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**ORANGE CITY COUNCIL**  
**MINUTES OF THE**  
**PLANNING AND DEVELOPMENT COMMITTEE**

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

ON 3 DECEMBER 2019

COMMENCING AT 7.32PM

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## **1 INTRODUCTION**

### **ATTENDANCE**

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

Chief Executive Officer, Acting Director Corporate and Commercial Services, Acting Director Development Services, Director Community, Recreation and Cultural Services, Director Technical Services, Manager Corporate and Community Relations, Administration Assistant (Cubbin), Manager Financial Services, Operations Manager

### **APOLOGIES AND LEAVE OF ABSENCE**

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#### **RESOLVED - 19/585**

**Cr S Munro/Cr J Hamling**

That the apology be accepted from Cr J Whitton for the Planning and Development Committee of Orange City Council on 3 December 2019.

For: Unanimous

Against: Nil

Absent: Cr Whitton

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

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Cr S Munro declared a less than significant non-pecuniary interest in item 2.4 - Orange LEP 2011 – Amendment 13 – Rosedale Gardens – Post Exhibition Report as he has had previous business related dealings with the applicant.

## **2 GENERAL REPORTS**

### **2.1 ITEMS APPROVED UNDER THE DELEGATED AUTHORITY OF COUNCIL**

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TRIM REFERENCE: 2019/2377

#### **RESOLVED - 19/586**

**Cr R Kidd/Cr K Duffy**

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: Unanimous

Against: Nil

Absent: Cr Whitton

## 2.2 DEVELOPMENT APPLICATION - DA 91/2019(1) - 5 LILY PILLY PLACE

TRIM REFERENCE: 2019/2536

### RESOLVED - 19/587

Cr S Munro/Cr J Hamling

That Council resolves to issue consent to development application DA 91/2019(1) for Multi Dwelling Housing (four dwellings) and Subdivision (one lot Torrens title and four lot Community title) at Lot 100 DP 1248945 - 5 Lily Pilly Place, 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 T Mileto, Cr S Munro, Cr S Nugent, Cr M Previtera, Cr G Taylor, Cr R Turner

#### Voted Against

Nil

#### Absent

Cr J Whitton

## 2.3 DEVELOPMENT APPLICATION DA 308/2019(1) - 185-191 BYNG STREET

TRIM REFERENCE: 2019/2563

### RESOLVED - 19/588

Cr K Duffy/Cr J Hamling

That Council consents to development application DA 308/2019(1) for Recreation Facility (indoor) (change of use) at Lot 12 DP 1047837 - 191 Byng Street, Orange pursuant to the conditions of consent in the attached Notice of Approval with the deletion of Condition 4 relating to Car Parking Development Contributions.

### Division of Voting

#### Voted For

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

#### Voted Against

Nil

#### Absent

Cr J Whitton

## 2.4 ORANGE LEP 2011 - AMENDMENT 13 - ROSEDALE GARDENS - POST EXHIBITION REPORT

TRIM REFERENCE: 2019/2528

Cr S Munro declared a less than significant non-pecuniary interest in this item as he has had previous business related dealings with the applicant, left the Chamber, and did not participate in the voting or debate on this item.

**RESOLVED - 19/589****Cr R Kidd/Cr S Romano**

That Council resolves:

- 1 That Council advise the Department of Planning, Infrastructure and Environment of support for the planning proposal subject to the following matters arising from the consultation process being resolved.
- 2 That staff forward the matter to the Department of Planning, Infrastructure and Environment for final determination, on the basis that the site becomes an Urban Release Area requiring a site specific Development Control Plan and Development Contributions Plan.
- 3 That the proponent be advised of the requirement for a site specific Development Control Plan, that addresses all matters within section 6.3 of the LEP as well as:
  - A plan that identifies elevated sites and steeply sloping sites to be subject to additional privacy controls, including land at or above an elevation of 874m AHD.
  - A staging plan that provides for such elevated land in the north-eastern corner of the site to be developed last.
  - A landscaping plan that establishes vegetative screens to provide a visual screen for elevated properties to obscure views from future dwellings.
  - That land east of the ridge be required to have building envelopes nominated on the lots, providing space for appropriate screen landscaping between the dwellings and the orchard east of the site.
  - Urban design controls for elevated or sloping sites that ensure landscaping provides a visual screen obscure views below the horizontal visual plane for a standing adult on the uppermost floor of the respective dwelling.
  - A requirement that the visual screen landscaping for lots in the final stage be planted out as part of the first stage – providing time for such plantings to mature, specifically all plantings in the public realm as well as plantings within the proposed lots but outside of the building envelopes.
  - Identification of appropriate trigger points that would need to be met before subsequent stages can be developed or released, including Riparian corridor and public realm landscaping being established.
  - Stormwater harvesting being designed to ensure that post development runoff levels are no greater than predevelopment runoff, and along the north-eastern boundary adjoining Lot 26 DP 668540 that the post development runoff is no less than predevelopment levels and of equal or improved water quality to predevelopment flows.
  - That additional access and egress connections be identified to connect the estate to Clergate Road, designed and constructed in consultation with RMS and John Holland Rail, suitable for emergency vehicles and with all upgrade costs at the developers expense.
  - A revised conceptual layout being provided that responds to all of the above and meets or exceeds the Planning for Bushfire Protection 2006 requirements
- 4 That the proponent be advised of the requirement of a site specific Development Contributions Plan that provides for the following:
  - Sewer and water headworks charges
  - Open space and recreation
  - Community and Cultural

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| <ul style="list-style-type: none"><li>• Roads and traffic management</li><li>• Local Area facilities</li><li>• Plan preparation and administration</li></ul> |
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For: Cr Kidd, Cr Turner, Cr Mileto, Cr Previtera, Cr Romano, Cr Hamling, Cr Duffy, Cr Nugent, Cr McRae, Cr Taylor

Against: Nil

Absent: Cr Whitton, Cr Munro

*\*\* Cr Munro returned to the Chamber with the time being 7.50pm\*\**

**THE MEETING CLOSED AT 7.50PM.**