

#### 4 Orchard Hills North Planning Proposal

**Procedural note: Section 375A of the Local Government Act 1993 requires that a division be called in relation to this matter.**

368 RESOLVED on the MOTION of Councillor Bernard Bratusa seconded Councillor Marlene Shipley

That:

1. The information contained in the report on Orchard Hills North Planning Proposal be received.
2. Council endorse the Planning Proposal presented in this report and which has been provided to Councillors as a separate enclosure and is publicly available on Council's website.
3. All supporting technical studies supporting the Planning Proposal be updated and contemporised to reflect the final revised Planning Proposal referred to in resolution 2.
4. Council endorse the draft amendment to the Penrith Development Control Plan 2014 which has been provided to Councillors as a separate enclosure and is publicly available on Council's website.
5. The draft amendment to the Penrith Development Control Plan 2014 referred to in resolution 4 take effect following the date when the LEP amendment sought by the Planning Proposal takes effect.
6. Council endorse and amend the draft Section 7.11 Development Contributions Plan (which has been provided to Councillors as a separate enclosure and is publicly available on Council's website) in accordance with the changes presented in this report.
7. Council forward the draft Section 7.11 Contributions Plan referred to in resolution 6 to the Independent Pricing and Regulatory Tribunal (IPART) with a request to conduct a formal review of the document.
8. Council request the Department of Planning and Environment to include Orchard Hills North in Schedule 2 of the Environmental Planning and Assessment (Local Infrastructure Contributions) Direction 2012.
9. Council submit the Planning Proposal to the Department of Planning and Environment for finalisation and gazettal with a request that the LEP amendment be made, with deferred commencement on 1 October 2023, and once resolution 3 has been met.
10. Council and Legacy Property finalise negotiations in respect to a local Legacy Property VPA Offer, and that this be reported to a future Council meeting for consideration.

In accordance with Section 375A of the Local Government Act 1993, a DIVISION was then called with the following result:

#### For

Councillor Todd Carney  
Councillor John Thain  
Councillor Marlene Shipley

#### Against

Councillor Kevin Crameri OAM  
Councillor Sue Day

**THE TIMELY ACTIONING OF COUNCIL DECISIONS IS PARAMOUNT.  
SIGN OFF COMPLETED ACTIONS AND RETURN TO RECORDS**

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Councillor Ross Fowler OAM  
Councillor Glenn Gardiner  
Councillor Bernard Bratusa  
Councillor Mark Rusev  
Councillor Mark Davies

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**For Action: Williams, Natasha - City Planning Manager**

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**ADOPTED AT ORDINARY MEETING**

**Monday 12 December 2022**

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