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# ORANGE CITY COUNCIL

MINUTES OF THE

## PLANNING AND DEVELOPMENT COMMITTEE

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

ON 7 JUNE 2022

COMMENCING AT 7:18PM

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### 1 INTRODUCTION

#### ATTENDANCE

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Cr J Whitton (Chairperson)(*zoom*), Cr J Hamling (Mayor), Cr K Duffy, Cr G Floyd, Cr T Greenhalgh, Cr F Kinghorne (*zoom*), Cr D Mallard, Cr M McDonell, Cr T Mileto, Cr S Peterson (*zoom*), Cr G Power (Deputy Mayor).

Chief Executive Officer, Director Corporate and Commercial Services, Director Development Services, Director Community, Recreation and Cultural Services, Director Technical Services, Manager Corporate Governance, Manager Development Assessment, Governance Administration Officer, Manager Engineering Services

#### APOLOGIES AND LEAVE OF ABSENCE

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**RESOLVED - 22/161****Cr T Mileto/Cr K Duffy**

That the apologies be accepted from Cr Jack Evans for the Planning and Development Committee Meeting of Orange City Council on 7 June 2022.

**RESOLVED - 22/162****Cr T Mileto/Cr K Duffy**

That Cr S Peterson, Cr J Whitton and Cr F Kinghorne be permitted to attend the Planning and Development Committee Meeting of Orange City Council on 7 June 2022 via audio visual link (*zoom*).

For: Cr J Hamling, Cr K Duffy, Cr G Floyd, Cr T Greenhalgh, Cr F Kinghorne, Cr D Mallard, Cr M McDonell, Cr T Mileto, Cr S Peterson, Cr G Power, Cr J Whitton

Against: Nil

Absent: Cr J Evans

#### 1.1 DECLARATION OF PECUNIARY INTERESTS, SIGNIFICANT NON-PECUNIARY INTERESTS AND LESS THAN SIGNIFICANT NON-PECUNIARY INTERESTS

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Cr Kinghorne declared a Significant Non-Pecuniary interest in items 2.4 and 2.5 – 5 Borrodell Drive – as her spouse has undertaken soil testing on this site.

Crs Kinghorne, Hamling, Greenhalgh, Mileto, Cr McDonell and Whitton declared Interests in matters considered under item 2.2 – Draft Local Housing Strategy – Post Exhibition – each of which are noted on the items throughout the minutes below.

## 2 GENERAL REPORTS

### 2.1 ITEMS APPROVED UNDER THE DELEGATED AUTHORITY OF COUNCIL MAY 2022

TRIM REFERENCE: 2022/466

**RESOLVED - 22/163****Cr K Duffy/Cr G Power**

That Council resolves to acknowledge the information provided in the report by the Manager Development Assessments on Items Approved Under the Delegated Authority of Council.

For: Cr J Hamling, Cr K Duffy, Cr G Floyd, Cr T Greenhalgh, Cr F Kinghorne, Cr D Mallard, Cr M McDonell, Cr T Mileto, Cr S Peterson, Cr G Power, Cr J Whitton

Against: Nil

Absent: Cr J Evans

**RESOLVED - 22/164****Cr J Whitton/Cr M McDonell**

That the items in 2.2 of the Planning and Development Committee meeting of 7 June 2022 be dealt with in seriatim.

For: Cr J Hamling, Cr K Duffy, Cr G Floyd, Cr T Greenhalgh, Cr F Kinghorne, Cr D Mallard, Cr M McDonell, Cr T Mileto, Cr S Peterson, Cr G Power, Cr J Whitton

Against: Nil

Absent: Cr J Evans

### 2.2 DRAFT ORANGE LOCAL HOUSING STRATEGY - POST EXHIBITION REPORT

TRIM REFERENCE: 2022/767

**RESOLVED - 22/165****Cr J Whitton/Cr T Mileto**

- 1 That Council consider this report and associated submissions and resolve to adopt the draft Orange Local Housing Strategy (October 2021) subject to the following changes or additions, namely that the strategy shall include points i to vi as resolved below.

**RESOLVED - 22/166****Cr T Mileto/Cr J Hamling**

- i. Include the northern 10ha of 1 Industry Drive within the North Corridor Candidate Area, subject to being incorporated within the NCCA DCP masterplan area and consideration being given to the need for a transitional use between the industrial and residential areas.

<b>RESOLVED - 22/167</b>	<b>Cr G Power/Cr J Whitton</b>
<p>II. Include the potential for a reduction in minimum lot size applying to Daydawn Place from the current 2ha to 1ha, subject to a planning proposal that adequately addresses the presence of Naturally Occurring Asbestos, traffic noise from the Northern Distributor Road and visual prominence of the hillside when viewed from the NDR.</p>	
<b>RESOLVED - 22/168</b>	<b>Cr D Mallard/Cr G Power</b>
<p>III. Confirm support for the Witton Place Candidate Area subject to the future development being denied direct access onto Neals Lane.</p>	
<b>RESOLVED - 22/169</b>	<b>Cr J Hamling/Cr J Whitton</b>
<p>IV. Confirm support for the North Orange Candidate Area and the North Corridor Candidate Area subject to both areas being required to undertake detailed flora and fauna surveys to inform the overall layout design as part of the Planning Proposal process.</p>	
<b>RESOLVED - 22/170</b>	<b>Cr J Hamling/Cr J Whitton</b>
<p>V. Allow some flexibility in the application of minimum lot sizes within the NOCA responding to site constraints as determined during the planning proposal process subject to overall yield within the NOCA being consistent with the exhibited strategy.</p>	
<b>RESOLVED - 22/171</b>	<b>Cr T Greenhalgh/Cr J Whitton</b>
<p>VI. Require ALL planning proposals for rezoning or development under this strategy, including any additions identified in this report, to include:</p> <ol style="list-style-type: none"> <li>a. Masterplans that address the full range of matters outlined under section 6.3(3) of the Orange Local Environmental Plan 2011 backed by supporting studies from suitably qualified professionals, and</li> <li>b. Conceptual layout plans of the likely subdivision pattern, to illustrate the matters required in the respective masterplan, and</li> <li>c. Include details on contributions and/or planning agreements that demonstrate the masterplan can be delivered in a manner that is cost-neutral to Council.</li> </ol>	
<b>RESOLVED - 22/172</b>	<b>Cr J Hamling/Cr J Whitton</b>
<p>2 That Council resolve for staff to:</p> <ol style="list-style-type: none"> <li>I. Commence a review of existing infill development policy settings and prepare an infill development strategy that may guide future rezonings of existing urban land to R3 Medium Density Residential zone in appropriate locations.</li> </ol>	
<b>RESOLVED - 22/173</b>	<b>Cr M McDonell/Cr T Greenhalgh</b>
<p>2 That Council resolve for staff to:</p> <ol style="list-style-type: none"> <li>II. Commence a review of the current skill shortages in the city and prepare an essential worker housing policy or strategy that may guide direct or indirect provision of housing for locally essential workers and address skill gaps.</li> </ol>	

<p><b>RESOLVED - 22/174</b></p> <p>2 That Council resolve for staff to:</p> <p>III. Prepare a local Short Term Rental Accommodation policy with a view to providing appropriate DCP provisions and incentives for STRA operators to maintain or provide some level of longer term rental stock.</p>	<p><b>Cr G Floyd/Cr J Whitton</b></p>
<p><b>RESOLVED - 22/175</b></p> <p>2 That Council resolve for staff to:</p> <p>IV. Initiate consultation with the village communities of Spring Hill, Lucknow and Spring Terrace to gauge the level of interest in preparing scoping studies that may ultimately lead to minor expansions of these communities.</p>	<p><b>Cr T Mileto/Cr J Whitton</b></p>
<p><b>RESOLVED - 22/176</b></p> <p>2 That Council resolve for staff to:</p> <p>V. Commence investigation and review of the potential expansion of the Molong Road Candidate Area (MRCA) as outlined in the Allera submission with a view to being able to incorporate the expanded area in the strategy later.</p>	<p><b>Cr J Whitton/Cr G Power</b></p>
<p><b>RESOLVED - 22/177</b></p> <p>2 That Council resolve for staff to:</p> <p>VI. Prepare a draft policy on rural boundary adjustments and the interpretation of “minor change” and report back to Council on any suggested LEP clause changes in this regard.</p>	<p><b>Cr G Floyd/Cr J Whitton</b></p>
<p><b>RESOLVED - 22/178</b></p> <p>2 That Council resolve for staff to:</p> <p>VII. Prepare a Local Affordable Housing Policy giving consideration to the variety of affordable housing options available, depending on Government funding. The Policy shall also examine creating an Affordable Housing Contribution Scheme (AHCS) and Community Land Trust (CLT) to support the intent of the strategy.</p>	<p><b>Cr T Mileto/Cr D Mallard</b></p>
<p><b>RESOLVED - 22/179</b></p> <p>2 That Council resolve for staff to:</p> <p>VIII. Commence a broad review of the Shiralee Masterplan to improve the response to flooding information, changes to detention basins and open space requirements as well as matters raised in submissions.</p>	<p><b>Cr J Whitton/Cr J Hamling</b></p>
<p><b>RESOLVED - 22/180</b></p> <p>2 That Council resolve for staff to:</p> <p>IX. Audit public Council land that could be used by Council, in partnership with community housing providers and/or Government agencies, to develop new social and affordable housing dwellings, and prepare a report for Council on the results of the audit.</p>	<p><b>Cr J Whitton/Cr T Mileto</b></p>

**RESOLVED - 22/181****Cr J Whitton/Cr T Mileto**

- 2 That Council resolve for staff to:
- X. Organise for Council to host a local Housing Summit that brings together a broad range of stakeholders including Government agencies, community housing providers, providers of mental health services, strategic planners and representatives of relevant peak bodies, to discuss issues and proposed solutions to the housing affordability challenges facing the city, before the end of 2022.

**RESOLVED - 22/182****Cr J Whitton/Cr T Mileto**

- 2 That Council resolve for staff to:
- XI. Prepare a Homelessness Policy that identifies principles and actions, including partnerships and advocacy roles, for Council to contribute to efforts to end homelessness in Orange.

For: Cr J Hamling, Cr K Duffy, Cr G Floyd, Cr T Greenhalgh, Cr F Kinghorne, Cr D Mallard, Cr M McDonnell, Cr T Mileto, Cr S Peterson, Cr G Power, Cr J Whitton

Against: Nil

Absent: Cr J Evans

*\*Cr Kinghorne left the meeting with the time being 7.39pm\**

Cr Kinghorne declared a Significant interest in this item, left the meetings and did not participate in voting or discussion on this item.

**RESOLVED - 22/183****Cr T Mileto/Cr J Hamling**

That Council resolves to include the properties listed below in the Local Housing Strategy:

Broken Shaft Creek Precinct

- 180 Murphy Lane, Orange

For: Cr J Hamling, Cr K Duffy, Cr G Floyd, Cr T Greenhalgh, Cr F Kinghorne, Cr D Mallard, Cr M McDonnell, Cr T Mileto, Cr S Peterson, Cr G Power, Cr J Whitton

Against: Nil

Absent: Cr J Evans, Cr F Kinghorne

Cr Kinghorne declared a Significant interest in this item, left the meetings and did not participate in voting or discussion on this item.

Cr Mileto declared a Non-Significant, Non-Pecuniary interest in this item as a person subject to a lot below is known to him.

**RESOLVED - 22/184****Cr T Mileto/Cr J Whitton**

That Council resolves to include the properties listed below in the Local Housing Strategy:

Molong Road Precinct

- 454 Mitchell Highway, Orange
- 511 Mitchell Highway, Orange
- 86 Murphy Lane, Orange
- 100 Murphy Lane, Orange

- 72 Murphy Lane, Orange
- 36 Murphy Lane, Orange
- 545 Mitchell Highway, Orange

For: Cr J Hamling, Cr K Duffy, Cr G Floyd, Cr T Greenhalgh, Cr F Kinghorne, Cr D Mallard, Cr M McDonell, Cr T Mileto, Cr S Peterson, Cr G Power, Cr J Whitton

Against: Nil

Absent: Cr J Evans, Cr F Kinghorne

*\*Cr Greenhalgh left the meeting with the time being 7.40pm\**

Cr Kinghorne declared a Significant interest in this item, left the meetings and did not participate in voting or discussion on this item.

Cr Greenhalgh declared a Significant interest in this item, left the meetings and did not participate in voting or discussion on this item.

**RESOLVED - 22/185**

**Cr G Floyd/Cr J Whitton**

That Council resolves to include the properties listed below in the Local Housing Strategy:

Molong Road Precinct

- 487 Mitchell Highway, Orange

For: Cr J Hamling, Cr K Duffy, Cr G Floyd, Cr D Mallard, Cr M McDonell, Cr T Mileto, Cr S Peterson, Cr G Power, Cr J Whitton

Against: Nil

Absent: Cr J Evans, Cr F Kinghorne, Cr T Greenhalgh

*\*Cr Greenhalgh returned to the meeting with the time being 7.41pm\**

Cr Kinghorne declared a Significant interest in this item, left the meetings and did not participate in voting or discussion on this item.

**RESOLVED - 22/186**

**Cr T Mileto/Cr J Whitton**

That Council resolves to include the properties listed below in the Local Housing Strategy:

North Orange Precinct

- 59 Wicks Road, Orange
- 73 Beer Road, Orange
- Clergate Road, Orange
- 58 Wicks Road, Orange
- 56 Wicks Road, Orange

For: Cr J Hamling, Cr K Duffy, Cr G Floyd, Cr T Greenhalgh, Cr D Mallard, Cr M McDonell, Cr T Mileto, Cr S Peterson, Cr G Power, Cr J Whitton

Against: Nil

Absent: Cr J Evans, Cr F Kinghorne

Cr Kinghorne declared a Significant interest in this item, left the meetings and did not participate in voting or discussion on this item.

**RESOLVED - 22/187****Cr M McDonell/Cr J Whitton**

That Council resolves to include the properties listed below in the Local Housing Strategy:

North Corridor Precinct

- 371 Clergate Road, Orange
- 459 Clergate Road, Orange
- 441 Clergate Road, Orange
- Clergate Road, Orange
- 439 Clergate, Orange
- 45 Auberson Road, Orange
- Clergate Road, Orange
- 352 Clergate Road, Orange
- 352 Clergate Road, Orange

For: Cr J Hamling, Cr K Duffy, Cr G Floyd, Cr T Greenhalgh, Cr F Kinghorne, Cr D Mallard, Cr M McDonell, Cr T Mileto, Cr S Peterson, Cr G Power, Cr J Whitton

Against: Nil

Absent: Cr J Evans, Cr F Kinghorne

*\*Cr Kinghorne returned to the meeting with the time being 7.43pm\**

**RESOLVED - 22/188****Cr J Hamling/Cr J Whitton**

That Council resolves to include the properties listed below in the Local Housing Strategy:

North Corridor Precinct

- 524 and 538 (not 526) Burrendong Way, Orange
- 524 and 538 (not 526) Burrendong Way, Orange

For: Cr J Hamling, Cr K Duffy, Cr G Floyd, Cr T Greenhalgh, Cr F Kinghorne, Cr D Mallard, Cr M McDonell, Cr T Mileto, Cr S Peterson, Cr G Power, Cr J Whitton

Against: Nil

Absent: Cr J Evans

**RESOLVED - 22/189****Cr J Hamling/Cr J Whitton**

That Council resolves to include the properties listed below in the Local Housing Strategy:

Trotting Track Precinct

- 34 Perc Griffith Way, Orange
- Mitchell Highway, Lucknow

For: Cr J Hamling, Cr K Duffy, Cr G Floyd, Cr T Greenhalgh, Cr F Kinghorne, Cr D Mallard, Cr M McDonell, Cr T Mileto, Cr S Peterson, Cr G Power, Cr J Whitton

Against: Nil

Absent: Cr J Evans

Cr Greenhalgh asked whether adding the trotting track property to the Local Housing Strategy had any effect on the motorkarts using the facility.

*The Director Development Services stated this area is included in long term part of strategy, as resolved above 1(iv) a master plan required for every site as this is Council land it would need planning proposal for whole area/precinct taking into account what is existing. We will be looking at what is there as it progresses through and just because it is in the strategy does not mean it gets rezoned.*

**RESOLVED - 22/190****Cr T Greenhalgh/Cr J Whitton**

That Council resolves to include the properties listed below in the Local Housing Strategy:

Leeds Precinct

- 274 Leeds Parade, Orange

For: Cr J Hamling, Cr K Duffy, Cr G Floyd, Cr T Greenhalgh, Cr F Kinghorne, Cr D Mallard, Cr M McDonell, Cr T Mileto, Cr S Peterson, Cr G Power, Cr J Whitton

Against: Nil

Absent: Cr J Evans

Cr McDonell declared a Non-Significant, Non-Pecuniary interest in this item as a relative owns a property listed in those item.

**RESOLVED - 22/191****Cr M McDonell/Cr T Greenhalgh**

Council resolves not to include the properties listed below in this version of the Local Housing Strategy:

- 641 Mitchell Highway, Orange
- 13 Hewitt Close
- 57 Wicks Road, Orange
- 424 Mitchell Highway, Orange
- 191 Icely Road, Orange
- 234 Canobolas Road, Canobolas
- 79 Thompson Road, Orange



For: Cr J Hamling, Cr K Duffy, Cr G Floyd, Cr T Greenhalgh, Cr F Kinghorne, Cr D Mallard, Cr M McDonell, Cr T Mileto, Cr S Peterson, Cr G Power, Cr J Whitton

Against: Nil

Absent: Cr J Evans

*\*Cr Kinghorne left the meeting with the time being 7.54pm\**

Cr Kinghorne declared a Significant interest in this item, left the meetings and did not participate in voting or discussion on this item.

**RESOLVED - 22/192**

**Cr T Greenhalgh/Cr J Whitton**

That Council resolves not to include the properties listed below in this version of the Local Housing Strategy:

- 9 Borrodell Drive, Orange
- 611 Pinnacle Road, Orange
- 131 and 191 Bargwanna Road, Spring Creek
- 93 Brooking Lane, Orange
- 96 Buttle Road
- Land surrounding CSU Orange Campus

For: Cr J Hamling, Cr K Duffy, Cr G Floyd, Cr T Greenhalgh, Cr D Mallard, Cr M McDonell, Cr T Mileto, Cr S Peterson, Cr G Power, Cr J Whitton

Against: Nil

Absent: Cr J Evans, Cr F Kinghorne

*\*Cr Whitton left the meeting with the time being 7.55pm\**

Cr Kinghorne declared a Significant interest in this item, left the meetings and did not participate in voting or discussion on this item.

Cr Whitton declared a Significant interest in this item, left the meetings and did not participate in voting or discussion on this item.

**RESOLVED - 22/193**

**Cr G Floyd/Cr M McDonell**

That Council resolves not to include the properties listed below in the Local Housing Strategy:

- 74 Brooking Lane, Orange

For: Cr J Hamling, Cr K Duffy, Cr G Floyd, Cr T Greenhalgh, Cr D Mallard, Cr M McDonell, Cr T Mileto, Cr S Peterson, Cr G Power

Against: Nil

Absent: Cr J Evans, Cr F Kinghorne, Cr J Whitton

*\*Cr Hamling left the meeting with the time being 7.55pm\**

*\*Cr Kinghorne returned to the meeting with the time being 7.55pm\**

Cr Hamling declared a Significant interest in this item, left the meetings and did not participate in voting or discussion on this item.

Cr Whitton declared a Significant interest in this item, left the meetings and did not participate in voting or discussion on this item.

Cr Mileto declared a Non-Significant, Non-Pecuniary interest in this item as a person subject to a lot below is known to him.

**RESOLVED - 22/194****Cr T Greenhalgh/Cr M McDonell**

That Council resolves not to include the properties listed below in the Local Housing Strategy:

- 579 The Escort Way, Orange
- 549 The Escort Way, Orange
- 5104 Mitchell Highway, Orange

For: Cr K Duffy, Cr G Floyd, Cr T Greenhalgh, Cr F Kinghorne, Cr D Mallard, Cr M McDonell, Cr T Mileto, Cr S Peterson, Cr G Power

Against: Nil

Absent: Cr J Evans, Cr J Hamling, Cr J Whitton

*\*Cr Hamling and Cr Whitton returned to the meeting with the time being 7.57pm\**

Cr Mallard declared a Non-Significant, Non-Pecuniary interest in this item as a shareholder of the solar farm at an address listed in this item.

**RESOLVED - 22/195****Cr M McDonell/Cr J Whitton**

That Council resolves to include the properties listed below in the Local Housing Strategy:

- 615 Mitchell Highway, Orange
- 641 Mitchell Highway, Orange
- 643 Mitchell Highway, Orange
- 1 Industry Drive, Orange

For: Cr J Hamling, Cr K Duffy, Cr G Floyd, Cr T Greenhalgh, Cr F Kinghorne, Cr D Mallard, Cr M McDonell, Cr T Mileto, Cr S Peterson, Cr G Power, Cr J Whitton

Against: Nil

Absent: Cr J Evans

*\*Cr Kinghorne left the meeting with the time being 8.00pm\**

Cr Kinghorne declared a Significant interest in this item, left the meetings and did not participate in voting or discussion on this item.

**RESOLVED - 22/196****Cr M McDonell/Cr J Whitton**

That Council resolves to include the properties listed below in the Local Housing Strategy:

- 18 Daydawn Place, Orange (and all Daydawn Estate)

For: Cr J Hamling, Cr K Duffy, Cr G Floyd, Cr T Greenhalgh, Cr D Mallard, Cr M McDonell, Cr T Mileto, Cr S Peterson, Cr G Power, Cr J Whitton

Against: Nil

Absent: Cr J Evans, Cr F Kinghorne

Cr Kinghorne declared a Significant interest in this item, left the meetings and did not participate in voting or discussion on this item.

**RESOLVED - 22/197****Cr J Whitton/Cr M McDonell**

That Council resolves not to include the properties listed below in this version of the Local Housing Strategy:

• 60 Auberson Road, Orange	• 4682 Mitchell Highway, Lucknow
• 226 Murphy Lane, Orange	• 730 Burrendong Way, Orange
• 534 The Escort Way, Orange	• 700 and 704 Forest Road, Orange
• 9 Borrodell Drive, Orange	• 234 Canobolas Road, Orange
• 616 Mitchell Highway, Orange	• 601 Pinnacle Road, Orange
• Mitchell Highway, Lucknow	• 611 Pinnacle Road, Orange
• 274 Leeds Parade, Orange	• 645 Pinnacle Road, Orange
• 616 Forest Road, Orange	• 90 Hawke Lane, Orange
• 190 Ophir Road, Orange	

For: Cr J Hamling, Cr K Duffy, Cr G Floyd, Cr T Greenhalgh, Cr D Mallard, Cr M McDonell, Cr T Mileto, Cr S Peterson, Cr G Power, Cr J Whitton

Against: Nil

Absent: Cr J Evans, Cr F Kinghorne

Cr Kinghorne declared a Significant interest in this item, left the meetings and did not participate in voting or discussion on this item.

**RESOLVED - 22/198****Cr J Whitton/Cr M McDonell**

That Council resolves not to include the properties listed below in this version of the Local Housing Strategy:

- 114 Canobolas Road, Orange
- 512 Pinnacle Road, Orange
- 117 Phoenix Mine Road, Lucknow
- 40 Beasley Road, Lucknow
- 247 Clergate Road, Orange

For: Cr J Hamling, Cr K Duffy, Cr G Floyd, Cr T Greenhalgh, Cr D Mallard, Cr M McDonell, Cr T Mileto, Cr S Peterson, Cr G Power, Cr J Whitton

Against: Nil

Absent: Cr J Evans, Cr F Kinghorne

Cr Kinghorne declared a Significant interest in this item, left the meetings and did not participate in voting or discussion on this item.

Cr Whitton declared a Significant interest in this item, left the meetings and did not participate in voting or discussion on this item.

Cr Hamling declared a Significant interest in this item, left the meetings and did not participate in voting or discussion on this item.

Cr Mileto declared a Non-Significant, Non-Pecuniary interest in this item as a person subject to a lot below is known to him.

**RESOLVED - 22/199****Cr M McDonell/Cr G Floyd**

That Council resolves not to include the properties listed below in this version of the Local Housing Strategy:

- 549 The Escort Way, Orange
- 579 The Escort Way, Orange
- 5104 Mitchell Highway, Orange

For: Cr K Duffy, Cr G Floyd, Cr T Greenhalgh, Cr D Mallard, Cr M McDonell, Cr T Mileto, Cr S Peterson, Cr G Power

Against: Nil

Absent: Cr J Evans, Cr J Hamling, Cr J Whitton, Cr F Kinghorne

Cr Mileto declared a Non-Significant, Non-Pecuniary interest in this item as a person subject to a lot below is known to him.

Cr McDonell declared a Non-Significant, Non-Pecuniary interest in this item as a person subject to a lot below is known to her.

**RESOLVED - 22/200****Cr M McDonell/Cr J Whitton**

That Council resolves not to include the properties listed below in this version of the Local Housing Strategy:

• 57 Glasson Drive	• 59 Evergreen Land, Springside
• 94 Emu Swamp Road, Lucknow	• 324 Orchard Road, Spring Terrace
• 27 Emu Swamp Road, Lucknow	• 39 Glasson Drive, Orange
• 8 Springbank Lane, Orange	• 152 Ginns Road, Huntley
• 9 Ammerdown Crescent, Orange	• 25 Chapman Street, Spring Hill
• 450 Mitchell Highway, Orange (Ammerdown Homestead)	• 91 Murphy Lane, Orange
• 32 Perc Griffith Way (unused Orange Harness Racing Track)	• 24 Wicks Road, Orange
• 42 Cowriga Road, Spring Terrace	• 7 Hamer Street, Orange
• Ophir Road, Orange	• 21 Lawson Crescent, Orange
• 27 Emu Swamp Road, Lucknow	• 82 Thompson Road, Orange
• 35 Glasson Drive, Orange	• 37 Thompson Road, Orange
• 100 Shiralee Road, Orange	• 82 Hawke Lane, Orange
• 168 Shiralee Road, Orange	• 1 Ivanhoe Way, Orange
• 12 Shiralee Road, Orange	• 3 Rahiri Lane, Orange
• 20 Shiralee Road, Orange	• 25 Chapman Street, Spring Hill
• 185 Shiralee Road, Orange	• 616 Forest Road, Orange
• 67 Beer Road, Orange	• 81 Buckland Drive, Orange
• 7 Neals Lane, Orange	• 115 Thompson Road, Orange
• 83 Park Road, Canobolas	

For: Cr K Duffy, Cr G Floyd, Cr T Greenhalgh, Cr D Mallard, Cr M McDonell, Cr T Mileto, Cr S Peterson, Cr G Power

Against: Nil

Absent: Cr J Evans, Cr J Hamling, Cr J Whitton, Cr F Kinghorne

*\*Cr Hamling, Cr Whitton and Cr Kinghorne returned to the meeting with the time being 8.05pm\**

**2.3 DEVELOPMENT APPLICATION DA 118/2021(1) - 161 BATHURST ROAD**

TRIM REFERENCE: 2022/938

**RESOLVED - 22/201****Cr T Mileto/Cr D Mallard**

That Council consents to development application DA 118/2021(1) for Multi Dwelling Housing (two additional dwellings), Demolition (garage) and Carport at Lot 5 DP 22129 - 161 Bathurst Road, Orange pursuant to the conditions of consent in the attached Notice of Approval.

For: Cr J Hamling, Cr K Duffy, Cr G Floyd, Cr T Greenhalgh, Cr F Kinghorne, Cr D Mallard, Cr M McDonell, Cr T Mileto, Cr S Peterson, Cr G Power, Cr J Whitton

Against: Nil

Absent: Cr J Evans

**2.4 DEVELOPMENT APPLICATION DA 304/2007(2) - 5 BORRODELL DRIVE**

TRIM REFERENCE: 2022/949

**THIS ITEM WAS WITHDRAWN.**

*\*Cr Kinghorne left the meeting with the time being 8.09pm\**

**2.5 INVESTIGATIONS INTO TREE HEALTH - 5 BORRODELL DRIVE ORANGE**

TRIM REFERENCE: 2022/1012

Cr Kinghorne declared a Significant Non-Pecuniary interest in this item as her spouse has undertaken soil testing on this site, left the meeting and did not participate in voting or discussion on this item.

**RESOLVED - 22/202****Cr T Mileto/Cr M McDonell**

That Council resolves:

- 1 That Council engage a Level 5 AQF Arborist and conduct further investigations into the demise of a Pin Oak Tree at 5 Borrodell Drive Orange.
- 2 That Council encourage members of the community to report any information via Council's contact us page on its website.
- 3 That a nominated Council representative be present when the arborist takes a sample from the tree for testing.

For: Cr J Hamling, Cr G Floyd, Cr T Greenhalgh, Cr D Mallard, Cr M McDonell, Cr T Mileto, Cr S Peterson, Cr G Power, Cr J Whitton

Against: Cr K Duffy

Absent: Cr J Evans, Cr F Kinghorne

*\*Cr Kinghorne left the meeting with the time being 8.16pm\**

**2.6 DEVELOPMENT APPLICATION DA 18/2022(1) - 52 KITE STREET**

TRIM REFERENCE: 2022/962

**RESOLVED - 22/203****Cr J Hamling/Cr D Mallard**

That development application DA 18/2022(1) for Demolition (additions, garage, trees), Dwelling Alterations and Additions, Swimming Pool and Front Fence at Lot 100 DP 1244765 - 52 Kite Street, Orange be deferred to allow Councillors to undertake a site inspection.

For: Cr J Hamling, Cr K Duffy, Cr G Floyd, Cr T Greenhalgh, Cr F Kinghorne, Cr D Mallard, Cr M McDonnell, Cr T Mileto, Cr S Peterson, Cr G Power, Cr J Whitton

Against: Nil

Absent: Cr J Evans

Cr Kinghorne asked about construction hours, and whether this was something that will apply to new DA's too.

*The Director Development Services stated it has standard conditions that were amended to allow for the Premier's amendment to noise construction hours. More restricted hours were a standard condition prior to the Premier's covid temporary legislation changes. We will check if this temporary legislation has been revoked and if so I will provide an amendment to the consent that will be brought back in accordance with the EPA interim Guidelines for Construction Noise and the SEPP that may apply.*

**THE MEETING CLOSED AT 8:19PM.**