



PLANNING AND DEVELOPMENT COMMITTEE

AGENDA

7 FEBRUARY 2023

Notice is hereby given, in accordance with the provisions of the Local Government Act 1993 that a **PLANNING AND DEVELOPMENT COMMITTEE MEETING of ORANGE CITY COUNCIL** will be held in the **COUNCIL CHAMBER, CIVIC CENTRE, BYNG STREET, ORANGE** on **Tuesday, 7 February 2023**.

David Waddell
CHIEF EXECUTIVE OFFICER

For apologies please contact Administration on 6393 8106.

AGENDA

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1 INTRODUCTION

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

The provisions of Chapter 14 of the Local Government Act, 1993 (the Act) regulate the way in which Councillors and designated staff of Council conduct themselves to ensure that there is no conflict between their private interests and their public role.

The Act prescribes that where a member of Council (or a Committee of Council) has a direct or indirect financial (pecuniary) interest in a matter to be considered at a meeting of the Council (or Committee), that interest must be disclosed as soon as practicable after the start of the meeting and the reasons given for declaring such interest.

As members are aware, the provisions of the Local Government Act restrict any member who has declared a pecuniary interest in any matter from participating in the discussion or voting on that matter, and requires that member to vacate the Chamber.

Council's Code of Conduct provides that if members have a non-pecuniary conflict of interest, the nature of the conflict must be disclosed. The Code of Conduct also provides for a number of ways in which a member may manage non pecuniary conflicts of interest.

RECOMMENDATION

It is recommended that Committee Members now disclose any conflicts of interest in matters under consideration by the Planning and Development Committee at this meeting.

2 GENERAL REPORTS

2.1 ITEMS APPROVED UNDER THE DELEGATED AUTHORITY OF COUNCIL

RECORD NUMBER: 2022/2433
AUTHOR: Ben Hicks, Senior Planner

EXECUTIVE SUMMARY

Following is a list of more significant development applications approved by the Chief Executive Officer under the delegated authority of Council. Not included in this list are residential scale development applications that have also been determined by staff under the delegated authority of Council (see last paragraph of this report for those figures).

LINK TO DELIVERY/OPERATIONAL PLAN

The recommendation in this report relates to the Delivery/Operational Plan Strategy “7.1. Engage with the community to develop plans for growth and development that value the local environment”.

FINANCIAL IMPLICATIONS

Nil

POLICY AND GOVERNANCE IMPLICATIONS

Nil

RECOMMENDATION

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.

FURTHER CONSIDERATIONS

Consideration has been given to the recommendation’s impact on Council’s service delivery; image and reputation; political; environmental; health and safety; employees; stakeholders and project management; and no further implications or risks have been identified.

Reference: DA 150/2016(2) **Determination Date:** 9 December 2022
PR Number PR11507
Applicant/s: Cabonne Construction Pty Ltd
Owner/s: Mr D and Mrs G Kavas
Location: Lot 1 DP 84874 - 205 Summer Street, Orange
Proposal: Modification of development consent - shop top housing and dwelling. The modified development affects minor changes to the rear dwelling, including first floor wall finish and energy BASIX commitments. (change of use from retail/storage)
Value: \$0

2.1 Items Approved Under the Delegated Authority of Council

Reference: DA 77/2018(4) **Determination Date:** 12 December 2022
PR Number PR26464
Applicant/s: K & S Freighters Pty Ltd
Owner/s: Orange City Council
Location: Lot 200 DP 1195298 - 136 Aerodrome Road, Huntley
Proposal: Modification of development consent - airport (bulk fuel tanks (2) and refuelling facility). The modified proposal involves minor rearrangement of the approved refuelling facility within the lease compound. The tanker driveway, fuel tanks and dispensing skid will be slightly relocated; a small pre-fabricated office/amenities building will be installed; and the Avgas fuel tank will be reduced in volume.
Value: \$0

Reference: DA 481/2020(2) **Determination Date:** 1 December 2022
PR Number PR29081
Applicant/s: Eastern Developments (NSW) Pty Ltd
Owner/s: Eastern Developments (NSW) Pty Ltd
Location: Lot 1 DP 1276536 - Ophir Road, Orange (formerly Lot 100 DP 1198640 – 345 Ophir Road, Orange)
Proposal: Modification of development consent - subdivision (216 lots - comprising 207 residential lots, one neighbourhood centre lot, one residue lot and a number of public reserves including *proposed* reserves (Lots 65, 214 and 215) and *Conditional* reserves (Lots 6, 11 ,12 and 76). The modification involves creating two englobo lots over the approved lots, effectively comprising Stage 1 of the subdivision. The englobo lots will facilitate funding and staging of the subdivision.
Value: \$0

Reference: DA 214/2021(3) **Determination Date:** 1 December 2022
PR Number PR12120
Applicant/s: Ash Group Holdings Pty Ltd
Owner/s: Mr BW and Mrs KL Draper
Location: Lot 11 DP 700977 - 207 Canobolas Road, Orange
Proposal: Modification of development consent - staged subdivision (five lot Torrens title). The modification involves amendments to boundary locations to meet minimum lot size requirements and amendments to dwelling and equine envelopes.
Value: \$0

2.1 Items Approved Under the Delegated Authority of Council

Reference: DA 513/2021(2) **Determination Date:** 29 November 2022
PR Number PR15494
Applicant/s: Tony Leahey Motor Group
Owner/s: Mr AR and Mrs LJ Leahey
Location: Lot 574 DP 836044 - 25 Cameron Place, Orange
Proposal: Modification of development consent - vehicle sales or hire premises (alterations and additions to existing showroom) and business identification sign. The modified proposal involves the relocation of the Ford entry portal tower from the northern elevation of the showroom to the western elevation. There is also the removal of a roller door on the northern elevation and relocation of the stairs in the storage area
Value: \$0

Reference: DA 54/2022(2) **Determination Date:** 25 November 2022
PR Number PR21218
Applicant/s: John Davis Motors
Owner/s: Canobolas Motors Pty Ltd
Location: Lot 10 DP 1132756 - 344-348 Summer Street, Orange
Proposal: Modification of development consent - vehicle sales or hire premises and business identification sign vehicle sales or hire premises business identification sign. The modified proposal involves the following minor changes:

- upgrading the existing sanitary facilities to provide an accessible water closet, male ambulant toilet, and female ambulant water closet
- a change in the fascia colour from monument to silver
- an adjustment to the width of the northern and eastern wall of the delivery bay by 500 mm
- a new window to the office nearest the service area, resulting in one less carpark.

Value: \$0

Reference: DA 140/2022(1) **Determination Date:** 1 December 2022
PR Number PR12120
Applicant/s: Ash Group Holdings Pty Ltd
Owner/s: Mr BW and Mrs KL Draper
Location: Lot 11 DP 700977 - 207 Canobolas Road, Orange
Proposal: Subdivision (five lots)
Value: \$0

Reference: DA 177/2022(1) **Determination Date:** 14 December 2022
PR Number PR16992
Applicant/s: Millthorpe Truffles
Owner/s: Mr GN and Mrs LJ Good
Location: Lot 10 DP 877691 - 41 Bowd Road, Millthorpe
Proposal: Farm stay accommodation and two carports
Value: \$180,000

2.1 Items Approved Under the Delegated Authority of Council

Reference: DA 199/2022(1) **Determination Date:** 16 December 2022
PR Number PR20441
Applicant/s: Developed Pty Ltd
Owner/s: Mr BL and Mrs JR Doberer
Location: Lot 101 DP 1083040 - Clergate Road, Orange
Proposal: Subdivision (four lot Torrens title, new road, and drainage reserve), and Subdivision (ten lot Community title)
Value: \$0

Reference: DA 212/2022(1) **Determination Date:** 31 December 2022
PR Number PR10515
Applicant/s: Bassmann Drafting Services
Owner/s: Mr TP and Mrs F Mortimer
Location: Lot A DP 151129 - 42 Rosemary Lane, Orange
Proposal: Demolition (dwelling and ancillary structures), dwelling and attached garage (new construction), swimming pool (inground) and pool fencing
Value: \$1,207,968

Reference: DA 315/2022(1) **Determination Date:** 19 December 2022
PR Number PR8114
Applicant/s: Planning Potential
Owner/s: Mr RG and Mrs JA Offord
Location: Lot 21 Sec 5 DP 8196 - 5 McLachlan Street, Orange
Proposal: Demolition (shed/garage/carport), multi dwelling housing (two additional dwellings), carport, subdivision (three community lots and one Torrens lot)
Value: \$575,000

Reference: DA 330/2022(1) **Determination Date:** 29 November 2022
PR Number PR6274
Applicant/s: Mr LG Musgrave
Owner/s: Mr LG and Mrs JM Musgrave
Location: Lot A DP 150705 - 14 Kite Street, Orange
Proposal: Demolition (tree removal)
Value: \$1,200

Reference: DA 335/2022(1) **Determination Date:** 24 January 2022
PR Number PR25386
Applicant/s: Orange Christian Schools Limited
Owner/s: Orange Christian Schools Limited
Location: Lot 100 DP 1165434 - 500 Cecil Road, Orange
Proposal: School (increase in student numbers)
Value: \$0

2.1 Items Approved Under the Delegated Authority of Council

Reference: DA 340/2022(1) **Determination Date:** 7 December 2022
PR Number PR11355
Applicant/s: Mrs TL Meacham
Owner/s: Mr DG and Mrs TL Meacham
Location: Lot 5 DP 996178 - 84 Spring Street, Orange
Proposal: Home business
Value: \$0

Reference: DA 360/2022(1) **Determination Date:** 21 December 2022
PR Number PR744
Applicant/s: Saunders Property
Owner/s: Mr TB and Mrs MY McRae
Location: Lot 261 DP 609895 - 272 Anson Street, Orange
Proposal: Health services facility (dermatology consulting rooms) change of use from community facility and business identification signage
Value: \$0

Reference: DA 381/2022(1) **Determination Date:** 9 December 2022
PR Number PR11580
Applicant/s: Laurie Claire Kids
Owner/s: Alceon Group Pty Limited
Location: Lot 564 DP 776383 - 212-220 Summer Street, Orange
Proposal: Shop fitout (Tenancy 30 - Laurie Claire Kids)
Value: \$220,000

Reference: DA 401/2022(1) **Determination Date:** 11 January 2023
PR Number PR11580
Applicant/s: Luxottica Retail Australia
Owner/s: Alceon Group Pty Limited
Location: Lot 564 DP 776383 - 212-220 Summer Street, Orange
Proposal: Shop (installation of Kiosk 6)
Value: \$50,380

TOTAL NET* VALUE OF DEVELOPMENTS APPROVED BY THE CEO UNDER DELEGATED AUTHORITY IN THIS PERIOD:	\$2,234,548.00
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** Net value relates to the value of modifications. If modifications are the same value as the original DA, then nil is added. If there is a plus/minus difference, this difference is added or taken out.*

Additionally, since the December 2022 meeting report period (23 November 2022 to 24 January 2023), another 29 development applications were determined under delegated authority by other Council staff with a combined value of \$8,293,842.