



# **PLANNING & DEVELOPMENT COMMITTEE**

# **AGENDA**

**3 MARCH 2026**

Notice is hereby given, in accordance with the provisions of the Local Government Act 1993 that a **PLANNING & DEVELOPMENT COMMITTEE MEETING of ORANGE CITY COUNCIL** will be held in the **COUNCIL CHAMBER, CIVIC CENTRE, BYNG STREET, ORANGE** on **Tuesday, 3 March 2026**.

Scott Maunder  
**CHIEF EXECUTIVE OFFICER**

For apologies please contact Executive Support on 6393 8391.

# AGENDA

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## **1 INTRODUCTION**

### **MEMBERS**

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

### **1.1 Apologies and Leave of Absence**

### **1.2 Declaration of pecuniary interests, significant non-pecuniary interests and less than significant non-pecuniary interests**

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

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

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

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

### **RECOMMENDATION**

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



## 2 GENERAL REPORTS

### 2.1 Items Approved Under the Delegated Authority of Council

RECORD NUMBER: 2026/70

AUTHOR: Paul Johnston, Manager Development Assessments

#### EXECUTIVE SUMMARY

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

#### LINK TO DELIVERY/OPERATIONAL PLAN

The recommendation in this report relates to the Delivery/Operational Plan strategy “7.3 Plan for growth and development that balances liveability with valuing the local environment”.

#### FINANCIAL IMPLICATIONS

Nil.

#### POLICY AND GOVERNANCE IMPLICATIONS

Nil.

#### RECOMMENDATION

**That Council resolves to acknowledge the information provided in the report by the Coordinator Development Assessment on Items Approved Under the Delegated Authority of Council.**

#### FURTHER CONSIDERATIONS

The recommendation of this report has been assessed against Council’s key risk categories and the following comments are provided:

<b>Service/Project Delivery</b>	Acknowledging the report has no impact on Council’s service or project delivery.
<b>Financial</b>	There are no financial implications associated with noting the information provided.
<b>Reputation/Political</b>	The recommendation is procedural and presents no reputational or political risk.
<b>Environment</b>	No environmental risks arise from acknowledging the report.
<b>Compliance</b>	The action aligns with required governance processes and introduces no compliance risk.
<b>People &amp; WHS</b>	No workforce or safety risks are associated with this administrative action.
<b>Information Technology/ Cyber Security</b>	The recommendation does not involve systems or data and presents no IT or cyber security risk.

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**2.1 Items Approved Under the Delegated Authority of Council**

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**SUPPORTING INFORMATION**

**Reference:** DA 185/2022(2)      **Determination Date:** 2 February 2026

**PR Number** 6188

**Applicant/s:** Mr MR and Mrs LM Savage

**Owner/s:** Mr MR and Mrs LM Savage

**Location:** Lot B DP 150727 - 15 Kite Street, Orange

**Proposal:** Modification of development consent - dwelling alterations and additions and carport. The modification involves a series of internal and external amendments, including alterations to the rear addition, changes to the front façade, amended window and door openings, and replacement of the approved carport with a garage.

**Value:** Not applicable

**Reference:** DA 204/2022(4)      **Determination Date:** 13 February 2026

**PR Number** 30326

**Applicant/s:** Commins PLANVIEW P/L

**Owner/s:** Kueb Pty Ltd

**Location:** Lot 2 DP 1310758 - 4 Hamer Street, Orange

**Proposal:** Modification of development consent - dual occupancy and subdivision (two lot Torrens title). The modification involves altering condition 8 in relation to the width of the landscaping bed between the driveway and northern perimeter fence.

**Value:** Not applicable

**Reference:** DA 236/2023(3)      **Determination Date:** 5 February 2026

**PR Number** 29589

**Applicant/s:** Mr JM Cooke

**Owner/s:** Iconic Outdoors Holdings Pty Limited

**Location:** Lot 402 DP 1292031 - 35 Astill Drive, Orange

**Proposal:** Modification of development consent - warehouse or distribution centre (one building). The modification involves:

- Amendment to Stage 1 Shed:
- Removal of Stage 2 Shed
- A total of five (5) car parking spaces proposed compared to seven (7) approved car parking spaces.
- A revised landscape plan.

**Value:** Not applicable

**Reference:** DA 68/2025(2)      **Determination Date:** 21 January 2026

**PR Number** 19460

**Applicant/s:** MAAS Commercial Leeds Pty Limited

**Owner/s:** MAAS Commercial Leeds Pty Limited

**Location:** Lot 4 DP 1065309 and Lot 1 DP 1286615 - Leeds Parade, Orange

**Proposal:** Modification of development consent - self-storage units. The modification involves removing the subdivision conditions relating to the original consent and including additional conditions of consent to address servicing requirements and the changed nature of the development.

**Value:** Not applicable

**2.1 Items Approved Under the Delegated Authority of Council**


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<b>Reference:</b>	DA 415/2025(1)	<b>Determination Date:</b>	13 February 2026
<b>PR Number</b>	15326		
<b>Applicant/s:</b>	Orange Runners Club		
<b>Owner/s:</b>	Orange City Council		
<b>Location:</b>	Lot 58 DP 750401 and Lots 3 and 4 DP 216843 - 2 Bloomfield Road, Orange		
<b>Proposal:</b>	Recreation facility (storage - two shipping containers)		
<b>Value:</b>	\$13,865		
<b>Reference:</b>	DA 428/2025(1)	<b>Determination Date:</b>	21 January 2026
<b>PR Number</b>	8206		
<b>Applicant/s:</b>	Peter Basha Planning & Development		
<b>Owner/s:</b>	Mr TJ and Mrs AP Zinga		
<b>Location:</b>	Lot 27 DP 137125 - 234 McLachlan Street, Orange		
<b>Proposal:</b>	Dwelling alterations and additions; subdivision (two lot Torrens title); demolition (sheds); multi dwelling housing (three dwellings) and subdivision (four lot Community title)		
<b>Value:</b>	\$1,546,450		
<b>Reference:</b>	DA 442/2025(1)	<b>Determination Date:</b>	12 February 2026
<b>PR Number</b>	14478		
<b>Applicant/s:</b>	Mr K T Astley		
<b>Owner/s:</b>	Mr K T Astley and Ms K A Wood		
<b>Location:</b>	Lot 2 DP 731030 - 3848 Mitchell Highway, Shadforth		
<b>Proposal:</b>	Dual occupancy (one additional dwelling - manufactured home)		
<b>Value:</b>	\$60,645		
<b>Reference:</b>	DA 447/2025(1)	<b>Determination Date:</b>	16 February 2026
<b>PR Number</b>	8521		
<b>Applicant/s:</b>	BZJ Design Co Pty Ltd		
<b>Owner/s:</b>	Mr BJ Gosper and Ms HT Amies		
<b>Location:</b>	Lot 28 DP 700979 - 114 Molong Road, Orange		
<b>Proposal:</b>	Secondary dwelling		
<b>Value:</b>	\$259,050		
<b>Reference:</b>	DA 463/2025(1)	<b>Determination Date:</b>	6 February 2026
<b>PR Number</b>	30331		
<b>Applicant/s:</b>	Anglican Schools Corporation		
<b>Owner/s:</b>	Anglican Schools Corporation		
<b>Location:</b>	Lot 300 DP 1312878 - 7 Murphy Lane, Orange		
<b>Proposal:</b>	School (signage)		
<b>Value:</b>	\$11,000		
<b>Reference:</b>	DA 467/2025(1)	<b>Determination Date:</b>	13 February 2026
<b>PR Number</b>	5044		
<b>Applicant/s:</b>	Mrs LM Capolino		
<b>Owner/s:</b>	Mr AJ and Mrs LM Capolino		
<b>Location:</b>	Lot 81 DP 263614 - 33 Heatherbrae Parade, Orange		
<b>Proposal:</b>	Secondary dwelling (garage conversion)		
<b>Value:</b>	\$48,000		

**2.1 Items Approved Under the Delegated Authority of Council**

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<b>TOTAL NET* VALUE OF DEVELOPMENTS APPROVED BY THE CEO UNDER DELEGATED AUTHORITY IN THIS PERIOD:</b>	<b>\$1,939,010</b>
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*\* Net value relates to the value of modifications. If modifications are the same value as the original DA, then nil is added. If there is a plus/minus difference, this difference is added or taken out.*

Additionally, since the January 2025 meeting report period (20 January to 16 February 2026), another 17 development applications were determined under delegated authority by other Council staff with a combined value of \$3,587,109.

**2.2 Development Application DA 401/2025(1) - 2 Elizabeth Street**

RECORD NUMBER: 2026/285  
 AUTHOR: Dhawala Ananda, Town Planner

**EXECUTIVE SUMMARY**

Application lodged	14 October 2025
Applicant	Cohesive Planning
Owner/s	AYAM Pty Ltd
Land description	Lot 1 DP 377484 - 2 Elizabeth Street, Orange
Proposed land use	Centre-based Child Care Facility
Value of proposed development	\$1,328,350

Council's consent is sought for the establishment of a child care centre on 2 Elizabeth Street, Orange, legally described as Lot 1 DP 377484 which will cater for a maximum of 50 children with associated landscaping and earthworks.

The child care centre is proposed to cater up to 50 children:

- Group 1 aged 0-2 years (4 children)
- Group 2 aged 2-3 years (20 children)
- Group 3 aged 3-6 years (26 children)

The centre will involve the following components:

- Removal of existing boundary fencing
- Construction of a purpose built one storey child care building
- Provision of 13 onsite car parking spaces
- Playgrounds and landscaping



**Figure 1 - locality plan**

## 2.2 Development Application DA 401/2025(1) - 2 Elizabeth Street

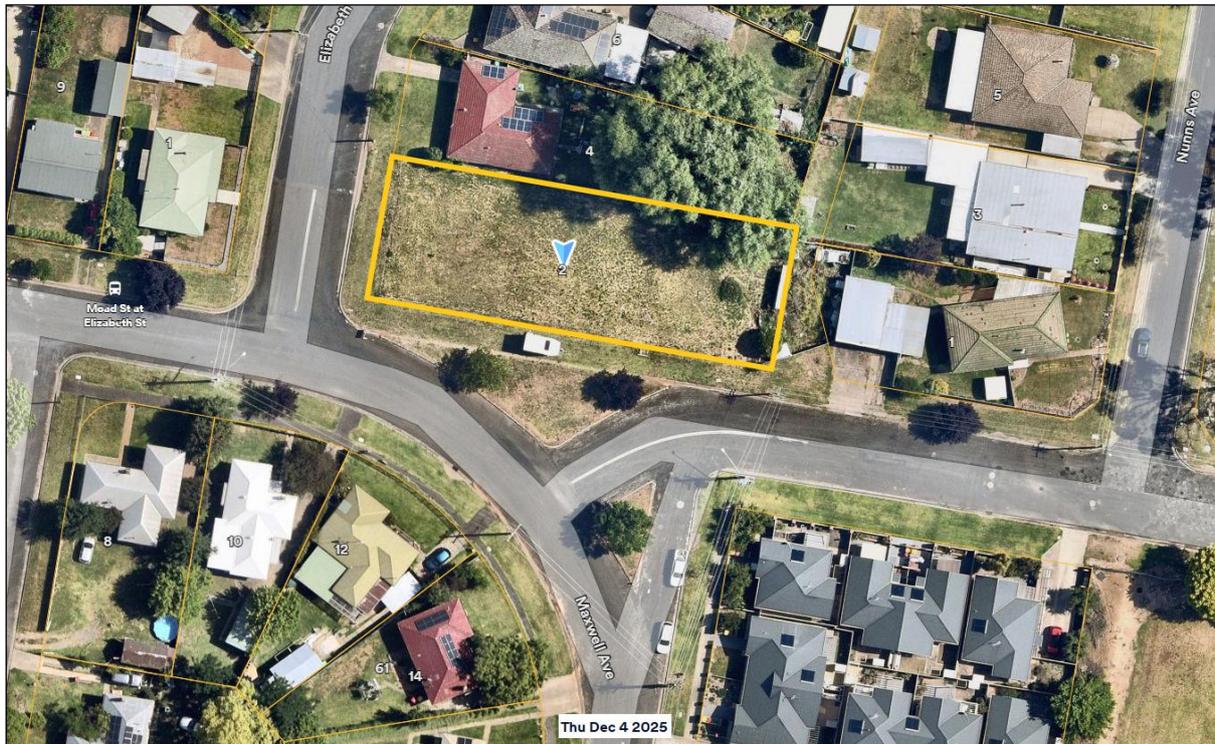


Figure 2 - aerial locality plan

### 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.

## **2.2 Development Application DA 401/2025(1) - 2 Elizabeth Street**

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### **DIRECTOR'S COMMENTS**

This DA is for a childcare centre at 2 Elizabeth Street accommodating up to 50 children. Staff have been very heavily involved in providing design and compliance feedback to the applicant over an extended period to ensure the City is provided with a childcare development that is compatible with the surrounding residential area. Overall, this design is much more in keeping with the area and is supported.

The site does have some significant restrictions due to an overland stormwater flow path. This part of the site is subject to flooding and cannot be simply built across. An engineering solution is provided that elevates the concrete carpark slab above the ground level of the floodway. This allows the water to flow unimpeded underneath the carpark.

Whilst the raised level of the carpark is the same as the street level, the carpark will be higher than the existing backyards of the adjoining neighbours. The adjoining neighbour will see the boundary fence/wall structure around 3.2m above the ground level. The fence/wall is located on the neighbour's southern boundary, so it will not cause overshadowing to neighbours.

The height of the raised carpark is considered acceptable as the height is a good solution to maintaining stormwater flows of the area. The childcare building itself presents to the street as single storey building, with the carpark constructed to be level with the footpath.

Other matters that often are considered by Council during the assessment of childcare centres are noise, parking, traffic and waste management. The attached staff report has adequately considered these matters and concludes that the proposal complies with Council's standards. The proposal also achieves compliance with the NSW Government Childcare Planning Guidelines.

Two public submissions were received raising comments regarding Guideline compliance and pedestrian connectivity. These two matters have been addressed in the planning report. Internal referrals have been completed, and all necessary conditions have been incorporated.

On balance, the proposal is considered acceptable in terms of visual impact, amenity, compliance and technical matters, and the recommendation of approval is supported.

### **LINK TO DELIVERY/OPERATIONAL PLAN**

The recommendation in this report relates to the Delivery/Operational Plan strategy "7.3 Plan for growth and development that balances liveability with valuing the local environment".

### **FINANCIAL IMPLICATIONS**

Nil

### **POLICY AND GOVERNANCE IMPLICATIONS**

Nil

### **RECOMMENDATION**

**That Council consents to development application DA 401/2025(1) for Centre-based Child Care Facility at Lot 1 DP 377484 - 2 Elizabeth Street, Orange pursuant to the conditions of consent in the attached Notice of Determination.**

### **FURTHER CONSIDERATIONS**

The recommendation of this report has been assessed against Council's key risk categories and the following comments are provided:

**2.2 Development Application DA 401/2025(1) - 2 Elizabeth Street**

<b>Service/Project Delivery</b>	Approval or refusal may affect infrastructure demands, service planning or community expectations.
<b>Financial</b>	Decisions may lead to financial implications through infrastructure contributions, legal appeals or compensation claims
<b>Reputation/Political</b>	The outcome may attract public or political scrutiny, especially if perceived as inconsistent or contentious.
<b>Environment</b>	The application may have environmental impacts – positive or negative – depending on the nature of the development.
<b>Compliance</b>	The decision must align with Planning legislation, regulation and controls and Council policies to avoid legal risk.
<b>People &amp; WHS</b>	Development activities may introduce safety risks for workers, residents or the broader community.
<b>Information Technology/ Cyber Security</b>	Systems used to assess and manage the application must ensure data integrity and secure handling of sensitive information.

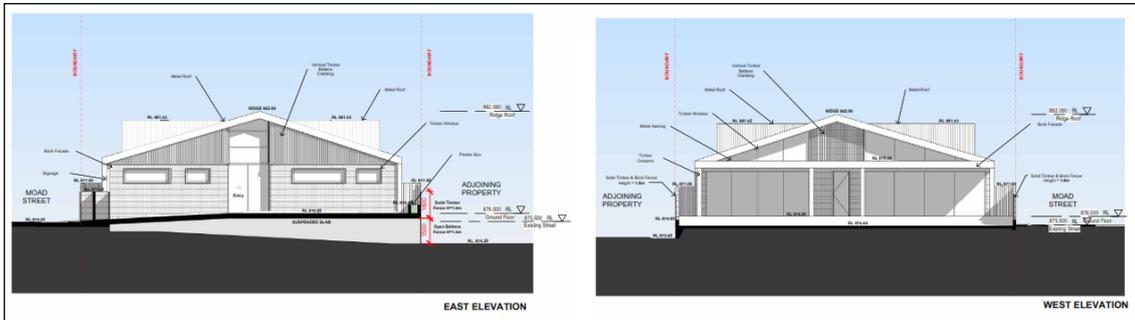
**SUPPORTING INFORMATION**
**THE PROPOSAL**

The development is proposed to provide a childcare facility with access from Moad Street. The proposed works include:

- Removal of existing boundary fencing.
- Construction of a single storey child care centre with entry from Moad Street.
- The proposed building is to contain three playrooms dedicated to different age groups, one cot room, one staff room, kitchen, laundry, office and associated ancillary facilities.
- The external areas of the proposed development include a bin area on the southern side and two outdoor play areas dedicated to different age groups.
- Provision of 13 onsite car parking spaces.
- Landscaping.


**Figure 3 - site plan**

**2.2 Development Application DA 401/2025(1) - 2 Elizabeth Street**



**Figure 4 - east and west elevations**



**Figure 5 - north and south elevations**

**Site Visit**

The subject land is vacant and is generally flat with a dip in land on the north-eastern corner. The subject land has a regular rectangle shape with an area of 1,145.875m<sup>2</sup>. The site is a corner lot with frontages to Elizabeth Street and Moad Street. The proposed development will have egress via Moad Street. A wide verge exists between the land and Moad Street. The site is adjoined by residential properties to the north and east.



**Photo 1 - subject lot (vacant) looking east**

**2.2 Development Application DA 401/2025(1) - 2 Elizabeth Street**



**Photo 2 - subject lot (vacant) looking north-west**



**Photo 3 - shows subject lot with streets and wide verge (with street trees)**

## 2.2 Development Application DA 401/2025(1) - 2 Elizabeth Street

### Development Site History

The subject site was approved on 3 March 2015 under DA 290/2014(1) for the demolition of existing foundations, a concrete slab and a shed, together with the construction of a residential flat building, as illustrated in Figure 6. While the approved demolition works were carried out and the site was cleared of the existing foundations, slab and shed, the approved residential development was not constructed.

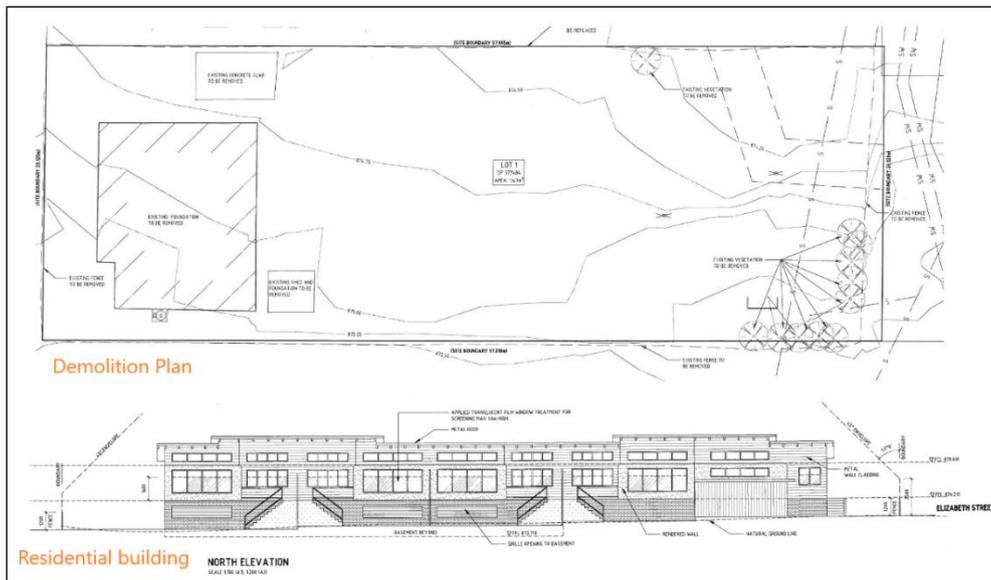


Figure 6 – Previously approved plan for demolition and construction of residential buildings

### 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*

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.

## **2.2 Development Application DA 401/2025(1) - 2 Elizabeth Street**

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### **Trigger 1**

The site is not located on land mapped on the Biodiversity Values Map and therefore Trigger 1 does not apply.

### **Trigger 2**

The site as existing is devoid of vegetation, and therefore no clearing would occur, and Trigger 2 therefore does not apply.

### **Trigger 3**

As the site is devoid of vegetation, it is not considered that the development would be likely to significantly affect threatened species, and therefore Trigger 3 does not apply.

No further investigation or reporting is required under Part 7 of the Biodiversity Conservation Act 2016 or Part 7A of the Fisheries Management Act 1994, as the proposed development does not trigger any of the thresholds or considerations outlined in these provisions.

### **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:

- (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 application is considered to be consistent with the above-listed objectives.

#### **Clause 1.6 - Consent Authority**

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

## **2.2 Development Application DA 401/2025(1) - 2 Elizabeth Street**

### **Clause 1.7 - Mapping**

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

Land Zoning Map:	Land zoned <b>R1 General Residential</b>
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:	<b>Groundwater vulnerable</b>
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:	<b>Within a flood planning area</b>

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 child care facility* under OLEP 2011 and is permitted with consent for this zone. This application is seeking consent.

***centre-based child care facility*** means -

- (a) a building or place used for the education and care of children that provides any one or more of the following -

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**2.2 Development Application DA 401/2025(1) - 2 Elizabeth Street**

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- (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 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.*

The proposed child care centre is consistent with these objectives as it provides a community facility that supports the day-to-day needs of local residents. The site is also suitably located in proximity to local public transport routes and within walking distance of Glenroi Public School, thereby supporting accessibility and encouraging active transport.

**Part 3 - Exempt and Complying Development**

The application is not exempt or complying development.

**Part 4 - Principal Development Standards**

This part is not relevant to the application.

## 2.2 Development Application DA 401/2025(1) - 2 Elizabeth Street

### Part 5 - Miscellaneous Provisions

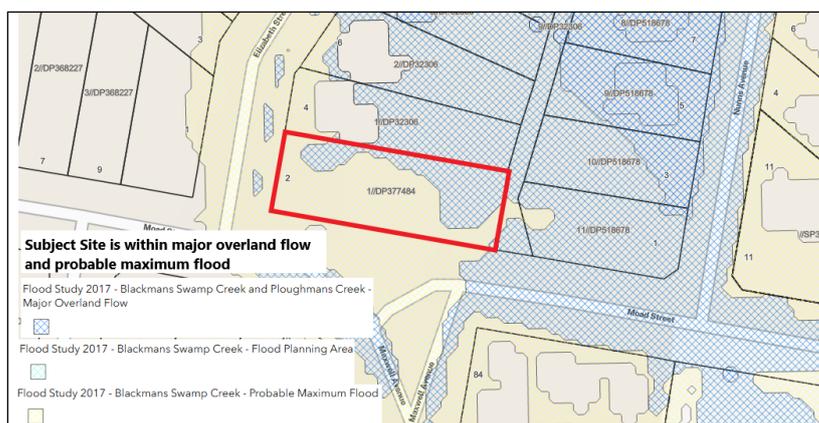
#### 5.21 - Flood Planning

This clause applies to land identified on the Flood Planning Map as a Flood Planning Area and requires that, before any consent is issued, Council must be satisfied that the proposal:

- (a) *is compatible with the flood function and behaviour on the land, and*
- (b) *will not adversely affect flood behaviour in a way that results in detrimental increases in the potential flood affectation of other development or properties, and*
- (c) *will not adversely affect the safe occupation and efficient evacuation of people or exceed the capacity of existing evacuation routes for the surrounding area in the event of a flood, and*
- (d) *incorporates appropriate measures to manage risk to life in the event of a flood, and*
- (e) *will not adversely affect the environment or cause avoidable erosion, siltation, destruction of riparian vegetation or a reduction in the stability of river banks or watercourses.*

The development site is identified to be within the *Blackmans Swamp Creek PMF 2021*, as shown in figure 7 below.

In this regard the proposed development is unlikely to change flooding behaviour on or off the site and is unlikely to adversely affect the safe occupation and efficient evacuation of people from the site. Further, the development is unlikely to cause or contribute to erosion, siltation or reduce riparian vegetation. Notwithstanding the above, a suitable condition of consent may be imposed relating to finished floor levels and the location of electrical outlets as a precautionary measure.



**Figure 7 - development site identified within the major overland flow and PMF area**

#### 5.22 – Special Flood Considerations

- (1) *The objectives of this clause are as follows—*
  - (a) *to enable the safe occupation and evacuation of people subject to flooding,*
  - (b) *to ensure development on land is compatible with the land’s flood behaviour in the event of a flood,*
  - (c) *to avoid adverse or cumulative impacts on flood behaviour,*

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**2.2 Development Application DA 401/2025(1) - 2 Elizabeth Street**

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- (d) to protect the operational capacity of emergency response facilities and critical infrastructure during flood events,*
  - (e) to avoid adverse effects of hazardous development on the environment during flood events.*
- (2) This clause applies to—*
- (a) for sensitive and hazardous development—land between the flood planning area and the probable maximum flood, and*
  - (b) for development that is not sensitive and hazardous development—land the consent authority considers to be land that, in the event of a flood, may—*
    - (i) cause a particular risk to life, and*
    - (ii) require the evacuation of people or other safety considerations.*
- (3) Development consent must not be granted to development on land to which this clause applies unless the consent authority has considered whether the development—*
- (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.*

The proposed child care facility is identified as a sensitive land use and is located within the Mainstream Flooding Outer Floodplain, requiring assessment against Clause 5.22 of Orange LEP 2011. In accordance with Clause 5.22(3), the design adopts finished floor levels (FFLs) consistent with the elevation of the Probable Maximum Flood (PMF). This approach ensures that, in the unlikely event that evacuation has not occurred in advance of a major flood, occupants are able to safely shelter in place, thereby supporting appropriate flood-resilient design outcomes for vulnerable users.

The proposal was reviewed by Council's Assistant Development Engineer (ADE), who confirmed that the proposed FFL of RL 876.00m AHD provides adequate protection relative to the PMF level and satisfies Council's flood-related design requirements. In addition to floor level protection, the development also respects and maintains existing major overland flow paths within the site. This is achieved through the provision of a formalised temporary flood storage area and associated outlet works, ensuring that floodwaters can be effectively conveyed without redirecting flows or intensifying impacts on neighbouring properties.

Given the proposed floor level, supporting engineering review and the measures integrated to preserve on-site flood behaviour, the development is considered to appropriately address the requirements of Clause 5.22 of Orange LEP 2011.

**Part 6 - Urban Release Area**

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

## **2.2 Development Application DA 401/2025(1) - 2 Elizabeth Street**

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### **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:

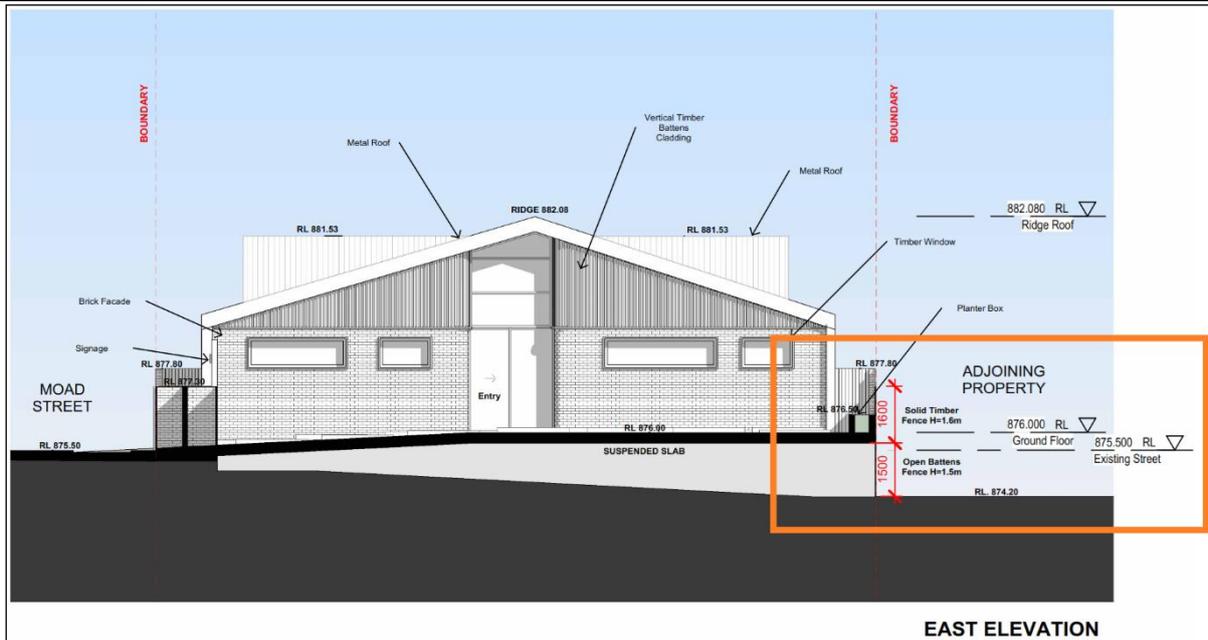
- (a) the likely disruption of, or any detrimental effect on, existing drainage patterns and soil stability in the locality of the development*
- (b) the effect of the development on the likely future use or redevelopment of the land*
- (c) the quality of the fill or the soil to be excavated, or both*
- (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 proposed development includes a modest level of earthworks to facilitate the construction of the new building and associated slab. Based on the submitted elevations (see figures 7 and 8), a suspended slab is proposed over northwestern portion of the site, where it will sit approximately 1.2-1.4m above natural ground level to achieve a level building platform and maintain overland flow paths.

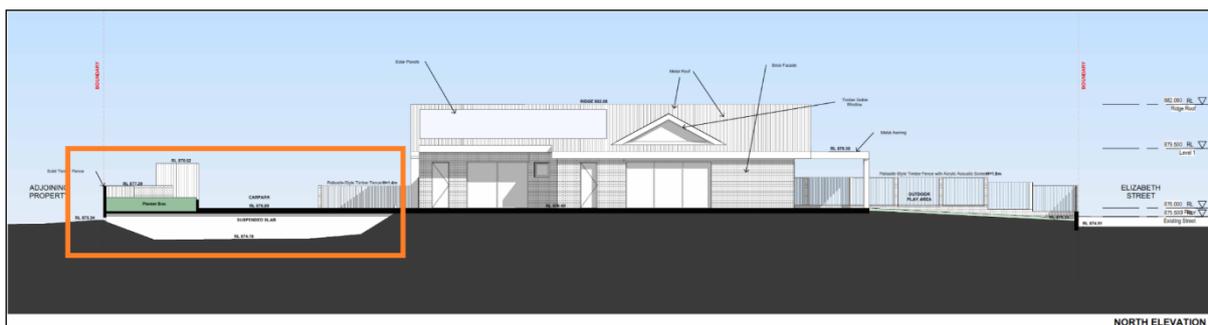
Minor cut of approximately 0.3-0.5m is proposed along the southern portion of the building footprint, where the natural ground sits slightly above the proposed finished floor level. This cut allows the floor slab to be established at a consistent level and enables appropriate site drainage.

The area along the northern side is to be retained through an engineered solution incorporating a slab edge and an open style batten fence, which ensures that the transition between natural ground level and the built form occurs gradually and in a visually lightweight manner. These works are localised and do not result in significant changes to the existing landform.

Whilst the effective height of fencing along the northern boundary will be up to 3.2m, it is considered a reasonable design response to the overland flow issue. The height of fencing will be reasonably significant when viewed from parts of the rear property at 4 Elizabeth Street. The light weight construction and change in materials that is proposed will soften the visual impact of the fence and is capable of being carried out without causing adverse soil stability, drainage or adverse amenity impacts in accordance with Clause 7.1 of the LEP.

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**Figure 8 – east elevation showing cut and fill**



**Figure 9 – north elevation showing cut and fill**

**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 proposed development incorporates a stormwater management strategy designed to ensure that runoff from the newly created roof and hardstand areas is effectively captured, conveyed and discharged without adverse impact on adjoining properties or the public domain.

Roof water will be directed to a compliant, on-site stormwater drainage system, including gutters, downpipes and charged or gravity-fed connections as required by site levels. Surface flows around

## **2.2 Development Application DA 401/2025(1) - 2 Elizabeth Street**

the building footprint, including areas where fill is introduced on the northern side, will be graded to ensure overland flow paths are maintained and directed away from neighbouring properties.

The finished floor level sits appropriately above the surrounding ground levels, allowing stormwater to be managed without risk of ponding or inundation. The minor cut on the southern portion assists in establishing positive drainage gradients toward the legal point of discharge.

All stormwater infrastructure will be designed to meet Council's engineering specifications and capacity requirements, ensuring post-development flows do not exceed pre-development conditions. The proposal therefore satisfies the objectives of Clause 7.3 by providing a safe, efficient and environmentally sound stormwater management solution for the site.

### **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 on-site conservation,*

**2.2 Development Application DA 401/2025(1) - 2 Elizabeth Street**

(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****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, the application is supported by a Preliminary Site Investigation report (Report Number: 40923-R02) prepared by EnviroScience Solutions, dated September 2025.

The investigation concluded as shown below:

**Summary of Key Findings and Observations**

The key observations from the site walkover were as follows:

- Fill material was identified across the western and central sections of the site to approximately 600 mm in depth. A topographical depression is located in the eastern portion of the site;
- There was no evidence of vegetation stress on the site; and
- No asbestos containing materials were identified.

**Summary and Recommendations**

The available site history indicates that the site has previously been used for residential purposes, and as such, the site generally presents a low environmental risk.

The only contaminative source relevant to the subject site was the fill material which had contaminant concentrations below the adopted screening criteria, and as such, is unlikely to present a contamination risk to the site.

A building in the western section of the site was demolished in 2013. The materials and removal processes associated with the building are unknown.

**Suitability for Use Statement**

Due to the low environmental risks, the site is suitable for use as a childcare centre, in accordance with the zoning R1 – General Residential.

However, and principally due to the long grass/vegetation encountered during the site walkover, during construction and re-development of the site, an unexpected finds protocol should be implemented to provide a mechanism for managing unexpected contamination.

Report No.:40923-R02

Source: Preliminary Site Investigation report (Report Number: 40923-R02), EnviroScience Solutions, September 2025.

## 2.2 Development Application DA 401/2025(1) - 2 Elizabeth Street

The application was referred to Council’s Environmental Health Officer for review. The EHO confirmed that the submitted Preliminary Site investigation report is satisfactory. The conclusion and recommendation provided within the report are considered acceptable. However, to address any unforeseen issues that may arise during the course of works, a standard *unexpected finds* condition has been included.

### STATE ENVIRONMENTAL PLANNING POLICY (INDUSTRY AND EMPLOYMENT) 2021

#### Chapter 3 - Advertising and Signage

The architectural drawing set submitted in support of the application includes one indicative business identification sign. However, it has been confirmed that the sign is not part of the current development application. A separate development application will be required to obtain consent for the signage. A relevant condition will be included in the draft Notice of Determination to reflect this requirement.



Figure 10 - elevation of the proposed development with indicative sign

### STATE ENVIRONMENTAL PLANNING POLICY (INDUSTRY AND EMPLOYMENT) 2021

#### Chapter 3 – Educational establishments and child care facilities

The relevant provisions of the SEPP are considered below:

#### **Section 3.22 - Centre-based child care facility - concurrence of Regulatory Authority required for certain development**

A total of 162.5m<sup>2</sup> indoor unencumbered floor space is required (based on 3.25m<sup>2</sup> X 50 children). Indoor unencumbered floor space of 167.10m<sup>2</sup> is proposed to be provided over three learning rooms.

Outdoor unencumbered floor space of 350m<sup>2</sup> is required (based on 7m<sup>2</sup> X 50 children). Outdoor floor space of 350.60m<sup>2</sup> is proposed to be provided over two (2) outdoor 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 child care 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.

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**2.2 Development Application DA 401/2025(1) - 2 Elizabeth Street**

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

The subject site at 2 Elizabeth Street, Orange is located within an established residential area with a nearby school (Glenroi Heights Public School) located at six minutes walking distance. The proposed child care centre is consistent with the locality, providing a facility that meets the needs of local families while remaining compatible with surrounding land uses.

The building's scale, setbacks, and landscaping are designed to integrate with the neighbourhood and maintain residential amenity. Access, drop-off arrangements and operating hours are managed to minimise impacts on nearby properties.

Overall, the proposal responds to the character of the area and contributes positively to local social infrastructure, consistent with Principle 1 - Context of the Child Care Planning Guideline.

**Principle 2 - Built-Form**

The proposed built form has been designed to present a sympathetic, context-appropriate scale and appearance that integrates well with the surrounding residential environment. The building adopts a low-rise, articulated form with a combination of pitched and skillion roof elements that break down the overall bulk and create a familiar residential character. This approach reduces visual massing when viewed from all street frontages, consistent with the guideline's objective to ensure child care facilities contribute positively to the existing streetscape.

Variation in roof height, façade depth and material finishes provide clear modulation across each elevation, preventing uniformity and enhancing visual interest. Large window and glazing elements on the southern and eastern elevations improve transparency and activate the street interface, while the more private northern elevation is treated with finer-scaled openings and screening to support acoustic and privacy outcomes for adjoining property.

The proposed cut and fill works, including limited excavation on the southern side and suspended slab design along the northern portion, allow the building to sit appropriately within the streetscape. The open batten fence on the northern side of the slab helps soften the transition between the building and finished ground level, maintaining a scaled interface. Overall, the design achieves a balanced, well-proportioned built form that is compatible with its context, supports functional internal layouts, and reflects the principles of good design established in the *Child Care Planning Guideline, September 2021*.

**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 playrooms. 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 reviewed the landscape plan, and the following comments were received.

## 2.2 Development Application DA 401/2025(1) - 2 Elizabeth Street

*No issues with the proposed tree removal as the tree to be removed is a willow.*

*A condition ensuring that tree protection in the form of temporary construction fencing to form a triangle around the two street trees on Moad Street is erected before construction works commence.*

*A condition requiring a street tree on the Elisabeth Street frontage, tree to be minimum 75litre capacity and species to be approved by Council's Manager City Presentation.*

*A landscape plan is to be provided and approved by Council's Manager City Presentation for proposed landscape works in the road reserve.*

Accordingly, relevant conditions are inserted in the draft Notice of Determination.

### **Principle 6 - Amenity**

The proposed child care facility delivers a high level of amenity for children, staff and the surrounding neighbourhood through thoughtful siting, orientation and building design. Generous glazing along the southern and eastern elevations provides strong access to natural daylight and outlook, while roof overhangs and screened elements ensure comfort without glare.

Outdoor play areas are positioned to maximise solar access and are protected from adverse weather conditions and potential noise sources. Internal rooms are arranged to achieve appropriate ventilation and acoustic separation, ensuring calm and functional learning environments.

The building's modest height and carefully managed levels maintain privacy for adjoining residences while preserving internal amenity. Overall, the design supports safe, comfortable and engaging spaces consistent with the intent of Principle 6.

### **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.

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## 2.2 Development Application DA 401/2025(1) - 2 Elizabeth Street

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In consideration of the above objectives:

- The subject site is a corner lot, and the development context is defined by a low-density residential neighbourhood to the north and east. A child care facility is a permitted and complementary land use in the setting.
- The site is well-located to attract facility users associated with the surrounding residential neighbourhoods and nearby Glenroi Heights 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 child care facility is designed as a single-storey development that responds to the established residential character of Elizabeth Street and the surrounding neighbourhood. The use of domestic-scale materials, finishes and architectural detailing ensures the building integrates with nearby low-density dwellings and complementary community uses, including the nearby school.
- The building's scale, articulation and setback reduce visual bulk and provide an appropriate transition between residential development and the institutional use of the site. Landscaping along the street frontages (Elizabeth Street and Moad Street) and within the site softens the built form, enhances the public domain and contributes positively to the streetscape. Vehicle access (from Moad Street) and on-site parking are integrated into the design to minimise visual and amenity impacts, supporting a safe and orderly interface with the public realm.
- As the subject site is a corner allotment, fencing and landscaping are proposed along both Elizabeth Street and Moad Street to clearly define the interface between the public domain and private areas of the site. The fencing is designed to maintain a domestic scale and character, while landscaping softens the street edges and contributes positively to the streetscape.
- The proposal provides a fencing and retaining wall approach that complements the residential character of the surrounding streetscape and avoids visual domination of the public domain. Along the street frontages fencing is palisade style timber fence which is visually permeable, ensuring transparency and a softer interface with the public realm.
- The retaining wall elements are minimal and integrate with the building's finished floor levels, with the only notable change in level occurring on the northern side where an open batten fence is used to screen the slab edge without creating a bulky or opaque wall. This approach

**2.2 Development Application DA 401/2025(1) - 2 Elizabeth Street**

maintains sightlines, reduces visual bulk and avoids presenting a continuous solid barrier to the adjoining property.

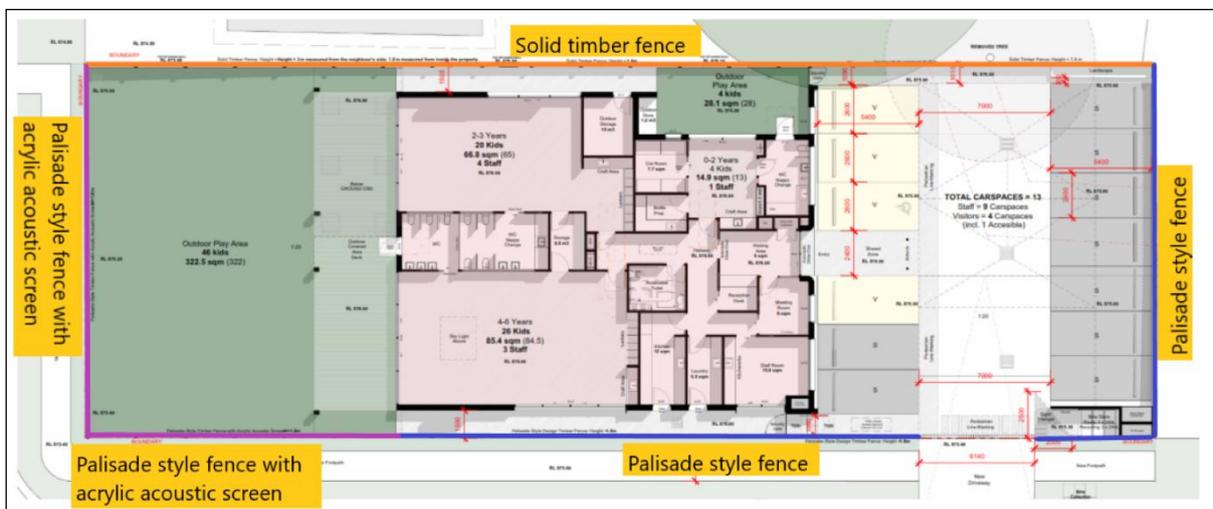
- Collectively, the design ensures that fencing and retaining walls respond appropriately to the established suburban context, remain subordinate to the built form and contribute positively to the character of the area in accordance with Objective 3.



**Figure 11 – proposed elevation showing frontage and vehicle access to Moad Street**



**Figure 12 – proposed elevation**



**Figure 13 - fence styles**

## 2.2 Development Application DA 401/2025(1) - 2 Elizabeth Street

### 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 proposed child care facility has been designed to achieve a balanced and context-appropriate bulk and scale that integrates comfortably within the surrounding residential setting. The building's height, roof form and setbacks ensure it remains visually consistent with the prevailing one- to two-storey character of the area.

Presentation to the northern neighbour (levels and perception): The adjoining northern property generally sits around RL 875, with a localised depression to approximately RL 874 in the north-eastern corner. Against these levels the development presents as a low, well-modulated roof form that steps down toward the western boundary.

The interface is further softened by modest retaining and a visually lightweight, open batten fence at the slab edge, which avoids any elevated platform appearance. Consequently, even when viewed from the lower point near RL 874, the form reads as residential in character rather than bulky or imposing.

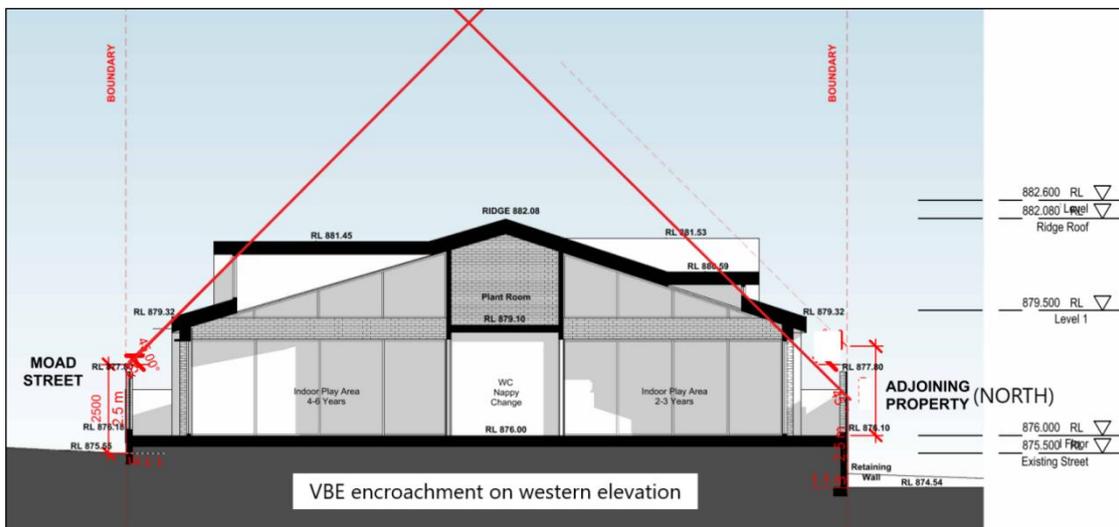
Fence and VBE Interface (north-eastern/rear view): A portion of both the boundary fence and the upper roof form extend marginally into the VBE, though these elements occur at different heights and scales. When viewed from the north-eastern or rear aspect of the adjoining northern property, the combined apparent height of the boundary fence and level transition would be in the order of 2.9–3.2m at finished levels. While this may appear visually prominent at first impression, its impact is substantially reduced for several reasons.

- First, the section of fence located for the suspended slab is an open batten design, which introduces visual permeability and prevents the structure from reading as a solid or heavy boundary element.
- Second, the roof form that intersects the VBE is limited to a small upper portion of the articulated roofline, meaning it does not materially increase perceived bulk at eye level from the adjoining site.
- Finally, due to the orientation of the properties and the sloping, broken-roof geometry, the minor fence and roof encroachments do not reduce the level of solar access received by the northern neighbour, and no additional overshadowing arises beyond what is typical for a compliant low-rise structure.

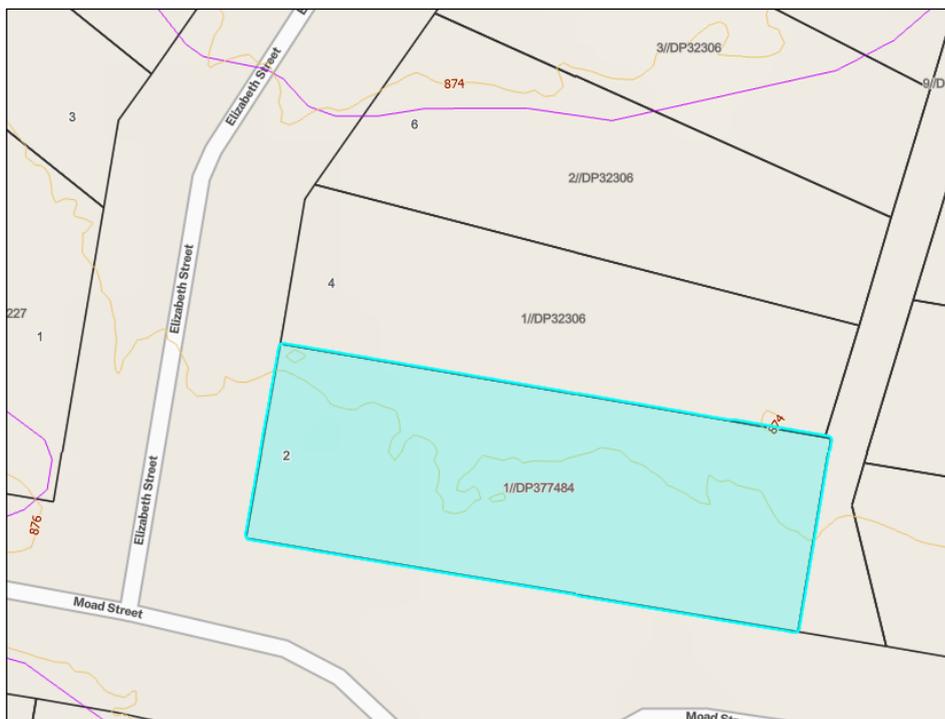
**2.2 Development Application DA 401/2025(1) - 2 Elizabeth Street**

Overall, the combination of open fencing, controlled roof height and site orientation ensures that the development remains visually manageable and maintains neighbouring amenity despite the minor VBE intersections.

In conclusion, with the limited roof-form VBE encroachment, the managed ground levels (RL 875 with a localised RL 874 depression), and the open batten fence treatment, the proposal maintains a contained, scaled presentation to the north and within the streetscape. The development does not visually dominate adjoining properties and does not diminish solar access, thereby satisfying the bulk and scale objectives.



**Figure 14 - VBE Plane**



**Figure 15 - topography of subject site and surrounding**

## 2.2 Development Application DA 401/2025(1) - 2 Elizabeth Street

### Setbacks

The proposed setbacks are consistent with the prevailing development pattern in the surrounding area. The development is oriented in an east–west direction, with the main entrance facing east, and vehicle access provided from Moad Street.

Along the northern boundary the building is set back 1.5m, with a minimum setback of approximately 1.09m to the car parking area. On the eastern boundary car parking is located adjacent to the boundary fence, however the building itself is setback by approximately 17.8m. In addition, the adjoining dwelling to the east is separated from the subject site by approximately 3.18m of Council-owned land, further reducing any potential amenity impacts.

The southern boundary has a building setback of 1.5m, however this boundary fronts Moad Street, with an irregular nature strip providing additional separation between the development and the public road. Along Elizabeth Street the building is set back by a minimum of approximately 16m, within which the outdoor play space is located, providing a generous landscaped interface with the street.

Overall, the proposed setbacks provide appropriate separation from adjoining properties, maintain residential amenity, and respond positively to the public domain. The setbacks are illustrated in Figure 16.



**Figure 16 - proposed setbacks for the development**

### Materiality

The proposed external materials are considered appropriate for the surrounding residential context. Adjoining dwellings feature a variety of finishes, including brick, weatherboard cladding and smooth rendered walls. The development incorporates a combination of timber fencing, warm, beige-coloured brick walls and a basalt-coloured Colorbond steel roof, which respond to the local character while maintaining a contemporary appearance. The proposed materials and colours are illustrated in Figure 17.

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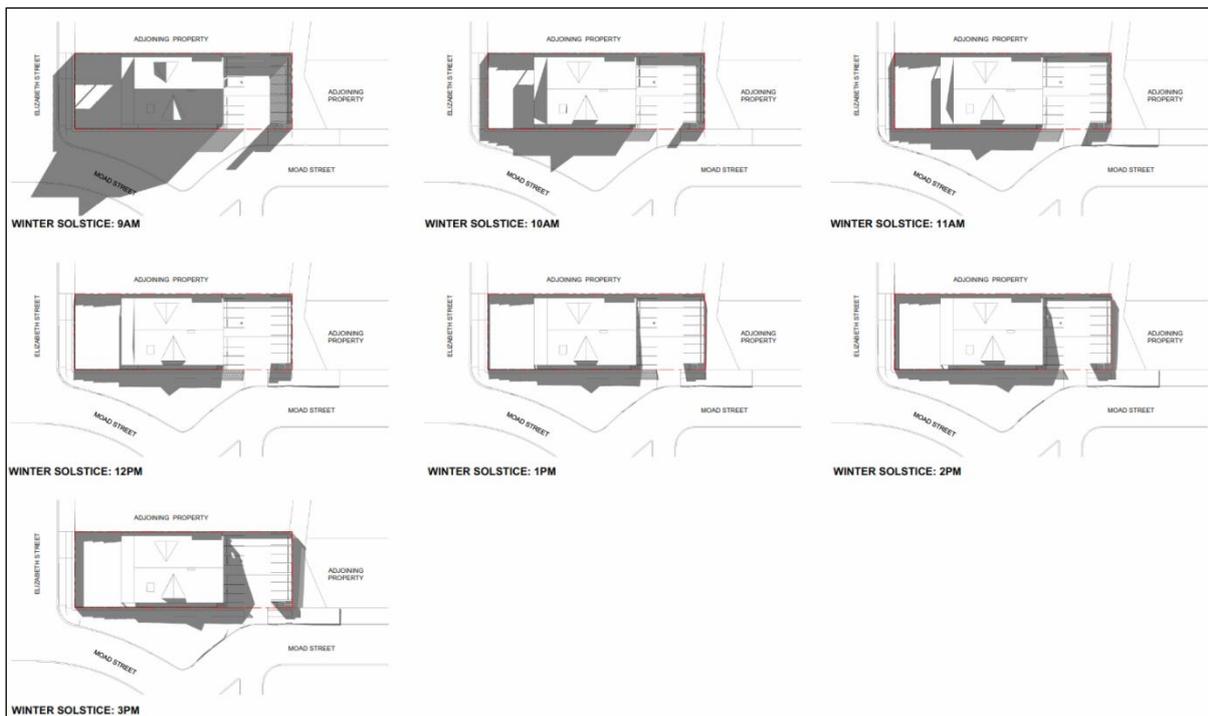


**Figure 17 - external building materials and colours**

**Solar Access**

The proposed care rooms are orientated with openings to the north and east to maximise daylight and passive solar access. Similarly, the outdoor playground areas are positioned to receive sunlight throughout the day.

Shadow diagrams have been submitted (see figure 18) in support of the proposal and demonstrate that the development will not result in adverse overshadowing of adjoining properties or surrounding areas, ensuring compliance with daylight and solar access objectives.



**Figure 18 - shadow diagrams on 21 June**

## 2.2 Development Application DA 401/2025(1) - 2 Elizabeth Street

### 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 plan. 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. As stated earlier in the report, the DA was referred to Council's Manager City Presentation to review the landscape plan, and the following comments were received.

*No issues with the proposed tree removal as the tree to be removed is a willow.*

*A condition ensuring that tree protection in the form of temporary construction fencing to form a triangle around the two street trees on Moad Street is erected before construction works commence.*

*A condition requiring a street tree on the Elisabeth Street frontage, tree to be minimum 75litre capacity and species to be approved by Council's Manager City Presentation.*

*A landscape plan is to be provided and approved by Council's Manager City Presentation for proposed landscape works in the road reserve.*

Accordingly, relevant conditions are inserted in the draft Notice of Determination.

## 3.5 - Visual and Acoustic Privacy

### 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 proposed development incorporates a range of measures designed to protect the privacy and security of children while minimising visual and acoustic impacts on adjoining residential properties. Along Elizabeth Street, a 1.8m palisade timber fence with integrated clear Perspex elements is proposed, providing effective screening for outdoor play areas while maintaining passive surveillance opportunities for staff. This treatment continues along Moad Street, with the entry fence reduced to 1.4m to ensure visibility and safe pedestrian access at the entrance.

## 2.2 Development Application DA 401/2025(1) - 2 Elizabeth Street

These fences provide an appropriate separation between the public domain and child care operations, preventing overlooking into the site and avoiding unreasonable visual impacts for neighbouring dwellings.

The application is supported by a comprehensive Acoustic Assessment prepared by Acoustic Dynamics (dated 25 Sept 2025), which outlines a set of detailed recommendations to ensure the facility complies with all relevant noise criteria for child care centres. These include:

- 1.8m high acoustic barriers to the northern and western boundaries of outdoor play areas, built from outdoor play area finished levels.
- Minimum 1.4 m high acoustic barriers to the southern outdoor play boundary and the carpark boundary, with the option to increase height for privacy.
- Acoustic treatment to at least 80% of the underside of outdoor awnings (NRC  $\geq$  0.75).
- Absorptive lining to the northern acoustic barrier (NRC  $\geq$  0.75).
- Use of compliant barrier materials providing minimum 15 kg/m<sup>2</sup> surface density with no gaps permitted.
- Requirements for mechanical plant, including limits on sound power levels (e.g. air-conditioning units  $\leq$  75 dB(A), exhaust fans  $\leq$  70 dB(A)), acoustic lining of plant-facing roof spaces, and isolation of equipment using resilient mounts.
- Glazing requirements, including 6.38mm laminated glass with minimum Rw 30, and ensuring windows and doors remain closed during active indoor play sessions.
- Operational and behavioural controls via the Plan of Management, including limits on outdoor child numbers, no elevated play equipment, management of hard outdoor surfaces, staff supervision protocols, restrictions on deliveries before 7am/after 6 pm and prohibition of amplified outdoor music.

Council's Environmental Health Officer (EHO) has reviewed the acoustic report and confirmed that it is satisfactory, with conditions to be imposed on the development consent to ensure the recommended mitigation measures are implemented.

With the combination of compliant fencing, acoustic barriers, material specifications, mechanical plant controls and operational management measures, the proposal effectively minimises noise emissions and protects visual and acoustic privacy for surrounding residential occupiers in accordance with the objectives of Section 3.5.

## 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

As stated earlier, the proposal is accompanied by an Acoustic Assessment prepared by Acoustic Dynamics Pty Ltd, dated 29 September 2025 which provides recommendations (as shown in figure 19) for noise mitigation measures so as to ensure that outside noise levels are minimised to acceptable levels during operation.

## 2.2 Development Application DA 401/2025(1) - 2 Elizabeth Street

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

4 RECOMMENDATIONS	4.4 PLAN OF MANAGEMENT	5 CONCLUSION
<p>The following recommendations are required to be incorporated into the development to ensure compliance is achieved with the various relevant acoustic assessment criteria.</p> <p><b>4.1 OUTDOOR PLAY AREAS AND SITE BOUNDARIES</b></p> <p>Acoustic screens/barriers are required to be incorporated into the development, as detailed below.</p> <p><b>4.1.1 ACOUSTIC SCREEN/BARRIER LOCATIONS</b></p> <p>Acoustic screens/barriers are required for the outdoor play areas of the child care centre as indicated in the detailed mark-ups provided in <b>Appendix A</b>, as follows:</p> <ol style="list-style-type: none"> <li>To the northern and western boundaries of the outdoor play area, a 1.8m high acoustic barrier. The barrier is to be constructed from the ground level (FFL) of the outdoor play area (see mark-up in <b>Appendix A</b>);</li> <li>To the southern boundary of the outdoor play area, a minimum 1.4m high acoustic barrier. (Note that the barrier can be constructed higher than 1.4 metres for privacy screening). The acoustic barrier is to be constructed from the ground level (FFL) of the outdoor play area (see mark-up in <b>Appendix A</b>);</li> <li>To the boundary of the carpark a 1.4m high acoustic barrier. (Note that the barrier can be constructed higher than 1.4 metres for privacy screening). The acoustic barrier is to be constructed from the ground level (FFL) of the carpark areas;</li> <li>The underside of the awnings to all outdoor play areas is required to have acoustic insulation treated to a minimum of 80% of the area and must be selected on the basis of a Noise Reduction Coefficient (NRC) <math>\geq</math> 75; and</li> <li>The boundary acoustic barrier along the northern aspect of the outdoor play areas should be lined with an absorptive material with a Noise Reduction Coefficient (NRC) <math>\geq</math> 75; and</li> <li>The absorptive lining could be a product such as Stratocell Whisper sound absorbing polyethylene foam, or a weather resistant and durable 11kg/m<sup>2</sup>, 50mm thick polyester acoustic insulation (CSR Martini or equivalent), or a proprietary absorptive acoustic panel system such as Stramit Acoustic Panels.</li> </ol> <p><b>NB:</b> All acoustic screens/barriers are shown indicatively in <b>Appendix A</b>. Care should be taken to ensure that no gaps are present, to ensure noise transfer is minimised.</p>	<p>The child care centre should incorporate the following measures in the <b>Plan of Management</b> relating to the outdoor play area:</p> <ol style="list-style-type: none"> <li>The maximum number of children playing outside should not exceed the following: <ul style="list-style-type: none"> <li><b>Outdoor Play Scenario 1</b> <ul style="list-style-type: none"> <li>4 children between 0-2 years (babies) engaged in active play in the 0-2 years outdoor play area;</li> <li>20 children aged 2-3 years old (toddlers) engaged in active play in the outdoor play area; and</li> <li>Remaining children inside.</li> </ul> </li> <li><b>OR</b></li> <li><b>Outdoor Play Scenario 2</b> <ul style="list-style-type: none"> <li>13 children aged 3-5 years old (pre-school) engaged in active play in the outdoor play area; and</li> <li>Remaining children inside.</li> </ul> </li> </ul> </li> <li>There should be no elevated play equipment installed in the outdoor play areas;</li> <li>Where there are hard floor surfaces within the outdoor play areas, there should be consideration to cover these areas with impact resistant material (e.g. rubber matting) where feasible;</li> <li>Staff should be trained in appropriate supervision of children and are to bring overly noisy children inside;</li> <li>Parents are to be made aware of their noise obligations when on the site and dropping off or collecting children;</li> <li>No amplified music is to be played outside at any time;</li> <li>Self-closing and automatic gates should have an anti-gate slammer installed to prevent the forced closing of the gate. A supplier of an appropriate anti-gate slamming product is Gates Plus (Ph. 1300 121 666, <a href="http://www.gatesplus.com.au">www.gatesplus.com.au</a>);</li> <li>No deliveries to the site, no setting up equipment outside and no gardening or cleaning before 7:00am and after 6:00pm;</li> </ol>	<ol style="list-style-type: none"> <li>Contact details for the centre manager should be available to all neighbouring residents to allow for communication and resolution of operational disputes; and</li> <li>Waste collection should be conducted between 10:00am and 2:00pm to avoid conflict with peak drop off and collection periods.</li> </ol> <p><b>5 CONCLUSION</b></p> <p>Acoustic Dynamics has conducted an acoustic assessment of the proposed child care centre located at 2 Elizabeth Street, Orange, NSW, in accordance with the requirements of:</p> <ul style="list-style-type: none"> <li>Orange City Council;</li> <li>NSW Environment Protection Authority (EPA);</li> <li>NSW Department of Planning and Environment (DPE);</li> <li>State Environment Planning Policies (SEPP); and</li> <li>Association of Australasian Acoustical Consultants (AAAC).</li> </ul> <p>The relevant criteria and requirements used in the assessment are presented in <b>Section 2</b> while the assessment is presented in <b>Section 3</b>. In addition, recommendations for noise control are provided in <b>Section 4</b>.</p> <p><b>Acoustic Opinion</b></p> <p>Acoustic Dynamics advises that the development will achieve compliance with the relevant acoustic design requirements of Orange City Council, NSW EPA, NSW DPE, SEPP and the AAAC, following careful implementation of the recommendations as outlined in <b>Section 4</b>.</p> <p>We trust the above information is sufficient for your present purposes. Please do not hesitate to contact us on 02 9908 1270 should you require more information.</p>

**Figure 19 - recommendations from acoustic assessment**

### 3.7 Hours of operation

#### Objectives

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

The proposed child care facility will operate Monday to Friday, from 7am to 7pm, for 50 weeks per year. These hours are consistent with typical operating patterns for long day-care centres and are designed to meet the needs of working families while maintaining an appropriate balance with surrounding residential amenity. The acoustic assessment submitted with the application demonstrates that the proposed hours can be accommodated without generating unreasonable noise impacts on adjoining properties, particularly given the endorsed acoustic treatments, fencing and operational controls. As such, the proposed hours of operation are considered appropriate and consistent with the objectives of Section 3.7.

### 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

In accordance with Orange Development Control Plan 2004, on-site parking for child care centres is required at a rate of one space per four children. Based on a capacity of 50 children, a total of 13 on-site car parking spaces are required.

## 2.2 Development Application DA 401/2025(1) - 2 Elizabeth Street

The proposed development provides 13 car parking spaces, thereby satisfying the DCP requirement. Of these, nine spaces are allocated for staff parking and four spaces are allocated for visitors, including one accessible parking space. The proposed parking arrangement is considered adequate to support the operation of the child care facility without adverse impacts on the surrounding road network.

### 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:

According to the table above, it is likely that the proposed development will result in an increase in the traffic generated, by maximum 40 vehicle trips during peak hours 7am – 9am (i.e., 20 vehicles per hour) and 36 trips during peak hours 4pm – 6pm (i.e., 18 vehicles per hour)

## 9. Conclusion

This traffic assessment has been prepared in accordance with the requirement of the RMS 'Guide to Traffic Generating Developments'.

Traffic Generation by the development does not affect the level of service at all intersections.

The site is located within public bus and train transportation. This would minimize the need for staff and visitors of the proposed development to drive their own vehicles to and from their various activities.

The Traffic Management Report concludes that the proposed childcare centre development is suitable in relation to internal traffic according to AS2890 and is suitable for the subject location in relation to the impact of traffic.

Source: Traffic Management Report, prepared by Loka Consulting Engineers, dated 25 Sept 2025

A Traffic Management Report prepared by Loka Consulting Engineers, dated 25 September 2025, assesses the potential traffic generated by the proposed child care development. The report concludes that the additional vehicle movements associated with the centre can be accommodated within the existing road network.

As demonstrated in the report, the proposed development will not adversely affect the level of service of surrounding intersections during peak periods. Accordingly, the anticipated traffic generation is considered acceptable and will not result in unreasonable impacts on the local street network.

Council's Assistant Development Engineer concurs with the findings of the submitted traffic investigations.

## **2.2 Development Application DA 401/2025(1) - 2 Elizabeth Street**

### **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.

### **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 (Parts 7 and 15). An assessment of the proposed development against the relevant Planning Outcomes will be undertaken below.

**2.2 Development Application DA 401/2025(1) - 2 Elizabeth Street**

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**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.

*Headworks to be paid prior to issue of a s307 certificate. 1 ET site credit (Child care centre NSW Water Directorate Guidelines: 0.06wET/child & 0.10sET/child = 3.0wET & 5.0sET (minus 1 ET site credit) = 2.0w ET & 4.0s ET*

The contributions are based on 2.0 ETs for water supply headworks and 4.0 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 is on a vacant site, however demolition of boundary fences is proposed.

**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.

**2.2 Development Application DA 401/2025(1) - 2 Elizabeth Street****THE LIKELY IMPACTS OF THE DEVELOPMENT s4.15(1)(b)**

The following impacts have been addressed in the proceeding parts of this assessment.

**Setting and Context**

- Public domain
- Land use
- Interface
- Presentation

**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
- Groundwater

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

- Close to Glenroi Heights 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.

## 2.2 Development Application DA 401/2025(1) - 2 Elizabeth Street

### Land Use Compatibility

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

### Adequate Site Area and 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 meets DCP 2004 requirements.

### Environmental and Amenity Considerations

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

In conclusion, the site is well-located and appropriately designed for a child care facility, ensuring accessibility, demand, and compatibility with surrounding land uses. 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 (2) submissions were received.

The first submission raised the following issues:

Issue/Concern	Response/Mitigation
<p><b>Contradiction of Educational Frameworks:</b>            Noise restrictions may limit children’s vocal expression, opposing EYLF Outcome 5 (“Children are Effective Communicators”).</p>	<p>The acoustic measures do not restrict children’s vocal expression or limit communication. They are designed to manage noise at the boundary, not suppress normal play, talking, singing or social interaction. Children can still fully engage in EYLF Outcome 5 activities, while the acoustic treatments simply ensure neighbouring residential amenity is protected. The measures affect noise transmission, not children’s behaviour.</p>
<p><b>Best Practice Flexibility in Outdoor Learning:</b>            Outdoor spaces should be flexible to respond to children’s interests and development (Education Standards Board SA, NSW Government).</p>	<p>Outdoor areas provide open play spaces, varied landscape elements, and movable equipment, allowing educators to adapt to children’s developmental needs. Acoustic measures manage noise but do not restrict flexible play. Consistent with best-practice guidance.</p>
<p><b>Unique Nature of Outdoor Learning:</b>            Outdoor learning should support</p>	<p>Outdoor spaces are designed for active, creative, and spontaneous play, including natural elements and flexible equipment. Operational and acoustic measures manage</p>

**2.2 Development Application DA 401/2025(1) - 2 Elizabeth Street**

<b>Issue/Concern</b>	<b>Response/Mitigation</b>
open-ended interactions, spontaneity, risk-taking and exploration (EYLF, NSW Government). Restrictions could inhibit natural development.	excessive noise but do not restrict normal active play. Aligns with EYLF principles.
<b>Breach of National Quality Standards:</b> Restrictions may contravene Element 3.1.3 (flexible indoor-outdoor use) and Regulation 113 (access to natural environment).	Design allows flexible interaction between indoor and outdoor areas. Landscape plan provides open play areas, age-appropriate equipment and garden spaces. Door/window management mitigates noise while supporting compliance with National Quality Standards.
<b>Inadequate Outdoor Learning Environment:</b> Outdoor spaces should support exploration, problem-solving, and creative expression (Regulation 108).	Outdoor environment includes sandpits, balance trails, forts, bridges, water play, cubbies, decks, trails, circulation paths and play mounds. Movable equipment supports diverse play experiences. Compliant with Regulation 108 while respecting surrounding residential amenity.
<b>Enforcement Concerns:</b> Monitoring noise levels, restricting outdoor access, and impact on children's wellbeing.	The acoustic recommendations do not require constant noise monitoring, nor do they restrict children's access to outdoor play. Instead, the design incorporates acoustic barriers, absorptive materials and operational measures that manage noise at the source, ensuring outdoor play can occur normally without adversely affecting neighbours. These measures protect amenity without limiting children's wellbeing, outdoor time or developmental needs, and the centre will maintain typical early-childhood supervision practices consistent with regulatory requirements.
<b>Precedent Concerns:</b> Future circumvention of child number restrictions (e.g. Turner Crescent).	Conditions of consent define maximum children and operational requirements. Changes require formal council application; council enforcement ensures compliance. No undesirable precedent is created.
<b>Rights of the Child (UNCRC Article 31):</b> Restrictions could infringe children's right to play and recreation.	Indoor and outdoor environments support diverse play and social interaction. Licensed operator ensures compliance with Article 31, regulated by NSW Early Childhood Education and Care Regulatory Authority.
<b>Community Connection and Family Engagement:</b> Noise limitations could compromise hosting of community events (Easter hat parades, family picnics, graduations), reducing family and community engagement.	Flexible indoor and outdoor spaces support family engagement and events. Acoustic measures manage excessive noise without preventing meaningful community participation. Centre functions as a community hub while protecting neighbouring amenity.

**2.2 Development Application DA 401/2025(1) - 2 Elizabeth Street**

The second submission raised the following issues:

Issue/Concern	Council Response/Mitigation
<p>Pedestrian safety and traffic conditions near 2 Elizabeth Street, Orange. The site is close to a primary school, another preschool and several takeaway outlets, contributing to high pedestrian and vehicle activity. Lack of continuous footpaths along Elizabeth Street forces parents with prams, schoolchildren and other pedestrians to walk on the road, particularly at school times and with heavy vehicle traffic. Playground located near street boundary, raising additional safety concerns.</p>	<p>Council acknowledges the concerns regarding pedestrian safety and traffic conditions. A condition of consent will require the construction of a footpath along the frontage of the proposed development on Elizabeth Street and along the Moad Street frontage. This will provide safe pedestrian access directly adjacent to the development for children, families, and other users.</p>
<p>Urgent need for a continuous footpath along Elizabeth Street.</p>	<p>Council notes that the construction of a continuous footpath along the full length of Elizabeth Street is not proposed as part of this development and is not currently scheduled within Council's immediate infrastructure program. While full street coverage is not included at this stage, the footpaths along the site frontages will ensure safe pedestrian access to the preschool and contribute to longer-term pedestrian safety improvements.</p>
<p>Suggestion for reduced speed zones to improve safety near the site and playground.</p>	<p>Council will continue to review opportunities to improve traffic and pedestrian safety in the area, including the potential for reduced speed zones and other traffic management measures, to ensure ongoing safety for children, families, and the broader community.</p>

**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 Determination 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.

**2.2 Development Application DA 401/2025(1) - 2 Elizabeth Street**

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**ATTACHMENTS**

- 1 DRAFT Notice of Determination, D26/20234 [↓](#)
- 2 Architectural Plans, DPIE25/5849 [↓](#)
- 3 Landscape Plans, DPIE25/5850 [↓](#)
- 4 Submissions, D25/140470 [↓](#)

**NOTICE OF DETERMINATION OF A DEVELOPMENT APPLICATION**

<b>Application number</b>	DA 401/2025(1) PAN-578453
<b>Applicant</b>	Cohesive Planning Cohesive Planning PO Box 298 Blaxland NSW 2774
<b>Description of development</b>	Centre based child care facility
<b>Property</b>	2 ELIZABETH STREET ORANGE 2800 1/-/DP377484
<b>Determination</b>	Approved Consent Authority - Council staff under delegated authority
<b>Date of determination</b>	5/02/26
<b>Date from which the consent operates</b>	5/02/26
<b>Date on which the consent lapses</b>	5/02/31

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**

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**Attachment 1 DRAFT Notice of Determination**

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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

**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**

<b>1</b>	<p><b>Approved plans and supporting documentation</b></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><b>Approved Plans:</b></p> <ol style="list-style-type: none"> <li>1. <b>Architectural Plans prepared by MOAA Pty Ltd, Sheet numbers DA001, DA0010, DA0011, DA0012, DA0100, DA0102, DA0200, DA0201, DA0300, DA0500, DA0501, DA0600, DA0700, DA0800, DA0900, total of 15 sheets, dated 18/09/2025;</b></li> <li>2. <b>Landscape Plan prepared by Studio 151 Pty Ltd, Sheet numbers LDA000, LDA100, LDA200, total 3 sheets, dated 25/11/2025;</b></li> </ol> <p><b>Approved Documents:</b></p> <ol style="list-style-type: none"> <li>1. <b>Acoustic Assessment prepared by Acoustic Dynamics, dated 29/09/2025;</b></li> <li>2. <b>Plan of maintenance for Brick and Timber fence and Landscaping, prepared by dfp planning consultants, dated October 2025;</b></li> <li>3. <b>Plan of management for the child care centre, prepared by cohesive planning, dated 03/10/2025;</b></li> <li>4. <b>Waste Management Plan, prepared by Loka Consulting Engineers, dated 25/09/2025;</b></li> </ol> <p>In the event of any inconsistency with the approved plans and a condition of this consent, the condition prevails.</p> <p><b>Condition reason:</b> To ensure all parties are aware of the approved plans and supporting documentation that applies to the development.</p>
<b>2</b>	<p><b>Development and subdivision works requirements</b></p> <p>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</p>

**Attachment 1 DRAFT Notice of Determination**

	<p>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.</p> <p><b>Condition reason:</b> To comply with Council's Development and Subdivision Code.</p>
3	<p><b>National Construction Code</b></p> <p>All building work must be carried out in accordance with the provisions of the National Construction Code.</p> <p><b>Condition reason:</b> To ensure compliance with relevant statutory requirements.</p>

### Building Work

#### Before issue of a construction certificate

4	<p><b>Liquid trade waste application</b></p> <p>A Liquid Trade Waste Application is to be submitted to Orange City Council prior to the issuing 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><b>Condition reason:</b> To ensure compliance with relevant statutory requirements</p>
5	<p><b>Obtain a section 307 Certificate of Compliance</b></p> <p>Submit an application to Council under section 305 of the <i>Water Management Act 2000</i> to obtain a section 307 Certificate of Compliance. The <i>Application for a 307 Certificate under section 305 Water Management Act 2000</i> form can be found on Council's website.</p> <p>A section 307 Certificate must be obtained prior to the issue of any Construction Certificate.</p> <p><b>Condition reason:</b> To ensure compliance with relevant statutory requirements.</p>
6	<p><b>Stormwater detention design</b></p> <p>The development's stormwater design is to include the incorporation of stormwater</p>

**Attachment 1 DRAFT Notice of Determination**

	<p>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"> <li>• catchment plan showing sub-catchments under existing and developed conditions;</li> <li>• schematic diagram of the catchment model showing sub areas and linkages;</li> <li>• tabulation detailing the elevation, storage volume and discharge relationships; and</li> <li>• tabulation for the range of frequencies analysed, the inflows, outflows and peak storage levels for both existing and developed conditions,</li> <li>• together with copies of the data files for the model and engineering design plans of the required drainage system,</li> </ul> <p>are to be submitted upon application for a Construction Certificate.</p>
	<p><b>Condition reason:</b> To comply with Councils Development and Subdivision Code.</p>
7	<p><b>Obtain Road Opening Permit</b></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><b>Condition reason:</b> To ensure compliance with relevant statutory requirements.</p>
8	<p><b>Comply with Councils Sewer Infrastructure Services policy</b></p>
	<p>Prior to the issue of a Construction Certificate structural engineers' details shall be provided for piers / footings of any building 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><b>Condition reason:</b> To comply with Councils Sewer Infrastructure Services policy.</p>
9	<p><b>Floor levels equal to or above the PMF flood level</b></p>
	<p>The development is to be constructed so that all internal floor levels are at least at the PMF flood level. Prior to the issue of a Construction Certificate the plans shall indicate a</p>

**Attachment 1 DRAFT Notice of Determination**

	<p>minimum floor level of 876.0m AHD.</p> <p>The carpark shall be constructed as an elevated concrete slab with an open perimeter to ensure that the existing area of stormwater inundation during a 1% AEP flood event is not reduced in area or volume.</p> <p><b>Condition reason:</b> To comply with Councils Development and Subdivision Code.</p>
10	<p><b>Flooding – structural engineers report</b></p> <p>Prior to the issue of a Construction Certificate a report from a practising consulting engineer certifying that the proposed structure is (structures are) able to safely withstand the force of flowing floodwaters, including debris and buoyancy forces as appropriate up to and including the 1% AEP flood level.</p> <p><b>Condition reason:</b> To comply with Councils Development and Subdivision Code.</p>
11	<p><b>Engineering plans for carpark</b></p> <p>Engineering plans providing complete details of the proposed driveway and car parking areas are to be submitted upon application for a Construction Certificate. These plans are to provide details of levels, cross falls, and proposed drainage works and are to be in accordance with AS/NZS 2890.1:2004. The carpark shall be constructed as an elevated concrete slab to ensure that the existing area of stormwater inundation during a 1% AEP flood event is not reduced in area or volume.</p> <p><b>Condition reason:</b> To comply with Councils Development and Subdivision Code.</p>
12	<p><b>Sewer main construction</b></p> <p>The existing sewer main shall be terminated adjacent to the northern property boundary with a manhole and 150mm sewer junction. The manhole shall be raised to the surface level of the carpark. Prior to a Construction Certificate being issued engineering plans for this sewerage system are to be submitted to and approved by Orange City Council.</p> <p><b>Condition reason:</b> To comply with Councils Development and Subdivision Code.</p>
13	<p><b>Stormwater main construction</b></p> <p>Stormwater from the carpark is to be piped to a new kerb inlet pit in Moad Street. The new kerb inlet pit shall be connected to the adjacent stormwater network in Moad Street. Engineering plans of this drainage system are to be approved by Orange City Council prior to the issuing of a Construction Certificate.</p> <p><b>Condition reason:</b> To comply with Councils Development and Subdivision Code.</p>
14	<p><b>Food - plans for food shop fit-out</b></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</p>

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	<p>"Food Premises and Equipment" of the Australian New Zealand Food Standards Code.</p> <p><b>Condition reason:</b> To ensure compliance with relevant statutory requirements.</p>
15	<p><b>Section 68 application - hoarding</b></p> <p>Prior to the issue of a construction certificate, the applicant is to obtain an approval under Section 68 of the <i>Local Government Act</i> for the temporary closure of any footpath or roadway. A pedestrian/vehicle management plan is to accompany the application. Details are to be provided of the protective hoardings, fences and lighting that are to be used during demolition, excavation and building works in accordance with the requirements of the <i>Occupational Health &amp; Safety Act 2000</i>, Australian Standard AS3798-1996 (Guidelines on Earthworks for Commercial and Residential Developments) and SafeWork NSW.</p> <p>Note: On corner properties, particular attention is to be given to the provision of adequate sight distances.</p> <p><b>Condition reason:</b> To ensure compliance with relevant statutory requirements.</p>
16	<p><b>Section 68 application - water and sewer</b></p> <p>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.</p> <p><b>Condition reason:</b> To ensure the utility services are available to the site and adequate for the development.</p>
17	<p><b>Mechanical Plant Noise Compliance</b></p> <p>A report prepared by a suitably qualified acoustic consultant shall be submitted to Council and the principal certifier that assesses the noise impact of all mechanical plant to be installed. The report shall confirm compliance with the noise goals in Table 3.2 and Section 4.2 of the report prepared by Acoustic Dynamics (ref: 6606R001.JC.250923), dated 29 September 2025, or recommend where further mitigation is required to ensure compliance.</p> <p><b>Condition reason:</b> To ensure that noise generated by mechanical plant does not adversely affect the amenity of surrounding properties and is consistent with the recommendations of the approved Acoustic Assessment.</p>
18	<p><b>Landscape Plan</b></p> <p>A revised landscape plan is to be submitted showing a street tree on Elizabeth Street frontage, tree is to be a minimum of 75L capacity and species to be approved by Council's Manager City Presentation.</p>

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	<p><b>Condition reason:</b> To enhance the streetscape and public domain.</p> <p style="text-align: center;"><b>Before building work commences</b></p>
19	<p><b>Tree protection measures</b></p> <p>Before any site work commences, the principal certifier, or Council where a principal certifier is not required, must be satisfied the measures for tree protection for two street trees on Moad Street are in place.</p> <p><b>Condition reason:</b> To protect and retain trees.</p>
20	<p><b>Locate sewer main</b></p> <p>Prior to the commencement of works the existing sewer main that crosses the site is to be accurately located by a registered surveyor.</p> <p><b>Condition reason:</b> To comply with Councils Development and Subdivision Code.</p>
21	<p><b>Appoint PC</b></p> <p>Appoint Principal Certifier. The person having the benefit of the development consent and a construction certificate shall:</p> <ul style="list-style-type: none"> <li>(a) Appoint a Principal Certifier and notify Council of the appointment (if Council is not appointed) and,</li> <li>(b) Notify Council of their intension to commence the erection of the building (at least two (2) day's notice is required)</li> </ul> <p>The Principal Certifier shall determine when inspections and compliance certificates are required.</p> <p><b>Condition reason:</b> To ensure compliance with relevant statutory requirements.</p>
22	<p><b>Construction certificate required</b></p> <p>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.</p> <p><b>Condition reason:</b> To ensure compliance with Section 6.7 of the Environmental Planning and Assessment Act 1979, and Part 3 of the Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021.</p>

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23	<p><b>Erosion and sediment control - implementation</b></p> <p>Erosion and sediment controls shall be implemented onsite in accordance with Managing Urban Stormwater: Soils and Construction - Volume 1 (4<sup>th</sup> edition).</p> <p><b>Condition reason:</b> To prevent site erosion and sediment loss, and protect waterways from sediment pollution.</p>
24	<p><b>Location and depth of sewer</b></p> <p>The location and depth of the sewer junction/connection to Council's sewerage system is to be determined to ensure that adequate fall to the sewer is available.</p> <p><b>Condition reason:</b> To ensure the utility services are available to the site and adequate for the development.</p>
25	<p><b>No commencement until details received</b></p> <p>The construction works the subject of this development consent <b>MUST NOT</b> be commenced until:</p> <ul style="list-style-type: none"> <li>(a) Detailed plans/specifications of the building have been endorsed with a construction certificate by:           <ul style="list-style-type: none"> <li>(i) the Council, or</li> <li>(ii) a registered certifier, and</li> </ul> </li> <li>(b) The person having the benefit of the development consent:           <ul style="list-style-type: none"> <li>(i) has appointed a Principal Certifier, and</li> <li>(ii) has notified the Council of the appointment, and</li> </ul> </li> <li>(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</li> <li>(d) Builder's name and licence number has been supplied to Council or the Principal Certifier; or</li> <li>(e) Owner Builder's permit issued by Department of Fair Trading to be supplied to Council or the Principal Certifier; and</li> <li>(f) Home Building Compensation Fund (HBCF) has been paid and a copy of the</li> </ul>

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	<p>Certificate supplied to Council or the Principal Certifier; and</p> <p>(g) A sign has been erected onsite in a prominent position containing the information prescribed by Clause 98A(2) and (3) of the EP&amp;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>
	<p><b>Condition reason:</b> To ensure compliance with relevant statutory requirements.</p>

**During building work**

26	<p><b>Tree protection during work</b></p> <p>While site work is being carried out, all required tree protection measures must be maintained in good condition in accordance with the relevant requirements of AS 4970 Protection of trees on development sites;</p> <p>This includes maintaining adequate soil grades and ensuring all machinery, builders refuse, spoil and materials remain outside tree protection zones.</p> <p><b>Condition reason:</b> To protect trees during the carrying out of site work.</p>
27	<p><b>Waste management</b></p> <p>While site work is being carried out:</p> <ol style="list-style-type: none"> <li>1. all waste management must be undertaken in accordance with the waste management plan; and</li> <li>2. upon disposal or removal of the waste, records of the disposal or other fate (such as re-use on site) must be compiled and provided to the principal certifier or Council (where a principal certifier is not required), detailing the following:             <ol style="list-style-type: none"> <li>a. The name and contact details of the person(s) who removed the waste,</li> <li>b. The waste carrier vehicle registration,</li> <li>c. The date and time of waste collection,</li> <li>d. A description of the waste (type of waste, classification and estimated quantity) and whether the waste is to be reused, recycled, go to landfill or other fate.</li> <li>e. The contact details and address of the disposal location or other offsite location(s) where the waste was taken,</li> <li>f. The corresponding tip docket/receipt from the site(s) to which the waste is transferred, noting date and time of delivery, description (type and quantity) of waste.</li> </ol> </li> <li>3. The waste generated on site during construction must be classified in accordance with the Environment Protection Authority's Waste Classification Guidelines, 2014</li> </ol>

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	<p>(as amended from time to time) and disposed of to an approved waste management facility or otherwise lawfully managed.</p> <p>If waste has been removed from the site where the waste is under an Environment Protection Authority Resource Recovery Order or Exemption, records in relation to and required by that Order or Exemption must be maintained and provided to the principal certifier and council.</p> <p><b>Condition reason:</b> To require records to be provided, during site work, documenting the lawful disposal of waste.</p>
28	<p><b>Adjustments to utility services</b></p> <p>Any adjustments to existing utility services that are made necessary by this development proceeding are to be at the full cost of the developer.</p> <p><b>Condition reason:</b> To comply with Councils Development and Subdivision Code.</p>
29	<p><b>Kerb and gutter layback and footpath crossing</b></p> <p>A heavy-duty concrete kerb and gutter layback and footpath crossing is 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.</p> <p><b>Condition reason:</b> To comply with Councils Development and Subdivision Code.</p>
30	<p><b>Reinstate kerb and gutter</b></p> <p>The existing kerb and gutter layback on the Elizabeth Street frontage is to be replaced with standard concrete kerb and gutter and the adjacent footpath area re-graded to the shape and level requirements of footpaths in the Orange City Council Development and Subdivision Code and Road Opening Permit.</p> <p><b>Condition reason:</b> To comply with Councils Development and Subdivision Code.</p>
31	<p><b>Concrete footpath</b></p> <p>A concrete footpath, a minimum of 1.2 metres wide, shall be constructed for the full frontage of Elizabeth Street and Moad Street.</p> <p>Construction work is to be to the requirements and standards of the Orange City Council Development and Subdivision Code.</p> <p><b>Condition reason:</b> To comply with Councils Development and Subdivision Code.</p>
32	<p><b>Hours of work - construction</b></p> <p>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</p>

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	hours.
	<b>Condition reason:</b> To ensure compliance with relevant statutory requirements.
33	<b>Protection of the Environment Operations Act - material delivery</b>
	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.
	<b>Condition reason:</b> To protect waterways from pollution by stockpiled or placed construction materials.
34	<b>Unexpected finds - contamination</b>
	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.
	<b>Condition reason:</b> To ensure any unexpected finds of contamination are notified to Council and managed appropriately.
35	<b>Acoustic Performance of Windows and Doors</b>
	Windows and doors shall be constructed of materials designed to achieve a minimum noise reduction coefficient of $R_w30$ .
	<b>Condition reason:</b> To minimise noise emissions from the development and protect the acoustic amenity of surrounding properties.

**Before issue of an occupation certificate**

36	<b>Flood response plan to be prepared</b>
	Prior to the issue of an Occupation Certificate a flood response/evacuation plan shall be prepared. The flood response plan shall be available in the ground floor entry areas.
	<b>Condition reason:</b> To ensure that the occupants of the building remain within the premises in case of a flood.
37	<b>Stormwater detention certification</b>
	A Certificate of Compliance, from a Qualified Engineer, stating that the stormwater

**Attachment 1 DRAFT Notice of Determination**

	<p>detention basin comply with the approved engineering plans is to be submitted to the Principal Certifying Authority prior to the issuing of an Occupation Certificate.</p> <p><b>Condition reason:</b> To comply with Councils Development and Subdivision Code.</p>
38	<p><b>Completion of works on public land and services</b></p> <p>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.</p> <p><b>Condition reason:</b> To comply with Councils Development and Subdivision Code.</p>
39	<p><b>Completion of works relating to Road Opening Permit</b></p> <p>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.</p> <p><b>Condition reason:</b> To ensure compliance with relevant statutory requirements.</p>
40	<p><b>No use or occupation without occupation certificate</b></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><b>Condition reason:</b> To ensure compliance with the Building Code of Australia.</p>
41	<p><b>Section 68 final - water and sewer</b></p> <p>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.</p> <p><b>Condition reason:</b> To ensure the utility services are available to the site and adequate for the development.</p>
42	<p><b>Installation of Acoustic Barriers and Noise Mitigation</b></p> <p>Acoustic barriers are to be installed in accordance with the location and construction recommendations within Sections 4.1.1, 4.1.2, and appendix A.3.1 of the report prepared by Acoustic Dynamics (ref: 6606R001.JC.250923), dated 29 September 2025.</p> <p>Any additional noise mitigation to ensure compliance of mechanical plant noise, recommended prior to the issuing of a construction certificate, shall be completed prior to the issuing of an occupation certificate.</p>

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	<p><b>Condition reason:</b> To ensure that acoustic barriers and any additional noise mitigation measures are implemented in accordance with the approved Acoustic Report and to minimise noise impacts on surrounding properties.</p>
43	<p><b>Plan of Management</b></p> <p>A revised plan of management is to be prepared and submitted to Council's Manager Development Assessments that incorporates the recommendations within Sections 4.3 and 4.4 of the report prepared by Acoustic Dynamics (ref: 6606R001.JC.250923), dated 29 September 2025.</p> <p><b>Condition reason:</b> To ensure the ongoing management of noise impacts in accordance with the recommendations of the approved Acoustic Report and to protect the amenity of surrounding properties.</p>
44	<p><b>Fencing - perimeter fencing requirements</b></p> <p>The perimeter fencing proposed for the development shall be in accordance with the approved architectural plans prepared by MOAA Pty Ltd, dated 18/09/2025</p> <p><b>Condition reason:</b> To ensure adequate privacy to both the subject development and adjoining land uses.</p>
45	<p><b>Landscaping - to be installed and maintained in accordance with approved plans</b></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><b>Condition reason:</b> To ensure a quality urban design for the development which complements the surrounding environment.</p>
46	<p><b>Parking - off-street parking required</b></p> <p>A total of 13 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><b>Condition reason:</b> To ensure the development has adequate parking to meet demands, and ensure compliance with relevant statutory requirements.</p>

**Occupation and ongoing use**

47	<p><b>Maintain on-site stormwater detention system</b></p> <p>No works or modifications are to be carried out on site that affect the continued operation of the on-site storm water detention system. The stormwater detention system shall be</p>
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**Attachment 1 DRAFT Notice of Determination**

	<p>maintained to ensure the system operates in accordance with the approved engineering design.</p> <p><b>Condition reason:</b> To comply with Councils Development and Subdivision Code.</p>
48	<p><b>Flood requirements</b></p> <p>The site is subject to flooding. Apart from the approved buildings, no other above ground structures are to be constructed below 876.0m AHD. The fencing shall consist of an open palisade style where the suspended slab is proposed, and the approved elevated carpark shall maintain an open and unenclosed subfloor space.</p> <p><b>Condition reason:</b> To comply with Councils Development and Subdivision Code.</p>
49	<p><b>Annual fire safety statement</b></p> <p>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 Part 10 of the <i>Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation</i>.</p> <p><b>Condition reason:</b> To ensure compliance with relevant statutory requirements.</p>
50	<p><b>Compliance with Noise Mitigation Measures</b></p> <p>Noise mitigation measures contained within the plan of management, submitted prior to the issuing of an occupation certificate, are to be complied with at all times while the facility is in operation.</p> <p><b>Condition reason:</b> To protect the acoustic amenity of surrounding properties.</p>
51	<p><b>Hours of Operation</b></p> <p>Hours of Operation of the Child Care Centre shall be between the hours of 7:00 am to 7:00 pm, Monday to Friday.</p> <p><b>Condition reason:</b> To ensure compliance with relevant statutory requirements.</p>
52	<p><b>Maximum enrolment of children</b></p> <p>The child care facility shall have a maximum capacity of not more than 50 children.</p> <p><b>Condition reason:</b> To ensure compliance with approved capacity limits for safety, amenity and regulatory requirements.</p>
53	<p><b>Waste Management Plan</b></p> <p>The waste management plan prepared by Loka Consulting Engineers Pty Ltd is to be complied with at all times.</p> <p><b>Condition reason:</b> To ensure proper waste management practices and compliances with approved guidelines.</p>

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54	<p><b>Loading/Servicing</b></p> <p>All vehicular loading and unloading shall be carried out within the site to provide for safe offstreet loading and unloading of vehicles servicing the site and to prevent interference with the use of the public road by vehicles and pedestrians.</p> <p><b>Condition reason:</b> To ensure public safety.</p>
55	<p><b>Lighting</b></p> <p>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</p> <p>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.</p> <p><b>Condition reason:</b> To ensure that the amenity of neighbouring properties is not compromised.</p>
56	<p><b>Off-Street car parking</b></p> <p>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 new internal road proposed.</p> <p><b>Condition reason:</b> To ensure all parking associated with the child care facility is maintained off the street.</p>
57	<p><b>Signage - not comprising exempt development</b></p> <p>A separate development application must be submitted to and approved by Council prior to the erection of any advertising structures or signs of a type that do not meet the exempt development provisions of Orange Local Environmental Plan 2011, State Environmental Planning Policy (Exempt and Complying Development 2008 and Orange Development Control Plan 2004.</p> <p><b>Condition reason:</b> To ensure compliance with relevant statutory requirements.</p>

**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.



**2 ELIZABETH STREET - ORANGE, NSW  
CHILDCARE DEVELOPMENT - DEVELOPMENT APPLICATION**



Sheet List	
Sheet Name	Sheet Number
COVER SHEET	DA0001
CONTEXT - SITE ANALYSIS	DA0010
SITE PLAN	DA0011
DEMOLITION PLAN	DA0012
GROUND FLOOR	DA0100
ROOF PLAN	DA0102
ELEVATIONS SHEET	DA0200
ELEVATIONS SHEET	DA0201
SECTIONS	DA0300
DIAGRAM - AREA CALCULATIONS	DA0500
DIMENSION PLAN	DA0501
SOLAR ACCESS DIAGRAM	DA0600
MATERIAL BOARD	DA0700
WINDOW / DOOR SCHEDULE	DA0800
3D VIEW	DA0900

**MOAA**  
MOAA Pty Ltd  
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MOAA NORTHERN DISTRICT LOCAL GOVERNMENT ASSOCIATION  
ABN 1509 11927

REV	DATE	DESCRIPTION
0	2025/11/24	COUNCIL 80% COUNCIL 80%

**ARCHITECTURAL - GENERAL NOTES**

A1) All dimensions are to be confirmed on site by the Institution/contractor. Any discrepancies must be reported to the Architect before commencement of any work.

A2) The Institution/contractor will be held responsible for any construction details which have not been approved by the Architect.

A3) In the event of any discrepancy in these drawings, specifications or subsequent instructions issued, the Institution/contractor shall contact the Architect before proceeding with any work.

A4) The Institution/contractor shall be held responsible for the completion of their work subject to a minimum period of ten days after the date of practical completion.

A5) It is the Institution/contractor's responsibility to have all Architectural & Structural documentation, including all site instructions and any details, issued during the course of construction, approved by the relevant authorities, including the local Council & the State Board before any work may be proceeded with.

A6) All construction, material, joints and separation joints in the wall, floors, & other features shall be in accordance with Architectural and/or Structural Engineering details, approved or modified after their specific, and checked without written permission from the Architect and/or Engineer.

A7) Measurements for the fabrication of accessories components such as, windows, doors, external frames, structural steel components and the like, are not to be taken from measurements. Measurements are to be taken on site to suit the work as constructed.

A8) All structural components shall be in other accordance to detail and specifications as required by a structural engineer, and these details form part of the later specification.

A9) All existing structures need to be assessed for structural adequacy, and it is the Contractor's responsibility to ensure that a certificate of structural adequacy is available prior to the start of any work.

A10) No construction work shall commence until a site survey has been completed. This work must be performed by a registered Surveyor.

A11) Foundation work to be performed by the Contractor (contracted as a fit and licensed party) must be performed in accordance with the relevant engineering specifications.

A12) All work must be in compliance with the requirements of the 'Light Vehicle Parking Code' (L.V.P.) and Structural Engineer's details and specifications.

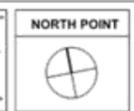
A13) Compliance with all documentation and design standards for work, Architectural and Structural Engineering, are required for this office. Written authority is required for any variations.

A14) All Architectural documentation to be final & compliant with the Structural Engineer's details and specifications.

A15) This Drawing & Design is subject to copyright and shall remain the property of MOAA.

**GENERAL NOTE**

It is the Institution's & Contractor's responsibility to check that all Architectural, Structural and all other job-related documentation have been received before tendering and/or construction may commence. Should there be any doubt in the availability of such documents the Architect should be notified before further work is started. The Institution and/or Contractor neither own rights or claim for copies, but to responsibility of documentation, and the Institution's and Engineer's Director shall be carried out at its sole cost.



**RRM DEVELOPMENT PTY LTD**  
CHILDCARE DEVELOPMENT  
2 ELIZABETH STREET  
ORANGE 2800, NSW

COVER SHEET	
Project number	1
Date	18/09/2025
Drawn by	MOAA
Check by	MOAA
Scale	

**DA0001**



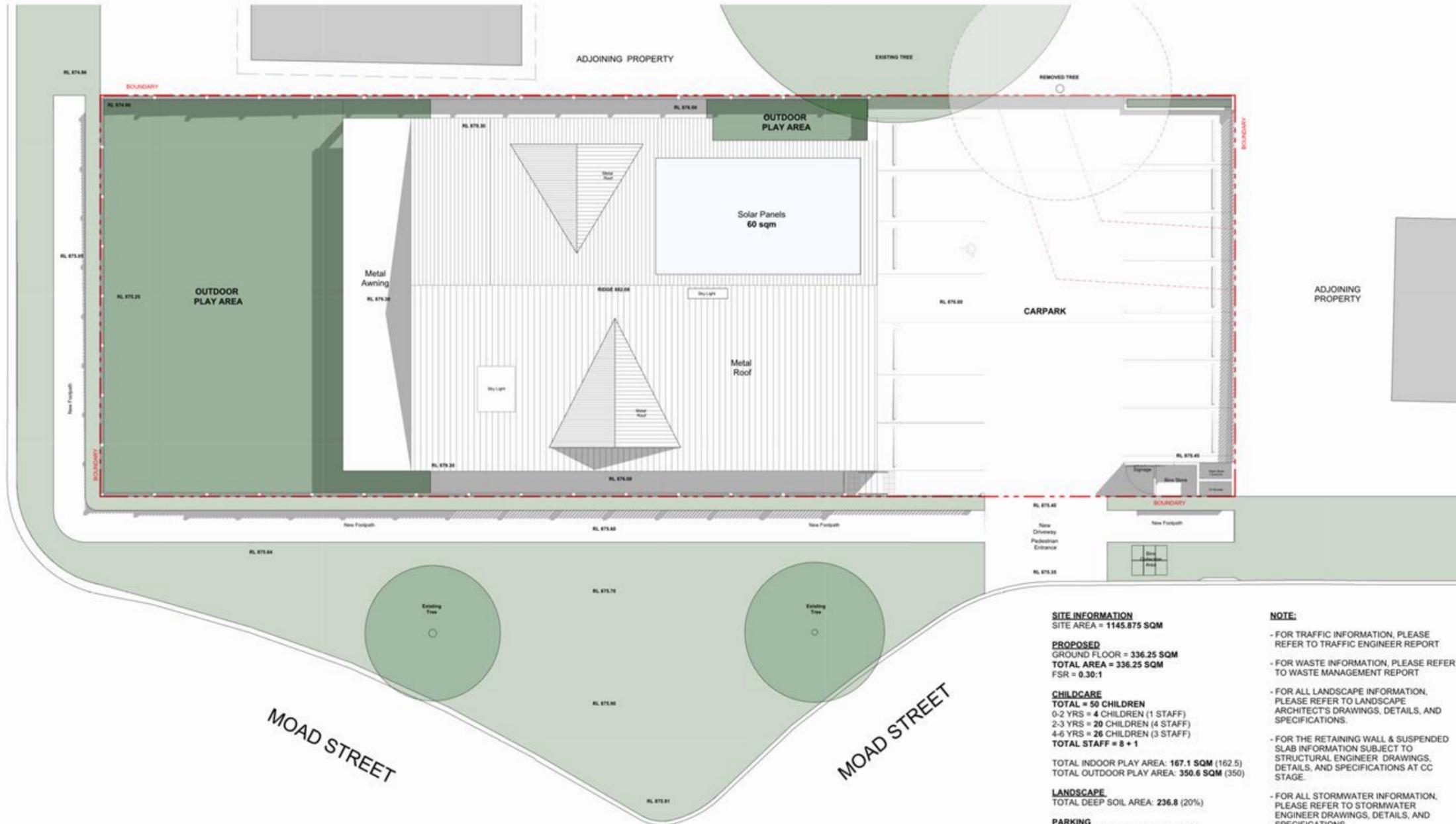


REV	DATE	DESCRIPTION	ARCHITECTURAL GENERAL NOTES	NORTH POINT	RRM DEVELOPMENT PTY LTD	CONTEXT - SITE ANALYSIS
0	2025/11/24	COUNCIL 80% MCAA Pty Ltd Unit 25, 13 Macquarie Street Sydney NSW 2004 ACN 154 238 851 Ph: 0478 439 882 E: info@rrmdevelopment.com MCAA Northcott Architects, Martin Chalki, Alessandro AND 11827	<p>01. All existing structures need to be assessed for structural integrity, and it is the Contractor's responsibility to ensure that a certificate of structural integrity is available prior to the start of any work.</p> <p>02. The contractor shall ensure that a site survey has been completed. This work must be performed by a registered surveyor.</p> <p>03. Foundation work to be performed by the Contractor as per the approved plans and any relevant specifications.</p> <p>04. All other work to comply with the requirements of the Local Government Act 1995 and the Building Act 2018.</p> <p>05. All work to be completed in accordance with the approved plans and any relevant specifications.</p> <p>06. All work to be completed in accordance with the approved plans and any relevant specifications.</p> <p>07. All work to be completed in accordance with the approved plans and any relevant specifications.</p> <p>08. All work to be completed in accordance with the approved plans and any relevant specifications.</p> <p>09. All work to be completed in accordance with the approved plans and any relevant specifications.</p> <p>10. All work to be completed in accordance with the approved plans and any relevant specifications.</p> <p>11. All work to be completed in accordance with the approved plans and any relevant specifications.</p> <p>12. All work to be completed in accordance with the approved plans and any relevant specifications.</p> <p>13. All work to be completed in accordance with the approved plans and any relevant specifications.</p> <p>14. All work to be completed in accordance with the approved plans and any relevant specifications.</p> <p>15. All work to be completed in accordance with the approved plans and any relevant specifications.</p> <p>16. All work to be completed in accordance with the approved plans and any relevant specifications.</p> <p>17. All work to be completed in accordance with the approved plans and any relevant specifications.</p> <p>18. All work to be completed in accordance with the approved plans and any relevant specifications.</p> <p>19. All work to be completed in accordance with the approved plans and any relevant specifications.</p> <p>20. All work to be completed in accordance with the approved plans and any relevant specifications.</p>		<p><b>RRM DEVELOPMENT PTY LTD</b> <b>CHILDCARE DEVELOPMENT</b> 2 ELIZABETH STREET ORANGE 2800, NSW</p>	<p><b>CONTEXT - SITE ANALYSIS</b></p> <p>Project number: 1 Date: 18/09/2025 Drawn by: MCAA Check by: MCAA</p> <p><b>DA0010</b></p> <p>Scale: 1:200</p>



## 2 ELIZABETH STREET - ORANGE, NSW CHILDCARE DEVELOPMENT - DEVELOPMENT APPLICATION

ELIZABETH STREET



**SITE INFORMATION**  
SITE AREA = 1145.875 SQM

**PROPOSED**  
GROUND FLOOR = 336.25 SQM  
TOTAL AREA = 336.25 SQM  
FSR = 0.30:1

**CHILDCARE**  
TOTAL = 50 CHILDREN  
0-2 YRS = 4 CHILDREN (1 STAFF)  
2-3 YRS = 20 CHILDREN (4 STAFF)  
4-6 YRS = 26 CHILDREN (3 STAFF)  
TOTAL STAFF = 8 + 1

TOTAL INDOOR PLAY AREA: 167.1 SQM (162.5)  
TOTAL OUTDOOR PLAY AREA: 350.6 SQM (350)

**LANDSCAPE**  
TOTAL DEEP SOIL AREA: 236.8 (20%)

**PARKING**  
RATIO = 1 CARSPACE EVERY 4 KIDS  
TOTAL = (50/4) = 13 CARSPACES  
STAFF = 9 CARSPACES  
VISITORS = 4 CARSPACES (INCL. 1 ACCESSIBLE)

**NOTE:**

- FOR TRAFFIC INFORMATION, PLEASE REFER TO TRAFFIC ENGINEER REPORT
- FOR WASTE INFORMATION, PLEASE REFER TO WASTE MANAGEMENT REPORT
- FOR ALL LANDSCAPE INFORMATION, PLEASE REFER TO LANDSCAPE ARCHITECT'S DRAWINGS, DETAILS, AND SPECIFICATIONS.
- FOR THE RETAINING WALL & SUSPENDED SLAB INFORMATION SUBJECT TO STRUCTURAL ENGINEER DRAWINGS, DETAILS, AND SPECIFICATIONS AT CC STAGE.
- FOR ALL STORMWATER INFORMATION, PLEASE REFER TO STORMWATER ENGINEER DRAWINGS, DETAILS, AND SPECIFICATIONS.
- FOR ALL ACOUSTIC INFORMATION, PLEASE REFER TO ACOUSTIC ENGINEER DRAWINGS, DETAILS, AND SPECIFICATIONS.

**MOAA**  
MOAA Pty Ltd  
Unit 25, 13 Macquarie Street Sydney NSW 2000  
ACN 154 038 851  
Tel: 02 9238 8833  
E: info@moaa.com.au  
MOAA is a registered architect under the NSW Act 1997

REV	DATE	DESCRIPTION
1	2025/11/24	COUNCIL 80% COUNCIL 80%

**ARCHITECTURAL - GENERAL NOTES**

- 01 All dimensions are to be confirmed on site by the contractor/submitter. Any discrepancies must be reported to the Architect before commencement of any work.
- 02 The Architect/submitter will be held responsible for any construction details which have not been approved by the Architect.
- 03 The most up-to-date drawings and specifications on these drawings, specifications or subsequent instructions issued by the Architect/submitter shall contact the Architect before commencing work on any work.
- 04 The Architect/submitter shall be held responsible for the interpretation of the above drawings for a minimum period of 12 months after the date of practical completion.
- 05 It is the contractor's responsibility to ensure all Architectural & Structural documentation, including all site instructions and any details, issued during the course of construction, is provided to the relevant authorities, including the local Council of the State, before any work may proceed with.
- 06 All construction, material, joints and separation joints in the wall, floors, & other features shall be in accordance with Architectural and/or Structural Engineering details, reports or drawings other than specified and approved without permission from the Architect and/or Engineer.
- 07 Measurements for the fabrication of accessories components such as, windows, doors, external frames, structural steel components and the like, are to be taken from measurements. Measurements require other on site to suit the work as indicated.
- 08 All structural components shall be in accordance to detail and specifications as required by a structural engineer, and those details form part of the site specification.

09 All existing structures need to be confirmed for structural category, and it is the Contractor's responsibility to ensure that a certificate of structural adequacy is available prior to the start of any work.

10 No construction work shall commence until a site survey has been completed. This work must be performed by a registered Surveyor.

11 Foundation details to be performed by the Surveyor/submitter as per and retaining walls must be provided with construction.

12 All tender work is to comply with the requirements of the Tender/submitting Code of Practice and Structural Engineer's details and specifications.

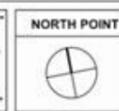
13 All quantities of all documentation and design details for work, architectural and structural engineering, are subject to the Architect/submitter's written approval.

14 All Architectural documentation to be final & complete with the Structural Engineer's details and specifications.

15 This Drawing & Design is subject to copyright and shall remain the property of MOAA.

**GENERAL NOTE**

It is the Tenderer's & Contractor's responsibility to check that all Architectural, Structural and all other job-related documentation has been received before tendering and construction may commence. Should there be any doubt in the availability of such documents, the Architect should be notified before further details are issued. The tenderer and Contractor neither are sign or claim for errors due to misinterpretation of documentation, and the Architect's Engineer's Director shall be held not at its sole cost.



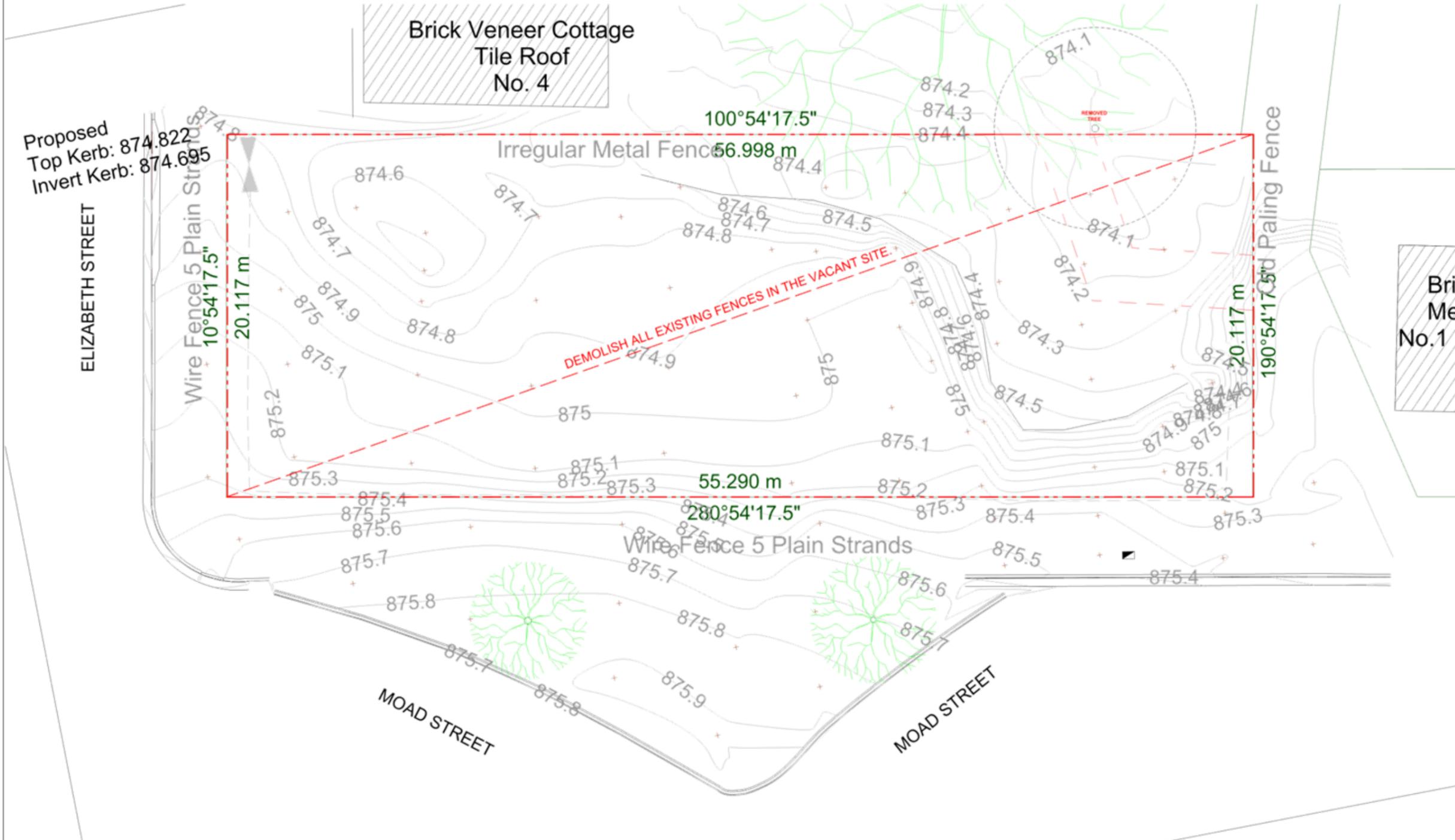
**RRM DEVELOPMENT PTY LTD**  
CHILDCARE DEVELOPMENT  
2 ELIZABETH STREET  
ORANGE 2800, NSW

SITE PLAN	
Project number	1
Date	18/09/2025
Drawn by	MOAA
Check by	MOAA
Scale	1:100

DA0011



**2 ELIZABETH STREET - ORANGE, NSW**  
**CHILDCARE DEVELOPMENT - DEVELOPMENT APPLICATION**



<p>MOAA Pty Ltd Unit 20, 13 Macquarie Street (Opposite) NSW 2804 ACN 154 238 881 Ph: 02 78 428 883 E: info@moaa.com.au MOAA NORTHERN ARCHITECTURAL CHAIRS ASSOCIATION ABN 1508 11827</p>	<table border="1"> <thead> <tr> <th>REV</th> <th>DATE</th> <th>DESCRIPTION</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>2025/11/24</td> <td>COUNCIL 8975</td> </tr> </tbody> </table>	REV	DATE	DESCRIPTION	1	2025/11/24	COUNCIL 8975	<p><b>ARCHITECTURAL - GENERAL NOTES</b></p> <p>A1) All dimensions are to be confirmed on site by the builder/subcontractor. Any discrepancies must be reported to the Architect before commencement of any work.</p> <p>A2) The builder/subcontractor will be held responsible for any construction details which have not been approved by the Architect.</p> <p>A3) In the event of any discrepancy or discrepancy on their drawings, specifications or subsequent instructions issued, the Builder/Subcontractor shall contact the Architect before proceeding with any work.</p> <p>A4) The Builder/Subcontractor shall be held responsible for the construction of the site including a minimum period of three years after the date of practical completion.</p> <p>A5) It is the contractor's responsibility to have all Architectural &amp; Structural documentation, including all site instructions and any details, issued during the course of construction, approved by the relevant authorities, including the local Council &amp; the State Government before any work is commenced.</p> <p>A6) All construction, material, joints and expansion joints in the wall, floors, &amp; other features shall be in accordance with Architectural and/or Structural Engineering details, approved in writing by the Architect and/or Engineer.</p> <p>A7) Measurements for the fabrication of secondary components such as, window, doors, external frames, structural steel components and the like, are to be taken from the architectural, floor, ceiling and/or other drawings as indicated.</p> <p>A8) All structural components shall be in strict accordance to detail and specifications as prepared by a structural engineer, and those details form part of the site specification.</p>	<p>A9) All existing structures need to be assessed for structural adequacy, and it is the Contractor's responsibility to ensure that a certificate of structural adequacy is available prior to the start of any work.</p> <p>A10) No construction work shall commence until a site survey has been completed. This work must be performed by a registered Surveyor.</p> <p>A11) Foundation work is to be performed to the design requirements as set out in the approved plans and must be completed before any construction.</p> <p>A12) All work must be in compliance with the requirements of the 'Light Vehicle Parking Code' (L.V.P.) Code and Structural Engineer's details and specifications.</p> <p>A13) Copyrights of all documentation and designs created by MOAA Architectural and Structural Engineering, are retained for the office. Written authority is required for any reproduction.</p> <p>A14) All Intellectual Property Rights for the design and construction of the site are retained by MOAA Architectural and Structural Engineering.</p> <p>A15) This Design &amp; Drawings is subject to copyright and shall not be copied in whole or in part without the written permission of MOAA.</p> <p><b>IMPORTANT NOTE</b></p> <p>It is the Contractor's &amp; Contractor's responsibility to check that all Architectural, Structural and all other job-related documentation has been received before tendering and/or construction may commence. Should there be any doubt to the availability of such documents the Architect should be notified before further details are needed, the builder and/or Contractor shall obtain such details before signing off contract documents. Failure to adhere to these conditions, the Tenderer and/or Contractor neither are liable or claim for costs, due to the preparation of documentation, and the Architect's &amp; Engineer's direction shall be carried out at the tenderer's cost.</p>	<p><b>NORTH POINT</b></p>	<p><b>RRM DEVELOPMENT PTY LTD</b> <b>CHILDCARE DEVELOPMENT</b> 2 ELIZABETH STREET ORANGE 2800, NSW</p>	<p><b>DEMOLITION PLAN</b></p> <table border="1"> <tr> <td>Project number</td> <td>1</td> </tr> <tr> <td>Date</td> <td>18/09/2025</td> </tr> <tr> <td>Drawn by</td> <td>MCA</td> </tr> <tr> <td>Check by</td> <td>MCA</td> </tr> </table> <p>DA0012</p> <p>Scale: 1:100</p>	Project number	1	Date	18/09/2025	Drawn by	MCA	Check by	MCA
	REV	DATE	DESCRIPTION																	
1	2025/11/24	COUNCIL 8975																		
Project number	1																			
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Drawn by	MCA																			
Check by	MCA																			



## 2 ELIZABETH STREET - ORANGE, NSW CHILDCARE DEVELOPMENT - DEVELOPMENT APPLICATION



**SITE INFORMATION**  
SITE AREA = 1145.875 SQM

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GROUND FLOOR = 336.25 SQM  
TOTAL AREA = 336.25 SQM  
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**MOAA**  
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E. moaa@moaa.com.au  
MOAA NSW/NT/ACT/QLD/TAS/VIC/NT/SA/WA  
ABN 95 91 192 7

REV	DATE	DESCRIPTION
1	2025/11/24	COUNCIL 80% COUNCIL 80%

**ARCHITECTURAL GENERAL NOTES**

- All dimensions are to be confirmed on site by the contractor/submitter. Any discrepancies must be reported to the Architect before commencement of any work.
- The Architect/submitter will be held responsible for any construction details which have not been approved by the Architect.
- In the event of any discrepancy or conflict between the drawings, specifications or subsequent instructions issued by the Architect/submitter shall contact the Architect before proceeding.
- Work shall be done in accordance with the Australian Standards and other relevant standards.
- The Contractor shall be held responsible for the interpretation of the above specifications in a common sense of good practice after the issue of practical completion.
- In the event of any discrepancy or conflict between the drawings, specifications or subsequent instructions issued by the Architect/submitter shall contact the Architect before proceeding.
- All construction, material, workmanship and specification shall be in accordance with the Australian Standards and other relevant standards.
- Responsibility for the maintenance of accessways, including but not limited to, footpaths, stairs, ramps, and other accessways, shall be the responsibility of the Contractor/submitter.
- All structural components shall be in accordance to detail and specifications as required by a structural engineer, and their details, form part of the site specification.

**DISCLAIMER**

MOAA Pty Ltd (MOAA) is the Architect/submitter of the architectural drawings and specifications for the development. MOAA is not responsible for the construction of the development. The Contractor/submitter is responsible for the construction of the development in accordance with the architectural drawings and specifications. MOAA is not responsible for the construction of the development. The Contractor/submitter is responsible for the construction of the development in accordance with the architectural drawings and specifications.



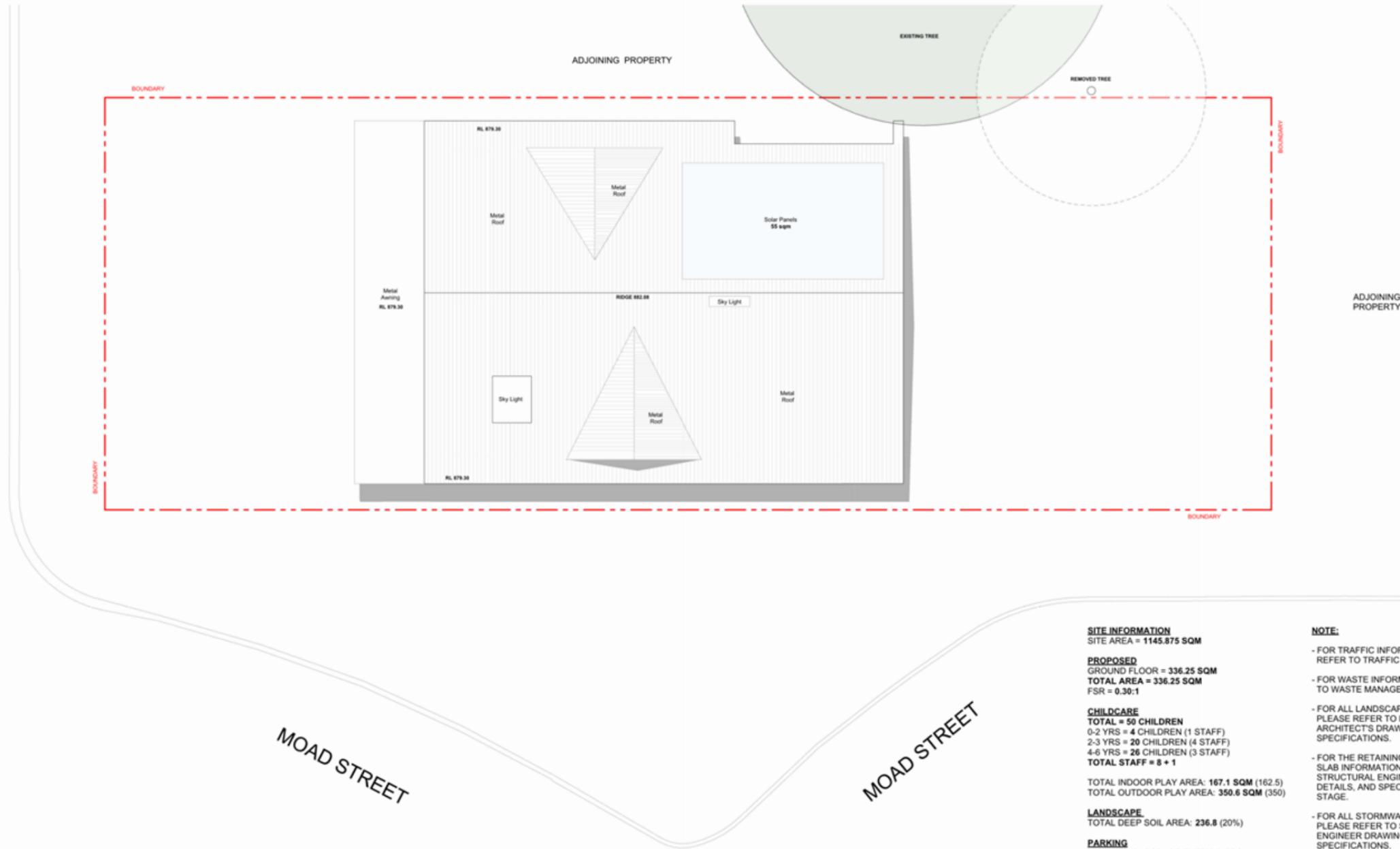
**RRM DEVELOPMENT PTY LTD**  
CHILDCARE DEVELOPMENT  
2 ELIZABETH STREET  
ORANGE 2800, NSW

GROUND FLOOR	
Project number	1
Date	18/09/2025
Drawn by	MOAA
Check by	MOAA
Scale	1:100



## 2 ELIZABETH STREET - ORANGE, NSW CHILDCARE DEVELOPMENT - DEVELOPMENT APPLICATION

ELIZABETH STREET



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**MOAA**  
MOAA Pty Ltd  
Unit 25, 13 Macquarie Street (Opposite) NSW 2804  
61478 478 883  
61478 478 883  
MOAA NSW/NSW ARCHITECT - MORRIS CHAIR ASSOCIATION  
ABN 158 118 187

REV	DATE	DESCRIPTION
A	2025/11/24	COUNCIL 8076

**ARCHITECTURAL - GENERAL NOTES**

- A1) All dimensions are to be confirmed on site by the builder/contractor. Any discrepancies must be reported to the Architect before commencement of any work.
- A2) The builder/contractor will be held responsible for any construction details which have not been approved by the Architect.
- A3) In the event of any discrepancy or discrepancy on these drawings, specifications or subsequent instructions issued, the builder/contractor shall contact the Architect before proceeding further with any work.
- A4) The builder/contractor shall be held responsible for the construction of the above subject to a minimum period of 100 days after the date of architectural completion.
- A5) It is the contractor's responsibility to have all Architectural & Structural documentation, including all site instructions and any details, issued during the course of construction, approved by the relevant authorities including the local Council & the State Board before any work may proceed on site.
- A6) All construction, material, joints and expansion joints in the wall, floors, & other finishes shall be to suit and in accordance with Architectural and/or Structural Engineering details, approved in writing after their specific use, checked and without permission from the Architect and/or Engineer.
- A7) Measurements for the fabrication of secondary components such as, window, doors, external frames, structural steel components and the like, are not to be taken from architectural drawings. Measurements are to be taken on site to suit the work as constructed.
- A8) All structural components shall be in strict accordance to details and specifications as prepared by a structural engineer, and those details form part of the site specification.

A9) All existing structures need to be assessed for structural adequacy, and it is the Contractor's responsibility to ensure that a certificate of structural adequacy is available prior to the start of any work.

A10) No construction work shall commence until a site survey has been completed. This work must be performed by a registered Surveyor.

A11) Foundation and site to be performed by the Surveyor/contractor as per and in accordance with the proposed surveying conditions.

A12) All tender work to comply with the requirements of the 'Light Tender Tendering Code' (L.T.T.C.) Code and Structural Engineer's details and specifications.

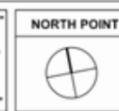
A13) Copyright of all documentation and design remains with Architectural and Structural Engineering, as outlined in this office. Written authority is required for any reproduction.

A14) All Architectural documentation to be read in conjunction with the Structural Engineer's details and specifications.

A15) This Design & Drawings is subject to copyright and shall not be copied in whole or in part without the written permission of MOAA.

**IMPORTANT NOTE**

It is the Tenderer's & Contractor's responsibility to check that all Architectural, Structural and all other job-related documentation have been received before tendering and/or construction may commence. Should there be any doubt in the availability of such documents the Architect should be notified before further details be needed, the tenderer and/or Contractor shall obtain such details before signing of contract documents. Failure to adhere to these conditions, the Tenderer and/or Contractor neither are right or claim for extra due to interpretation of documentation, and the Architect's & Engineer's direction shall be carried out at the tenderer's cost.



**RRM DEVELOPMENT PTY LTD**  
CHILDCARE DEVELOPMENT  
2 ELIZABETH STREET  
ORANGE 2800, NSW

ROOF PLAN	
Project number	1
Date	18/09/2025
Drawn by	MCA
Check by	MCA
Scale	1 : 100

DA0102



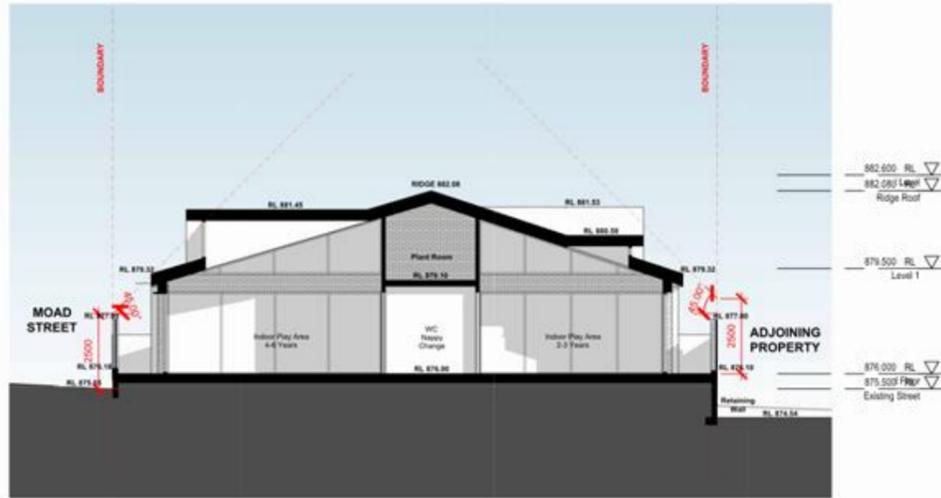




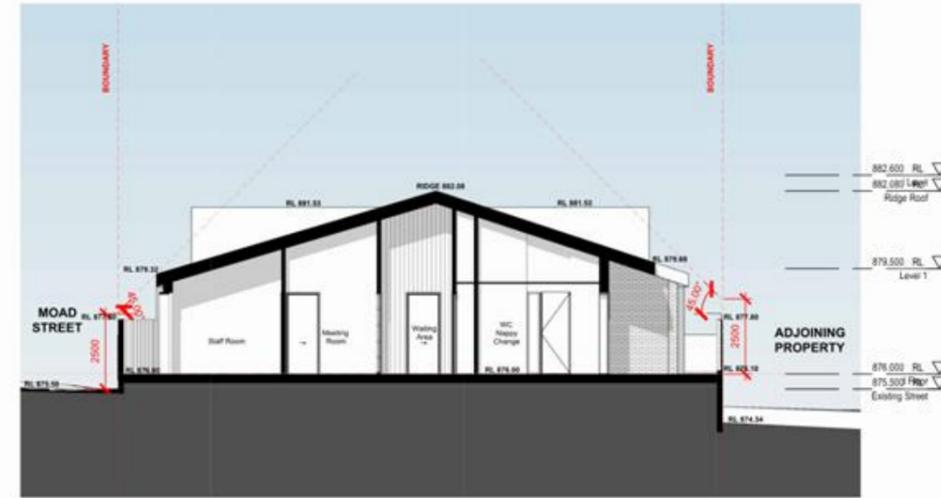




**2 ELIZABETH STREET - ORANGE, NSW**  
**CHILDCARE DEVELOPMENT - DEVELOPMENT APPLICATION**



**SECTION A-A**



**SECTION B-B**



**SECTION C-C**

**MOAA**  
MOAA Pty Ltd  
Unit 25, 13 Macquarie Street Sydney NSW 2000  
ACN 154 038 851  
Ph: 1478 439 883  
E: info@moaa.com.au  
MOAA is a not-for-profit organisation  
ABN 150 119 277

REV	DATE	DESCRIPTION
A	2025/11/24	COUNCIL 8076

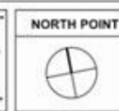
**ARCHITECTURAL - GENERAL NOTES**

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- In the event of any discrepancy or error between these drawings, specifications or subsequent instructions issued, the Builder/contractor shall contact the Architect before proceeding with any work.
- The Builder/contractor shall be held responsible for the interpretation of any notes/specifications a minimum period of 14 days after the date of architectural completion.
- In the contractor's responsibility to issue all Architectural & Structural documentation, including all site instructions any other details, issued during the course of construction, approved by the relevant authorities, including the local Council & the Water Board before any work may be proceeded with.
- All construction, material, colour and separation joints in the wall, floors, & other features shall be to comply with Australian Architectural and Structural Engineering Details, approved by the relevant authorities, including the local Council & the Water Board before any work may be proceeded with.
- Responsibility for the fabrication of secondary components such as, windows, doors, external frames, structural steel components and the like, are to be taken from manufacturer's recommendations unless otherwise specified on drawings or in writing by the Architect and/or Engineer.
- All structural components shall be in accordance to detail and specifications as required by a structural engineer, and those details, form part of the site specification.

- All existing structures need to be scaffolded for structural integrity, and it is the Contractor's responsibility to ensure that a certificate of structural adequacy is available prior to the start of any work.
- No construction work shall commence until a site survey has been completed. This work must be performed by a registered Surveyor.
- Foundation work to be performed by the Contractor, foundation & R/F and retaining walls must be protected during construction.
- All tender work to comply with the requirements of the Local Tendering Code (L.A.A. Tender and Structural Engineer's Details and specifications).
- Copyrights of all documentation and design created for work, Architectural and Structural Engineering, are retained for the office. Written authority is required for any reproduction.
- All Architectural documentation for the site is to be consistent with the Structural Engineer's details and specifications.
- This Drawing & Design is subject to copyright and shall not be copied in whole or in part without the written permission of MOAA.

**IMPORTANT NOTE**

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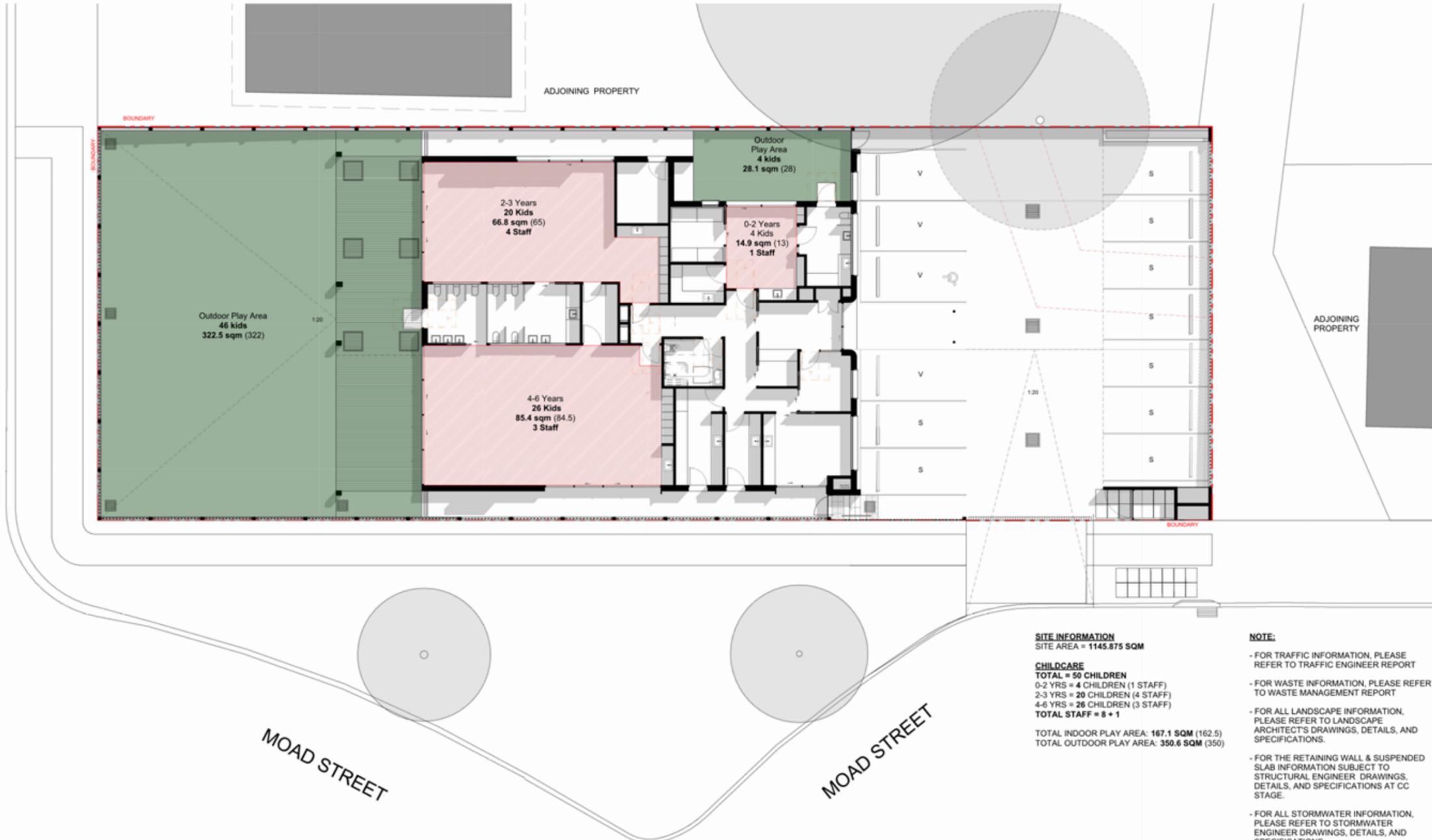
**RRM DEVELOPMENT PTY LTD**  
**CHILDCARE DEVELOPMENT**  
2 ELIZABETH STREET  
ORANGE 2800, NSW

SECTIONS	
Project number	1
Date	18/09/2025
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Check by	MOA
Scale	1 : 100



2 ELIZABETH STREET - ORANGE, NSW  
CHILDCARE DEVELOPMENT - DEVELOPMENT APPLICATION

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- FOR WASTE INFORMATION, PLEASE REFER TO WASTE MANAGEMENT REPORT
- FOR ALL LANDSCAPE INFORMATION, PLEASE REFER TO LANDSCAPE ARCHITECT'S DRAWINGS, DETAILS, AND SPECIFICATIONS.
- FOR THE RETAINING WALL & SUSPENDED SLAB INFORMATION SUBJECT TO STRUCTURAL ENGINEER DRAWINGS, DETAILS, AND SPECIFICATIONS AT CC STAGE.
- FOR ALL STORMWATER INFORMATION, PLEASE REFER TO STORMWATER ENGINEER DRAWINGS, DETAILS, AND SPECIFICATIONS.
- FOR ALL ACOUSTIC INFORMATION, PLEASE REFER TO ACOUSTIC ENGINEER DRAWINGS, DETAILS, AND SPECIFICATIONS.

**MOAA**  
MOAA Pty Ltd  
Unit 25, 13 Macquarie Street (Opposite NSW 2524)  
ACT 154 018 851  
M. 0478 678 883  
E. info@moaa.com.au  
MOAA NORTHERN ARCHITECT - MULTI-CHAIR ASSOCIATION  
ABN 1606 11987

REV	DATE	DESCRIPTION

**ARCHITECTURAL - GENERAL NOTES**

A1) All dimensions are to be confirmed on site by the builder/subcontractor. Any discrepancies must be reported to the Architect before commencement of any work.

A2) The builder/subcontractor will be held responsible for any construction details which have not been approved by the Architect.

A3) In the event of any discrepancy or discrepancy on these drawings, specifications or subsequent instructions issued, the Builder/Subcontractor shall contact the Architect before proceeding further with any work.

A4) The Builder/Subcontractor shall be held responsible for the interpretation of the above drawings for a minimum period of 12 months after the date of practical completion.

A5) It is the contractor's responsibility to have all Architectural & Structural documentation, including all site instructions and any details issued during the course of construction, approved by the relevant authorities, including the Local Council & the State Government before any work may be proceeded with.

A6) All construction, material, joints and suspension joints to the wall, floors, & other finishes shall be to comply with Architectural and/or Structural Engineering details, approved in writing other than specified, are detailed without approval from the Architect and/or Engineer.

A7) Measurements for the fabrication of secondary components such as, windows, doors, external frames, structural steel components and the like, are not to be taken from measurements. Measurements are to be taken on site to suit the work as constructed.

A8) All structural components shall be in strict accordance to details and specifications as prepared by a structural engineer, and those details form part of the site specification.

A9) All existing structures need to be assessed for structural adequacy, and it is the Contractor's responsibility to ensure that a certificate of structural adequacy is available prior to the start of any work.

A10) No construction work shall commence until a site survey has been completed. This work must be performed by a registered Surveyor.

A11) Foundation work is to be performed by the Surveyor/contractor as a fit and necessary part of the construction process.

A12) All tender work is to comply with the requirements of the 'Light Tender Tenders Code' (L.A.A. Code) and Structural Engineer's details and specifications.

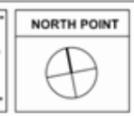
A13) Copyright of all documentation and design shall be held by Architectural and Structural Engineering, and retained by this office. Written authority is required for any reproduction.

A14) All Architectural documentation to be held in compliance with the Structural Engineer's details and specifications.

A15) This Drawing & Design is subject to copyright and shall not be copied in whole or in part without the written permission of MOAA.

**IMPORTANT NOTE**

It is the Tenderer's & Contractor's responsibility to check that all Architectural, Structural and all other job-related documentation has been received before tendering and/or construction may commence. Should there be any doubt as to the availability of such documents the Architect should be notified before further details be needed, the tenderer and/or Contractor shall obtain such details before signing of contract documents. Failure to adhere to these conditions, the Tenderer and/or Contractor neither are sign or claim for errors, due to misinterpretation of documentation, and the Architect's and Engineer's direction shall be carried out in its entirety.



**RRM DEVELOPMENT PTY LTD**  
CHILDCARE DEVELOPMENT  
2 ELIZABETH STREET  
ORANGE 2800, NSW

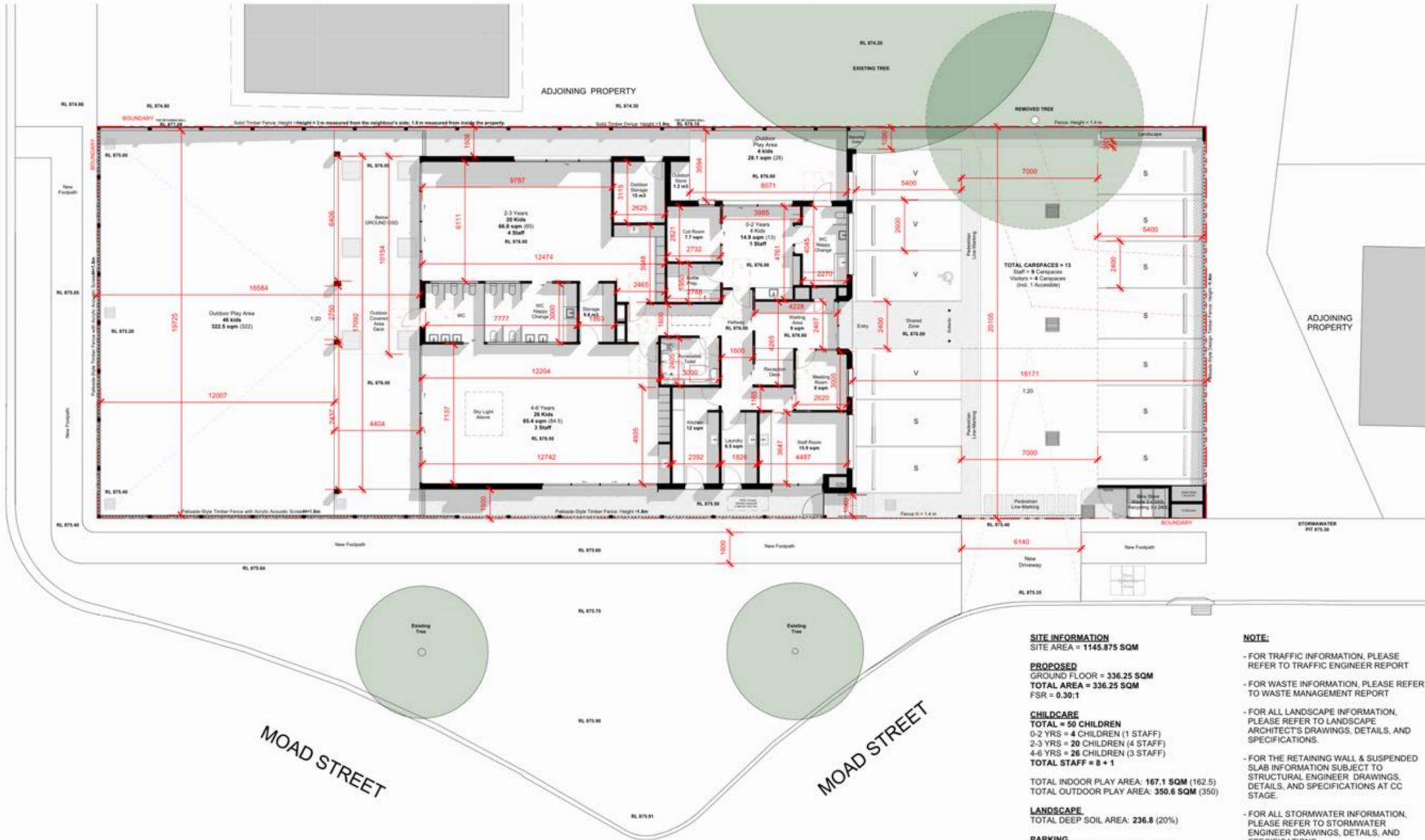
**DIAGRAM - AREA CALCULATIONS**

Project number	1	<b>DA0500</b>
Date	18/09/2025	
Drawn by	MCA	
Check by	MCA	Scale: 1:100



## 2 ELIZABETH STREET - ORANGE, NSW CHILDCARE DEVELOPMENT - DEVELOPMENT APPLICATION

ELIZABETH STREET



**SITE INFORMATION**  
SITE AREA = 1145.875 SQM

**PROPOSED**  
GROUND FLOOR = 336.25 SQM  
TOTAL AREA = 336.25 SQM  
FSR = 0.30:1

**CHILDCARE**  
TOTAL = 50 CHILDREN  
0-2 YRS = 4 CHILDREN (1 STAFF)  
2-3 YRS = 20 CHILDREN (4 STAFF)  
4-6 YRS = 26 CHILDREN (3 STAFF)  
TOTAL STAFF = 8 + 1

TOTAL INDOOR PLAY AREA: 167.1 SQM (162.5)  
TOTAL OUTDOOR PLAY AREA: 350.6 SQM (350)

**LANDSCAPE**  
TOTAL DEEP SOIL AREA: 236.8 (20%)

**PARKING**  
RATIO = 1 CARSPACE EVERY 4 KIDS  
TOTAL = (50/4) = 13 CARSPACES  
STAFF = 9 CARSPACES  
VISITORS = 4 CARSPACES (INCL. 1 ACCESSIBLE)

- NOTE:**
- FOR TRAFFIC INFORMATION, PLEASE REFER TO TRAFFIC ENGINEER REPORT
  - FOR WASTE INFORMATION, PLEASE REFER TO WASTE MANAGEMENT REPORT
  - FOR ALL LANDSCAPE INFORMATION, PLEASE REFER TO LANDSCAPE ARCHITECT'S DRAWINGS, DETAILS, AND SPECIFICATIONS.
  - FOR THE RETAINING WALL & SUSPENDED SLAB INFORMATION SUBJECT TO STRUCTURAL ENGINEER DRAWINGS, DETAILS, AND SPECIFICATIONS AT CC STAGE.
  - FOR ALL STORMWATER INFORMATION, PLEASE REFER TO STORMWATER ENGINEER DRAWINGS, DETAILS, AND SPECIFICATIONS.
  - FOR ALL ACOUSTIC INFORMATION, PLEASE REFER TO ACOUSTIC ENGINEER DRAWINGS, DETAILS, AND SPECIFICATIONS.

REV	DATE	DESCRIPTION
1	2025/11/24	COUNCIL 80% MOAA Pty Ltd

**ARCHITECTURAL GENERAL NOTES**

- 01 All dimensions are to be confirmed on site by the builder/contractor. Any discrepancies must be reported to the Architect before commencement of any work.
- 02 The builder/contractor will be held responsible for any construction details which have not been approved by the Architect.
- 03 In the event of any discrepancy or discrepancy on these drawings, specifications or subsequent instructions issued, the Builder/Contractor shall contact the Architect before proceeding with any work.
- 04 All work shall be done in accordance with the current Australian Standards and specifications, including all relevant codes of practice, at the time of construction.
- 05 The Architect/Contractor shall be held responsible for the construction of the work until a certificate of final approval is issued after the completion of the work.
- 06 The Architect/Contractor shall be held responsible for the construction of the work until a certificate of final approval is issued after the completion of the work.
- 07 All construction, material and workmanship shall be in accordance with the Architect's drawings and specifications and shall be subject to inspection and approval by the Architect and/or Engineer.
- 08 Measurements for the materials of structural components shall be taken from the finished surface of the work, unless otherwise specified.
- 09 All structural components shall be in accordance with the specifications and approved by a structural engineer, and their details, from that of the site specification.

09 All existing structures need to be assessed for structural category, and it is the Contractor's responsibility to ensure that a certificate of structural adequacy is available prior to the start of any work.

10 The contractor shall complete a site survey to be completed by a registered surveyor.

11 Foundation details to be performed by the Engineer/contractor in a separate page must be provided to the Architect.

12 All work shall be done in accordance with the current Australian Standards and specifications, including all relevant codes of practice, at the time of construction.

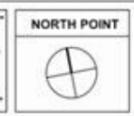
13 All work shall be done in accordance with the current Australian Standards and specifications, including all relevant codes of practice, at the time of construction.

14 All work shall be done in accordance with the current Australian Standards and specifications, including all relevant codes of practice, at the time of construction.

15 This Drawing & Design is subject to copyright and shall not be copied, reproduced, or used in any way without the written permission of MOAA.

**DISCLAIMER NOTE**

MOAA Pty Ltd and its Architectural/Structural and other job-related disciplines have been retained before tendering and construction was commenced. Should there be any doubt in the availability of any documents the Applicant should be notified before further work is carried out. The Applicant and/or Contractor will be held responsible for the accuracy of the information provided to MOAA. The Applicant and/or Contractor will be held responsible for the accuracy of the information provided to MOAA. The Applicant and/or Contractor will be held responsible for the accuracy of the information provided to MOAA.

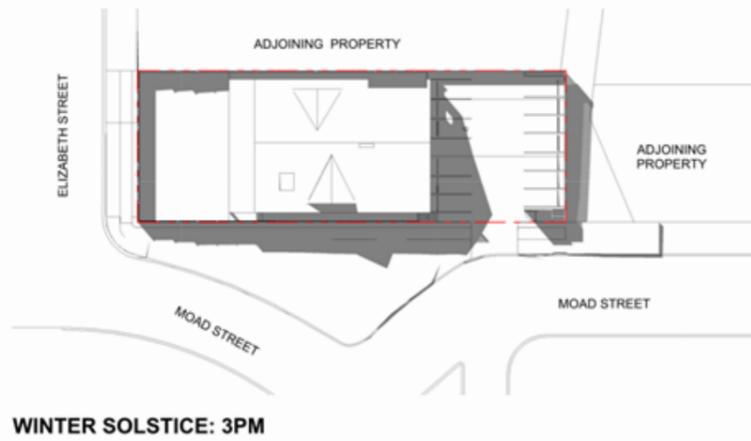
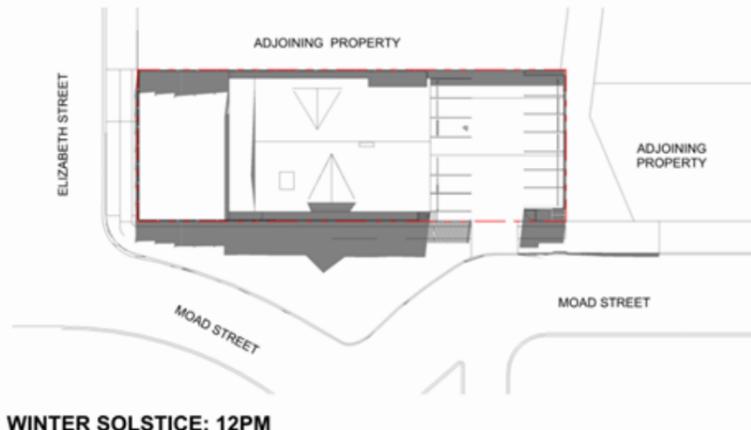
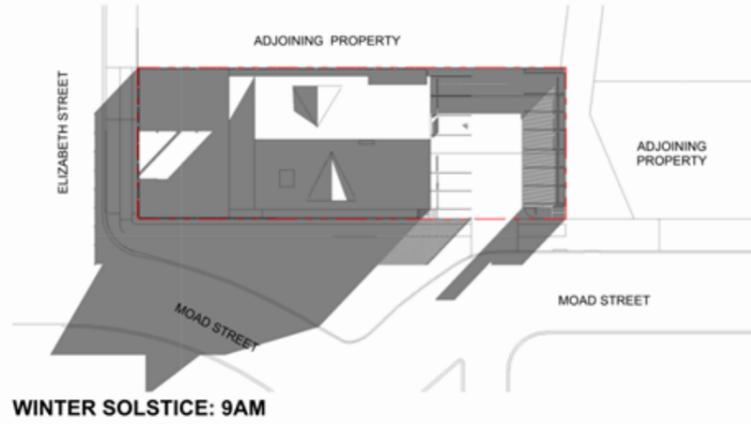


**RRM DEVELOPMENT PTY LTD**  
CHILDCARE DEVELOPMENT  
2 ELIZABETH STREET  
ORANGE 2800, NSW

DIMENSION PLAN	
Project number	1
Date	18/09/2025
Drawn by	MOAA
Check by	MOAA
Scale	1:100



**2 ELIZABETH STREET - ORANGE, NSW  
CHILDCARE DEVELOPMENT - DEVELOPMENT APPLICATION**



**MOAA**  
MEMBERSHIP ARCHITECTS  
Unit 25, 13 Macquarie Street (Opposite NSW 2024)  
Rm 104 104 104  
Ph: 02 9231 1000  
www.moaa.com.au  
MOAA NSW/NT/ACT Branches  
ABN 156 119 117

REV	DATE	DESCRIPTION

**ARCHITECTURAL - GENERAL NOTES**

- All dimensions are to be confirmed on site by the contractor/contractor. Any discrepancies must be reported to the Architect before commencement of any work.
- The Contractor/contractor will be held responsible for any construction details which have not been approved by the Architect.
- In the event of any discrepancy or discrepancy on these drawings, specifications or subsequent instructions issued, the Contractor/contractor shall contact the Architect before proceeding with any work.
- The Contractor/contractor shall be held responsible for the interpretation of the above drawings for a minimum period of 12 months after the date of practical completion.
- It is the Contractor's responsibility to have all Architectural & Structural documentation, including all site instructions and any details, issued during the course of construction, approved by the relevant authorities including the local Council & the State Government before any work is commenced.
- All construction, material and component joints in the walls, floors & other finishes shall be to comply with Architectural and Structural Engineering details.
- Repairs or finishes other than specified are allowed without written permission from the Architect and/or Engineer.
- Measurements for the fabrication of secondary components such as, window, doors, external frames, structural steel components and the like, are to be taken from the face of the work unless otherwise specified on the drawings.
- All structural components shall be in strict accordance to details and specifications as prepared by a structural engineer, and those details form part of the site specification.

409. All existing structures need to be assessed for structural adequacy, and it is the Contractor's responsibility to ensure that a certificate of structural adequacy is available prior to the start of any work.

410. No construction work shall commence until a site survey has been completed. This work must be performed by a registered Surveyor.

411. Foundation work is to be performed by the Contractor/contractor as a fit and proper party must be provided with a certificate.

412. All work must be in compliance with the requirements of the 'Light Vehicle Parking Code' (L.V.P.C.) and Structural Engineer's details and specifications.

413. Copyright of all documentation and design remains with the Architectural and Structural Engineering, and cannot be used for any other purpose without the written permission of MOAA.

414. All construction documentation to be used in compliance with the Structural Engineer's details and specifications.

415. This Drawing & Design is subject to copyright and shall not be copied in whole or in part without the written permission of MOAA.

**IMPORTANT NOTE**

It is the Contractor's & Contractor's responsibility to check that all Architectural, Structural and all other job-related documentation have been received before tendering and/or construction may commence. Should there be any doubt in the availability of such documents the Architect should be notified before further details be issued, the tenderer and/or Contractor shall obtain such details before signing of contract documents. Failure to adhere to these conditions, the tenderer and/or Contractor neither are liable or claim for any loss, due to interpretation of documentation, and the Architect's & Engineer's direction shall be carried out at the tenderer's cost.



**RRM DEVELOPMENT PTY LTD**  
CHILDCARE DEVELOPMENT  
2 ELIZABETH STREET  
ORANGE 2800, NSW

SOLAR ACCESS DIAGRAM	
Project number	1
Date	18/09/2025
Drawn by	MOAA
Check by	MOAA
Scale	1 : 400



**2 ELIZABETH STREET - ORANGE, NSW  
CHILDCARE DEVELOPMENT - DEVELOPMENT APPLICATION**



**Timber Fence, Facade & Ceiling Panelling**  
Warm, earthy tone with a natural appearance that adds texture and character.

**Warm Beige Brick Walls & Fence**  
Earthy, welcoming tone with a strong and clean finish for walls and fence base.

**Roof: COLORBOND® steel Basalt®**  
Durable, low-maintenance, and crisp in appearance.

**MOAA**  
ARCHITECTS & INTERIOR DESIGNERS  
MOAA Pty Ltd  
Unit 25, 13 Macquarie Street Sydney NSW 2004  
ACN 154 438 851  
Ph: 02 9748 4383  
E: moaa@moaa.com.au  
MOAA NORTHERN DISTRICTS PTY LTD  
ABN 95 118 271 118

REV	DATE	DESCRIPTION

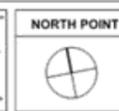
**ARCHITECTURAL - GENERAL NOTES**

- A1. All dimensions are to be confirmed on site by the builder/contractor. Any discrepancies must be reported to the Architect before commencement of any work.
- A2. The Builder/contractor will be held responsible for any construction details which have not been approved by the Architect.
- A3. In the event of encountering any discrepancies in these drawings, specifications or subsequent instructions issued, the Builder/contractor shall contact the Architect before proceeding further with any work.
- A4. The Builder/contractor shall not be responsible for the consequences of their own negligence or omissions in relation to the design of any work.
- A5. It is the Architect's responsibility to issue all Architectural & Structural documentation, including all site instructions and any details, issued during the course of construction, supported by the relevant authorities, including the local Council or the relevant State or Territory Government.
- A6. All construction, material, joints and separation joints in the walls, floors, & other features shall be in accordance with Architectural and/or Structural Engineering details, specified or detailed other than specified, and checked without written permission from the Architect and/or Engineer.
- A7. Measurements for the fabrication of accessories components such as, windows, doors, external frames, structural steel components and the like, are not to be taken from measurements, but directly from the site or as directed in writing.
- A8. All structural components shall be in strict accordance to detail and specifications as prepared by a structural engineer, and those details form part of the site specification.

- A9. All existing structures need to be assessed for structural adequacy, and it is the Contractor's responsibility to ensure that a certificate of structural adequacy is available prior to the start of any work.
- A10. No construction work shall commence until a site survey has been completed. This work must be performed by a registered Surveyor.
- A11. Foundation work to be performed by the Contractor, detailed on A10 and relevant pages must be completed before construction.
- A12. All other work is to comply with the requirements of the 'Light Vehicle Parking Code' (L.V.P.) Code and Structural Engineer's details and specifications.
- A13. Compliance with all documentation and design standards for Civil, Architectural and Structural Engineering, are outlined in this office. Written authority is required for any variations.
- A14. All Architectural documentation shall be in accordance with the Structural Engineer's details and specifications.
- A15. This Drawing & Design is subject to copyright and shall remain the property of MOAA.

**GENERAL NOTE**

It is the Tenderer's & Contractor's responsibility to check that all Architectural, Structural and all other job-related documentation have been received before tendering and/or construction commences. Should there be any doubt in the availability of such documents the Applicant should be notified before further work is started, the tenderer and/or Contractor shall obtain such details before signing or commencing construction. Failure to obtain the documents, the Tenderer and/or Contractor neither are liable or claim for costs due to reparation of documentation, and the Architect's and Engineer's Director shall be carried out at its sole cost.



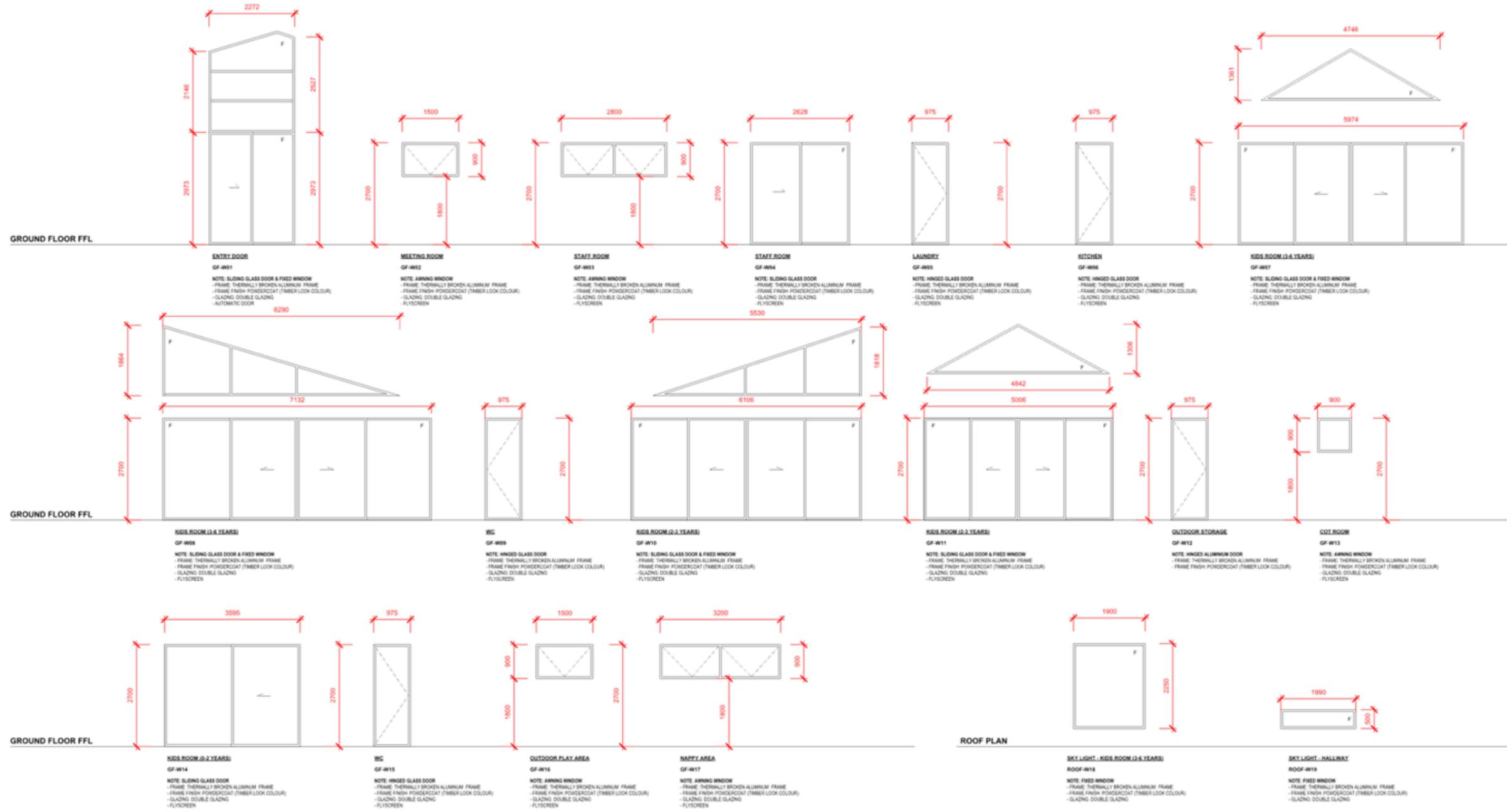
**RRM DEVELOPMENT PTY LTD**  
CHILDCARE DEVELOPMENT  
2 ELIZABETH STREET  
ORANGE 2800, NSW

MATERIAL BOARD	
Project number	8
Date	18/09/2025
Drawn by	MOA
Check by	MOA
Scale	DA0700



**CHILDCARE WINDOW/DOOR SCHEDULE**  
(External View)

**2 ELIZABETH STREET - ORANGE, NSW**  
**CHILDCARE DEVELOPMENT - DEVELOPMENT APPLICATION**



**NOTE: - DRAWING NOT FOR CONSTRUCTION. ALLOW TO SUBMIT SHOP DRAWINGS TO REVIEW PRIOR TO MANUFACTURE. ALLOW FOR REVISIONS AND APPROVAL. ALLOW FOR INSTALLATION OF LOCKS AND DECAL TO MEET RELEVANT AS AND NCC REQUIREMENTS.**

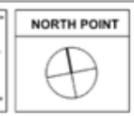
REV	DATE	DESCRIPTION

**ARCHITECTURAL GENERAL NOTES**

- All dimensions are to be confirmed on site by the builder/contractor. Any discrepancies must be reported to the Architect before commencement of any work.
- The Builder/contractor will be held responsible for any construction details which have not been approved by the Architect.
- In the event of any discrepancy or conflict between these drawings, specifications or subsequent instructions issued by the Builder/contractor shall contact the Architect before proceeding with any work.
- Responsibility for the correct interpretation of the drawings rests with the Builder/contractor. It is the contractor's responsibility to ensure all Architectural & Structural documentation, including all site instructions and any details issued during the course of construction, comply with the relevant authorities including the relevant Council and the relevant Building and Engineering departments.
- All construction, material and specification details in the wall, floors & other finishes shall be in accordance with Architectural and/or Structural Engineering details.
- Signatures or stamps other than specified are deemed without permission from the Architect and/or Engineer.
- Responsibility for the fabrication of secondary components such as, window, doors, external frames, structural steel components and the like, are not to be taken from the Architectural, Structural or other drawings, but to be confirmed with the relevant authorities.
- All structural components shall be in accordance to detail and specifications as prepared by a structural engineer, and those details form part of the site specification.

**IMPORTANT NOTE**

It is the Builder's & Contractor's responsibility to check that all Architectural, Structural and all other job-related documentation have been received before tendering and construction may commence. Should there be any doubt in the availability of such documentation the Architect should be notified before further details are needed, the builder and/or contractor shall obtain such details before signing or stamping documents. Failure to obtain such conditions, the Builder and/or Contractor will be held liable for any errors, loss of information of documentation, and the Architect's & Engineer's direction shall be limited to the site only.



**RRM DEVELOPMENT PTY LTD**  
**CHILDCARE DEVELOPMENT**  
**2 ELIZABETH STREET**  
**ORANGE 2800, NSW**

WINDOW / DOOR SCHEDULE	
Project number	1
Date	18/09/2025
Drawn by	MCA
Check by	MCA
Scale	1:50



**2 ELIZABETH STREET - ORANGE, NSW  
CHILDCARE DEVELOPMENT - DEVELOPMENT APPLICATION**



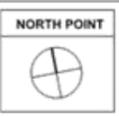
**MOAA**  
ARCHITECTS & INTERIOR DESIGNERS  
MOAA Pty Ltd  
Unit 25, 13 Macquarie Street Sydney NSW 2004  
ACN 154 438 851  
Ph: 02 974 438 851  
E: moaa@moaa.com.au  
MOAA Northshore Australia: Maroochy Creek Queensland  
ABN 59 115 115 117

REV	DATE	DESCRIPTION
0	2025/11/24	COUNCIL 80%

**ARCHITECTURAL - GENERAL NOTES**

A1) All dimensions are to be confirmed on site by the builder/contractor. Any discrepancies must be reported to the Architect before commencement of any work.  
A2) The builder/contractor will be held responsible for any construction details which have not been approved by the Architect.  
A3) In the event of any discrepancy or discrepancy in their drawings, specifications or subsequent instructions issued, the builder/contractor shall contact the Architect before proceeding with any work.  
A4) The builder/contractor shall be held responsible for the completion of their work subject to a minimum period of 10 days after the date of practical completion.  
A5) It is the contractor's responsibility to have all Architectural & Structural documentation, including all site instructions and any details, issued during the course of construction, approved by the relevant authorities, including the local Council or the Water Board before any work may proceed on site.  
A6) All construction, material, joints and expansion joints in the wall, floors, & other features shall be to suit an architect and Structural Engineering details, approved in writing other than specified and checked without written permission from the Architect and/or Engineer.  
A7) Measurements for the fabrication of accessories components such as, windows, doors, external frames, structural steel components and the like, are not to be taken from measurements. Real dimensions should be used to cut the work as indicated.  
A8) All structural components shall be in strict accordance to detail and specifications as required by a structural engineer, and those details form part of the site specification.

A9) All existing structures need to be assessed for structural adequacy, and it is the Contractor's responsibility to ensure that a certificate of structural adequacy is available prior to the start of any work.  
A10) No construction work shall commence until a site survey has been completed. This work must be performed by a registered Surveyor.  
A11) Foundation work to be performed by the Surveyor (registered as a R/S) and retaining walls must be constructed using concrete.  
A12) All work must be in compliance with the requirements of the Local Government's Code of Practice and Structural Engineer's details and specifications.  
A13) Copyrights of all documentation and design created by MOAA, Architectural and Structural Engineering, are retained for the office. Written authority is required for any reproduction.  
A14) All Architectural documentation to be used in compliance with the Structural Engineer's details and specifications.  
A15) This Drawing & Design is subject to copyright and shall remain the property of MOAA.  
**GENERAL NOTE**  
It is the Tenderer's & Contractor's responsibility to check that all Architectural, Structural and all other job-related documentation has been received before tendering and/or construction commences. Should there be any doubt as to the availability of such documents the Architect should be notified before further work is started. The Tenderer and/or Contractor neither are, nor shall be, held liable for any errors or omissions in the Architectural and Structural Engineering drawings, specifications, or any other documents, unless they are notified in writing of such errors or omissions to the Architect and/or Engineer's attention, and the Architect and/or Engineer's attention is notified in writing of such errors or omissions to the Architect and/or Engineer's attention, and the Architect and/or Engineer's attention is notified in writing of such errors or omissions to the Architect and/or Engineer's attention.



**NORTH POINT**

**RRM DEVELOPMENT PTY LTD**  
CHILDCARE DEVELOPMENT  
2 ELIZABETH STREET  
ORANGE 2800, NSW

**3D VIEW**

Project number	8	DA0900
Date	18/09/2025	
Drawn by	MOAA	
Check by	MOAA	Scale



# LANDSCAPE DEVELOPMENT APPLICATION

## PROPOSED CHILDCARE DEVELOPMENT

### 2 ELIZABETH STREET, ORANGE NSW 2800

**DRAWING SCHEDULE**

SHEET	TITLE
LDA000	COVER PAGE
LDA100	LANDSCAPE PLAN - GROUND FLOOR
LDA200	PLANTING PALETTE



CONTEXT PLAN  
SCALE 1:300 @A1 | 1:600 @A3





Attachment 3 Landscape Plans



INDICATIVE PRECEDENT & THEMING



PROPOSED PLANT SCHEDULE						
ID	Qty	Botanical Name	Common Name	Size	Mature Height	Mature Spread
<b>Trees</b>						
ACE	1	<i>Acer campestre</i> 'Elnig'	Field Maple	750	2000	4500
ELS	1	<i>Eucalyptus pauciflora</i> 'Little Snowman'	Dwarf Snow Gum	750	2000	3000
FRD	1	<i>Fraxinus decarpa</i> 'Raywood'	Claret Ash	750	12000	7000
LTF	3	<i>Liriodendron tulipifera</i> 'Fastigiatum'	Tulipwood	750	15000	3500
LUP	1	<i>Ulmus parvifolia</i>	Chinese Elm	750	12000	6500
<b>Shrubs</b>						
AG	12	<i>Abelia grandiflora</i> 'Nana'	Dwarf Abelia	300mm	1000	1000
CVG	2	<i>Callistemon umbrifolius</i> 'Green Jule'	Dwarf Callistemon	200mm	700	600
ESR	8	<i>Eucalyptus rubra</i> 'Pink Poi'	Eucalyptus	200mm	800	800
GL	4	<i>Gaura involucrata</i>	White Gaura	300mm	700	750
PT	4	<i>Phormium tenax</i>	Flax	300mm	1000	1500
SB	2	<i>Statice byzantina</i>	Lamb's Ear	200mm	400	400
WEF	11	<i>Westringia frutescens</i>	Coastal Rosemary	200mm	1000	1000
<b>Grasses &amp; Groundcovers</b>						
LT	6	<i>Lomandra longifolia</i> 'Tanika'	Tanka	200mm	600	600
RA	12	<i>Pennisetum alpecuroides</i>	Fourstar Grass	200mm	800	800
PL	8	<i>Poa labillardieri</i> 'Yakdale'	Blue Tussock Grass	200mm	600	600
TJ	20	<i>Trochiloxylum jasmoides</i>	Chinese star jasmine	200mm	200	1000

**STUDIO 151**  
landscape architecture



NOT FOR CONSTRUCTION  
THIS DRAWING IS COPYRIGHT AND REMAINS  
PROPERTY OF STUDIO 151 LANDSCAPE ARCHITECTURE PTY LTD.

sheet title:  
Landscape Plan- Ground  
Floor

project:  
Childcare Development  
site address:  
2 Elizabeth St Orange  
NSW 2800

revisions:		
1	For Submission	08/12/2024
2	For Submission	16/12/2024
3	For Submission	21/01/2025
4	For Submission	22/01/2025
5	For Submission	15/04/2025
6	For Submission	22/04/2025
7	For Submission	22/04/2025
8	For Submission	26/11/2025
9	For Submission	26/11/2025



dwg no: LDA100  
Project no: 02/12/2024  
rev: 9  
date: 25/11/2025  
scale: 1:100 @A1







## Submission 1

**From:**  
**Sent:** Saturday, 1 November 2025 11:29 AM  
**To:** Orange City Council  
**Cc:**

**Subject:** Children have the right to play - 2 Elizabeth Street - Opposition to DA

### **Subject: Objection to Development Application - DA 410/2025(1) - Proposed Childcare Centre**

Dear Council Planning Team & Councillors,

I am writing to formally object to the above development application for a proposed childcare centre that includes unacceptable restrictions on children's outdoor activities and natural expression.

**Professional Background** As a qualified teacher with over 20 years' experience in education, I am deeply concerned about the proposed operational restrictions that fundamentally contradict established early childhood education principles and regulatory requirements.

#### **Key Objections**

**1. Contradiction of Educational Frameworks** The proposal's noise restrictions directly oppose the Early Years Learning Framework (EYLF) Outcome 5: "Children are Effective Communicators." Restricting children's vocal expression undermines their developmental need to communicate, explore language, and engage in social learning through play.

**2. Breach of National Quality Standards** The proposed restrictions appear to contravene:

- Element 3.1.3: Facilities must "allow flexible use and interaction between indoor and outdoor space"
- The requirement that outdoor spaces enable children to "explore and experience the natural environment" (Regulation 113)

Limiting outdoor access based on numbers and requiring closed doors/windows when children are inside fundamentally restricts this mandated flexibility and natural environment access.

**3. Inadequate Outdoor Learning Environment** Regulation 108 guidance emphasises that outdoor environments should facilitate "exploration, problem solving and creative expression." Creative expression inherently includes sound-making, discovery through sensory exploration, and the natural sounds of children at play.

**4. Enforcement Concerns** The proposal raises serious practical questions:

- How will noise levels be monitored and by whom?
- Who will count and restrict children's outdoor access?
- What impact will constant monitoring have on children's wellbeing and natural development?

**5. Rights of the Child** These restrictions potentially infringe upon the United Nations Convention on the Rights of the Child, specifically Article 31, which recognises children's right to play and recreational activities.

**6. Precedent Concerns** Will the proposed number restrictions be circumvented in future years, as has occurred with similar developments in Turner Crescent?

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**Attachment 4 Submissions**

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**7. Best Practice Contradictions Flexibility as a Core Requirement** The Education Standards Board states that "permanent outdoor spaces should be flexible to enable educators to be responsive to children's interests and development." (Education Standards Board SA) Research demonstrates that "inclusive environments allow flexible use to enable children to adapt it in response to their changing interests and capabilities." (New South Wales Government)

**The Unique Nature of Outdoor Learning** The Early Years Learning Framework specifically describes outdoor learning spaces as environments that "invite open-ended interactions, spontaneity, risk-taking, exploration, discovery and connection with nature." (New South Wales Government) Research shows that "in outdoor settings, children move more, sit less and play longer. They often have more space and freedom for large and loud movement play." (New South Wales Government)

The proposed restrictions fundamentally contradict these established best practice principles, creating an environment that inhibits rather than supports children's natural development and learning.

**8. Community Connection and Family Engagement** Quality early childhood centres serve as more than educational facilities—they become vital community hubs that strengthen family connections and build social cohesion. Traditional community events such as Easter hat parades, family picnics, BBQs, graduation ceremonies, and seasonal celebrations require flexible outdoor spaces where families can gather, children can perform and play freely, and natural community sounds can occur without restriction.

The proposed noise limitations and outdoor access restrictions would severely compromise the centre's ability to host meaningful community events, effectively isolating families and preventing the development of the strong community networks that are essential for child and family wellbeing. A childcare centre should foster community connection, not create barriers to it.

**Recommendation** Council should reject this application as it establishes a childcare service designed to operate below acceptable educational standards. The children of Orange deserve early childhood education that supports their natural development, community engagement, and family connection—not facilities that require them to be silenced or restricted from outdoor exploration and community participation.

I urge Council to uphold quality standards in early childhood education and reject any development that compromises children's fundamental rights to communication, play, environmental exploration, and community connection.

I have attached a few links to relevant references and research that support my views and might provide Councillors with some background information on Early Education Facilities and the importance of choice and freedoms involved in "Indoor/outdoor play" (Practise where the doors are essentially opened and children move freely between the learning spaces. I have also included research about the benefits of nature and wellbeing, and a research paper about the benefits of playtime outside for mental health.

Yours sincerely,

**References:**

- Education Standards Board SA. [Outdoor learning environments: best practice principles.](#)
- New South Wales Government. [Promoting children's learning and development through their environment and play.](#)

View - NSW legislation  
[legislation.nsw.gov.au](http://legislation.nsw.gov.au)



National Quality Standard  
[acecqa.gov.au](http://acecqa.gov.au)



The values we lay in indoor and outdoor play  
[thespoke.earlychildhoodaustralia.org.au](http://thespoke.earlychildhoodaustralia.org.au)

As a library, the National Library of Medicine (NLM) provides access to scientific literature.

Inclusion in an NLM database does not imply endorsement of, or agreement with, the contents by NLM or the National Institutes of Health.



Impact of a multi-component implementation strategy to increase outdoor free play opportunities in early childhood education and care (ECEC) services: the get outside get active (GOGA) randomised controlled trial  
[nim.nih.gov](http://nim.nih.gov)



ECT speaks on the importance of indoor/outdoor play  
[thesector.com.au](http://thesector.com.au)

This email is based on my personal view and does not necessarily reflect those of my employer.

## Submission 2

Orange 2800  
10th Nov. 2025

Orange City Council  
Proposed Development of Preschool Centre  
at Lot 1 (2) Elizabeth Street Orange.

With a primary school close to the site another preschool within 200 metres and not to mention all the takeaway outlets and other businesses, infrastructure in the area is lacking.

When "K.F.C." outlet was built many years ago, a footpath was constructed in Elizabeth Street but only the length of the 'K.F.C.' premises, and has never been extended.

Mothers and carers with prams, school children with ever increasing pedestrian traffic, are forced to walk on the road in the absence of a footpath. A road which is very busy, especially at school times and with heavy vehicles that service surrounding businesses, with a large contribution to traffic from the Ophir hotel restaurant.

Obviously from a safety point of view, a foot path is needed as a matter of urgency along the length of Elizabeth Street. Yes, council has restraints and programmes in place, but surely this requires a consideration of priorities.

Also, as the proposed development is on a series of curves and intersections, with the playground area on a street boundary, perhaps speed zones would be a safety advantage. Hoping you will consider these points