
ORANGE CITY COUNCIL

MINUTES OF THE

PLANNING AND DEVELOPMENT COMMITTEE

HELD IN COUNCIL CHAMBER, CIVIC CENTRE, BYNG STREET, ORANGE WITH AN OPTION OF ONLINE
CONFERENCING PLATFORM ZOOM DUE TO COVID-19 REQUIREMENTS

ON 2 FEBRUARY 2021

COMMENCING AT 7.35PM

1 INTRODUCTION

ATTENDANCE

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

Chief Executive Officer, Acting Director Corporate and Commercial Services (Redmond), Director Development Services, Director Community, Recreation and Cultural Services, Director Technical Services, Acting Manager Corporate Governance (Constantine), Chief Financial Officer, Executive Support Manager, Manager Development Assessment, Manager Building & Environment

APOLOGIES AND LEAVE OF ABSENCE

Nil

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

Cr McRae declared a significant, pecuniary interests in items 2.4 – Orange Environmental Plan 2011 – Planning proposal for a Heritage Amendment, 2.5 – Development Control Plan – Orange Eastside Precinct Plan – post Exhibition Report and 2.7 - Development Control Plan – West End Precinct as she owns property in the area.

Cr Whitton declared a significant, pecuniary interests in items 2.4 – Orange Environmental Plan 2011 – Planning proposal for a Heritage Amendment as he owns property in the area.

2 GENERAL REPORTS

2.1 ITEMS APPROVED UNDER THE DELEGATED AUTHORITY OF COUNCIL

TRIM REFERENCE: 2020/2492

RESOLVED - 21/004**Cr J Whitton/Cr R Kidd**

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

Against: Nil

Absent: Nil

2.2 DEVELOPMENT APPLICATION DA 111/2020(1) - 12 GREEN LANE

TRIM REFERENCE: 2020/2332

RESOLVED - 21/005**Cr T Mileto/Cr S Nugent**

That this item be deferred pending a site inspection and be brought to the next Planning and Development Committee meeting for consideration.

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

Against: Nil

Absent: Nil

2.3 DEVELOPMENT APPLICATION DA 328/2020(1) - 13-29 TORULOSA WAY

TRIM REFERENCE: 2021/44

RESOLVED - 21/006**Cr J Whitton/Cr S Nugent**

That Council consents to development application DA 328/2020(1) for Subdivision (33 lot residential) at Lot 16 DP 258976 - 13-29 Torulosa Way, Orange pursuant to the conditions of consent in the attached Notice of Approval.

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

Against: Nil

Absent: Nil

Cr McRae and Cr Whitton left the meeting with the time being 7.44pm

2.4 ORANGE LOCAL ENVIRONMENTAL PLAN 2011 - PLANNING PROPOSAL FOR A HERITAGE AMENDMENT

TRIM REFERENCE: 2020/2553

Cr McRae declared a significant, pecuniary interest as a property owner within the area, left the meeting and did not participate in discussion or voting on this item.

Cr Whitton declared a significant, pecuniary interest as a property owner within the area, left the meeting and did not participate in discussion or voting on this item.

RESOLVED - 21/007**Cr R Kidd/Cr K Duffy**

That this item be deferred to a later date and a briefing be given to Councillors.

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

Against: Nil

Absent: Cr McRae, Cr Whitton

Cr Mileto asked where residents can see the artefacts mentioned in the report and what actually are they?

Director Development Services advised the artefacts range from stone chips through to the waste materials left over from when the later settlement was there. Those sites are generally left undisturbed and have been identified by Ozark (Archaeologist) from Dubbo.

QUESTION TAKEN ON NOTICE

Cr Mileto asked what the process would be to remove items from the site and how we can make it accessible for people with a disability.

*** Cr Whitton returned to the meeting with the time being 7.49pm ***

2.5 DEVELOPMENT CONTROL PLAN - ORANGE EASTSIDE PRECINCT PLAN - POST EXHIBITION REPORT

TRIM REFERENCE: 2021/2

Cr McRae declared a significant, pecuniary interest as a property owner within the area, left the meeting and did not participate in discussion or voting on this item.

RESOLVED - 21/008**Cr S Munro/Cr K Duffy**

That Council resolves:

- 1 That Council note the contents of this report and attached submissions and adopt the Draft Orange Eastside Precinct Plan and Site Specific Controls.
- 2 That a draft Planning Proposal to amend the Orange Local Environmental Plan 2011 and Development Control Plan with site specific controls be prepared, and reported back to Council.

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

Against: Nil

Absent: Cr McRae

*** Cr McRae returned to the meeting with the time being 7.55pm ***

2.6 ESSO PARK - OPTIONS TESTING

TRIM REFERENCE: 2021/5

MOTION**Cr R Turner/Cr S Munro**

- 1 That Council note the contents of this report and the attached options.
- 2 That Council continues to further investigate options on the potential for the relocation of a portion of Esso Park under option 3 of the report
- 3 That any subdivision proposal must contain a land area below 2080 square metres and public access to Hamer Street must be retained.

AMENDMENT**Cr G Taylor/Cr K Duffy**

- 1 That Esso Park remain as a recreational reserve.
- 2 That Council liaise with interested local residents in order to enhance and increase the patronage of Esso Park.
- 3 That any financial expenditure determined be considered in the 2021/22 budget.

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

Against: Nil

Absent: Nil

THE AMENDMENT ON BEING PUT TO THE MEETING WAS CARRIED AND BECAME THE MOTION.

THE MOTION ON BEING PUT TO THE MEETING WAS CARRIED.

RESOLVED - 21/009**Cr G Taylor/Cr K Duffy**

- 1 That Esso Park remain a recreational reserve.
- 2 That Council liaise with interested local residents in order to enhance and increase the patronage of Esso Park.
- 3 That any financial expenditure determined be considered in the 2021/22 budget.

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

Against: Cr Turner

Absent: Nil

*** Cr McRae left the meeting with the time being 8.08pm ***

2.7 DEVELOPMENT CONTROL PLAN - WEST END PRECINCT

TRIM REFERENCE: 2021/39

Cr McRae declared a significant, pecuniary interest as a property owner within the area, left the meeting and did not participate in discussion or voting on this item.

RESOLVED - 21/010**Cr S Nugent/Cr R Kidd**

- 1 That Council acknowledge the attached site specific development controls and resolve to place the controls on public exhibition for a period of 28 days.
- 2 That staff draft an amendment the Orange Development Control Plan 2004 to:
 - Insert reference to the attached Site Specific Controls under chapter DCP 07 Residential Areas - 7.17 West End Precinct
 - Insert the DCP 17 Site Specific Controls – West End Precinct as an attachment
- 3 That post exhibition the matter return to Council for consideration of submissions with a view to amending the Orange Development Control Plan 2004.

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

Against: Nil

Absent: Cr McRae

Cr Nugent complimented the development and asked if this development could include affordable housing? And what protections are in place for the trees and the greenspace.

Chief Executive Officer advised that the DCP will be the second last step before we go to sale of the property. The affordable housing option is in chapter 6 of the DCP but the sale document will talk about the percentage of affordable housing. The DA will speak to the tree issue.

Cr Whitton questioned how much control Council has after the sale process?

Chief Executive Officer advised that this was why Council had engaged legal advice to ensure the product was what Council wanted. The CEO will brief Councillors in the future.

**** Cr McRae returned to the meeting with the time being 8.13pm ****

2.8 ORANGE LEP 2011 - AMENDMENT 17 STATUS UPDATE

TRIM REFERENCE: 2021/43

RESOLVED - 21/011**Cr J Whitton/Cr J Hamling**

- 1 That Council endorse and adopt the attached draft Development Control Plan provisions, to be known as chapter 6A of Orange DCP 2004.
- 2 That Council adopt the attached Towac Precinct Concept Plan to be the formal Equine Precinct Map as defined in the draft chapter 6A.

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

Against: Nil

Absent: Nil

2.9 DEVELOPMENT APPLICATION DA 111/2020(1) - 12 GREEN LANE - ADDITIONAL REPORT TO CLARIFY POINTS AND FIX ERRORS

TRIM REFERENCE: 2021/132

RESOLVED - 21/012**Cr J Whitton/Cr K Duffy**

That the information in this report be acknowledged.

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

Against: Nil

Absent: Nil

THE MEETING CLOSED AT 8.14PM.