the Board note the Energy Programming Report and	
<ol style="list-style-type: none"> 1. note the progress of the Southern Lights rollouts in Bathurst and Orange; 2. note the cost savings to members of \$2.9m over 3 years achieved through the procurement process for the supply of electricity for large market and small market sites; and 3. GMAC give consideration to the renewable energy advice from Mr David West. 	

d. Report on JO Chairs Forum progress including feedback to the Minister on JO sustainability (Priority 1.4a)

Resolved	Cr R Kidd/CR K Keith
That the Board note the feedback to the Minister for Local Government's Joint Organisation (JO) Advisory Committee (the Committee) and	
<ol style="list-style-type: none"> 1. Recognises the serious risk of JO network failure due to sustainability; 2. Endorses the advice provided to the Minister for Local Government's Advisory Committee; 3. Commends to the Chairs of JOs Forum that the focus of effort for JO sustainability be working, through the Minister's Office, with State agencies on a funding framework that offers value to both JO members and the State where the value to the State is recognised by remuneration; 4. Reiterates its position that JOs should not be a fourth tier of government; 5. Notes that taking on a compliance burden has significant risks to JOs and is not supported; 6. Adopt the definition of Financial Sustainability for Joint Organisations as "A Joint Organisation will be financially sustainable over the long term when it is able to generate sufficient funds and deliver on the Strategic Regional Priorities agreed with its members and stakeholders"; 7. Approves an amendment to the JO Chairs' Forum's Terms of Reference to allow for the election of a Chair and Deputy Chair for a period of 12 months; and 8. Provides feedback regarding the above to the Chairs of Joint Organisation Forum. 	

Priority Three: Regional Transport and Infrastructure**e. Regional Transport Advocacy Policy, Prioritisation and Freight Links Mapping.**

Resolved	Cr K Keith/Cr B West
That the Board note the Transport and Infrastructure Report and	
<ol style="list-style-type: none"> 1. commend to members they provide feedback on the Central West and Orana Future Transport Regional Plan (the Plan); 2. provide the feedback to the Plan as described in the report; 3. endorse the Lithgow to Katoomba Corridor submission; 4. invite the independent panel for Regional Road Transfer and NSW Road Classification Review to meet with the JO; 5. endorse the CNSWJO response to the Regional Road Transfer and NSW Road Classification Review Terms of Reference; 6. adopt the Terms of Reference for the Regional Strategic Transport Group; and 7. thank respective Ministers for their support for the \$2.5b upgrade to the Great Western Highway and prepare a media release. 	

Priority Four: Regional Water**f. Regional Water Report**

Resolved	Cr P Miller/Cr B Bourke
That the Board note the Regional Water Report and	
<ol style="list-style-type: none"> 1. Seek advice from DPIE Water on project status and what the issues are holding up emergency water projects; 2. Develop advocacy material identifying the problems and solutions in assuring urban water supply during the unprecedented drought; 3. Advocate to the Premier, Deputy Premier, Minister for Water and respective agencies providing advice on the challenges and solutions for this region in securing water; and 4. Note the Infrastructure Priority List 2020 and invite Infrastructure Australia to the June Board Meeting. 	

9. Report to the Central NSW JO Strategic Plan and Statement of Regional Strategic Priority 2019/2020

Resolved	Cr R Kidd/Cr M Liebich
That the Board note the report to the Central NSW JO Strategic Plan and Statement of Regional Strategic Priority and	
<ol style="list-style-type: none"> 1. thank the Minister for Local Government regarding the \$150K funding for CNSWJO; 2. adopt the Equal Opportunity Management Plan; 3. note the changes to the Risk Management Plan reflecting the ongoing challenges for Joint Organisations given the increased regulatory burden and resourcing implications; and 4. approve the Alliance between SafeWork NSW and the Central NSW Joint Organisation WHS Group for 2020 – 2022. 	

10. Financial Report

Resolved	Cr B Bourke/Cr B West
That the Board note the Financial Report.	

12.00pm - Mr G Rhodes and Mr B Byrnes left the meeting.

11. Matters raised by members – Blayney Demondrille Line

Resolved	Cr B West/Cr M Liebich
That the Board seek advice as to when the report on the Blayney to Demondrille line will be released.	

The matter raised by Forbes on the Murray Darling Irrigation Desalination Proposal was moved to Confidential report

12.09pm

Resolved	Cr R Kidd/Cr B Bourke
That the meeting close to the public for confidential matters.	

12. Confidential Report

- Energy Savings Certificates for Streetlighting**

Resolved	Cr R Kidd/Cr P Miller
That the Board note the confidential report on energy savings certificates for streetlighting and recommend that councils individually write to Essential Energy and National Carbon Bank of Australia (NCBA) and request that the ESCs for street lighting be created through the Essential Energy agreement.	

12.11pm

Resolved	Cr P Miller/Cr B Bourke
That the meeting open to the public.	

- **Murray Darling Irrigation Desalination Proposal**

Resolved	Cr P Miller/Cr R Kidd
That the Board Note the advice from Forbes and include the option of linking desalinated water into considerations of priority for future water security for the region.	

13. **Late reports – Nil**
14. **Speakers to the next meeting**
 - **Penrith City Council**
 - **Various Ministers**
 - **Infrastructure Australia, Infrastructure Priority List 2020**
15. **The next meeting dates are Wednesday 3 June in Penrith and Thursday 4 June in Sydney.**
16. **Conclusion of the meeting - Meeting closed at 12.11pm**

Page 4 is the last page of the Central NSW Joint Organisation meeting 27 February 2020

2.3 MAYORAL MINUTE - INSURANCE FOR VOLUNTARY ORGANISATIONS

RECORD NUMBER: 2020/507

MAYORAL MINUTE

RECOMMENDATION

That Council investigate the possibilities to lighten the financial burden of insurance for community groups that organise local events for community benefit either through fundraising or providing entertainment.

Reg Kidd

MAYOR

SUPPORTING INFORMATION

Two recent community events that are folding are the Camel Races at Easter and Emu Roadrunner Charity Bike Ride (raising funds for Cancer Care West).

2.4 MAYORAL MINUTE - MOULDER PARK NETBALL COURTS

RECORD NUMBER: 2020/508

MAYORAL MINUTE

The netball courts and infrastructure at the old Moulder Park Netball courts are basically deteriorating since they were abandoned for netball several years ago.

RECOMMENDATION

That Orange City Council investigate the possibility of developing a “playmat” (with roads, crossings, stop signs etc.) at the old Moulder Park netball courts.

Reg Kidd

MAYOR**SUPPORTING INFORMATION**

I believe that after conversations with Jill Bale who is a Committee member of Roundabout Central West (a small community service group working under the umbrella of Rotary in Orange), they could coordinate this excellent use of what is largely under used asset (letter attached).

STAFF COMMENT

Council applied for the installation of a facility of this nature in the most recent round of the Stronger Country Community Fund.

The project included the following elements:

- Painting tracks
- Pedestrian crossing
- Give way line with signs
- Stop line with signs
- School zone symbol including dragons teeth
- Bike Symbols
- Installation of simulated traffic equipment

Cost estimate based on quotations received at the time of the grant submission we \$24,657 excluding staff time. This also excluded repairs to the surface which would likely be required.

The grant application was unsuccessful.

FINANCIAL IMPLICATIONS

Budget for any works would need to be approved by Council as either part of the 2020/21 Delivery Operational Plan or as a quarterly adjustment for the current budget.

POLICY AND GOVERNANCE IMPLICATIONS

Nil

ATTACHMENTS

- 1 Potential Project to Benefit the Children of Orange - Roundabout Central West, D20/15110 [↓](#)



The Mayor and Councillors of Orange
Orange Civic Centre
Byng St
Orange NSW 2800

Re: Potential Project to Benefit the Children of Orange

Roundabout is a small community service group, working under the umbrella of Rotary in Orange.

Our aim is to identify community based projects for which we can provide our services and/or that we can help fund.

Some of the projects we have completed to date include:

Urinalysis Machine for ED at Orange Health

Second ECG Machine at Orange Health (Partnered with Orange and Canobolas Lions each and Daybreak Rotary)

Toys Dolls Puzzles and other Children's Items plus Cleft Palate Bottles, Skin fold Calliper, Knee Height Calliper, a High Chair and Mobile Phone as well as a Children's IQ Testing Kit for the Family Health Care Unit at Orange Health Service

Donations to RSPCA, Housing Plus Domestic Violence Crisis Centre and Fans for CWA Hall in Orange to name a few.

We as a group are always on the lookout for future projects.

As many of us are long term locals, we have been able watch our beautiful city evolve over the years, however one part of the city which we feel is at a standstill is our old and somewhat unused Netball courts between Anson and Sale Streets.

The location of the netball courts could be so much better utilised to the benefit of the younger generation particularly given it's close proximity to the Skatepark, the Velodrome, Cricket Nets and the Aquatic Centre.

The courts are a central flat concrete park that is commonly used by our youngest generation when they are learning to ride and control their first bikes, some with training wheels, tricycles and even their little sit in cars.

Minimal effort and cost would be required to enhance and beautify this location as a large scale children's "playmat" with roads, crossings, stop signs etc.

In addition to providing healthy and active outdoor entertainment, it could also be utilised by local infants/primary schools, day care centres and mothers clubs for the teaching of bike safety, road safety and other pedestrian safe practices.

We would be willing to coordinate this project and would seek the support of local businesses and other community support organisations to assist with either materials or funds to help this area evolve from a what is a forgotten community asset, which is gradually deteriorating, to a useful free choice location of healthy learning, entertainment and family fun.

We would be grateful for any assistance that Council could provide not the least being the approval to carry out the improvements. We would be happy to meet with Councillors or Management to discuss our proposal further and would welcome your feedback and response.

Thank you for the opportunity to make this request and your time and consideration in moving forward.

Best Regards

Paul Cox
Immediate Past Chairman

Jill Bale
Committee Member



*Roundabout Central West meets at 3:00pm on the fourth Sunday of each month at the
Orange Ex Services Club Anson St Orange*

Visitors and Interested persons always welcome

3 CONFIRMATION OF MINUTES OF PREVIOUS MEETING**RECOMMENDATION**

That the Minutes of the Ordinary Meeting of Orange City Council held on 17 March 2020 (copies of which were circulated to all members) be and are hereby confirmed as a true and accurate records of the proceedings of the Council meeting held on 17 March 2020.

ATTACHMENTS

- 1 Minutes of the Ordinary Meeting of Orange City Council held on 17 March 2020

ORANGE CITY COUNCIL
MINUTES OF THE
ORDINARY COUNCIL MEETING

HELD IN COUNCIL CHAMBER, CIVIC CENTRE, BYNG STREET, ORANGE

ON 17 MARCH 2020

COMMENCING AT 7.00PM

1 INTRODUCTION

ATTENDANCE

Cr R Kidd (Mayor), Cr S Romano (Deputy Mayor), Cr K Duffy, Cr J Hamling, Cr J McRae, Cr S Munro, Cr S Nugent, Cr G Taylor, Cr R Turner, Cr J Whitton

Chief Executive Officer, Acting Director Corporate and Commercial Services, Director Development Services, Director Community, Recreation and Cultural Services, Director Technical Services, Governance Coordinator, Manager Corporate and Community Relations

1.1 APOLOGIES

RESOLVED - 20/071

Cr R Turner/Cr S Munro

That the apologies be accepted from Cr T Mileto and Cr M Previtera for the Council Meeting of Orange City Council on 17 March 2020.

For: Cr Kidd, Cr Duffy, Cr Hamling, Cr McRae, Cr Munro, Cr Nugent, Cr Romano, Cr Taylor, Cr Turner, Cr Whitton

Against: Nil

Absent: Cr Mileto, Cr Previtera

1.2 LIVESTREAMING AND RECORDING

The Mayor advised that the meeting was being livestreamed and recorded.

1.3 OPENING PRAYER

Rev Bob Cameron of the Orange East Anglican Church led the Council in Prayer.

1.4 ACKNOWLEDGEMENT OF COUNTRY

The Mayor conducted the Acknowledgement of Country.

1.5 DECLARATION OF PECUNIARY INTERESTS, SIGNIFICANT NON-PECUNIARY INTERESTS AND LESS THAN SIGNIFICANT NON-PECUNIARY INTERESTS

Cr J McRae declared a less than significant non-pecuniary interest in Item 5.7 – Orange Harness Racing Club – Funding Agreement as a family member is involved with the Club.

Cr S Romano declared a less than significant non-pecuniary interest in Item 6.4 – Tender for Construction of Orange Regional Gallery Extension, as he has business involvement with one of the tenderers.

2 MAYORAL MINUTES

Nil

THE MAYOR DECLARED THE ORDINARY MEETING OF COUNCIL ADJOURNED FOR THE CONDUCT OF THE OPEN FORUM AT 7.06PM

OPEN FORUM

Mr John Da Rin

Mr Da Rin spoke on the water report and electronic communication signage.

THE MAYOR DECLARED THE ORDINARY MEETING OF COUNCIL RESUMED AT 7.08PM

3 CONFIRMATION OF MINUTES OF PREVIOUS MEETING

RESOLVED - 20/072

Cr J Hamling/Cr S Nugent

That the Minutes of the Ordinary Meeting of Orange City Council held on 3 March 2020 (copies of which were circulated to all members) be and are hereby confirmed as a true and accurate record of the proceedings of the Council meeting held on 3 March 2020 with the exception of an amendment to the Planning and Development Committee minutes to reword Cr Romano's Pecuniary Interest to read 'Cr S Romano declared a non-pecuniary interest in item 2.4 of the Planning and Development Committee as he did work for the same client as the applicant on occasion and would remove himself from the Chamber'.

For: Cr Kidd, Cr Duffy, Cr Hamling, Cr McRae, Cr Munro, Cr Nugent, Cr Romano, Cr Taylor, Cr Turner, Cr Whitton

Against: Nil

Absent: Cr Mileto, Cr Previtera

LATE ITEM

RESOLVED - 20/073

Cr S Nugent/Cr R Kidd

That the following late item be dealt with at the meeting of Orange City Council on 17 March 2020 and be moved to be dealt with as the first item.

For: Cr Kidd, Cr Duffy, Cr Hamling, Cr McRae, Cr Munro, Cr Nugent, Cr Romano, Cr Taylor, Cr Turner, Cr Whitton

Against: Nil

Absent: Cr Mileto, Cr Previtera

5.15 DELEGATIONS

TRIM REFERENCE: 2020/504

RESOLVED - 20/074**Cr J Hamling/Cr S Nugent**

That Council resolves:

During the period 18 March 2020 until such time as Council revokes this resolution, Council delegate its function to determine development applications and planning matters, with the exception of matters that cannot be delegated under the Local Government Act 1993 or the Environmental Planning and Assessment Act 1979, in circumstances where it is unreasonable to defer consideration of the matter, to the Mayor, Chairperson of the Planning and Development Committee, and the Chief Executive Officer (so that the Chief Executive Officer and either the Mayor OR the Chairperson of the Planning and Development Committee, are available to determine matters).

For: Cr Kidd, Cr Duffy, Cr Hamling, Cr McRae, Cr Munro, Cr Nugent, Cr Romano, Cr Taylor, Cr Turner, Cr Whitton

Against: Nil

Absent: Cr Mileto, Cr Previtera

4 NOTICES OF MOTION/NOTICES OF RESCISSION**4.1 NOTICE OF MOTION - EARTH HOUR 2020**

TRIM REFERENCE: 2020/444

RESOLVED - 20/075**Cr S Nugent/Cr S Munro**

That Council observe Earth Hour on 28 March 2020 at 8.30pm by turning off public lighting as appropriate based on advice from staff.

For: Cr Kidd, Cr Duffy, Cr Hamling, Cr McRae, Cr Munro, Cr Nugent, Cr Romano, Cr Taylor, Cr Turner, Cr Whitton

Against: Nil

Absent: Cr Mileto, Cr Previtera

4.2 NOTICE OF MOTION - AGED AND DISABLED

TRIM REFERENCE: 2020/477

RESOLVED - 20/076**Cr S Romano/Cr S Nugent**

That \$5,000 be considered in Council's 2020/2021 Delivery Operational Plan for the update of Council's mobility map and that this be conducted together with the Future City Project.

For: Cr Kidd, Cr Duffy, Cr Hamling, Cr McRae, Cr Munro, Cr Nugent, Cr Romano, Cr Taylor, Cr Turner, Cr Whitton

Against: Nil

Absent: Cr Mileto, Cr Previtera

5 GENERAL REPORTS

5.1 RECOMMENDATIONS AND RESOLUTIONS FROM POLICY COMMITTEES

TRIM REFERENCE: 2020/436

RESOLVED - 20/077**Cr J Whitton/Cr R Turner**

- 1 That the resolutions made by the Planning and Development Committee at its meeting held on 3 March 2020 be noted.
- 2 That the resolutions made by the Infrastructure Policy Committee at its meeting held on 3 March 2020 be noted.
- 3 That the resolutions made by the Finance Policy Committee at its meeting held on 3 March 2020 be noted.
- 4 That the resolutions made by the Services Policy Committee at its meeting held on 3 March 2020 be noted.

For: Cr Kidd, Cr Duffy, Cr Hamling, Cr McRae, Cr Munro, Cr Nugent, Cr Romano, Cr Taylor, Cr Turner, Cr Whitton

Against: Nil

Absent: Cr Mileto, Cr Previtera

5.2 STATEMENT OF INVESTMENTS - FEBRUARY 2020

TRIM REFERENCE: 2020/400

RESOLVED - 20/078**Cr K Duffy/Cr J Whitton**

That Council resolves:

- 1 To note the Statement of Investments as at 29 February 2020.
- 2 To adopt the certification of the Responsible Accounting Officer.

For: Cr Kidd, Cr Duffy, Cr Hamling, Cr McRae, Cr Munro, Cr Nugent, Cr Romano, Cr Taylor, Cr Turner, Cr Whitton

Against: Nil

Absent: Cr Mileto, Cr Previtera

QUESTION TAKEN ON NOTICE

Cr McRae requested Council provide an updated report on investments in light of market changes.

5.3 DEVELOPMENT APPLICATION DA 347/2019(1) - LOTS 1 AND 2 MITCHELL HIGHWAY (JOHN DAVIS MOTORS)

TRIM REFERENCE: 2020/171

RESOLVED - 20/079

Cr K Duffy/Cr G Taylor

That Council consents to development application DA 347/2019(1) for Vehicle Sales or Hire Premises (change of use and alterations to existing building) and Business Identification Signage at Lot 1 and 2 DP 270204 - Mitchell Highway, Orange pursuant to the conditions of consent in the attached Notice of Approval.

Division of Voting

Voted For	Cr R Kidd (Mayor), Cr S Romano (Deputy Mayor), Cr K Duffy, Cr J Hamling, Cr J McRae, Cr S Munro, Cr S Nugent, Cr G Taylor, Cr R Turner, Cr J Whitton
Voted Against	Nil
Absent	Cr T Mileto, Cr M Previtera

5.4 LOCAL HOUSING STRATEGY

TRIM REFERENCE: 2020/46

RESOLVED - 20/080

Cr S Nugent/Cr R Turner

That Council resolves to:

- 1 Note the Local Housing Strategy research report and Departmental guidelines.
- 2 To place the research phase material and departmental guidelines on exhibition for a period of 28 days seeking preliminary community feedback.
- 3 Prepare and present a draft strategy to Council for consideration before formal exhibition.
- 4 That the draft strategy be intended to address the housing needs of Orange residents through to 2036 including, but not limited to, all socioeconomic groups, age brackets and levels of mobility and independence.

For: Cr Kidd, Cr Duffy, Cr Hamling, Cr McRae, Cr Munro, Cr Nugent, Cr Romano, Cr Taylor, Cr Turner, Cr Whitton

Against: Nil

Absent: Cr Mileto, Cr Previtera

5.5 TOWAC EQUINE PRECINCT - CONTRIBUTIONS PLAN AND DEVELOPMENT CONTROL PLAN

TRIM REFERENCE: 2020/418

RESOLVED - 20/081**Cr K Duffy/Cr S Romano**

That Council resolves to:

- 1 Endorse and adopt the contributions plan in relation to the Towac Equine Precinct subject to the Minister of Planning authorising a variation to the contributions cap.
- 2 Endorse and adopt the draft Development Control Plan provisions, to be known as chapter 6A of Orange DCP 2004.
- 3 Subject to the above, Council endorse the making of Orange Local Environmental Plan 2011 – Amendment 17 to establish the Towac Equine precinct and instruct staff to pursue finalisation of this matter with the Department of Planning, Industry and Environment.

For: Cr Kidd, Cr Duffy, Cr Hamling, Cr McRae, Cr Munro, Cr Nugent, Cr Romano, Cr Taylor, Cr Turner, Cr Whitton

Against: Nil

Absent: Cr Mileto, Cr Previtera

5.6 REQUEST FOR FINANCIAL ASSISTANCE - ORANGE CITY RUGBY CLUB - LINEMARKING FOR UNDER 10S RUGBY TOURNAMENT

TRIM REFERENCE: 2020/364

THIS ITEM WAS WITHDRAWN**5.7 ORANGE HARNESS RACING CLUB - FUNDING AGREEMENT**

TRIM REFERENCE: 2020/440

*Cr J McRae declared a less than significant non-pecuniary interest in this item as a family member is involved with the club, left the Chamber, and did not participate in the voting or debate on this item.***RESOLVED - 20/082****Cr R Turner/Cr S Munro**

That Council resolves:

- 1 That the report by the Manager of Corporate and Community Relations be acknowledged.
- 2 That the second funding instalment payment of \$10,000 plus GST for the 2019/2020 financial year be cancelled.
- 3 That approval be granted for the use of the Council Seal on any necessary documentation if required.

For: Cr Kidd, Cr Duffy, Cr Hamling, Cr Munro, Cr Nugent, Cr Romano, Cr Taylor, Cr Turner, Cr Whitton

Against: Nil

Absent: Cr Mileto, Cr Previtera, Cr McRae

5.8 NATIONAL GENERAL ASSEMBLY - ORANGE CITY COUNCIL MOTIONS 2020

TRIM REFERENCE: 2020/406

RESOLVED - 20/083**Cr K Duffy/Cr S Munro**

That Council agree to the motion regarding the establishment of more water storage dams in NSW being submitted to the National General Assembly 2020.

For: Cr Kidd, Cr Duffy, Cr Hamling, Cr McRae, Cr Munro, Cr Nugent, Cr Romano, Cr Taylor, Cr Turner, Cr Whitton

Against: Nil

Absent: Cr Mileto, Cr Previtera

5.9 LEASE OF WENTWORTH PARK RESERVE TRUST

TRIM REFERENCE: 2020/424

RESOLVED - 20/084**Cr R Turner/Cr S Munro**

- 1 That Council resolve to agree to allow the surrender of the current lease of the Wentworth Park Reserve Trust to Wentworth Golf Club Ltd and simultaneously enter into a 21 year lease of the Wentworth Park Reserve Trust with Orange Ex-Services Club Limited on terms and conditions acceptable to Council.
- 2 That approval be granted for the use of the Council Seal on any necessary documentation if required.

For: Cr Kidd, Cr Duffy, Cr Hamling, Cr McRae, Cr Munro, Cr Nugent, Cr Romano, Cr Taylor, Cr Turner, Cr Whitton

Against: Nil

Absent: Cr Mileto, Cr Previtera

5.10 LEVEL 5 WATER RESTRICTION EXEMPTIONS

TRIM REFERENCE: 2020/428

RESOLVED - 20/085**Cr S Nugent/Cr S Munro**

That the report on Level 5 Water Restriction Exemptions be acknowledged.

For: Cr Kidd, Cr Duffy, Cr Hamling, Cr McRae, Cr Munro, Cr Nugent, Cr Romano, Cr Taylor, Cr Turner, Cr Whitton

Against: Nil

Absent: Cr Mileto, Cr Previtera

5.11 COUNCILLOR PROPOSED WATER INITIATIVES

TRIM REFERENCE: 2020/476

RESOLVED - 20/086**Cr R Turner/Cr S Munro**

That the report on Councillor Proposed Water Initiatives be acknowledged.

For: Cr Kidd, Cr Duffy, Cr Hamling, Cr McRae, Cr Munro, Cr Nugent, Cr Romano, Cr Taylor, Cr Turner, Cr Whitton

Against: Nil

Absent: Cr Mileto, Cr Previtera

QUESTION TAKEN ON NOTICE

Cr Munro requested a report on the process involved in creating a new dam in NSW.

5.12 MACQUARIE RIVER EXTRACTION LICENCE

TRIM REFERENCE: 2020/434

RESOLVED - 20/087**Cr K Duffy/Cr S Munro**

That the report on the Macquarie River Extraction Water Access Licence be acknowledged.

For: Cr Kidd, Cr Duffy, Cr Hamling, Cr McRae, Cr Munro, Cr Nugent, Cr Romano, Cr Taylor, Cr Turner, Cr Whitton

Against: Nil

Absent: Cr Mileto, Cr Previtera

MATTER ARISING

Cr Taylor requested if Council could do a media update on changes in watering times for the upcoming end to daylight savings.

5.13 NAMING - CRICKET CENTRE OF EXCELLENCE

TRIM REFERENCE: 2020/464

RESOLVED - 20/088**Cr J Whitton/Cr J Hamling**

That Council resolve:

- 1 That Council name the Cricket Centre of Excellence at Wade Park the Carl Sharpe Cricket Centre; and
- 2 That within the foyer of the Cricket Centre Orange, cricketers or administrators who have significantly contributed to this country or the region in cricket, will be documented through a photo portrait and text of their achievements.

For: Cr Kidd, Cr Duffy, Cr Hamling, Cr McRae, Cr Munro, Cr Nugent, Cr Romano, Cr Taylor, Cr Turner, Cr Whitton

Against: Nil

Absent: Cr Mileto, Cr Previtera

5.14 STRATEGIC POLICY REVIEW

TRIM REFERENCE: 2020/100

RESOLVED - 20/089**Cr J Whitton/Cr R Turner**

That Council resolves to:

- 1 Adopt the following policies:
 - ST107 – Outdoor Dining Areas
 - ST114 – Whiteway Lighting
 - ST142 – Events on Council Owned/Managed Land
 - ST143 – Event Cancellation
 - ST083 – Access to Information Held By Council

For: Cr Kidd, Cr Duffy, Cr Hamling, Cr McRae, Cr Munro, Cr Nugent, Cr Romano, Cr Taylor, Cr Turner, Cr Whitton

Against: Nil

Absent: Cr Mileto, Cr Previtera

6 CLOSED MEETING

In accordance with the Local Government Act 1993, and the Local Government (General) Regulation 2005, in the opinion of the General Manager, the following business is of a kind as referred to in Section 10A(2) of the Act, and should be dealt with in a Confidential Session of the Council meeting closed to the press and public.

In response to a question from the Mayor, the Chief Executive Officer advised that no written submissions had been received relating to any item listed for consideration by the Closed Meeting of Council.

The Mayor extended an invitation to any member of the public present at the meeting to make a presentation to the Council as to whether the meeting should be closed for a particular item.

RESOLVED - 20/090**Cr K Duffy/Cr S Munro**

That Council adjourn into a Closed Meeting and members of the press and public be excluded from the Closed Meeting, and access to the correspondence and reports relating to the items considered during the course of the Closed Meeting be withheld unless declassified by separate resolution. This action is taken in accordance with Section 10A(2) of the Local Government Act, 1993 as the items listed come within the following provisions:

6.1 Write Off Bad Debt >\$5,000.00 Redmond Place Hangar

This item is classified CONFIDENTIAL under the provisions of Section 10A(2) of the Local Government Act 1993, which permits the meeting to be closed to the public for business relating to (b) the personal hardship of any resident or ratepayer.

6.2 2019 Water Consumption Charges - 3 Carwoola Drive, Orange

This item is classified CONFIDENTIAL under the provisions of Section 10A(2) of the Local Government Act 1993, which permits the meeting to be closed to the public for business relating to (b) the personal hardship of any resident or ratepayer.

6.3 Lease of Hangar Site J Orange Airport

This item is classified CONFIDENTIAL under the provisions of Section 10A(2) of the Local Government Act 1993, which permits the meeting to be closed to the public for business relating to (c) information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.

6.4 Tender for Construction of Orange Regional Gallery Extension

This item is classified CONFIDENTIAL under the provisions of Section 10A(2) of the Local Government Act 1993, which permits the meeting to be closed to the public for business relating to (c) information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.

The Mayor declared the Ordinary Meeting of Council adjourned for the conduct of the Closed Meeting at 8.02pm.

The Mayor declared the Ordinary Meeting of Council resumed at 8.28pm.

7 RESOLUTIONS FROM CLOSED MEETING

The Chief Executive Officer read out the following resolutions made in the Closed Meeting of Council.

6.1 WRITE OFF BAD DEBT >\$5,000.00 REDMOND PLACE HANGAR

TRIM REFERENCE: 2020/156

RESOLVED - 20/091**Cr K Duffy/Cr R Turner**

That Council adopt the bad debt write off for Debtor Account 5815.72 in the sum of \$10,725.00.

For: Cr Kidd, Cr Duffy, Cr Hamling, Cr McRae, Cr Munro, Cr Nugent, Cr Romano, Cr Taylor, Cr Turner, Cr Whitton

Against: Nil

Absent: Cr Mileto, Cr Previtera

6.2 2019 WATER CONSUMPTION CHARGES - 3 CARWOOLA DRIVE, ORANGE

TRIM REFERENCE: 2020/167

RESOLVED - 20/092**Cr K Duffy/Cr S Munro**

That Council resolves to reduce on a pro-rata basis to previous consumption history the February 2019 quarter water consumption charge of \$9,774.00 to \$1,112.40, the May 2019 quarter water consumption charge of \$7,981.20 to \$1,177.20, the August 2019 quarter water consumption charge of \$2,104.15 to \$975.80 and the November 2019 quarter water consumption charge of \$3,299.70 to \$455.70. The total write off is therefore \$19,437.95.

For: Cr Kidd, Cr Duffy, Cr Hamling, Cr McRae, Cr Munro, Cr Nugent, Cr Romano, Cr Taylor, Cr Turner, Cr Whitton

Against: Nil

Absent: Cr Mileto, Cr Previtera

6.3 LEASE OF HANGAR SITE J ORANGE AIRPORT

TRIM REFERENCE: 2020/386

RESOLVED - 20/093**Cr J Hamling/Cr S Nugent**

- 1 That Council enter into a lease of Hangar Site J for a term of five years with one five year option.
- 2 That approval be granted for the use of the Council Seal on any necessary documentation if required.

For: Cr Kidd, Cr Duffy, Cr Hamling, Cr McRae, Cr Munro, Cr Nugent, Cr Romano, Cr Taylor, Cr Turner, Cr Whitton

Against: Nil

Absent: Cr Mileto, Cr Previtera

6.4 TENDER FOR CONSTRUCTION OF ORANGE REGIONAL GALLERY EXTENSION

TRIM REFERENCE: 2020/462

Cr S Romano declared a less than significant non-pecuniary interest in this item as he has business involvement with one of the tenderers, left the Chamber, and did not participate in the voting or debate on this item.

** Cr Romano did not return to the meeting**

MOTION**Cr J Hamling/Cr J McRae**

That Council resolves:

- 1 That Council declines to accept any tender for the Construction of the Orange Regional Gallery Extension F3020-8 as all tender submissions exceeded the available funds for this component of the project.
- 2 That Council not call fresh tenders as it may delay the project and impact upon the current funding milestones, possibly putting funding at risk.
- 3 That Council enters into negotiations with the two highest tender submissions being Renascent Regional Pty Ltd and North Construction and Building Pty Ltd with a view to revising the project scope and to identify innovative solutions and cost savings to deliver the project.
- 4 That Council explores additional funding that may be able to address any shortfall in the construction of the Orange Regional Gallery Extension.

AMENDMENT**Cr K Duffy/Cr S Munro**

That Council resolves:

- 1 That Council declines to accept any tender for the Construction of the Orange Regional Gallery Extension F3020-8 as all tender submissions exceeded the available funds for this component of the project.
- 2 That Council not call fresh tenders as it may delay the project and impact upon the current funding milestones, possibly putting funding at risk.
- 3 That Council enters into negotiations with all tender submissions with a view to revising the project scope and to identify innovative solutions and cost savings to deliver the project.
- 4 That Council explores additional funding that may be able to address any shortfall in the construction of the Orange Regional Gallery Extension.

THE AMENDMENT ON BEING PUT TO THE MEETING WAS LOST**THE MOTION ON BEING PUT TO THE MEETING WAS CARRIED**

RESOLVED - 20/094**Cr J Hamling/Cr J McRae**

That Council resolves:

- 1 That Council declines to accept any tender for the Construction of the Orange Regional Gallery Extension F3020-8 as all tender submissions exceeded the available funds for this component of the project.
- 2 That Council not call fresh tenders as it may delay the project and impact upon the current funding milestones, possibly putting funding at risk.
- 3 That Council enters into negotiations with the two highest tender submissions being Renascent Regional Pty Ltd and North Construction and Building Pty Ltd with a view to revising the project scope and to identify innovative solutions and cost savings to deliver the project.
- 4 That Council explores additional funding that may be able to address any shortfall in the construction of the Orange Regional Gallery Extension.

For: Cr Duffy, Cr Hamling, Cr McRae, Cr Munro, Cr Nugent, Cr Taylor, Cr Turner, Cr Whitton

Against: Cr Kidd

Absent: Cr Mileto, Cr Previtera, Cr Romano

THE MEETING CLOSED AT 8.31PM

This is Page Number 13 and the Final Page of the Minutes of the Ordinary Meeting of Orange City Council held on 17 March 2020.

4 NOTICES OF MOTION/NOTICES OF RESCISSION

Nil

5 GENERAL REPORTS

5.1 COUNCIL RESPONSE TO COVID-19

RECORD NUMBER: 2020/567

AUTHOR: David Waddell, Chief Executive Officer

EXECUTIVE SUMMARY

Orange City Council has responded quickly and efficiently to the Covid-19 situation by following closely the directions of Federal and State authorities. The essential operations of Council continue within these constraints. Council is also providing a communication conduit across the City via its website and through social media.

LINK TO DELIVERY/OPERATIONAL PLAN

The recommendation in this report relates to the Delivery/Operational Plan strategy “17.1 Collaborate - Provide representative, responsible and accountable community governance”.

FINANCIAL IMPLICATIONS

Nil – information only at this stage

POLICY AND GOVERNANCE IMPLICATIONS

Nil– information only at this stage

RECOMMENDATION

That the report on Covid-19 by the Chief Executive Officer be noted.

FURTHER CONSIDERATIONS

Consideration has been given to the recommendation’s impact on Council’s service delivery; image and reputation; political; environmental; health and safety; employees; stakeholders and project management; and no further implications or risks have been identified.

SUPPORTING INFORMATION

Orange City Council has responded quickly and efficiently to the Covid-19 situation by following closely the directions of Federal and State authorities. The essential operations of Council continue within these constraints. Council is also providing a communication conduit across the City via its website and through social media.

The following actions have been undertaken as of 1 April 2020:

- Business continuity plans were completed for all operations;
- All community committees were deferred until further notice;
- A significant Work from Home program has been implemented with numbers down to only less than 40 compared with 110 in the Civic Centre at any one time. Depot and outdoor staff have revised work practices. So far business continuity has been maintained;

5.1 Council Response to Covid-19

- All workplaces have been actioned in terms of Health advice, signage etc.
- Teleconferences and Zoom meetings have become common;
- Work began on how to conduct Council meetings via other means of communication;
- Financial transactions were ceased in order to minimise transmissions;
- Front counters have been either closed or pared back;
- Communications has been ramped up to staff and councillors via text and email;
- Rates reminders have been put on hold for the moment;
- Several Covid press statements have been released;
- Council's website now has a Covid-19 banner with information on all our services;
- Front counter reduced to one or two workers – extra workers on phones;
- Flu shots have been brought forward to early April;
- Multiple events have been cancelled in line with the Health NSW and OLG recommendations;
- Rolling facility closures have occurred in line with government guidance including:
 - Theatre
 - Gallery
 - Aquatic Centre (indoor and outdoor)
 - Library
 - Function Centre
 - Playgrounds
 - Visitor Information Centre.
- Meals on wheels and other food services continue with increased precaution and PPE;
- The IT team has been working overtime to service numerous Work from Home requests;
- The cleaners have been briefed and are conducting extra cleaning;
- Staff attended the Local Emergency Management Committee, under Inspector Atkins, involving all local emergency authorities;
- Parking officers have been instructed to be lenient where appropriate and to issue no tickets near medical centres or chemists. The Ophir carpark has again been made free of charge to minimise contact with the ticket machine;
- The Caravan Park is still open with permanent residents and those without a permanent place of abode (i.e. backpackers) still allowed to stay.

The Chief Executive Officer commends staff for their efforts and attitude to date.

5.2 CURRENT WORKS

RECORD NUMBER: 2020/560

AUTHOR: Ian Greenham, Director Technical Services

EXECUTIVE SUMMARY

The purpose of this report is to update Council on construction and maintenance works which have been carried out since the last current works report to Council.

LINK TO DELIVERY/OPERATIONAL PLAN

The recommendation in this report relates to the Delivery/Operational Plan strategy “9.1 Preserve - Construct and maintain a road network meets the community’s transport and infrastructure needs”.

FINANCIAL IMPLICATIONS

Nil

POLICY AND GOVERNANCE IMPLICATIONS

Nil

RECOMMENDATION

That Council resolves to note the report on Current Works.

FURTHER CONSIDERATIONS

Consideration has been given to the recommendation’s impact on Council’s service delivery; image and reputation; political; environmental; health and safety; employees; stakeholders and project management; and no further implications or risks have been identified.

SUPPORTING INFORMATION**Road Maintenance**

Rural gravel road grading has been undertaken across the Council on:

- Falvey Road
- Windsor Road
- Capps Lane
- Blunt Road
- Beaumah Road
- Gander Road
- Commins Road
- Kinghorn Lane

- Lysterfield Road
- Morris Lane.

Road Construction

Council staff began the extension of roads at the southern end of the cemetery with bulk earthworks undertaken and initial pavement layers laid.



Photo: Road network extensions at the Orange Cemetery

Road Rehabilitation

Council contractors completed the rehabilitation of the Ash Street pavement from the level crossing through to Scott Place. Council staff were also able to negotiate with the rail authority for the removal of a redundant rail siding at the Ash Street crossing which facilitated a superior ride quality result with asphalt reconstruction works.

Some minor surface defects have been identified with the contractor and will be rectified in the near future under warranty.



Photo: Rail siding being removed from the Ash Street level crossing

Traffic Facilities

Roundabout at March Street and McLachlan Street

Works progressed on the completion of complex drainage elements, formation and pouring of kerb and gutter and the first layers of concrete pavements.



Photo: Progressive forming and pouring of base layers at the March and McLachlan roundabout site

Roundabout at Hill Street, Northern Distributor Road and William Maker Drive

Road construction has progressed steadily with kerbs and footpaths being constructed on the new Hill Street alignment. Works also commence on the tie in to the existing Hill Street end.



Photo: Progress on the Hill Street diversion leg

Carpark Expansion at Airport

The carpark extension at the airport was sealed and is awaiting linemarking.



Photo: Sealed car park extension at the airport awaiting line marking

Concrete and Drainage

Footpath reconstruction works were undertaken at:

- Sale Street – from March Street to Prince Street
- Byng Street – from Sampson Street to Clinton Street

New footpath construction recommenced on Peisley Street at the Franklin Street end.

WATER SUPPLY SERVICES

The type and number of water supply service responses by maintenance staff are shown in the table below.

Category	July 2018 – June 2019	February 2020
Leaking meters	418	23
Faulty meters (incorrect readings)	148	5
No supply	53	3
Water pressure complaints	32	0
Meter box/lid replacements	52	3
Water quality	38	5
Service break	4	0
Service leak	49	1
Main break	75	3
Main leak	267	10
Valve leak	7	1
Hydrant leak	83	6
Total Water Requests	1226	60

Private Works Orders

- Installation of 25mm water service and meter at 2 Trappit Place

Water Service Renewals

- 360 Lords Place 20mm
- 3 Convoy Place 20mm
- 11 Casey Street 20mm

Construction Works

- Council has replaced 997 water meters to financial year to date with meter sizes ranging from 20mm through to 150mm.
- Council has commenced works with Taggle Systems for the supply and installation of 251 Smart Water meters. Sites have been identified for network receivers to be installed and Council is working with the contractor around data base building.
- Works have been completed for the Margaret Street bore. These works included the installation of pump and associated controls and pipeline installation.
- Valve replacement at Kearneys Drive and Malvern Place.

SEWER SERVICES

The type and number of sewer service responses by maintenance staff are shown in the table below.

Category	July 2018 – June 2019	February 2020
Sewer blockages	429	25
Odour	14	4
Overflows	176	9
Total Sewer Requests	619	38

Sewer Construction Works

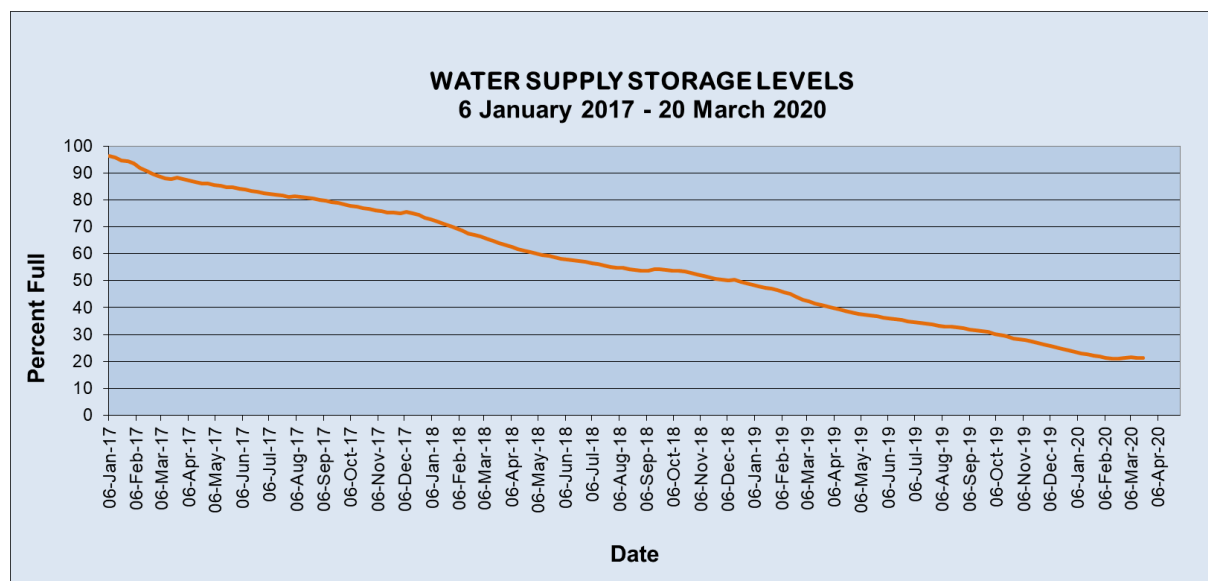
- Sewer Reconstructions:
 - 37 Racecourse Road sewer junction reconstruction
 - 45 North Street reconstruction of sewer manhole
 - 32 Spring Street sewer junction reconstruction
 - 146 Hill Street sewer main reconstruction
 - 130 Hill Street sewer main reconstruction
 - 6 Nathan Street sewer junction reconstruction
- **Sewer Relining Program 2019-20**

Works have commenced on the sewer relining program with Council's contractor completing the cleaning and commencing relining. Works have been delayed due to the works team unavailability and Council is working with the contractor to recommence works.
- **Robertson Park Sewer Connection**

Works have been completed connecting the sewer to the Robertson Park toilet site.

WATER SUPPLY SECURITY**Water Storage Levels**

The combined storage of Suma Park and Spring Creek Dams as at 20 March 2020 is 21.31%. Water storage trends for the combined storages since January 2017 are shown in the graph below.



Location	Level Below Spillway (m)	% of Capacity
Suma Park Dam	14,562	19.51%
Spring Creek Dam	4,339	29.04%
Lake Canobolas	2,276	44.79%
Gosling Creek Dam	2,832	30.96%

Supplementary Raw Water Sources

Extractions from the supplementary raw water supplies in recent months are provided in the table below.

Raw Water Source	December 2019 (ML)	January 2020 (ML)	February 2020 (ML)	Total (ML) 2019/2020
Bores*	12.41	11.12	12.73	104.21
Stormwater	19.84	62.13	44.83	339.93
Macquarie River	0.00	6.17	133.94	152.43
Total	32.25	79.42	191.5	596.57

* Bores include two at Clifton Grove and one at the Showground

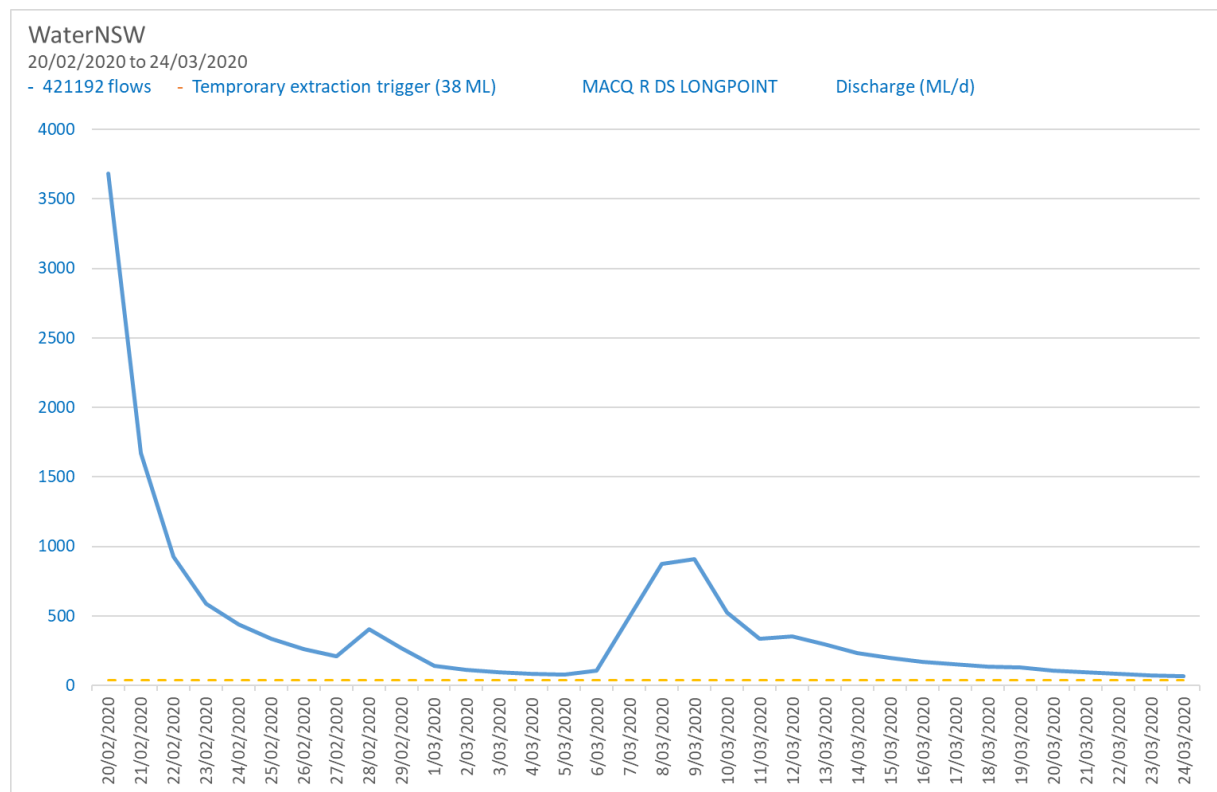
A more detailed monthly summary of raw water transfers can be found on Council's website at <https://www.orange.nsw.gov.au/water/oranges-water-supply/>.

The Decision Support Tool (DST) quarterly review was conducted for the third quarter of 2019/20. Continuing dry conditions require all available supplementary raw water sources to be operated.

Macquarie River Flows

The flows in the Macquarie River monitored downstream of Long Point (Station 421192) continued to exceed the temporary flow rate trigger of 38 ML/d from 12 February 2020 through to the time of writing this report (25 March 2020). The maximum flow rate for the period was greater than 3,686 ML/day.

The chart below was sourced from the WaterNSW website with flows presented in megalitres per day (ML/d).



Demand Management

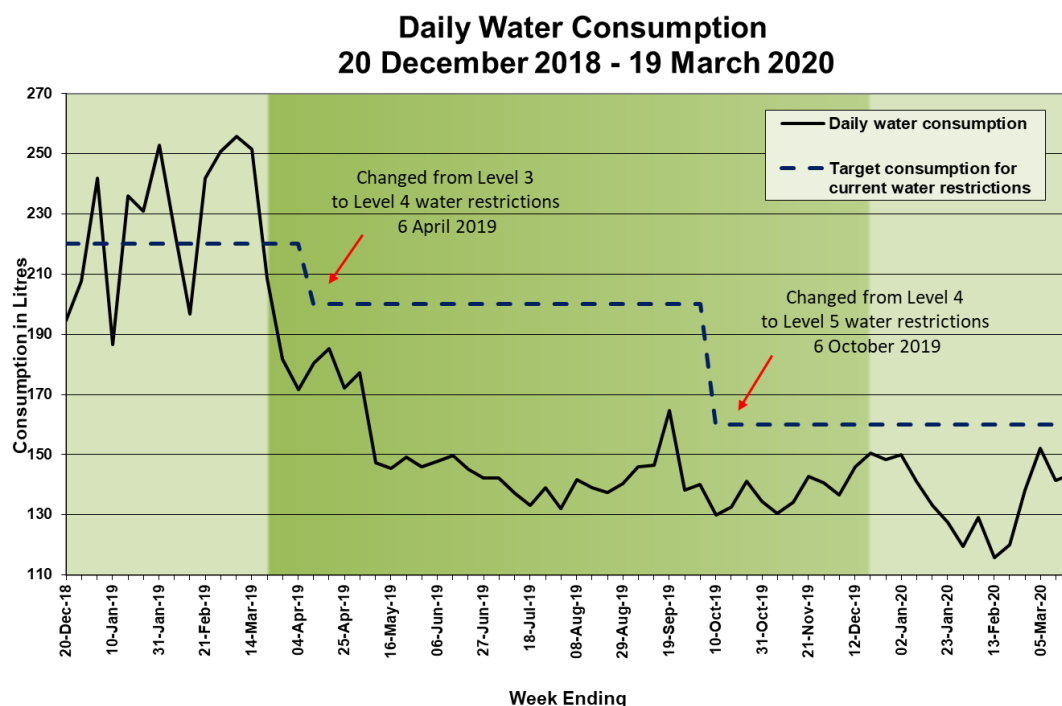
Water Restrictions

Level 5 water restrictions were introduced on Sunday 6 October 2019.

The Demand Management Team continues to deliver a very successful water conservation program across Orange. Both residential and non-residential strategies are being implemented by this team.

Residential water use

Average daily residential water consumption during the week ending 19 March 2020 was 121 litres per person per day. The target under Level 5 water restrictions is 160 litres per person per day. The graph below shows the average daily residential water consumption trends since December 2018.



Non-residential water use

Council staff have completed water audits on the 70 largest water users in the non-residential sector.

As required under Level 5 Water Restrictions, these businesses will now need to complete Water Savings Action Plans outlining strategies that they will be implementing in order to reduce water use. Council is now actively pursuing the submission of Water Savings Action Plans from all of these businesses.

Total water use

The average daily city-wide water consumption (all users including Molong) for the period between 15 February and 19 March 2020 was 8.9 ML/day. The average daily supply to Molong was 860kL.

DRINKING WATER QUALITY

Water samples are collected as a component of Orange City Council's Drinking Water Quality Monitoring Program in accordance with NSW Health requirements. Samples are collected regularly and sent to a NSW Government National Association of Testing Authorities (NATA) accredited laboratory for analysis. Samples collected in February 2020 complied with the Australian Drinking Water Guidelines health targets.

SHIRALEE CREEK SEWER

The under-bores associated with the Orange to Broken Hill railway line and detention basin wall are complete and approximately 250 metres of the 4,800 metres of sewer pipeline has been installed. Works are still programmed to be completed by the end of the financial year.



Photo: Railway under-bore

SOUTHERN FEEDER ROAD CONSTRUCTION STAGE 2 (SFR2)

On 16 March contractors completed the pour of the concrete bridge deck over the railway line. While other works occur on the bridge, the earth approaches are being raised.



Photo: Concrete bridge deck

5.2 Current Works

Traffic is currently being directed through the works along Edward Street then back to the Blowes Road, Elsham Avenue intersection while a cul-de-sac is constructed on the northern leg of Elsham Avenue.

As reported to the last meeting, work is now anticipated being completed by mid-year.

SPRING CREEK TO ICELY ROAD WATER TREATMENT PLANT WATER SECURITY PIPELINE

Council has executed the funding deed for this project with the Department of Planning, Industry and Environment (DPIE) and provided the business case required as part of the funding deed.

Based on Council's resolution of 17 December 2019, Council has entered into a contract with Leed Engineering to undertake the works. They have secured the materials necessary to complete the pipework. As the lead time for procuring the pumps required for the work is approximately 20 weeks the anticipated date for the completion of this project is September 2020. With continued pumping from the Macquarie River this pipeline will be installed prior to when it is needed to transfer water from Spring Creek Dam.

Outstanding items required to be completed include the finalisation of the Review of Environmental Factors (REF) and some land matters.

ASTILL DRIVE POUND

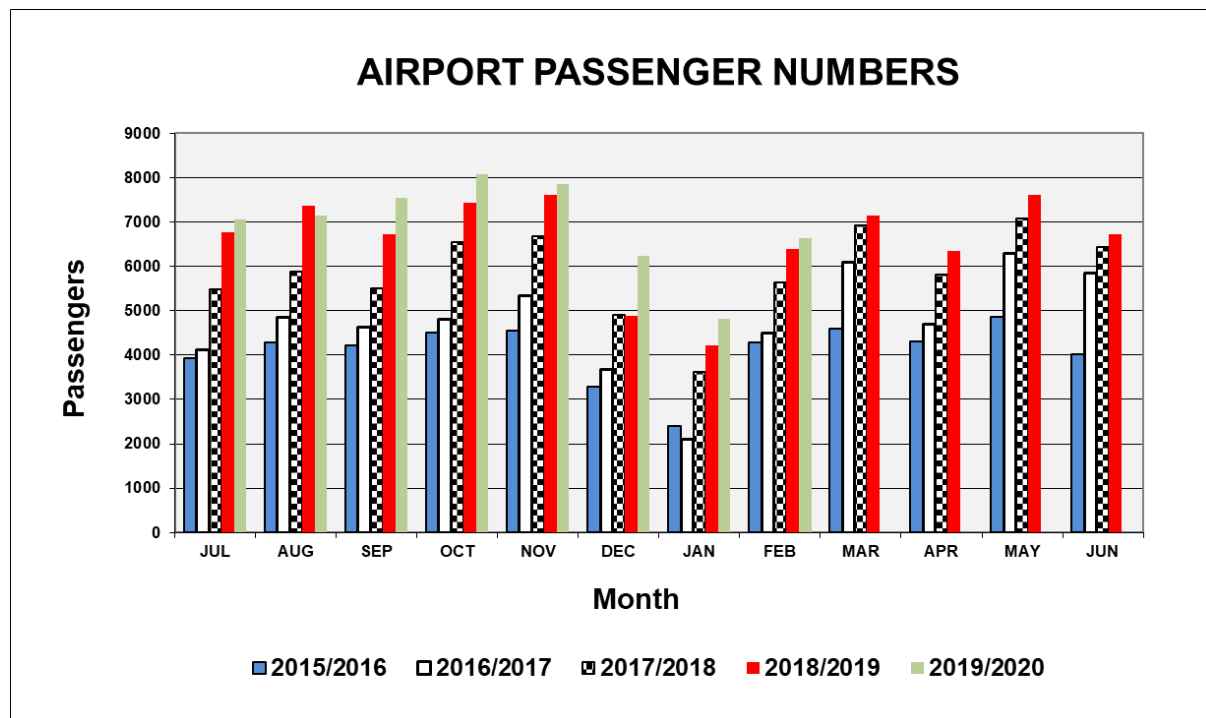
The contractor's current programme anticipates this project being completed by mid-April. Remaining works include the completion of driveway slabs, retaining walls and guttering on the building.



Photo: Animal Shelter

AIRPORT PASSENGER NUMBERS

Passenger numbers for February 2020 were 6,637 compared with 6,387 in the same month in 2019.



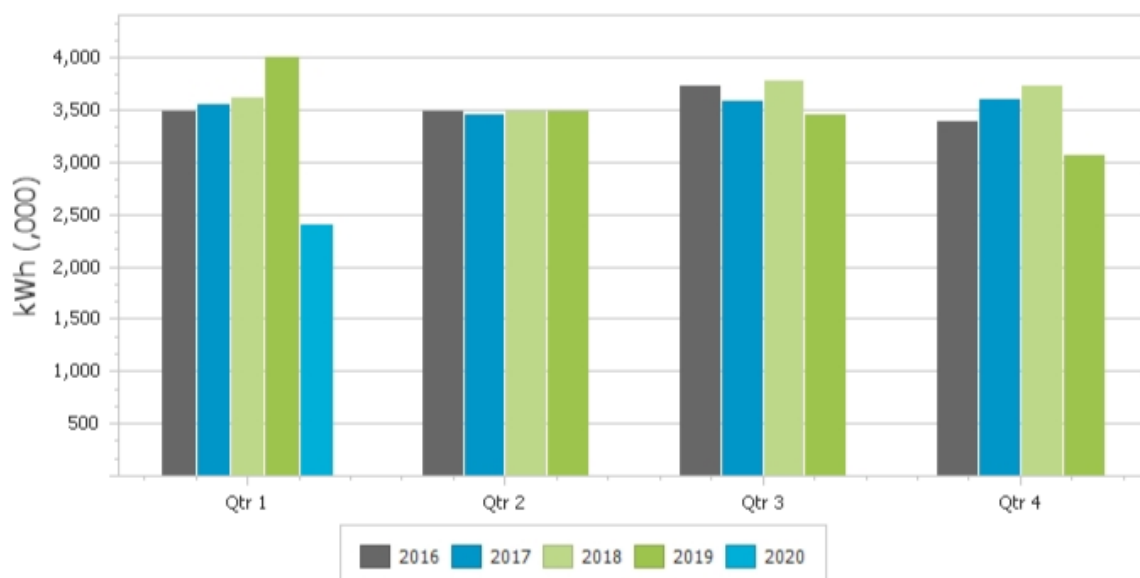
AIRPORT ENERGY USAGE

Energy used at the airport during January 2020 was 19,953.48 kWh at a cost to Council of \$5,253.01 and during February 2020 was 19,917.24 kWh at a cost of \$5,170.29.

ENERGY USE

The following information is sourced from E21, Council's energy software.

Consumption History



History Last 12 Months

Group	Consumption (kWh)	CO2 Emissions (t)	Bill (Ex GST)
Parks & Gardens	145,110	131	\$49,655
Water	4,147,525	3,733	\$928,334
Public Buildings & Facilities	3,211,871	2,891	\$739,732
Lighting	2,834,950	2,551	\$1,097,871
Other	471,085	424	\$129,980
Sewer	3,480,661	3,133	\$710,219
Macquarie Pipeline	510,249	459	\$158,523
Ungrouped	0	0	\$0
RFS	335,024	302	\$124,972
Total	15,136,475	13,623	\$3,939,287

Monday 23 March 2020

5.3 REQUESTS FOR FINANCIAL ASSISTANCE - QUARTER 4 OF 2019/2020 - SMALL DONATIONS PROGRAM

RECORD NUMBER: 2020/493
 AUTHOR: Samantha Freeman, Acting Director Corporate and Commercial Services

EXECUTIVE SUMMARY

Council can only assist other organisations financially (in cash or in kind) in accordance with section 356 of the *Local Government Act 1993*.

Council has in place a policy for Small Donations to be made under section 356 of the Act and annually advertises for applications under this policy. This report provides the applications received in this quarter.

LINK TO DELIVERY/OPERATIONAL PLAN

The recommendation in this report relates to the Delivery/Operational Plan strategy “15.2 Collaborate - Support community organisations and groups to deliver services and programs”.

FINANCIAL IMPLICATIONS

The overall Small Donations budget for 2019/2020 is as follows:

Small Donations Program	Adopted Budget	Actual or Committed	Remaining Balance
Quarter 1	\$35,000.00	\$33,705.42	See Note 1
Quarter 2	\$11,000.00	\$9,262.87	See Note 2
School Prize Giving	\$4,000.00	\$4,000.00	
Quarter 3	\$15,000.00	\$16,277.32	See Note 3
Quarter 4	\$15,000.00	\$0.00	\$16,754.39
Orange Harness Racing Club - Annual to 2025/26	\$20,000.00	\$10,000.00	\$10,000.00
TOTAL	\$100,000.00	\$73,246.61	\$26,754.39

Notes

- Balance of Quarter 1 (\$35,000.00 - \$33,705.42 = \$1,294.58) rolled over to Quarter 2.
- Balance of Quarter 2 (\$16,294.58 - \$13,262.87 = \$3,031.71) rolled over to Quarter 3.
- Balance of Quarter 3 (\$18,031.71 - \$16,277.32 = \$1,754.39) rolled over to Quarter 4. The \$10,000.00 figure showing less in the Actual or Committed column and more in the Remaining Balance column derives from only paying Orange Harness Racing Club for one meeting in this financial year.

POLICY AND GOVERNANCE IMPLICATIONS

Nil

RECOMMENDATION

That Council resolves that a donation of \$2,000.00 be made from the Small Donations Program to the St Vincent de Paul Society (Providing Care and Support Services for vulnerable people).

FURTHER CONSIDERATIONS

Consideration has been given to the recommendation's impact on Council's service delivery; image and reputation; political; environmental; health and safety; employees; stakeholders and project management; and no further implications or risks have been identified.

SUPPORTING INFORMATION**Summary**

Shaded cells in the \$Request columns shows requests outside the maximum of the category.

QUARTER 4 (\$15,000.00 plus \$1,754.39 from Quarter 3 = \$16,754.39)			
No	Applicant	\$Request	\$Recommended
106	St Vincent de Paul Society	\$2,000.00	\$2,000.00
	TOTALS		\$2,000.00

Application No 106	St Vincent de Paul Society
Not for Profit	Yes.
Purpose of the Request Provision of care and support services for vulnerable people. The Society provides welfare services (assistance with costs and accommodation) and home visits to housebound residents, hospital patients and aged-care residents. In emergency-pandemic situations, one of the responsibilities of local government is to assist the vulnerable in its LGA.	
Amount Requested \$2,000.00	
Policy Category Small Donations – Providing a Community Service - maximum \$2,000.00	
Comment and Recommendation In line with the policy. \$2,000.00 recommended.	

APPLICATIONS IN QUARTER 4 WHERE EVENT WAS CANCELLED BECAUSE OF COVID-19

All applicants were contacted by telephone to confirm cancellation of the event relating to their application. A confirmation e-mail was sent to each of these applicants to advise that, as their application could not be determined, it had a status of withdrawn.

APPROVED DONATIONS AND EVENT CANCELLATION BECAUSE OF COVID-19

All applicants who received a donation for either holding an event (Major Events/Small Donations) or for attending an event (Sport Participant) were contacted by telephone. Major Event applicants were advised that if they were holding their event in 2020/2021 they could use this year's donation in that financial year. Sport Participant applicants were advised that, if they could send evidence of pre-committed spending, they were not required to return their donation.

ATTACHMENTS

- 1 Database - Donations in 2019/2020, D20/17740 [↓](#)
- 2 Application 106 - St Vincent de Paul Society, D20/17646 [↓](#)

No	Category	Form	Applicant	Description	\$Approved	CCL Mtg	Res No	Date Paid	Supplier No	Small Donations	Sports Participation	Sports Facility	Major Events	Other Funding
A	Small Donations		Orange Harness Racing Club	Performance-based funding agreement to 2025/26	\$20,000.00	16/11/2016	16/476			\$10,000.00				
B	Other		Orange Waratah Sports Club	Maintenance of sporting fields to 2020/21	\$98,570.00	6/10/2015	15/456							\$98,570.00
1	Sport Participant	IC19/4194	Western Region Academy of Sport (WRAS)	Assisting athletes in Orange-based training sessions	\$2,353.00	22/08/2019	DelApp	27/11/2019	7121		\$2,353.00			
2	Small Donations	IC19/4886	Orange Preschool Kindergarten	Rates Reimbursement - 13 Moad Street	\$2,000.00	2/07/2019	19/351	Transferred	N/A	\$2,000.00				
3	Event Sponsorship	IC19/6698	Central West Mums' Group	MumFest - 7 September 2019	\$3,000.00	2/07/2019	19/352	21/08/2019	23203				\$3,000.00	
4	Small Donations	IC19/8474	3rd Orange Scout Group	Rates Reimbursement - 3 Icely Road	\$2,000.00	2/07/2019	19/351	Transferred	N/A	\$2,000.00				
5	Small Donations	IC19/10176	City of Orange Elsteddofd Society Inc	Junior Piano Local Scholarship 2019	\$600.00	2/07/2019	19/351	10/07/2019	690	\$600.00				
6	Sports Facility	IC19/10301	Orange Tigers AFL Club	Safety Netting at Waratah Sports Club	\$0.00	3/09/2019	19/439					\$0.00		
7	Event Sponsorship	IC19/10549	Orange Lions Club	Orange Easter Camel Races - 1 November 2019	\$2,400.00	2/07/2019	19/352	Withdrawn						
8	Sport Participant	IC19/10910	Williams, Kaden	Australian Schoolboys' Championships	\$300.00	9/07/2019	DelApp	24/07/2019	21489		\$300.00			
9	Event Sponsorship	IC19/10928	Australian National Field Days Committee	Australian National Field Days 2019	\$0.00	2/07/2019	19/352	31/07/2019	1493				\$5,000.00	
10	Event Sponsorship	IC19/10933	Rotary Club of Orange Inc	Banjo Paterson Australian Poetry Festival 2020	\$5,000.00	2/07/2019	19/352	31/07/2019					\$5,000.00	
11	Small Donations	IC19/10967	Orange Lacemakers	Equipment Purchase (floor mats)	\$300.00	2/07/2019	19/351	10/07/2019	23126	\$300.00				
12	Sports Facility	IC19/10993	Orange Mountain Bike Club	Club House/Storage Facility - Lake Canobolas MB Park	\$15,000.00	3/09/2019	19/439	11/09/2019	22224			\$15,000.00		
13	Small Donations	IC19/11009	Spring Hill Recreation Trust	Equipment Purchase (tennis nets and tennis balls)	\$488.98	2/07/2019	19/351	10/07/2019	22300	\$488.98				
14	Small Donations	IC19/11029	Girl Guides Association Orange District	Rates Reimbursement - 365 Pelsley Street	\$1,286.81	2/07/2019	19/351	Transferred	N/A	\$1,286.81				
15	Small Donations	IC19/11031	Canobolas Highland Pipe Band	Band Performances Throughout the Year	\$1,500.00	2/07/2019	19/351	10/07/2019	3484	\$1,500.00				
16	Small Donations	IC19/11037	Todman, Penny	Yoga for Dignity	\$0.00	2/07/2019	19/351	Declined	N/A	\$0.00				
17	Small Donations	IC19/11229	Orange Community Broadcasters	Equipment Purchase (audio-processing equipment)	\$2,000.00	2/07/2019	19/351	10/07/2019	19556	\$2,000.00				
18	Small Donations	IC19/11267	Orange and District Early Education Program	Improvements to Outdoor Play Areas	\$2,000.00	2/07/2019	19/351	10/07/2019	15716	\$2,000.00				
19	Small Donations	IC19/11312	Bowen Community Technology Centre	Free Technology/Practical Support for Students/Adults	\$2,000.00	2/07/2019	19/351	10/07/2019	18675	\$2,000.00				
20	Small Donations	IC19/11316	Brown, Matthew	United Nations National Youth Conference	\$1,020.00	2/07/2019	19/351	10/07/2019	23127	\$1,020.00				
21	Small Donations	IC19/11322	Australian Breastfeeding Assoc (Orange)	Equipment Purchase and Running Local Meet-Ups	\$1,150.00	2/07/2019	19/351	10/07/2019	23128	\$1,150.00				
22	Sport Participant	IC19/11326	Archer, Sarah	World Police Championships	\$500.00	15/07/2019	DelApp	24/07/2019	23156		\$500.00			
23	Small Donations	IC19/11007	War Widows Guild of Australia NSW Ltd	Members Outings, Lunches and Events	\$500.00	2/07/2019	19/351	10/07/2019	18679	\$500.00				
24	Small Donations	IC19/11489	Colour City Creatives	Rates Reimbursement - 2B Pelsley Street	\$1,859.63	2/07/2019	19/351	Transferred	N/A	\$1,859.63				
25	Event Sponsorship	IC19/11570	Orange Mountain Wines	Fire and Ice Event	\$0.00	2/07/2019	19/352	Withdrawn						
26	Small Donations	IC19/11600	Orange Push for Palliative (OP4P)	Australian Doctors Orchestra Concert	\$2,000.00	2/07/2019	19/351	Hire Fees	N/A	\$2,000.00				
27	Event Sponsorship	IC19/11736	Orange Emus Rugby Union Football Club	Knox Old Boys Rugby Club v Orange Emu Legends	\$500.00	2/07/2019	19/352	7/08/2019	16617				\$500.00	
28	Small Donations	IC19/11739	The Shepherd Centre	Reach Out and Connect - Giving Deaf Children a Voice	\$2,000.00	2/07/2019	19/351	10/07/2019	15556	\$2,000.00				
29	Sports Facility	IC19/11747	Bloomfield Junior Rugby League Football Club	Stage 2 Seating and Cover at Brendan Sturgeon Oval	\$15,000.00	3/09/2019	19/439		14297			\$15,000.00		
30	Sports Facility	IC19/11748	Orange and District Football Club (Soccer)	Spectator and Player Shelter at Sir Jack Brabham Park	\$0.00	3/09/2019	19/439					\$0.00		
31	Sport Participant	IC19/11751	McLean, Emma	17 Girls' Western Mariners Football Club	\$100.00	15/07/2019	DelApp	24/07/2019	23158		\$100.00			
32	Sports Facility	IC19/11753	Orange Cycle and Triathlon Club	Signage for Racing Route	\$8,000.00	3/09/2019	19/439	2/10/2019	16235			\$8,000.00		
33	Event Sponsorship	IC19/11759	Climate Action Orange	Conference for Farmers for Climate Action	\$1,000.00	2/07/2019	19/352	7/08/2019	23201				\$1,000.00	
34	Small Donations	IC19/11765	Orange Public School P & C Association	Orange Open Gardens Event	\$1,000.00	2/07/2019	19/351	10/07/2019	20450	\$1,000.00				
35	Event Sponsorship	IC19/11796	Orange Region Vignerons' Association	Orange Wine Festival 2019	\$5,000.00	2/07/2019	19/352	11/09/2019	3555				\$5,000.00	
36	Small Donations	IC19/11799	Orange Bush Nippers	Use of Orange Aquatic Centre	\$2,000.00	2/07/2019	19/351	GI 46426/2020	N/A	\$2,000.00				
37	Event Sponsorship	IC19/11802	City of Orange Veterans' Golf Inc	City of Orange Veterans Week Golf Tournament	\$500.00	2/07/2019	19/352	4/09/2019	5362				\$500.00	
38	Small Donations	IC19/11804	Orange Eight Day Games Committee	Orange Eight Day Games 2019	\$2,000.00	2/07/2019	19/351	10/07/2019	689	\$2,000.00				
39	Small Donations	IC19/12132	Orange Stroke Recovery Group	Education Tools and Activities	\$2,000.00	2/07/2019	19/351	10/07/2019	19561	\$2,000.00				
40	Small Donations	IC19/12465	Fusion Australia Ltd	Place of Rest and Relaxation (open to the public)	\$2,000.00	2/07/2019	19/351	10/07/2019	4709	\$2,000.00				
41	Event Sponsorship	IC19/12226	HD Awareness Orange Inc	The Redhead Hunt 4HD Ginger Pride Festival	\$3,500.00	2/07/2019	19/352	18/09/2019	22457				\$3,500.00	
42	Small Donations	IC19/12664	Lifeline Central West	Support for Lifeline Services	\$2,000.00	2/07/2019	19/351	10/07/2019	12598	\$2,000.00				
43	Sport Participant	IC19/12984	Kingston Johnston	PSSA Cross Country Championships	\$100.00	16/07/2019	DelApp	24/07/2019	23162		\$100.00			
44	Small Donations	IC19/13131	Canobolas Rural Technology High School	School Annual Prize Giving for Year 12	\$500.00	3/09/2019	19/442	11/09/2019	1900	\$500.00				
45	Sport Participant	IC19/13158	Amy Robinson	NSW PSSA State Netball Carnival	\$100.00	22/07/2019	Del App	24/07/2019	21240		\$100.00			
46	Sports Facility	IC19/13169	Orange Hockey Inc	Erection of Retaining Walls - Orange Hockey Centre	\$6,000.00	3/09/2019	19/439	2/10/2019	3063			\$6,000.00		
47	Sports Facility	IC19/13173	Orange City Rugby Club	Update the Male End of the Toilet Block at Waratahs	\$6,000.00	3/09/2019	19/439	11/09/2019	19222			\$6,000.00		
48	Small Donations	IC19/13559	Orange High School	School Annual Prize Giving for Year 12	\$500.00	3/09/2019	19/442	11/09/2019	978	\$500.00				
49	Small Donations	IC19/13564	Anson Street School	School Annual Prize Giving for Year 12	\$500.00	3/09/2019	19/442	11/09/2019	5293	\$500.00				
50	Small Donations	IC19/13568	Orange Anglican Grammar School	School Annual Prize Giving for Year 12	\$500.00	3/09/2019	19/442	11/09/2019	15129	\$500.00				
51	Small Donations	IC19/13694	City of Orange Brass Band	Rates Reimbursement - 60-62 Endsleigh Avenue	\$2,000.00	3/09/2019	19/442	Rates	N/A	\$2,000.00				
52	Small Donations	IC19/14175	Orange Christian Schools Ltd	School Annual Prize Giving for Year 12	\$500.00	3/09/2019	19/442	11/09/2019	2792	\$500.00				
53	Small Donations	IC19/14199	National Servicemen's Assoc of Australia	Parade Day 2020	\$250.00	3/09/2019	19/442	11/09/2019	23289	\$250.00				
54	Small Donations	IC19/14211	James Sheahan Catholic High School	School Annual Prize Giving for Year 12	\$500.00	3/09/2019	19/442	11/09/2019	1094	\$500.00				
55	Sport Participant	IC19/14441	Elsie Callaway	NSW PSSA State Netball Carnival	\$100.00	16/07/2019	Del App	24/07/2019	23157		\$100.00			
56	Sport Participant	IC19/14723	Flynn Keegan	NSW PSSA Cross Country Championships	\$100.00	24/07/2019	DelApp	7/08/2019	23204		\$100.00			
57	Sport Participant	IC19/14897	Ruby Holmes	NSW PSSA Girls' Softball State Championships	\$100.00	12/08/2019	DelApp	21/08/2019	23232		\$100.00			
58	Small Donations	IC19/15489	Orange Rainbow Swimming Club	Use of Orange Aquatic Centre	\$1,229.73	3/09/2019	19/442	Transferred	N/A	\$1,229.73				
59	Sport Participant	IC19/15107	Brittany Boswell	NSW All Schools Cross Country Championships	\$100.00	12/08/2019	DelApp	21/08/2019	23230		\$100.00			
60	Small Donations	IC19/15204	Orange Legacy Appeals Fund	Banners (hire-fees reduction)	\$568.14	3/09/2019	19/442	Transferred	N/A	\$568.14				
61	Event Sponsorship	IC19/15867	Bicycle Network	Newcrest Orange Challenge 2020	\$3,500.00	22/10/2019	19/517	6/11/2019	19586				\$3,500.00	
62	Sport Participant	IC19/16075	Dallas Sydney George	Muaythai Youth World Championships 2019	\$1,000.00	12/08/2019	DelApp	21/08/2019	21527		\$1,000.00			
63	Sport Participant	IC19/16136	William Robinson	PSSA Boys' Touch Football Championships 2019	\$100.00	12/08/2019	DelApp	21/08/2019	23231		\$100.00			
64	Sport Participant	IC19/16162	William Robinson	PSSA Rugby Union Championships 2019	\$100.00	12/08/2019	DelApp	21/08/2019	23231		\$100.00			

No	Category	Form	Applicant	Description	\$Approved	CCL Mtg	Res No	Date Paid	Supplier No	Small Donations	Sports Participation	Sports Facility	Major Events	Other Funding
65	Sport Participant	IC19/16337	Ella Cubbin	Western NSW Football State Titles 2019	\$100.00	22/08/2019	DelApp	27/11/2019	22520		\$100.00			
66	Small Donations	IC19/16345	Come Together Choir	Purchase of Uniforms	\$2,000.00	17/09/2019	19/472	25/09/2019	18682	\$2,000.00				
67	Event Sponsorship	IC19/16758	Master Builders Association of NSW	MBA Regional Awards 2019	\$1,000.00	3/09/2019	19/442	16/10/2019	23352				\$1,000.00	
68	Small Donations	IC19/17052	Calare Public School	Annual Presentation 2019 - Use Orange Function Centre	\$1,215.00	3/09/2019	19/442	Transferred	N/A	\$1,215.00				
-----	Event Sponsorship	D19/47975	Rotary Club of Orange Inc	Sustainable Living Week 2020	\$6,000.00	20/08/2019	19/417	11/09/2019	1881				\$3,000.00	\$3,000.00
69	Small Donations	IC19/17353	Teach Learn Grow Inc	Summer NSW Rural Program - December 2019	\$2,000.00	3/09/2019	19/442	11/09/2019	22609	\$2,000.00				
70	Small Donations	IC19/17423	OneSchool Global NSW Orange Campus	School Annual Prize Giving for Year 12	\$500.00	3/09/2019	19/442	18/09/2019	23288	\$500.00				
71	Small Donations	IC19/35777	Kinross Wolaroi School	School Annual Prize Giving for Year 12	\$500.00	3/09/2019	19/442	11/09/2019	1169	\$500.00				
72	Sport Participant	IC19/18988	Justin de Swardt	Tennis Tournament Fees	\$0.00		N/A	Declined	N/A					
73	Sport Participant	IC19/19506	Leanne Kennewell	NSW Over 35s Women's Hockey Masters Team	\$500.00	19/09/2019	Del App	25/09/2019	23324		\$500.00			
74	Sport Participant	IC19/20073	Kerrie Wood	NSW Over 65s Women's Hockey Masters Team	\$500.00	22/09/2019	Del App	9/10/2019	23350		\$500.00			
75	Small Donations	IC19/23439	Spring Hill Recreation Trust	Garbage Collection Costs	\$0.00		W'Drawn	N/A						
76	Small Donations	IC19/23478	Spring Hill Activities Group	Whistletop Festival 2020	\$2,000.00	3/12/2019	19/600	11/12/2019	22270	\$2,000.00				
77	Sport Participant	IC19/23633	Keeley Holmes	Basketball, Rugby 7s and Junior Rugby League Reg Teams	\$250.00	30/10/2019	Del App	6/11/2019	23385		\$250.00			
78	Sport Participant	IC19/23635	Ainsley Holmes	Basketball Regional Team	\$250.00	30/10/2019	Del App	6/11/2019	22788		\$250.00			
79	Small Donations	IC19/23997	Orange and District Historical Society	Wearing the Green (book on the Dalton Family)	\$2,000.00	3/12/2019	19/600	11/12/2019	4336	\$2,000.00				
80	Small Donations	IC19/24057	Jack Evans Workwear	Put Orange First banners (hire-free reduction)	\$1,249.90	3/12/2019	19/600	Transferred		\$1,249.90				
81	Small Donations	IC19/24240	Housing Plus	Paint The Orchard Butterfly on Museum Roof	\$500.00	3/12/2019	19/600	Transferred		\$500.00				
82	Small Donations	IC19/24273	Rotary Club of Orange North	Peter Darley Memorial Driver Training Simulator	\$2,000.00	3/12/2019	19/600	11/12/2019	1880	\$2,000.00				
83	Small Donations	IC19/24362	Orange Small Schools Association	Schools Spectacular - 20-21 November 2019	\$2,000.00	3/12/2019	19/600	11/12/2019	19570	\$2,000.00				
84	Small Donations	IC19/25143	Spring Hill Recreation Trust	Enhancement of the Spring Hill Recreation Ground	\$1,500.00	3/12/2019	19/600	11/12/2019	22900	\$1,500.00				
ES109	Event Sponsorship	D19/54318	Allegri Singers	Performance of The Armed Man - 3 November 2019	\$1,000.00	22/10/2019	19/517	8/01/2020	23519				\$1,000.00	
ES110	Event Sponsorship	D19/54315	3rd Orange Scout Group	Open Day - 20 October 2019	\$0.00	22/10/2019	19/517	Declined						
ES111	Event Sponsorship	IC19/18986	FOOD Week Inc	FOOD Week Festival 2020	\$5,000.00	22/10/2019	19/517	18/12/2019	785				\$5,000.00	
ES112	Event Sponsorship	IC19/19167	Jumbled	Creative Business Bootcamp - 22 March 2020	\$1,000.00	3/12/2019	19/517	5/02/2020	23053					\$1,000.00
ES113	Event Sponsorship	IC19/19233	Desi Aussies of Orange	UTSAV 2019 - 9 November 2019	\$2,255.00	22/10/2019	19/517	Transferred					\$2,255.00	
ES114	Event Sponsorship	IC19/19432	Gnoo Blas Classic Car Club	Gnoo Blas Classic Car Show - 15 February 2020	\$3,500.00	22/10/2019	19/517	4/12/2019	19557				\$3,500.00	
ES115	Event Sponsorship	IC19/19635	Orange City Bowling Club	City of Orange Golden Eagle - 17 February 2020	\$0.00	22/10/2019	19/517	Declined						
ES116	Event Sponsorship	IC19/19653	Central West Animal Rescue	Dogs in the Park - 27 September 2020	\$0.00			Not 2019/20						
ES117	Event Sponsorship	IC19/20683	Orange Campdraft and Rodeo Inc	Orange Campdraft 2019 - 15 November 2019	\$1,393.95	22/10/2019	19/517	N/A					\$1,393.95	
ES118	Event Sponsorship	IC19/20691	Training Services NSW - Western Region	Orange Jobs Exp and Try a Trade 2019 - 13 November 2019	\$1,437.00	22/10/2019	19/517	Transferred						\$1,437.00
ES119	Event Sponsorship	IC19/21715	Roundhouse	A Day on the Green - 1 February 2020	\$20,000.00	3/12/2019	19/614	11/12/2019	22470				\$20,000.00	
ES120	Event Sponsorship	IC19/22819	Wangarang Industries	Wangarang Charity Golf Challenge - 7 February 2020	\$3,000.00	17/12/2019	19/631	15/01/2020	2274				\$3,000.00	
ES121	Event Sponsorship	IC19/23628	McCormack Barber	McCormack Barber Party Under the Stars	\$20,000.00	17/12/2019	19/633	18/12/2019	17419				\$20,000.00	
ES122	Event Sponsorship	IC19/24380	Bite Riot on behalf of Orange Apples	Orange Apple Festival - 28 March 2020	\$1,000.00	17/12/2019	19/631	22/01/2020	2753				\$1,000.00	
ES123	Event Sponsorship		NOT USED - replaced by ES124		\$0.00			N/A						
ES124	Event Sponsorship	IC19/24427	Rainbow City Festival Committee	Rainbow City Festival - 22 May 2020	\$5,000.00	17/12/2019	19/630	Transferred					\$5,000.00	
ES125	Event Sponsorship		NOT USED - test		\$0.00			N/A						
ES126	Event Sponsorship	IC19/24462	JAM Orange Inc	JAM Saturday - 11 April 2020	\$5,000.00	17/12/2019	19/631	5/02/2020	21197				\$5,000.00	
85	Sports Facility	IC19/25976	Orange District Softball Association	Portable Disabled Toilets for Kandooz Program	\$1,000.00	17/12/2019	19/632							
86	Sport Participant	IC19/26211	Eva Reith-Snare	Tri-Series - NZ, India and Australia - 3-12 December 2019				Declined						
87	Sport Participant	IC19/27745	Ky Hurst	NSW Under-16 Boys' Softball Team				Declined						
88	Sport Participant	IC19/27767	Eva Reith-Snare	NSW Under-21 Indoor Women's Indoor Hockey Team	\$500.00	28/01/2020	Del App	05/2/200	18900		\$500.00			
89	Sport Participant	IC19/27769	Eva Reith-Snare	NSW Under-16 Indoor Women's Indoor Hockey Team				Declined						
90	Sport Participant	IC19/27597	Orange Emus Junior Rugby Club	Orange Team Tour of New Zealand	\$1,000.00	23/12/2020	Del App	22/01/2020	23556		\$1,000.00			
91	Sport Participant	IC19/27634	Jack Besgrove	Australia Under-18 Junior Steelers Softball Team	\$1,000.00			5/02/2020	20776					
92	Sport Participant	IC19/27811	Ainsley Holmes	NSW Country Under-16 Girls' Basketball Team	\$250.00	28/01/2020	Del App	5/02/2020	22788		\$250.00			
93	Sport Participant	IC19/27812	Keeley Holmes	NSW Country Under-14 Girls' Basketball Team	\$250.00	28/01/2020	Del App	5/02/2020	23385		\$250.00			
94	Small Donations	IC20/1117	Orange Chamber Music Festival Inc	Orange Chamber Music Festival - 16-18 April 2020	Withdrawn	COVID-19								
95	Sport Participant	IC20/1371	Jack Besgrove	18s Men's World Championships - 22 Feb to 1 Mar 2020	\$1,000.00	28/01/2020	Del App	12/02/2020	20776		\$1,000.00			
0	Small Donations	IC17/23875	Rotary Club of Orange North	Lead the Way - Fundraising Concert for Guide Dogs	\$5,027.42	4/02/2020	20/034	12/02/2020	1880	\$5,027.42				
96	Small Donations	IC20/2450	Country Women's Association of NSW (Cwest)	Activities and School Competitions (Orange proportion)	Withdrawn	COVID-19								
97	Small Donations	IC20/3877	Ainsley Holmes	Australian Country Junior Basketball Cup Team - NZ Tour	\$500.00	5/03/2020	Del App				\$500.00			
98	Small Donations	IC20/3878	Keeley Holmes	Australian Country Junior Basketball Cup Team - NZ Tour	\$500.00	5/03/2020	Del App				\$500.00			
99	Small Donations	IC20/4044	Orange City Rugby Club	Line Marking for Under 10s Rugby Tournament 2020	Withdrawn	COVID-19								
100	Sport Participant	IC20/4124	Kinross Wolaroi School Swim Club	Taking Team to Australian Swimming Championships 2020	Returned	5/03/2020	Del App	11/03/2020	23676		\$500.00			
101	Sport Participant	IC20/4193	Dallas Sydney George	Individual Selected in National Team - Martial Arts	\$500.00	5/03/2020	Del App	11/03/2020	20946		Returned			
102	Sport Participant	IC20/4608	Abby Dean	Individual Selected in State Team - Triathlon	\$350.00	5/03/2020	Del App	11/03/2020	22177		\$350.00			
103	Sport Participant	IC20/4609	Jessie Dean	Individual Selected in State Team - Triathlon	\$350.00	5/03/2020	Del App	11/03/2020	23675		\$350.00			
104	Small Donations	IC20/5499	St Vincent de Paul Society	Vinnies Van and Café Operations	Withdrawn	COVID-19								
105	Small Donations	IC20/5579	Orange Show Society Inc	Orange Show 2020	Withdrawn	COVID-19								
106	Small Donations	IC20/6558	St Vincent de Paul Society	Providing Care and Support Services to Vulnerable People										
				Totals	\$228,084.56					\$63,245.61	\$11,853.00	\$50,000.00	\$98,148.95	\$5,437.00
				Remaining Budget						\$16,754.39	\$2,047.00	\$0.00	\$1,851.05	



SMALL DONATIONS APPLICATION FORM

Projects, Equipment, Community Events, Prizes and More

APPLICANT'S DETAILS

NOTE

Refer to Orange City Council's "Donations and Grants" Strategic Policy (ST029) to understand whether you are eligible for financial assistance from Council.

Name of organisation, group or person seeking funding

St Vincent de Paul Society, Care & Support services

Address

NOTE - Person must be a resident of the Orange LGA or entity must have a registered office in the Orange LGA or can illustrate how funds raised will be spent locally to benefit Orange residents specifically

ORANGE NSW 2800

Postal Address (if different from above)

ORANGE NSW 2800

Name and position of the contact person

Name Denise Martin

Position Member Development and Community Engagement Coordinator

Phone (BH)

Phone (AH)

Phone (M)

E-mail

What is the legal status of your organisation? (eg Incorporated, Association, etc.)

If not for profit please attach evidence – such as charter/constitution showing no personal gain will be available to members, charitable status advice or a statutory declaration

COMPANY INCORPORATED BY GUARANTEE

Is your group / organisation registered for GST?

☒ Yes ☐ No

ABN (if applicable)

ACN (if applicable)

BANK ACCOUNT DETAILS for payment

BSB No

Account No

Account Name

Bank



SMALL DONATIONS APPLICATION FORM

Projects, Equipment, Community Events, Prizes and More

FURTHER DETAILS - ORGANISATION AND PROJECT

Description of organisation and its purpose

St Vincent de Paul Society continues to be a leading provider of social and community services across NSW. Volunteers provide assistance to people experiencing disadvantage. Vinnies Volunteers have been heavily involved in providing financial, practical and emotional support to the recent bush fire victims and ongoing drought relief.

Volunteers provide assistance to the most vulnerable community members including food parcels and vouchers, financial assistance, assistance with energy bills, travel, medical support, school costs and general material items such as furniture, clothing, bedding and household items.

The Society relies on donations of clothing and furniture that are on sold in the Vinnies Shops around the Bathurst Central Council.

The Society also runs Special Works programs such as the Vinnies Van & café which is a food service provided to low socio-economic community members of Orange.

Description of the project and what is the expected impact

Orange has approximately 30 Vinnies care & support (welfare) volunteers who give their time 4 days a week providing face to face welfare support to vulnerable community members. Community members come to 88 Bathurst Road, Vinnies welfare office, for an interview by two of the volunteers. Community members often present seeking assistance for food, medical costs, travel costs, energy assistance, support for women and children fleeing domestic violence, accommodation and a myriad of other needs.

Vinnies volunteers also visit house bound residents, hospital patients and aged care residents who need help and are not able to attend our premises. They often take food, clothing etc on the visits.

Vinnies spends approximately \$80,000 a year on care & support in Orange. Most of this money comes from sales at the Vinnies Shop in Orange which is also manned by volunteers.

The expected impact of the Vinnies care & support program is to alleviate some of the financial and emotional distress vulnerable community members are suffering. In the last financial year Vinnies assisted approximately 1670 clients with the majority on a Centrelink benefit.

The numbers of community members in need is growing and it is anticipated to rise even more as the effects of the COVID – 19 virus flows throughout the community with anticipated job losses and massive disruption.



SMALL DONATIONS APPLICATION FORM

Projects, Equipment, Community Events, Prizes and More

This image shows a single sheet of white paper with horizontal blue or grey ruling lines. The lines are evenly spaced and run across the width of the page. On the left side, there is a vertical margin line, creating a narrow left margin. The paper appears to be from a notebook or a standard ruled document. There is no handwriting or other markings on the page.

Time frame of your project

Start Date

This is an ongoing annual project supported by Vinnies and volunteers

End Date

The program is ongoing



SMALL DONATIONS APPLICATION FORM

Projects, Equipment, Community Events, Prizes and More

PROFIT or NON-FOR-PROFIT

Profit or Non-for-Profit

- ☐ Profit
- ☒ Non-for-Profit
- ☐ Constitution, tax ruling or other document confirming not-for-profit status is attached

Project Cost

Total Project Cost

☐ Please attach evidence of how this was calculated

\$80,136 care & support costs
\$50,261 operating costs
\$130,397 (Total costs)

Amount seeking from Council in cash

\$2000

Are you seeking any in-kind support from Council? If so, please identify the services required

NB Reduction of hire fees is not eligible under section 356 of the Local Government Act.

Your \$Contribution

What is the cash amount you/your organisation will be contributing (ex GST)?

\$130,397

What, if any, is the in-kind amount you/your organisation will be contributing?

Approximately \$41,720 in volunteer hours (based on ABS volunteer equivalent hourly rate of \$41.72)

Capital Projects

Are you applying for funding for a capital project (equipment purchase, building or property improvements etc.)?

If yes to this item, you must attach three (3) quotations to this application form

☐ Yes

☒ No

CATEGORY - ANNUAL DONATION - GENERAL CATEGORY

considered quarterly - select one only from the following:

- ☐ Projects or Equipment Purchase or Providing a Community Service - Maximum of \$2,000 per applicant. Must be a not-for-profit applicant.
- ☐ Community Events (not being Major Event Sponsorship) - Maximum of \$2,000 per applicant. Must be a not-for-profit applicant. Ticketed events are not eligible. Entry fees as a gold coin donation are eligible.
- ☐ School Students Selected to Represent Orange at a National Event or at an Overseas Event
Maximum of \$1,000 per applicant.



SMALL DONATIONS APPLICATION FORM
Projects, Equipment, Community Events, Prizes and More

<input type="checkbox"/>	Other Prize Giving Maximum of \$1,000 per applicant. Must be a not-for-profit applicant.
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SMALL DONATIONS APPLICATION FORM

Projects, Equipment, Community Events, Prizes and More

ALIGNMENT TO COUNCIL'S STRATEGIC COMMUNITY PLAN

ALL APPLICANTS ARE TO COMPLETE THIS SECTION

Council must align its expenditure to the directions in the Community Strategic Plan. Copies of the Plan are available at Council's offices, libraries and website (www.orange.nsw.gov.au). The Plan lists the directions and their associated strategies and objectives in detail. This document should be consulted to ensure that your application links to the appropriate element(s).

Alignment with Council's Community Strategic Plan will substantially strengthen your application.

Complete the following table by selecting the relevant sections Our City, Our Community, Our Economy or Our Environment and by then listing the relevant strategy number/s under the selected section/s.

LIVE - A healthy, safe, inclusive and vibrant community

☒ This theme recognises the importance of encouraging healthy lifestyles, community pride and a sense of belonging. This can be achieved by maintaining a safe, caring and connected community, with active community participation supported by enhanced cultural and recreational facilities and services that cater for all of our residents. The beautiful parks, gardens and natural assets of our City are amongst our most cherished assets and contribute to making Orange a desirable place to live, work and play.

Which strategies in the **LIVE** section of the CSP does your event support? **List the numbers of the strategies only.**

List numbers
3.1, 3.3, 5.1 and 5.3

PRESERVE - Balancing the natural and built environment

☐ This theme ensures that the unique natural, cultural, social and historical aspects of our community are preserved while recognising the need for growth and development. The community was strong in its desire to be more sustainable by promoting renewable energy, reducing waste and protecting our natural resources. There is also an expectation for infrastructure to support a growing City, with roads, footpaths, parking and a vibrant CBD seen as priorities.

Which strategies in the **PRESERVE** section of the CSP does your event support? **List the numbers of the strategies only.**

List numbers

PROSPER - A smart, innovative and resilient economy

☐ This theme focuses on providing the community with positive choices for investment, employment and study. It includes strengthening and diversifying our economy by targeting new and innovative industries, as well as fostering our existing strengths such as medical services, mining, local food and wine production and tourism. Orange residents are keen to see more engagement between Council, local business and industry and the education providers.

Which strategies in the **PROSPER** section of the CSP does your event support? **List the numbers of the strategies only.**

List numbers

COLLABORATE - Leadership and partnership

☐ This theme looks at forging a collaborative community that engages with open and ongoing decision making. Developing future leaders and supporting community groups to deliver services and programs were identified as priorities during the consultation. The community is looking to Council to provide leadership, guidance and responsive governance.

Which strategies in the **COLLABORATE** section of the CSP does your event support? **List the numbers of the strategies only.**

List numbers



SMALL DONATIONS APPLICATION FORM
Projects, Equipment, Community Events, Prizes and More



SMALL DONATIONS APPLICATION FORM

Projects, Equipment, Community Events, Prizes and More

LOCAL BUSINESS USE

Are you using any local businesses?

This will assist in demonstrating the local benefit of your project to other members of our community. Using local services will significantly strengthen your application.

If an acquittal is required you will need to confirm the level of expenditure to local businesses compared to the level you identify here and also provide evidence that payment has been made to these businesses.

Engaging with local businesses will assist in a favourable assessment of your application.

Business name	Services Provided	Estimated amount to be paid to them (Ex GST)
Local motels e.g Downtown Motel & Orange Motor Lodge	Accommodation at local motels	\$12,323
Local supermarkets, Woolworths, IGA, ALDI	Food supplies	\$38,940
Transport services e.g trainlink., local taxis and buses	Transport costs	\$9779
Health & Medical providers, GPS, Pharmacists,	Healthcare costs	\$9643

Will your project create any jobs - either short or long term?

Estimated long term full time jobs to be created



SMALL DONATIONS APPLICATION FORM
Projects, Equipment, Community Events, Prizes and More

Estimated short term (up to 6 months) jobs to be created	Ongoing recruitment of volunteers who learn new skills and contribute to our local community.
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SMALL DONATIONS APPLICATION FORM

Projects, Equipment, Community Events, Prizes and More

CHECKLIST

ALL APPLICANTS ARE TO COMPLETE THIS SECTION

LGA = local government area

This checklist must be completed:

Eligibility

I live in the Orange LGA or my organisation (which is not a government entity) has an office in the Orange LGA.	yes <input checked="" type="checkbox"/>	no <input type="checkbox"/>	checked <input type="checkbox"/>
I confirm that the donation will be used for a direct benefit for residents in the Orange LGA.	yes <input checked="" type="checkbox"/>	no <input type="checkbox"/>	checked <input type="checkbox"/>
I confirm that I am not fundraising to send the raised funds out of the Orange LGA.	yes <input checked="" type="checkbox"/>	no <input type="checkbox"/>	checked <input type="checkbox"/>

Not-for-profit

I have included evidence that shows that I/my organisation is not-for-profit.	yes <input checked="" type="checkbox"/>	no <input type="checkbox"/>	checked <input type="checkbox"/>
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Donation request amount

The donation is not over the maximum for the category.	yes <input checked="" type="checkbox"/>	no <input type="checkbox"/>	checked <input type="checkbox"/>
I have provided evidence of why I am asking for this amount.	yes <input checked="" type="checkbox"/>	no <input type="checkbox"/>	checked <input type="checkbox"/>

Cost of event/project/equipment

I have included evidence of the cost of the event/project/equipment.	yes <input checked="" type="checkbox"/>	no <input type="checkbox"/>	checked <input type="checkbox"/>
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Your contribution

I have included evidence of my contribution.	yes <input checked="" type="checkbox"/>	no <input type="checkbox"/>	checked <input type="checkbox"/>
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Applicant Details

I have completed all areas of the Applicant Details: <input type="checkbox"/> Applicant name <input type="checkbox"/> Street Address and Postal Address <input type="checkbox"/> Contact Details <input type="checkbox"/> Legal Status <input type="checkbox"/> GST/ABN/CAN <input type="checkbox"/> Bank Account Details	yes <input checked="" type="checkbox"/>	no <input type="checkbox"/>	checked <input type="checkbox"/>
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SMALL DONATIONS APPLICATION FORM
Projects, Equipment, Community Events, Prizes and More

DECLARATION

ALL APPLICANTS ARE TO COMPLETE THIS SECTION

On behalf of

St Vincent de Paul Society

(NAME OF ORGANISATION, IF APPLICABLE)

I declare that the information provided above is complete and correct



I have read and understood Council's "Donations and Grants" Strategic Policy (ST029).

Signed

Print name

DENISE MARTIN

Position in organisation

Member Development and
Community Engagement Coordinator

Date

26/3/2020

THE INFORMATION YOU PROVIDE IS PERSONAL INFORMATION FOR THE PURPOSES OF THE PRIVACY AND PERSONAL INFORMATION PROTECTION ACT 1998. THE SUPPLY OF THE INFORMATION BY YOU IS VOLUNTARY. IF YOU CANNOT PROVIDE OR DO NOT WISH TO PROVIDE THE INFORMATION SOUGHT, YOUR APPLICATION MAY BE UNABLE TO BE PROCESSED. THIS PERSONAL INFORMATION IS BEING COLLECTED FROM YOU IN ORDER TO PROCESS YOUR APPLICATION.



Australian
Charities and
Not-for-profits
Commission



THIS CERTIFIES THAT

ST VINCENT DE PAUL SOCIETY NSW

ABN:91 161 127 340

HAS BEEN REGISTERED BY THE

Australian Charities and Not-for-profits Commission

ON THE DATE OF

3 December 2012

CERTIFIED BY

Susan Pascoe AM

Commissioner

Australian Charities and Not-for-profits Commission

Copy only. Original available on request



5.4 DEVELOPMENT APPLICATION DA 332/2018(1) - 345 CLERGATE ROAD, ORANGE

RECORD NUMBER: 2020/437

AUTHOR: Kelly Walker, Senior Planner

EXECUTIVE SUMMARY

Application lodged	14 September 2018
Applicant/s	Forefront Services
Owner/s	Clout Redfern Investments Pty Ltd
Land description	Lot 62 Pce SC DP 559515 - 345 Clergate Road, Orange
Proposed land use	General Industry (new industrial buildings, and additions and alterations to existing building) and Storage Premises
Value of proposed development	\$3,200,000

Council's consent is sought for development of industrial land at Lot 62 DP 559515 – 345 Clergate Road, Orange (see Figure 1).

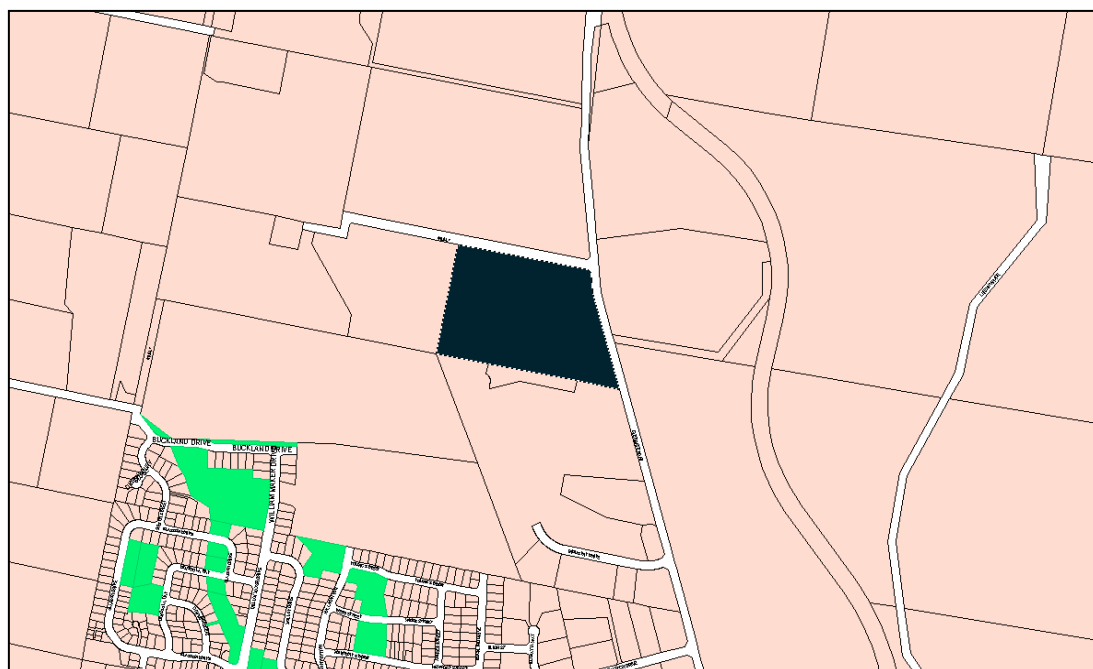


Figure 1 - locality plan

The proposal involves the following:

- construction of a new general industrial building (engineering and steel and poly fabrication workshop, and ancillary office/administration)
- use the existing industrial building as storage to support the main industrial activity, but also with the potential to be used as storage premises by others
- new wash bay and chemical store addition to existing industrial building; and
- construction of a separate storage building to support the industrial activity.

It is proposed to undertake the development in stages. Proposed site works include construction of sealed vehicle manoeuvring and parking areas, compacted gravel hardstand support areas, landscaping, and installation of a new effluent disposal system.

A Primary Contamination Investigation was carried out for the site, and identified hydrocarbon stained areas associated with storage of machinery and equipment across a storage pad. As such, a Remediation Action Plan (RAP) was developed to remediate the impacted areas to enable the proposed commercial/industrial land use. This matter is discussed in detail in the main body of the report, and conditions of consent are recommended in regards to works.

It is considered that the proposal is consistent with the applicable development standards and planning outcomes relating to the subject land and proposed development. Approval of the application is recommended, subject to conditions of consent to minimise impacts between the industrial use and the nearby residential dwellings and zones, and minimise environmental impacts.

DECISION FRAMEWORK

Development in Orange is governed by two key documents Orange Local Environment Plan 2011 and Orange Development Control Plan 2004. In addition the Infill Guidelines are used to guide development, particularly in the heritage conservation areas and around heritage items.

Orange Local Environment Plan 2011 (LEP) – The provisions of the LEP must be considered by the Council in determining the application. LEPs govern the types of development that are permissible or prohibited in different parts of the City and also provide some assessment criteria in specific circumstances. Uses are either permissible or not. The objectives of each zoning and indeed the aims of the LEP itself are also to be considered and can be used to guide decision making around appropriateness of development.

Orange Development Control Plan 2004 (DCP) – the DCP provides guidelines for development. In general it is a performance based document rather than prescriptive in nature. For each planning element there are often guidelines used. These guidelines indicate ways of achieving the planning outcomes. It is thus recognised that there may also be other solutions of merit. All design solutions are considered on merit by planning and building staff. Applications should clearly demonstrate how the planning outcomes are being met where alternative design solutions are proposed. The DCP enables developers and architects to use design to achieve the planning outcomes in alternative ways.

DIRECTOR'S COMMENT

The industrial development proposed by this Development Application has been assessed and is considered to be compliant. The application has been delayed considerably due to the need to obtain additional information from the applicant in regards to very minor contamination of the site from previous uses. This has now been addressed appropriately. One submission was received objecting to the development, however it is considered all issues raised have been taken into account. The recommendation of approval of this application is supported.

LINK TO DELIVERY/OPERATIONAL PLAN

The recommendation in this report relates to the Delivery/Operational Plan Strategy “10.1 Preserve - Engage with the community to ensure plans for growth and development are respectful of our heritage”.

FINANCIAL IMPLICATIONS

Nil

POLICY AND GOVERNANCE IMPLICATIONS

Nil

RECOMMENDATION

That Council consents to development application DA 332/2018(1) for *General Industry (new industrial buildings, and additions and alterations to existing building)* at Lot 62 Pce SC DP 559515 - 345 Clergate Road, Orange pursuant to the conditions of consent in the attached Notice of Approval.

FURTHER CONSIDERATIONS

Consideration has been given to the recommendation’s impact on Council’s service delivery; image and reputation; political; environmental; health and safety; employees; stakeholders and project management; and no further implications or risks have been identified.

SUPPORTING INFORMATION

Consideration has been given to the recommendation’s impact on Council’s service delivery; image and reputation; political; environmental; health and safety; employees; stakeholders and project management; and no further implications or risks have been identified.

THE PROPOSAL

The proposal involves the development of an existing general industrial site as follows:

- construction of a new general industrial building (engineering and steel and poly fabrication workshop, ancillary office/administration, and blast and paint room) with a GFA of 2,561.9m²
- use the existing industrial building as storage to support the main industrial activity, but also with the potential to be used as storage premises by others
- new wash bay and chemical store addition to existing industrial building
- construction of a separate storage building to support the industrial activity.

Further details of these components is as follows:

Proposed New Workshop

The new workshop building will be constructed north of the existing building (see Figure 2), and construction materials and colours include concrete tilt panels walls (in Colorbond Dune), Colorbond Trimdek wall cladding (in Dune), Colorbond Trimdek roof sheeting (in Surf Mist), Colorbond industrial scale roller doors (in Dune), FC sheet and Exotec wall cladding on the office section of the building, and aluminium framed window and doors.

The proponent is Forefront Services, an engineering and steel fabrication business that provides services such as engineering, design and drafting; steel and poly fabrication and installation; project management; structural steel installation; concrete cutting and coring; mining support services (including crusher rebuild and fixed plant maintenance); etc.

Examples of activities proposed for the use of this new workshop building include:

- cutting, welding and grinding of steel
- fabrication of steel components (e.g. structural steel for mining, agricultural, construction, government and private sectors)
- poly welding to line pipework for the mining industry
- storage of steel material, products, and components
- typical office and administration activities, ancillary to the main industrial activity.

The applicant states that the majority of workshop activities are undertaken via fixed machinery, plant, and equipment, including grit blast equipment in a dedicated room with the required extraction and air quality system; spray paint booth with the required extraction and air quality system; lathes and grinders; welding equipment; and held and power tools.

The business is expected to employ 40 to 45 staff, and proposed hours of operation are 24 hours a day, 7 days a week.

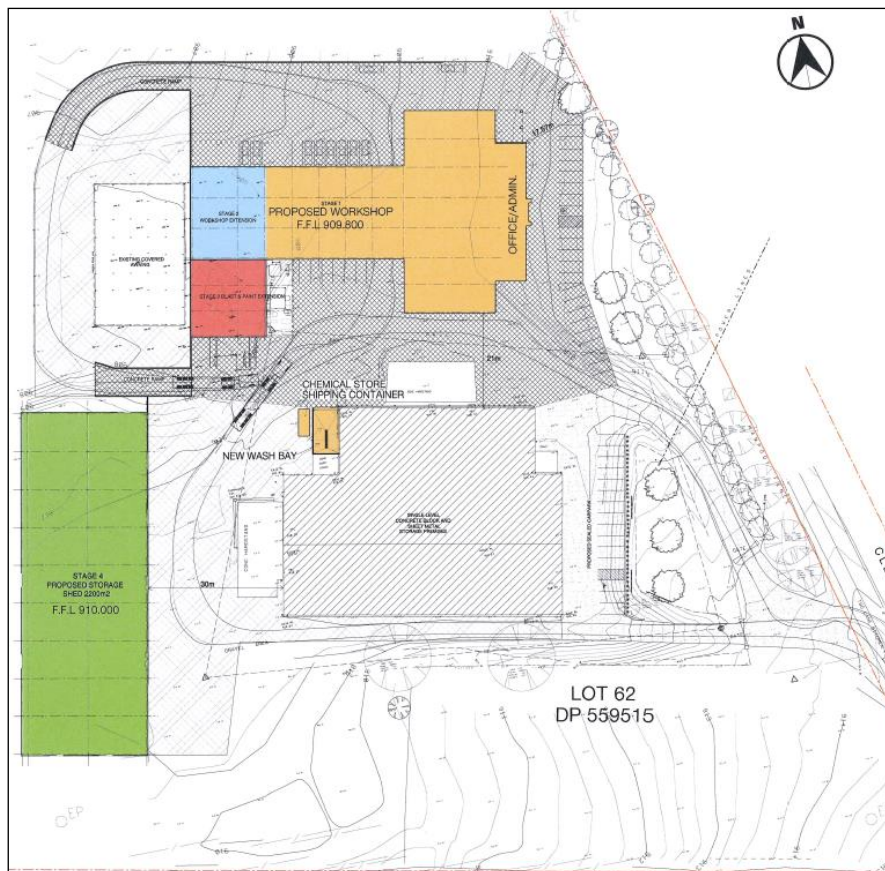


Figure 2 – proposed site layout
(from submitted drawing number DA1 Rev A, by Bassman Drafting, and dated July 2018)

Existing Building and Proposed Storage Premises

It is proposed to use of the existing general industrial building for storage to support the operations of Forefront (e.g. steel supplies, poly pipe supplies, fabricated items for relevant sectors/clients, excavation plant such as bobcats).

The applicant notes, however, that it may not always be used solely by the Forefront operation, and consent is also sought to enable it to be used for storage by others (i.e. a 'storage premises'). Rental of space within the building would be subject to an individual lease or leases, and the applicant envisages that the building may be used (but not limited to) the storage of mining industry equipment and items such as fabricated pipes, mill balls, emergency spare parts and the like; and plant or machinery for other industrial or business operators who require larger storage space away from their own site or operation.

Additions and alterations are also proposed to the existing building, including a new wash bay on the western elevation, and an adjacent chemical store shipping container (see Figure 2).

Proposed Storage Shed

It is proposed to erect a storage shed at the rear of the existing building, using a recycled building that was demolished from a site in Peisley Street, Orange (being the former CF Williams premises). The steel frame and corrugated galvanised iron wall and roof sheeting will be re-used. The shed will measure approximately 76m x 28m, be enclosed along three sides, with the eastern elevation remaining as open bays, and compacted gravel hardstand floor.

The shed will be used as part of the Forefront operation for the storage of steel supplies, products, and components.

Site Works

Proposed site works are depicted in Figure 2 and include:

- construction of sealed vehicle manoeuvring and parking areas
- provision of compacted gravel hardstand support areas
- establishment of landscaping
- installation of a new effluent disposal system.

The existing entrance near the south-eastern corner of the subject land will serve the development site. The proposed site layout will accommodate the turn path of a semi-trailer, the largest vehicle likely to be associated with the proposal. New ramps are proposed at the rear (west) of the proposed new workshop building to address a change in levels and facilitate heavy vehicle movement around the site.

The applicant requests that only the car parking areas and principal vehicle paths in relation to the new workshop are sealed, and that the other areas of the site be permitted to remain as compact gravel hardstand.

Staging

It is proposed to undertake the development in stages as follows:

- **Stage 1:** New workshop building; and use of existing industrial building for storage (to support main industrial activity, and also for use as storage premises by others).
- **Stage 2:** Extension to new workshop building ('workshop').
- **Stage 3:** Blast and paint rooms added to new workshop building; and wash bay added to existing industrial building.
- **Stage 4:** Construct "recycled" building for storage to support main industrial activity.

BACKGROUND

DA 269/2017(1) – consent issued 19 September 2017 for general industry (use of, and additions and alterations to existing building), and construction of new industrial storage shed to rear. The subject proposal seeks to alter some of these approved arrangements, as well as construct alternative additions to the site, other than the rear storage shed, which is to remain much the same. Essentially the subject proposal will supersede this previous consent.

MATTERS FOR CONSIDERATION**Section 1.7 - Application of Part 7 of the *Biodiversity Conservation Act 2016* and Part 7A of the *Fisheries Management Act 1994***

Section 1.7 of the EP&A Act identifies that Part 7 of the *Biodiversity Conservation Act 2016* (BC Act) and Part 7A of the *Fisheries Management Act 1994* have effect in connection with terrestrial and aquatic environments.

There are four triggers known to insert a development into the Biodiversity Offset Scheme as follows:

- Trigger 1: development occurs in land mapped on the Biodiversity Values Map (OEH) (clause 7.1 of BC Regulation 2017);
- Trigger 2: development involves clearing/disturbance of native vegetation above a certain area threshold (clauses 7.1 and 7.2 of BC Regulation 2017); or
- Trigger 3: development is otherwise likely to significantly affect threatened species (clauses 7.2 and 7.3 of BC Act 2016);
- Trigger 4: development proposed to occur in an Area of Outstanding Biodiversity Value (clause 7.2 of BC Act 2016). This is generally not applicable to the Orange LGA; as no such areas are known to occur in the LGA. No further comments will be made against the fourth trigger.

In consideration of the above, the applicant submits the following:

- *"The proposal does not involve the clearing of native vegetation (or any other action prescribed by Clause 6.1 of the BC Regulation 2016) on land included on the Biodiversity Values Map published under Clause 7.3 of the BC Regulation 2016.*
- *The proposal does not involve the clearing of native vegetation. A site inspection will reveal that the area to be cleared comprises gravel surfaces associated with the industrial use of the land and; denuded pasture grass cover associated with the previous agricultural use of the land.*

- *The natural state of the site and surrounding area has been highly modified by the urban fringe land use pattern.*
- *The subject land itself has been predominantly cleared for industrial and agricultural land use purposes and is virtually devoid of native timber. The potential for the site to attract less common native species is considered minimal. The habitat value of the site is low and it does not have realistic potential to re-establish into providing a habitat of value.*
- *As such, the proposal is not likely to have an adverse effect on a threatened species; endangered ecological community; or a critically endangered ecological community or their habitat.*
- *The subject land is not a declared area of outstanding biodiversity value”.*

Council staff generally concur with these statements. Having regard to the relevant provisions and based on an inspection of the subject property, it is considered that the proposed development is not likely to significantly affect a threatened species. It is considered that a Biodiversity Development Assessment Report (BDAR) is not required in this instance.

Section 4.15

Section 4.15 of the *Environmental Planning and Assessment Act 1979* requires Council to consider various matters, of which those pertaining to the application are listed below.

PROVISIONS OF ANY ENVIRONMENTAL PLANNING INSTRUMENT s4.15(1)(a)(i)

Orange Local Environmental Plan 2011

Part 1 - Preliminary

Clause 1.2 - Aims of Plan

The broad aims of the LEP are set out under Subclause 2. Those relevant to the application are as follows:

- (a) *to encourage development which complements and enhances the unique character of Orange as a major regional centre boasting a diverse economy and offering an attractive regional lifestyle,*
- (b) *to provide for a range of development opportunities that contribute to the social, economic and environmental resources of Orange in a way that allows present and future generations to meet their needs by implementing the principles for ecologically sustainable development,*
- (f) *to recognise and manage valued environmental heritage, landscape and scenic features of Orange.*

The application is considered to be consistent with the above objectives, as outlined in this report.

Clause 1.6 - Consent Authority

This clause establishes that, subject to the Act, Council is the consent authority for applications made under the LEP.

Clause 1.7 - Mapping

The subject site is identified on the LEP maps in the following manner:

Land Zoning Map:	Land zoned IN1 General Industrial
Lot Size Map:	Minimum Lot Size 4,000m ²
Heritage Map:	Not a heritage item or conservation area
Height of Buildings Map:	No building height limit
Floor Space Ratio Map:	No floor space limit
Terrestrial Biodiversity Map:	No biodiversity sensitivity on the site
Groundwater Vulnerability Map:	Groundwater vulnerable
Drinking Water Catchment Map:	Not within the drinking water catchment
Watercourse Map:	Not within or affecting a defined watercourse
Urban Release Area Map:	Not within an urban release area
Obstacle Limitation Surface Map:	No restriction on building siting or construction
Additional Permitted Uses Map:	No additional permitted use applies
Flood Planning Map:	Not within a flood planning area

Those matters that are of relevance are addressed in detail in the body of this report.

Clause 1.9A - Suspension of Covenants, Agreements and Instruments

This clause provides that covenants, agreements and other instruments which seek to restrict the carrying out of development do not apply with the following exceptions:

- covenants imposed or required by Council
- prescribed instruments under Section 183A of the *Crown Lands Act 1989*
- any conservation agreement under the *National Parks and Wildlife Act 1974*
- any trust agreement under the *Nature Conservation Trust Act 2001*
- any property vegetation plan under the *Native Vegetation Act 2003*
- any biobanking agreement under Part 7A of the *Threatened Species Conservation Act 1995*
- any planning agreement under Division 6 of Part 4 of the *Environmental Planning and Assessment Act 1979*.

Council staff are not aware of the title of the subject property being affected by any of the above.

Part 2 - Permitted or Prohibited Development**Clause 2.1 - Land Use Zones**

The subject site is located within the IN1 General Industrial zone. The proposed development involves new buildings and alterations and additions to the existing building, where the site is approved as and defined as 'general industry' under LEP 2011 as follows:

General industry means a building or place (other than a heavy industry or light industry) that is used to carry out an industrial activity.

To expand on that definition;

Industrial activity means the manufacturing, production, assembling, altering, formulating, repairing, renovating, ornamenting, finishing, cleaning, washing, dismantling, transforming, processing, recycling, adapting or servicing of, or the research and development of, any goods, substances, food, products or articles for commercial purposes, and includes any storage or transportation associated with any such activity.

The proposal also involves the storage of good, materials, etc. that are not related to the main use/occupier of the premises, which the applicant refers to as 'others'. As this is not ancillary to the dominant use, separate consent is required for a 'storage premises', which is defined under the LEP as follows:

Storage premises means a building or place used for the storage of goods, materials, plant or machinery for commercial purposes and where the storage is not ancillary to any industry, business premises or retail premises on the same parcel of land, and includes self-storage units, but does not include a heavy industrial storage establishment or a warehouse or distribution centre.

Both general industry and storage premises are permitted with consent for this zone. This application is seeking consent.

Clause 2.3 - Zone Objectives

Clause 2.3 of LEP 2011 references the Land Use Table and Objectives for each zone in LEP 2011. The objectives for land zoned IN1 General Industrial are as follows:

- *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.*

The proposal is consistent with the IN1 zone objectives as follows, and as outlined in the following sections of this report:

- The proposal landuses are permitted in the zone and will complement each other, as well as other industrial landuses in the neighbourhood.
- The proposed development may generate employment opportunities.
- The proposed development does not involve processes or activities that would adversely impact on the amenity of nearby dwellings, and is unlikely to generate landuse conflicts.
- The proposal will not compromise the use of the subject and adjoining lands for industrial purposes.
- The site does not have frontage or access to the Southern Link Road.

Part 3 - Exempt and Complying Development

The application is not exempt or complying development.

Part 4 - Principal Development Standards

The LEP Part 4 Standards are not applicable to the proposed development.

Part 5 - Miscellaneous Provisions**5.10 - Heritage Conservation**

Clause 5.10 is applicable and states in part:

(4) Effect of Proposed Development on Heritage Significance

The consent authority must, before granting consent under this clause in respect of a heritage item or heritage conservation area, consider the effect of the proposed development on the heritage significance of the item or area concerned.

In consideration of this clause, the subject site is located nearby to the following listed heritage items (see Figure 3):

- Canobolas Wool Topmaking (former) – 390 Clergate Road.
- Orange Abattoir (former) – 390 Clergate Road.
- Wyelba (dwelling house) – 459 Clergate Road.

The subject site is also noted within Council's Heritage Inventory, where it states the following:

"The quarry site is remnant location utilised for the supply of local stone to industry and the site retains examples of material left over from the business which has ceased to operate. The site consists of a landscape surrounded by traditional windbreak planting and includes a large scale contemporary industrial building utilised for the preparation of the stone into shapes and forms to suit industry. The building is steel framed with concrete block walls and includes crane gantry systems for moving the stone around the factory and the external environs".



Figure 3 – aerial photograph of subject site (highlighted in blue) and surrounds, including nearby heritage listed sites (shown in brown hashing)

The site is considered to be sufficiently separated from the nearby heritage listed sites (see Figures 1 and 3), being around 423m to Wyelba and 990m from Wool Topmaking/Abattoir, and as such was not referred to Council's Heritage Advisor. It is considered that the proposal will not have adverse impacts on the heritage significance of the area due to the following:

- the proposed new buildings have been designed to be clustered with and comparable to the bulk and form of the existing building, which will assist in maintaining its integrity
- the proposed new buildings will be visually separated from the nearby listed heritage items as noted above
- the proposed shed, although large in footprint, will be located to the rear of the existing building, and will be visually separated from the road and nearby listed buildings
- the proposed development will not impact on the history of the site for its previous stoneworks use
- the change of use of the existing building will not affect how it visually relates within the streetscape or to surrounding sites.

Overall, it is considered that the proposed development will not impact on the appreciation or understanding of heritage items in the vicinity, nor on the history of the subject site.

Part 6 - Urban Release Area

Not relevant to the application. The subject site is not located in an Urban Release Area.

Part 7 - Additional Local Provisions

7.1 - Earthworks

This clause establishes a range of matters that must be considered prior to granting development consent for any application involving earthworks, such as:

- (a) the likely disruption of, or any detrimental effect on, existing drainage patterns and soil stability in the locality of the development*
- (b) the effect of the development on the likely future use or redevelopment of the land*
- (c) the quality of the fill or the soil to be excavated, or both*
- (d) the effect of the development on the existing and likely amenity of adjoining properties*
- (e) the source of any fill material and the destination of any excavated material*
- (f) the likelihood of disturbing relics*
- (g) the proximity to and potential for adverse impacts on any waterway, drinking water catchment or environmentally sensitive area*
- (h) any measures proposed to minimise or mitigate the impacts referred to in paragraph (g).*

The earthworks proposed in the application are limited to the extent of cutting and filling required for the proposed buildings, structures, and vehicle access, manoeuvring and parking areas. The extent of disruption to the drainage of the site is considered to be minor and is unlikely to detrimentally affect adjoining properties or receiving waterways. Conditions of consent are recommended in regards to implementing a sediment control plan, including silt traps and other protective measures, to ensure that loose dirt and sediment does not escape the site boundaries during construction works.

It is considered that the extent of the earthworks will not materially affect the potential future use or redevelopment of the site that may occur at the end of the proposed development's lifespan.

The site is known to be contaminated and remediation will need to be carried out in accordance with the submitted Remediation Action Plan prior to the use of the site for the proposed development. This matter is discussed in greater detail in the SEPP 55 assessment later in this report.

The site is not known to contain any Aboriginal, European or Archaeological relics. While previous known uses of the site do not suggest that any relics are likely to be uncovered, conditions of consent are recommended to ensure that should site works uncover a potential relic or artefact, works will be halted to enable proper investigation by relevant authorities and the proponent required to seek relevant permits to either destroy or relocate the findings.

7.3 - Stormwater Management

This clause applies to all industrial, commercial and residential zones and requires that Council be satisfied that the proposal:

- (a) is designed to maximise the use of water permeable surfaces on the land having regard to the soil characteristics affecting onsite infiltration of water*
- (b) includes, where practical, onsite stormwater retention for use as an alternative supply to mains water, groundwater or river water; and*
- (c) avoids any significant impacts of stormwater runoff on adjoining downstream properties, native bushland and receiving waters, or if that impact cannot be reasonably avoided, minimises and mitigates the impact.*

Council's Development Engineer has reviewed the proposal and requires stormwater detention and WSUD stormwater quality measures to be implemented, and relevant conditions of consent are recommended to this effect. It is noted that the existing dam adjacent to the buildings may be capable of use for a combined detention/treatment system; and WSUD targets suitable for wetland treatment are included in the recommended conditions of consent.

It is considered that the existing un-sealed access off Clergate Road, and internal gravel driveways and manoeuvring areas are unsatisfactory in their current form, and compliance with the Council's Development and Subdivision Code will need to be achieved, including sealing of the vehicle entrance and internal driveways and parking areas. Relevant conditions of consent are recommended in regards to this matter.

7.6 - Groundwater Vulnerability

This clause seeks to protect hydrological functions of groundwater systems and protect resources from both depletion and contamination. Orange has a high water table and large areas of the LGA, including the subject site, are identified with "Groundwater Vulnerability" on the Groundwater Vulnerability Map. This requires that Council consider:

- (a) *whether or not the development (including any onsite storage or disposal of solid or liquid waste and chemicals) is likely to cause any groundwater contamination or have any adverse effect on groundwater dependent ecosystems, and*
- (b) *the cumulative impact (including the impact on nearby groundwater extraction for potable water supply or stock water supply) of the development and any other existing development on groundwater.*

Furthermore, consent may not be granted unless Council is satisfied that:

- (a) *the development is designed, sited and will be managed to avoid any significant adverse environmental impact, or*
- (b) *if that impact cannot be reasonably avoided - the development is designed, sited and will be managed to minimise that impact,*
- (c) *if that impact cannot be minimised - the development will be managed to mitigate that impact.*

Council's Environmental Health officer has reviewed the proposal, and it is considered that the proposal is not anticipated to involve the discharge of toxic or noxious substances and is therefore unlikely to contaminate the groundwater or related ecosystems, subject to recommended conditions of consent. In particular, the premises will be required to enter into a Trade Waste Agreement with Council, which will manage and monitor the activities on the site in relation to liquid discharges. Furthermore, onsite stormwater treatment is required, as well as a new onsite sewer management system, and relevant conditions of consent are recommended. The proposal does not involve extraction of groundwater and will therefore not contribute to groundwater depletion.

Overall the design and siting of the proposal avoids impacts on groundwater and it is considered to be consistent with Clause 7.6.

Clause 7.11 - Essential Services

Clause 7.11 applies and states:

Development consent must not be granted to development unless the consent authority is satisfied that any of the following services that are essential for the proposed development are available or that adequate arrangements have been made to make them available when required:

- (a) *the supply of water,*
- (b) *the supply of electricity,*
- (c) *the disposal and management of sewage,*
- (d) *storm water drainage or onsite conservation,*
- (e) *suitable road access.*

In consideration of this clause, all utility services are or can be made available to the land and adequate for the proposal. In particular a new onsite sewage management system is proposed, and Council's Development Engineers require onsite stormwater management, as well as some upgrading works in relation to the access, driveway, and parking areas. Relevant conditions of consent are recommended.

STATE ENVIRONMENTAL PLANNING POLICIES

State Environmental Planning Policy 55 - Remediation of Land

State Environmental Planning Policy 55 - Remediation of Land (SEPP 55) is applicable. Pursuant to Clause 7 *Contamination and remediation to be considered in determining development application*:

- (1) *A consent authority must not consent to the carrying out of any development on land unless:*
 - (a) *it has considered whether the land is contaminated, and*
 - (b) *if the land is contaminated, it is satisfied that the land is suitable in its contaminated state (or will be suitable, after remediation) for the purpose for which the development is proposed to be carried out, and*
 - (c) *if the land requires remediation to be made suitable for the purpose for which the development is proposed to be carried out, it is satisfied that the land will be remediated before the land is used for that purpose.*

A Primary Contamination Investigation (prepared by Envirowest Consulting, report number R7970c, and dated 19 December 2018) was carried out for the site, and identified hydrocarbon stained areas associated with storage of machinery and equipment across an existing storage pad.

Subsequently, a Remediation Action Plan ('RAP') (by Envirowest Consulting, report number R7970rap, and dated 20 August 2019) was developed in support of the application, to remediate the impacted areas, thus enabling the proposed commercial/industrial land use. The RAP recommends Environmental Scientist supervised excavation and disposal of the hydrocarbon impacted soil, followed by validation, in accordance with SEPP 55 and EPA guidelines.

Council's Environmental Officer has reviewed the RAP and concurs generally with its conclusions and recommendations, and recommends a condition of consent requiring the validation report to be submitted prior to issuing of an Occupation Certificate.

PROVISIONS OF ANY DRAFT ENVIRONMENTAL PLANNING INSTRUMENT THAT HAS BEEN PLACED ON EXHIBITION 4.15(1)(a)(ii)

From 31 January to 13 April 2018 the Department of Planning and Environment publically exhibited an Explanation of Intended Effect (EIE) and Draft Planning Guidelines for the proposed Remediation of Land SEPP, which will repeal and replace State Environmental Planning Policy 55 – Remediation of Land (SEPP 55). Of particular note, the Draft Planning Guidelines state:

“In undertaking an initial evaluation, a planning authority should consider whether there is any known or potential contamination on nearby or neighbouring properties, or in nearby groundwater, and whether that contamination needs to be considered in the assessment and decision making process.”

“If the planning authority knows that contamination of nearby land is present but has not yet been investigated, it may require further information from the applicant to demonstrate that the contamination on nearby land will not adversely affect the subject land having regard to the proposed use.” (Proposed Remediation of Lands SEPP - Draft Planning Guidelines, Page 10).

It is considered that the submitted RAP adequately address these matters, where it has addressed previous and current uses, and potential contamination on the site and in the surrounding area.

DESIGNATED DEVELOPMENT

The proposed development is not designated development.

INTEGRATED DEVELOPMENT

The proposed development is not integrated development.

PROVISIONS OF ANY DEVELOPMENT CONTROL PLAN s4.15(1)(a)(iii)

Development Control Plan 2004

Development Control Plan 2004 (“the DCP”) applies to the subject land. An assessment of the proposed development against the relevant Planning Outcomes will be undertaken below.

Chapter 0 Transitional Provisions - PO 0.4-10 Residential Proximity

Industrial development typically has the potential to generate adverse impacts on surrounding land, and must therefore be designed and operated in a manner that minimises impacts. This clause applies to development on land in the IN1 General Industrial zone that is within 800m of residential zones or established dwellings in any zone.

The relevant DCP planning outcomes are as follows:

- *The design of industrial and commercial development is consistent or compatible with nearby residential areas in terms of design, siting and landscaping.*
- *The hours of operation, traffic and noise generation do not interfere with reasonable expectations of residential amenity.*
- *Noise-generating activities are contained within the building where practicable.*
- *Industrial air conditioning compressors are shielded to direct noise away from residential development.*
- *Car park and security lighting is positioned and shielded to prevent direct light spill onto residential properties.*
- *Measures to prevent dust, odour and chemical spray from reaching or affecting residential properties must be demonstrated.*
- *The design must demonstrate how residential privacy and solar access will be maintained.*

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The applicant has submitted an Operational Noise Impact Assessment (prepared by Wilkinson Murray, Report No. 17116 Version B, and dated September 2018) in support of the application. The nearest residential zone is around 295m to the southwest, but does not yet contain any dwellings. The nearest residential zone which contains existing dwellings is located around 529m to the south. The next closest existing residential dwelling is around 660m to the west, as shown in Figure 4 below, taken from the submitted noise report (see R1 – number 73 Beer Road).



Figure 4 - aerial photograph of subject site and nearby sensitive receivers

It is noted that Amendment 13 of the LEP recently rezoned Clergate Hills (i.e. the former abattoir and associated farmland to its north on the east side of the railway line) into R5 Large Lot Residential, RE1 Public Recreation, and E4 Environmental Living land, to be known as 'Rosedale Gardens'.

Although the submitted noise report does not directly address this rezoned land, which was in draft form at the time of lodging this application, there is industrial land zoning between the subject land and the rezoned residential land, and the most sensitive nearby dwellings and residential zones have been taken into account. Furthermore, that rezoning proposal took into account neighbouring zones and existing uses, and potential land use conflicts between them. Pursuant to the amendment, that land is now an 'Urban Release Area', and applications for subdivision and development cannot be lodged until a site-specific Development Control Plan has been prepared and adopted. It is likely physical separation and landscaping buffers will be put in place between future residential lots and neighbouring conflicting land uses, including existing orchards and industrial land.

The applicant makes the following comments in relation to the DCP residential proximity planning outcomes:

- *"The design, siting and landscaping of the development is not expected to adversely affect or have implications in regard to the identified dwellings or future residential area. The interface between the residential areas and the proposed development is diminished by the generous physical separation.*
- *The proposed development is considered satisfactory. While 24-hour operation is proposed, the Noise Impact Assessment by Wilkinson Murray demonstrates that the development will comply with the established noise criteria at the existing and likely future residential receivers.*
- *[Noise] is addressed generally in the submitted Operational Noise Impact Assessment by Wilkinson Murray.*
- *It is suggested that the separation between the site and the identified residential receivers is such that noise from air conditioning units on the subject land would be difficult to detect.*
- *Should air conditioning units generate unacceptable noise impacts upon the identified residential receivers, it is possible to set them within an acoustic enclosure if required.*
- *The potential for site lighting to impact upon the residential area is considered minimal due to the physical separation that exists between the subject land and the identified residential receivers. In any case, new lighting required by the development will be affixed to the buildings where possible with a reasonably low level of brightness and be directed downwards so that light scatter towards neighbours or Clergate Road.*
- *An approved paint booth will be installed.*
- *An approved dust extraction system will be installed for the blast room.*
- *Much of the compacted gravel hardstand exists and is well consolidated to form a low dust surface.*
- *Vehicle movements over the compacted area are expected to be relatively modest. The potential for raised dust will be minimised by ensuring that drivers exercise responsible driving techniques and slower speeds onsite. The ability to manage driver behaviour within the site is assisted by the site layout itself which will only permit slow vehicle speeds plus the fact that the majority of drivers that are likely to attend the site are either employees or associates of the proponent.*
- *The site is reasonably well separated from sensitive land uses.*
- *Subject to the installation of these items, the development is not expected to unreasonably affect the neighbourhood in terms of dust, odour or other atmospheric discharges.*
- *Due to the relatively generous separation between the subject land and the identified residential receivers, the potential for the proposed development to generate adverse shadow or privacy impacts impact is nil".*

Council staff generally concur with the comments made by the applicant. In particular:

Site Layout and Design

Due to separation distances to neighbouring dwellings, residential privacy and solar access will be maintained. A condition of consent is recommended to ensure that any outdoor lighting is positioned and shielded to prevent direct light spill onto residential properties, in accordance with the relevant standards. Landscaping is addressed in more detail in the DCP Chapter 9 provisions later in this report.

Air Quality

Conditions of consent are recommended in relation to the operation of the paint booth and washbay to minimise environmental and amenity impacts. In particular, all external doors and windows of the spray painting and grit blasting workshops shall remain closed during their operation, and that the ventilation systems are used in accordance with the manufacturer's instructions.

It is noted that the applicant requests that Council only require sealing of the principal vehicle areas as indicated in the site plan, and that the other areas associated with the development be permitted to remain as compacted gravel hardstand, for the reasons outlined above. However, Council's Development Engineers require all driveway and parking areas to be sealed for expected loading conditions, and in accordance with the *Orange City Council Development and Subdivision Code*, predominately to minimise environmental impacts, but which will also serve to minimise dust impacts to nearby residential properties.

Noise

The submitted Noise Impact Assessment accounts for construction of additions and alterations; the principal activities of steel fabrication, including grit blasting, the paint booth extraction system, welding, lathes and grinders, and hand held and power tools; and vehicle movements including truck brakes. Predicted noise levels are based on typical worst-case operating scenario, taken from an existing Forefront steel fabrication facility in Port Botany, which is a similar scale to the proposal. The assessment also assesses the proposed operational hours of the development being 24 hours a day, 7 days a week, and the cumulative noise generated from all industrial noise sources in the area, including the subject development. The assessment concludes that the noise predictions will comply with the relevant noise trigger levels over the day, evening, and night periods at all existing receivers and likely future residential receivers.

Council's Environmental Health Officer has reviewed the submitted information, and generally concurs with the comments and information provided by the applicant, subject to the following recommendations:

- (1) Appropriate measures must be implemented to achieve compliance with the project noise trigger levels for all receivers identified in Table 4-4 of the noise report.
- (2) A Commissioning Report which assesses actual noise emissions from all operations of the development be submitted to Council within three months of the issue of an Occupation Certificate. If that report requires additional noise attenuation works to be carried out, these works shall be undertaken within 28 days.

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- (3) When noise intensive activities are being carried out inside the workshop between the hours of 10pm and 7am, the workshop doors must be kept closed (unless required to be opened in an emergency, or when manoeuvring vehicles in and out of the workshop, during which time all other noise intensive activities/works in the workshop are to cease until the doors are closed).
- (4) The performance of the development in terms of noise shall be verified through testing at nearby receivers within six months of the occupation of the building, and a copy of the Verification Report, and certification that any additional mitigation works identified in the report have been completed, be submitted to Council.

Traffic

The applicant submits that the proposal would not cause unacceptable traffic impacts for the following reasons:

- *"The subject land is an existing industrial site within the Clergate industrial area with a certain level of traffic already attributed to it. As such, the premises represent a well-established component of the local traffic regime.*
- *The traffic generated by this proposal would integrate reasonably with established traffic levels within the surrounding road network.*
- *The existing access is well setback from the traffic lanes along Clergate Road and will accommodate the largest vehicle likely to be associated with the proposed use.*
- *The site and driveway layout will enable all vehicles likely to be associated with the proposed use to enter and exit in a forward direction at all times.*
- *The proposed parking arrangements are considered satisfactory."*

Council staff generally concur with these points. Car parking is discussed in greater detail in the DCP Chapter 15 assessment later in this report. As noted earlier in this report, the existing vehicle entrance needs to be upgraded to *RTA Guidelines for Intersections* to accommodate a 19m semi-trailer, which includes a new road opening permit requirements. Relevant conditions of consent are attached.

Overall, subject to the recommended conditions of consent in regards to siting and operation, it is considered that the proposal is unlikely to adversely impact on residential amenity, and meets the 'Residential Proximity' Planning Outcomes.

Chapter 4 Special Environmental Considerations - PO 4.1-1 Sewage Disposal

The DCP requires urban development to be connected to an appropriate sewerage system. For the purposes of this clause, industrial development of land in the Clergate Road Industrial Area (CRIA), north of Farrell Road for dry industries may proceed without a sewer connection, provided that the area of the land is sufficient to meet the wastewater demand of the development. The following outcome applies:

- *Where sewerage services are not provided, onsite disposal of effluent is designed and implemented in accordance with the relevant guidelines for onsite sewage management systems.*

As the site is not serviced by a reticulated sewer main, the disposal of effluent is required to be undertaken via onsite means.

As noted earlier in this report, the existing septic system on the site is not suitable for continued use, and a new effluent disposal system has been proposed. An 'Onsite Effluent Management Study' (prepared by Envirowest Consulting, and dated 2 May 2017) has been submitted in support of the application, and has proposed two possible onsite systems, being an absorption or evapotranspiration absorption trench, or a surface or sub-surface irrigation system.

Council's Environmental Health officers have reviewed the submitted report, and consider the recommendations to be suitable for the site, and recommend a condition of consent that the development is carried out in accordance with that study. Overall, the proposal meets the sewage disposal planning outcome.

Chapter 9 Development in Industry and Employment Zone – PO 9.3-1 Industrial Site Development

Chapter 9 of the DCP applies to this application. The following outcomes are relevant:

- *Buildings are set back a minimum of 10m from front boundaries for lots greater than 1,000m² or 5m for lots less than 1,000m² or otherwise to a setback consistent with existing setbacks in established areas. A 10m setback applies to lots that have frontage to Clergate Road.*

The subject land comprises an area of more than 1,000m², as such the applicable front setback is a minimum of 10m. The submitted proposed site plan shows the new workshop building to have a front boundary setback of at least 17.5m from the front road boundary, in accordance with this planning outcome. All other additions and alterations are set behind the existing building.

- *Buildings cover up to 50% of the site area (excluding the area of accessways for battleaxe lots).*

Upon completion, the proposed development will comprise a total building footprint of approximately 7,203m². Based on the site area of 10.52 hectares, the development will have site coverage of less than 7%, well below the maximum site coverage set by this planning outcome.

- *Architectural features are provided to the front building façade to provide relief using such elements as verandahs, display windows, indented walls etc.*
- *External materials consist of non-reflective materials.*

The visual appearance of the proposal is considered acceptable, where the front façade of the new main building has been designed to provide architectural interest and visual relief to what is essentially an industrial building. The mix of materials and finishes (concrete tilt panel, Colorbond wall sheeting, and translucent wall sheeting) will assist to break the large elevations of the shed section of the building. The front office section of the building offers a more commercial type of presentation, adopting a modern rectilinear design with reasonable articulation, a mix of building finishes, shopfront glazing, entry portal treatment, and smooth sheet wall cladding. The external finishes include subdued tones and low-reflective finishes as encouraged by the DCP.

The proposed storage shed, wash bay and storage area additions are to the rear of the site, behind the existing main building. Subject to its condition and practicality, the applicant intends to re-use the original wall and roof sheeting from the recycled building, otherwise, new wall and roof sheeting with a low reflective finish would be used.

Furthermore, the proposed landscaping along the front boundary and around the proposed front parking area will screen and soften the development when viewed from Clergate Road, as discussed below.

- *Landscaping is provided along boundaries fronting roads including trees with an expected mature height at least comparable to the height of buildings on the site. All sites contain an element of landscaping. Landscaping provided is of a bulk, scale and height relative to buildings nearest the front property boundary so as to provide beautification and visual relief to the built form proposed or existing on the site. The depth of the landscape bed at the site frontage is sufficient to accommodate the spread of plantings that meet the abovementioned outcomes but, where practicable, a minimum depth of 3.5m is provided. Plantings are designed to provide shade for parking areas, to break up large areas of bitumen, to enhance building preservation and to screen against noise.*

The submitted drawings show that landscaping will be provided along the Clergate Road frontage within a minimum 3.5m wide bed, and will incorporate plantings that provide some screening at intermediate level (i.e. 4-5m in height). There are existing eucalyptus trees along the front boundary, which are around 10m in height, providing screening to a height commensurate of the main industrial buildings (existing and proposed). Overall, the proposed landscaping is considered acceptable.

- *Adequate parking and onsite manoeuvring is provided.*

As assessment of car parking and manoeuvring is carried out in DCP Chapter 15 later in this report.

- *Security fencing is located or designed in a manner that does not dominate the visual setting of the area.*

No changes are proposed to existing fencing.

- *Advertising involves business identification signs within the front façade and/or by pole sign comparable to the relative height of the main building on the site.*

There is no advertising signage proposed by this application.

Chapter 9 Development in Industry and Employment Zone – PO 9.4-1 Clergate Road Industrial Area

Additional requirements have also been set out for the Clergate Road Industrial Area, and the relevant planning outcomes are as follows:

- *Clergate Road is upgraded to a rural collector road with a formed pavement width of 9m (sealed carriageways of 7m).*
- *New roads are constructed with kerb and gutter and associated drainage structures.*

Council's Development Engineers have reviewed the proposal and recommend that the entrance be upgraded and sealed, including the installation of pipes and culverts, in accordance with the *Orange City Council Development and Subdivision Code*. Relevant conditions of consent are recommended.

Chapter 9 Development in Industry and Employment Zone – PO 9.6-1 Industries Near Residential Areas

- *Applications for development that has the potential to impact on residential areas in the vicinity identify likely impacts and outline reasonable mitigation measures.*
- *Industries with potentially significant off-site impacts are located well away from areas zoned residential or rural residential and take into account the proximity to existing houses.*

These outcomes have been discussed in PO 0.4-10 "Residential Proximity" earlier in this report.

Chapter 13 - Heritage

- *Development relates to the significant features of heritage buildings on or near the site, as reflected in inventory sheets.*
- *Development conforms with recognised conservation principles.*
- *Conservation Management Plans are prepared for development having a significant effect on heritage site.*

As outlined in the previous LEP assessment, the proposed development is unlikely to have adverse impacts on the heritage significance of the nearby listed items. A conservation management plan is not required for the proposal.

Chapter 15 - Car Parking

- *Adequate off-street car parking is provided in accordance with the Table, or alternatively, according to an assessment that demonstrates peak parking demand based on recognised research.*

For industrial and warehouse uses, the DCP requires parking to be provided at the rate of one (1) space per 100m² of gross floor area (GFA) or one(1) space per two employees (peak shift), whichever is the greater.

The applicant has requested that Council not attribute any parking demand to the new rear storage shed, given that it is open along its entire eastern frontage, would only be provided with a compacted gravel floor, and would essentially function as a covered outdoor storage area to support the Forefront operation (i.e. not be occupied by staff and no additional facilities provided). On this basis, it is requested that Council only impose a parking requirement for the proposed workshop building and the existing building to be used as ancillary and/or storage by others.

Using the DCP rate; the proposed new industrial building has a GFA of 2,561.9m², and the existing building (for storage) has a GFA of 2,610m². The total GFA of 5,171.9m² generates a parking need for 51.7 (52) spaces. The proposed site plan provides for a total of 56 spaces on the site, which is considered to more than satisfy the DCP parking requirement.

Based on the DCP requirement for employee parking, the applicant notes that proposed parking resources would cater for up to 112 employees, however, the subject business is only expected to employ 40–45 people. As such, ample car parking can be provided for on the site.

The proposed driveway system accommodates the turn path of a semi-trailer, however, will need to be upgraded to a suitable standard, as discussed earlier in this report. All vehicles likely to be associated with the site will be able to enter and exit in a forward direction due to generous manoeuvring areas around the site. Council's Development Engineers require all parking and driveway areas to be sealed, despite the applicant's request for some areas to be retained as gravel hard stand. As discussed previously, this is required to minimise impacts on the environment, as well as residential amenity.

PROVISIONS PRESCRIBED BY THE REGULATIONS s4.15(1)(a)(iv)**Demolition of a Building (clause 92)**

The proposal does not involve the demolition of a building.

Fire Safety Considerations (clause 93)

Council's Environmental Health and Building Surveyor notes that fire safety considerations are to be assessed at the Construction Certificate stage, however, general compliance can be achieved. Relevant conditions of consent are recommended.

Buildings to be Upgraded (clause 94)

Council's Environmental Health and Building Surveyor notes that upgrading of the existing building will be required to ensure the existing building is brought into partial or total conformity with the Building Code of Australia. Conditions of consent are recommended in relation to the required upgrading works.

BASIX Commitments (clause 97A)

BASIX is not applicable to the proposed development. A Section J energy efficiency statement will be required with the Construction Certificate application.

THE LIKELY IMPACTS OF THE DEVELOPMENT s4.15(1)(b)**Visual and Heritage Impacts**

As discussed in the main assessment above, the visual presentation of the proposed additions to the street, neighbours, and in relation to nearby heritage listed buildings are acceptable. The existing and proposed landscaping will assist in blending the site in with the streetscape, and the surrounding environment. Furthermore, the relationship between the subject land and the nearby heritage items and residential dwellings are diminished due to the physical separation caused by distance. There are no aspects of the proposal that have the potential to impact upon views to or from the identified heritage items, nor materially affect the identified heritage items.

Overall, adverse visual and heritage impacts are unlikely.

Noise Impacts

As discussed in the main body of the report, a Noise Impact Assessment indicates the 24 hour a day, 7 days a week operations will comply with the relevant noise levels. Council's Environmental Health officer recommends operational conditions of consent, as well as additional reporting to be carried out to ensure compliance. Furthermore, the proposal will improve the function of the site for industrial purposes, ensuring all noisy activities are contained within the new building and extensions.

Overall, subject to operational conditions, adverse noise impacts to nearby residential dwellings and zones is unlikely.

Environmental Impacts

The proposed layout, design, and operation of activities onsite; installation of a new onsite septic system, and recommended construction and operational conditions of consent will ensure that potential impacts on the environment are minimised. In particular all driveway and car parking areas need to be sealed to minimise dust impacts; blasting and painting will be carried out within specifically designed areas to minimise odour and air quality impacts; and a Trade Waste agreement needs to be entered into with Council to minimise water quality impacts.

Overall, subject to operational conditions, it is considered that adverse environmental impacts are unlikely.

Traffic Impacts

It is considered that adverse traffic and car parking impacts are unlikely for the following reasons:

- sufficient car parking can be provided on the site for the proposal, where more parking will be provided than required by the DCP
- traffic associated with the proposed development is via the existing road network, which is capable of increased traffic movements, subject to some upgrading of the entrance/access as discussed in the main body of the report
- sufficient manoeuvring will be available on the site. Although the applicant has requested that some of these areas remain in gravel hardstand, Council's Development Engineers require all driveway and car parking areas to be sealed to an all-weather standard.

Impacts on Residential Amenity

Due to separation distances to neighbouring dwellings, residential privacy and solar access will be maintained, and visual amenity impacts are unlikely. As discussed above, adverse air quality, water quality, and noise impacts are unlikely subject to the development adhering to operational conditions.

Waste Management Impacts

The applicant states that operational waste will be managed as follows:

- *If any liquid wastes are produced, they will be stored in appropriate containers in a bunded area for collection by an approved contractor for recycling or disposal.*

- *Steel parts and off-cuts will be stored in appropriate bins and sold as scrap for recycling.*
- *Cardboard, certain plastics and other recyclables will be stored in appropriate bins for recycling.*
- *Non-recyclable waste will be stored in a bulk garbage bin for disposal at the council waste disposal facility.*

Council staff concur with these comments. There is ample space on the site to provide for waste bins and waste storage, and provide for their collection/disposal by trucks. Overall, it is considered that adverse waste impacts are unlikely.

Social and Economic Impacts

The proposed development has the potential to generate positive social and economic effects due to the following:

- the development makes use of currently underutilised industrial premises within the City of Orange
- the proposal will facilitate the expansion of an existing and well established local business and will assist to increase employment opportunities
- the proposal will complement and enhance the role of Orange as a major regional business centre
- the construction phase of the development will provide short term economic benefits due to the engagement of contractors and purchase of materials.

THE SUITABILITY OF THE SITE s4.15(1)(c)

The subject site is suitable for the proposed development due to the following:

- industrial and storage uses are permitted in the zone, and the proposal involves the continuation and intensification of the approved industrial use of the site
- the proposal is a use that is compatible with surrounding industrial and agricultural uses, and conditions of consent are recommended to protect the amenity of nearby dwelling houses and residential zones
- onsite car parking, manoeuvring and access is acceptable, and conditions of consent are recommended to be upgrade and construct these to an acceptable standard
- conditions of consent are recommended to minimise environment impacts
- utility services are, or can be made available/ be upgraded for the site.

ANY SUBMISSIONS MADE IN ACCORDANCE WITH THE ACT s4.15(1)(d)

The proposed development is not defined as “advertised development” under the provisions of the DCP, and as such no formal exhibition of the application was required. Notwithstanding this, neighbouring properties were notified. Exhibition closed 22 February 2019 and one (1) submission was received.

Following a request for additional information by Council staff regarding contamination on the site, the applicant submitted a Remediation Action Plan (RAP), and the application was amended to involve remediation works. Pursuant to the EP&A Act and SEPP 55, the amended application and category 1 remediation works was exhibited for a period of 30 days. Exhibition closed 31 August 2019 and no further submissions were received.

The one submission received notes that there is no specific objection to the proposal, however, requests the Council gives consideration to the following matters (summarised):

- *External sand blasting currently occurs at the site with significant noise impacts to neighbouring properties, and the noise assessment is silent on whether the operations at the similar site included blast rooms;*

Staff comments: as discussed in the main body of the report, noise has been assessed by Council's Environmental Health officers, and conditions of consent are recommended to manage potential noise impacts. A dedicated blasting and painting facility is proposal as part of this application.

- *No details on how waste water associated with the proposed wash bay is managed, what sort of vehicles are to be washed, whether this would be a private or commercial feature of the site, or where water is sourced from to supply the wash bay.*

Staff comments: the subject site is connected to town water (and the proponent must adhere to Council's water restrictions), and a Trade Waste Agreement needs to be entered into, which manages discharges under separate cover to the development consent.

- *No detailed assessment of traffic (numbers utilising the access point, speed of passing vehicles, adequacy of the existing access, no swept path analysis etc.).*

Staff comments: as discussed in the main body of this report, Council's Development Engineers have assessed traffic, access, and onsite manoeuvring, and require access upgrading, and sealing of all driveway and parking areas on the site to ensure the site is appropriate for the development. Turn circles have been provided on the submitted site plan, which demonstrates manoeuvring can be carried out by a 19m articulated vehicle, which is considered suitable for the site. It is acknowledged that the traffic volumes for the site will be increased as a result of the proposed development, which intensifies the use of the site, however, subject to recommended upgrades, the site and Clergate Road are capable of the proposed increase.

- *The SEE fails to discharge the obligations pursuant to Clause 7 of SEPP55 (i.e. detailed history of the historic site usage, current use of the site for storage of heavy vehicles, etc.).*

Staff comments: as discussed in the main body of this report, a Primary Contamination Investigation and Remediation Action Plan (RAP) have been prepared and submitted in support of this application. As contamination has been found on the site, remediation needs to be undertaken to ensure that the site is suitable for the proposed use. Council's Environmental Health officers are satisfied with the recommendations set out in the RAP.

- *No information about the management of the proposed storage premises is provided, in the event it operates independently of the remainder of the site. How will access be managed? What security measures are proposed? How is parking associated with the storage use proposed? Discussion of storage is limited to storage of ad hoc supplies by the applicant and provides no description of independent storage activities.*

Staff comments: Council requested additional information in regards to the storage use, which is discussed in the “Proposal” section of this report. If the existing building is used as storage for the main industrial use of the site (i.e. the same tenant), it would be considered an ancillary component, and would not need separate consent. However, the applicant seeks the flexibility to be able to use the building as a separate storage (i.e. could be leased/tenanted separately). Storage facilities are permitted in the zone with consent. This storage use will be subject to all the same operational conditions for the site, whether it be operated ancillary or separate to the main use. Car parking has been assessed for the floor area of all buildings on the site (except the open storage shed to the rear), and sufficient provision can be accommodated on the site for both uses. Security and lease arrangements can be managed by the operator, and it is not considered necessary for Council to be involved in the day-to-day management of the use of the site.

- *No details of an Aboriginal heritage due diligence assessment have been provided and we form the view the relevant obligations under the National Parks and Wildlife Act have not been discharged.*

Staff comments: No details have been provided in the application, however, a search of NSW Office of Environment and Heritage AHIMS (Aboriginal Heritage Information Management System) demonstrates that there are no aboriginal sites or places recorded or declared in or near the subject location (search date 5 March 2020).

- *Given the potential increase in activity on the site and the primary production status of the land, it is requested that a vegetated or similar buffer of at least 20m width and 15m height, consisting of appropriately species, on the northern and western boundaries of the subject site is provided to ameliorate some noise impacts to grazing cattle and other stock, and a visual buffer between the differing land uses.*
- *Stock are highly disturbed by industrial activities, especially external sand blasting (which may improve if moved inside), external traffic, and other activities will increased in scale. The buffer would provide a reasonable aural and visual buffer between these two distinctly different land uses.*

Staff comments: the subject land is an existing industrial site, has a long standing history for industrial use (even though it remained vacant for a period of time), and is zoned for industrial use. Given the separation distance between the proposed additions and uses of the subject site to the northern and western boundaries (some 122m to the north and 280m to the west from the proposed workshop building, i.e. where the noisiest activities take place) it is not considered necessary or reasonable to provide screening along all boundaries. Although the proposal increases the intensity of the use of the site, there are no dwellings in close proximity to the north or west to be adversely impacted (noise, visual amenity, privacy, etc.), as discussed in the main body of this report. The adjacent agricultural zoning and grazing use of neighbouring land is not considered a sensitive use that requires buffering from an industrial zone or use.

- *A review of the Blayney Cabonne Orange Rural and Industrial Land Use Strategy 2008 (BCO) and Sustainable Settlement Strategies are being carried out by the respective Councils, which will consider the suitability of utilising the land to the west and north of the subject site for future industrial purposes (as is currently proposed by the BCO). The submitter intends to request that the land be used for residential and rural residential purposes (during the public consultation periods), which would result in residential properties adjacent to the northern and western boundaries of the subject site. Such a buffer, if required in the future, could not retrospectively required in relation to the industrial land use, but it is appropriate to provide it on the industrial land at this stage.*

Staff Comments: the assessment of this subject application needs to be carried out based on current zoning, or any formal rezoning proposal. The submitters proposed future rezoning of land to the north and west is not before Council, therefore is not relevant to this case. This application is not the appropriate stage to assume potential rezoning of adjacent land, and potential impacts and the need for buffers to be put in place or not will be assessed at that time. It is noted that the recent rezoning to the east by the submitter has already been taken into account, as discussed in the main body of this report.

PUBLIC INTEREST s4.15(1)(e)

The proposed development is considered to be of minor interest to the wider public due to the relatively localised nature of potential impacts. The proposal is not inconsistent with any relevant policy statements, planning studies, guidelines etc that have not been considered in this assessment.

SUMMARY

The proposed development is permissible with the consent of Council. The proposed development complies with the relevant aims, objectives and provisions of Orange LEP 2011 (as amended) and DCP 2004. A Section 4.15 assessment of the development indicates that the development is acceptable in this instance. Attached is a draft Notice of Approval outlining a range of conditions considered appropriate to ensure that the development proceeds in an acceptable manner.

COMMENTS

The requirements of the Environmental Health and Building Surveyor and the Engineering Development Section are included in the attached Notice of Approval.

ATTACHMENTS

- 1 Notice of Approval, D20/13140 [↓](#)
- 2 Plans, D20/12924 [↓](#)
- 3 Submission, D20/12926 [↓](#)

	<p style="text-align: center;">ORANGE CITY COUNCIL</p> <p style="text-align: center;">Development Application No DA 332/2018(1)</p> <p>NA20/ Container PR2610</p>
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**NOTICE OF DETERMINATION
OF A DEVELOPMENT APPLICATION**

issued under the *Environmental Planning and Assessment Act 1979*
Section 4.18

Development Application

Applicant Name:	Forefront Services
Applicant Address:	C/- Peter Basha Planning & Development PO Box 1827 ORANGE NSW 2800
Owner's Name:	Clout Redfern Investments Pty Ltd
Land to Be Developed:	Lot 62 Pce SC DP 559515 - 345 Clergate Road, Orange
Proposed Development:	General Industry (new industrial buildings, and additions and alterations to existing building) and Storage Premises

**Building Code of Australia
building classification:**

As determined by Certifier

**Determination made under
Section 4.16**

Made On:	7 April 2020
Determination:	CONSENT GRANTED SUBJECT TO CONDITIONS DESCRIBED BELOW:

Consent to Operate From:	8 April 2020
Consent to Lapse On:	8 April 2025

Terms of Approval

The reasons for the imposition of conditions are:

- (1) To maintain neighbourhood amenity and character.
- (2) To ensure compliance with relevant statutory requirements.
- (3) To provide adequate public health and safety measures.
- (4) Because the development will require the provision of, or increase the demand for public amenities and services.
- (5) To ensure the utility services are available to the site and adequate for the development.
- (6) To prevent the proposed development having a detrimental effect on adjoining land uses.
- (7) To minimise the impact of development on the environment.

Conditions

- (1) The development must be carried out in accordance with:
 - (a) **Plans numbered: DA 1, 2, 4, and 7 Rev A, and DA 3, 5, 6, 8, and 9, prepared by Bassman Drafting, and dated July 2018 (9 sheets)**

- (b) **statements of environmental effects or other similar associated documents that form part of the approval**

as amended in accordance with any conditions of this consent.

PRESCRIBED CONDITIONS

- (2) All building work must be carried out in accordance with the provisions of the Building Code of Australia.
- (3) A sign is to be erected in a prominent position on any site on which building work, subdivision work or demolition work is being carried out:
- (a) showing the name, address and telephone number of the principal certifying authority for the work, and
 - (b) showing the name of the principal contractor (if any) for any building work and a telephone number on which that person may be contacted outside working hours, and
 - (c) stating that unauthorised entry to the site is prohibited.

Any such sign is to be maintained while the building work, subdivision work or demolition work is being carried out.

- (4) Where any excavation work on the site extends below the level of the base of the footings of a building on adjoining land, the person having the benefit of the development consent must, at the person's own expense:
- (a) protect and support the adjoining premises from possible damage from the excavation, and
 - (b) where necessary, underpin the adjoining premises to prevent any such damage.

Note: This condition does not apply if the person having the benefit of the development consent owns the adjoining land or the owner of the adjoining land has given consent in writing to this condition not applying.

PRIOR TO THE ISSUE OF A CONSTRUCTION CERTIFICATE

- (5) An approval under Section 68 of the *Local Government Act* is to be sought from Orange City Council, as the Water and Sewer Authority, for alterations to water and sewer. No plumbing and drainage is to commence until approval is granted.
- (6) The applicant is to submit a waste management plan that describes the nature of wastes to be removed, the wastes to be recycled and the destination of all wastes. All wastes from the demolition and construction phases of this project are to be deposited at a licensed or approved waste disposal site.
- (7) Council/Accredited Certifier is to be provided with a Fire Safety Upgrade Report prepared by a suitably qualified person. The report is to specify upgrade works proposed in order to bring the existing building into compliance with the Building Code of Australia. Where the report recommends the use of an alternative fire engineered solution, specific design details must be provided to Council/Accredited Certifier with the report. Please note that an alternative solution must be carried out by a certified Fire Engineer.
- (8) Engineering plans providing complete details of the proposed driveway and parking areas are to be submitted to Orange City Council or an Accredited Certifier (Categories B1, C3, C4, C6) upon application for a Construction Certificate. These plans are to provide details of levels, cross falls of all pavements, proposed sealing materials and proposed drainage works and are to be in accordance with Orange City Council Development and Subdivision Code.

- (9) The existing vehicle entrance providing access to the development from Clergate Road shall be upgraded to a bitumen sealed standard with minimum 200mm thick gravel incorporating a pipe culvert.

The pipe culvert is to consist of minimum 375mm diameter stormwater pipes and 2 concrete headwalls. Where it is not possible to construct a pipe culvert, due to shallow depth of table drain or the entrance being located on a crest, a 2 metre wide by 100mm deep concrete dish drain may replace the pipe culvert.

The entrance is to be constructed in accordance with the RTA Guidelines for Intersections at Grade Figure 4.9.7 Rural Property Access with Indented Access and designed to accommodate a 19m semi-trailer. The construction is to be as per the requirements of the Orange City Council Development and Subdivision Code.

Engineering plans, showing details of the vehicle access and traffic management works, shall be submitted to Orange City Council and approved prior to the issue of a Construction Certificate.

- (10) **Payment of contributions for water, sewer and drainage works** is required to be made at the contribution rate applicable at the time that the payment is made. The contributions are based on 4.5 ETs for water supply headworks. A Certificate of Compliance, from Orange City Council in accordance with the *Water Management Act 2000*, will be issued upon payment of the contributions.

This Certificate of Compliance is to be submitted to the Principal Certifying Authority prior to the issuing of a Construction Certificate.

- (11) All stormwater from the site is to be collected and piped to a stormwater treatment system. The design and construction of the stormwater treatment system for the development shall ensure that the quality of stormwater leaving the developed areas of the site shall achieve the following stormwater quality targets:

- 90% reduction in the post development average annual gross pollutant (>5 millimetres) load.
- 75% reduction in the post development mean annual load of Total Suspended Solids (TSS);
- 55% reduction in the post development mean annual load of Total Phosphorus (TP);
- 35% reduction in the post development mean annual load of Total Nitrogen loads (TN).

Engineering plans for this stormwater treatment system shall be submitted to and approved by Orange City Council prior to the issuing of a Construction Certificate. The applicant shall undertake comprehensive water quality modelling on for the site, using an accredited assessment tool (recommended using Music™ or other approved assessment tool) and shall include copies of the electronic data files. Modelling shall be undertaken for both pre and post development scenarios.

- (12) The development's stormwater design is to include stormwater detention within the development, designed to limit peak outflows from the land to the pre-existing natural outflows up to the 100 year ARI frequency, with sufficient allowance in overflow spillway design capacity to safely pass flows of lower frequency (that is, a rarer event) without damage to downstream developments. Where appropriate, the spillway design capacity is to be determined in accordance with the requirements of the Dam Safety Committee.

The design of the detention storage is to be undertaken using the ILSAX/DRAINS rainfall-runoff hydrologic model or an approved equivalent capable of assessing runoff volumes and their temporal distribution as well as peak flow rates. The model is to be used to calculate the flow rates for the existing and post-development conditions. The developed flows are to be routed through the proposed storage within the model so that the outflows obtained are no greater than the flows obtained for the pre-existing natural flows. A report detailing the results of the analysis, which includes:

- catchment plan showing sub-catchments under existing and developed conditions
- schematic diagram of the catchment model showing sub areas and linkages
- tabulation detailing the elevation, storage volume and discharge relationships
- tabulation for the range of frequencies analysed, the inflows, outflows and peak storage levels for both existing and developed conditions.

together with copies of the data files for the model and engineering design plans of the required drainage system are to be submitted to Orange City Council upon application for a Construction Certificate.

- (13) Backflow Prevention Devices are to be installed to AS3500 and in accordance with Orange City Council Backflow Protection Guidelines. Details of the Backflow Prevention Devices are to be submitted to Orange City Council prior to the issuing of a Construction Certificate.

Certificates for testable Backflow Prevention Devices are to be submitted to Orange City Council by a plumber with backflow qualifications prior to the issue of an Occupation Certificate.

- (14) A Road Opening Permit in accordance with Section 138 of the *Roads Act 1993* must be approved by Council prior to a **Construction Certificate being issued or any intrusive works** being carried out within the public road or footpath reserve.

PRIOR TO WORKS COMMENCING

- (15) A Construction Certificate application is required to be submitted to, and issued by Council/Accredited Certifier prior to any excavation or building works being carried out onsite.
- (16) A temporary onsite toilet is to be provided and must remain throughout the project or until an alternative facility meeting Council's requirements is available onsite.

DURING CONSTRUCTION/SITEWORKS

- (17) If Aboriginal objects, relics, or other historical items or the like are located during development works, all works in the area of the identified object, relic or item shall cease, and the NSW Office of Environment and Heritage (OEH), and representatives from the Orange Local Aboriginal Land Council shall be notified. Where required, further archaeological investigation shall be undertaken. Development works in the area of the find(s) may recommence if and when outlined by the management strategy, developed in consultation with and approved by the OEH.
- (18) All construction/demolition work on the site is to be carried out between the hours of 7.00 am and 6.00 pm Monday to Friday inclusive, 7.00 am to 5.00 pm Saturdays and 8.00 am to 5.00 pm Sundays and Public Holidays. Written approval must be obtained from the General Manager of Orange City Council to vary these hours.
- (19) All materials onsite or being delivered to the site are to be contained within the site. The requirements of the *Protection of the Environment Operations Act 1997* are to be complied with when placing/stockpiling loose material or when disposing of waste products or during any other activities likely to pollute drains or watercourses.
- (20) Building demolition is to be carried out in accordance with *Australian Standard 2601:2001 - The Demolition of Structures* and the requirements of Safe Work NSW.
- (21) Asbestos containing building materials must be removed in accordance with the provisions of the *Work Health and Safety Act 2011* and any guidelines or Codes of Practice published by Safe Work NSW, and disposed of at a licenced landfill in accordance with the requirements of the NSW EPA.
- (22) Any adjustments to existing utility services that are made necessary by this development proceeding are to be at the full cost of the developer.
- (23) The provisions and requirements of the Orange City Council Development and Subdivision Code are to be applied to this application and all work constructed within the development is to be in accordance with that Code.

The developer is to be entirely responsible for the provision of water, sewerage and drainage facilities capable of servicing the development from Council's existing infrastructure. The developer is to be responsible for gaining access over adjoining land for services where necessary and easements are to be created about all water, sewer and drainage mains within and outside the lots they serve.

- (24) All driveway and parking areas are to be sealed with bitumen, hot mix or concrete and are to be designed for all expected loading conditions (provided however that the minimum pavement depth for gravel and flush seal roadways is 200mm) and be in accordance with the Orange City Council Development and Subdivision Code.

PRIOR TO THE ISSUE OF AN OCCUPATION CERTIFICATE
--

- (25) A total of 56 off-street car parking spaces shall be provided upon the site in accordance with the approved plans, and the provisions of Development Control Plan 2004; and be constructed in accordance with the requirements of Council's Development and Subdivision Code prior to the issue of an Occupation Certificate.
- (26) Prior to the issuing of an Occupation Certificate landscaping shall be installed in accordance with the approved plans and shall be permanently maintained to the satisfaction of Council's Manager Development Assessments.
- (27) No person is to use or occupy the building or alteration that is the subject of this approval without the prior issuing of an Occupation Certificate.
- (28) The owner of the building/s must cause the Council to be given a Final Fire Safety Certificate on completion of the building in relation to essential fire or other safety measures included in the schedule attached to this approval.
- (29) Where Orange City Council is not the Principal Certifying Authority, a final inspection of water connection, sewer and stormwater drainage shall be undertaken by Orange City Council and a Final Notice of Inspection issued, prior to the issue of either an interim or a final Occupation Certificate.
- (30) The cut and fill is to be retained and/or adequately battered and stabilised (within the allotment) prior to the issue of an Occupation Certificate.
- (31) A Certificate of Compliance, from a Qualified Engineer, stating that the stormwater detention basin and stormwater treatment system complies with the approved engineering plans is to be submitted to the Principal Certifying Authority prior to the issuing of an Occupation Certificate.
- (32) Certification from Orange City Council is required to be submitted to the Principal Certifying Authority prior to the issue of an Occupation Certificate stating that all works relating to connection of the development to Council assets, works on public land, works on public roads, stormwater, sewer and water reticulation mains and footpaths have been carried out in accordance with the Orange City Council Development and Subdivision Code and the foregoing conditions, and that Council will take ownership of the infrastructure assets.
- (33) A Road Opening Permit Certificate of Compliance is to be issued for the works by Council prior to any Occupation/Final Certificate being issued for the development.
- (34) Certificates for testable Backflow Prevention Devices are to be submitted to Orange City Council by a plumber with backflow qualifications prior to the issue of an Occupation Certificate.
- (35) Prior to the issue of an occupation certificate, appropriate measures must be implemented to achieve compliance with the project noise trigger levels for all receivers identified in Table 4-4 of Report No. 17116 (version B) prepared by Wilkinson Murray for Forefront Services.

- (36) The applicant shall obtain a **Commissioning Report** which assesses actual noise emissions from all operations of the development **within 3 months** of the issue of any Occupation Certificate. Where the report requires additional noise attenuation works to be carried out, these works shall be undertaken within 28 days from the date of the Commissioning Report.
- (37) A **validation report** is to be provided to Council in relation to all remediation work undertaken in accordance with the Remediation Action Plan prepared by Envirowest Consulting (Reference R7970rap dated 20 August 2019) **within 30 days** of the report. The validation report is to be prepared in accordance with NSW EPA Guidelines for Consultants Reporting on Contaminated sites (2011) and Guidelines for the NSW Site Auditor Scheme (2017).
- (38) All of the foregoing conditions are to be at the full cost of the developer and to the requirements and standards of the Orange City Council Development and Subdivision Code, unless specifically stated otherwise. All work required by the foregoing conditions is to be completed prior to the issuing of an Occupation Certificate, unless stated otherwise.

MATTERS FOR THE ONGOING PERFORMANCE AND OPERATION OF THE DEVELOPMENT

- (39) Grit blasting and painting shall be carried out wholly within the dedicated areas, and those areas shall be installed, operated, and maintained to the manufacturer's standards and recommendations at all times.
- (40) Any ancillary light fittings fitted to the exterior of the building are to be shielded or mounted in a position to minimise glare to adjoining properties.
- (41) The owner is required to provide to Council and to the NSW Fire Commissioner an Annual Fire Safety Statement in respect of the fire-safety measures, as required by Clause 177 of the *Environmental Planning and Assessment Regulation 2000*.
- (42) Copies of maintenance records for servicing of the stormwater treatment system shall be forwarded to Council on 1 December annually.
- (43) When noise intensive activities are being carried out inside the workshop between the hours of 10.00pm and 7.00am, the workshop **doors must be kept closed**, unless required to be opened in an emergency, or when manoeuvring vehicles into and out of the workshop, during which time all other noise intensive activities/works in the workshop are to cease until the doors are closed.
- (44) The performance of the development in terms of noise shall be verified through testing at nearby receivers **within six months** of the occupation of the building. The applicant shall provide Council with a copy of the Verification Report and also certification that any additional mitigation works identified in the report have been completed.

Other Approvals

- (1) *Local Government Act 1993* approvals granted under Section 68.
- Nil
- (2) General terms of other approvals integrated as part of this consent.
- (3) The onsite sewage management system shall be maintained in accordance with the recommendations contained in OnSite Effluent Management Study prepared by Envirowest Consulting Pty Ltd (Reference R7970e3) dated 7 March 2019.

- (4) The contents of the existing septic tank are to be removed by a licensed contractor for disposal into Council's sewer system. The tank is to be disconnected and removed or, alternatively, the sides are to be broken in, the base of the tank punctured and the tank backfilled with clean material.
- (5) The waste management system and the land application area are to be located so as to avoid damage from stock and vehicular traffic.
- (6) All stormwater seepage and overland flow from higher levels is to be diverted from the application area by a suitable dish or contour drain.
- (7) The owner/occupier must maintain the irrigation area, including the pipework, fittings and sprinklers, and undertake the removal of vegetation where necessary. At all times, the irrigation system must be fully operational and any malfunction must be reported to the authorised service agent immediately.
- (8) All irrigation pipework and fittings shall comply with Australian Standard 1477 and:
 - a. standard household fittings are prohibited
 - b. soaker hoses and garden hoses are not permitted
 - c. the irrigation system shall not be capable of connection to the mains water supply

Right of Appeal

If you are dissatisfied with this decision, Section 8.7 of the *Environmental Planning and Assessment Act 1979* gives you the right to appeal to the Land and Environment Court. Pursuant to Section 8.10, an applicant may only appeal within 6 months after the date the decision is notified.

Disability Discrimination Act 1992:

This application has been assessed in accordance with the *Environmental Planning and Assessment Act 1979*. No guarantee is given that the proposal complies with the *Disability Discrimination Act 1992*.

The applicant/owner is responsible to ensure compliance with this and other anti-discrimination legislation.

The *Disability Discrimination Act* covers disabilities not catered for in the minimum standards called up in the Building Code of Australia which references AS1428.1 - "Design for Access and Mobility". AS1428 Parts 2, 3 and 4 provides the most comprehensive technical guidance under the *Disability Discrimination Act* currently available in Australia.

Disclaimer - S88B of the Conveyancing Act 1919 - Restrictions on the Use of Land:

The applicant should note that there could be covenants in favour of persons other than Council restricting what may be built or done upon the subject land. The applicant is advised to check the position before commencing any work.

Signed:

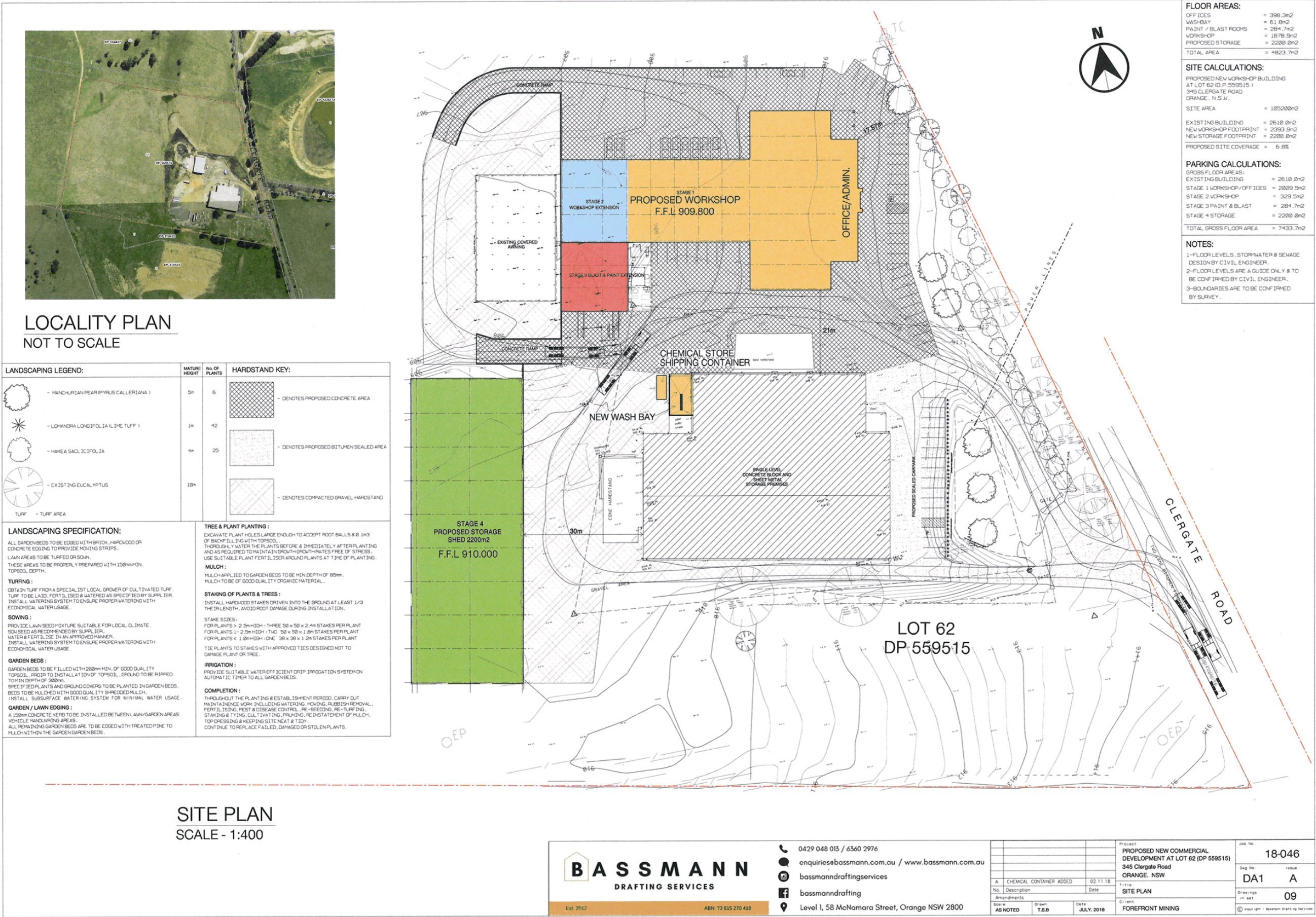
On behalf of the consent authority **ORANGE CITY COUNCIL**

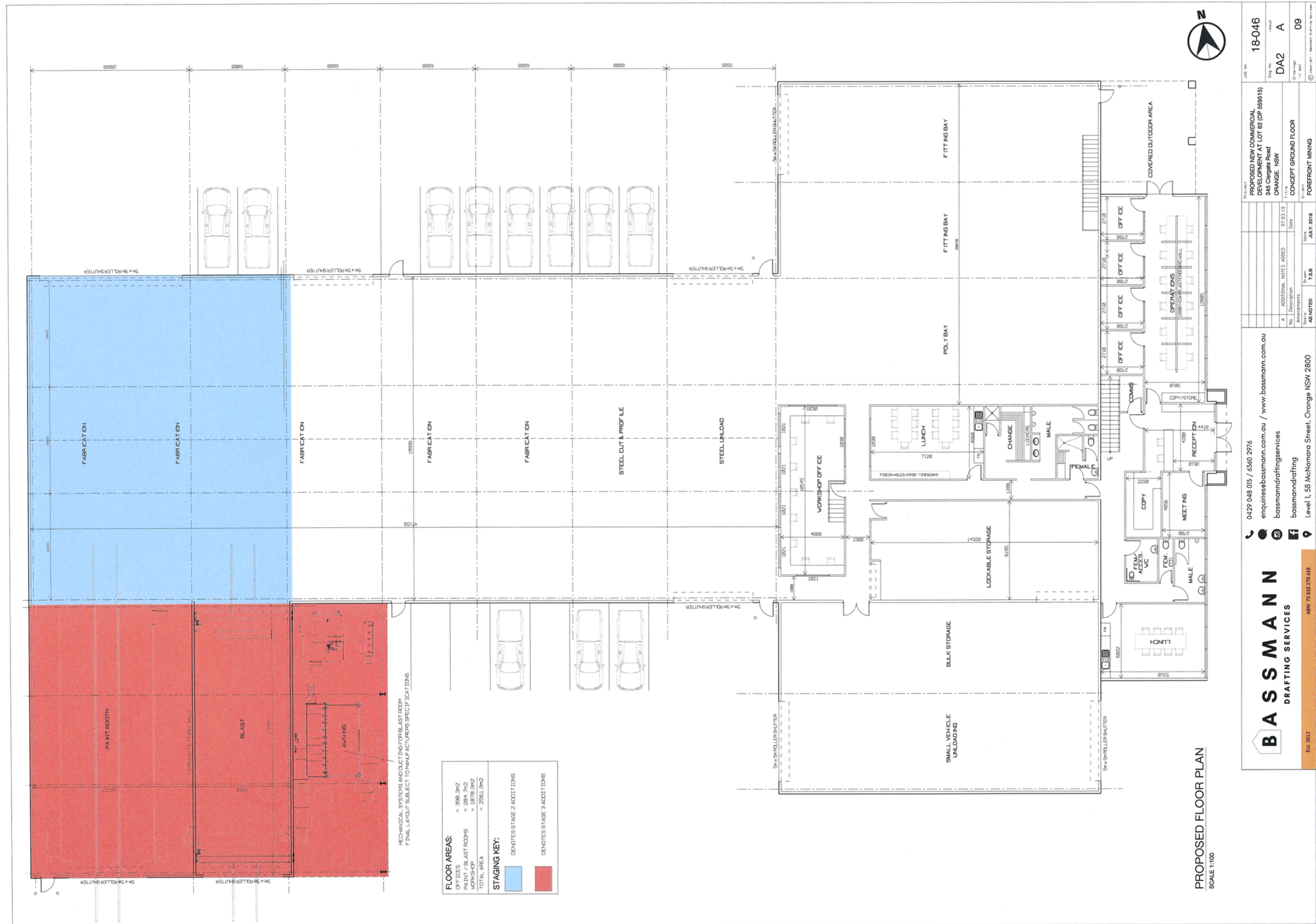
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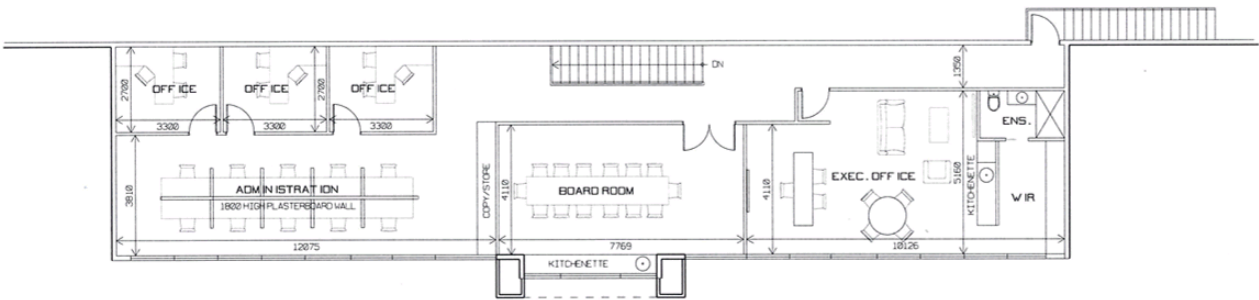
PAUL JOHNSTON - MANAGER DEVELOPMENT ASSESSMENTS

Date:

8 April 2020







PROPOSED FIRST FLOOR PLAN
SCALE 1:100

FLOOR AREAS:	
OFFICES	= 398.3m ²
PAINT / BLAST ROOMS	= 284.7m ²
WORKSHOP	= 1878.9m ²
TOTAL AREA	= 2561.9m ²



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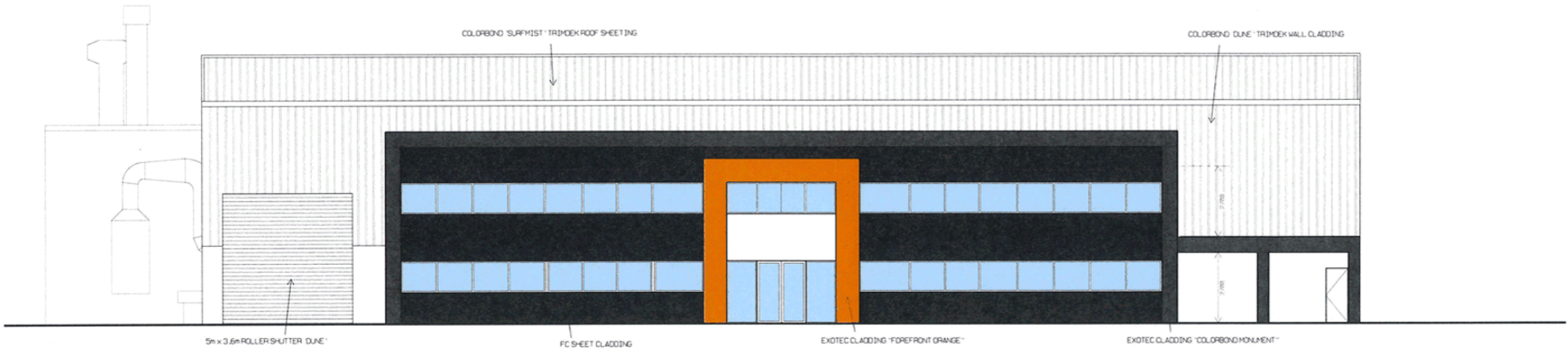
No.	Description	Date
1	AS NOTED	T.S.B.
2		JULY, 2018

Project: PROPOSED NEW COMMERCIAL DEVELOPMENT AT LOT 62 (DP 559515)
345 Clergille Road
ORANGE, NSW

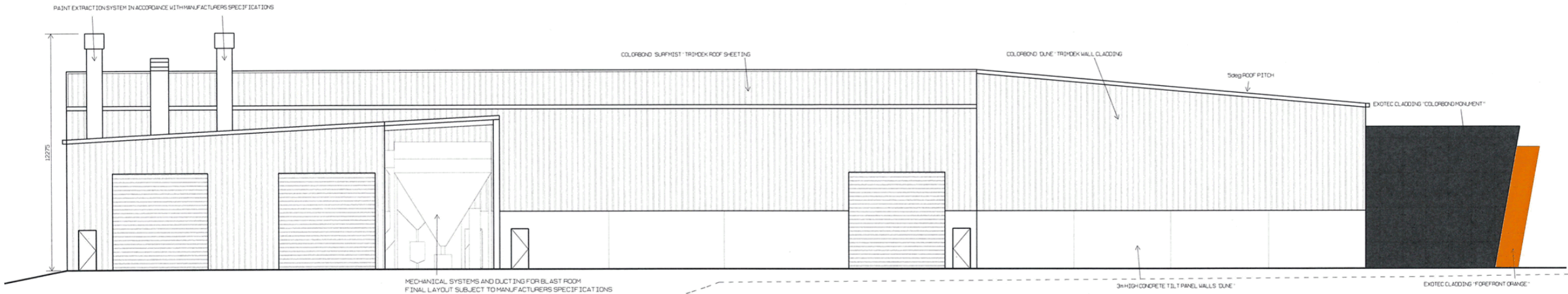
Client: FOREFRONT MINING

Job No: 18-046
Eng No: DA3
Drawings in set: 09

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PROPOSED EAST ELEVATION
SCALE - 1:100



PROPOSED SOUTH ELEVATION
SCALE - 1:100



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No.	Description	Date
A	ADDITIONAL NOTES ADDED	07.03.19
No.	Description	Date
Amendments		
Scale:	As NOTED	Drawn: T.S.B.
		Date: JULY 2018

Project:

PROPOSED NEW COMMERCIAL DEVELOPMENT AT LOT 62 (DP 559515)

345 Clergate Road

ORANGE, NSW

Title:

ELEVATIONS

Client:

FOREFRONT MINING

Job No:

18-046

Dwg No:

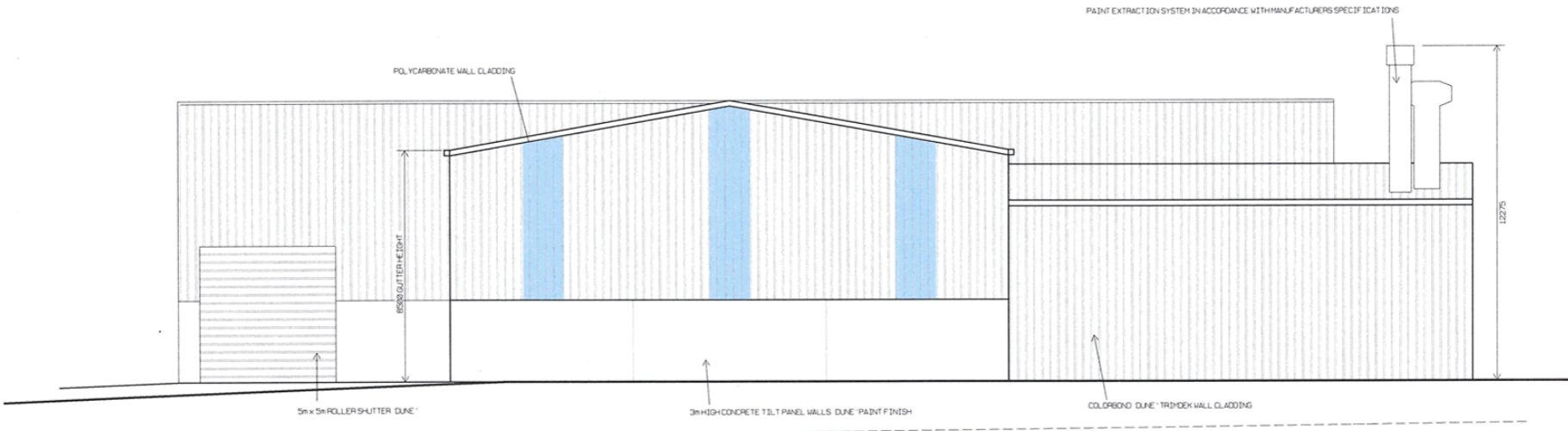
DA4

Rev:

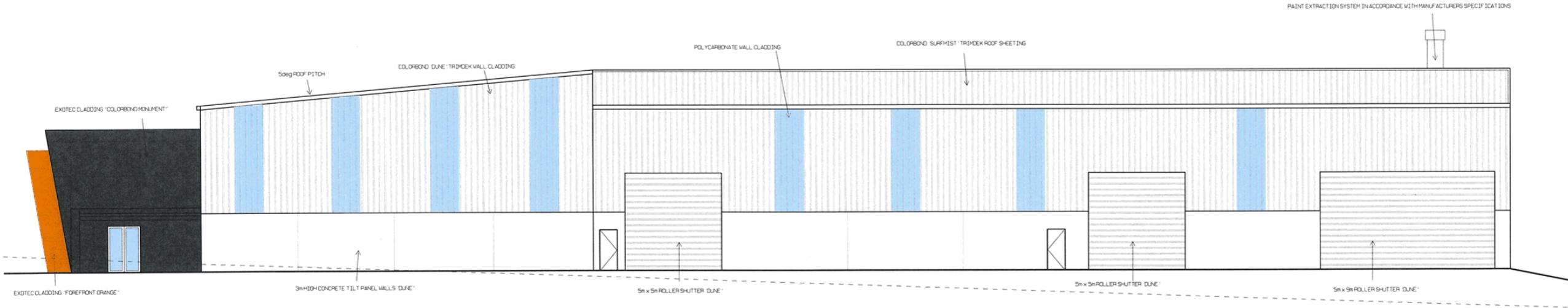
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PROPOSED WEST ELEVATION
SCALE - 1:100



PROPOSED NORTH ELEVATION
SCALE - 1:100



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bassmannrafting
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No.	Description	Date
1	AS NOTED	T.S.B

Amendments	Drawn	Date
AS NOTED	T.S.B	JULY 2018

Project: PROPOSED NEW COMMERCIAL DEVELOPMENT AT LOT 62 (DP 559515)
345 Ciergate Road
ORANGE, NSW

Issue: ELEVATIONS

Client: FOREFRONT MINING

Job No: 18-046

Eng No: DA5

Drawings in set: 09

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PROPOSED
OPEN STORAGE
SHED
2200m2

FLOOR PLAN (STORAGE BUILDING)
SCALE - 1:100

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No.	Description	Date
Amendments		
Scale	Drawn	Date
A3 NOTED	T.S.B	JULY 2018

Project

PROPOSED NEW COMMERCIAL
DEVELOPMENT AT LOT 62 (DP 559515)
345 Clergate Road
ORANGE, NSW

Title

STORAGE SHED FLOOR PLAN

Client

FOREFRONT MINING

Job No.

18.046

Eng No.

DA6

Drawings

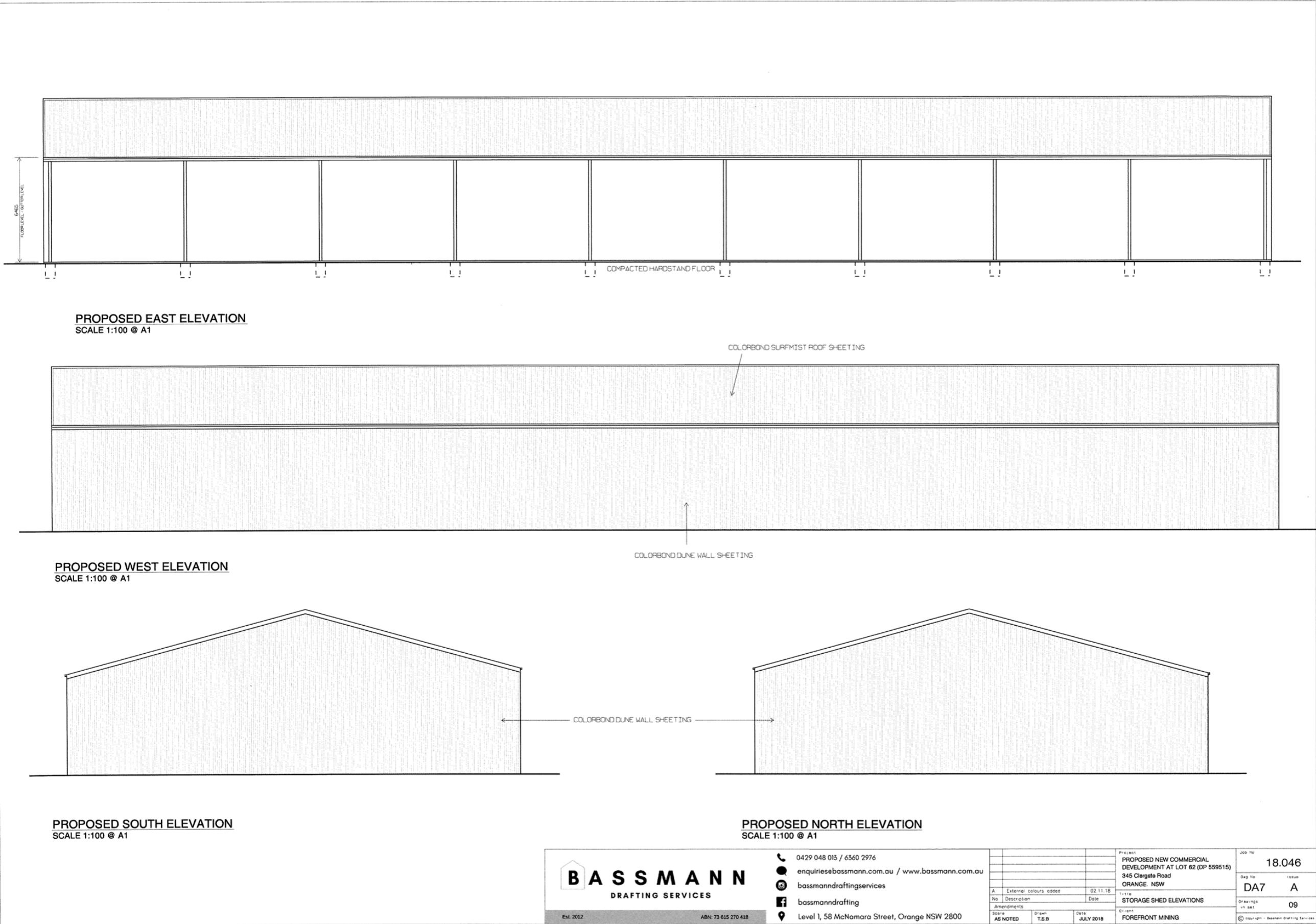
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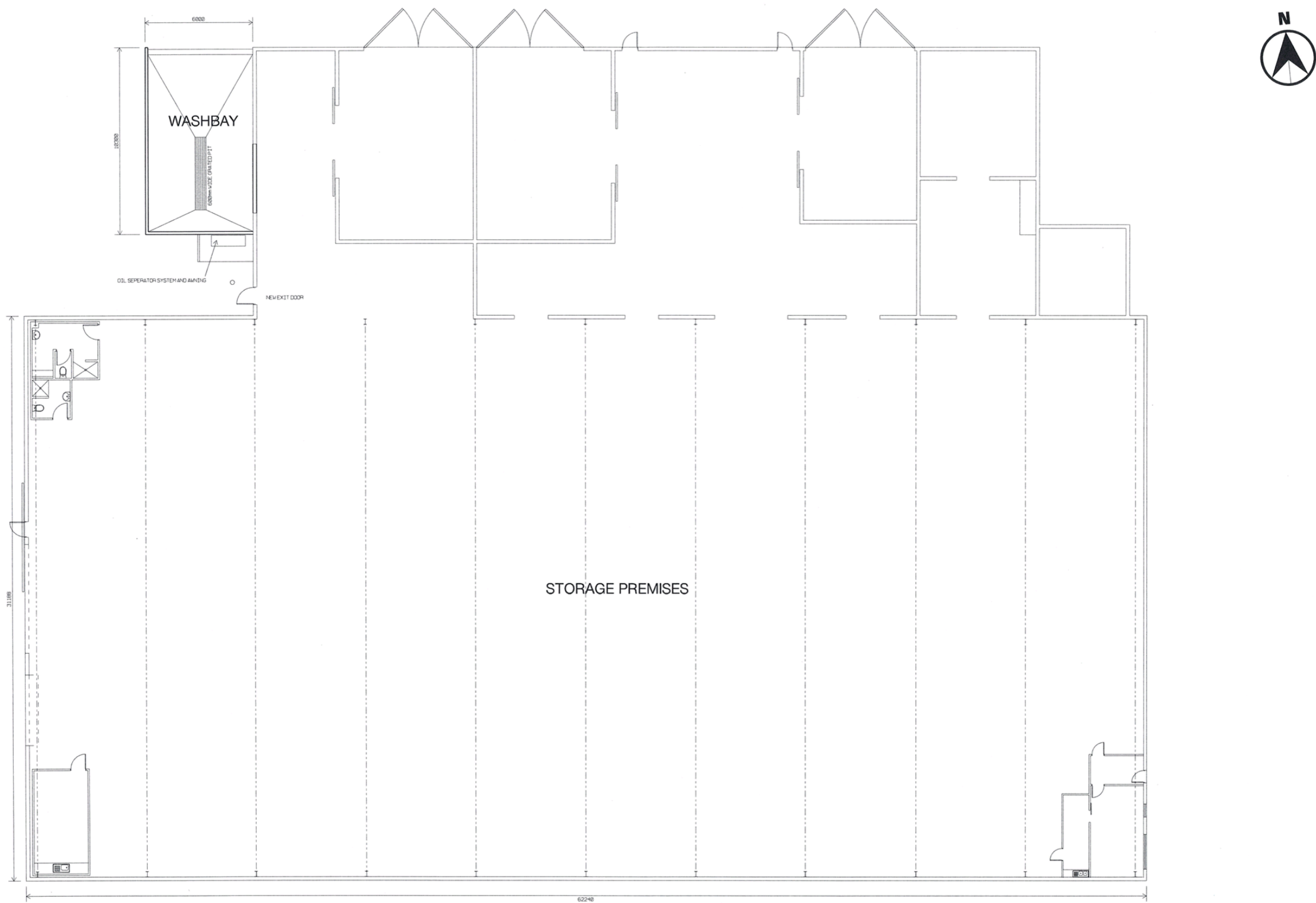
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EXISTING STORAGE PREMISES FLOOR PLAN
SCALE - 1:100



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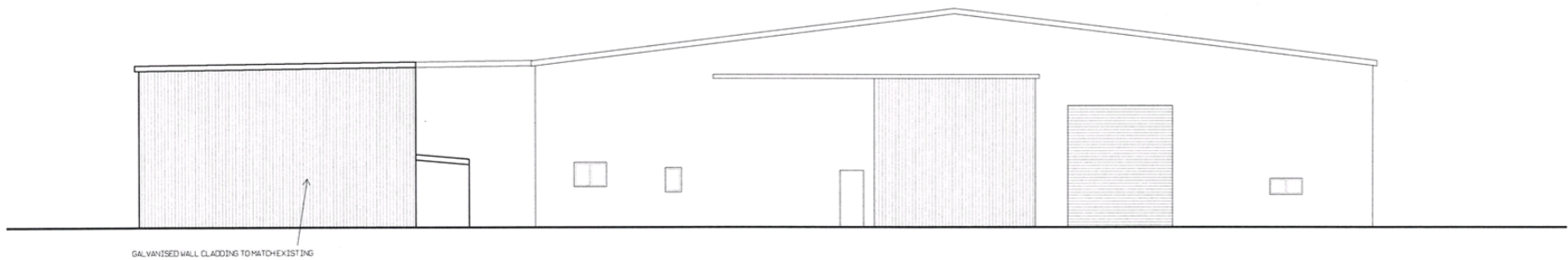
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Amendments		
Scale	AS NOTED	
Drawn	T.S.B	
Date	JULY 2018	

Project:
PROPOSED NEW COMMERCIAL
DEVELOPMENT AT LOT 62 (DP 559515)
345 Clergate Road
ORANGE, NSW

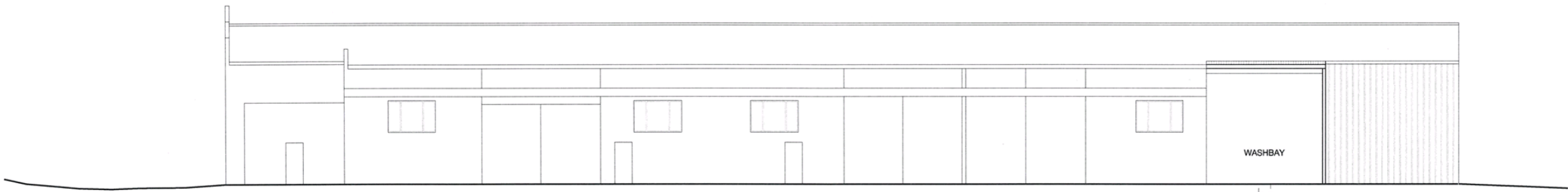
Title:
STORAGE PREMISES FLOOR PLAN

Client:
FOREFRONT MINING

Job No.	18-046
Dwg No.	DA8
Issue	09
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WEST ELEVATION - STORAGE PREMISES
SCALE - 1:100



SOUTH ELEVATION - STORAGE PREMISES
SCALE - 1:100



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No.	Description	Date
Amendments		
Scale	AS NOTED	Drawn T.S.B.
		Date JULY 2018

Project
PROPOSED NEW COMMERCIAL
DEVELOPMENT AT LOT 62 (DP 659615)
345 Clergate Road
ORANGE, NSW

Title
STORAGE PREMISES ELEVATIONS

Client
FOREFRONT MINING

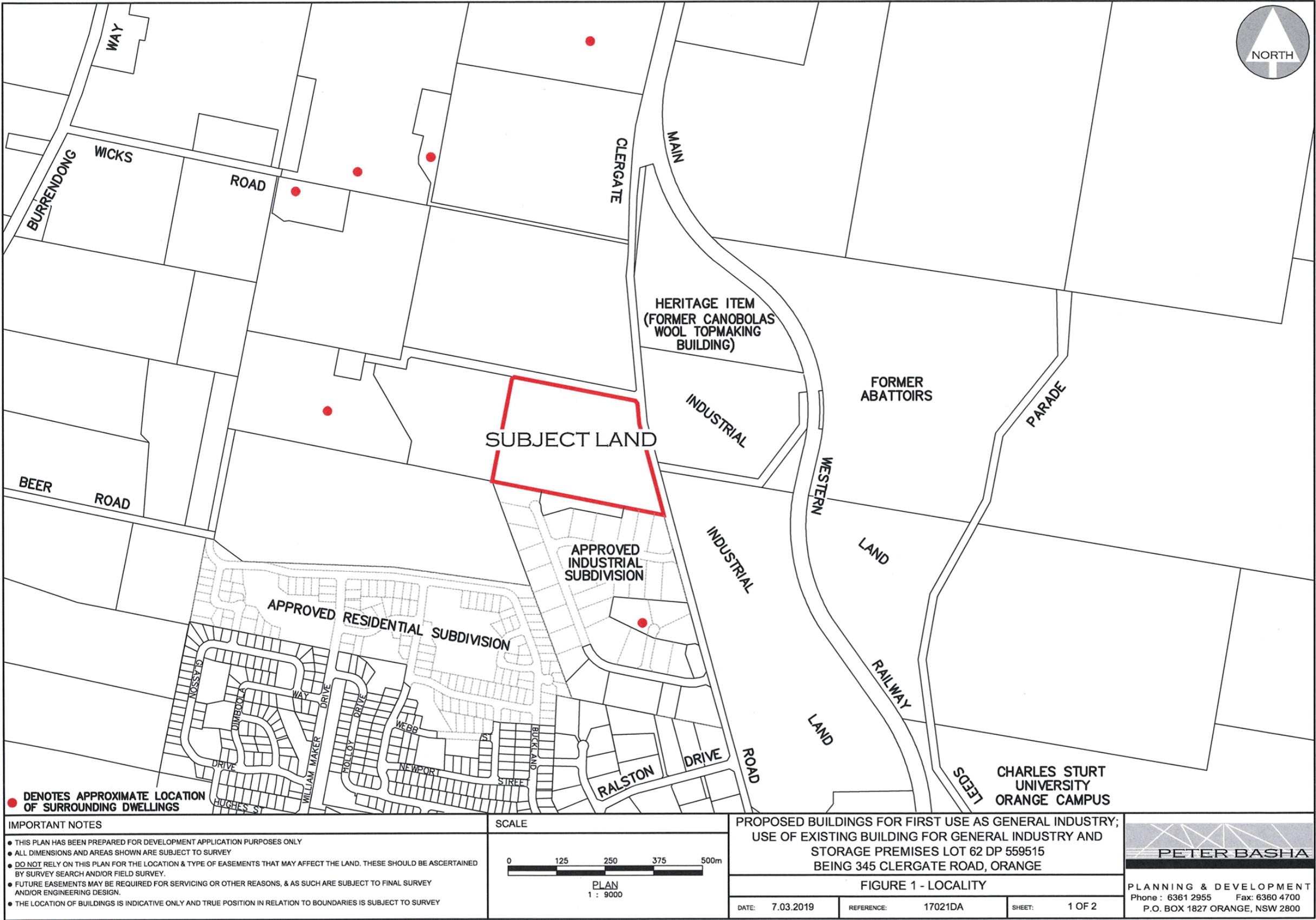
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Eng No
DA9

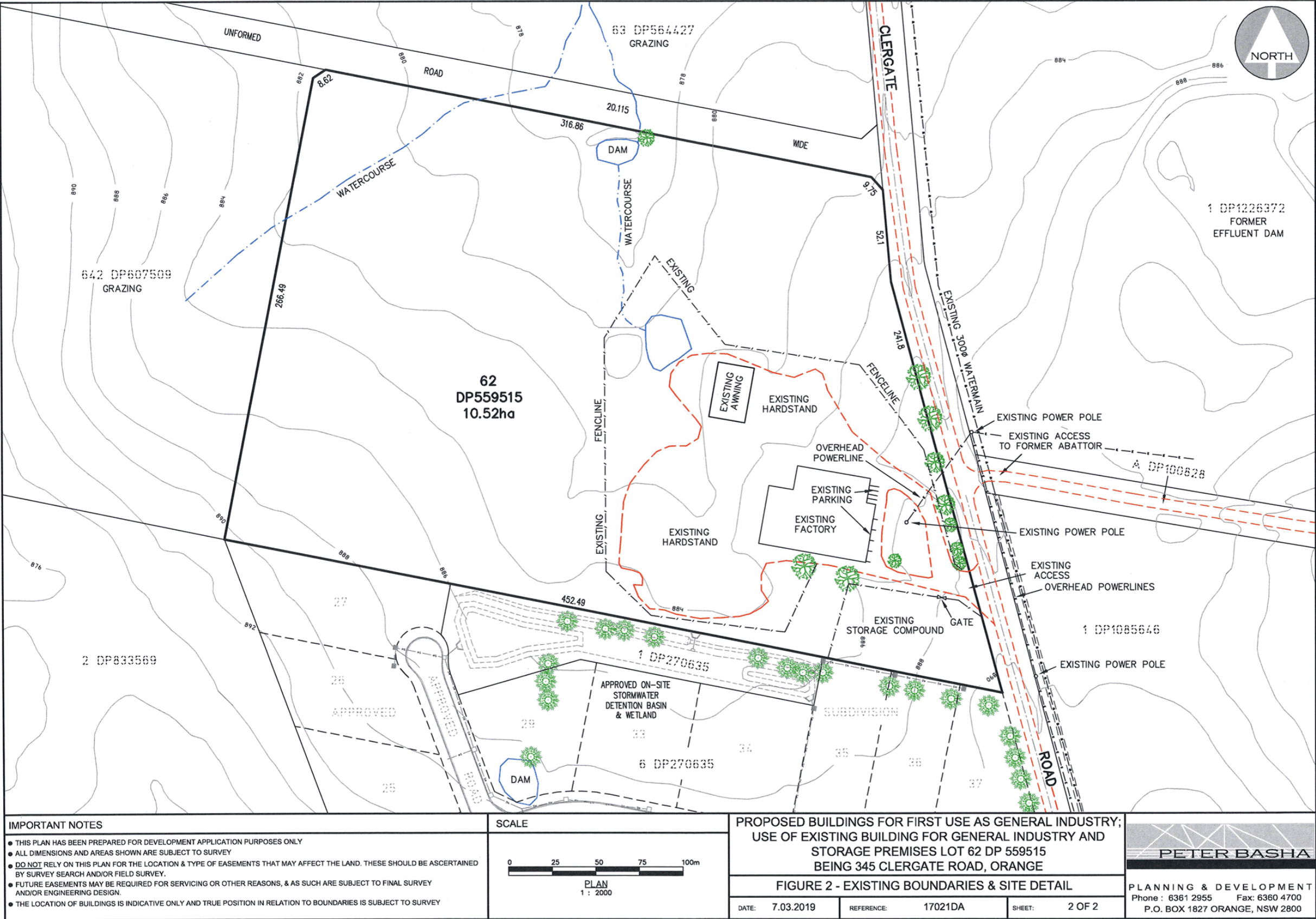
Issue
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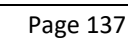
Drawings
in set

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154 Peisley Street
PO Box 1963
ORANGE NSW 2800

Our Ref: 217340_LET_001A.docx

8 March 2019

The General Manager
Orange City Council
PO Box 35
ORANGE NSW 2800

Attention: Ella Wilkinson

Dear Ms Wilkinson

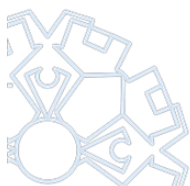
DA332/2018(1) – PROPOSED INDUSTRY – 345 CLERGATE ROAD, ORANGE

We provide this correspondence on behalf of Mr Bob Healy, as the owner of the adjacent lands to the north and west of the above site.

Thank you for the opportunity to comment on this development application. Our apologies for the lateness of this submission.

Whilst no specific objection to the proposal is raised, we would like to request that Council ensures the following matters are considered in full in the application assessment:

- No floor plans have been provided so it is unclear whether the paint booth and blast rooms are internal to the building or external. We understand external sand blasting currently occurs at the site with significant noise impacts to neighbouring properties. The noise assessment is silent on whether the operations at the similar site included blast rooms. We would expect that additional clarification on these points would be required prior to Council determining the application;
- There is no information supplied within the SEE, or via the plans provided, to identify how waste water associated with the proposed wash bay is managed, what sort of vehicles are to be washed (stock trucks, mining vehicles etc), whether this would be a private or commercial feature of the site (ie accessible to the general public or other businesses) or where water is sourced from to supply the wash bay. We would expect that additional clarification on these points would be required prior to Council determining the application;
- The assessment of traffic impacts provides no detailed assessment of traffic numbers to utilise the access point, no details of the speed of passing vehicles, no details of the adequacy of the existing access treatment to accommodate projected volumes and no swept path analysis of the largest design vehicle. We would expect that additional clarification on these points would be required prior to Council determining the application;
- The SEE fails to discharge the obligations pursuant to clause 7 of SEPP55 by providing a detailed history of the historic site usage. It is further understood the site is currently used for the storage of heavy vehicles, including fuel tankers. No details of this usage are discussed in the





assessment. We would expect that additional clarification on these points would be required prior to Council determining the application;

- No information about the management of the proposed storage premises is provided, in the event it operates independently of the remainder of the site. How will access be managed? What security measures are proposed? How is parking associated with the storage use proposed? Discussion of storage is limited to storage of ad hoc supplies by the applicant and provides no description of independent storage activities. We would expect that additional clarification on these points would be required prior to Council determining the application;
- No details of an Aboriginal heritage due diligence assessment have been provided and we form the view the relevant obligations under the National Parks and Wildlife Act have not been discharged. We would expect that additional clarification on these points would be required prior to Council determining the application;
- Given the potential increase in activity on the site as proposed via this application, and the primary production status of the land, Mr Healy requests the provision of a vegetated or similar buffer of at least 20 metres width and 15 metres height, consisting of appropriately species, on the northern and western boundaries of the subject site, to provide some amelioration of noise impacts to grazing cattle and other stock and a visual buffer between the differing land uses. Details of the buffer should be required as a condition of consent.

At present stock are highly disturbed by the industrial activities taking place, especially the external sand blasting that occurs in the canopy area to the north of the existing shed. Whilst this may improve with the proposed activity (on the assumption that these activities would move inside into a noise attenuated area), external traffic and other activities will increase with the increased scale of the project. Such a buffer therefore provides a reasonable aural and visual buffer between these two distinctly different land uses. This has relevance in light of the comments below, in the context of the uncertainty of the future zoning of the adjacent land to the west, south-west and north. Such a buffer, if required in the future, could not retrospectively required in relation to the industrial land use, but it is appropriate to provide it on the industrial land.

The historic development of the former stone tile facility occurred over 20 years ago, before the encroachment of residential lands to the south-west and before adoption of the current land use strategies relating to the land (discussed below).

Finally, and pertinently to the application, Mr Healy is aware that Orange City Council, along with the Councils Blayney and Cabonne Shires, are currently completing a comprehensive review of the Blayney Cabonne Orange Rural and Industrial Land Use Strategy 2008 (BCO) and that each Council also proposes to carry out a review of their Sustainable Settlement Strategies in 2019.

It is understood the comprehensive BCO review will consider, among other things, the suitability of utilising the land to the west and north of the subject site for future industrial purposes (as is currently proposed by the BCO). At the appropriate time (noting that public consultation on the BCO review has not yet commenced) Mr Healy proposes to make submissions to the BCO review and the subsequent SSS review, to request that the land to the north and west of the subject site be excluded from the BCO for use for future industrial purposes and instead seeks to request this land be included, along with the land to the south-west, for use for residential and rural residential purposes. This would provide a more appropriate buffer to the established primary production land to the north and north-west and the pending rezoning of land to the east of the Main Western Railway line for rural residential and environmental living (currently the subject of a Gateway approval from Department Planning & Environment).





This outcome would result in residential properties adjacent to the northern and western boundaries of the site. Whilst there is no certainty about this outcome, an assessment of noise impacts with these potential future residential receivers is warranted, as is an assessment to future industrial receivers in the event the current recommendations of the BCO proceed without change.

We trust that you will take the above into account in your determination of this application.

Please contact the undersigned should you wish to discuss any of the above.

Yours faithfully
Geolyse Pty Ltd

DAVID WALKER
Senior Town Planner



5.5 BLAYNEY CABONNE ORANGE (BCO) SUB-REGIONAL RURAL AND INDUSTRIAL LAND STRATEGY

RECORD NUMBER: 2020/405

AUTHOR: Craig Mortell, Senior Planner

EXECUTIVE SUMMARY

In 2008 Council adopted the *Blayney Cabonne Orange Sub-Regional Rural and Industrial Land Strategy* (BCO). The original BCO strategy addresses agricultural, industrial and large lot residential land across the three Council LGA's. The subregional approach recognises the overlapping influence of the different settlements on neighbouring Council areas, in particular the size of Orange and physical proximity to Cabonne and Blayney mean that land use planning decisions in Orange will have a pronounced flow on effect to the other Councils.

Like all strategies the BCO needs to be periodically reviewed and updated. The three member Councils and the Department of Planning, Industry and Environment have been working collaboratively throughout 2019 with consultants Elton to produce a successor strategy. It was decided that the large lot residential components would be removed from the revised BCO as each Council has been pursuing their own local housing strategies independently.

The Draft Subregional Rural and Industrial Lands Strategy 2019 to 2036 provides a framework to guide growth and development of agriculture and industry within the Blayney, Cabonne and Orange Local Government Area subregion to 2036.

Key points identified within the Strategy for Orange include:

- There are some inconsistencies in the Local Environmental Plans (LEP's) of the three Councils. These inconsistencies arose during the implementation of the State LEP Template applicable to each Council at the time. An opportunity exists for Orange to apply controls that were not available at the time of drafting the 2011 Orange LEP.
- Expanded industrial precinct of North Orange that allows for a recent residential rezoning.
- Update of Southern Industrial Precincts (Leewood etc.) to reflect improved access provided by Southern Feeder Road construction works.
- Whilst presently there is not a demand for the precinct surrounding the Orange Airport, the Strategy identifies the future strategic advantage of this land and the need to preserve this into the future.

LINK TO DELIVERY/OPERATIONAL PLAN

The recommendation in this report relates to the Delivery/Operational Plan Strategy "7.1 Preserve - Engage with the community to develop plans for growth and development that value the local environment".

FINANCIAL IMPLICATIONS

The NSW Department of Planning and Environment (DPE), Blayney Shire Council, Cabonne Council and Orange City Council engaged Elton Consulting to review and update the 2008 Strategy.

External consultant expenditure will be approximately \$40,000 and is allocated within the 2019/20 Operational Plan.

POLICY AND GOVERNANCE IMPLICATIONS

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.

RECOMMENDATION

That Council resolve to:

- 1 Endorse the Draft Subregional Rural and Industrial Lands Strategy 2019 to 2036 for public exhibition.**
- 2 Exhibit the Draft Subregional Rural and industrial lands Strategy 2019 to 2036 in accordance with the Community Participation Plan.**

FURTHER CONSIDERATIONS

The recommendation of this report has been assessed against Council's other key risk categories and the following comments are provided:

Service Delivery	A subregional strategy for employment and agricultural lands enables all three Councils to plan for appropriate services to support the local economies.
Image and Reputation	Renewal of the subregional strategy provides an opportunity for Council to demonstrate its commitment to our local food producers by protecting the integrity of prime agricultural land. Additionally the strategy builds confidence in the local economy that current and prospective employers will find suitable land to meet their business needs.

5.5 Blayney Cabonne Orange (BCO) Sub-Regional Rural and Industrial Land Strategy

Political	Land rezoning has the potential to change land values significantly, which can attract criticism and scrutiny. A subregional strategy, subject to public scrutiny, serves to demonstrate an impartial and orderly approach is being followed and helps to build confidence in the decision making process.
Environmental	The subregional strategy builds upon the previous BCO work in identifying environmental constraints.
Health and Safety	Nil
Employees	Nil
Stakeholders	The subregional strategy has been prepared in conjunction with neighbouring Councils, Blayney and Cabonne, as well as the Department of Planning, Industry and Environment. This approach enables each Council to promote both themselves and the subregion as a whole.
Projects	Nil

SUPPORTING INFORMATION

From 2004 to 2008, the Blayney Shire, Cabonne Shire and Orange City Councils collaborated to prepare the Sub-Regional Rural and Industrial Land Use Strategy 2008 (the '2008 Strategy').

The 2008 Strategy provided a comprehensive rural and industrial lands strategy to guide and inform land use planning for the subregion for 30 years, as well as informing the preparation of Standard Instrument Local Environmental Plans for each of the three Councils.

A planning proposal to rezone the land at the Orange Airport into an Industrial and Technology Park, subsequently withdrawn, illustrated a need to review and update the BCO to ensure there was sufficient and appropriate employment lands available across all three Councils.

The NSW Department of Planning and Environment (DPE), Blayney, Cabonne and Orange Councils subsequently engaged Elton Consulting to review and update the 2008 Strategy following the release of the NSW Government Central West and Orana Regional Plan in 2017.

The Draft Subregional Rural and Industrial Lands Strategy 2019 to 2036 has been developed through a two stage process with Stage 1 involving a comprehensive review of the existing 2008 Strategy 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.

Stage 2 has involved the preparation of the final Draft Subregional Rural and Industrial Lands Strategy 2019 to 2036 based on the results of Stage 1.

Community Engagement Strategy

Public exhibition will be undertaken generally in accordance with the Community Participation Plan. Public exhibition will be undertaken for a period of 28 days, with the exhibition period to commence after public notice is published in the Central Western Daily.

Given issues arising from Covid 19 pandemic, community engagement and consultation needs to be carried out in a flexible manner which is most likely to rely on online options. It had been planned to have a series of public information forums on this draft Strategy, however such meetings are no longer an option. The use of alternative consultation measures will be considered (such as podcasts). The detail of this will be determined allowing for the current fluid environment.

A flexible approach to consultation will ensure that this key strategic document progresses as required, whilst giving good opportunities for community involvement within the three Council areas.

The Draft Subregional Rural and Industrial Lands Strategy 2019 to 2036 will be reported back to Council at the conclusion of the public exhibition periods of the three Councils.

ATTACHMENTS

- 1 Draft Blayney Cabonne Orange (BCO) Rural and Industrial Strategy, D20/11793 [↓](#)



Subregional Rural and Industrial Lands Strategy 2019 to 2036 - Draft

Blayney Shire Council, Cabonne Council and Orange City Council

Date: 10 February 2020

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Date Issued	Revision	Author	Reviewed	Comment
11/11/19	1.0	Liz Densley, Jacqui Slater, Bec Mouy	Liz Densley	Draft for client review
30/01/2020	1.1	Liz Densley, Jacqui Slater	Liz Densley	Draft for Exhibition
10/02/2020	1.2	Liz Densley, Jacqui Slater	Liz Densley	Draft for Exhibition

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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.

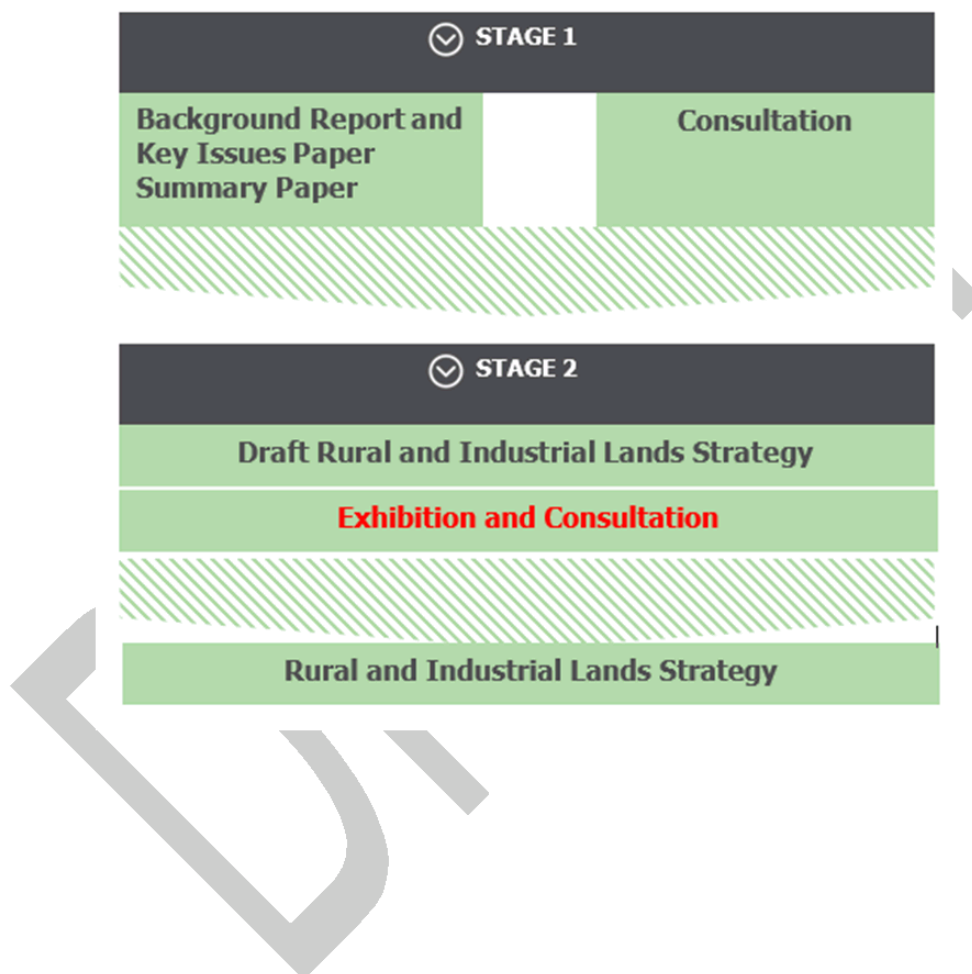
More recently, the councils jointly adopted a Regional Economic Development Strategy (REDS) with the NSW Government in 2018, reflecting their positioning as a functional economic region. Prepared with input from the

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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.



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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.

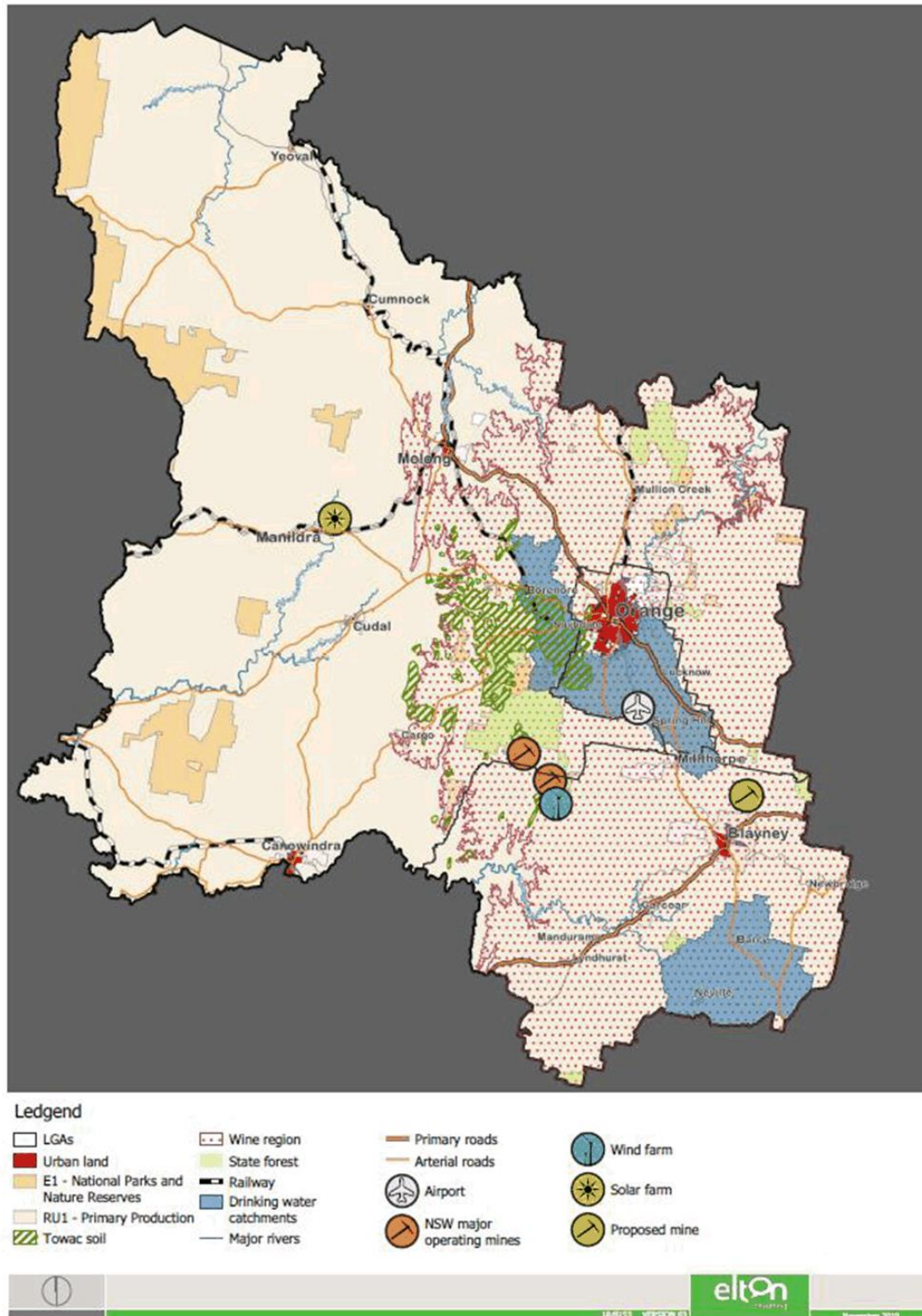
The subregion has a growing population and a vision to be a 'large and diverse regional economy with a vibrant network of towns, villages and a regional city that leverage opportunities from being at the heart of NSW in order to grow wealth and prosperity'. The subregion's economic strategy seeks to 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**.

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Figure 1 Subregion



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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	

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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.

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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

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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;

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- » 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

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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.

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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 land use 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

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Strategy	Action	Implementation Outcome	Timeframe	Responsibility
A4 Reduce Long Term Fragmentation of Agricultural Land	<p>of development for dwellings close to intensive agricultural operations</p> <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>for agricultural purposes would be reduced.</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

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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

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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>			

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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

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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)

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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)

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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

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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

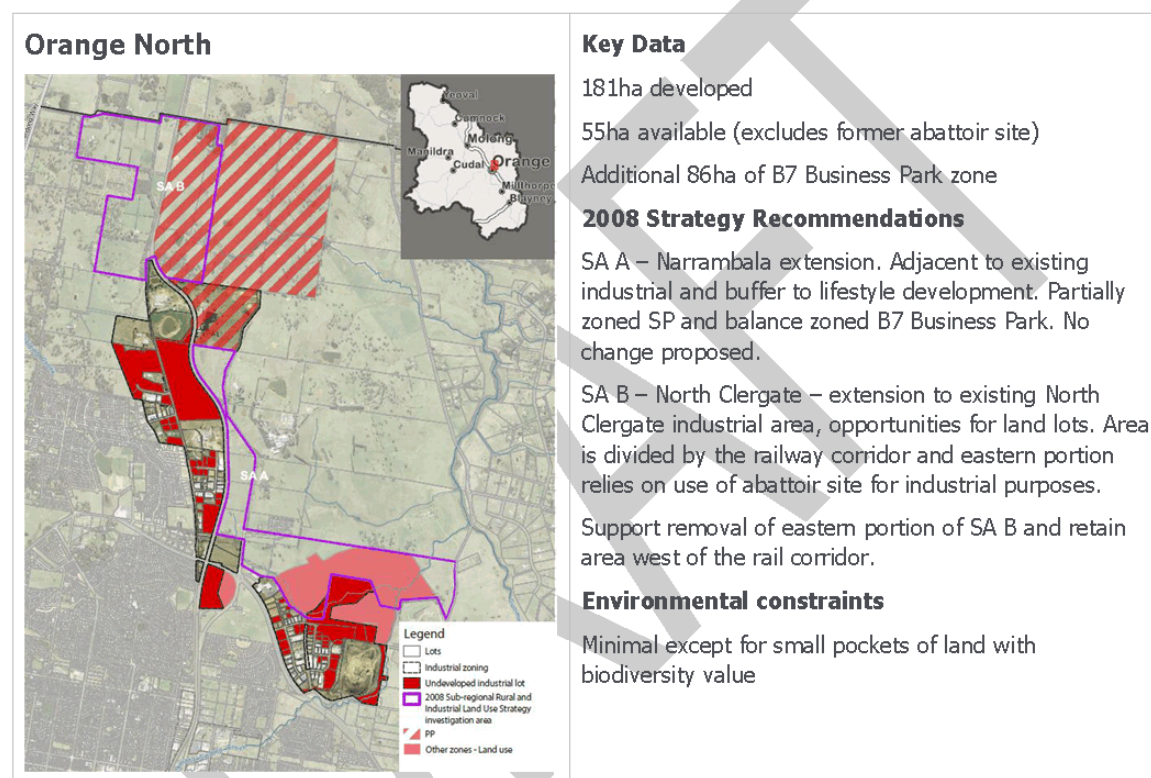
The Key Actions identified for each precinct area aligned with the Regional Plan, refer **Appendix F**.

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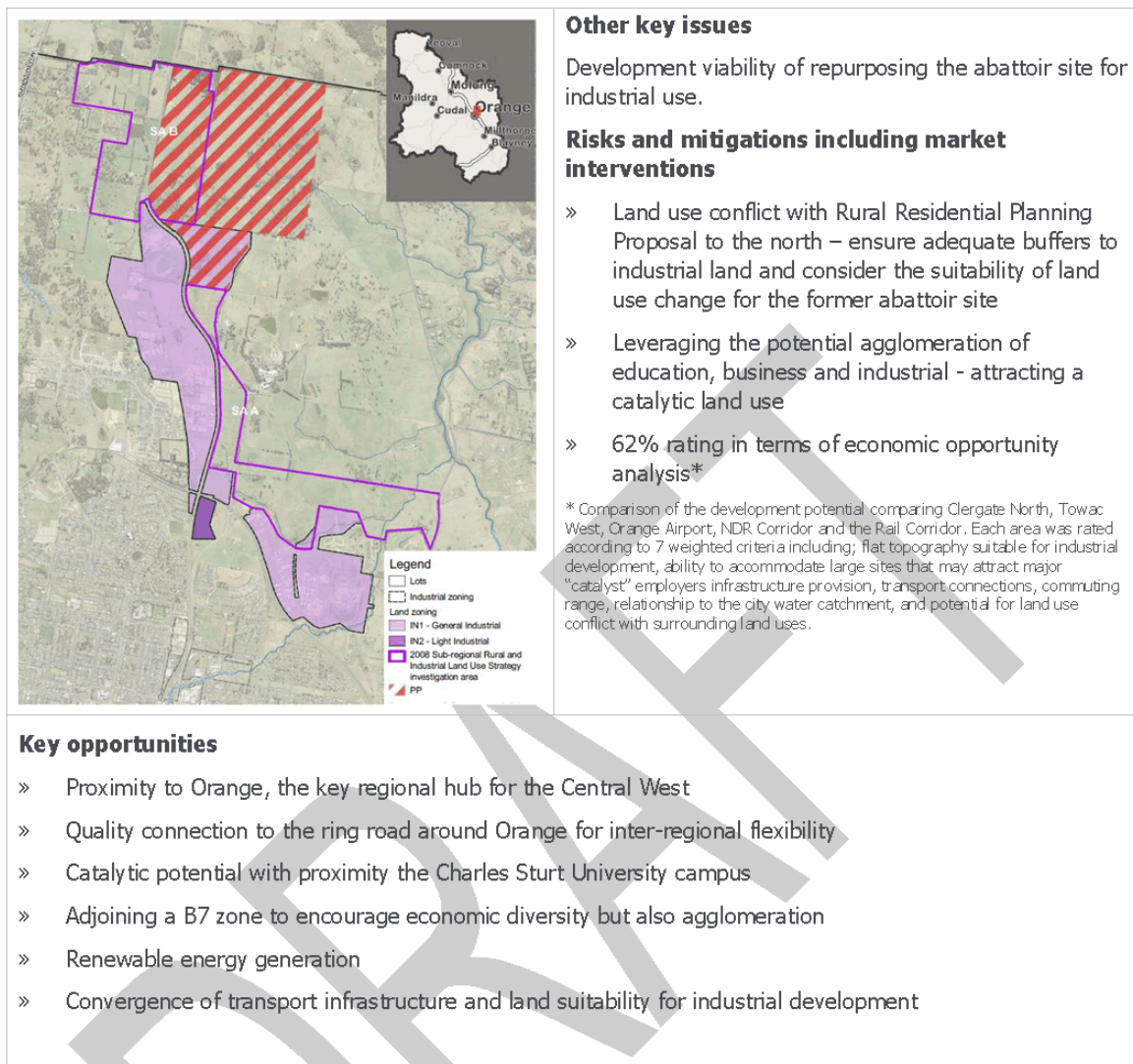
5 Industrial Land Use Strategy Actions

4.3 Orange

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



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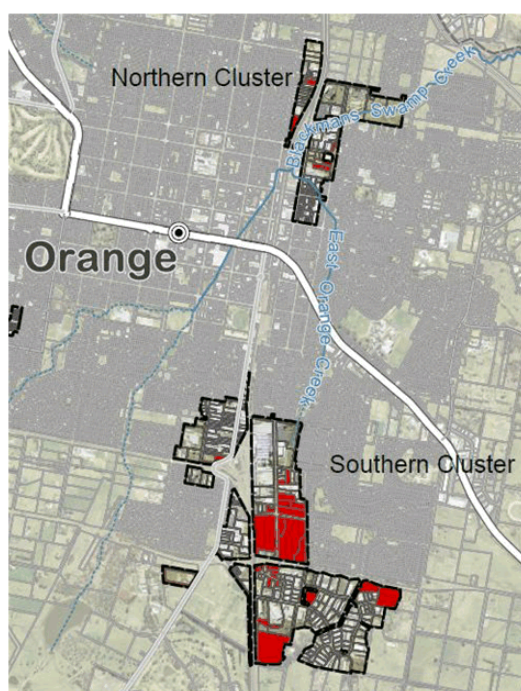


Key Planning Actions		Responsibility	Timeframe
ON2	Consideration of the uses of the former abattoir site to ensure minimisation of land use conflict between industrial and rural residential uses north of the site.	Orange Council	Short term
ON3	Work with the NSW Government to develop a strategy for the 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

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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 sector 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.

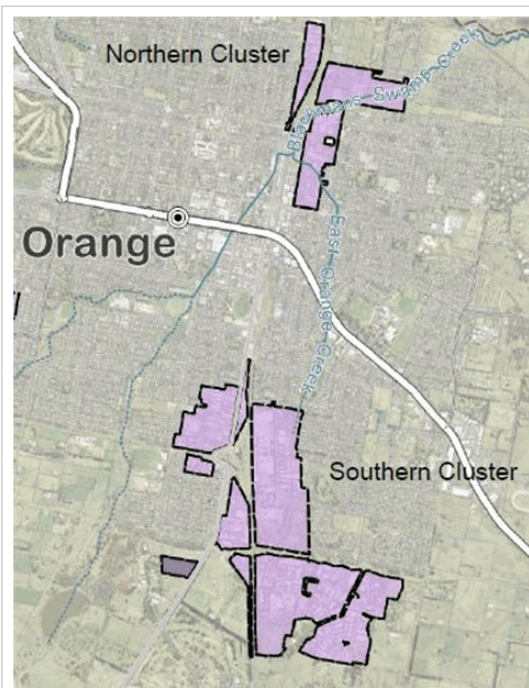
Northern cluster: Local heritage items are present to the north of one part of the industrial zoned land and to the east of the other part. Residential development surrounds the bulk of the remaining area.

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.

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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

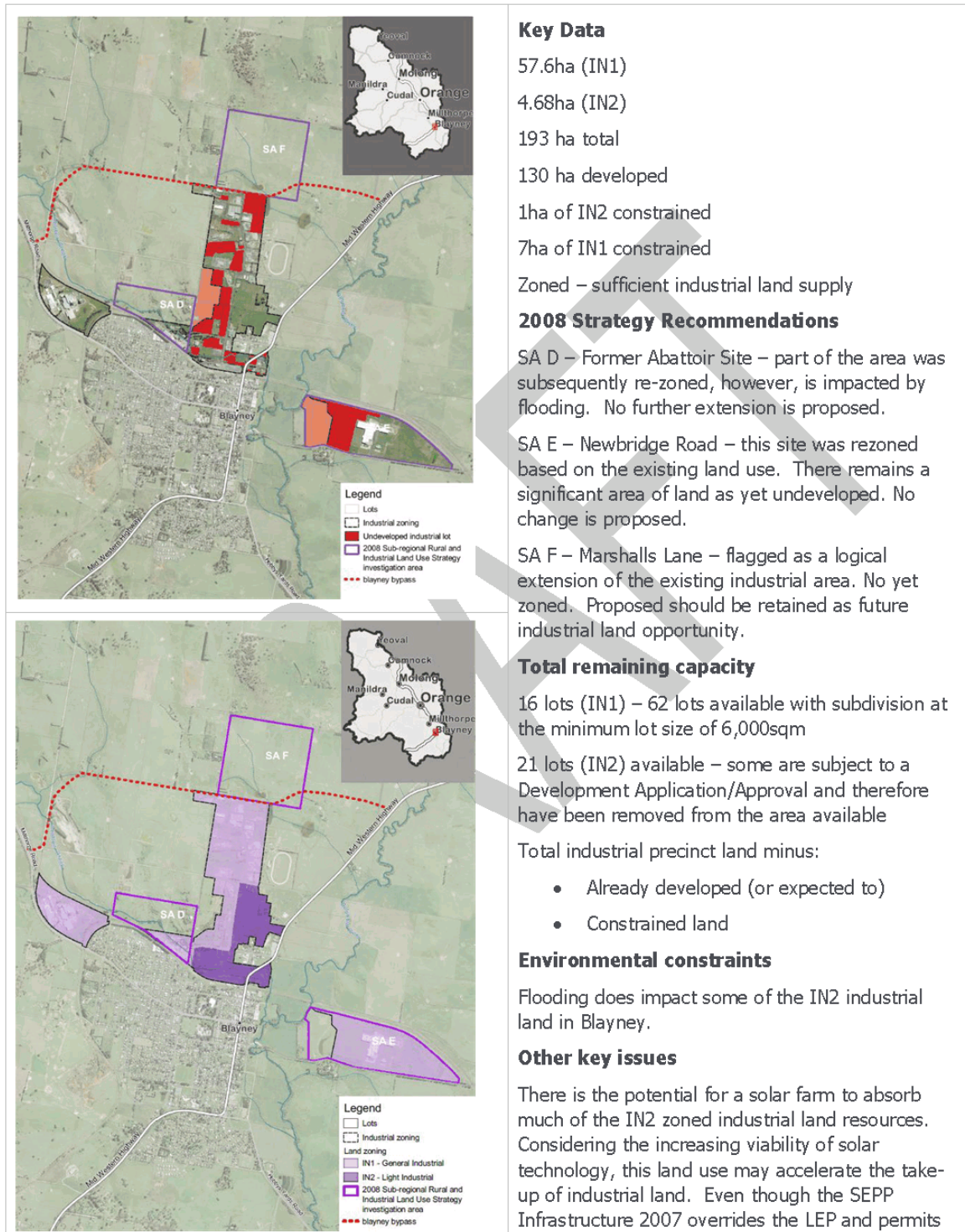
Key Actions		Responsibility	Timeframe
OC1	Evaluate the impacts of road network improvements and identify if a small portion of land should have smaller lot sizes to promote a diversity of employment activity.	Orange Council, DPIE	Short term
OC2	Advocate to capitalise on the upgrades to the Main West 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 sector from a land use/zoning perspective.	Councils, DPIE	Ongoing

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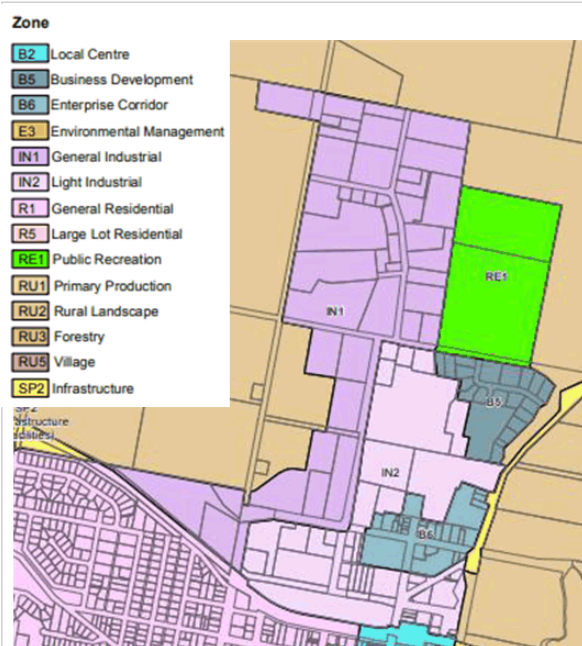
Key Actions		Responsibility	Timeframe
OC5	Engage with the agri-business sector/landowners/operators to understand any emerging markets and add-value processes and any impacts on land uses e.g. organic grain and other food produce.	Councils, DPIE	Ongoing
OC6	Manage competition between renewable energy 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



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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

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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

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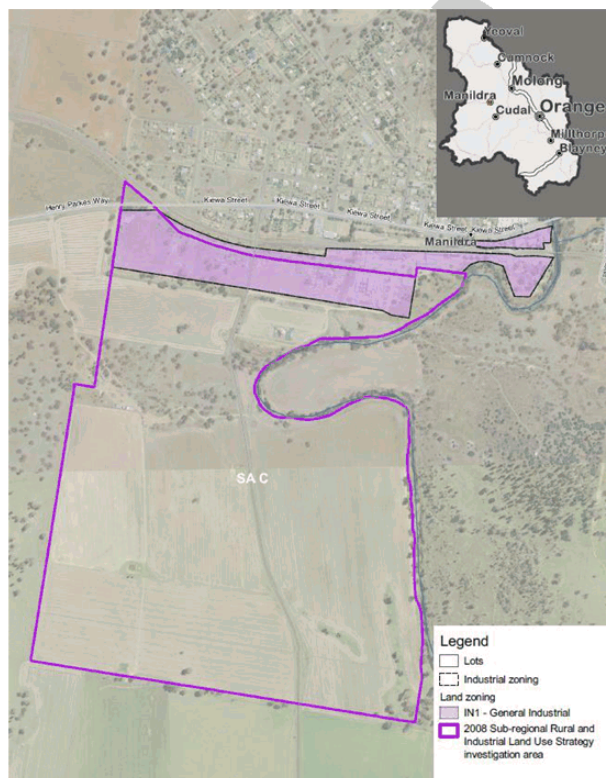
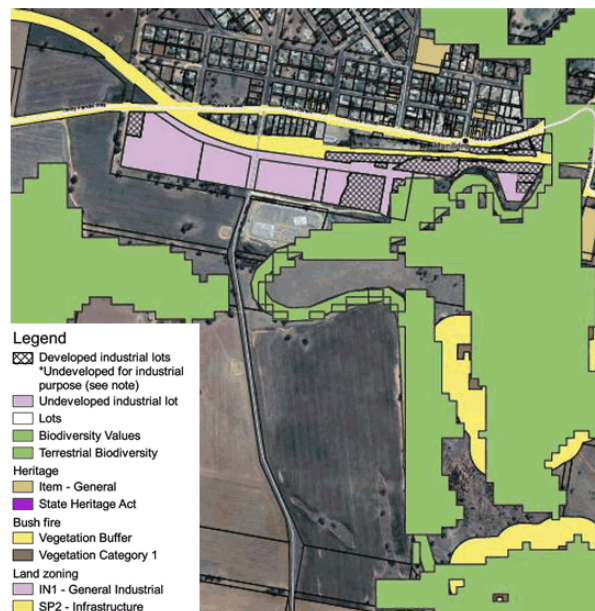
4.5 Cabonne

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



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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

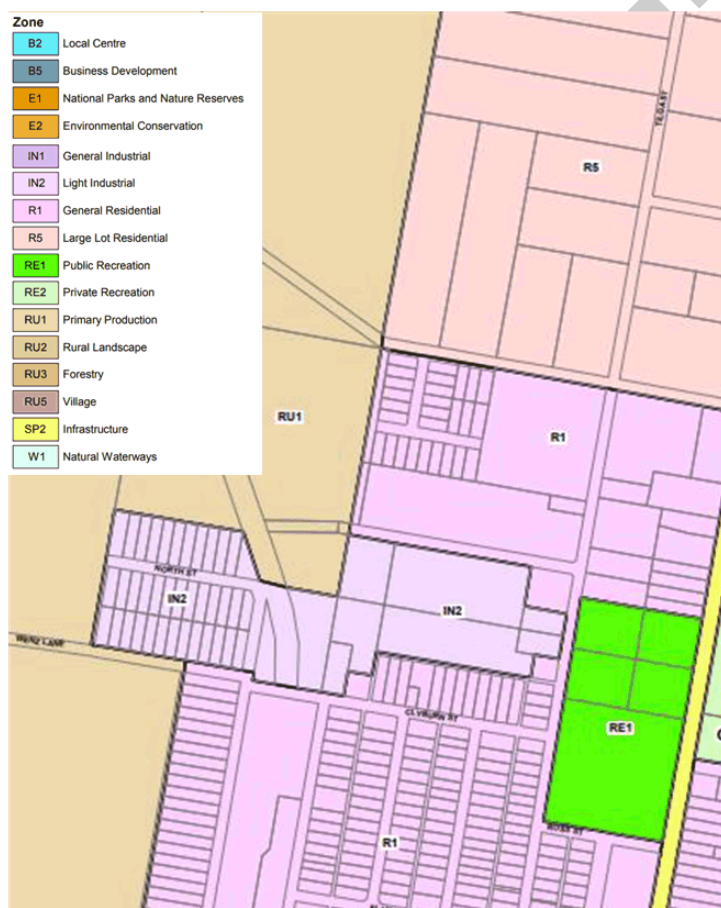
Accessibility of railway logistics - Manildra Flour Mill is currently investigating funding to expand the siding to increase capacity and encourage further industrial/logistics development. Manildra may also be subject to increased development applications for solar farms as the locality is on a node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

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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**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

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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

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4.6 Orange Airport



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

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.

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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 not 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.

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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.

Appendices

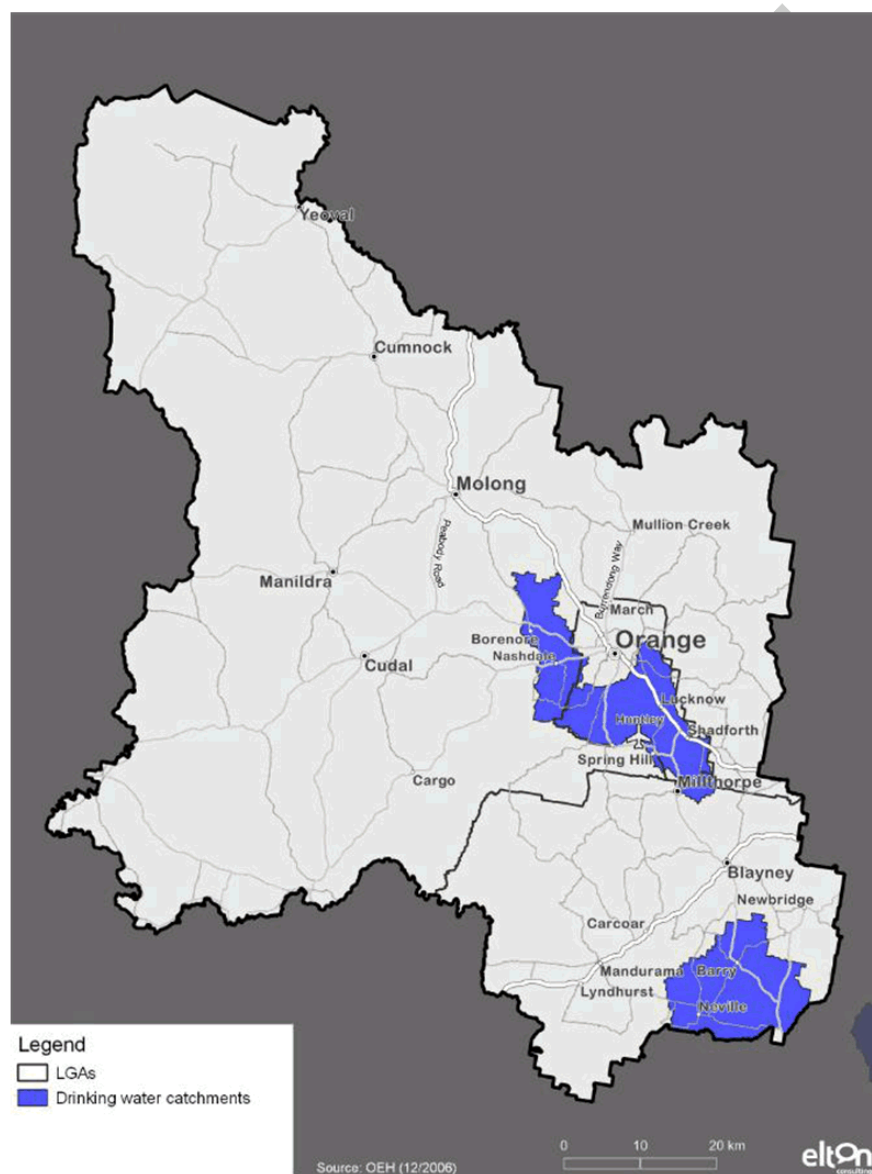
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A Planning Controls

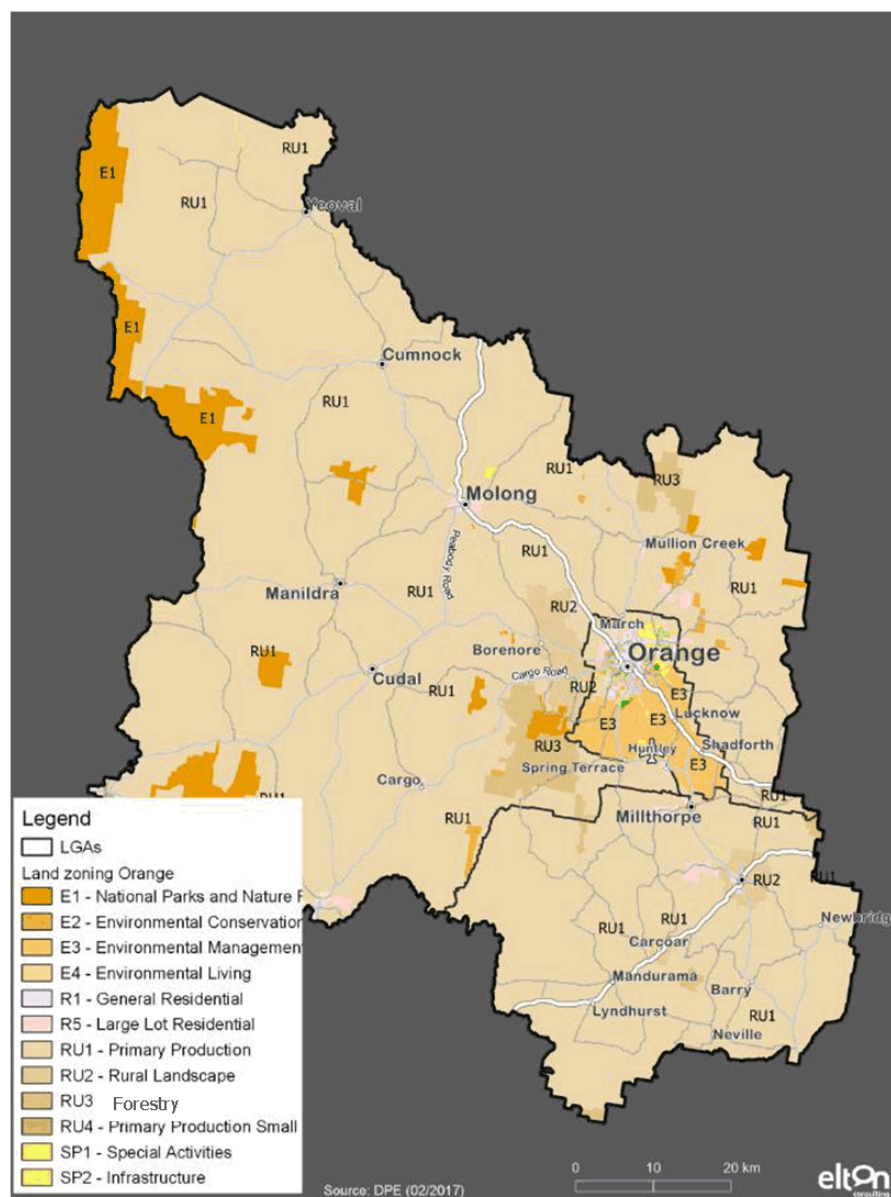
The following discussion provides a comparison between the E3 Environmental Management and the RU1 Primary Production and RU2 Rural Landscape zones as they apply to the drinking water catchment areas in the subregion (**Figure 1**).

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**).

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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.

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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.

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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.

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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

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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

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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

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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

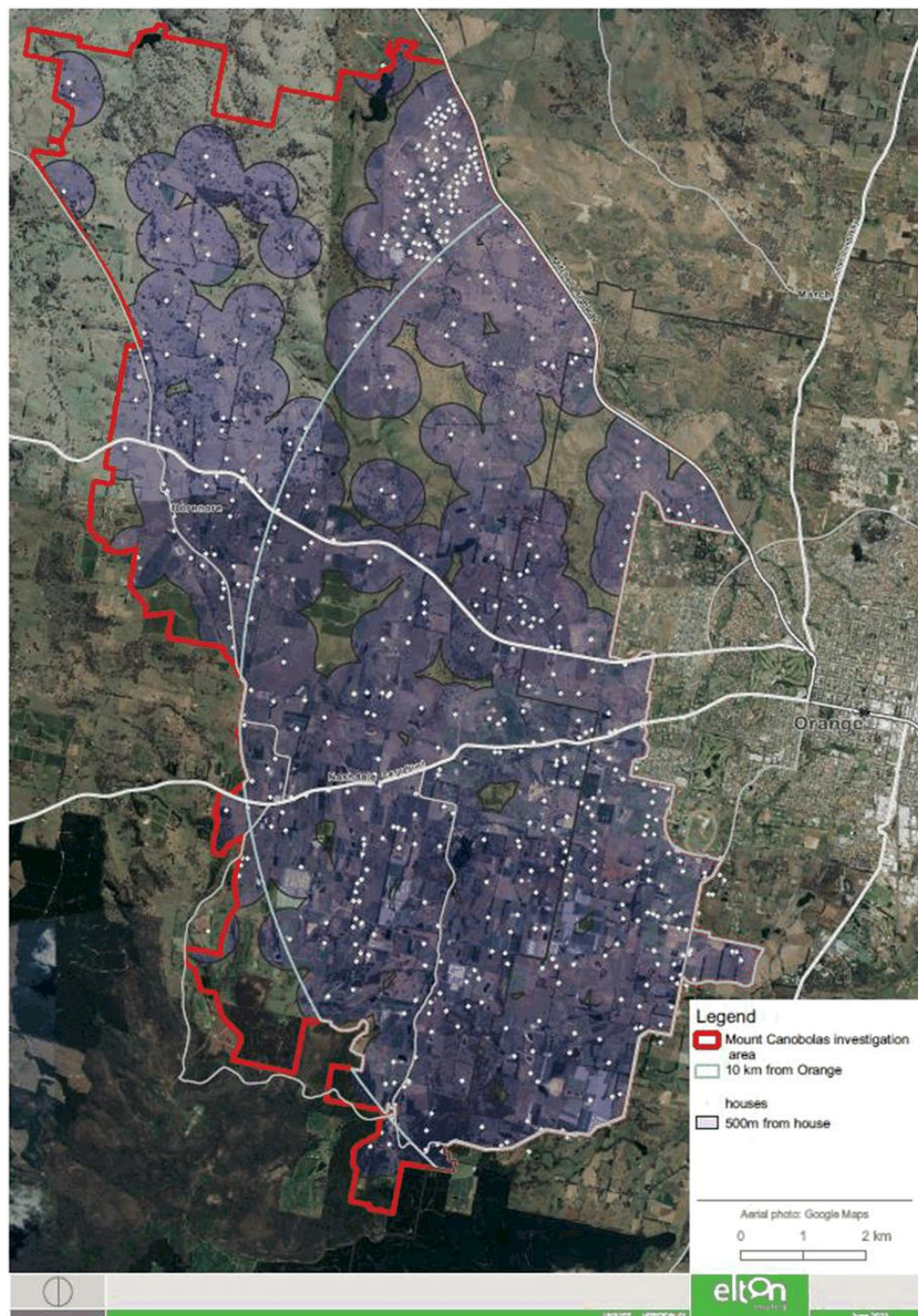
The fertility of the soil and historic use of the land for intensive horticulture, in particular orchards and vineyards influenced the subdivision pattern as smaller land areas were required for viable and productive horticultural pursuits. More recently, the landscape character and amenity, views and 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.

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Figure 4 Dwellings on Mt Canobolas



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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**).

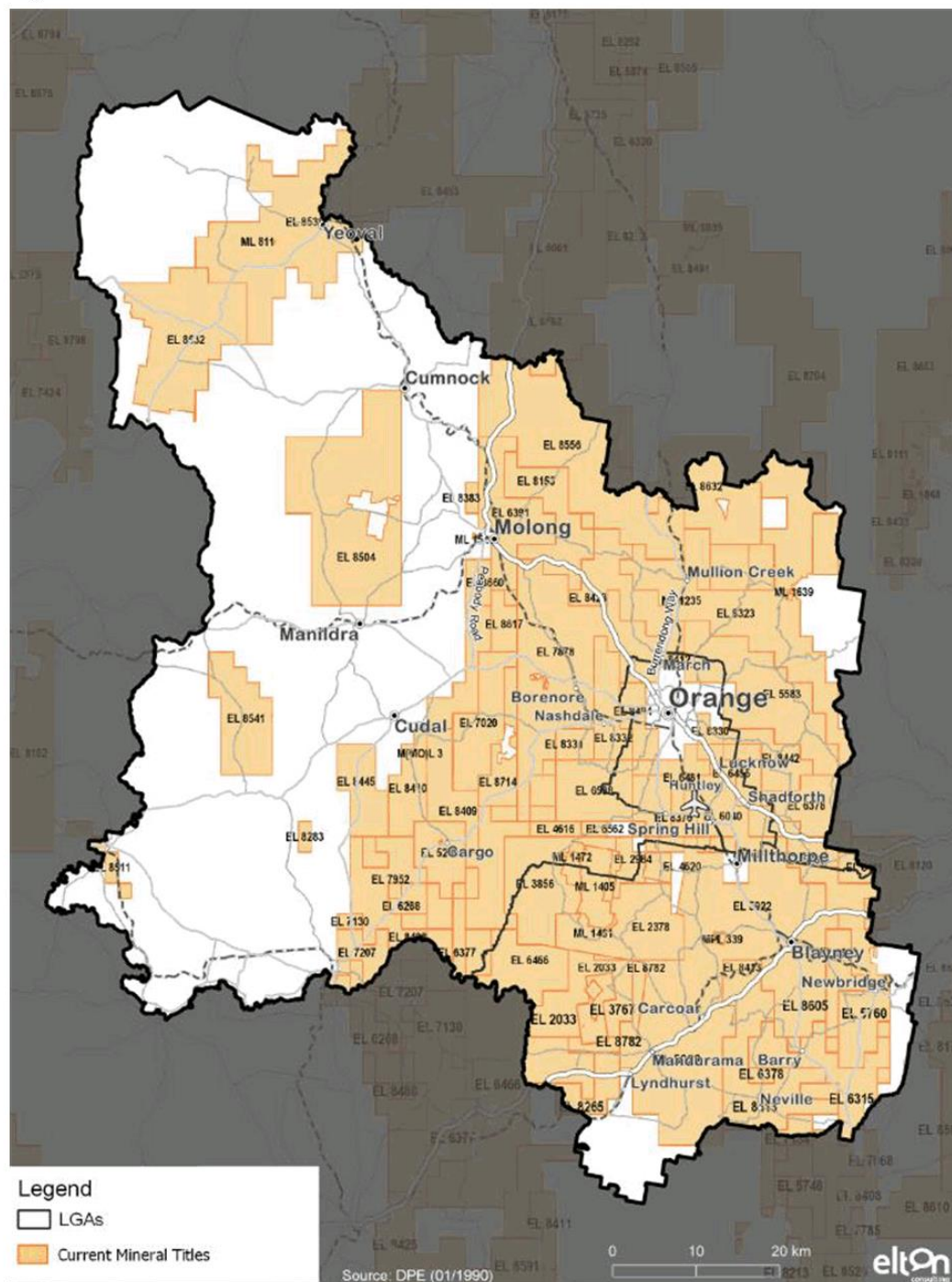
In a decision on 18 September 2019 by the Independent Planning Commission (IPC) to refuse to grant consent to the Bylong Coal Project¹ (lodged in July 2015) the IPC included the perceived lack of evidence to support the feasibility of rehabilitating the site to BSAL equivalence post-mining as an important 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>

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Figure 5 Current Mineral Titles



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Defining the area

Important Agriculture Land

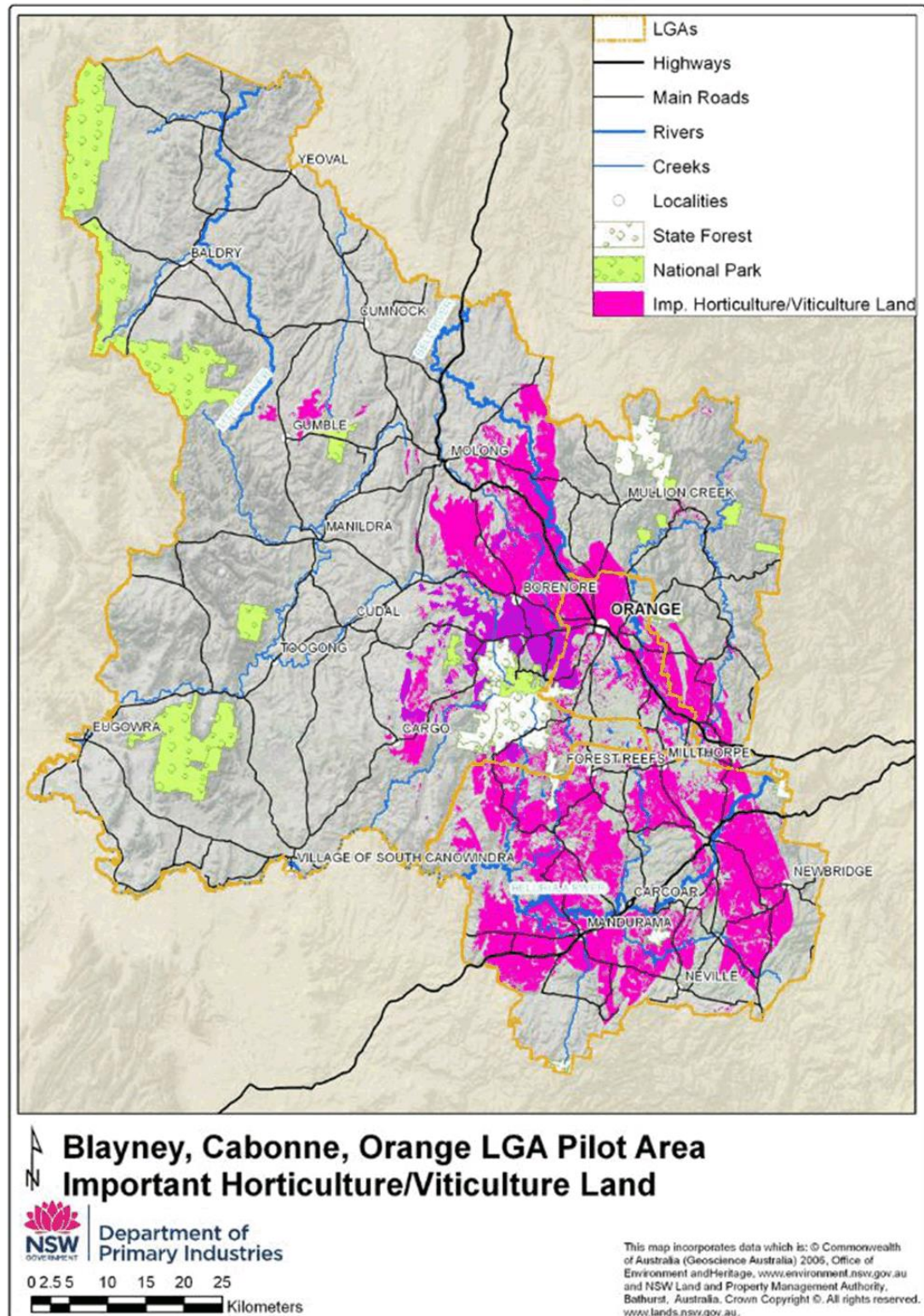
The DIPE in conjunction with DPI have mapped Important Agriculture Land (IAL). This is discussed in the Background and Issues Paper in Section 5. This mapping, collectively, identifies almost all the rural land in the subregion as IAL and provides assistance at a very high level to understand the type 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.

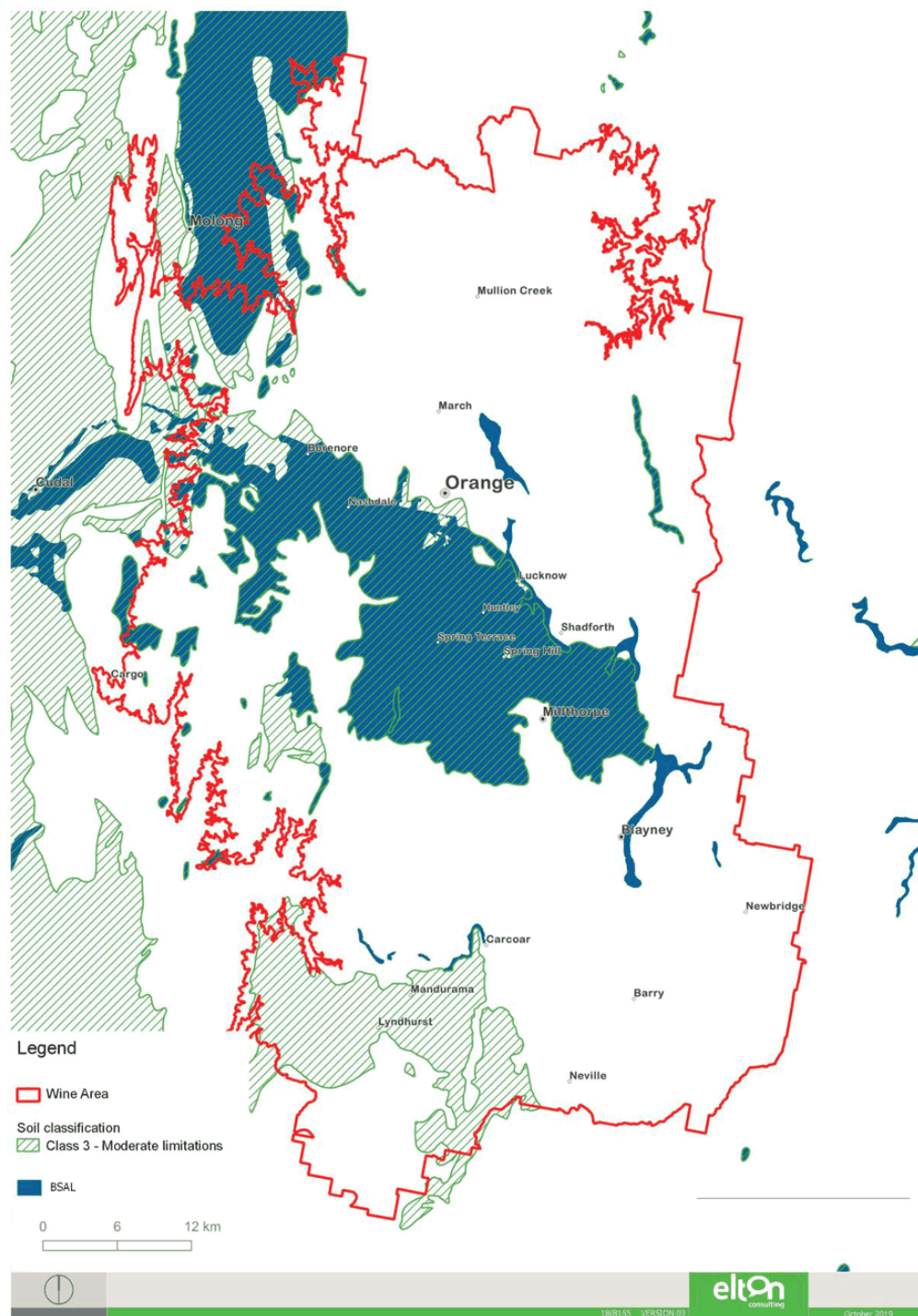
In the subregion, the BSAL is heavily concentrated on the Towac soil landscape around Mt Canolobas (although it does extent beyond this area). The relationship between the BSAL, the Geographical Area known to be the Orange Wine Region and Class 2 soil classification is shown in **Figure 4**.

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Figure 6 Important Horticulture/Viticulture Land

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Figure 7 BASL

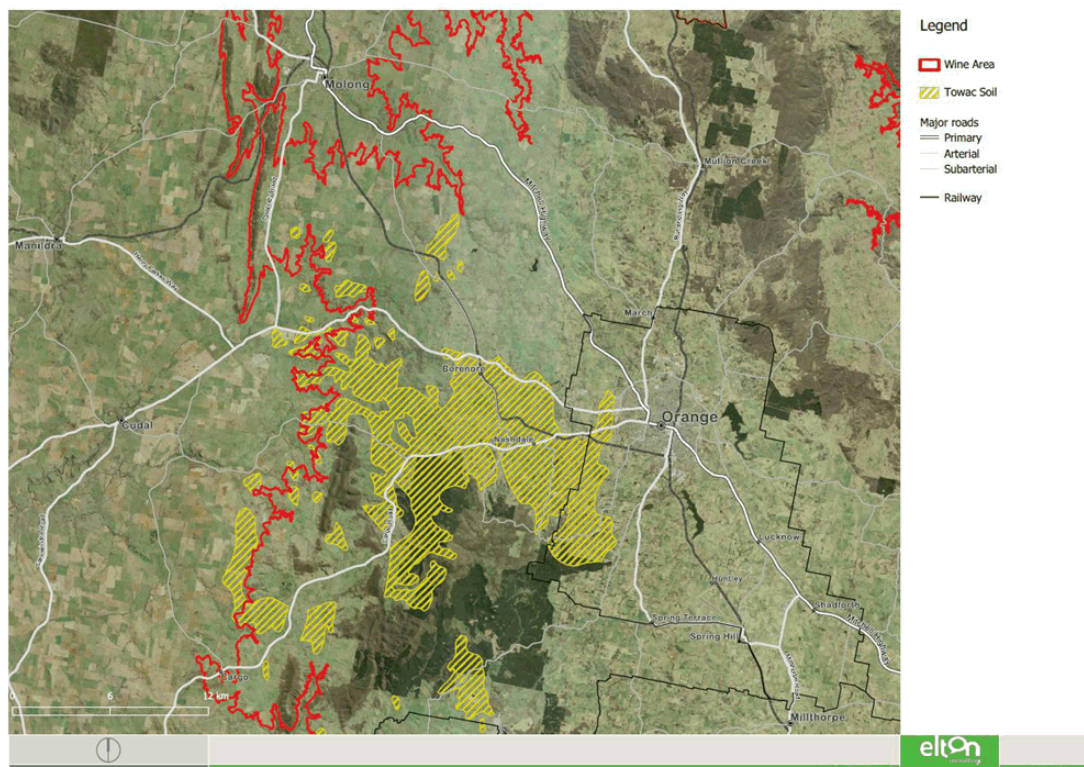


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Towac Soil Landscape

In order to further refine the rural land that is the most threatened and from a productivity point of view most important, the key soil landscapes were considered. The Towac Soil Landscape identified in the Soil Landscapes of Bathurst 1:250,000 Sheet² is characterised by Ferrosols on upper to mid slopes and yellow Chromosols and Sodosols in drainage lines. The soils of the Towac Landscape are well drained, moderately to slightly permeable with high water holding capacity (refer **Figure 5**).

Figure 8 Towac Soil Landscape

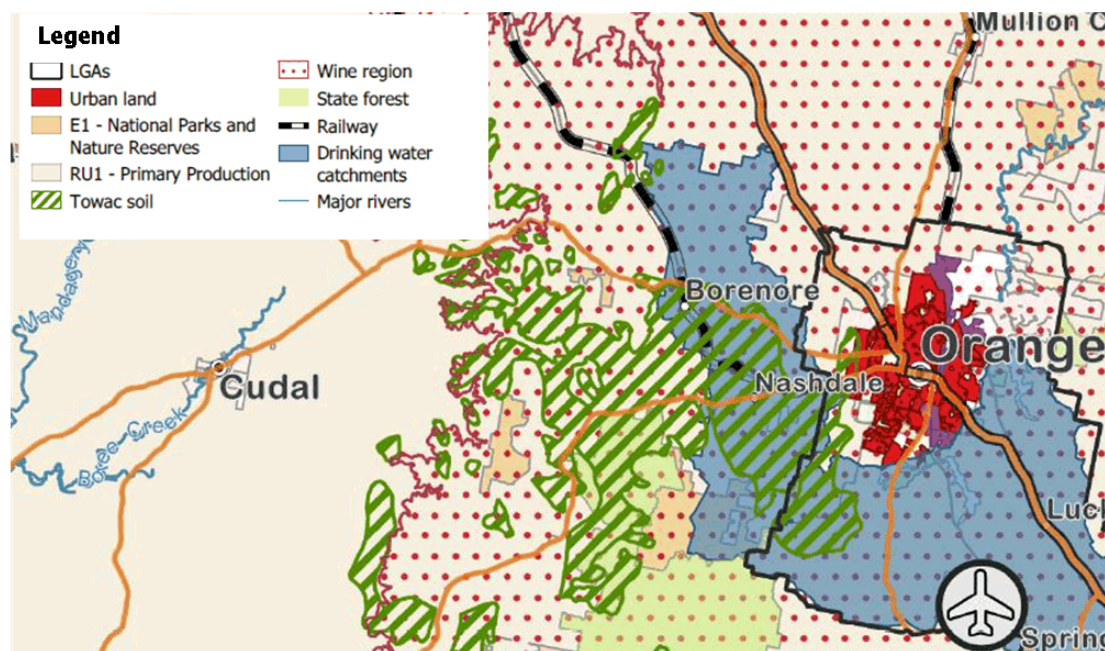


All of the other constraints or mapping layers considered overlap with the Towac Landscape. The BSAL discussed above, largely aligns with the Towac Landscape which also overlaps with the Class 2 soil classification. The drinking water catchment (discussed in **Appendix A**) is also a feature of the Towac. Finally, the IAL mapping for Important Horticulture/Viticulture Land Towac Landscape.

A combined map for the subregion illustrates the overlapping of these key elements on the northern slopes of Mt Canobolas to the west and south west of Orange City.

² Kovac, M., Murphy, B. W. and Lawrie, J. W. (1990), – Soil Landscapes of the Bathurst 1:250 000 Sheet Report. Soil Conservation Service of NSW, Sydney.

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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 in to 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.

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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:

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- » 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.

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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:

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- » 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

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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:

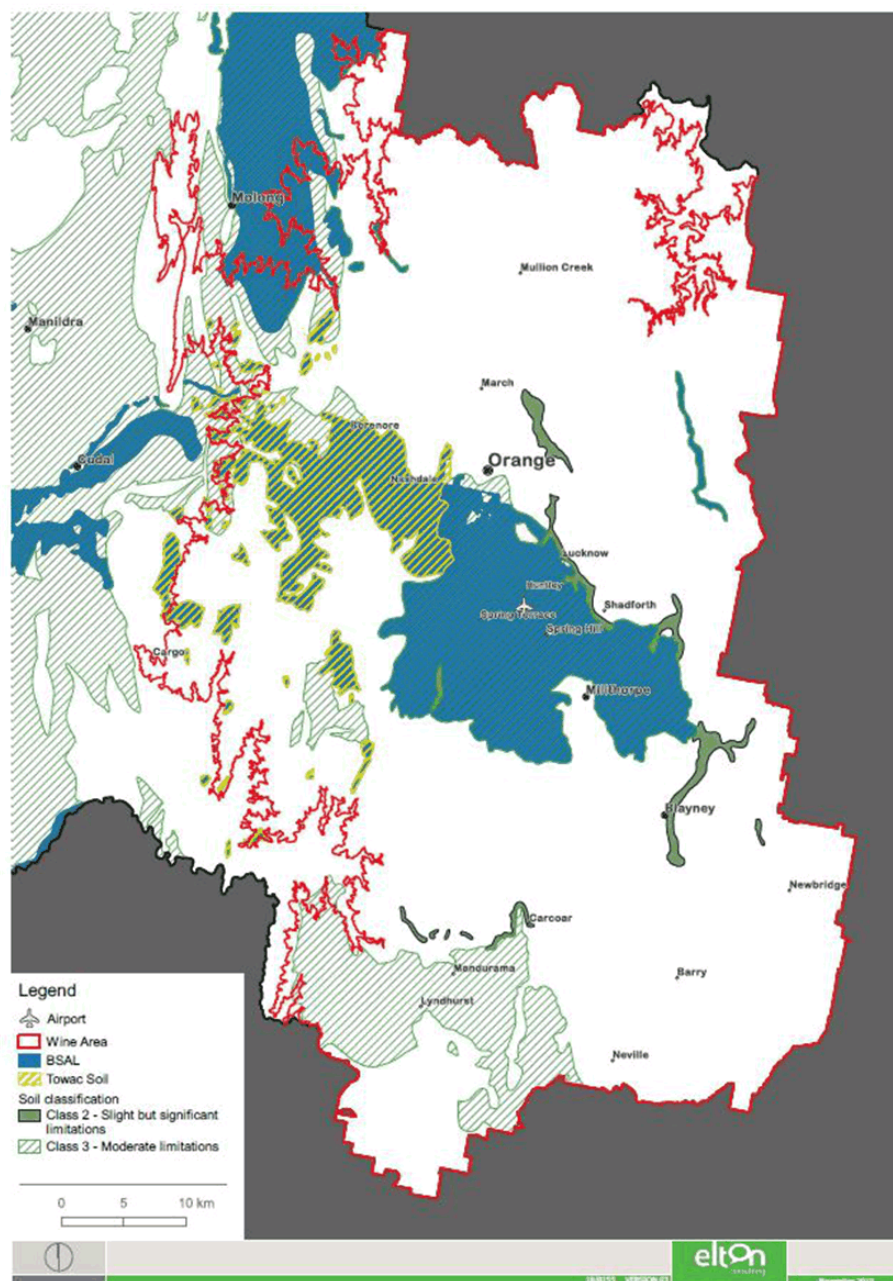
- » Defining a commercial vineyard
- » What is meant by "most" of the wine; eg 51% or 90%
- » The size of the cellar door itself – eg. Orange DCP requires that the size of the sales area should be relative to the size of a vineyard, however, if the majority of the wine is from grapes "grown in the surrounding 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.

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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:

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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 dominant 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.

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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:

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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.

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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.

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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

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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

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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.

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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

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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

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» 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.

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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			
Objectives of zone <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. 	Objectives of zone <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. 	Objectives of zone <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. 	Objectives of zone <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;

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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.

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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>

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Precinct Action Code	Key actions in this Strategy	Rationale for actions in this Strategy
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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Precinct Action Code	Key actions in this Strategy	Rationale for actions in this Strategy
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		
ON1		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.
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	

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Precinct Action Code	Key actions in this Strategy	Rationale for actions in this Strategy
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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6 CLOSED MEETING - SEE CLOSED AGENDA

The Chief Executive Officer will advise the Council if any written submissions have been received relating to any item advertised for consideration by a closed meeting of Orange City Council.

The Mayor will extend an invitation to any member of the public present at the meeting to make a representation to Council as to whether the meeting should be closed for a particular item. In accordance with the Local Government Act 1993, and the Local Government (General) Regulation 2005, in the opinion of the General Manager, the following business is of a kind as referred to in Section 10A(2) of the Act, and should be dealt with in a Confidential Session of the Council meeting closed to the press and public.

RECOMMENDATION

That Council adjourn into a Closed Meeting and members of the press and public be excluded from the Closed Meeting, and access to the correspondence and reports relating to the items considered during the course of the Closed Meeting be withheld unless declassified by separate resolution. This action is taken in accordance with Section 10A(2) of the Local Government Act, 1993 as the items listed come within the following provisions:

6.1 Lease Hangar T Orange Airport

This item is classified CONFIDENTIAL under the provisions of Section 10A(2) of the Local Government Act 1993, which permits the meeting to be closed to the public for business relating to (c) information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.

6.2 NetWaste Tender For Collection And Recycling Of Waste Tyres

This item is classified CONFIDENTIAL under the provisions of Section 10A(2) of the Local Government Act 1993, which permits the meeting to be closed to the public for business relating to (d)i commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it.

6.3 Regional Express Request for Reduction in Landing Fees

This item is classified CONFIDENTIAL under the provisions of Section 10A(2) of the Local Government Act 1993, which permits the meeting to be closed to the public for business relating to (c) information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.

6.4 Fly Corporate - Request for Assistance

This item is classified CONFIDENTIAL under the provisions of Section 10A(2) of the Local Government Act 1993, which permits the meeting to be closed to the public for business relating to (c) information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.

6.1 LEASE HANGAR T ORANGE AIRPORT

RECORD NUMBER: 2020/482

AUTHOR: Shirley Hyde, Legal and Property Officer

REASON FOR CONFIDENTIALITY

This item is classified CONFIDENTIAL under the provisions of Section 10A(2) of the Local Government Act 1993, which permits the meeting to be closed to the public for business relating to (c) information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.

6.2 NETWASTE TENDER FOR COLLECTION AND RECYCLING OF WASTE TYRES

RECORD NUMBER: 2020/506

AUTHOR: Wayne Davis, Manager Waste Services and Technical Support

REASON FOR CONFIDENTIALITY

This item is classified CONFIDENTIAL under the provisions of Section 10A(2) of the Local Government Act 1993, which permits the meeting to be closed to the public for business relating to (d)i commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it.

6.3 REGIONAL EXPRESS REQUEST FOR REDUCTION IN LANDING FEES

RECORD NUMBER: 2020/568

AUTHOR: Ian Greenham, Director Technical Services

REASON FOR CONFIDENTIALITY

This item is classified CONFIDENTIAL under the provisions of Section 10A(2) of the Local Government Act 1993, which permits the meeting to be closed to the public for business relating to (c) information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.

6.4 FLY CORPORATE - REQUEST FOR ASSISTANCE

RECORD NUMBER: 2020/569

AUTHOR: Ian Greenham, Director Technical Services

REASON FOR CONFIDENTIALITY

This item is classified CONFIDENTIAL under the provisions of Section 10A(2) of the Local Government Act 1993, which permits the meeting to be closed to the public for business relating to (c) information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.

7 RESOLUTIONS FROM CLOSED MEETING