

DA 464/2025(1)

15 April 2026

Planning Panels Secretariat
Locked Bag 5022
Parramatta NSW 2124
Email: enquiry@planningpanels.nsw.gov.au

Dear Sir/Madam,

**ADDENDUM TO COUNCIL STAFF ASSESSMENT REPORT FOR DEVELOPMENT APPLICATION
DA 464/2025(1)
32 PERC GRIFFITH WAY, ORANGE
PROPOSED GREYHOUND RACING TRACK – RECREATION FACILITY (MAJOR) AND
DEMOLITION (BUILDINGS AND TREE REMOVAL)**

Following previous discussions regarding the above-mentioned Development Application on 14 April 2026, the following addendum forms part of the Council's assessment of the application,

Intersection Works upgrades

Following discussions with the Acting Manager of Technical Services at Orange City Council, it is advised that a condition of consent (Condition 14) has been recommended that the existing Mitchell Highway 50/80km/h speed zone transition located west of Perc Griffith Way shall be submitted to Orange City Council Local Traffic Forum, for consideration to relocating the eastern approach to Perc Griffith Way intersection.

Notwithstanding any potential future speed zone alteration, it is confirmed that no additional intersection works are required to accommodate right-turning vehicle movements from Perc Griffith Way. The recommended conditions of consent relating to intersection design speed and the intersection address these matters and will be further assessed once a design has been submitted to Council for approval.

The speed design treatment will consider the location of existing trees along Perc Griffith Way and Mitchell Highway and make recommendations of any significant trimming and removal of vegetation that may be required to provide necessary stopping sight distances for the intersection.

Condition 13 has been **amended** to capture the street trees along Mitchell Highway.

Number Carparking spaces

It was acknowledged at the meeting held on 14 April 2026 that an administrative error occurred in relation to the number of car parking spaces. The recommended conditions of consent include a total of 123 car parking spaces (comprising 3 spaces for persons with disability and 16 car/trailer spaces). However, the assessment report and the proposal plans

identify a total of 139 car parking spaces (including 3 spaces for persons with disability and 16 car/trailer spaces).

Condition 62 has been **amended** to address this inconsistency.

The use of the Recreation field

It was acknowledged that concerns have been raised with Council staff regarding the interpretation of existing Condition 66, which may be construed as limiting the availability of the recreation field for public use.

Council staff have no concerns with the use of the recreation field for public use, subject to compliance with the hours of operation and at the discretion of the operation of the site. The use of the clubhouse can be used for activities occurring on the recreation field for viewing, toileting and changing amenities. The condition has been **changed** to include the appropriate wording.

Further, an **additional** condition of consent (now Condition 65) has been recommended to ensure the development, including the recreation field is completed prior to the issue of an occupation certification.

Reasons for Conditions

The recommended conditions of consent have been amended to include clear reasons for each condition.

I trust this information assists you in your determination of the above mentioned application.

A handwritten signature in black ink, appearing to read 'Paul Johnston', with a stylized, cursive script.

Paul Johnston

MANAGER DEVELOPMENT ASSESSMENTS

Conditions

APPROVED PLANS & DOCUMENTATION

- (1) The development must be carried out in accordance with:
 - (a) Demolition Plan prepared by McKinnon design, Drawing No. 00, dated August 2024.
 - (b) Demolition (Tree Removal) Plan, prepared by Peter Basha Planning and Development, Reference: 24030DA, Sheet 4 of 6, dated 18 November 2025.
 - (c) Architectural Plans prepared by McKinnon design, drawing 01- 06, dated August 2024.
 - (d) Proposed Site Plan, prepared by Peter Basha, reference no. 24030DA, Sheet 5 and 6, dated 18 November 2025.
 - (e) Sight Line Plan and Sections prepared by McKinnon design, drawing 08 -09, dated August 2024.
 - (f) Landscaping Plan, prepared by McKinnon design, drawing 07, dated August 2024.
 - (g) Noise and Vibration Impact Assessment, Report prepared by SoundIn, Report No. 17254, Version 1.1, dated 19 November 2025.
 - (h) Bushfire Assessment Report, prepared by Statewide Bushfire Consulting, Reference No. 25SBC_1295, dated 17 November 2025.
 - (i) Traffic and Parking Impact Assessment, prepared by the Transport Planning Partnership, Version 02, dated 21 November 2025.
 - (j) Lighting Compliance, Track Lighting Design and Total Light Control, prepared by Musco Sports Lighting, Design N. 249018A, dated 4 November 2025.
 - (k) Statements of environmental effects or other similar associated documents (Social Impact Assessment Report, Report No. 25057, prepared by HillPDA, dated 1 December 2025) that form part of the application.

as amended in accordance with any conditions of this consent and to be maintained.

Condition Reason

To ensure compliance with relevant statutory requirements.

BUSHFIRE AND ESSENTIAL ENERGY REQUIREMENTS

- (2) The development must be carried out in accordance with requirements of Rural Fire Service – Determination Letter on 14 January 2026 (RFS Reference: DA20251210005192 – Original - 1) attached to this consent as “Annexure A.”
- (3) The development must be carried out in accordance with the requirements of Essential Energy on 7 January 2026 (Essential Energy: Reference: CNR 90261) attached to this consent as “Annexure B.”

Condition Reason

To ensure compliance with relevant statutory requirements.

PRESCRIBED CONDITIONS

- (4) All building work must be carried out in accordance with the provisions of the National Construction Code.
- (5) A sign is to be erected in a prominent position on any site on which building work, subdivision work or demolition work is being carried out:
 - (a) showing the name, address and telephone number of the principal certifying authority for the work, and

Prescribed conditions (cont.)

- (b) showing the name of the principal contractor (if any) for any building work and a telephone number on which that person may be contacted outside working hours, and
- (c) stating that unauthorised entry to the site is prohibited.

Any such sign is to be maintained while the building work is being carried out.

Condition(s) Reason

To ensure compliance with relevant statutory requirements.

- (6) All of the foregoing conditions are to be at the full cost of the developer and to the requirements and standards of the Orange City Council Development and Subdivision Code, unless specifically stated otherwise. All works required by the foregoing conditions is to be completed prior to the issuing of an Occupation or Subdivision Certificate unless stated otherwise.

Condition(s) Reason

To ensure compliance with Orange City Council Development and Subdivision Code.

DEMOLITION WORK

- (7) Building demolition is to be carried out in accordance with Australian Standard 2604:2001 – The Demolition of Structures and the requirements of SafeWork NSW.

Condition Reason

To ensure compliance with relevant statutory requirements.

- (8) All demolition work on the site is to be carried out between the hours of 7am and 6pm Monday to Friday inclusive, 7am to 5pm Saturdays, and 8am to 5pm Sundays and Public Holidays. Written approval must be obtained from the Chief Executive Officer of Orange City Council to vary these hours.

Condition Reason

To ensure compliance with relevant statutory requirements.

PRIOR TO THE ISSUE OF A CONSTRUCTION CERTIFICATE

- (9) A construction certificate must be obtained from Council or an accredited certifier at least two (2) days prior to any building or ancillary work commencing. Where the construction certificate is obtained from an accredited certifier, the determination and all appropriate documents must be notified to Council within seven (7) days of the date of determination.

Condition Reason

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.

- (10) An approval under Section 68 of the *Local Government Act* is to be sought from Orange City Council, as the Water and Sewer Authority, for water, sewer and stormwater connection. Details concerning the proposed backflow prevention between the nominated water tank supply and the potable system are to be provided. No plumbing and drainage is to commence until approval is granted.

Condition Reason

To ensure the utility services are available to the site and adequate for the development.

- (11) Detailed plans and specifications are to be provided to Council specifying the proposed fit-out of the food preparation and storage areas in accordance with the requirements of Standard 3.2.3 “Food Premises and Equipment” of the Australian New Zealand Food Standards Code.

Condition Reason

To ensure compliance with relevant statutory requirements.

PRIOR TO THE ISSUE OF A CONSTRUCTION CERTIFICATE (cont.)

- (12) Appoint Principal Certifier. The person having the benefit of the development consent and a construction certificate shall:
- (a) Appoint a Principal Certifier and notify Council of the appointment (if Council is not appointed) and,
 - (b) Notify Council of their intention to commence the erection of the building (at least two (2) days' notice is required)

The Principal Certifier shall determine when inspections and compliance certificates are required.

Condition Reason

To ensure compliance with relevant statutory requirements.

- (13) Perc Griffith Way shall be constructed as half road width to an urban standard for the full frontage of the development site (Lot 500 DP 1254834). The works shall include road pavement and pavement surfacing to key into the existing road pavement (achieve 9.0m kerb to kerb), kerb and gutter, piped stormwater drainage and an earth formed verge on the development side of the road. No stopping signs shall be installed for the full length of the frontage.

The design must consider the existing street trees located along Perc Griffith Way and Mitchell Highway. No existing street trees are to be removed without Council approval, where such approval is granted, the trees must be replaced at the full cost by the applicant, with trees of a species and size nominated by Council's Manager City Presentation.

The existing intersection of Mitchell Highway (HW7) and Perc Griffith Way shall be provided with left turn treatments both into and out of Perc Griffith Way relevant to the intersection design speed and the intersection warrants contained within Section 3.3.6 of Ausroads Guide to Traffic Management Part 6 – Intersections, Interchanges and Crossings Management.

Engineering plans, showing details of all proposed road works Perc Griffith Way and Mitchell Highway (HW7) and adhering to any engineering conditions of development consent, are to be submitted to, and approved by, Orange City Council and Transport for NSW prior to the issuing of a Construction Certificate.

All road works shall be designed and constructed in accordance with Council's Development and Subdivision Code, Austroads Guide to Road Design.

Condition Reason

To comply with Council's Development and Subdivision Code and the Ausroads Guide to Traffic Management

- (14) The existing Mitchell Highway 50/80km/h speed zone transition located west of Perc Griffith Way shall be submitted to Orange City Council Local Traffic Forum (the forum) for consideration to relocating to the eastern approach to Perc Griffith Way intersection. The resultant determination from the forum shall set the adopted intersection design speed for the Perc Griffith Way left turn treatments.

Condition Reason

To comply with Council's Development and Subdivision Code and the Ausroads Guide to Traffic Management

- (15) Engineering plans providing complete details of the proposed shared access driveway, internal vehicle manoeuvring and off-street parking areas are to be submitted to Orange City Council or an Accredited Certifier upon application for a Construction Certificate. These plans are to provide details of levels, cross falls of all pavements, proposed sealing materials, proposed drainage works, line marking, and signage and be in accordance with AS/NZS2890 and the Orange City Council Development and Subdivision Code. All stormwater from the site is to be collected and piped to the approved stormwater detention basin. The shared access driveway shall be designed to accommodate the turn path of a 12.5m heavy rigid vehicle.

Condition Reason

To comply with Council's Development and Subdivision Code and the relevant statutory requirements.

PRIOR TO THE ISSUE OF A CONSTRUCTION CERTIFICATE (cont.)

- (16) 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.

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.

Condition Reason

To ensure compliance with relevant statutory requirements.

- (17) Submit an application to Council under section 305 of the Water Management Act 2000 to obtain a section 307 Certificate of Compliance. The Application for a 307 Certificate under section 305 *Water Management Act 2000* form can be found on Council's website. A Section 307 Certificate must be obtained prior to the issue of any Construction Certificate.

Condition Reason

To ensure compliance with relevant statutory requirements.

- (18) A sewer main is to be constructed from Council's existing sewer network to serve the proposed development. Prior to a Construction Certificate being issued engineering plans for this sewerage system are to be submitted to and approved by Orange City Council.

Condition Reason

To ensure the utility services are available to the site and adequate for the development.

- (19) A water reticulation analysis is to be carried out by Orange City Council on any proposed water reticulation system for the development. Engineering plans are to be submitted to and approved by Orange City Council prior to the issue of a Construction Certificate. The existing potable watermain located within Lot 500 DP1254834 shall be removed, and the existing watermain located in Perc Griffith shall be extended to the access handle of Lot 501 DP1254834. Both Lot 500 and Lot 501 shall be provided with new water main connections and water metres located adjacent to the shared vehicle access.

The existing watermain(s) located in Perc Griffith Way shall be investigated to ensure suitable depth/separation is available to accommodate road construction requirements. Where the watermain depth/separation is unsuitable, the main(s) shall be relocated to meet Orange City Council requirements.

Condition Reason

To ensure the utility services are available to the site and adequate for the development.

- (20) A Soil and Water Management Plan (SWMP) is to be submitted to Orange City Council or an Accredited Certifier (certifier – subdivision) for approval prior to the issuing of a Construction Certificate. The management plan is to be in accordance with the Orange City Council Development and Subdivision Code and the Landcom, Managing Urban Stormwater; Soils and Construction Handbook.

Condition Reason

To ensure compliance with relevant statutory requirements.

- (21) A dust management plan is to be submitted to Orange City Council or an Accredited Certifier (certifier - subdivision) upon application for a Construction Certificate.

Condition Reason

To ensure compliance with relevant statutory requirements.

Prior to the issue of a construction certificate (cont.)

- (22) The development's stormwater design is to include the incorporation of stormwater detention within the development site (Lot 500 DP 1254834), designed to limit peak outflows from the area occupied by the carparks 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.

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:

- catchment plan showing sub-catchments under existing and developed conditions;
- schematic diagram of the catchment model showing sub areas and linkages;
- tabulation detailing the elevation, storage volume and discharge relationships; and
- tabulation for the range of frequencies analysed the inflows, outflows and peak storage levels for both;
- existing and developed conditions; and
- together with copies of the data files for the model and engineering design plans of the required drainage system.

The above is to be submitted to and approved by Orange City Council prior to the issue of a Construction Certificate.

Condition Reason

To ensure compliance with relevant statutory requirements.

- (23) Stormwater discharge for the proposed development shall be piped to bio-retention stormwater treatment basin before leaving the site. The design and construction of the stormwater treatment system shall ensure that stormwater leaving the development site achieves a neutral or beneficial effect on water quality (NORBE).

Engineering plans for this stormwater treatment system shall be submitted to and approved by Orange City Council prior to issuing of a Construction Certificate. The application shall undertake comprehensive water quality modelling on for the site, using an accredited assessment tool (recommended using Music™ or other approved assessment tool) and shall include copies of the electronic data files. Modelling shall be undertaken for both pre- and post-development scenarios.

Any gross pollutant trap installed in the stormwater treatment system shall be selected from a range of existing Council approved systems. The stormwater treatment system shall be located within the public road reserve and shall include sealed all-weather service vehicle access.

Condition Reason

To ensure compliance with relevant statutory requirements.

- (24) A Road Opening Permit in Accordance with Section 138 of the Roads Act 1993 must be approved by Council prior to a Construction Certificate being issued or any intrusive works being carried out within the public road or footpath reserve.

Condition Reason

To ensure compliance with relevant statutory requirements and the Roads Act 1993.

Prior to the issue of a construction certificate (cont.)

- (25) A Construction Management Plan (CMP) is to be prepared and implemented for all construction activities, hours of operation, noise mitigation measures, access arrangements and traffic control measures to address the construction phases of the proposed development. The CMP must include the following detail:
- (a) Location of dedicated washdown areas (located away from drainage lines, stormwater drains and water bodies);
 - (b) The hours of operation of the construction activities in accordance with the recommendations in Section 4.4 of the Noise and Vibration Impact Assessment, Report No. 17254, dated 19 November 2025.
 - (c) Vehicular site access points and construction activity zones.
 - (d) Description and identification of construction activities, including work areas, equipment and duration.
 - (e) Consideration of the selection of plant equipment with reduced noise emissions.
 - (f) A complaint handling process.
 - (g) The identification and notification to nearby residents and other sensitive land uses of construction activities and noise monitoring procedures in accordance with approved Noise and Vibration Impact Assessment, Report No. 17254, dated November 2025.
 - (h) Induction and training to be provided to relevant staff and sub-contractors outlining their responsibilities with regards to noise requirements.
 - (i) An erosion and sediment control plan in accordance with Condition 32.
 - (j) The process adopted onsite for the minimisation of waste from associated demolition and construction.

A copy of the construction site management plan must be approved by Council with the application for Construction Certificate.

Condition Reason

To ensure compliance with relevant statutory requirements and prevent the proposed development having a detrimental effect on adjoining land uses.

- (26) Detailed plans and specifications are to be provided with the Construction Certificate (CC) application in accordance with the Bushfire Hazard Assessment Report by Statewide Bushfire Consulting reference no. 25SBC_1295 version 2.1 dated 17 November 2025. The required bush fire control measures shall be installed in accordance with "Section 7.5 Planning for Bush Fire Protection 2019", Australian Standard AS3959-2018 Construction of buildings in bushfire-prone areas and (if required) the relevant requirements of the NASH Standard - Steel Framed Construction in Bushfire Areas (incorporating amendment A - 2015) and Rural Fire Service – Determination Letter for the development application, dated 14 January 2026.

Condition Reason

To ensure compliance with relevant statutory requirements.

Prior to the issue of a construction certificate (cont.)

- (27) Detailed specifications are to be provided with the Construction Certificate (CC) that establishes an Asset Protection Zone (APZ) around the proposed clubhouse as an Inner Protection Area (IPA) for a distance of 36 metres or to the property boundary (whichever comes first), in accordance with the Bushfire Hazard Assessment Report by Statewide Bushfire Consulting reference no. 25SBC_1295 version 2.1 dated 17 November 2025 and the following requirements of Appendix 4 of Planning for Bush Fire Protection 2019:

- tree canopy cover should be less than 15% at maturity.
- trees at maturity should not touch or overhang the building.
- Lower limbs should be removed to a height of 2m above the ground.
- Tree canopies should be separated by 2m to 5m.
- Preference should be given to smooth barked and evergreen trees.
- Large discontinuities or gaps in the shrubs layer should be provided to slow down or break the progress of fire towards buildings.
- Shrubs should not be located under trees or shrubs should not form more than 10% ground cover.
- Clumps of shrubs should be separated from exposed windows and doors by a distance of at least twice the height of the vegetation.
- Grass should be kept mown and Leaves and vegetation debris should be removed regularly.

The Plan of Management for Lot 501 DP1254834 (or other binding legal agreement) must be amended to identify the portion of land to be managed, and the asset protection zone is maintained in perpetuity for the development.

Condition Reason

To ensure compliance with relevant statutory requirements.

- (28) A survey to determine the existence of any hazardous materials on the site is to be provided. Suitable arrangements are to be made to dispose of or remediate any identified hazardous materials - including the notification of authorities and/or the obtaining of any required permits. Particular care and attention is to be paid to the disposal of any waste containing asbestos material.

Condition Reason

To ensure compliance with relevant statutory requirements and maintain public health.

- (29) Detailed specifications of all mechanical plant equipment to be installed are to be provided to Council and the principal certifier that demonstrates the selected plant equipment will have an overall sound power level in each location no greater than:

- (a) 90dBA for 'Clubroom' plant equipment
- (b) 80dBA for 'Day Kennel' for plant equipment

Condition Reason

To ensure compliance with relevant statutory requirements.

PRIOR TO WORKS COMMENCING

- (30) Provide confirmation from an accredited ASP (Level 2 Electrician) and Essential Energy that the service wires comply with the relevant Australian Standard, NSW Service and Installation Rules and the appropriate electrical legislation, or relocation of the existing electricity infrastructure is required. Any activities within proximity to electrical infrastructure must be undertaken in accordance with the latest industry guidelines currently known as ISSC 20 Guideline for the Management of Activities within Electricity Easements and Close to Infrastructure.

Condition Reason

To ensure compliance with relevant statutory requirements.

- (31) The construction works the subject of this development consent MUST NOT be commenced until:
- (a) Detailed plans/specifications of the building have been endorsed with a construction certificate by:
 - (i) the Council, or
 - (ii) a registered certifier, and
 - (b) The person having the benefit of the development consent:
 - (i) has appointed a Principal Certifier, and
 - (ii) has notified the Council of the appointment, and
 - (c) The person having the benefit of the development consent has given at least two (2) days' notice to the Council of the person's intention to commence the erection of the building; and
 - (d) Builder's name and licence number has been supplied to Council or the Principal Certifier; or
 - (e) Owner Builder's permit issued by Department of Fair Trading to be supplied to Council or the Principal Certifier; and
 - (f) Home Building Compensation Fund (HBCF) has been paid and a copy of the Certificate supplied to Council or the Principal Certifier; and
 - (g) A sign has been erected onsite in a prominent position containing the information prescribed by Clause 98A(2) and (3) of the EP&A Regulations, being the name, address and telephone number of the Principal Certifier for the work, name of the principal contractor for the work and telephone number on which that person may be contacted outside working hours, and stating that unauthorised entry to the site is prohibited. This sign must be maintained onsite while work is being carried out and removed when the work has been completed.

Condition Reason

To ensure compliance with relevant statutory requirements.

- (32) Erosion and sediment controls shall be implemented onsite in accordance with Managing Urban Stormwater: Soils and Construction - Volume 1 (4th edition).

Condition Reason

To prevent site erosion and sediment loss and protect waterways from sediment pollution.

- (33) Prior to the commencement of any works, tree protection measures are to be implemented for significant trees located on site. Fencing must be in accordance with Australian Standard AS4970-2009 Protection of trees on development sites and be kept in place until the completion of demolition/site works. The fencing must be a minimum of 1800mm high chain link fencing and be appropriately signposted notifying site workers that the trees are to be retained and protected. The storage of vehicles, machinery, equipment or the storage or stockpiling of materials is strictly prohibited in these exclusion zones.

The area within the TPZ fencing shall be covered with a layer of 100mm thick mulch derived from Council tree maintenance operations or similar i.e., it shall be a combination of woodchip and leaf.

No works are to commence on the site until such time Council's Manager City Presentation has inspected and approved the tree protection measures. Council's Manager City Presentation may direct the project arborist and project manager/foreman to make suitable adjustments to the tree protection measures where required. No modifications are to be made to the tree protection measures during works without the prior approval from Council's Manager City Presentation.

Condition Reason

To ensure compliance with relevant statutory requirements and relevant Australian Standards.

- (34) A temporary onsite toilet is to be provided and must remain throughout the project or until an alternative facility meeting Council's requirements is available onsite.

Condition Reason

To ensure compliance with relevant statutory requirements.

Prior to works commencing (cont.)

- (35) 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.

Condition Reason

To ensure the utility services are available to the site and adequate for the development.

- (36) Appoint Principal Certifier. The person having the benefit of the development consent and a construction certificate shall:

- (a) Appoint a Principal Certifier and notify Council of the appointment (if Council is not appointed) and,
- (b) Notify Council of their intention to commence the erection of the building (at least two (2) days' notice is required)

The Principal Certifier shall determine when inspections and compliance certificates are required.

Condition Reason

To ensure compliance with relevant statutory requirements.

DURING CONSTRUCTION/SITEWORKS

- (37) The fit-out of the food preparation and storage areas are to be installed in accordance with the requirements of Food Safety Standard 3.2.3 "Food Premises and Equipment" of the Australian New Zealand Food Standards Code.

Condition Reason

To ensure compliance with relevant statutory requirements.

- (38) All materials onsite or being delivered to the site are to be contained within the site. The requirements of the Protection of the Environment Operations Act 1997 are to be complied with when placing/stockpiling loose material, or when disposing of waste products, or during any other activities likely to pollute drains or watercourses.

Condition Reason

To ensure compliance with relevant statutory requirements.

- (39) Erosion and sediment controls shall be regularly reviewed, maintained, and modified as required in accordance with Managing Urban Stormwater: Soils and Construction - Volume 1 (4th edition), to ensure they remain effective.

Condition Reason

To prevent site erosion and sediment loss and protect waterways from sediment pollution.

- (40) 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 on site must cease immediately. The beneficiary of the consent must discuss with Council the appropriate process that should be followed therein. Works on site must not resume unless the express permission of the Director Development Services is obtained in writing.

Condition Reason

To ensure any unexpected finds of contamination are notified to Council and managed appropriately.

- (41) Any adjustments to existing utility services that are made necessary by this development proceeding are to be at the full cost of the developer.

Condition Reason

To ensure the utility services are available to the site and adequate for the development.

- (42) Any asbestos material must be removed and disposed of in accordance with the provisions of the *Work Health & Safety Act 2011* and any guidelines or Codes of Practice published by SafeWork NSW.

Condition Reason

To ensure compliance with relevant statutory requirements and maintain public health.

DURING CONSTRUCTION/SITEWORKS (cont.)

- (43) During all events, the proponent must comply with the approved Construction Site Management Plan to be maintained on-site during all construction activities.

Condition Reason

To ensure compliance with relevant statutory requirements and maintain public health.

- (44) The provision and requirements of the Orange City Council Development and Subdivision Code are to be applied to this application and all work constructed within the development is to be in accordance with that code. The developer is responsible for the provision of water, sewerage and drainage facilities capable of servicing the development from Council's existing infrastructure. The developer is to be responsible for gaining access over adjoining land for services where necessary and easements are to be created for all water, sewerage and drainage mains within and outside the development (or lot) they serve.

Condition Reason

To comply with Council's Development and Subdivision Code

- (45) The site is located within an area identified as containing serpentinite rock formations, which can contain chrysotile, a naturally occurring asbestos. The applicant or person with management or control of the site shall ensure that a written plan (an *Asbestos Management Plan*) for the site is prepared in accordance with the provisions of the *Work Health and Safety Act 2011* and *Work Health and Safety Regulation 2011*. To assist applicants with developing an Asbestos Management Plan, applicants are encouraged to access the "Asbestos Management Plan for Orange City Council" 2014, which is available on Council's website: www.orange.nsw.gov.au.

Condition Reason

To ensure compliance with relevant statutory requirements and maintain public health.

- (46) All driveway and parking areas are to be sealed with bitumen, hot mix or concrete and are to be designed for all expected loading conditions (provided however that the minimum pavement depth for gravel and flush seal roadways is 200mm) and to be in accordance with the Orange City Council Development and Subdivision Code.

Condition Reason

To comply with Council's Development and Subdivision Code

- (47) A heavy-duty concrete kerb and gutter layback and footpath crossing is to be construction for the shared vehicle access. The footpath crossing shall accommodate the turn path of a 12.5m heavy rigid vehicle. The works are to be carried out to the requirements of the Orange City Council Development and Subdivision Code and Road opening permit.

Condition Reason

To comply with Council's Development and Subdivision Code

- (48) During construction, only Virgin Excavated Natural Material (VENM) shall be imported / deposited on the development site. Dry builder's waste, such as concrete, bricks, plaster, timber or putrescible materials, shall not be deposited on site. Any imported fill material must be certified as VENM on the EPA Standard Form and submitted to Council prior to importation of fill material onto the site.

Condition Reason

To ensure compliance with relevant statutory requirements.

PRIOR TO THE ISSUE OF AN OCCUPATION CERTIFICATE

- (49) Where Orange City Council is not the Principal Certifier, a final inspection of water connection, sewer and stormwater drainage shall be undertaken by Orange City Council and a compliance certificate issued, prior to the issue of an Occupation Certificate.

Condition Reason

To ensure compliance with relevant statutory requirements

- (50) No person is to use or occupy any building or racetrack that is the subject of this approval with the prior issuing of an occupation certificate.

Condition Reason

To ensure compliance with the Building Code of Australia.

- (51) Prior to the issue of an Occupation Certificate, a *Bush Fire Emergency Management and Evacuation Plan* is to be prepared by a suitably qualified and experienced person in accordance with:

- (a) The NSW RFS document: A Guide to Developing a Bush Fire Emergency Management and Evacuation Plan, and
- (b) Australian Standard AS 3745:2010 Planning for emergencies in facilities.

The plan must be submitted to and approved by Council prior to occupation of the development.

Condition Reason

To ensure compliance with relevant statutory requirements

- (52) Prior to the issue of an Occupation Certificate, commissioning of all lighting installations approved under this consent is to be undertaken by a suitably qualified lighting consultant. The commissioning of the lighting installations must verify compliance with AS4282:2023: Control of the Obtrusive effects of outdoor lighting (other as amended from time to time). The proponent must furnish a copy of the commissioning report to Council and Principal Certifying Authority, and the lighting must be maintained in accordance with the report at all times.

Condition Reason

To prevent the proposed development having a detrimental effect on adjoining land uses

- (53) The cut and fill is to be retained and/or adequately battered and stabilised (within the allotment) prior to the issue of an occupation certificate.

Condition Reason

To ensure compliance with relevant statutory requirements

- (54) Prior to the issuing of an Occupation Certificate, soil on the site shall be stabilised to prevent erosion and the pollution of waters by uncontrolled sediment.

Condition Reason

To prevent site erosion and sediment loss and protect waterways from sediment pollution.

- (55) Provide a 1.8m-high fence around the southern and eastern perimeter of the proposed racetrack, excluding the frontage. The height of the fence is to be measured from the highest finished ground level adjacent to each part of that fence.

Condition Reason

To ensure adequate privacy to both the subject development and adjoining land uses.

Prior to the issue of an occupation certificate (cont.)

- (56) Landscaping must be installed in accordance with the approved plans and Rural Fire Service Letter of Determination for development application, dated 14 January 2026 (Ref No. DA20251210005192 – Original -1). The landscaping must be permanently maintained to the satisfaction of Council. A Landscape Irrigation system shall be maintained on site to ensure the landscaping remains for the life of the development.

Condition Reason

To ensure a quality urban design for the development which complements the surrounding environment.

- (57) A Certificate of Compliance, from a Qualified Engineer, stating that the stormwater detention basin and stormwater treatment system have been constructed in accordance with the approved engineering plans are to be submitted to the Principal Certifying Authority prior to the issuing of an Occupation Certificate.

Condition Reason

To comply with Council's Development and Subdivision Code.

- (58) A Road Opening Permit Certificate of Compliance is to be issued for the works by Council prior to any Occupation Certificate being issued for the development.

Condition Reason

To comply with Council's Development and Subdivision Code.

- (59) 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 any infrastructure assets.

Condition Reason

To ensure the utility services are available to the site and adequate for the development.

- (60) All of the foregoing conditions are to be at the full cost of the developer and to the requirements and standards of the Orange City Council Development and Subdivision Code, unless specifically stated otherwise. All work required by the foregoing conditions is to be completed prior to the issuing of an Occupation Certificate, unless stated otherwise.

Condition Reason

To comply with Council's Development and Subdivision Code.

- (61) A Maintenance Security Deposit in accordance with the provision and requirements in the Orange City Council Development and Subdivision Code, is to be provided to the Orange City Council prior to the issuing of an Occupation Certificate. A certification of compliance, from Orange City Council, certifying that the maintenance security deposit has been paid, is to be submitted to the Principal Certifying Authority prior to the issuing of an Occupation Certification.

Condition Reason

To comply with Council's Development and Subdivision Code.

- (62) A total of ~~423~~139 carparking spaces (including 3 persons with disability spaces and 16 car/trailer spaces) 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 and the relevant Australian Standards prior to the issue of an occupation certificate.

Condition Reason

To comply with Orange Development Control Plan 2004 and the Development and Subdivision Code.

Prior to the issue of an occupation certificate (cont.)
--

- (63) An Operational Management Plan is to be prepared and submitted to Council for approval that detail the commitments required to be undertaken by the operator of the premises to reasonably manage the following operational aspects of development:
- (a) The pickup and removal of rubbish from the site, the surrounding street network and open space on race day events, through a waste service agreement.
 - (b) The removal of liquid and solid waste from animals on race day and training events.
 - (c) The standard of care provided to animals whilst attending race day and training events in accordance with (but not limited to) the Greyhound Racing Act 2017 and the NSW Greyhound Welfare Code of Practice.
 - (d) The limitation of use and hours of operation, including the operation of outdoor lighting.
 - (e) In the event that an appropriate liquor license is obtained from the relevant authority, details of the principles of alcohol/service management including the responsible service of alcohol, on-site security measures and a complaints management procedure.
 - (f) Provision of encouraging patrons to avoid private vehicle usage.

The approved Operational Management Plan must be maintained.

Condition Reason

To ensure compliance with statutory requirements and the ongoing amenity of adjoining land uses.

- (64) Provide confirmation from a suitable qualified professional that the height of the lighting poles has been constructed in accordance with height identified on the approved plans. The lighting poles shall be constructed in colour that is consistent with the natural environment. Lighting must be maintained in a safe and good working order and be maintained.

Condition Reason

To minimise the impact of development on the environment and ensure compliance with relevant statutory requirements.

- (65) The proposed development inclusive of 'Recreation (soccer) Field' identified on the approved plans must be completed prior to the issue of an occupation certificate.

Condition Reason

To ensure the completion of the development as identified on the approved plans.

MATTERS FOR THE ONGOING PERFORMANCE AND OPERATION OF THE DEVELOPMENT

- (65) The site operation of the premises is limited to the following, unless authorised in writing by the Manager of Development Assessments:

- (a) The use of the clubhouse, race day kennels and machinery storage must remain ancillary to the primary use of the site being Recreational facility (major) known as a racetrack.
- (b) The use of the clubhouse is limited to operations associated with the racetrack and associated ancillary activities on the site, including use by participants and officials involved in race day, training or administrative duties. The clubhouse can be used for activities occurring on the recreation field for viewing, toileting and changing amenities. and must not be open to the public outside of race days, or training/administrative duties.
- (c) The race day kennels must not be used for boarding of animals (i.e. the overnight stay of animals) and shall be used for day use only.
- (d) The use of the recreation (soccer) field is limited to activities associated with and at the discretion of the operator of the site and must comply with the approved hours of operation. the racetrack operator and must not include the use of the outdoor lighting or the clubhouse.

The ongoing operation must be carried out in accordance with this condition and be maintained.

Condition Reason

To minimise the impact of development on the environment and ensure compliance with relevant statutory requirements.

Matters for the ongoing performance and operation of the development (cont.)

- (66) The hours of operation of the premises are limited to the following, unless authorised in writing by the Manager of Development Assessments:

- (a) The use of the racetrack and associated outdoor lighting must conclude at 6:30pm Monday to Sunday except for two race events a calendar year that can occur until 9:30pm.
- (b) The use of the clubhouse must conclude at 12am (midnight), Monday to Sunday.

The ongoing hours of operation must be carried out in accordance with this condition and be maintained.

Condition Reason

To minimise the impact of development on the environment and ensure compliance with relevant statutory requirements.

- (67) The applicant/proponent must obtain an acoustic and vibration report which assesses actual noise emissions and impacts from the normal operation of the development within three (3) months of the issue of an occupation certificate and provide a copy of the report to Council. The report must consider the cumulative impacts (if any) of the operation of the approved use and the existing use of the

adjoining land (Lot 501 DP1254834) on sensitive receptors to ensure compliance with the project noise trigger levels (PNTL) identified in the approved Noise and Vibration Impact Assessment Report, prepared by SoundIn, Report No. 1754, version 1.1, dated 19 November 2025. Where the report recommends noise attenuation works (or other measures) to be carried out, these works shall be undertaken within 28 days from the date of the acoustic report.

Condition Reason

To minimise the impact of development on the environment and ensure compliance with relevant statutory requirements.

- (698) 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.

Condition Reason

To ensure compliance with relevant statutory requirements

- (7069) The storage of any chemicals (e.g. pesticides) must be stored within the 'machinery shed' and in accordance with the relevant Australian Standards, with an appropriate spill cleanup procedure.

Condition Reason

To ensure compliance with relevant statutory requirements

- (719) No works or modifications are to be carried out on the development site that affect the continued operation of the on-site stormwater detention and stormwater treatments systems. The stormwater detention and stormwater treatment systems shall be maintained to ensure they operate in accordance with the approved engineering design.

Condition Reason

To ensure compliance with relevant statutory requirements and the Development and Subdivision Code.

Matters for the ongoing performance and operation of the development (cont.)

- (724) The owner is required to provide to Council and the NSW Fire Commissioner an Annual Fire Safety Statement in respect of the fire safety measures as required by Part 10 of the *Environmental Planning and Assessment (Development Certification and Fire Safety Regulation)*.

Condition Reason

To ensure compliance with relevant statutory requirements

- (732) Prior to the commencement of trade, the applicant shall register the food business with Orange City Council.

Condition Reason

To ensure compliance with relevant statutory requirements

- (743) Landscaping must be maintained in perpetuity in accordance with the approved plans, to the satisfaction of Council.

Condition Reason

To ensure a quality urban design for the development which complements the surrounding environment

- (754) All operations and activities occurring at the premises must be carried out in a manner that minimises or prevents the emission of dust from the premises.

Condition Reason

To ensure compliance with relevant statutory requirements

ADVISORY NOTES

1. The sale and consumption of alcohol will require a liquor license administer by Liquor & Gaming NSW. Refer to the Liquor and Gaming NSW website for more information.
2. Wagering is regulated in NSW under the Betting and Racing Act 1998 and the Totalizator Act 1997 which prescribed who may offer betting services, the events on which betting is permitted and the requirements of betting service provides must comply with. Refer to Liquor and Gaming NSW website for more information.