
ORANGE CITY COUNCIL

MINUTES OF THE PLANNING AND DEVELOPMENT COMMITTEE

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

ON 6 JUNE 2023

COMMENCING AT 7.42PM

1 INTRODUCTION

ATTENDANCE

Cr J Whitton (Chairperson), Cr J Hamling (Mayor), Cr G Power (Deputy Mayor), Cr D Mallard, Cr M McDonell, Cr T Mileto, Cr G Floyd, Cr S Peterson, Cr T Greenhalgh, Cr J Evans, Cr F Kinghorne (*Audio Visual Link*)

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

APOLOGIES AND LEAVE OF ABSENCE

RESOLVED - 23/192

Cr J Whitton/Cr M McDonell

That the apologies be accepted from Cr Duffy for the Planning and Development Committee of Orange City Council on 6 June 2023.

For: Cr J Hamling, Cr J Evans, 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 K Duffy

RESOLVED - 23/193

Cr J Whitton/Cr M McDonell

That Cr Frances Kinghorne be permitted to attend the Planning and Development Committee of Orange City Council on 6 June 2023 via Audio Visual Link.

For: Cr J Hamling, Cr J Evans, 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 K Duffy

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

Cr Kinghorne declared Significant Pecuniary Interests in items 2.3 DA15/2023 – 16 Platinum Parade, item 2.5 DA112/2023 141 Rossi Drive & item 2.7 DA37/2023 3 Benview Avenue as her husband has undertaken work on the subject sites.

Cr Power declared Significant Non-Pecuniary Interests in item 2.4 DA195/2022, 10-12 Sharp Road as he is a member of Orange Aboriginal Land Council.

2 GENERAL REPORTS**2.1 ITEMS APPROVED UNDER THE DELEGATED AUTHORITY OF COUNCIL**

TRIM REFERENCE: 2023/627

RESOLVED - 23/194

Cr J Hamling/Cr M McDonell

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 J Evans, 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 K Duffy

2.2 PLANNING PROPOSAL - 12-20 SHIRALEE ROAD

TRIM REFERENCE: 2023/791

RESOLVED - 23/195

Cr M McDonell/Cr G Floyd

- 1 That Council resolve to support the Planning Proposal subject to:
 - a. adjusting the proposed minimum lot size for R2 land fronting Pinnacle Road from 1000m² to 2500m² and
 - b. nominating the 40 additional lots park fringe lots within the site as a “buffer area” for the purposes of clause 1.19(1)(e) of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.
The intent of (b) being to ensure development of the additional lots is excluded from Complying Development and require separate Development Applications.
- 2 That Council also support the associated (voluntary) Planning Agreement (VPA) and forward both matters to the Department of Planning and Environment for a Gateway Determination.
- 3 That subject to any conditions of a Gateway Determination staff proceed to undertake agency consultation and public exhibition of both the planning proposal and the VPA and report back to Council.
- 4 That the architectural package in Appendix B serve as the basis for drafting an amendment to the Shiralee DCP for the subject land, and that this DCP amendment be placed on public exhibition alongside the Planning Proposal.

For: Cr J Hamling, Cr J Evans, 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 K Duffy

Cr Kinghorne left with the meeting with the time being 7.45pm

2.3 DEVELOPMENT APPLICATION DA 15/2023(1) - 16 PLATINUM PARADE

TRIM REFERENCE: 2023/781

Cr Kinghorne declared Significant Non-Pecuniary Interest on this item as her husband has undertaken work on the subject site, left the meeting and did not participate in discussion or voting on this item.

RESOLVED - 23/196

Cr M McDonell/Cr T Greenhalgh

That Council consents to development application DA 15/2023(1) for Multi Dwelling Housing (four detached dwellings and two attached dwellings) and Subdivision (three Torrens Lots and four Community Lots) at Lot 327 DP 1280002 - 16 Platinum Parade, Orange pursuant to the conditions of consent in the attached Notice of Approval.

For: Cr J Hamling, Cr J Evans, 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 K Duffy, Cr F Kinghorne

2.5 DEVELOPMENT APPLICATION DA 112/2023(1) - 141 ROSSI DRIVE, CLIFTON GROVE

TRIM REFERENCE: 2023/820

Cr Kinghorne declared Significant Pecuniary Interest on this item as her husband has undertaken work on the subject site, left the meeting and did not participate in discussion or voting on this item.

RESOLVED - 23/197

Cr J Hamling/Cr M McDonell

That Council consents to development application DA 112/2023(1) for Secondary Dwelling and Carport (detached) at Lot 19 DP 1075011 - 141 Rossi Drive, Clifton Grove pursuant to the conditions of consent in the attached Notice of Approval.

For: Cr J Hamling, Cr J Evans, 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 K Duffy, Cr F Kinghorne

2.7 DEVELOPMENT APPLICATION DA 37/2023(1) - 3 BENVIEW AVENUE

TRIM REFERENCE: 2023/802

Cr Kinghorne declared Significant Pecuniary Interest on this item as her husband has undertaken work on the subject site, left the meeting and did not participate in discussion or voting on this item.

RESOLVED - 23/198

Cr T Greenhalgh/Cr M McDonell

That Council consents to development application DA 37/2023(1) for Demolition (dwelling house, outbuilding and tree removal), Dwelling House and Swimming Pool at Lot 20 DP 16787 - 3 Benview Avenue, Orange pursuant to the conditions of consent in the attached Notice of Approval.

For: Cr J Hamling, Cr J Evans, 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 K Duffy, Cr F Kinghorne

Cr Kinghorne returned to the meeting with the time being 7.45pm

Cr Power left the meeting with the time being 7.48pm

2.4 DEVELOPMENT APPLICATION DA 195/2022(1) - 10-12 SHARP ROAD

TRIM REFERENCE: 2023/799

Cr Power declared Significant Non-Pecuniary Interest on this item DA195/2022, 10-12 Sharp Road as he is a member of the Orange Local Aboriginal Land Council.

RESOLVED - 23/199

Cr T Greenhalgh/Cr G Floyd

That Council consents to development application DA 195/2022(1) for Subdivision (seven Lot Torrens title) and Demolition (tree removal) at Lot 1 DP 722291, Lots 222 and 227 DP 1011881 - 10-12 Sharp Road and Anson Street, Orange pursuant to the conditions of consent in the attached Notice of Approval.

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

Against: Nil

Absent: Cr K Duffy, Cr G Power

Cr Mileto asked what the offsetting measures are to compensate for direct/indirect impacts of development and how far away from development will they be implemented.

The Director Development Services advised under Biodiversity legislation, once the trigger is met the Developer has to contribute to the Biodiversity Conservation Trust, the State Government fund. The contribution can be used anywhere within the region, and does not have to be close/specific to the site.

Cr Hamling asked if the same species of trees from the last development will be in this development and how old are the trees being removed.

The Director Development Services advised that the revegetated trees are a mixture of species that may contain similar species as Maramba Road and that the trees being removed have been identified as approximately 30 years old.

Cr Hamling asked will these houses back onto the Southern Feeder Road, and will a fence for sound mitigation be required.

The Director Development Services advised the houses will be above the Southern Feeder Road and the application included a noise assessment. Minimal protection is required due to the site topography. All fencing and noise attenuation works are at the cost of the developer.

Cr Power returned to the meeting with the time being 8.03pm

2.6 DEVELOPMENT APPLICATION DA 1/2023(1) - ORANGE POST OFFICE - 222-224 SUMMER STREET AND LOT 22 COLVIN LANE

TRIM REFERENCE: 2023/819

RESOLVED - 23/200

Cr J Hamling/Cr T Mileto

That Council consents to development application DA 1/2023(1) for Business Premises (alterations and additions to Post Office) at Lots 11 and 22 DP 758817, Lot 101 DP 1257228 - 222-224 Summer Street and Colvin Lane, Orange pursuant to the conditions of consent in the attached Notice of Approval (including GTA from Heritage NSW).

For: Cr J Hamling, Cr J Evans, 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 K Duffy

THE MEETING CLOSED AT 8.06PM.