



ORDINARY COUNCIL MEETING

AGENDA

18 MARCH 2025

Notice is hereby given, in accordance with the provisions of the Local Government Act 1993 that an **ORDINARY MEETING of ORANGE CITY COUNCIL** will be held in the **COUNCIL CHAMBER, CIVIC CENTRE, BYNG STREET, ORANGE** on **Tuesday, 18 March 2025** commencing at **6:30 PM**.

David Waddell

CHIEF EXECUTIVE OFFICER

For apologies please contact Executive Support on 6393 8391.

AGENDA

EVACUATION PROCEDURE

In the event of an emergency, the building may be evacuated. You will be required to vacate the building by the rear entrance and gather at the breezeway between the Library and Art Gallery buildings. This is Council's designated emergency muster point.

Under no circumstances is anyone permitted to re-enter the building until the all clear has been given and the area deemed safe by authorised personnel.

In the event of an evacuation, a member of Council staff will assist any member of the public with a disability to vacate the building.

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1 INTRODUCTION

1.1 APOLOGIES AND LEAVE OF ABSENCE

1.2 LIVESTREAMING AND RECORDING

This Council Meeting is being livestreamed and recorded. By speaking at the Council Meeting you agree to being livestreamed and recorded. Please ensure that if and when you speak at this Council Meeting that you ensure you are respectful to others and use appropriate language at all times. Orange City Council accepts no liability for any defamatory or offensive remarks or gestures made during the course of this Council Meeting. A recording will be made for administrative purposes and will be available to Councillors.

1.3 ACKNOWLEDGEMENT OF COUNTRY

I would like to acknowledge the Traditional Custodians of the land on which we meet today, the people of the Wiradjuri Nation. I pay my respects to Elders past and present, and extend those respects to Aboriginal Peoples of Orange and surrounds, and Aboriginal people here with us today.

1.4 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 Councillors now disclose any conflicts of interest in matters under consideration by the Council at this meeting.

1.5 OPENING PRAYER

COUNCIL MEETING ADJOURNS FOR THE CONDUCT OF THE OPEN FORUM

COUNCIL MEETING RESUMES

2 MAYORAL MINUTES

2.1 MAYORAL MINUTE - REGIONAL AUSTRALIA LEVEL CROSSING SAFETY PROGRAM

RECORD NUMBER: 2025/311

MAYORAL MINUTE

This report serves to gain political support for an upgrade of the Woodward Street rail level crossing.

RECOMMENDATION

That Council formally ask the State and Federal Member, inclusive of the Hon. Catherine King MP & the Hon. Jenny Aitchison MP, that application be made to UGL and TfNSW to upgrade Woodward Street level crossing with boom gates and pedestrian facilities under the Regional Australia Level Crossing Safety Program or any other financial means as soon as possible.

Tony Mileto

MAYOR

SUPPORTING INFORMATION

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.

SUPPORTING INFORMATION

Woodward Street crossing is the only level crossing in the Orange LGA that doesn't have boom gates. Now Brabham Way is open, considerable traffic is crossing the rail tracks. This traffic is comparable to the Byng Street or Dalton Street crossing in volume.

Council staff have made numerous applications for funding to upgrade the crossing under the Local Crossing Improvement Program (LCIP) without success.

The Regional Australia Level Crossing Safety Program (RALCSP) is an Australian Government initiative providing \$180.1 million in funding from 2022–23 to 2026–27 to improve safety around railway crossings in regional areas. Oddly enough, the Woodward Street rail crossing features in the launch video of the program.



It is recommended that Council request the State and Federal Member, inclusive of the Hon. Catherine King MP & the Hon. Jenny Aitchison MP, asking that UGL and TfNSW to upgrade Woodward Street level crossing with boom gates and pedestrian facilities under the Regional Australia Level Crossing Safety Program or any other means as soon as possible.

2.2 MAYORAL MINUTE - CNSWJO BOARD REPORT - FEBRUARY 2025

RECORD NUMBER: 2025/338

MAYORAL MINUTE

Please find following advice from the recent meeting of the Central NSW Joint Organisation Board held in Oberon on 27 February 2025 of which the Mayor and Chief Executive Officer attended. The minutes from the meeting are attached, as is the Draft Statement of Budget and Revenue.

RECOMMENDATION

That the information contained in this Mayoral Minute be acknowledged.

Tony Mileto

MAYOR**SUPPORTING INFORMATION**

Delegates were welcomed to Oberon by its Mayor, Cr Andrew McKibbin.

Speakers to the meeting were Local Government NSW President, Cr Phyllis Miller, and Chief Executive Mr David Reynolds. The Board then had a strategic session around the priorities into the federal election and for this term of Council. Updates were provided from the NSW Office of Local Government, Regional Development Australia Central West and the NSW Premier's Department.

More detail on reports to the meeting are below where the agenda can be found on the [CNSWJO website](#).



Image: The CNSWJO Board meeting at the Oberon Library and Community Centre

Forward budget

The Board adopted a draft Statement of Budget and Revenue and has put it on public exhibition. It can be found on the [CNSWJO website](#). While the website calls for feedback in 30 days, giving consideration to member Council meeting timeframes, please provide feedback by 30 April 2025 so this can be considered by the Board.

Considerations for the 2025/2026 budget include:

- taking up the rate peg increase of 3.8% for fees where this figure is the lowest rate increase in this region (Blayney);
- noting the decision by the Board to realise \$150K from internally restricted reserves to support the cyber security project;
- noting the Statement of Strategic Regional Priority (SSRP) will be finalised in November of this calendar year and changes to priorities will be funded in the budget;
- based on the pilot with Forbes Shire Council, growth in the service offering for the procurement function to include a “fee-for-service” procurement management service at a reasonable cost to members showing a conservative income stream of \$20K;
- inclusion of \$12,500 to support matching funding for energy projects;
- inclusion of grant funded projects for:
 - Disaster Readiness;
 - Joint Organisation Net Zero Acceleration Program; and
 - Water Loss Management.

Advocacy Plans

Every February the Board reviews its Advocacy Plans. These plans are used to inform submission, media, correspondence, ministerial briefings and other collateral.



Picture 1 Example of advocacy collateral developed in 2022

Developed with the direction of the Portfolio Mayors, the following were adopted by the Board:

- [The Transport Advocacy Plan](#)
- [The Health and Ageing Advocacy Plan](#)
- [The Water Advocacy Plan](#)
- [The Regional Prosperity Advocacy Plan](#)
- [The Energy Advocacy Plan](#)

Other key outputs adopted by the Board

Output	Description
Statement of Strategic Regional Priority Risk Management Plan	Undertaken internally, risks to the JO, region and Council are identified. All JO activities must give consideration to these risks and advice is provided to the Board in their quarterly meeting.
CNSWJO Social and Environmental Scan	Using an external provider, this report provides a snapshot of the region's data, opportunities and challenges. This advice informs forward strategy.
High level Destination Marketing Plan	Commissioned by the previous Board and undertaken externally this work informs the destination marketing being undertaken through the CNSWJO.
Leading Practice in Regional Development	At the request of the previous Board this work has been undertaken collaboratively between Central West Regional Development Australia (CWRDA) and the JO. RDA will take the lead in its implementation.
Draft MoU with SkillSet	CNSWJO has a growing number of MoUs and other instruments to facilitate collaboration. The most recent is with Skillset. Importantly, these MoUs identify initiatives to be undertaken collaboratively in the interest of Councils and communities in the CNSWJO region.
CNSWJO Regional Electric Vehicle Strategy - final	A support document for Councils and the JO in transitioning fleet to meet net zero carbon emissions targets.
EV Drive Day Event Report	A wrap-up report from the Electric Vehicle (EV) Drive Day held in Bathurst in December 2024.
New Councillor Event Final Report	<p>The Welcome Councillor event was held 28 November 2024. A report from the meeting made the following recommendations which will now be progressed as they have been adopted by the Board.</p> <ol style="list-style-type: none"> 1. provide advice back to peak agencies included in this report; 2. develop a CNSWJO induction report for incoming Councillors with advice drawn from the event; 3. receive advice on resourcing of: <ol style="list-style-type: none"> a. an informal network of Councillors; and b. specific support for Deputy Mayors; and

Output	Description
	4. include advice from this report in its deliberations on forward programming for the Statement of Strategic Regional Priority and advocacy.

Advocacy Priorities leading into the federal election

The Board identified the following as priorities leading into the federal election.

1. Increase Financial Assistance Grants to at least 1% of Commonwealth tax revenue and add a one-time \$3 billion payment to address past underfunding.
2. Recognise Local Government in the Constitution.
3. Recognise Central NSW's strengths in agriculture, mining, renewable energy, and proximity to cities and ports with the "Made in Central NSW" initiative.
4. Provide support and compensation for regional communities during the energy and mining transition.
5. Empower regional communities to become more energy independent and resilient.
6. Ensure energy security for regional communities during the transition to renewable energy.
7. Improve road funding with a focus on betterment and resilience.
8. Develop a safe, reliable, and efficient transport network linking Central NSW to Sydney and beyond for both passengers and freight.
9. Create a strong multi-modal freight network.
10. Address health workforce shortages, exacerbated by housing shortages, with better collaboration between state and federal services.
11. Despite the various interventions and inquiries over decades, local government is still battling health and aged care workforce shortages, the more remote the greater the challenge.
12. Improve health services, as 94% of our communities prioritises this.
13. Leverage the region's water security work to develop a regional water supply pipeline grid in partnership with the NSW and Federal Governments.
14. Include Water Supply and Sewer Assets in State and Commonwealth Disaster Recovery Funding.
15. Ensure the Murray Darling Basin Plan considers the social and economic impacts on communities while meeting environmental targets, especially during droughts and natural disasters.
16. Review the Aboriginal and Torres Strait Islander Heritage Protection Act Section 10 process.

At the time of writing an event is being coordinated for 11 March which will include a session on federal priorities and meeting with candidates leading into the election. All Councillors in the region have been invited and the event is free to attend.

Further advocacy will be at the direction of the Mayors of the region under the leadership of the Chair, Cr Kevin Beatty, Mayor of Cabonne.

Priorities for the Joint Organisation for this term of Council

Similar to the Community Strategic Plan for Council, Joint Organisations must develop a Statement of Strategic Regional Priority. Under the auspices of the Mayors of the region, workshops have been held with new Councillors (28 November 2024), Executive Leadership Teams (31 October 2024) and the Board provided high level advice on priorities at the meeting in Oberon as follows. Staff will now pull together a program of work in support of this direction. Again, all feedback is welcomed.

80% of the JOs resources go to delivering operational support to Councils in helping with the financial sustainability challenge.



Picture 2 Feedback from a stakeholder session on Council operational challenges for members

Priority One: Leveraging our reputation and strength in collaboration

- 1.1 Drive efficiencies and effectiveness saving Councils money
- 1.2 Build capacity and networks across our Councils and the Joint Organisation network
- 1.3 Work well with other peak agencies
- 1.4 Engage with State and Federal Governments to get better advocacy outcomes for the region.

Priority Two: Regional prosperity through better connected infrastructure and services

- 2.1 Initiatives for sustainable growth population-in the context of locational preference factors
- 2.2 Optimise land use and regional development planning and implementation
- 2.3 Advocacy and initiatives on skills and housing shortages
- 2.4 Infrastructure prioritisation through the CNSWJO Matrix
- 2.5 Leveraging the region's endowments and opportunities
 - a. Activation precincts including Parkes SAP
 - b. Pattern of settlement; liveability, proximity to capital cities and ports – this region is a solution for growth outside Sydney
 - c. Agriculture focusing on value-add
 - d. Renewable energy generation
 - e. Mining
 - f. Visitor economy
- 2.6 Biosecurity

Priority Three: Better infrastructure and services in health and ageing

- 3.1 addressing the need for more palliative care in region
- 3.2 addressing the mental health challenge
- 3.3 identifying pathways through the challenging health frameworks to deliver better outcomes for regional communities

Priority Four: Telecommunications**Priority Five: Regional Transport Improvements**

- 5.1 Multi-modal transport connectivity planning and implementation including road, rail and air passenger and freight
- 5.2 Optimal road funding framework including for natural disasters
- 5.3 High quality, efficient and safer road and rail networks

Priority Six: Regional Water Security and Productive Water

- 6.1 Regional water network planning and implementation including best practice skills development
- 6.2 Productive water
- 6.3 Leveraging the region's leadership in water utilities
- 6.4 Human critical need particularly urban water

Priority Seven: Climate change adaptation and mitigation

- 7.1 Transition to a sustainable, secure, just and affordable energy future
 - a. Energy efficiency and emissions reduction
 - b. Distributed energy resources
 - c. Circular economy and waste
 - d. Environment and biodiversity
- 7.2 Adapting to a warming climate
 - a. Disaster risk reduction, response and recovery
 - b. Betterment and prioritisation of resilient infrastructure
 - c. Leading practice in region and across NSW



AWARDS

Central NSW Joint Organisation proudly took home awards in 4 categories for Division D (for JO, ROCs and collaborations). These included:

- Water Management for the Regional Water Loss Management Hub Project
- Towards Net Zero Emissions for the 52 Shades of Green: CNSWJO Net Zero Accelerator Program
- Climate Change Adaptation for the Regional Resilience Program for Disaster Risk Reduction, and
- Innovation in Planning, Policies and Decision Making for Transitioning Local Water Utility Strategy Planning into the IP&R Framework.



CNSWJO was also the overall winner in the Water Management and the Towards Net Zero Emissions categories.



Image: Meredith Macpherson and Brendan Guiney from NSW Water Directorate

Image: Kate Barker and Gillian Hinchcliffe from NSW DCCREW

The UN Youth Summit

In line with direction from the Opt-in Advocacy Mayors, councils were asked to sponsor local school students to attend a United Nations (UN) Youth Summit in Bathurst on 26 March 2025. This sponsorship has different forms in different LGAs and council staff have been working closely with the Executive Officer in this regard. Promotion of this event was also recommended through a media release. A proforma report and media release were provided to members and are available on request.

UN Youth Australia is a youth-led organisation that brings young people, community and global leaders together to equip the next generation of young leaders with the skills and inspiration to create meaningful change. All activities are designed to prepare students to be informed, responsible, and engaged participants in their local and global communities.

They run a broad range of peer-to-peer interactive education programs that give young people a deep understanding of the social and political issues the world faces today. From Model United Nations debates, Workshops, and our Interactive Problem-Solving simulations, the programs foster ideas and innovation to support young people in solving global problems. For more information please go to [About Us – UN Youth Australia](#).

Charles Sturt University is hosting the Regional Youth Summit on Wednesday 26 March 2025 in Bathurst and the CNSWJO has committed up to \$5K to support catering and other costs.

Charles Sturt University Scholarship Program

Charles Sturt University has provided the 2024 report to CNSWJO on the progress and success of the medical scholarship program. The CNSWJO committed \$75,000 in the form of three \$25,000 scholarships paid to the students in instalments over the course of their study.

Feedback from the students has been very positive. This funding concludes at the end of this financial year and the Board will receive a report on the program's value in due course for consideration for inclusion in the SSRP.

"Coming into medicine, I was working full-time, and I've got two kids at home, so the financial responsibilities have been a lot. With this scholarship, I don't have to think about finances, and I don't have to work as much. I can split my time between my kids and my study. I am just so grateful."
– Ms Sarudzai (Saru) Mukonowatsauka

"Like many students, I have two part-time jobs and this scholarship means I can get rid of one of those and focus on doing well in my degree. I also have my own shorthorn cattle stud and it's taken me so long to build up a sizeable herd. This scholarship means I can hold onto my best females and I don't have to get rid of them because I am strapped for cash." – Miranda Eyb

"Having a scholarship gives you that boost of confidence, motivation and accountability to keep achieving within the course." – Heidi Annand

Submissions

The following submissions have been lodged over the past quarter. All have been at the request of members and/or as part of supporting the advocacy policy of the Board. All previous submissions can be viewed on the CNSWJO website at [Submissions](#).

1. [Central West Orana Strategic Regional Integrated Transport Plan – February 2025](#)
2. [Submission to the National Electricity Market \(NEM\) Review – Initial Consultation – February 2025](#)
3. [Submission to the Inquiry into the Impact of Renewable Energy Zones on Rural and Regional Communities in NSW – January 2025](#)
4. [Submission to the Discussion Paper on Review of Alternative Funding Models for Local Water Utilities – December 2024](#)
5. [Submission to the Independent Pricing and Regulatory Tribunal review of prices for the Water Administration Ministerial Corporation and WaterNSW – December 2024](#)
6. [Submission to the Inquiry into PFAS contamination in waterways and drinking water supplies – November 2024](#)
7. [Submission on the Councillor Conduct Framework Review – November 2024](#)

NSW Regional Consultation Guidelines

In September 2024 the [Regional Communities \(Consultation Standards\) Bill 2024](#) was passed. The object of this Bill is to provide that the consultation of regional communities by government bodies and agencies must be carried out in a proper and effective manner. The Bill calls for Guidelines to be developed. The Guidelines are based on advice from the International Association for Public Participation (IAP2) and have been informed by a Premier's Dept listening tour.

The draft Guide was provided for comment on 12 February with feedback sought until Monday 17 March via this web link: [Consultation with Regional Communities Guide](#).

CNSWJO will provide a response within existing policy calling for a fit-for-purpose approach and an accountability framework.

Value to Council

80% of CNSWJO resources are dedicated to providing its operational support program. For the 2023/2024 year this program delivered a return on investments of 9.3:1 for every dollar Council spends on its membership fees. This value is made up of grant income, monies saved through the CNSWJO procurement program and public relations value from its tourism marketing.

Noteworthy from this meeting is that the Board has created an Enduring Council Financial Sustainability Subcommittee to give consideration to forward programming of the JO build on the work currently undertaken.


The work the region does in writing submissions, media, supporting projects and project teams, developing collateral and providing opportunities for members in various forums to represent their views is not included in the above figure of 8.3:1 ROI. However, this value is reported quarterly to the Board. Please go to the CNSWJO website to review past [Board agendas](#) or to review last year's [Annual Statement](#).

This value is delivered primarily by the various operational teams across the region including the CNSWJO:


- General Managers' Advisory Committee
- Water Utilities' Alliance
- Transport Technical Committee
- Tourism Managers Group
- Planners' Group
- Human Resources Managers Group
- WHS/Risk Management Group
- Training, Learning and Development Group
- Net Zero Group
- Regional IT Group
- Building Surveyors Skills Shortages Working Group
- Disaster Risk Reduction Steering Committee
- Fleet Managers Group (new!)
- Integrated Planning and Reporting Group (new!)

Please find following some highlights from the various operational support programs taken from a recent newsletter. For the full newsletter please go to [CNSWJO Quarterly Newsletter - Edition 2 - February 2025](#)


2.2 Mayoral Minute - CNSWJO Board Report - February 2025




The new Regional Chief Information Security Officer (CISO), Mr Jordan Weldenley commenced with the CNSWJO on 10 February. Jordan will work with member councils on their strategic approach to cyber security.



The NSW Reconstruction Authority is leading the development of the regional Disaster Adaptation Plans (DAPs) for Central NSW, with CNSWJO supporting council consultations through DRF R2 funding




Modern Slavery is a focus for the JO's procurement team who is working with member councils to provide resources and support for annual reporting requirements and to ensure the products and services procured by councils are not the product of modern slavery.




CNSWJO has trialled a new fee-for-service procurement offering. A report will be provided to the Board at their February meeting seeking approval for the expansion of CNSWJO's procurement service to support member councils.


A Regional Procurement Working Group has also been established.



CNSWJO has recently taken on a student from the University of Sydney's Major Industry Project Placement Scheme (MIPPS) project. Austin Caie will ground-truth the DCCCEW Water Conservation Cost-Benefit Guidelines CBA model in the inland regional NSW context with the aim to come up with a more robust analysis of the value of a megalitre of town water




Councils currently have access to a tool called Planwisely which provides access to a wealth of spatial data from TINSW and other state government agencies. Please reach out to Jen Webber for more info.




Did you know that the electricity that keeps the lights and aircon on in councils is procured collectively by CNSWJO across all member councils?

A new procurement process is underway for small market sites.




CNSWJO is closely monitoring the status of the PFAS situation and how it affects councils.

A submission was lodged to the *Inquiry into per and polyfluoroalkyl substances (PFAS) contamination in waterways and drinking water supplies*




The EV Drive Day held in Bathurst on 4-5 December was a huge success. Click on the following link to read the [Event Report](#).



Tourism highlight!

'The Golden Touch, a bank conversion in regional NSW deserves credit where its due' is a 1-page review of Sona Molong featured in 'Travel & Luxury', The Weekend Australian. The article also touched on other things to see, do and taste locally while on a stay at this new accommodation.

The Weekend Australian is a national newspaper insert with a reach of 677,000.




A New Councillor Welcome Event was hosted by CNSWJO in Orange in November 2024.

The purpose of the day was to welcome Councillors recently elected to the region by:

- providing demographic advice on the vital statistics of the region;
- introducing key regional peak agencies and their role especially in relation to councils;
- providing advice on the Joint Organisation; and
- seeking advice back from Councillors on what the Joint Organisation and peak agencies can do for them.

The event was attended by around 30 Councillors from across the region.

Return on Investment



Category	Return on Investment
action	9.4:1
advice	9.3:1

ATTACHMENTS

- 1 Minutes - CNSWJO Board Meeting - 27 February 2025, [D25/26459](#)
- 2 Draft Central NSW Statement of Revenue and Budget 2025-2026, [D25/26473](#)

Minutes of the CNSWJO Board Meeting 27 February 2025 held in Oberon

Board members In Attendance*

Cr R Taylor	Bathurst Regional Council	Cr S Ring	Lithgow City Council
Cr B Reynolds	Blayney Shire Council	Cr A McKibbin	Oberon Council
Cr K Beatty	Cabonne Council	Cr T Mileto	Orange City Council
Cr P Smith	Cowra Council	Cr N Westcott	Parkes Shire Council
Cr P Miller, OAM	Forbes Shire Council	Cr P Best	Weddin Shire Council
Cr J Medcalf, OAM	Lachlan Shire Council		

Associate Member delegates and others attending

Ms D Sherley	Bathurst Regional Council	Mr J Gordon	RDACW
Mr M Dicker	Blayney Shire Council	Ms K Annis-Brown	OLG
Mr M Christensen	Cabonne Council	Ms G Collins	Premier's Dept
Mr P Devery	Cowra Shire Council	Ms J Bennett	CNSWJO
Mr R Jane	Forbes Shire Council	Ms M Macpherson	CNSWJO
Mr G Tory	Lachlan Shire Council	Ms K Barker	CNSWJO
Mr R Gurney	Lithgow City Council	Ms C Griffin	CNSWJO
Mr G Wallace	Oberon Council	Ms J Webber	CNSWJO
Mr D Waddell	Orange City Council	Mr D Reynolds	LGNSW
Cr B Fry	CTWA		

*Voting members in **bold**

Meeting opened at 10.00 am, Chaired by Cr K Beatty

12. Acknowledgement of Country**13. Apologies**

Cr C Coleman, Cr R Fagan, Mr S Loane OAM, Mr B Byrnes, Cr A Rawson, Mr C Harris, Mr K Boyd, Ms N Vu

Resolved	Cr P Miller / Cr J Medcalf
That the apologies for the Central NSW Joint Organisation Board meeting 27 February 2025 listed above be accepted.	

14. Conflicts of Interest

Resolved	Cr R Taylor / Cr A McKibbin
Cr B Fry re CSU	

15. Speakers

LGNSW President Phyllis Miller and Chief Executive David Reynolds
Workshop on the Statement of Strategic Regional Priorities and Federal Election
Priorities

16. Minutes**6.a Noting of the Minutes of the CNSWJO GMAC Meeting held on 6 February 2025 in Bathurst**

Resolved	Cr B Reynolds / Cr T Mileto
That the Minutes of the CNSWJO GMAC Meeting held 6 February 2025 in Bathurst were noted.	

6.b Confirmation the Minutes of the CNSWJO Board Meeting held on 13 November 2024 in Sydney

Resolved	Cr P Smith / Cr N Westcott
That the Minutes of the CNSWJO Board Meeting held 13 November 2024 in Sydney were accepted.	

8. Business Arising from the Minutes - Matters in Progress

Resolved	Cr J Medcalf / Cr P Miller
That the Central NSW Joint Organisation Board note the Matters in Progress, making deletions as suggested.	

9a Financial Report

Resolved	Cr P Miller / Cr P Smith
That the Board note the Financial Report.	

9b Budget considerations 2025/2026: The Draft 2025/2026 CNSWJO Statement of Budget and Revenue

Resolved	Cr P Miller / Cr R Taylor
The Board note the Statement of Budget and Revenue Report and;	
1. adopt the draft Statement of Budget and Revenue and will place it on exhibition for 30 days;	
2. note that the budget for 2025/2026 includes a fee rise of 3.8% and a surplus for the year of \$923; and	
3. will provide advice in the Mayoral Board report regarding the Statement of Budget and Revenue seeking member feedback.	

9c Advocacy Report

Resolved	Cr J Medcalf / Cr B Reynolds
<p>The Board note the Advocacy Report and</p> <ol style="list-style-type: none"> 1. note the progress of the Portfolio Mayors and the Opt in Advocacy Subcommittee; 2. will join the Country Mayors Association at \$1,237.50; 3. adopt the Advocacy Plans for Regional Development, Water, Transport, Energy and Health; 4. note a grant application by Skillset to progress the findings of the Spare Capacity in Housing Project and a reserve of \$20,000 for a potential co-contribution has been progressed between meetings under the hand of the Chair; 5. renew the Terms of Reference for the Charles Sturt University Policy Lab under the hand of the Chair; 6. approve and signed the Memorandum of Understanding with Skillset; 7. endorse the following submissions that have been lodged: <ol style="list-style-type: none"> a. Submission to the National Electricity Market (NEM) Review – Initial Consultation – February 2025; b. Submission to the Inquiry into the Impact of Renewable Energy Zones on Rural and Regional Communities in NSW – January 2025; c. Submission to the Discussion Paper on Review of Alternative Funding Models for Local Water Utilities – December 2024; d. Submission to the Independent Pricing and Regulatory Tribunal review of prices for the Water Administration Ministerial Corporation and WaterNSW – December 2024; e. Submission to the Inquiry into PFAS contamination in waterways and drinking water supplies – November 2024; 8. note that policy on submission writing is under development with a view to reducing resourcing; 9. that the advocacy priorities leading into the Federal election be: <ol style="list-style-type: none"> a. Increase Financial Assistance Grants to at least 1% of Commonwealth tax revenue and add a one-time \$3 billion payment to address past underfunding. b. Recognise Local Government in the Constitution. c. Recognise Central NSW's strengths in agriculture, mining, renewable energy, and proximity to cities and ports with the "Made in Central NSW" initiative. d. Provide support and compensation for regional communities during the energy and mining transition. e. Empower regional communities to become more energy independent and resilient. f. Ensure energy security for regional communities during the transition to renewable energy. g. Improve road funding with a focus on betterment and resilience. h. Develop a safe, reliable, and efficient transport network linking Central NSW to Sydney and beyond for both passengers and freight. i. Create a strong multi-modal freight network. j. Address health workforce shortages, exacerbated by housing shortages, with better collaboration between state and federal services. k. Despite the various interventions and inquiries over decades, local government is still battling health and aged care workforce shortages, the more remote the greater the challenge; 	

- l. Improve health services, as 94% of our communities prioritises this.
 - m. Leverage the region's water security work to develop a regional water supply pipeline grid in partnership with the NSW and Federal Governments.
 - n. Include Water Supply and Sewer Assets in State and Commonwealth Disaster Recovery Funding.
 - o. Ensure the Murray Darling Basin Plan considers the social and economic impacts on communities while meeting environmental targets, especially during droughts and natural disasters;
 - p. Review the Aboriginal and Torres Strait Islander Heritage Protection Act Section 10 process; and
10. that Cr R Taylor be the replacement for the Charles Sturt University Policy Lab Steering Committee.

9d Statement of Strategic Priority Review Progress Report

Resolved	Cr A McKibbin / Cr T Mileto
The Board note the Statement of Strategic Regional Priority (SSRP) Review Progress Report and;	
1. adopt the Terms of Reference for the Enduring Council Financial Sustainability Sub-Committee;	
2. adopt the SSRP Risk Management Plan; and	
3. adopt the Social and Environmental Scan for the SSRP.	

Advice from Prioritisation Workshop:

Priority One: Leveraging our reputation and strength in collaboration

- 1.1 Drive efficiencies and effectiveness saving Councils money
- 1.2 Build capacity and networks across our Councils and the Joint Organisation network
- 1.3 Work well with other peak agencies
- 1.4 Engage with State and Federal Governments to get better advocacy outcomes for the region.

Priority Two: Regional prosperity through better connected infrastructure and services

- 2.1 Initiatives for sustainable growth population-in the context of locational preference factors
- 2.2 Optimise land use and regional development planning and implementation
- 2.3 Advocacy and initiatives on skills and housing shortages
- 2.4 Infrastructure prioritisation through the CNSWJO Matrix
- 2.5 Leveraging the region's endowments and opportunities
 - a. Activation precincts including Parkes SAP
 - b. Pattern of settlement; livability, proximity to capital cities and ports – this region is a solution for growth outside Sydney
 - c. Agriculture focusing on value-add
 - d. Renewable energy generation
 - e. Mining
 - f. Visitor economy
- 2.6 Biosecurity

Priority Three: Better infrastructure and services in health and ageing with including

- 3.1 addressing the need for more palliative care in region
- 3.2 addressing the mental health challenge
- 3.3 identifying pathways through the challenging health frameworks to deliver better outcomes for regional communities

Priority Four: Telecommunications**Priority Five: Regional Transport Improvements**

- 5.1 Multi-modal transport connectivity planning and implementation including road, rail and air passenger and freight
- 5.2 Optimal road funding framework including for natural disasters
- 5.3 High quality, efficient and safer road and rail networks

Priority Six: Regional Water Security and Productive Water

- 6.1 Regional water network planning and implementation including best practice skills development
- 6.2 Productive water
- 6.3 Leveraging the region's leadership in water utilities
- 6.4 Human critical need particularly urban water

Priority Seven: Climate change adaptation and mitigation

- 7.1 Transition to a sustainable, secure, just and affordable energy future
 - a. Energy efficiency and emissions reduction
 - b. Distributed energy resources
 - c. Circular economy and waste
 - d. Environment and biodiversity
- 7.2 Adapting to a warming climate
 - a. Disaster risk reduction, response and recovery
 - b. Betterment and prioritisation of resilient infrastructure
 - c. Leading practice in region and across NSW

9e Procurement Report

Resolved	Cr P Miller / Cr A McKibbin
The Board note the Procurement Report and;	
<ul style="list-style-type: none"> 1. approve the expansion of the CNSWJO regional procurement service offering, which will provide member councils with a fee for service model to utilise if and when required; and 2. approve the updates to the procurement plan. 	

9f Regional Resilience Program

Resolved	Cr B Reynolds / Cr P Best
The Board note the Regional Resilience Program report and;	
<ol style="list-style-type: none"> 1. acknowledge the success of the disaster risk reduction program, recognised at the LGNSW Excellence in the Environment Awards in the climate change adaptation category; 2. note that the NSW Reconstruction Authority is leading the development of the regional Disaster Adaptation Plan, which verbal advice anticipates five years to complete; 3. acknowledge that funding negotiations for the Disaster Ready Fund Round 2 Integrated Preparedness project are ongoing and over a longer period than anticipated; and 4. note the proposed interim local Disaster Adaptation Plan solution; and 5. approve the application for Disaster Ready Fund Round 3 funding acknowledging that the Disaster Adaptation Plan solution mentioned above at No. 4 will be included in the submission. 	

9g Regional Transport Report

Resolved	Cr J Medcalf / Cr P Smith
The Board note the Transport Report and;	
<ol style="list-style-type: none"> 1. adopt the Integrity Testing Regional Report for the Fixing Country Bridges project noting that the Transport Technical Committee will take carriage of this moving forward; 2. note the inclusion of a regional freight strategy, mapping tool, and Matrix projects through the Disaster Ready Fund Round 3 grant application; 3. note that a submission to the Central West and Orana Strategic Regional Integrated Transport Plan will be lodged in line with advice provided in the Advocacy Plan; and 4. commend to members that they, and their communities, provide feedback into the Strategic Regional Integrated Transport Plan. 	

9h Regional Water Report

Resolved	Cr R Taylor / Cr P Smith
The Board note the Regional Water Report and;	
<ol style="list-style-type: none"> 1. acknowledge the recognition received at the LGNSW Excellence in the Environment Awards for both the Integrated Planning and Reporting Framework and the Water Loss Management Hub; 2. note the successful application for funding of \$500k from the Department of Climate Change Energy the Environment Water for a Central NSW Joint Organisation-led cross-JO approach to Water Loss Management; 3. note work through the University of Sydney Major Industry Project Placement Scheme to ground truth the State Government's water conservation cost-benefit guidelines for inland regional NSW; 4. note the Central NSW Joint Organisation representation on the Western NSW Local Water Utility Reform Council Reference Group; 5. invite Ms Kristanne Andersen, Director, Regional Water Strategies to speak to the Board on the Governance and Implementation of the Regional Water Strategies; 6. correspondence be sent to the NSW Minister for Water, expressing concerns about the lack of tangible solutions in the Lachlan Regional Water Strategy; and 7. continue to advocate to the Department of Climate Change Energy the Environment Water for; 	

- a. independent review or oversight of the Town Water Risk Reduction Program phase 2 and the Regulatory and Assurance Framework; and
- b. support for the formation of Stakeholder Advisory Panels to co-design with the Local Water Utility sector any solutions based on the NSW Productivity Commission's recommendations.

9i Regional Energy Program Report

Resolved	Cr P Miller / Cr A McKibbin
The Board note the Regional Energy Program Report and	
<ol style="list-style-type: none"> 1. note the recognition of the CNSWJO net zero program received at the LGNSW Excellence in the Environment Awards by being the winner of Division D and the Overall Winner for the Towards Net Zero category; 2. endorse the JONZA Round 2 mid-term report; 3. endorse the final Regional Fleet Transition Strategy, noting the targets have been reduced in line with council feedback; and 4. endorse the EV Drive Day Event Report. 	

9j Quarterly Review of the Central NSW JO Strategic Plan and Statement of Regional Strategic Priority 2022-2025

Resolved	Cr B Reynolds / Cr R Taylor
The Board note the Quarterly Review of the Central NSW JO Strategic Plan and Statement of Regional Strategic Priority 2022-2025 and;	
<ol style="list-style-type: none"> 1. adopt the report from the Welcome Councillors Event November 2024 including the following recommendations: <ol style="list-style-type: none"> a. provide advice back to peak agencies included in this report; b. develop a CNSWJO induction report for incoming Councillors with advice drawn from the event; c. receive advice on resourcing of: <ol style="list-style-type: none"> i. an informal network of Councillors; and ii. specific support for Deputy Mayors; and d. include advice from this report in its deliberations on forward programming for the Statement of Strategic Regional Priority and advocacy; 2. adopt the Leading Practice in Regional Development Report co-authored by Regional Development Australia Central West (RDACW) and CNSWJO and seek support from RDACW in coordinating the structural arrangements needed to progress this initiative; 3. adopt the Terms of Reference for the Destination Marketing Subcommittee; 4. note the Board the High-Level Destination Marketing Plan for the region and seek advice from the Portfolio Mayors for Regional Prosperity on its recommendations; 5. note that a review of the medical scholarships through Charles Sturt University will inform the Statement of Strategic Regional Priority; and 6. update the CNSWJO Quarterly Risks Reporting in line with the Risk Management Plan adopted at this meeting. 	

9k RDA Central West Report**Resolved****Cr J Medcalf / Cr R Taylor**

The Board note the Report provided by Regional Development Australia Central West.

10. Updates from**Regional Development Australia Central West – Mr J Gordon**

- Circular Economy conference in Sept 2025

The Premier's Department – Ms G Collins

- Emphasis on youth crime, housing, renewable energy transition.
- RLE planning – continue inter-Govt collaboration.
- SSRP workshop to align priorities with state agencies – April TBC
- Consultation Bill – acknowledge member council participation in the consultation. 42 stakeholders attended. Additional comments through YourSay link or direct to Ms Collins.

The Office of Local Government – Ms Katrina Annis-Brown

- Apprentices and trainees "Fresh Start" program – resources on OLG Council portal.
- Responsible pet ownership – resources available in portal. Feedback on discussion paper by 4 May.
- Roads Act review by TfNSW. Issues paper released. Survey open until 28 March. TfNSW website.
- Open Streets Program. TfNSW launched next round of funding in early Feb. 3 years' funding available. Up to \$350k funding. Applications close 14 March.
- Women's in LG scholarship – leadership program. Registrations of interest close 28 March.
- Social cohesion grant. \$50-150k grants. Applications close 28 March. Cr Fry asked if there was an opportunity to look at Social Media.

11. Late Reports

Nil.

12. Matters raised by Members

Blayney – high court appeal likely re ATSIHP Section 10 re Dungeon Road.
Oberon – CSU Engineering Cadets regional approach.

13. Speakers to the next meeting

Ms Kate Lorimer-Ward from Local Land Services

Mr Ash Albury from Energy Co

Ms Kristanne Andersen from Regional Water Strategies

Professor Joseph Drew, University of Newcastle – to invite to a meeting later in the year.

14. Dates for the next meeting

29 May in Orange

13 and 14 August in Canberra

Meeting closed at 12.58pm.

Page 9 is the last page of the Central NSW Joint Organisation Board meeting minutes of meeting of 27 February 2025 held in Oberon.



**Central NSW
Joint Organisation**

**Budget and Statement of Revenue Policy
2025-2026**

Draft for Public Comment

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2025-2026 Budget

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Budget and Statement of Revenue Policy 2025-2026

The Central NSW Joint Organisation's revenue and accounting policies are kept in accordance with the Australian Accounting Standards Board. CNSWJO abides by the:

- *Local Government Act (1993)*
- *Local Government (General Regulation 2005)*
- *Local Government Code of Accounting Practice & Financial Reporting*

1. Financial Contributions by Member Councils

Financial contributions by member councils fall into two categories. Firstly, membership fees are levied from all member councils in order to perform the principal functions of delivering on strategic regional priorities, regional leadership and intergovernmental cooperation. The second category is for contributions from participating councils for a program of other functions enhancing strategic capacity and direct service delivery. Strategic work by the Joint Organisation will determine the nature of this program. [Strategic Planning - Central Joint Organisation \(nsw.gov.au\)](https://www.cnswj.org.au/strategic-planning)

As outlined in its Charter, the Central NSW Joint Organisation (CNSWJO) member councils must contribute financially based on the following methodology:

- a. The annual financial contribution required to be made by each member council is to consist of:
 - i. base fee of the same amount for each Member Council; and
 - ii. a capitation fee [based on the population number drawn from ABS census figures].
- b. The annual financial contribution required to be made by each associate member is to be based on a methodology adopted by the Board.
- c. The amount of the base fee, capitation fee and financial contribution by associate members for a financial year is to be determined prior to the start of that year by Resolution of the Board.

For 2025-2026, contributions from member councils of the Joint Organisation of \$1,000,345 has been determined with the following breakdown:

- Membership & Administration: \$384,044
- Membership of various programs: \$616,301
(Operational, CNSWJO Water Utilities Alliance, Tourism and Western Region Academy of Sport)

2. Fees & Charges

Under the Local Government Act 1993, the CNSWJO may charge and recover an approved fee for its services.

CNSWJO must consider the following when establishing approved fees:

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- The cost of provision of the service.
- Recommended prices suggested by outside bodies.
- The importance of the service.
- Legislation that regulates certain fees.
- Goods & Services Tax legislation.

3. Reserves

Restricted reserves, both internal and external, for the 2025/2026 year have been reviewed by three General Managers and the following heads of consideration have been observed:

- Ensuring a cash amount of 75% of Employee Leave Entitlements is internally reserved.
- A plant and equipment reserve considers the turnover of vehicles and office equipment including mobile phones on a 4 year cycle.
- Ensuring cash flow can be maintained through grant payment tardiness in a working capital reserve.
- Grant payments are reserved for their purpose.
- Any surplus from fees or projects for different programs are retained for their purpose.
- All other reserves determined by the Board are reviewed annually by the Board.

4. 2025-2026 Budget

	Budget 2025/2026
Income	
CNSWJO Membership Fees	384,044
CWUA Best Practice Program	346,013
CNSWJO Regional Tourism Group	127,249
CNSWJO Operational Membership	130,824
WRAS	12,215
	\$1,000,345
Grant funding - JONZA	\$167,648
Grant funding - Disaster Ready Fund 2	\$111,470
Grant funding - Water Loss Management Phase 2	\$50,000
	\$329,118
CWUA -Smart Approved Watermark	20,360
	\$20,360
HR - Regional Training Service Income	100,000
	\$100,000
Management Fees from Contracts	300,000
Management Fee from LGP	100,000
Procurement consulting to members	20,000
	\$420,000
Copyright Licence	20,000
Cyber Security (from members)	161,789
Vehicle Lease Back	16,000
Interest	20,000
	\$217,789
Total Income	\$2,087,611

Expenditure	
Executive Officer Costs inc vehicle	170,000
Director Regional Programs inc vehicle	88,000
Finance Manager	95,000
Project Officer - Procurement	130,000
Project Officer - Energy and Procurement (assume 3 days per week)	20,000
Project Officer - Operations	75,000
Project Officer - Water	0
Energy/Net Zero Programming	12,500
Cybersecurity Project	161,789
Project and Executive Support Officer	46,000
Productive Water and Advocacy Manager - JO costs	90,000
CWUA - Best Practice Program (inc staff)	346,013
CWUA - Smart Approved Watermark	20,360
Grant - Water Loss Management Round 2	50,000
Grant - JONZA (inc staff)	167,648
Grant - Disaster Ready Fund (inc staff)	111,470
Regional Resilience Program Manager - JO costs	120,000
CNSWJO Regional Tourism Group Marketing	127,249
Remuneration of the Chair	10,300
WRAS	12,215
HR - Training Service Costs	95,000
Regional Medical Student Scholarship	15,450
Advocacy	15,450
Accounting/Audit/Financial Services Support	29,870
Bank Fees and Sundry Costs	2,575
Computer Software/Licences	2,060
Mobile phones	5,500
Procurement Software	4,120
Copyright Licence	20,000
Depreciation (excl vehicles)	5,000
Internet Cloud	19,000
Legal	10,000
Operational Teams Costs	5,000
Printing/Stationery/Postage	1,030
Zoom Conferences	1,545
Website Hosting and Costs	1,545
Total Expenditure	\$2,086,688
Net Profit/Loss	\$923

3 CONFIRMATION OF MINUTES OF PREVIOUS MEETING

RECOMMENDATION

That the Minutes of the Ordinary Meeting of Orange City Council held on 4 March 2025 (copies of which were circulated to all members) be and are hereby confirmed as a true and accurate records of the proceedings of the Council meeting held on 4 March 2025.

ATTACHMENTS

- 1 Minutes of the Ordinary Meeting of Orange City Council held on 4 March 2025

ORANGE CITY COUNCIL

MINUTES OF THE

ORDINARY COUNCIL MEETING

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

ON 4 MARCH 2025

COMMENCING AT 6:30 PM

1 INTRODUCTION

ATTENDANCE

Cr T Mileto (Mayor), Cr T Greenhalgh (Deputy Mayor), Cr K Duffy, Cr G Judge, Cr F Kinghorne, Cr D Mallard, Cr M McDonell, Cr S Peterson, Cr G Power, Cr M Ruddy, Cr J Stedman, Cr J Whitton

Chief Executive Officer, Director Corporate and Commercial Services, Director Development Services, Director Community, Recreation and Cultural Services, Director Technical Services, Manager Corporate Governance, Manager Executive Support, Executive Officer, Chief Financial Officer, Senior Management Accountant

1.1 APOLOGIES

Nil.

1.2 LIVESTREAMING AND RECORDING

The Mayor advised that the meeting was being livestreamed and recorded.

1.3 ACKNOWLEDGEMENT OF COUNTRY

The Mayor conducted an Acknowledgement of Country.

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

Cr Kinghorne declared a Significant Pecuniary Interest in the following Planning & Development Policy Committee items as her husband's environmental consultancy company has undertaken work on these sites:

- PDC 2.3 – Development Application DA740/2024(1) – 72 Stevenson Way
- PDC 2.5 – Development Application DA676/2024(1) – 248-266 Summer Street
- PDC 2.7 – Orange LEP 2011- Amendment 42 – 168 Shiralee Road – Post Exhibition Report
- PDC 2.8 – Post-Exhibition Report – Amendment to the Orange Local Environmental Plan 2011 and Draft Planning Agreement – 277 Cargo Road

Cr Kinghorne declared a Significant Non-Pecuniary Interest in Recreation & Policy Committee item 2.1 – Membership – Arts Out West as she is a Director of ArtWork Orange.

Cr Greenhalgh declared a Significant Non-Pecuniary Interest in the following Planning and Development Policy Committee items:

- PDC 2.5 - as her employer has a business relationship with this establishment
- PDC 2.6 - as her employer has a business relationship with this establishment and is also sponsor of Bloomfield Junior Rugby League Football Club.

Cr Greenhalgh declared a Significant Non-Pecuniary Interest in the following Finance Policy Committee items:

- FPC 2.1- 2(1) - as the applicant is known to her
- FPC 2.1- 2(2) - as the applicant is known to her.

Cr Power declared a Significant Non-Pecuniary Interest in the following Finance Policy Committee items:

- FPC 2.1- 2(1) – as he has a contract with the event manager
- FPC 2.1- 2(2) – as he is catering for the event.

Cr Ruddy declared a Significant Non-Pecuniary Interest in Finance Policy Committee item FPC 2.1 – 2(3) as her business is one of the organisers of the event.

Cr Whitton declared a Significant Non-Pecuniary Interest in the following Finance Policy Committee items:

- FPC 2.1 - 2(1) – as he a board member of a Mental Health provider, Marathon Health
- FPC 2.1 - 2(2) – as he is a board of a Mental Health provider, Marathon Health
- FPC 2.1 - 2(3) – as he is a board member of an NDIS provider, Marathon Health.

RESOLVED - 25/054**Cr T Greenhalgh/Cr M Ruddy**

That the following Late Item be permitted to be considered at the Council Meeting of 4 March 2025:

- 5.4 – 2025 National General Assembly – Call for Motions
- 6.3 – Chief Executive Officer Report

For: Cr T Mileto (Mayor), Cr T Greenhalgh (Deputy Mayor), Cr K Duffy, Cr G Judge, Cr F Kinghorne, Cr D Mallard, Cr M McDonell, Cr S Peterson, Cr G Power, Cr M Ruddy, Cr J Stedman, Cr J Whitton

Against: Nil

Absent: Nil

Council welcomed representatives from the NSW Audit Office and Intentus to present to Council.

THE MAYOR DECLARED THE ORDINARY MEETING OF COUNCIL ADJOURNED FOR THE CONDUCT OF THE OPEN FORUM AT 6.53pm

Recreation & Culture Policy Committee - Item 6.1 – Membership - Arts Out West

- Fran Charge – Arts Out West
- Margot Jolly – Arts Out West
- Kylie Shead – Arts Out West

THE MAYOR DECLARED THE ORDINARY MEETING OF COUNCIL RESUMED AT 7.09PM

2 MAYORAL MINUTES

Nil.

3 CONFIRMATION OF MINUTES OF PREVIOUS MEETING

RESOLVED - 25/055**Cr D Mallard/Cr M Ruddy**

That the Minutes of the Ordinary Meeting of Orange City Council held on 18 February 2025 (copies of which were circulated to all members) be and are hereby confirmed as a true and accurate record of the proceedings of the Council meeting held on 18 February 2025.

For: Cr T Mileto (Mayor), Cr T Greenhalgh (Deputy Mayor), Cr K Duffy, Cr G Judge, Cr F Kinghorne, Cr D Mallard, Cr M McDonell, Cr S Peterson, Cr G Power, Cr M Ruddy, Cr J Stedman, Cr J Whitton

Against: Nil

Absent: Nil

RESOLVED - 25/056**Cr M McDonell/Cr G Power**

That Council holds the Recreation & Culture Policy Committee first in the Policy Committee order of tonight's meeting.

For: Cr T Mileto (Mayor), Cr T Greenhalgh (Deputy Mayor), Cr K Duffy, Cr G Judge, Cr F Kinghorne, Cr D Mallard, Cr M McDonell, Cr S Peterson, Cr G Power, Cr M Ruddy, Cr J Stedman, Cr J Whitton

Against: Nil

Absent: Nil

THE MAYOR DECLARED THE ORDINARY MEETING OF COUNCIL ADJOURNED FOR THE CONDUCT OF THE POLICY COMMITTEE MEETINGS AT 7.10PM

THE MAYOR DECLARED THE ORDINARY MEETING OF COUNCIL RESUMED AT 8.21PM

4 NOTICES OF MOTION/NOTICES OF RESCISSION

4.1 NOTICE OF MOTION - INSTALLATION OF FOOTPATH LIGHTING ON VALENCIA DRIVE TO NORTHERN DISTRIBUTOR (PLOUGHMANS WETLANDS LOOP)

TRIM REFERENCE: 2025/115

RESOLVED - 25/074

Cr M Ruddy/Cr M McDonell

That Council:

- 1 Investigates the installation of suitable lighting along the footpath between Valencia Drive and the Northern Distributor Bypass bridge, extending further to cover the Wetlands Loop where lighting is currently absent.
- 2 Considers this project as a measure to:
 - Improve pedestrian safety for all residents, including families, elderly individuals, and those with mobility challenges.
 - Deter anti-social behaviour and reduce damage to properties adjoining the footpath.
- 3 Explores potential funding sources, including state or federal grants, to support the implementation of this project.
- 4 Notes the following community support and evidence:
 - A petition signed by 28 residents of Valencia Drive and surrounding streets in favour of this motion, with no opposition raised so far.
 - Photographic evidence of damage to adjoining fence caused by anti-social behaviour.
 - Photographic evidence of walkway with zero lighting. Image taken in darkness to show how dark the area is.
- 5 Engages with residents and other stakeholders to ensure the solution meets community needs and addresses the concerns raised.

For: Cr T Mileto (Mayor), Cr T Greenhalgh (Deputy Mayor), Cr K Duffy, Cr G Judge, Cr F Kinghorne, Cr D Mallard, Cr M McDonell, Cr S Peterson, Cr G Power, Cr M Ruddy, Cr J Stedman, Cr J Whitton

Against: Nil

Absent: Nil

5 GENERAL REPORTS

5.1 RAINBOW FESTIVAL - RESPONSES TO QUESTIONS TAKEN ON NOTICE

TRIM REFERENCE: 2025/226

RESOLVED - 25/075

Cr M McDonell/Cr G Power

That the Council note the report on the 2025 Rainbow Festival which responds to the Question Taken on Notice.

For: Cr T Mileto (Mayor), Cr T Greenhalgh (Deputy Mayor), Cr K Duffy, Cr G Judge, Cr F Kinghorne, Cr D Mallard, Cr M McDonell, Cr S Peterson, Cr G Power, Cr M Ruddy, Cr J Stedman, Cr J Whitton

Against: Nil

Absent: Nil

Cr Duffy asked whether Security, Police or staff would be at the event.

The Director Corporate & Commercial Services confirmed yes, with Police as required/determined by them.

Cr Kinghorne asked whether there was any feedback from vendors around paraphernalia controls.

The Director Corporate & Commercial Services advised that she was unaware of any concerns about displays.

5.2 EVENT SPONSORSHIP PROGRAM - PROPOSED CHANGES

TRIM REFERENCE: 2025/238

RESOLVED - 25/076**Cr M Ruddy/Cr S Peterson**

That Council resolves:

- 1 To note the Event Sponsorship Program Review
- 2 That the financial implications detailed in this report be considered as part of the 2025/2026 budget deliberations.

For: Cr T Mileto (Mayor), Cr T Greenhalgh (Deputy Mayor), Cr K Duffy, Cr G Judge, Cr F Kinghorne, Cr D Mallard, Cr M McDonell, Cr S Peterson, Cr G Power, Cr M Ruddy, Cr J Stedman, Cr J Whitton

Against: Nil

Absent: Nil

Cr Kinghorne asked if there was an increase in funding and loss of revenue.

The Director Corporate & Commercial Services confirmed yes both.

Cr McDonell asked where the \$10,000 additional funding would be coming from.

The Director Corporate & Commercial Services advised that it was proposed from 1 July and would form part of the budget movements.

Cr Greenhalgh noted that the new policy would mean events that were previously supported would miss out and asked how we would make sure we are not excluding events like the volcanic mountain challenge.

The Director Corporate & Commercial Services advised that it would mean some are ineligible to apply under the new structure which looks at the Economic Benefits. We cannot say yes to all applications, similar to the current policy.

5.3 STRATEGIC POLICY REVIEWS

TRIM REFERENCE: 2025/201

RESOLVED - 25/077**Cr D Mallard/Cr S Peterson**

That Council resolves to place the following policies on public exhibition for a period of 28 days:

- ST32 – Donations & Grants
- ST43 – Event Development Fund

For: Cr T Mileto (Mayor), Cr T Greenhalgh (Deputy Mayor), Cr K Duffy, Cr G Judge, Cr F Kinghorne, Cr D Mallard, Cr M McDonell, Cr S Peterson, Cr G Power, Cr M Ruddy, Cr J Stedman, Cr J Whitton

Against: Nil

Absent: Nil

5.4 2025 NATIONAL GENERAL ASSEMBLY - CALL TO SUBMIT MOTIONS

TRIM REFERENCE 2025/284

RESOLVED - 25/078**Cr T Mileto/Cr M McDonell**

That Council notes the report by the Executive Support Manager (ESM) on motions to be submitted to the National General Assembly to be held in Canberra in June 2025 and that Motions be submitted to the ESM prior to COB on Friday 7 March 2025.

For: Cr T Mileto (Mayor), Cr T Greenhalgh (Deputy Mayor), Cr K Duffy, Cr G Judge, Cr F Kinghorne, Cr D Mallard, Cr M McDonell, Cr S Peterson, Cr G Power, Cr M Ruddy, Cr J Stedman, Cr J Whitton

Against: Nil

Absent: Nil

6 CLOSED MEETING

In accordance with the Local Government Act 1993, and the Local Government (General) Regulation 2021, in the opinion of the Chief Executive Officer, the following business is of a kind as referred to in Section 10A(2) of the Act, and should be dealt with in a Confidential Session of the Council meeting closed to the press and public.

In response to a question from the Mayor, the Chief Executive Officer advised that no written submissions had been received relating to any item listed for consideration by the Closed Meeting of Council.

The Mayor extended an invitation to any member of the public present at the meeting to make a presentation to the Council as to whether the meeting should be closed for a particular item.

RESOLVED - 25/079**Cr M McDonell/Cr T Greenhalgh**

That Council adjourn into a Closed Meeting and members of the press and public be excluded from the Closed Meeting, and access to the correspondence and reports relating to the items considered during the course of the Closed Meeting be withheld unless declassified by separate resolution. This action is taken in accordance with Section 10A(2) of the Local Government Act, 1993 as the items listed come within the following provisions:

6.1 Entering into Contracts for Linemarking Services

This item is classified CONFIDENTIAL under the provisions of Section 10A(2) of the Local Government Act 1993, which permits the meeting to be closed to the public for business relating to (c) information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.

6.2 Submission Redaction Report 4 March 2025

This item is classified CONFIDENTIAL under the provisions of Section 10A(2) of the Local Government Act 1993, which permits the meeting to be closed to the public for business relating to (e) information that would, if disclosed, prejudice the maintenance of law.

6.3 Chief Executive Officer Report

This item is classified CONFIDENTIAL under the provisions of Section 10A(2) of the Local Government Act 1993, which permits the meeting to be closed to the public for business relating to (a) personnel matters concerning particular individuals (other than councillors).

For: Cr T Mileto (Mayor), Cr K Duffy, Cr T Greenhalgh, Cr G Judge, Cr F Kinghorne, Cr D Mallard, Cr M McDonell, Cr S Peterson, Cr G Power, Cr M Ruddy, Cr J Stedman, Cr J Whitton

Against: Nil

Absent: Nil

The Mayor declared the Ordinary Meeting of Council adjourned for the conduct of the Closed Meeting at 8.40pm

The Mayor declared the Ordinary Meeting of Council resumed at 9.01pm

7 RESOLUTIONS FROM CLOSED MEETING

The Chief Executive Officer read out the following resolutions made in the Closed Meeting of Council.

6.1 ENTERING INTO CONTRACTS FOR LINEMARKING SERVICES

TRIM REFERENCE: 2025/222

RESOLVED - 25/080**Cr J Whitton/Cr K Duffy**

That Council resolves to:

- 1 Approve the establishment of a new Linemarking Services Panel under the Council's Purchasing Policy;
- 2 Approve the Chief Executive Officer, or his nominee, to enter into a standard contract with ACT Linemarking Pty Ltd, Gumbay Holdings Pty Ltd t/as Avante Linemarking, Central West Linemarking Pty Ltd and Complete Linemarking Services Pty Ltd for linemarking services as part of the Panel;
- 3 Grant permission to the Chief Executive Officer or nominee to do such things as may be necessary or convenient to give effect to this decision, including affixing the Council Seal to all relevant documents if required.

For: Cr T Mileto (Mayor), Cr T Greenhalgh (Deputy Mayor), Cr K Duffy, Cr G Judge, Cr F Kinghorne, Cr D Mallard, Cr M McDonell, Cr S Peterson, Cr G Power, Cr M Ruddy, Cr J Stedman, Cr J Whitton

Against: Nil

Absent: Nil

6.2 SUBMISSION REDACTION REPORT 4 MARCH 2025

TRIM REFERENCE: 2025/96

RESOLVED - 25/081**Cr T Greenhalgh/Cr F Kinghorne**

That the information contained in the Submission Redaction report be acknowledged.

For: Cr T Mileto (Mayor), Cr T Greenhalgh (Deputy Mayor), Cr K Duffy, Cr G Judge, Cr F Kinghorne, Cr D Mallard, Cr M McDonell, Cr S Peterson, Cr G Power, Cr M Ruddy, Cr J Stedman, Cr J Whitton

Against: Nil

Absent: Nil

6.3 CHIEF EXECUTIVE OFFICER REPORT

TRIM REFERENCE 2025/292

RESOLVED - 25/082**Cr M McDonell/Cr G Judge**

That Council notes the report by the current Chief Executive Officer on the appointment of a new Chief Executive Officer for Orange City Council in the third quarter of 2025.

For: Cr T Mileto (Mayor), Cr T Greenhalgh (Deputy Mayor), Cr K Duffy, Cr G Judge, Cr F Kinghorne, Cr D Mallard, Cr M McDonell, Cr S Peterson, Cr G Power, Cr M Ruddy, Cr J Stedman, Cr J Whitton

Against: Nil

Absent: Nil

THE MEETING CLOSED AT 9.02PM

This is Page Number 8 and the Final Page of the Minutes of the Ordinary Meeting of Orange City Council held on 4 March 2025.

4 NOTICES OF MOTION/NOTICES OF RESCISSION

4.1 NOTICE OF MOTION - REGULAR FINANCIAL COMMITMENTS

RECORD NUMBER: 2025/295

I, **CR STEVEN PETERSON** wish to move the following Notice of Motion at the Council Meeting of 18 March 2025:

MOTION

That as part of the upcoming budget process a list of regular financial external annual commitments of \$5000 or greater be provided for review by Councillors.

BACKGROUND

Last meeting we discussed the annual financial support given for the Arts Out West program. I was very grateful that this program was brought to the attention of council, but I was a bit surprised that I was not aware of it previously despite having been part of 3 budget processes now. It was the same surprised feeling that I felt in early 2023. September 22, 2022, I proposed a motion to increase the small donation budget and this morphed into a review of the budget and ultimately the small donation budget was increased to \$80,000. The increase was partially funded by redirecting an annual financial support agreement with harness racing into the small donations program. I wasn't aware of the harness racing support either and was surprised when I 1st heard of it.

We will need resources to fund ideas such as financial support for an indoor playground or increased road budgets as per the community strategic plan feedback. One option will be to review what we are currently spending money on and ensure it still needs Council and community priorities. As the community representatives I feel we could assist Council staff in determining what annual expenditures to external bodies within the budget are still community priorities for their money. For Councillors to set the most effective budget we need all the information that can be provided, and that list would be helpful.

Signed Cr Steven Peterson

STAFF COMMENT

Information will be provided to Councillors as needed during briefing sessions.

FINANCIAL/RESOURCING IMPLICATIONS

Nil.

POLICY AND GOVERNANCE IMPLICATIONS

Nil.

5 GENERAL REPORTS

5.1 CONFIRMATION OF THE MINUTES FROM POLICY COMMITTEES 4 MARCH 2025

RECORD NUMBER: 2025/101

AUTHOR: Janessa Constantine, Manager Corporate Governance

EXECUTIVE SUMMARY

Council's Policy Committees (Planning and Development Committee, Environmental Sustainability Policy Committee, Finance Policy Committee, Infrastructure Policy Committee, Recreation & Culture Policy Committee, Services Policy Committee and Regional & Economic Development Policy Committee) have delegation to determine matters before those Committees.

This report provides minutes of the Policy Committees held this month. Resolutions made by the Committees are presented for adoption or amendment by Council.

LINK TO DELIVERY/OPERATIONAL PLAN

The recommendation in this report relates to the Delivery/Operational Plan strategy "18.1. Provide representative, responsible and accountable community governance".

FINANCIAL IMPLICATIONS

Nil.

POLICY AND GOVERNANCE IMPLICATIONS

Nil.

RECOMMENDATION

That Council resolves:

- 1 That the Minutes of the Recreation & Culture Policy Committee at its meeting held on 4 March 2025 be and are hereby confirmed as a true and accurate record of the proceedings.**
- 2 That the Minutes of the Planning & Development Policy Committee at its meeting held on 4 March 2025 be and are hereby confirmed as a true and accurate record of the proceedings.**
- 3 That the Minutes of the Finance Policy Committee at its meeting held on 4 March 2025 be and are hereby confirmed as a true and accurate record of the proceedings.**
- 4 That the Minutes of the Infrastructure Policy Committee at its meeting held on 4 March 2025 be and are hereby confirmed as a true and accurate record of the proceedings.**

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.

SUPPORTING INFORMATION**Recreation & Culture Policy Committee**

At the Recreation & Culture Policy Committee meeting held on 4 March 2025, all resolutions were made under delegation, and the minutes are presented for adoption.

Planning and Development Policy Committee

At the Planning and Development Policy Committee meeting held on 4 March 2025, all resolutions were made under delegation, and the minutes are presented for adoption.

Finance Policy Committee

At the Finance Policy Committee meeting held on 4 March 2025, all resolutions were made under delegation, and the minutes are presented for adoption.

Infrastructure Policy Committee

At the Infrastructure Policy Committee meeting held on 4 March 2025, all resolutions were made under delegation, and the minutes are presented for adoption.

ATTACHMENTS

- 1 RCPC 4 March 2025 Minutes, 2025/278 [↓](#)
- 2 PDC 4 March 2025 Minutes, 2025/275 [↓](#)
- 3 FPC 4 March 2025 Minutes, 2025/276 [↓](#)
- 4 IPC 4 March 2025 Minutes, 2025/277 [↓](#)

ORANGE CITY COUNCIL

MINUTES OF THE

RECREATION & CULTURE POLICY COMMITTEE

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

ON 4 MARCH 2025

COMMENCING AT 7.10PM

1 INTRODUCTION

ATTENDANCE

Cr T Greenhalgh (Deputy Mayor)(Chairperson), Cr T Mileto (Mayor), Cr K Duffy, Cr G Judge, Cr F Kinghorne, Cr D Mallard, Cr M McDonell, Cr S Peterson, Cr G Power, Cr M Ruddy, Cr J Stedman, Cr J Whitton

Chief Executive Officer, Director Corporate and Commercial Services, Director Development Services, Director Community, Recreation and Cultural Services, Director Technical Services, Manager Corporate Governance, Manager Executive Support, Executive Officer, Chief Financial Officer, Senior Management Accountant

APOLOGIES AND LEAVE OF ABSENCE

Nil.

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

Cr Kinghorne declared a Significant Non-Pecuniary Interest in item 2.1 – Membership – Arts Out West as she is a Director of ArtWork Orange.

MINUTES OF RECREATION & CULTURE POLICY COMMITTEE

4 MARCH 2025

2 GENERAL REPORTS**Cr Kinghorne left the meeting with the time being 7.10pm****2.1 MEMBERSHIP - ARTS OUT WEST**

TRIM REFERENCE: 2025/239

Cr Kinghorne declared a Significant Non-Pecuniary Interest in this item 2 as she is a Director of ArtWork Orange, left the Chamber and did not participate in discussion or voting on this item.

MOTION**Cr M McDonell/Cr K Duffy**

- 1 That Council commits to a four-year, approximately \$31,000/per annum as proposed, agreement and memorandum of understanding with Arts Out West to continue services to the community.
- 2 That Arts Out West provide an annual report to Council on agreed items for activities relating directly to Orange.

AMENDMENT**Cr T Mileto/Cr G Judge**

- 1 That Council enters into a one-year memorandum of understanding for the 2025 calendar year.
- 2 That Arts Out West provide a report on performance against agreed KPI's for that period by 23 January 2026.
- 3 That Council determine future support at the meeting of Council on 3 February 2026.

For: Cr T Mileto (Mayor), Cr G Judge, Cr S Peterson, Cr J Whitton

Against: Cr T Greenhalgh (Deputy Mayor)(Chairperson), Cr K Duffy, Cr D Mallard, Cr M McDonell, Cr G Power, Cr M Ruddy, Cr J Stedman

Absent: Cr F Kinghorne

THE AMENDMENT ON BEING PUT WAS LOST**THE MOTION ON BEING PUT WAS CARRIED****RESOLVED - 25/057****Cr M McDonell/Cr K Duffy**

- 1 That Council commits to a four-year, approximately \$31,000/per annum as proposed, agreement and memorandum of understanding with Arts Out West to continue services to the community.
- 2 That Arts Out West provide an annual report to Council on agreed items for activities relating directly to Orange.

For: Cr T Greenhalgh (Deputy Mayor)(Chairperson), Cr T Mileto (Mayor), Cr K Duffy, Cr G Judge, Cr D Mallard, Cr M McDonell, Cr S Peterson, Cr G Power, Cr M Ruddy, Cr J Whitton

Against: Cr J Stedman

Absent: Cr F Kinghorne

Cr Kinghorne left the meeting with the time being 7.10pm**THE MEETING CLOSED AT 7.38PM**

ORANGE CITY COUNCIL

MINUTES OF THE

PLANNING & DEVELOPMENT COMMITTEE

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

ON 4 MARCH 2025

COMMENCING AT 7.39 PM

1 INTRODUCTION

ATTENDANCE

Cr M McDonell (Chairperson), Cr T Mileto (Mayor), Cr T Greenhalgh (Deputy Mayor), Cr K Duffy, Cr G Judge, Cr F Kinghorne, Cr D Mallard, Cr S Peterson, Cr G Power, Cr M Ruddy, Cr J Stedman, Cr J Whitton

Chief Executive Officer, Director Corporate and Commercial Services, Director Development Services, Director Community, Recreation and Cultural Services, Director Technical Services, Manager Corporate Governance, Manager Executive Support, Executive Officer, Chief Financial Officer, Senior Management Accountant

APOLOGIES AND LEAVE OF ABSENCE

Nil.

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

Cr Kinghorne declared a Significant Pecuniary Interest in the following items as her husband's environmental consultancy company has undertaken work on these sites:

- PDC 2.3 – Development Application DA740/2024(1) – 72 Stevenson Way
- PDC 2.5 – Development Application DA676/2024(1) – 248-266 Summer Street
- PDC 2.7 – Orange LEP 2011- Amendment 42 – 168 Shiralee Road – Post Exhibition Report
- PDC 2.8 – Post-Exhibition Report – Amendment to the Orange Local Environmental Plan 2011 and Draft Planning Agreement – 277 Cargo Road

Cr Greenhalgh declared a Significant Non-Pecuniary Interest in the following Planning and Development Policy Committee items:

- PDC 2.5 - as her employer has a business relationship with this establishments
- PDC 2.6 - as her employer has a business relationship with this establishments and is also sponsor of Bloomfield Junior Rugby League Football Club.

MINUTES OF PLANNING & DEVELOPMENT COMMITTEE

4 MARCH 2025

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

TRIM REFERENCE: 2025/47

RESOLVED - 25/058**Cr K Duffy/Cr T Greenhalgh**

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 M McDonell (Chairperson), Cr T Mileto (Mayor), Cr T Greenhalgh (Deputy Mayor), Cr K Duffy, Cr G Judge, Cr F Kinghorne, Cr D Mallard, Cr S Peterson, Cr G Power, Cr M Ruddy, Cr J Stedman, Cr J Whitton

Against: Nil

Absent: Nil

2.2 APPOINTMENT OF JOINT REGIONAL PLANNING PANEL (JRPP) MEMBERS

TRIM REFERENCE: 2025/225

RESOLVED - 25/059**Cr G Power/Cr D Mallard**

That Council call for an expression of interest to seek a suitable representative for the final position on the Western Region Joint Regional Planning Panel - JRPP. The representative must have appropriate expertise in the area of planning, architecture, heritage, the environment, urban design, land economics, traffic and transport, law, engineering, tourism or government and public administration.

For: Cr M McDonell (Chairperson), Cr T Mileto (Mayor), Cr T Greenhalgh (Deputy Mayor), Cr K Duffy, Cr G Judge, Cr F Kinghorne, Cr D Mallard, Cr S Peterson, Cr G Power, Cr M Ruddy, Cr J Stedman, Cr J Whitton

Against: Nil

Absent: Nil

Cr Kinghorne left the meeting with the time being 7.41pm

2.3 DEVELOPMENT APPLICATION DA 740/2024(1) - 72 STEVENSON WAY

TRIM REFERENCE: 2025/227

Cr Kinghorne Declared a Significant Pecuniary Interest in this item, left the meeting and did not participate in discussion or voting on this item.

RESOLVED - 25/060**Cr T Mileto/Cr G Power**

That Council consents to development application DA 740/2024(1) for Subdivision (two lot Torrens title); Dwelling, Attached Garage and Attached Secondary Dwelling; and Dwelling and Attached Garage at Lot 56 DP 1274510 - 72 Stevenson Way, Orange pursuant to the conditions of consent in the attached Notice of Approval.

For: Cr M McDonell (Chairperson), Cr T Mileto (Mayor), Cr T Greenhalgh (Deputy Mayor), Cr K Duffy, Cr G Judge, Cr D Mallard, Cr S Peterson, Cr G Power, Cr M Ruddy, Cr J Stedman, Cr J Whitton

Against: Nil

Absent: Cr F Kinghorne

MINUTES OF PLANNING & DEVELOPMENT COMMITTEE**4 MARCH 2025**

Cr Mallard noted that supporting information to the application advised there was partial biodiversity on the site but inspection concluded that it was clear and asked for further information.

The Director Development Services advised that the mapping used was out of date and subsequent investigations and inspection showed that there were never trees located on the site and had only been farmland. The Biodiversity mapping will be updated this year.

Cr Kinghorne returned to the meeting with the time being 7.43pm

2.4 DEVELOPMENT APPLICATION DA 743/2024(1) - 5 BARCOO CLOSE

TRIM REFERENCE: 2025/230

RESOLVED - 25/061**Cr K Duffy/Cr G Power**

That Council consents to development application DA 743/2024(1) for Secondary Dwelling (moveable dwelling) and Demolition (tree removal) at Lot 1 DP 1282681 - 5 Barcoo Close, Clifton Grove pursuant to the conditions of consent in the attached Notice of Approval.

For: Cr M McDonell (Chairperson), Cr T Mileto (Mayor), Cr T Greenhalgh (Deputy Mayor), Cr K Duffy, Cr G Judge, Cr F Kinghorne, Cr D Mallard, Cr S Peterson, Cr G Power, Cr M Ruddy, Cr J Stedman, Cr J Whitton

Against: Nil

Absent: Nil

Cr Greenhalgh & Cr Kinghorne left the meeting with the time being 7.44pm

2.5 DEVELOPMENT APPLICATION DA 676/2024(1) - 248-266 SUMMER STREET

TRIM REFERENCE: 2025/114

Cr Kinghorne Declared a Significant Pecuniary Interest in this item, left the meeting and did not participate in discussion or voting on this item.

Cr Greenhalgh Declared a Significant Non-Pecuniary Interest in this item, left the meeting and did not participate in discussion or voting on this item.

RESOLVED - 25/062**Cr J Whitton/Cr K Duffy**

That Council consents to development application DA 676/2024(1) for Pub (alterations and additions) and Signage at 248-264 Summer Street, Orange pursuant to the conditions of consent in the attached Notice of Approval.

For: Cr M McDonell (Chairperson), Cr T Mileto (Mayor), Cr K Duffy, Cr G Judge, Cr D Mallard, Cr S Peterson, Cr G Power, Cr M Ruddy, Cr J Stedman, Cr J Whitton

Against: Nil

Absent: Cr T Greenhalgh (Deputy Mayor), Cr F Kinghorne

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

MINUTES OF PLANNING & DEVELOPMENT COMMITTEE

4 MARCH 2025

2.6 DEVELOPMENT APPLICATION DA 579/2024(1) - 241-257 SUMMER STREET AND 225-229 LORDS PLACE

TRIM REFERENCE: 2025/217

Cr Greenhalgh Declared a Significant Non-Pecuniary Interest in this item, left the meeting and did not participate in discussion or voting on this item.

RESOLVED - 25/063**Cr T Mileto/Cr G Power**

That Council consents to development application DA 579/2024(1) for Pub (alterations and additions) at Lot 1 DP 1294072, Lots 5, 7, 8 and 9 DP 30201 and Lot 414 DP 626022 - 241-257 Summer Street and 225-229 Lords Place, Orange pursuant to the conditions of consent in the attached Notice of Approval.

For: Cr M McDonell (Chairperson), Cr T Mileto (Mayor), Cr K Duffy, Cr G Judge, Cr F Kinghorne, Cr D Mallard, Cr S Peterson, Cr G Power, Cr M Ruddy, Cr J Stedman, Cr J Whitton

Against: Nil

Absent: Cr T Greenhalgh (Deputy Mayor)

Cr Greenhalgh returned to the meeting with the time being 7.46pm

Cr Kinghorne left the meeting with the time being 7.46pm

2.7 ORANGE LEP 2011 - AMENDMENT 42 - 168 SHIRALEE ROAD - POST EXHIBITION REPORT

TRIM REFERENCE: 2025/218

Cr Kinghorne Declared a Significant Pecuniary Interest in this item, left the meeting and did not participate in discussion or voting on this item.

RESOLVED - 25/064**Cr D Mallard/Cr K Duffy**

That Council endorse the planning proposal as exhibited and authorise the Chief Executive Officer to formally make the plan, subject to:

1. That the formal LEP mapping be undertaken consistent with the plan as exhibited and to the satisfaction of the Department of Planning, Housing and Infrastructure (DPHI).
2. That such mapping be undertaken by, or at the expense of, the proponent.
3. That staff refer the matter to Parliamentary Counsel for formal advice that the plan can be made
4. That staff undertake such other matters as may be required by DPHI in the finalisation of the plan.

For: Cr M McDonell (Chairperson), Cr T Mileto (Mayor), Cr T Greenhalgh (Deputy Mayor), Cr K Duffy, Cr G Judge, Cr D Mallard, Cr S Peterson, Cr G Power, Cr M Ruddy, Cr J Stedman, Cr J Whitton

Against: Nil

Absent: Cr F Kinghorne

MINUTES OF PLANNING & DEVELOPMENT COMMITTEE**4 MARCH 2025****2.8 POST EXHIBITION REPORT - AMENDMENT TO THE ORANGE LOCAL ENVIRONMENTAL PLAN 2011 AND DRAFT PLANNING AGREEMENT - 277 CARGO ROAD**

TRIM REFERENCE: 2025/4

Cr Kinghorne Declared a Significant Pecuniary Interest in this item, left the meeting and did not participate in discussion or voting on this item.

RESOLVED - 25/065**Cr M Ruddy/Cr K Duffy**

That Council resolves to:

- 1 Support the amendment to the Orange Local Environmental Plan 2011 and direct staff to request that the local plan-making authority seek to finalise the amendment, and
- 2 Delegate the execution of the Planning Agreement – 277 Cargo Road, Orange to the Chief Executive Officer.

For: Cr M McDonell (Chairperson), Cr T Mileto (Mayor), Cr T Greenhalgh (Deputy Mayor), Cr K Duffy, Cr G Judge, Cr D Mallard, Cr S Peterson, Cr G Power, Cr M Ruddy, Cr J Stedman, Cr J Whitton

Against: Nil

Absent: Cr F Kinghorne

Cr Kinghorne returned to the meeting with the time being 7.47pm

MATTER ARISING

Cr Greenhalgh asked for an update on the Redmond Place Affordable Housing project.

The Director Development Services advised that the planning proposal, also known as the rezoning, has been lodged by Landcom with the Department of Planning with the outcome expected by April. Design consultants have been appointed and surveyors are onsite later this week. It is expected that the DA would be lodged by September leading to approval with the planning panel by the end of the year.

THE MEETING CLOSED AT 7.49PM

ORANGE CITY COUNCIL

MINUTES OF THE

FINANCE POLICY COMMITTEE

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

ON 4 MARCH 2025

COMMENCING AT 7:50 PM

1 INTRODUCTION

ATTENDANCE

Cr S Peterson (Chairperson), Cr T Mileto (Mayor), Cr T Greenhalgh (Deputy Mayor), Cr K Duffy, Cr G Judge, Cr F Kinghorne, Cr D Mallard, Cr M McDonell, Cr G Power, Cr M Ruddy, Cr J Stedman, Cr J Whitton

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

APOLOGIES AND LEAVE OF ABSENCE

Nil.

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

Cr Greenhalgh declared a Significant Non-Pecuniary Interest in the following Finance Policy Committee items:

- FPC 2.1- 2(1) - as the applicant is known to her
- FPC 2.1- 2(2) - as the applicant is known to her.

Cr Power declared a Significant Non-Pecuniary Interest in the following Finance Policy Committee items:

- FPC 2.1- 2(1) – as he has a contract with the event manager
- FPC 2.1- 2(2) – as he is catering for the event.

Cr Ruddy declared a Significant Non-Pecuniary Interest in Finance Policy Committee item FPC 2.1 – 2(3) as her business is the organiser of the event.

Cr Whitton declared a Significant Non-Pecuniary Interest in the following Finance Policy Committee items:

- FPC 2.1 - 2(1) – as he a board member of a Mental Health provider, Marathon Health
- FPC 2.1 - 2(2) – as he is a board of a Mental Health provider, Marathon Health
- FPC 2.1 - 2(3) – as he is a board member of an NDIS provider, Marathon Health.

MINUTES OF FINANCE POLICY COMMITTEE

4 MARCH 2025

2 GENERAL REPORTS

** Cr Whitton left the meeting with the time being 7.51pm**

2.1 SMALL DONATIONS - REQUESTS FOR DONATIONS

TRIM REFERENCE: 2025/188

RESOLVED - 25/066 **Cr M McDonell/Cr F Kinghorne**

1 That this item be heard and voted on in seriatim.

For: Cr S Peterson (Chairperson), Cr T Mileto (Mayor), Cr T Greenhalgh (Deputy Mayor), Cr K Duffy, Cr G Judge, Cr F Kinghorne, Cr D Mallard, Cr M McDonell, Cr G Power, Cr M Ruddy, Cr J Stedman

Against: Nil

Absent: Cr J Whitton

Cr Greenhalgh, Cr Power and Cr Whitton Declared Interests in item 2(1), left the meeting with the time being 7.52pm and did not participate in discussion or voting on this item.

RESOLVED - 25/067 **Cr T Mileto/Cr G Judge**

2 (1) To donate \$2,500 to Mood Active Association Incorporated to offset the cost of planning, organising and running the tennis fundraising event.

For: Cr S Peterson (Chairperson), Cr T Mileto (Mayor), Cr K Duffy, Cr G Judge, Cr F Kinghorne, Cr D Mallard, Cr M McDonell, Cr M Ruddy, Cr J Stedman

Against: Nil

Absent: Cr T Greenhalgh (Deputy Mayor), Cr G Power, Cr J Whitton

Cr Whitton, Cr Power & Cr T Greenhalgh Declared Interests in item 2(2), left the meeting with the time being 7.52pm and did not participate in discussion or voting on this item.

RESOLVED - 25/068 **Cr M McDonell/Cr K Duffy**

2 (2) That Council defers the decision to the Council Meeting of 18 March 2025, on donating \$500 to The Blind Pig to contribute to the cost of materials for local Wiradjuri man Trevor Peckham to complete a 10m long mural that will be displayed at the showgrounds, for the purpose of obtaining more information.

For: Cr S Peterson (Chairperson), Cr T Mileto (Mayor), Cr K Duffy, Cr G Judge, Cr F Kinghorne, Cr D Mallard, Cr M McDonell, Cr M Ruddy, Cr J Stedman

Against: Nil

Absent: Cr G Power, Cr J Whitton, Cr T Greenhalgh (Deputy Mayor)

Cr Power returned to the meeting with the time being 7.57pm.

Cr Whitton, Cr Ruddy & Cr T Greenhalgh Declared Interests in item 2(3), left the meeting with the time being 7.57pm and did not participate in discussion or voting on this item.

RESOLVED - 25/069 **Cr T Mileto/Cr M McDonell**

2 (3) To donate \$269 to NDIS Provider Collective to help cover event hiring fees for CWA Hall and PA system for music for a community disco that brings together NDIS participants from across various local service providers.

For: Cr S Peterson (Chairperson), Cr T Mileto (Mayor), Cr K Duffy, Cr G Judge, Cr F Kinghorne, Cr D Mallard, Cr M McDonell, Cr G Power, Cr J Stedman

Against: Nil

Absent: Cr M Ruddy, Cr J Whitton, Cr T Greenhalgh (Deputy Mayor)

MINUTES OF FINANCE POLICY COMMITTEE**4 MARCH 2025***Cr Ruddy, Cr Whitton & Cr T Greenhalgh returned to the meeting with the time being 7.58pm***RESOLVED - 25/070****Cr K Duffy/Cr M McDonell**

2 (4) To donate \$2,500 to the Orange Male Voice Choir to Assist with the payment of the honorariums for their Music Director and Accompanist for their professional services.

For: Cr S Peterson (Chairperson), Cr T Mileto (Mayor), Cr T Greenhalgh (Deputy Mayor), Cr K Duffy, Cr G Judge, Cr F Kinghorne, Cr D Mallard, Cr M McDonell, Cr G Power, Cr M Ruddy, Cr J Stedman, Cr J Whitton

Against: Nil

Absent: Nil

THE MEETING CLOSED AT 8.03PM

ORANGE CITY COUNCIL

MINUTES OF THE

INFRASTRUCTURE POLICY COMMITTEE

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

ON 4 MARCH 2025

COMMENCING AT 8:03 PM

1 INTRODUCTION**ATTENDANCE**

Cr J Whitton (Chairperson), Cr T Mileto (Mayor), Cr T Greenhalgh (Deputy Mayor), Cr K Duffy, Cr G Judge, Cr F Kinghorne, Cr D Mallard, Cr M McDonell, Cr S Peterson, Cr G Power, Cr M Ruddy, Cr J Stedman

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

APOLOGIES AND LEAVE OF ABSENCE

Nil.

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

Nil.

MINUTES OF INFRASTRUCTURE POLICY COMMITTEE

4 MARCH 2025

2 COMMITTEE MINUTES

2.1 MINUTES OF THE CITY OF ORANGE TRAFFIC COMMITTEE MEETING - 10 DECEMBER 2024

TRIM REFERENCE: 2025/220

RESOLVED - 25/071**Cr K Duffy/Cr T Mileto**

1 That Council acknowledge the reports presented to the City of Orange Traffic Committee at its meeting held on 10 December 2024.

2 That Council determine recommendations 3.1, 3.3, 3.4, 3.5 & 3.6 from the minutes of the City of Orange Traffic Committee meeting of 10 December 2024.

3.1 Request for Parking Lines – 147 Hill Street and Jaeger Reserve

That Council not install line marking for parking in front of 147 Hill Street and Jaeger Reserve (Hill Street).

3.3 Dalton Street (Bowen Place to Seymour Street) Zebra Crossing

That Council lengthen the "No Stopping" zone on the southern side of the Zebra Crossing 33m to the west as per Figure B of this report. That Council lengthen the "No Stopping" zone on the southern side of the Zebra Crossing 33m to the west as per Figure B of this report.

3.4 Event - KM For Kilos Foodbank NSW and ACT 2025 - 1 to 3 May 2025

That Council approve the use of Forest Road, Southern Feeder Road, Anson Street, Gardiner Road, Woodward Street, Racecourse Road and Pinnacle Road for the Km for Kilos Foodbank NSW and ACT 2025 charity bike ride to be held from 1 to 3 May 2025 subject to the attached Conditions of Consent.

3.5 Orange Runners Club - Club Runs - Hiney Road, Bargwanna Road And Emu Swamp Road - April to December 2025

That Council approve the following club run events subject to the attached Conditional Approval:

- *Gosling Creek including Bargwanna and Buttle Roads – 6 April 2025, 11 May 2025, 1 June 2025, 3 August 2025, 17 August 2025, 19 October 2025 and 7 December 2025.*
- *Emu Swamp Road - 4 May 2025 and 21 September 2025;*
- *Hiney Road – 20 April 2025, 15 June 2025 and 7 September 2025.*

3.6 Intersection of Allenby Road and Icely Road

That Council install 'No Stopping' signs on the eastern intersection of Allenby Road and Icely Road (both directions) as shown in figure A of the report.

3 That the remainder of the minutes of the City of Orange Traffic Committee from its meeting held on 10 December 2024 be adopted.

For: Cr J Whitton (Chairperson), Cr T Mileto (Mayor), Cr T Greenhalgh (Deputy Mayor), Cr K Duffy, Cr G Judge, Cr F Kinghorne, Cr D Mallard, Cr M McDonell, Cr S Peterson, Cr G Power, Cr M Ruddy, Cr J Stedman

Against: Nil

Absent: Nil

Cr McDonell asked why it would be recommended not to line-mark at 147 Hill Street and Jaeger Reserve.

Cr Mileto advised that discussions during the City of Orange Traffic Committee were that there are already some markings and there was concern it would block off the area for traffic from the croquet grounds.

MINUTES OF INFRASTRUCTURE POLICY COMMITTEE

4 MARCH 2025

2.2 MINUTES OF THE CITY OF ORANGE TRAFFIC COMMITTEE MEETING - 18 FEBRUARY 2025

TRIM REFERENCE: 2025/223

RESOLVED - 25/072**Cr T Greenhalgh/Cr G Power**

1 That Council acknowledge the reports presented to the City of Orange Traffic Committee at its meeting held on 18 February 2025.

2 That Council determine recommendations 3.1, 3.2, 3.3, 3.4, 3.5, 3.6, 3.7 & 3.8 from the minutes of the City of Orange Traffic Committee meeting of 18 February 2025.

3.1 Street Event – Orange Rainbow Festival – 22 March 2025

That Council endorse the Conditional Approval for the Rainbow Festival on 22 March 2025 and the following road closures:

- *Rainbow Festival Street March and Family Event – Rolling road closure on eastern side of Lords Place (between Summer Street and Byng Street) and Byng Street (between Lords Place and McNamara Street) starting 10.00am until approximately 11.15am; and*
- *Rainbow Festival Event - Full road closure (McNamara Street – Summer Street to Kite Street) from 12.00pm to 1.00am.*

3.2 Street Event – Food Week Sampson Street Lunch – 29 March 2025

That Council approve the FOOD Week Sampson Street Lunch to be held on 29 March 2025 subject to the attached Conditions of Consent.

3.3 Street Event – 2025 Anzac Day March

That the Conditional Approval for the ANZAC Day March on 25 April 2025 be endorsed subject to compliance with the attached conditions

3.4 Event – Orange Tour Cycling – 10 and 11 May 2025

That Council approve the AusCycling Orange Tour Cycling race to be held on 10 and 11 May 2025 subject to the attached Conditional Approval.

3.5 Event – Resilience Ride – 15 to 17 May 2025

That Council approve the Challenge Works Resilience Ride to be held from 15 to 17 May 2025 subject to the attached Conditional Approval.

3.6 Issue of Pedestrian Crossing at Intersection of Lords Place and Kite Street from Ophir Car Park

That Council do not install a zebra crossing at the Lords Place and Kite Street roundabout.

3.7 Traffic Congestion - Frost Street/Coronation Drive

That Council install "No Stopping" signs 10m from the tangent point of the Frost Street and Coronation Drive intersection and the Frost Street and Waratah Avenue intersection.

3.8 Creation Of No Parking Zone - Orange High School, Woodward Street

That the untimed parking on Woodward Street, outside vacant block of 1 Summer Street between Byng Street and Summer Street (as shown in Attachment A), be changed to a No Parking Zone 8:00am – 9:30am School Days.

3 That the remainder of the minutes of the City of Orange Traffic Committee from its meeting held on 18 February 2025 be adopted.

For: Cr J Whitton (Chairperson), Cr T Mileto (Mayor), Cr T Greenhalgh (Deputy Mayor), Cr K Duffy, Cr G Judge, Cr F Kinghorne, Cr D Mallard, Cr M McDonell, Cr S Peterson, Cr G Power, Cr M Ruddy, Cr J Stedman

Against: Nil

Absent: Nil

MINUTES OF INFRASTRUCTURE POLICY COMMITTEE**4 MARCH 2025**

Cr Kinghorne asked if there had been consideration given to the traffic flow and what is looked at when determining that the No Parking Zone (Kiss & Drop) on Woodward Street would be a better option than what is currently there.

The Director Technical Services advised that it was determined that the traffic flow was adequate from the pedestrian crossing lights to allow cars back out into the driving lane.

Cr Mileto added that the recommendation was made in consultation with TfNSW, Police and Council staff.

Cr McDonnell asked if variable messaging boards will be used to notify changed conditions. The Director Development Services advised that consultation has already occurred with the School and they had advised parents. Council staff will seek feedback from the Schools next term on the changes.

3 GENERAL REPORTS**3.1 CURRENT WORKS**

TRIM REFERENCE: 2025/212

RESOLVED - 25/073**Cr D Mallard/Cr M McDonnell**

That the information provided in the report on Current Works be acknowledged.

For: Cr J Whitton (Chairperson), Cr T Mileto (Mayor), Cr T Greenhalgh (Deputy Mayor), Cr K Duffy, Cr G Judge, Cr F Kinghorne, Cr D Mallard, Cr M McDonnell, Cr S Peterson, Cr G Power, Cr M Ruddy, Cr J Stedman

Against: Nil

Absent: Nil

Cr McDonnell asked for information on the cycleway along Brabham Way and Woodward Street being narrowed and whether there was plans to keep a dual cycleway footpath into town.

The Director Technical Services advised that we continue to work with UGL to create a pedestrian crossing. A funding application is pending.

Cr Greenhalgh asked if there were speed signs still to be placed on Brabham Way.

The Director Technical Services advised that yes, signs were still to be place.

Cr Duffy asked when the culvert widening on Huntley Road would be finished.

The Director Technical Services advised that it is currently being worked on.

Cr Greenhalgh asked for an update to be provided on the DA for the Sports Stadium.

The Director Community, Recreation & Cultural Services advised that we were waiting on a consultant's report and it is around two weeks away from lodgement.

THE MEETING CLOSED AT 8.21PM

5.2 DEVELOPMENT APPLICATION DA 629/2024(1) - 141-143 MATTHEWS AVENUE

RECORD NUMBER: 2025/288

AUTHOR: Dhawala Ananda, Town Planner

EXECUTIVE SUMMARY

Application lodged	18 September 2024
Applicant/s	Sought After Investments Pty Ltd
Owner/s	Sought After Investments Pty Ltd
Land description	Lots 6 and 7 DP 219984 - 141-143 Matthews Avenue, Orange
Proposed land use	Demolition (two x dwellings and ancillary structures), Centre-based Childcare Facility and Business Identification Signage
Value of proposed development	\$3,510,160.00

Council's consent is sought for the demolition of existing structures, and establishment of a childcare centre which will cater for a maximum of 110 children and remediation (Category 1 works).

The childcare centre is proposed to cater up to 110 children:

- Nursery aged 0-2 years (8 children)
- Toddlers aged 1-2 years (28 children)
- Preschool aged 2-3 years (24 children)
- Preschool aged 3-4 years (20 children)
- Preschool aged 4-5 years (30 children)

The centre will involve the following components:

- Construction of a purpose built childcare two storey building.
- Two signs (facade sign and fence mounted) to be a business identification sign, non-illuminated.
- Provision of 23 car parking spaces with entry and exit points.
- Playgrounds and landscaping.

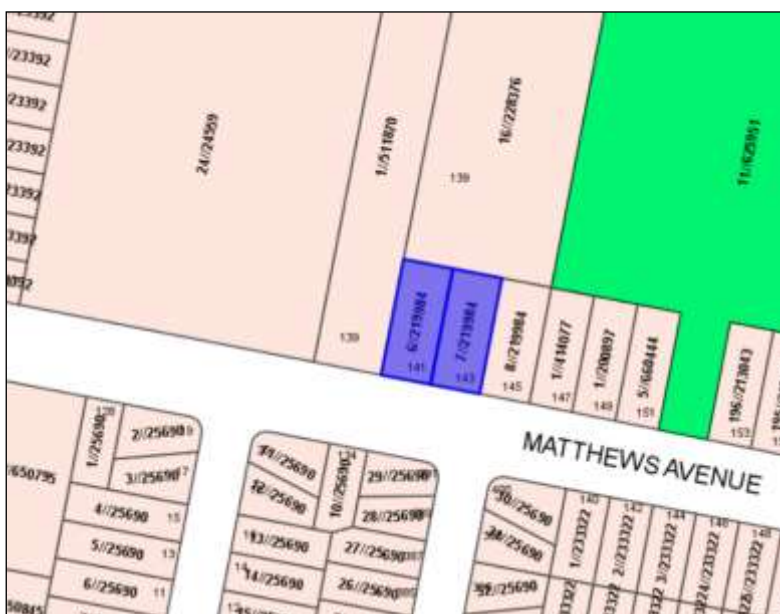


Figure 1 - locality plan



Figure 2 - aerial image of the site

DECISION FRAMEWORK

Development in Orange is governed by two key documents Orange Local Environment Plan 2011 and Orange Development Control Plan 2004. In addition, the Infill Guidelines are used to guide development, particularly in the heritage conservation areas and around heritage items.

Orange Local Environment Plan 2011 - The provisions of the LEP must be considered by the Council in determining the application. LEPs govern the types of development that are permissible or prohibited in different parts of the City and also provide some assessment criteria in specific circumstances. Uses are either permissible or not. The objectives of each zoning and indeed the aims of the LEP itself are also to be considered and can be used to guide decision making around appropriateness of development.

Orange Development Control Plan 2004 - the DCP provides guidelines for development. In general, it is a performance-based document rather than prescriptive in nature. For each planning element there are often guidelines used. These guidelines indicate ways of achieving the planning outcomes. It is thus recognised that there may also be other solutions of merit. All design solutions are considered on merit by planning and building staff. Applications should clearly demonstrate how the planning outcomes are being met where alternative design solutions are proposed. The DCP enables developers and architects to use design to achieve the planning outcomes in alternative ways.

DIRECTOR'S COMMENT

Council's consent is sought for the demolition of two existing houses, and establishment of a childcare centre next door to Bletchington Public School. The DA proposes 110 children.

In 2023, Council considered and approved an 80-space childcare centre at 141 Matthews Avenue (one of the two houses). The applicant has since procured the neighbouring house and is expanding the proposed centre, hence this new development proposal. Overall this seems reasonable given there is a need for more childcare services in the Orange.

Like other childcare developments in the City, key issues with this assessment relate to car parking, traffic impacts, privacy, noise, waste management, and compatibility of the building design within the streetscape.

Each of these matters have been addressed in the planning assessment report. Staff have assessed the application and also taken into account concerns of the neighbours.

It is recommended that the centre be slightly reduced in size from 110 children to 104 children. This will minimise impacts from the proposal on the surrounding environment, particularly having regard to on-street parking, which is at a premium in a school precinct.

Two submissions were received objecting to this development.

It is concluded that subject to restricting the childcare centre to 104 children, the proposal is appropriate for this site, and I support the recommendation of staff that Council supports the subject development.

LINK TO DELIVERY/OPERATIONAL PLAN

The recommendation in this report relates to the Delivery/Operational Plan Strategy “11.1. Ensure plans for growth and development are respectful of our heritage”.

FINANCIAL IMPLICATIONS

Nil

POLICY AND GOVERNANCE IMPLICATIONS

Nil

RECOMMENDATION

That Council consents to development application DA 629/2024(1) for *Demolition (two x dwellings and ancillary structures), Centre-based Childcare Facility and Business Identification Signage* at Lots 6 and 7 DP 219984 - 141-143 Matthews Avenue, Orange pursuant to the conditions of consent in the attached Notice of Approval.

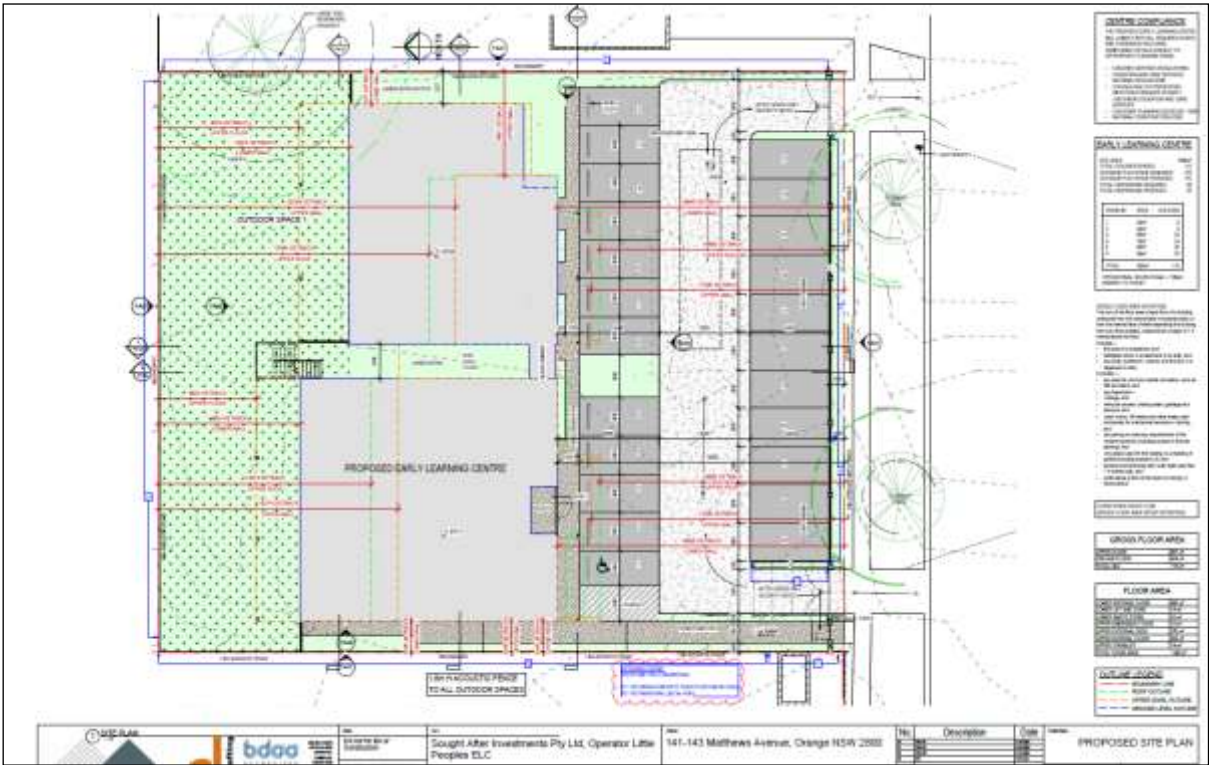
THE PROPOSAL

The development is proposed to provide a childcare facility, in a location adjoining a public school. The proposed works include:

- Demolition of two existing dwellings.
- Construction of a two storey childcare centre.
- The proposed Ground Floor to contain four playrooms dedicated to age groups, one dedicated outdoor play area, waste bins located externally to the western side of the building and a reception area, kitchen, office, laundry, meeting room, storage areas and bathrooms.
- The proposed First Floor to comprise two playrooms dedicated to age groups, one dedicated outdoor play area, a staff room, storage areas and bathrooms.
- Provision of 23 onsite car parking spaces plus six diagonals on-street car parking spaces.
- Acoustic fencing is proposed along each boundary.
- Extensive site landscaping.
- Two signs (façade signs, fence mounted) to be a ‘business identification sign’, non-illuminated.

5.2 Development Application DA 629/2024(1) - 141-143 Matthews Avenue

The proposal also comprises Category 1 Remediation pursuant to State Environmental Planning Policy (Resilience and Hazards 2021). The Preliminary Hazard Analysis has identified that the subject site at 141 Matthews Avenue contains localized contamination in the front yard, with elevated hydrocarbon concentrations present in the surface soils. Similarly, the subject site at 143 Matthews Avenue has localized contamination, characterized by elevated levels of heavy metal, specifically zinc, in the surface soils. A Remediation Action Plan has been submitted in support of the proposal. Both sites will undergo Remediation to ensure they are suitable for childcare use.



Site visit

The subject lands are rectangular in shape and fronts Matthews Avenue. The land adjoins the Bletchington Public School to the north and western boundary. The subject site shares an eastern boundary with a residential land. The land has gentle fall of approximately 2m across the site from the southwest to the northeast.

Each lot is currently occupied by a single storey brick dwelling. Both sites comprise established gardens at the front and rear of the dwelling. The site (143 Matthews Avenue) includes a metal shed in the rear setback.



Photo 1 - shows subject lot (141 Matthews Avenue) from front street facing North direction



Photo 2 - shows subject lots (141 and 143 Matthews Avenue) from front street

MATTERS FOR CONSIDERATION**Section 1.7 - Application of Part 7 of the *Biodiversity Conservation Act 2016* and Part 7A of the *Fisheries Management Act 1994***

In consideration of Section 1.7, the proposed development is not likely to significantly affect a threatened species:

- The development site is not identified on the Biodiversity Values Map published under the Biodiversity Conservation Regulation 2016. Furthermore, the site does not contain mapped high biodiversity sensitivity pursuant to the Orange LEP 2011 Terrestrial Biodiversity Map.
- The proposal involves removal of five trees. An arborist report is submitted as part of the application.
- The site is contained within an R1 General residential zone and has been highly modified by recent residential subdivision of previous rural land. The subject land does not contain known threatened species or ecological communities.

Based on the foregoing consideration, the proposal will not trigger the Biodiversity Offset Scheme under the Biodiversity Conservation Act 2016. The proposal will satisfy the relevant matters at Clause 1.7.

Section 4.15

Section 4.15 of the *Environmental Planning and Assessment Act 1979* requires Council to consider various matters, of which those pertaining to the application are listed below.

PROVISIONS OF ANY ENVIRONMENTAL PLANNING INSTRUMENT s4.15(1)(a)(i)**Orange Local Environmental Plan 2011****Part 1 - Preliminary****Clause 1.2 - Aims of Plan**

The broad aims of the LEP are set out under Subclause 2. Those relevant to the application are as follows:

- to encourage development which complements and enhances the unique character of Orange as a major regional centre boasting a diverse economy and offering an attractive regional lifestyle,*
- to provide for a range of development opportunities that contribute to the social, economic and environmental resources of Orange in a way that allows present and future generations to meet their needs by implementing the principles for ecologically sustainable development,*
- to conserve and enhance the water resources on which Orange depends, particularly water supply catchments,*
- to manage rural land as an environmental resource that provides economic and social benefits for Orange,*
- to provide a range of housing choices in planned urban and rural locations to meet population growth,*
- to recognise and manage valued environmental heritage, landscape and scenic features of Orange.*

The proposal is considered to satisfy the above-listed aims, as outlined in the following sections of this report.

Clause 1.6 - Consent Authority

This clause establishes that, subject to the Act, Council is the consent authority for applications made under the LEP.

Clause 1.7 - Mapping

The subject site is identified on the LEP maps in the following manner:

Land Zoning Map:	Land zoned R1 General Residential
Lot Size Map:	No Minimum Lot Size
Heritage Map:	Not a heritage item or conservation area
Height of Buildings Map:	No building height limit
Floor Space Ratio Map:	No floor space limit
Terrestrial Biodiversity Map:	No biodiversity sensitivity on the site
Groundwater Vulnerability Map:	Groundwater vulnerable
Drinking Water Catchment Map:	Not within the drinking water catchment
Watercourse Map:	Not within or affecting a defined watercourse
Urban Release Area Map:	Not within an urban release area
Obstacle Limitation Surface Map:	No restriction on building siting or construction
Additional Permitted Uses Map:	No additional permitted use applies
Flood Planning Map:	Not within a flood planning area

Those matters that are of relevance are addressed in detail in the body of this report.

Clause 1.9A - Suspension of Covenants, Agreements and Instruments

This clause provides that covenants, agreements and other instruments which seek to restrict the carrying out of development do not apply with the following exceptions:

- (a) *to a covenant imposed by the Council or that the Council requires to be imposed, or*
- (b) *to any relevant instrument under Section 13.4 of the Crown Land Management Act 2016, or*
- (c) *to any conservation agreement under the National Parks and Wildlife Act 1974, or*
- (d) *to any Trust agreement under the Nature Conservation Trust Act 2001, or*
- (e) *to any property vegetation plan under the Native Vegetation Act 2003, or*
- (f) *to any biobanking agreement under Part 7A of the Threatened Species Conservation Act 1995, or*
- (g) *to any planning agreement under Subdivision 2 of Division 7.1 of the Environmental Planning and Assessment Act 1979.*

Council staff are not aware of the title of the subject property being affected by any of the above.

Part 2 - Permitted or Prohibited Development**Clause 2.1 - Land Use Zones and Clause 2.3 - Zone Objectives and Land Use Table**

The subject site is located within the **R1 General residential zone**. The proposed development is defined as a **Centre-based childcare facility** under OLEP 2011 and is permitted with consent for this zone. This application is seeking consent.

centre-based childcare facility means -

- (a) a building or place used for the education and care of children that provides any one or more of the following -
 - (i) long day care,
 - (ii) occasional child care,
 - (iii) out-of-school-hours care (including vacation care),
 - (iv) preschool care, or
- (b) an approved family day care venue (within the meaning of the [Children \(Education and Care Services\) National Law \(NSW\)](#)),

Note -

An approved family day care venue is a place, other than a residence, where an approved family day care service (within the meaning of the [Children \(Education and Care Services\) National Law \(NSW\)](#)) is provided.

but does not include -

- (c) a building or place used for home-based child care or school-based child care, or
- (d) an office of a family day care service (within the meanings of the [Children \(Education and Care Services\) National Law \(NSW\)](#)), or
- (e) a babysitting, playgroup or child-minding service that is organised informally by the parents of the children concerned, or
- (f) a child-minding service that is provided in connection with a recreational or commercial facility (such as a gymnasium) to care for children while the children's parents are using the facility, or
- (g) a service that is concerned primarily with providing lessons or coaching in, or providing for participation in, a cultural, recreational, religious or sporting activity, or providing private tutoring, or
- (h) a child-minding service that is provided by or in a health services facility, but only if the service is established, registered or licensed as part of the institution operating in the facility.

Clause 2.3 of LEP 2011 references the Land Use Table and Objectives for each zone in LEP 2011. These objectives for land zoned **R1 General Residential** are as follows:

Objectives of zone R1 General Residential

- *To provide for the housing needs of the community.*
- *To provide for a variety of housing types and densities.*
- *To enable other land uses that provide facilities or services to meet the day to day needs of residents.*
- *To ensure development is ordered in such a way as to maximise public transport patronage and encourage walking and cycling in close proximity to settlement.*
- *To ensure that development along the Southern Link Road has an alternative access.*
- *The proposed development is not inconsistent with the objectives of the zone.*

The proposed development *provides an important facility to meet the day-to-day needs of residents. The use is compatible with the surrounding area and adjoins the existing Bletchington school where larger buildings are evident in the streetscape.*

Clause 2.7 - Demolition Requires Development Consent

This clause triggers the need for development consent in relation to a building or work. This requirement does not apply to any demolition that is defined as exempt development.

The proposal involves demolition of the two dwellings and ancillary infrastructure, and the applicant is seeking the consent of Council. The demolition works proposed will have no significant impact on adjoining lands, streetscape or public realm. Conditions may be imposed in respect of hours of operation, dust suppression and the need to investigate for, and appropriate manage the presence of, any materials containing asbestos.

Part 3 - Exempt and Complying Development

The application is not exempt or complying development.

Part 4 - Principal Development Standards

This part is not applicable to the application.

Part 5 - Miscellaneous Provisions**5.21 - Flood Planning**

Not relevant to the application. The subject site is not located in flood zone Area.

Part 6 - Urban Release Area

Not relevant to the application. The subject site is not located in an Urban Release Area.

Part 7 - Additional Local Provisions**7.1 - Earthworks**

This clause establishes a range of matters that must be considered prior to granting development consent for any application involving earthworks, such as:

- (a) the likely disruption of, or any detrimental effect on, existing drainage patterns and soil stability in the locality of the development*
- (b) the effect of the development on the likely future use or redevelopment of the land*
- (c) the quality of the fill or the soil to be excavated, or both*
- (d) the effect of the development on the existing and likely amenity of adjoining properties*
- (e) the source of any fill material and the destination of any excavated material*
- (f) the likelihood of disturbing relics*
- (g) the proximity to and potential for adverse impacts on any waterway, drinking water catchment or environmentally sensitive area*
- (h) any measures proposed to minimise or mitigate the impacts referred to in Paragraph (g).*

The earthworks proposed in the application are limited to the extent of cutting and filling required for the proposed building or structure. The extent of disruption to the drainage of the site is considered to be minor and will not detrimentally affect adjoining properties or receiving waterways.

The site is not known to contain any Aboriginal, European or Archaeological relics. Previous known uses of the site do not suggest that any relics are likely to be uncovered. However, conditions may be imposed to ensure that should site works uncover a potential relic or artefact, works will be halted to enable proper investigation by relevant authorities and the proponent required to seek relevant permits to either destroy or relocate the findings.

The site is not in proximity to any waterway, drinking water catchment or sensitive area. Conditions may be imposed to require a sediment control plan, including silt traps and other protective measures, to ensure that loose dirt and sediment does not escape the site boundaries.

Modest cut into the site is proposed to facilitate development, proposing a max cut of 660mm. Minor retaining walls are proposed along the boundaries.

7.3 - Stormwater Management

This clause applies to all industrial, commercial and residential zones and requires that Council be satisfied that the proposal:

- (a) is designed to maximise the use of water permeable surfaces on the land having regard to the soil characteristics affecting onsite infiltration of water*
- (b) includes, where practical, onsite stormwater retention for use as an alternative supply to mains water, groundwater or river water; and*
- (c) avoids any significant impacts of stormwater runoff on adjoining downstream properties, native bushland and receiving waters, or if that impact cannot be reasonably avoided, minimises and mitigates the impact.*

The proposal has been designed to include permeable surfaces and includes onsite retention of stormwater through the use of rainwater tanks. It is therefore considered that the post development runoff levels will not exceed the predevelopment levels.

7.6 - Groundwater Vulnerability

This clause seeks to protect hydrological functions of groundwater systems and protect resources from both depletion and contamination. Orange has a high water table and large areas of the LGA, including the subject site, are identified with "Groundwater Vulnerability" on the Groundwater Vulnerability Map. This requires that Council consider:

- (a) whether or not the development (including any onsite storage or disposal of solid or liquid waste and chemicals) is likely to cause any groundwater contamination or have any adverse effect on groundwater dependent ecosystems, and*
- (b) the cumulative impact (including the impact on nearby groundwater extraction for potable water supply or stock water supply) of the development and any other existing development on groundwater.*

Furthermore consent may not be granted unless Council is satisfied that:

- (a) *the development is designed, sited and will be managed to avoid any significant adverse environmental impact, or*
- (b) *if that impact cannot be reasonably avoided - the development is designed, sited and will be managed to minimise that impact,*
- (c) *if that impact cannot be minimised - the development will be managed to mitigate that impact.*

The proposal is not anticipated to involve the discharge of toxic or noxious substances and is therefore unlikely to contaminate the groundwater or related ecosystems. The proposal does not involve extraction of groundwater and will therefore not contribute to groundwater depletion. The design and siting of the proposal avoids impacts on groundwater and is therefore considered acceptable.

Clause 7.11 - Essential Services

Clause 7.11 applies and states:

Development consent must not be granted to development unless the consent authority is satisfied that any of the following services that are essential for the proposed development are available or that adequate arrangements have been made to make them available when required:

- (a) *the supply of water,*
- (b) *the supply of electricity,*
- (c) *the disposal and management of sewage,*
- (d) *storm water drainage or onsite conservation,*
- (e) *suitable road access.*

In consideration of this clause, all utility services are available to the land and adequate for the proposal.

STATE ENVIRONMENTAL PLANNING POLICIES

The following SEPPs applicable to the proposed development:

- *State Environmental Planning Policy (Biodiversity and Conservation) 2021*
- *State Environmental Planning Policy (Industry and Employment) 2021*
- *State Environmental Planning Policy (Resilience and Hazards) 2021*

STATE ENVIRONMENTAL PLANNING POLICY (RESILIENCE AND HAZARDS) 2021

Chapter 4 - Remediation of Land

4.6 - Contamination and Remediation to be Considered in Determining Development Application

In consideration of this section, a supporting Site Contamination Investigation was submitted in support of the proposal (Barnson Pty Ltd in December 2022 & June 2024).

The Investigation concluded:

A Site Contamination Investigation of 141 Matthews Avenue undertaken by Barnson Pty Ltd in 2022 (Report number 40155-ER01_B) identified hydrocarbon impacted soil at the site. A Preliminary Contamination Investigation of 143 Matthews Avenue undertaken by Barnson Pty Ltd in 2024 (Report number R42323c) identified zinc and hydrocarbon impacted soil at the site.

Source: RAP, Barnson December 2024



Figure 5 - Site 141 and 143 Matthews Avenue

It is accepted then, that the sites contain localised contamination in surface soils (refer to Figure 5 above) and remediation is required to make the site suitable for childcare use.

Section 4.8 Category 1 remediation work: work needing consent

Required remediation works are defined as Category 1 works, as the sites are mapped as Groundwater Vulnerability (Orange LEP 2011). Development consent is required and sought for the proposed remediation works in accordance with this Section.

Section 4.14 Guidelines and notices: all remediation work

A Remediation Action Plan was submitted in support of the proposal (Barnson December 2024), pursuant to Section 4.14(1)(a).

The proposed remediation procedure will include:

5.4 Preferred Remediation Option

The hydrocarbon and zinc impacted soil will be excavated under supervision of an environmental scientist, stockpiled for waste classification and disposed to a landfill licensed to receive the waste. The remediation works will be validated by visual inspections. The source of the contamination will be removed and no on-going management will be required for the material. Table 5.3 presents a summary of the preferred remediation option for the contaminated soil identified at the site.

Table 5.3: Remediation Method

Remedial Option	Extent	Details
Excavation and removal off-site for disposal	The zinc contamination is expected to be contained within the fill material on the site. The hydrocarbon impacted soil is estimated to have a depth of 0.3m to 0.4m at each impacted area over the site (Figure 4.1 and 4.4).	Excavate hydrocarbon and zinc impacted soil and stockpile for waste classification. Load to truck and transport off-site to licenced facility for disposal. If required backfill the excavated area with ENM or VENM material, to the level required for landscaping or construction.

Source: RAP, Barnson December 2024

Council’s Environmental Health Officer has reviewed the RAP and is satisfied that it accords with the contaminated land planning guidelines. Conditions are included requiring remediation works be undertaken in accordance with the submitted RAP; and notice of completion / validation of remediation work be provided to Council.

STATE ENVIRONMENTAL PLANNING POLICY (INDUSTRY AND EMPLOYMENT) 2021

Chapter 3 - Advertising and Signage

3.6 Granting of Consent to Signage

The proposed business identification sign shown below in Figure 6 will satisfy the objectives of Chapter 3 (Section 3.1(1)(a) and the Assessment Criteria (Schedule 5) as follows:



Figure 6 - South elevation of the proposal indicating business identification signs

- Multiple ancillary signs are installed at the adjoining Bletchington Public School, including pylon signs, wall-mounted signs, and directional signage on fencing. The proposed wall sign for the childcare facility will align with the existing signage theme of the neighbouring school.
- The proposed wall sign is considered appropriate, given the signage already established at the adjoining school.
- Business identification signage is a standard visual element for non-residential uses within a residential streetscape. The proposed signs will be positioned on the front façade and near the western boundary, adjacent to Bletchington Public School on Matthews Avenue. The restrained signage design ensures compatibility with the surrounding residential character, which otherwise features minimal signage.
- Signage will have nil impact on views. The proposed wall sign will be wholly located within building envelope.
- The proposed wall sign will be of acceptable scale, proportion and form for the building element (recessed front setback atop the entrance ramp) and site frontage. The sign will be set back some 18m from the front boundary. The single wall sign will not result in visual clutter.
- Advertising content to the proposed wall sign will comprise building identification only (name and logo), as restricted in residential areas (Section 3.8). Signage content will not include general advertising.
- The proposed signage will not necessitate safety devices.
- The sign will not be illuminated.
- The proposed sign will not impact on safety for pedestrian, cyclists or motorists. The sign will be wholly located on the subject land. There are no aspects of the sign that would generate a visual distraction.

STATE ENVIRONMENTAL PLANNING POLICY (TRANSPORT AND INFRASTRUCTURE) 2021**Chapter 2 Infrastructure****Division 5 Electricity Transmission or Distribution*****Section 2.48 Determination of development applications - other development***

An exposed overhead electricity powerline is located at the site frontage on Matthews Avenue (see Figure 7). The proposal was referred to Essential Energy for consideration and comment. The electricity supply authority raised no objection to the proposal, subject to standard Conditions.



Figure 7 - exposed overhead electricity powerline

Chapter 3 Educational Establishments and Child Care Facilities

The relevant provisions of the SEPP are considered below:

Section 3.22 Centre-based childcare facility - concurrence of Regulatory Authority required for certain development

Indoor unencumbered floor space of 357.5m² is required (based on 3.25m² x 110 children). Floor space of 358m² will be provided over six learning rooms.

Outdoor unencumbered floor space of 770m² is required (based on 7m² x 110 children). Floor space of 770m² will be provided in outdoor play areas.

Based on the compliance with the Regulations for indoor and outdoor unencumbered floor space, notice to and concurrence of the Regulatory Authority for NSW under the Children (Education and Care Services) National Law (NSW) is not required for the proposed development, pursuant to this section.

Section 3.23 Centre-based childcare facility - matters for consideration by consent authorities

The proposed development will comply with the applicable provisions of the Child Care Planning Guideline (DPIE 2021) pursuant to Section 3.23 as demonstrated below.

CHILD CARE PLANNING GUIDELINE**Part 2 - Design Quality Principles****Principle 1 - Context**

The proposed childcare facility is situated adjacent to Bletchington Public School to the west and north. The site benefits from public transport connections, ensuring convenient accessibility for families and staff. Its strategic location enhances its appeal to the school community and surrounding residential areas. The proposed facility will serve as a complementary addition to the educational institution to the west.

Principle 2 - Built Form

Whilst the proposed building (two storey) is relatively large in dimension, the proposed built form has been designed to complement the character of the surrounding neighbourhood and will serve as a suitable infill between the larger school buildings immediately to the west and the residential dwellings located to the east. The building design will incorporate domestic architectural elements while maintaining a contemporary aesthetic appearance ensuring it functions effectively as a purpose-built childcare facility.

Principle 3 - Adaptive Learning Spaces

The proposal will provide purpose-built indoor learning spaces that are 'fit-for-purpose, enjoyable and easy to use.' Outdoor play spaces will be immediately adjacent and accessible via indoor play rooms. Age-specific internal playrooms will be provided to cater for various ages and abilities. Indoor and outdoor play spaces will provide various settings and facilities for interaction.

Principle 4 - Sustainability

The proposed adapted building will incorporate energy efficient influences in the design.

Principle 5 - Landscape

The proposed development is supported by a landscape design concept that will achieve site beautification and integration of the development in the public domain and streetscape. Council's Manager City Presentation supports the proposed landscape design concept for the site.

Principle 6 - Amenity

The proposed childcare facility will provide a high standard of amenity for users. Learning spaces will be efficient and functional, with direct access to bathrooms, sleep rooms, stores and service areas. Indoor playrooms will provide ideal learning and play environments, with generous natural light, ventilation and outlook. Outdoor play spaces will be immediately adjacent and accessible via indoor playrooms.

The proposed childcare facility will not unreasonably impact on residential amenity for adjoining dwellings in Matthews Avenue in relation to visual and acoustic privacy, solar access or visual bulk (as outlined in the following sections of this report).

Principle 7 - Safety

The building design and site works will satisfy the principles of *Crime Prevention through Environmental Design*.

The proposal is consistent with the design quality principles of Context, Built Form, Adaptive Learning Spaces, Sustainability, Landscape, Amenity and Safety and the following matters for consideration under the Child Care Planning Guideline, which take precedence over the provisions of a DCP with the exception of building height, side and rear setbacks and car parking rates.

Part 3 - Matters for Consideration**3.1 - Site Selection and Location****Objectives:**

C1 - To ensure that appropriate zone considerations are assessed when selecting a site.

C2 - To ensure that the site selected for a proposed childcare facility is suitable for the use.

C3 - To ensure that sites for childcare facilities are appropriately located.

C4 - To ensure that sites for childcare facilities do not incur risks from environmental, health or safety hazards.

In consideration of the above objectives:

- The development context is defined by Bletchington Public School to the west and a low-density residential neighbourhood to the east and south. A childcare facility is a permitted and complementary land use in the setting.
- A Noise Impact Assessment has been prepared by ACOR Pty Ltd in support of the proposed DA. Noise associated with the proposed child care facility is anticipated to be generated by outdoor play, mechanical plant, traffic noise in the car park, and traffic noise in local streets generated by vehicles associated with the centre.
- The submitted Noise Impact Assessment provided conclusions and recommendations for Council's consideration. The following acoustic treatments were included in the Noise model and are required to control noise emissions to the predicted levels.

7 Acoustic Design Recommendations		
Based on the review of section 5.2 of the previously submitted assessment by Acoustic Logic (document ref: 20221027PFA_R0/PF), labelled "Complying Constructions", it is predicted that the proposed development will achieve the relevant acoustic design criteria provided the noise control recommendations presented in this section are implemented.		
7.1 Façade Construction		
Recommendations for the façade construction is provided in Table 7-1 below.		
Table 7-1 Acoustic Design Recommendations for Building Façade		
Building Element	Recommended Construction	Minimum Acoustic Requirement, R_w
External Solid Wall	<ul style="list-style-type: none"> Option 1 Cladded Wall: CFC Wall comprising of single layer of 16mm compressed fibre cement panels (surface mass 25.2 kg/m² per layer), 90mm timber stud and single layer of 13mm plasterboards on internal side. Stud cavity should be filled with 75mm thick, 14kg/m³ glasswool or fibreglass acoustic insulation. 	<ul style="list-style-type: none"> 49
	<ul style="list-style-type: none"> Option 2 Masonry Lining: Brick masonry wall comprising of single leaf common brick masonry, airgap (min. 20mm), 90mm single steel stud (0.55BMT) and single layer of 13mm plasterboard on internal side. Stud cavity should be filled with 75mm thick, 14kg/m³ glasswool or fibreglass acoustic insulation. 	<ul style="list-style-type: none"> 61
Façade Glazed Panel	<ul style="list-style-type: none"> Single Glazed System: 6.38mm Laminated Glazing. All glazing should be installed with appropriate acoustic seals. Mohair Seals are not considered suitable where acoustic glazing is recommended. Recommended acoustic seals are Schlegel Q-Lon and Raven. 	<ul style="list-style-type: none"> 33
Roof	Recommended roof construction is as follows: <ul style="list-style-type: none"> External Side: 1x 0.6mm Steel Roofing Sheet Airgap: Minimum 250mm Frame: Timber joist or steel purlin with resilient rail. Insulation in the ceiling cavity should be 75mm thick, 14kg/m³ glasswool or fibreglass acoustic insulation. Internal Side: 1x 13mm thick SoundChek Plasterboard (or similar) 	<ul style="list-style-type: none"> 42

7.2 Acoustic Fencing

The following boundary fence or noise screen heights are to be constructed to ensure compliance with operational noise objectives.

- Ground Floor: The northern, eastern and western boundary of the site are to have vertical barriers that are 1.8 metres above the natural floor level.
- Ground Floor: Acoustic fencing along the eastern and western boundary of the site is to continue to property boundary as practicably close to Matthews Ave. Acoustic fence is to enclose eastern and western boundary face of car-park entry to completely break line of sight to adjacent residential property.
- First Floor: All boundaries of the site to have 1.8m height vertical barriers completely enclosing 'Outdoor Space 2'.

All barriers are to be solid constructed with no gaps such as sheet metal, lapped and capped timber, 9mm fibre cement sheet, 10mm plexiglass, masonry or commercially available acoustic fencing with minimum surface mass of 15.30kg/m²

7.3 Noise Management

7.3.1 Management Controls

- Outdoors areas are not be used prior to the NPI daytime period – 7am to 6pm.
- There is to be no more than 80 children total using outdoor spaces at a given time.
- No music systems are to be used in the outdoor play areas at any time.
- Management is to ensure children are supervised at all times to minimise noise generated by the children whenever practical and possible.
- Signs are to be installed at childcare ingress and egress points to remind staff and visitors to minimise noise at all times.
- Car park entry point to be located within the south-west quadrant of the subject site and as practicably far away from adjacent residential property at 145 Matthews Avenue.
- Mechanical plant is only to operate during proposed hours.

Source: Acoustic Design Report, Doc no: NA240221, ACOR Pty Ltd, dated 18/07/2024

- The site is well-located to attract facility users associated with the surrounding residential neighbourhoods and adjoining Bletchingdon Public School.
- The subject land is not in proximity to land uses with arising adverse environmental impacts prescribed in the Guideline.

3.2 - Local Character, Streetscape and the Public Domain Interface

Objectives:

- To ensure that the childcare facility is compatible with the local character and surrounding streetscape.
- To ensure clear delineation between the childcare facility and public spaces.
- To ensure that front fences and retaining walls respond to and complement the context and character of the area and do not dominate the public domain.

In consideration of the above objectives:

- The proposed childcare facility, designed as a double-storey structure, incorporates traditional domestic materials, finishes, and architectural elements to blend with the existing streetscape and neighbourhood character. The built form serves as a suitable infill, positioned between the school buildings to the west and residential dwellings to the east, ensuring a balanced transition between these uses. Thoughtful articulation and domestic architectural detailing enhance the visual appeal while reinforcing its purpose-built function as a contemporary childcare facility. Landscaping and integrated car parking further contribute to a positive streetscape presence, softening the built form and activating the public realm.
- Fencing and landscaping to the front boundary will define the transition between public and private spaces. Also, the proposal includes a high level of glazing and windows to provide an active frontage to Matthews Avenue and allows for passive surveillance of the street.
- Appropriate fencing as shown on the plans, is a feature in the streetscape. The proposed fencing/landscaping will not be incompatible with the surrounding locality. The required fencing will be suitable to provide some screening of vehicle areas in the front setback and ensure the facility will remain visually permeable in the streetscape.



Figure 8 - proposed elevation showing frontage

3.3 Building orientation, envelope, building design and accessibility**Objectives:**

- To respond to the streetscape and site, while optimising solar access and opportunities for shade.
- To ensure that the scale of the child care facility is compatible with adjoining development and the impact on adjoining buildings is minimised.
- To ensure that setbacks from the boundary of a child care facility are consistent with the predominant development within the immediate context.
- To ensure that the built form, articulation and scale of development relate to its context and buildings are well designed to contribute to an area's character.
- To ensure that buildings are designed to create safe environments for all users.
- To ensure that child care facilities are designed to be accessible by all potential users.

The following comments are provided in consideration of the above objectives:

Bulk and Scale

The proposal has been designed to comply with the local building height and setback controls whilst minimising any potential adverse overshadowing or amenity impacts. The design of the proposal provides for a safe environment accessible by all potential users and suitable outdoor play areas with shading that responds to the natural environment.

Two-storey form is acceptable in this context. Building height and massing will relate to improvements on the school site to the west and a number of two-storey dwellings in the residential neighbourhood.



Figure 9 - VBE Plane

As shown in Figure 9 above, the VBE for the proposed development remains largely consistent, with minimal deviation, ensuring that there are no significant visual bulk encroachment impacts to the west or east. Only a small section of the roof structure on the west side and a minor portion of the fence on the east side extend beyond the VBE. This slight encroachment will not affect privacy or solar access for either the school users to the west or the dwelling located to the east.

Setbacks

The proposed setbacks are consistent with the predominant development surrounding the development. The ground floor front facade will be set back 19.5m from the front boundary, with the first-floor wall to have a setback of 17.2m from the frontage.

The outdoor play area is located at the rear of the development proposed as shown below.

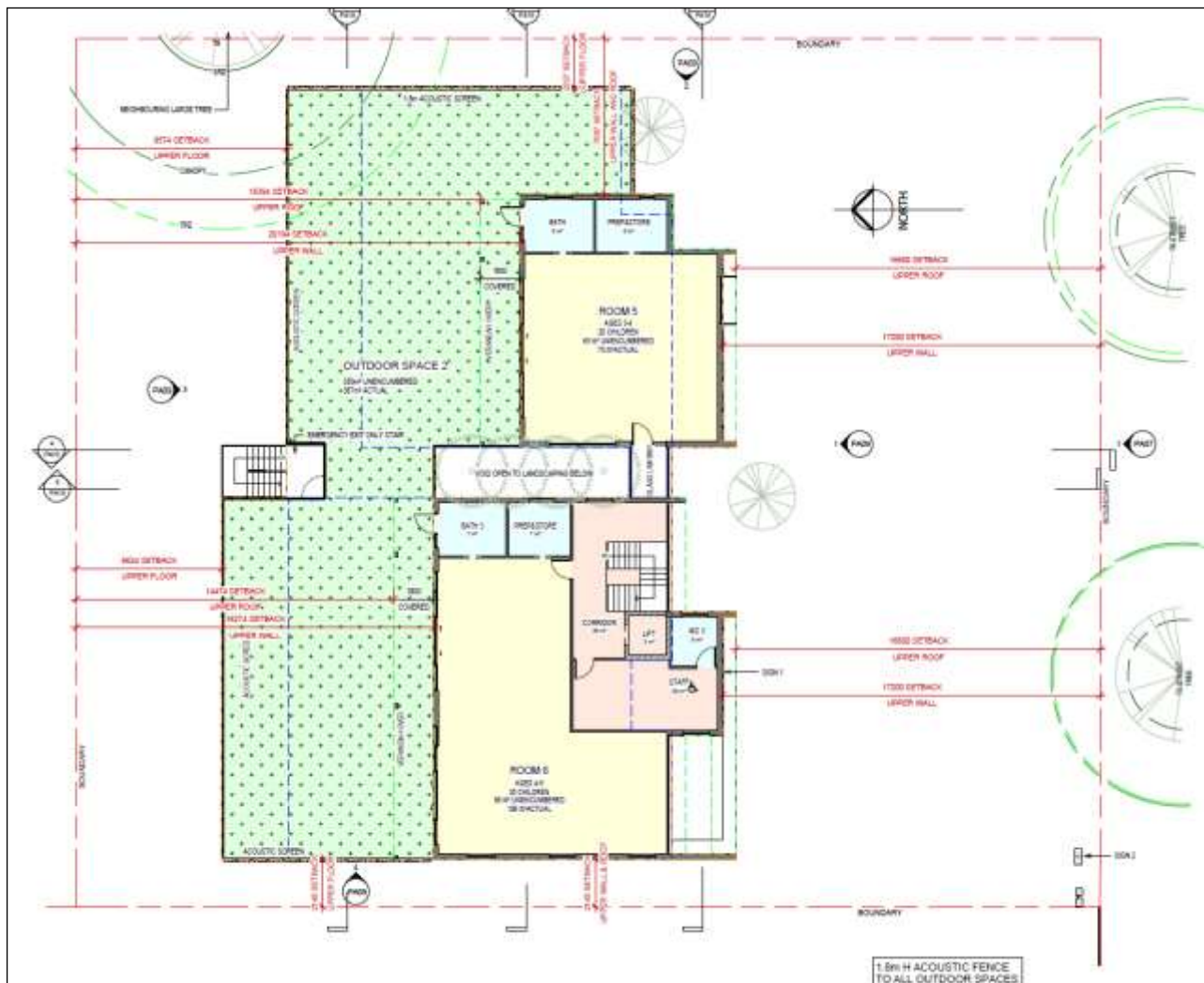


Figure 10 - outdoor space located at the rear of the development proposed

Materiality

The proposed mixed external materials are considered acceptable in this setting. Adjoining dwellings and school buildings demonstrate a mix of brick, clad and smooth wall finishes. Nonetheless, the use of white which was initially proposed is not supported by Urban Design Advisor, a revised version of the plans indicate that the colour shale grey is used for external walls and roof.

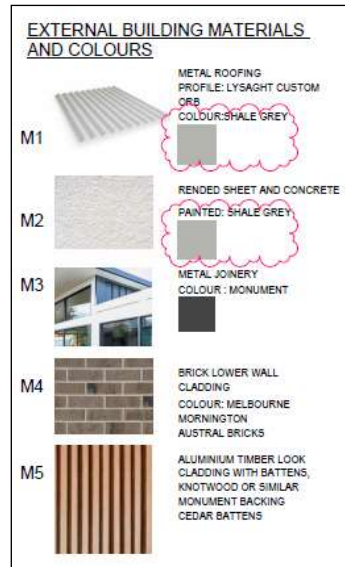


Figure 11 - external building materials and colours

Solar Access

The proposed care rooms will have openings to the north and east for daylighting and solar access. The outdoor playgrounds will have access to northern and eastern sunlight.

Shadow diagrams were submitted in support of the proposal. The subject land is orientated North/South. Residential development is located to the immediate east of the subject development. The submitted plans show that internal and external solar access will be provided to the adjoining eastern dwelling in accordance with the requirements of DCP 2004. The development will not adversely impact any north facing windows of adjoining properties and all outdoor areas of adjoining development will maintain suitable access to sunlight in accordance with DCP requirements. The proposed development will not overshadow other properties.



Figure 12 - shadow diagrams on 21 June

Security

The proposed development will achieve ease of access and secure entry to the site and building, noting perimeter fencing and internal carpark access. Crime prevention measures are included in the site layout and building design.

Accessibility

Accessible design will be achieved via accessibility to and within the facility; ramped pathways to key areas; internal lift; and continuous paths of travel to and within the building.

3.4 - Landscaping**Objectives**

- To provide landscape design that contributes to the streetscape and amenity.

The proposed development is supported by a landscape design concept. The proposed landscape design will complement private landscaping in the established residential neighbourhood. A variety of hard and soft landscaping elements will be provided in outdoor play spaces. Council's Manager City Presentation supports the proposed landscape design concept for the site.

3.5 - Visual and Acoustic**Objectives**

- To protect the privacy and security of children attending the facility.
- To minimise impacts on privacy of adjoining properties.
- To minimise the impact of child care facilities on the acoustic privacy of neighbouring residential developments.

The proposal has been designed to ensure no adverse visual or acoustic privacy impacts to adjoining properties through the provision of boundary fencing preventing visual overlooking and acoustic amenity impacts from the indoor and outdoor play areas.

Solid 1.8m high acoustic fencing to the western, northern and eastern boundaries are proposed. 1.8m high screening is also proposed from the elevated play spaces on the second story in order to protect visual and acoustic privacy impacts. A condition has been included in the Notice of Determination that requires the screening to be provided using frosted glass to protect the neighbour's privacy. A further condition is included restricting the total number of children in the outdoor play areas to 80 at any one time as recommended in the Acoustic Assessment Report.

The development will provide acceptable privacy to adjoining development (with reference to boundary fencing, landscaping, interface with opposing land uses and finished surface levels).

Noise emissions from the proposed child care facility will comply with relevant criteria subject to Conditional physical and operational noise mitigation measures.

3.6 Noise and air pollution

Objectives

- To ensure that outside noise levels on the facility are minimised to acceptable levels.
- To ensure air quality is acceptable where child care facilities are proposed close to external sources of air pollution such as major roads and industrial development

The proposal is accompanied by an Acoustic Report prepared by ACOR Pty Ltd which provides recommendations for noise mitigation measures so as to ensure that outside noise levels are minimised to acceptable levels during operation.

The proposal is not considered to be adversely affected by potential air pollution.

3.7 Hours of operation

Objectives

- To minimise the impact of the child care facility on the amenity of neighbouring developments.

The proposed hours of operation for the child care facility are 6:30am to 7pm Monday to Friday. An Acoustic Report in support of the proposed hours has been submitted with the application. Recommended acoustic measures have been included in the design. Conditions of consent have been included to address matters in relation to Noise. The proposed hours are considered suitable in this context.

3.8 - Traffic, Parking and pedestrian circulation

Objectives

- To provide parking that satisfies the needs of users and demand generated by the centre.
- To provide vehicle access from the street in a safe environment that does not disrupt traffic flows.
- To provide a safe and connected environment for pedestrians both on and around the site.

The following comments are provided in consideration of the above objectives:

Car Parking

Pursuant to DCP 2004, onsite parking is required for child care centres at a rate of one space per four children. Based on 110 children, 27.5 ~ 28 onsite parking spaces will be required. The proposed carpark will contain 23 car spaces thereby accounting for a shortfall of five spaces on the DCP requirement.

A Traffic Impact Assessment Report was submitted in support of the proposal (SALT3 17 December 2024).

The Assessment provides the following justification for the parking shortfall:

6 CONCLUSIONS

Based on the preceding assessment, SALT is supportive of the proposed car parking provisions considering:

- The nature and characteristics of parking activity at childcare centres, with parking demands spread over a period of time, generally not coinciding with school peak periods;
- The availability of on-street parking, especially in the evening when peak childcare pick-up activity is expected;
- The supply of six (6) on-street parking spaces along the site frontage;
- Available more recent case study data from the RMS showing a lesser parking rate of 1 space per 6 children for larger childcare centres, equating to a parking demand of 19 spaces. This could be accommodated on-site, with a surplus of five (5) spaces.
- Consent was recently (2023) granted for a childcare centre at 141 Matthews Avenue including a parking shortfall of three (3) spaces. The amended scheme will have a greater site frontage and supply of parking along said frontage, and results in a positive outcome in terms of site and parking layout.

The amended scheme will not result in any material difference in terms of parking impacts to Matthews Avenue and neighbouring properties, compared to the previously approved development.

It is Council's standard practice to apply the DCP parking requirement for centre-based child care facilities. To this end, 23 available car spaces would permit enrolment of 92 children.

Council's previous assessment of the application at 141 Matthews Avenue accepted a three-space shortfall for an 80-children enrolment, based on several justifications, including:

- Established on-street parking availability in the area.
- Staggered peak times between the childcare facility and the adjoining school.
- Multi-purpose trips reducing additional parking demand.
- The existing road network being capable of handling additional traffic and parking.

In light of Council's previous decision in relation to a smaller childcare centre on this site, senior development assessment staff consider a shortfall of up to three spaces remains acceptable. To comply with the DCP requirement while maintaining operational feasibility, the maximum enrolment should be reduced from 110 to 104 children, ensuring alignment with parking provisions while minimizing traffic and parking impacts on the surrounding area.

Further parking shortfalls are considered unacceptable for the following reasons:

- **Non-Compliance with DCP 2004 Requirements:** The proposal does not meet the required parking provision of one space per four children, which is a standard applied to all centre-based childcare facilities to ensure sufficient onsite parking.
- **Potential Traffic and Safety Issues:** The shortfall of five spaces is likely to cause overflow parking on surrounding streets, leading to increased traffic congestion, reduced visibility for pedestrians, and potential safety hazards, especially during peak drop-off and pick-up times adjacent to the school.
- **Negative Impact on Residential Amenity:** Spillover parking into nearby residential areas could cause inconvenience to local residents, limiting their access to street parking and affecting the quiet enjoyment of their properties.
- **Operational Challenges for the Childcare Centre:** The lack of adequate parking may hinder smooth operations, making it difficult for staff and visitors to find parking, potentially causing delays and increasing vehicle circulation within and around the site.

- **Precedent for Future Development:** Approving a development that does not meet the Council's standard parking requirements could set a precedent for future applications, weakening the enforcement of DCP provisions and leading to further parking and traffic issues in the area.

Given these concerns, the shortfall of five spaces is deemed unacceptable, and it is considered that the number of enrolments be reduced. A condition is inserted to decrease the number of children from 110 to 104 which then aligns with the previously approved development application at the address 141 Matthews Avenue.

Access

The proposed development will adopt the following design solutions:

- Car park layout that will allow vehicles to enter and exit the site in a forward direction.
- Provision of an accessible parking space with shared zone.

Traffic Generation

Traffic generation associated with the proposed child care facility will be as follows:

When applied to the proposed 110-place childcare centre, this equates to the following trip generation:

- In the AM peak period: 88 trips (44 inbound / 44 outbound); and
- In the PM peak period: 77 trips (38 inbound / 39 outbound).

Source: Salt³ based on RMS Guide to Traffic Generating Development

Pursuant to the submitted supplementary Traffic Investigation (SALT3 01 August 2024):

- SIDRA analysis / traffic surveys demonstrate that traffic generation associated with the development will have minimal impact on the operation of the nearby key intersections (Matthews Avenue / Anson Street and Matthews Avenue / Peisley Street).
- The nearby intersections will continue to operate at Level of Service A (RMS Guide) for all movements in the am and pm peak periods. The additional traffic will result in negligible intersection delays and queue lengths.
- The 19m carriageway of Matthews Avenue will allow comfortable two-way vehicle movements and overtaking vehicles entering the development, school or dwellings.
- The ramp to the basement carpark will simultaneous entry and exit, thereby providing efficient site access and reducing on street congestion.
- The local road network has sufficient capacity to accommodate additional traffic generated by the proposed development, *'with excellent operative conditions maintained post-development.'*
- The proposed development will result in low traffic volumes from a traffic engineering perspective with negligible impact on localised traffic arrangements.

Council's Assistant Development Engineer concurs with the findings of the submitted traffic investigations. The proposed development is acceptable subject to the recommended conditions of consent.

Part 4 - Applying the National Regulations to Development Proposals

- The proposed development will satisfy the National Regulations:
- Regulation 104 - Fencing or barrier that encloses outdoor spaces.
- Regulation 106 - Laundry and hygiene facilities.
- Regulation 107 - Unencumbered indoor space.
- Regulation 108 - Unencumbered outdoor space.
- Regulation 109 - Toilet and hygiene facilities.
- Regulation 110 - Ventilation and natural light.
- Regulation 111 - Administrative space.
- Regulation 112 - Nappy change facilities.
- Regulation 113 - Outdoor space - natural environment.
- Regulation 114 - Outdoor space - shade.
- Regulation 115 - Premises designed to facilitate supervision.

The proposed development will satisfy the National Regulations.

Section 3.27 Centre-based child care facility - development control plans

DCP 2004 does not contain prescribed provisions for centre-based child care facilities (including operational or management plans; the demonstrated need for child care services; proximity to other facilities; design considerations, etc.). Notwithstanding, such provisions would not apply to the proposed development pursuant to Section 3.27.

PROVISIONS OF ANY DRAFT ENVIRONMENTAL PLANNING INSTRUMENT THAT HAS BEEN PLACED ON EXHIBITION 4.15(1)(a)(ii)

There are no draft Environmental Planning Instruments currently on exhibition that relate to the subject land or proposed development.

DESIGNATED DEVELOPMENT

The proposed development is not designated development.

INTEGRATED DEVELOPMENT

The proposed development is not integrated development.

STATE ENVIRONMENTAL PLANNING POLICY (BIODIVERSITY) 2021**Part 2.3 Council permits for clearing of vegetation in non-rural areas*****Section 2.6 Clearing that requires permit or removal***

Consent is sought for clearing vegetation/tree removal in a non-rural area, pursuant to Section 2.6.

Section 2.9 Vegetation to which Part applies

DCP 2004 contains development controls relating to vegetation clearing in accordance with Section 2.9 (refer DCP Part 0 below). The trees proposed for removal are prescribed trees in the DCP.

Section 2.10 Council may issue permit for clearing of vegetation

Development consent infers the issue of a permit for tree removal.

PROVISIONS OF ANY DEVELOPMENT CONTROL PLAN s4.15(1)(a)(iii)**Orange Development Control Plan 2004****Part 0 Tree Preservation**

PO-0.4-2 INTERIM PLANNING OUTCOMES - TREE PRESERVATION	
1	Trees prescribed by this DCP must not be ringbarked, cut down, topped, lopped or wilfully destroyed without the Council's approval and landowners consent
2	This clause applies to Eucalypts of any size belonging to the White Box, Yellow Box and Blakely's Red Gum Endangered Ecological Communities, including species indicated as affected in the tree preservation table.
3	This clause also applies to any tree, native or exotic, with a trunk diameter equal to or greater than 300mm at breast height (refer AS4970-2009 for measurement guidelines).
4	Notwithstanding IPO-4(3) this clause does not apply to species indicated as exempt in the tree preservation table.
5	<p>An application for the Council's approval must be accompanied by an appropriately qualified specialist (i.e. Arborist) report outlining the following information</p> <ul style="list-style-type: none"> • The location, size, species and condition (i.e. diseased, healthy, etc) • A statement that details any anticipated impacts on vegetation that may have derived from endangered ecological communities and/or that may be habitat for threatened species • The purpose of removal and whether the pruning of the tree would be a more practical and desirable alternative • Whether a replacement tree or trees should be planted • The location, size and species of any trees proposed to replace those intended for removal • The owners consent to the application being lodged • Any other relevant information regarding the tree to be removed (i.e. photographs)

The proposal involves removal of five trees from the development site:

- T1 *Eucalyptus nicholii* (Black Peppermint)
- T2 *Callistemon viminalis* (Weeping Bottlebrush)
- T3 *Betula pendula* (Silver Birch)
- T4 *Liquidambar formosana* (Formosa Sweet Gum)
- T7 *Prunus cerasifera 'nigra'* (Cherry Plum)

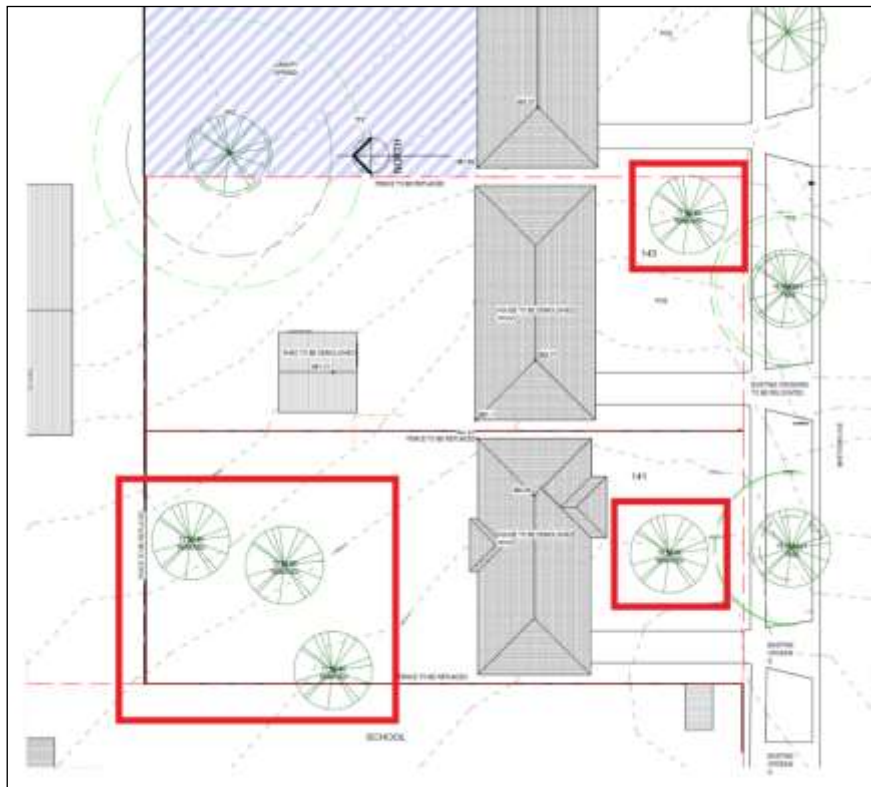


Figure 13 - site and trees to be removed

An Arboricultural Impact Assessment was submitted in support of the proposal (*Hugh the Arborist*, 29 July 2024). The Assessment finds that Trees T1, T2 and T4 have an 'A' Retention Value; however, 'the trees are located within the proposed building footprint and are not retainable under the proposal.' T3 and T7 are not worthy of retention.

8.1 Table 2: Summary of the impact to trees during the development;

Impact	Reason	Retention Category			Total
		AA	A	Z	
Trees to be removed	Building construction, new surfacing and/or proximity, or trees in poor condition.	None	1,2,4	3,7	5
Retained trees that will be subject to TPZ encroachment or no encroachment	Removal of existing surfacing/structures and/or installation of new surfacing/structures	None	5,6	None	2
Trees to be retained that require tree sensitive construction	Major encroachments that require minimising to maintain tree viability	None	8	None	1

Source: Arborist Report, Hugh Millington, dated 29 July 2024

The proposal was referred to Council's Manager City Presentation for consideration. He raised no objection to tree removal, however, species selected for the landscaping were noted to be frost intolerant. Thereby, a request to amend the landscaping plan to include alternate plants/species were made.

The Manager City Presentation concurred with the Arboricultural Assessment recommendations for protection of the street tree and the landscaping plan.

The proposed tree removal will alter the localised landscape setting, noting the scale of the rear Black Peppermint and Liquidambar formosana (see image below). Nonetheless, landscape planting will offset the tree loss. Retention of the mature street tree will maintain avenue plantings in the Matthews Avenue streetscape. Private landscaping to the adjoining school and dwellings is advanced. Landscape visual amenity in this setting will not be adversely impacted by tree removal.



Figure 14 - landscape setting and tree proposed to be removed

DCP 2004 - 7 Development in Residential Zones

The relevant matters in Part 7 were considered in the foregoing assessment under *Child Care Planning Guideline*.

DCP 2004 - 15 Car Parking

The relevant matters in Part 15 were considered in the foregoing assessment under *Child Care Planning Guideline*.

DEVELOPMENT CONTRIBUTIONS

Section 64 Local Government Act 1993

Development contributions for water, sewer and drainage works are applicable to the proposed development. *Water and sewer headworks (110 children) – Water directorate rate = 0.06wET/person & 0.10sET/person = 6.6 / 11.0 (minus 2ET site credits = 4.6w & 9.0s)*

The contributions are based on 4.6 ETs for water supply headworks and 9.0 ETs for sewerage headworks. A Condition is included requiring payment of applicable headworks contributions.

PROVISIONS PRESCRIBED BY THE REGULATIONS s4.15(1)(a)(iv)

Council's Building Certifier advises that the proposed development will not be contrary to any matter prescribed by Regulation:

Demolition of a Building (clause 61)

The proposal involves the demolition of existing residential dwellings and trees. A condition is attached requiring the demolition to be carried out in accordance with *Australian Standard AS2601 - 2001: The Demolition of Structures* and the requirements of Safe Work NSW.

Fire Safety Considerations (clause 62)

The development may achieve compliance with the BCA in relation to fire safety measures. Further details will be required, and assessment undertaken at Construction Certificate stage. Conditions are included.

BASIX Commitments (clause 75)

BASIX is not applicable to the proposed development. A Section J energy efficiency statement will be required with the Construction Certificate application.

THE LIKELY IMPACTS OF THE DEVELOPMENT s4.15(1)(b)

- Setting and context
 - Public domain
 - Land use
 - Interface
 - Presentation
 - Adjoining educational use
- Acoustic and Privacy impacts
 - Noise control and acoustic privacy
 - Visual privacy
- Traffic and Parking impacts
 - Site access
 - Onsite manoeuvring
 - Car parking
 - Traffic generation
 - Network capacity
- Built form and Visual Amenity
 - Visual bulk impact
 - External lighting
 - Crime prevention
 - Neighbourhood amenity
 - Streetscape presentation
 - Landscape character

- Social and Economic impacts
 - Regional centre status
 - Employment opportunities
 - Adaptive reuse
- Environmental impacts
 - Waste management (construction and operational)
 - Sediment and erosion control
 - Biodiversity
 - Groundwater
 - Tree removal
 - Contamination (RAP)

THE SUITABILITY OF THE SITE s4.15(1)(c)**Strategic Location and Accessibility**

- Adjacent to Bletchington Public School, making it convenient for families.
- Well-serviced by public transport, ensuring easy access for staff and parents.
- Located within a low-density residential neighbourhood, providing strong local demand.

Land Use Compatibility

- Supports complementary land uses within an educational precinct.
- Acts as a suitable infill between the school buildings to the west and residential dwellings to the east.

Adequate Site Area & Layout

- Sufficient space for indoor learning areas and outdoor play spaces.
- Setbacks and landscaping buffers ensure privacy and noise mitigation for neighbouring properties.

Traffic and Parking Considerations

- Dedicated onsite parking and designated car park entry improve traffic flow.
- Parking shortfall does not meet DCP 2004 requirements, however, staggered drop-off times could help mitigate congestion.

Environmental & Amenity Considerations

- No significant environmental constraints (e.g., flooding or heritage restrictions).
- Acoustic fencing, setbacks, and restricted outdoor activity hours will minimize noise impacts on nearby residents.

In conclusion, the site is well-located and appropriately designed for a childcare facility, ensuring accessibility, demand, and compatibility with surrounding land uses. While parking shortfalls require mitigation, setbacks, landscaping, and noise controls will minimize impacts, making the site suitable for development.

ANY SUBMISSIONS MADE IN ACCORDANCE WITH THE ACT s4.15(1)(d)

The proposed development is defined as "advertised development" under the provisions of the Community Participation Plan. The application was advertised for the prescribed period of 14 days and at the end of that period two submissions were received.

The main issues raised in the submissions are as follows:

- *Architectural form/neighbourhood*

Comment:

While the development is double storey, it serves as a transition between the school to the west and residential properties to the east, ensuring a balanced streetscape. The setbacks provided are sufficient and proposed landscaping will maintain garden setting, mitigating visual bulk impacts to the adjoining properties and streetscape. The use of materials, finishes, and landscaping aims to integrate the facility into the existing urban fabric.

- *Car parking and traffic*

Comment:

The Traffic Impact Assessment Report (SALT3, 17 December 2024) confirms that Matthews Avenue can accommodate the expected traffic volumes. Onsite parking provisions (23 spaces) meet operational needs, and staggered drop-off and pick-up times will help manage traffic flow. A detailed assessment of parking is provided above. A shortfall of three spaces has been justified in this case. Safety measures, including clear signage, designated parking zones, and pedestrian pathways will be implemented to minimize risks. The behaviours of the drivers are not a controllable measure and is not contemplated as a planning issue.

- *Visual privacy and acoustic privacy*

Comment:

A 1.8m acoustic fence will be installed to reduce potential noise impacts on neighbouring properties. The facility has been designed to orient windows away from private residences, preserving privacy. Operational measures, such as restricted outdoor play hours and no amplified sound, will ensure minimal disruption to nearby residents.

Further concerns and responses - The proponent was requested to consider the matters raised in the submissions received. In addition to the matters addressed below please see responses below to other issues raised.

Secondary Concerns & Responses

Operational Details and Needs

It is noted that concern has been raised over the development potentially resulting in inaccessibility to local residents, due to a lack of staff and extensive wait times.

The proposed development's future operator ('Little Peoples') is a long standing child care operator with a number of sites across New South Wales. The operator is committed to seeing out a development that appropriately benefits the community as a whole.

With particular reference to the submitted Needs Assessment, the operator is fully understanding of the current demand within Orange for child care services and sees the development as an appropriate opportunity to offer a much needed service.

Property Values

Whilst concerns from residents on their property values are acknowledged, the proposed development is in accordance with the relevant Council policies / DCP considerations and SEPP requirements. The proposal will result in a net community benefit, outweighing any potential impact on individual property values. The focus of the planning system is on the public interest, not private interests, and therefore the potential impact on property values should not be a determining factor or consideration in this application.

Surrounding Uses

Concern has been raised at the subject site's proximity to a landscaping business and petroleum depot. The subject site is located approximately 210m west of 'I've Got Wood Orange', which we understand to be the referenced landscaping business, and approximately 380m north-west of the 'BP Petroleum Depot' along Margaret Street.

The subject site is sufficiently separated from both non-residential uses so to reasonably assume their potential impacts on the childcare facility will be minimal.

Site Location

It is further emphasised that the locating of childcare facilities within close proximities to other educational facilities is a positive and largely common outcome, and is a entirely complementary land use. It will allow parents/guardians to also undertake multi-purpose trips.

Furthermore, the location within a residential area is seen to be highly appropriate, noting the level of accessibility and convenience achieved by its inclusion within the local community.

Air Condition Unit Location

The air conditioning unit at ground floor has been setback over 7m from the shared boundary to the north and set behind a 1.8m tall acoustic fence, which will appropriately mitigate any noise concerns.

We defer to the Acoustic Report, prepared by ACOR Consultants for further information.

Tree Removal & Landscaping

We acknowledge that the recommendations made by an objector for changes to the proposed landscaping.

Whilst the preferences of the neighbour are understood, the landscape plan has been assessed by Council's relevant officers and changes to the Water Gum's location on the eastern boundary was not raised as a concern.

The logo for 'ratio:' is displayed in a bold, orange, sans-serif font. The word 'ratio:' is followed by a colon.

20959P_141-143 Matthews Ave, Orange_Objections Response P3

Council staff concur with the responses provided above. The attached Notice of determination contains recommended conditions designed to ensure that the development proceeds in an acceptable manner.

PUBLIC INTEREST s4.15(1)(e)

The proposal will not be inconsistent with any policy statement, planning study or guideline that has not been considered in this assessment. There are no aspects of the proposal that will be contrary to the welfare or well-being of the general public.

SUMMARY

The proposed development is permissible with the consent of Council. The proposed development complies with the relevant aims, objectives and provisions of Orange LEP 2011 (as amended) and DCP 2004. A Section 4.15 assessment of the development indicates that the development is acceptable in this instance. Attached is a draft Notice of Approval outlining a range of conditions considered appropriate to ensure that the development proceeds in an acceptable manner.

COMMENTS

The requirements of the Environmental Health and Building Surveyor and the Engineering Development Section are included in the attached Notice of Approval.

ATTACHMENTS

- 1 Draft Notice of Determination, D25/27548 [↓](#)
- 2 Plans, D25/23518 [↓](#)
- 3 Submissions (redacted), D25/23555 [↓](#)

**NOTICE OF DETERMINATION OF A DEVELOPMENT APPLICATION**

Application number	DA 629/2024(1) PAN-465606
Applicant	Steffan D'souza Level 5, 65 Dover Street, Cremorne VIC 3121
Description of development	Demolition of existing buildings, construction of a double storey centre-based childcare facility, related landscaping and car parking
Property	141 MATTHEWS AVENUE ORANGE 2800 6/-/DP219984 143 MATTHEWS AVENUE ORANGE 2800 7/-/DP219984
Determination	Approved Consent Authority - Council
Date of determination	4/03/25
Date from which the consent operates	4/03/25
Date on which the consent lapses	4/03/30

Under section 4.18(1) of the EP&A Act, notice is given that the above development

application has been determined by the granting of consent using the power in section 4.16(1)(a) of the EP&A Act, subject to the conditions specified in this notice.

Reasons for approval

1. To ensure compliance with relevant statutory requirements.
2. To ensure the utility services are available to the site and adequate for the development.
3. To provide adequate public health and safety measures.
4. To prevent the proposed development having a detrimental effect on adjoining land uses.
5. To comply with the Environmental Planning and Assessment Act 1979.
6. The proposal will reasonably satisfy local and state planning controls.
7. The proposal development will be consistent with the zone objectives and principal development standards.
8. The proposal development will complement the existing or desired future character of the area.
9. To ensure a quality urban design for the development which complements the surrounding environment.

Right of appeal / review of determination

If you are dissatisfied with this determination:

Request a review

You may request a review of the consent authority's decision under section 8.3(1) of the EP&A Act. The application must be made to the consent authority within 6 months from the date that you received the original determination notice provided that an appeal under section 8.7 of the EP&A Act has not been disposed of by the Court.

Rights to appeal

You have a right under section 8.7 of the EP&A Act to appeal to the Court within 6 months after the date on which the determination appealed against is notified or registered on the NSW planning portal.

The Dictionary at the end of this consent defines words and expressions for the purposes of this determination.

Paul Johnston
Manager Development Assessments
Person on behalf of the consent authority

For further information, please contact Dhawala Ananda / Senior Planner

DRAFT

Terms and Reasons for Conditions

Under section 88(1)(c) of the EP&A Regulation, the consent authority must provide the terms of all conditions and reasons for imposing the conditions other than the conditions prescribed under section 4.17(11) of the EP&A Act. The terms of the conditions and reasons are set out below.

General Conditions

1	<p>Erection of signs</p> <p>1. This section applies to a development consent for development involving building work, subdivision work or demolition work.</p> <p>2. It is a condition of the development consent that a sign must be erected in a prominent position on a site on which building work, subdivision work or demolition work is being carried out—</p> <p>a. showing the name, address and telephone number of the principal certifier for the work, and</p> <p>b. showing the name of the principal contractor, if any, for the building work and a telephone number on which the principal contractor may be contacted outside working hours, and</p> <p>c. stating that unauthorised entry to the work site is prohibited.</p> <p>3. The sign must be—</p> <p>a. maintained while the building work, subdivision work or demolition work is being carried out, and</p> <p>b. removed when the work has been completed.</p> <p>4. This section does not apply in relation to—</p> <p>a. building work, subdivision work or demolition work carried out inside an existing building, if the work does not affect the external walls of the building, or</p> <p>b. Crown building work certified to comply with the Building Code of Australia under the Act, Part 6.</p> <p>Condition reason: Prescribed condition under section 70 of the Environmental Planning and Assessment Regulation 2021.</p>												
3	<p>Approved plans and supporting documentation</p> <p>Development must be carried out in accordance with the following approved plans and documents, except where the conditions of this consent expressly require otherwise.</p> <table><tr><th colspan="4">Approved plans and documents</th></tr><tr><th>Plans</th><th>Prepared by</th><th>Reference</th><th>Date of plan</th></tr><tr><td>Architectural Plans</td><td>Mollard Property Group Pty Ltd</td><td>Proposed Early Learning Centre</td><td>19/12/2024</td></tr></table>	Approved plans and documents				Plans	Prepared by	Reference	Date of plan	Architectural Plans	Mollard Property Group Pty Ltd	Proposed Early Learning Centre	19/12/2024
Approved plans and documents													
Plans	Prepared by	Reference	Date of plan										
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	Landscape Plans	Greenscape	DA_01 to DA_06	12/02/2025
	Acoustic Report	ACOR Consultants	NA240221	18/07/2024
	Site Contamination Investigation Report	Barnson	40155-ER01_B and R42323c	13/12/2022 and 10/07/2024
	Remedial Action Plan	Barnson	40155-ER02_D	11/12/2024
	Traffic Management Report	SALT3	22323TREP01F01	30/07/2024
	Waste Management Report	SALT3	24034W	01/08/2024
	Statement of environmental effects	Ratio Consultants Pty Ltd	20959P	23/12/2024
	<p>In the event of any inconsistency between the approved plans and documents, the approved Plans / Documents prevail.</p> <p>In the event of any inconsistency with the approved plans and a condition of this consent, the condition prevails.</p> <p>Condition reason: To ensure all parties are aware of the approved plans and supporting documentation that applies to the development.</p>			
4	Development and subdivision works requirements			
	All of the following conditions are to be at the full cost of the developer and to the requirements and standards of the Orange City Council Development and Subdivision Code, unless specifically stated otherwise. All engineering work required by the following conditions is to be completed prior to the issue of an Occupation or Subdivision Certificate, unless stated otherwise.			
	Condition reason: To comply with Council's Development and Subdivision Code.			
5	National Construction Code			
	All building work must be carried out in accordance with the provisions of the National Construction Code.			
	Condition reason: To ensure compliance with relevant statutory requirements.			

Building Work

Before issue of a construction certificate

6	<p>Erosion and sediment control plan</p> <p>Before the issue of a Construction Certificate, an erosion and sediment control plan must be prepared by a suitably qualified person in accordance with the following documents and provided to the certifier:</p> <ol style="list-style-type: none"> 1. Council's relevant development control plan, 2. the guidelines set out in 'Managing Urban Stormwater: Soils and Construction' prepared by Landcom (the Blue Book) (as amended from time to time), and 3. the 'Guidelines for Erosion and Sediment Control on Building Sites' (Department of Planning, Housing and Infrastructure) (dated 2024, as amended from time to time). <p>Condition reason: To ensure no substance other than rainwater enters the stormwater system and waterways.</p>
7	<p>Contributions - water and sewer headworks charges</p> <p>Payment of contributions for water, sewer and drainage works is required to be made at the contribution rate applicable at the time that the payment is made. The contributions are based on 4.6 ETs for water supply headworks and 9.0 ETs for sewerage headworks. A Certificate of Compliance, from Orange City Council in accordance with the <i>Water Management Act 2000</i>, will be issued upon payment of the contributions.</p> <p>This Certificate of Compliance is to be submitted to the Principal Certifying Authority prior to the issue of a Construction Certificate.</p> <p>Condition reason: To ensure compliance with relevant statutory requirements.</p>
8	<p>Engineering plans for carpark</p> <p>Engineering plans providing complete details of the proposed driveway and car-parking areas shall be submitted to the Principal Certifier upon application for a Construction Certificate. These plans are to provide details of levels, cross falls of all pavements, line marking, signage and proposed drainage works and be in accordance with AS/NZS 2890.1:2004.</p> <p>The plans shall also detail pedestrian sight lines for vehicles exiting the driveway to Matthews Avenue to ensure pedestrian safety. The plans shall detail how compliance is achieved with AS/NZS 2890.1:2004 section 3.2.4(b) and ensure that there are no obstructions located within the required sight triangles.</p>

	Condition reason: To comply with Council's Development and Subdivision Code.
9	Road opening permit required
	A Road Opening Permit in Accordance with Section 138 of the Roads Act 1993 must be approved by Council prior to a Construction Certificate being issued or any intrusive works being carried out within the public road or footpath reserve.
	Condition reason: To ensure compliance with relevant statutory requirements.
10	Stormwater detention design
	<p>The development's stormwater design is to include the incorporation of stormwater detention within the development, designed to limit peak outflows from the land to the pre-existing natural outflows up to a 1% AEP storm event, with sufficient allowance in overflow spillway design capacity to safely pass flows of lower frequency (that is, a rarer event) without damage to downstream developments.</p> <p>The design of the detention storage is to be undertaken using the DRAINS rainfall-runoff hydrologic model (or an approved equivalent capable of assessing runoff volumes and their temporal distribution as well as peak flow rates) based on the most recent version of Australian Rainfall and Runoff calculations allowing for applicable climate change factor(s). The model is to be used to calculate the flow rates for the existing and post-development conditions. The developed flows are to be routed through the proposed storage within the model so that the outflows obtained are no greater than the flows obtained for the pre-existing natural flows. A report detailing the results of the analysis, which includes:</p> <ul style="list-style-type: none"> • catchment plan showing sub-catchments under existing and developed conditions; • schematic diagram of the catchment model showing sub areas and linkages; • tabulation detailing the elevation, storage volume and discharge relationships; and • tabulation for the range of frequencies analysed, the inflows, outflows and peak storage levels for both existing and developed conditions, • together with copies of the data files for the model and engineering design plans of the required drainage system, <p>are to be submitted to and approved by Orange City Council prior to the issue of a Construction Certificate.</p> <p>All stormwater from the site is to be collected and piped to the kerb and gutter in Matthews Avenue where the stormwater discharge from the development shall be no more than 20 litres per second.</p>
	Condition reason: To comply with Council's Development and Subdivision Code.

11	Relocate streetlight
	Prior to the issue of a Construction Certificate approved plans / written approval shall be obtained from the relevant electricity supply authority for the relocation of the existing street light located adjacent to the proposed carpark exit driveway.
	Condition reason: To comply with relevant statutory requirements.
12	Onsite toilet
	A temporary onsite toilet is to be provided and must remain throughout the project or until an alternative facility meeting Council's requirements is available onsite.
	Condition reason: To provide adequate public health and safety measures.
13	Education and Care Services National Regulations
	Compliance with the requirements of Education and Care Services National Regulations shall be demonstrated on the detailed construction drawings (including a compliance schedule format) submitted with the application for a Construction Certificate.
	Condition reason: To ensure compliance with relevant statutory requirements.
14	Plans and specifications - mechanical plant
	Detailed plans and specification for all mechanical plant is to be provided to Council for approval by the Manager Development Assessments. These details must include confirmation that mechanical plant noise will comply with the noise emission criteria in Section 3.1.4 of the acoustic assessment prepared by ACOR Consultants Pty Limited (Ref: NA240221), dated 18 July 2024.
	Condition reason: To ensure that mechanical plant noise levels comply with approved acoustic standards, preventing adverse noise impacts on surrounding properties and maintaining environmental amenity.
15	Detailed specification for façade construction materials
	Detailed specification for façade construction materials demonstrating compliance with the acoustic design recommendations in Section 7.1 of the acoustic assessment prepared by ACOR Consultants Pty Limited (Ref: NA240221), dated 18 July 2024, is to be provided to Council for approval by the Manager Development Assessments.
	Condition reason: To ensure that building noise levels comply with approved acoustic standards, preventing adverse noise impacts on surrounding properties and maintaining environmental amenity.
16	Backflow prevention
	Backflow Prevention Devices are to be installed to AS3500 and in accordance with Orange City Council Backflow Protection Guidelines. Details of the Backflow Prevention Devices are to be submitted to Orange City Council prior to the issue of a Construction Certificate.

	Condition reason: To ensure compliance with relevant statutory requirements.
17	Section 68 application - water and sewer
	An approval under Section 68 of the <i>Local Government Act</i> is to be sought from Orange City Council, as the Water and Sewer Authority, for water, sewer and stormwater connection. Details concerning the proposed backflow prevention between the nominated water tank supply and the potable system are to be provided. No plumbing and drainage is to commence until approval is granted.
	Condition reason: To ensure the utility services are available to the site and adequate for the development.
18	Glass balustrade - privacy requirements
	The glass balustrade to east of the upper level play space shall comprise of frosted glass. Details must be shown on the Construction Certificate drawings.
	Condition reason: To ensure privacy is maintained for the adjoining residential buildings.
19	Playground equipment
	Any playground equipment installed shall comply with the acoustic requirements.
	Condition reason: To ensure ongoing compliance with noise limits and minimizes impact on surrounding properties.

Before building work commences

20	Protection of adjoining areas
	Before work commences, a temporary hoarding or temporary construction site fence must be erected around the work site perimeter and must be kept in place until after the work is completed.
	Condition reason: To protect land uses and amenity and ensure safety on an operating farm.
21	Appoint PC
	Appoint Principal Certifier. The person having the benefit of the development consent and a construction certificate shall: (a) Appoint a Principal Certifier and notify Council of the appointment (if Council is not appointed) and, (b) Notify Council of their intention to commence the erection of the building (at least two (2) day's notice is required) The Principal Certifier shall determine when inspections and compliance certificates are required.

	Condition reason: To ensure compliance with relevant statutory requirements.
22	Construction certificate required A construction certificate must be obtained from Council or an accredited certifier at least two (2) days prior to any building or ancillary work commencing. Where the construction certificate is obtained from an accredited certifier, the determination and all appropriate documents must be notified to Council within seven (7) days of the date of determination. Condition reason: Required by Section 6.6 (formerly 81A) of the Environmental Planning and Assessment Act, 1979 and Part 8, Division 2 of the Environmental Planning and Assessment Regulation, 2000.
23	Erosion and sediment control - implementation Erosion and sediment controls shall be implemented onsite in accordance with Managing Urban Stormwater: Soils and Construction - Volume 1 (4th edition). Condition reason: To prevent site erosion and sediment loss, and protect waterways from sediment pollution.
24	Dilapidation report requirement A dilapidation report prepared by a suitably qualified engineer is to be submitted to Council addressing the current condition of the buildings that are adjoining the development site. Condition reason: To ensure that any existing damage to adjoining buildings is documented and can be appropriately addressed before, during, and after the development.
25	Tree protection zones Tree protection zones (TPZ) (protective fencing) shall be installed to trees numbered T5, T6 and T8 in accordance with AS 4373-2009. Protective fencing shall be installed prior to site works commencing and must remain intact until completion of all works. Fencing must not be altered or removed without approval of a project arborist. If access is required or minor activities are to be undertaken within the TPZ, it must be approved by the project arborist. No routing of services, parking of vehicles, stacking of builder's materials / equipment, is to occur within the TPZ. The protective fence is to be constructed from ridged chain wire mesh panels (or similar), 1.8m in height, and securely anchored without penetrating the ground. Signs identifying the TPZ should be placed on the fencing and be visible from within the development site on all angles. Condition reason: To ensure the protection of trees during construction activities, preventing damage to the tree and its root system, and maintaining its health and stability

	throughout the development process.
26	<p>No commencement until details received</p> <p>The construction works the subject of this development consent MUST NOT be commenced until:</p> <ul style="list-style-type: none"> (a) Detailed plans/specifications of the building have been endorsed with a construction certificate by: <ul style="list-style-type: none"> (i) the Council, or (ii) a registered certifier, and (b) The person having the benefit of the development consent: <ul style="list-style-type: none"> (i) has appointed a Principal Certifier, and (ii) has notified the Council of the appointment, and (c) The person having the benefit of the development consent has given at least two (2) day's notice to the Council of the person's intention to commence the erection of the building; and (d) Builder's name and licence number has been supplied to Council or the Principal Certifier; or (e) Owner Builder's permit issued by Department of Fair Trading to be supplied to Council or the Principal Certifier; and (f) Home Building Compensation Fund (HBCF) has been paid and a copy of the Certificate supplied to Council or the Principal Certifier; and (g) A sign has been erected onsite in a prominent position containing the information prescribed by Clause 98A(2) and (3) of the EP&A Regulations, being the name, address and telephone number of the Principal Certifier for the work, name of the principal contractor for the work and telephone number on which that person may be contacted outside working hours, and stating that unauthorised entry to the site is prohibited. This sign must be maintained onsite while work is being carried out and removed when the work has been completed. <p>Condition reason: To ensure compliance with relevant statutory requirements.</p>
27	<p>Onsite toilet</p> <p>A temporary onsite toilet is to be provided and must remain throughout the project or until an</p>

	alternative facility meeting Council's requirements is available onsite.
	Condition reason: To provide adequate public health and safety measures.
28	Structural details for construction certificate
	Prior to the issue of a construction certificate, structural details and a Structural Certificate for Design by a qualified practising structural engineer and in accordance with Clause A5.2(1)(e) of the National Construction Code (previously known as Building Code of Australia) must be submitted to the satisfaction of Council (where Council is the Accredited Certifier).
	Condition reason: To ensure structural certification is undertaken.

During building work

29	Surveys by a registered surveyor
	While building work is being carried out, the positions of the following must be measured and marked by a registered surveyor and provided to the principal certifier: <ul style="list-style-type: none"> a. All footings / foundations in relation to the site boundaries and any registered and proposed easements b. At other stages of construction – any marks that are required by the principal certifier.
	Condition reason: To ensure buildings are sited and positioned in the approved location.
30	Adjustments to utility services
	Any adjustments to existing utility services that are made necessary by this development proceeding are to be at the full cost of the developer.
	Condition reason: To comply with Council's Development and Subdivision Code.
31	Driveway and parking areas
	All driveway and parking areas are to be sealed with bitumen, hot mix or concrete and are to be designed for all expected loading conditions (provided however that the minimum pavement depth for gravel and flush seal roadways is 200mm) and be in accordance with the Orange City Council Development and Subdivision Code.
	Condition reason: To comply with Council's Development and Subdivision Code.
32	Kerb and gutter layback and footpath crossing
	Concrete kerb and gutter laybacks and footpath crossings are to be constructed in the position shown on the plan submitted with the Construction Certificate application. The works are to be carried out to the requirements of the Orange City Council Development and Subdivision Code and Road Opening Permit.

	Condition reason: To comply with Council's Development and Subdivision Code.
33	Redundant services to be capped off
	The water and sewerage services to the existing dwellings, where they are not proposed to be used as part of this development, are to be sealed off at their respective Council mains.
	Condition reason: To comply with Council's Development and Subdivision Code.
34	Reinstate kerb and gutter and concrete footpath
	The existing kerb and gutter layback that is not proposed to be used is to be replaced with standard concrete kerb and gutter and the concrete footpath reinstated to the requirements in the Orange City Council Development and Subdivision Code and Road Opening Permit.
	Condition reason: To comply with Council's Development and Subdivision Code.
35	Stormwater drainage requirements
	All stormwater from the site is to be collected and piped to the existing inter allotment drainage pit on-site.
	Condition reason: To comply with Council's Development and Subdivision Code.
36	Hours of work - construction
	All construction/demolition work on the site is to be carried out between the hours of 7am and 6pm Monday to Friday inclusive, 7am to 5pm Saturdays, and 8am to 5pm Sundays and Public Holidays. Written approval must be obtained from the Chief Executive Officer of Orange City Council to vary these hours.
	Condition reason: To ensure compliance with relevant statutory requirements.
37	Unexpected finds - contamination
	In the event of an unexpected find during works such as (but not limited to) the presence of undocumented waste, odorous or stained soil, asbestos, structures such as underground storage tanks, slabs, or any contaminated or suspect material, all work onsite must cease immediately. The beneficiary of the consent must discuss with Council the appropriate process that should be followed therein. Works onsite must not resume unless the express permission of Council's Director Development Services is obtained in writing.
	Condition reason: To ensure any unexpected finds of contamination are notified to Council and managed appropriately.
38	Remediation works
	The remediation works shall be carried out in accordance with Chapter 4 of State Environmental Planning Policy (Resilience and Hazards) 2021, and the Remediation Action Plan prepared by Barnson Pty Ltd (Ref: 40155-ER02_D), dated 11 December 2024.

	Condition reason: To ensure that remediation works are conducted in compliance with relevant environmental policies and guidelines, mitigating potential contamination risks and ensuring the site is safe for its intended use.
39	Food - details of food preparation The fit-out of the food preparation and storage areas are to be installed in accordance with the requirements of Food Safety Standard 3.2.3 "Food Premises and Equipment" of the Australian New Zealand Food Standards Code and Australian Standard 4674-2004 "Design and construction and fit-out of food premises". Condition reason: To ensure compliance with relevant statutory requirements.
40	Acoustic Requirements The following acoustic barriers, being of solid construction with no gaps and with a minimum surface mass of 15.3kg/m ² , are to be installed as per the recommendations in Section 7.2 of the acoustic assessment prepared by ACOR Consultants Pty Limited (Ref: NA240221), dated 18 July 2024: (a) Ground Floor: A 1.8m high acoustic barrier along the northern, eastern, and western boundaries of the site. The barrier along the eastern and western boundaries is to continue to the property boundary as far as practicable towards Matthew Avenue, and should enclose the western boundary face of the car-park entry to completely break line of sight to adjacent residential properties. A 0.9m high acoustic barrier shall be erected along the eastern boundary, setback by 2.5m from the front boundary. (b) First Floor: A 1.8m high acoustic barrier along all boundaries of the site that completely encloses 'Outdoor Space 2'. Condition reason: To ensure effective noise mitigation to minimize impacts on surrounding residential properties.
41	No encroachment on easements No portion of the building or service to and from that building - including footings, eaves, overhang and service pipes - shall encroach into any easement. Condition reason: To prevent the proposed development having a detrimental effect on adjoining land uses.
42	Protection of the Environment Operations Act - material delivery All materials onsite or being delivered to the site are to be contained within the site. The requirements of the <i>Protection of the Environment Operations Act 1997</i> are to be complied with when placing/stockpiling loose material, or when disposing of waste products, or during any other activities likely to pollute drains or watercourses. Condition reason: To protect waterways from pollution by stockpiled or placed construction materials.

43	Reduced levels
	All constructions works are to be strictly in accordance with the Reduced Levels (RLs) as shown on the approved plans.
	Condition reason: To comply with the Environmental Planning & Assessment act, 1979.

Before issue of an occupation certificate

44	Completion of works relating to road opening permit
	A Road Opening Permit Certificate of Compliance is to be issued for the works by Council prior to any Occupation Certificate being issued for the development.
	Condition reason: To ensure compliance with relevant statutory requirements.
45	Stormwater detention certification
	A Certificate of Compliance, from a Qualified Engineer, stating that the stormwater detention basin complies with the approved engineering plans is to be submitted to the Principal Certifying Authority prior to the issue of an Occupation Certificate.
	Condition reason: To comply with Council's Development and Subdivision Code.
46	Completion of works on public land and services
	Certification from Orange City Council is required to be submitted to the Principal Certifying Authority prior to the issue of an Occupation Certificate stating that all works relating to connection of the development to Council assets, works on public land, works on public roads, stormwater, sewer and water reticulation mains and footpaths have been carried out in accordance with the Orange City Council Development and Subdivision Code and the foregoing conditions, and that Council will take ownership of the infrastructure assets.
	Condition reason: To comply with Council's Development and Subdivision Code.
47	Evacuation Plan - Child Care Centres
	Prior to the issuance of the Occupation Certificate for the childcare centre, an evacuation plan complying with Australian Standard (AS 3745) shall be prepared and implemented.
	The emergency evacuation plan should consider the following:
	(a) The mobility of children and how this is to be accommodated during an evacuation;
	(b) The location of a safe congregation area, away from the evacuated building, busy roads, other hazards and the evacuation points of other residents or tenants within the building or surrounding buildings;

	<p>(c) Where the Child Care Centre is part of a larger building or complex, that the emergency evacuation plan is complementary and consistent with other emergency evacuation plans in place; and</p> <p>(d) The supervision of children during the evacuation and at the safe congregation area with regard to the capacity of the Child Care Centre and the child/staff ratios.</p> <p>(e) Centres which accommodate children under 2 years of age are to have a large mobile cot (on wheels) so groups of babies can be quickly evacuated.</p> <p>Condition reason: To ensure the safety of childcare centre and prioritizing the safety for all.</p>
48	<p>Landscaping - to be installed and maintained in accordance with approved plans</p> <p>Landscaping must be installed in accordance with the approved plans and must be permanently maintained to the satisfaction of Councils Manager Development Assessments.</p> <p>Condition reason: To ensure a quality urban design for the development which complements the surrounding environment.</p>
49	<p>No use or occupation without occupation certificate</p> <p>No person is to use or occupy the building or alteration that is the subject of this approval with the prior issuing of an occupation certificate.</p> <p>Condition reason: To ensure compliance with the Building Code of Australia.</p>
50	<p>Parking - off-street parking required</p> <p>A total of 23 off-street car parking spaces must be provided upon the site in accordance with the approved plans and the provisions of Orange Development Control Plan 2004. The parking spaces are to be constructed in accordance with the requirements of Council's Development and Subdivision Code prior to the issue of an occupation certificate.</p> <p>Condition reason: To ensure the development has adequate parking to meet demands, and ensure compliance with relevant statutory requirements.</p>
51	<p>Validation Report for Remediation Works</p> <p>A validation report is to be provided to Council in relation to all remediation work undertaken in accordance with the Remediation Action Plan prepared by Barnson Pty Ltd (Ref: 40155-ER02_D), dated 11 December 2024, within 30 days of the date of report. The validation report is to be prepared in accordance with NSW EPA Guidelines for Consultants Reporting on Contaminated Land (2020) and Guidelines for the NSW Site Auditor Scheme (2017).</p> <p>Condition reason: To ensure compliance with remediation requirements and verifies site safety.</p>
52	<p>Operational Noise Management Plan</p> <p>An Operational Noise Management Plan incorporating the recommendations in Section 7.3 of</p>

	the acoustic assessment prepared by ACOR Consultants Pty Limited (Ref: NA240221), dated 18 July 2024, is to be provided to Council for approval by the Manager Development Assessments.
	Condition reason: To ensure ongoing compliance with noise limits and minimizes impact on surrounding properties.
53	Fencing - perimeter fencing requirements
	0.9m high eastern boundary fence for the first 2.5m setback from the front boundary.
	1.8m-high acoustic fence must be provided around the perimeter of the development, excluding the frontage in accordance with the approved plan.
	Condition reason: To ensure adequate privacy to both the subject development and adjoining land uses.
54	No use or occupation without occupation certificate
	No person is to use or occupy the building or alteration that is the subject of this approval with the prior issuing of an occupation certificate.
	Condition reason: To ensure compliance with the Building Code of Australia.
55	Section 68 final - water and sewer
	Where Orange City Council is not the Principal Certifier, a final inspection of water connection, sewer and stormwater drainage shall be undertaken by Orange City Council and a compliance certificate issued, prior to the issue of an occupation certificate.
	Condition reason: To ensure the utility services are available to the site and adequate for the development.
56	Waste management
	Details of waste collection arrangements with an approved waste contractor must be submitted. Waste must be collected from the waste room on the ground floor. Kerbside placement of bins on Matthews Avenue is not permitted.
	Condition reason: To ensure the provision of appropriate waste services for occupants and protect community health.

Occupation and ongoing use

57	Operating hours
	Hours of operation of the child care facility shall be between 6.30am and 7.00pm, Monday to Friday. The centre to remain closed on weekends and gazetted public holidays.

	Condition reason: To protect the amenity of the local area.
58	Off-street car parking
	All parking associated with the childcare facility shall be within the approved off-street car parking area provided as part of the development approval.
	No parking associated with the childcare facility shall be on Matthews Avenue or adjoining streets.
	Condition reason: To ensure all parking associated with the child care facility is maintained off the street.
59	Loading/Servicing
	All vehicular loading and unloading shall be carried out within the site to provide for safe off-street loading and unloading of vehicles servicing the site and to prevent interference with the use of the public road by vehicles and pedestrians.
	Condition reason: To ensure public safety.
60	Lighting
	Any external lighting shall:
	(a) Comply with AS 4282-1997 Control of the obtrusive effects of outdoor lighting, and
	(b) Be mounted, screened and directed in a way that it does not create a nuisance or light spill on to buildings on adjoining lots or public places
	Lighting at vehicle access points to the development must be provided in accordance with AS/NZ S1158 Set: 2010 Lighting for roads and public spaces Set.
	Condition reason: To ensure that the amenity of neighbouring properties is not compromised.
61	Waste Management Plan
	The Waste Management Plan prepared by SALT (version F01), dated 12 December 2022, is to be complied with at all times.
	Condition reason: To ensure proper waste management practices and compliance with approved guidelines.
62	Acoustic Report requirement
	The applicant shall obtain an Acoustic Report which assesses actual noise emissions from all operations of the development within three (3) months of the issue of an Occupation Certificate. Where the report recommends additional noise attenuation works to be carried out, these works shall be undertaken within 28 days from the date of the Acoustic Report.
	Condition reason: To ensure ongoing compliance with noise limits and minimizes impact

	on surrounding properties.
63	Maximum enrolment of children
	The child care facility shall have a maximum capacity of not more than 104 children.
	Condition reason: To ensure compliance with approved capacity limits for safety, amenity, and regulatory requirements.
64	Conditions from Essential Energy
	Essential Energy makes the following general comments:
	(1) If the proposed development changes, there may be potential safety risks and it is recommended that Essential Energy is consulted for further comment.
	(2) Any existing encumbrances in favour of Essential Energy (or its predecessors) noted on the title of the above property should be complied with.
	(3) In addition, Essential Energy's records indicate there is electricity infrastructure located within close proximity of the property. Any activities within this location must be undertaken in accordance with the latest industry guideline currently known as <i>ISSC 20 Guideline for the Management of Activities within Electricity Easements and Close to Infrastructure</i> . Approval may be required from Essential Energy should activities within the property encroach on the electricity infrastructure.
	(4) Prior to carrying out any works, a "Dial Before You Dig" enquiry should be undertaken in accordance with the requirements of <i>Part 5E (Protection of Underground Electricity Power Lines)</i> of the <i>Electricity Supply Act 1995</i> (NSW).
	(5) Given there is electricity infrastructure in the area, it is the responsibility of the person/s completing any works around powerlines to understand their safety responsibilities. SafeWork NSW (www.safework.nsw.gov.au) has publications that provide guidance when working close to electricity infrastructure. These include the <i>Code of Practice – Work near Overhead Power Lines</i> and <i>Code of Practice – Work near Underground Assets</i> .
	Condition reason: To ensure that safety measures are followed when working near essential energy infrastructure, protecting both workers and the surrounding environment while complying with legal and industry guidelines.
65	Outdoor play area
	The use of outdoor child play area shall only occur between 6:30am and 7pm and there is to be no more than 80 children in total at a given time and no music systems are to be used in the outdoor play areas at any time.

	Condition reason: Ensures ongoing compliance with noise limits and minimizes impact on surrounding properties.
66	Annual fire safety statement
	The owner is required to provide to Council and to the NSW Fire Commissioner an Annual Fire Safety Statement in respect of the fire-safety measures as required by Clause 177 of the <i>Environmental Planning and Assessment Regulation 2000</i> .
	Condition reason: To ensure compliance with relevant statutory requirements.

Demolition Work

Before demolition work commences

67	Deliveries
	All materials on site or being delivered to the site are to be contained within the site. The requirements of the Protection of the Environment Operations Act 1997 are to be complied with when placing/stockpiling loose material or when disposing of waste products or during any other activities likely to pollute drains or watercourses.
	Condition reason: To protect the amenity of neighbouring properties.
68	Asbestos removal signage
	Before demolition work commences involving the removal of asbestos, a standard commercially manufactured sign containing the words 'DANGER: Asbestos removal in progress' (measuring not less than 400mm x 300mm) must be erected in a prominent position at the entry point/s of the site and maintained for the entire duration of the removal of the asbestos.
	Condition reason: To alert the public to any danger arising from the removal of asbestos.

During demolition work

69	Demolition work
	Building demolition is to be carried out in accordance with Australian Standard 2601:2001 - The Demolition of Structures and the requirements of Safe Work NSW.
	Condition reason: To ensure the requirements of Safe Work NSW.
70	Demolition - in accordance with AS 2601:2001
	Building demolition is to be carried out in accordance with Australian Standard 2601:2001 - The

	Demolition of Structures and the requirements of SafeWork NSW.
	Condition reason: To ensure compliance with relevant statutory requirements.
71	Hours of work - demolition
	All demolition work on the site is to be carried out between the hours of 7am and 6pm Monday to Friday inclusive, 7am to 5pm Saturdays, and 8am to 5pm Sundays and Public Holidays. Written approval must be obtained from the Chief Executive Officer of Orange City Council to vary these hours.
	Condition reason: To ensure compliance with relevant statutory requirements.

On completion of demolition work

72	Removal of waste upon completion
	After completion of all site work:
	<ul style="list-style-type: none"> a. all refuse, spoil and material unsuitable for use on-site must be removed from the site and disposed of in accordance with the approved waste management plan; and b. written evidence of the waste removal must be provided to the satisfaction of the <Insert principal certifier or Council (where a principal certifier is not required)>. c. Any chemical waste generated throughout construction must be disposed of to an approved waste management facility or otherwise lawfully managed.
	Condition reason: To ensure waste material is appropriately disposed or satisfactorily stored.

General advisory notes

This consent contains the conditions imposed by the consent authority which are to be complied with when carrying out the approved development. However, this consent is not an exhaustive list of all obligations which may relate to the carrying out of the development under the EP&A Act, EP&A Regulation and other legislation. Some of these additional obligations are set out in the [Conditions of development consent: advisory notes](#). The consent should be read together with the *Conditions of development consent: advisory notes* to ensure the development is carried out lawfully.

The approved development must be carried out in accordance with the conditions of this consent. It is an offence under the EP&A Act to carry out development that is not in accordance with this consent.

Building work or subdivision work must not be carried out until a construction certificate or subdivision works certificate, respectively, has been issued and a principal certifier has been

appointed.

A document referred to in this consent is taken to be a reference to the version of that document which applies at the date the consent is issued, unless otherwise stated in the conditions of this consent.

DRAFT

Dictionary

The following terms have the following meanings for the purpose of this determination (except where the context clearly indicates otherwise):

Approved plans and documents means the plans and documents endorsed by the consent authority, a copy of which is included in this notice of determination.

AS means Australian Standard published by Standards Australia International Limited and means the current standard which applies at the time the consent is issued.

Building work means any physical activity involved in the erection of a building.

Certifier means a council or a person that is registered to carry out certification work under the *Building and Development Certifiers Act 2018*.

Construction certificate means a certificate to the effect that building work completed in accordance with specified plans and specifications or standards will comply with the requirements of the EP&A Regulation and *Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021*.

Council means ORANGE CITY COUNCIL.

Court means the Land and Environment Court of NSW.

EPA means the NSW Environment Protection Authority.

EP&A Act means the *Environmental Planning and Assessment Act 1979*.

EP&A Regulation means the *Environmental Planning and Assessment Regulation 2021*.

Independent Planning Commission means Independent Planning Commission of New South Wales constituted by section 2.7 of the EP&A Act.

Occupation certificate means a certificate that authorises the occupation and use of a new building or a change of building use for an existing building in accordance with this consent.

Principal certifier means the certifier appointed as the principal certifier for building work or subdivision work under section 6.6(1) or 6.12(1) of the EP&A Act respectively.

Site work means any work that is physically carried out on the land to which the development the subject of this development consent is to be carried out, including but not limited to building work, subdivision work, demolition work, clearing of vegetation or remediation work.

Stormwater drainage system means all works and facilities relating to:

- the collection of stormwater,
- the reuse of stormwater,
- the detention of stormwater,
- the controlled release of stormwater, and
- connections to easements and public stormwater systems.

Strata certificate means a certificate in the approved form issued under Part 4 of the *Strata Schemes Development Act 2015* that authorises the registration of a strata plan, strata plan of subdivision or notice of conversion.

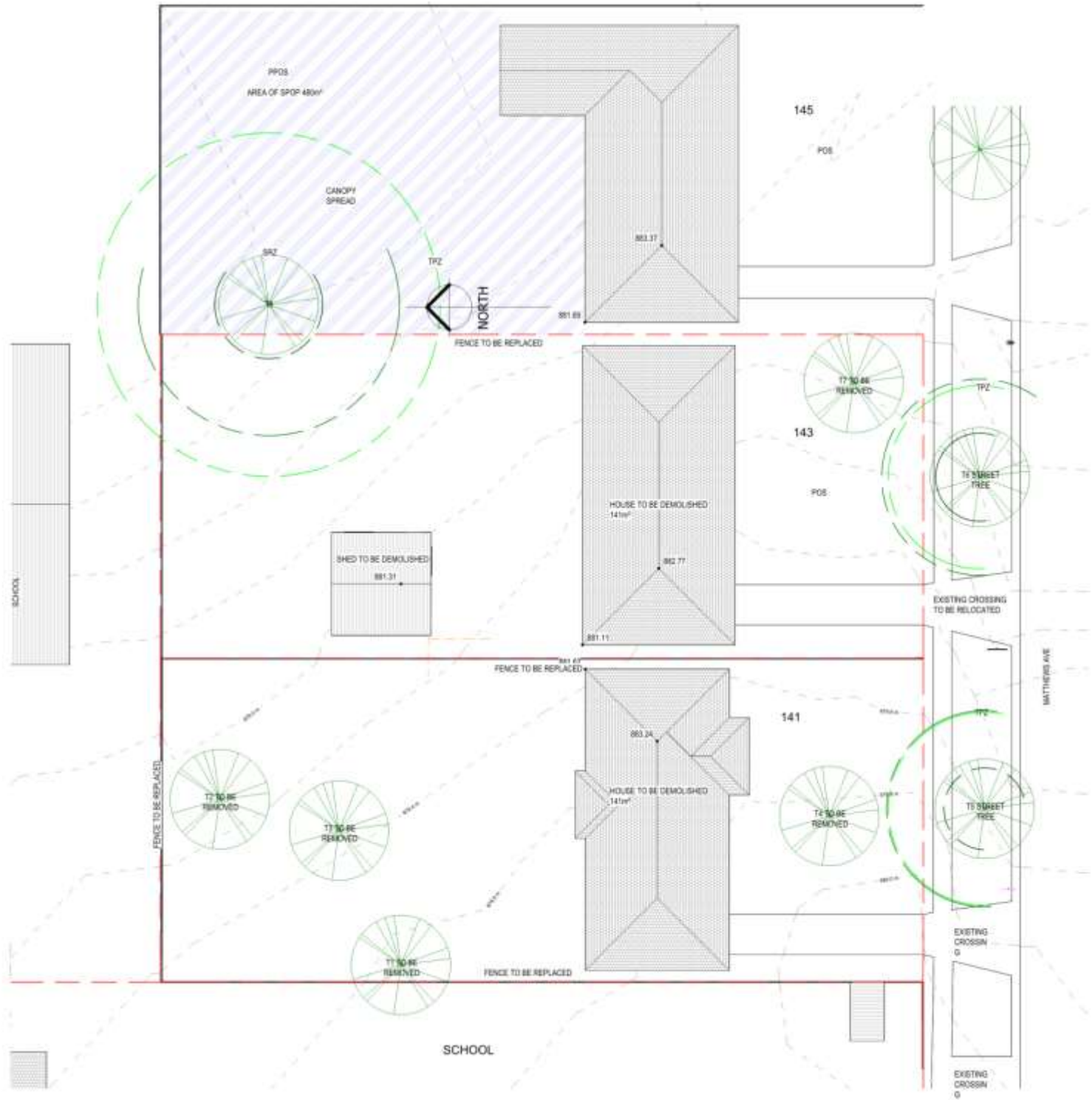
Sydney district or regional planning panel means Western Regional Planning Panel.



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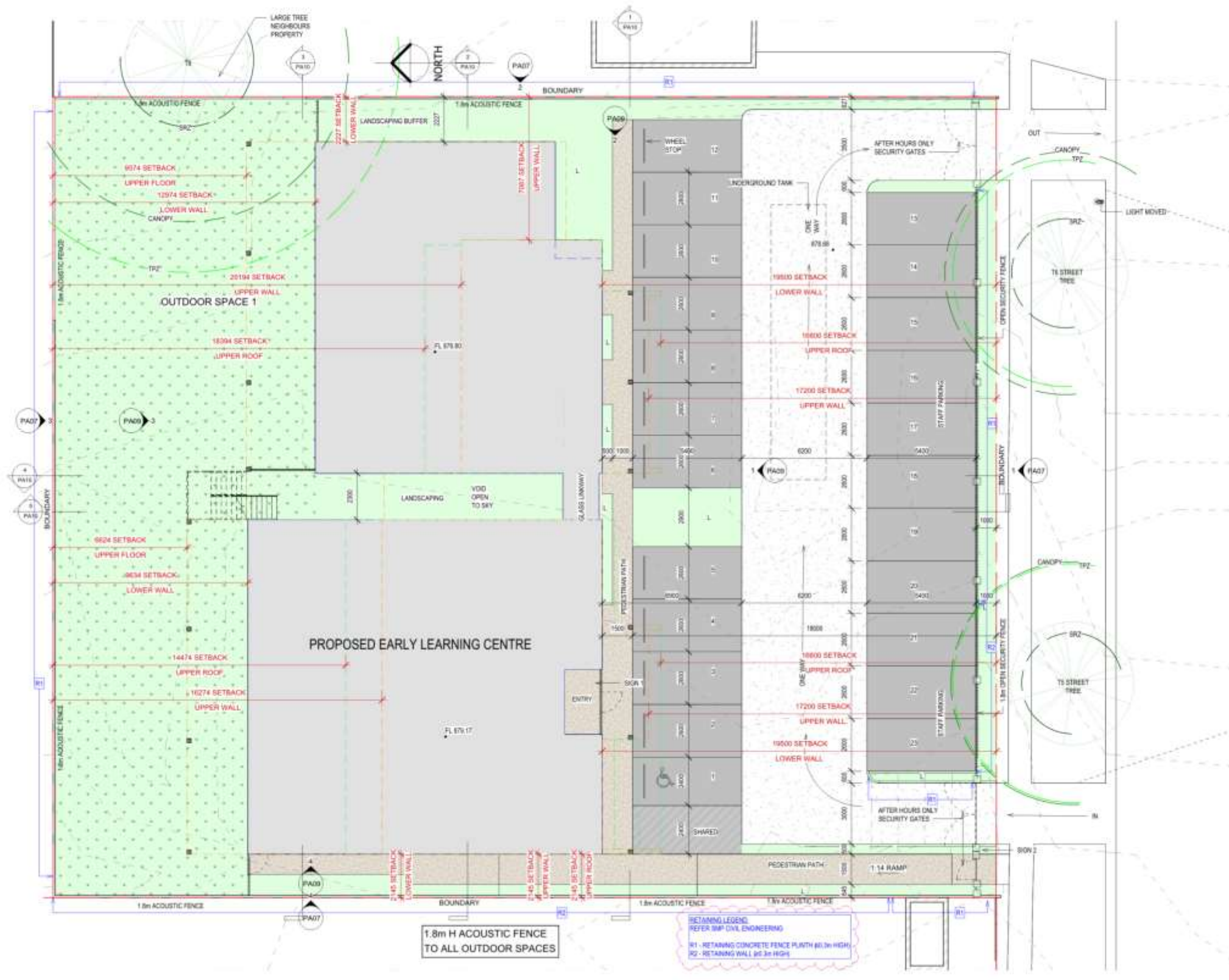
PROPOSED EARLY LEARNING CENTRE



1 SITE CONTEXT
1:500

1 EXISTING AND DEMOLITION SITE PLAN
1:500

   		<p>Notes: DA not for BA or Construction</p> <p>NOTE: CONVEYANCE OF THIS DOCUMENT TO ANY OTHER PARTY DOES NOT CONSTITUTE AN ENDORSEMENT OF THE PROJECT OR THE QUALITY OF THE DESIGN OR CONSTRUCTION. THE DESIGNER ACCEPTS NO LIABILITY FOR ANY LOSS OR DAMAGE, INCLUDING BUT NOT LIMITED TO, LOSS OF PROFITS, LOSS OF BUSINESS, LOSS OF REPUTATION, OR ANY OTHER LOSS OR DAMAGE, ARISING OUT OF OR IN CONNECTION WITH THE PROJECT.</p> <p>© THIS DRAWING IS THE COPYRIGHT AND PROPERTY OF MOLLARD PTY LTD. NOT TO BE COPIED, REPRODUCED, OR USED FOR ANY OTHER PURPOSE.</p>		<p>Client: Sought After Investments Pty Ltd, Operator Little Peoples ELC</p> <p>Project: Proposed Early Learning Centre</p>	<p>Address: 141-143 Matthews Avenue, Orange NSW 2800</p> <p>Property Details: LOT 6&7, DP219984 AREA 1846m²</p>	<table><tr><th>No.</th><th>Description</th><th>Date</th></tr><tr><td>01</td><td>PRELIM</td><td>17.01.2024</td></tr><tr><td>02</td><td>PRELIM</td><td>16.07.2024</td></tr><tr><td>03</td><td>PRELIM</td><td>19.11.2024</td></tr><tr><td>04</td><td>PRELIM</td><td>19.11.24</td></tr></table>	No.	Description	Date	01	PRELIM	17.01.2024	02	PRELIM	16.07.2024	03	PRELIM	19.11.2024	04	PRELIM	19.11.24	<table><tr><th colspan="2">EXISTING AND DEMOLITION SITE PLAN</th></tr><tr><td>Current Issue Date: 19-12-2.24</td><td>Project Number: 11846</td></tr><tr><td>Scale (1%)</td><td>As indicated</td></tr><tr><td>Drawing no:</td><td>PA02</td></tr></table>	EXISTING AND DEMOLITION SITE PLAN		Current Issue Date: 19-12-2.24	Project Number: 11846	Scale (1%)	As indicated	Drawing no:	PA02
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CENTRE COMPLIANCE

THE PROPOSED EARLY LEARNING CENTRE WILL COMPLY WITH ALL REQUIRED CODES AND STANDARDS INCLUDING COMPLIANCE DETAILS SUBJECT TO APPROPRIATE PLANNING PHASE.

- CHILDREN SERVICES REGULATIONS
- EDUCATION AND CARE SERVICES NATIONAL REGULATIONS
- STAYING HEALTHY PREVENTING INFECTIOUS DISEASES IN EARLY CHILDHOOD EDUCATION AND CARE SERVICES
- CHILDCARE PLANNING GUIDELINE - NSW
- NATIONAL CONSTRUCTION CODE

EARLY LEARNING CENTRE

SITE AREA	1846m ²
TOTAL CHILDREN SPACES	110
OUTDOOR PLAY SPACE REQUIRED	770
OUTDOOR PLAY SPACE PROVIDED	770
TOTAL CARPARKING REQUIRED	26
TOTAL CARPARKING PROVIDED	23

ROOM NO	AREA	CHILDREN
1	29m ²	8
2	29m ²	8
3	48m ²	20
4	78m ²	24
5	15m ²	20
6	15m ²	20
TOTAL	359m²	110

OPERATIONAL HOURS 8:30am - 7:00pm
MONDAY TO FRIDAY

GROSS FLOOR AREA DEFINITION:
The sum of the floor area of each floor of a building measured from the internal face of external walls, or from the internal face of walls separating the building from any other building, measured at a height of 1.4 metres above the floor.

Includes -

- the area of a mezzanine, and
- habitable rooms in a basement or an attic, and
- any shop, auditorium, cinema, and the like, in a basement or attic.

Excludes -

- any area for common vertical circulation, such as lifts and stairs, and
- any basement -
- storage, and
- vehicular access, loading areas, garages and services, and
- plant rooms, lift towers and other areas used exclusively for mechanical services or ducting, and
- car parking to meet any requirements of the consent authority (including access to that car parking), and
- any space used for the loading or unloading of goods (including access to it), and
- terraces and balconies with outer walls less than 1.4 metres high, and
- voids above a floor at the level of a storey or storey above.

FLOOR SPACE RATIO = 0.88
(GROSS FLOOR AREA REFER DEFINITION)

GROSS FLOOR AREA

UPPER FLOOR	281 m ²
GROUND FLOOR	454 m ²
TOTAL GFA	715 m²

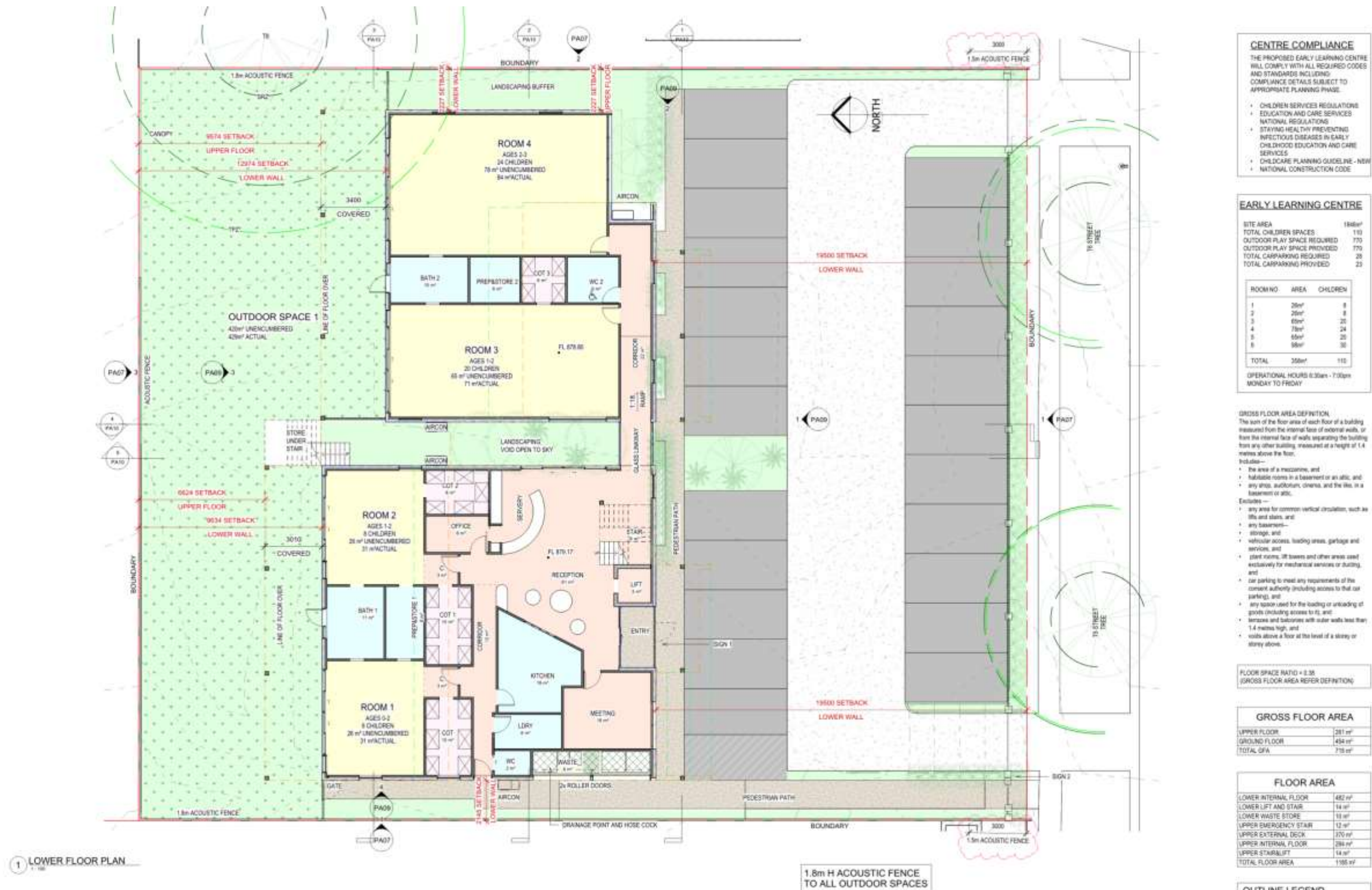
FLOOR AREA

LOWER INTERNAL FLOOR	492 m ²
LOWER LIFT AND STAIR	14 m ²
LOWER WASTE STORE	10 m ²
UPPER EMERGENCY STAIR	12 m ²
UPPER EXTERNAL DECK	373 m ²
UPPER INTERNAL FLOOR	284 m ²
UPPER STAIRLIFT	14 m ²
TOTAL FLOOR AREA	1185 m²

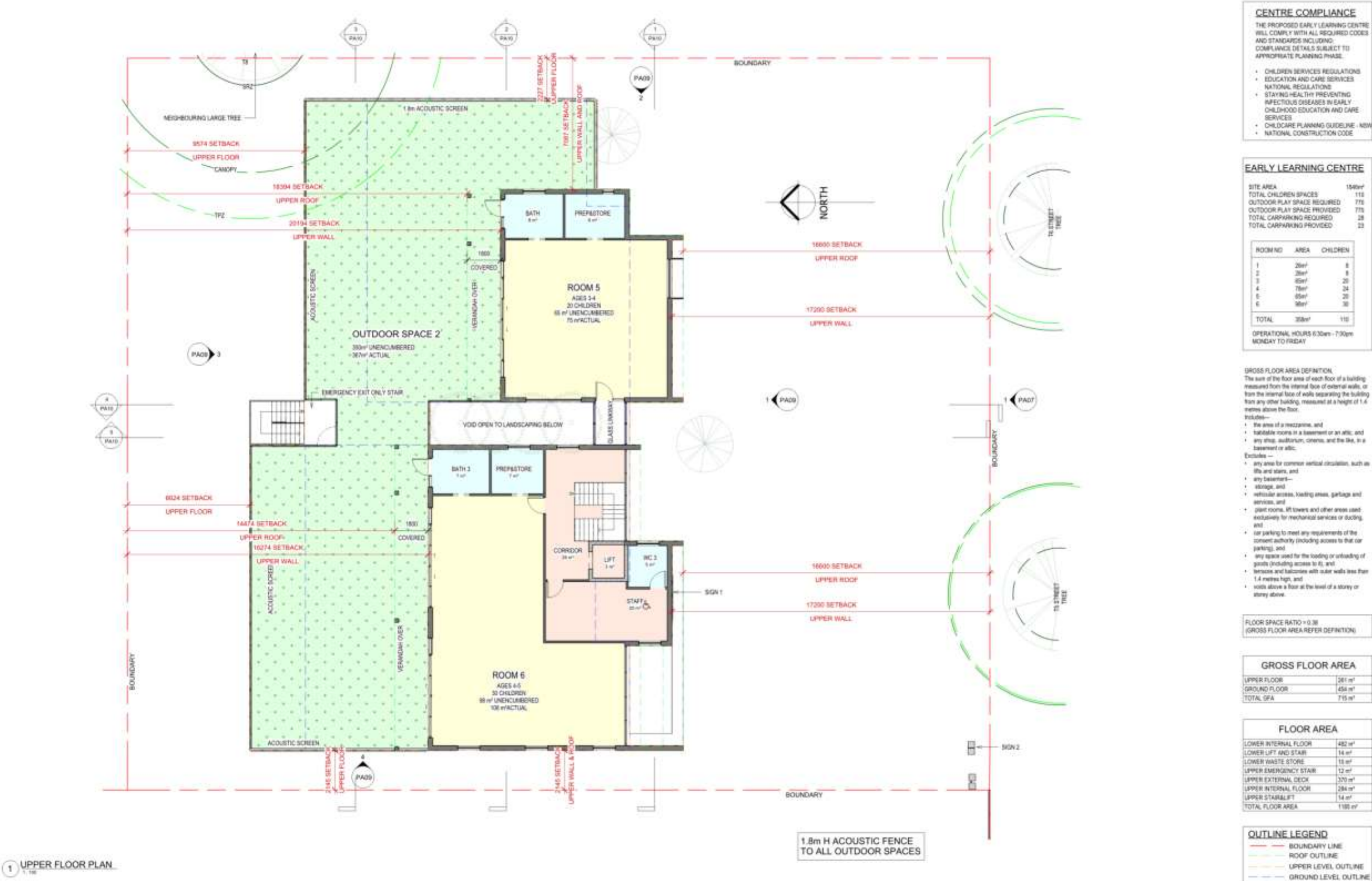
OUTLINE LEGEND

BOUNDARY LINE	---
ROOF OUTLINE	---
UPPER LEVEL OUTLINE	---
GROUND LEVEL OUTLINE	---

	<p>1 SITE PLAN</p> <p>DA not for BA or Construction</p> <p>NOTE: CONVEYANCE OF THIS DOCUMENT TO THE CLIENT DOES NOT CONSTITUTE A GUARANTEE OF THE ACCURACY OF THE INFORMATION CONTAINED HEREIN. THE CLIENT IS ADVISED THAT THE INFORMATION CONTAINED HEREIN IS FOR INFORMATION PURPOSES ONLY AND IS NOT TO BE USED FOR ANY OTHER PURPOSE.</p> <p>THIS DRAWING IS THE PROPERTY OF MOLLARD AND IS NOT TO BE COPIED, REPRODUCED OR USED FOR ANY OTHER PURPOSE.</p>	<p>Client: Sought After Investments Pty Ltd, Operator Little Peoples ELC</p> <p>Project: Proposed Early Learning Centre</p>	<p>Address: 141-143 Matthews Avenue, Orange NSW 2800</p> <p>Property/Block: LOT 6&7, DP219984 AREA 1846m²</p>	<table border="1"> <thead> <tr> <th>No.</th> <th>Description</th> <th>Date</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>PA03</td> <td>19-12-24</td> </tr> <tr> <td>2</td> <td>PA03</td> <td>19-12-24</td> </tr> <tr> <td>3</td> <td>PA03</td> <td>19-12-24</td> </tr> <tr> <td>4</td> <td>PA03</td> <td>19-12-24</td> </tr> </tbody> </table>	No.	Description	Date	1	PA03	19-12-24	2	PA03	19-12-24	3	PA03	19-12-24	4	PA03	19-12-24	<p>PROPOSED SITE PLAN</p> <p>Current Issue No: 19-12-2.24</p> <p>Project number: 11846</p> <p>Scale: As indicated</p> <p>Drawing no: PA03</p>
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				NOTE: COMPASSAL MEASUREMENTS ON SITE PRIOR TO CONSTRUCTION AND NOTIFICATION OF ANY DISCREPANCIES ALL DESIGN AND DRAFTING LIAISON, NOT TAKE RESPONSIBILITY FOR ANY DISCREPANCIES NOT REPORTED.	Project: Proposed Early Learning Centre	Property Details: LOT 6&7, DP219984 AREA 1846m ²																											
				 THIS DRAWING IS THE COPYRIGHT AND PROPERTY OF ALLES. IT IS NOT TO BE LOANED, REPRODUCED OR USED FOR ANOTHER PURPOSE.																													



ROOM NO	AREA	CHILDREN
1	25m ²	8
2	25m ²	8
3	65m ²	20
4	65m ²	20
5	65m ²	20
6	65m ²	20
TOTAL	350m²	110

OPERATIONAL HOURS 9:30am - 7:00pm
MONDAY TO FRIDAY

FLOOR AREA DEFINITION:
The square of the floor area of each floor of a building measured from the internal face of internal walls, or from the internal face of walls separating the building from other buildings, measured at a height of 0.7 metres above the floor.

Includes:-

- the area of a mezzanine, and
- habitable rooms in a basement or attic, and any garden, terrace, courtyard, and the like, if a basement or attic.

Excludes:-

- any area for common vehicular circulation, such as lifts and stairs, and
- any basement
- storage, and
- vehicular access, loading areas, garages and services, and
- play areas, courts and other areas used exclusively for mechanical services or dusting, and
- car parking to meet any requirements of the relevant authority (including access to that car parking), and
- any space used for the loading or unloading of goods (including access to it), and
- terraces and balconies with walls less than 1.1 metres high, and
- any other floor of the level of a storey or storey above.


FLOOR SPACE RATIO = 1.88
(GROSS FLOOR AREA REFER DEFINITION)

GROSS FLOOR AREA	
UPPER FLOOR	281 m ²
GROUND FLOOR	454 m ²
TOTAL GFA	715 m ²

LOWER INTERNAL FLOOR	492 m ²
LOWER LIFT AND STAIR	14 m ²
LOWER WASTE STORE	10 m ²
UPPER EMERGENCY STAIR	12 m ²
UPPER EXTERNAL DECK	373 m ²
UPPER INTERNAL FLOOR	264 m ²
UPPER STAIR/LIFT	14 m ²
TOTAL FLOOR AREA	1185 m ²

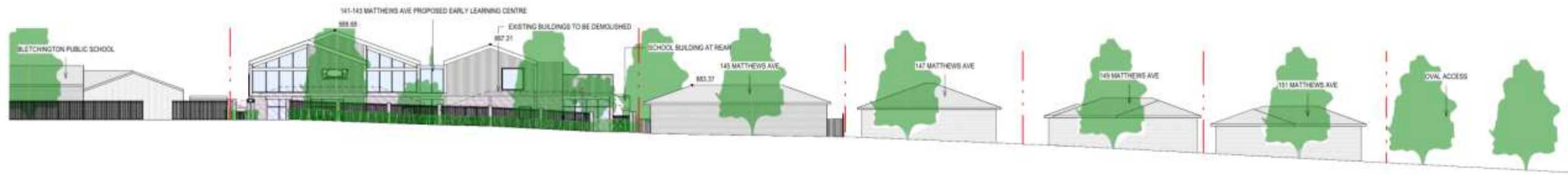
OUTLINE LEGEND

- BOUNDARY LINE
- ROOF OUTLINE
- UPPER LEVEL OUTLINE
- GROUND LEVEL OUTLINE

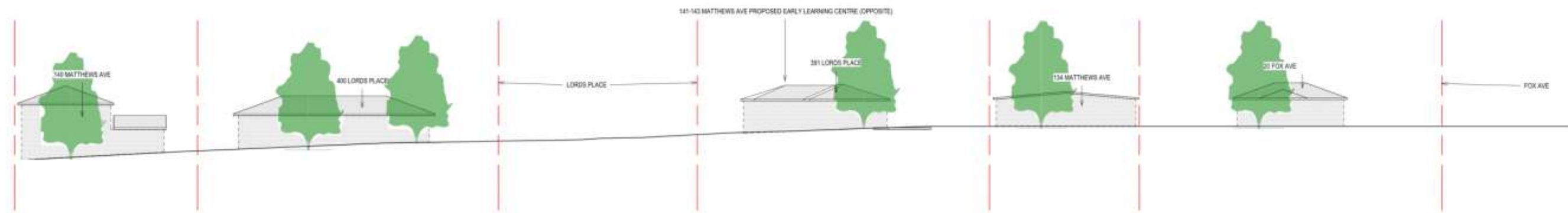
 MOLLARD PROPERTY GROUP PTY LTD	 and drafting ALL DESIGN	 bdag ACCREDITED BUILDING DESIGNER	BUILDING DESIGN AUSTRALIA 1800 RESIDENTIAL COMMERCIAL MANUFACTURING ACCESSIBLE The Building Designers Association of Australia Inc. 1800 634 634 or 08 93 40 7368	DA not for BA or Construction NOTE: SUPPLIER ALL MEASUREMENTS/CONSTRUCTIONS ON SITE PRIOR TO SIGNATURE & CONSTRUCTION AND NOTIFY ORDERER OF ANY DISCREPANCIES. ALL DESIGN AND DRAFTING SERVICES SHALL NOT TAKE RESPONSIBILITY FOR ANY DISCREPANCIES NOT REPORTED.	Client Sought After Investments Pty Ltd, Operator Little Peoples ELC	Address 141-143 Matthews Avenue, Orange NSW 2800	No. 27 1941.00 28 1941.00 29 1941.00 30 1941.00	Description 1941.00 1941.00 1941.00 1941.00	Date 10-01-2024 10-01-2024 10-01-2024 10-01-2024	Drawing Name PROPOSED ROOF PLAN	
										Project Proposed Early Learning Centre	Property Details LOT 6&7, DP219984 AREA 1846m²
								Scale (1:1) As indicated		Drawing on PA06	



<div><div><div><div></div></div></div></div> <div><p>DA not for BA or Construction</p><p>NOTE: CONSENT ALL REQUIREMENTS/COMPLIANCE ON SITE PRIOR TO FABRICATION & CONSTRUCTION AND RETRY DESIGNER OF ANY DISCREPANCIES ALL DESIGN AND DRAWING ALLOYS WILL NOT TAKE RESPONSIBILITY FOR ANY DISCREPANCIES NOT AGREED</p><div><p>THIS DOCUMENT IS THE COPYRIGHT AND PROPERTY OF A.D.A. IT IS NOT TO BE COPIED, REPRODUCED OR USED FOR ANY OTHER PURPOSE</p></div></div> <div><p>Project: Proposed Early Learning Centre</p></div>		<div><p>Address: 141-143 Matthews Avenue, Orange NSW 2800</p><p>Property Details: LOT 6&7, DP219984 AREA 1846m²</p></div>	<table><thead><tr><th>No.</th><th>Description</th><th>Date</th><th>Drawing/Rev:</th></tr></thead><tbody><tr><td>01</td><td>PRELIM</td><td>19-12-2024</td><td rowspan="4">PROPOSED SITE ELEVATIONS</td></tr><tr><td>02</td><td>PRELIM</td><td>19-12-2024</td></tr><tr><td>03</td><td>PRELIM</td><td>19-12-2024</td></tr><tr><td>04</td><td>PRELIM</td><td>19-12-24</td></tr></tbody></table> <table><thead><tr><th>Consentance Date</th><th>Project number</th></tr></thead><tbody><tr><td>19-12-2.24</td><td>11846</td></tr></tbody></table> <div><p>Scale (if): As indicated</p><p>Drawing no: PA07</p></div>	No.	Description	Date	Drawing/Rev:	01	PRELIM	19-12-2024	PROPOSED SITE ELEVATIONS	02	PRELIM	19-12-2024	03	PRELIM	19-12-2024	04	PRELIM	19-12-24	Consentance Date	Project number	19-12-2.24	11846
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19-12-2.24	11846																							



1 MATTHEWS AVE NORTH STREET SCAPE



2 MATTHEWS AVE SOUTH STREET SCAPE

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<div></div> <div><p>BUILDING DESIGN AUSTRALIAN RESIDENTIAL COMMERCIAL INDUSTRIAL ACCESSIBLE PWA AND BSL info@bdac.com.au www.bdac.com.au 1300 642 2786 SUITE 10/100 10000 10000</p></div>		<div><p>DA not for BA or Construction</p><p>NOTE: CONSENT ALL REQUIREMENTS/COMPLIANCE ON SITE PRIOR TO FABRICATION & CONSTRUCTION AND VERIFY DESIGNER OF ANY ORDERANCES. ALL DESIGN AND DRAWING RIGHTS WILL NOT BE RESPONSIBILITY FOR ANY ORDERANCES NOT ADVISED.</p><p>©</p><p>THIS DOCUMENT IS THE PROPERTY OF BDAAC. IT IS NOT TO BE COPIED, REPRODUCED OR USED FOR ANY OTHER PURPOSE.</p></div>	<div><p>Sought After Investments Pty Ltd, Operator Little Peoples ELC</p><p>Project: Proposed Early Learning Centre</p></div>	<div><p>Address: 141-143 Matthews Avenue, Orange NSW 2800</p><p>Property Details: LOT 6&7, DP219984 AREA 1846m²</p></div>	<table><thead><tr><th>No.</th><th>Description</th><th>Date</th></tr></thead><tbody><tr><td>01</td><td>PRELIM</td><td>19-12-24</td></tr><tr><td>02</td><td>PRELIM</td><td>19-12-24</td></tr><tr><td>03</td><td>PRELIM</td><td>19-12-24</td></tr><tr><td>04</td><td>PRELIM</td><td>19-12-24</td></tr></tbody></table>	No.	Description	Date	01	PRELIM	19-12-24	02	PRELIM	19-12-24	03	PRELIM	19-12-24	04	PRELIM	19-12-24	<div><p>PROPOSED BUILDING ELEVATIONS</p><div><p>Consentance Date: 19-12-2.24</p><p>Project number: 11846</p></div><div><p>Scale (if): As indicated</p><p>Drawing no: PA09</p></div></div>
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CENTRE COMPLIANCE
THE PROPOSED EARLY LEARNING CENTRE WILL COMPLY WITH ALL REQUIRED CODES AND STANDARDS INCLUDING COMPLIANCE DETAILS SUBJECT TO APPROPRIATE PLANNING PHASE.

- CHILDREN SERVICES REGULATIONS
- EDUCATION AND CARE SERVICES NATIONAL REGULATIONS
- STAYING HEALTHY PREVENTING INFECTIOUS DISEASES IN EARLY CHILDHOOD EDUCATION AND CARE SERVICES
- CHILD CARE PLANNING GUIDELINE - NSW
- NATIONAL CONSTRUCTION CODE

EARLY LEARNING CENTRE

SITE AREA 1846m²
TOTAL CHILDREN SPACES 110
OUTDOOR PLAY SPACE REQUIRED 770
OUTDOOR PLAY SPACE PROVIDED 770
TOTAL CARPARKING REQUIRED 35
TOTAL CARPARKING PROVIDED 23

ROOM NO	AREA	CHILDREN
1	20m ²	8
2	20m ²	8
3	65m ²	20
4	75m ²	24
5	65m ²	20
6	95m ²	30
TOTAL	350m²	110

OPERATIONAL HOURS 8:30am - 7:00pm
MONDAY TO FRIDAY

GROSS FLOOR AREA DEFINITION
The sum of the floor area of each floor of a building measured from the internal face of external walls, or from the internal face of walls separating the building from any other building, measured at a height of 1.4 metres above the floor.

Inclusions:

- the area of a mezzanine, and
- habitable rooms in a basement or an attic, and
- any shop, auditorium, cinema, and the like, in a basement or attic.

Excludes:

- any area for common vertical circulation, such as lifts and stairs, and
- any basements—
- storage, and
- vehicular access, loading areas, garbage and service, and
- plant rooms, lift towers and other areas used exclusively for mechanical services or ducting, and
- car parking to meet any requirements of the consent authority (including access to that car parking), and
- any space used for the loading or unloading of goods (including access to it), and
- terraces and balconies with outer walls less than 1.4 metres high, and
- roofs above a floor at the level of a storey or storey above.

FLOOR SPACE RATIO = 0.38
(GROSS FLOOR AREA REFER DEFINITION)

GROSS FLOOR AREA

UPPER FLOOR	201 m ²
GROUND FLOOR	454 m ²
TOTAL GFA	715 m²

FLOOR AREA

LOWER INTERNAL FLOOR	482 m ²
LOWER LIFT AND STAIR	14 m ²
LOWER WASTE STORE	10 m ²
UPPER EMERGENCY STAIR	12 m ²
UPPER EXTERNAL DECK	375 m ²
UPPER INTERNAL FLOOR	254 m ²
UPPER STAIR/LIFT	14 m ²
TOTAL FLOOR AREA	1185 m²

OUTLINE LEGEND

- BOUNDARY LINE
- ROOF OUTLINE
- UPPER LEVEL OUTLINE
- GROUND LEVEL OUTLINE

MOLLARD
PROPERTY GROUP PTY LTD

d and drafting
ALL DESIGN
ACCREDITED
REGISTERED Building Practitioner

NOTE: I/WE HEREBY WARRANT AND GUARANTEE TO THE SATISFACTION OF THE CLIENT THAT THE DESIGN AND CONSTRUCTION OF THE PROJECT WILL BE COMPLETED WITHIN THE SPECIFIED TIME FRAME AND BUDGET. ALL DESIGN AND CONSTRUCTION WORK WILL BE COMPLETED TO THE SATISFACTION OF THE CLIENT AND TO THE REQUIREMENTS OF THE RELEVANT REGULATIONS AND STANDARDS. I/WE WILL NOT BE RESPONSIBLE FOR ANY DELAYS OR COSTS INCURRED BY THE CLIENT DUE TO THE CLIENT'S FAILURE TO PROVIDE NECESSARY INFORMATION OR APPROVALS IN A TIMELY MANNER.

DA not for BA or Construction

Sought After Investments Pty Ltd, Operator Little Peoples ELC

Proposed Early Learning Centre

141-143 Matthews Avenue, Orange NSW 2800

LOT 6&7, DP219984 AREA 1846m²

No.	Description	Date
1	PA10	14-12-2024
2	PA10	14-12-2024
3	PA10	14-12-2024
4	PA10	14-12-2024

PROPOSED BUILDING SECTIONS

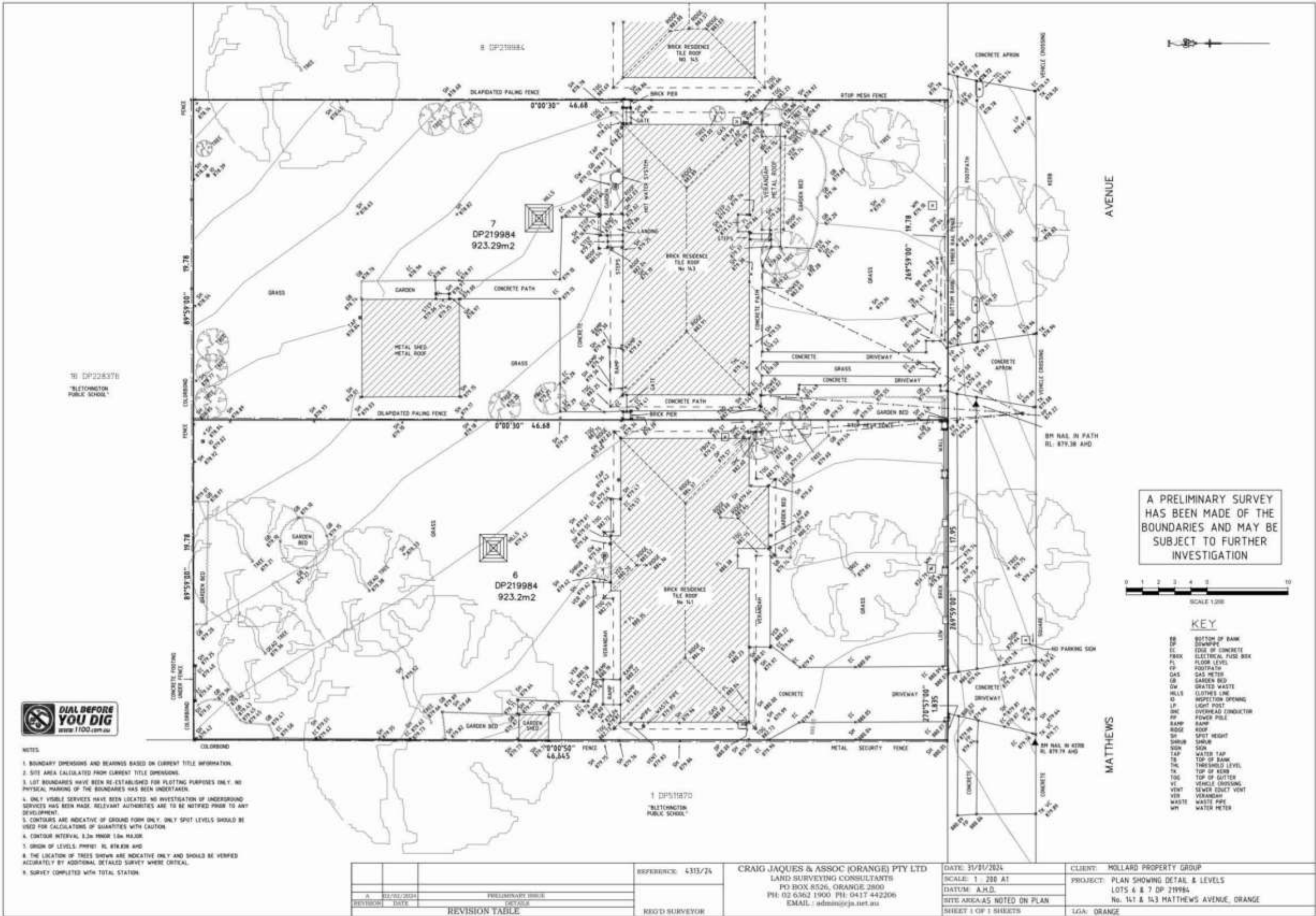
Current Issue Date: 19-12-2.24
Project Number: 11846
Scale: 1:50
As indicated
Drawing No: PA10







   	<div><div>Notes</div><div>DA not for BA or Construction</div></div> <div><div>Client</div><div>Sought After Investments Pty Ltd, Operator Little Peoples ELC</div></div> <div><div>Project</div><div>Proposed Early Learning Centre</div></div>	<div><div>Address</div><div>141-143 Matthews Avenue, Orange NSW 2800</div></div> <div><div>Property Details</div><div>LOT 6&7, DP219984 AREA 1846m²</div></div>	<table><tr><th>No.</th><th>Description</th><th>Date</th></tr><tr><td>01</td><td>PRELIM</td><td>17-01-2024</td></tr><tr><td>02</td><td>PRELIM</td><td>16-07-2024</td></tr><tr><td>03</td><td>PRELIM</td><td>11-11-2024</td></tr><tr><td>04</td><td>PRELIM</td><td>18-12-24</td></tr></table>	No.	Description	Date	01	PRELIM	17-01-2024	02	PRELIM	16-07-2024	03	PRELIM	11-11-2024	04	PRELIM	18-12-24	<div><div>Sheet Name</div><div>3D</div></div>	
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				<div><div>Current Issue Date</div><div>19-12-2.24</div></div>	<div><div>Project number</div><div>11846</div></div>															
				<div><div>Scale (1:1)</div></div>																
				<div><div>Drawing no.</div><div>PA13</div></div>																



22-10-24

Submission 1

My name is _____ and reside in _____ doors
west of proposed Childcare Centre as per DA 629/2024 (1) 141-143
Matthews Ave) Orange.

I wish to respond to this application and realise this is the 2nd
application made on behalf of the developer. The first one, we only
had the opportunity to respond to a private petition, which had to be
withdrawn , subject to the private sale of 143 Matthews Ave for
\$780,000. Not sure that this unprofessional conduct is honest or
ethical and proves that developers will go to any lengths to get their
own way. It was also sold for more than market value.

General Notes

- the block west of Anson St is zoned General Residential (Childcare facilities are permitted with consent (which Council has already allowed, as this is the 2nd DA)
- this block comprises of single storey detached dwellings, bar 1 that is 2 storey and are Post War architectural style, apparently.
- Bletchington PS is north of our residence.
- our residence is the oldest in the block as it was the original farm house on an orchard.
- Bletchington School has undergone a significant upgrade in 22/23, and we were kept informed during this process.
- there are only 3 rendered properties in this block, 2 of which are single storey and 1 unattractive 2 storey 60s Spanish Villa style.
- this centre will have 110 places and will operate from 6:30 am-7:30 pm 5 days per week. This number does not include staff.

Objections

-A Childcare Centre is only important to the community if it is fully staffed and accessible to demand, not just a flash building with extensive wait time lists because there are insufficient qualified staff available to run it.

-the population of Orange has grown, but not in this area specifically.

-the residential character will not be maintained by the contemporary design of this building. There is 1 rendered, 2 storey house in this block. The school has 2 storey Learning Hubs but they are set well back and not visible from the street, so not sure how this development is meant to complement the architecture of surrounding homes. So. the building height is not consistent with other buildings in the vicinity.

Bletchington School upgrade kept its upgrade in style with the streetscape. They made sure the street frontage buildings were brick and weatherboard.

Parking/ Traffic Volumes

-6 street spaces have been allotted for parking. This will put further pressure on 45-degree angle spaces on the northern side of Matthews Ave.

-A survey was conducted for 2 three-hour periods (morning and afternoon peak times) and the DA supports that Matthews Ave can support the proposed use. A 1 day survey with lots of graphs and diagrams is not a true representation of the traffic volume in Matthews Ave

- Following the change from kerbside parking to angle parking No Stopping signs were put out the front of our house and nextdoor. These are continually ignored by parents, mostly during the afternoons.

-Matthews Ave is a busy street with B Doubles accessing the old Richards site, often rumbling down the street in tandem. This is a safety concern, especially as young children are often walking unaccompanied and are called across the street, to cars parked on the opposite side.

-Parents have refused to move their cars to allow for safe exit and entry to our residences, because "this is where they always park"

Visual and Acoustic Privacy

-A 1.8 acoustic fence forms part of the construction of this centre and is close to the boundary of 145 Matthews Ave. While windows may face away from bedroom and living spaces, their backyard remains overlooked. It is also quite close to the boundary fence.

-This will not bother the school, as the building will overlook a carpark, so privacy of residents is not being considered.

-If this residence happens to be acquired in the DA process, then it will impact us considerably, as we are retired and at home most days.

Site

-Orange Railway Station was mentioned as being accessible for pedestrians, not sure about the research of this fact.

-This Childcare facility will not service the immediate surrounds as most of the children travel by bus or are picked up by private motor vehicles.

-As stated in the DA, this facility will be near other educational facilities such as Bowen PS and Orange High School.

In fact, Bletchington School and for residents east of Burrendong Way, their feeder High School is Canobolas Rural Technology High, so this is not a valid reason for this location.

Environmental Conditions

This facility will be in close proximity to a landscaping business located at the opposite, at the eastern end of Matthews Ave. During windy days, of which there are many, the dust problem from this business is terrible. This has been reported to Council and has resulted in nothing being done to remediate this, as it wasn't dusty on the day an Officer inspected the site.

-There was also no mention of the Petroleum Depot at the end of Margaret St

Final Comments

It is apparent that this development will impact on property values of houses near this Childcare facility. This is especially relevant to our house as we have done considerable renovations in the last 3 years.

Also, aerial photos have been used and made available for public viewing in this DA, with zero contact by the developer to say this was happening, and zero respect to peoples' privacy.

Many of the houses in this block, east of Anson St are rentals and the occupants can readily move, unlike permanent residents, who now face reduced values when selling.

Signed:

Submission 2

Orange NSW 2800

Email:

Submission re Development Application DA 629/2024(1) – PAN-465606

Centre-based Childcare Facility

Lot 6 DP 219984 and Lot 7 DP 219984

141 and 143 Matthews Ave, Orange

Submitted 29/10/24

Dear Sir/Madam,

I write as the long-term owner (nearly 50 years) of , Orange which is the only private property to the above proposed development. I lived at that address many years ago but have subsequently made it available as a rental property.

Firstly, may I congratulate the architects on their attractive and sensitively designed building which adjoins my property. It is a good addition to the neighbourhood and a great improvement on the plan submitted previously. Of course, having such a development adjoining a housing area requires sensitivity and, in the main, this is obvious in the planning documents. I appreciate that it is set well back on the blocks and that there is not a full two-storied building against my boundary fence.

I do, however, have some points for consideration by the Council and the Developers. I am years of age and have tried to think through the ramifications for my property and its tenants. is the final one of the three house blocks that back onto the Bletchington School grounds.

1) Car Parking and Carpark Exit

There appear to be many 90 degree car parks in that space, so it is the egress that needs consideration re Safety. The exit is adjacent to my driveway. It appears to have the 1.8 metre fence right to the footpath so visibility for my tenants reversing their cars and truck and turning across the Development's Exit before entering the T-intersection with Lords Place could be both

traffic and pedestrian hazards. Schoolchildren utilise the footpath as will some Childcare Facility parents and children.

An additional issue is that the Childcare Facility appears to be expecting to claim 6 additional carparks in Matthews Ave. I am not sure of Council rules but this could cause tension with school parents who would need to park further down Matthews Ave. This could also be irritating to other residents further down the street at key times of the day.

A further danger would be that parents exiting the Childcare Facility may take the chance to drive at an angle across Matthews Ave to access the southern carriageway of Lords Place heading towards the city centre. I have witnessed a number of near-accidents there. My driveway is more directly in line with that Lords Place carriageway and it's difficult enough as a single vehicle attempting it.

2) Privacy Impact/Visual Intrusion

I appreciate that the building has taken my house into consideration, however I have noted an overlooking window on the side of the upstairs cantilevered section closest to no. . Can this be removed?

The upstairs playground has high fencing to prevent my garden being overlooked, However, I am unsure whether adult height screening is part of this plan. There does not appear to be any acoustic or visual screening on the back staircase coming down from the playground. This does not appear to have been considered.

The 1.8m high acoustic wooden fence may be better if it were raised to 2metre. I certainly don't want to see any framework on my side of the fence. The plain wood is certainly greatly appreciated. I would have objected strongly to a Colourbond one!

The removal of my Chinese Elm in the back garden will impact on landscaping choices for the development, see (4) &(5) below.

3) Air Conditioning Unit

There is a large air Conditioning Unit planned for the front of the building and it faces property. I would need assurance that this will not be a constant noise audible from my house.

4) Tree Removal

I need to inform the developers that I have had the desire for some time to remove a Chinese Elm that I planted decades ago in the back corner of my garden. It is identified on the Development Plans as **T8**. It is now so large that it is shading most of the garden. I am now particularly concerned that there will be additional shading in Winter, caused by the roofline of the proposed development, which will impact the back of my house.

I am submitting a Tree Removal Request Form this week. I trust that the Developers will give access to the tree loppers when the two houses are demolished for the development and prior to the proposed acoustic fence being built.

The removal of the tree has ramifications for the garden plantings see (5) below.

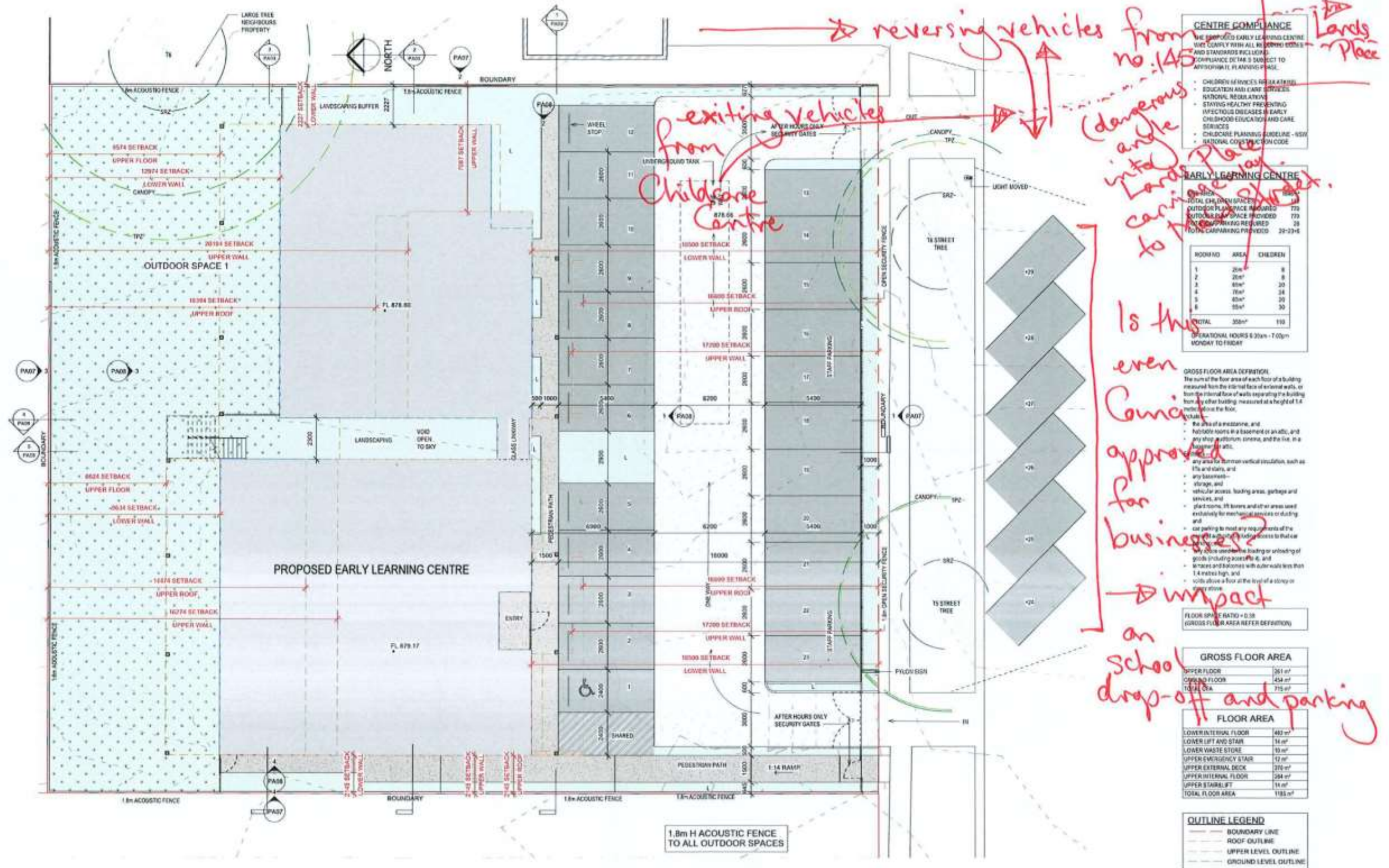
5) Landscaping

The landscaping looks very attractive but planting a 5x15metre Water Gum in the 2metre space between the proposed building and my boundary fence would create an unacceptable shading, roots and overhanging branches issue. This needs to be changed immediately.

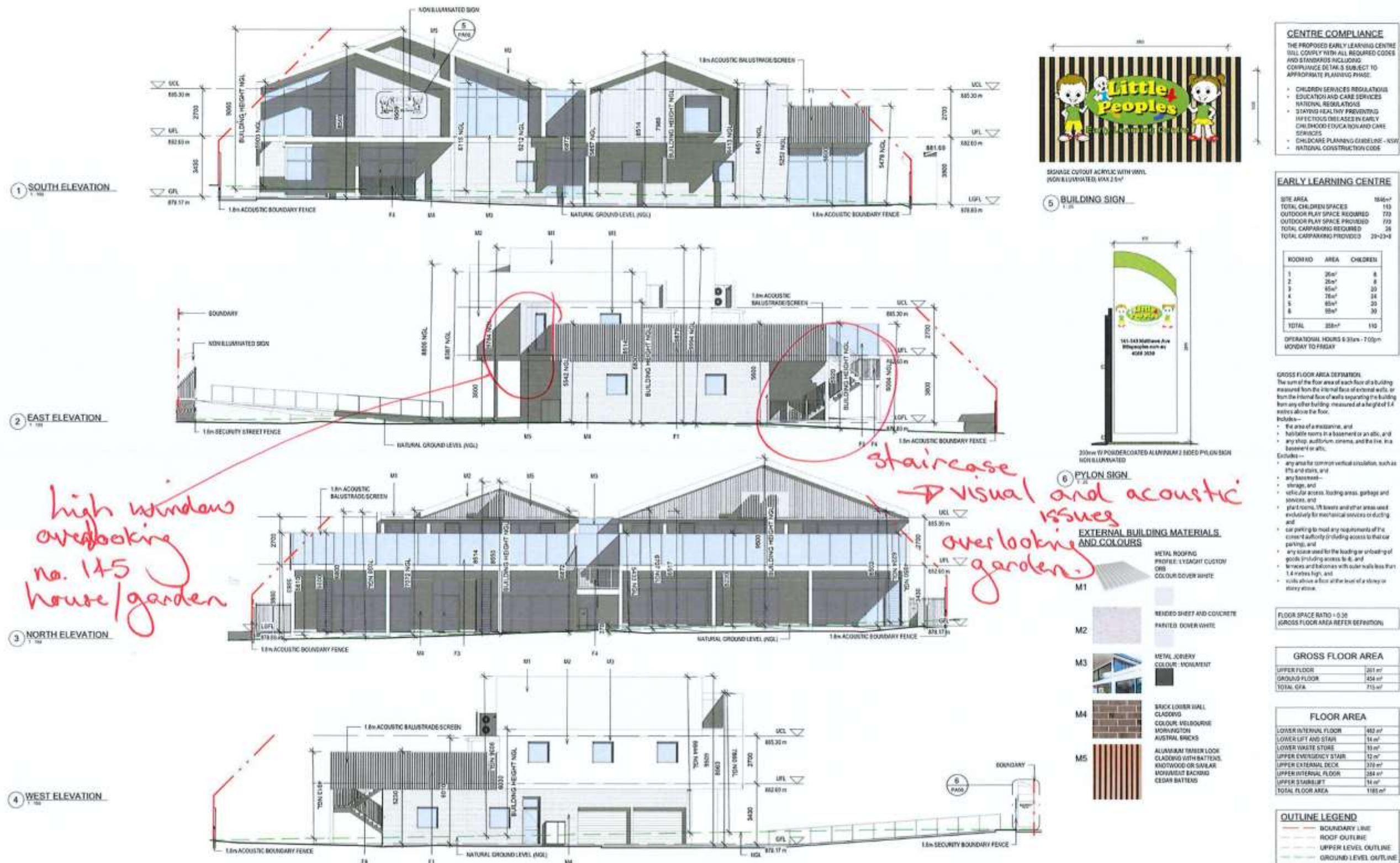
As an attractive alternative, I suggest a number of well-spaced pillar or narrow style Ornamental Pears or Prunus (5-6 metres high each) along the Eastern side of the boundary which would 'soften' the building from my side as well as provide some alternative shade for the playground without blocking the sun fully in either yard as the huge Chinese Elm now does.


Thanking for considering my requests above. I appreciate that this all takes time and effort. I would appreciate being informed if my suggestions have been included in the final approval.

Yours faithfully,

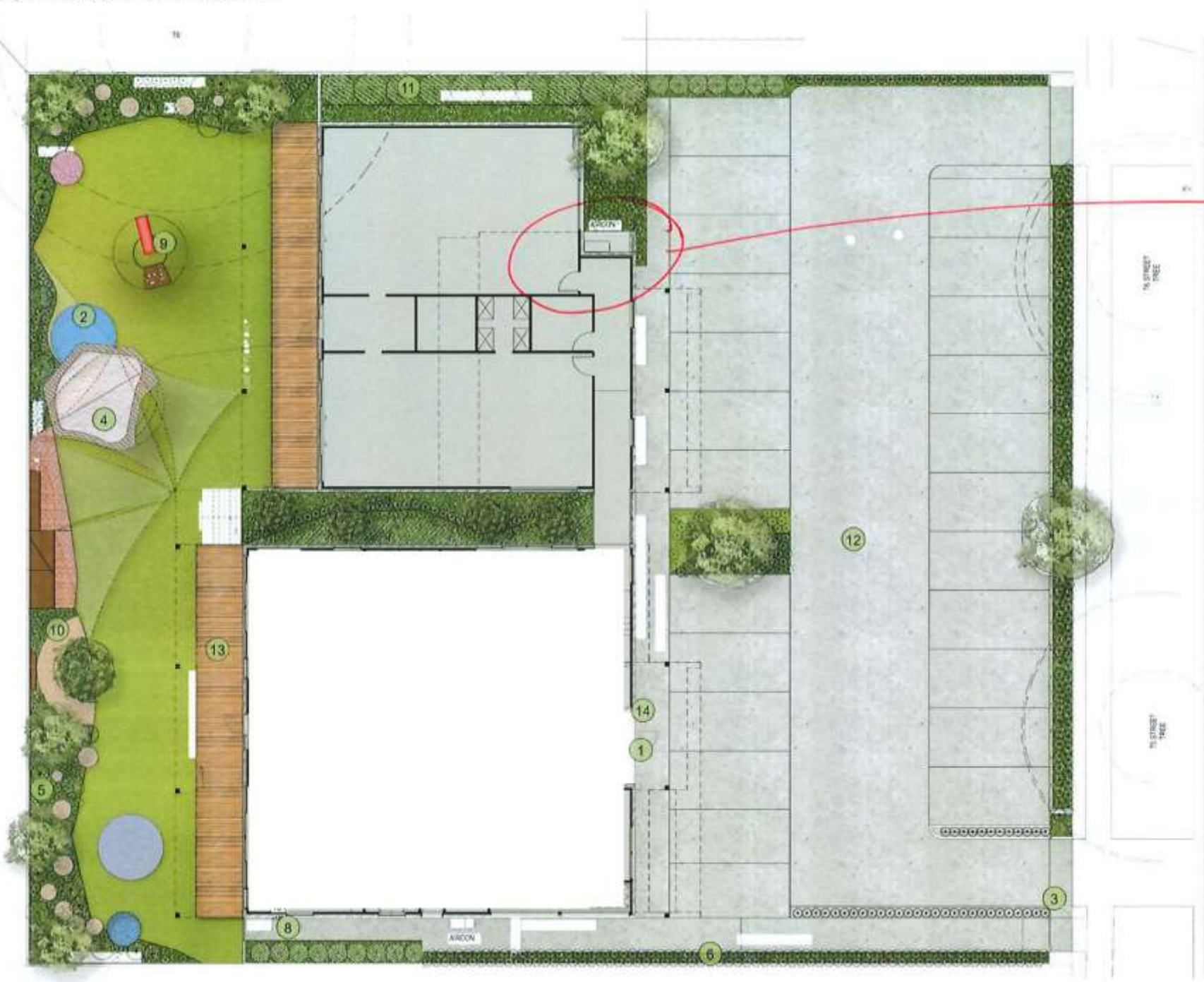


<div><div><div>1 SITE PLAN</div><div>1:100</div></div><div></div><div></div><div></div><div></div></div>	<div>DA not for BA or Construction</div>	<div>Sought After Investments Pty Ltd, Operator Little Peoples ELC</div>	<div>141-143 Matthews Avenue, Orange NSW 2800</div>	<table><tr><th>No.</th><th>Description</th><th>Date</th><th>Drawing No.</th></tr><tr><td>1</td><td>PROPOSED SITE PLAN</td><td>19-07-2024</td><td>11846</td></tr><tr><td>2</td><td>As indicated</td><td></td><td></td></tr><tr><td>3</td><td>As indicated</td><td></td><td></td></tr><tr><td>4</td><td>As indicated</td><td></td><td></td></tr><tr><td>5</td><td>As indicated</td><td></td><td></td></tr><tr><td>6</td><td>As indicated</td><td></td><td></td></tr><tr><td>7</td><td>As indicated</td><td></td><td></td></tr><tr><td>8</td><td>As indicated</td><td></td><td></td></tr><tr><td>9</td><td>As indicated</td><td></td><td></td></tr><tr><td>10</td><td>As indicated</td><td></td><td></td></tr><tr><td>11</td><td>As 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2024 | Greenscape Design | MATTHEWS AVE PROPOSED CHILDCARE CENTRE



1. Pedestrian entrance

2. Softfall

3. Vehicular entrance

4. Sandpit with shade sails over
5. Deep soil planting

6. Vegetation along boundary

7. Sensory path with play equipment

8. Fire egress
9. Artificial turf mound with slide

10. Path through Sensory garden

11. Screening vegetation

12. Carpark
13. Timber deck transtion zone

LANDSCAPE PLAN - Ground Floor Playscape

06

MATTHEWS AVE

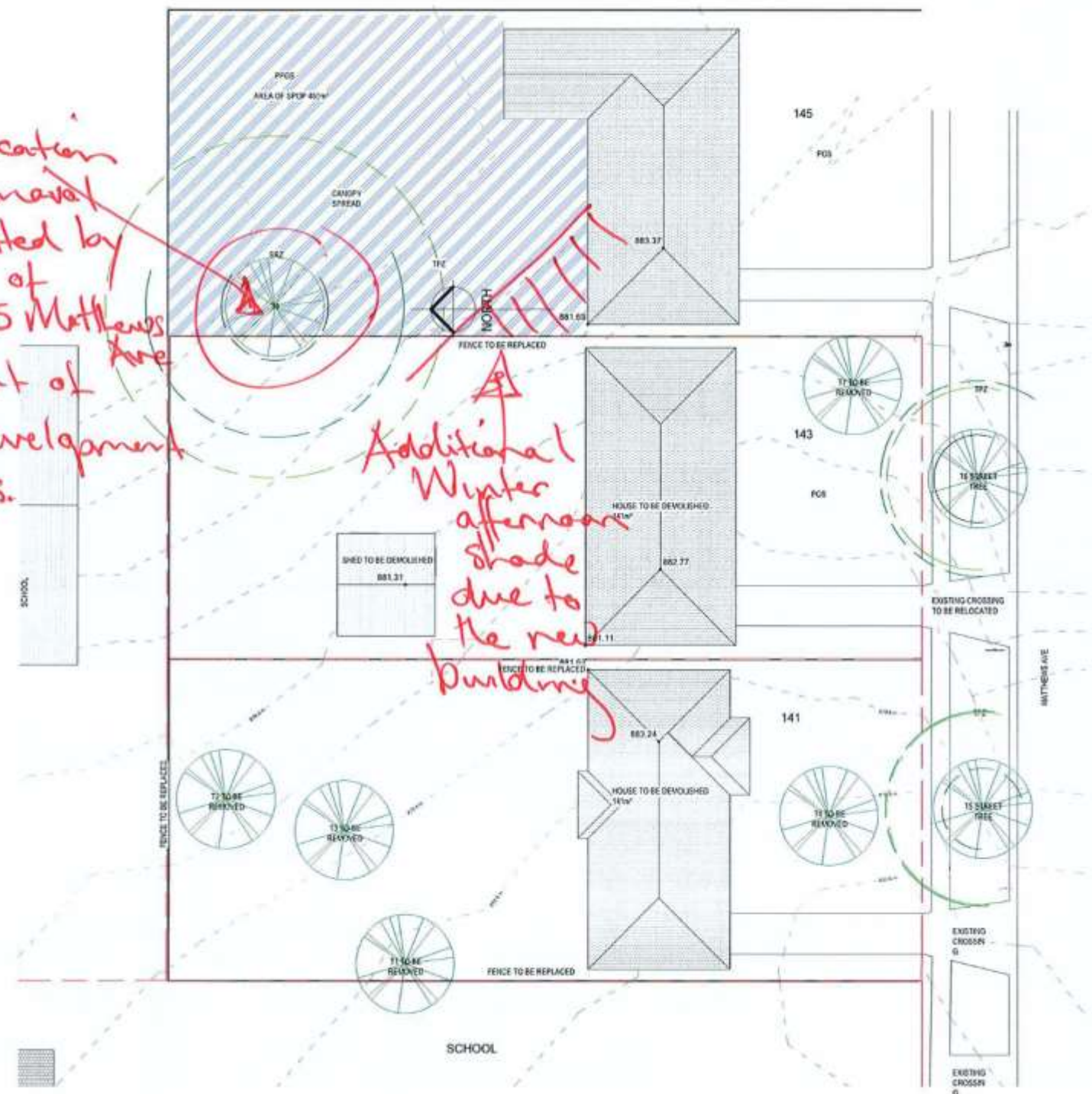
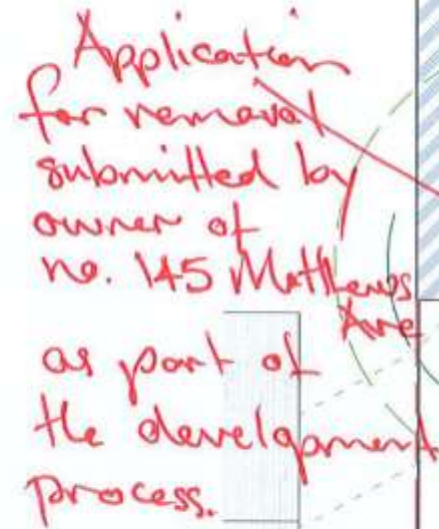
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CHILDCARE CENTRE
141 -143 Matthews Ave
Orange NSW 2800

Date: 07.08.2024
Job Number: 240206
Drawing Number: DA_02
Drawing Name: GF PLANTING PLAN
Scale: 1:100

For	Revision	Date
PA	A	30.07.2024
DA	B	07.08.2024

True North:





SITE CONTEXT

1 EXISTING AND DEMOLITION SITE PLAN
1-155[illegible]

2024 | Greenscape Design | MATTHEWS AVE PROPOSED CHILDCARE CENTRE



MATTHEWS AVE

Project:

MATTHEWS AVE: PROPOSED
CHILDCARE CENTRE
141 -143 Matthews Ave
Orange NSW 2800

Date: 07.08.2024

Job Number: 240206

Drawing Number: DA_04

Drawing Name: GF PLANTING PLAN

Scale: 1:100

For	Revision	Date
PA	A	30.07.2024
DA	B	07.08.2024

True North:



LANDSCAPE PLAN - Ground Floor Planting Plan

08

5.3 DEVELOPMENT APPLICATION DA 551/2024(1) - 102-110 BATHURST ROAD

RECORD NUMBER: 2025/296

AUTHOR: Ben Hicks, Senior Planner

EXECUTIVE SUMMARY

Application lodged	31 May 2024
Applicant/s	Mr V Bohra
Owner/s	Anandmahi Pty Limited
Land description	Lot 5 DP778409 - 102-110 Bathurst Road, Orange
Proposed land use	Hotel or Motel Accommodation (alterations and additions), Business Identification Signage and Demolition (tree removal)
Value of proposed development	\$4,559,286.00

This Development Application seeks approval for alterations and additions to the Orange Motor Lodge at 102-110 Bathurst Road, Orange.

The proposal involves the construction of a first-floor addition to the motel buildings to increase the number of accommodation rooms from 27 to 57. The existing ground floor rooms will remain in their current configuration but will be upgraded/refurbished. Three new stairwells (one including a lift) will be constructed to facilitate access to the new first floor. The external finishes for the completed building aim to unify the existing and new elements.

The proposed site works include the provision of additional off-street parking; construction of an external seating area; removal of trees and existing landscaping will be required. A new pylon sign is also proposed at the site frontage.

In assessing the application, key issues related to the building design and the proposed removal of trees and landscaped areas. Design concerns have been addressed through refinements to the building's colours, materials, and form, achieving a satisfactory outcome for this high-profile location. The removal of certain trees and landscaping is considered acceptable, provided that the mitigation measures outlined in this report are implemented, including replacement plantings and improved landscaping treatments.

In accordance with Council's Community Participation Plan 2023 and Schedule 1 of the Environmental Planning and Assessment Act 1979, this application was advertised as required. No submissions or representations were received by the close of the exhibition period.

Transport for NSW was consulted and raised no concerns. Essential Energy have provided their comments and requirements, which are addressed in the recommended conditions of consent.

The proposal has a capital investment value exceeding \$2.5 million (\$4.5m) and, therefore, has been tabled to Council for determination, pursuant to Clause 4.10 Delegations of Orange City Council's Declaration of Planning and Development Assessment Procedures and Protocols (Vers 5, 2019).

Overall, the application is considered to comply with the relevant planning frameworks and is deemed satisfactory. As such, the application's approval is recommended.



Figure 1 - locality plan

DECISION FRAMEWORK

Development in Orange is governed by two key documents Orange Local Environment Plan 2011 and Orange Development Control Plan 2004. In addition, the Infill Guidelines are used to guide development, particularly in the heritage conservation areas and around heritage items.

Orange Local Environment Plan 2011 - The provisions of the LEP must be considered by the Council in determining the application. LEPs govern the types of development that are permissible or prohibited in different parts of the City and also provide some assessment criteria in specific circumstances. Uses are either permissible or not. The objectives of each zoning and indeed the aims of the LEP itself are also to be considered and can be used to guide decision making around appropriateness of development.

Orange Development Control Plan 2004 - the DCP provides guidelines for development. In general, it is a performance-based document rather than prescriptive in nature. For each planning element there are often guidelines used. These guidelines indicate ways of achieving the planning outcomes. It is thus recognised that there may also be other solutions of merit. All design solutions are considered on merit by planning and building staff. Applications should clearly demonstrate how the planning outcomes are being met where alternative design solutions are proposed. The DCP enables developers and architects to use design to achieve the planning outcomes in alternative ways.

DIRECTOR'S COMMENT

This Development Application proposes to construct a first-floor addition to the existing motel and manager's residence and provide for a major upgrade of the presentation of this motel to the street. This development will increase the total motel units by 30 units (27 existing to 57 units in total). The refurbished motel would include a gym; breakfast area and storage. The new first floor rooms will be accessible by both stairs and a lift.

The configuration of the existing ground-floor rooms will remain, with significant refurbishment proposed to the ground floor units with this application.

The proposed external finishes will provide a modern look to the altered motel building. The use of rendered walls and steel battens are proposed to break the bulk of the extended building.

Views of the two storey building elements on the corner of Elizabeth Street and the Highway, along with through the neighbouring McDonalds carpark are the most important in terms of streetscape. I agree with the assessment by staff that the look of this building will be reasonable, and will add interest in the street whilst maintaining a modest budget motel service.

Although the extended motel will have a modern upgraded look, the colours and materials proposed will ensure the building is somewhat recessive, by including colours such as olive green, grey shades, and timber-look finishes. The design also incorporates a variety of elements such as aluminium battens, louvre and perforated screens, face brick, cladding and panelling (James Hardie Matrix Cladding), and glazing that would create interest in the design finish.

There were no submissions received from neighbours during the advertising period.

Given the motel only provides accommodation (no function or dining rooms), parking is provided as one space per room and also one space for the onsite manager. This is considered appropriate.

This \$4.6 million development shows a level of confidence in the continued growth of the Orange economy and will increase the amount of budget short-term accommodation options in the City which can assist in reducing pressure in other areas of the City's housing market.

The recommendation of Approval by staff is supported.

LINK TO DELIVERY/OPERATIONAL PLAN

The recommendation in this report relates to the Delivery/Operational Plan Strategy "11.1. Ensure plans for growth and development are respectful of our heritage".

FINANCIAL IMPLICATIONS

Nil

POLICY AND GOVERNANCE IMPLICATIONS

Nil

RECOMMENDATION

That Council consents to development application DA 551/2024(1) for *Hotel or Motel Accommodation (alterations and additions), Business Identification Signage and Demolition (tree removal)* at Lot 5 DP 778409, 102-110 Bathurst Road Orange pursuant to the conditions of consent in the attached Notice of Determination.

SUPPORTING INFORMATION / THE PROPOSAL

Development

It is proposed to construct a first-floor addition to the existing motel and manager's residence. This addition will include:

- 30 new motel units (increasing the total from 27 to 57 units)
- Gym
- Breakfast room
- Cleaner's room

The existing ground floor rooms will remain in their current configuration, although they will be upgraded/refurbished. In addition:

- A new storeroom will be constructed at the southwestern corner of the ground floor.
- Three new stairwells will be built to provide access to the new first floor, one of which will include a lift.

The external finishes are aimed to unify the existing and new elements. The chosen colours and materials include olive green, grey shades, and timber-look finishes. The design also incorporates a variety of elements such as aluminium battens, louvre and perforated screens, face brick, cladding and panelling (James Hardie Matrix Cladding), and glazing.

The proposed site arrangement and works include:

- Construction of new car parking areas and reconfiguration of the existing car park to provide a total of 58 off-street parking spaces.
- Provision of a new outdoor seating area at ground-floor level on the southern side of the manager's residence/office.
- Landscaping of the site.
- Removal of certain trees and landscaped areas to facilitate the proposed works.

Activities and Operation

The proposal aims to increase the motel's capacity and enhance its accommodation offerings without altering the principal activities or operations. Specifically:

- Guests will continue to check in and check out via reception or online.
- The hours of operation will remain unchanged.
- A manager will continue to reside onsite.
- Existing arrangements for cleaning, waste collection, and other services will remain in place.

Proposed Signage

It is proposed to replace the existing free-standing sign at the site frontage to identify the business.

The proposed sign will replace the existing sign. It will be 6m tall and 2.4m wide. It will be free standing on two steel poles (to allow clear vision at pedestrian level) with internally illuminated light boxes set to the top half.

The sign will display the Orange Motor Lodge logo/wordmark and the street address 110 Bathurst Road.

The following figures offer a visual representation of the proposal:



Figure 2 - Architectural Render - view from Bathurst Road (West)



Figure 3 - Architectural Render - view from Bathurst Road (East)



Figure 3 - Architectural Render - Internal view

ENVIRONMENTAL PLANNING ASSESSMENT

Section 1.7 - Application of Part 7 of the *Biodiversity Conservation Act 2016* and Part 7A of the *Fisheries Management Act 1994*

Pursuant to Section 1.7:

This Act has effect subject to the provisions of Part 7 of the [Biodiversity Conservation Act 2016](#) and Part 7A of the [Fisheries Management Act 1994](#) that relate to the operation of this Act in connection with the terrestrial and aquatic environment.

Having regard to Section 1.7, the proposed development is not expected to significantly affect any endangered ecological communities, threatened species, or their habitats. The site is a long-established commercial premises within a highly modified urban environment. A Biodiversity Assessment Report is not required.

Section 4.15 of the *Environmental Planning and Assessment Act 1979*

Section 4.15 of the *Environmental Planning and Assessment Act 1979* requires Council to consider various matters, of which those pertaining to the application are listed below.

PROVISIONS OF ANY ENVIRONMENTAL PLANNING INSTRUMENT s4.15(1)(a)(i)**Orange Local Environmental Plan 2011****Part 1 - Preliminary****Clause 1.2 - Aims of Plan**

The broad aims of the LEP are set out under Subclause 2. Those relevant to the application are as follows:

- (a) *to encourage development which complements and enhances the unique character of Orange as a major regional centre boasting a diverse economy and offering an attractive regional lifestyle,*
- (b) *to provide for a range of development opportunities that contribute to the social, economic and environmental resources of Orange in a way that allows present and future generations to meet their needs by implementing the principles for ecologically sustainable development,*
- (f) *to recognise and manage valued environmental heritage, landscape and scenic features of Orange.*

The proposed development will not be contrary to the above-listed Aims, as outlined in this assessment.

Clause 1.6 - Consent Authority

This clause establishes that, subject to the Act, Council is the consent authority for applications made under the LEP.

Clause 1.7 - Mapping

The subject site is identified on the LEP maps in the following manner:

Land Zoning Map:	E3 Productivity Support & Area B
Lot Size Map:	No Minimum Lot Size
Heritage Map:	Not heritage item or conservation area; however, in proximity to several heritage items: Item I9 – <i>Former Wolaroi Mansion-main school building</i> (Local Significance), Item I328 – <i>House 111 Bathurst Road</i> (Local Significance) Item I329 – <i>House 109 Bathurst Road</i> (Local Significance).
Height of Buildings Map:	No building height limit
Floor Space Ratio Map:	No floor space limit
Terrestrial Biodiversity Map:	No biodiversity sensitivity on the site
Groundwater Vulnerability Map:	Groundwater vulnerable
Drinking Water Catchment Map:	Not within the drinking water catchment
Watercourse Map:	Not within or affecting a defined watercourse
Urban Release Area Map:	Not within an urban release area
Obstacle Limitation Surface Map:	No restriction on building siting or construction
Additional Permitted Uses Map:	No additional permitted use applies
Flood Planning Map:	Within a flood planning area

Those matters that are of relevance are addressed in detail in the body of this report.

Clause 1.9A - Suspension of Covenants, Agreements and Instruments

This clause provides that covenants, agreements and other instruments which seek to restrict the carrying out of development do not apply with the following exceptions:

- (a) to a covenant imposed by the Council or that the Council requires to be imposed, or
- (b) to any relevant instrument under Section 13.4 of the Crown Land Management Act 2016, or
- (c) to any conservation agreement under the National Parks and Wildlife Act 1974, or
- (d) to any Trust agreement under the Nature Conservation Trust Act 2001, or
- (e) to any property vegetation plan under the Native Vegetation Act 2003, or
- (f) to any biobanking agreement under Part 7A of the Threatened Species Conservation Act 1995, or
- (g) to any planning agreement under Subdivision 2 of Division 7.1 of the Environmental Planning and Assessment Act 1979.

Council staff are not aware of the title of the subject property being affected by any of the above.

Part 2 - Permitted or Prohibited Development**Clause 2.1 - Land Use Zones and Clause 2.3 - Zone Objectives and Land Use Table**

The subject site is located within the E3 Productivity Support. The proposed development is categorised as *Hotel or Motel Accommodation (alterations and additions)*, *Business Identification Signage* and *tree removal*. The LEP provides the following definitions:

hotel or motel accommodation means a building or place (whether or not licensed premises under the [Liquor Act 2007](#)) that provides temporary or short-term accommodation on a commercial basis and that -

- (a) comprises rooms or self-contained suites, and
- (b) may provide meals to guests or the general public and facilities for the parking of guests' vehicles, but does not include backpackers' accommodation, a boarding house, bed and breakfast accommodation or farm stay accommodation.

Note. Hotel or motel accommodation is a type of **tourist and visitor accommodation**—see the definition of that term in this Dictionary.

business identification sign means a sign -

- (a) that indicates -
 - i. the name of the person or business, and
 - ii. the nature of the business carried on by the person at the premises or place at which the sign is displayed, and
- (b) that may include the address of the premises or place and a logo or other symbol that identifies the business, but that does not contain any advertising relating to a person who does not carry on business at the premises or place.

Note. *Business identification signs are a type of **signage** - see the definition of that term in this Dictionary.*

Consistency with LEP Definitions:

- (1) The proposed use offers short-term commercial accommodation in the form of rooms or self-contained suites.
- (2) Meals will not be offered to guests or the general public; however, onsite parking for guest vehicles is included in the proposal.
- (3) The land use does not exhibit any characteristics that would classify it as backpackers' accommodation, a boarding house, a bed and breakfast establishment, or a farm stay.
- (4) The proposed signage is intended to identify the onsite business and does not promote any off-site entity or service, satisfying the criteria for a business identification sign.

In view of the above, the development satisfies the relevant land use definitions and is therefore permissible within the E3 Productivity Support zone.

Clause 2.3 of LEP 2011 references the Land Use Table and Objectives for each zone in LEP 2011. These objectives for land zoned E3 Productivity Support are as follows:

Objectives of zone E3 Productivity Support

- *To provide a range of facilities and services, light industries, warehouses and offices.*
- *To provide for land uses that are compatible with, but do not compete with, land uses in surrounding local and commercial centres.*
- *To maintain the economic viability of local and commercial centres by limiting certain retail and commercial activity.*
- *To provide for land uses that meet the needs of the community, businesses and industries but that are not suited to locations in other employment zones.*
- *To provide opportunities for new and emerging light industries.*
- *To enable other land uses that provide facilities and services to meet the day to day needs of workers, to sell goods of a large size, weight or quantity or to sell goods manufactured onsite.*
- *To provide for residential uses, but only as part of mixed-use development.*
- *To encourage a mix of light industries that encourage the sharing of facilities.*
- *To ensure development is ordered in such a way as to maximise public transport patronage, and encourage walking and cycling, in close proximity to settlement.*

In response to the above objectives:

- (1) The proposed development continues to provide an existing hospitality service (hotel/motel accommodation), contributing to the diversity of facilities in the area. Although it is not light industry, a warehouse, or an office, it remains a legitimate service use that complements other industrial and commercial activities.
- (2) The continued operation as a hotel/motel offers complementary, rather than competing, services to nearby commercial areas. Because it does not introduce or expand retail offerings, it does not detract from or undermine surrounding commercial centres.

- (3) The proposal involves preserving and enhancing an existing accommodation use, rather than intensifying commercial or retail functions. This ensures the ongoing vitality of local and commercial centres, as visitors and guests may patronise nearby businesses without the hotel/motel itself competing in the retail sector.
- (4) Short-term accommodation supports the needs of local employers and travelling public by providing lodging close to industrial or commercial areas. This use is suitably located within this zone and does not displace more traditional commercial, or retail uses that are better placed in town centres.
- (5) While the proposed hotel/motel use does not in itself establish a light industrial activity, it does not preclude adjacent sites from being developed for new or emerging light industries. The continuation of this established use thus coexists with, and does not inhibit, the zone's broader industrial objectives.
- (6) As accommodation for both travellers and local workers, a hotel/motel addresses day-to-day needs by offering lodging that supports workforce mobility.
- (7) The manager's residence forms part of the overall hotel/motel use. It does not constitute a standalone residential development. Instead, it is integral to the commercial operation, thus aligning with the principle of permitting residential components only within broader mixed-use or commercial contexts.
- (8) The continued hotel/motel use can complement surrounding light industrial or service-based activities by accommodating visiting staff, vendors, or business partners.
- (9) The existing site location and continued use can help support public transport use and is positioned to encourage walking or cycling for daily needs.

Clause 2.7 - Demolition Requires Development Consent

The proposal involves some demolition works, and the applicant is seeking the consent of council. The demolition works proposed will have no significant impact on adjoining lands, streetscape or public realm. Conditions may be imposed in respect of hours of operation, dust suppression and the need to investigate for, and appropriate manage the presence of, any materials containing asbestos.

Part 3 - Exempt and Complying Development

The application is not exempt or complying development.

Part 4 - Principal Development Standards

No principal development standards apply to the proposed development.

Part 5 - Miscellaneous Provisions**5.10 - Heritage Conservation**

The subject site is not a heritage item or located within a heritage conservation area. However, the site is in the vicinity of multiple heritage items, being

- Item I9 - *Former Wolaroi Mansion-main school building*. Local Significance.
- Item I328 - *House 111 Bathurst Road*. Local Significance.
- Item I329 - *House 109 Bathurst Road*. Local Significance.

Clause 5.10(4) requires consideration of the potential impact that the development may have on any heritage item.

In this instance, the proposed development has been examined with respect to its position, scale, and relationship to the nearby heritage items. The location of the subject site provides a reasonable separation from the heritage properties, and existing elements such as buildings, roads, and established vegetation further reduce any direct visual or physical connection. These factors collectively ensure that the recognised heritage values of these items, including sightlines and public appreciation, remain substantially unaffected.

On this basis, the proposal is not expected to compromise the significance or setting of the nearby heritage items and no further.

5.22 - Flood Planning

This clause applies to sensitive and hazardous development on land located between the flood planning area and the probable maximum flood. For other development, it applies to land that the consent authority determines, in the event of a flood, may:

- (i) pose a significant risk to life, or
- (ii) require the evacuation of people or involve other safety considerations.

Before any consent is issued, the consent authority must consider whether the proposed development will affect the safe occupation and efficient evacuation of people during a flood, incorporates appropriate measures to manage risks to life in the event of a flood, and causes any adverse environmental impacts during a flood.

The site has been identified on the flood planning map as being within the Blackmans Swamp Creek PMF and listed as a land use (tourist and visitor accommodation) requiring Council to be satisfied that the development will not, in flood events exceeding the flood planning level:

- (a) will affect the safe occupation and efficient evacuation of people in the event of a flood, and
- (b) incorporates appropriate measures to manage risk to life in the event of a flood, and
- (c) will adversely affect the environment in the event of a flood.

In consideration of the above:

- (d) The development is structured to ensure safe occupation and efficient evacuation. No additional habitable rooms are provided at ground level; and all new rooms are located on the first floor, which is positioned above known flood levels. The site layout allows evacuation to the designated flood-free upper level, ensuring secure refuge during a flood event.
- (e) The applicant has advised that a Flood Evacuation Plan will be prepared and displayed in each room and selected public areas that outlines appropriate measures to manage risk to life in the event of a flood.
- (f) The development is not likely to affect the environment in the event of a flood, largely because it does not involve a major change or addition to existing building footprint and does not significantly alter existing site levels. The site can be managed so that there is no external storage of materials that have the potential to cause pollution or hazard during flood.

Part 6 - Urban Release Area

Not relevant to the application. The subject site is not located in an Urban Release Area.

Part 7 - Additional Local Provisions**7.1 - Earthworks**

This clause establishes a range of matters that must be considered prior to granting development consent for any application involving earthworks, such as:

- (a) the likely disruption of, or any detrimental effect on, existing drainage patterns and soil stability in the locality of the development*
- (b) the effect of the development on the likely future use or redevelopment of the land*
- (c) the quality of the fill or the soil to be excavated, or both*
- (d) the effect of the development on the existing and likely amenity of adjoining properties*
- (e) the source of any fill material and the destination of any excavated material*
- (f) the likelihood of disturbing relics*
- (g) the proximity to and potential for adverse impacts on any waterway, drinking water catchment or environmentally sensitive area*
- (h) any measures proposed to minimise or mitigate the impacts referred to in Paragraph (g).*

In consideration of the relevant matters:

- Any earthworks would be minimal, given the existing site levels, and will be limited to car park construction, underground services, and landscaping.
- Sediment and erosion controls will need be installed and maintained in accordance with conditions of consent.
- Any earthworks are intended to support commercial development within an established commercial precinct and are unlikely to affect the land's future use.
- Excess/additional fill is not anticipated due to the minimal scope of earthworks.
- Conditions are included to maintain neighbourhood amenity during works. Further, finished levels will provide suitable landform for congruous commercial built form.
- The site is not known to have European or Indigenous cultural values. Nonetheless, a condition has been included to ensure that any unexpected cultural finds discovered during civil works are appropriately managed.
- The subject land does not contain a waterway and is not within a mapped drinking water catchment.

7.3 - Stormwater Management

This clause applies to all industrial, commercial and residential zones and requires that Council be satisfied that the proposal:

- (a) is designed to maximise the use of water permeable surfaces on the land having regard to the soil characteristics affecting onsite infiltration of water*
- (b) includes, where practical, onsite stormwater retention for use as an alternative supply to mains water, groundwater or river water; and*

- (c) *avoids any significant impacts of stormwater runoff on adjoining downstream properties, native bushland and receiving waters, or if that impact cannot be reasonably avoided, minimises and mitigates the impact.*

There will be an increase in impervious surfaces which is largely due to the expanded off-street parking area. The retention of some of the landscaping areas will assist with onsite infiltration. The new work will need to be connected to the existing stormwater arrangements that serve the subject land. Stormwater drainage and retention works are subject to final engineering design and will be carried out in accordance with Council's normal requirements.

7.6 - Groundwater Vulnerability

This clause seeks to protect hydrological functions of groundwater systems and protect resources from both depletion and contamination. Orange has a high-water table and large areas of the LGA, including the subject site, are identified with "Groundwater Vulnerability" on the Groundwater Vulnerability Map. This requires that Council consider:

- (a) *whether or not the development (including any onsite storage or disposal of solid or liquid waste and chemicals) is likely to cause any groundwater contamination or have any adverse effect on groundwater dependent ecosystems, and*
- (b) *the cumulative impact (including the impact on nearby groundwater extraction for potable water supply or stock water supply) of the development and any other existing development on groundwater.*

Furthermore, consent may not be granted unless Council is satisfied that:

- (a) *the development is designed, sited and will be managed to avoid any significant adverse environmental impact, or*
- (b) *if that impact cannot be reasonably avoided - the development is designed, sited and will be managed to minimise that impact,*
- (c) *if that impact cannot be minimised - the development will be managed to mitigate that impact.*

The proposal is not anticipated to involve the discharge of toxic or noxious substances and is therefore unlikely to contaminate the groundwater or related ecosystems. The proposal does not involve extraction of groundwater and will therefore not contribute to groundwater depletion. The design and siting of the proposal avoids impacts on groundwater and is therefore considered acceptable.

Clause 7.11 - Essential Services

Clause 7.11 applies and states:

Development consent must not be granted to development unless the consent authority is satisfied that any of the following services that are essential for the proposed development are available or that adequate arrangements have been made to make them available when required:

- (a) *the supply of water,*
- (b) *the supply of electricity,*
- (c) *the disposal and management of sewage,*
- (d) *storm water drainage or onsite conservation,*
- (e) *suitable road access.*

All utility services are available to the land. These utility services will, however, need to be made adequate for the proposal. Additional water and sewer headwork charges are also applicable to this development. Council's Technical Services Division have attached conditions of consent in relation to upgrading/protecting services and contributions.

Clause 7.13 - Commercial Premises in Zone E3

- (1) *This clause applies to land in Zone E3 Productivity Support and identified as "Area B" on the Land Zoning Map.*
- (2) *Development consent must not be granted to development for the following purposes unless the consent authority is satisfied the gross floor area of the part of a building used for the purposes will not exceed 400m²:*
 - (a) *landscaping material supplies,*
 - (b) *local distribution premises,*
 - (c) *rural supplies,*
 - (d) *specialised retail premises,*
 - (e) *timber yards.*

The site is located within Zone E3 Productivity Support and is identified as "Area B" on the Land Zoning Map.

The proposal does not involve any of the above listed uses; therefore, Clause 7.13 does not apply. Consequently, the proposal is not constrained by this requirement, and it remains consistent with the relevant zone controls.

STATE ENVIRONMENTAL PLANNING POLICIES

The following SEPPs applicable to the proposed development:

- *State Environmental Planning Policy (Industry and Employment) 2021*
- *State Environmental Planning Policy (Resilience and Hazards) 2021*
- *State Environmental Planning Policy (Transport and Infrastructure) 2021*

State Environmental Planning Policy (Industry and Employment) 2021**Schedule 5 Assessment Criteria****1 - Character of the Area**

- *Is the proposal compatible with the existing or desired future character of the area or locality in which it is proposed to be located?*
- *Is the proposal consistent with a particular theme for outdoor advertising in the area or locality?*

The area is characterised by the high-profile location on the entrance into the City and the highway frontage, the residential dwelling houses on the north-eastern side of Bathurst Road, and a mix of commercial developments on the south-western side of the road, including Red Rooster, a 7-Eleven service station, Glenroi shops, Ophir Tavern, and McDonalds.

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The proposed signage has been designed to be fully consistent with the existing character of the streetscape. Its materials, scale, and form are carefully selected to complement prevailing outdoor advertising themes and reinforce the established visual identity of the area. The proposed signage is not too dissimilar to the existing pylon signage, thus ensuring continuity and coherence within the local context. The new signage serves as a complementary means of business identification at the site.



Existing



Proposed



Bathurst Road – signage character looking west



Bathurst Road – signage character looking east

2 - Special Areas

- *Does the proposal detract from the amenity or visual quality of any environmentally sensitive areas, heritage areas, natural or other conservation areas, open space areas, waterways, rural landscapes or residential areas?*

The location is considered moderately sensitive due to the proximity of residential areas across Bathurst Road, despite the commercial zoning of the land. Nevertheless, the proposed signage aligns with the prevailing theme of the immediate commercial precinct and is limited solely to business identification purposes. Essentially, the proposed signage serves as a replacement for the existing sign, offering a more contemporary design while maintaining continuity with the current situation.

3 - Views and Vistas

- *Does the proposal obscure or compromise important views?*
- *Does the proposal dominate the skyline and reduce the quality of vistas?*
- *Does the proposal respect the viewing rights of other advertisers?*

The sign is sited in a manner that is not expected to impact upon views and at a height of 6m is commensurate with the height of the proposed building and other pylon signage located along Bathurst Road. Given the separation distances and the placement of the proposed pylon, viewing rights of other advertisers are also not expected to be adversely impacted.

4 - Streetscape, Setting or Landscape

- *Is the scale, proportion and form of the proposal appropriate for the streetscape, setting or landscape?*
- *Does the proposal contribute to the visual interest of the streetscape, setting or landscape?*
- *Does the proposal reduce clutter by rationalising and simplifying existing advertising?*
- *Does the proposal screen unsightliness?*
- *Does the proposal protrude above buildings, structures or tree canopies in the area or locality?*
- *Does the proposal require ongoing vegetation management?*

The proposed signage will have an acceptable level of streetscape compatibility. The proposed signage scheme is commensurate with the level and style of signage within the surrounding commercial precinct. The signage will not present negatively in terms of visual interest within the street and setting. Landscaping on the site has been designed as part of the overall proposal, and low maintenance vegetation, grasses, and tree plantings will be planted along the site frontage to assist in providing some visual interest and amenity.

5 - Site and Building

- *Is the proposal compatible with the scale, proportion and other characteristics of the site or building, or both, on which the proposed signage is to be located?*
- *Does the proposal respect important features of the site or building, or both?*
- *Does the proposal show innovation and imagination in its relationship to the site or building, or both?*

The proposed signage relates to the proportions of the building and will not interrupt any important architectural elements or features of the building. The signage does not present a great degree of innovation or imagination but rather focuses on the objective of simple business identification.

6 - Associated Devices and Logos With Advertisements and Advertising Structures

- *Have any safety devices, platforms, lighting devices or logos been designed as an integral part of the signage or structure on which it is to be displayed?*

The proposed signage does not include any safety devices, platforms or lighting devices that form an integral part of the signage or structure on which it is to be displayed. The proposed signage includes a corporate logos in the design, which meets the definition of business identification signage.

7 - Illumination

- *Would illumination result in unacceptable glare?*
- *Would illumination affect safety for pedestrians, vehicles or aircraft?*
- *Would illumination detract from the amenity of any residence or other form of accommodation?*
- *Can the intensity of the illumination be adjusted, if necessary?*
- *Is the illumination subject to a curfew?*

It is understood that the proposed signage will be illuminated. No details have been submitted in relation to illumination and glare levels or compliance with applicable criteria for the signs. In this respect, it is recommended that a condition of consent be imposed requiring all signs to meet the Illumination and reflectance criteria for **Zone 4** set out within Table 5 of the *Transport Corridor Outdoor Advertising and Signage Guidelines 2017* given the site is within proximity to residential development and a busy intersection. The illumination level of the sign should also be able to be adjusted if necessary.

8 - Safety

- *Would the proposal reduce the safety for any public road?*
- *Would the proposal reduce the safety for pedestrians or bicyclists?*
- *Would the proposal reduce the safety for pedestrians, particularly children, by obscuring sightlines from public areas?*

The proposed signage is appropriately located within the site and so it will not reduce pedestrian access or public safety or restrict sightlines for vehicles, bicyclists, or pedestrians. Conditions of consent will be imposed requiring illumination and glare levels to be within the criteria set out in the guideline.

State Environmental Planning Policy (Resilience And Hazards) 2021**Chapter 4 - Remediation of Land****4.6 - Contamination and Remediation to be Considered in Determining Development Application**

- (1) *A consent authority must not consent to the carrying out of any development on land unless:*
 - (a) *it has considered whether the land is contaminated, and*
 - (b) *if the land is contaminated, it is satisfied that the land is suitable in its contaminated state (or will be suitable, after remediation) for the purpose for which the development is proposed to be carried out, and*
 - (c) *if the land requires remediation to be made suitable for the purpose for which the development is proposed to be carried out, it is satisfied that the land will be remediated before the land is used for that purpose.*
- (2) *Before determining an application for consent to carry out development that would involve a change of use on any of the land specified in Subsection (4), the consent authority must consider a report specifying the findings of a preliminary investigation of the land concerned carried out in accordance with the contaminated land planning guidelines.*
- (3) *The applicant for development consent must carry out the investigation required by Subsection (2) and must provide a report on it to the consent authority. The consent authority may require the applicant to carry out, and provide a report on, a detailed investigation (as referred to in the contaminated land planning guidelines) if it considers that the findings of the preliminary investigation warrant such an investigation.*
- (4) *The land concerned is:*
 - (a) *land that is within an investigation area,*
 - (b) *land on which development for a purpose referred to in Table 1 to the contaminated land planning guidelines is being, or is known to have been, carried out,*
 - (c) *to the extent to which it is proposed to carry out development on it for residential, educational, recreational or child care purposes, or for the purposes of a hospital -land:*
 - (i) *in relation to which there is no knowledge (or incomplete knowledge) as to whether development for a purpose referred to in Table 1 to the contaminated land planning guidelines has been carried out, and*
 - (ii) *on which it would have been lawful to carry out such development during any period in respect of which there is no knowledge (or incomplete knowledge).*

This proposal relates to an existing hotel/motel with no change in land use. The site is well-established with buildings, a sealed driveway, parking areas, and landscaping. The land has a long history of being used for hotel/motel purposes and is not known to have been used for a Table 1 purpose. There is no evidence that current or previous uses have caused land contamination. Accordingly, the site is not of a type to indicate that contamination may be present, and a detailed contamination study is not required. Nevertheless, as a precaution, a condition is attached to the consent requiring protocols to be followed if contamination is encountered during construction.

State Environmental Planning Policy (Transport and Infrastructure) 2021**Division 5 Electricity Transmission or Distribution****2.48 Determination of development applications - other development**

The subject land adjoins existing overhead exposed electricity powerlines. Section 2.48 of the SEPP is applicable and states in part:

- (1) This section applies to a development application (or an application for modification of a consent) for development comprising or involving any of the following -*
 - (a) the penetration of ground within 2m of an underground electricity power line or an electricity distribution pole or within 10m of any part of an electricity tower,*
 - (b) development carried out -*
 - (i) within or immediately adjacent to an easement for electricity purposes (whether or not the electricity infrastructure exists), or*
 - (ii) immediately adjacent to an electricity substation, or*
 - (iii) within 5m of an exposed overhead electricity power line.*
 - (c) installation of a swimming pool any part of which is -*
 - (i) within 30m of a structure supporting an overhead electricity transmission line, measured horizontally from the top of the pool to the bottom of the structure at ground level, or*
 - (ii) within 5m of an overhead electricity power line, measured vertically upwards from the top of the pool.*
 - (d) development involving or requiring the placement of power lines underground, unless an agreement with respect to the placement underground of power lines is in force between the electricity supply authority and the council for the land concerned.*
- (2) Before determining a development application (or an application for modification of a consent) for development to which this section applies, the consent authority must -*
 - (a) give written notice to the electricity supply authority for the area in which the development is to be carried out, inviting comments about potential safety risks, and*
 - (b) take into consideration any response to the notice that is received within 21 days after the notice is given.*

In accordance with this Section, the proposed development was referred to Essential Energy for consideration and comment. The comments and requirements provided by Essential Energy have been taken into account and included as conditions of consent.

Division 17 Roads and traffic**2.119 Development with frontage to classified road**

The primary objective of this clause is to ensure that new development does not compromise the effective and ongoing operation and function of classified roads. The consent authority must not grant consent to development on land that has a frontage to a classified road unless it is satisfied that:

- (a) where practicable, vehicular access to the land is provided by a road other than the classified road, and*

(b) the safety, efficiency and ongoing operation of the classified road will not be adversely affected by the development as a result of:

(i) the design of the vehicular access to the land, or

(ii) the emission of smoke or dust from the development, or

(iii) the nature, volume or frequency of vehicles using the classified road to gain access to the land, and

(c) the development is of a type that is not sensitive to traffic noise or vehicle emissions, or is appropriately located and designed, or includes measures, to ameliorate potential traffic noise or vehicle emissions within the site of the development arising from the adjacent classified road.

In consideration of the above matters:

- The site is adjacent to Bathurst Road (Mitchell Highway) to the north-east, which is a classified road under the jurisdiction of TfNSW. The proposal retains the existing single vehicular access from Bathurst Road; as no changes are proposed, TfNSW concurrence is not required. Alternative access is not practicable due to the existing built form along Elizabeth Street. Council's Technical Services advise that the existing access from Bathurst Rd is satisfactory (dedicated right turn lane).
- The development is not expected to adversely affect the safety, efficiency, or ongoing operation of Bathurst Road. The development is projected to generate 171 vehicle trips per day at full capacity. This represents an increase of 90 daily trips and 12 additional peak hour trips compared with the existing motel operation, and both TfNSW and Council technical services have raised no concerns regarding the capacity of the road or access arrangement to accommodate this increase.
- *Hotel or motel accommodation* is not identified as a form or type of development that is sensitive to road noise or traffic emissions.

2.122 Traffic generating development

This section applies to development specified in Column 1 of the Table to Schedule 3 that involves -

(a) new premises of the relevant size or capacity, or

(b) an enlargement or extension of existing premises, being an alteration or addition of the relevant size or capacity.

In relation to the proposed enlargement/extension of the motel, the matter was referred to TfNSW regarding the increase in parking capacity. TfNSW advised that Section 2.122 is not applicable because the proposed changes do not result in an additional 50 or more car parking spaces (refer to the Note at the top of Schedule 3). Accordingly, there is no statutory requirement for TfNSW comment.

PROVISIONS OF ANY DRAFT ENVIRONMENTAL PLANNING INSTRUMENT THAT HAS BEEN PLACED ON EXHIBITION 4.15(1)(a)(ii)

There are no draft Environmental Planning Instruments currently on exhibition that relate to the subject land or proposed development.

DESIGNATED DEVELOPMENT

The proposed development is not designated development.

INTEGRATED DEVELOPMENT

The proposed development is not integrated development.

PROVISIONS OF ANY DEVELOPMENT CONTROL PLAN s4.15(1)(a)(iii)**Orange Development Control Plan 2004**

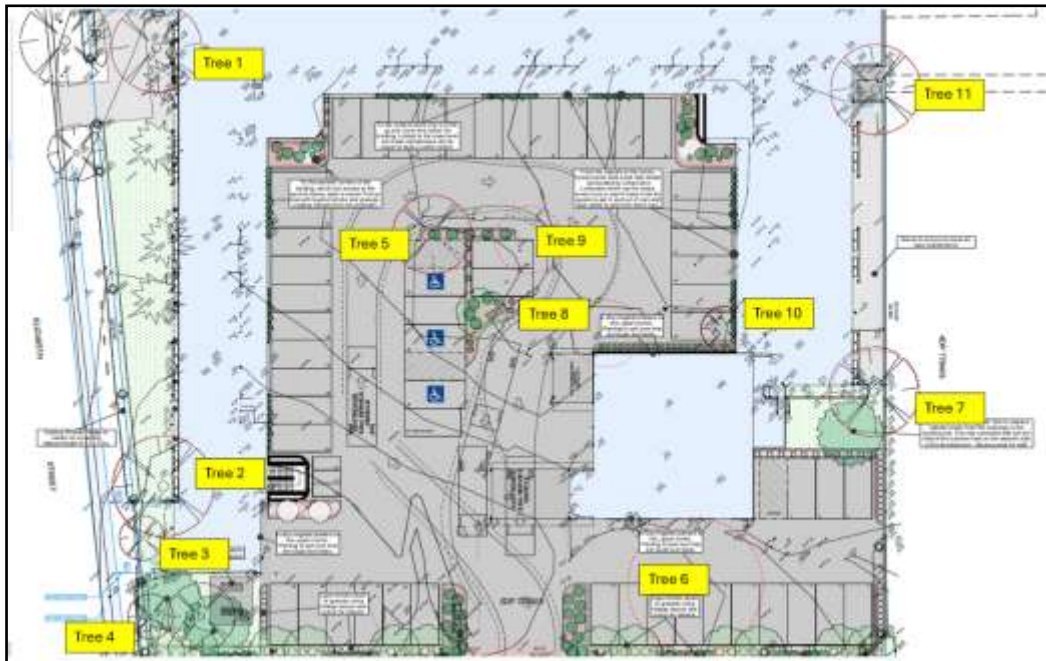
Development Control Plan 2004 ("the DCP") applies to the subject land:

- Chapter 0 - Transitional Provisions (Tree Preservation)
- Chapter 2 - Natural Resource Management;
- Chapter 3 - General considerations;
- Chapter 8 - Development in Business Zones (Business Service Areas);
- Chapter 14 - Advertisements; and
- Chapter 15 - Car Parking

The relevant matters outlined in Chapters 2, 3, and 14 have been addressed in the foregoing assessment under Orange LEP 2011, SEPP considerations or elsewhere in this report. The matters pertaining to Chapters 0, 8, and 15 are addressed below.

Chapter 0 - Tree Preservation

The tree preservation planning outcomes require approval for certain trees, which the applicant has sought as part of this application for the removal of various trees to facilitate the development and more specifically, to facilitate the required increase in off-street parking. These trees are identified on the plan below, alongside a table containing assessment comments provided by Council's Manager City Presentation.



Tree No.	Species	Assessment Comments
1	Box Elder (<i>Acer negundo</i>)	Small tree hard up against the building. No concerns if removed.
2	Elm (<i>Ulmus</i> sp)	Poor form and shape, hard up against building and pruned for power line clearance - support removal
3	Elm (<i>Ulmus</i> sp)	Sucker of Tree 2 - support removal
4	Bottlebrush (<i>Callistemon</i> sp)	Poor for, health and shape - support removal
5	Golden Elm (<i>Ulmus</i> sp)	Tree of good form, health and habit - should be retained with a suitable TPZ established. Would result in loss of proposed new car parking spaces
6	Pear Tree (<i>Pyrus</i> sp)	Tree in good health, structure and form are okay. Most distinguishable and notable tree on the Bathurst Rod frontage proposed to be removed due to additional car parking. To achieve retention there would need to be a major redesign of proposed additional car park - i.e. parking would need to be deleted, and area retained as is. Note growing in proximity to this tree are a Silver Birch (<i>Betula</i> sp) and an Ash (<i>Fraxinus</i> sp) both of average health and vigour.
7	Pittosporum	No issues with the large shrub/small trees removal
8	Flowering Plum (<i>Prunus</i> sp)	Support removal - poor health and vigour
9	Flowering Plum (<i>Prunus</i> sp)	Support removal
10	Hibiscus shrub	Support removal
11	Small Gum	Retention should be considered

In evaluating the acceptability of the proposed tree removal, a balance between two competing objectives of providing necessary parking and maintaining a level of landscaping and tree canopy that aligns with both the functional needs of the development and the broader character of the area.

This consideration is especially relevant given the existing streetscape along this section of Bathurst Road, where commercial properties typically feature minimal landscaping and predominantly paved forecourts. Although the loss of healthy mature trees and landscaped frontage is a valid concern, it does not represent a significant departure from the prevailing development pattern or past decisions affecting nearby sites, namely McDonalds and KFC.

The primary objective of the proposal is to expand the hotel/motel by adding more rooms. However, increasing the number of rooms also increases the demand for off-street parking, which must be accommodated onsite. Consequently, any substantial redesign aimed at preserving existing trees would likely reduce the space available for parking and thus motel/ motel rooms. This creates a tension between preserving the site's tree canopy and meeting the parking requirements that are critical to the viability of adding more hotel rooms. For instance, retaining Tree 6 (a Pear Tree, *Pyrus* sp.) would necessitate a minimum reduction of 14 rooms, approximately half of the proposed increase in new rooms. Consequently, the site may be unable to achieve its full potential under standard development controls if substantial tree retention is prioritised. Nevertheless, this remains an option for Council to consider.

In an effort to balance the need for additional parking with the preservation of visual amenity and environmental values, the applicant has submitted a detailed landscaping plan that includes extensive replacement tree planting along the Bathurst Road frontage. Staff have expressed concerns about the viability of these plantings, given the landscape strip's limited depth. In addition, the proposed species (Oakville Crimson Spire) is considered unsuitable for the proposed environment. Council's Manager City Presentation has therefore recommended substituting *Quercus robur fastigiata* (Upright English Oak), a species better suited to constrained conditions while still achieving healthy growth. Furthermore, it is recommended that parking spaces 4-19 be constructed with permeable parking pavers (specifically turf grid), which would offer a cooler environment and more favourable conditions for the adjacent replacement trees and understorey planting, as well as provide stormwater management and groundwater benefits at the site.

These measures have been included as conditions of approval to ensure that the landscaping component is effectively implemented and that both environmental and visual impacts are mitigated appropriately. Overall, it is considered that this approach represents a reasonable compromise.

Chapter 8 - Development in Business Zones (Business Service Areas)

- *Applications clearly demonstrate that the development will not detract from the role of the CBD as a regional centre.*

The proposed development will have a neutral effect on the primacy of the CBD. The proposed development will provide a service to the travelling public. The proposal does not introduce or expand retail offerings, it does not detract from or undermine the CBD.

- *Provision of adequate fire-safety measures and facilities for disabled persons (according to the BCA) is addressed at the application stage (relevant for all development but particularly important where converting residential buildings for business use).*

Relevant conditions are attached which address this requirement.

- *Heritage streetscapes are conserved and enhanced through adaptive reuse of heritage buildings, restrained advertising and landscaped gardens.*

Not applicable.

- *Areas on the main roads into and out of Orange (such as Molong Road and Bathurst Road) provide a high level of architectural design to enhance the visual character of the City entrances.*

The proposal has undergone several design refinements throughout the assessment process, including the incorporation of more recessive colours and variations in materiality. The chosen palette now incorporates olive green, grey shades, and timber look finishes, creating a visually subdued appearance. A variety of materials, such as aluminium battens, louvre and perforated screens, face brick, cladding and panelling (James Hardie Matrix Cladding), and glazing, further enhance the design, resulting in a visually engaging and architecturally refined outcome that helps reduce the building's perceived bulk. Overall, the design is considered acceptable in this high-profile location.

- *All sites contain an element of landscaping. Landscaping provided is of a bulk, scale and height relative to buildings nearest the front property boundary so as to provide beautification and visual relief to the built form proposed or existing on the site. The depth of the landscape bed at the site frontage is sufficient to accommodate the spread of plantings that meet the abovementioned outcomes but, where practicable, a minimum depth of 3m is provided. Plantings are designed to provide shade for parking areas, to break up large areas of bitumen, to enhance building preservation and to screen against noise.*

A detailed Landscape Plan has been submitted in support of the application, proposing a mix of large deciduous trees, shrubs, and groundcovers. The plan will need to be amended to substitute *Quercus robur fastigiata* (Upright English Oak) in place of the proposed *Pyrus Cersifera* (Oakville Crimson Spire), as discussed under the DCP tree preservation provisions. twelve Upright English Oaks will be planted along the frontage and two *Acer Rubrum* (Lipstick) trees are proposed at the north-east corner. Understorey plantings comprise a mix of shrubs and grasses. Parking spaces 4-19 are recommended to be constructed of permeable parking pavers (specifically turf grid), which help reduce heat buildup, provide more favourable conditions for adjacent replacement trees and understorey planting, and improve stormwater management and groundwater recharge. This approach also lessens the visual impact typically associated with asphalt or concrete surfaces.

The landscape concept is considered acceptable and will help to integrate the development within the setting, as well as soften the extent of hard surfaces and partially screen the development from the highway.

Chapter 15 - Car Parking

Sections 15.1-15.3 of Chapter 15 - Car Parking set out the background, objectives and relationship between on-street and off-street car parking in Orange. In particular, these sections highlight the importance of making provision for car parking in order that the demand for parking in the City is met and ensuring that the design and layout of car parking facilitates the safe and effective use of off-street parking. Section 15.4 - Parking Requirements sets out the minimum parking requirements for specific land uses.

The DCP prescribes the following applicable Planning Outcomes for Car Parking:

- *Adequate off-street car parking is provided in accordance with the Table, or alternatively, according to an assessment that demonstrates peak parking demand based on recognised research.*
- *Car-parking areas are designed according to Australian Standard.*
- *Car-park areas include adequate lighting and landscaping*
- *Bicycle-parking facilities are provided according to the relevant Australian Standard.*
- *Facilities for loading and unloading of commercial vehicles are provided according to the relevant Australian Standard.*

Car Parking Assessment

The proposed development comprises motel accommodation (57 rooms) with ancillary managers residence. The applicant has advised that the motel maximum is four (4) staff (cleaners) at any one time.

The proposed hotel is classified as 'Casual Accommodation' under the 'Motels; hotel or tourist accommodation' category within the DCP parking provisions. The primary car parking requirement is one (1) space per unit/bedroom/tent or caravan site. Additionally, one (1) space is required for every two (2) employees, and one (1) space must be provided for a resident manager.

The proposal does not include a restaurant or function area. The proposal does not include a restaurant or function area. Based on the DCP, the proposal generates the following parking demand:

Use	Component	Yield	Parking Rates	Required parking spaces
Motel	Accommodation (Rooms)	57	1 space per unit	57
	Manager	1	1 space per resident manager	1
	Staff	4	1 space or every two employees	2
Total parking required				60

Notwithstanding the above calculation, assessment staff consider that the cleaning/housekeeping staff should be excluded from the carparking demand. This is because housekeeping staff are generally onsite once guests have checked out and leave prior to the next guests check in time, reducing the demand. This approach is consistent with previous decisions for developments of this nature.

The proposed site plan indicates a total of 58 parking spaces (57 on-grade spaces plus one carport for the manager). On this basis, the proposal is deemed to comply with the relevant parking requirements.

PROVISIONS PRESCRIBED BY THE REGULATIONS s4.15(1)(a)(iv)

Demolition of a Building (clause 61)

A condition is attached requiring the demolition to be carried out in accordance with *Australian Standard AS2601 - 2001: The Demolition of Structures* and the requirements of Safe Work NSW.

Fire Safety Considerations (clause 62)

The proposal does not involve a change of building use for an existing building.

Buildings to be Upgraded (clause 64)

Upgrading of the building will be required to ensure the existing building is brought into partial or total conformity with the Building Code of Australia. Conditions are attached in relation to the required upgrading works.

Council Related Development (clause 66A)

Not applicable.

BASIX Commitments (clause 75)

BASIX is not applicable to the proposed development. A Section J Energy Efficiency Statement will be required with the Construction Certificate application.

THE LIKELY IMPACTS OF THE DEVELOPMENT s4.15(1)(b)**Context and Setting**

The land is located on the eastern entrance to the City and is situated within a cluster of commercial uses such as fast-food outlets, service stations and a pub. The land is also opposite residential properties.

The development effectively represents a continuation of the longstanding use of the land, just in a different configuration and with a more contemporary presentation to the street.

The development is considered to be acceptable within the context and setting of the locality.

Access, Parking Traffic Impacts

Council's Technical Services Division has assessed the development in terms of traffic generation, impacts on local roads, and onsite circulation, and considers the proposal acceptable. Transport for NSW has raised no concerns. The site design allows passenger vehicles to enter and exit in a forward gear, and there is sufficient space for an 8.8m medium rigid vehicle to circulate within the site. Sufficient off-street parking will be provided.

Noise Impacts

An Acoustic Report has been submitted in support of the development which concludes that the development is acceptable in terms of noise impacts. The noise modelling demonstrates that the predicted LAeq,15min noise levels, primarily from the reverse-cycle air-conditioning units, are well below the established project noise trigger levels and comply with the Noise Policy for Industry. The Council's Senior Environmental Health Officer has reviewed the report, concurs with its findings, and notes that while internal noise impacts were not modelled, this omission was not a requirement. Conditions have been included to ensure compliance with the report.

Residential Amenity

As mentioned above, there are residential properties opposite the subject land (Bathurst Road & Elizabeth Street) and residential properties behind on Garden Street. The amenity of residential properties within the locality will be maintained to acceptable levels. The development will not give rise to any overshadowing, visual bulk impacts, noise impacts etc. The development is considered acceptable in this regard.

Waste Management

All waste generated by the motel's operations will continue to be managed through the existing arrangement, which involves storing 660 litre mobile bins along the southern side of the motel, between the building and the boundary, until collection. On scheduled collection days, these bins are wheeled to the Elizabeth Street footpath, where an approved contractor collects them from the kerb.

With the proposed expansion, an increase in bin capacity will be required. In accordance with NSW EPA guidelines, a motel without a restaurant typically generates about 5.5 litres of waste per occupied room per night, which for 57 rooms equates to approximately 314 litres of waste (garbage and recycling) per day at peak occupancy, or 2,195 litres per week. This volume can be managed using three to four 660 litre bins if collected once per week. The bin storage area remains suitably located for staff, and a new concrete path, bin pad, and kerb layback are proposed to improve access and facilitate the movement of bins to and from the collection vehicle.

Construction Impacts

The proposed development may result in short-term impacts typically associated with construction activities, which may include noise, dust, construction worker parking, and site deliveries. While these impacts are inherent to a project of this scale in an urban setting, they are temporary and limited to the construction phase.

To ensure these impacts are effectively managed, a condition has been imposed requiring the preparation of a comprehensive Construction Management Plan. This plan will address key considerations such as construction worker parking, site deliveries, dust mitigation, and traffic management, ensuring that construction activities are carried out in a controlled and responsible manner.

THE SUITABILITY OF THE SITE s4.15(1)(c)

The subject land is considered to be suitable to undertake the proposed development due to the following:

- The proposed development is located in the E2 Commercial Centre zone and is permissible with the consent of Council.
- The development is considered to be satisfactory in regard to Section 4.15 of the Environmental Planning and Assessment Act 1979.
- The development is permissible and compliant with the relevant provisions of the Orange Local Environmental Plan 2011.
- The development is considered to be satisfactory in regard to Orange Development Control Plan 2004.
- The development of the site will not create significant adverse impacts on the context and setting of the area.
- The development of the site will not detrimentally affect adjoining land and is unlikely to lead to land use conflicts.
- All utility services are or can be made available and can be made adequate.
- PMF does not pose significant constraints.
- There is no known contamination on the land.
- The subject land has no significant biodiversity or habitat value.

ANY SUBMISSIONS MADE IN ACCORDANCE WITH THE ACT s4.15(1)(d)

The proposed development was advertised and notified to adjoining landowners for 14 days in accordance with the provisions of Council's Community Participation Plan 2019. No submissions or representations were received by the close of the exhibition period.

PUBLIC INTEREST s4.15(1)(e)

The proposal will not be inconsistent with any policy statement, planning study or guideline that has not been considered in this assessment. There are no aspects of the proposal that will be contrary to the welfare or well-being of the general public.

DEVELOPMENT CONTRIBUTIONS**Section 64 Local Government Act 1993**

Council's Assistant Development Engineer advises:

1. Development contributions for water, sewer, and drainage works are applicable to the proposed development, which includes the hotel and associated facilities, calculated as follows:
 - 30 additional rooms on 1st floor. The ground floor loses one (1) existing motel room (converted to a breakfast room) and gains one (1) additional motel room at the rear of the reception area/office.
 - Headworks based on NSW Water directorate (motel rooms @ 0.3ET/w & 0.45ET/s per room).

Conditions are included in the attached Notice of Determination requiring payment of the applicable contributions prior to the issuance of the Construction Certificate.

INTERNAL REFERRAL COMMENTS

The comments of the Environmental Health and Building Surveyor and the Engineering Development Section have been included in this report.

SUMMARY

The proposed development is permissible with the consent of Council. The proposed development complies with the relevant aims, objectives and provisions of Orange LEP 2011 (as amended) and DCP 2004. A Section 4.15 assessment of the development indicates that the development is acceptable in this instance. Attached is a draft Notice of Approval outlining a range of conditions considered appropriate to ensure that the development proceeds in an acceptable manner.

ATTACHMENTS

- 1 Draft Notice of Determination, D25/25564 [↓](#)
- 2 Plans, D25/6396 [↓](#)



NOTICE OF DETERMINATION OF A DEVELOPMENT APPLICATION

Application number	DA 551/2024(1) PAN-437857
Applicant	VIJAY BOHRA C/- PETER BASHA PLANNING & DEVELOPMENT PO BOX 1827 ORANGE 2800
Description of development	Hotel Or Motel Accommodation (alterations and additions), Business Identification Signage and Demolition (tree removal)
Property	102-110 BATHURST ROAD ORANGE 2800 5/-/DP778409
Determination	Approved Consent Authority - Council
Date of determination	
Date from which the consent operates	6/03/25
Date on which the consent lapses	6/03/30

Under section 4.18(1) of the EP&A Act, notice is given that the above development application has been determined by the granting of consent using the power in section 4.16(1)(a) of the EP&A Act, subject to the conditions specified in this notice.

Reasons for approval

1. The proposed development will reasonably satisfy Local and State planning controls.
2. The proposed development will comply with the requirements of State approval authorities.
3. Impacts of the proposed development on the natural and built environment will be within acceptable limit, subject to mitigation conditions.
4. The proposed development will complement the existing or desired future character of the area.
5. The proposed development will be consistent with the Zone objectives and principal development standards.
6. The proposed development is permitted in the Zone.
7. Utility services are available and adequate.
8. Public exhibition of the application was undertaken in accordance with Council's Community Participation Plan or State legislation. No public submissions were received.

Right of appeal / review of determination

If you are dissatisfied with this determination:

Request a review

You may request a review of the consent authority's decision under section 8.3(1) of the EP&A Act. The application must be made to the consent authority within 6 months from the date that you received the original determination notice provided that an appeal under section 8.7 of the EP&A Act has not been disposed of by the Court.

Rights to appeal

You have a right under section 8.7 of the EP&A Act to appeal to the Court within 6 months after the date on which the determination appealed against is notified or registered on the NSW planning portal.

The Dictionary at the end of this consent defines words and expressions for the purposes of this determination.

Paul Johnston
Manager Development Assessment
Person on behalf of the consent authority

Terms and Reasons for Conditions

Under section 88(1)(c) of the EP&A Regulation, the consent authority must provide the terms of all conditions and reasons for imposing the conditions other than the conditions prescribed under section 4.17(11) of the EP&A Act. The terms of the conditions and reasons are set out below.

General Conditions

1	<p>Erection of signs</p> <ol style="list-style-type: none"> 1. This section applies to a development consent for development involving building work, subdivision work or demolition work. 2. It is a condition of the development consent that a sign must be erected in a prominent position on a site on which building work, subdivision work or demolition work is being carried out— <ol style="list-style-type: none"> a. showing the name, address and telephone number of the principal certifier for the work, and b. showing the name of the principal contractor, if any, for the building work and a telephone number on which the principal contractor may be contacted outside working hours, and c. stating that unauthorised entry to the work site is prohibited. 3. The sign must be— <ol style="list-style-type: none"> a. maintained while the building work, subdivision work or demolition work is being carried out, and b. removed when the work has been completed. 4. This section does not apply in relation to— <ol style="list-style-type: none"> a. building work, subdivision work or demolition work carried out inside an existing building, if the work does not affect the external walls of the building, or b. Crown building work certified to comply with the <i>Building Code of Australia</i> under the Act, Part 6. <p>Condition reason: Prescribed condition under section 70 of the Environmental Planning and Assessment Regulation 2021.</p>
2	<p>Approved plans and supporting documentation</p> <p>Development must be carried out in accordance with the following approved plans and documents, except where the conditions of this consent expressly require otherwise.</p> <p>(a) The approved stamped Plans prepared by designsatm, numbered DA00-DA16 and dated August 2024</p> <p>In the event of any inconsistency with the approved plans and a condition of this consent, the condition prevails.</p>

	Condition reason: To ensure all parties are aware of the approved plans and supporting documentation that applies to the development.
3	National Construction Code
	All building work must be carried out in accordance with the provisions of the National Construction Code.
	Condition reason: To ensure compliance with relevant statutory requirements.
4	Development and subdivision works requirements
	All of the following conditions are to be at the full cost of the developer and to the requirements and standards of the Orange City Council Development and Subdivision Code, unless specifically stated otherwise. All engineering work required by the following conditions is to be completed prior to the issue of an Occupation or Subdivision Certificate, unless stated otherwise.
	Condition reason: To comply with Council's Development and Subdivision Code.

Demolition Work

Before demolition work commences

5	Asbestos removal signage
	Before demolition work commences involving the removal of asbestos, a standard commercially manufactured sign containing the words 'DANGER: Asbestos removal in progress' (measuring not less than 400mm x 300mm) must be erected in a prominent position at the entry point/s of the site and maintained for the entire duration of the removal of the asbestos.
	Condition reason: To alert the public to any danger arising from the removal of asbestos
6	Demolition management plan
	Before demolition work commences, a demolition management plan must be prepared by a suitably qualified person.
	The demolition management plan must be prepared in accordance with Australian Standard 2601 – The Demolition of Structures, the Code of Practice – Demolition Work, and must include the following matters:
	<ol style="list-style-type: none"> 1. The proposed demolition methods 2. The materials for and location of protective fencing and any hoardings to the perimeter of the site

	<ol style="list-style-type: none"> 3. Details on the provision of safe access to and from the site during demolition work, including pedestrian and vehicular site access points and construction activity zones 4. Details of demolition traffic management, including proposed truck movements to and from the site, estimated frequency of those movements, and compliance with AS 1742.3 Traffic Control for Works on Roads and parking for vehicles 5. Protective measures for on-site tree preservation and trees in adjoining public domain (if applicable (including in accordance with AS 4970-2009 Protection of trees on development sites and 6. Erosion and sediment control measures which are to be implemented during demolition and methods to prevent material being tracked off the site onto surrounding roadways 7. Noise and vibration control measures, in accordance with any Noise and Vibration Control Plan approved under this consent 8. Details of the equipment that is to be used to carry out demolition work and the method of loading and unloading excavation and other machines 9. Details of any bulk earthworks to be carried out 10. Location of any reusable demolition waste materials to be stored on-site (pending future use) 11. Location and type of temporary toilets onsite 12. A garbage container with a tight-fitting lid.
	<p>Condition reason: To provide details of measures for the safe and appropriate disposal of demolition waste and the protection of the public and surrounding environment during the carrying out of demolition works on the site</p>
7	<p>Hazardous material survey before demolition</p> <p>Before demolition work commences, a hazardous materials survey of the site must be prepared by a suitably qualified person and a report of the survey results must be provided to council at least one week before demolition commences.</p> <p>Hazardous materials include, but are not limited to, asbestos materials, synthetic mineral fibre, roof dust, PCB materials and lead based paint.</p> <p>The report must include at least the following information:</p> <ol style="list-style-type: none"> 1. the location of all hazardous material throughout the site 2. a description of the hazardous material 3. the form in which the hazardous material is found, e.g. AC sheeting, transformers, contaminated soil, roof dust 4. an estimation of the quantity of each hazardous material by volume, number, surface area or weight 5. a brief description of the method for removal, handling, on-site storage and transportation of the hazardous materials 6. identification of the disposal sites to which the hazardous materials will be taken
	<p>Condition reason: To require a plan for safely managing hazardous materials</p>

During demolition work

8	Demolition - in accordance with AS 2601:2001
	Building demolition is to be carried out in accordance with Australian Standard 2601:2001 - The Demolition of Structures and the requirements of SafeWork NSW.
	Condition reason: To ensure compliance with relevant statutory requirements.
9	Hours of work - demolition
	All demolition work on the site is to be carried out between the hours of 7am and 6pm Monday to Friday inclusive, 7am to 5pm Saturdays, and 8am to 5pm Sundays and Public Holidays. Written approval must be obtained from the Chief Executive Officer of Orange City Council to vary these hours.
	Condition reason: To ensure compliance with relevant statutory requirements.

On completion of demolition work

No additional conditions have been applied to this stage of development.

Building Work

Before issue of a construction certificate

10	Equal access to the premises
	Before the issue of a construction certificate, plans which demonstrate that adequate access to the premises will be provided for persons with disabilities in accordance with the Commonwealth Disability (Access to Premises – Buildings) Standards 2010. These plans must be submitted to the certifier.
	Condition reason: To ensure safe and easy access to the premises for people with a disability
11	Section 68 application - water and sewer
	An approval under Section 68 of the <i>Local Government Act</i> is to be sought from Orange City Council, as the Water and Sewer Authority, for water, sewer and stormwater connection. Details concerning the proposed backflow prevention between the nominated water tank supply and the potable system are to be provided. No plumbing and drainage is to commence until approval is granted.

	Condition reason: To ensure the utility services are available to the site and adequate for the development.
12	<p>Structural certification for additional loads</p> <p>A qualified practising registered structural engineer must provide structural certification to Council (where Council is the Accredited Certifier) verifying that the existing structure can adequately support the proposed new loads and the structural design complies with the Structural Provisions of Part B1 (Vol 1) and Part 2.1 (Vol 2) of the National Construction Code (previously known as Building Code of Australia) prior to a construction certificate being issued. The proposed additional loads and/or alterations must not cause a decrease in the existing structural performance of the building, including its performance under earthquake actions (AS1170.4).</p> <p>Condition reason: To ensure the existing structure can support the new loads.</p>
13	<p>Contributions - water and sewer headworks charges</p> <p>Payment of contributions for water, sewer and drainage works is required to be made at the contribution rate applicable at the time that the payment is made. The contributions are based on 9.0 ETs for water supply headworks and 13.5 ETs for sewerage headworks. A Certificate of Compliance, from Orange City Council in accordance with the <i>Water Management Act 2000</i>, will be issued upon payment of the contributions.</p> <p>This Certificate of Compliance is to be submitted to the Principal Certifying Authority prior to the issue of a Construction Certificate.</p> <p>Condition reason: To ensure compliance with relevant statutory requirements.</p>
14	<p>Road opening permit required</p> <p>A Road Opening Permit in Accordance with Section 138 of the Roads Act 1993 must be approved by Council prior to a Construction Certificate being issued or any intrusive works being carried out within the public road or footpath reserve.</p> <p>Condition reason: To ensure compliance with relevant statutory requirements.</p>
15	<p>Engineering plans for carpark</p> <p>Engineering plans providing complete details of the proposed car parking areas are to be submitted upon application for a Construction Certificate. These plans are to provide details of the proposed sealing materials, stormwater drainage and ensure all parking spaces are linemarked in accordance with AS 2890.1 (Off-street car parking). The plans shall also detail pedestrian sight lines for vehicles exiting the driveway to Bathurst Road to ensure pedestrian safety. The plans shall detail how compliance is achieved with AS/NZS 2890.1:2004 section 3.2.4(b).</p> <p>Condition reason: To comply with Council's Development and Subdivision Code.</p>
16	Liquid trade waste application

	<p>A Liquid Trade Waste Application is to be submitted to Orange City Council prior to the issue of a Construction Certificate. The application is to be in accordance with Orange City Council's Liquid Trade Waste Policy. Engineering plans submitted as part of the application are to show details of all proposed liquid trade waste pre-treatment systems and their connection to sewer.</p> <p>Where applicable, the applicant is to enter into a Trade Waste Services Agreement with Orange City Council in accordance with the Orange City Council Liquid Trade Waste Policy.</p> <p>Condition reason: To ensure compliance with relevant statutory requirements</p>
17	<p>Stormwater detention design</p> <p>The development's stormwater design is to include the incorporation of stormwater detention within the development, designed to limit peak outflows from the land to the pre-existing natural outflows up to a 1% AEP storm event, with sufficient allowance in overflow spillway design capacity to safely pass flows of lower frequency (that is, a rarer event) without damage to downstream developments.</p> <p>The design of the detention storage is to be undertaken using the DRAINS rainfall-runoff hydrologic model (or an approved equivalent capable of assessing runoff volumes and their temporal distribution as well as peak flow rates) based on the most recent version of Australian Rainfall and Runoff calculations allowing for applicable climate change factor(s). The model is to be used to calculate the flow rates for the existing and post-development conditions. The developed flows are to be routed through the proposed storage within the model so that the outflows obtained are no greater than the flows obtained for the pre-existing natural flows. A report detailing the results of the analysis, which includes:</p> <ul style="list-style-type: none"> • catchment plan showing sub-catchments under existing and developed conditions; • schematic diagram of the catchment model showing sub areas and linkages; • tabulation detailing the elevation, storage volume and discharge relationships; and • tabulation for the range of frequencies analysed, the inflows, outflows and peak storage levels for both existing and developed conditions, • together with copies of the data files for the model and engineering design plans of the required drainage system, <p>are to be submitted to and approved by Orange City Council prior to the issue of a Construction Certificate.</p> <p>Condition reason: To comply with Council's Development and Subdivision Code.</p>
18	<p>Comply with Council's sewer infrastructure services policy</p>

	<p>Prior to the issue of a Construction Certificate structural engineers' details shall be provided for piers/footings of any new building work located adjacent to the sewer main. Piers shall extend below the invert of the main and shall be located a minimum of 1.0m clear of the centreline of the main.</p> <p>Condition reason: To comply with Council's Sewer Infrastructure Services policy.</p>
19	<p>Amendments to Approved plans</p> <p>Prior to the issue of a Construction Certificate, detailed landscape plans shall be submitted to and approved by Council's Manager Development Assessment. The detailed plans shall be generally in accordance with the concept prepared by designsatm (dated August 2024) and include the following:</p> <ol style="list-style-type: none"> Detailed plant schedule which includes proposed species listed by botanical (genus and species) and common names, quantities of each species, pot sizes and the estimated size at maturity. The replacement of <i>Pyrus Cersifera</i> (Oakville Crimson Spire) with <i>Quercus robur fastigiata</i> (Upright English Oak). Provision of permeable concrete grass pavers for parking spaces 4 to 19. A landscape maintenance strategy for the owner/occupier to administer over a 12-month establishment period following the issue of the Occupation Certificate. The strategy is to address maintenance issues such as, but not limited to plant survival, irrigation, soil testing, weeding, staking, fertilising, remedial pruning and plant replacement. <p>Condition reason: To ensure a quality urban design for the development which complements the surrounding environment.</p>
20	<p>Signage with illumination</p> <p>All signs that are proposed to be illuminated shall meet the Illumination and reflectance criteria for Zone 4 set out within Table 5 of the Transport Corridor Outdoor Advertising and Signage Guidelines 2017. All illuminated signs must have the ability to be adjusted. Details of compliance shall be provided to the Principal Certifier with an application for a Construction Certificate.</p> <p>Condition reason: To ensure external lighting is provided for safety reasons and to protect the amenity of the local area.</p>
21	<p>Construction Environmental Management Plan (CEMP)</p>

	<p>Prior to the issue of a construction certificate, a Construction Environmental Management Plan (CEMP) must be submitted to the satisfaction of Council's Manager Development Assessment. The CEMP must address, but not be limited to, the following matters where relevant:</p> <ul style="list-style-type: none"> a. The location and materials for protective fencing and hoardings on the perimeter of the site; b. Provisions for public safety; c. Pedestrian and vehicular site access points and construction activity zones, including maintaining pedestrian access along Peisley Street at all times; d. Details of construction traffic management including: <ul style="list-style-type: none"> o proposed truck movements to and from the site o estimated frequency of truck movements o measures to ensure pedestrian safety near the site; e. Details of bulk earthworks to be carried out; f. The location of site storage areas and sheds; g. The equipment used to carry out works; h. The location of a garbage container with a tight-fitting lid; i. Dust, noise and vibration control measures; j. The location of temporary toilets; k. The protective measures for the preservation of trees on-site and in adjoining public areas including measures in accordance with: <ul style="list-style-type: none"> o AS 4970 - Protection of trees on development sites o an applicable Development Control Plan o an arborist's report approved as part of this consent <p>A copy of the construction site management plan must be kept on-site at all times while work is being carried out.</p> <p>Condition reason: To ensure compliance with relevant statutory requirements.</p>
22	<p>Noise Compliance</p> <p>Prior to the issuing of a construction certificate, the applicant shall provide Council and the principal certifier with the specifications of the air conditioning units to be installed that demonstrate they have a sound power level of 60dBA or less and will comply with the project noise trigger levels provided in the report by SoundIN (report no: 17301, version 1), dated November 2024.</p> <p>Condition reason: To ensure noise generated from the development does not unreasonably or unlawfully impact upon surrounding premises.</p>
23	<p>Food - plans for food shop fit-out</p> <p>Detailed plans and specifications are to be provided to Council specifying the proposed fit-out of the food preparation and storage areas in accordance with the requirements of Standard 3.2.3 "Food Premises and Equipment" of the Australian New Zealand Food Standards Code.</p> <p>Condition reason: To ensure compliance with relevant statutory requirements.</p>

Before building work commences

24	Appoint PC
	Appoint Principal Certifier. The person having the benefit of the development consent and a construction certificate shall:
	(a) Appoint a Principal Certifier and notify Council of the appointment (if Council is not appointed) and,
	(b) Notify Council of their intention to commence the erection of the building (at least two (2) day's notice is required)
	The Principal Certifier shall determine when inspections and compliance certificates are required.
	Condition reason: To ensure compliance with relevant statutory requirements.
25	Construction certificate required
	A construction certificate must be obtained from Council or an accredited certifier at least two (2) days prior to any building or ancillary work commencing. Where the construction certificate is obtained from an accredited certifier, the determination and all appropriate documents must be notified to Council within seven (7) days of the date of determination.
	Condition reason: Required by Section 6.6 (formerly 81A) of the Environmental Planning and Assessment Act, 1979 and Part 8, Division 2 of the Environmental Planning and Assessment Regulation, 2000.
26	Onsite toilet
	A temporary onsite toilet is to be provided and must remain throughout the project or until an alternative facility meeting Council's requirements is available onsite.
	Condition reason: To provide adequate public health and safety measures.
27	Sediment control
	Sediment and erosion control measures shall be implemented on the site.
	Condition reason: To protect waterways from pollution by sediment-laden runoff.
28	Structural details for construction certificate
	Prior to the issue of a construction certificate, structural details and a Structural Certificate for Design by a qualified practising structural engineer and in accordance with Clause A5.2(1)(e) of the National Construction Code (previously known as Building Code of Australia) must be submitted to the satisfaction of Council (where Council is the Accredited Certifier).
	Condition reason: To ensure structural certification is undertaken.

29	Essential Energy requirements
	Essential Energy has the following comments to make as to potential safety risks arising from the proposed development:
	<ol style="list-style-type: none"> 1. If the proposed development changes, there may be potential safety risks and it is recommended that. Essential Energy is consulted for further comment. 2. Any existing encumbrances in favour of Essential Energy (or its predecessors) noted on the title of the above property should be complied with. 3. In addition, Essential Energy's records indicate there is electricity infrastructure located within close proximity of the property. Any activities within this location must be undertaken in accordance with the latest industry guideline currently known as ISSC 20 Guideline for the Management of Activities within Electricity Easements and Close to Infrastructure. Approval may be required from Essential Energy should activities within the property encroach on the electricity infrastructure. 4. Prior to carrying out any works, a "Dial Before You Dig" enquiry should be undertaken in accordance with the requirements of Part 5E (Protection of Underground Electricity Power Lines) of the Electricity Supply Act 1995 (NSW). 5. Given there is electricity infrastructure in the area, it is the responsibility of the person/s completing any works around powerlines to understand their safety responsibilities. SafeWork NSW (www.safework.nsw.gov.au) has publications that provide guidance when working close to electricity infrastructure. These include the Code of Practice – Work near Overhead Power Lines and Code of Practice – Work near Underground Assets
	Condition reason: Essential Energy requirements

During building work

30	Asbestos material removal and disposal
	Any asbestos material must be removed and disposed of in accordance with the provisions of the <i>Work Health & Safety Act 2011</i> and any guidelines or Codes of Practice published by SafeWork NSW.
	Condition reason: To ensure asbestos materials are handled and disposed of in a safe manner.
31	Hours of work - construction
	All construction work on the site is to be carried out between the hours of 7am and 6pm Monday to Friday inclusive, 7am to 5pm Saturdays, and 8am to 5pm Sundays and Public Holidays. Written approval must be obtained from the Chief Executive Officer of Orange City Council to vary these hours.
	Condition reason: To ensure compliance with relevant statutory requirements.

32	Adjustments to utility services
	Any adjustments to existing utility services that are made necessary by this development proceeding are to be at the full cost of the developer.
	Condition reason: To comply with Council's Development and Subdivision Code.
33	Driveway and parking areas
	All driveway and parking areas are to be sealed with bitumen, hot mix or concrete and are to be designed for all expected loading conditions (provided however that the minimum pavement depth for gravel and flush seal roadways is 200mm) and be in accordance with the Orange City Council Development and Subdivision Code.
	Condition reason: To comply with Council's Development and Subdivision Code.
34	Kerb and gutter layback and footpath crossing
	A heavy-duty concrete kerb and gutter layback and footpath crossing is to be constructed for the entrance to the carpark on Bathurst Road and the proposed service access on Elizabeth Street. The works are to be carried out to the requirements of the Orange City Council Development and Subdivision Code and Road Opening Permit.
	Condition reason: To comply with Council's Development and Subdivision Code.
35	Reinstate kerb and gutter and concrete footpath
	The existing unused kerb and gutter layback on the Bathurst Road frontage is to be replaced with standard concrete kerb and gutter and the concrete footpath reinstated to the requirements in the Orange City Council Development and Subdivision Code and Road Opening Permit.
	Condition reason: To comply with Council's Development and Subdivision Code.

Before issue of an occupation certificate

36	Landscaping - to be installed and maintained in accordance with approved plans
	Landscaping must be installed in accordance with the approved plans and must be permanently maintained to the satisfaction of Councils Manager Development Assessments.
	Condition reason: To ensure a quality urban design for the development which complements the surrounding environment.
37	No use or occupation without occupation certificate
	No person is to use or occupy the building or alteration that is the subject of this approval with the prior issuing of an occupation certificate.

	Condition reason: To ensure compliance with the Building Code of Australia.
38	Section 68 final - water and sewer
	Where Orange City Council is not the Principal Certifier, a final inspection of water connection, sewer and stormwater drainage shall be undertaken by Orange City Council and a compliance certificate issued, prior to the issue of an occupation certificate.
	Condition reason: To ensure the utility services are available to the site and adequate for the development.
39	Completion of works relating to road opening permit
	A Road Opening Permit Certificate of Compliance is to be issued for the works by Council prior to any Occupation Certificate being issued for the development.
	Condition reason: To ensure compliance with relevant statutory requirements.
40	Stormwater detention certification
	A Certificate of Compliance, from a Qualified Engineer, stating that the stormwater detention basin complies with the approved engineering plans is to be submitted to the Principal Certifying Authority prior to the issue of an Occupation Certificate.
	Condition reason: To comply with Council's Development and Subdivision Code.

Occupation and ongoing use

41	Storage and disposal of waste materials during ongoing use
	During ongoing use of the premises:
	<ol style="list-style-type: none"> 1. The premises maintain an adequate number of properly sized bins to securely store all waste generated 2. all garbage and recyclable materials generated from the premises must be stored wholly within any approved storage area and must not be stored outside the premises (including any public place) at any time, 3. arrangements must be implemented for the separation of recyclable materials from garbage 4. any approved waste storage area must be appropriately maintained to prevent litter and the entry of pests 5. where council does not provide commercial garbage and recyclable materials collection services: <ol style="list-style-type: none"> a. a contract must be entered into with a licensed contractor to provide these services for the premises; and b. a copy of the contract must be kept on premises and provided to relevant authorities including council officers on request.

	Condition reason: To ensure proper handling of waste, garbage and recyclable materials generated during operation of the premises
42	Maximum size vehicle
	The maximum size delivery vehicle permitted to enter the development is an 8.8 metre length medium rigid vehicle.
	Condition reason: To comply with Council's Development and Subdivision Code.
43	Flood evacuation plan on display
	A flood evacuation plan shall be prepared and displayed in each room and the reception area that outlines appropriate measures to manage risk to life in the event of a flood.
	Condition reason: To reduce risk to life in the event of a flood.

General advisory notes

This consent contains the conditions imposed by the consent authority which are to be complied with when carrying out the approved development. However, this consent is not an exhaustive list of all obligations which may relate to the carrying out of the development under the EP&A Act, EP&A Regulation and other legislation. Some of these additional obligations are set out in the [Conditions of development consent: advisory notes](#). The consent should be read together with the *Conditions of development consent: advisory notes* to ensure the development is carried out lawfully.

The approved development must be carried out in accordance with the conditions of this consent. It is an offence under the EP&A Act to carry out development that is not in accordance with this consent.

Building work or subdivision work must not be carried out until a construction certificate or subdivision works certificate, respectively, has been issued and a principal certifier has been appointed.

A document referred to in this consent is taken to be a reference to the version of that document which applies at the date the consent is issued, unless otherwise stated in the conditions of this consent.

Dictionary

The following terms have the following meanings for the purpose of this determination (except where the context clearly indicates otherwise):

Approved plans and documents means the plans and documents endorsed by the consent authority, a copy of which is included in this notice of determination.

AS means Australian Standard published by Standards Australia International Limited and means the current standard which applies at the time the consent is issued.

Building work means any physical activity involved in the erection of a building.

Certifier means a council or a person that is registered to carry out certification work under the *Building and Development Certifiers Act 2018*.

Construction certificate means a certificate to the effect that building work completed in accordance with specified plans and specifications or standards will comply with the requirements of the EP&A Regulation and *Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021*.

Council means ORANGE CITY COUNCIL.

Court means the Land and Environment Court of NSW.

EPA means the NSW Environment Protection Authority.

EP&A Act means the *Environmental Planning and Assessment Act 1979*.

EP&A Regulation means the *Environmental Planning and Assessment Regulation 2021*.

Independent Planning Commission means Independent Planning Commission of New South Wales constituted by section 2.7 of the EP&A Act.

Occupation certificate means a certificate that authorises the occupation and use of a new building or a change of building use for an existing building in accordance with this consent.

Principal certifier means the certifier appointed as the principal certifier for building work or subdivision work under section 6.6(1) or 6.12(1) of the EP&A Act respectively.

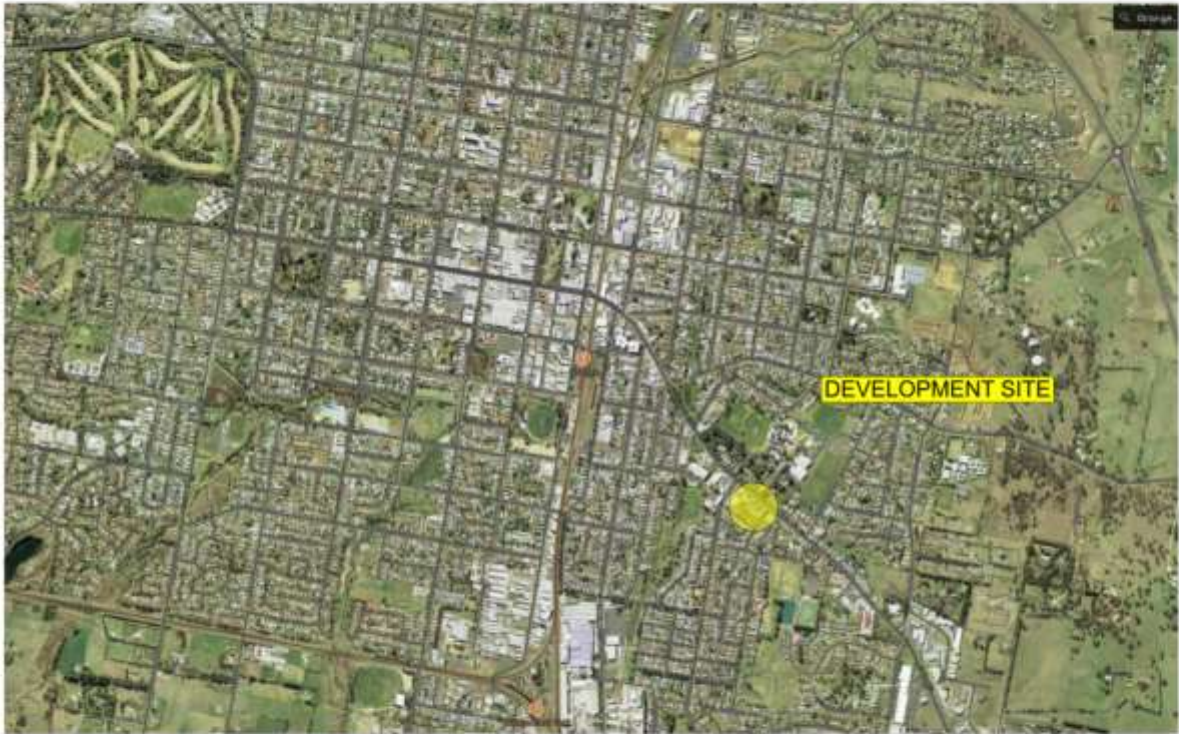
Site work means any work that is physically carried out on the land to which the development the subject of this development consent is to be carried out, including but not limited to building work, subdivision work, demolition work, clearing of vegetation or remediation work.

Stormwater drainage system means all works and facilities relating to:

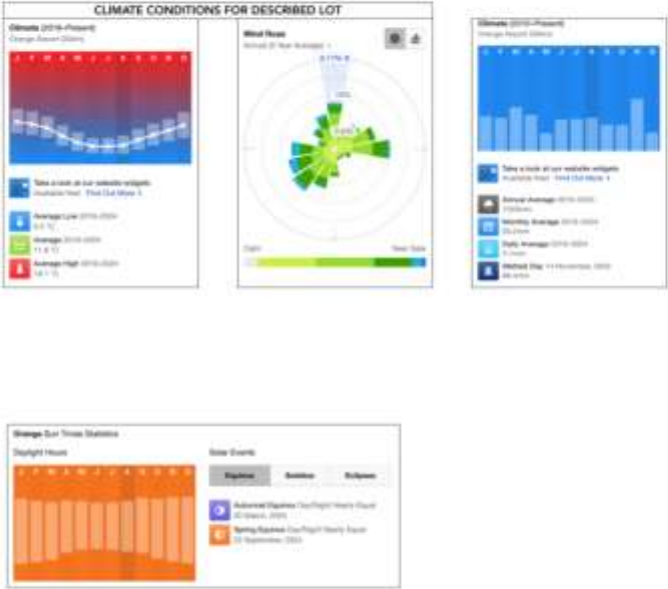
- the collection of stormwater,
- the reuse of stormwater,
- the detention of stormwater,
- the controlled release of stormwater, and
- connections to easements and public stormwater systems.

Strata certificate means a certificate in the approved form issued under Part 4 of the *Strata Schemes Development Act 2015* that authorises the registration of a strata plan, strata plan of subdivision or notice of conversion.

Sydney district or regional planning panel means Western Regional Planning Panel.



LOCALITY PLAN
NTS



NOTE
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ARTIST IMPRESSION OF PROPOSED MOTEL RENOVATION AND ADDITIONS



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Drawn | Checked |
Client: VIJAY BOHRA
102-110 BATHURST
ROAD ORANGE
Site: LOT 2 / DP778409

DEVELOPMENT APPLICATION
LOCALITY PLAN

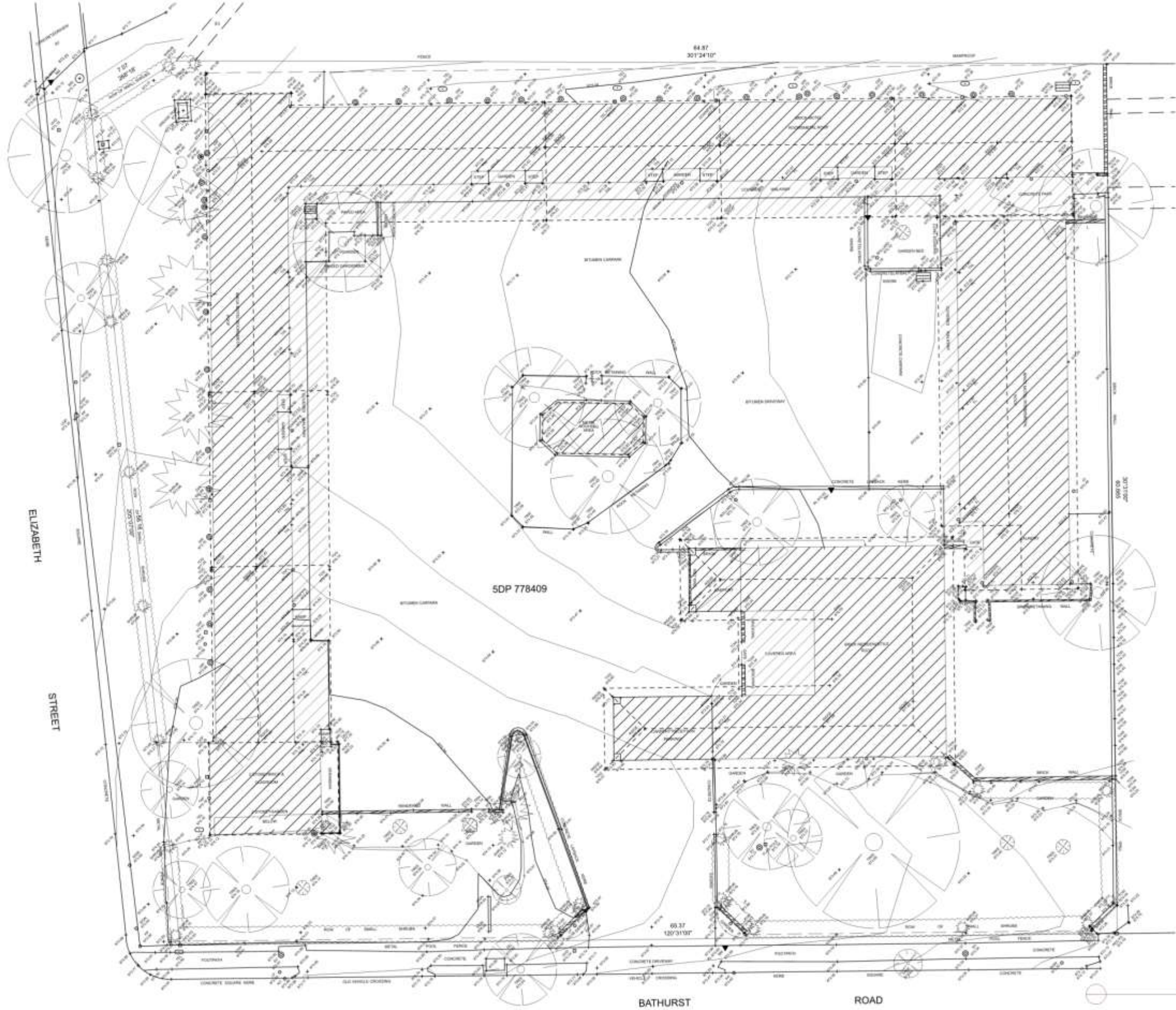
DRAWING TITLE:

PROPOSED MOTEL RENOVATIONS

PROJECT NAME:

DRAWING NO.

PROJECT NO. 23-119
DATE: August 2024



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Drawn (Checked) _____

Client: VIJAY BOHRA
102-110 BATHURST
ROAD CHANGE
LOT 5 / DP778409

**DEVELOPMENT APPLICATION
EXISTING SITE PLAN**
DRAWING TITLE:

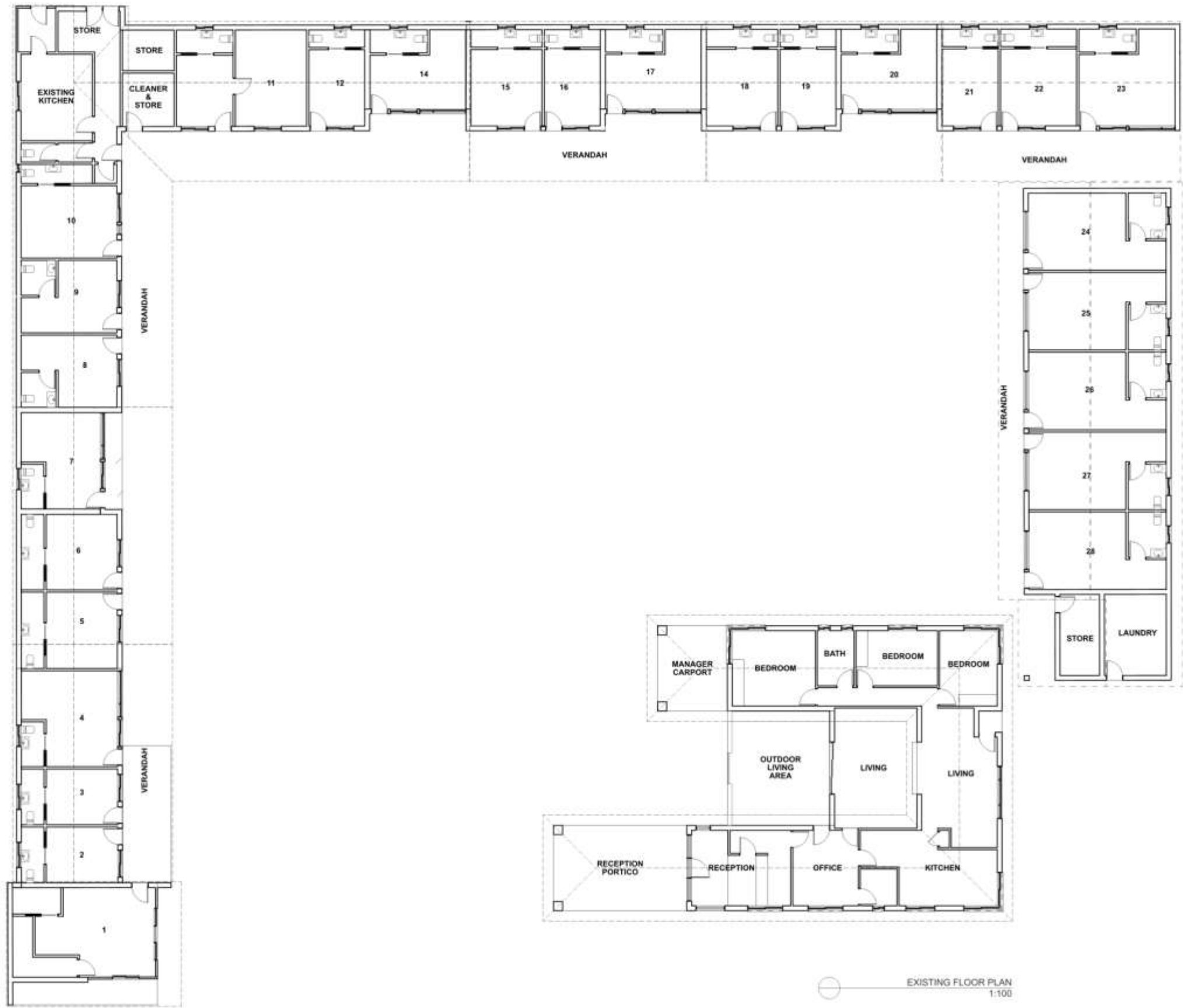
PROPOSED MOTEL RENOVATIONS

PROJECT NAME:

DRAWN BY:

PROJECT NO: 23-110
DATE: August 2024

EXISTING SITE PLAN
1:125



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BUILDING DESIGNERS
REGISTERED IN AUSTRALIA

Drawn () Checked ()
Client: VIJAY BOHRA
102-110 BATHURST
ROAD ORANGE
LOT 5 / DP778409
Site:

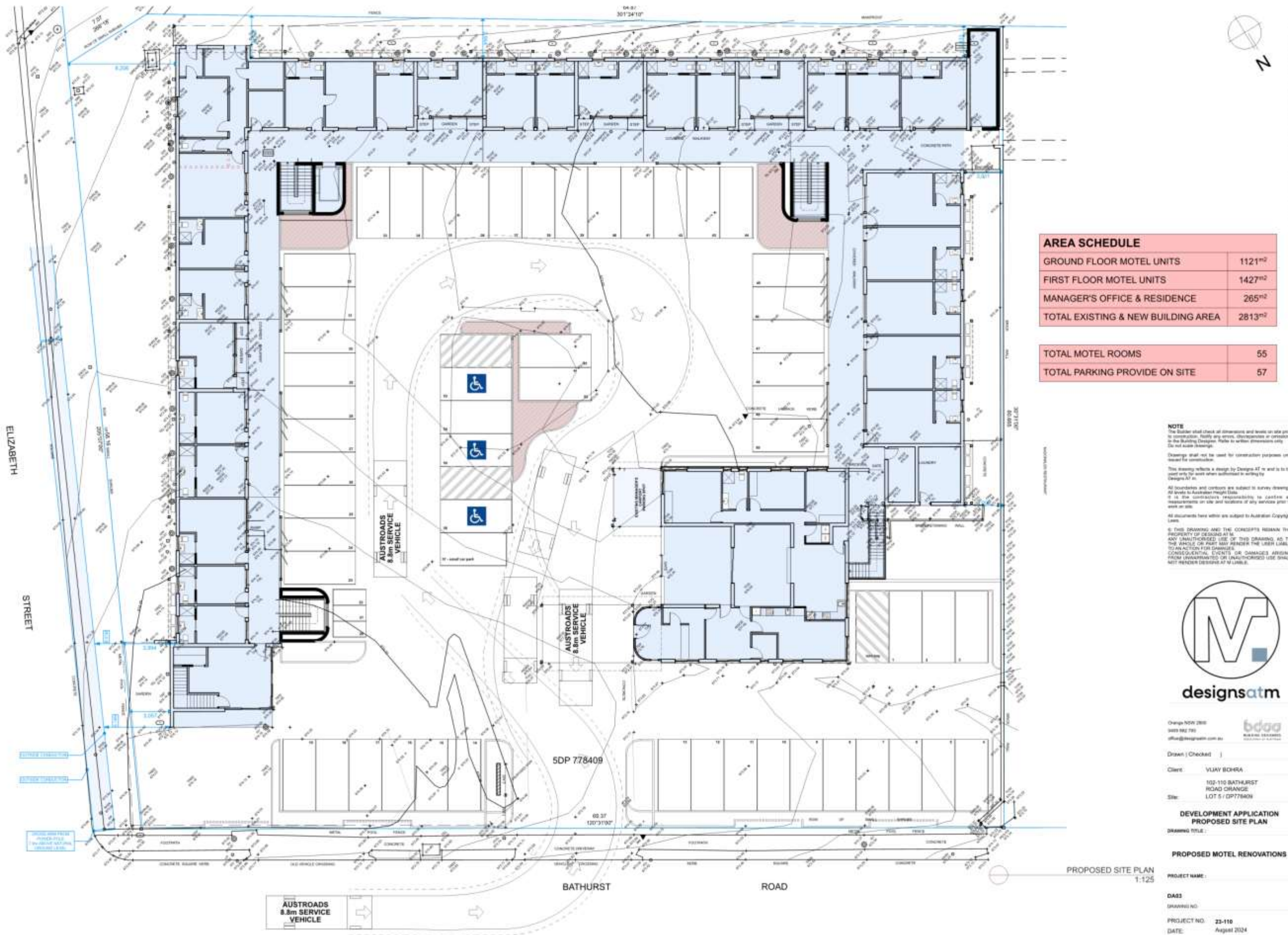
**DEVELOPMENT APPLICATION
EXISTING FLOOR PLAN**
DRAWING TITLE:

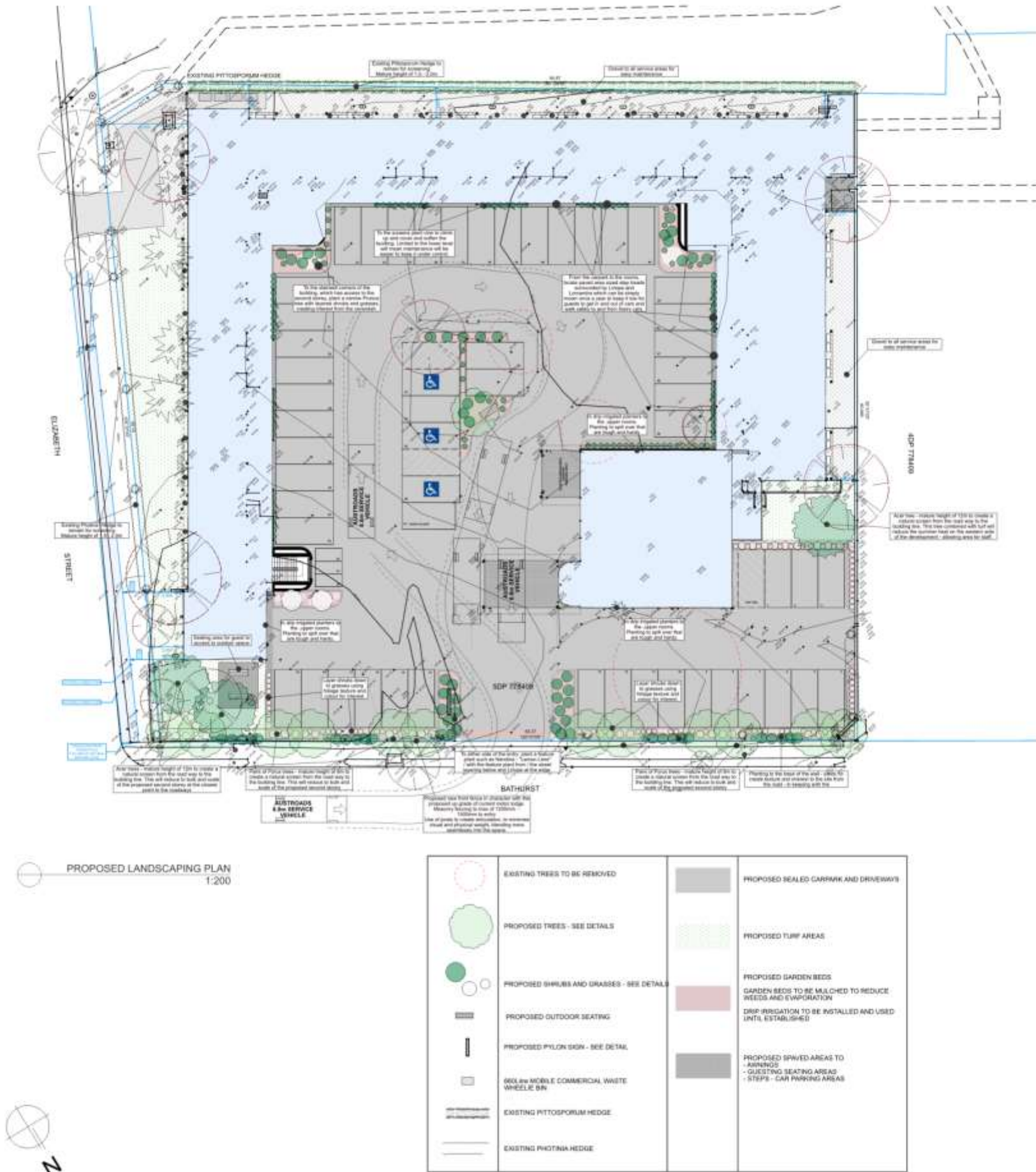
PROPOSED MOTEL RENOVATIONS

PROJECT NAME:

DAS2
DRAWING NO:

PROJECT NO: 23-116
DATE: August 2024





INDICATIVE PLANT SCHEDULE
SELECTIONS SUBJECT TO CHANGE DUE TO AVAILABILITY

PROPOSED PLANTING - TREES	
	ACER RUBRUM "LIPSTICK" MATURE SIZE - 10M HEIGHT - 9M WIDTH POT SIZE 75L
	PYRUS NIVALIS "SNOW PEAR" MATURE SIZE - 8M HEIGHT - 5M WIDTH POT SIZE 75L
	PYRUS CERSIFERA "OALVILLE CRIMSON SPIRE" MATURE SIZE - 5M HEIGHT - 2M WIDTH POT SIZE 75L

PROPOSED PLANTING - SHRUBS	
	WESTRINGA FRUTICOSA "COASTAL ROSEMARY" MATURE SIZE - 1500 X 1500MM POT SIZE 140MM
	NANDINA DOMESTICA "FIRE POWER" MATURE SIZE - 700-900 X 700-900MM POT SIZE 140MM
	NANDINA "LEMLIM" MATURE SIZE - 700-900 X 700-900MM POT SIZE 140MM
	TEUCRUM FRUTICANS "TREE GERMANY" MATURE SIZE - 1200 X 1200MM POT SIZE 140MM

PROPOSED PLANTING - SHRUBS	
	LIRIODENDRON MUSCARI "ISABELLA" MATURE HEIGHT - 200-500 X 200MM POT SIZE 140MM
	LOMANDRA "TANKIA" MATURE SIZE - 500-700 X 200MM POT SIZE 140MM

PROPOSED PLANTING - PLANTERS - CLIMBERS	
	ROSMARINUS OFFICINALIS "PRODRATE" MATURE SIZE - 300MM TRAILING POT SIZE 140MM
	TRACHELOSPERMUM JASMINOIDES "STAR JASMINE" MATURE SIZE - 500MM - TRAILING POT SIZE 140MM

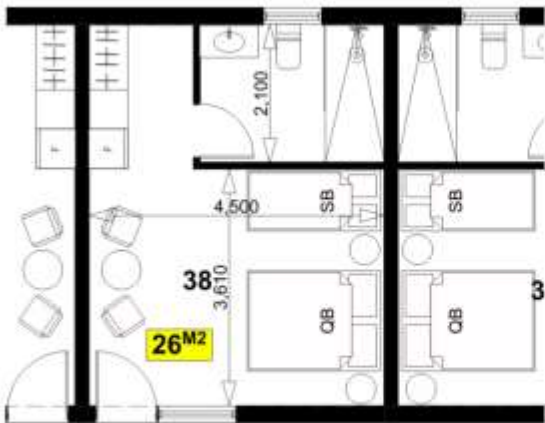
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bdaa
BATHURST DESIGN APPLICATION
DRAWING TITLE:
PROPOSED MOTEL RENOVATIONS
PROJECT NAME:
DASH
DRAWING NO:
PROJECT NO: 23-110
DATE: August 2024







NOTE
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Drawn | Checked |

Client: VIJAY BOHRA

102-110 BATHURST

ROAD ORANGE

Site: LOT 5 / DP778409

DEVELOPMENT APPLICATION
PART FLOOR PLAN

DRAWING TITLE:

PROPOSED MOTEL RENOVATIONS

PROJECT NAME:

DAT

DRAWING NO.

PROJECT NO. 23-118

DATE: August 2024

ALL NEW DOORWAYS 920MM

PART FLOOR PLAN
1:50



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Client: VIJAY BOHRA
102-110 BATHURST
ROAD ORANGE
LOT 5 / DP778409

Site:

**DEVELOPMENT APPLICATION
ELEVATIONS**

DRAWING TITLE:

PROPOSED MOTEL RENOVATIONS

PROJECT NAME:

DASH
DRAWING NO:

PROJECT NO. 23-116
DATE: August 2024



PROPOSED SOUTH WEST ELEVATION
1:100



PROPOSED SOUTH EAST ELEVATION
1:100

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Client: VIJAY BOHRA
102-110 BATHURST
ROAD ORANGE
LOT 5 / DP778409

Site:

**DEVELOPMENT APPLICATION
ELEVATIONS**

DRAWING TITLE:

PROPOSED MOTEL RENOVATIONS

PROJECT NAME:

DASS
DRAWING NO:

PROJECT NO. 23-116
DATE: August 2024



PROPOSED SOUTH EAST ELEVATION (INTERNAL)
1:100



PROPOSED NORTH WEST ELEVATION (INTERNAL)
1:100

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BUILDING DESIGNERS
REGISTERED IN AUSTRALIA

Drawn () Checked ()

Client: VIJAY BOHRA
102-110 BATHURST
ROAD ORANGE
Site: LOT 5 / DP778409

DEVELOPMENT APPLICATION
ELEVATIONS

DRAWING TITLE:

PROPOSED MOTEL RENOVATIONS




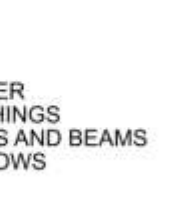
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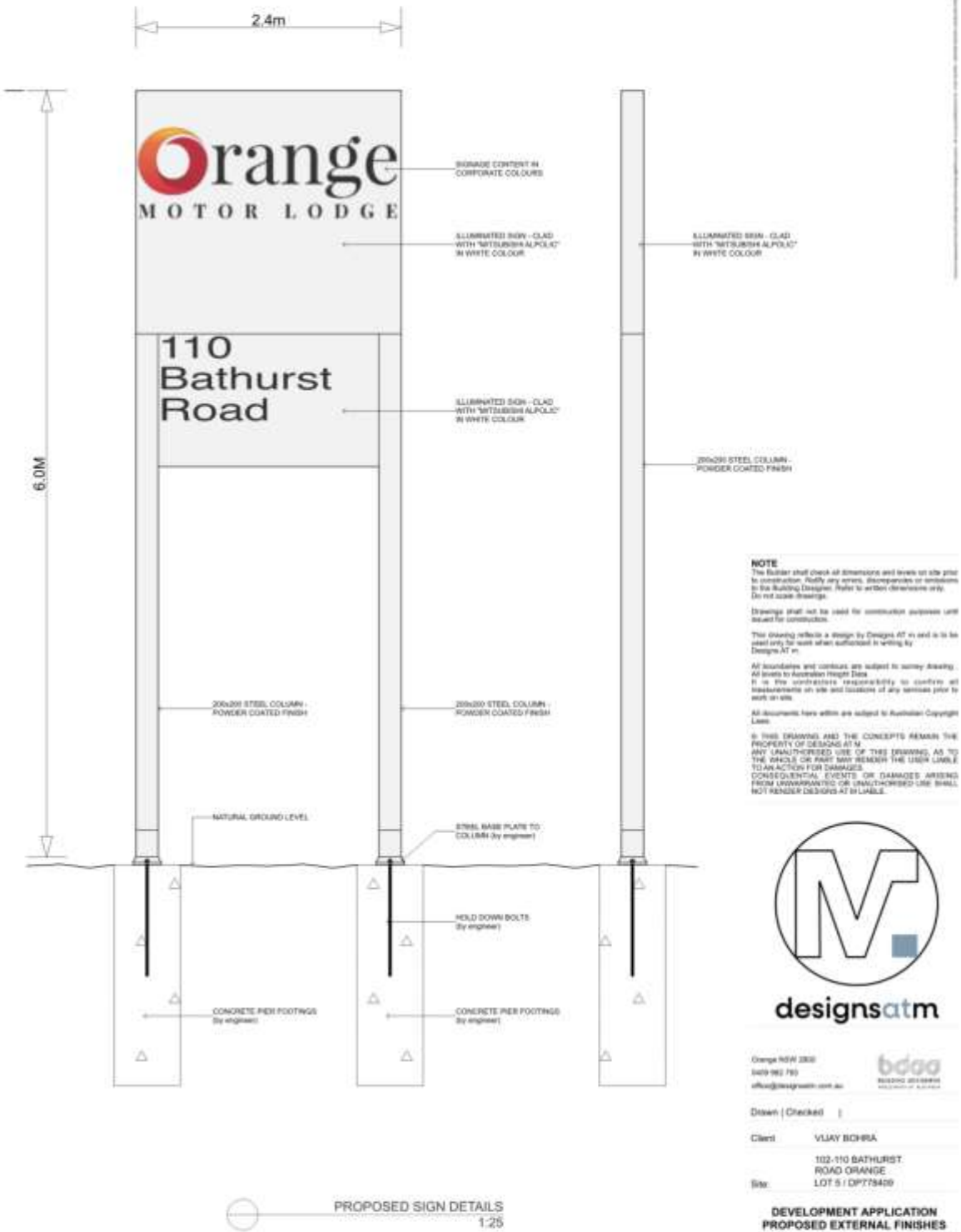
DATE:

DRAWING NO:

PROJECT NO: 23-116
DATE: August 2024

FINISHES SCHEDULE.

WF1		 Domino 30508	GROUND FLOOR EXISTING BRICK WORK TO BE PAINTED "DULUX" DOMINO
WF2		 Snowy Mountains 38168	PROPOSED NEW FIRST FLOOR JAMES HARDIE - MATRIX CLADDING TO BE PAINTED "DULUX" SNOWY MOUNTAINS
WF3		 Paris Creek 33886	PROPOSED STAIR AND LIFT WELLS INTERNAL AND EXTERNAL BOXED BALCONYS JAMES HARDIE - MATRIX CLADDING ALL TO BE PAINTED "DULUX" PARIS CREEK
WF4		 American Oak	PROPOSED ALUMINIUM BATTENS TO STAIR AND LIFT WELLS - EXTERNAL
DF1		 American Oak	PROPOSED ALUMINIUM LOURE SCREENS TO FACADE - EXTERNAL
DF2		 Colorbond® Basalt®	PROPOSED ALUMINIUM PERFORATED SCREENS TO FACADE - EXTERNAL
		 Colorbond® Basalt®	ROOF GUTTER FLASHINGS POSTS AND BEAMS WINDOWS
		 Paris Creek 33886	EXTERNAL DOORS





VIEW FROM BATHURST ROAD - WEST



VIEW FROM BATHURST ROAD - EAST



INTERNAL VIEW

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bdca
Building Design Council of Australia

Drawn () Checked ()

Client: VIJAY BOHRA
102-110 BATHURST
ROAD CHANGE
LOT 5 / DP778408

Site:

**DEVELOPMENT APPLICATION
PROPOSED EXTERIOR RENDERINGS**
DRAWING TITLE :

PROPOSED MOTEL RENOVATIONS

PROJECT NAME :

DA12
DRAWING NO:

PROJECT NO: 23-110
DATE: August 2024



EXISTING SHADOW DIAGRAM
1:400



PROPOSED SHADOW DIAGRAM
1:400

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Client: VILAY BOHRA
102-110 BATHURST
ROAD ORANGE
LOT 5 / DP778409

DEVELOPMENT APPLICATION
SHADOW DIAGRAM 9:00am
DRAWING TITLE |

PROPOSED MOTEL RENOVATIONS

PROJECT NAME |

DA13
DRAWING NO.

PROJECT NO. 23-116
DATE: August 2024



EXISTING SHADOW DIAGRAM
1:400



PROPOSED SHADOW DIAGRAM
1:400

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Client: VIJAY BOHRA
102-110 BATHURST
ROAD CHANGE
LOT 5 / DP775608

DEVELOPMENT APPLICATION
SHADOW DIAGRAM 12:00pm
DRAWING TITLE:

PROPOSED MOTEL RENOVATIONS

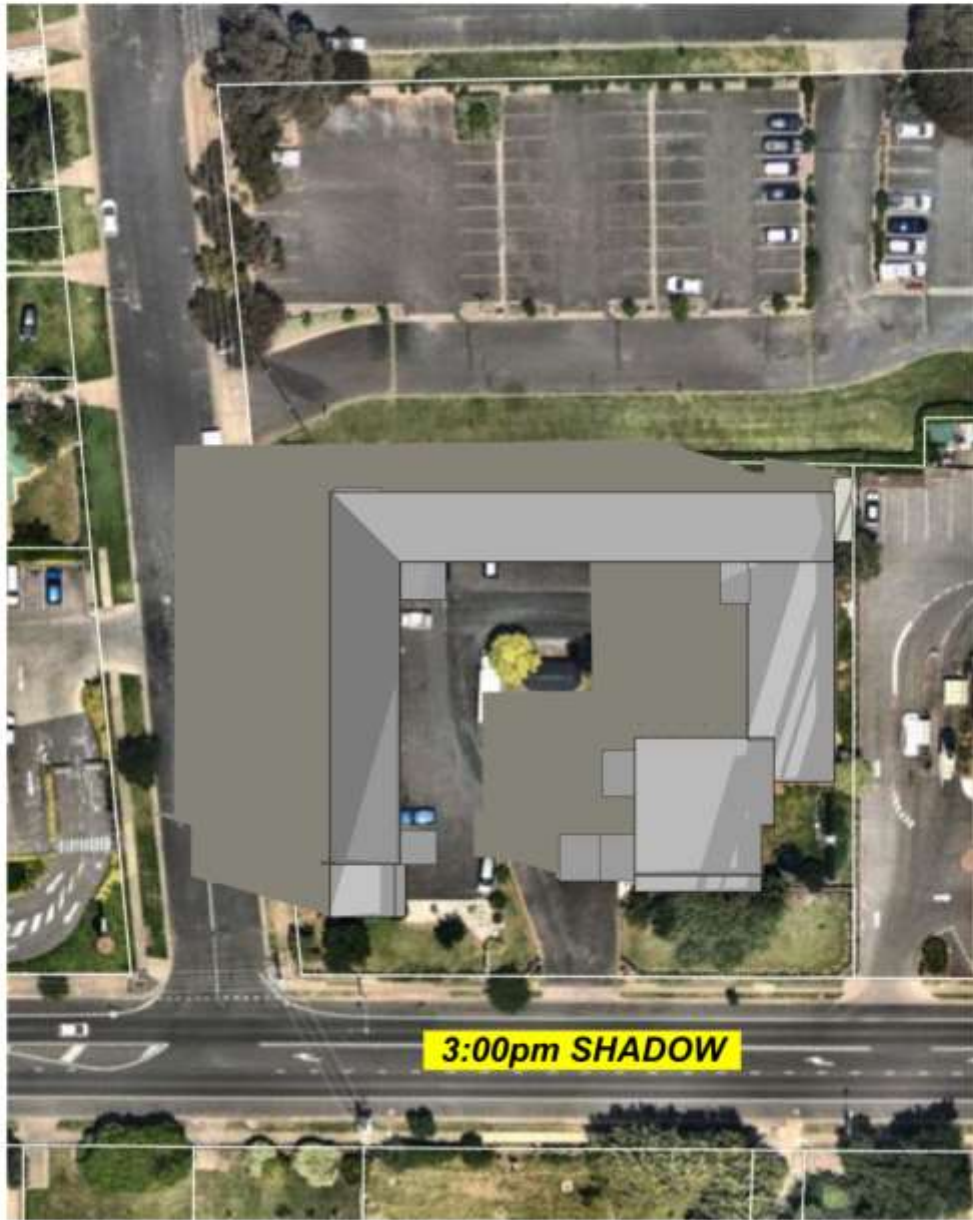
PROJECT NAME:

DA14
DRAWING NO:

PROJECT NO: 23-110
DATE: August 2024



EXISTING SHADOW DIAGRAM
1:400



PROPOSED SHADOW DIAGRAM
1:400

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Client: VILAY BOHRA
102-110 BATHURST
ROAD ORANGE
LOT 5 / DP778409

DEVELOPMENT APPLICATION
SHADOW DIAGRAM 3:00pm

PROPOSED MOTEL RENOVATIONS

PROJECT NAME:

DATE:

PROJECT NO. 23-116
DATE: August 2024



5.4 DEVELOPMENT APPLICATION - DA 2/2025(1) - 96 FRANKLIN ROAD

RECORD NUMBER: 2025/330

AUTHOR: Dhawala Ananda, Town Planner

EXECUTIVE SUMMARY

Application lodged	14 January 2025
Applicant/s	Ms S Cameron
Owner/s	Mr CS and Mrs S Cameron
Land description	Lot 36 DP 219312 - 96 Franklin Road Orange
Proposed land use	Demolition (tree removal)
Value of proposed development	\$1,500.00

Council's consent is sought for removal of a *Cedrus deodara* (*Himalayan Cedar*) tree located at the front yard of 96 Franklin Road, Orange.

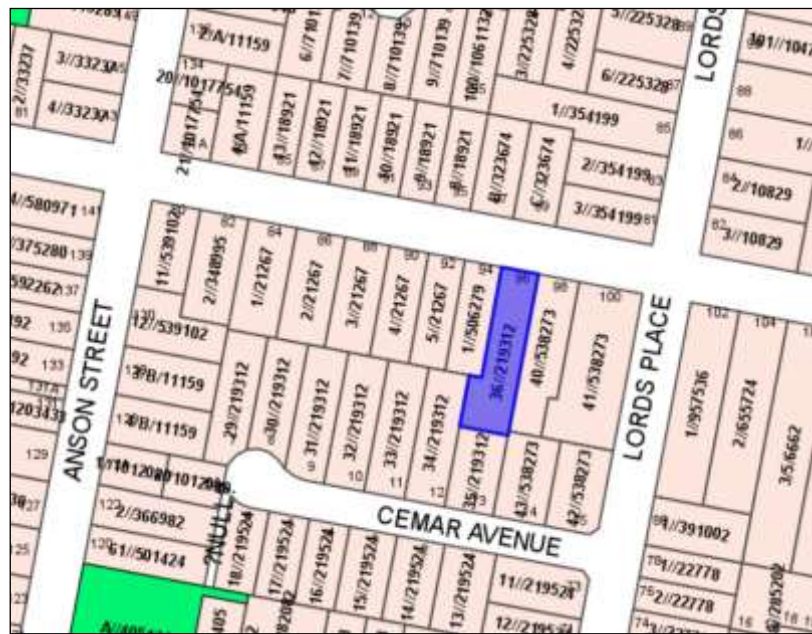
The applicants have cited several reasons for the removal of the subject tree. In particular the applicants submit that the subject tree causes significant shading of the block all year round which imposes over the eastern neighbours both in overhang and shade. It was also highlighted that the soil under the tree is very acidic making it difficult for other plants to thrive. The applicants argue that due to the trees extensive canopy it restricts the use of this area of the garden. Additionally, the applicants advise that the large cones produced by the tree, 8-15cm long, release a large amount of bright yellow pollen in autumn which is known to cause allergies in some people.

The subject land is located within the *Blackman's Swamp Heritage Conservation Area*. Due to the heritage setting, Council's consent is required for the removal of this tree.

The proposed development is defined as notified development under the provisions of the LEP. The proposal was notified to adjoining neighbours. At the completion of the notification period there were no submissions received.

Council's Manager City Presentation advises that the subject tree is a healthy specimen, growing in adequate space with no apparent structural issues. The subject tree makes a significant contribution to the streetscape and the Heritage conservation area in general. Whilst the concerns of the property owner are noted it is considered that the removal of the tree will significantly alters the existing streetscape character and the visual amenity of the locality and is therefore not supported.

Council's tree protection controls have been designed to protect significant vegetation and landscapes. Tree protection measures apply to all private and public land within the Orange City Council LGA. These measures require development consent for cutting down, lopping, topping, ringbarking, removal, or wilful destruction of any tree with a trunk size greater than 300mm at 1.4m height above ground level. As the proposed tree is 20m in height and 13m in diameter, approval for the removal of the tree is considered unwarranted in this case. Attached is a recommended Notice of Refusal for Council's consideration.



It is noted that Council's Manager City Presentation advises that the subject tree is a healthy specimen, growing in adequate space with no apparent structural issues and does not support the removal of the subject tree.

Council has set a strategic direction in terms of protecting vegetation through the Tree Protection Order. Additionally, this pine tree is a reflection of planting for the age of this area. The tree is of a size that makes a significant contribution within the heritage conservation area. Given there are no impacts on buildings or safety, and having regard to Council Strategic Plans, staff cannot support this application. It is recommended that Council refuses the proposed removal of the subject tree. Attached is a recommended Notice of Refusal for Council's consideration.

LINK TO DELIVERY/OPERATIONAL PLAN

The recommendation in this report relates to the Delivery/Operational Plan Strategy "11.1. Ensure plans for growth and development are respectful of our heritage".

FINANCIAL IMPLICATIONS

Nil

POLICY/GOVERNANCE IMPLICATIONS

Nil

LINK TO DELIVERY/OPERATIONAL PLAN

The recommendation in this report relates to the Delivery/Operational Plan Strategy "11.1. Ensure plans for growth and development are respectful of our heritage".

FINANCIAL IMPLICATIONS

Nil

POLICY AND GOVERNANCE IMPLICATIONS

Nil

RECOMMENDATION

That Council refuses development application DA 2/2025(1) for Demolition (tree removal) at Lot 36 DP 219312 - 96 Franklin Road, Orange pursuant to the conditions of consent in the attached Notice of Refusal.

SUPPORTING INFORMATION / THE PROPOSAL

The proposal involves demolition works i.e. removal of a *Cedrus deodara* (*Himalayan Cedar*) tree located at the front yard of 96 Franklin Road. The applicants have cited several reasons for the removal of the subject tree. In particular the following should be noted:

- The subject tree is large in dimension and causes significant shading of the block all year round and imposes over the eastern neighbours both in overhang and shade.
- Soil under the tree is very acidic making it difficult for other plants to thrive.
- Due to the trees extensive canopy it restricts the use of this area of the garden.
- The tree produces large cones, 8-15cm long, which release a large amount of bright yellow pollen in autumn which is known to cause allergies in some people.

No Arborist Report was supplied with the application. It was acknowledged by the applicant that the tree is a healthy specimen. The applicant proposes to replace the subject tree with fruit trees and a vegetable garden in the front yard.

5.4 Development Application - DA 2/2025(1) - 96 Franklin Road

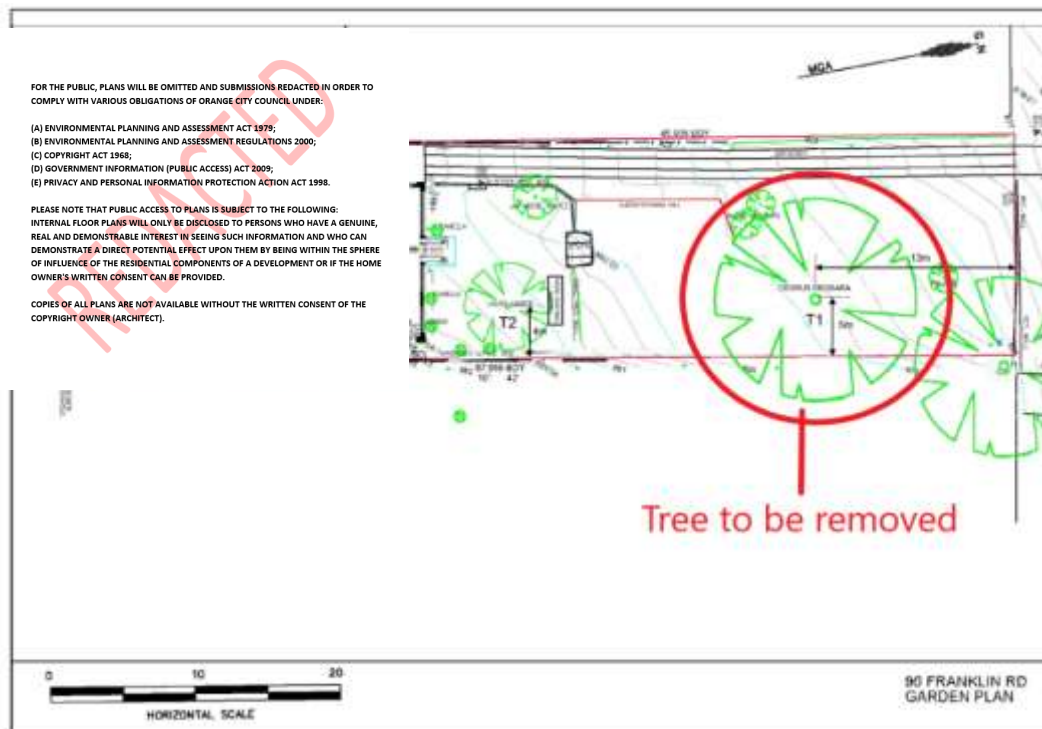


Figure 2 - site plan



Figure 3 - aerial image showing the tree proposed to be removed

MATTERS FOR CONSIDERATION

Section 1.7 of the EP&A Act identifies that Part 7 of the Biodiversity Conservation Act 2016 (BC Act) and Part 7A of the Fisheries Management Act 1994 have effect in connection with terrestrial and aquatic environments.

There are four triggers known to insert a development into the Biodiversity Offset Scheme (i.e. the need for a BDAR to be submitted with a DA):

- Trigger 1: development occurs in land mapped on the Biodiversity Values Map (OEH) (clause 7.1 of BC Regulation 2017);
- Trigger 2: development involves clearing/disturbance of native vegetation above a certain area threshold (clauses 7.1 and 7.2 of BC Regulation 2017); or
- Trigger 3: development is otherwise likely to significantly affect threatened species (clauses 7.2 and 7.3 of BC Act 2016).

The fourth trigger (development proposed to occur in an Area of Outstanding Biodiversity Value (clause 7.2 of BC Act 2016) is generally not applicable to the Orange LGA; as no such areas are known to occur in the LGA. No further comments will be made against the fourth trigger.

Trigger 1

The subject land is not identified as biodiversity sensitive on the Orange LEP 2011 Terrestrial Biodiversity Map.

Trigger 2

The prescribed clearing threshold for the site is 0.25ha (based on minimum lot size for the subject land of less than 1ha ((Cl. 7.2 Biodiversity Conservation Regulation 2017). The proposal does not involve clearing or disturbance of any native vegetation.

Trigger 3

With regard to the third trigger, the test for determining whether proposed development is otherwise likely to significantly affect threatened species is listed in the BC Act 2016, under s7.3:

- (a) *in the case of a threatened species, whether the proposed development or activity is likely to have an adverse effect on the life cycle of the species such that a viable local population of the species is likely to be placed at risk of extinction,*
- (b) *in the case of an endangered ecological community or critically endangered ecological community, whether the proposed development or activity:*
 - (i) *is likely to have an adverse effect on the extent of the ecological community such that its local occurrence is likely to be placed at risk of extinction, or*
 - (ii) *is likely to substantially and adversely modify the composition of the ecological community such that its local occurrence is likely to be placed at risk of extinction,*
- (c) *in relation to the habitat of a threatened species or ecological community:*
 - (i) *the extent to which habitat is likely to be removed or modified as a result of the proposed development or activity, and*
 - (ii) *whether an area of habitat is likely to become fragmented or isolated from other areas of habitat as a result of the proposed development or activity, and*
 - (iii) *the importance of the habitat to be removed, modified, fragmented or isolated to the long-term survival of the species or ecological community in the locality,*

- (d) *whether the proposed development or activity is likely to have an adverse effect on any declared area of outstanding biodiversity value (either directly or indirectly),*
- (e) *whether the proposed development or activity is or is part of a key threatening process or is likely to increase the impact of a key threatening process.*

The subject land is contained within an established urban area and does not occur within land mapped on the Biodiversity Values Map.

Summary

While the development involves tree removal, the site does not contain or adjoin mapped biodiversity sensitive lands. The natural state of the site and surrounding area has been highly modified by the urban land use pattern. As such, the proposed development will not adversely affect any threatened species.

For the foregoing consideration, a Biodiversity Development Assessment Report (BDAR) is not required, and the proposal suitably satisfies the relevant matters at Clause 1.7 EPAA 1979.

Section 4.15

Section 4.15 of the *Environmental Planning and Assessment Act 1979* requires Council to consider various matters, of which those pertaining to the application are listed below.

PROVISIONS OF ANY ENVIRONMENTAL PLANNING INSTRUMENT s4.15(1)(a)(i)

Orange Local Environmental Plan 2011

Part 1 - Preliminary

Clause 1.2 - Aims of Plan

The broad aims of the LEP are set out under subclause 2. Those relevant to the application are as follows:

- (b) *to provide for a range of development opportunities that contribute to the social, economic and environmental resources of Orange in a way that allows present and future generations to meet their needs by implementing the principles for ecologically sustainable development,*
- (f) *to recognise and manage valued environmental heritage, landscape and scenic features of Orange.*

The above-described aims of the plan are considered to be relevant in the determination of the subject application. It is considered that the development is not consistent with Aims (b) and (f) as outlined in this report. The subject tree is located within a heritage conservation area and the tree to be demolished currently makes a significant contribution to the street in general. Council's Manager City Presentation advises that the subject tree is a healthy specimen, growing in adequate space with no apparent structural issues and does not support the removal of the subject tree.

Clause 1.6 - Consent Authority

This clause establishes that, subject to the Act, Council is the consent authority for applications made under the LEP.

Clause 1.7 - Mapping

The subject site is identified on the LEP maps in the following manner:

Land Zoning Map:	Land zoned R1 General Residential
Lot Size Map:	No Minimum Lot Size
Heritage Map:	Blackman's Swamp Heritage Conversation Area
Height of Buildings Map:	No building height limit
Floor Space Ratio Map:	No floor space limit
Terrestrial Biodiversity Map:	No biodiversity sensitivity on the site
Groundwater Vulnerability Map:	Groundwater vulnerable
Drinking Water Catchment Map:	Not within the drinking water catchment
Watercourse Map:	Not within or affecting a defined watercourse
Urban Release Area Map:	Not within an urban release area
Obstacle Limitation Surface Map:	No restriction on building siting or construction
Additional Permitted Uses Map:	No additional permitted use applies
Flood Planning Map:	Not within a flood planning area

Those matters that are of relevance are addressed in detail in the body of this report.

Clause 1.9A - Suspension of Covenants, Agreements and Instruments

This clause provides that covenants, agreements and other instruments which seek to restrict the carrying out of development do not apply with the following exceptions:

- (a) *to a covenant imposed by the Council or that the Council requires to be imposed, or*
- (b) *to any relevant instrument under Section 13.4 of the Crown Land Management Act 2016, or*
- (c) *to any conservation agreement under the National Parks and Wildlife Act 1974, or*
- (d) *to any Trust agreement under the Nature Conservation Trust Act 2001, or*
- (e) *to any property vegetation plan under the Native Vegetation Act 2003, or*
- (f) *to any biobanking agreement under Part 7A of the Threatened Species Conservation Act 1995, or*
- (g) *to any planning agreement under Subdivision 2 of Division 7.1 of the Environmental Planning and Assessment Act 1979.*

Council staff are not aware of the title of the subject property being affected by any of the above.

Part 2 - Permitted or Prohibited Development**Clause 2.1 - Land Use Zones and Clause 2.3 - Zone Objectives and Land Use Table**

The subject site is located within the **R1 General Residential** zone. The proposed development is defined as a **Demolition (tree removal)** under OLEP 2011 and is permitted with consent for this zone. This application is seeking consent.

Clause 2.3 of LEP 2011 references the Land Use Table and Objectives for each zone in LEP 2011. These objectives for land zoned **R1 General Residential** are as follows:

Objectives of zone R1 General Residential

- *To provide for the housing needs of the community.*
- *To provide for a variety of housing types and densities.*
- *To enable other land uses that provide facilities or services to meet the day to day needs of residents.*
- *To ensure development is ordered in such a way as to maximise public transport patronage and encourage walking and cycling in close proximity to settlement.*
- *To ensure that development along the Southern Link Road has an alternative access.*

The proposal is not contrary to the relevant objectives for the **R1 General Residential** zone.

Clause 2.7 - Demolition Requires Development Consent

This clause triggers the need for development consent in relation to a building or work. This requirement does not apply to any demolition that is defined as exempt development.

The proposal involves removal of a tree and the applicant is seeking the consent of council.

Part 3 - Exempt and Complying Development

The application is not exempt or complying development.

Part 4 - Principal Development Standards

The part 4 is not applicable to this development application.

Part 5 - Miscellaneous Provisions**5.10 - Heritage Conservation**

Note: Heritage items (if any) are listed and described in Schedule 5. Heritage conservation areas (if any) are shown on the [Heritage Map](#) as well as being described in Schedule 5.

(1) Objectives

The objectives of this clause are as follows:

- (a) *to conserve the environmental heritage of Orange,*
- (b) *to conserve the heritage significance of heritage items and heritage conservation areas, including associated fabric, settings and views,*
- (c) *to conserve archaeological sites,*
- (d) *to conserve Aboriginal objects and Aboriginal places of heritage significance.*

(2) Requirement for Consent

Development consent is required for any of the following:

- (a) *demolishing or moving any of the following or altering the exterior of any of the following (including, in the case of a building, making changes to its detail, fabric, finish or appearance):*
 - (i) *a heritage item,*
 - (ii) *an Aboriginal object,*
 - (iii) *a building, work, relic or tree within a heritage conservation area,*

- (b) *altering a heritage item that is a building by making structural changes to its interior or by making changes to anything inside the item that is specified in Schedule 5 in relation to the item,*
- (c) *disturbing or excavating an archaeological site while knowing, or having reasonable cause to suspect, that the disturbance or excavation will or is likely to result in a relic being discovered, exposed, moved, damaged or destroyed,*
- (d) *disturbing or excavating an Aboriginal place of heritage significance,*
- (e) *erecting a building on land:*
 - (i) *on which a heritage item is located or that is within a heritage conservation area, or*
 - (ii) *on which an Aboriginal object is located or that is within an Aboriginal place of heritage significance,*
- (f) *subdividing land:*
 - (i) *on which a heritage item is located or that is within a heritage conservation area, or*
 - (ii) *on which an Aboriginal object is located or that is within an Aboriginal place of heritage significance.*

(4) Effect of Proposed Development on Heritage Significance

The consent authority must, before granting consent under this clause in respect of a heritage item or heritage conservation area, consider the effect of the proposed development on the heritage significance of the item or area concerned. This subclause applies regardless of whether a heritage management document is prepared under Subclause (5) or a heritage conservation management plan is submitted under Subclause (6).

Comment:

The site is within the heritage conservation area but is not specifically listed as an item of environmental heritage.

It is considered that the proposal to remove the subject tree will significantly alter the landscape setting of the site, streetscape and conservation area in general. Whilst the applicants arguments in support of the tree are acknowledged, Council's Manager City Presentation advises that the subject tree is a healthy specimen, growing in adequate space with no apparent structural issues and does not support the removal of the subject tree. Based on that advice and the fact that the tree makes a significant contribution to the surrounding tree canopy of Orange and the heritage conservation area in general, it is recommended that Council refuses the proposed removal of the subject tree.

No other change aside from the tree removal is proposed to the site i.e. development, services, landscaping, fencing, access or parking.

For the foregoing reasons, the demolition i.e. tree removal is not supported in the heritage conservation area.

Part 6 - Urban Release Area

Not relevant to the application. The subject site is not located in an Urban Release Area.

Part 7 - Additional Local Provisions

The standards in Part 7 do not relate to the subject land or proposed development, given the use of site remains unchanged; along with the building, access, parking and essential services remain the same as that existing. With these, 7.3 - Stormwater Management and 7.11 - Essential Services are not relevant consideration.

Despite these, and while limited to the demolition footprint, earthworks and ground vulnerability are relevant considerations.

7.1 - Earthworks

This clause establishes a range of matters that must be considered prior to granting development consent for any application involving earthworks, such as:

- (a) the likely disruption of, or any detrimental effect on, existing drainage patterns and soil stability in the locality of the development*
- (b) the effect of the development on the likely future use or redevelopment of the land*
- (c) the quality of the fill or the soil to be excavated, or both*
- (d) the effect of the development on the existing and likely amenity of adjoining properties*
- (e) the source of any fill material and the destination of any excavated material*
- (f) the likelihood of disturbing relics*
- (g) the proximity to and potential for adverse impacts on any waterway, drinking water catchment or environmentally sensitive area*
- (h) any measures proposed to minimise or mitigate the impacts referred to in Paragraph (g).*

The earthworks proposed in the application are limited to the extent of the proposed demolition i.e. removal of the tree, stump and root systems. These works can be appropriately supported onsite without disruption to onsite drainage arrangements (while the removal is triggered to protect the existing sewer line), or impact adjoining properties or the receiving waterways if Council was of the view to support the tree removal.

The extent of the earthworks will not materially affect the potential future use or redevelopment of the site.

The site is not known to contain any Aboriginal, European or Archaeological relics. Previous known uses of the site do not suggest that any relics are likely to be uncovered.

The site is not in proximity to any waterway, drinking water catchment or sensitive area. Conditions may be imposed to require a sediment control plan, including silt traps and other protective measures, to ensure that loose dirt and sediment does not escape the site boundaries.

7.6 - Groundwater Vulnerability

This clause seeks to protect hydrological functions of groundwater systems and protect resources from both depletion and contamination. Orange has a high water table and large areas of the LGA, including the subject site, are identified with "Groundwater Vulnerability" on the Groundwater Vulnerability Map.

This requires that Council consider:

- (a) whether or not the development (including any onsite storage or disposal of solid or liquid waste and chemicals) is likely to cause any groundwater contamination or have any adverse effect on groundwater dependent ecosystems, and*
- (b) the cumulative impact (including the impact on nearby groundwater extraction for potable water supply or stock water supply) of the development and any other existing development on groundwater.*

Furthermore consent may not be granted unless Council is satisfied that:

- (a) the development is designed, sited and will be managed to avoid any significant adverse environmental impact, or*
- (b) if that impact cannot be reasonably avoided - the development is designed, sited and will be managed to minimise that impact,*
- (c) if that impact cannot be minimised - the development will be managed to mitigate that impact.*

The proposal is not anticipated to involve the discharge of toxic or noxious substances and is therefore unlikely to contaminate the groundwater or related ecosystems. The proposal does not involve extraction of groundwater and will therefore not contribute to groundwater depletion.

The proposal being a demolition only i.e. tree removal also avoids impact on groundwater and is therefore considered acceptable.

STATE ENVIRONMENTAL PLANNING POLICIES

Although there are SEPPs relevant to this site, none are applicable to the proposed development. It is noted that the site has a long history of being used for residential purposes. Contamination testing was not considered to be warranted in this case.

PROVISIONS OF ANY DRAFT ENVIRONMENTAL PLANNING INSTRUMENT THAT HAS BEEN PLACED ON EXHIBITION 4.15(1)(a)(ii)

There are no draft Environmental Planning Instruments currently on exhibition that relate to the subject land or proposed development.

DESIGNATED DEVELOPMENT

The proposed development is not designated development.

INTEGRATED DEVELOPMENT

The proposed development is not integrated development.

PROVISIONS OF ANY DEVELOPMENT CONTROL PLAN s4.15(1)(a)(iii)

Orange Development Control Plan 2004

Orange Development Control Plan 2004 ("the DCP") applies to the subject land, and the following parts apply to this proposal:

- Part 0 - Transitional Provisions (0.4.2 - Tree Preservation)
- Part 3 - General Considerations
- Part 5 - General Considerations for Zones and Development
- Part 13 - Heritage

An assessment of the proposed development against the relevant Planning Outcomes will be undertaken below.

The relevant matters in Parts 0, 3, 5, 8 and 13 were considered in the foregoing assessment under Orange LEP 2011.

A further assessment of the proposed development against Parts 0, 8 and 13 Planning Outcomes is included in the following assessment.

Part 0 - Transitional Provisions (0.4.2 - Tree Preservation)

Trees prescribed by this DCP must not be ringbarked, cut down, topped, lopped or wilfully destroyed without the Council's approval and landowner's consent

This clause applies to Eucalypts of any size belonging to the White Box, Yellow Box and Blakely's Red Gum Endangered Ecological Communities, including species indicated as affected in the tree preservation table.

This clause also applies to any tree, native or exotic, with a trunk diameter equal to or greater than 300mm at breast height (refer AS4970-2009 for measurement guidelines).

Notwithstanding IPO-4(3) this clause does not apply to species indicated as exempt in the tree preservation table.

An application for the Council's approval must be accompanied by an appropriately qualified specialist (i.e., Arborist) report outlining the following information.

This planning outcome requires that applications for tree removal be accompanied by an Arborist Report. As no report was submitted, the assessment of Council's Manager City Presentation has been relied upon to confirm the current state of the tree proposed for removal. Council's Manager City Presentation has commented that the subject tree is a healthy specimen, growing in adequate space with no apparent structural issues.

Tree protection measures apply to all private and public land within the Orange City Council LGA, prohibiting the cutting down, lopping, topping, ringbarking, removal, or wilful destruction of any tree with a trunk size greater than 300mm at 1.4m height above ground level. Given these protections and the tree's good health and structural stability, its removal is not supported.

The tree proposed for removal is a *Cedrus deodara*, a mature non-native species that has grown to a considerable height of 20m with a canopy spread of 132 square meters and measures 13m in diameter. Despite concerns regarding overshadowing, such effects are typical of mature trees and do not provide sufficient justification for removal. The tree significantly contributes to the established urban canopy, providing shade, urban cooling, and environmental benefits such as carbon sequestration, habitat for local fauna, and protection against soil erosion.

Its removal would alter the existing streetscape character and visual amenity by reducing the established greenery and canopy coverage. Furthermore, the tree's presence contributes to the heritage setting and should be preserved to maintain the character of the area. Council encourages alternatives to tree removal at all times, including appropriate pruning or management strategies to address concerns regarding overshadowing or debris.

No evidence has been provided to demonstrate that the tree poses an immediate safety risk or structural concern. Its removal is therefore inconsistent with Council's commitment to sustainable urban greening and tree preservation. Given these considerations, the proposal to remove the tree is not supported.

Part 13 - Heritage

Development relates to the significant features of heritage buildings on or near the site, as reflected in inventory sheets.

Development conforms with recognised conservation principles.

Conservation Management Plans are prepared for development having a significant effect on heritage sites.

The heritage related matter has been considered earlier in this report. The subject tree makes a significant contribution to the existing streetscape. Council's Manager City Presentation has indicated that the tree is in a healthy state and is adequately positioned on the allotment. Removal of the tree has the potential to adversely impact upon the tree canopy and conservation area in general.

ORANGE DEVELOPMENT CONTRIBUTIONS PLAN 2024

Council's Development Contributions Plan 2024 (LGA Remainder) is not applicable to this proposal.

INFILL GUIDELINES

Not relevant to this proposal.

PROVISIONS PRESCRIBED BY THE REGULATIONS s4.15(1)(a)(iv)**Demolition of a Building (clause 61)**

The proposal involves the demolition i.e. tree removal, and therefore not relevant.

Fire Safety Considerations (clause 62)

The proposal does not involve a change of building use for an existing building.

Buildings to be Upgraded (clause 64)

The proposal does not involve the rebuilding, alteration, enlargement or extension of an existing building.

BASIX Commitments (clause 75)

BASIX is not applicable to the proposed development.

THE LIKELY IMPACTS OF THE DEVELOPMENT s4.15(1)(b)**Visual Impacts**

The removal of the existing *Cedrus deodara* tree will significantly alter the landscape character of the site and its surroundings. The tree currently makes a substantial contribution to the streetscape, providing greenery, shade, and visual cohesion within the *Blackman's Swamp Heritage Conservation Area*. Its removal would diminish the established character and reduce the overall aesthetic and environmental quality of the area.

While concerns have been raised about opening views to the subject house, the tree's presence enhances the heritage setting by contributing to the mature landscape that defines the precinct. Additionally, established trees provide natural screening and privacy while supporting urban cooling and biodiversity.

The removal of this tree would create an immediate visual void that cannot be fully mitigated by replacement plantings. While fruit trees and perennial species may contribute to the landscape over time, they will not replicate the scale, shading, or visual prominence of the existing tree. As such, the removal of the *Cedrus deodara* is not supported due to its adverse impact on the visual character and streetscape integrity of the area.

Environmental Impacts

The removal of the *Cedrus deodara* tree will have a notable environmental impact. Mature trees play a crucial role in maintaining urban biodiversity, improving air quality, providing habitat for wildlife, and contributing to climate resilience by reducing the heat island effect. While the site may not be classified as environmentally sensitive, the removal of this large, established tree will result in a significant and permanent reduction in tree canopy, impacting local biodiversity and urban cooling.

The tree provides valuable ecological benefits, including soil stabilization, carbon sequestration, and habitat for birds and insects. Its removal could contribute to increased soil erosion and reduced stormwater absorption, affecting the site's overall environmental balance. Although replacement plantings are proposed, they will take years to establish and will not immediately compensate for the loss of the existing mature tree's environmental functions.

Given these considerations, the removal of the *Cedrus deodara* is not supported as it contradicts principles of sustainable urban greening and biodiversity conservation. Council encourages the retention of existing canopy trees and the exploration of alternative management strategies to address any concerns regarding the tree's presence.

THE SUITABILITY OF THE SITE s4.15(1)(c)

There are no known physical attributes within the site that would unreasonably constrain the proposed demolition.

ANY SUBMISSIONS MADE IN ACCORDANCE WITH THE ACT s4.15(1)(d)

The proposed development is defined as "advertised development" under the provisions of the Community Participation Plan. The application was advertised for the prescribed period of 14 days and at the end of that period no submissions were received.

PUBLIC INTEREST s4.15(1)(e)

The proposal will not be inconsistent with any policy statement, planning study or guideline that has not been considered in this assessment. There are no aspects of the proposal that will be contrary to the welfare or well-being of the general public.

SUMMARY

The proposed development is permissible with the consent of Council.

The proposed development is not considered to be consistent with the relevant aims, objectives and provisions of Orange LEP 2011 (as amended) and DCP 2004.

A Section 4.15 assessment of the development indicates that the development is not acceptable in this instance. Attached is a draft Notice of Refusal outlining a range of conditions considered appropriate to ensure that the development proceeds in an acceptable manner.

COMMENTS

The requirements of the Manager City Presentation are included in the attached Notice of Refusal.

ATTACHMENTS

- 1 Draft Notice of Refusal, D25/26581 [↓](#)
- 2 Plan, D25/26237 [↓](#)

**NOTICE OF DETERMINATION OF A DEVELOPMENT APPLICATION**

Application number	DA 2/2025(1) PAN-500971
Applicant	Shara Cameron 96 FRANKLIN RD
Description of development	Removal of one tree
Property	96 FRANKLIN ROAD ORANGE 2800 36/-/DP219312
Determination	Refused Consent Authority - Council
Date of determination	4/03/25

Under section 4.18(1)(a) of the EP&A Act, notice is given that the above development application has been determined by refusing consent using the power in section 4.16(1)(b) of the EP&A Act, for the reasons specified below:

Reason for Refusal

1. The tree is healthy and structurally sound, with no evidence of disease or instability.
2. The demolition of the tree at the subject site will have an adverse visual impact on the streetscape.
3. The demolition of the tree at the subject site will have an adverse impact on the Blackman's Swamp Heritage Conservation Area.

4. Tree removal would reduce canopy coverage, affecting biodiversity, shade, and urban greenery.

Right of appeal / review of determination

If you are dissatisfied with this determination:

Request a review

You may request a review of the consent authority's decision under section 8.3(1) of the EP&A Act. The application must be made to the consent authority within 6 months from the date that you received the original determination notice provided that an appeal under section 8.7 of the EP&A Act has not been disposed of by the Court.

Rights to appeal

You have a right under section 8.7 of the EP&A Act to appeal to the Court within 6 months after the date on which the determination appealed against is notified or registered on the NSW planning portal.

The Dictionary at the end of this consent defines words and expressions for the purposes of this determination.

Paul Johnston
Manager Development Assessments
Person on behalf of the consent authority

For further information, please contact Dhawala Ananda / Senior Planner

Dictionary

The following terms have the following meanings for the purpose of this determination (except where the context clearly indicates otherwise):

Approved plans and documents means the plans and documents endorsed by the consent authority, a copy of which is included in this notice of determination.

AS means Australian Standard published by Standards Australia International Limited and means the current standard which applies at the time the consent is issued.

Certifier means a council or a person that is registered to carry out certification work under the *Building and Development Certifiers Act 2018*.

Construction certificate means a certificate to the effect that building work completed in accordance with specified plans and specifications or standards will comply with the requirements of the EP&A Regulation and *Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021*.

Council means ORANGE CITY COUNCIL.

Court means the Land and Environment Court of NSW.

EPA means the NSW Environment Protection Authority.

EP&A Act means the *Environmental Planning and Assessment Act 1979*.

EP&A Regulation means the *Environmental Planning and Assessment Regulation 2021*.

Independent Planning Commission means Independent Planning Commission of New South Wales constituted by section 2.7 of the EP&A Act.

Occupation certificate means a certificate that authorises the occupation and use of a new building or a change of building use for an existing building in accordance with this consent.

Principal certifier means the certifier appointed as the principal certifier for building work or subdivision work under section 6.6(1) or 6.12(1) of the EP&A Act respectively.

Site work means any work that is physically carried out on the land to which the development the subject of this development consent is to be carried out, including but not limited to building work, subdivision work, demolition work, clearing of vegetation or remediation work.

Stormwater drainage system means all works and facilities relating to:

- the collection of stormwater,
- the reuse of stormwater,
- the detention of stormwater,
- the controlled release of stormwater, and
- connections to easements and public stormwater systems.

Strata certificate means a certificate in the approved form issued under Part 4 of the *Strata Schemes Development Act 2015* that authorises the registration of a strata plan, strata plan of subdivision or notice of conversion.

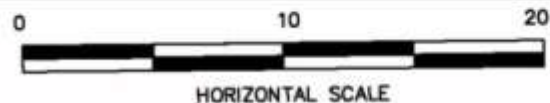
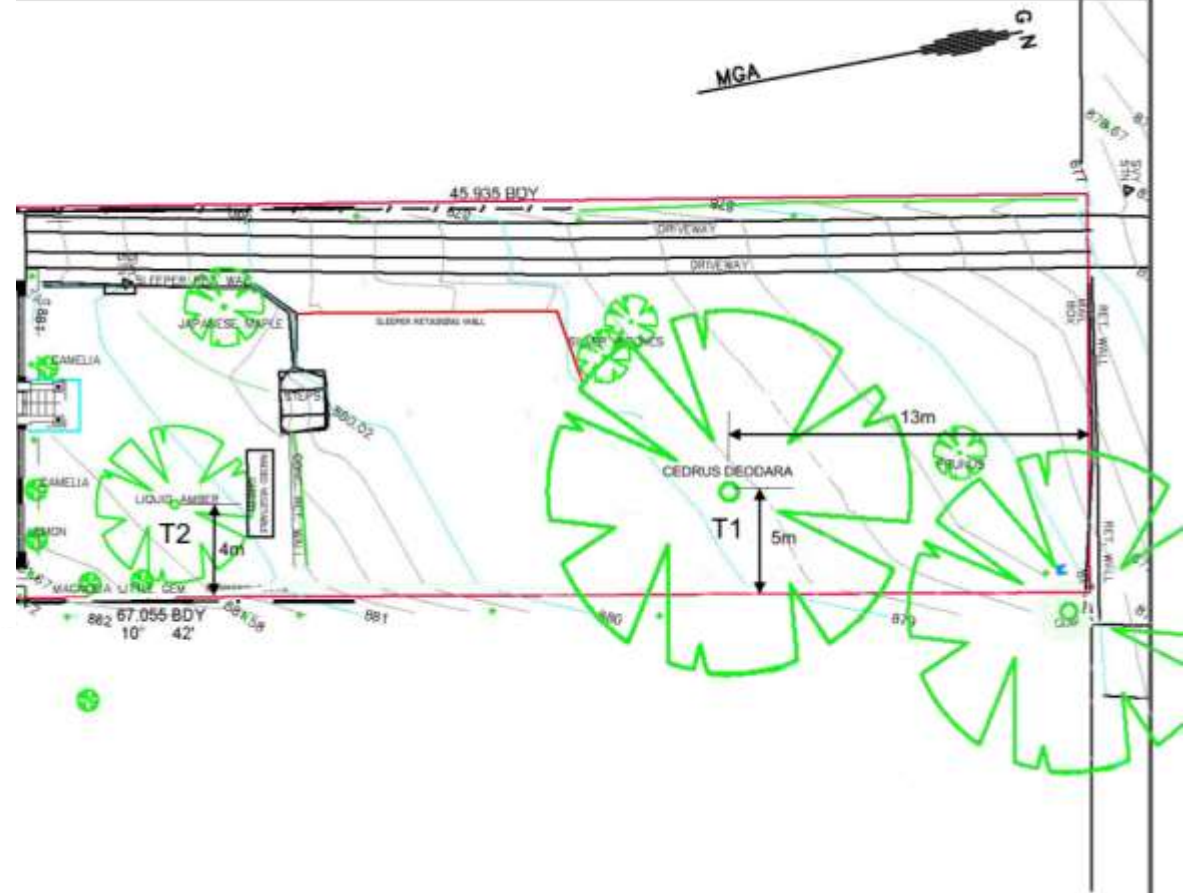
Sydney district or regional planning panel means Western Regional Planning Panel.

FOR THE PUBLIC, PLANS WILL BE OMITTED AND SUBMISSIONS REDACTED IN ORDER TO COMPLY WITH VARIOUS OBLIGATIONS OF ORANGE CITY COUNCIL UNDER:

- (A) ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979;
- (B) ENVIRONMENTAL PLANNING AND ASSESSMENT REGULATIONS 2000;
- (C) COPYRIGHT ACT 1968;
- (D) GOVERNMENT INFORMATION (PUBLIC ACCESS) ACT 2009;
- (E) PRIVACY AND PERSONAL INFORMATION PROTECTION ACTION ACT 1998.

PLEASE NOTE THAT PUBLIC ACCESS TO PLANS IS SUBJECT TO THE FOLLOWING:
INTERNAL FLOOR PLANS WILL ONLY BE DISCLOSED TO PERSONS WHO HAVE A GENUINE, REAL AND DEMONSTRABLE INTEREST IN SEEING SUCH INFORMATION AND WHO CAN DEMONSTRATE A DIRECT POTENTIAL EFFECT UPON THEM BY BEING WITHIN THE SPHERE OF INFLUENCE OF THE RESIDENTIAL COMPONENTS OF A DEVELOPMENT OR IF THE HOME OWNER'S WRITTEN CONSENT CAN BE PROVIDED.

COPIES OF ALL PLANS ARE NOT AVAILABLE WITHOUT THE WRITTEN CONSENT OF THE COPYRIGHT OWNER (ARCHITECT).



96 FRANKLIN RD
GARDEN PLAN

5.5 STATEMENT OF INVESTMENTS - FEBRUARY 2025

TRIM REFERENCE: 2025/340

AUTHOR: John Thompson, Chief Financial Officer

EXECUTIVE SUMMARY

The purpose of this report is to provide a statement of Council's investments held for the period February 2025.

LINK TO DELIVERY/OPERATIONAL PLAN

The recommendation in this report relates to the Delivery/Operational Plan strategy "18.2. Ensure financial stability and support efficient ongoing operation."

FINANCIAL IMPLICATIONS

Nil.

POLICY AND GOVERNANCE IMPLICATIONS

Nil.

RECOMMENDATION

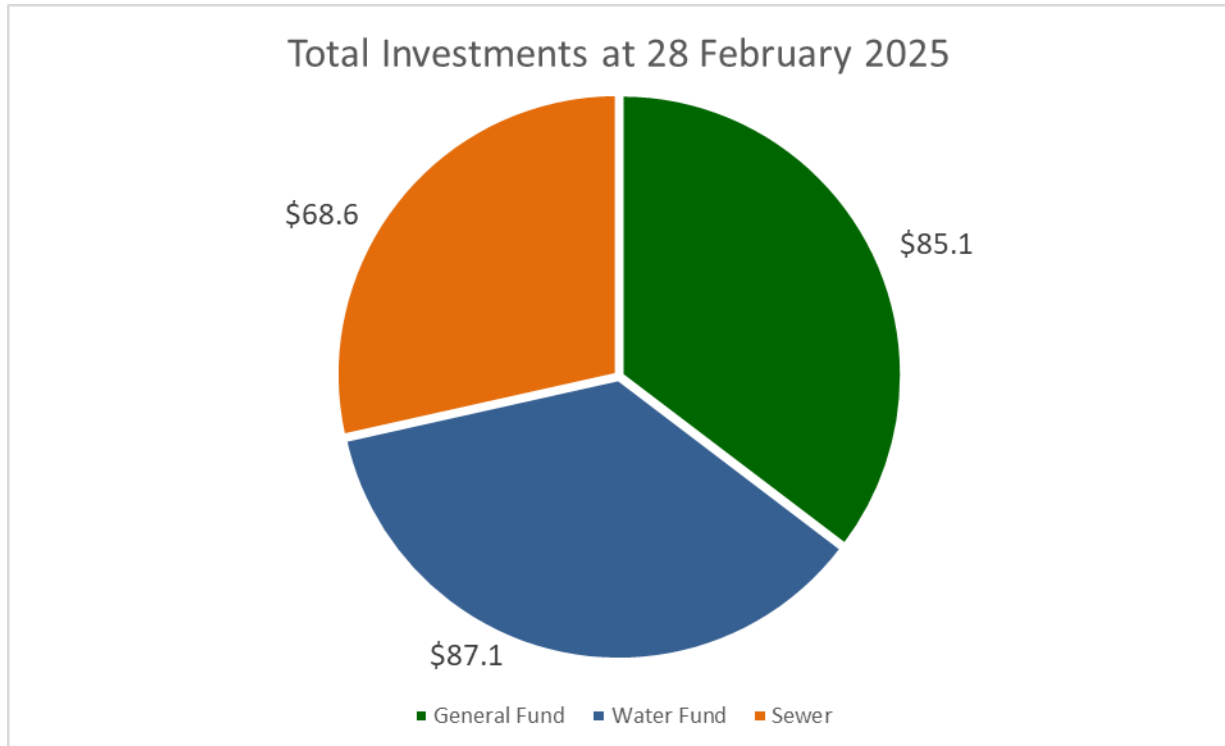
That Council resolves to:

- 1 Note the Statement of Investments for the period February 2025.
- 2 Adopt the certification of the Responsible Accounting Officer.

SUPPORTING INFORMATION**Statement of investments – February 2025**

The investments held by Council in each fund is shown below:

	31/01/2025	28/02/2025
General Fund	81,792,825	85,142,447
Water Fund	96,142,906	87,140,989
Sewer Fund	68,186,019	68,651,437
Total Funds	246,121,750	240,934,874



Portfolio Performance

As at the end of February 2025, Council's investment portfolio remains largely secured through fixed rate term deposits (89%), with the remaining portfolio allocated to FRNs 4%), bonds (<1%), and cash (7%).

Overall Council's portfolio remains highly liquid and diversified with approximately 79% of assets maturing under 12 months and no exposure to the unrated ADI sector. All investments are within Council's risk appetite as per our investment Policy.

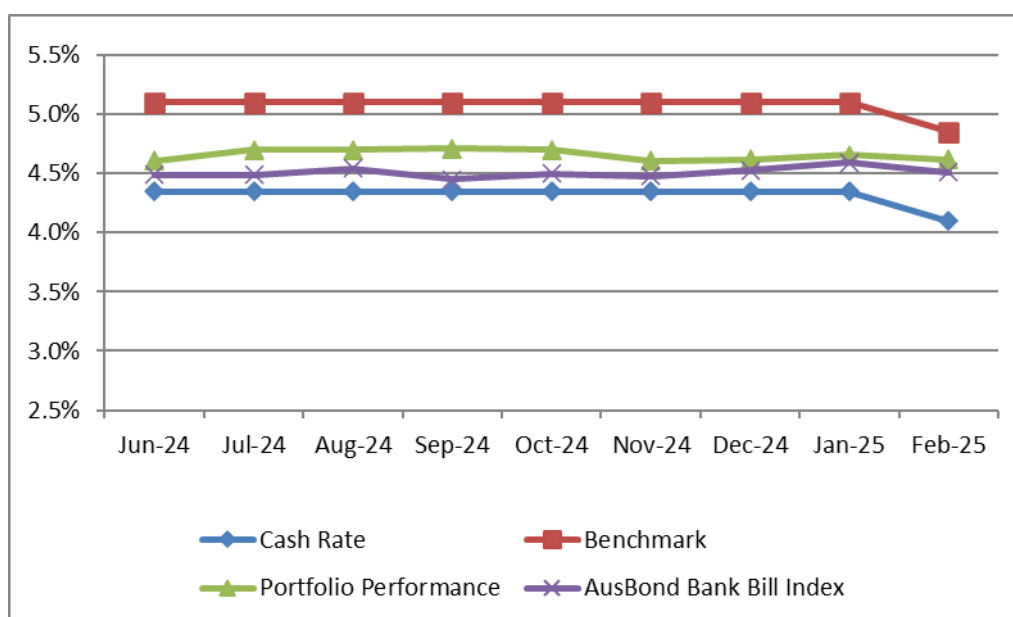
The weighted average interest rate of **Council's investment portfolio** (refer to the **green line** in below chart) for the period ending 28 February 2025 was 4.66 percent, which is below **Council Policy's target** or '**mandated**' cash rate (refer to the **red line** in the chart below) of 4.85 percent or 485 basis points (based on a target of 75 basis points above the cash rate for February at 4.10 percent). Note the cash rate reduced by 25 basis points and is 4.1percent effective 19 February 2025.

Council acknowledges that it is currently not achieving its 'mandated' target rate of return as per its Investment Policy and will continue to monitor maturing investments to ensure these are reinvested at optimum investment rates available at the time. Retiring investments are being monitored closely and reinvested to optimise returns in line with Council's Investment Policy.

A review of the current target benchmark is being progressed as part of the broader review of Council's Investment Policy as discussed and agreed at the 26 June 2024 Audit, Risk, and Improvement Committee (ARIC). This will be reviewed by ARIC in the next meeting in the 4 June 2025 meeting. Any outcomes will be advised to Council in due course.

5.5 Statement of Investments - February 2025

Council has also compared its performances to the Bloomberg **AusBond Bank Bill Index** (baubil or Ausbond) to provide a further benchmark (refer to the **purple line** in the below chart). This index is focused on short term Australian money market investments. For the period February 2025, the AusBond rate was 4.51 percent. The weighted average interest rate of Council's investment portfolio of 4.66 percent exceeded the AusBond rate at the same reporting date. The AusBond rate is supplied to Council by our investment consultants Arlo Advisory Pty Ltd.



Council's Investment Policy also establishes limits in relation to the maturity terms of Council's investments as well as the credit ratings of the institutions with whom Council can invest.

The following tables provide a dissection of Council's investment portfolio as required by the Policy. The Policy identifies the maximum amount that can be held in a variety of investment products or with institutions based on their respective credit ratings.

Table 1 shows the percentage held by Council (holdings) and the additional amount that Council could hold (capacity) for each term to maturity allocation in accordance with limits established by Council's Policy.

Table 1: Maturity – term limits

Term to Maturity Allocation	Maximum	Holdings	Capacity
0 - 3 Months	100.00%	24.69%	75.31%
3 - 12 Months	100.00%	54.16%	45.84%
1 - 2 Years	70.00%	12.96%	57.04%
2 - 5 Years	50.00%	8.19%	41.81%
5+ Years	25.00%	0.00%	25.00%

5.5 Statement of Investments - February 2025

Table 2 (below) shows the total amount held, and the weighted average interest rate (or return on investment), by credit rating. The credit rating is an independent opinion of the capability and willingness of a financial institution to repay its debts, or in other words, the providers' financial strength or creditworthiness. The rating is typically calculated as the likelihood of a failure occurring over a given period, with the higher rating (AAA) being superior due to having a lower chance of default. However, it is accepted that this lower risk will be accompanied by a lower return on investment.

The level of money held in the bank accounts has been added to the table to illustrate the ability of Council to cover the operational liabilities that typically occur (for example payroll, materials and contracts, utilities).

Table 2: Credit rating limits

Credit Rating	Maximum	Holding	Remaining Capacity	Value	Return on investment
Bank Accounts	100.00%	7.05%	92.95%	16,976,981.21	4.05%
AAA	100.00%	0.42%	99.58%	1,002,654.00	4.50%
AA	100.00%	43.88%	56.12%	105,732,419.30	4.31%
A	60.00%	25.65%	34.35%	61,810,926.00	4.96%
BBB & NR	40.00%	23.00%	17.00%	55,411,893.20	5.08%
Below BBB	0.00%	0.00%	0.00%	0.00	0.00%
				240,934,873.71	

It is noted that Council still holds several investments with a lower than market interest rate. These investments will incur significant costs to redeem (or break) early and would thus impact Council's expected interest income. These investments will naturally be redeemed at maturity and reinvested into higher performing products.

Portfolio advice

Council uses the services of an independent investment advisor in maintaining its portfolio of investments. Council's current investment advisor is Arlo Advisory Pty Ltd. Services provided to Council currently include:

- quarterly portfolio summary reports;
- advice on investment opportunities, in particular Floating Rate Note products;
- advice on policy construction; and
- year-end market values for Floating Rate Note products held by Council.

Certification by Responsible Accounting Officer

Section 212(1) of the Local Government (General) Regulation 2021 requires that a written report be presented each month at an Ordinary Meeting of the Council detailing all money that Council has invested under *Section 625 of the Local Government Act 1993*.

I, John Thompson, hereby certify that all investments have been made in accordance with Section 625 of the *Local Government Act 1993*, Clause 212 of the *Local Government (General) Regulation 2021* and Council's Investment Policy.

ATTACHMENTS

- 1 Orange City Council Monthly Investment Report February 2025, D25/26634 [↓](#)



Investment Report

01/02/2025 to 28/02/2025



Portfolio Valuation as at 28/02/2025

Issuer	Rating	Type	Allocation	Interest Paid	Purchase Date	Maturity Date	Rate (%)	Capital Value (\$)	Face Value (\$)	Accrued (\$)	Accrued MTD (\$)
Westpac	AA-	TD	WATER	Quarterly	02/03/2023	03/03/2025	4.9500	3,000,000.00	3,000,000.00	36,209.59	11,391.78
Defence Bank	BBB+	TD	GENERAL	At Maturity	07/03/2024	06/03/2025	5.1200	5,000,000.00	5,000,000.00	251,791.78	19,638.36
Westpac	AA-	TD	SEWER	Quarterly	06/03/2023	06/03/2025	4.9300	1,000,000.00	1,000,000.00	11,480.82	3,781.92
Westpac	AA-	TD	WATER	Quarterly	06/03/2023	06/03/2025	4.9300	1,000,000.00	1,000,000.00	11,480.82	3,781.92
Westpac	AA-	TD	GENERAL	Quarterly	06/03/2023	06/03/2025	4.9300	1,000,000.00	1,000,000.00	11,480.82	3,781.92
Defence Bank	BBB+	TD	SEWER	Annual	16/03/2023	20/03/2025	4.6000	4,000,000.00	4,000,000.00	175,430.14	14,115.07
Westpac	AA-	TD	WATER	Quarterly	21/03/2024	20/03/2025	5.0000	2,500,000.00	2,500,000.00	23,287.67	9,589.04
ING Bank (Australia) Ltd	A	TD	WATER	Annual	19/03/2020	20/03/2025	1.7800	2,000,000.00	2,000,000.00	33,844.38	2,730.96
NAB	AA-	TD	WATER	At Maturity	21/03/2024	20/03/2025	5.0100	2,000,000.00	2,000,000.00	94,709.59	7,686.58
NAB	AA-	TD	SEWER	At Maturity	21/03/2024	20/03/2025	5.0100	1,500,000.00	1,500,000.00	71,032.19	5,764.93
NAB	AA-	TD	SEWER	Quarterly	31/03/2022	03/04/2025	2.9500	3,500,000.00	3,500,000.00	16,972.60	7,920.55
NAB	AA-	TD	WATER	Quarterly	31/03/2022	03/04/2025	2.9500	1,500,000.00	1,500,000.00	7,273.97	3,394.52
NAB	AA-	TD	SEWER	At Maturity	21/11/2024	10/04/2025	5.0500	4,000,000.00	4,000,000.00	55,342.47	15,495.89
Rabobank Australia Limited	A	TD	WATER	At Maturity	28/11/2024	01/05/2025	5.0500	1,000,000.00	1,000,000.00	12,867.12	3,873.97
Rabobank Australia Limited	A	TD	GENERAL	At Maturity	28/11/2024	01/05/2025	5.0500	4,000,000.00	4,000,000.00	51,468.49	15,495.89
BOQ	A-	TD	WATER	Annual	26/04/2024	01/05/2025	5.0000	2,500,000.00	2,500,000.00	105,821.92	9,589.04
JUDO BANK	BBB	TD	WATER	At Maturity	23/05/2024	22/05/2025	5.3000	1,000,000.00	1,000,000.00	40,947.95	4,065.75



Issuer	Rating	Type	Allocation	Interest Paid	Purchase Date	Maturity Date	Rate (%)	Capital Value (\$)	Face Value (\$)	Accrued (\$)	Accrued MTD (\$)
JUDO BANK	BBB	TD	SEWER	Annual	23/05/2024	29/05/2025	5.3000	1,000,000.00	1,000,000.00	40,947.95	4,065.75
MyState Bank	BBB	TD	SEWER	At Maturity	30/05/2024	29/05/2025	5.3000	1,000,000.00	1,000,000.00	39,931.51	4,065.75
MyState Bank	BBB	TD	WATER	Annual	30/05/2024	05/06/2025	5.3000	1,000,000.00	1,000,000.00	39,931.51	4,065.75
P&N Bank	BBB+	TD	GENERAL	At Maturity	06/06/2024	05/06/2025	5.3000	1,000,000.00	1,000,000.00	38,915.07	4,065.75
Rabobank Australia Limited	A	TD	GENERAL	Annual	06/06/2024	12/06/2025	5.3200	1,000,000.00	1,000,000.00	39,061.92	4,081.10
NAB	AA-	TD	WATER	At Maturity	28/06/2024	19/06/2025	5.5000	4,000,000.00	4,000,000.00	148,273.97	16,876.71
NAB	AA-	TD	SEWER	At Maturity	28/06/2024	19/06/2025	5.5000	3,000,000.00	3,000,000.00	111,205.48	12,657.53
Rabobank Australia Limited	A	TD	WATER	Annual	06/06/2024	19/06/2025	5.3200	1,000,000.00	1,000,000.00	39,061.92	4,081.10
NAB	AA-	TD	GENERAL	At Maturity	04/07/2024	26/06/2025	5.4300	5,000,000.00	5,000,000.00	178,520.55	20,827.40
Rabobank Australia Limited	A	TD	SEWER	Annual	06/06/2024	26/06/2025	5.3200	1,000,000.00	1,000,000.00	39,061.92	4,081.10
NAB	AA-	TD	SEWER	At Maturity	04/07/2024	03/07/2025	5.4500	5,000,000.00	5,000,000.00	179,178.08	20,904.11
NAB	AA-	TD	WATER	At Maturity	04/07/2024	03/07/2025	5.4500	5,000,000.00	5,000,000.00	179,178.08	20,904.11
Rabobank Australia Limited	A	TD	GENERAL	Annual	01/07/2024	03/07/2025	5.4600	5,000,000.00	5,000,000.00	181,750.68	20,942.47
Rabobank Australia Limited	A	TD	WATER	At Maturity	18/07/2024	17/07/2025	5.3300	2,000,000.00	2,000,000.00	66,004.38	8,177.53
NAB	AA-	TD	WATER	At Maturity	11/07/2024	17/07/2025	5.4000	2,000,000.00	2,000,000.00	68,942.47	8,284.93
NAB	AA-	TD	GENERAL	At Maturity	11/07/2024	17/07/2025	5.4000	2,000,000.00	2,000,000.00	68,942.47	8,284.93
NAB	AA-	TD	GENERAL	At Maturity	25/07/2024	24/07/2025	5.3500	3,000,000.00	3,000,000.00	96,300.00	12,312.33
Rabobank Australia Limited	A	TD	GENERAL	Annual	18/07/2024	24/07/2025	5.3300	3,000,000.00	3,000,000.00	99,006.58	12,268.30



Issuer	Rating	Type	Allocation	Interest Paid	Purchase Date	Maturity Date	Rate (%)	Capital Value (\$)	Face Value (\$)	Accrued (\$)	Accrued MTD (\$)
NAB	AA-	TD	SEWER	At Maturity	18/07/2024	31/07/2025	5.3000	3,000,000.00	3,000,000.00	98,449.32	12,197.26
NAB	AA-	TD	SEWER	At Maturity	25/07/2024	31/07/2025	5.3500	2,000,000.00	2,000,000.00	64,200.00	8,208.22
NAB	AA-	TD	GENERAL	Annual	02/08/2024	07/08/2025	5.0500	2,000,000.00	2,000,000.00	58,386.30	7,747.95
NAB	AA-	TD	GENERAL	Annual	02/08/2024	14/08/2025	5.2000	2,000,000.00	2,000,000.00	60,120.55	7,978.08
NAB	AA-	TD	WATER	Annual	02/08/2024	28/08/2025	5.2000	2,000,000.00	2,000,000.00	60,120.55	7,978.08
Defence Bank	BBB+	TD	SEWER	At Maturity	28/11/2024	04/09/2025	5.1000	2,000,000.00	2,000,000.00	25,989.04	7,824.66
Defence Bank	BBB+	TD	GENERAL	At Maturity	28/11/2024	04/09/2025	5.1000	3,000,000.00	3,000,000.00	38,983.56	11,736.99
AMP Bank	BBB+	TD	GENERAL	At Maturity	05/12/2024	11/09/2025	5.1000	6,000,000.00	6,000,000.00	72,098.63	23,473.97
Australian Unity Bank	BBB+	TD	SEWER	At Maturity	05/12/2024	18/09/2025	5.1000	1,000,000.00	1,000,000.00	12,016.44	3,912.33
NAB	AA-	TD	GENERAL	At Maturity	05/12/2024	18/09/2025	4.9500	5,000,000.00	5,000,000.00	58,315.07	18,986.30
Auswide Bank	BBB	TD	WATER	At Maturity	09/01/2025	02/10/2025	5.0000	6,000,000.00	6,000,000.00	41,917.81	23,013.70
AMP Bank	BBB+	TD	WATER	At Maturity	22/01/2025	09/10/2025	5.0500	4,000,000.00	4,000,000.00	21,030.14	15,495.89
Westpac	AA-	TD	GENERAL	At Maturity	14/02/2025	06/11/2025	4.7100	6,000,000.00	6,000,000.00	11,613.70	11,613.70
Westpac	AA-	TD	WATER	Quarterly	25/11/2021	27/11/2025	1.9400	2,000,000.00	2,000,000.00	425.21	425.21
ING Bank (Australia) Ltd	A	TD	SEWER	Annual	14/12/2023	11/12/2025	5.2000	4,500,000.00	4,500,000.00	48,082.19	17,950.68
ING Bank (Australia) Ltd	A	TD	WATER	Annual	14/12/2023	11/12/2025	5.2000	2,500,000.00	2,500,000.00	26,712.33	9,972.60
ING Bank (Australia) Ltd	A	TD	GENERAL	Annual	14/12/2023	11/12/2025	5.2000	3,000,000.00	3,000,000.00	32,054.79	11,967.12
ING Bank (Australia) Ltd	A	TD	WATER	Quarterly	16/12/2022	18/12/2025	4.7000	5,000,000.00	5,000,000.00	48,287.67	18,027.40



Issuer	Rating	Type	Allocation	Interest Paid	Purchase Date	Maturity Date	Rate (%)	Capital Value (\$)	Face Value (\$)	Accrued (\$)	Accrued MTD (\$)
ING Bank (Australia) Ltd	A	TD	GENERAL	At Maturity	21/12/2023	18/12/2025	5.0800	3,500,000.00	3,500,000.00	212,385.75	13,639.45
Defence Bank	BBB+	TD	SEWER	At Maturity	23/01/2025	08/01/2026	4.9000	5,000,000.00	5,000,000.00	24,835.62	18,794.52
ING Bank (Australia) Ltd	A	TD	SEWER	Annual	11/01/2024	15/01/2026	4.9600	3,000,000.00	3,000,000.00	19,160.55	11,414.79
Westpac	AA-	TD	WATER	At Maturity	23/01/2025	05/02/2026	4.8700	7,000,000.00	7,000,000.00	34,556.99	26,151.23
Westpac	AA-	TD	SEWER	Quarterly	10/02/2022	12/02/2026	2.1500	1,000,000.00	1,000,000.00	1,119.18	1,119.18
Westpac	AA-	TD	WATER	Quarterly	10/02/2022	12/02/2026	2.1500	1,000,000.00	1,000,000.00	1,119.18	1,119.18
Westpac	AA-	TD	GENERAL	Quarterly	10/02/2022	12/02/2026	2.1500	1,000,000.00	1,000,000.00	1,119.18	1,119.18
State Bank of India, Sydney Branch	BBB-	TD	GENERAL	At Maturity	20/02/2025	19/02/2026	5.2000	4,000,000.00	4,000,000.00	5,128.77	5,128.77
Rabobank Australia Limited	A	TD	GENERAL	Annual	05/09/2024	05/03/2026	4.9200	4,000,000.00	4,000,000.00	95,434.52	15,096.99
Westpac	AA-	TD	WATER	Quarterly	04/03/2021	05/03/2026	1.2000	1,500,000.00	1,500,000.00	4,290.41	1,380.82
Westpac	AA-	TD	SEWER	Quarterly	04/03/2021	05/03/2026	1.2000	1,000,000.00	1,000,000.00	2,860.27	920.55
P&N Bank	BBB+	TD	WATER	Quarterly	16/03/2023	19/03/2026	4.7000	5,000,000.00	5,000,000.00	48,287.67	18,027.40
P&N Bank	BBB+	TD	WATER	Quarterly	13/07/2023	16/07/2026	5.7500	2,000,000.00	2,000,000.00	14,808.22	8,821.92
Westpac	AA-	TD	GENERAL	Quarterly	28/10/2021	29/10/2026	1.7800	1,000,000.00	1,000,000.00	1,560.55	1,365.48
Westpac	AA-	TD	SEWER	Quarterly	28/10/2021	29/10/2026	1.7800	1,000,000.00	1,000,000.00	1,560.55	1,365.48
Westpac	AA-	TD	WATER	Quarterly	28/10/2021	29/10/2026	1.7800	2,000,000.00	2,000,000.00	3,121.10	2,730.96
Westpac	AA-	TD	WATER	Quarterly	28/10/2021	29/10/2026	1.7800	4,500,000.00	4,500,000.00	7,022.47	6,144.66
Westpac	AA-	TD	WATER	Quarterly	02/12/2021	03/12/2026	2.0000	1,000,000.00	1,000,000.00	4,876.71	1,534.25



Issuer	Rating	Type	Allocation	Interest Paid	Purchase Date	Maturity Date	Rate (%)	Capital Value (\$)	Face Value (\$)	Accrued (\$)	Accrued MTD (\$)
Westpac	AA-	TD	SEWER	Quarterly	02/12/2021	03/12/2026	2.0000	2,000,000.00	2,000,000.00	9,753.42	3,068.49
Westpac	AA-	TD	GENERAL	Quarterly	02/12/2021	03/12/2026	2.0000	2,000,000.00	2,000,000.00	9,753.42	3,068.49
Westpac	AA-	TD	WATER	Quarterly	25/01/2024	28/01/2027	4.8400	1,000,000.00	1,000,000.00	4,243.29	3,712.88
NAB	AA-	TD	SEWER	Quarterly	10/02/2022	09/02/2027	2.3500	1,000,000.00	1,000,000.00	1,223.29	1,223.29
Westpac	AA-	TD	SEWER	Semi-Annual	15/02/2024	18/02/2027	4.8700	1,340,000.00	1,340,000.00	2,145.47	2,145.47
NAB	AA-	BOND	WATER	Semi-Annual	25/02/2022	25/02/2027	2.9000	437,882.40	450,000.00	143.01	143.01
NAB	AA-	BOND	SEWER	Semi-Annual	25/02/2022	25/02/2027	2.9000	437,882.40	450,000.00	143.01	143.01
Royal Bank of Canada	AAA	BOND	WATER	Semi-Annual	13/07/2022	13/07/2027	4.5000	1,002,654.00	1,000,000.00	5,794.52	3,452.05
AMP Bank	BBB+	FRN	SEWER	Quarterly	13/09/2024	13/09/2027	5.7304	3,411,893.20	3,400,000.00	41,635.67	14,946.14
ANZ Bank	AA-	FRN	SEWER	Quarterly	31/03/2023	31/03/2028	5.4763	1,516,654.50	1,500,000.00	13,503.21	6,301.50
ING Bank (Australia) Ltd	A	FRN	GENERAL	Quarterly	20/08/2024	20/08/2029	5.1673	1,810,926.00	1,800,000.00	2,293.43	2,293.43
Rabobank Australia Limited	A	TD	WATER	Annual	22/08/2024	29/08/2029	4.8500	5,000,000.00	5,000,000.00	126,897.26	18,602.74
Rabobank Australia Limited	A	TD	GENERAL	Annual	29/08/2024	30/08/2029	4.8500	3,000,000.00	3,000,000.00	73,347.95	11,161.64
Rabobank Australia Limited	A	TD	SEWER	Annual	05/09/2024	06/09/2029	4.8500	4,000,000.00	4,000,000.00	94,076.71	14,882.19
Commonwealth Bank	AA-	CASH	WATER	Monthly	28/02/2025	28/02/2025	4.0500	7,700,452.76	7,700,452.76	31,090.63	31,090.63
Commonwealth Bank	AA-	CASH	SEWER	Monthly	28/02/2025	28/02/2025	4.0500	6,445,007.18	6,445,007.18	6,389.43	6,389.43
Commonwealth Bank	AA-	CASH	GENERAL	Monthly	28/02/2025	28/02/2025	4.0500	2,831,521.27	2,831,521.27	23,328.31	23,328.31
TOTALS								240,934,873.71	240,916,981.21	4,373,469.85	833,380.39



Portfolio by Asset as at 28/02/2025

Asset Type: CASH

Issuer	Rating	Type	Allocation	Interest Paid	Purchase Date	Maturity Date	Rate (%)	Capital Value (\$)	Face Value (\$)	Accrued (\$)	Accrued MTD (\$)
Commonwealth Bank	AA-	CASH	WATER	Monthly	28/02/2025	28/02/2025	4.0500	7,700,452.76	7,700,452.76	31,090.63	31,090.63
Commonwealth Bank	AA-	CASH	SEWER	Monthly	28/02/2025	28/02/2025	4.0500	6,445,007.18	6,445,007.18	6,389.43	6,389.43
Commonwealth Bank	AA-	CASH	GENERAL	Monthly	28/02/2025	28/02/2025	4.0500	2,831,521.27	2,831,521.27	23,328.31	23,328.31
CASH SUBTOTALS								16,976,981.21	16,976,981.21	60,808.37	60,808.37

Asset Type: TD

Issuer	Rating	Type	Allocation	Interest Paid	Purchase Date	Maturity Date	Rate (%)	Capital Value (\$)	Face Value (\$)	Accrued (\$)	Accrued MTD (\$)
Westpac	AA-	TD	WATER	Quarterly	02/03/2023	03/03/2025	4.9500	3,000,000.00	3,000,000.00	36,209.59	11,391.78
Defence Bank	BBB+	TD	GENERAL	At Maturity	07/03/2024	06/03/2025	5.1200	5,000,000.00	5,000,000.00	251,791.78	19,638.36
Westpac	AA-	TD	SEWER	Quarterly	06/03/2023	06/03/2025	4.9300	1,000,000.00	1,000,000.00	11,480.82	3,781.92
Westpac	AA-	TD	WATER	Quarterly	06/03/2023	06/03/2025	4.9300	1,000,000.00	1,000,000.00	11,480.82	3,781.92
Westpac	AA-	TD	GENERAL	Quarterly	06/03/2023	06/03/2025	4.9300	1,000,000.00	1,000,000.00	11,480.82	3,781.92
Defence Bank	BBB+	TD	SEWER	Annual	16/03/2023	20/03/2025	4.6000	4,000,000.00	4,000,000.00	175,430.14	14,115.07
Westpac	AA-	TD	WATER	Quarterly	21/03/2024	20/03/2025	5.0000	2,500,000.00	2,500,000.00	23,287.67	9,589.04
ING Bank (Australia) Ltd	A	TD	WATER	Annual	19/03/2020	20/03/2025	1.7800	2,000,000.00	2,000,000.00	33,844.38	2,730.96
NAB	AA-	TD	WATER	At Maturity	21/03/2024	20/03/2025	5.0100	2,000,000.00	2,000,000.00	94,709.59	7,686.58



Issuer	Rating	Type	Allocation	Interest Paid	Purchase Date	Maturity Date	Rate (%)	Capital Value (\$)	Face Value (\$)	Accrued (\$)	Accrued MTD (\$)
NAB	AA-	TD	SEWER	At Maturity	21/03/2024	20/03/2025	5.0100	1,500,000.00	1,500,000.00	71,032.19	5,764.93
NAB	AA-	TD	SEWER	Quarterly	31/03/2022	03/04/2025	2.9500	3,500,000.00	3,500,000.00	16,972.60	7,920.55
NAB	AA-	TD	WATER	Quarterly	31/03/2022	03/04/2025	2.9500	1,500,000.00	1,500,000.00	7,273.97	3,394.52
NAB	AA-	TD	SEWER	At Maturity	21/11/2024	10/04/2025	5.0500	4,000,000.00	4,000,000.00	55,342.47	15,495.89
Rabobank Australia Limited	A	TD	WATER	At Maturity	28/11/2024	01/05/2025	5.0500	1,000,000.00	1,000,000.00	12,867.12	3,873.97
Rabobank Australia Limited	A	TD	GENERAL	At Maturity	28/11/2024	01/05/2025	5.0500	4,000,000.00	4,000,000.00	51,468.49	15,495.89
BOQ	A-	TD	WATER	Annual	26/04/2024	01/05/2025	5.0000	2,500,000.00	2,500,000.00	105,821.92	9,589.04
JUDO BANK	BBB	TD	WATER	At Maturity	23/05/2024	22/05/2025	5.3000	1,000,000.00	1,000,000.00	40,947.95	4,065.75
JUDO BANK	BBB	TD	SEWER	Annual	23/05/2024	29/05/2025	5.3000	1,000,000.00	1,000,000.00	40,947.95	4,065.75
MyState Bank	BBB	TD	SEWER	At Maturity	30/05/2024	29/05/2025	5.3000	1,000,000.00	1,000,000.00	39,931.51	4,065.75
MyState Bank	BBB	TD	WATER	Annual	30/05/2024	05/06/2025	5.3000	1,000,000.00	1,000,000.00	39,931.51	4,065.75
P&N Bank	BBB+	TD	GENERAL	At Maturity	06/06/2024	05/06/2025	5.3000	1,000,000.00	1,000,000.00	38,915.07	4,065.75
Rabobank Australia Limited	A	TD	GENERAL	Annual	06/06/2024	12/06/2025	5.3200	1,000,000.00	1,000,000.00	39,061.92	4,081.10
NAB	AA-	TD	WATER	At Maturity	28/06/2024	19/06/2025	5.5000	4,000,000.00	4,000,000.00	148,273.97	16,876.71
NAB	AA-	TD	SEWER	At Maturity	28/06/2024	19/06/2025	5.5000	3,000,000.00	3,000,000.00	111,205.48	12,657.53
Rabobank Australia Limited	A	TD	WATER	Annual	06/06/2024	19/06/2025	5.3200	1,000,000.00	1,000,000.00	39,061.92	4,081.10
NAB	AA-	TD	GENERAL	At Maturity	04/07/2024	26/06/2025	5.4300	5,000,000.00	5,000,000.00	178,520.55	20,827.40
Rabobank Australia Limited	A	TD	SEWER	Annual	06/06/2024	26/06/2025	5.3200	1,000,000.00	1,000,000.00	39,061.92	4,081.10



Issuer	Rating	Type	Allocation	Interest Paid	Purchase Date	Maturity Date	Rate (%)	Capital Value (\$)	Face Value (\$)	Accrued (\$)	Accrued MTD (\$)
NAB	AA-	TD	SEWER	At Maturity	04/07/2024	03/07/2025	5.4500	5,000,000.00	5,000,000.00	179,178.08	20,904.11
NAB	AA-	TD	WATER	At Maturity	04/07/2024	03/07/2025	5.4500	5,000,000.00	5,000,000.00	179,178.08	20,904.11
Rabobank Australia Limited	A	TD	GENERAL	Annual	01/07/2024	03/07/2025	5.4600	5,000,000.00	5,000,000.00	181,750.68	20,942.47
Rabobank Australia Limited	A	TD	WATER	At Maturity	18/07/2024	17/07/2025	5.3300	2,000,000.00	2,000,000.00	66,004.38	8,177.53
NAB	AA-	TD	WATER	At Maturity	11/07/2024	17/07/2025	5.4000	2,000,000.00	2,000,000.00	68,942.47	8,284.93
NAB	AA-	TD	GENERAL	At Maturity	11/07/2024	17/07/2025	5.4000	2,000,000.00	2,000,000.00	68,942.47	8,284.93
NAB	AA-	TD	GENERAL	At Maturity	25/07/2024	24/07/2025	5.3500	3,000,000.00	3,000,000.00	96,300.00	12,312.33
Rabobank Australia Limited	A	TD	GENERAL	Annual	18/07/2024	24/07/2025	5.3300	3,000,000.00	3,000,000.00	99,006.58	12,266.30
NAB	AA-	TD	SEWER	At Maturity	18/07/2024	31/07/2025	5.3000	3,000,000.00	3,000,000.00	98,449.32	12,197.26
NAB	AA-	TD	SEWER	At Maturity	25/07/2024	31/07/2025	5.3500	2,000,000.00	2,000,000.00	64,200.00	8,208.22
NAB	AA-	TD	GENERAL	Annual	02/08/2024	07/08/2025	5.0500	2,000,000.00	2,000,000.00	58,386.30	7,747.95
NAB	AA-	TD	GENERAL	Annual	02/08/2024	14/08/2025	5.2000	2,000,000.00	2,000,000.00	60,120.55	7,978.08
NAB	AA-	TD	WATER	Annual	02/08/2024	28/08/2025	5.2000	2,000,000.00	2,000,000.00	60,120.55	7,978.08
Defence Bank	BBB+	TD	SEWER	At Maturity	28/11/2024	04/09/2025	5.1000	2,000,000.00	2,000,000.00	25,989.04	7,824.66
Defence Bank	BBB+	TD	GENERAL	At Maturity	28/11/2024	04/09/2025	5.1000	3,000,000.00	3,000,000.00	38,983.56	11,736.99
AMP Bank	BBB+	TD	GENERAL	At Maturity	05/12/2024	11/09/2025	5.1000	6,000,000.00	6,000,000.00	72,098.63	23,473.97
Australian Unity Bank	BBB+	TD	SEWER	At Maturity	05/12/2024	18/09/2025	5.1000	1,000,000.00	1,000,000.00	12,016.44	3,912.33
NAB	AA-	TD	GENERAL	At Maturity	05/12/2024	18/09/2025	4.9500	5,000,000.00	5,000,000.00	58,315.07	18,986.30
Auswide Bank	BBB	TD	WATER	At Maturity	09/01/2025	02/10/2025	5.0000	6,000,000.00	6,000,000.00	41,917.81	23,013.70



Issuer	Rating	Type	Allocation	Interest Paid	Purchase Date	Maturity Date	Rate (%)	Capital Value (\$)	Face Value (\$)	Accrued (\$)	Accrued MTD (\$)
AMP Bank	BBB+	TD	WATER	At Maturity	22/01/2025	09/10/2025	5.0500	4,000,000.00	4,000,000.00	21,030.14	15,495.89
Westpac	AA-	TD	GENERAL	At Maturity	14/02/2025	06/11/2025	4.7100	6,000,000.00	6,000,000.00	11,613.70	11,613.70
Westpac	AA-	TD	WATER	Quarterly	25/11/2021	27/11/2025	1.9400	2,000,000.00	2,000,000.00	425.21	425.21
ING Bank (Australia) Ltd	A	TD	SEWER	Annual	14/12/2023	11/12/2025	5.2000	4,500,000.00	4,500,000.00	48,082.19	17,950.68
ING Bank (Australia) Ltd	A	TD	WATER	Annual	14/12/2023	11/12/2025	5.2000	2,500,000.00	2,500,000.00	26,712.33	9,972.60
ING Bank (Australia) Ltd	A	TD	GENERAL	Annual	14/12/2023	11/12/2025	5.2000	3,000,000.00	3,000,000.00	32,054.79	11,967.12
ING Bank (Australia) Ltd	A	TD	WATER	Quarterly	16/12/2022	18/12/2025	4.7000	5,000,000.00	5,000,000.00	48,287.67	18,027.40
ING Bank (Australia) Ltd	A	TD	GENERAL	At Maturity	21/12/2023	18/12/2025	5.0800	3,500,000.00	3,500,000.00	212,385.75	13,639.45
Defence Bank	BBB+	TD	SEWER	At Maturity	23/01/2025	08/01/2026	4.9000	5,000,000.00	5,000,000.00	24,835.62	18,794.52
ING Bank (Australia) Ltd	A	TD	SEWER	Annual	11/01/2024	15/01/2026	4.9600	3,000,000.00	3,000,000.00	19,160.55	11,414.79
Westpac	AA-	TD	WATER	At Maturity	23/01/2025	05/02/2026	4.8700	7,000,000.00	7,000,000.00	34,556.99	26,151.23
Westpac	AA-	TD	SEWER	Quarterly	10/02/2022	12/02/2026	2.1500	1,000,000.00	1,000,000.00	1,119.18	1,119.18
Westpac	AA-	TD	WATER	Quarterly	10/02/2022	12/02/2026	2.1500	1,000,000.00	1,000,000.00	1,119.18	1,119.18
Westpac	AA-	TD	GENERAL	Quarterly	10/02/2022	12/02/2026	2.1500	1,000,000.00	1,000,000.00	1,119.18	1,119.18
State Bank of India, Sydney Branch	BBB-	TD	GENERAL	At Maturity	20/02/2025	19/02/2026	5.2000	4,000,000.00	4,000,000.00	5,128.77	5,128.77
Rabobank Australia Limited	A	TD	GENERAL	Annual	05/09/2024	05/03/2026	4.9200	4,000,000.00	4,000,000.00	95,434.52	15,096.99
Westpac	AA-	TD	WATER	Quarterly	04/03/2021	05/03/2026	1.2000	1,500,000.00	1,500,000.00	4,290.41	1,380.82



Issuer	Rating	Type	Allocation	Interest Paid	Purchase Date	Maturity Date	Rate (%)	Capital Value (\$)	Face Value (\$)	Accrued (\$)	Accrued MTD (\$)
Westpac	AA-	TD	SEWER	Quarterly	04/03/2021	05/03/2026	1.2000	1,000,000.00	1,000,000.00	2,860.27	920.55
P&N Bank	BBB+	TD	WATER	Quarterly	16/03/2023	19/03/2026	4.7000	5,000,000.00	5,000,000.00	48,287.67	18,027.40
P&N Bank	BBB+	TD	WATER	Quarterly	13/07/2023	16/07/2026	5.7500	2,000,000.00	2,000,000.00	14,808.22	8,821.92
Westpac	AA-	TD	GENERAL	Quarterly	28/10/2021	29/10/2026	1.7800	1,000,000.00	1,000,000.00	1,560.55	1,365.48
Westpac	AA-	TD	SEWER	Quarterly	28/10/2021	29/10/2026	1.7800	1,000,000.00	1,000,000.00	1,560.55	1,365.48
Westpac	AA-	TD	WATER	Quarterly	28/10/2021	29/10/2026	1.7800	2,000,000.00	2,000,000.00	3,121.10	2,730.96
Westpac	AA-	TD	WATER	Quarterly	28/10/2021	29/10/2026	1.7800	4,500,000.00	4,500,000.00	7,022.47	6,144.66
Westpac	AA-	TD	WATER	Quarterly	02/12/2021	03/12/2026	2.0000	1,000,000.00	1,000,000.00	4,876.71	1,534.25
Westpac	AA-	TD	SEWER	Quarterly	02/12/2021	03/12/2026	2.0000	2,000,000.00	2,000,000.00	9,753.42	3,068.49
Westpac	AA-	TD	GENERAL	Quarterly	02/12/2021	03/12/2026	2.0000	2,000,000.00	2,000,000.00	9,753.42	3,068.49
Westpac	AA-	TD	WATER	Quarterly	25/01/2024	28/01/2027	4.8400	1,000,000.00	1,000,000.00	4,243.29	3,712.88
NAB	AA-	TD	SEWER	Quarterly	10/02/2022	09/02/2027	2.3500	1,000,000.00	1,000,000.00	1,223.29	1,223.29
Westpac	AA-	TD	SEWER	Semi-Annual	15/02/2024	18/02/2027	4.8700	1,340,000.00	1,340,000.00	2,145.47	2,145.47
Rabobank Australia Limited	A	TD	WATER	Annual	22/08/2024	29/08/2029	4.8500	5,000,000.00	5,000,000.00	126,897.26	18,602.74
Rabobank Australia Limited	A	TD	GENERAL	Annual	29/08/2024	30/08/2029	4.8500	3,000,000.00	3,000,000.00	73,347.95	11,161.64
Rabobank Australia Limited	A	TD	SEWER	Annual	05/09/2024	06/09/2029	4.8500	4,000,000.00	4,000,000.00	94,076.71	14,882.19
TD SUBTOTALS								215,340,000.00	215,340,000.00	4,249,148.62	745,292.87



Asset Type: FRN

Issuer	Rating	Type	Allocation	Interest Paid	Purchase Date	Maturity Date	Rate (%)	Capital Value (\$)	Face Value (\$)	Accrued (\$)	Accrued MTD (\$)
AMP Bank	BBB+	FRN	SEWER	Quarterly	13/09/2024	13/09/2027	5.7304	3,411,893.20	3,400,000.00	41,635.67	14,946.14
ANZ Bank	AA-	FRN	SEWER	Quarterly	31/03/2023	31/03/2028	5.4763	1,516,654.50	1,500,000.00	13,503.21	6,301.50
ING Bank (Australia) Ltd	A	FRN	GENERAL	Quarterly	20/08/2024	20/08/2029	5.1673	1,810,926.00	1,800,000.00	2,293.43	2,293.43
FRN SUBTOTALS								6,739,473.70	6,700,000.00	57,432.31	23,541.07

Asset Type: BOND

Issuer	Rating	Type	Allocation	Interest Paid	Purchase Date	Maturity Date	Rate (%)	Capital Value (\$)	Face Value (\$)	Accrued (\$)	Accrued MTD (\$)
NAB	AA-	BOND	WATER	Semi-Annual	25/02/2022	25/02/2027	2.9000	437,882.40	450,000.00	143.01	143.01
NAB	AA-	BOND	SEWER	Semi-Annual	25/02/2022	25/02/2027	2.9000	437,882.40	450,000.00	143.01	143.01
Royal Bank of Canada	AAA	BOND	WATER	Semi-Annual	13/07/2022	13/07/2027	4.5000	1,002,654.00	1,000,000.00	5,794.52	3,452.05
BOND SUBTOTALS								1,878,418.80	1,900,000.00	6,080.55	3,738.08

**Portfolio by Asset Totals** as at 28/02/2025

Type	Capital Value (\$)	Face Value (\$)	Accrued (\$)	Accrued MTD (\$)
CASH	16,976,981.21	16,976,981.21	60,808.37	60,808.37
TD	215,340,000.00	215,340,000.00	4,249,148.62	745,292.87
FRN	6,739,473.70	6,700,000.00	57,432.31	23,541.07
BOND	1,878,418.80	1,900,000.00	6,080.55	3,738.08
TOTALS	240,934,873.71	240,916,981.21	4,373,469.85	833,380.39



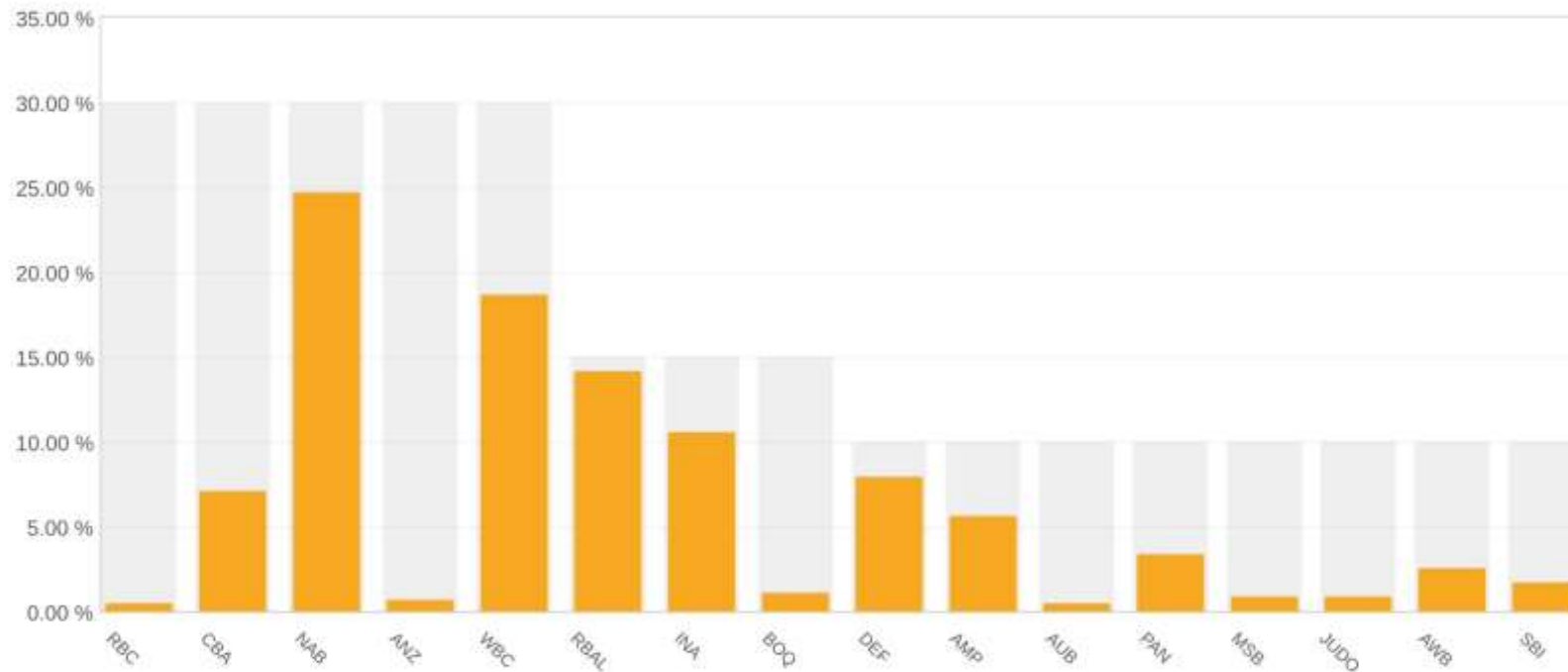
Counterparty Compliance as at 28/02/2025

Long Term Investments

Compliant	Bank Group	Term	Rating	Invested (\$)	Invested (%)	Limit (%)	Limit (\$)	Available (\$)
✓	Royal Bank of Canada	Long	AA-	1,002,654.00	0.42	30.00	-	71,277,808.11
✓	Commonwealth Bank	Long	AA-	16,976,981.21	7.05	30.00	-	55,303,480.90
✓	NAB	Long	AA-	59,375,764.80	24.64	30.00	-	12,904,697.31
✓	ANZ Bank	Long	AA-	1,516,654.50	0.63	30.00	-	70,763,807.61
✓	Westpac	Long	AA-	44,840,000.00	18.61	30.00	-	27,440,462.11
✓	Rabobank Australia Limited	Long	A	34,000,000.00	14.11	15.00	-	2,140,231.06
✓	ING Bank (Australia) Ltd	Long	A	25,310,926.00	10.51	15.00	-	10,829,305.06
✓	BOQ	Long	A-	2,500,000.00	1.04	15.00	-	33,640,231.06
✓	Defence Bank	Long	BBB+	19,000,000.00	7.89	10.00	-	5,093,487.37
✓	AMP Bank	Long	BBB+	13,411,893.20	5.57	10.00	-	10,681,594.17
✓	Australian Unity Bank	Long	BBB+	1,000,000.00	0.41	10.00	-	23,093,487.37
✓	P&N Bank	Long	BBB+	8,000,000.00	3.32	10.00	-	16,093,487.37
✓	MyState Bank	Long	BBB	2,000,000.00	0.83	10.00	-	22,093,487.37
✓	JUDO	Long	BBB	2,000,000.00	0.83	10.00	-	22,093,487.37



Compliant	Bank Group	Term	Rating	Invested (\$)	Invested (%)	Limit (%)	Limit (\$)	Available (\$)
✓	Auswide Bank	Long	BBB	6,000,000.00	2.49	10.00	-	18,093,487.37
✓	State Bank of India	Long	BBB-	4,000,000.00	1.66	10.00	-	20,093,487.37
TOTALS				240,934,873.71	100.00			

**Counterparty Compliance - Long Term Investments**



Credit Quality Compliance as at 28/02/2025

Long Term Investments

Compliant	Rating	Invested (\$)	Invested (%)	Limit (%)	Available (\$)
✓	AAA	1,002,654.00	0.42	100.00	239,932,219.71
✓	AA	122,709,400.51	50.93	100.00	118,225,473.20
✓	A	61,810,926.00	25.66	60.00	82,749,998.23
✓	BBB	55,411,893.20	23.00	40.00	40,962,056.28
TOTALS		240,934,873.71	100.00		

Credit Quality Compliance - Long Term Investments

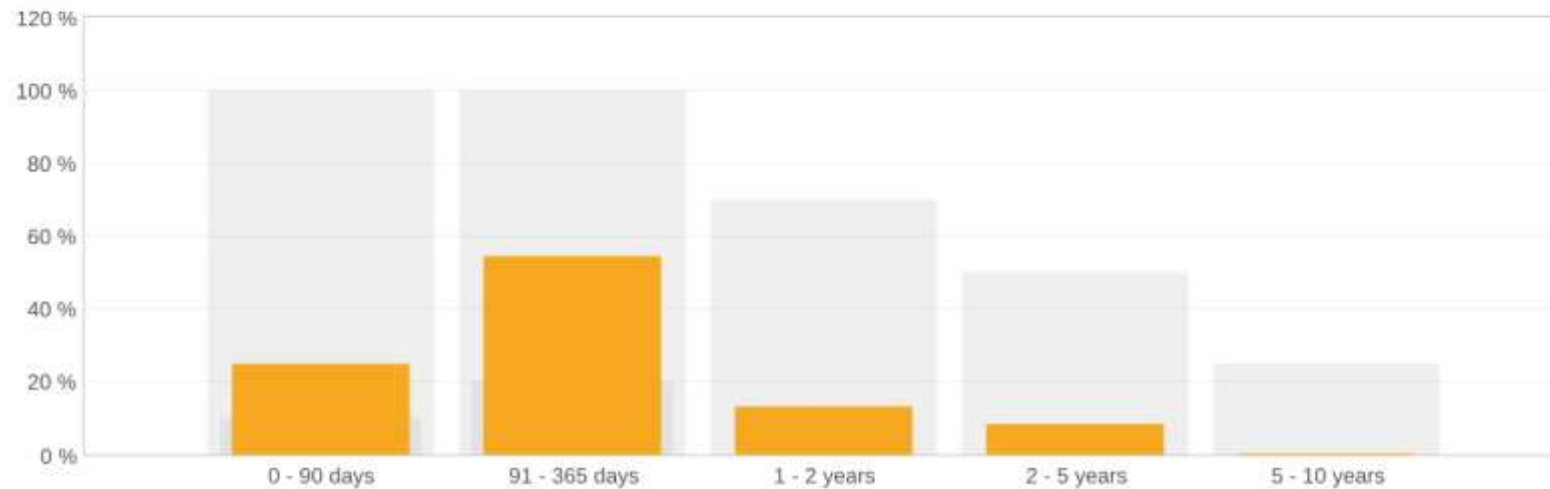




Maturity Compliance as at 28/02/2025

Compliant	Term	Invested (\$)	Invested (%)	Min Limit (%)	Max Limit (%)	Available (\$)
✓	0 - 90 days	59,476,981.21	24.69	10.00	100.00	181,457,892.50
✓	91 - 365 days	130,500,000.00	54.16	20.00	100.00	110,434,873.71
✓	1 - 2 years	31,215,764.80	12.96	0.00	70.00	137,438,646.80
✓	2 - 5 years	19,742,127.70	8.19	0.00	50.00	100,725,309.16
✓	5 - 10 years	-	0.00	0.00	25.00	60,233,718.43
TOTALS		240,934,873.71	100.00			

Maturity Compliance



5.6 SMALL DONATIONS - REQUESTS FOR DONATIONS

RECORD NUMBER: 2025/303

AUTHOR: Jen Sharp, Director Corporate & Commercial Services

EXECUTIVE SUMMARY

This report provides information to Council to allow for the consideration of a resolution regarding applications for funding through the Small Donations Program received during February 2025 and March 2025.

This report also provides information to Council on the deferred Small Donation application from The Blind Pig to contribute to the cost of materials for local Wiradjuri man Trevor Peckham to complete a 10m long mural that will be displayed at the showgrounds.

The Small Donations Program has been established to provide assistance to community and not-for-profit groups that offer significant contribution to the social, economic and/or environmental wellbeing of the Orange Local Government Area (LGA)

LINK TO DELIVERY/OPERATIONAL PLAN

The recommendation in this report relates to the Delivery/Operational Plan strategy “16.2. Support community organisations and groups to deliver services and programs”.

FINANCIAL IMPLICATIONS

The budget for General Donations within the Small Donations Program for 2024/2025 is **\$80,000** with **\$50,650.52** spent to date. The total requested in this round is **\$2,040.00**.

Annual budget 24/25	\$80,000.00
<i>Total spent to date</i>	\$50,650.52
<i>Requested amount this round</i>	\$2,040.00
<i>Remaining balance</i>	\$27,309.48

POLICY AND GOVERNANCE IMPLICATIONS

Refer to Council’s Donations and Grants Policy - ST32

This policy is in accordance with these sections in the Local Government Act 1993:

1. Section 356 (financial assistance)
2. Section 377 (delegated authority)
3. Section 610E (waive or reduce fees)

And in accordance with this section in the Local Government Regulation 2021:

Section 207 (record of donations for auditing purposes)

RECOMMENDATION

- 1 That this item be heard and voted on *in seriatim*.
- 2 That Council determines the following applications:
 - 1) To donate \$500 to The Blind Pig to contribute to the cost of framing a 10m long mural that is being worked on by local Wiradjuri man Trevor Peckham and the community.
 - 2) To decline the application for \$2,500 to Fairbank Shearing Shed Charity Event to contribute to the expenses of running the fundraising event for The Royal Flying Doctor Service.
 - 3) To donate \$74.00 to Am I Next? to cover the cost of hiring Cook Park for the rally against domestic violence event.
 - 4) To donate \$1466 to Orange City Rugby Union Club to contribute to the cost of hiring the Civic Theatre for the event with guest speaker Dave Kramer to speak on the topic of Masculinity and Domestic Violence.

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.

SUPPORTING INFORMATION

Applicant 1	The Blind Pig
Assistance Would Support	The assistance would contribute to the cost of framing a 10m long mural that is being worked on by local Wiradjuri man Trevor Peckham and the community. The mural will be displayed at the showgrounds and can be moved around the community for viewing.
Amount Requested	\$500
Policy Category	Projects or Equipment Purchase or Providing a Community Service
Category Maximum	\$2,500
Complies With Policy	Yes
Previously funded by Council?	No
Additional Information	<p>The 10-metre portable mural, depicting Orange's totem, the platypus, is currently being created as a community art piece with numerous contributions from local residents. The purpose of this mural is to engage the community in creative arts.</p> <p>The artwork has been commenced but is not yet completed.</p> <p>The artist would be interested in the Council being able to retain ownership upon its completion, however details of that arrangement have not been agreed or formalised.</p> <p>The mural could be displayed at the Orange Showground and/or can be moved around town for the community to enjoy.</p>

5.6 Small Donations - Requests for Donations

	<p>The donation will support the framing of the mural.</p> <p>The Blind Pig management are planning to hold a fundraising event on the 28th March 2025 which will also raise funds for the artist.</p> <p>The Blind Pig Management have made this application on behalf of the artist.</p>
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Applicant 2	Fairbank Shearing Shed Charity Event
Assistance Would Support	The assistance would contribute to the costs associated with running the fundraising event for The Royal Flying Doctor Service.
Amount Requested	\$2,500
Policy Category	Community event not being event sponsorship
Category Maximum	\$2,500
Complies With Policy	No – 4.5 Ineligible applications will not be considered and will be returned. Ineligibility includes: • Fundraising for groups or events outside the Orange Local Government Area.
Previously funded by Council?	No
Additional Information	<p>It is recommended that this application be declined due to:</p> <ol style="list-style-type: none"> 1. The event being held outside the Orange Local Government Area (Cabonne); and 2. That the beneficiary of the fund raiser (Royal Flying Doctors) being an organisation that is based outside our Local Government Area (bases in Dubbo and Broken Hill) and the likelihood of Orange residents being assisted by the service as rare.


Applicant 3	Am I Next?
Assistance Would Support	The assistance will cover the cost of hiring Cook Park for the rally against domestic violence event.
Amount Requested	\$74
Policy Category	Community event not being event sponsorship
Category Maximum	\$2,500
Complies With Policy	Yes
Previously funded by Council?	Yes 2023/2024 \$411
Additional Information	It is noted that this application relates to an event which has already occurred. The request for payment was received on 25 th Feb 2025, which was after the deadline for the Council Papers for 4 th March 2025. This was the next available meeting.

5.6 Small Donations - Requests for Donations

Applicant 4	Orange City Rugby Union Club
Assistance Would Support	The assistance will contribute to the cost of hiring the Civic Theatre for the event with guest speaker Dave Kramer from Small Steps For Hannah to speak on the topic of Masculinity and Domestic Violence.
Amount Requested	\$1466
Policy Category	Community event not being event sponsorship
Category Maximum	\$2,500
Complies With Policy	Yes
Previously funded by Council?	No

ATTACHMENTS


- 1 Small Donations Program - Application Form - General Donations - The Blind Pig (redacted), D25/15652[↓](#)
- 2 Small Donations Program - Application Form - General Donations - Fairbank Shearing Shed Charity Event (redacted), D25/19928[↓](#)
- 3 Small Donations Program - Application Form - General Donations - Am I Next (redacted), D25/22664[↓](#)
- 4 Small Donations Program - Application Form - General Donations - Small Steps for Hannah - Orange City Rugby Club (redacted), D25/26882[↓](#)



SMALL DONATIONS PROGRAM - APPLICATION FORM

General donations

Community or not-for-profit group providing benefit to the local community can apply for a maximum of \$2,500

This document will be made public, and only fields with this icon  will be redacted.

APPLICANT'S DETAILS

Name of organisation:


THE BLIND PIG


Contact name:


CHRISTINE GHRAYCHE


Position:

OWNER / DIRECTOR

 Postal address

 Phone:

 Mobile:

 Email:

ABN (if applicable):

ACN (if applicable):

679 412 161

YOUR ORGANISATION

☐ Not-for-Profit ☐ Community Group

Please provide a short description of your organisation, and its purpose.

THE BLIND PIG IS A SMALL BAR. WE ARE PROUD TO BE AN INCLUSIVE AND SAFE SPACE FOR THE LGBT+ COMMUNITY AND THEIR ALLIES.

SMALL DONATIONS PROGRAM GENERAL DONATION APPLICATION

Updated May 2024

page 1 of 3

Page 295

YOUR REQUEST

Amount requested: \$ 500

Date event if applicable: 28.03.2025

What round are you applying for? ☐ Round 1 ☐ Round 2 ☐ Round 3 ☐ Round 4

If you have attempted to seek funding for this project from any other source, including other grants, requests for in kind donations or reduction in costs from suppliers, please provide details:

What will this donation be used for?

<https://events.humanitix.com/tbp-aboriginal-fundraiser>

WE ARE ASKING FOR FUNDING FOR OUR UPCOMING FUNDRAISER FEATURING THREE DRAG QUEENS, INCLUDING ONE INDIGINOUS QUEEN. THE BENEFACTOR OF THE FUNDRAISER IS TREVOR PECKHAM, A LOCAL WIRADJURI MAN. TREVOR IS WORKING ON A 10M LONG MURAL WHICH IS EVENTUALLY TO BE DISPLAYED AT THE SHOWGROUNDS. 100% OF THE DONATION FROM COUNCIL AND DONATIONS RASIED DURING THE EVENT, WILL GO TO TREVOR TO COVER THE COST OF MATERIALS FOR THE MURAL (PAINT, FRAMING, ETC).

BENEFIT TO ORANGE

Please outline how the donation will contribute to the social, economic and/or environmental wellbeing of the Orange Local Government Area.

NOT ONLY IS THIS SHOWING SUPPORT FOR A LOCAL INDIGENOUS MAN, THE MURAL HAS ALSO BEEN TRAVELLING AROUND THE REGION, WITH TREVOR GIVING OTHER MEMBERS OF THE COMMUNITY THE OPPORTUNITY TO ADD THEIR OWN TOUCH TO THE MURAL.

COSTS AND FUNDING

Please provide a summary of your event costs and funding sources. For equipment purchase, please attach quotes.

COSTS	
DRAG QUEENS	\$ 2500
	\$
	\$
	\$
	\$
	\$
Total costs:	\$

FUNDING	Your contribution	\$	2500
	Funding from other councils	\$	
	Contribution from other sources	\$	
	Total funding	\$	2500

BANK ACCOUNT DETAILS FOR PAYMENT

BSB No:



Account No:



Account Name:



Bank:

ALIGNMENT TO COUNCIL'S COMMUNITY STRATEGIC PLAN

Which theme/s best match your reason for donation?

**LIVE: A healthy, safe, inclusive and vibrant community**

This theme recognises the importance of encouraging healthy lifestyles, community pride and a sense of belonging.

**PRESERVE: Balancing the natural and built environment**

This theme ensures that the unique natural, cultural, social and historical aspects of our community are preserved while recognising the need for growth and improvement.

**PROSPER: A smart, innovative and resilient economy**

This theme focuses on providing the community with positive choices for investment, employment and study.

**COLLABORATE: Leadership and partnership**

This theme looks at forging a collaborative community that engages with open and ongoing decision making.

DECLARATION

On behalf of: (name of organisation if applicable)



I certify to the best of my knowledge that the statements made in this application and any supporting documentation are true.



Signed

Date

14.02.2025

Print name

CHRISTINE GHRAYCHE

Position in organisation

OWNER / DIRECTOR

The information you provide will be handled in accordance with the Privacy and Personal Information Protection Act 1998. The supply of information by you is voluntary. If you cannot provide or do not wish to provide the information sought, your application may be unable to be processed. Any personal information collected from you will be in order to process your application.

 **ORANGE CITY COUNCIL**

SMALL DONATIONS PROGRAM - APPLICATION FORM

General donations

Community or not-for-profit group providing benefit to the local community can apply for a maximum of \$2,500.


This document will be made public, and only fields with this icon  will be redacted.



APPLICANT'S DETAILS


Name of organisation: Fairbank Shearing Shed Charity Event


Contact name: Renee Mulligan

Position: Secretary

 Postal address: _____

 Phone: _____  Mobile: _____

 Email: _____

ABN (if applicable): 1  (if applicable): _____

YOUR ORGANISATION

☐ Not-for-Profit ☐ Community Group

Please provide a short description of your organisation, and its purpose.

To raise funds for The Royal Flying Doctor Service for Equipment Purchase. We are totally Non Profit and in our second year.

YOUR REQUEST

Amount requested: \$ 2500.00

Date event if applicable: 5th April 2025What round are you applying for? ☐ Round 1 ☐ Round 2 ☐ Round 3 ☐ Round 4

If you have attempted to seek funding for this project from any other source, including other grants, requests for in kind donations or reduction in costs from suppliers, please provide details:

Request in kind - Venue Hire -
 Coolroom Hire
 outdoor Equipment Hire
 no government funding sought.

What will this donation be used for?

Expenses towards running the Event -
 1) Coolroom Hire
 2) out Door Equipment Hire
 3) Extra Oven Hire.
 4) Miscellaneous Expenses.

BENEFIT TO ORANGE

Please outline how the donation will contribute to the social, economic and/or environmental wellbeing of the Orange Local Government Area:

These Services are Services that help our Community
 in Health emergencies across our Region.

ALIGNMENT TO COUNCIL'S COMMUNITY STRATEGIC PLAN

Which theme/s best match your reason for donation?

<input checked="" type="checkbox"/> <p>LIVE: A healthy, safe, inclusive and vibrant community</p> <p>This theme recognises the importance of encouraging healthy lifestyles, community pride and a sense of belonging.</p> 	<input type="checkbox"/> <p>PRESERVE: Balancing the natural and built environment</p> <p>This theme ensures that the unique natural, cultural, social and historical aspects of our community are preserved while recognising the need for growth and improvement.</p> 
<input type="checkbox"/> <p>PROSPER: A smart, innovative and resilient economy</p> <p>This theme focuses on providing the community with positive choices for investment, employment and study.</p> 	<input checked="" type="checkbox"/> <p>COLLABORATE: Leadership and partnership</p> <p>This theme looks at forging a collaborative community that engages with open and ongoing decision making.</p> 

COSTS AND FUNDING

Please provide a summary of your event costs and funding sources. For equipment purchase, please attach quotes.

COSTS	Meal	\$ 4,000.00
	Band	\$ 3,000.00
	Decorations and Hire Equipment	\$ 2,000.00
	Incidentals	\$ 1,000.00
		\$
	Total costs	\$ 10,000.00

FUNDING	Your contribution	Ticket Sales \$ 18,000.00
	Funding from other councils	\$ -
	Contribution from other sources	\$ 9,000.00
	Total funding	\$ 27,000.00

BANK ACCOUNT DETAILS FOR PAYMENT

 BSB No:	 Account No:
 Account Name:	
 Bank:	

DECLARATIONOn behalf of: (name of organisation if applicable) Fairbank Shearing Shed Charity Event☒ I certify to the best of my knowledge that the statements made in this application and any supporting documentation are true. Signed _____ Date 21.2.2025Print name MRS Sandra A. DuffyPosition in organisation Committee Member

The information you provide will be handled in accordance with the Privacy and Personal Information Protection Act 1996. The supply of information by you is voluntary. If you cannot provide or do not wish to provide the information sought, your application may be unable to be processed. Any personal information collected from you will be in order to process your application.



SMALL DONATIONS PROGRAM - APPLICATION FORM

General donations

Community or not-for-profit group providing benefit to the local community can apply for a maximum of \$2,500

This document will be made public, and only fields with this icon  will be redacted.

APPLICANT'S DETAILS

Name of organisation:	Am I Next?		
Contact name:	Marea Ruddy		
Position:	Director		
 Postal address:			
 Phone:	 Mobile:		
 Email:			
ABN (if applicable):	ACN (if applicable):		
84588338394			

YOUR ORGANISATION

☒ Not-for-Profit ☐ Community Group

Please provide a short description of your organisation, and its purpose.

Am I Next? is a dedicated not-for-profit organisation focused on reducing domestic, family, and men's violence in Central West NSW. Our purpose is to break the cycle of abuse through education, empowerment, and advocacy for individuals and communities. We aim to create a culture of respect, promote healthy relationships, and advocate for systemic change to create a safer, more equitable society where everyone can live free from fear and harm.

YOUR REQUEST

Amount requested: \$ 74 Date event if applicable: 15/03/2025

What round are you applying for? ☐ Round 1 ☐ Round 2 ☐ Round 3 ☐ Round 4

If you have attempted to seek funding for this project from any other source, including other grants, requests for in kind donations or reduction in costs from suppliers, please provide details:

No

What will this donation be used for?

Cover the cost of hiring Cook Park for this event.

BENEFIT TO ORANGE

Please outline how the donation will contribute to the social, economic and/or environmental wellbeing of the Orange Local Government Area.

Holding a rally against domestic violence in Orange is crucial for raising awareness, empowering survivors, and creating community engagement. It brings attention to the prevalence of domestic violence, provides a platform for survivors to be heard, and encourages the community to take action. The rally also serves to advocate for stronger laws, more funding, promote healthy relationships, and create a safer, more supportive environment for everyone. By uniting for this cause, Orange can send a clear message that domestic violence will not be tolerated and that everyone deserves to live in a safe and nurturing community.

ALIGNMENT TO COUNCIL'S COMMUNITY STRATEGIC PLAN

Which theme/s best match your reason for donation?

<input checked="" type="checkbox"/> LIVE: A healthy, safe, inclusive and vibrant community  This theme recognises the importance of encouraging healthy lifestyles, community pride and a sense of belonging.	<input type="checkbox"/> PRESERVE: Balancing the natural and built environment  This theme ensures that the unique natural, cultural, social and historical aspects of our community are preserved while recognising the need for growth and improvement.
<input type="checkbox"/> PROSPER: A smart, innovative and resilient economy  This theme focuses on providing the community with positive choices for investment, employment and study.	<input checked="" type="checkbox"/> COLLABORATE: Leadership and partnership  This theme looks at forging a collaborative community that engages with open and ongoing decision making.

COSTS AND FUNDING

Please provide a summary of your event costs and funding sources. For equipment purchase, please attach quotes.

COSTS	Hiring Cook Park	\$ 74
		\$
		\$
		\$
		\$
		\$
	Total costs	\$

FUNDING	Your contribution	\$ 0
	Funding from other councils	\$ 0
	Contribution from other sources	\$ 0
	Total funding	\$

BANK ACCOUNT DETAILS FOR PAYMENT

BSB No:



Account No:



Account Name:



Bank:

DECLARATION

On behalf of: (name of organisation if applicable)

Am I NExt?



I certify to the best of my knowledge that the statements made in this application and any supporting documentation are true.



Signed

Date

25/02/2025

Print name

Marea Ruddy

Position in organisation

Director

The information you provide will be handled in accordance with the Privacy and Personal Information Protection Act 1998. The supply of information by you is voluntary. If you cannot provide or do not wish to provide the information sought, your application may be unable to be processed. Any personal information collected from you will be in order to process your application.





**ORANGE
CITY COUNCIL**

SMALL DONATIONS PROGRAM - APPLICATION FORM
General donations

Community or not-for-profit group providing benefit to the local community can apply for a maximum of \$2,500

This document will be made public, and only fields with this icon  will be redacted.

APPLICANT'S DETAILS

Name of organisation:	Orange City Rugby Union Club		
Contact name:	Darren Wooding		
Position:	President		
 Postal address			
 Phone:		 Mobile:	
 Email:			
ABN (if applicable):	ACN (if applicable):		
66 861 420 380			

YOUR ORGANISATION

☐ Not-for-Profit ☒ Community Group

Please provide a short description of your organisation, and its purpose.

Orange City Rugby Club is a local sporting club with teams participating in local competitions. We have approx 150 junior members ranging from under 6 to under 16. We have 5 senior grades including an under 19s team, womens team and senior mens teams.

Our main purpose is to engage with the Orange Community and provide a safe inclusive structured enviroment to learn and play Rugby Union.

On top of playing rugby we are about providing a community for all people even they do not play rugby to come along and be apart of a community. We hold many social events through out the year and provide a great home ground for all of the Orange Community to come along and be welcomed.

YOUR REQUEST

Amount requested:	\$ 1466	Date event if applicable:	09/04/2025	
What round are you applying for?	<input checked="" type="checkbox"/> Round 1	<input type="checkbox"/> Round 2	<input type="checkbox"/> Round 3	<input type="checkbox"/> Round 4
If you have attempted to seek funding for this project from any other source, including other grants, requests for in kind donations or reduction in costs from suppliers, please provide details:				
N/A				

What will this donation be used for?

We have invited Dave Kramer from Small Steps For Hannah to come to our town and speak on a very important topic around Masculinity and Domestic Violence. We have partnered with Orange Emus to host this event together as both clubs feel the need for this positive function in our community.

We would like to use the Civic Theatre for this event as we will be expecting in excess of 300 people to attend.

BENEFIT TO ORANGE

Please outline how the donation will contribute to the social, economic and/or environmental wellbeing of the Orange Local Government Area.

This event will educate both men and women on the topic of both DV and Masculinity. It will give our young people of Orange a good understanding on some of our behaviours, and also the behaviours of people in our close networks. The event is certainly a course of prevention in this issue and will be greatly benefitted by all who attend.

We are seeking the donation of the Civic Theatre to be given in Kind.

ALIGNMENT TO COUNCIL'S COMMUNITY STRATEGIC PLAN

Which theme/s best match your reason for donation?

<input checked="" type="checkbox"/> LIVE: A healthy, safe, inclusive and vibrant community  This theme recognises the importance of encouraging healthy lifestyles, community pride and a sense of belonging.	<input type="checkbox"/> PRESERVE: Balancing the natural and built environment  This theme ensures that the unique natural, cultural, social and historical aspects of our community are preserved while recognising the need for growth and improvement.
<input type="checkbox"/> PROSPER: A smart, innovative and resilient economy  This theme focuses on providing the community with positive choices for investment, employment and study.	<input type="checkbox"/> COLLABORATE: Leadership and partnership  This theme looks at forging a collaborative community that engages with open and ongoing decision making.

COSTS AND FUNDING

Please provide a summary of your event costs and funding sources. For equipment purchase, please attach quotes.


COSTS	Event hire - use of Civic Theatre	1466
		\$
		\$
		\$
		\$
		\$
	Total costs	\$

FUNDING	Your contribution	\$ 1200
	Funding from other councils	\$ 0
	Contribution from other sources	\$ 300
	Total funding	\$ 2966

BANK ACCOUNT DETAILS FOR PAYMENT

 BSB No:	 Account No:
 Account Name:	
 Bank:	

DECLARATION

On behalf of: (name of organisation if applicable)	Darren Wooding
<input checked="" type="checkbox"/> I certify to the best of my knowledge that the statements made in this application and any supporting documentation are true.	
 Signed	Date 26/02/2025
Print name Darren Wooding	
Position in organisation President	

The information you provide will be handled in accordance with the Privacy and Personal Information Protection Act 1998. The supply of information by you is voluntary. If you cannot provide or do not wish to provide the information sought, your application may be unable to be processed. Any personal information collected from you will be in order to process your application.

The HALT Program

Empowering young people with the knowledge and skills to cultivate safe and respectful relationships.



About the HALT Program

Through the facilitation of three sessions, the HALT Program provides a research-based, age-appropriate approach to respectful relationships education for students in years 7 to 12. This program has been informed by a comprehensive literature review, as well as the perspectives of teachers and students.

The most common, yet challenging, feedback we received from young people was:

"It's safer to do what everyone else is doing, even when I know it's wrong."

Understanding that "fitting in" is important to young people, our program prioritises a community-first approach. We challenge the notion of fitting in by reframing it as feeling safe. Through our program, we guide young people to explore what safety means for themselves, so they can collectively build the path toward it. These robust conversations acknowledge the hurdles and obstacles they may encounter, and provide practical skills to overcome them.



HALT Session 1/3 - What is Safe?

- Define the differences between unsafe and safe relationship behaviour
- Develop understanding of emotional responses and capacity for change
- Cultivate community connection

HALT Session 2/3 - Who am I?

- Deconstruct beliefs and attitudes about gendered drivers of behaviour
- Critically reflect on unsafe social rules, including social media
- Develop practical strategies to support the safety and wellbeing of self and others

HALT Session 3/3 - Influencing Change

- Develop understanding of affirmative consent
- Deconstruct links between gendered drivers of behaviour and consent
- Develop leadership skills that support community safety
- Culminate all sessions into a mission of community, courage, and connection.

**We also offer single session HALT Conversations, to support the specific needs of your students.*

✉ enquiries@smallsteps4hannah.com.au
📷 [@smallsteps4hannah](https://www.instagram.com/smallsteps4hannah)
🌐 www.smallsteps4hannah.com.au

Cost Estimation**559 - Domestic Violence - Guest Speaker**Start Date: **Wednesday, 09 April 2025**Start Time: **09:00 (09:00 AM)**

Event Coordinator

End Date: **Wednesday, 09 April 2025**End Time: **23:59 (11:59 PM)**

Blake Thomas

Attendance: **496****Confirmed**Event Type: **Presentation****Contacts****Event Manager**Darren Wooding
c/o Orange City CouncilPh Dir:
Ph Mob:
E-Mail:**Venues**

Auditorium - Theatre

Wed 09/04/2025 09:00 AM - Wed 09/04/2025 11:59 PM Confirmed

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Financials

DATE	DESCRIPTION	QTY		AMOUNT	EX TAX	TAX	TOTAL
OCT - Additional to Basic Rental Charges							
09/04/2025	Technicians including sound, lighting, follow spot, stage manager, stage hand - per hour per technician Estimate only	4	X	\$55.00	\$200.00	\$20.00	\$220.00
09/04/2025	Wireless microphone hire (per unit, per day)	1	X	\$11.00	\$10.00	\$1.00	\$11.00
09/04/2025	Batteries Cost	1	X	\$0.00	\$0.00	\$0.00	\$0.00
OCT - Conference/Meetings							
09/04/2025	Half Day, maximum 4 hours	1	X	\$1,235.00	\$1,122.73	\$112.27	\$1,235.00
Total:				\$0.00	\$1,332.73	\$133.27	\$1,466.00

I _____ (insert name) understand the above is an estimation only and not an invoice. I am aware that services additional to the above will incur extra costs, as per Council's Fees and Charges, and will be invoiced accordingly.

I agree that the details above are correct and I will notify you of any changes and final numbers no less than one week prior to the commencement of the function.

Please sign and return to Orange Civic Theatre - mpearce@orange.nsw.gov.au

Signature

Date

5.7 RESPONSES TO QUESTIONS TAKEN ON NOTICE

RECORD NUMBER: 2024/1929

AUTHOR: David Waddell, Chief Executive Officer

EXECUTIVE SUMMARY

This report provides responses below to Questions Taken on Notice during the Council and Policy meetings 4 February 2025.

LINK TO DELIVERY/OPERATIONAL PLAN

The recommendation in this report relates to the Delivery/Operational Plan strategy “18.1. Provide representative, responsible and accountable community governance”.

FINANCIAL IMPLICATIONS

Nil.

POLICY AND GOVERNANCE IMPLICATIONS

Nil.

RECOMMENDATION

That the information contained in the report on responses to Questions Taken on Notice be acknowledged.

SUPPORTING INFORMATION**IPC 4 February 2025****QUESTION TAKEN ON NOTICE Cr M McDonell**

Cr McDonell asked for information on when Kite Street (from Lords Place to Peisley Street) is scheduled for resurfacing.

Council’s Manager Works is giving a considered response looking to review it with other priorities in an aim to do works sooner, but on the Asset Management Plan, works on this section of Kite Street is scheduled for a couple of years’ time.

QUESTION TAKEN ON NOTICE Cr G Judge

Cr Judge advised that with the upcoming opening of Brabham Way (SFR) he had concerns regarding the intersections and asked for whether roundabouts at these intersections are included in the budget and what the timeframe is for the work:

- **Anson Street and Brabham Way**
- **Woodward Street and Gardiner Road**
- **Woodward Street and Racecourse Road.**

5.7 Responses to Questions Taken on Notice

There are no roundabout works budgeted for on each of the three intersections mentioned above. Post opening Brabham Way, the intersections are being monitored, and all are operating freely with the following minor adjustments:

- Anson Street approach to Brabham Way – left and right turn arrows to be painted in each of the two approach lanes.
- Brabham Way/Forest Road traffic lights priority to be given to right turn East bound traffic out of Brabham Way for the morning shift change at the hospital through the Sydney Coordinated Adaptive Traffic System (SCATS). SCATS is an intelligent real time traffic management platform that monitors, controls and optimises the movement of traffic through traffic lights.
- Woodward Street pavement upgrades are budgeted to commence next year along with channelisation of the intersections with Gardiner Road and Racecourse Road to improve safety.

QUESTION TAKEN ON NOTICE**Cr K Duffy**

Cr Duffy again requested detailed future development plans and designs for Brabham Way so that Council is prepared to apply for funding (shovel ready) when opportunities arise.

We are shovel ready with plans to extend Brabham Way onto Pinnacle Road. The design team are working on plans for the remainder of the proposed route of the SFR and intersection upgrades through to the NDR on Escort Way (Forbes Road). Council needs to confirm that this is a priority road project with respect to grants.

QUESTION TAKEN ON NOTICE**Cr D Mallard**

Cr Mallard requested that the Environmental Sustainability information included in current works reports presented to Council could be updated to reflect best information, current measurements and reporting, including gas consumption.

The Current Works report template to Council has been updated to better reflect energy use data. This included removing CO2 emissions associated with electricity consumption, due to sourcing 100% renewable energy from the grid, along with inserting gas data (consumption, CO2 emissions and costs).

QUESTION TAKEN ON NOTICE**Cr T Mileto**

Cr Mileto asked if there is an opportunity for accessibility to be reviewed for access at the Guildry at Cook Park, particularly with regard to replacing metal handrails and ramp installation.

Works are planned to install a ramp and once completed we will review the concerns with the metal handrails.

QUESTION TAKEN ON NOTICE**Cr T Mileto**

Cr Mileto asked for additional maintenance services that can be carried out to clean and rejuvenate the pavers along Summer Street.

The street sweeping crew are looking into hiring a footpath scrubber to address any of the sections that are not coming up clean with the existing footpath sweeper unit.

QUESTION TAKEN ON NOTICE**Cr K Duffy**

Cr Duffy asked for clarification on the Anzac Day Diggers Street Banners regarding the collection being expanded year-on-year to recognise all fallen soldiers identified from the region.

New banners for this year have been ordered and will be on display in April. A plan is in place for banners collection to be expanded each year until all the recognised fallen soldiers have been added to the collection

6 CLOSED MEETING - SEE CLOSED AGENDA

The Chief Executive Officer will advise the Council if any written submissions have been received relating to any item advertised for consideration by a closed meeting of Orange City Council.

The Mayor will extend an invitation to any member of the public present at the meeting to make a representation to Council as to whether the meeting should be closed for a particular item. In accordance with the Local Government Act 1993, and the Local Government (General) Regulation 2021, in the opinion of the Chief Executive Officer, the following business is of a kind as referred to in Section 10A(2) of the Act, and should be dealt with in a Confidential Session of the Council meeting closed to the press and public.

RECOMMENDATION

That Council adjourn into a Closed Meeting and members of the press and public be excluded from the Closed Meeting, and access to the correspondence and reports relating to the items considered during the course of the Closed Meeting be withheld unless declassified by separate resolution. This action is taken in accordance with Section 10A(2) of the Local Government Act, 1993 as the items listed come within the following provisions:

6.1 Tender F4178-3 - Open Space and Recreation Strategy and Implementation Plan

This item is classified CONFIDENTIAL under the provisions of Section 10A(2) of the Local Government Act 1993, which permits the meeting to be closed to the public for business relating to (c) information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.

6.2 Quotations F4287 - NetWaste Selective Request for Quotation for "Collection and Recycling of Used Motor Oil"

This item is classified CONFIDENTIAL under the provisions of Section 10A(2) of the Local Government Act 1993, which permits the meeting to be closed to the public for business relating to (c) information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.

6.3 2025 National General Assembly - Nominations for Councillor Attendance

This item is classified CONFIDENTIAL under the provisions of Section 10A(2) of the Local Government Act 1993, which permits the meeting to be closed to the public for business relating to (f) matters affecting the security of the Council, Councillors, Council staff or Council property.

6.4 LGNSW Rural & Regional Summit 2025 / Floodplain Management National Conference 2025 / LGNSW Destination and Visitor Economy Conference 2025 - Nominations for Councillor Attendance

This item is classified CONFIDENTIAL under the provisions of Section 10A(2) of the Local Government Act 1993, which permits the meeting to be closed to the public for business relating to (f) matters affecting the security of the Council, Councillors, Council staff or Council property.

6.5 Council Land Audit on Suitability for Social or Affordable Housing

This item is classified CONFIDENTIAL under the provisions of Section 10A(2) of the Local Government Act 1993, which permits the meeting to be closed to the public for business relating to (c) information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.

6.6 Submission Redaction Report 18 March 2025

This item is classified CONFIDENTIAL under the provisions of Section 10A(2) of the Local Government Act 1993, which permits the meeting to be closed to the public for business relating to (e) information that would, if disclosed, prejudice the maintenance of law.

6.1 TENDER F4178-3 - OPEN SPACE AND RECREATION STRATEGY AND IMPLEMENTATION PLAN

RECORD NUMBER: 2025/156

AUTHOR: Jason Theakstone, Manager Engineering Services

REASON FOR CONFIDENTIALITY

This item is classified CONFIDENTIAL under the provisions of Section 10A(2) of the Local Government Act 1993, which permits the meeting to be closed to the public for business relating to (c) information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.

**6.2 QUOTATIONS F4287 - NETWASTE SELECTIVE REQUEST FOR QUOTATION FOR
"COLLECTION AND RECYCLING OF USED MOTOR OIL"**

RECORD NUMBER: 2025/305

AUTHOR: Wayne Davis, Manager Waste Services and Technical Support

REASON FOR CONFIDENTIALITY

This item is classified CONFIDENTIAL under the provisions of Section 10A(2) of the Local Government Act 1993, which permits the meeting to be closed to the public for business relating to (c) information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.

6.3 2025 NATIONAL GENERAL ASSEMBLY - NOMINATIONS FOR COUNCILLOR ATTENDANCE

RECORD NUMBER: 2025/26

AUTHOR: Catherine Davis, Executive Support Manager

REASON FOR CONFIDENTIALITY

This item is classified CONFIDENTIAL under the provisions of Section 10A(2) of the Local Government Act 1993, which permits the meeting to be closed to the public for business relating to (f) matters affecting the security of the Council, Councillors, Council staff or Council property.

6.4 LGNSW RURAL & REGIONAL SUMMIT 2025 / FLOODPLAIN MANAGEMENT NATIONAL CONFERENCE 2025 / LGNSW DESTINATION AND VISITOR ECONOMY CONFERENCE 2025 - NOMINATIONS FOR COUNCILLOR ATTENDANCE

RECORD NUMBER: 2025/273

AUTHOR: Jessica Jackson, Executive Support Officer

REASON FOR CONFIDENTIALITY

This item is classified CONFIDENTIAL under the provisions of Section 10A(2) of the Local Government Act 1993, which permits the meeting to be closed to the public for business relating to (f) matters affecting the security of the Council, Councillors, Council staff or Council property.

6.5 COUNCIL LAND AUDIT ON SUITABILITY FOR SOCIAL OR AFFORDABLE HOUSING

RECORD NUMBER: 2025/310

AUTHOR: Jen Sharp, Director Corporate & Commercial Services

REASON FOR CONFIDENTIALITY

This item is classified CONFIDENTIAL under the provisions of Section 10A(2) of the Local Government Act 1993, which permits the meeting to be closed to the public for business relating to (c) information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.

6.6 SUBMISSION REDACTION REPORT 18 MARCH 2025

RECORD NUMBER: 2025/297

AUTHOR: Janessa Constantine, Manager Corporate Governance

REASON FOR CONFIDENTIALITY

This item is classified CONFIDENTIAL under the provisions of Section 10A(2) of the Local Government Act 1993, which permits the meeting to be closed to the public for business relating to (e) information that would, if disclosed, prejudice the maintenance of law.

7 RESOLUTIONS FROM CLOSED MEETING