



## **PLANNING & DEVELOPMENT COMMITTEE**

# **AGENDA**

**7 APRIL 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, 7 April 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 and by the Western Regional Planning Panel

RECORD NUMBER: 2026/404

AUTHOR: Alison Weir, Coordinator Strategic Planning

#### EXECUTIVE SUMMARY

Following is a list of more significant development applications approved by the Chief Executive Officer under the delegated authority of Council. Also included below is a development application determined by the Western Regional Planning Panel (DA 480/2024(2) - 60 Witton Place, Orange. 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 Strategic Planning 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 and by the Western Regional Planning Panel**

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**SUPPORTING INFORMATION**

**DA number:** DA 240/2025(2)      **Determination date:** 25 February 2026  
**Applicant/s:** Mr J Norris  
**Owner/s:** Eastern Developments Pty Ltd  
**Property:** Lot 200 DP 1225088 - 132 Kite Street, Orange  
**Proposal:** Modification of development consent - restaurant or café (alterations and additions). The modification involves replicating the already approved window fenestration, stone cladding and banquette seating, with alterations to the existing mesh awning.  
**Value:** Not applicable

**DA number:** DA 480/2024(2)      **Determination date:** 6 March 2026 (WRPP)  
**Applicant/s:** BZ Capital Pty Ltd  
**Owner/s:** BZ Capital Pty Ltd  
**Property:** Lot 10 DP 1045677 - 60 Witton Place, Orange  
**Proposal:** Modification of development consent - demolition (rear shed, swimming pool, removal of 37 trees and 2 hedgerows); seniors housing (construction of 4 buildings: 2 single storey buildings and 2 two storey buildings, providing 82 rooms); existing dwelling conversion (to a residential clubhouse); communal outdoor facilities (outdoor dining and activity area and open landscaped areas); carparking (43 onsite carparking spaces, including 10 accessible spaces); subdivision (4 lot Torrens title) and proposed public road reserve. The modification involves several amendments to the original development consent, including changes to conditions relating to bushfire safety, staging of development, services for hostel residents, subdivision works and car parking provision. It also involves the deletion of deferred commencement conditions following the submission of required supporting documentation (BFSa and Social Needs Assessment).  
**Value:** Not applicable

**DA number:** DA 277/2025(1)      **Determination date:** 6 March 2026  
**Applicant/s:** Bassman Drafting Services  
**Owner/s:** Birrang Enterprise Development Company Limited  
**Property:** Lot 321 DP 1218502 - 9 Colliers Avenue, Orange  
**Proposal:** Depot and industrial training facility (additional building)  
**Value:** \$1,681,316

**DA number:** DA 356/2025(1)      **Determination date:** 9 March 2026  
**Applicant/s:** SJ White Constructions Pty Ltd  
**Owner/s:** Daissie Investments Pty Ltd  
**Property:** Lot 3 DP 771117 - 538 Burrendong Way, Orange  
**Proposal:** Dwelling house (replacement dwelling) and decommissioning of existing dwelling  
**Value:** \$1,100,000

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**2.1 Items Approved Under the Delegated Authority of Council and by the Western Regional Planning Panel**

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**DA number:** DA 368/2025(1)      **Determination date:** 25 February 2026  
**Applicant/s:** Mr DBP Lorimer  
**Owner/s:** Mr DBP and Mrs PJ Lorimer  
**Property:** Lot 100 DP 1001206 - 739 Icely Road, Emu Swamp  
**Proposal:** Rural dual occupancy  
**Value:** \$368,500

**DA number:** 439/2025(1)      **Determination date:** 18 March 2026  
**Applicant/s:** Mr S Wang  
**Owner/s:** Mr S Wang and Ms L Liu  
**Property:** Lot 25 DP 826452 - 295 Lords Place, Orange  
**Proposal:** Demolition and Dwelling Alterations  
**Value:** \$110,000

**DA number:** DA 440/2025(1)      **Determination date:** 3 March 2026  
**Applicant/s:** Mrs GG De Graaf  
**Owner/s:** Mr AE and Mrs GG De Graaf  
**Property:** Lot 303 DP 1111890 - 33 Byng Street, Orange  
**Proposal:** Secondary dwelling and swimming pool (aboveground)  
**Value:** \$165,000

**DA number:** DA 450/2025(1)      **Determination date:** 25 March 2026  
**Applicant/s:** Commins PLANVIEW P/L  
**Owner/s:** Denoc Holdings Pty Ltd  
**Property:** Lot 100 DP 1310508 - 120 Sampson Street, Orange  
**Proposal:** Demolition (dwelling and ancillary structures) and subdivision (two lot Torrens title)  
**Value:** \$30,000

**DA number:** DA 456/2025(1)      **Determination date:** 2 March 2026  
**Applicant/s:** Commins PLANVIEW P/L  
**Owner/s:** Mr FD Eb Koeppen and Ms EL Watson  
**Property:** Lot 14 DP 918815 - 60 Sale Street, Orange  
**Proposal:** Demolition (part dwelling), dwelling alterations and additions, swim spa, secondary dwelling and home business (office)  
**Value:** \$477,400

**DA number:** DA 465/2025(1)      **Determination date:** 13 March 2026  
**Applicant/s:** B Johnson and S Johnson  
**Owner/s:** Ms AE Locke  
**Property:** Lot 6 DP 230038 - 67 Sampson Street, Orange  
**Proposal:** Demolition (attached granny flat and garages, dwelling alterations and additions and attached garage)  
**Value:** \$918,500

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**2.1 Items Approved Under the Delegated Authority of Council and by the Western Regional Planning Panel**

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**DA number:** DA 488/2025(1)      **Determination date:** 9 March 2026  
**Applicant/s:** Mr JA Dellow  
**Owner/s:** Mr JJ Dellow  
**Property:** Lot 20 Sec 5 DP 9684 - 44 Allenby Road, Orange  
**Proposal:** Secondary dwelling (garage conversion) and carport  
**Value:** \$130,500

**DA number:** DA 37/2026(1)      **Determination date:** 5 March 2026  
**Applicant/s:** Saunders Property  
**Owner/s:** Mr AC and RT Roweth  
**Property:** Lot 27 DP 11439 - 111 Moulder Street, Orange  
**Proposal:** Office Premises (change of use)  
**Value:** Not applicable

<b>TOTAL NET* VALUE OF DEVELOPMENTS APPROVED BY THE CEO UNDER DELEGATED AUTHORITY IN THIS PERIOD:</b>	<b>\$4,981,216</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 March 2026 meeting report period (17 February to 23 March 2026), another 30 development applications were determined under delegated authority by other Council staff with a combined value of \$5,719,365.

**2.2 Development Application DA 362/2008(2) - 16 Carwoola Drive**

RECORD NUMBER: 2026/430  
 AUTHOR: James Coutts, Undergraduate Planner

**EXECUTIVE SUMMARY**

Application lodged	17 February 2026
Applicant/s	Mr G Madafiglio
Owner/s	Mr GP Madafiglio and Ms FT Kinghorne
Land description	Lot 6 DP 715252 and Lot 2 DP 1286606 - 16 Carwoola Drive, Orange
Proposed land use	Subdivision (14 lot residential)
Value of proposed development	Not applicable

Council's consent is sought to modify development consent DA 362/2008(1) obtained for a 14-lot residential subdivision. The modification is being made under section 4.55(1A) of the *Environmental Planning and Assessment Act 1979*, being a modification involving no or minimal environmental impact.

Development consent DA 362/2008(1) was issued on 6 November 2008 following consideration of the matter at the Planning Approvals Committee at its meeting held on 5 November 2008. While the consent would otherwise have lapsed on 6 November 2013, Council confirmed by letter dated 21 June 2013 that the development had physically commenced prior to that date. The consent therefore remains operative and is capable of being modified under section 4.55 of the *Environmental Planning and Assessment Act 1979*.

The modification application seeks to amend the approved subdivision layout without altering the approved lot yield of 14 residential lots. In particular, the proposal provides for the incorporation of Lot 2 DP 1286606 into the development site following the partial closure of Carwoola Drive, the reconfiguration of lot boundaries associated with that change, the introduction of a staged subdivision arrangement, minor amendments to utility servicing and easements, and amendments to conditions of consent to reflect the revised layout, servicing, staging of the development and other administrative amendments.

Stage 1 will comprise the creation of Lots 61 and 62 and residue Lot 60, together with associated utilities. While Stage 2 comprises the subdivision of residue Lot 60 into twelve residential lots, together with a new internal public road and associated utilities.

The application was publicly exhibited in accordance with Orange City Council's Planning and Development Community Participation Plan (December 2023). Notification was undertaken by publication on Council's website on 26 February 2026 and by notifying adjoining landowners. The exhibition period closed on 25 March 2026. No submissions were received.

In accordance with Orange City Council's Strategic Policy ST024 - Declaration of Planning and Development Assessment Procedures and Protocols, the application is required to be determined by the Planning and Development Committee as it is a development application lodged by, on behalf of, or benefitting a Councillor or management/director level staff member.

Having regard to the relevant matters for consideration, the proposed modification is considered satisfactory. The development, as modified, remains substantially the same development as originally approved and is considered to involve minimal environmental impact. The application is therefore recommended for approval.

**2.2 Development Application DA 362/2008(2) - 16 Carwoola Drive**


**Figure 1 - locality plan**

**DECISION FRAMEWORK**

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

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

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

**DIRECTOR'S COMMENT**

The application is supported for approval. The proposed modification does not change the approved lot yield or materially alter the approved subdivision. The amendments relate to the revised subdivision layout, incorporation of Lot 2 DP 1286606, changes to servicing and easements, staging and consequential amendments to conditions of consent.

Having regard to the assessment in this report, the proposal satisfies the requirements of section 4.55(1A) of the *Environmental Planning and Assessment Act 1979*. The development as modified remains substantially the same as originally approved and is considered to involve minimal environmental impact. Approval is recommended subject to amended conditions of consent.

## **2.2 Development Application DA 362/2008(2) - 16 Carwoola Drive**

### **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 362/2008(2) for Subdivision (14 lot residential) at Lot 6 DP 715252 and Lot 2 DP 1286606 - 16 Carwoola Drive, Orange pursuant to the conditions of consent in the attached Notice of Approval.**

### **FURTHER CONSIDERATIONS**

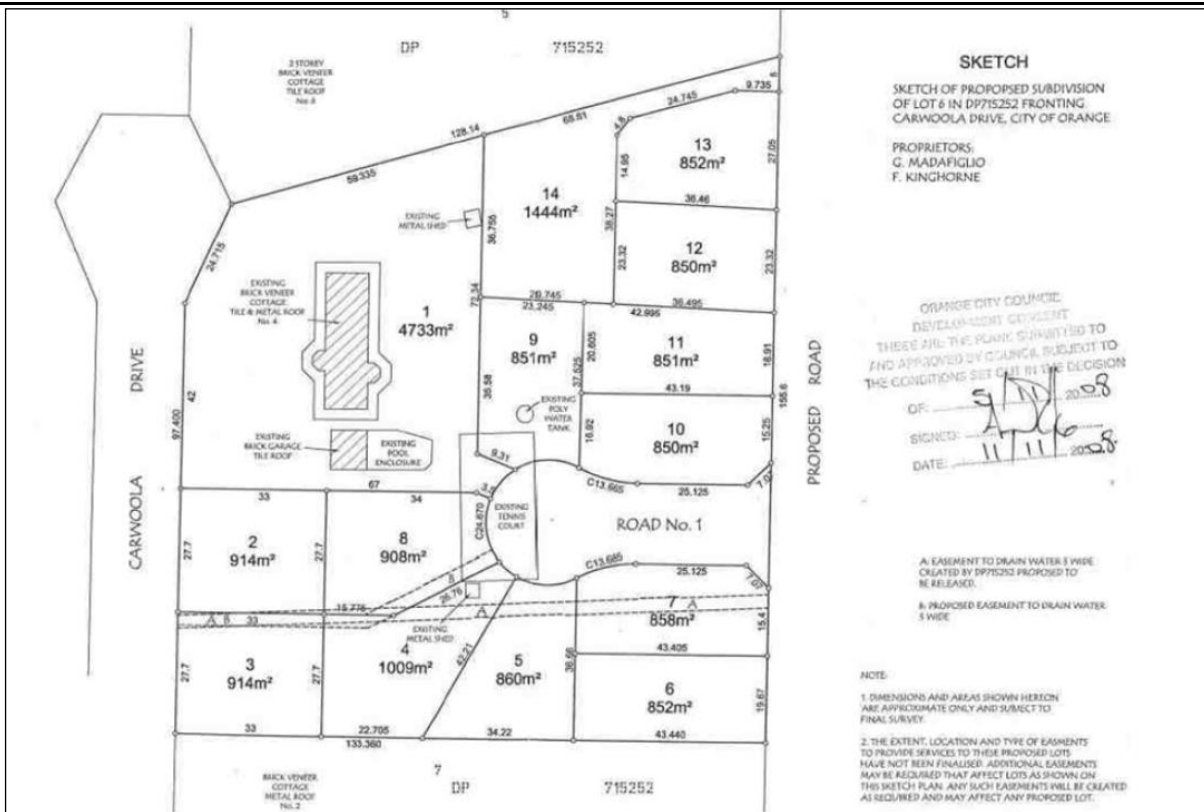
The recommendation of this report has been assessed against Council’s key risk categories and the following comments are provided:

<b>Service/Project Delivery</b>	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**

#### **BACKGROUND INFORMATION**

Development consent DA 362/2008(1) was considered and approved by the Planning Approvals Committee at its meeting held on 5 November 2008 for a 14-lot residential subdivision, including a new public road (Figure 2).

**2.2 Development Application DA 362/2008(2) - 16 Carwoola Drive**

**Figure 2 – original approved plan**

Since the granting of consent, the land and servicing context relevant to the original approval has changed. In particular, part of Carwoola Drive was closed pursuant to Council’s resolution of 5 October 2021 (Figure 3), resulting in the creation of Lot 2 DP 1286606 (Figure 4) from the former road reserve adjoining the site. That land is proposed to be incorporated into the adjoining landholding, with the sale process presently being finalised in accordance with that resolution. Council has provided owner’s consent to the lodgement of this modification application. The acquisition and sale of the land remain separate matters to the development application.

**5.1 ROAD CLOSURE APPLICATION - PART CARWOOLA DRIVE ORANGE**

TRIM REFERENCE: 2021/2104

**RESOLVED - 21/371**
**Cr S Nugent/Cr R Turner**

That Council resolves:

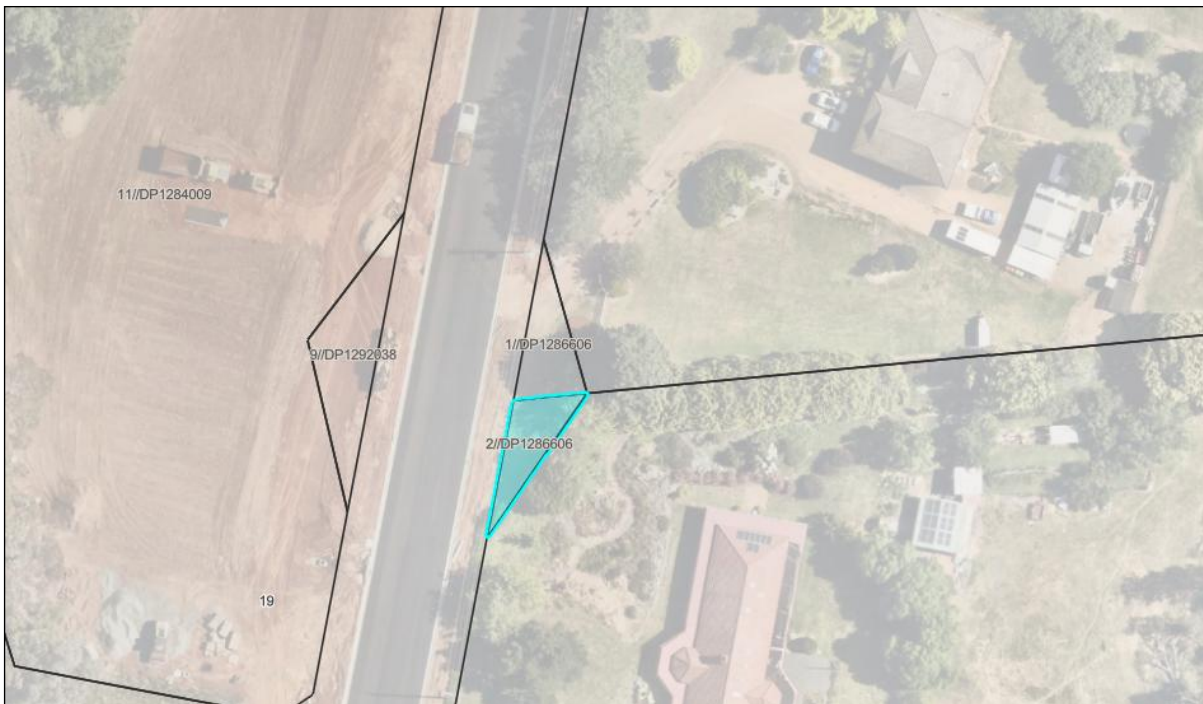
- 1 To advertise the proposed road closure in accordance with the requirements of the Crown Land Management Act.
- 2 That Council's Chief Executive Officer be given delegation to finalise determination for the road closure of part Carwoola Drive, Orange post exhibition.
- 3 To proceed to sell that part of the road closed to the owner of 16 and 20 Carwoola Drive, subject to determination of any submissions received.
- 4 To grant approval for the use of the Council Seal on any necessary documentation.

For: Cr Kidd, Cr Duffy, Cr Nugent, Cr Munro, Cr Millett, Cr Turner, Cr Whittton

Against: Nil

Absent: Cr J Hamling, Cr S Romano, Cr G Taylor

**Figure 3 – Council resolution**

**2.2 Development Application DA 362/2008(2) - 16 Carwoola Drive**


**Figure 4 – Lot 2 DP 1286606 created from partial closure of Carwoola Drive**

The consent has been physically commenced and remains operative. Council confirmed by letter dated 21 June 2013 that the development had physically commenced before the consent would otherwise have lapsed. The consent may therefore be modified under section 4.55 of the Environmental Planning and Assessment Act 1979.

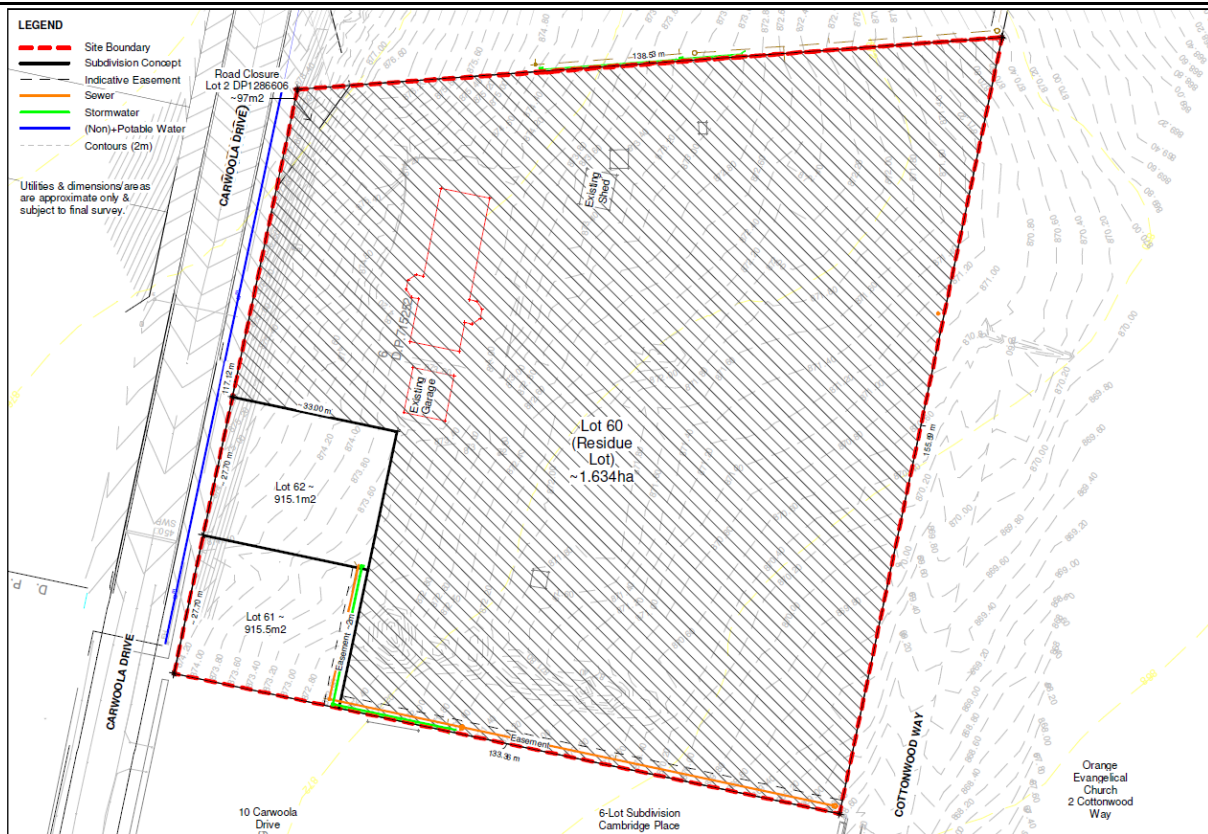
**PROPOSED MODIFICATION**

The proposal involves a modification of the approved subdivision layout with minor amendments to lot layout but does not seek to vary the number of lots, with 14 residential lots to remain. The proposal seeks to consolidate Lot 2 DP1286606 (highlighted in figure 4 above) into proposed Lot 601, Orange City Council are the current owners of this lot as it was intended to form the end of the proposed cul-de-sac as shown in figure 2, with the purchase of this lot by the applicant from Council underway.

Staging

The proposal seeks to stage the development in two phases. Stage 1 involves the subdivision of Lots 61 and 62, together with part of Lot 60, to create three lots and to establish the necessary associated utilities. Lots 61 and 62 will each have an approximate area of 915m<sup>2</sup> and will gain frontage to Carwoola Drive, with reticulated water to be provided along this frontage. A stormwater and sewer easement is proposed at the rear of Lot 61, as illustrated in the figure below.

Stage 1 also provides for the creation of an easement for utilities and servicing, accommodating sewer and stormwater infrastructure along the eastern boundary of Lot 61 and the southern boundary of the site, extending southwards to Cottonwood Way, where the system ultimately drains toward Cargo Road.

**2.2 Development Application DA 362/2008(2) - 16 Carwoola Drive**


**Figure 5 – Proposed Stage 1 subdivision layout and utility servicing plan**

Stage 2 of the proposal involves the subdivision of the remainder of Lot 60 to create twelve residential lots (Lots 601–612) together with the construction of a new cul-de-sac extending from Cottonwood Way, including the required road extension and associated services. All twelve lots will obtain vehicular access via Cottonwood Way and the new cul-de-sac.

Eleven of the proposed lots will drain via sewer and stormwater infrastructure to Cottonwood Way and then south towards Cargo Road. Lot 611 is the exception, with its sewer and stormwater drainage directed north along Cottonwood Way to Council’s existing infrastructure located at the northern end of Cottonwood Way within the Public Reserve, with stormwater ultimately discharging to Ploughmans Creek.

**2.2 Development Application DA 362/2008(2) - 16 Carwoola Drive**


**Figure 6 - proposed Stage 2 subdivision layout and utility servicing plan**

The lot layout broadly reflects the approved pattern, with some minor adjustments as indicated in the table below.

**Lot Reconfiguration**

Approved Lot	Area (m <sup>2</sup> )	Proposed Lot	Area (m <sup>2</sup> )	Change (m <sup>2</sup> )
Lot 1	4,733	Lot 601	4800	67
Lot 2	914	Lot 62	915.1	1.1
Lot 3	914	Lot 61	915.5	1.5
Lot 4	1,009	Lot 603	1008	-1
Lot 5	860	Lot 604	905	45
Lot 6	852	Lot 605	853.8	1.8
Lot 7	858	Lot 606	853.1	-4.9
Lot 8	908	Lot 602	902	-6
Lot 9	851	Lot 609	868.9	17.9
Lot 10	850	Lot 607	862.4	12.4
Lot 11	851	Lot 608	853.5	2.5
Lot 12	850	Lot 610	851.5	1.5
Lot 13	852	Lot 611	851.2	-0.8
Lot 14	1,444	Lot 612	1,452	8

**2.2 Development Application DA 362/2008(2) - 16 Carwoola Drive**
**Changes to Conditions**

The applicant seeks to modify several conditions of consent. Several of the proposed changes are administrative in nature, and the land description to reflect the incorporation of the Council-owned lot and the updated addressing that now applies to the subject site. An amendment is also sought to the condition relating to the stamped plans. Various conditions which related to existing dwelling sewage, headworks and contributions are sought to be amended with respect to the proposed staging of works so that the conditions reflect the way in which the works are proposed to be undertaken.

In addition to these administrative items, the applicant requests that the following substantive amendments be made to the existing conditions of consent - conditions 14, 15 and 19.

<b>Condition No</b>	<b>Requirement</b>	<b>Proposed Amendment</b>
<b>14</b>	<p>Half the road widths of Carwoola Drive and the proposed road along the eastern boundary of the subject land (now Cottonwood Way), are to be constructed for the full frontages of the proposed development including proposed Lot 1. These works are to include road pavement and pavement surfacing to the centreline, kerb and gutter construction and footpaths on the development sides of the roads. Boxing out and pavement construction of the roadway on the opposite sides of the development are to also be carried out.</p> <p>The existing Carwoola Drive pavement is to be upgraded to a Residential Ring Road standard in accordance with the Orange City Council Development Code.</p> <p>The eastern footpath of the proposed road along the eastern boundary of subject land is to be 6.5 metres wide and the western footpath is to be 4.5 metres wide. The carriageway width of both roads is to be 11 metres.</p>	<p>The applicant seeks an amendment to Paragraph 3 relating to Cottonwood Way so that the required road and footpath works are consistent with the dimensions and layout already established further south along Cottonwood Way, adjacent to the church site.</p> <p>Accordingly, the applicant requests that the condition specify construction of a 4.5–5 metre western verge, with no requirement for the applicant to construct the eastern verge, together with a 9 metre kerb-to-kerb sealed carriageway (rather than the 11 metre width referenced in the original condition).</p> <p>The applicant further requests that any condition imposed for this section of road be aligned with the requirements applied under the proposed modification to DA421/2015(2), which is currently being considered concurrently by Council.</p>
<b>15</b>	<p>For all single access battle-axe blocks, a concrete driveway, kerb layback and footpath crossing is to be constructed to a minimum width of 3.0 metres and to the requirements and standards of the Orange City Council Development and Subdivision Code.</p>	<p>The applicant requests that this condition should be removed as it only relates to proposed Lot 612. As this lot is capable of a future dual occupancy, a 3m driveway would need to be widened and may conflict with the servicing of that lot from Cottonwood Way up to the dwelling (possibly needing the concrete driveway to be</p>

**2.2 Development Application DA 362/2008(2) - 16 Carwoola Drive**

		excavated and re-laid). The applicant proposes that this should instead be conditioned as part of any future dwelling application(s) on Lot 612.
<b>19</b>	A 4 metre wide pathway is to be constructed from Carwoola Drive to the proposed cul-de-sac to accommodate a stormwater overland flow path. A concrete pathway is to be constructed within the pathway to the widths and standards stated in the Orange City Council Development and Subdivision Code.	<p>Due to the reconstruction of Carwoola Drive with kerb and gutter including stormwater drainage down to Cargo Road, there is no longer a need for an easement to drain water to Cottonwood Way as the overland flows go toward Cargo Road.</p> <p>The applicant seeks to remove Condition 19 and the requirement for a stormwater easement. Retention of this easement would have a significant impact on the useability of two lots with no stormwater benefit.</p> <p>There is alternate pedestrian access between Carwoola Drive and Cottonwood Way via the public reserve north of 20 Carwoola Drive.</p>

**MATTERS FOR CONSIDERATION**
**Section 4.55 Modification of consents - generally**

Section 4.55(1a) of the EP&A Act 1979 states that a consent authority may, on application being made by the applicant or any other person entitled to act on a consent granted by the consent authority and subject to and in accordance with the regulations, modify the consent if:

*(a) it is satisfied that the proposed modification is of no or minimal environmental impact, and*

**Comment:** The proposed modification seeks minor refinements to the approved subdivision, including changes to lot configuration, staging, easement arrangements and amendments to conditions of consent.

In assessing environmental impact, the key consideration is whether the proposed changes result in any additional or materially different impacts from those previously approved.

In this instance, the proposed modification does not alter the approved subdivision yield and does not increase the intensity, scale or extent of development on the site. The amendments to lot configuration are minor and do not change the overall subdivision outcome. The proposed changes to staging and easement arrangements do not alter the final form of development approved and are limited to how the subdivision is delivered.

The proposed amendments to the conditions of consent do not give rise to any additional environmental impact. They do not change the environmental consequences of the development as approved.

## 2.2 Development Application DA 362/2008(2) - 16 Carwoola Drive

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Having regard to the above, the proposed changes are not expected to result in any additional or materially different environmental impacts from those previously assessed and approved. The proposed modification is therefore considered to be of minimal environmental impact.

*(b) it is satisfied that the development to which the consent as modified relates is the same or substantially the same development as the development for which the consent was originally granted and before that consent as originally granted was modified (if at all), and*

**Comment:** The original consent authorised a subdivision of the subject land. That remains the case. The present application does not seek consent for a different form of development, does not increase the approved lot yield/intensity, and does not alter the fundamental purpose of the consent. While some refinements are proposed to lot configuration, staging and easement arrangements, those changes do not alter the essential character of the approved subdivision. The overall subdivision outcome remains the same.

Similarly, the proposed amendments and deletion of conditions do not change the underlying development for which consent has been granted. Those amendments relate to the way in which aspects of the approved subdivision are regulated or implemented, rather than altering the fundamental nature of the development itself.

*(c) it has notified the application in accordance with—*

*i. the regulations, if the regulations so require, or*

*ii. a development control plan, if the consent authority is a council that has made a development control plan that requires the notification or advertising of applications for modification of a development consent, and*

**Comment:** The application was notified in accordance with Orange City Council's Planning and Development Community Participation Plan (December 2023), with the application being on exhibition for the requisite 28 days.

*(d) it has considered any submissions made concerning the proposed modification within any period prescribed by the regulations or provided by the development control plan, as the case may be.*

**Comment:** No submissions were received during the public notification period.

In addition, Section 4.55(3) of the EP&A Act 1979 provides that:

*(3) In determining an application for modification of a consent under this section, the consent authority must take into consideration such of the matters referred to in Section 4.15(1) as are of relevance to the development the subject of the application.*

**Comment:** The relevant matters under Section 4.15(1) of the *Environmental Planning and Assessment Act 1979* have been identified and addressed in this assessment report as they relate to the proposed modification.

## **2.2 Development Application DA 362/2008(2) - 16 Carwoola Drive**

### **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.

The planning report from DA 362/2008(1) references vegetation on the subject site as follows:

“Other vegetation on the site consists of relatively young (3-5 year old) wattles and eucalypts.” “The natives along the eastern boundary will be required to be retained where possible, which will assist in maintaining the vista of the locality.”

A condition of consent was imposed requiring:

“A detailed plan showing trees to be removed or retained shall be submitted to and approved by Councils Manager Development Assessments prior to the issue of a Construction Certificate. Native trees adjacent to eastern boundary are to be retained where possible.”

The “relatively young (3-5 year old) wattles and eucalypts” trees described in the 2008 report are now much more substantial, with significant growth occurring in the intervening 18 years.

Pursuant to Section 7.17 of the BC Act, applications for a modified consent are subject to biodiversity assessment and offsets as required under Part 7 of that Act. The BC Act requires the biodiversity offset scheme entry requirements to be applied to modification applications based on the ‘as modified’ project.

The subject site has an area of approximately 1.807ha. Clause 7.2 of the Biodiversity Conservation Regulation 2017 establishes the biodiversity offsets scheme threshold for clearing of native vegetation. Under Clause 7.2(2)(b), where land is less than 40ha but not less than 1ha in size, the threshold is triggered when the proposed clearing comprises 0.5ha (5,000m<sup>2</sup>) or more.

A review of the vegetation on the site indicates that the total area occupied by native trees identified in the 2008 report and referenced in condition 5 of the conditions of consent, even if all were to be removed, is approximately 2,880m<sup>2</sup>. This area is below the 5,000m<sup>2</sup> clearing threshold specified in the Regulation. Accordingly, the proposed development does not exceed the biodiversity offsets scheme threshold, and a Biodiversity Development Assessment Report is not required under Clause 7.2.

**2.2 Development Application DA 362/2008(2) - 16 Carwoola Drive**

**Figure 5 – Identified area of native trees on eastern boundary of subject site.**

**Section 4.15 – Evaluation**

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**

The initial development was approved under the provisions of Orange Local Environmental Plan 2000. The subject lands were zoned 2(a) Urban Residential; now R2 Low Density Residential under the current planning framework. The proposed development is defined as subdivision, consent for which was permissible under clauses 28 and 38(2)(b) of the former LEP. The applicant is seeking to modify the terms of the existing development consent. The development as modified remains consistent with the aims of the plan and the objectives of the zone, as well as the relevant considerations applied at the time of the original consent.

## **2.2 Development Application DA 362/2008(2) - 16 Carwoola Drive**

Section 4.55(4) of the Environmental Planning and Assessment Act 1979 provides that the modification of a development consent is not the granting of development consent. Accordingly, there are no provisions of Orange Local Environmental Plan 2011 that apply to this modification application. This includes all current clauses relating to the 'grant development consent' under Parts 4, 5 and 7 (i.e. those clauses triggered when the consent authority is asked to grant development consent, not to modify an existing consent).

### **STATE ENVIRONMENTAL PLANNING POLICIES**

A number of State Environmental Planning Policies (SEPPs) apply to the land; the below SEPPs are specifically relevant to the assessment of this modification application.

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

### **STATE ENVIRONMENTAL PLANNING POLICY (BIODIVERSITY AND CONSERVATION) 2021**

#### **Chapter 2 - Vegetation in Non-rural Areas**

#### **2.8 - Clearing Permitted Without Development Consent**

*Clearing of vegetation in a non-rural area of the State is permitted without development consent if—*

- (a) *the clearing—*
  - (i) *is not ancillary to the carrying out of other development, and*
  - (ii) *does not require a permit or approval, and*
- (b) *the vegetation is not—*
  - (i) *a heritage item or an Aboriginal object, or*
  - (ii) *located in a heritage conservation area or Aboriginal place of heritage significance.*

**Comment:** The proposed modification does not seek approval for any additional clearing of native vegetation beyond that already approved under DA 362/2008(1). The extent of clearing associated with the development therefore remains unchanged.

For a modification application, biodiversity impacts are to be considered having regard to the development as modified. In this case, the proposed changes do not alter the extent of native vegetation affected or introduce any new areas of disturbance.

The total area of native vegetation associated with the development remains below the biodiversity offsets scheme threshold. As such, the development as modified does not trigger the biodiversity offsets scheme and a Biodiversity Development Assessment Report is not required.

In these circumstances, the proposed modification does not give rise to any additional biodiversity impacts and does not require further assessment under the BC Act. The proposal is therefore consistent with the approved development and the relevant provisions of this SEPP.

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**2.2 Development Application DA 362/2008(2) - 16 Carwoola Drive**

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**STATE ENVIRONMENTAL PLANNING POLICY (RESILIENCE AND HAZARDS) 2021****Chapter 4 - Remediation of Land****4.6 - Contamination and Remediation to be Considered in Determining Development Application**

- (1) *A consent authority must not consent to the carrying out of any development on land unless:*
  - (a) *it has considered whether the land is contaminated, and*
  - (b) *if the land is contaminated, it is satisfied that the land is suitable in its contaminated state (or will be suitable, after remediation) for the purpose for which the development is proposed to be carried out, and*
  - (c) *if the land requires remediation to be made suitable for the purpose for which the development is proposed to be carried out, it is satisfied that the land will be remediated before the land is used for that purpose.*
- (2) *Before determining an application for consent to carry out development that would involve a change of use on any of the land specified in subsection (4), the consent authority must consider a report specifying the findings of a preliminary investigation of the land concerned carried out in accordance with the contaminated land planning guidelines.*
- (3) *The applicant for development consent must carry out the investigation required by subsection (2) and must provide a report on it to the consent authority. The consent authority may require the applicant to carry out, and provide a report on, a detailed investigation (as referred to in the contaminated land planning guidelines) if it considers that the findings of the preliminary investigation warrant such an investigation.*
- (4) *The land concerned is:*
  - (a) *land that is within an investigation area,*
  - (b) *land on which development for a purpose referred to in Table 1 to the contaminated land planning guidelines is being, or is known to have been, carried out,*
  - (c) *to the extent to which it is proposed to carry out development on it for residential, educational, recreational or child care purposes, or for the purposes of a hospital - land:*
    - (i) *in relation to which there is no knowledge (or incomplete knowledge) as to whether development for a purpose referred to in Table 1 to the contaminated land planning guidelines has been carried out, and*
    - (ii) *on which it would have been lawful to carry out such development during any period in respect of which there is no knowledge (or incomplete knowledge).*

**Comment:** The subdivision was originally approved under an earlier legislative framework. Consistent with the approach applying at that time, Condition 6 of the existing consent requires a contamination assessment to be undertaken prior to the issue of a Subdivision Construction Certificate, together with any remediation works identified as necessary.

## **2.2 Development Application DA 362/2008(2) - 16 Carwoola Drive**

The current modification application does not seek to alter the approved land use, increase the subdivision yield or amend Condition 6. As such, the existing consent continues to require contamination to be investigated and, if necessary, remediated before the subdivision proceeds.

While the current legislative framework now requires satisfaction as to land suitability before a development consent is granted, this application is for modification of an existing consent, not for a new development consent. In the circumstances and noting the contamination condition already imposed under the existing approval, no change to that approach is proposed or required as part of this modification.

### **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.

### **PROVISIONS OF ANY DEVELOPMENT CONTROL PLAN s4.15(1)(a)(iii)**

The original application was assessed in accordance with Orange DCP 2004, which remains applicable to the subject land. Section 7.2.2 applies to residential subdivision in Ploughmans Valley and sets out the following requirements with the subject site located within the referenced Area 3:

- 1) *The allotment layout is generally in accordance with the Conceptual Subdivision Layout at Appendix 16.7.*
- 2) *Subdivision design and construction complies with the Orange City Development and Subdivision Code.*
- 3) *The allotment layout provides for transitional development of the Valley:*
  - *in Areas 2, 3 and 4, lots along Forbes Road and Cargo Road have a minimum area of 2,000m<sup>2</sup>;*
  - *in Area 2, lots adjoining land zoned 1(c) Rural Residential have a minimum area of 1,500m<sup>2</sup>;*
  - *in Area 3, lots adjoining land zoned 1(a) General Farming and comprising parent parcels Lots 19, 20 and 23 DP 791830 have a minimum area of 1ha;*
  - *in Area 3, lots to the west of Gartrell Way and comprising parent parcels Lot 18 DP 791830 and Lots 21-22 DP 791830 have a minimum area of 2,000m<sup>2</sup> generally in accordance with the conceptual subdivision layout at Appendix 16.7;*
  - *in Area 3, lots to the west of Gartrell Way and comprising parent parcels Lots 35-36 DP 845425 have a mix of allotment sizes between 2000m<sup>2</sup> and 4000m<sup>2</sup> generally in accordance with the conceptual subdivision layout at Appendix 16.7;*
  - *in Area 4, lots adjoining land zoned 7 Water Supply Catchment have a minimum area of 1,500m<sup>2</sup>. Those parcels zoned part 2(a) Urban Residential and part 7 Water Supply Catchment identify a building envelope wholly contained within land zoned 2(a) Urban Residential.*
- 4) *The allotment layout provides a high standard of residential amenity:*

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**2.2 Development Application DA 362/2008(2) - 16 Carwoola Drive**

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- *in Areas 2, 3 and 4, lots have a minimum allotment size of 850m<sup>2</sup>;*
  - *in Area 2, lots adjoining the Distributor Road alignment have a minimum area of 2,000m<sup>2</sup> and minimum frontage of 30m;*
  - *in Area 4, lots adjoining the railway line have a minimum area of 1,500m<sup>2</sup>.*
- 5) *The allotment layout maximises energy-efficiency principles. Where practicable, lots are rectangular rather than splay shaped and oriented to provide the long axis within the range N20°W to N30°E or E20°N to E30°S.*
  - 6) *Subdivision design retains significant landscape features and minimises disturbance to natural vegetation, landform and overland-flow paths.*
  - 7) *The road layout comprises a modified grid layout with restrained use of cul-de-sacs, generally in accordance with the Conceptual Subdivision Layout.*
  - 8) *Future road connections to adjoining land are provided and located generally in accordance with the Conceptual Subdivision Layout.*
  - 9) *Local collector roads connect to Cargo Road, Forbes Road and Ploughmans Lane generally in accordance with the locations shown on the Conceptual Subdivision Layout.*
  - 10) *Lots have direct frontage or access to a public road.*
  - 11) *Lots adjoining the Distributor Road alignment do not have frontage or access to the Distributor Road. Access to lots is via internal streets*
  - 12) *Stormwater runoff from the site is consistent with pre-development stormwater patterns.*
  - 13) *Drainage systems are designed to consider catchment and downstream capacities, on-site retention and reuse and overland-flow paths.*
  - 14) *All utility services are provided to the proposed lots.*
  - 15) *Public open-space linkages are provided across the subdivision. Approximately 1ha of public open spaces for each development area is provided in the form of local parks, drainage paths and creek corridors. Public open space provides opportunities for passive and active recreation.*
  - 16) *Allotments intended for dual occupancies are identified on development application plans. Dual occupancy lots range in area between 1,200m<sup>2</sup> and 1,450m<sup>2</sup>.*
  - 17) *Development proposals shall demonstrate the appropriate retention of existing trees in order to protect the visual backdrop of the City.*
  - 18) *Dual occupancy development within Ploughmans Valley may be subdivided, upon completion of building works, to create two separate allotments with areas less than 850m<sup>2</sup>.*

Having regard to the requirements outlined above, the following observations are made in respect of the subject application.

There are no substantial changes proposed to the original approval, with conditions of consent imposed where required and to be retained. The proposed allotment layout is generally consistent with the Conceptual Subdivision Layout provided at Appendix 16.7. The subdivision design and construction meet the requirements of the *Orange City Development and Subdivision*

## **2.2 Development Application DA 362/2008(2) - 16 Carwoola Drive**

*Code.* The allotment configuration provides a high standard of residential amenity, with all lots achieving a minimum area of 850m<sup>2</sup>. The layout incorporates energy-efficient subdivision principles, with lots designed to be rectangular where practicable and 9 lots oriented to ensure the long axis falls within the preferred solar orientation ranges (N20°W to N30°E or E20°N to E30°S).

The road network adopts a modified grid pattern with one cul-de-sac and is generally in accordance with the Conceptual Subdivision Layout. All lots are provided with direct frontage or lawful access to a public road.

Stormwater runoff from the site will remain consistent with pre-development flow characteristics. The drainage system is designed to address catchment requirements, downstream capacity, onsite retention and reuse opportunities, and established overland-flow paths. All essential utility services will be provided to each allotment. There is one allotment nominated for dual occupancy development (Lot 612), which is clearly identified on the development application plans, with an area of 1,452 m<sup>2</sup>.

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

#### **Council Related Development (clause 66A)**

Council-related development applications - the Act, s 4.16(11)

- (1) *A council-related development application must not be determined by the consent authority unless -*
- (a) *the council has adopted a conflict of interest policy, and*
  - (b) *the council considers the policy in determining the application.*

A conflict of interest arises as Council is the owner of Lot 2 DP 1286606 and is currently in the process of selling that land to the applicant.

Council has adopted Strategic Policy ST26 - Council-Related Development Applications: Managing Conflict of Interests. In consideration of the policy:

1. The application is to be determined by Planning and Development Committee (PDC)/Council.
2. The application has been publicly exhibited for a period of 28 days in accordance with Council's Community Participation Plan.

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

The impacts of the modified proposal are consistent with those considered for the original development.

### **THE SUITABILITY OF THE SITE s4.15(1)(c)**

Council has previously determined that the site is suitable for the proposed development. There are no aspects of the site to indicate that it would be unsuitable to accommodate the modified development.

**2.2 Development Application DA 362/2008(2) - 16 Carwoola Drive****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 28 days and at the end of that period no submissions were received.

**PUBLIC INTEREST s4.15(1)(e)**

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

**SUMMARY**

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

**ATTACHMENTS**

- 1 DRAFT Notice of Determination, D26/38953 [↓](#)
- 2 Plans, D26/34522 [↓](#)

 <b>ORANGE</b> CITY COUNCIL	<b>ORANGE CITY COUNCIL</b>  Development Application No <b>DA 362/2008(2)</b>  NA26/114 <span style="float: right;">Container PR2318</span>
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**NOTICE OF DETERMINATION  
OF A DEVELOPMENT APPLICATION  
(AS MODIFIED)**

issued under the *Environmental Planning and Assessment Act 1979*  
Section 4.18

**Development Application**

Applicant Name:	Mr G Madafiglio
Applicant Address:	PO Box 8598 ORANGE NSW 2800
Owner's Name:	Mr GP Madafiglio and Ms FT Kinghorne and Orange City Council
Land to Be Developed:	Lot 6 DP 715252 and Lot 2 DP 1286606 - 16 Carwoola Drive, Orange
Proposed Development:	Subdivision (14 lot residential)

**Building Code of Australia  
building classification:**

Not applicable

**Determination made under  
Section 4.16**

Made On:	7 April 2026
Determination:	<b>CONSENT GRANTED SUBJECT TO CONDITIONS DESCRIBED BELOW:</b>

<b>Consent to Operate From:</b>	6 November 2008
<b>Consent to Lapse On:</b>	6 November 2013

**Terms of Approval****The reasons for approval:**

1. The proposed development will reasonably satisfy Local and State planning controls.
2. The proposed development will comply with the requirements of State approval authorities.
3. Impacts of the proposed development on the natural and built environment will be within acceptable limit, subject to mitigation conditions.
4. The proposed development will complement the existing or desired future character of the area.
5. The proposed development will be consistent with the zone objectives and principal development standards.
6. The proposed development is permitted in the zone.
7. Utility services are available and adequate.
8. Public exhibition of the application was undertaken in accordance with Council's Community Participation Plan or State legislation. No public submissions were received.

**The reasons for the imposition of conditions:**

1. To ensure a quality urban design for the development which complements the surrounding environment.
2. To maintain neighbourhood amenity and character.
3. To ensure compliance with relevant statutory requirements.
4. To provide adequate public health and safety measures.
5. Because the development will require the provision of, or increase the demand for, public amenities and services.
6. To ensure the utility services are available to the site and adequate for the development.
7. To minimise the impact of development on the environment.

**NOTICE OF DETERMINATION OF DEVELOPMENT APPLICATION NO DA 362/2008(2)**

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2

**Conditions**

(1) The development be carried out in accordance with:

(a) **Plan/s numbered Plan/s numbered 1 of 1 (1 unnumbered sheet)**

b) statements of environmental effects or other similar associated documents that form part of the approval

**BUT wherever amended by:**

(a) **Plan/s numbered B202 Subdivision Concept (No Aerial) (January 2026), B301 Stage 1 – Subdivision + Utilities (January 2026), & B302 Stage 2 – Subdivision + Utilities (January 2026).**

**as amended in accordance with any conditions of this consent.**

**PRESCRIBED CONDITIONS**

- (2) All building work must be carried out in accordance with the provisions of the Building Code of Australia.
- (3) 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
  - (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, subdivision work or demolition work is being carried out, but must be removed when the work has been completed.

**Stage 1 (3 Lot subdivision)****PRIOR TO THE ISSUE OF A CONSTRUCTION CERTIFICATE**

- (3A) Engineering plans, showing details of all proposed work and adhering to any engineering conditions of development consent, are to be submitted to, and approved by, Orange City Council or an Accredited Certifier (Subdivision) prior to the issuing of a Construction Certificate.
- (3B) A water and soil erosion control plan is to be submitted to Orange City Council or an Accredited Certifier (Subdivision) for approval prior to the issuing of a Construction Certificate. The control 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.
- (3C) Proposed lots 61 and 62 are to be provided with interlot stormwater drainage. Engineering plans for this drainage system are to be approved by Orange City Council or an Accredited Certifier (Subdivision) prior to the issuing a Construction Certificate.
- (3D) A 150mm-diameter sewer main is to be constructed from Council's existing sewer network to serve proposed lots 61 and 62. Engineering plans for this sewerage system are to be approved by Orange City Council prior to the issuing a Construction Certificate.

**PRIOR TO WORKS COMMENCING**

- (3E) Soil erosion control measures shall be implemented on the site.

**NOTICE OF DETERMINATION OF DEVELOPMENT APPLICATION NO DA 362/2008(2)**

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3

**DURING CONSTRUCTION/SITEWORKS**

(3F) Any adjustments to existing utility services that are made necessary by this development proceeding are to be at the full cost of the developer.

(3G) The provisions 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 to be entirely responsible for the provision of water, sewerage and drainage facilities capable of servicing all the lots 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 about all water, sewer and drainage mains within and outside the lots they serve.

(3H) Dual water and sewerage reticulation is to be provided to every lot in the proposed residential subdivision in accordance with the Orange City Council Development and Subdivision Code.

(3I) Concrete footpaths, a minimum of 1.2 metres wide, are to be constructed on one side of all through streets.

Construction work is to be to the requirements and standards of the Orange City Council Development and Subdivision Code.

**PRIOR TO THE ISSUE OF A SUBDIVISION CERTIFICATE**

(3J) Application shall be made for a Subdivision Certificate under Section 109(C)(1)(d) of the Act.

(3K) **Payment of contributions for water, sewer and drainage works** is required to be made at the contribution rate applicable at the time that the payment is made. The contributions are based on 2 ETs for water supply headworks and 3 ETs for sewerage headworks. A Certificate of Compliance, from Orange City Council in accordance with the *Water Management Act 2000*, will be issued upon payment of the contributions.

This Certificate of Compliance is to be submitted to the Principal Certifying Authority prior to the issuing of a Subdivision Certificate.

(3L) Evidence from a registered NATA laboratory is to be submitted prior to the issuing of a Subdivision Certificate stating that the filling of all dams and low-lying areas has been carried out in accordance with Australian Standard 3798-2007.

(3M) Certification from Telstra or NBN, stating that telecommunication systems comply with Australian Standards, is to be submitted to the Principal Certifying Authority prior to the issuing of a Subdivision Certificate.

(3N) Certification from Essential Energy, stating that electricity and street lighting systems comply with Essential Energy's Networks Division Customer Connection Policy NP11.1, is to be submitted to the Principal Certifying Authority prior to the issuing of a Subdivision Certificate.

(3O) An easement to drain sewage and to provide Council access for maintenance of sewerage works a minimum of 2.0 metres wide is to be created over the proposed sewerage works. The Principal Certifying Authority is to certify that the easement is in accordance with the Orange City Council Development and Subdivision Code prior to the issuing of a Subdivision Certificate.

(3P) All services are to be contained within the allotment that they serve. A Statement of Compliance, from a Registered Surveyor, is to be submitted to the Principal Certifying Authority prior to the issuing of a Subdivision Certificate.

**Attachment 1 DRAFT Notice of Determination**
**NOTICE OF DETERMINATION OF DEVELOPMENT APPLICATION NO DA 362/2008(2)**

4

**Prior to the issue of a subdivision certificate (cont)**

(3Q) Where stormwater crosses land outside the lot it favours, an easement to drain water is to be created over the works. A Restriction-as-to-User under section 88B of the *NSW Conveyancing Act 1979* is to be created on the title of the proposed lots requiring that no structures are to be placed on the site, or landscaping or site works carried out on the site, in a manner that affects the continued operation of the interlot drainage system. The minimum width of the easement is to be as required in the Orange City Council Development and Subdivision Code.

(3R) A Maintenance Security Deposit, in accordance with the provisions and requirements of the Orange City Council Development and Subdivision Code, is to be provided to Orange City Council prior to the issuing of a Subdivision Certificate.

A Certificate 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 a Subdivision Certificate.

(3S) The existing watermain located within Lot 2 DP 1286606 shall be removed and the trench backfilled with clean compacted material. Evidence of such work is to be provided to the Principal Certifying Authority prior to the issuing of a Subdivision Certificate.

(3T) The payment of \$10,430.30 is to be made to Council in accordance with section 94 of the Act and the Orange Contributions Plan 1999 towards the provision of the following public facilities:

Community Facility	@ \$307.42 x 2 additional lots	\$614.84
Local Open Space	@ \$1,319.50 x 2 additional lots	\$2,639.00
Sportsgrounds	@ \$314.41 x 2 additional lots	\$628.82
Distributor Roads	@ \$609.14 x 2 additional lots	\$1,218.28
Road improvements	@ \$529.35 x 2 additional lots	\$1,058.70
Street trees	@ \$42.00 x 2 additional lots	\$84.00
Drainage retention	@ \$1,938.78 x 2 additional lots	\$3,877.56
Waste Management	@ \$154.55 X 2 additional allotments	\$309.10
<b>TOTAL:</b>		<b>\$10,430.30</b>

The contribution will be indexed at 1 January each year in accordance with the 1999 Development Contributions Plan. This Plan can be inspected at the Orange Civic Centre, Byng Street, Orange.

**Stage 2 (12 Lot subdivision)**
**PRIOR TO THE ISSUE OF A CONSTRUCTION CERTIFICATE**

(4) Proposed lots are to be provided with interlot stormwater drainage, including those lots abutting public land, where the surface of the entire lot cannot be drained to the kerb and gutter at the lot frontage. A grated stormwater pit is to be constructed within each lot provided with interlot stormwater drainage. Engineering plans for this drainage system are to be approved by Orange City Council or an Accredited Certifier prior to the issuing a Construction Certificate.

(5) A detailed plan showing trees to be removed or retained shall be submitted to and approved by Councils Manager Development Assessments prior to the issue of a Construction Certificate. Native trees adjacent to eastern boundary are to be retained where possible.

(6) A land contamination study is to be conducted over the subject site and the findings submitted to Council prior to the issue of a Construction Certificate. Any remediation works which may be required are to be carried out in accordance with State Environmental Planning Policy No: 55.

(7) Engineering plans, showing details of all proposed work and adhering to any conditions of development consent, are to be submitted to, and approved by, Orange City Council or an Accredited Certifier prior to the issuing of a Construction Certificate.

**NOTICE OF DETERMINATION OF DEVELOPMENT APPLICATION NO DA 362/2008(2)**

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

- (8) A water and soil erosion control plan is to be submitted to Orange City Council or an Accredited Certifier for approval prior to the issuing of a Construction Certificate. The control 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.
- (9) A water reticulation analysis by "Watsys" or other Council-approved equivalent flow-modelling computer program, is to be carried out on any proposed water-reticulation system for the development. A professional engineer or other Council-approved person is to carry out the analysis. The analysis is to be submitted to the Principal Certifying Authority for approval with engineering plans prior to the issuing of a Construction Certificate.

The reticulation system is to be designed to supply a peak instantaneous demand by gravity of 0.15 L/s/tenement at a minimum residual head of 200kPa.

**PRIOR TO WORKS COMMENCING**

- (10) The approved water and soil erosion control plan is to be implemented prior to construction work commencing.

**DURING CONSTRUCTION/SITEWORKS**

- (11) Any adjustments to existing utility services that are made necessary by this development proceeding are to be at the full cost of the developer.
- (12) The provisions 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 to be entirely responsible for the provision of water, sewerage and drainage facilities capable of servicing all the lots 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 about all water, sewer and drainage mains within and outside the lots they serve.

- (13) A copy of the Soil and Water Management Plan must be kept on-site at all times and made available to Council officers on request.
- (14) (amended)

Cottonwood Way adjoining Lots 605 to 608 and 610 to 612 is to be constructed half road width for the full frontage of the proposed development. This work is to include road pavement and pavement surfacing to the centreline, kerb and gutter construction and earth-formed footpath on the development side of the road. Boxing out and pavement construction of the roadway on the opposite side of the development is to also be carried out.

- (15) (amended)

For all single access battle-axe blocks, a concrete kerb layback and footpath crossing is to be constructed to a minimum width of 3.0 metres and to the requirements and standards of the Orange City Council Development and Subdivision Code.

- (16) Where stormwater crosses land outside the lot it favours, an easement to drain water is to be created over the works. A Restriction-as-to-User under section 88B of the *NSW Conveyancing Act 1979* is to be created on the title of the proposed lots requiring that no structures are to be placed on the site, or landscaping or site works carried out on the site, in a manner that affects the continued operation of the interlot drainage system. The minimum width of the easement is to be as required in the Orange City Council Development and Subdivision Code.

**Attachment 1 DRAFT Notice of Determination**
**NOTICE OF DETERMINATION OF DEVELOPMENT APPLICATION NO DA 362/2008(2)**

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**During construction/siteworks (cont)**

(17) Dual water and sewerage reticulation is to be provided to every lot in the proposed residential subdivision in accordance with the Orange City Council Development and Subdivision Code.

(18) Concrete footpaths, a minimum of 1.2 metres wide, are to be constructed on one side of all through streets and in cul-de-sacs where a pathway is located at the cul-de-sac bowl.

Construction work is to be to the requirements and standards of the Orange City Council Development and Subdivision Code.

(19) (deleted)

**PRIOR TO THE ISSUE OF A SUBDIVISION CERTIFICATE**

(20) Application shall be made for a Subdivision Certificate under Section 109(1)(d) of the Act.

(21) (amended)

The payment of \$57,366.65 is to be made to Council in accordance with section 94 of the Act and the Orange Contributions Plan 1999 towards the provision of the following public facilities:

Community Facility	@ \$307.42 x 11 additional lots	\$3,381.62
Local Open Space	@ \$1,319.50 x 11 additional lots	\$14,514.50
Sportsgrounds	@ \$314.41 x 11 additional lots	\$3,458.51
Distributor Roads	@ \$609.14 x 11 additional lots	\$6,700.54
Road improvements	@ \$529.35 x 11 additional lots	\$5,822.85
Street trees	@ \$42.00 x 11 additional lots	\$462.00
Drainage retention	@ \$1,938.78 x 11 additional lots	\$21,326.58
Waste Management	@ \$154.55 X 11 additional allotments	\$1,700.05
<b>TOTAL:</b>		<b>\$57,366.65</b>

The contribution will be indexed at 1 January each year in accordance with the 1999 Development Contributions Plan. This Plan can be inspected at the Orange Civic Centre, Byng Street, Orange.

(22) Prior to the issuing of the Subdivision Certificate, a Surveyor's Certificate or written statement is to be provided to the Principal Certifying Authority, stating that the buildings within the boundaries of the proposed Lot 1 comply in respect of the distances of walls from boundaries.

(23) Prior to the issuing of the Subdivision Certificate, a written statement is to be provided to the Principal Certifying Authority stating that the existing stormwater disposal and water supply are all fully contained within the boundaries of the proposed Lot 1.

(24) Soil sampling for analysing chemical residue is to be carried out within the proposed lots in a manner and frequency as determined by an appropriately qualified and experienced consultant giving consideration to previous specific uses and onsite characteristics of the site. A NATA registered laboratory is to carry out such testing. Reference is to be made to the *Contaminated Land Management Act 1997* and State Environmental Planning Policy No 55 – "Remediation of Land". The results of the testing are to be provided to the Principal Certifying Authority and are to demonstrate that the land is suitable for residential use, to enable a Subdivision Certificate to be issued.

(25) A geotechnical investigation is to be carried out within each proposed building envelope by a NATA-registered laboratory, in order to classify the soil of proposed Lot 2-14 in accordance with the Australian Standard 2870 - "Residential Slab and Footings Construction" Code. This report is to be provided to the Principal Certifying Authority prior to the issuing of the Subdivision Certificate.

**NOTICE OF DETERMINATION OF DEVELOPMENT APPLICATION NO DA 362/2008(2)**

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**Prior to the issue of a subdivision certificate (cont)**

- (26) The existing residence is to be connected to the proposed reticulated sewer. The existing tank is to be accurately located and indicated on the submitted engineering plans. The septic tank is to be excavated and disposed of at a licensed landfill and the absorption trench is to be drained and the voids limed and backfilled with clean compacted material.

Evidence of such work is to be provided to the Principal Certifying Authority prior to the issuing of a Subdivision Certificate.

- (27) The contents of the existing septic tank are to be removed by a licensed contractor for disposal into Council's sewer system. The septic tank is to be excavated and disposed of at a licensed landfill and the absorption trench is to be drained and the voids limed and backfilled with clean compacted material.

Evidence of such work is to be provided to the Principal Certifying Authority prior to the issuing of a Subdivision Certificate.

- (28) (amended)

A Certificate of Compliance, from Orange City Council in accordance with the *Water Management Act 2000*, is to be submitted to the Principal Certifying Authority prior to the issuing of a Subdivision Certificate.

The Certificate of Compliance will be issued subject to the payment of contributions for water, sewer and drainage works - at the level of contribution applicable at that time. The contributions are based on 11 lots for water supply headworks and 11 lots for sewerage headworks.

- (29) (amended)

Certification from NBN, stating that telecommunication systems comply with Australian Standards, is to be submitted to the Principal Certifying Authority prior to the issuing of a Subdivision Certificate.

- (30) (amended)

Certification from Essential Energy, stating that electricity and street lighting systems comply with Country Energy's Networks Division Customer Connection Policy NP11.1, is to be submitted to the Principal Certifying Authority prior to the issuing of a Subdivision Certificate.

- (31) An easement to drain sewage and to provide Council access for maintenance of sewerage works a minimum of 2.0 metres wide is to be created over the proposed sewerage works. The Principal Certifying Authority is to certify that the easement is in accordance with the Orange City Council Development and Subdivision Code prior to the issuing of a Subdivision Certificate.

- (32) A Maintenance Security Deposit, in accordance with the provisions and requirements of the Orange City Council Development and Subdivision Code, is to be provided to Orange City Council prior to the issuing of a Subdivision Certificate.

A Certificate 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 a Subdivision Certificate.

- (33) (deleted)

- (34) 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 a Subdivision Certificate, unless stated otherwise.

**NOTICE OF DETERMINATION OF DEVELOPMENT APPLICATION NO DA 362/2008(2)**

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**Other Approvals**

- (1) *Local Government Act 1993* approvals granted under section 68.

Nil

- (2) General terms of other approvals integrated as part of this consent.

Nil

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**Right of Appeal**

If you are dissatisfied with this decision, Section 8.7 of the *Environmental Planning and Assessment Act 1979* gives you the right to appeal to the Land and Environment Court. Pursuant to Section 8.10, an applicant may only appeal within 6 months after the date the decision is notified.

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***Disability Discrimination Act 1992:***

This application has been assessed in accordance with the *Environmental Planning and Assessment Act 1979*. No guarantee is given that the proposal complies with the *Disability Discrimination Act 1992*.

The applicant/owner is responsible to ensure compliance with this and other anti-discrimination legislation.

The *Disability Discrimination Act* covers disabilities not catered for in the minimum standards called up in the Building Code of Australia which references AS1428.1 - "Design for Access and Mobility". AS1428 Parts 2, 3 and 4 provides the most comprehensive technical guidance under the *Disability Discrimination Act* currently available in Australia.

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**Disclaimer - S88B of the Conveyancing Act 1919 - Restrictions on the Use of Land:**

The applicant should note that there could be covenants in favour of persons other than Council restricting what may be built or done upon the subject land. The applicant is advised to check the position before commencing any work.

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**Signed:**On behalf of the consent authority **ORANGE CITY COUNCIL****Signature:****Name:**

PAUL JOHNSTON - MANAGER DEVELOPMENT ASSESSMENTS

**Date:**7 April 2026

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**SUBDIVISION CONCEPT (FOR APPROVAL) B202**

<b>iPLAN PROJECTS</b> Planning & Development Solutions	91 Heifer Station Lane ORANGE NSW 2800 Mob.0410 519 469	All dimensions/areas are approximate/conceptual only and subject to detail design & survey by a registered surveyor. Aerial photo alignment approximate only. Plans are conceptual only. All drawings may not be reproduced or distributed without prior permission from the consultant.	<b>CLIENT CARWOOLA FAMILY TRUST</b> <b>DESIGN HEATH CONSULTING ENG.</b>	<b>PROJECT</b> 16 CARWOOLA DRIVE, ORANGE NSW	<b>DRAWING</b> SUBDIVISION CONCEPT (FOR APPROVAL)	B202 Date Issued: JAN 2026 Revision: 04M00 Scale @A3: 1:400 Drawn: AN	
	988						





**STAGE 1 SUBDIVISION + UTILITIES B301**

**iPLAN PROJECTS**  
 Planning & Development Solutions

91 Heifer Station Lane  
 ORANGE NSW 2800  
 Mob.0410 519 469

All dimensions/areas are approximate/conceptual only and subject to detail design & survey by a registered surveyor. Aerial photo alignment approximate only. Plans are conceptual only. All drawings may not be reproduced or distributed without prior permission from the consultant.

**CLIENT CARWOOLA FAMILY TRUST**  
**DESIGN HEATH CONSULTING ENG.**

**PROJECT**  
 16 CARWOOLA DRIVE, ORANGE NSW

**DRAWING**  
 STAGE 1 SUBDIVISION + UTILITIES

**B301**

Date Issued: JAN 2026  
 Revision: DAMCO  
 Scale @A3: 1:1000  
 Drawn: AN







**STAGE 2 SUBDIVISION + UTILITIES B302**

**iPLAN PROJECTS**  
 Planning & Development Solutions  
 91 Heifer Station Lane  
 ORANGE NSW 2800  
 Mob.0410 519 469

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**CLIENT CARWOOLA FAMILY TRUST**  
**DESIGN HEATH CONSULTING ENG.**

**PROJECT**  
 16 CARWOOLA DRIVE, ORANGE NSW

**DRAWING**  
 STAGE 2 SUBDIVISION + UTILITIES

**B302**  
 Date Issued: JAN 2026  
 Revision: DAMCO  
 Scale @A3: 1:1000  
 Drawn: AN





**2.3 Development Application DA 421/2015(4) - 20 Carwoola Drive**

RECORD NUMBER: 2026/431

AUTHOR: James Coutts, Undergraduate Planner

**EXECUTIVE SUMMARY**

Application lodged	17 February 2026
Applicant/s	The Trustee for Carwoola Family Trust
Owner/s	Carwoola Family Pty Limited
Land description	Lot 5 DP 715252 and Lot 1 DP 1286606 - 20 Carwoola Drive, Orange
Proposed land use	Subdivision (12 lot residential)
Value of proposed development	Not applicable

Council's consent is sought to modify development consent DA 421/2015(1) relating to a 12-lot residential subdivision, public road and an open space lot at 20 Carwoola Drive, Orange. The modification is made under Section 4.55(1A) of the *Environmental Planning and Assessment Act 1979*, being a modification involving no or minimal environmental impact.

Development consent DA 421/2015(1) was determined on 16 March 2016 under the delegation of the General Manager. While the consent would otherwise have lapsed on 16 March 2021, Council confirmed by letter dated 8 October 2021 that the development had physically commenced prior to that date. The consent therefore remains operative and is capable of being modified under section 4.55 of the *Environmental Planning and Assessment Act 1979*.

The application seeks to amend the approved subdivision layout without altering the approved lot yield of 12 residential lots and one open space lot. The proposal includes the incorporation of Lot 1 DP 1286606 into the development site following the partial closure of Carwoola Drive, minor reconfiguration of lot boundaries, introduction of a staged subdivision arrangement and consequential amendments to conditions of consent.

Proposed stage 1 comprises the subdivision of Lots 51 and 52 together with part of Lot 50 to create three lots and establish associated services. Proposed stage 2 involves the subdivision of the remainder of Lot 50 to create ten residential lots, one public open space lot, a new public road and associated infrastructure.

The application was publicly exhibited in accordance with Orange City Council's Planning and Development Community Participation Plan (December 2023). Notification was undertaken by publication on Council's website on 26 February 2026 and by notifying adjoining landowners. The exhibition period closed on 25 March 2026. No submissions were received.

In accordance with Orange City Council's Strategic Policy ST024 – Declaration of Planning and Development Assessment Procedures and Protocols, the application is required to be determined by the Planning and Development Committee as it is a development application lodged by, on behalf of, or benefitting a Councillor or management/director level staff member.

Having regard to the relevant matters for consideration, the proposed modification is considered satisfactory. The development as modified remains substantially the same development as originally approved and is considered to involve minimal environmental impact. The application is therefore recommended for approval.

**2.3 Development Application DA 421/2015(4) - 20 Carwoola Drive**


**Figure 1 - locality plan**

**DECISION FRAMEWORK**

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

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

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

**DIRECTOR'S COMMENT**

The proposed modification is considered acceptable in the context of the existing approval. The changes do not alter the overall nature of the subdivision and are limited to matters such as layout refinement, staging, and related condition updates. These amendments are considered reasonable having regard the assessment contained in this report. Approval is recommended subject to amended conditions.

## **2.3 Development Application DA 421/2015(4) - 20 Carwoola Drive**

### **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 421/2015(4) for Subdivision (12 lot residential) at Lot 5 DP 715252 and Lot 1 DP 1286606 - 20 Carwoola Drive, Orange pursuant to the conditions of consent in the attached Notice of Approval.**

### **FURTHER CONSIDERATIONS**

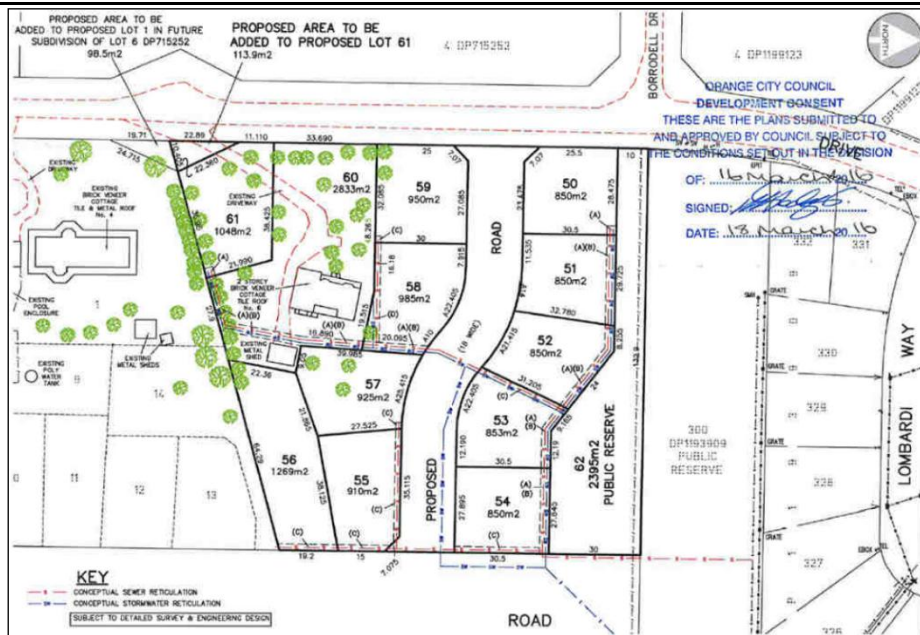
The recommendation of this report has been assessed against Council’s key risk categories and the following comments are provided:

<b>Service/Project Delivery</b>	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**

#### **BACKGROUND INFORMATION**

Development consent DA 421/2015(1) was considered and approved under delegation of the General Manager on 16 March 2016 for a 12-lot residential subdivision, including a new public road (Figure 2) plus an open space lot.

**2.3 Development Application DA 421/2015(4) - 20 Carwoola Drive**


**Figure 2 – original approved plan**

Since the granting of consent, the land and servicing context relevant to the original approval has changed. In particular, part of Carwoola Drive was closed pursuant to Council’s resolution of 5 October 2021 (Figure 3), resulting in the creation of Lot 1 DP 1286606 (Figure 4) from the former road reserve adjoining the site. That land is proposed to be incorporated into the adjoining landholding, with the sale process presently being finalised in accordance with that resolution. Council has provided owner’s consent to the lodgement of this modification application. The acquisition and sale of the land remain separate matters to the development application.

<b>5.1 ROAD CLOSURE APPLICATION - PART CARWOOLA DRIVE ORANGE</b>	
TRIM REFERENCE:	2021/2104
<b>RESOLVED - 21/371</b>	<b>Cr S Nugent/Cr R Turner</b>
That Council resolves:	
<ol style="list-style-type: none"> <li>1 To advertise the proposed road closure in accordance with the requirements of the Crown Land Management Act.</li> <li>2 That Council's Chief Executive Officer be given delegation to finalise determination for the road closure of part Carwoola Drive, Orange post exhibition.</li> <li>3 To proceed to sell that part of the road closed to the owner of 16 and 20 Carwoola Drive, subject to determination of any submissions received.</li> <li>4 To grant approval for the use of the Council Seal on any necessary documentation.</li> </ol>	
For: Cr Kidd, Cr Duffy, Cr Nugent, Cr Munro, Cr Millett, Cr Turner, Cr Whitton	
Against: Nil	
Absent: Cr J Hamling, Cr S Romano, Cr G Taylor	

**Figure 3 – Council resolution**

### 2.3 Development Application DA 421/2015(4) - 20 Carwoola Drive



**Figure 4 – Lot 1 DP 1286606 created from partial closure of Carwoola Drive**

The consent has been physically commenced and remains operative. Council confirmed by letter dated 8 October 2021 that the development had physically commenced before the consent would otherwise have lapsed. The consent may therefore be modified under section 4.55 of the *Environmental Planning and Assessment Act 1979*.

#### **PROPOSED MODIFICATION**

The proposal involves a modification of the approved subdivision layout with minor amendments to lot layout, but does not seek to vary the number of lots, with 12 residential lots, provision of a public road and open space lot to remain. The proposal seeks to consolidate Lot 1 DP 1286606 (highlighted in figure 4 above) into proposed Lot 51. Orange City Council are the current owners of this lot as it was intended to form the end of the proposed cul-de-sac as shown above, with the purchase of this lot by the applicant from Council underway.

The comparison between the approved lot layout and proposed lot layout is delineated below in Figure 5.

### 2.3 Development Application DA 421/2015(4) - 20 Carwoola Drive



**Figure 5 - Comparison Plan – Approved DA421/2015 (yellow) v Proposed Subdivision Layout (black)**

#### Staging

The proposal seeks to stage the development in two phases. Stage 1 involves the subdivision of Lots 51 and 52, together with part of Lot 50, to create three lots and to establish the necessary associated utilities. Lot 51 will be approximately 1,270m<sup>2</sup> and will gain frontage to Carwoola Drive, with reticulated water to be provided along this frontage. Lot 52 will contain the existing dwelling and be approximately 2861m<sup>2</sup> in area. Lot 52 will maintain existing frontage to Carwoola Drive.

Stage 1 also provides for the creation of an easement for utilities and servicing, accommodating sewer and stormwater infrastructure along the southern boundary of Lot 52 and 50, extending eastwards to Cottonwood Way, where the system ultimately drains toward Ploughmans Creek for stormwater and northwards to the existing infrastructure for sewer.

**2.3 Development Application DA 421/2015(4) - 20 Carwoola Drive**



**Figure 6 – Proposed Stage 1 subdivision layout and utility servicing plan**

Stage 2 of the proposal involves the subdivision of the remainder of Lot 50 to create ten residential lots (Lots 501–510) and one open space lot for dedication to Council, together with the construction of a new road linking between Carwoola Drive and the extension of Cottonwood Way and associated services. All ten new lots will obtain vehicular access via this new road or Cottonwood Way.

The proposed lots will drain via sewer and stormwater drainage directed north along Cottonwood Way to Council’s existing infrastructure located at the northern end of Cottonwood Way within the Public Reserve, with stormwater ultimately discharging to Ploughmans Creek.

**2.3 Development Application DA 421/2015(4) - 20 Carwoola Drive**
**Staging**


**Figure 7 – Proposed Stage 2 subdivision layout and utility servicing plan**

The lot layout broadly reflects the approved pattern with some minor adjustments as indicated in the table below.

**Lot reconfiguration**

Approved Lot	Area (m <sup>2</sup> )	Proposed Lot	Area (m <sup>2</sup> )	Change (m <sup>2</sup> )
Lot 50	850	Lot 510	853.5	3.5
Lot 51	850	Lot 509	853.1	3.1
Lot 52	850	Lot 508	850.8	0.8
Lot 53	853	Lot 507	853.8	0.8
Lot 54	850	Lot 506	850.1	0.1
Lot 55	910	Lot 505	855	-55
Lot 56	1269	Lot 504	1368	99
Lot 57	925	Lot 503	870.4	-54.6
Lot 58	985	Lot 502	861.3	-123.7
Lot 59	950	Lot 501	947.7	-2.3
Lot 60	2833	Lot 52	2833	0
Lot 61	1048	Lot 51	1270	222
Lot 62	2395	Lot 511	2394	-1

**2.3 Development Application DA 421/2015(4) - 20 Carwoola Drive**
Changes to Conditions

The applicant seeks to modify several conditions of consent. Several of the proposed changes are administrative in nature, and the land description to reflect the incorporation of the Council-owned lot and the updated addressing that now applies to the subject site. An amendment is also sought to the condition relating to the stamped plans and contamination report requirements. Various conditions related to existing dwelling sewage, headworks and contributions are sought to be amended with respect to the proposed staging of works so that the conditions reflect the way in which the works are proposed to be undertaken.

In addition to these administrative items, the applicant requests that the following substantive amendments be made to condition 12.

Condition No	Requirement	Proposed Amendment
<b>12</b>	<p>Carwoola Drive is to be constructed half road width for the full frontage of the proposed development. This work is to include road pavement and pavement surfacing to the centreline, kerb and gutter construction and earth-formed footpath on the development side of the road. Boxing out and pavement construction of the roadway on the opposite side of the development is to also be carried out.</p> <p>The un-named road in the Council road reserve adjoining Lots 54, 55 and 56 is to be constructed half road width for the full frontage of the proposed development. This work is to include road pavement and pavement surfacing to the centreline, kerb and gutter construction and earth-formed footpath on the development side of the road. Boxing out and pavement construction of the roadway on the opposite side of the development is to also be carried out.</p> <p>The 18m wide road is to be constructed as full urban construction including kerb and gutter and footpaths.</p>	<p>Paragraph 1 to be deleted as Carwoola Drive has already been constructed for the full frontage of the site.</p> <p>The 'unnamed road' is now called Cottonwood Way. The reference to Lots 54, 55 and 56 should be changed to Lots 504, 505 and 506. This will be constructed as a ~9m kerb to kerb or as consistent with the existing road near the church site further south on Cottonwood Way.</p> <p>Paragraph 3 to be retained as is.</p>

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## 2.3 Development Application DA 421/2015(4) - 20 Carwoola Drive

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### MATTERS FOR CONSIDERATION

#### Section 4.55 Modification of consents - generally

Section 4.55(1a) of the EP&A Act 1979 states that a consent authority may, on application being made by the applicant or any other person entitled to act on a consent granted by the consent authority and subject to and in accordance with the regulations, modify the consent if:

(a) *it is satisfied that the proposed modification is of no or minimal environmental impact, and*

**Comment:** The proposed modification seeks minor refinements to the approved subdivision, including changes to lot configuration, staging, and amendments to conditions of consent.

In assessing environmental impact, the key consideration is whether the proposed changes result in any additional or materially different impacts from those previously approved.

In this instance, the proposed modification does not alter the approved subdivision yield and does not increase the intensity, scale or extent of development on the site. The amendments to lot configuration are minor and do not change the overall subdivision outcome. The proposed changes to staging do not alter the final form of development approved and are limited to how the subdivision is delivered.

The proposed amendments to the conditions of consent are administrative only and do not give rise to any additional environmental impact. They do not change the environmental consequences of the development as approved.

Having regard to the above, the proposed changes are not expected to result in any additional or materially different environmental impacts from those previously assessed and approved. The proposed modification is therefore considered to be of minimal environmental impact.

(b) *it is satisfied that the development to which the consent as modified relates is the same or substantially the same development as the development for which the consent was originally granted and before that consent as originally granted was modified (if at all), and*

**Comment:** The original consent authorised a subdivision of the subject land. That remains the case. The present application does not seek consent for a different form of development, does not increase the approved lot yield/intensity, and does not alter the fundamental purpose of the consent. While some refinements are proposed to lot configuration and staging, those changes do not alter the essential character of the approved subdivision. The overall subdivision outcome remains the same.

Similarly, the proposed amendments and deletion of conditions do not change the underlying development for which consent has been granted. Those amendments relate to the way in which aspects of the approved subdivision are regulated or implemented, rather than altering the fundamental nature of the development itself.

#### Section 4.55 Modification of consents - generally

(c) *it has notified the application in accordance with—*

- i. the regulations, if the regulations so require, or*
- ii. a development control plan, if the consent authority is a council that has made a development control plan that requires the notification or advertising of applications for modification of a development consent, and*

### **2.3 Development Application DA 421/2015(4) - 20 Carwoola Drive**

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**Comment:** The application was notified in accordance with Orange City Council's Planning and Development Community Participation Plan (December 2023), with the application being on exhibition for the requisite 28 days.

(d) *it has considered any submissions made concerning the proposed modification within any period prescribed by the regulations or provided by the development control plan, as the case may be.*

**Comment:** No submissions were received during the public notification period.

In addition, Section 4.55(3) of the EP&A Act 1979 provides that:

(3) *In determining an application for modification of a consent under this section, the consent authority must take into consideration such of the matters referred to in Section 4.15(1) as are of relevance to the development the subject of the application.*

**Comment:** The relevant matters under Section 4.15(1) of the Environmental Planning and Assessment Act 1979 have been identified and addressed in this assessment report as they relate to the proposed modification.

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

The original development application was assessed having regard to threatened species legislation in force at the time, with the site identified as having no biodiversity or habitat value. The current modification does not alter that position.

In accordance with section 7.17 of the *Biodiversity Conservation Act 2016*, the development as modified must be considered. The proposed modification does not increase the development footprint or result in any additional impact on biodiversity values beyond that already considered and approved.

Accordingly, the Biodiversity Offset Scheme is not triggered and does not apply to the modified development.

#### **Section 4.15 - Evaluation**

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.

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**2.3 Development Application DA 421/2015(4) - 20 Carwoola Drive**

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**PROVISIONS OF ANY ENVIRONMENTAL PLANNING INSTRUMENT s4.15(1)(a)(i)****Orange Local Environmental Plan 2011**

The original development consent and the current modification application are both assessed under Orange Local Environmental Plan 2011. The subject land remains zoned R2 Low Density Residential under that instrument, and subdivision remains permissible with consent in the zone.

The applicant is seeking to modify the terms of the existing development consent. The development as modified remains consistent with the aims of the plan and the objectives of the zone, as well as the relevant considerations applied at the time of the original consent.

Section 4.55(4) of the *Environmental Planning and Assessment Act 1979* provides that the modification of a development consent is not the granting of development consent. Accordingly, there are no provisions of Orange Local Environmental Plan 2011 that apply to this modification application. This includes all current clauses relating to the 'grant development consent' under Parts 4, 5 and 7 (i.e. those clauses triggered when the consent authority is asked to grant development consent, not to modify an existing consent).

**STATE ENVIRONMENTAL PLANNING POLICIES**

A number of State Environmental Planning Policies (SEPPs) apply to the land; the below SEPP is specifically relevant to the assessment of this modification application.

- *State Environmental Planning Policy (Resilience and Hazards) 2021*

**STATE ENVIRONMENTAL PLANNING POLICY (RESILIENCE AND HAZARDS) 2021****Chapter 4 - Remediation of Land****4.6 - Contamination and Remediation to be Considered in Determining Development Application**

- (1) *A consent authority must not consent to the carrying out of any development on land unless:*
  - (a) *it has considered whether the land is contaminated, and*
  - (b) *if the land is contaminated, it is satisfied that the land is suitable in its contaminated state (or will be suitable, after remediation) for the purpose for which the development is proposed to be carried out, and*
  - (c) *if the land requires remediation to be made suitable for the purpose for which the development is proposed to be carried out, it is satisfied that the land will be remediated before the land is used for that purpose.*
- (2) *Before determining an application for consent to carry out development that would involve a change of use on any of the land specified in subsection (4), the consent authority must consider a report specifying the findings of a preliminary investigation of the land concerned carried out in accordance with the contaminated land planning guidelines.*
- (3) *The applicant for development consent must carry out the investigation required by subsection (2) and must provide a report on it to the consent authority. The consent authority may require the applicant to carry out, and provide a report on, a detailed investigation (as referred to in the contaminated land planning guidelines) if it considers that the findings of the preliminary investigation warrant such an investigation.*

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**2.3 Development Application DA 421/2015(4) - 20 Carwoola Drive**

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(4) *The land concerned is:*

- (a) *land that is within an investigation area,*
- (b) *land on which development for a purpose referred to in Table 1 to the contaminated land planning guidelines is being, or is known to have been, carried out,*
- (c) *to the extent to which it is proposed to carry out development on it for residential, educational, recreational or child care purposes, or for the purposes of a hospital -land:*
  - (i) *in relation to which there is no knowledge (or incomplete knowledge) as to whether development for a purpose referred to in Table 1 to the contaminated land planning guidelines has been carried out, and*
  - (ii) *on which it would have been lawful to carry out such development during any period in respect of which there is no knowledge (or incomplete knowledge).*

**Comment:** Condition 28 of the existing consent requires a contamination assessment to be undertaken to confirm the suitability of the land for residential purposes, together with any remediation works identified as necessary. Condition 28 remains applicable to the development as modified.

**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.

**PROVISIONS OF ANY DEVELOPMENT CONTROL PLAN s4.15(1)(a)(iii)**

The original application was assessed in accordance with Orange DCP 2004, which remains applicable to the subject land. Section 7.2.2 applies to residential subdivision in Ploughmans Valley and sets out the following requirements with the subject site located within the referenced Area 3:

- 1) *The allotment layout is generally in accordance with the Conceptual Subdivision Layout at Appendix 16.7.*
- 2) *Subdivision design and construction complies with the Orange City Development and Subdivision Code.*
- 3) *The allotment layout provides for transitional development of the Valley:*
  - *in Areas 2, 3 and 4, lots along Forbes Road and Cargo Road have a minimum area of 2,000m<sup>2</sup>;*
  - *in Area 2, lots adjoining land zoned 1(c) Rural Residential have a minimum area of 1,500m<sup>2</sup>;*
  - *in Area 3, lots adjoining land zoned 1(a) General Farming and comprising parent parcels Lots 19, 20 and 23 DP 791830 have a minimum area of 1ha;*
  - *in Area 3, lots to the west of Gartrell Way and comprising parent parcels Lot 18 DP 791830 and Lots 21-22 DP 791830 have a minimum area of 2,000m<sup>2</sup> generally in accordance with the conceptual subdivision layout at Appendix 16.7;*

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**2.3 Development Application DA 421/2015(4) - 20 Carwoola Drive**

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- *in Area 3, lots to the west of Gartrell Way and comprising parent parcels Lots 35-36 DP 845425 have a mix of allotment sizes between 2000m<sup>2</sup> and 4000m<sup>2</sup> generally in accordance with the conceptual subdivision layout at Appendix 16.7;*
  - *in Area 4, lots adjoining land zoned 7 Water Supply Catchment have a minimum area of 1,500m<sup>2</sup>. Those parcels zoned part 2(a) Urban Residential and part 7 Water Supply Catchment identify a building envelope wholly contained within land zoned 2(a) Urban Residential.*
- 4) *The allotment layout provides a high standard of residential amenity:*
    - *in Areas 2, 3 and 4, lots have a minimum allotment size of 850m<sup>2</sup>;*
    - *in Area 2, lots adjoining the Distributor Road alignment have a minimum area of 2,000m<sup>2</sup> and minimum frontage of 30m;*
    - *in Area 4, lots adjoining the railway line have a minimum area of 1,500m<sup>2</sup>.*
  - 5) *The allotment layout maximises energy-efficiency principles. Where practicable, lots are rectangular rather than splay shaped and oriented to provide the long axis within the range N20<sup>0</sup>W to N30<sup>0</sup>E or E20<sup>0</sup>N to E30<sup>0</sup>S.*
  - 6) *Subdivision design retains significant landscape features and minimises disturbance to natural vegetation, landform and overland-flow paths.*
  - 7) *The road layout comprises a modified grid layout with restrained use of cul-de-sacs, generally in accordance with the Conceptual Subdivision Layout.*
  - 8) *Future road connections to adjoining land are provided and located generally in accordance with the Conceptual Subdivision Layout.*
  - 9) *Local collector roads connect to Cargo Road, Forbes Road and Ploughmans Lane generally in accordance with the locations shown on the Conceptual Subdivision Layout.*
  - 10) *Lots have direct frontage or access to a public road.*
  - 11) *Lots adjoining the Distributor Road alignment do not have frontage or access to the Distributor Road. Access to lots is via internal streets*
  - 12) *Stormwater runoff from the site is consistent with pre-development stormwater patterns.*
  - 13) *Drainage systems are designed to consider catchment and downstream capacities, on-site retention and reuse and overland-flow paths.*
  - 14) *All utility services are provided to the proposed lots.*
  - 15) *Public open-space linkages are provided across the subdivision. Approximately 1ha of public open spaces for each development area is provided in the form of local parks, drainage paths and creek corridors. Public open space provides opportunities for passive and active recreation.*
  - 16) *Allotments intended for dual occupancies are identified on development application plans. Dual occupancy lots range in area between 1,200m<sup>2</sup> and 1,450m<sup>2</sup>.*
  - 17) *Development proposals shall demonstrate the appropriate retention of existing trees in order to protect the visual backdrop of the City.*

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**2.3 Development Application DA 421/2015(4) - 20 Carwoola Drive**

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18) *Dual occupancy development within Ploughmans Valley may be subdivided, upon completion of building works, to create two separate allotments with areas less than 850m<sup>2</sup>.*

Having regard to the requirements outlined above, the following observations are made in respect of the subject application.

There are no substantial changes proposed to the original approval, with conditions of consent imposed where required and to be retained. The proposed allotment layout is generally consistent with the Conceptual Subdivision Layout provided at Appendix 16.7. The subdivision design and construction meet the requirements of the *Orange City Development and Subdivision Code*. The allotment configuration provides a high standard of residential amenity, with all lots achieving a minimum area of 850 m<sup>2</sup>. The layout incorporates energy-efficient subdivision principles, with lots designed to be rectangular where practicable and 9 lots oriented to ensure the long axis falls within the preferred solar orientation ranges (N20°W to N30°E or E20°N to E30°S).

The road network adopts a modified grid pattern and is generally in accordance with the Conceptual Subdivision Layout. All lots are provided with direct frontage or lawful access to a public road.

Stormwater runoff from the site will remain consistent with pre-development flow characteristics. The drainage system is designed to address catchment requirements, downstream capacity, on-site retention and reuse opportunities, and established overland-flow paths. All essential utility services will be provided to each allotment. There are three allotments nominated for dual occupancy development (Lots 51, 52, and 504), which are clearly identified on the development application plans.

**PROVISIONS PRESCRIBED BY THE REGULATIONS s4.15(1)(a)(iv)****Council Related Development (clause 66A)**

Council-related development applications - the Act, s 4.16(11)

- (1) *A council-related development application must not be determined by the consent authority unless -*
- (a) *the council has adopted a conflict of interest policy, and*
  - (b) *the council considers the policy in determining the application.*

A conflict of interest arises as Council is the owner of Lot 1 DP 1286606 and is currently in the process of selling that land to the applicant.

Council has adopted Strategic Policy ST26 - Council-Related Development Applications: Managing Conflict of Interests. In consideration of the policy:

1. The application is to be determined by Planning and Development Committee (PDC)/Council
2. The application has been publicly exhibited for a period of 28 days in accordance with Council's Community Participation Plan.

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

The impacts of the modified proposal are consistent with those considered for the original development.

**2.3 Development Application DA 421/2015(4) - 20 Carwoola Drive**

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**THE SUITABILITY OF THE SITE s4.15(1)(c)**

Council has previously determined that the site is suitable for the proposed development. There are no aspects of the site to indicate that it would be unsuitable to accommodate the modified 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 28 days and at the end of that period no submissions were received.

**PUBLIC INTEREST s4.15(1)(e)**

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

**SUMMARY**

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

**ATTACHMENTS**

- 1 DRAFT Notice of Determination, D26/39431 [↓](#)
- 2 Plans, D26/34741 [↓](#)

	<b>ORANGE CITY COUNCIL</b> Development Application No <b>DA 421/2015(4)</b> NA26/118 <span style="float: right;">Container PR2317</span>
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**NOTICE OF DETERMINATION  
OF A DEVELOPMENT APPLICATION  
(AS MODIFIED)**

issued under the *Environmental Planning and Assessment Act 1979*  
Section 4.18

**Development Application**

Applicant Name:	The Trustee for Carwoola Family Trust
Applicant Address:	16 Carwoola Drive ORANGE NSW 2800
Owner's Name:	Carwoola Family Pty Limited and Orange City Council
Land to Be Developed:	Lot 5 DP 715252 and Lot 1 DP 1286606 - 20 Carwoola Drive, Orange
Proposed Development:	Subdivision (12 lot residential)

**Building Code of Australia  
building classification:**

Not applicable

**Determination made under  
Section 4.16**

Made On:	7 April 2026
Determination:	<b>CONSENT GRANTED SUBJECT TO CONDITIONS DESCRIBED BELOW:</b>

<b>Consent to Operate From:</b>	16 March 2016
<b>Consent to Lapse On:</b>	16 March 2021

**Terms of Approval****The reasons for approval:**

1. The proposed development will reasonably satisfy Local and State planning controls.
2. The proposed development will comply with the requirements of State approval authorities.
3. Impacts of the proposed development on the natural and built environment will be within acceptable limit, subject to mitigation conditions.
4. The proposed development will complement the existing or desired future character of the area.
5. The proposed development will be consistent with the zone objectives and principal development standards.
6. The proposed development is permitted in the zone.
7. Utility services are available and adequate.
8. Public exhibition of the application was undertaken in accordance with Council's Community Participation Plan or State legislation. No public submissions were received.

**The reasons for the imposition of conditions:**

1. To ensure a quality urban design for the development which complements the surrounding environment.
2. To maintain neighbourhood amenity and character.
3. To ensure compliance with relevant statutory requirements.
4. To provide adequate public health and safety measures.
5. Because the development will require the provision of, or increase the demand for, public amenities and services.
6. To ensure the utility services are available to the site and adequate for the development.
7. To minimise the impact of development on the environment.

**NOTICE OF DETERMINATION OF DEVELOPMENT APPLICATION NO DA 421/2015(4)**

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2

**Conditions**

(1) The development must be carried out in accordance with:

- (a) **Plan/s numbered Plans by Peter Basha numbered 14036DA, dated 11.11.2015 (8 sheets)**
- (b) statements of environmental effects or other similar associated documents that form part of the approval

**BUT wherever amended by:**

- (a) **Plan/s numbered A202 Subdivision Concept (No Aerial), A301 Stage 1 – Subdivision + Utilities, & A302 Stage 2 – Subdivision + Utilities, dated January 2026.**

**as amended in accordance with any conditions of this consent.**

**Stage 1 (3 Lot subdivision)****PRIOR TO THE ISSUE OF A CONSTRUCTION CERTIFICATE**

- (1A) Engineering plans, showing details of all proposed work and adhering to any engineering conditions of development consent, are to be submitted to, and approved by, Orange City Council or an Accredited Certifier (Subdivision) prior to the issuing of a Construction Certificate.
- (1B) A water and soil erosion control plan is to be submitted to Orange City Council or an Accredited Certifier (Subdivision) for approval prior to the issuing of a Construction Certificate. The control 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.
- (1C) Proposed lots are to be provided with interlot stormwater drainage, including those lots abutting public land, where the surface of the entire lot cannot be drained to the kerb and gutter at the lot frontage. A grated stormwater pit is to be constructed within each lot provided with interlot stormwater drainage. Engineering plans for this drainage system are to be approved by Orange City Council or an Accredited Certifier (Subdivision) prior to the issuing of a Construction Certificate.
- (1D) A 150mm-diameter sewer main is to be constructed from Council's existing main to serve the proposed lots. Engineering plans for this sewerage system are to be approved by Orange City Council prior to the issuing of a Construction Certificate.

**PRIOR TO WORKS COMMENCING**

- (1E) Soil erosion control measures shall be implemented on the site.

**DURING CONSTRUCTION/SITEWORKS**

- (1F) Any adjustments to existing utility services that are made necessary by this development proceeding are to be at the full cost of the developer.
- (1G) The provisions 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 to be entirely responsible for the provision of water, sewerage and drainage facilities capable of servicing all the lots 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 about all water, sewer and drainage mains within and outside the lots they serve.

**Attachment 1 DRAFT Notice of Determination**
**NOTICE OF DETERMINATION OF DEVELOPMENT APPLICATION NO DA 421/2015(4)**

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**During construction/siteworks (cont)**

- (1H) Dual water and sewerage reticulation is to be provided to every lot in the proposed residential subdivision in accordance with the Orange City Council Development and Subdivision Code.
- (1I) Concrete footpaths, a minimum of 1.2 metres wide, are to be constructed on one side of all through streets.
- Construction work is to be to the requirements and standards of the Orange City Council Development and Subdivision Code.

**PRIOR TO THE ISSUE OF A SUBDIVISION CERTIFICATE**

- (1J) Application shall be made for a Subdivision Certificate under Section 109(C)(1)(d) of the Act.
- (1K) The payment of \$38,922.52 is to be made to Council in accordance with Section 94 of the Act and the Orange Development Contributions Plan 2015 (development in Ploughmans Valley urban release area) towards the provision of the following public facilities:

Open Space and Recreation	@ \$3,314.19 x 2 additional lots	\$ 6,628.38
Community and Cultural	@ \$667.50 x 2 additional lots	\$ 1,335.00
Roads and Cycleways	@ \$5,137.60 x 2 additional lots	\$ 10,275.20
Stormwater Drainage	@ \$310.15 x 2 additional lots	\$ 620.30
Local Area Facilities	@ \$9,465.09 x 2 additional lots	\$ 18,930.18
Plan Preparation & Administration	@ \$566.73 x 2 additional lots	\$ 1,133.46
<b>TOTAL:</b>		<b>\$ 38,922.52</b>

The contribution will be indexed quarterly in accordance with the Orange Development Contributions Plan 2015 (development in Ploughmans Valley urban release area).

- (1L) **Payment of contributions for water, sewer and drainage works** is required to be made at the contribution rate applicable at the time that the payment is made. The contributions are based on 2 ETs for water supply headworks and 3 ETs for sewerage headworks. A Certificate of Compliance, from Orange City Council in accordance with the *Water Management Act 2000*, will be issued upon payment of the contributions.
- This Certificate of Compliance is to be submitted to the Principal Certifying Authority prior to the issuing of a Subdivision Certificate.
- (1M) Evidence from a registered NATA laboratory is to be submitted prior to the issuing of a Subdivision Certificate stating that the filling of all dams and low-lying areas has been carried out in accordance with Australian Standard 3798-2007.
- (1N) Certification from Telstra or NBN, stating that telecommunication systems comply with Australian Standards, is to be submitted to the Principal Certifying Authority prior to the issuing of a Subdivision Certificate.
- (1O) Certification from Essential Energy, stating that electricity and street lighting systems comply with Essential Energy's Networks Division Customer Connection Policy NP11.1, is to be submitted to the Principal Certifying Authority prior to the issuing of a Subdivision Certificate.
- (1P) An easement to drain sewage and to provide Council access for maintenance of sewerage works a minimum of 2.0 metres wide is to be created over the proposed sewerage works. The Principal Certifying Authority is to certify that the easement is in accordance with the Orange City Council Development and Subdivision Code prior to the issuing of a Subdivision Certificate.

**Attachment 1 DRAFT Notice of Determination**

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**NOTICE OF DETERMINATION OF DEVELOPMENT APPLICATION NO DA 421/2015(4)**

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**Prior to the issue of a subdivision certificate (cont)**

- (1Q) All services are to be contained within the allotment that they serve. A Statement of Compliance, from a Registered Surveyor, is to be submitted to the Principal Certifying Authority prior to the issuing of a Subdivision Certificate.
- (1R) Where stormwater crosses land outside the lot it favours, an easement to drain water is to be created over the works. A Restriction-as-to-User under section 88B of the *NSW Conveyancing Act 1979* is to be created on the title of the proposed lots requiring that no structures are to be placed on the site, or landscaping or site works carried out on the site, in a manner that affects the continued operation of the interlot drainage system. The minimum width of the easement is to be as required in the Orange City Council Development and Subdivision Code.
- (1S) A Maintenance Security Deposit, in accordance with the provisions and requirements of the Orange City Council Development and Subdivision Code, is to be provided to Orange City Council prior to the issuing of a Subdivision Certificate.
- A Certificate 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 a Subdivision Certificate.
- (1T) The existing residence is to be connected to the proposed reticulated sewer. The existing tank is to be accurately located and indicated on the submitted engineering plans. The septic tank is to be excavated and disposed of at a licensed landfill and the absorption trench is to be drained and the voids limed and backfilled with clean compacted material. Evidence of such work is to be provided to the Principal Certifying Authority prior to the issuing of a Subdivision Certificate.
- (1U) The existing watermain located within Lot 1 DP 1286606 shall be removed and the trench backfilled with clean compacted material. Evidence of such work is to be provided to the Principal Certifying Authority prior to the issuing of a Subdivision Certificate.

**Stage 2 (12 Residential lots, Public Road and Open Space lot)****PRIOR TO THE ISSUE OF A CONSTRUCTION CERTIFICATE**

- (2) Engineering plans, showing details of all proposed work and adhering to any engineering conditions of development consent, are to be submitted to, and approved by, Orange City Council or an Accredited Certifier (Categories B1, C3, C4, C6) prior to the issuing of a Construction Certificate.
- (3) A water and soil erosion control plan is to be submitted to Orange City Council or an Accredited Certifier (Categories B1, C3, C4, C6) for approval prior to the issuing of a Construction Certificate. The control 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.
- (4) Proposed lots are to be provided with interlot stormwater drainage, including those lots abutting public land, where the surface of the entire lot cannot be drained to the kerb and gutter at the lot frontage. A grated stormwater pit is to be constructed within each lot provided with interlot stormwater drainage. Engineering plans for this drainage system are to be approved by Orange City Council or an Accredited Certifier (Categories B1, C3, C4, C6) prior to the issuing of a Construction Certificate.
- (5) A 150mm-diameter sewer main is to be constructed from Council's existing main to serve the proposed lots. Engineering plans for this sewerage system are to be approved by Orange City Council prior to the issuing of a Construction Certificate.

**Attachment 1 DRAFT Notice of Determination**

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**NOTICE OF DETERMINATION OF DEVELOPMENT APPLICATION NO DA 421/2015(4)**

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

- (6) 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 Orange City Council for approval prior to the issuing of a Construction Certificate.

The reticulation system is to be designed to supply a peak instantaneous demand by gravity of 0.15 L/s/tenement at a minimum residual head of 200kPa.

**PRIOR TO WORKS COMMENCING**

- (7) Soil erosion control measures shall be implemented on the site.

**DURING CONSTRUCTION/SITEWORKS**

- (8) (deleted)
- (9) All construction/demolition work on the site is to be carried out between the hours of 7.00 am and 6.00 pm Monday to Friday inclusive, 7.00 am to 5.00 pm Saturdays and 8.00 am to 5.00 pm on Sundays and Public Holidays. Written approval must be obtained from the General Manager of Orange City Council to vary these hours.
- (10) Any adjustments to existing utility services that are made necessary by this development proceeding are to be at the full cost of the developer.
- (11) The provisions 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 to be entirely responsible for the provision of water, sewerage and drainage facilities capable of servicing all the lots 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 about all water, sewer and drainage mains within and outside the lots they serve.

- (12) (amended)
- Cottonwood Way adjoining Lots 504, 505 and 506 is to be constructed half road width for the full frontage of the proposed development. This work is to include road pavement and pavement surfacing to the centreline, kerb and gutter construction and earth-formed footpath on the development side of the road. Boxing out and pavement construction of the roadway on the opposite side of the development is to also be carried out.
- The 18m wide length of Cottonwood Way that connects to Carwoola Drive is to be constructed as full urban construction including kerb and gutter and footpaths.
- (13) Dual water and sewerage reticulation is to be provided to every lot in the proposed residential subdivision in accordance with the Orange City Council Development and Subdivision Code.
- (14) Concrete footpaths, a minimum of 1.2 metres wide, are to be constructed on one side of all through streets.

Construction work is to be to the requirements and standards of the Orange City Council Development and Subdivision Code.

**Attachment 1 DRAFT Notice of Determination**
**NOTICE OF DETERMINATION OF DEVELOPMENT APPLICATION NO DA 421/2015(4)**

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<b>PRIOR TO THE ISSUE OF A SUBDIVISION CERTIFICATE</b>
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(15) Application shall be made for a Subdivision Certificate under Section 109(C)(1)(d) of the Act.

(16) (amended)

Prior to the issuing of the Subdivision Certificate, a Surveyor's Certificate or written statement is to be provided to the Principal Certifying Authority, stating that the buildings within the boundaries of the proposed Lot 52 comply in respect to the distances of walls from boundaries.

(17) (deleted)

(18) (amended)

The payment of \$121,893.34 is to be made to Council in accordance with Section 94 of the Act and the Orange Development Contributions Plan 2015 (development in Ploughmans Valley urban release area) towards the provision of the following public facilities:

Open Space and Recreation	@ \$3,314.19 x 10 additional lots	\$ 29,827.71
Community and Cultural	@ \$667.50 x 10 additional lots	\$ 6,007.50
Roads and Cycleways	@ \$5,137.60 x 10 additional lots	\$ 46,238.40
Stormwater Drainage	@ \$310.15 x 10 additional lots	\$ 2,791.35
Local Area Facilities	@ \$9,465.09 x 10 additional lots	\$ 85,185.81
Plan Preparation & Administration	@ \$566.73 x 10 additional lots	\$ 5,100.57
<b>SUBTOTAL</b>		<b>(\$ 175,151.34)</b>
Compensation for land Acquisition	1329 m <sup>2</sup> @ \$12 per m <sup>2</sup> + 1066 m <sup>2</sup> @ \$37 per m <sup>2</sup> =	-\$ 53,258.00
<b>TOTAL:</b>		<b>\$ 121,893.34</b>

The contribution will be indexed quarterly in accordance with the Orange Development Contributions Plan 2015 (development in Ploughmans Valley urban release area).

(19) (amended)

Payment of contributions for water, sewer and drainage works is required to be made at the contribution rate applicable at the time that the payment is made. The contributions are based on 9 ETs for water supply headworks and 9 ETs for sewerage headworks. A Certificate of Compliance, from Orange City Council in accordance with the *Water Management Act 2000*, will be issued upon payment of the contributions.

This Certificate of Compliance is to be submitted to the Principal Certifying Authority prior to the issuing of a Subdivision Certificate.

(20) Evidence from a registered NATA laboratory is to be submitted prior to the issuing of a Subdivision Certificate stating that the filling of all dams and low-lying areas has been carried out in accordance with Australian Standard 3798-2007.

(21) Certification from Telstra or NBN, stating that telecommunication systems comply with Australian Standards, is to be submitted to the Principal Certifying Authority prior to the issuing of a Subdivision Certificate.

(22) Certification from Essential Energy, stating that electricity and street lighting systems comply with Essential Energy's Networks Division Customer Connection Policy NP11.1, is to be submitted to the Principal Certifying Authority prior to the issuing of a Subdivision Certificate.

**NOTICE OF DETERMINATION OF DEVELOPMENT APPLICATION NO DA 421/2015(4)**

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**Prior to the issue of a subdivision certificate (cont)**

- (23) An easement to drain sewage and to provide Council access for maintenance of sewerage works a minimum of 2.0 metres wide is to be created over the proposed sewerage works. The Principal Certifying Authority is to certify that the easement is in accordance with the Orange City Council Development and Subdivision Code prior to the issuing of a Subdivision Certificate.
- (24) All services are to be contained within the allotment that they serve. A Statement of Compliance, from a Registered Surveyor, is to be submitted to the Principal Certifying Authority prior to the issuing of a Subdivision Certificate.
- (25) Where stormwater crosses land outside the lot it favours, an easement to drain water is to be created over the works. A Restriction-as-to-User under section 88B of the *NSW Conveyancing Act 1979* is to be created on the title of the proposed lots requiring that no structures are to be placed on the site, or landscaping or site works carried out on the site, in a manner that affects the continued operation of the interlot drainage system. The minimum width of the easement is to be as required in the Orange City Council Development and Subdivision Code.
- (26) (deleted)
- (27) A Maintenance Security Deposit, in accordance with the provisions and requirements of the Orange City Council Development and Subdivision Code, is to be provided to Orange City Council prior to the issuing of a Subdivision Certificate.
- A Certificate 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 a Subdivision Certificate.
- (28) Soil sampling for analysing chemical residue is to be carried out within the proposed Lots in a manner and frequency as determined by an appropriately qualified and experienced consultant giving consideration to previous specific uses and on-site characteristics of the site. A NATA registered laboratory is to carry out such testing. Reference is to be made to the *Contaminated Land Management Act 1997* and State Environmental Planning Policy No 55 - "Remediation of Land". The results of the testing are to be provided to the Principal Certifying Authority and are to demonstrate that the land is suitable for residential use, to enable a Subdivision Certificate to be issued.
- (29) 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 a Subdivision Certificate, unless stated otherwise.

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**Other Approvals**

- (1) *Local Government Act 1993* approvals granted under section 68.
- Nil
- (2) General terms of other approvals integrated as part of this consent.
- Nil

**NOTICE OF DETERMINATION OF DEVELOPMENT APPLICATION NO DA 421/2015(4)**

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**Right of Appeal**

If you are dissatisfied with this decision, Section 8.7 of the *Environmental Planning and Assessment Act 1979* gives you the right to appeal to the Land and Environment Court. Pursuant to Section 8.10, an applicant may only appeal within 6 months after the date the decision is notified.

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**Disability Discrimination Act 1992:**

This application has been assessed in accordance with the *Environmental Planning and Assessment Act 1979*. No guarantee is given that the proposal complies with the *Disability Discrimination Act 1992*.

The applicant/owner is responsible to ensure compliance with this and other anti-discrimination legislation.

The *Disability Discrimination Act* covers disabilities not catered for in the minimum standards called up in the Building Code of Australia which references AS1428.1 - "Design for Access and Mobility". AS1428 Parts 2, 3 and 4 provides the most comprehensive technical guidance under the *Disability Discrimination Act* currently available in Australia.

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**Disclaimer - S88B of the Conveyancing Act 1919 - Restrictions on the Use of Land:**

The applicant should note that there could be covenants in favour of persons other than Council restricting what may be built or done upon the subject land. The applicant is advised to check the position before commencing any work.

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**Signed:**

On behalf of the consent authority **ORANGE CITY COUNCIL**

**Signature:****Name:**

PAUL JOHNSTON - MANAGER DEVELOPMENT ASSESSMENTS

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**Date:**

7 April 2026



**SUBDIVISION CONCEPT (NO AERIAL) A202**

<b>iPLAN PROJECTS</b> Planning & Development Solutions	91 Heifer Station Lane ORANGE NSW 2800 Mob.0410 519 469	All dimensions/areas are approximate/conceptual only and subject to detail design & survey by a registered surveyor. Aerial photo alignment approximate only. Plans are conceptual only. All drawings may not be reproduced or distributed without prior permission from the consultant.	<b>CLIENT</b> CARWOOLA FAMILY TRUST <b>DESIGN</b> HEATH CONSULTING ENG.	<b>PROJECT</b> 20 CARWOOLA DRIVE, ORANGE NSW	<b>DRAWING</b> SUBDIVISION CONCEPT (NO AERIAL)	<b>A202</b> Date Issued: JUN 2026 Revision: DAM00 Scale @A3: 1:600 Drawn: JN	
	No.16 Carwoola Drive Approved DA362/2008						





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ORANGE NSW 2800  
Mob.0410 519 469

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**CLIENT CARWOOLA FAMILY TRUST**  
**DESIGN HEATH CONSULTING ENG.**

**PROJECT**  
20 CARWOOLA DRIVE, ORANGE NSW

**DRAWING**  
STAGE 1 - SUBDIVISION + UTILITIES  
A301

Date Issued: JUN 2026  
Revision: DAMGO  
Scale @A3: 1:600  
Drawn: JN





**STAGE 2 - SUBDIVISION + UTILITIES A302**

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**CLIENT CARWOOLA FAMILY TRUST**  
**DESIGN HEATH CONSULTING ENG.**

**PROJECT**  
20 CARWOOLA DRIVE, ORANGE NSW

**DRAWING**  
STAGE 2 - SUBDIVISION + UTILITIES  
A302

Date Issued: JUN 2026  
Revision: DAMGO  
Scale @A3: 1:600  
Drawn: JN



**2.4 Development Application DA 298/2025(1) - Report to Western Regional Planning Panel - 3 Redmond Place, 154 Lone Pine Avenue and 5255 Mitchell Highway**

RECORD NUMBER: 2026/537

AUTHOR: Craig Mortell, Senior Planner

**EXECUTIVE SUMMARY**

A development application for Council owned land at 3 Redmond Place, 154 Lone Pine Avenue and 5255 Mitchell Highway, known as the Redleaf project, has been assessed by staff. With an estimated value of over \$62m, the project exceeds two triggers under Schedule 6 of *State Environmental Planning Policy (Planning Systems) 2021*. Namely: general development over \$30m in value and also Council related development over \$5m in value. As such, this application will be determined by the Western Regional Planning Panel (WRPP).



**Figure 1 - proposed site plan**

The attached assessment report will be presented to the WRPP for determination at their meeting of 14 April 2026. Should the Council wish to draw the Panel's attention to any specific or additional matter, express support or opposition to any aspect of the development, or provide the Panel with any other additional context, Council has the option of providing a separate submission to the Panel for their consideration. Any such submission will be drafted, independent of the attached assessment report, by a different staff member.

The purpose of this report is to draw Council's attention to the attached assessment report and provide Council with the option to direct staff in the preparation of any such submission, including details as to what matters or information such a submission should contain.

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### **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**

- 1 That Council note the contents of this report and the attached assessment report to be presented to the Western Regional Planning Panel in relation to DA 298/2025(1) for the residential subdivision of land at 3 Redmond Place, 154 Lone Pine Avenue and 5255 Mitchell Highway.**
- 2 That Council determines whether or not it makes a submission upon this application to the Western Regional Planning Panel (WRPP).**

### **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>	The proposed development is not anticipated to impact on Councils ability to deliver services.
<b>Financial</b>	The project is linked to a Planning Agreement between Council and Landcom in relation to the delivery of infrastructure and affordable housing (as it relates to the project site). Under the terms of the Planning Agreement, normal section 7.11 contributions are to be set aside in exchange for the works detailed in that agreement.
<b>Reputation/Political</b>	As the proposed development is to be determined by the Western Regional Planning Panel there is unlikely to be significant risk to the reputation of Council. The role of the panel is to provide transparency in decision making on projects with a direct Council involvement.
<b>Environment</b>	The proposed development will, if approved by the Western Regional Planning Panel, be subject to a range of conditions to ensure protection of the environment. It is therefore unlikely to have a significant risk in terms of pollution, natural climatic events, land use conflict or otherwise harming the natural environment.
<b>Compliance</b>	The proposed development will, if approved by the Western Regional Planning Panel, be subject to a range of conditions to ensure compliance with legal and regulatory requirements. It is therefore considered to have a low level of risk relating to breaches – given the direct nature of Councils involvement it is possible that watchdog agencies may take a routine interest in monitoring the processes and outcomes involved.
<b>People &amp; WHS</b>	The proposed development is not expected to have any impact on

**2.4 Development Application DA 298/2025(1) - Report to Western Regional Planning Panel - 3 Redmond Place, 154 Lone Pine Avenue and 5255 Mitchell Highway**

	the health and wellbeing of Council staff, Councillors, contractors, visitors or members of the public.
<b>Information Technology/ Cyber Security</b>	The proposed development is not expected to have any impact on Councils assets.

**SUPPORTING INFORMATION**

Development application DA 298/2025(1) for a 167 lot subdivision, inclusive of:

- 158 low density residential lots intended for individual houses
- 6 residential super lots intended for apartments or multi-dwelling housing
- 2 public open space lots for the parkland, wetland and detention basin
- 1 lot for a sewer pump station

The application also seeks approval for a temporary site and sales office, advertising signage and Category 1 remediation works.

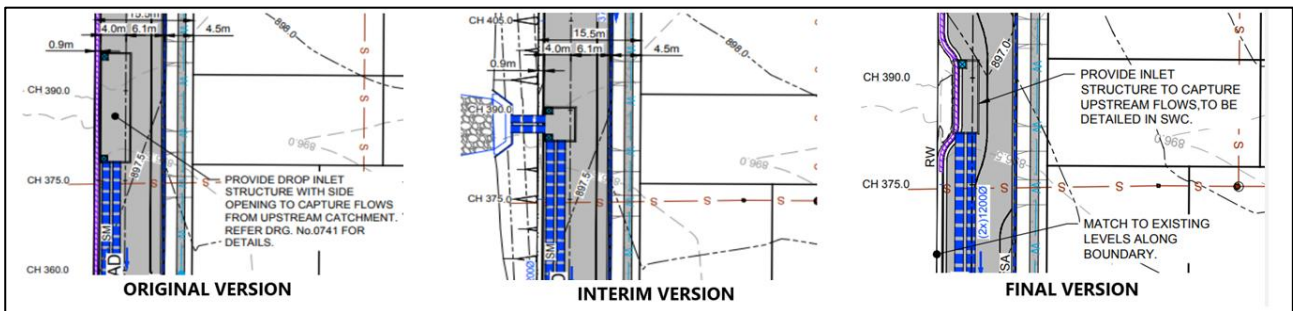
It is anticipated the estate will deliver an overall yield of 274 dwellings, including 55 affordable housing dwellings. In addition, the land forming the highway frontage of the site will be embellished as public open space. This will both retain the line of war memorial poplars as well as provide additional passive recreation and social interaction opportunities.

The subject land at Redmond Place, Lone Pine Avenue and Mitchell Highway is in Council ownership and was rezoned to residential land under a previous Planning Proposal. The project is being delivered under a Project Delivery Agreement which includes the provision of a minimum of 20% of the yield as affordable housing. That Planning Proposal included a Planning Agreement in relation to the overall development for the embellishment and delivery of the public parkland. The rezoning also established a site-specific Development Control Plan to ensure appropriate urban design outcomes.

The current application is purely for the subdivision into residential lots, provision and embellishment of a linear parkland and ancillary matters such as a site office and sales billboard. As such, certain aspects of the Planning Agreement and the built form controls of the DCP are not relevant to the assessment, beyond ensuring that the current application does not hinder or obstruct their fulfilment.

The application was referred to NSW Rural Fire Service and Transport for NSW, in relation to bush fire hazard and potential effects on the classified road network respectively. Both agencies have provided responses in support of the proposal. The application was publicly exhibited between 12 August 2025 and 10 September 2025. Two submissions were received during that period, with a further submission from a prospective developer of the adjoining land at 84 Brabham Way being received outside of the formal exhibition period.

The matters raised in the public submissions were not directly relevant to a subdivision application per se. However, the concerns of the adjoining property developer have been resolved by a minor adjustment to the layout, specifically in relation to proposed road 4. This results in a minor indentation of the road at the low point of the land. The indentation allows stormwater infrastructure to be wholly located within the site boundaries without creating or requiring upstream ponding of stormwater flows on the neighbouring land. Stormwater flows are then piped underground around the estate, to be discharged into the constructed wetlands and detention basin in the east of the site.

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**Figure 2 - changes to the stormwater inlet configuration adjoining 84 Brabham Way**

Related to this concern is that bulk earthworks will result in proposed road 4 being raised up compared to existing ground levels, which could result in any future development of the neighbouring land being required to undertake similar bulk earthworks in order to meet the grade being established for proposed road 4. The concern is noted, however the bulk earthworks have been required in order to ensure that resulting residential lots can be delivered clear of potential flooding impacts. The same issue would likely result in any neighbouring development to the same solution. The neighbouring land is currently zoned C3 Environmental Management with a minimum lot size of 100ha, and has not been identified in any adopted strategy as suitable for rezoning.

The attached report to the panel is based on a range of materials and supporting studies that were provided by the applicant. These materials have been assessed in the body of that report and can be made available to Councillors separately if required.

**ATTACHMENTS**

- 1 DRAFT Notice of Determination, D26/39579 [↓](#)
- 2 Planning Assessment Report to WRPP, D26/36762 [↓](#)
- 3 Subdivision Plans - Stage 1, DPIE26/875 [↓](#)
- 4 Subdivision Plans - Stage 2, DPIE26/876 [↓](#)
- 5 Subdivision Plans - Stage 3, DPIE25/3667 [↓](#)
- 6 Subdivision Plans - Stage 4, DPIE26/874 [↓](#)
- 7 Landscape Plans, DPIE26/877 [↓](#)
- 8 Submissions (Redacted), D25/138750 [↓](#)

**DRAFT CONDITIONS  
General Conditions**

<b>1</b>	<b>Approved plans and supporting documentation</b>				
	Development must be carried out in accordance with the following approved plans and documents, except where the conditions of this consent expressly require otherwise.				
	<b>Approved Plans</b>				
	Plan Number	Revision Number	Plan Title	Drawn By	Date of Plan
	P002766S-02	C	Plan of Subdivision Of Lot 200 in DP1288388 - Stage 1 (4 sheets)	Samuel B. Byrnes	22/07/2025
	P002766S-03	B	Plan of Subdivision Of Lot 144 in DP1320477 - Stage 2 (2 sheets)	Samuel B. Byrnes	22/07/2025
	P002766S-04	B	Plan of Subdivision of Lot 145 in DP1320477 - Stage 3 (2 sheets)	Samuel B. Byrnes	22/07/2025
	P002766S-05	C	Plan of Subdivision Of Lot 146 in DP1320477 - Stage 4 (2 sheets)	Samuel B. Byrnes	22/07/2025
	24-1057C-DA-001 to 24-1057C-DA-0955	C	Civil Works (83 sheets)	Colliers	13.02.26
	L000 to L704	1 to 6	Landscape Plan (33 sheets)	Oculus	16.02.26
	SK-001 to SK-104	P2	Lighting Plan (5 sheets)	Lighting, Art C Science	June 2025
S-000	A	Signage Plan (3 sheets)	NRM Engineering	11/07/2025	
ET4-7010N		Telescopic Solar LED Solar Light	Eurotech	20/02/26	

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<b>Approved Documents</b>			
Document Title	Version Number	Prepared by	Date of Document
Redleaf Water Cycle Management Report and Addendum (24-1057)	C	Colliers	Report 16/07/2025  Addendum 25/02/2026
Infrastructure Servicing Assessment	C	Colliers	21/07/25
Traffic Impact Assessment		GHD	21 July 2025
Biodiversity Assessment Report	V3.3	OzArk	17/11/2025
Archaeological Technical Report	V3.0	OzArk	May 2024
Bush Fire Assessment Report	D	Integrated Consulting	30/07/2025
Detailed Site Investigation	20674/1-AA	Geotechnique Pty Ltd	24 June 2025
Remedial Action Plan	20674/2-AA	Geotechnique Pty Ltd	19 February 2026
Arboricultural Impact Assessment	7	McArdle Arboricultural Consultancy	23 July 2025
Redleaf CPTED Report	A	Oculus	07/07/25
<p>In the event of any inconsistency between the approved plans and documents, the approved <b>Plans</b> prevail.</p> <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>			
2	<b>Development and subdivision works requirements</b>		
<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 stated otherwise. All engineering work required by the</p>			

**Attachment 1 DRAFT Notice of Determination**

	<p>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>Species Selection</b></p> <p>All street trees and open space trees are to be selected in accordance with Orange DCP chapter 19 Schedule 19-D Preferred Species and Planting Requirements, unless otherwise agreed to in writing by Council's City Presentation Manager. Placement of trees is to ensure unfettered access to kerbside waste collection for waste service vehicles. Street verges are to be turfed with Council approved species, consistent with the preferred species described in Schedule 19-D. Bioretention basins and wetlands are to be landscaped with endemic species to create habitat for birds, mammals and micro fauna.</p> <p><b>Condition reason:</b> To promote quality urban ecological outcomes and reduce the urban heat island effect.</p>
4	<p><b>Demolition, Excavation and Construction Management</b></p> <p>All demolition, excavation and construction activities are managed in accordance with the requirements of—</p> <ul style="list-style-type: none"> <li>(a) Orange Development Control Plan, Chapter 19, Schedule 19F—Construction and site management,</li> <li>(b) Council's Subdivision and Development Code,</li> <li>(c) relevant standards and codes of practice including—             <ul style="list-style-type: none"> <li>• AS 2601:2001 <i>The demolition of structures</i>,</li> <li>• AS 4970:2009 <i>Protection of trees on development sites</i>,</li> <li>• the SafeWork NSW <i>Code of Practice for Demolition Work</i>,</li> <li>• the SafeWork NSW <i>Code of Practice for Construction Work</i>.</li> </ul> </li> </ul> <p><b>Condition reason:</b> To ensure compliance with Council's Subdivision and Development Code and relevant Australian Standards</p>
5	<p><b>Bush Fire Requirements</b></p> <p>The development must be carried out in accordance with the Rural Fire Service s100B – Subdivision – Torrens Title Subdivision General Terms of Approval (28 September 2025) attached as "Annexure A".</p> <p><b>Condition reason:</b> To ensure legislative compliance with Bush Fire requirements.</p>

**Remediation Work**

### During remediation work

6	<p><b>Remediation - action plan</b></p>
	<p>Prior to the issue of a subdivision works certification the remediation works shall be carried out in accordance with Chapter 4 of State Environmental Planning Policy (Resilience and Hazards) 2021 and the Remediation Action Plan prepared by Geotechnique Pty Ltd (reference: 20674/2-AAR1), dated 19 February 2026.</p>
	<p><b>Condition reason:</b> To ensure compliance with relevant statutory requirements.</p>

### On completion of remediation work

7	<p><b>Remediation - action plan</b></p>
	<p>A validation report is to be provided to Council in relation to all remediation work undertaken in accordance with the Remediation Action Plan prepared by Geotechnique Pty Ltd (reference: 20674/2-AAR1), dated 19 February 2026, within 30 days of the date of the validation report. The validation report is to be prepared in accordance with NSW EPA Guidelines for Consultants Reporting on Contaminated Land (2020) and Guidelines for the NSW Site Auditor Scheme 2017.</p>
	<p><b>Condition reason:</b> To ensure remediation works are completed in accordance with approved plans.</p>

### Subdivision Work

#### Before issue of a subdivision works certificate

8	<p><b>Engineering plan design and construction requirements</b></p>
	<p>Engineering plans, showing details of all proposed work and adhering to any engineering conditions of development consent and the Orange City Council Development and Subdivision Code, are to be submitted to, and approved by, Orange City Council or an Accredited Certifier (certifier - subdivision) prior to the issuing of a Subdivision Works Certificate.</p>
	<p><b>Condition reason:</b> To comply with Councils Development and Subdivision Code.</p>
9	<p><b>Soil and Water Management Plan</b></p>

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	<p>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 Subdivision Works 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.</p> <p><b>Condition reason:</b> To comply with Councils Development and Subdivision Code.</p>
10	<p><b>Dust management plan</b></p> <p>A dust management plan is to be submitted to Orange City Council or an Accredited Certifier (certifier - subdivision) upon application for a Subdivision Works Certificate.</p> <p><b>Condition reason:</b> To comply with Councils Development and Subdivision Code.</p>
11	<p><b>Stormwater detention design</b></p> <p>The development's stormwater design is to include the incorporation of stormwater detention within the development, designed to limit peak outflows from the land to the pre-existing natural outflows up to a 1% AEP storm event, with sufficient allowance in overflow spillway design capacity to safely pass flows of lower frequency (that is, a rarer event) without damage to downstream developments. Where appropriate, the spillway design capacity is to be determined in accordance with the requirements of the Dam Safety Committee.</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; and</li> <li>• schematic diagram of the catchment model showing sub areas and linkages; and</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>The report is to be submitted to and approved by Orange City Council prior to the issue of a Subdivision Works Certificate.</p> <p><b>Condition reason:</b> To comply with Councils Development and Subdivision Code.</p>
12	<p><b>On-site stormwater treatment system</b></p>

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	<p>The development’s stormwater design is to include the incorporation of stormwater treatment.</p> <p>Stormwater from the development shall be piped to a stormwater treatment basin / wetland before leaving the site. The design and construction of the stormwater treatment / wetland system shall ensure that the stormwater leaving the developed site achieves NorBE +10%.</p> <p>Engineering plans for this stormwater treatment system shall be submitted to and approved by Orange City Council prior to the issuing of a Subdivision Works Certificate. The applicant 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.</p> <p>Any gross pollutant trap(s) installed in the stormwater treatment system shall be selected from a range of existing Council approved systems. The stormwater treatment system and gross pollutant traps shall include sealed all-weather service vehicle access.</p> <p><b>Condition reason:</b> To comply with Councils Development and Subdivision Code and protect Suma Park Dam water quality.</p>
13	<p><b>Stormwater - interlot stormwater system</b></p> <p>Proposed lots are to be provided with interlot stormwater drainage, including those lots abutting public land, where the surface of the entire lot cannot be drained to the kerb and gutter at the lot frontage. A grated stormwater pit is to be constructed within each lot provided with interlot stormwater drainage. Engineering plans for this drainage system are to be approved by Orange City Council or an Accredited Certifier (certifier - subdivision) prior to the issuing of a Subdivision Works Certificate.</p> <p><b>Condition reason:</b> To comply with Councils Development and Subdivision Code.</p>
14	<p><b>Stormwater discharge</b></p> <p>Stormwater from the site is to be piped to the adjacent watercourse, where it is to be discharged through a standard headwall with appropriate scour protection and energy dissipater. Engineering plans of this drainage system are to be approved by Orange City Council or by an Accredited Certifier (certifier – subdivision) and a licence from the Department of Planning Infrastructure and Natural Resources for work within 40 metres of the watercourse is to be submitted prior to the issuing of a Subdivision Works Certificate.</p> <p><b>Condition reason:</b> To comply with Councils Development and Subdivision Code.</p>
15	<p><b>Sewer main construction</b></p>

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	<p>A sewer main is to be constructed from Council’s existing sewer network to serve the proposed lot(s). Prior to a Subdivision Works Certificate being issued engineering plans for this sewerage system are to be submitted to and approved by Orange City Council.</p> <p>Plans shall detail any augmentation works necessary for Councils existing sewer network, connection point and pump station details.</p> <p>The existing sewer pump out serving 3 Redmond Place (Lot 6 DP 1031236) and Lot 200 DP 1288388 shall be decommissioned and the existing gravity sewer main connected to the reticulated sewer network for the proposed residential subdivision.</p> <p><b>Condition reason:</b> To comply with Councils Development and Subdivision Code.</p>
16	<p><b>Water reticulation analysis</b></p> <p>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 Subdivision Works Certificate.</p> <p>Plans shall detail any augmentation works necessary for Councils existing water network, and any realignment works necessary for the existing trunk water main crossing the site and the mains located in Lone Pine Avenue.</p> <p><b>Condition reason:</b> To comply with Councils Development and Subdivision Code.</p>
17	<p><b>Road naming application</b></p> <p>Prior to the issuing of a Subdivision Works Certificate, a Road Naming Application Form is to be completed and submitted to Council for approval. The road name(s) shall not be used, displayed or registered until approval has been issued by the Geographical Names Board.</p> <p><b>Condition reason:</b> To comply with Councils Development and Subdivision Code.</p>
18	<p><b>Road construction requirements</b></p>

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	<p>Lone Pine Ave shall be constructed to an urban standard for the full frontage of the development. This work is to include road pavement and pavement surfacing to key into the existing road pavement, kerb and gutter, piped stormwater drainage and an earth formed verge on the development side of the road.</p> <p>Brabham Way and Road 3 intersection shall be constructed with CHR and AUL intersection treatments on Brabham Way. This work is to include road pavement and pavement surfacing to key into the existing road pavement, kerb and gutter, line marking, signage, piped stormwater drainage and an earth formed verge on the development side of Brabham Way.</p> <p>All roads shall be constructed and designed in accordance with Orange City Councils Development and Subdivision Code.</p> <p>The applicant shall demonstrate compliance with NSW Design of Roads and Streets (DORAS) requirements.</p> <p>Plans shall indicate any required line marking or regulatory traffic signs including temporary signage / line marking for staged subdivision release.</p> <p>Engineering plans, showing details of all proposed work and adhering to any engineering conditions of development consent, are to be submitted to, and approved by, Orange City Council prior to the issuing of a Subdivision Works Certificate.</p> <p><b>Condition reason:</b> To comply with Councils Development and Subdivision Code.</p>
19	<p><b>Vehicle access requirements for proposed lots 413 to 417</b></p> <p>Proposed lots 413 to 417 shall be created under a Community Title subdivision with the rear laneway being dedicated as the common Lot for vehicle access.</p> <p><b>Condition reason:</b> To comply with Councils Development and Subdivision Code.</p>
20	<p><b>Access over adjoining land</b></p> <p>If services and access is to be provided over adjoining properties, stormwater discharged onto adjoining land, or works are required to be undertaken on adjoining properties then, prior to the issue of a Subdivision Works Certificate, evidence of the registration of any required easements and rights of way over adjoining properties for the provision of services and access, and legal agreements for the undertaking of work shall be provided to the Principal Certifier.</p> <p><b>Condition reason:</b> To ensure compliance with relevant statutory requirements.</p>
21	<p><b>Urban Permeability</b></p>

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	<p>The street block separating Road 3 and Road 4 exceeds the 220m length allowed under the Development Control Plan. Prior to the release of a subdivision certificate for stage 1, a concept design of future development on proposed lot 141 is to be submitted that demonstrates, under either Strata Title or Community Title, how a permeable link between Road 3 to Road 4 will be achieved. The permeable link may serve either pedestrians only or both vehicles and pedestrians and should be positioned toward the southern end of the lot. A Section 88B restriction-as-to-user is to be imposed on Lot 141 to ensure that future development of the lot delivers the permeable link.</p> <p><b>Condition reason:</b> To ensure compliance with the Development Control Plan</p>
22	<p><b>Temporary Site / Sales Office</b></p> <p>Prior the issue of a subdivision works certificate and the installation of the temporary site / sales office, a site plan showing accurate setbacks confirming the location and orientation, and a decommissioning plan of the temporary site / sales office is to be provided to Council for approval by the Manager Development Assessment. The plan and any supporting information must demonstrate:</p> <ul style="list-style-type: none"> <li>• How the office will be serviced for water and sewer, including pumping sewer back to the on-site pump station to the west of the hangar building, and</li> <li>• How the office will be provisioned with other utility services (energy / telecommunications) and that arrangements with utility providers will not result in damage to any tree or other Council asset, and</li> <li>• The hours of operation, and</li> <li>• That the office will not intrude into the canopy area of any tree, and</li> <li>• That the office will not obstruct access to or impart any load onto any underground infrastructure, and</li> <li>• That the office will not obstruct access to the hangar building, and</li> <li>• That the office will not obstruct any existing car parking space or associated maneuvering area, and</li> <li>• That the office will not prevent or hinder access to public open space beyond the footprint of the office.</li> </ul> <p>The decommissioning plan must demonstrate:</p> <ul style="list-style-type: none"> <li>• The period of time for the operation of the temporary site and sales office to be no more than two (2) years, and</li> <li>• How temporary services will be decommissioned and removed, and</li> <li>• Details of how the land will be return to satisfactory condition in accordance with the landscape plan.</li> </ul> <p><b>Condition reason:</b> To ensure the safe and orderly use of the land.</p>

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23	<p><b>Signage Illumination</b></p> <p>All signs that are proposed to be illuminated shall meet the Illumination and reflectance criteria for <b>Zone 4</b> set out within Table 5 of the <i>Transport Corridor Outdoor Advertising and Signage Guidelines 2017</i>. All illuminated signs must have the ability to be adjusted. Details of compliance shall be provided to the Council/Principal Certifier with an application for a Subdivision Works Certificate.</p> <p>Illumination of the billboard sign is to be limited to a maximum of 3 floodlights per side. Each floodlight is to be positioned and directed towards the message face of the sign only. Glare arising from direct view of the lighting element from any roadway is to be prevented by a combination of placement, direction and where required by hooding or screening.</p> <p><b>Condition reason:</b> To limit the potential for glare and minimise distraction of motorists.</p>
24	<p><b>Advertising Signage</b></p> <p>Details of the content of the advertising sign (billboard) are to be submitted to and approved by Council’s Manager Development Assessment prior to the issue of a Subdivision Works Certificate.</p> <p><b>Condition reason:</b> To limit the potential for glare and minimise distraction of motorists.</p>
25	<p><b>Signage and Wayfinding</b></p> <p>Details of all public signage and wayfinding infrastructure shall be to be submitted to Council’s Manager Development Assessment prior to the issue of a Subdivision Works Certificate.</p> <p><b>Condition reason:</b> To ensure consistency with Councils adopted wayfinding strategy.</p>
26	<p><b>Essential Energy Requirements</b></p> <p>Any electricity infrastructure affecting the site and any associated infrastructure easements must be addressed to the satisfaction of Essential Energy prior to the issue of a subdivision works certificate. Evidence is to be submitted to the Private Certifier.</p> <p><b>Condition reason:</b> To ensure the safe and orderly use of the land.</p>
27	<p><b>Affordable Housing</b></p>

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	<p>Prior to the release of a subdivision works certificate for any stage a schedule and of affordable housing delivery (a total of 55 dwelling / a minimum of 20% of dwellings) is to be provided to Council for approval by Councils Manager Development Assessment demonstrating:</p> <ul style="list-style-type: none"> <li>• How many affordable housing dwellings are to be provided in each stage, and Nominating specific lots or committing to specific units / apartments in the residential super lots, provided that no stage has more than 20 nominated dwellings and the total of 55 nominated dwellings is spread across at least 3 stages.</li> </ul> <p><b>Condition reason:</b> To ensure the delivery of Affordable Housing in accordance with legislative requirements.</p>
28	<p><b>Restriction-as-to-User - Affordable Housing</b></p> <p>Prior to the release of a subdivision works certificate a Restriction-as-to-User under section 88B of the NSW Conveyancing Act 1919 is to be created on the title for the proposed affordable housing lots, to the effect that:</p> <ul style="list-style-type: none"> <li>• from the date of the issue of an occupation certificate the lots nominated will be used for affordable housing for a period of 15 years, and</li> <li>• will be manage by a registered community housing provider.</li> </ul> <p><b>Condition reason:</b> To ensure the delivery of Affordable Housing in accordance with legislative requirements.</p>
29	<p><b>Planning Agreement</b></p> <p>In accordance with Section 7.7 of the Environmental Planning and Assessment Act 1979, the Planning Agreement offered by the developer in respect of the Development Application, the subject of this consent, that relate to the delivery of public infrastructure as outlined in the draft Planning Agreement (drafted by Lindsay Taylor Lawyers and as amended in accordance with Council resolution 26/129 resolved 17 March 2026) must be entered into prior to issuing of Subdivision Works Certificate. The terms of the Planning Agreement must, thereafter be adhered to.</p> <p><b>Reason:</b> To ensure the delivery of public benefit in accordance with the Planning Agreement.</p>
30	<p><b>Restriction-as-to-User – Planning Agreement</b></p> <p>Prior to the release of a subdivision works certificate evidence shall be provided to Council’s Manager Development Assessment that the Planning Agreement (drafted by Lindsay Taylor Lawyers and as amended in accordance with Council resolution 26/129 resolved 17 March 2026) has been registered on the title of the land, the subject of this development consent.</p>

**Attachment 1 DRAFT Notice of Determination**

	<p><b>Condition reason:</b> To ensure the delivery of infrastructure and works in accordance with the Planning Agreement.</p>
31	<p><b>Placement of Infrastructure</b></p> <p>The final placement of street lights and substations may be repositioned to avoid conflicts with infrastructure or for other logistical reasons subject to an infrastructure layout plan being submitted to and approved by Councils Manager Development Assessment and Manager City Presentations.</p> <p>The layout plan is to be provided to Council prior to issue of a subdivision work certificate for approval by Manager Infrastructure to ensure that street lights and substations do not cause conflicts with footpaths, cycleways and may not intrude into the canopy of existing or retained trees.</p> <p>Additionally, in accordance with the Bush Fire Safety Authority issued by NSW RFS the 'unencumbered area' in front of Lot 431 identified in figure 16 of the Bush Fire Assessment Report by Integrated Consulting is to be kept clear of all structures, infrastructure or other assets that could impede the use of the area for fire service vehicles, including parking and manoeuvring.</p> <p><b>Condition reason:</b> To comply with Council's Development and Subdivision Code and ensure legislative compliance with Bush Fire requirements.</p>

**Before subdivision work commences**

32	<p><b>Apply for Subdivision Works certificate</b></p> <p>An application for a Subdivision Works Certificate is required to be submitted to, and a Certificate issued by Orange City Council / Accredited Certifier prior to any excavation or works being carried out on site.</p> <p><b>Condition reason:</b> To ensure compliance with relevant statutory requirements.</p>
33	<p><b>Soil and water management plan</b></p> <p>The approved Soil and Water Management Plan (SWMP) shall be implemented prior to construction works commencing.</p> <p><b>Condition reason:</b> To ensure compliance with relevant statutory requirements.</p>
34	<p><b>Road Opening Permit required</b></p> <p>A Road Opening Permit in Accordance with Section 138 of the Roads Act 1993 must be approved by Council prior to 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>

**Attachment 1 DRAFT Notice of Determination**

	<p><b>Optus Certification</b></p> <p>The proposed wetlands and detention basin are in conflict with an existing Optus Communications Fibre Optic Cable. An application is to be made to Optus Communications for a Notice of Arrangement stating that arrangements have been made for the relocation of the Fibre Optic Cable. Prior to any works on site the location of the cable is to be confirmed in consultation with Optus Communications and no excavation may occur within 3 metres of the cable until the Notice of Arrangement has been issued.</p> <p><b>Condition reason:</b> To ensure the protection of telecommunications assets.</p>
35	<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 (4th edition).</p> <p><b>Condition reason:</b> To prevent site erosion and sediment loss, and protect waterways from sediment pollution.</p>

**During subdivision work**

36	<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>
37	<p><b>Provision of services and works on public land</b></p> <p>The provisions 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.</p> <p>The developer is to be entirely responsible for the provision of water, sewerage and drainage facilities capable of servicing all the lots 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 about all water, sewer and drainage mains within and outside the lots they serve.</p> <p><b>Condition reason:</b> To comply with Councils Development and Subdivision Code.</p>
38	<p><b>Provision of water service and sewer junction</b></p> <p>A water service and sewer junction is to be provided to every lot in the proposed residential subdivision in accordance with the Orange City Council Development and Subdivision Code.</p> <p><b>Condition reason:</b> To comply with Councils Development and Subdivision Code.</p>
39	<p><b>Concrete footpaths and cycleways</b></p>

**Attachment 1 DRAFT Notice of Determination**

	<p>Concrete footpaths, a minimum of 1.2 metres wide, are to be constructed on both sides of all through streets and Lone Pine Avenue frontage.</p> <p>Concrete shared paths, a minimum of 2.5 metres wide, are to be constructed on one side of roads 1, 2, 10 and Brabham Way frontage.</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>
40	<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 to serve 3 Redmond Place. 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 Council's Development and Subdivision Code.</p>
41	<p><b>Lots adjacent to waterway</b></p> <p>All proposed residential lots adjacent to a stormwater overland flow path are to be a minimum of 500mm above the 1% AEP flood level.</p> <p><b>Condition reason:</b> To comply with Councils Development and Subdivision Code.</p>
42	<p><b>All services to be provided by developer</b></p> <p>Water and sewer services, including mains construction, pumping station construction, easements and all associated materials and works, are to be provided for the development at the cost of the developer.</p> <p><b>Condition reason:</b> To comply with Councils Development and Subdivision Code.</p>
43	<p><b>All services contained within lots</b></p> <p>All services are to be contained within the allotment that they serve.</p> <p><b>Condition reason:</b> To comply with Councils Development and Subdivision Code.</p>
44	<p><b>Unexpected finds - Aboriginal, relics, historical items</b></p> <p>If Aboriginal objects, relics, or other historical items or the like are located during development works, all works in the area of the identified object, relic or item must cease; and the NSW Office of Environment and Heritage (OEH), and representatives from the Orange Local Aboriginal Land Council must be notified. Where required, further archaeological investigation must be undertaken. Development works in the area of the find(s) may recommence if and when outlined by the management strategy developed in consultation with and approved by the OEH.</p> <p><b>Condition reason:</b> To ensure any unexpected or significant finds are investigated, recorded and conserved where necessary.</p>

**Attachment 1 DRAFT Notice of Determination**

45	<p><b>Unexpected finds - contamination</b></p> <p>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.</p> <p><b>Condition reason:</b> To ensure any unexpected finds of contamination are notified to Council and managed appropriately to ensure any unexpected or significant finds are investigated, recorded and conserved where necessary.</p>
46	<p><b>License for waste material</b></p> <p>Any receiver of waste material must be properly licensed by the NSW Environment Protection Authority to receive that waste. If a non-licensed premises is intended to receive waste from the site then an approved notice within the meaning of Section 143(4) of the <i>Protection of the Environment Operations Act 1997</i> (Section 143 Notice) must be supplied prior to the removal of the material from the remediation site. Details of material removed - including volume, mass, classification, destination - and any Section 143 Notices are to be included in the validation report.</p> <p><b>Condition reason:</b> To ensure compliance with relevant statutory requirements.</p>
47	<p><b>Filling of Lots</b></p> <p>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.</p> <p><b>Condition reason:</b> To comply with Councils Development and Subdivision Code.</p>
48	<p><b>Asbestos material removal and disposal</b></p> <p>Any asbestos material must be removed and disposed of in accordance with the provisions of the <i>Work Health &amp; Safety Act 2011</i> and any guidelines or Codes of Practice published by SafeWork NSW.</p> <p><b>Condition reason:</b> To ensure asbestos materials are handled and disposed of in a safe manner.</p>

**Before issue of a subdivision certificate**

49	<b>Apply for Subdivision Certificate</b>
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**Attachment 1 DRAFT Notice of Determination**

	<p>Application shall be made for a Subdivision Certificate under Section 6.3(1)(d) of the Act.</p> <p><b>Condition reason:</b> To ensure compliance with relevant statutory requirements.</p>
50	<p><b>Provision of services for staged subdivision release</b></p> <p>Where staged release of the subdivision is proposed, all conditions of consent and contributions relative to the proposed staging of the development, and all engineering conditions of development consent as it relates to the servicing of the proposed lots / dwellings are to be completed prior to the issuing of a Subdivision Certificate.</p> <p><b>Condition reason:</b> To ensure compliance with relevant statutory requirements.</p>
51	<p><b>Contributions - payment of water and sewer contributions (obtain section 307 Certificate)</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 Councils website.</p> <p>A section 307 Certificate must be obtained prior to the issue of any Subdivision Certificate.</p> <p><b>Condition reason:</b> To ensure compliance with relevant statutory requirements.</p>
52	<p><b>Filling of lots</b></p> <p>Evidence from a registered NATA laboratory is to be submitted prior to the issuing of a Subdivision Certificate stating that the filling of all low-lying areas and/or dams has been carried out in accordance with Australian Standard 3798-2007.</p> <p><b>Condition reason:</b> To comply with Councils Development and Subdivision Code.</p>
53	<p><b>NBN certification</b></p> <p>Application is to be made to NBN for infrastructure to be made available to each individual lot within the development. Either a Telecommunications Infrastructure Provisioning Confirmation or Certificate of Practical Completion is to be submitted to the Principal Certifying Authority confirming that the specified lots have been declared ready for service prior to the issue of a Subdivision Certificate.</p> <p><b>Condition reason:</b> To comply with Councils Development and Subdivision Code.</p>
54	<p><b>Essential Energy certification</b></p> <p>A Notice of Arrangement from Essential Energy stating arrangements have been made for the provision of electricity supply to the development, is to be submitted to the Principal Certifying Authority prior to the issue of a Subdivision Certificate.</p> <p><b>Condition reason:</b> To comply with Councils Development and Subdivision Code.</p>
55	<p><b>Easements for sewer mains</b></p>

**Attachment 1 DRAFT Notice of Determination**

	<p>An easement, to drain sewage and to provide Council access for maintenance of sewerage works; a minimum of 2.0 metres wide is to be created over all sewer mains. The Principal Certifying Authority is to certify that the easement is in accordance with the Orange City Council Development and Subdivision Code prior to the issuing of a Subdivision Certificate.</p> <p><b>Condition reason:</b> To comply with Councils Development and Subdivision Code.</p>
56	<p><b>All services contained within lots and WAE plans</b></p> <p>All services are to be contained within the allotment that they serve. A Statement of Compliance and digital works as executed plans (in both .pdf and .dwg formats) for all services, from a Registered Surveyor, is to be submitted to Orange City Council prior to the issuing of a Subdivision Certificate.</p> <p>WAE plans shall include MGA co-ordinates and AHD levels with each of the services on a separate layer eg separate out water, sewer, storm water, gas, power, telecommunications to their own layers / drawing sheet.</p> <p><b>Condition reason:</b> To comply with Councils Development and Subdivision Code.</p>
57	<p><b>Stormwater detention / stormwater treatment certification</b></p> <p>A Certificate of Compliance, from a Qualified Engineer, stating that the stormwater detention basin and stormwater treatment system complies with the approved engineering plans is to be submitted to the Principal Certifying Authority prior to the issuing of a Subdivision Certificate.</p> <p><b>Condition reason:</b> To comply with Councils Development and Subdivision Code.</p>
58	<p><b>Maintenance bond provided for infrastructure defect security.</b></p> <p>A Maintenance Bond, in accordance with the provisions and requirements of the Orange City Council Development and Subdivision Code, is to be provided to Orange City Council prior to the issuing of a Subdivision Certificate.</p> <p>A Certificate of Compliance, from Orange City Council, certifying that the maintenance bond has been paid, is to be submitted to the Principal Certifying Authority prior to the issuing of a Subdivision Certificate.</p> <p><b>Condition reason:</b> To comply with Councils Development and Subdivision Code.</p>
59	<p><b>Connection of existing buildings to gravity sewer and disposal of existing pump out system</b></p> <p>The existing buildings at 3 Redmond Place and Lot 200 DP 1288388 are to be connected to the proposed reticulated sewer. The existing pump out system is to be excavated and disposed of at a licensed landfill and the excavation backfilled with clean compacted material.</p> <p>Evidence of such work is to be provided to the Principal Certifying Authority prior to the issue of a Subdivision Certificate.</p> <p><b>Condition reason:</b> To comply with Councils Development and Subdivision Code.</p>

**Attachment 1 DRAFT Notice of Determination**

60	<p><b>Restriction-as-to-User - stormwater easements</b></p> <p>Where stormwater crosses land outside the lot it favours, an easement to drain water is to be created over the works. A Restriction-as-to-User under section 88B of the <i>NSW Conveyancing Act 1919</i> is to be created on the title of the burdened lot(s) requiring that no structures are to be placed on the site, or landscaping or site works carried out on the site, in a manner that affects the continued operation of the interlot drainage system. The minimum width of the easement is to be as required in the Orange City Council Development and Subdivision Code.</p> <p><b>Condition reason:</b> To comply with Councils Development and Subdivision Code.</p>
61	<p><b>Provision of services and works on public land</b></p> <p>Certification from Orange City Council is required to be submitted to the Principal Certifying Authority prior to the issue of a Subdivision 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>
62	<p><b>Undertake Road Safety Audit</b></p> <p>Prior to the issue of a Subdivision Certificate, a pre-opening Road Safety Audit shall be undertaken of all areas of road works associated with the approved development. The report shall be undertaken in accordance with the requirements of Austroads <i>Guide to Road Safety – Part 6 Road Safety Audit (2022)</i> and be provided to Orange City Council Technical Services Division.</p> <p><b>Condition reason:</b> To identify any potential road safety hazards.</p>
63	<p><b>Community Title subdivision for proposed Lots 413 to 417.</b></p> <p>Proposed lots 413 to 417 shall be created under a Community Title subdivision with the rear laneway being dedicated as the common Lot for vehicle access.</p> <p><b>Condition reason:</b> To comply with Councils Development and Subdivision Code.</p>
64	<p><b>Road opening permit certificate of compliance</b></p> <p>A Road Opening Permit Certificate of Compliance is to be issued for the works by Council prior to an subdivision certificate being issued for the development.</p> <p><b>Condition reason:</b> To ensure compliance with relevant statutory requirements.</p>

**Ongoing use for subdivision work**

No additional conditions have been applied to this stage of development.

## Demolition Work

### Before demolition work commences

65	<p><b>Dust, Erosion and Sediment Control</b></p> <p>Dust, Erosion and sediment control measures are in place to ensure demolition work—</p> <p>(a) avoids detrimental impacts on soil and ground stability,</p> <p>(b) avoids detrimental impacts on waterways, drinking water catchments, groundwater sources, vegetation and surrounding land, and</p> <p>(c) does not result in runoff carrying sediments or other pollutants leaving the site or entering the stormwater system.</p> <p><b>Condition reason:</b> To ensure demolition work does not adversely impact the environment</p>
66	<p><b>Unanticipated Finds</b></p> <p>Prior to undertaking any demolition or excavation an unanticipated finds procedure is to be documented and submitted to Council. The procedure is to detail responses to unexpected discovery of archaeological relics, both Aboriginal and non-indigenous, as well as the discovery of unexpected contamination. At a minimum the procedure is to require:</p> <ul style="list-style-type: none"> <li>• the temporary cessation of work,</li> <li>• the photographic recording of all finds and</li> <li>• the consultation with appropriately qualified experts on significant finds before work proceeds.</li> </ul> <p><b>Condition reason:</b> To preserve and protect the heritage of Aboriginal and non-indigenous cultural artefacts.</p>
67	<p><b>Road opening permit required</b></p> <p>A Road Opening Permit in accordance with Section 138 of the <i>Roads Act 1993</i> must be approved by Council prior to demolition work 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>

### During demolition work

68	<b>Adjustments to utility services</b>
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	<p>Any adjustments to existing utility services that are made necessary by the demolition work are to be at the full cost of the developer.</p> <p><b>Condition reason:</b> To comply with Council's Development and Subdivision Code.</p>
69	<p><b>Demolition - in accordance with AS 2601:2001</b></p> <p>Building demolition is to be carried out in accordance with Australian Standard 2601:2001 - The Demolition of Structures and the requirements of SafeWork NSW.</p> <p><b>Condition reason:</b> To ensure compliance with relevant statutory requirements.</p>
70	<p><b>Hours of work - demolition</b></p> <p>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.</p> <p><b>Condition reason:</b> To ensure compliance with relevant statutory requirements.</p>

**On completion of demolition work**

71	<p><b>Site Stabilisation</b></p> <p>At the completion of demolition work any disturbed areas that are not intended to be further disturbed during construction are to be stabilised and within 5 working days either turfed or grass seeded to reduce the risk of dust, erosion or sediment dispersal.</p> <p><b>Condition reason:</b> To protect the land from degradation, maintain the amenity of the area and the quality of water runoff from the site.</p>
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**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

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**Attachment 1 DRAFT Notice of Determination**

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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.

**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.

**Subdivision certificate** means a certificate that authorises the registration of a plan of subdivision under Part 23 of the *Conveyancing Act 1919*.

**Subdivision work certificate** means a certificate to the effect that subdivision work completed in accordance with specified plans and specifications will comply with the requirements of the EP&A Regulation.

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

**Attachment 2 Planning Assessment Report to WRPP**


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D25/111199  
**REPORT TO** WESTERN REGIONAL PLANNING PANEL  
  
**FROM** SENIOR PLANNER (CRAIG MORTELL)  
  
**DATE** 17 MARCH 2026  
  
**ON** DEVELOPMENT APPLICATION  
 3 REDMOND PLACE, 154 LONE PINE AVENUE AND 5255 MITCHELL  
 HIGHWAY, ORANGE  
 SUBDIVISION (167 LOT TORRENS TITLE AND NEW ROADS), DEMOLITION  
 (BUILDINGS, ANCILLARY STRUCTURES AND TREE REMOVAL), BULK  
 EARTHWORKS AND INSTALLATION OF A TEMPORARY SIGN AND SALES  
 OFFICE, REMEDIATION – CATEGORY 1  
  
**PAN-556873 - XXX**

<b>Application Lodged</b>	7 August 2025
<b>Development Application No</b>	DA 298/2025(1)
<b>Plan No/s</b>	Appendix E - Engineering Drawings - Colliers plan set (24-1057C-DA-0001 to 24-1057C-DA-0955 (81 Sheets)) Appendix G - Oculus Landscape Plans (31 Sheets) Lighting Plans - Oculus & Lighting, Art & Science (SK-001 to SK-104 (5 sheets)) Appendix O-Q - Draft Subdivision plans Samuel B. Byrnes (11 sheets) Appendix AC - Signage Plans - NRM Engineering (S-100 (1 sheet))
<b>Applicant</b>	Landcom Level 15, 6 Hassall Street PARRAMATTA NSW 2150
<b>Owner/s</b>	Orange City Council PO Box 35 ORANGE NSW 2800
<b>Land Description</b>	Lot 6 DP 1031236 - 3 Redmond Place, Orange Lot 1 DP 153167 - 154 Lone Pine Avenue, Orange Lot 200 DP 1288388 - 5255 Mitchell Highway, Orange
<b>Proposed Land Use</b>	Subdivision (167 lot Torrens title and new roads), demolition (buildings, ancillary structures and tree removal), bulk earthworks and installation of a temporary sign and sales office
<b>Value of Proposed Development</b>	\$62,217,122
<b>Provisions of LEP 2011 (amended)</b>	R1 General Residential
<b>Details of Advertisement of Project</b>	Advertised on the Council website on Tuesday, 12 August 2025 and neighbouring properties notified. Exhibition closed on Wednesday, 10 September 2025.
<b>Recommendation</b>	Approval

**3 REDMOND PLACE, 154 LONE PINE AVENUE AND 5255 MITCHELL HIGHWAY ORANGE**

17 March 2026

**EXECUTIVE SUMMARY**

Consent is sought for Torrens title subdivision of three existing lots into 167 lots, comprising 158 residential lots and 9 superlots (inclusive of two public open space lots and one lot for a sewer pump station) over four stages. The application also includes associated works such as bulk earthworks, vegetation removal, construction of new roads, installation of utilities, a temporary site office, the creation and embellishment of a new open space network and signage at 3 Redmond Place, 154 Lone Pine Avenue and 5255 Mitchell Highway, Orange (the site).

The proposal also includes minor demolition works including buildings, fences, pavements, signs and drainage (including dam dewatering) and removal of 33 trees; as well as a temporary billboard sales sign and installation of a temporary relocatable site/sales office.

**Key Issues**

- Referral Agencies and Integrated Development

**NSW Rural Fire Service**

The site is mapped as bushfire prone land and was referred to the RFS as Integrated Development in accordance with section 4.14 of the Act. The Bushfire Safety Authority was received on 28 September 2025 and the revised design of the proposal remains consistent with the requirements of the BSA.

**Transport for NSW**

The application comprises more than 50 lots in proximity to a classified road, and therefore triggers traffic-generating development provisions under section 2.122 and schedule 3 of State Environmental Planning Policy (Transport and Infrastructure) 2021. The proposal was referred to TfNSW who provided a response dated 17 December 2025 stating support for the project and advising that it would not adversely impact the classified road network or warrant upgrades to relevant intersections along the Mitchell Highway (HW7).

- Planning Agreement

The overall development of the land is subject to a Planning Agreement between Council and Landcom as the developer. The focus of the Planning Agreement relates to the provision of an embellished linear parkland. The Planning Agreement has been subject to a separate process as part of the earlier rezoning of the site.

- Notification and Submissions

The application was notified 12 August 2025 and exhibition closed on 10 September 2025. Two submissions were received during this period, with a further submission from a prospective developer of neighbouring land received after the exhibition period closed. The matters raised in the submissions have been addressed in this report, and it is considered that the proposal has satisfactorily responded to all relevant matters.

**3 REDMOND PLACE, 154 LONE PINE AVENUE AND 5255 MITCHELL HIGHWAY ORANGE**  
17 March 2026

- Consent Authority

**Western Regional Planning Panel**

Due to the value of the development being over \$30m and being a Council-related development over \$5m (the subject site being Council owned land) the application is defined as regionally significant development in accordance with items 2 and 3 of schedule 6 of State Environmental Planning Policy (Planning Systems) 2021. Accordingly, the Western Regional Planning Panel is the applicable consent authority for the proposal.



**Figure 1 - locality plan**

The site is under the ownership of Orange City Council, and the project will be delivered by Landcom under a Project Delivery Agreement, which includes the delivery of a minimum of 20% affordable housing across the site.

The proposed subdivision has been designed to minimise environmental, social and economic impacts, with all technical studies confirming the site is suitable for development subject to standard mitigation measures. Contamination will be remediated, biodiversity impacts are low and manageable, and stormwater, flooding and bushfire risks can be effectively addressed through the adopted engineering and land-management strategies. Traffic and servicing assessments demonstrate that the development can be appropriately supported by the existing and upgraded infrastructure network. The subdivision layout delivers substantial public open space, improved visual amenity and high-quality urban design outcomes, contributing positively to housing supply and community wellbeing. The likely impacts of the development are acceptable and can be satisfactorily managed through the recommended conditions of consent.

**3 REDMOND PLACE, 154 LONE PINE AVENUE AND 5255 MITCHELL HIGHWAY ORANGE**  
17 March 2026

**FINANCIAL IMPLICATIONS**

Nil

**POLICY/GOVERNANCE IMPLICATIONS**

Nil

**RECOMMENDATION**

That the Panel consents to development application DA 298/2025(1) for *Subdivision (167 lot Torrens title and new roads), Demolition (buildings, ancillary structures and tree removal), Bulk Earthworks and Installation of a Temporary Sign and Sales Office* at Lot 6 DP 1031236 - 3 Redmond Place, Lot 1 DP 153167 - 154 Lone Pine Avenue and Lot 200 DP 1288388 - 5255 Mitchell Highway, Orange, pursuant to the conditions of consent in the attached Notice of Determination.

**THE PROPOSAL**

The proposal involves a staged development of a Torrens title subdivision over 4 stages of 3 existing lots into 167 lots in total, comprising:

- 158 low density residential lots
- 6 superlots for apartments or multi-dwelling housing
- 2 public open space lots and
- 1 lot for a sewer pump station.

There will also be associated works such as bulk earthworks, vegetation removal, construction of new roads (including signage, street lights and street trees), installation of utilities, the creation and embellishment of a new open space network and a temporary billboard sales signage, as well as installation of a temporary site/sales office.

The proposal has been slightly modified compared to the design that was publicly exhibited. The exhibited version was spread over 5 stages (stages 1-4 and stage 4A) comprising a total of 164 lots in total including the superlots, public open space lots and the sewer pump station lot. Further discussions between the applicant and Council resulted in the removal of stage 4A, which was to comprise a single lot intended for a 66-unit affordable housing apartment complex. The land in that stage has been absorbed by the balance of stage 4, with a minor reconfiguration of lots and road layouts whereby the first north-south road as you enter from Lone Pine Avenue was shifted slightly eastwards. The 20% affordable housing requirements will now be met with other lots scattered throughout the development.

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**Figure 2 - site and staging plan**

**SITE OFFICE**

Subsequent to the public exhibition period the applicant advised of an intention to include a site/sales office in the form of a temporary demountable building to be located in proximity to the existing hangar on the site (refer Figure 3) in order to take advantage of the existing access and parking in that area and avoid the need for additional civil works. This had not been included in the original application as there were ongoing discussions with Council about the potential use of the hangar for a sales office.

However, the hangar is currently being used by a number of community groups for storage and related purposes, and while Council has held discussions with those groups about relocation, at the time of writing no final agreement has been reached. As such it was ultimately determined that a separate temporary demountable site/sales office may be more appropriate.

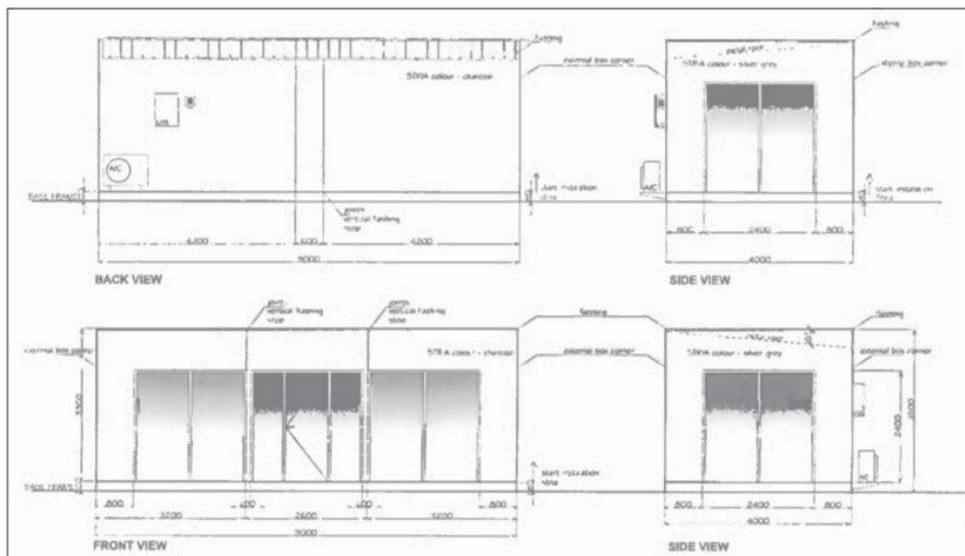
The office is intended to support the marketing and sale of residential lots and has been nominated for a period of 5 years or until subdivision sales are completed (presumed to be the earlier of the two) after which it will be removed. The intent is to operate the sales office for up to seven days per week. This is likely to fluctuate during the development becoming more active as and when different works on site complete. The applicant also suggests a modest level of wayfinding signage to assist visitors attending the facility. The proposed structure is approximately 4m by 9m (refer Figure 4).

While this facility was not placed on public exhibition, the minor and temporary nature of the site office, its distance from any neighbouring properties, the visually screened location behind the line of poplar trees and the ability to easily restore its footprint after the use concludes all suggest that the inclusion of this facility will have negligible impact on the environment or surrounding lands. Conditions may be imposed in respect of hours of operation and not obstructing access to the parkland, hangar or other features of this location.

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**Figure 3 - indicative location of site/sales office**



**Figure 4 - plans and elevations of site/sales office**

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**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 (ie 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);	The development site is not identified on the Biodiversity Values Map.
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**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	The development does not involve clearing of native vegetation.
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**Trigger 3**

<p>development is otherwise likely to significantly affect threatened species (clauses 7.2 and 7.3 of BC Act 2016).</p> <p>the test for determining whether proposed development is otherwise likely to significantly affect threatened species is listed in the BC Act 2016, under s7.3:</p> <p>(a) <i>in the case of a threatened species, whether the proposed development or activity is likely to have an adverse effect on the life cycle of the species such that a viable local population of the species is likely to be placed at risk of extinction,</i></p> <p>(b) <i>in the case of an endangered ecological community or critically endangered ecological community, whether the proposed development or activity:</i></p> <p>(i) <i>is likely to have an adverse effect on the extent of the ecological community such that its local occurrence is likely to be placed at risk of extinction, or</i></p>	<p>The LEP biodiversity mapping does not apply to the land. The zoning of the land is a combination of R1 General Residential across the majority of the site, with some RE1 Public Recreation applying to the stormwater bioretention basin at the eastern end of the site.</p> <p>The application is supported by a Biodiversity Assessment Report prepared by OzArk.</p> <p>The Poplar trees, while exotic, can provide a degree of nesting opportunities. These trees are to be retained.</p> <p>Very few habitat features remain within the subject site. One stag (standing dead tree) with no hollows and one stag containing five small hollows are likely to be impacted by the proposal. Some boulders within the paddocks may provide habitat for reptiles and mircobats – while these boulders will be moved, they can be retained within the project site.</p> <p>A small dam surrounded by wet sedges could provide habitat for various water birds, however as the dam is located</p>
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<p>(ii) <i>is likely to substantially and adversely modify the composition of the ecological community such that its local occurrence is likely to be placed at risk of extinction,</i></p> <p>(c) <i>in relation to the habitat of a threatened species or ecological community:</i></p> <p>(i) <i>the extent to which habitat is likely to be removed or modified as a result of the proposed development or activity, and</i></p> <p>(ii) <i>whether an area of habitat is likely to become fragmented or isolated from other areas of habitat as a result of the proposed development or activity, and</i></p> <p>(iii) <i>the importance of the habitat to be removed, modified, fragmented or isolated to the long-term survival of the species or ecological community in the locality,</i></p> <p>(d) <i>whether the proposed development or activity is likely to have an adverse effect on any declared area of outstanding biodiversity value (either directly or indirectly),</i></p> <p>(e) <i>whether the proposed development or activity is or is part of a key threatening process or is likely to increase the impact of a key threatening process.</i></p>	<p>between two large wetlands (Suma Park and Spring Creek reservoir), this likely contributes little value to the habitat of water birds in the area. Additionally, the proposal will deliver an artificial wetland a short distance from the dam, and this is likely to be adopted by any species previously using the dam.</p> <p>The OzArk assessment concludes that up to 0.46ha of native vegetation was detected on the site. Of this, 0.17ha would be impacted, which is below the 0.25ha clearing threshold that would trigger the Biodiversity Offset Scheme.</p> <p>Assessments of eight targeted fauna species were conducted, with none of the species found on the site. Thirty-nine fauna species were detected, of which one, the Grey-headed Flying-fox, is listed as vulnerable under the BC and EPBC Acts.</p> <p>Sixty-three flora species were found none, of which were listed as threatened under the BC or EPBC Acts. Twenty-four threatened and/or migratory fauna species were assessed as having moderate-to-high likelihood of occurring at the site. Tests of significance for these species concluded that the proposal would not result in a significant impact to any threatened fauna species.</p>
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**Trigger 4**

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.

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**Section 4.14 Consultation and Development Consent - Certain Bush Fire Prone Land**

Section 4.14 of the *Environmental Planning and Assessment Act 1979* requires that approval for development on bushfire prone lands not be granted until and unless the consent authority is satisfied that the development conforms to Planning for Bushfire Protection or a certificate by a person recognised by the RFS as a qualified consultant in bush fire risk assessment has been provided confirming the development meets the requirements.

This does not apply to subdivision of land that could be lawfully used for residential purposes. However, despite this section not being applicable to the application, the need for an Integrated Development referral under clause 4.46(1) of the Act remains as the proposal needs approval under section 100B of the Rural Fires Act. The application was referred to NSW RFS who issued a Bushfire Safety Authority under section 100B on 28 September 2025.

**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**

The part sets out a range of administrative matters. Of relevance to the application are the aims of the plan, the consent authority, constraints identified through mapping and the suspension of covenants, agreements and instruments.

**Clause 1.2 - Aims of Plan**

<p>Clause 1.2 sets out the broad aims of the LEP Those relevant to the application are as follows:</p> <ul style="list-style-type: none"> <li>(a) <i>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,</i></li> <li>(c) <i>to conserve and enhance the water resources on which Orange depends, particularly water supply catchments,</i></li> <li>(e) <i>to provide a range of housing choices in planned urban and rural locations to meet population growth,</i></li> <li>(f) <i>to recognise and manage valued environmental heritage, landscape and scenic features of Orange.</i></li> </ul>	<p>The application establishes a new housing estate with an embellished linear parkland along the Mitchell Highway frontage. When complete this will provide an attractive regional lifestyle for approximate 274 households.</p> <p>The site is within the Orange Drinking water catchment and has included wetlands and bioretention basin to ensure the water supply is protected and water quality maintained or enhanced.</p> <p>The proposed subdivision establishes 167 residential lots across a range of sizes and a further 6 super lots for medium density and apartment complexes alongside the single detached dwellings.</p> <p>The design respects and preserves the established war memorial poplars as a key entrance statement for the city.</p>
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**Attachment 2 Planning Assessment Report to WRPP**

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**Clause 1.6 - Consent Authority**

Clause 1.6 establishes that, subject to the Act, Council is the consent authority for applications made under the LEP.	Due to a combination of project value exceeding \$30m and direct Council involvement as owner of the land, the application will be determined by the Western Regional Planning Panel.
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**Clause 1.7 - Mapping**

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

Land Zoning Map:	<b>Land zoned R1 General Residential, RE1 Public Recreation and SP2 Infrastructure</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:	<b>Within the drinking water catchment</b>
Watercourse Map:	Not within or affecting a defined watercourse
Urban Release Area Map:	<b>Within an urban release area</b>
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>
Buffer Zone Map:	<b>Within a buffer area</b>

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

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**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.

<ul style="list-style-type: none"> <li>(a) <i>to a covenant imposed by the Council or that the Council requires to be imposed, or</i></li> <li>(b) <i>to any relevant instrument under Section 13.4 of the Crown Land Management Act 2016, or</i></li> <li>(c) <i>to any conservation agreement under the National Parks and Wildlife Act 1974, or</i></li> <li>(d) <i>to any Trust agreement under the Nature Conservation Trust Act 2001, or</i></li> <li>(e) <i>to any property vegetation plan under the Native Vegetation Act 2003, or</i></li> <li>(f) <i>to any biobanking agreement under Part 7A of the Threatened Species Conservation Act 1995, or</i></li> <li>(g) <i>to any planning agreement under Subdivision 2 of Division 7.1 of the Environmental Planning and Assessment Act 1979.</i></li> </ul>	<p>Council staff are not aware of the title of the subject property being affected by any of these scenarios.</p>
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**Part 2 - Permitted or Prohibited Development**

**Clause 2.1 - Land Use Zones and Clause 2.3 - Zone Objectives and Land Use Table**

<p>Clause 2.1 identifies the range of zones that apply to land in Orange.</p> <p>Clause 2.3 references the associated Land Use Table and Objectives for each zone in LEP 2011. The objectives for land zoned R1, RE1 and SP2 are set out in the following section.</p>	<p>The subject site is located within the R1 General Residential zone, the RE1 Public Recreation zone and the SP2 Infrastructure zone. The proposed development is defined as subdivision of land under OLEP 2011 and is permitted with consent for these zones. The application is seeking consent.</p>
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**Objectives**
**Zone R1 General Residential**

<ul style="list-style-type: none"> <li>• <i>To provide for the housing needs of the community.</i></li> <li>• <i>To provide for a variety of housing types and densities.</i></li> <li>• <i>To enable other land uses that provide facilities or services to meet the day-to-day needs of residents.</i></li> <li>• <i>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.</i></li> <li>• <i>To ensure that development along the Southern Link Road has an alternative access.</i></li> </ul>	<p>The development is a residential subdivision that will ultimately add 274 dwellings to Orange.</p> <p>The 158 low density lots range in size from 300m<sup>2</sup> to 832m<sup>2</sup>, with most at the lower end of that range, and 9 super lots between 1772m<sup>2</sup> and 5168m<sup>2</sup> for multi-dwelling housing/apartments.</p> <p>The zone permits the complimentary uses on the resultant lots.</p> <p>The layout facilitates the extension of bus routes and contains walkways and cycleways.</p> <p>The site fronts Brabham Way (former Southern link road) but all lots will be accessed by internal roads.</p>
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**Objectives**
**Zone RE1 Public Recreation**

<ul style="list-style-type: none"> <li>• <i>To enable land to be used for public open space or recreational purposes.</i></li> <li>• <i>To provide a range of recreational settings and activities and compatible land uses.</i></li> <li>• <i>To protect and enhance the natural environment for recreational purposes.</i></li> <li>• <i>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.</i></li> <li>• <i>To ensure development along the Southern Link Road has alternative access.</i></li> </ul>	<p>The development includes a linear park and proposes to embellish this space with a range of facilities including outdoor exercise equipment and playgrounds.</p> <p>The park will follow the natural drainage corridor of the land and include wetlands and bioretention basins to protect and enhance the ecological values of the site.</p> <p>The linear park will include a shared walkway/cycleway that links with the main internal road which is likely to form part of a future bus route.</p>
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**Objectives**
**Zone SP2 Infrastructure**

<ul style="list-style-type: none"> <li>• <i>To provide for infrastructure and related uses.</i></li> <li>• <i>To prevent development that is not compatible with or that may detract from the provision of infrastructure.</i></li> </ul>	<p>The area of the SP2 zone on the site is confined to small (0.1ha) wedge shaped section along the southern edge of the site between Brabham Way and Dairy Creek Road. This section is to be used for a sewer pump station consistent with the zone intent.</p>
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**Clause 2.6**
**Subdivision - Consent Requirements**

<p>Clause 2.6 triggers the need for development consent for the subdivision of land. Additionally, the clause prohibits subdivision of land on which a secondary dwelling is situated if the subdivision would result in the principal and secondary dwellings being located on separate lots if either of those lots are below the minimum lot size applying to the land.</p>	<p>The proposal does not involve a secondary dwelling and is otherwise seeking consent for a 167-lot residential and public open space estate.</p>
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**Clause 2.7**
**Demolition Requires Development Consent**

<p>Clause 2.7 triggers the need for development consent in relation to a building or work. This requirement does not apply to any demolition that is defined as exempt development.</p>	<p>The proposal involves demolition and the applicant is seeking the consent of council. The demolition works proposed will have no significant impact on adjoining lands, streetscape or public realm. Conditions may be imposed in respect of hours of operation, dust suppression and the need to investigate for, and appropriate manage the presence of any materials containing asbestos.</p>
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**Part 3 - Exempt and Complying Development**

The application is not exempt or complying development.

**Part 4 - Principal Development Standards**
**Clause 4.1 - Minimum Subdivision Lot Size**

<p>Clause 4.1 requires the subdivision of land to be equal to or greater than the size nominated for the land under the Minimum Lot Size Map.</p>	<p>The map does not nominate a minimum lot size for the subject land. The smallest lot proposed by the application is 300m<sup>2</sup>.</p>
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**Clause 4.3 - Height of Buildings**

<p>Clause 4.3 limits the height of buildings (HoB) on land identified on the Height of Buildings Map.</p>	<p>The subject land is not identified on the Map as having a HoB limit.</p>
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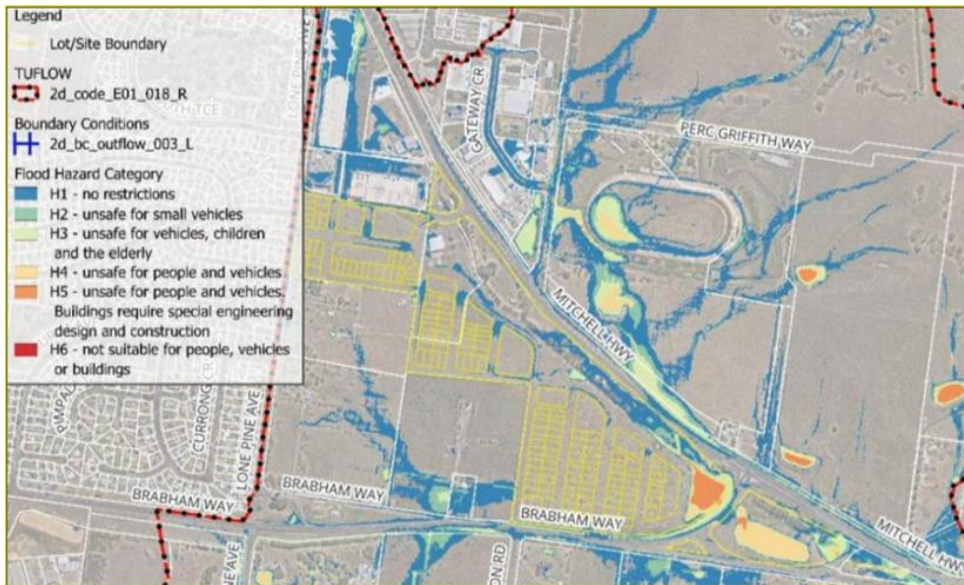
**Clause 4.4 - Floor Space Ratio**

<p>Clause 4.4 limits the floor space ratio (FSR) permitted on land identified on the Floor Space Ratio Map.</p>	<p>The subject land is not identified on the Map as having an FSR limit.</p>
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**Part 5 - Miscellaneous Provisions**

**5.21 - Flood Planning**



**Figure 5 - 1% AEP flood hazards - post-development**

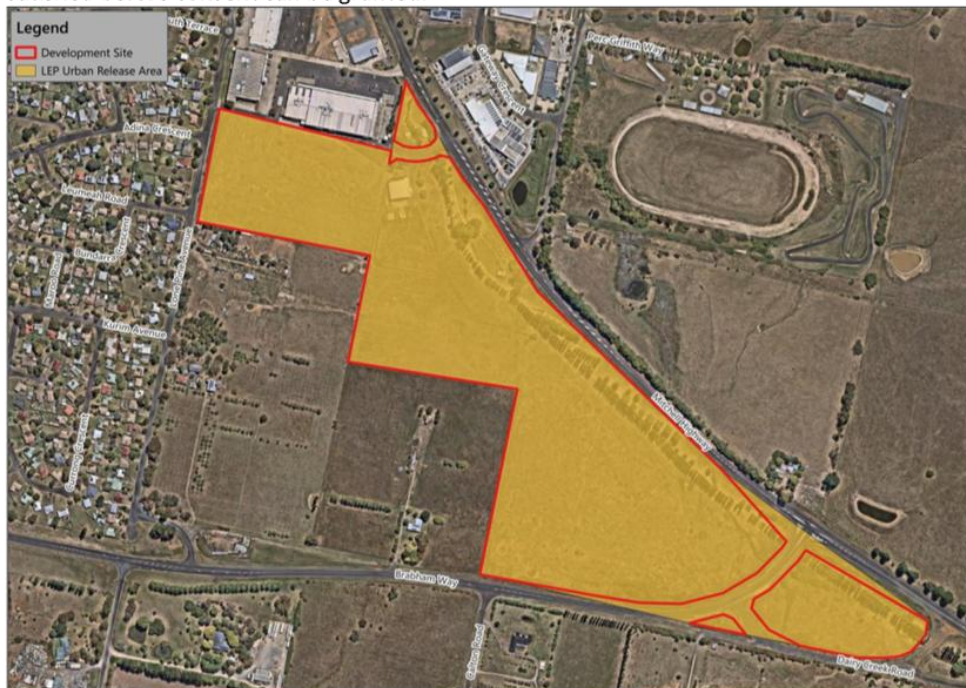
<p>Clause 5.21 applies to land identified on the Flood Planning Map as a Flood Planning Area and requires that, before any consent is issued, Council must be satisfied that the proposal:</p> <p>(a) is compatible with the flood function and behaviour on the land, and</p> <p>(b) will not adversely affect flood behaviour in a way that results in detrimental increases in the potential flood affectation of other development or properties, and</p> <p>(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</p> <p>(d) incorporates appropriate measures to manage risk to life in the event of a flood, and</p>	<p>(a) The proposal is unlikely to alter the flood function and behaviour of the land, by virtue of having incorporated a detailed drainage system inclusive of pits, pipes and retention basins. The system design has been informed by a water cycle management report by Colliers.</p> <p>(b) The drainage system has been sized to ensure that post development flood behaviour will be equal to or reduced compared to pre-development flows and has shown that it will not increase the flood affectation of other properties.</p> <p>(c) The road layout and associated earthworks will reduce flooding potential on the site, and by adopting a grid-based layout will ensure that residents have safe and efficient evacuation options.</p> <p>(d) The proposal has utilised earthworks to raise lower areas of the site and uses</p>
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<p><i>(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.</i></p>	<p>piped drainage to convey waters around the estate to constructed wetlands and detention basins. These measures are considered appropriate responses to the hazard and will appropriately manage any risk to life in the event of a flood.</p> <p>(e) The design of the estate and its stormwater management system have utilised a pit and pipe approach to convey flood waters to a constructed wetland and detention basin. This will ensure that flood waters are managed to reduce velocity and avoid erosion, siltation and damage to riverbanks and watercourses.</p>
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**Part 6 - Urban Release Area**

The subject site is located in an Urban Release Area. Clauses 6.1 – 6.3 must therefore be satisfied before consent can be granted.



**Figure 6 - Urban Release Area**

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**6.1 - Arrangements for Designated State Public Infrastructure.**

<p>Clause 6.1 requires satisfactory arrangements to be made for the provision of designated State public infrastructure before any subdivision of the land can occur.</p>	<p>The application was referred to Transport for NSW as traffic generating development under section 2.122 of the Transport and Infrastructure SEPP. Additionally, the matter was referred to the Manager of State Infrastructure at DPHI for a Satisfactory Arrangement Certificate (SAC). A request for a Satisfactory Arrangement Certificate (SAC) was first sent to the Manager of State Infrastructure on 14 August 2025. At the time of writing a Satisfactory Arrangement Certificate (SAC) has not been issued.</p>
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**6.2 - Public Utility Infrastructure**

<p>Clause 6.2 requires that Council be satisfied that any public utility infrastructure that is essential for the proposed development be available (or adequate arrangements have been made) before development consent can be granted.</p>	<p>The development will be fully serviced with public utilities as part of the project. Conditions can be included to ensure that adequate arrangements with providers are secured prior to release of subdivision certificates.</p>
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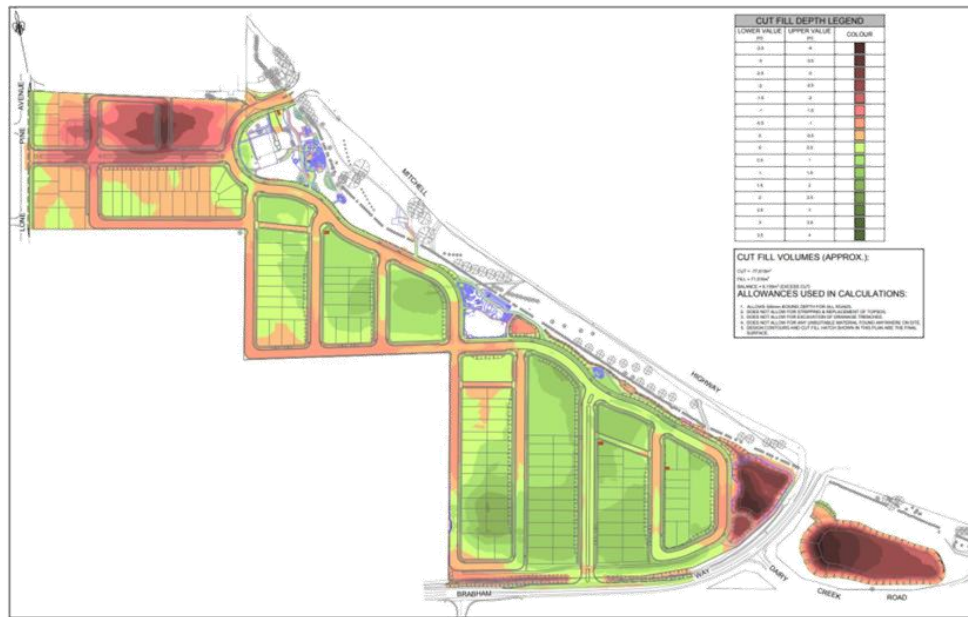
**6.3 - Development Control Plan**

<p>Clause 6.3 prevents development of the land until a Development Control Plan has been adopted in relation to the land. Such a DCP must address a range of core criteria.</p>	<p>A site-specific Development Control Plan was exhibited separately. At the time this DA was lodged the DCP was awaiting formal adoption. The DCP was adopted on 7 October 2025 commencing on 9 October 2025.</p> <p>Consistency with the site specific DCP is addressed in the DCP section of this report.</p>
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**Part 7 - Additional Local Provisions**

**7.1 - Earthworks**



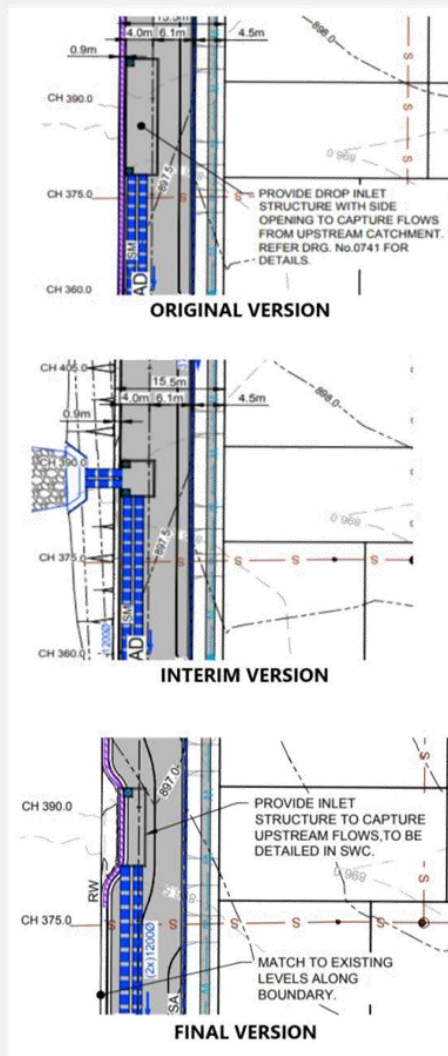
**Figure 7 - bulk earthworks (red = cut, green = fill)**

<p>Clause 7.1 establishes a range of matters that must be considered prior to granting development consent for any application involving earthworks, including:</p> <ul style="list-style-type: none"> <li>(a) <i>the likely disruption of, or any detrimental effect on, existing drainage patterns and soil stability in the locality of the development</i></li> <li>(b) <i>the effect of the development on the likely future use or redevelopment of the land</i></li> <li>(c) <i>the quality of the fill or the soil to be excavated, or both</i></li> <li>(d) <i>the effect of the development on the existing and likely amenity of adjoining properties</i></li> <li>(e) <i>the source of any fill material and the destination of any excavated material</i></li> <li>(f) <i>the likelihood of disturbing relics</i></li> <li>(g) <i>the proximity to and potential for</i></li> </ul>	<p>The earthworks proposed in the application are limited to the extent of cutting and filling required for the proposed subdivision and associated roads and infrastructure. The extent of disruption to the drainage of the site is generally considered to be minor and will not detrimentally affect receiving waterways.</p> <p>At one location on the western edge of stage 2 (refer figure 8), the proposal originally sought to create a boundary retaining wall reaching approximately 1.5m in height and incorporate a drop pit and subsurface stormwater system fed by a side inlet from 84 Brabham Way. This would convey waters around the southern perimeter of the site. The retaining wall was not supported by Council as it would cause ponding on the neighbouring land and may complicate future development of neighbouring land at 84 Brabham Way (Lot 3 DP 1262729) if that land were rezoned and subdivided at some future point.</p>
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*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).*



**Figure 8 - stormwater configuration with 84 Brabham Way**

A revised interim design that sought to extend into 84 Brabham Way was received and again not supported as it exceeded the site boundaries to impose a solution on other private lands for which there was no owner's consent.

Ultimately the layout was redesigned to include a minor indentation along part of Road 4 to enable the stormwater inlet to occur fully on the subject land. This final version necessitates the loss of some on-street parking for the affected length of Road 4, but otherwise does not alter the design as exhibited.

Beyond this the extent of the earthworks will not materially affect the potential future use or redevelopment of the subject site that may occur at the end of the proposed development's lifespan.

The site was investigated for contamination and some elevated levels of copper and lead were identified in some samples. Conditions may be imposed requiring the use of verified clean fill only. Excavated materials may be reused onsite where they are taken from areas that tested negative, and conditions may be imposed to require that surplus materials will be disposed of to an appropriate destination.

The change in ground level is significant in places and does alter the flow of stormwater. However, the earthworks will be appropriately supported onsite and stormwater flows managed through a combination of road reserves and sub-surface drains.

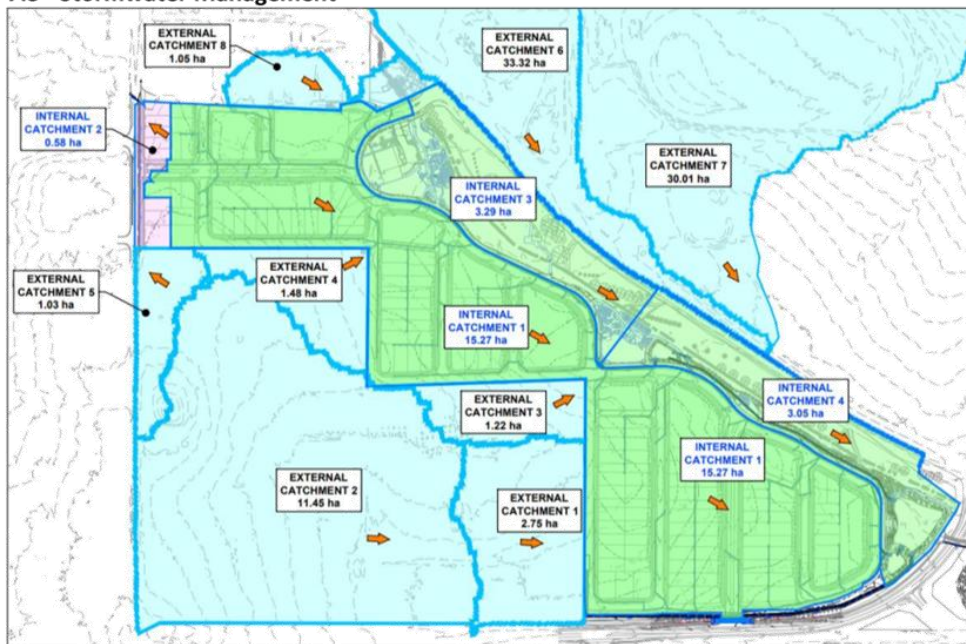
The effect on the amenity of adjoining properties from the earthworks is considered to be minor. The potential complication for orderly intensification of 84 Brabham Way (if that land should ever be rezoned) has been resolved by the minor alteration to proposed road 4, creating an indentation in the road to ensure that stormwater infrastructure need not require ponding of water on 84 Brabham Way.

The site is not known to contain any

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	<p>Aboriginal, European or archaeological relics. Previous known uses of the site do not suggest that any relics are likely to be uncovered. However, conditions may be imposed to ensure that should site works uncover a potential relic or artefact, works will be halted to enable proper investigation by relevant authorities and the proponent required to seek relevant permits to either destroy or relocate the findings.</p> <p>The site is within the drinking water catchment. Conditions may be imposed to require a sediment control plan, including silt traps and other protective measures, to ensure that loose dirt and sediment do not escape the site boundaries.</p>
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**7.3 - Stormwater Management**



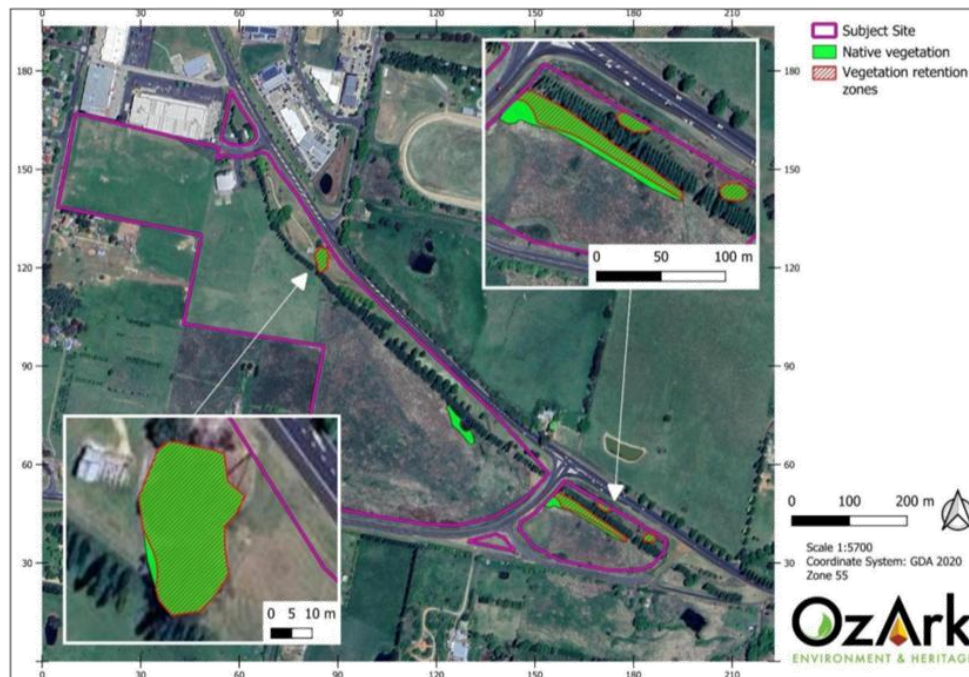
**Figure 9 stormwater catchments and flow directions**

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**7.3 - Stormwater Management**

<p>Clause 7.3 applies to all industrial, commercial and residential zones and requires that Council be satisfied that the proposal:</p> <p>(a) <i>is designed to maximise the use of water permeable surfaces on the land having regard to the soil characteristics affecting onsite infiltration of water</i></p> <p>(b) <i>includes, where practical, onsite stormwater retention for use as an alternative supply to mains water, groundwater or river water; and</i></p> <p>(c) <i>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.</i></p>	<p>The proposal has been designed to include permeable surfaces and includes onsite retention of stormwater through the use of wetlands and bioretention basins. The post development runoff levels are not expected to exceed predevelopment levels.</p>
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**7.4 - Terrestrial Biodiversity**



**Figure 10 - native vegetation identified by OzArk surveys**

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**7.4 - Terrestrial Biodiversity (cont)**

<p>Clause 7.4 seeks to maintain terrestrial biodiversity and requires that consent must not be issued unless the application demonstrates whether or not the proposal:</p> <ul style="list-style-type: none"> <li>(a) <i>is likely to have any adverse impact on the condition, ecological value and significance of the fauna and flora on the land</i></li> <li>(b) <i>is likely to have any adverse impact on the importance of the vegetation on the land to the habitat and survival of native fauna</i></li> <li>(c) <i>has any potential to fragment, disturb or diminish the biodiversity structure, function and composition of the land, and</i></li> <li>(d) <i>is likely to have any adverse impact on the habitat elements providing connectivity on the land.</i></li> </ul> <p>Additionally, this clause prevents consent being granted unless Council is satisfied that:</p> <ul style="list-style-type: none"> <li>(a) <i>the development is designed, sited and will be managed to avoid any significant adverse environmental impact, or</i></li> <li>(b) <i>if that impact cannot be reasonably avoided - the development is designed, sited and will be managed to minimise that impact, or</i></li> <li>(c) <i>if that impact cannot be minimised - the development will be managed to mitigate that impact.</i></li> </ul>	<p>The proposal is located on land that has not been identified on the Terrestrial Biodiversity Map as partially comprising “High or Moderate Biodiversity Sensitivity” land.</p> <p>The application was accompanied by a Biodiversity Assessment Report prepared by OzArk dated July 2025. OzArk conducted an initial field survey of the site on 18 January 2024. Targeted fauna surveys were conducted 23-26 October and 7-8 December 2024, and additional vegetation plot data was collected in February 2025. They found 0.46ha of Central West Creekflat Grassy Woodland, of which 0.17ha would be impacted by the proposal, which is below the 0.25ha clearing threshold for entry into the Biodiversity Offset Scheme.</p> <p>In terms of fauna two Grey-headed Flying-foxes were observed roosting within the planted Poplar trees which are to be retained. No other threatened fauna species were recorded and no flora species or populations listed as threatened under the BC or EPBC Acts were observed.</p> <p>The subject site was inspected by Council staff on 24 September 2025. Bulk earthworks are proposed across the majority of the site southwest of the linear parkland. However, no sensitive biodiversity beyond that identified in the OzArk study was identified.</p> <p>The proposal has been designed in a manner that seeks to avoid adverse consequences. Management of the proposal can be conditioned to further protect the environmental functions and values of the land.</p> <p>The proposal is unlikely to fragment, diminish or disturb the biodiversity structure, ecological functions or composition of the land and does not reduce habitat connectivity with adjoining sensitive areas.</p>
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**7.5 - Riparian Land and Watercourses**

<p>Clause 7.5 seeks to preserve both water quality and riparian ecological health. The clause applies to land identified as a “Sensitive Waterway” on the Watercourse Map.</p>	<p>The subject land does not contain such a waterway. The natural drainage lines of the site are contained within the proposed linear parkland and will be amended to include a wetland and bioretention basin. These features are intended to preserve water quality and enhance the ecological health of the site.</p>
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**7.6 - Groundwater Vulnerability**

<p>Clause 7.6 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. The consent authority must consider:</p> <p>(a) <i>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</i></p> <p>(b) <i>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.</i></p>	<p>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.</p> <p>The proposal does not involve extraction of groundwater and will therefore not contribute to groundwater depletion.</p>
<p>Furthermore, consent may not be granted unless Council is satisfied that:</p> <p>(a) <i>the development is designed, sited and will be managed to avoid any significant adverse environmental impact, or</i></p> <p>(b) <i>if that impact cannot be reasonably avoided - the development is designed, sited and will be managed to minimise that impact,</i></p> <p>(c) <i>if that impact cannot be minimised - the development will be managed to mitigate that impact.</i></p>	<p>The design and siting of the proposal avoid impacts on groundwater and is therefore considered acceptable.</p>

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**7.7 - Drinking Water Catchments**

<p>(1) <i>The objective of this clause is to protect drinking water catchments by minimising the adverse impacts of development on the quality and quantity of water entering drinking water storages.</i></p> <p>(2) <i>This clause applies to land identified as “Drinking water” on the <u>Drinking Water Catchment Map</u>.</i></p> <p>(3) <i>Before determining a development application for development on land to which this clause applies, the consent authority must consider whether or not the development is likely to have any adverse impact on the quality and quantity of water entering the drinking water storage, having regard to:</i></p> <p style="padding-left: 20px;">(a) <i>the distance between the development and any waterway that feeds into the drinking water storage, and</i></p> <p style="padding-left: 20px;">(b) <i>the onsite use, storage and disposal of any chemicals on the land, and</i></p> <p style="padding-left: 20px;">(c) <i>the treatment, storage and disposal of waste water and solid waste generated or used by the development.</i></p> <p>(4) <i>Development consent must not be granted to development on land to which this clause applies unless the consent authority is satisfied that:</i></p> <p style="padding-left: 20px;">(a) <i>the development is designed, sited and will be managed to avoid any significant adverse impact on water quality and flows, or</i></p> <p style="padding-left: 20px;">(b) <i>if that impact cannot be reasonably avoided - the development is designed, sited and will be managed to minimise that impact, or</i></p> <p style="padding-left: 20px;">(c) <i>if that impact cannot be</i></p>	<p>The proposal is designed to include a linear parkland that broadly follows the drainage line of the land and feeds into a proposed wetland and bioretention basin system. These features will allow the water to settle and be filtered through vegetation before flowing further downstream, ultimately into Suma Park Dam.</p> <p>Council’s engineers have advised on conditions of consent to ensure that the water quality leaving the site is better than predevelopment levels (NORBE +10%).</p> <p>Accordingly, the proposal is not anticipated to have any adverse impact on water quality or flows and that any effects can and will be effectively mitigated through the wetlands and bioretention basin system.</p>
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<i>minimised - the development will be managed to mitigate that impact.</i>	
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**Clause 7.11 - Essential Services**

<p>Clause 7.11 states that the consent may not be granted unless the consent authority is satisfied that the following services are available, or that adequate arrangements have been made to make them available.</p> <p>(a) <i>the supply of water,</i>          (b) <i>the supply of electricity,</i>          (c) <i>the disposal and management of sewage,</i>          (d) <i>storm water drainage or on-site conservation,</i>          (e) <i>suitable road access.</i></p>	<p>All utility services are available to the land and adequate for the proposal.</p>
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**Clause 7.16 - Development in Redmond Place Precinct**

<p>(1) <i>This clause applies to land in the Redmond Place Precinct.</i></p> <p>(2) <i>Development consent must not be granted for development for the purposes of residential accommodation unless the consent authority is satisfied that at least 3ha of the land to which this clause applies will be publicly accessible open space.</i></p>	<p>The development comprises the entirety of the Redmond Place Precinct.</p> <p>The development includes the provision of approximately 5.635ha of public open space (across proposed Lot 142, part Lot 143 and Lot 144) in the form of a linear parkland, wetland and bioretention basin.</p>
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**Clause 7.17 - Affordable housing in certain areas in Redmond Place Precinct**

<p>(1) <i>In this clause, the <b>Redmond Place Precinct Affordable Housing Principles</b> are as follows—</i></p> <p>(a) <i>affordable housing must be provided and managed to accommodate a diverse residential population within areas representative of all income groups in the Redmond Place affordable housing area,</i></p> <p>(b) <i>affordable housing must be rented to tenants at rents that do not exceed a benchmark of 30% of actual household</i></p>	<p>The current application relates to the subdivision only. Residential accommodation in the form of various dwelling typologies will be the subject of future applications.</p> <p>Future applications for the dwellings will be required to ensure that 20% of dwellings are delivered as affordable housing for a minimum period of 15 years.</p> <p>Proposed Lot 142 is 4.851ha and intended for public open space.</p> <p>Part of proposed lot 143 (2.423ha) is also intended for public open space, with the remainder of the lot intended for a sewer</p>
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<p><i>income,</i></p> <p>(c) <i> dwellings provided for affordable housing must be managed to maintain their continued use as affordable housing,</i></p> <p>(d) <i> affordable housing must consist of dwellings constructed to a standard that, in the consent authority’s opinion, is consistent with the same type of dwellings forming part of the proposed development that are not intended to be used as affordable housing, particularly in relation to solar access and privacy.</i></p> <p>(2) <i> This clause applies to development for the purposes of residential accommodation on land in the Redmond Place affordable housing area.</i></p> <p>(3) <i> This clause does not apply to development for the purposes of boarding houses, community housing, group homes, hostels or public housing.</i></p> <p>(4) <i> Development consent must not be granted to development to which this clause applies unless the consent authority—</i></p> <p>(a) <i> has considered the Redmond Place Precinct Affordable Housing Principles, and</i></p> <p>(b) <i> has considered the impact of the development on the existing mix and likely future mix of residential accommodation in the Redmond Place affordable housing area, and</i></p> <p>(c) <i> is satisfied that for a period of at least 15 years from the date of the issue of the occupation certificate—</i></p> <p>(i) <i> the dwellings proposed to be used for affordable housing will be used for affordable housing,</i></p>	<p>pump station.</p>
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<p><i>and</i></p> <p>(ii) <i>all dwellings used for affordable housing will be managed by a registered community housing provider, and</i></p> <p>(d) <i>is satisfied that the development will result in at least 20% of the total number of dwellings, rounded to the nearest whole number of dwellings, being used for affordable housing in the Redmond Place affordable housing area.</i></p> <p>(5) <i>In this clause—</i></p> <p><b>community housing</b> has the same meaning as in the <a href="#">Community Housing Providers National Law (NSW)</a>.</p> <p><b>public housing</b> has the same meaning as in the <a href="#">Housing Act 2001</a>.</p> <p><b>Redmond Place affordable housing area</b> means land identified as “Area 1” on the <a href="#">Affordable Housing Map</a>.</p>	
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**STATE ENVIRONMENTAL PLANNING POLICIES**

The following SEPPs are applicable to the proposed development:

- *State Environmental Planning Policy (Planning Systems) 2021*  
As it regards to being regionally significant development.
- *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*  
As it regards a buffer zone exclusion from complying development codes.
- *State Environmental Planning Policy (Transport and Infrastructure) 2021*  
As it regards to being Traffic Generating Development.
- *State Environmental Planning Policy (Resilience and Hazards) 2021*  
As it regards to land contamination.
- *State Environmental Planning Policy (Industry and Employment) 2021*  
As it regards to signage.

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**STATE ENVIRONMENTAL PLANNING POLICY (PLANNING SYSTEMS) 2021**

Section 2.19(1) of the SEPP invokes schedule 6 to identify development that is specified as regionally significant development for the purposes of the Act.

**Schedule 6 - Regionally Significant Development**

<p><b>2 General development over \$30 million</b></p> <p><i>Development that has an estimated development cost of more than \$30 million.</i></p> <p><b>3 Council related development over \$5 million</b></p> <p><i>Development that has an estimated development cost of more than \$5 million if—</i></p> <p>(a) <i>a council for the area in which the development is to be carried out is the applicant for development consent, or</i></p> <p>(b) <i>the council is the owner of any land on which the development is to be carried out, or</i></p> <p>(c) <i>the development is to be carried out by the council, or</i></p> <p>(d) <i>the council is a party to any agreement or arrangement relating to the development (other than any agreement or arrangement entered into under the Act or for the purposes of the payment of contributions by a person other than the council).</i></p>	<p>The development meets two of the triggers listed in the schedule. Overall cost of the development is approximately \$62 million and is to occur on Council owned land.</p> <p>Both trigger 2 “General development over \$30 million” and trigger 3 “Council related development over \$5 million” are satisfied.</p> <p>Accordingly, Section 4.5(b) of the Act establishes the consent authority as “the regional planning panel for the area in which the development is to be carried out”.</p>
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**STATE ENVIRONMENTAL PLANNING POLICY (EXEMPT AND COMPLYING DEVELOPMENT CODES) 2008**

<p><b>1.19 Land on which complying development may not be carried out</b></p> <p><b>(1) Specific land exemptions for Housing Code, Inland Code, Low Rise Housing Diversity Code, Pattern Book Development Code, Rural Housing Code, Agritourism and Farm Stay Accommodation Code and Greenfield Housing Code</b> To be complying development specified for the Housing Code, the Inland Code, the Low Rise Housing Diversity Code, the Pattern Book Development Code, the Rural Housing Code, the Agritourism and Farm Stay Accommodation Code or the Greenfield Housing Code, the development must not be carried out on—</p> <p>...</p> <p><b>(e) land identified by an environmental planning instrument as being—</b></p> <ul style="list-style-type: none"> <li><b>(i) within a buffer area, or</b></li> <li><b>(ii) within a river front area, or</b></li> <li><b>(iii) within an ecologically sensitive area, or</b></li> <li><b>(iv) environmentally sensitive land, or</b></li> <li><b>(v) within a protected area, or</b></li> </ul>	<p>The Buffer Zone Map of the Orange LEP has identified part of the site as comprising the Redmond Place Precinct Buffer Area. This area aligns with the road adjacent to the linear parkland and reaches into the lots fronting this road.</p> <p>The effect will be to exclude the affected lots from being able to develop under the complying development pathway.</p> <p>This approach was negotiated during the rezoning process and is intended to ensure that the visual appeal of the most significant entrance to Orange is maintained in accordance with the vision established in the Redmond Place Precinct DCP.</p> <p>This is the only aspect of the SEPP that is applicable to the proposed development.</p>
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**STATE ENVIRONMENTAL PLANNING POLICY (TRANSPORT AND INFRASTRUCTURE) 2021**  
**Chapter 2 - Infrastructure, Division 17 - Roads and Traffic**



**Figure 11 - proposed internal road network**

**2.122 - Traffic-Generating Development**

<p><i>Section 2.122 applies to development specified in Column 1 of the Table to Schedule 3 and relevantly requires:</i></p> <p>...</p> <p><i>(4) Before determining a development application for development to which this section applies, the consent authority must—</i></p> <p><i>(a) give written notice of the application to TfNSW within 7 days after the application is made, and</i></p> <p><i>(b) take into consideration—</i></p> <p><i>(i) any submission that RMS provides in response to that notice within 21 days after the notice was given (unless, before the 21 days have passed, TfNSW advises that it will not be making a submission), and</i></p> <p><i>(ii) the accessibility of the site concerned, including—</i></p>	<p>The application was initially referred to Transport for NSW (TfNSW) on 8 August 2025 under section 2.122 of the SEPP (Transport and Infrastructure).</p> <p>TfNSW response was received on 24 October 2025 advising they required further information in order to formalise their position and suggesting that an updated traffic study was needed. TfNSW objected to the impact on the intersection of the Mitchell Highway and Lone Pine Avenue - which is indicated as being reduced to a Level of Service D - and also expressed concern for the intersections of Redmond Place and Mitchell Highway as well as Brabham Way and Mitchell Highway. TfNSW suggested that the proponent consider a voluntary planning agreement (VPA) to address these issues.</p> <p>The applicant was requested to liaise with TfNSW and provide a response to the matters raised.</p> <p>TfNSW ultimately provided a referral</p>
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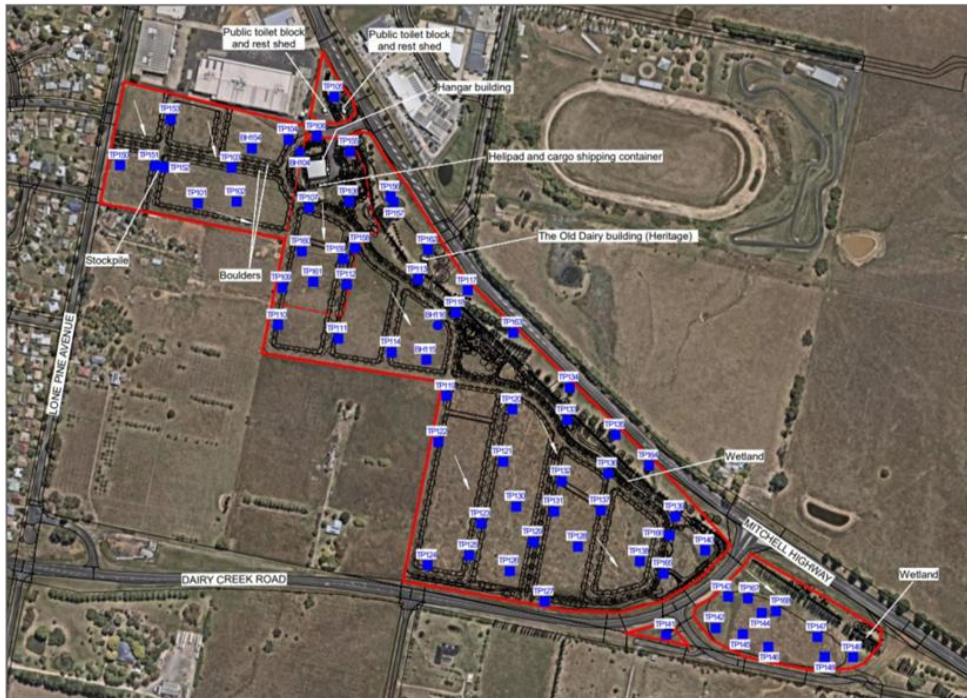
<p>(A) <i>the efficiency of movement of people and freight to and from the site and the extent of multi-purpose trips, and</i></p> <p>(B) <i>the potential to minimise the need for travel by car and to maximise movement of freight in containers or bulk freight by rail, and</i></p> <p>(iii) <i>any potential traffic safety, road congestion or parking implications of the development.</i></p>	<p>response generally supportive of the proposed development. The referral confirms the Traffic Impact Assessment and SIDRA model analysis, leading to the view that the proposal will not adversely impact the classified road network or warrant upgrades to affected intersections along Mitchell Highway (HW7). The advice noted that if there was any future increase in lot yield an updated Traffic Impact Assessment would be required. Subsequently, the dwelling yield has decreased by removing suggestions of a potential 66-unit affordable housing apartment complex at the end of stage 4.</p> <p>It should be noted that the layout retains a number of large sites suitable for multi-dwelling housing or apartments, and depending on the density achieved on those sites the overall dwelling yield could increase; but that at the present time the lot yield has not increased compared to the layout originally provided to TfNSW for assessment.</p>
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**STATE ENVIRONMENTAL PLANNING POLICY (RESILIENCE AND HAZARDS) 2021**

**Chapter 4 - Remediation of Land**

The proposal has been accompanied by a detailed site investigation which confirmed that the site has historically been used for rural and agricultural activities including livestock grazing, with more recent rural residential use. The DSI identified several areas of concern and potential contaminants; these included Bonded ACM and exceedances of copper and zinc.

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**Figure 12 - detailed site investigation - sampling locations**

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

<p>(1) <i>A consent authority must not consent to the carrying out of any development on land unless:</i></p> <ul style="list-style-type: none"> <li>(a) <i>it has considered whether the land is contaminated, and</i></li> <li>(b) <i>if the land is contaminated, it is satisfied that the land is suitable in its contaminated state (or will be suitable, after remediation) for the purpose for which the development is proposed to be carried out, and</i></li> <li>(c) <i>if the land requires remediation to be made suitable for the purpose for which the development is proposed to be carried out, it is satisfied that the land will be remediated before the land is used for that purpose.</i></li> </ul>	<p>Subsection 4(c) is triggered. The supplied site investigation and remedial action plans, both by Geotechnique Pty Ltd, have been considered in this assessment. The investigation found several areas of concern and potential contaminants based on the site history and inspection. The contaminants of concern were not at concentrations above adopted health-based criteria with the exception of lead in one sample. Bonded Asbestos Containing Material (ACM) was found in one sample exceeding HSL A. Five samples of fibre-cement tested positive, and copper and zinc concentrations exceeded EIL in one sample, with zinc in a further second sample.</p> <p>Based on the investigation the Remedial Action Plan was prepared and submitted with the application. This outlines a 6-stage</p>
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<p>(2) <i>Before determining an application for consent to carry out development that would involve a change of use on any of the land specified in subsection (4), the consent authority must consider a report specifying the findings of a preliminary investigation of the land concerned carried out in accordance with the contaminated land planning guidelines.</i></p>	<p>process that, when adhered to, including an unexpected finds protocol, is expected will make the site fit for the intended residential purpose. This will be confirmed in the final stage, being the validation report.</p> <p>Under the SEPP the remediation works themselves are considered to be category 1 works.</p> <p>The Geotechnique RAP also nominates or commits to providing notification to Council prior to commencement of remediation and also requires that a Work Health and Safety Plan as well as a Construction Environmental Management Plan be provided.</p> <p>Consent conditions can ensure the above and prevent residential development from occurring in each stage until the site (or the relevant stage) has been remediated and validated.</p>
<p>(3) <i>The applicant for development consent must carry out the investigation required by subsection (2) and must provide a report on it to the consent authority. The consent authority may require the applicant to carry out, and provide a report on, a detailed investigation (as referred to in the contaminated land planning guidelines) if it considers that the findings of the preliminary investigation warrant such an investigation.</i></p>	<p>The applicant has provided a Detailed Site Investigation and a related Remedial Action Plan, both prepared by Geotechnique Pty Ltd.</p>
<p>(4) <i>The land concerned is:</i></p> <ul style="list-style-type: none"> <li>(a) <i>land that is within an investigation area,</i></li> <li>(b) <i>land on which development for a purpose referred to in Table 1 to the contaminated land planning guidelines is being, or is known to have been, carried out,</i></li> <li>(c) <i>to the extent to which it is proposed to carry out development on it for residential, educational, recreational or child care</i></li> </ul>	<p>Subsection 4(c) is triggered.</p> <p>The development proposes to carry out a residential subdivision on land to which there is no or incomplete knowledge as to whether development for a purpose referred to in Table 1 of the contaminated land planning guidelines has been carried out and historically it would have been lawful to carry out such development.</p>

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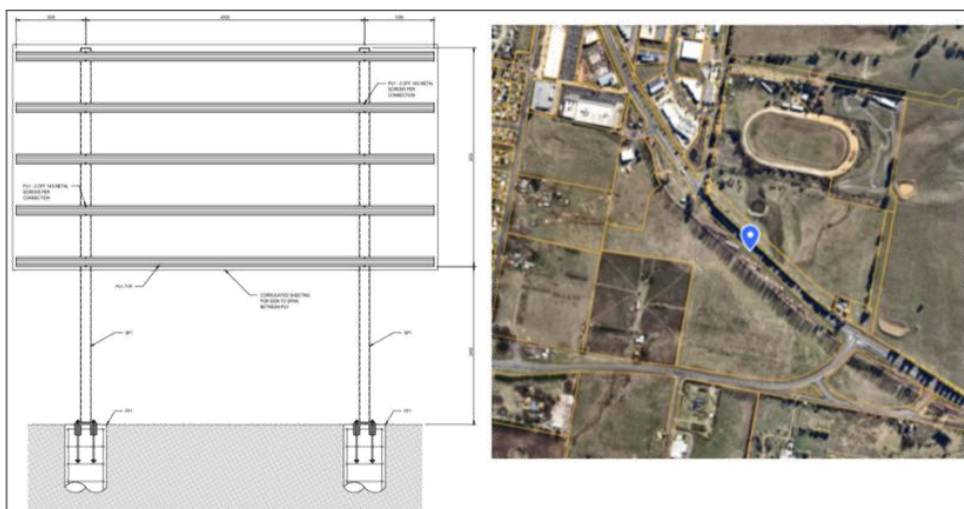
<p><i>purposes, or for the purposes of a hospital -land:</i></p> <p>(i) <i>in relation to which there is no knowledge (or incomplete knowledge) as to whether development for a purpose referred to in Table 1 to the contaminated land planning guidelines has been carried out, and</i></p> <p>(ii) <i>on which it would have been lawful to carry out such development during any period in respect of which there is no knowledge (or incomplete knowledge).</i></p>	
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**STATE ENVIRONMENTAL PLANNING POLICY (INDUSTRY AND EMPLOYMENT) 2021**

**Chapter 3 - Advertising and Signage**

The proposal includes the installation of an 18m<sup>2</sup> billboard sign set midway along the Mitchell Highway frontage for the purpose of promoting the estate and sales of lots, as well as assisting the public to navigate to the estate.

The sign dimensions are 6m wide by 3m high and set 2.4m above ground level, for a total overall height of 5.4m, comprised of corrugated sheeting on a metal post and rail structure. A conditions regarding the contents and lighting of the signage have been provided to ensure that the signage does not impact on motorists. Transport for NSW have



**Figure 13 - elevation of proposed billboard structure and approximate location**

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**3.1 Aims, Objectives etc**

<p>(1) <i>This Chapter aims:</i></p> <p>(a) <i>to ensure that signage (including advertising):</i></p> <p style="padding-left: 20px;">(i) <i>is compatible with the desired amenity and visual character of an area, and</i></p> <p style="padding-left: 20px;">(ii) <i>provides effective communication in suitable locations, and</i></p> <p style="padding-left: 20px;">(iii) <i>is of high-quality design and finish, and</i></p> <p>(b) <i>to regulate signage (but not content) under Part 4 of the Act, and</i></p> <p>(c) <i>to provide time-limited consents for the display of certain advertisements, and</i></p> <p>(d) <i>to regulate the display of advertisements in transport corridors, and</i></p> <p>(e) <i>to ensure that public benefits may be derived from advertising in and adjacent to transport corridors.</i></p>	<p>The proposed estate billboard sign is intended to assist in the marketing of the site and promote sales.</p> <p>The scale and location of the sign is incongruous with the desired amenity and visual character of the area, and is considered to be in an unsuitable location.</p> <p>The quality and finish of the message face is unknown at the time of writing.</p> <p>The quality and finish of the structure is considered to be basic and utilitarian and cannot be regarded as being of a “high” standard.</p> <p>The sign has been proposed as permanent, but with changing message faces as the development unfolds.</p> <p>The proposed location directly faces onto the transport corridor of the Mitchell Highway (a state classified road). It should be noted that the message face of the sign at 3m x 6m is below the threshold of 20m<sup>2</sup> that would require approval of TfNSW.</p> <p>The proponent argues the sign will assist the public in navigation when searching for the estate.</p>
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**3.6 Granting of Consent to Signage**

A consent authority must not grant development consent to an application to display signage unless the consent authority is satisfied:

<p>(a) <i>that the signage is consistent with the objectives of this Chapter as set out in section 3.1(1)(a), and</i></p> <p>(b) <i>that the signage the subject of the application satisfies the assessment criteria specified in Schedule 5.</i></p>	<p>The objectives of section 3.1(1)(a) are not adequately satisfied and the assessment criteria in Schedule 5 are likewise not adequately satisfied.</p> <p>As a minimum the sign location must be contained within the site boundaries and positioned clear of the war memorial poplars and other landscaping features to allow the poplars to be viewed independently and appreciated separate from the utilitarian design of the billboard.</p>
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**SEPP Schedule 5 Assessment Criteria**
**1 - Character of the Area**

<ul style="list-style-type: none"> <li>• <i>Is the proposal compatible with the existing or desired future character of the area or locality in which it is proposed to be located?</i></li> <li>• <i>Is the proposal consistent with a particular theme for outdoor advertising in the area or locality?</i></li> </ul>	<p>The proposed sign in its proposed location is not compatible with the existing character of the area. The linear parkland serves as an important entrance vista to the City. The dominant element of this parkland is a long line of mature poplar trees that were planted as a war memorial.</p> <p>There is no particular theme for outdoor advertising in the area.</p>
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**2 - Special Areas**

<ul style="list-style-type: none"> <li>• <i>Does the proposal detract from the amenity or visual quality of any environmentally sensitive areas, heritage areas, natural or other conservation areas, open space areas, waterways, rural landscapes or residential areas?</i></li> </ul>	<p>The siting of the sign detracts from the visual amenity of a row of poplar trees established as a war memorial that have come to form a welcoming vista on the entrance to the City.</p>
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**3 - Views and Vistas**

<ul style="list-style-type: none"> <li>• <i>Does the proposal obscure or compromise important views?</i></li> <li>• <i>Does the proposal dominate the skyline and reduce the quality of vistas?</i></li> <li>• <i>Does the proposal respect the viewing rights of other advertisers?</i></li> </ul>	<p>The proposal does not obscure important views, does not dominate the skyline and does not impact on other advertisers.</p> <p>The sign placement is intrusive upon the vista entering Orange of a line of poplar trees.</p>
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**4 - Streetscape, Setting or Landscape**

<ul style="list-style-type: none"> <li>• <i>Is the scale, proportion and form of the proposal appropriate for the streetscape, setting or landscape?</i></li> <li>• <i>Does the proposal contribute to the visual interest of the streetscape, setting or landscape?</i></li> <li>• <i>Does the proposal reduce clutter by rationalising and simplifying existing advertising?</i></li> <li>• <i>Does the proposal screen unsightliness?</i></li> <li>• <i>Does the proposal protrude above</i></li> </ul>	<p>The scale proportion and form of the sign are an incongruous intrusion to the streetscape and landscaped setting.</p> <p>The proposal detracts from the visual interest of the streetscape, setting and landscape, which is established by the mature line of poplar trees</p> <p>The proposal does not rationalise or reduce existing advertising and represents an increase.</p> <p>The proposal does not protrude above the</p>
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<p><i>buildings, structures or tree canopies in the area or locality?</i></p> <ul style="list-style-type: none"> <li>• <i>Does the proposal require ongoing vegetation management?</i></li> </ul>	<p>tree canopy of the poplars.</p> <p>The proposal does not require ongoing vegetation management beyond that already anticipated in the parkland.</p>
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**5 - Site and Building**

<ul style="list-style-type: none"> <li>• <i>Is the proposal compatible with the scale, proportion and other characteristics of the site or building, or both, on which the proposed signage is to be located?</i></li> <li>• <i>Does the proposal respect important features of the site or building, or both?</i></li> <li>• <i>Does the proposal show innovation and imagination in its relationship to the site or building, or both?</i></li> </ul>	<p>The sign is a freestanding billboard structure unrelated to any building. However, it is understood the message(s) displayed will be restricted to sales of the proposed lots and related activities. In this sense the proposal is not seeking a generic billboard for the display of general advertising.</p> <p>The location of the sign does not respect the war memorial line of poplars or the broader landscaped aesthetic of the linear parkland.</p> <p>The sign does not show innovation or imagination in its relationship to the site and appears as an incongruous afterthought.</p>
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**6 - Associated Devices and Logos with Advertisements and Advertising Structures**

<ul style="list-style-type: none"> <li>• <i>Have any safety devices, platforms, lighting devices or logos been designed as an integral part of the signage or structure on which it is to be displayed?</i></li> </ul>	<p>At the time of writing there is no information or design for the message face of the sign. The proponent has nominated illumination through a telescopic LED solar light from Eurotech. The lighting will be top-mounted on an arm extending 900mm from the sign with a peak brightness of 1500 lumens - according to a Eurotech brochure the light dispersion drops to 5% of this intensity at a distance of 2.5m.</p>
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**7 - Illumination**

<ul style="list-style-type: none"> <li>• <i>Would illumination result in unacceptable glare?</i></li> <li>• <i>Would illumination affect safety for pedestrians, vehicles or aircraft?</i></li> <li>• <i>Would illumination detract from the amenity of any residence or other form of accommodation?</i></li> </ul>	<p>Recently, consent for an electronic billboard off the Northern Distributor Road was approved after safety concerns, including being a distraction to motorists, were considered. That application involved an electronic sign capable of altering or animating its message surface. The current application is for a traditional static</p>
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- *Can the intensity of the illumination be adjusted, if necessary?*
- *Is the illumination subject to a curfew?*



**Figure 14 - distance to nearest dwelling**



**Figure 15 - landscaping visually screening residence**

message surface and is therefore less likely to catch the eye of motorists in a distracting manner.

The nearest residence is approximately 60m from the sign location on the northern side of the Mitchell Highway (refer figure 14). However, this is shielded by dense landscaping in front of the residence (refer figure 15).

Proposed illumination of 1500 lumens is the equivalent of a 100W household bulb. When spread across the surface of a billboard, the resulting surface brightness is likely to be well below levels that would cause a disabling glare to motorists.

Given that the light dispersion drops away to only 5% at a distance of 2.5m and the message face has dimensions of 6m wide by 3m in height, it is considered appropriate to impose a condition setting a maximum of 3 lights be installed. According to the Eurotech light dispersion chart, this should allow 70% or higher illumination over the surface of the billboard (assuming even spacing at 1.5m).

**8 - Safety**

- *Would the proposal reduce the safety for any public road?*
- *Would the proposal reduce the safety for pedestrians or bicyclists?*
- *Would the proposal reduce the safety for pedestrians, particularly children, by obscuring sightlines from public areas?*

As the proposal does not include animated or changing visual content, it is unlikely to distract attention of motorists. Therefore, the proposal is unlikely to reduce safety.

**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.

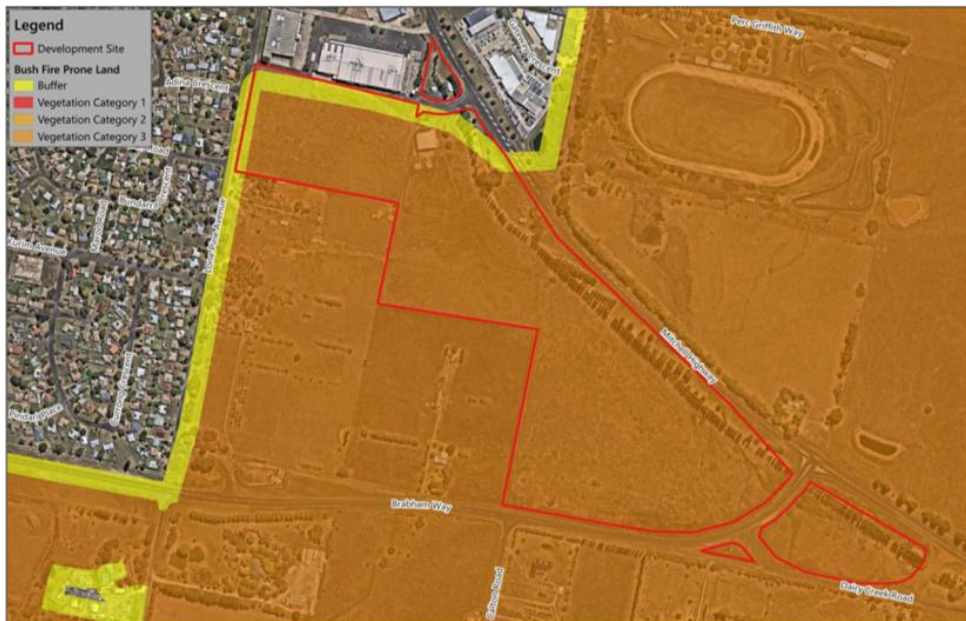
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**DESIGNATED DEVELOPMENT**

The proposed development is not designated development.

**INTEGRATED DEVELOPMENT**

The proposed development is identified as being located on bushfire prone lands (category 3 Grasslands and Buffer) and is therefore integrated development requiring a section 100B approval under the Rural Fires Act. The matter was referred to the NSW Rural Fire Service and a formal response was received on 28 September 2025 outlining their General Terms of Approval.



**Figure 16 - Bushfire Prone Lands Map**

**EP&A Act s4.47 - Development that is Integrated Development**

<p>Section 4.47 of the Act applies to all applications for Integrated Development.</p> <p>(2) Before granting development consent to an application for consent to carry out the development, the consent authority must, in accordance with the regulations, obtain from each relevant approval body the general terms of any approval proposed to be granted by the approval body in relation to the development.</p> <p>(3) A consent granted by the consent authority must be consistent with the general terms of any approval proposed to</p>	<p>The response from the NSW Rural Fire Service was received on 28 September 2025, granting General Terms of Approval (GTA) and a Bush Fire Safety Authority (BFSA) subject to conditions.</p> <p>The conditions relate to:</p> <ul style="list-style-type: none"> <li>• The need for Asset Protection Zones</li> <li>• Section 88B instrument on titles to reflect the APZs</li> <li>• Compliance with Planning for Bush Fire Protection 2019 in terms of; landscaping, dwellings, fences/gates and</li> </ul>
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be granted by the approval body in relation to the development and of which the consent authority is informed. For the purposes of this Part, the consent authority is taken to have power under this Act to impose any condition that the approval body could impose as a condition of its approval.



**Figure 17 - area to remain clear for fire fighting vehicles (extract from Bush Fire Assessment Report)**

public roads, water and utility services, fire hydrants, installation and storage of gas.

- Requiring an unencumbered area in the verge adjacent to the lot on the western side of the intersection of Roads 1 and 2 as per figure 16 in the Bush Fire Assessment report by Integrated Consulting. The area is to be kept as grass and paving only, with no other features that could impede the parking of a fire fighting vehicle in this location. (Refer to white area in figure 17 of this report)

All conditions are considered to be achievable.

**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. An assessment of the proposed development against the relevant Planning Outcomes will be undertaken below. Appendix B of the Statement of Environmental Effects provides the applicant’s response to relevant matters of Orange DCP 2004, with the exception of Chapter 19 - discussed in a separate section of this report.

**Planning Outcome 0.2-1 Interim Planning Outcomes - Conversion of Zones:**

*Throughout this Plan, any reference to a zone in Orange LEP 2000 is to be taken to be a reference to the corresponding zone(s) in the zone conversion table.*

The corresponding zone to zone **2a Urban Residential** and zone **6 Open Space** (Orange LEP 2000) are zone **R1 General Residential** and zone **RE1 Public Recreation** (Orange LEP 2011).

As such, *Orange DCP 2004 - Chapter 7 Development in Residential Areas and Chapter 11 Land used for Open Space and Recreation* is relevant to this proposal. The provisions of these chapters are considered below.

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**Chapter 7 Development in Residential Areas**
**7.2 - Residential Subdivision**

<b>Planning Outcome PO 7.2-1 Planning Outcomes for Urban Residential Subdivision</b>	
2 Lots are orientated to optimise energy-efficiency principles.	The vast majority of lots are correctly oriented for passive solar principles.
3 New roads are planned according to modified grid layouts with restrained use of cul-de-sac roads in new developments according to the UDAS Urban Form principles for Orange.	New roads have been planned accordingly.
4 Local open space is provided along creek corridors to create open space linkages for environmental conservation and social interaction. Release areas removed from creeks provide for open-space links incorporating substantial stands of native vegetation.	Local open space in the form of the linear park adheres to this requirement.
5 Release areas indicate trunk cycle and pedestrian ways that link the area to major open space networks and activity centres (schools, shopping centres and employment areas).	The estate is to be provided with cycle and pedestrian networks.
6 Lots below 500m <sup>2</sup> indicate a mandatory side setback to provide for solar access and privacy.	Many lots are below 500m <sup>2</sup> in area and have not nominated a mandatory side setback to allow for solar access/privacy. It should be noted that Chapter 19 of the DCP provides precinct specific design controls for the future dwellings.
7 Lots below 350m <sup>2</sup> indicate existing or planned house layouts, which identify how privacy, solar access, vehicular access and private open-space needs are to be achieved.	Many lots are below 350m <sup>2</sup> and have not indicated planned house layouts. It should be noted that chapter 19 of the DCP provides precinct specific design controls for the future dwellings.
8 Up to 25% of new subdivisions comprise small lots in dispersed locations.	The estate satisfies the requirement for small compact lots
9 Lots are fully serviced and have direct frontage/access to a public road.	The state is to be fully serviced and connected to the local road network.
10 Design and construction comply with the Orange Development and Subdivision Code.	Councils Technical Services division has provided advice and conditions to ensure that the estate complies with the Development and Subdivision Code.

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11	Corner lots provide for a house to front one street.	All corner lots proposed are capable of complying with this requirement.
12	Battleaxe lots provide an adequate accessway width for the number of dwellings proposed to be served in order to allow for vehicle and pedestrian access and location of services.	There are no battleaxe lots proposed.
13	Lots proposed to be used specifically for dual occupancy or units in new residential areas are identified on development application plans to inform prospective purchasers of the mixed residential form of the area and measures are outlined on how prospective residents are to be informed of these identified sites prior to purchasing land.	The development originally nominated a specific lot for an affordable housing apartment complex intended to provide for 66 affordable units. This approach was later removed and the overall dwelling yield reduced from 331 to 274. The intention for 20% of the yield to be affordable housing remains, with 55 affordable dwellings to be provided scattered throughout the estate.

**Chapter 11 - Land Used for Open Space and Recreation**

The chapter establishes an obligation to acquire land zoned for open space and that the land be used in accordance with a relevant adopted plan of management.	The linear park will be fully embellished and dedicated to Council as part of the development in accordance with the Planning Agreement between Council and the developer.
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**Chapter 19 - Redmond Place Precinct**

Chapter 19 which relates to the proposed land was formally adopted by Council on 7 October 2025 and commenced operation on 9 October 2025. Appendix A of the Statement of Environmental Effects provides the applicant's response to the matters raised in Chapter 19.

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**Part 3 - Precinct Vision**

<b>3.1 Vision Statement and Design Principles</b>	
<b>Design Principle 1 - Connecting with Country</b> <i>Prioritise Country and support the sharing of traditional stories and knowledge</i>	The proposed embellishment of the linear parkland includes facilities to encourage the sharing of stories and knowledge.
<b>Design Principle 2 - Housing Choice</b> <i>Provide diverse housing options, including medium density and affordable housing</i>	The proposed subdivision allows for a range of lot sizes, which under the R1 General Residential zone can then be developed for a range of housing typologies. The proposal has nominated a site for an affordable housing apartment complex to be subject to separate application.
<b>Design Principle 3 - Connected and Safe</b> <i>Provide safe, walkable and beautiful streets that connect people to homes, open spaces and public transport</i>	The proposed street layouts and designs will connect residents to the linear parkland and accommodate public transport routes through the centre of the site.
<b>Design Principle 4 - Natural Landscape and Waterways</b> <i>Design with nature by working with natural systems for water management and biodiversity, and by providing new parks, wetlands and tree canopy</i>	The provision of the linear parkland, wetland and associated stormwater basins broadly follows the natural drainage pattern. Additional landscaping and street tree planting will improve outcomes and canopy coverage.
<b>Design Principle 5 - Active and Healthy</b> <i>Provide opportunities for play, exercise and healthy living for people of all ages and abilities</i>	The provision of the linear parkland and associated embellishments will provide residents with opportunities for play, exercise and health living.
<b>Design Principle 6 - Inclusive and welcoming</b> <i>Foster a sense of belonging and community with places that bring people together</i>	The planned embellishment of the linear parkland will include opportunities for residents to gather and engage with each other.
<b>Design Principle 7 - Heritage and Culture</b> <i>Celebrate the history and beauty of the precinct's heritage and landscape setting</i>	The proposal broadly respects and protects the heritage and cultural values, such as the memorial line of poplar trees and inclusion of a yarning circle within the parklands.
<b>3.2 - Precinct Concept Plan</b>	
This part of chapter 19 presents the concept plan (replicated below) as physical form of the design principles in part 3.3.	The development plans match the concept plan diagram.

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**Figure 18 - DCP Precinct Concept Plan**

<b>3.3 Important Character Elements</b>	
<p><b><i>Cadastral Pattern</i></b></p> <ul style="list-style-type: none"> <li>• A permeable and fine grain pattern of street blocks stitches the precinct into the city's existing urban fabric and ensures streets and open spaces are scaled to pedestrians.</li> <li>• The urban layout respects the historical cadastral pattern and defines clear edges between the precinct and neighbouring road reserves and land holdings.</li> <li>• Street blocks are oriented to maximise accessibility to public open space and respond to topography by facilitating natural drainage to basins and wetlands.</li> </ul>	<p>The submitted plans match the concept plan in terms of cadastral pattern and layout.</p> <p>The perimeter road along the south and the linear park along the north define the edges and provide a clear relationship to neighbouring lands.</p> <p>Orientation of street blocks and placement of open space enable residents to move northwards to the parklands.</p>

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<p><b>Blue Green Networks</b></p> <ul style="list-style-type: none"> <li>• The existing Gateway Park and Memorial, Hangar and visitor park are incorporated into an expanded network of recreation, cultural, wetland and stormwater management spaces.</li> <li>• The integration of blue and green networks supports natural groundwater recharge, landscape replenishment, biodiversity restoration and connecting with Country.</li> <li>• The linear park, wetlands and generous street tree canopy provide a cooling influence in summer and enable passive solar access for buildings and public spaces in winter.</li> </ul>	<p>The linear park retains the memorial hangar and visitor park and expands upon this with additional embellishment and facilities, including recreation elements and wetland/stormwater facilities and spaces.</p> <p>The development broadly respects the natural drainage network with some modification to mitigate potential flooding concerns. Post development the drainage corridors are incorporated into the linear park which feed into the wetlands and bioretention system.</p> <p>The linear park, wetlands and street trees are broadly as anticipated by the concept plan.</p>
<p><b>Street Grid</b></p> <ul style="list-style-type: none"> <li>• The street grid provides a legible and highly connected hierarchy of street types and route choices for vehicles and pedestrians.</li> <li>• Street design and character reflect function in line with the precinct's street design standards.</li> <li>• Street frontage to public open space ensures buildings positively address and gain amenity from the public space.</li> <li>• Streets and verges provide opportunities for deep soil, urban tree canopy growth and bioretention during rainfall events.</li> </ul>	<p>The grid layout in the development applies the intended hierarchy of street types. The main internal road is single loaded to provide full street frontage to the public open space, enabling future dwellings to fully address the public space.</p> <p>Street verges are of suitable width to enable deep soil areas for street tree plantings.</p>
<p><b>Land use and Housing Mix</b></p> <ul style="list-style-type: none"> <li>• The precinct accommodates a compatible diversity of housing types and sizes, with medium density housing located along the park frontage and public transport spine to maximise amenity and convenience.</li> <li>• Key sites provide the opportunity for mid-rise (4 storeys) apartment development, including provision for limited ground floor commercial uses to serve day-to-day local needs.</li> <li>• A compact diversity of lot sizes, building forms and housing types provides visual richness and supports a sustainable social mix.</li> </ul>	<p>The development provides a mix of lot sizes ranging from 300m<sup>2</sup> through to larger medium density sites and an apartment block site. Exact composition of dwellings and typologies will be a matter for future applications.</p>

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<p><b>Views and Landscape</b></p> <ul style="list-style-type: none"> <li>• Street orientation supports legibility by enabling views towards local features and landmarks, including parks.</li> <li>• Views of surrounding non-urban hillsides and heritage landscapes are maintained as distinctive aspects of the precinct's sense of place.</li> <li>• Views of Gaanha Bula—Mount Canobolas facilitate connecting with Country and are preserved through building design and massing.</li> <li>• The City Gateway Avenue of parkland and trees is retained and embellished.</li> </ul>	<p>The north-south orientation of the long streets facilitates views and movements towards the linear parkland, while the southern perimeter road retains views towards Gaanha Bula-Mount Canobolas as well as local heritage items on neighbouring lands. The avenue of parkland trees is retained, and further parkland embellishments are proposed.</p>
<p><b>Public Domain</b></p> <ul style="list-style-type: none"> <li>• The public open space network incorporates recreation, cultural, education and ecological features—including play spaces, walking tracks and a wetland—that connect community and respond to a diversity of ages and needs.</li> <li>• Public art, cultural spaces and interpretive signage support connecting with Country.</li> <li>• The existing Visitor Park and Gateway Park and Memorial are incorporated into an extended linear public open space network.</li> <li>• Activation nodes—including key sites, the Hangar Building and recreation nodes—support public transport and promote active streets.</li> </ul>	<p>The proposed embellishment of the linear parkland, wetland and bioretention basin is consistent with this requirement, incorporating recreational, cultural, educational, and ecological features and functions. Public art and signage to support connecting with Country are also proposed.</p> <p>Street activation will be achieved through suitable design of future dwellings (subject to future applications).</p>

**Part 4 Environmental Management**

<p><b>4.1 Land and Soil Resources</b></p>	
<p><b>Design Criteria</b></p>	
<p><b>D1</b> Subdivision design minimises the need for excavation and fill through appropriate road and lot layout. Level transitions between lots ensure that lots step with the natural slope of the land in accordance with the preferred approach illustrated in Figure 19.10.</p>	<p>The proposal involves regrading of the site to ensure appropriate street gradients, reducing transitions between lots so that subsequent dwelling development can minimise retaining walls and achieve positive solar access. The earthworks proposed will also mitigate against potential flooding and improve stormwater management by directing flows through the street network rather than across residential lots.</p>

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<p><b>D3</b> Development ensures—</p> <ul style="list-style-type: none"> <li>(a) no ponding of water occurs on adjoining properties, and</li> <li>(b) no overland flow paths or flood prone land are adversely affected as a result of any filling or grading.</li> </ul>	<p>The regrading of the site is intended to prevent ponding of water on residential lots and direct overland flow through the proposed road reserves and stormwater infrastructure. As a result, the development is not anticipated to have any impact on neighbouring lands (up or downstream)</p>
<p><b>D4</b> All retaining walls, batters and support structures ensure adequate drainage lines connected to the stormwater drainage system for the site.</p>	<p>Initially a retaining wall was proposed on the boundary with the western neighbour (Lot 3 DP 126729 known as 84 Brabham Way), this incorporated a long drop inlet structure with side opening, which would capture flows from upstream and convey them via underground stormwater pipes around the southern perimeter of the development to the wetland area.</p> <p>This approach would be vulnerable to upstream obstructions at the side inlet on the neighbouring land and result in significant ponding of waters on the neighbouring land.</p> <p>There is no ability to impose conditions on the neighbouring land, such as easements for access, that would facilitate maintenance and removal of any brush or debris that might otherwise obstruct the side access.</p> <p>Subsequently the design was amended to create an indentation into road 4 so that the stormwater infrastructure could be fully contained within the subject site. This results in the loss of some on street parking for a short distance but otherwise resolves the engineering issues of the original design.</p>

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<p><b>D5</b> Any retaining wall—</p> <ul style="list-style-type: none"> <li>(a) has a height of no more than 1 metre,</li> <li>(b) where multiple retaining walls are located along the same slope—is separated from the next highest retaining wall by at least 2 metres, measured horizontally, and</li> <li>(c) is located outside any registered easement or zone of influence of a sewer main. Council may consider exceptions where—</li> <li>(d) there are exceptional circumstances due to the slope or geological character of the land, and</li> <li>(e) it is of the opinion that the retaining wall will not—           <ul style="list-style-type: none"> <li>(i) result in a detrimental impact on the amenity of any lot or the streetscape, or</li> <li>(ii) impede access to or the structural soundness of any water or sewer main.</li> </ul> </li> </ul>	<p>The revised design complies with the requirements.</p>
<p><b>D6</b> The ground level (finished) of any site at its boundary to any public space (including any public road) is no more than 0.6 metres above the ground level (finished) of the public space.</p>	<p>Complies in relation to public spaces.</p>
<p><b>D7</b> All earthworks are to be carried out in accordance with <i>AS 3798:2007 Guidelines on earthworks for commercial and residential developments</i>.</p> <p><b>D8</b> Any fill imported to the site is to be free of building and other demolition waste, and only contain virgin excavated natural material (VENM) as defined in Part 3 of Schedule 1 to the <i>Protection of the Environment Operations Act 1997</i>. Where imported fill is used Council may require soil sampling for analysing chemical residue to be carried out on the fill material by an appropriately qualified person.</p> <p><b>D9</b> Where fill is to be placed permanently, topsoil and vegetation must be removed down to a suitable sub-grade material prior to the placement of the fill. The topsoil is to be stockpiled for use in revegetation of the site.</p>	<p>The proposal complies and, where appropriate, can be conditioned to reinforce compliance.</p>

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<p><b>D10</b> Where development—</p> <ul style="list-style-type: none"> <li>entails a change in site levels of more than 0.6 metres,</li> <li>is located on land with a slope of 15% or greater, or</li> <li>is otherwise, in the opinion of Council, likely to entail detrimental impacts on the environment or neighbouring land,</li> </ul> <p>the application is to include a geotechnical investigation prepared by a suitably qualified geotechnical engineer and providing details on—</p> <ol style="list-style-type: none"> <li>the existing character and quality of soils and geology within the site and neighbouring land,</li> <li>existing and proposed finished ground levels,</li> <li>any groundwater or waterways likely to be affected by the development,</li> <li>any potential impacts on flood risk or flood behaviour within the locality,</li> <li>any hazards, including naturally occurring asbestos or contaminated land, that are present,</li> <li>details of the height, structure and engineering design requirements of any retaining walls to be constructed,</li> <li>details on the source, quality and type of any fill material to be used</li> <li>the measures required to ensure development avoids any detrimental impact on any adjoining properties, overland flow paths or flood prone land.</li> </ol> <div data-bbox="327 1529 762 1787" data-label="Diagram"> <p>The diagram is a cross-sectional view of a road and its boundary. On the left, a dashed line represents the 'EXISTING SURFACE'. A blue arrow points from this surface towards a 'DRAINAGE' structure. This structure includes a 'DROP INLET' and a 'SIDE OPENING' leading to a 'KERB AND GUTTER'. To the right of the gutter is a 'RETAINING WALL'. Above the retaining wall is a 'BOUNDARY FENCE'. The diagram shows the relative elevations of these elements compared to the existing ground level.</p> </div> <p>Cross section of original design showing boundary fence, retaining wall, drop inlet, side opening, road surface and kerb and gutter relative to existing ground level (source colliers).</p>	<p>Complies. The proposal has included a geotechnical study by GeoTech Testing Pty Ltd. Separately, Colliers provided a Water Cycle Management Report and flood modelling maps.</p> <p>GeoTech Section 5.9 of that report provides general guidance on the slopes beyond which engineered retaining structures would be required and the design of such structures. The report characterises the site as having very low to low risk of slope instability across the site. It appears the report was prepared to advise the developer on general matters to guide their design work and not in response to the design nominating the retaining wall now proposed.</p> <p>The Colliers report includes the proposed design and has modelled pre- and post-development flows. This indicates that in all but the Probable Maximum Flood the designed infrastructure will convey the flows as intended with no surface level inundation.</p>
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<b>4.2 Groundwater Design Criteria</b>	
<b>D1</b> Where development is likely to deplete or contaminate groundwater systems, the application is accompanied by a hydrogeological report prepared by a suitably qualified person and providing details of— (a) the extent and nature of any depletion or contamination, (b) the likely effects on groundwater dependent ecosystems, (c) the cumulative impact of the development on the hydrological functions and health of groundwater systems.	The proposal does not involve on-site storage or disposal of solid or liquid waste and chemicals, and no groundwater extraction is proposed. An OzArk study has indicated that there are no groundwater dependent ecosystems anticipated on the site. Therefore, the proposal is not likely to deplete or contaminate groundwater systems and is not expected to pose a risk to groundwater ecological systems.
<b>D2</b> Development allows natural replenishment and recharge of groundwater sources through the use of bioretention and filtration of runoff.	The proposed design complies. The design incorporates wetlands and bioretention basins that will facilitate groundwater recharging.
<b>4.3 Drinking Water Catchment Design Criteria</b>	
<b>D1</b> Development demonstrates a neutral or beneficial effect on the quality of water entering drinking water storages.	The proposed development has been designed to capture, settle and treat stormwater runoff via a wetland and bioretention basin such that there will be no adverse impacts on the overall Dairy Creek catchment which ultimately flows into Suma Park dam and the City's water storages.
<b>D2</b> The public stormwater management network is designed to achieve a reduction in pollutant loads for total suspended solids, phosphorous and nitrogen of 10% from pre-development loads.	The Redleaf Water Cycle Management report (Colliers) finds that the proposed stormwater treatment train including rainwater tanks, gross-pollutant traps, sediment forebays and bioretention basins are capable of meeting the stormwater quality objective of NorBE + 10%.
<b>D3</b> Development minimises run-off volumes and allows replenishment and recharge of groundwater sources.	Proposed wetlands and stormwater bioretention system complies.
<b>D4</b> All effluent is treated outside of the drinking water catchment.	
<b>D5</b> Public open space design ensures waterways are protected or enhanced.	Proposed linear parkland broadly follows the natural drainage alignment and ensures the development will protect and enhance this ephemeral waterway

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<b>4.4 Flood Planning Design Criteria</b>	
<p><b>D1</b> Development on flood prone land is consistent with the objectives and requirements of Chapter 4A—Flood affected land.</p>	<p>Complies. Chapter 4A is predominantly concerned with the development of buildings on flood affected land and has minimal relevance to the subdivision stage. Additionally, figure 6.20 of Chapter 4A of the DCP indicates that the vast majority of the site falls outside of the catchment boundary of the <i>Blackmans Swamp Creek and Ploughmans Creek Flood Study</i>. As such the provisions of Chapter 4A are not directly applicable to the development. Notwithstanding this, it is considered that subsequent development of the proposed lots will be able to readily comply with the construction standards sought by the chapter where relevant.</p>
<p><b>D2</b> Development does not increase the risk of flood hazard on land outside of the precinct.</p>	<p>Complies. The subdivision design incorporates wetlands and drainage systems that will direct flood water to an on-site stormwater bioretention basin which is anticipated to maintain post development flows at pre development levels or less.</p>
<p><b>D3</b> Applications for development that, in the opinion of Council, is likely to be subject to flood risk or otherwise entail adverse impacts on flood risk are to be accompanied by a flood impact and risk assessment prepared in accordance with—</p> <ul style="list-style-type: none"> <li>• the DCP's objectives for flood affected land as described in Chapter 4A, and</li> <li>• the FRM Manual and accompanying guidelines.</li> </ul> <p>The assessment is to include details on—</p> <ol style="list-style-type: none"> <li>(a) the location and extent of any flood prone land, including any lots that may be liable to flood risk (pre- and post-development),</li> <li>(b) the impacts of the development on flood behaviour and risk,</li> <li>(c) the FRM measures required to manage flood risk, including consideration of the effects of climate change on flood frequency and behaviour.</li> </ol>	<p>The application for subdivision includes regrading of the land, and when combined with the civil engineering design of the roads it is anticipated that future flooding events will be almost entirely contained within the road reserves, linear parkland and bioretention basin. Actual residential lots should be clear of direct inundation in all but the most extreme events. However, should any updated flood study indicate a latent risk then development of the affected lots can still be required to provide a site-specific assessment.</p>

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<b>4.5 Bush Fire Hazard Design Criteria</b>	
<b>D1</b> Subdivision design— (a) complies with the requirements of any bush fire safety authority that may apply to the development, (b) is consistent with the requirements of Planning for Bush Fire Protection, and (c) enables the establishment and maintenance of the minimum Asset Protection Zone requirements and perimeter roads included in the precinct concept plan and as described in the Asset Protection Zone Map.	The application was referred to the NSW Rural Fire Service as integrated development under section 100B of the Rural Fires Act. The RFS issued General Terms of Approval and a Bush Fire Safety Authority on 28 September 2025 - each subject to conditions. The terms and conditions have been incorporated into the nominated conditions of consent.
<b>4.6 Vegetation Management Design Criteria</b>	
<b>D1</b> Development supports the protection and enhancement of biodiversity within the precinct by— (a) protecting, restoring and enhancing native vegetation, including supporting embellishment of locally represented plant community types, (b) achieving tree canopy and species targets for planting in streets and public spaces as described in Design Element 6.6—Urban tree canopy, (c) supporting the DCP's preferred plant species for planting on private land in accordance with the requirements of Design Element 6.8—Landscaping, (d) supporting the construction of a new wetland in accordance with the requirements of Design Element 4.3—Responding to Country and Design Element 5.5—Stormwater management.	<p>The parkland and street trees proposed are broadly consistent with protecting and enhancing biodiversity. The Biodiversity Assessment Report prepared by OzArk acknowledges that of the 0.46ha of native vegetation found within the site, some 0.17ha will be impacted by the proposal, which is below the threshold that would trigger entry into the Biodiversity Offset Scheme (BOS). Despite the impact on 0.17ha of native vegetation, the OzArk report finds the level of impact/disturbance will be acceptable provided there is no disturbance of the remaining 0.29ha of Central West Creekflat Grassy Woodland.</p> <p>Tree canopy targets are contained in Design Element 6.4 Urban Tree Canopy; refer to that section later in this assessment.</p> <p>Plant species for private land are contained in Design Element 6.7 Landscape Design and will be relevant to the subsequent development of the residential lots.</p> <p>Species selection is consistent with the DCP's preferred plant requirements.</p> <p>The proposal includes the establishment of a new wetland consistent with Design Element 4.3.</p>

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<b>D2</b> Existing tree planting within the Gateway Park is protected and enhanced as an important character element in accordance with the requirements of Design Element 6.2-Local Character	Complies, existing tree planting is retained, and additional landscape planting is proposed.
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<b>4.8 Construction and Site Management Design Criteria</b>	
<p><b>D1</b> All demolition, excavation and construction activities are managed in accordance with the requirements of—</p> <ul style="list-style-type: none"> <li>(a) Schedule 19F—Construction and site management,</li> <li>(b) Council’s Subdivision and Development Code,</li> <li>(c) relevant standards and codes of practice including—           <ul style="list-style-type: none"> <li>• <i>AS 2601:2001 The demolition of structures,</i></li> <li>• <i>AS 4970:2009 Protection of trees on development sites,</i></li> <li>• <i>the SafeWork NSW Code of Practice for Demolition Work,</i></li> <li>• <i>the SafeWork NSW Code of Practice for Construction Work.</i></li> </ul> </li> </ul> <p><b>D2</b> Erosion and sediment control measures are in place to ensure site preparation, demolition and construction work—</p> <ul style="list-style-type: none"> <li>(a) avoids detrimental impacts on soil and ground stability,</li> <li>(b) avoids detrimental impacts on waterways, drinking water catchments, groundwater sources, vegetation and surrounding land, and</li> <li>(c) does not result in runoff carrying sediments or other pollutants leaving the site or entering the stormwater system.</li> </ul> <p><b>D3</b> Demolition and construction works are to incorporate suitable dust and air quality control measures.</p> <p><b>D4</b> Before any demolition or construction work commences, a hazardous materials audit of the site is to be prepared by an appropriately qualified person and a report of the audit results provided to Council. The report is to include details of the nature and location of each hazardous material identified.</p>	<p>All matters raised in the design criteria can be readily addressed through conditions of consent.</p>

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**Part 5 Subdivision**

<b>5.1 General Requirements</b>	
<b>D1</b> Subdivision is consistent with the precinct concept plan, including in relation to— <ul style="list-style-type: none"> <li>(a) street block and lot layout,</li> <li>(b) public open space network design and layout,</li> <li>(c) provision for water cycle management infrastructure,</li> <li>(d) street network design, and (e) the distribution and location of lot sizes and residential densities.</li> </ul>	The submitted plans are consistent with the precinct concept plan.
<b>D2</b> Street blocks are generally no more than 220 metres in length and 70 metres in depth. Blocks that are longer than 220 metres may be considered where pedestrian connectivity, stormwater management and traffic management objectives are met. In such cases, consideration should be given to the provision of a mid-block connection to ensure permeability for pedestrians.	The length of the north-south block between stages 1 and 2 is 227m on the eastern side and 249m on the western side. This block is capped at the northern end by proposed Lot 141 which is 5,045m <sup>2</sup> in area. It may be feasible for development of Lot 141 to incorporate a walkway connection along its southern boundary. This would help to provide a separation buffer between any higher density development of Lot 141 from the lower density forms likely to emerge on Lots 140 and 200 (being the southern neighbours). A consent condition could be imposed to establish this link as an easement.
<b>D3</b> Street and block alignment supports legibility and wayfinding by emphasising public views of— <ul style="list-style-type: none"> <li>• public open space</li> <li>• key sites and buildings</li> <li>• community amenities and recreation facilities</li> <li>• the precinct’s scenic landscape setting, including Gaanha Bula—Mount Canobolas and heritage and rural hillscapes</li> </ul>	The proposed design complies. The grid layout favouring north-south block lengths provides clear legibility and navigation. Each north-south street gives a clear and direct link through to the linear park; the meandering park edge street provides the main cross connection while ensuring views of the public open space. Perimeter roads along the southern boundary ensure views to Gaanha Bula – Mount Canobolas are preserved. The grid design ensures various views to the rural hillscapes beyond the site.

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<p><b>D4</b> Lots are rectangular in shape. Where lots have a non-orthogonal shape, they are sized and oriented to enable development to meet all other relevant development controls and standards.</p>	<p>162 of the 167 lots are considered to be compliant, although some lots unavoidably have an angled frontage where the road network meanders along the linear parkland. Approximately 97% of the total.</p> <p>Of the five non-compliant lots:</p> <p><i>In stage 1:</i> proposed Lot 111 and proposed Lot 129 have been designed in a wedge shape (refer figure 19). At their narrowest they are 12.84m and 8.76m respectively, widening towards the west reaching 23.76m and 16.685m (plus corner splay) respectively. With site areas of 549m<sup>2</sup> and 422m<sup>2</sup> and benefitting from a side frontage to an 8m laneway along their northern boundary, these lots are both considered to be able, with suitable bespoke designs, to be developed successfully.</p> <p><i>In stage 4:</i> Lots 413-415 located on the outer curve of the main road have been designed with a wedge shape where the narrow end is between 5.995m and 6.455m wide (refer figure 20). These lots are served by a rear lane/cul-de-sac with sufficient turning space in the lane. The angle of the wedges achieves a broad frontage around 20m wide. The areas of the lots are 393m<sup>2</sup>, 327m<sup>2</sup> and 372m<sup>2</sup> respectively. It is expected that these lots, while needing a bespoke design, remain capable of being appropriately developed for residential purposes.</p>
<p><b>D5</b> Except as otherwise provided in this chapter, all lots (other than battle-axe lots) have the following minimum lot width—</p> <ul style="list-style-type: none"> <li>• rear lane lots—4.5 metres</li> <li>• other lots—7.5 metres</li> </ul>	<p>The proposed layout complies.</p>

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<p><b>D6</b> Except as otherwise provided in this chapter, all lots have a minimum lot depth of 25 metres.</p>	<p>The proposal broadly complies. Proposed Lot 101 has an angled frontage whereby its shortest depth is non-compliant at 24.555m on the eastern side while the longer side is 30.78m (refer figure 21). Future development of the site is expected to observe the normal side setbacks such that the depth of the property at the side setback point is likely to be compliant.</p> <p>Similarly, Lots 414 and 415 which are wedge shaped lots (discussed under D4 above) share a non-compliant side boundary of 24.215m but become compliant on the opposite sides of the respective lots (refer figure 20). As above, once future side setbacks are observed it is likely that the lot depth at the side setback point would be compliant.</p> <p>All remaining lots (155 out of 158 or 98.1%) are compliant.</p>
<p><b>Vehicle Access</b></p>	
<p><b>D7</b> All lots have legal access to a public road.</p>	<p>The proposed layout complies.</p>
<p><b>D15</b> Adjacent access handles may be shared between more than 1 lot where—</p> <ul style="list-style-type: none"> <li>(a) the access handles in combination serve a maximum of 2 lots,</li> <li>(b) each lot is burdened by a cross easement enabling reciprocal rights of way for the shared use of each lot's access handle,</li> <li>(c) the minimum width of each access handle is 3 metres,</li> <li>(d) the minimum shared driveway width is 4.5 metres, and</li> <li>(e) adequate sight lines are available to enable safe vehicle and pedestrian movement.</li> </ul>	<p>Technically only applies to battleaxe lots and the proposed development does not include any battleaxe lots. However proposed Lots 413 to 417 are serviced by a rear lane/cul-de-sac that is 7m and variable width (refer figure 20).</p> <p>This access is proposed to be a public road, however Councils engineers do not support dedication of a road in this configuration as it does not comply with the subdivision code, and have instead nominated a condition that this area (Lots 413-417 inclusive) be created under Community Title with the access lane being dedicated as the common lot for vehicle access.</p> <p>It should be noted that this access will serve more than the maximum 2 lots stated by the control, however each of the served lots also has frontage to other proposed roads in the development and a 7m width is sufficient for two-way flow of traffic.</p>

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Figure 19 - proposed wedge-shaped Lots 111 and 129



Figure 20 - proposed Lots 413-415 with narrow "frontages" served by a rear access

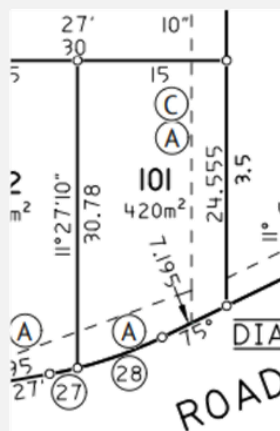
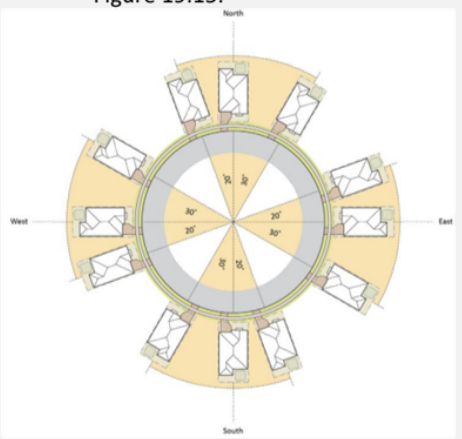


Figure 21 - proposed Lot 101

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<p><b>5.2 Lot Layout and Orientation</b></p>	
<p><b>D1</b> Lot orientation—</p> <ul style="list-style-type: none"> <li>(a) optimises opportunities for passive solar design and good building orientation in relation to prevailing winds and breezes, and</li> <li>(b) optimises opportunities for solar access to dwellings and principle private open space areas in accordance with the recommended lot orientation ranges shown in Figure 19.15.</li> </ul>	<p><b>D1</b> The layout complies; most lots achieve an acceptable solar orientation in accordance with figure 19.15. Only one lot, Lot 414, has an unfavourable northeastern to southwestern orientation (refer figure 20 and figure 22). This is due to being on the outside curve of the park street. There is no apparent alternative that could remedy this issue. Therefore 99.4% of lots are compliant, which for a subdivision of this size is considered to be an acceptable level of compliance.</p>
	
<p><b>Figure 22 - DCP recommended lot orientation</b></p>	
<p><b>5.3 Land Use and Density</b></p>	
<p><b>D1</b> Subdivision design supports the distribution of land uses and residential densities described in Table 19.1 and the Land Use Map.</p>	<p>The proposed design complies.</p>
<p><b>5.4 Street Typology and Grid</b></p>	
<p><b>D1</b> Public roads are designed in accordance with the Street Grid Map and street design standards described in Schedule 19-C.</p>	<p>The proposed design complies.</p>
<p><b>D2</b> Road design speeds are self-explanatory, with design solutions (including threshold treatments, street tree planting and nature strips) clearly communicating slower speed environments.</p>	<p>The layout has been designed consistent with normal suburban speed limits, threshold treatments, street tree planting and nature strips to communicate a slower speed environment.</p>

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<b>D3</b> Intersections are designed to maximise ease of movement for pedestrians and cyclists and to slow vehicular traffic.	Intersection designs are consistent with the subdivision code, and the estate is unlikely to be a high traffic environment as it does not connect other urban areas to points of interest or destinations and would therefore typically only attract local resident traffic.
<b>D4</b> Subdivision design provides for future public road connections to adjoining land.	The proposed design complies.
<b>D5</b> Public road design facilitates— (a) safe, efficient and convenient access to kerbside waste collection for waste service providers, and (b) sufficient turning capacity for waste service vehicles to minimise the need for reversing or three-point turns.	The proposed design complies with both points (a) and (b).
<b>D6</b> Where waste collection from a public open space requires waste service vehicles to park in the street, public road design ensures sufficient capacity (including, where necessary, the provision of parking bays) to minimise the likelihood of traffic flow congestion.	There is no indication in the design of any need for waste collection from a public open space.
<b>5.5 Active and Public Transport Networks</b>	
<b>D1</b> Development supports the viability of public transport routes as described in the Active Transport Map by— (a) ensuring the provision of opportunities for medium density housing (including through the provision of smaller residential lots and integrated housing lots) along and within proximity to any proposed public transport route, and (b) ensuring the provision of footpaths, shared paths, street trees, public lighting and other supporting pedestrian infrastructure in accordance with the Active Transport Map and the street design requirements referred to in Design Element 5.3—Street network.	The proposal includes opportunities for medium density housing both on smaller lots and integrated housing lots which are located along the proposed bus route. The design provides for footpaths, shared paths, street trees, lighting and other facilities consistent with the requirements of Design Element 5.3

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<p><b>D2</b> Development promotes the provision of healthy, safe and sustainable movement networks through the provision of an active transport network in accordance with that shown in the Active Transport Map.</p>	<p>The proposed layout complies with the Active Transport Map.</p>  <p><b>Figure 23 - DCP Active Transport Map</b></p>
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<p><b>5.6 Public Open Space Network</b></p>	
<p><b>D1</b> Public open space is provided in accordance with the layout of spaces and facilities described in the Public Open Space Map.</p>	<p>The proposal complies. The linear parkland and embellishments are broadly consistent with the public open space map.</p>
<p><b>D2</b> Existing parks and associated features, including the Gateway Park, Memorial Garden, Memorial tree planting, Old Dairy Building and Visitor Park, are preserved and integrated with the public open space network.</p>	<p>The proposal complies; the linear park incorporates the existing parks and associated features.</p>
<p><b>D3</b> Public open space is designed and delivered in accordance with the requirements of Design Element 6.5—Public domain design.</p>	<p>The proposal has included public open space consistent with the requirements of Design Element 6.5.</p>
 <p><b>Figure 24 - DCP Public Open Space Map</b></p>	

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<b>5.7 Water Cycle Management</b>	
<p><b>D1</b> Development supports the precinct vision by facilitating water cycle management in accordance with the outcomes described in the Water Cycle Management Map and Table 19.2.</p> <p><b>D2</b> Overland flow paths are incorporated into the public open space network.</p> <p><b>D3</b> Development demonstrates the incorporation of water sensitive urban design measures, including bioretention facilities.</p> <p><b>D4</b> The size and detailed location and design of any public water cycle management infrastructure will be required to be determined at the development application stage and in accordance with a water cycle management strategy for the development prepared by a suitably qualified engineer.</p>	<p>The proposal complies. A Water Cycle Management Report prepared by Colliers was submitted in support of the application. The key findings and recommendations of that report have been reflected in the subdivision design.</p>  <p><b>Figure 25 - DCP Water Cycle Management Map</b></p>
<b>5.8 Utilities and Services</b>	
<p><b>D1</b> Utilities and services—</p> <ul style="list-style-type: none"> <li>(a) are located underground wherever possible,</li> <li>(b) are integrated with the overall design of streets and public spaces, and</li> <li>(c) facilitate the DCP's tree canopy targets for streets and public spaces.</li> </ul> <p><b>D2</b> Development provides for adequate lighting to streets and public spaces.</p> <p><b>D3</b> Utilities and services are designed to accommodate—</p> <ul style="list-style-type: none"> <li>(a) technological advancements, including smart meters and other smart technology, and</li> <li>(b) augmentations in response to future increases in service demand.</li> </ul> <p><b>D4</b> Provision is made for telecommunications and fibre-ready facilities to be installed to all lots.</p>	<p>The proposal complies with the location and integration of utilities and services. Being underground, this will facilitate the tree canopy targets by eliminating the need for pruning under powerlines.</p> <p>The proposal complies. The provided lighting plan includes street lights and lighting of the public open spaces.</p> <p>This is a matter for utility providers. The proposal can be conditioned to require the applicant to obtain a notice of satisfactory arrangements from each utility provider.</p> <p>The proposal can be readily conditioned to provide for telecommunication facilities, including fibre, to the proposed lots.</p>

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<b>5.9 Precinct Staging</b>	
<p><b>D1</b> Subdivision layout supports the economical and coordinated staging of development, including the timely and cost-effective delivery of essential services.</p>	<p>The proposal complies and has been designed across 4 stages.</p>
<p><b>D2</b> Development is generally sequenced according to the stages described on the Development Staging Map. Exceptions to this staging will be considered where the applicant has demonstrated that the proposed variation—</p> <ul style="list-style-type: none"> <li>(a) will not create any additional financial burden on any public authority or utility provider,</li> <li>(b) is consistent with any relevant water supply and sewerage servicing strategies,</li> <li>(c) will not result in any additional impacts on the environment or amenity of neighbouring properties,</li> <li>(d) will expedite the delivery of well-located affordable housing, and</li> <li>(e) is consistent with the precinct vision and aims of this chapter.</li> </ul> <div data-bbox="343 1205 758 1518" data-label="Image"> </div> <p style="text-align: center;"><b>Figure 26 - DCP Staging Map</b></p>	<p>The proposal is broadly consistent with the staging map.</p>
<p><b>D3</b> Development ensures all essential services, public amenities and public utility infrastructure, are provided for each development stage in a timely and coordinated manner.</p>	<p>The proposal conflicts with the alignment of an Optus fibre optic cable and would necessitate its relocation. A suitable condition of consent can be imposed to ensure the location of the cable is confirmed prior to any works occurring on the site and relocated at the applicant’s expense and to the technical requirements of Optus communications.</p> <p><b>NOTE: Optus have not been consulted during the assessment of this application.</b></p>

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<b>5.10 Affordable Housing</b>	
<p><b>D1</b> Where subdivision will result in lots to be used for affordable housing in accordance with a relevant environmental planning instrument—</p> <ul style="list-style-type: none"> <li>(a) all lots proposed to be reserved for affordable housing are clearly indicated on the subdivision plan, and</li> <li>(b) a public positive covenant is registered against the title for any lot referred to in (a) above requiring the land to be reserved for affordable housing in accordance with the requirements of the environmental planning instrument.</li> </ul>	<p>The amended design has removed the concept of a single lot for affordable housing apartment complex and instead affordable housing will be required to be provided throughout the estate across all stages. A condition of consent is required to ensure that a minimum of 20% of lots/dwellings are identified prior to the release of any subdivision certificates. This condition will need to be drafted as a running total, meaning that if an earlier stage over-provides affordable housing, then subsequent stages could provide less provided that the overall total is always at or above 20%.</p>
<p><b>D2</b> Development supports social inclusion by ensuring—</p> <ul style="list-style-type: none"> <li>(a) a balanced and equitable distribution of affordable housing throughout the precinct,</li> <li>(b) the provision for affordable housing through a diversity of housing sizes and types, and</li> <li>(c) the provision of affordable housing in locations that are well located relative to amenities, recreation facilities and public transport.</li> </ul>	<p>The original proposal was inconsistent with this requirement as it opted to provide all 66 affordable housing dwellings within a single residential flat building in stage 4A. The rationale provided was one of financial viability. Affordable housing sites are provided to Community Housing Provider (CHP) partners at zero cost, so by consolidating the requirement into a single site this minimises the financial impact to the project.</p> <p>The applicant was asked to consider the potential for the residential apartment building to be a mix of affordable and market units to offset the loss of revenue from additional sites sprinkled throughout the estate. They initially advised that CHPs prefer to avoid a mixed occupancy as this complicates management of the building, with market residents' expectations potentially conflicting with CHP resident expectations.</p> <p>Ultimately, the project has moved away from a single 66-unit complex for the affordable housing commitment and will instead provide affordable housing in a dispersed manner. As a result, stage 4A was abandoned and the land merged into stage 4, resulting in some minor realignment of the layout; however the overall concept remains broadly consistent with the exhibited version. The changes were deemed to be minor, and the revised layout was not re-exhibited.</p>

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**Part 6 Urban Design**

<b>6.1 Responding to Country</b>	
<p><b>D1</b> Development supports the achievement of the connecting with Country precinct design outcomes described in Schedule 19-A, including where relevant—</p> <ul style="list-style-type: none"> <li>(a) the provision of public spaces and facilities for ongoing knowledge sharing and cultural education,</li> <li>(b) opportunities for public art and interpretation,</li> <li>(c) the restoration and healing of landscapes and water cycle systems,</li> <li>(d) establishment of a community garden,</li> <li>(e) the preservation and enhancement of public views of Ghaana Bula—Mount Canobolas, and</li> <li>(f) any other measures that, following consultation with Aboriginal stakeholders, are considered by Council to support the key design themes.</li> </ul>	<p>The proposal complies with this requirement. The embellishment of the linear parkland will include public spaces for knowledge sharing and cultural education, as well as public art and interpretation and a community garden. The design retains public views of Ghaana Bula – Mount Canobolas and also aligns the water drainage corridors, including provision of a wetland and bioretention basin to improve water cycle systems.</p>
<p><b>D2</b> Where development entails consultation with Aboriginal stakeholders, it ensures appropriate measures are taken to—</p> <ul style="list-style-type: none"> <li>(g) ensure the cultural safety and wellbeing of stakeholders, and</li> <li>(h) protect the Indigenous cultural and intellectual property of stakeholders.</li> </ul>	<p>The proposal has included and been informed by consultation with Aboriginal stakeholders. The OzArk Archaeological Technical Report undertook field surveys of the site and assessed the risk of harm to Aboriginal objects to determine the need for further investigation. No Aboriginal sites were identified during the survey. Consultation with local Aboriginal stakeholders also informed the Sala4D consultation feedback report. That report highlighted the community's desire to include educational signage of natural ecosystems with Aboriginal significance and include places for public, particularly Aboriginal art. The embellishment of the public open spaces has responded to these views.</p>
<p><b>D3</b> In the event of any unanticipated find or unanticipated skeletal remains, site work complies with the unexpected finds protocol described in Schedule 19-B.</p>	<p>The development can be readily conditioned to include an unanticipated finds procedure at relevant stages of the project.</p>

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<b>6.2 Local Character</b>	
<b>D1</b> Development preserves and enhances the important character elements described in Part 3—Precinct vision.	The proposal complies refer to discussion in Part 3.
<b>D2</b> The design of streets and public open spaces promotes visual connection to the precinct's heritage and scenic landscape settings by maintaining and enhancing public views of key landscapes, including— (a) Gaanha Bula—Mount Canobolas, (b) neighbouring heritage landscapes, (c) Frederick's Valley hillsclapes, (d) North Orange and Byng hillsclapes and peaks, and (e) Spring Hill hillsclapes.	The design is consistent with this requirement as it maintains views to Gaanha Bula-Mount Canobolas, and the heritage landscapes through use of perimeter roads that ensure the views are not blocked out by built form.
<b>D3</b> Subdivision design maintains a visual and physical curtilage to adjoining heritage items and non-urban landscapes by ensuring public road frontages and associated positive street address is provided along any shared boundary with a neighbouring property.	The layout is consistent with this requirement.
<b>6.4 Urban Tree Canopy</b>	
<b>D1</b> Public roads achieve mature tree canopy coverage in accordance with the tree canopy coverage targets for each street type described in Schedule 19-C.	The design includes a detailed street tree network as shown in appendix G of the Statement of Environmental Effects
<b>D2</b> Public spaces (excluding car parks, sports courts, playing fields and land used for bioretention or stormwater detention) achieve a minimum mature tree canopy coverage of 45%.	New plantings are proposed through the linear parkland intended to achieve the required canopy coverage - refer appendix G
<b>D3</b> All tree planting and species selection is undertaken in accordance with the requirements described in Schedule 19-D.	The proposal can be conditioned to be consistent with the species selection outlined in Schedule 19-D, as amended by advice from Council's Manager City Presentation regarding species that are more suitable based on climate and local growing conditions.
<b>D4</b> Development maintains and where possible enhances the existing tree canopy. Where established trees are proposed to be removed, replacement planting should be capable of maintaining at least an equivalent extent of tree canopy coverage at maturity.	The proposal complies. While some trees are to be removed owing to conflicts with the road layout, these losses will be offset by the planting of street trees and embellishment of the parklands.

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<b>D5</b> Street tree species selection and placement ensure unfettered access to kerbside waste collection for waste service vehicles.	The proposal complies and a condition of consent can be included to ensure species selection adheres to the requirements of Council’s Manager City Presentation.
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<b>6.5 Public Domain Design</b>	
<b>D1</b> Public open space design incorporates, preserves and enhances the existing features of the Visitor Park and Gateway Park, including— (a) remnant tree planting and memorial poplars and tree arcs, (b) the Memorial Garden, and (c) the Old Dairy Building.	The public open space design is consistent with the requirements. The line of poplar trees is retained, as is the memorial garden and Old Dairy Building. These features have been integrated into the design for the linear park embellishment.
<b>D2</b> The design and delivery of public spaces and buildings support the holistic delivery of the precinct vision and the supporting provisions of the DCP, including in relation to— (a) local character, (b) connecting with Country and cultural wellbeing, (c) public open space, (d) safety and accessibility, (e) wayfinding and legibility, (f) land use and density, (g) street and landscape design, (h) active and public transport, (i) urban heat management, (j) bioretention, groundwater recharge and water quality management, (k) flood and bush fire risk management, (l) biodiversity conservation and vegetation management, (m) urban tree canopy, and (n) water sensitive urban design.	The proposal broadly complies with the matters listed as addressed elsewhere in this assessment.
<b>D3</b> Public space design provides for the incorporation of smart technologies, including in relation to— (a) security, (b) environmental monitoring, (c) wayfinding, interpretation and education, (d) community notice and public information, (e) lighting, (f) waste management, and (g) other relevant applications.	The proposed open space network is embellished with seating, drinking fountains, waste facilities, play equipment, shading, picnic sheltering and fencing. The layout facilitates wayfinding, interpretation and education, is appropriately illuminated which enhances security, and waste bins are provided in appropriate locations.

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<p><b>D4</b> The design and layout of public open space is generally in accordance with—</p> <ul style="list-style-type: none"> <li>• for the Northern Park—the Northern Park Concept Plan as shown in Figure 19.25</li> <li>• for the Central Park—the Central Park Concept Plan as shown in Figure 19.26</li> <li>• for other public open spaces—the Precinct Plan as shown in Figure 19.5.</li> </ul>	<p>The design of public spaces is in accordance with the concept plans.</p>
<p><b>D5</b> The design and layout of streets and other public spaces promote year-round user comfort, including provision for cool landscapes and shade in summer, solar access in winter and protection from adverse wind effects.</p>	<p>The proposed layout of street is consistent with the requirement. Street trees assist in the provision of shade in summer, and the alignment of the streets has allowed the lots to be appropriately orientated for passive solar benefits. Retention of the mature poplar trees in the linear park and further tree planting along the street edge behind the poplars should assist as a wind break for northerly or southerly winds.</p>
<p><b>D6</b> Any waste bins required to service public open space are located within 10 metres of the street to enable efficient and convenient access for waste service providers.</p>	<p><b>Technical non-compliance.</b> Two sets of waste bins have been located further than 10m from the street. One set is associated with the main playground area near the hangar building while the other is associated with the retained old dairy building. While convenience for collection is relevant, it is considered more important that the placement of bins is in reasonable proximity to active areas where people congregate and linger. In each case the bins have been located beside paved areas/walkways that lead to the street.</p>

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<p><b>D7</b> Solar panels and solar light fittings are used for public lighting wherever possible.</p>	<p>Non-compliance. While the proposed street lights are an energy efficient LED design, the proposal does not include any solar panels or solar light fittings. Essential Energy does not have a standard solar streetlight in their approved material list.</p> <p>As the proposal does not include significant new buildings (shade elements being in the form of sails rather than fixed structures) there are minimal opportunities to include solar panels to offset the energy consumption.</p> <p>Freestanding panels would intrude on the landscaping and aesthetics of the design to the detriment of the City entrance. Council could investigate adding solar panels to the hangar building or the old dairy building in due course.</p>
<p><b>D8</b> The provision of public furniture, facilities and amenities is relevant to meeting social needs. Where relevant, Council will require an application entailing the provision of public open space, recreation facilities, community facilities or other social infrastructure to be accompanied by a social needs assessment demonstrating that the proposal is in accordance with the social needs of the community. Any assessment is required to be prepared by an appropriately qualified social planner or equivalent expert.</p>	<p>A social needs assessment was provided as part of the Planning Proposal to rezone the land. The design of the current application meets the recommendations of that original assessment.</p>

<b>6.6 Safety and Accessibility</b>	
<b>Surveillance and Crime Prevention</b>	
<p><b>D4</b> The design of buildings and places minimises the risk of crime by supporting the CPTED principles, including through—</p> <ul style="list-style-type: none"> <li>(a) the provision of opportunities for active and passive surveillance,</li> <li>(b) managing and controlling access to high-risk areas,</li> <li>(c) clearly defining the transition between public and private realms, and</li> <li>(d) ensuring materials support ongoing maintenance.</li> </ul>	<p>This requirement is primarily related to the subsequent development of housing on the proposed lots. From a subdivision perspective the design includes single loaded perimeter roads that preserve views for residents into public spaces and neighbouring lands, which will contribute positively to crime prevention.</p>

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<b>D5</b> The edges of public open spaces are framed by streets and accompanying positive address by lots and buildings.	The proposed layout complies with this requirement.
<b>D6</b> Where Council considers the development to entail potential crime risk, the application is required to include a Safer by Design Audit prepared by a suitably qualified person that addresses— (a) the nature of any crime risks relevant to the development and locality, (b) the strategies to be employed to manage crime risks, and (c) any other matters raised by NSW Police.	The subdivision is not considered to entail crime risk and has included appropriate measures such as perimeter roads and lighting of streets and public spaces. Accordingly, the assessment has not sought a Safer by Design Audit for the subdivision stage of the estate. Future applications for dwelling houses and apartment buildings can, if appropriate, be required to address this measure in more detail.
<b>Outdoor Lighting</b>	
<b>D7</b> Public lighting— (a) is provided for all streets, key pedestrian routes and public spaces, (b) permits passive surveillance, including facial recognition at the pedestrian scale, (c) supports wayfinding by highlighting key features of the public domain, (d) enhances safety at vehicle and pedestrian conflict points, (e) is coordinated with street tree planting, and (f) employs a range of lighting types suited to their intended functions and locations, including poles, bollards, wall-mounted lights, strip lighting and feature lighting.	The lighting plan submitted with the application complies with the requirements. Staff identified a few instances where light pole placement may conflict with underground assets such as stormwater pits. This has been addressed in the revised plans; however, the applicant has requested that the location of street lights and electricity substations be considered as indicative, with final placement to be confirmed at the subdivision certificate stage. This is broadly supported as it can ensure that each asset is appropriately located while responding to any technical issues encountered during the delivery of the development.
<b>D8</b> Areas used for night-time activities, including the Hangar Building, are supported by appropriate lighting.	The lighting plan includes lighting of public open space assets, particularly in areas of congregation and along pathways. This includes ample lighting around the Hangar building.
<b>D9</b> Light spill to surrounding properties is minimised by ensuring outdoor lighting is designed and installed in accordance with AS 4282:2023 Control of the obtrusive effects of outdoor lighting.	Street lighting and lighting of the public open space will have minimal effect on surrounding properties.

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<b>6.7 Landscape Design</b>	
<b>Additional Requirements for Streets and Public Spaces</b>	
<b>D12</b> Planting on public land achieves the following minimum proportions of native species— <ul style="list-style-type: none"> <li>• for public road reserves—30% of all trees and understorey planting</li> <li>• for public open space—70% of trees of all trees and understorey planting</li> </ul>	Complies as illustrated in the Landscape Plans contained in Appendix G of the Statement of Environmental Effects.
<b>D13</b> Street verges are turfed with Council approved species, consistent with the preferred species described in Schedule 19-D.	Can be confirmed through conditions of consent
<b>D14</b> Bioretention basins and wetlands are landscaped with endemic species to create habitats for birds, mammals and micro fauna.	Can be confirmed through conditions of consent.
<b>6.8 Water Sensitive Urban Design</b>	
<b>D1</b> Development incorporates water sensitive urban design measures, including where relevant— <ol style="list-style-type: none"> <li>(a) permeable materials for paths and hardstand areas,</li> <li>(b) deep soil zones,</li> <li>(c) on-site retention and reuse of rainwater, including through the use of rainwater tanks,</li> <li>(d) bioretention facilities and basins,</li> <li>(e) wetlands,</li> <li>(f) sediment ponds, and</li> <li>(g) swales.</li> </ol>	Complies as illustrated in the Landscape Plans (appendix G) and the Civil Engineering Plans (appendix E) of the Statement of Environmental Effects.
<b>6.9 Legibility and Wayfinding</b>	
<b>D1</b> All public signage and wayfinding infrastructure is designed and delivered in accordance with Council's adopted wayfinding strategy and signage style guidelines.	Public signage and other wayfinding signs can be conditioned to be consistent with Council's wayfinding strategy and signage style guidelines.
<b>D2</b> Legibility and wayfinding are supported by public domain design, including the incorporation of language, public views, public art and lighting and interpretive signage supporting the connecting with Country precinct design outcomes.	The proposal is consistent with this requirement.

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<b>D3</b> The design and delivery of public signage and wayfinding infrastructure— (a) is integrated with the design of streets and public open spaces, and (b) promotes local legibility by supporting key landmarks and views as shown on the Key Landmarks and Views Map.	Street signs and other wayfinding signs can be conditioned to be consistent with councils' wayfinding strategy and signage style guidelines.
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**PROVISIONS PRESCRIBED BY THE REGULATIONS s4.15(1)(a)(iv)**
**Demolition of a Building (clause 61)**

The proposal involves the demolition of existing structures and features (above and below ground) including buildings, fences, existing pavement, drainage, signs and 26 trees - as per the Civil Engineering Plans prepared by Colliers. A condition is attached requiring the demolition to be carried out in accordance with *Australian Standard AS2601 - 2001: The Demolition of Structures* and the requirements of Safe Work NSW.

**Fire Safety Considerations (clause 62)**

The proposal does not involve a change of building use for an existing building.

**Buildings to be Upgraded (clause 64)**

The proposal does not involve the rebuilding, alteration, enlargement or extension of an existing building.

**Council Related Development (clause 66A)**

The application is a Council related development as Council is the land owner.

1) A council-related development application must not be determined by the consent authority unless— (a) the council has adopted a conflict-of-interest policy, and (b) the council considers the policy in determining the application.	Council has adopted a conflict-of-interest policy. Notwithstanding this the development will be determined by the Western Regional Planning Panel.
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**BASIX Commitments (clause 75)**

BASIX is not applicable to the proposed development.

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

The proposal has been designed to minimise environmental impacts and is supported by comprehensive technical assessments. The site is generally suitable for subdivision, with manageable earthworks and no significant geotechnical constraints. Contamination within localised areas (asbestos and metals) will be removed and validated under the Remedial Action Plan, ensuring that the land is suitable for residential use.

Biodiversity impacts are low due to the highly modified nature of the site, and only minor vegetation removal is required. Fauna impacts will be managed through ecologist-supervised salvage procedures. Stormwater will be managed through a network of basins, wetlands and swales, achieving neutral or beneficial outcomes to downstream waterways and the Suma Park catchment. Flood behaviour remains acceptable, with no adverse downstream impacts.

Bushfire risk has been assessed in accordance with Planning for Bushfire Protection 2019, with all lots capable of achieving compliant BAL ratings. Perimeter roads and open-space areas will serve as low-fuel buffers, and staging arrangements ensure APZ standards are met prior to occupation. Noise and air-quality impacts are limited to construction and manageable through standard controls.

Traffic impacts are acceptable, with the surrounding network able to operate efficiently based on the updated modelling and Road Safety Audit outcomes. Internal roads, utilities and services can be delivered to required standards. The subdivision layout provides appropriate lot orientation, a strong open-space network, walkable street pattern and improved visual amenity along the Mitchell Highway frontage.

Socially and economically, the development will contribute to local housing supply, including affordable housing, and provide enhanced recreational and community spaces for the locality. No significant adverse social or economic impacts are anticipated.

Overall, subject to implementation of the recommended mitigation measures and conditions, the likely impacts of the development are acceptable and capable of being managed to an appropriate level.

**THE SUITABILITY OF THE SITE s4.15(1)(c)**

The site is well-suited for urban residential development, forming a logical extension of the existing settlement pattern and aligning with Council's strategic planning framework for growth on the eastern side of Orange. The land is predominantly cleared, has manageable topography, and can be fully serviced by existing and proposed water, sewer, stormwater, electricity and telecommunications infrastructure. Environmental constraints, including contamination, minor vegetation, stormwater management and bushfire exposure, have been assessed and can be effectively mitigated through established design measures and conditions of consent. The subdivision layout responds positively to the site's context by providing strong connections to surrounding roads, integrating a significant open-space network, and enhancing visual and environmental outcomes. Overall, the physical characteristics, service availability and strategic context of the land make it highly suitable for the proposed development.

The objectives of the zones are consistent with the outcomes of the proposed development.

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

The proposed development is defined as "advertised development" under the provisions of the Community Participation Plan. The application was advertised for the prescribed period of 14 days and at the end of that period two submissions was received. After the exhibition period closed a third submission was received from a potential developer of the neighbouring land at 84 Brabham Way.

<p>The <u>first submission</u> seeks to promote renewable energy, particularly solar panels, and requests that reticulated gas not be installed. The submission nominates that every house has a 5kw system with batteries installed either at each house or in a centralised aggregated form. The submission also encourages the use of heat pumps for hot water supply.</p>	<p>It needs to be noted that many of the issues raised are not directly relevant to a subdivision DA. For example, solar panels, batteries on dwellings and reflective roof colours are matters to be addressed during assessment of the dwellings. While it may be possible to require imposition of covenants on title, these would generally be set aside by clause 1.9A of the LEP.</p> <p>Matters around energy efficiency are already addressed through the BASIX system, and Council's ability to override BASIX with more stringent measures is not established.</p>
<p>The <u>second submission</u> discusses the issues of:</p> <ul style="list-style-type: none"> <li>• <b>Water management:</b> expressing support for water-sensitive urban design, stormwater pollution controls (important as the site drains to Suma Park Dam), retention/enhancement of the wetland, and inclusion of water cycle strategies. Also suggests considering incentives for rainwater tank installation.</li> <li>• <b>Vegetation and streetscape:</b> Commends alignment with Council's Urban Forest Strategy and inclusion of native species. Suggests further enhancement through free native plants for residents to strengthen biodiversity.</li> <li>• <b>Lot orientation:</b> Praises the design for optimising passive solar access.</li> <li>• <b>Reflective roof colours:</b> Requests consideration of reflective roofing to reduce summer heat (noted in draft DCP but missing in DA).</li> <li>• <b>Active travel and public transport:</b> Emphasises need for good pedestrian/cycle links and prioritised public transport access, given distance from CBD.</li> </ul>	<p>Energy related matters in the second submission are dealt with above.</p> <p>Active travel and public transport are facilitated by the road layout which has demonstrated a suitable route for buses to traverse the site.</p> <p>Reflective roof colours are generally not supported by Council. The term "reflective colours" may be interpreted as supporting shiny or glossy materials whereas the term "light colours" are intended to suggest more of a dull or matt finish.</p> <p>Reflective colours may lead to issues of glare impacting on neighbouring resident amenity or potentially distracting drivers. Council does support light colours to address summer heat loads. In either case the roof colour selection is not a relevant matter to the current DA. All dwellings will be subject of separate applications.</p>

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<p><u>Second submission</u> (cont)</p> <ul style="list-style-type: none"> <li>• <b>Public open space:</b> Supports provision of parklands, biodiversity enhancement, and community infrastructure such as the community garden.</li> <li>• <b>Energy provision:</b> Criticises the DA for not prohibiting gas connections; argues this is a missed opportunity given environmental and health impacts.</li> <li>• <b>Domestic animals:</b> requests/supports mandatory desexing and containment of cats to protect biodiversity.</li> </ul>	<p>Council has not adopted any policy in relation to regulating domestic companion animals other than adhering to the requirements of the Companion Animals Act, eg dangerous dogs, microchipping, registration. The site is not proximate to areas of significant biodiversity. Therefore predation on native animals is unlikely to be significant.</p>
<p><u>The third submission</u> from a potential developer of neighbouring land at 84 Brabham Way was primarily focussed on the interface between 84 Brabham Way and the subject site on the basis that:</p> <ul style="list-style-type: none"> <li>• The original design may impede the orderly development of 84 Brabham Way.</li> <li>• The variation in ground levels resulting from the proposed earthworks</li> <li>• Concern the retaining wall and inlet arrangement (originally proposed) may have potential to cause ponding to back up onto the low areas of 84 Brabham Way.</li> <li>• The potential for this development to constrain the development options at 84 Brabham Way with respect to the conveyance and discharge of stormwater flows (even at a pre-development level) into the low point of the common boundary.</li> </ul>	<p>The development has been partially redesigned in respect of the common boundary between the subject site and 84 Brabham Way. The new design allows for an indentation of proposed road 4 such that stormwater inlet into the drainage pipes can now occur wholly within the subject site. The sizing of inlets and pipes has been informed by the anticipated flows of 1:100 ARI design event, and modelling has demonstrated that in such events the extent of flooding on 84 Brabham Way will be equivalent to or less than the predevelopment flows.</p> <p>With regard to the change in elevation along the edge of proposed road 4, this has been necessitated in response to the flooding behaviour anticipated on the site. Just as it would be unreasonable for the subject development to impose a flooding constraint on 84 Brabham Way when alternative designs are available, it would be equally unreasonable to require a reduction in development potential of the subject site to facilitate a hypothetical future development of 84 Brabham Way.</p> <p>While the submitter has the option of lodging a Planning Proposal at any time, it should be noted that 84 Brabham Way is currently zoned C3 Environmental Management, with a minimum lot size of 100ha and is not identified in any adopted land use strategy as suitable for rezoning.</p>

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**PUBLIC INTEREST s4.15(1)(e)**

The development is in the public interest as it delivers much-needed residential land, diverse housing opportunities including affordable housing, and high-quality public open space consistent with Council’s strategic growth objectives. Environmental, servicing and safety considerations have been appropriately addressed, and the proposal will contribute positively to community wellbeing, urban design outcomes and local economic activity. Subject to the recommended conditions, the development represents a well-planned and beneficial use of the land that aligns with broader public expectations and planning policy.

The proposal will not be inconsistent with any policy statement, planning study or guideline 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. The proposal is consistent with the zone objectives and compliant with the LEP, site-specific DCP and will not adversely affect the surrounding development.

**VOLUNTARY PLANNING AGREEMENT**

Appendix Z of the Statement of Environmental Effects provides a letter of offer to enter into a Planning Agreement in accordance with section 7.4 of the Environmental Planning and Assessment Act 1979. The terms of the offer are summarised as follows:

In exchange for excluding the application from Section 7.11 and 7.12 contributions, certain works will be provided by the developer that are intended to provide a greater net benefit to the community than the foregone monetary contribution.

The contributions normally attributable to the development, based on 164 residential lots (158 low density and 6 super lots for medium density development) are as follows:

Facility	Orange Contributions Plan 2024	
	Per subdivided lot or detached dwelling house	Current applicable s7.11 contributions
<b>1 March - 31 May 2026</b>		
Open Space and Recreation	\$2,591.68	\$425,035.52
Community and Cultural	\$339.93	\$55,748.52
Roads and Traffic	\$6,404.43	\$1,050,326.50
Stormwater drainage	\$64.34	\$10,551.76
Plan Preparation and Administration	\$282.01	\$46,249.64
<b>Total</b>	<b>\$9,682.40</b>	<b>\$1,587,913.60</b>

It is noted that the letter of offer quotes different figures, with a total of **\$3,015,028.50** as this was based on 330 dwellings (rather than the lot count) and used the figures from 1 June – 31 August 2025, which have since been updated to reflect inflation. This application is only for the subdivision of land and the creation of the lots. The VPA is therefore effectively capturing future applications for the dwellings (either as Development Applications or Complying Development Certificates) within the scope of agreement.

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The table above shows the current figures for the period 1 March 2026 - to 31 May 2026. Note that with the removal of the affordable housing apartment complex the overall project is now anticipated to deliver 274 dwellings, with 55 of them being affordable housing. This is down from the original 330 and 66 respectively. If the above calculations are instead based on this revised dwelling count, then the total would become \$9,682.40 x 274 dwellings = **\$2,652,977.60**

In either case the actual contribution would be reduced by 3 lots/dwellings to account for the subject site being comprised of 3 existing lots. So, the final contribution amount would be either **\$1,558,866.40** based on proposed lots, or **\$2,623,930.40** based on dwelling count.

The works proposed to compensate for the loss of the above consist of:

<b>Proposed Schedule of Works</b>	
<b>Stormwater drainage construction</b>	<b>\$1,687,183</b>
Open water body pond construction	\$472,774
Bridge and viewing deck at the wetland	\$1,032,979
Stormwater swale embellishment	\$181,429
<b>Open space embellishment</b>	<b>\$3,728,956</b>
Entry signage	\$416,848
Additional planting & embellishment to open space area	\$531,441
Walking trails	\$203,584
Artworks across open space	\$401,579
Additional electrical and lighting	\$233,144
Exercise equipment and/or fitness stations	\$251,579
Playground equipment including shade sail	\$251,579
Hard landscaping to playground areas and/or courts (soft fall ground, mulch, shade sails)	\$928,759
Additional furniture and fixtures along footpath and walking trails	\$207,579
Story-telling and interpretation signage	\$111,579
Security, communications and data	\$191,281
<b>Total stormwater and open space costs</b>	<b>\$5,416,139</b>

This represents a net value gain of **\$2,269,904.31** compared to the contributions forgone.

It should be noted that the "Entry Signage" component relates to a temporary sign intended only to promote sales of the lots/stages. Such signage is not considered to represent a community benefit of the kind normally associated with contributions plans and/or planning agreements and should be disregarded. This would reduce the net value gain to **\$1,853,056.31**

Additionally, water and sewer contributions are required by way of a section 307 Certificate of Compliance under the Water Management Act 2000. A condition of consent requiring a section 307 certificate prior to any subdivision certificate has been recommended by Councils engineers.

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Beyond the financial considerations, the proposal represents an opportunity to add 274 dwellings to the housing supply, including 55 affordable housing units to be managed by a registered community housing provider, as well as providing a quality embellished linear parkland on the entrance to the City. While Orange is generally well served by a range of quality parklands, the eastern side of the City including the area of Glenroi has less provision than many other parts of the City.

Under the terms of the Planning Agreement works are to occur in stages, and these are triggered by the release of subdivision certificates for the 51<sup>st</sup>, 106<sup>th</sup>, 150<sup>th</sup> and 194<sup>th</sup> low density residential lots for stages 1-4 respectively. All stormwater management infrastructure is to be delivered as part of stage 1.

Further details of the planning agreement are the subject of a separate report to Council.

**SUMMARY**

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

**COMMENTS**

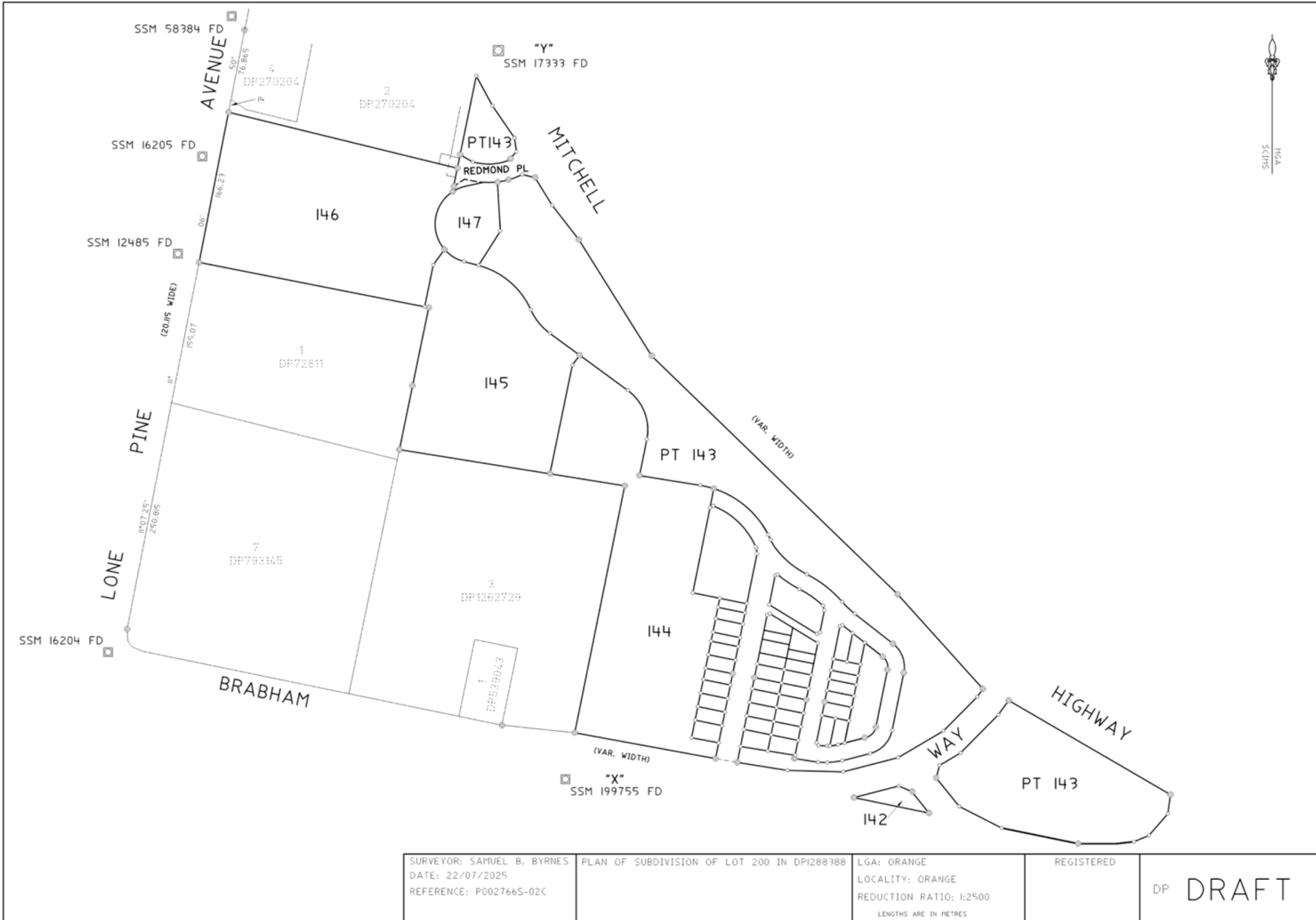
The requirements of the Environmental Health and Building Surveyor and the Engineering Development Section are included in the attached Notice of Approval.



PLAN FORM 2 (A2)

WARNING: CREASING OR FOLDING WILL LEAD TO REJECTION

Sheet 1 of 4 sheets



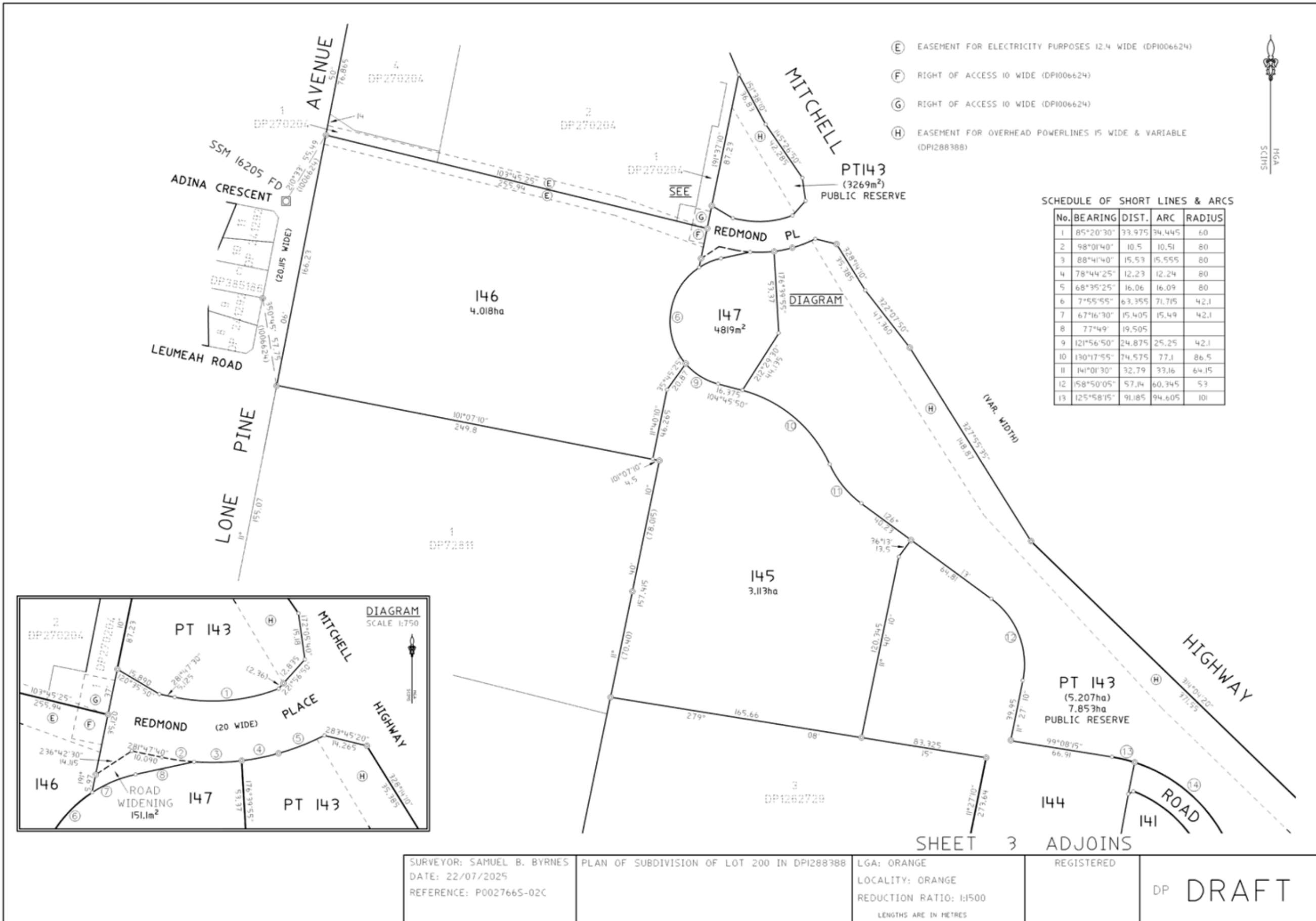
SURVEYOR: SAMUEL B. BYRNES DATE: 22/07/2025 REFERENCE: P0027665-02C	PLAN OF SUBDIVISION OF LOT 200 IN DP1288388	LGA: ORANGE LOCALITY: ORANGE REDUCTION RATIO: 1:2500 LENGTHS ARE IN METRES	REGISTERED	DP DRAFT
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PLAN FORM 2 (A2)

WARNING: CREASING OR FOLDING WILL LEAD TO REJECTION

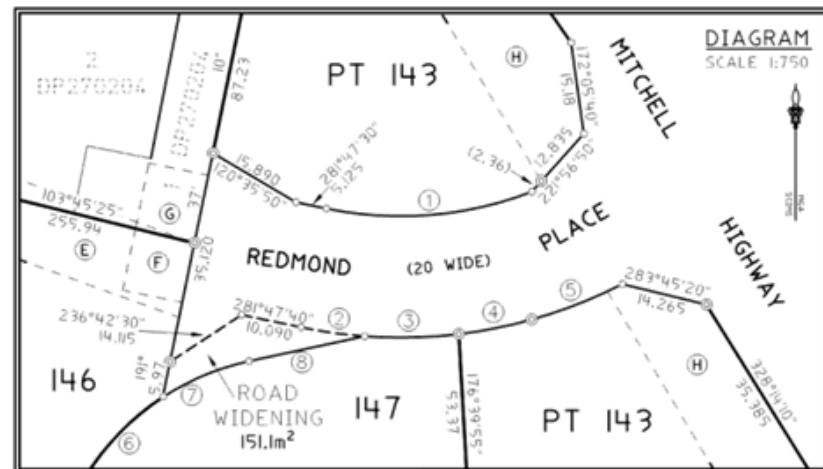
Sheet 2 of 4 sheets



- (E) EASEMENT FOR ELECTRICITY PURPOSES 12.4 WIDE (DPI006624)
- (F) RIGHT OF ACCESS 10 WIDE (DPI006624)
- (G) RIGHT OF ACCESS 10 WIDE (DPI006624)
- (H) EASEMENT FOR OVERHEAD POWERLINES 15 WIDE & VARIABLE (DPI288388)

SCHEDULE OF SHORT LINES & ARCS

No.	BEARING	DIST.	ARC	RADIUS
1	85°20'30"	33.975	34.445	60
2	98°01'40"	10.5	10.51	80
3	88°41'40"	15.53	15.555	80
4	78°44'25"	12.23	12.24	80
5	68°35'25"	16.06	16.09	80
6	7°55'55"	63.355	71.715	42.1
7	67°16'30"	15.405	15.49	42.1
8	77°49'	19.505		
9	121°56'50"	24.875	25.25	42.1
10	130°17'55"	74.575	77.1	86.5
11	141°01'30"	32.79	33.16	64.15
12	158°50'05"	57.14	60.345	53
13	125°58'15"	91.85	94.605	101



SHEET 3 ADJOINS

SURVEYOR: SAMUEL B. BYRNES DATE: 22/07/2025 REFERENCE: P0027665-02C	PLAN OF SUBDIVISION OF LOT 200 IN DPI288388	LGA: ORANGE LOCALITY: ORANGE REDUCTION RATIO: 1:500 LENGTHS ARE IN METRES	REGISTERED DP DRAFT
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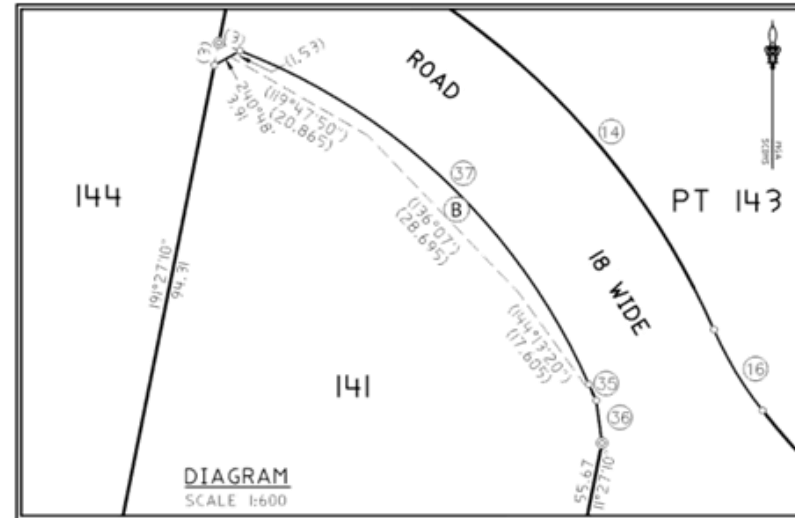
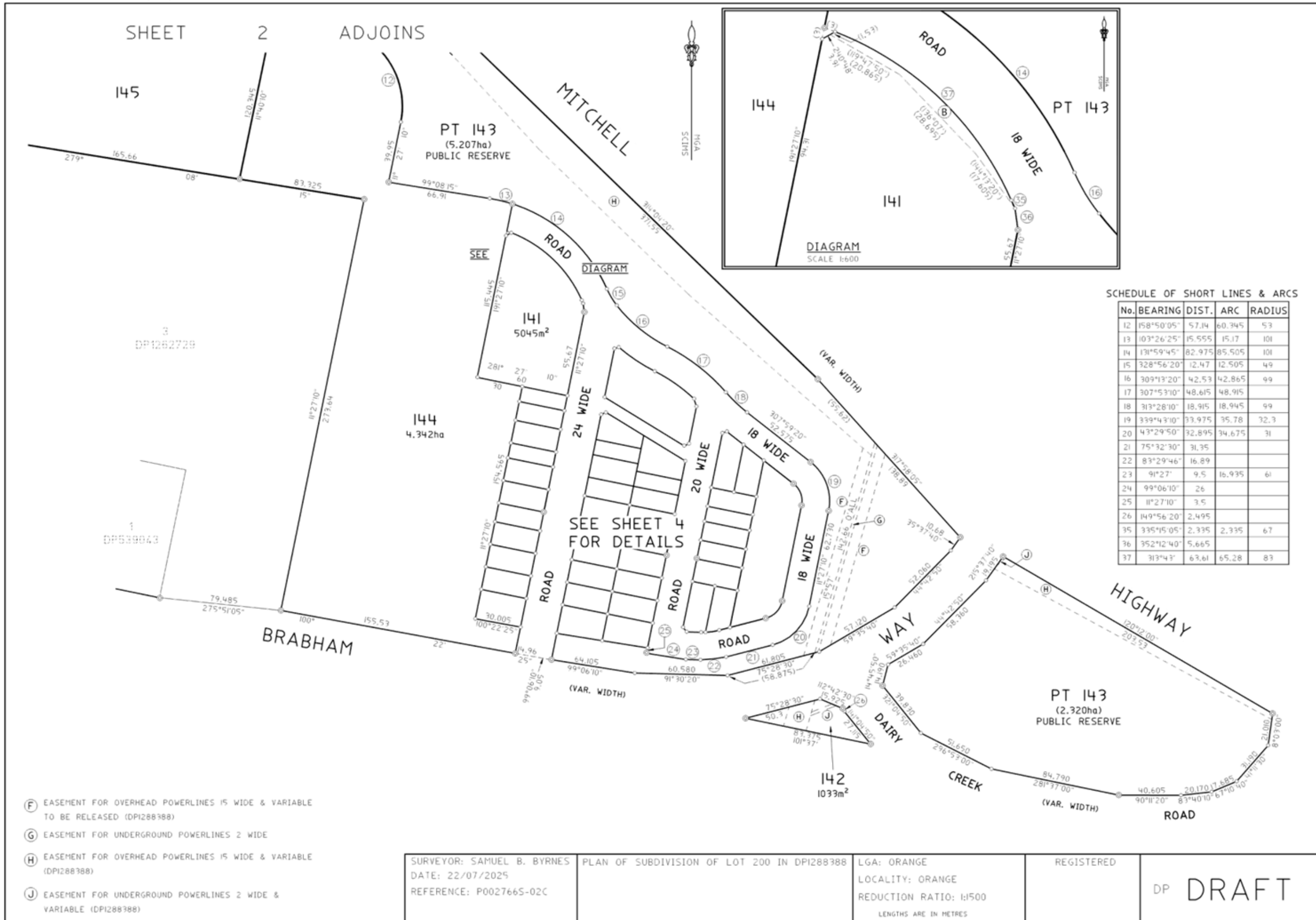




PLAN FORM 2 (A2)

WARNING: CREASING OR FOLDING WILL LEAD TO REJECTION

Sheet 3 of 4 sheets



SCHEDULE OF SHORT LINES & ARCS

No.	BEARING	DIST.	ARC	RADIUS
12	158°50'05"	57.14	60.345	53
13	103°26'25"	15.555	15.17	101
14	131°59'45"	82.975	85.505	101
15	328°56'20"	12.47	12.505	49
16	309°13'20"	42.53	42.865	99
17	307°53'10"	48.615	48.915	
18	313°28'10"	18.915	18.945	99
19	339°43'10"	33.975	35.78	32.3
20	43°29'50"	32.895	34.675	31
21	75°32'30"	31.35		
22	83°29'46"	16.89		
23	91°27'	9.5	16.935	61
24	99°06'10"	26		
25	11°27'10"	3.5		
26	149°56'20"	2.495		
35	335°15'05"	2.335	2.335	67
36	352°12'40"	5.665		
37	313°43'	63.61	65.28	83

- (F) EASEMENT FOR OVERHEAD POWERLINES 15 WIDE & VARIABLE TO BE RELEASED (DPI288388)
- (G) EASEMENT FOR UNDERGROUND POWERLINES 2 WIDE
- (H) EASEMENT FOR OVERHEAD POWERLINES 15 WIDE & VARIABLE (DPI288388)
- (J) EASEMENT FOR UNDERGROUND POWERLINES 2 WIDE & VARIABLE (DPI288388)

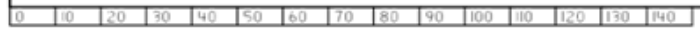
SURVEYOR: SAMUEL B. BYRNES  
DATE: 22/07/2025  
REFERENCE: P0027665-02C

PLAN OF SUBDIVISION OF LOT 200 IN DP1288388

LGA: ORANGE  
LOCALITY: ORANGE  
REDUCTION RATIO: 1:500  
LENGTHS ARE IN METRES

REGISTERED

DP DRAFT

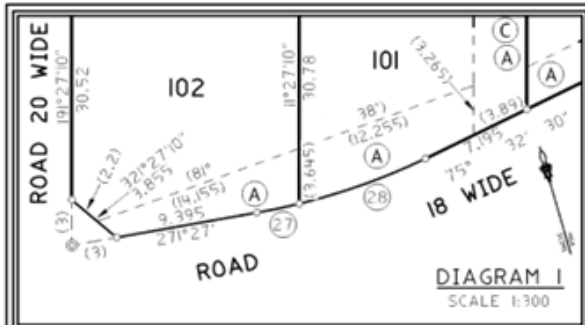
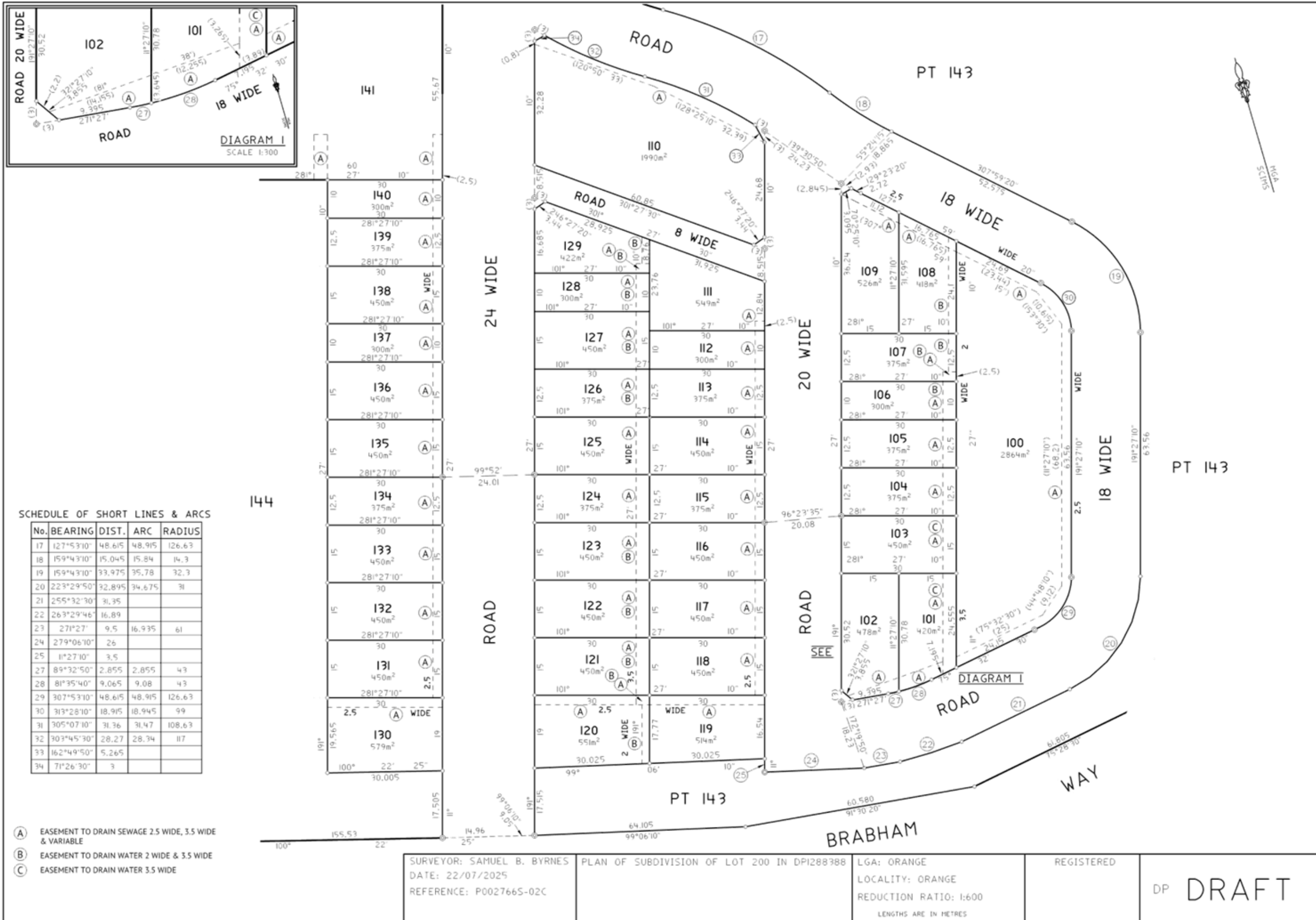




PLAN FORM 2 (A2)

WARNING: CREASING OR FOLDING WILL LEAD TO REJECTION

Sheet 4 of 4 sheets



SCHEDULE OF SHORT LINES & ARCS

No.	BEARING	DIST.	ARC	RADIUS
17	127°53'10"	48.615	48.915	126.63
18	159°43'10"	15.045	15.84	14.3
19	159°43'10"	33.975	35.78	32.3
20	223°29'50"	32.895	34.675	31
21	255°32'30"	31.35		
22	263°29'46"	16.89		
23	271°27'	9.5	16.935	61
24	279°06'10"	26		
25	11°27'10"	3.5		
27	89°32'50"	2.855	2.855	43
28	81°35'40"	9.065	9.08	43
29	307°53'10"	48.615	48.915	126.63
30	313°28'10"	18.915	18.945	99
31	305°07'10"	31.36	31.47	108.63
32	303°45'30"	28.27	28.34	117
33	162°49'50"	5.265		
34	71°26'30"	3		

- (A) EASEMENT TO DRAIN SEWAGE 2.5 WIDE, 3.5 WIDE & VARIABLE
- (B) EASEMENT TO DRAIN WATER 2 WIDE & 3.5 WIDE
- (C) EASEMENT TO DRAIN WATER 3.5 WIDE

SURVEYOR: SAMUEL B. BYRNES  
DATE: 22/07/2025  
REFERENCE: P0027665-02C

PLAN OF SUBDIVISION OF LOT 200 IN DPI288388

LGA: ORANGE  
LOCALITY: ORANGE  
REDUCTION RATIO: 1:600  
LENGTHS ARE IN METRES

REGISTERED

DP DRAFT





PLAN FORM 2 (A2)

WARNING: CREASING OR FOLDING WILL LEAD TO REJECTION

Sheet of 2 sheets

SCHEDULE OF ARCS				
No.	BEARING	DIST.	ARC	RADIUS
1	313°43'	63.61	65.28	83
2	302°39'15"	80.6	82.91	101
3	103°26'25"	15.555	15.17	101
4	338°50'00"	57.14	60.345	53
5	338°50'00"	37.735	39.85	35

- (B) EASEMENT TO DRAIN SEWAGE 2 WIDE, 3.5 WIDE, 4 WIDE & VARIABLE WIDTH
- (C) EASEMENT TO DRAIN WATER 2 & 3.5 WIDE
- (D) EASEMENT TO DRAIN WATER 2 & 4 WIDE



SHEET 2

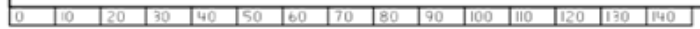
SURVEYOR: SAMUEL B. BYRNES  
DATE: 22/07/2025  
REFERENCE: P0027665-03B

PLAN OF SUBDIVISION OF LOT 144 IN  
DPI320477

LGA: ORANGE  
LOCALITY: ORANGE  
REDUCTION RATIO: 1:600  
LENGTHS ARE IN METRES

REGISTERED

DP DRAFT

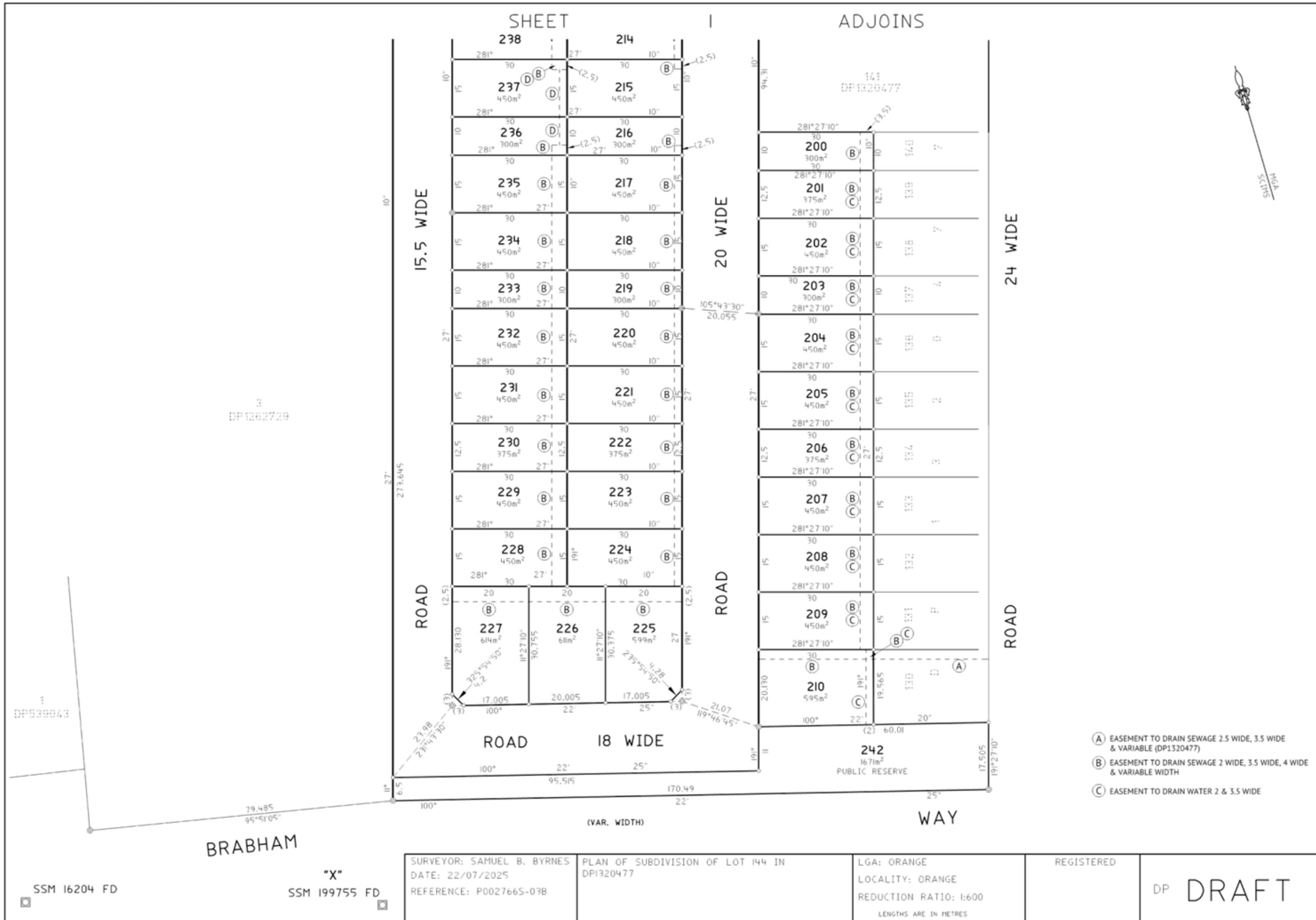




PLAN FORM 2 (A2)

WARNING: CREASING OR FOLDING WILL LEAD TO REJECTION

Sheet 2 of 2 sheets



SSM 16204 FD  
"X"  
SSM 199755 FD

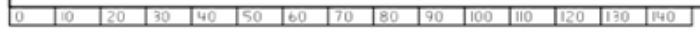
SURVEYOR: SAMUEL B. BYRNES  
DATE: 22/07/2025  
REFERENCE: P0027665-03B

PLAN OF SUBDIVISION OF LOT 144 IN  
DPI320477

LGA: ORANGE  
LOCALITY: ORANGE  
REDUCTION RATIO: 1:600  
LENGTHS ARE IN METRES

REGISTERED

DP DRAFT

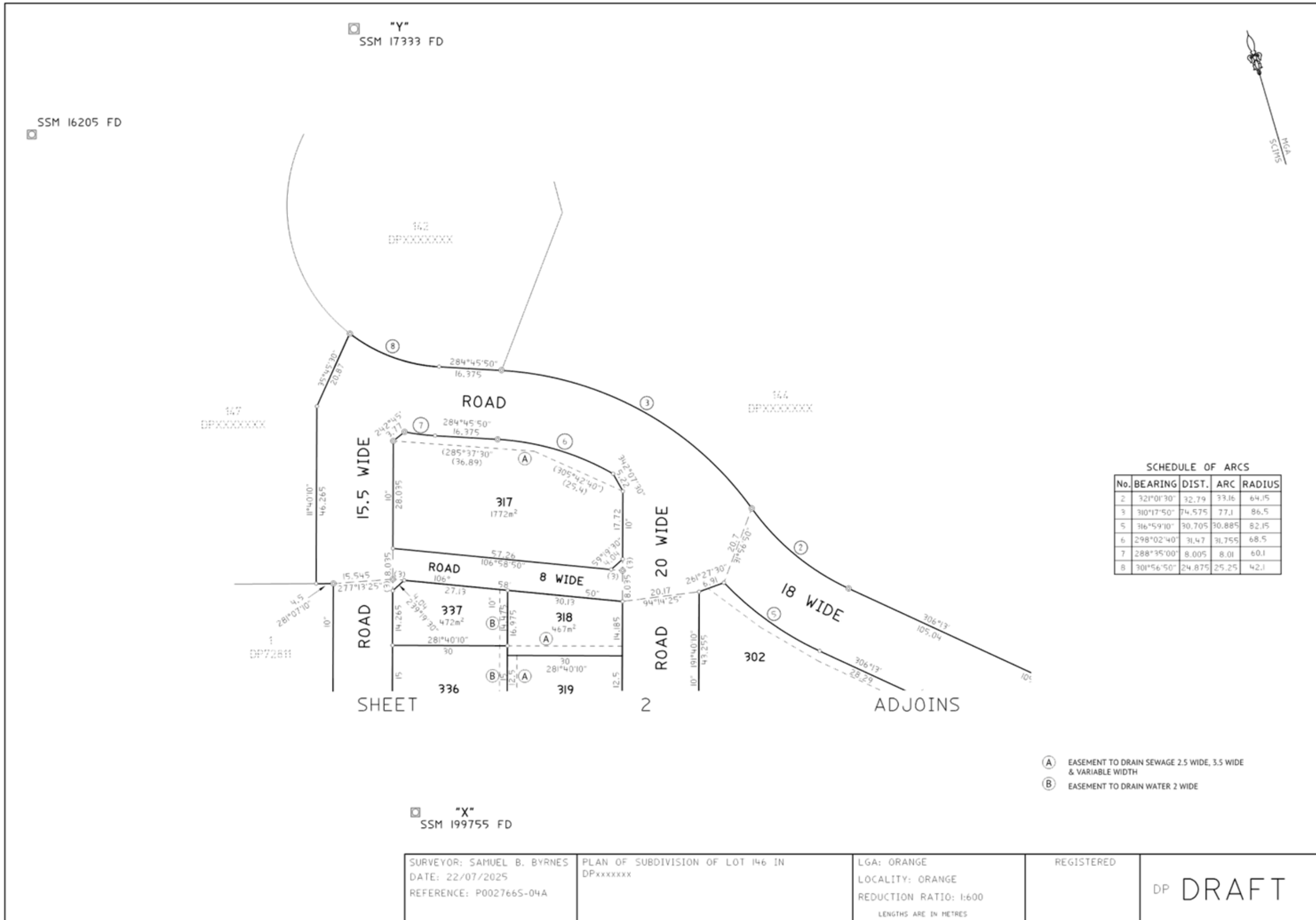




PLAN FORM 2 (A2)

WARNING: CREASING OR FOLDING WILL LEAD TO REJECTION

Sheet 1 of 2 sheets



SCHEDULE OF ARCS

No.	BEARING	DIST.	ARC	RADIUS
2	321°01'30"	32.79	33.16	64.15
3	310°17'50"	74.575	77.1	86.5
5	316°59'10"	30.705	30.885	82.15
6	298°02'40"	31.47	31.755	68.5
7	288°35'00"	8.005	8.01	60.1
8	301°56'50"	24.875	25.25	42.1

- (A) EASEMENT TO DRAIN SEWAGE 2.5 WIDE, 3.5 WIDE & VARIABLE WIDTH
- (B) EASEMENT TO DRAIN WATER 2 WIDE

"X"  
SSM 199755 FD

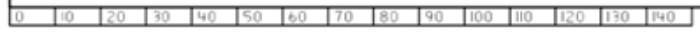
SURVEYOR: SAMUEL B. BYRNES  
DATE: 22/07/2025  
REFERENCE: P002766S-04A

PLAN OF SUBDIVISION OF LOT 146 IN  
DPXXXXXX

LGA: ORANGE  
LOCALITY: ORANGE  
REDUCTION RATIO: 1:600  
LENGTHS ARE IN METRES

REGISTERED

DP DRAFT

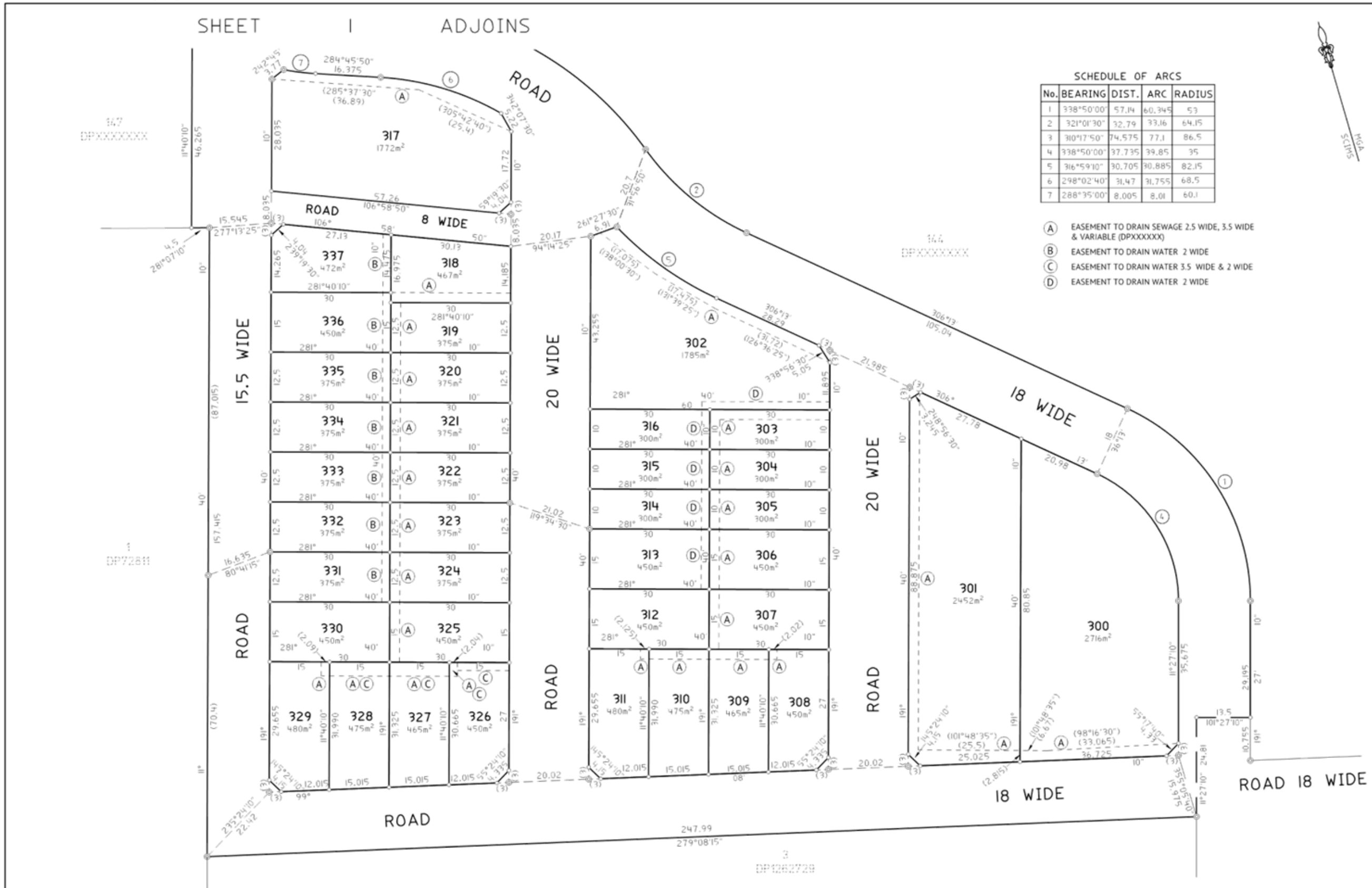




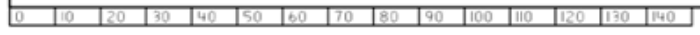
PLAN FORM 2 (A2)

WARNING: CREASING OR FOLDING WILL LEAD TO REJECTION

Sheet 2 of 2 sheets



SURVEYOR: SAMUEL B. BYRNES DATE: 22/07/2025 REFERENCE: P002766S-04A	PLAN OF SUBDIVISION OF LOT 146 IN DPXXXXXX	LGA: ORANGE LOCALITY: ORANGE REDUCTION RATIO: 1:600 LENGTHS ARE IN METRES	REGISTERED	DP DRAFT
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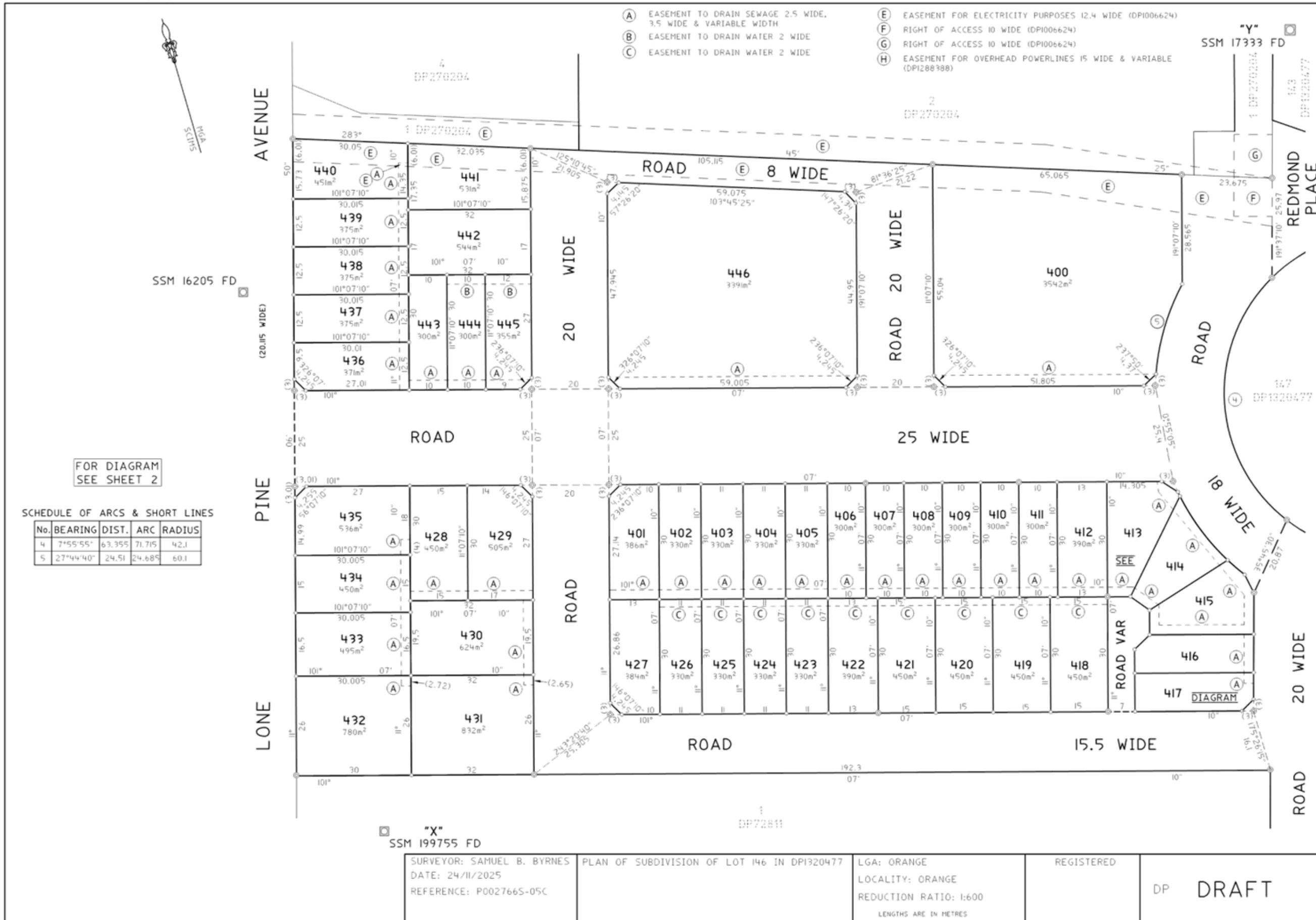




PLAN FORM 2 (A2)

WARNING: CREASING OR FOLDING WILL LEAD TO REJECTION

Sheet 1 of 2 sheets



FOR DIAGRAM SEE SHEET 2

SCHEDULE OF ARCS & SHORT LINES

No.	BEARING	DIST.	ARC	RADIUS
4	7°55'55"	63.355	71.715	42.1
5	27°44'40"	24.51	24.685	60.1

0 10 20 30 40 50 60 70 80 90 100 110 120 130 140



PLAN FORM 2 (A2)

WARNING: CREASING OR FOLDING WILL LEAD TO REJECTION

Sheet 2 of 2 sheets

SCHEDULE OF ARCS & SHORT LINES

No.	BEARING	DIST.	ARC	RADIUS
1	321°55'50"	5.86	5.865	60.10
2	334°42'10"	20.84	20.95	60.10
3	345°16'20"	1.225	1.225	60.10

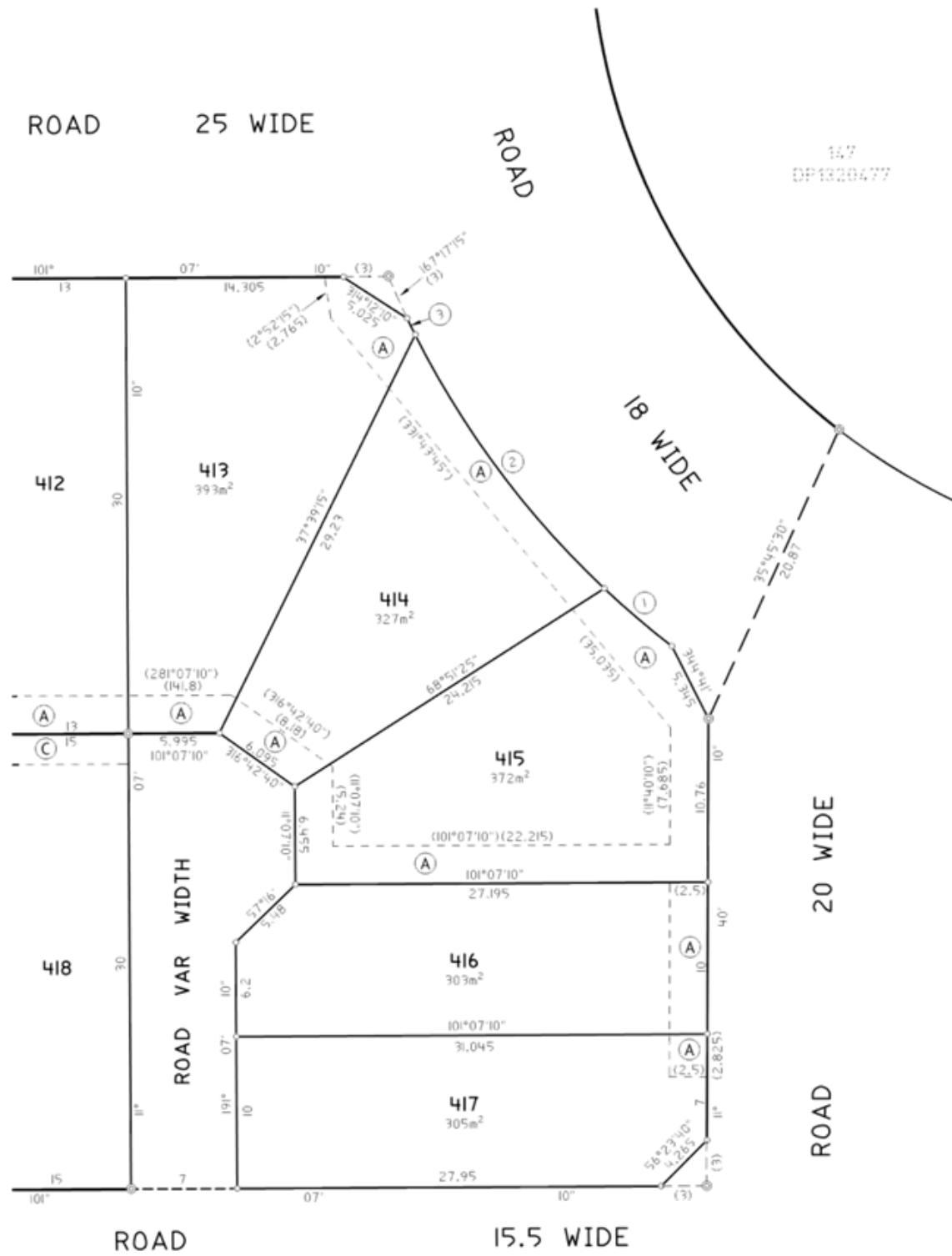


DIAGRAM  
SCALE 1:250

SURVEYOR: SAMUEL B. BYRNES DATE: 24/11/2025 REFERENCE: P002766S-05C	PLAN OF SUBDIVISION OF LOT 146 IN DP1320477	LGA: ORANGE LOCALITY: ORANGE REDUCTION RATIO: 1:250 LENGTHS ARE IN METRES	REGISTERED	DP DRAFT
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0 10 20 30 40 50 60 70 80 90 100 110 120 130 140



# Redleaf

## Landscape Development Application

LOCATION PLAN



SHEET	NAME	DATE	REVISION
L000	Cover Sheet	16.02.26	4
L001	Legend Sheet	21.07.25	3
L002	Materials Schedule	07.11.25	3
L003	Planting Schedule	16.02.26	6
L004	Site Plan	16.02.26	6
L101	Tree Management Plan - Sheet 01	07.11.25	4
L102	Tree Management Plan - Sheet 02	07.11.25	4
L103	Tree Management Plan - Sheet 03	07.11.25	3
L104	Tree Management Plan - Sheet 04	21.07.25	2
L105	Tree Management Plan - Sheet 05	21.07.25	2
L106	Tree Canopy Calculation Plan	21.07.25	4
L201	General Arrangement Plan - Sheet 01	16.02.26	4
L202	General Arrangement Plan - Sheet 02	07.11.25	3
L203	General Arrangement Plan - Sheet 03	07.11.25	3
L204	General Arrangement Plan - Sheet 04	21.07.25	2
L205	General Arrangement Plan - Sheet 05	21.07.25	2
L206	General Arrangement Plan - Northern Park	07.11.25	3
L207	General Arrangement Plan - Central Park	21.07.25	4
L208	General Arrangement Plan - Southern Wetland	21.07.25	4
L501	Planting Plan - Sheet 01	16.02.26	5
L502	Planting Plan - Sheet 02	16.02.26	4
L503	Planting Plan - Sheet 03	16.02.26	4
L504	Planting Plan - Sheet 04	16.02.26	4
L505	Planting Plan - Sheet 05	16.02.26	4
L506	Planting Plan - Northern Park	16.02.26	4
L507	Planting Plan - Central Park	16.02.26	4
L508	Planting Plan - Southern Wetland	16.02.26	4
L601	Signage Plans	31.10.25	1
L701	Northern Open Space Sections	21.07.25	3
L702	Central Open Space Sections	21.07.25	3
L703	Central Open Space Sections	21.07.25	3
L704	Southern Wetland Sections	21.07.25	3

**NOTES**

1. THIS DRAWING IS TO BE READ IN CONJUNCTION WITH ALL LANDSCAPE ARCHITECTURE SCHEDULES, TECHNICAL SPECIFICATIONS, AND OTHER CONSULTANT DRAWINGS. PLEASE CHECK AND VERIFY ALL DIMENSIONS AND SITE CONDITIONS PRIOR TO THE COMMENCEMENT OF ANY WORK. DO NOT SCALE DRAWINGS. REFER TO FIGURED DIMENSIONS ONLY. PLEASE INFORM OCULUS OF ANY DISCREPANCIES FOR CLARIFICATION BEFORE PROCEEDING. UNLESS OTHERWISE NOTED THIS DRAWING IS NOT FOR CONSTRUCTION. SERVICES SHOWN ON THIS DRAWING ARE APPROXIMATE ONLY. THE EXACT LOCATION IS TO BE CONFIRMED ON-SITE BY CONTRACTOR PRIOR TO COMMENCEMENT - BEFORE YOU DIG.

**OCULUS**

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ABN 34 074 882 447

We acknowledge the Wiradjuri People as the Traditional Custodians of this place. We honour Elders past and present, whose profound knowledge systems can teach us much about we care and design for Country.

PROJECT 923-834  
REDLEAF  
REDMOND PLACE, ORANGE, NEW SOUTH WALES

STATUS  
DEVELOPMENT APPLICATION

CLIENT  
LANDCON

ISSUE	DATE	AMENDMENT	BY	APPROVED	DRAWING TITLE
1	06.09.25	DRAFT ISSUE FOR INFORMATION	SL/RS	SB/WS	Cover Sheet
2	27.09.25	DRAFT DA ISSUE	SL/RS	SB/WS	
3	21.07.25	DA ISSUE	SL/RS	SB/WS	
4	16.02.26	DA ISSUE	SL	SB/WS	

DRAWING NUMBER  
L000

REVISION  
4



**Attachment 7 Landscape Plans**

**PAVING**

-  (PV01) INSITU CONCRETE PAVING
-  (PV02) RUBBER SOFTFALL
-  (PV03) PLAYGROUND MULCH
-  (PV04) SPORTS COURT SURFACE
-  (PV05) GRAVEL PAVING
-  (PV06) CONCRETE
-  (PV07) FRP DECKING
-  (PV08) TRAFFICABLE PERMEABLE PAVING
-  (PV09) ASPHALT

**SOFT LANDSCAPE**

-  (BB01) BIO BASIN
-  (MP01) MASS PLANTING
-  (MP02) PLANTED SWALE
-  (MP03) RAISED COMMUNITY VEGETABLE GARDEN BEDS
-  (MU01) BARK MULCH
-  (TU01) TURF ON NATURAL GRADE
-  (TU02) STABILISED TURF ON NATURAL GRADE
-  (TR01) TREE PLANTING
-  (TP01) MEDIAN TREE PIT
-  (TP02) ON-STREET TREE PIT
-  (BO01) STONE SEATING BOULDER

**EDGES, KERBS, WALLS**

-  (SI01) INTERPRETIVE SIGNAGE
-  (WA01) SPORTS COURT WALL
-  (WA02) SANDSTONE
-  (WA03) COLOURED CONCRETE
-  (WA04) RAISED VEGETABLE GARDEN BED
-  (KE01) CONCRETE RAISED KERB

**FENCES & EDGES**

-  (BA01) BALUSTRADE
-  (ED01) TIMBER EDGING
-  (FE01) PLAYGROUND FENCE
-  (FE02) DOG PARK FENCE
-  (GA01) PLAYGROUND FENCE GATE
-  (GA02) DOG PARK FENCE GATE

**FURNITURE**

-  (FN01) SEAT
-  (FN02) BIKE HOOP
-  (FN03) GARDEN SHED
-  (FN04) BENCH
-  (FN05) TABLE
-  (FN06) DRINKING FOUNTAIN
-  (FN07) DOUBLE BINS
-  (FN08) PICNIC SHELTER
-  (FN09) AMPHITHEATER SEATING

**PLAY EQUIPMENT**

-  (PL01) DOUBLE BAY SWING
-  (PL02) SINGLE BAY NEST SWING
-  (PL03) SINGLE BAY SWING
-  (PL04) PLAY TOWER
-  (PL05) WIDE SLIDE
-  (PL06) SLIDE
-  (PL07) ROCKER
-  (PL08) FLYING FOX
-  (PL09) TIMBER PLAY LOGS
-  (PL10) TRAMPOLINE
-  (PL11) CLIMBING BOULDERS
-  (PL12) FUTSAL GOAL
-  (PL13) BASKETBALL HOOP
-  (PL14) CLIMBING WEB NET

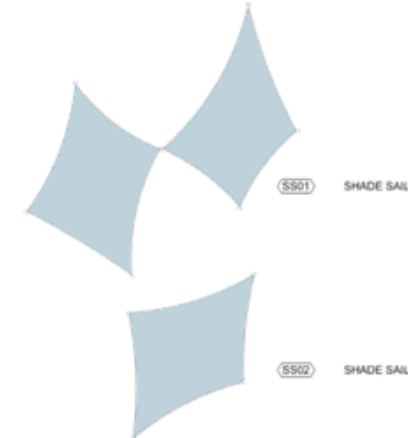
**FITNESS STATION EQUIPMENT**

-  (FS01) FITNESS EQUIPMENT 01
-  (FS02) FITNESS EQUIPMENT 02
-  (FS03) FITNESS EQUIPMENT 03
-  (FS04) FITNESS EQUIPMENT 04
-  (FS05) FITNESS EQUIPMENT 05
-  (FS06) FITNESS EQUIPMENT 06
-  (FS07) FITNESS EQUIPMENT 07
-  (FS08) FITNESS EQUIPMENT 08
-  (FS09) FITNESS EQUIPMENT 09





**LIGHTING**

-  (L01) POST TOP MOUNTED LED LUMINAIRE
  -  (L02) SIDE ENTRY MOUNTED LED LUMINAIRE
  -  (L03) FLOOD LIGHT FOR MULTI COURT LIGHTING
  -  (L04) SHELTER LIGHT
  -  (L05) STREET LIGHT
- REFER TO LIGHTING DOCUMENTATION FOR LIGHTING DETAILS

**SHADE SAILS**



**EXISTING FEATURES**

-  (EX01) TREE TO REMAIN
-  (EX02) TREE TO REMOVE
-  (EX03) EXISTING TURF AND VEGETATION TO BE RETAINED AND RESTORED / MADE GOOD IF REQUIRED
-  (EX04) EXISTING GRAVEL PATH TO BE RETAINED

**OCULUS**

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ABN 34 074 882 447

This drawing is to be read in conjunction with all landscape architecture schedules, technical specifications, and other consultant drawings. Please check and verify all dimensions and site conditions prior to the commencement of any work. Do not scale drawings - refer to figured dimensions only. Please inform OCULUS of any discrepancies for clarification before proceeding. Unless otherwise noted this drawing is not for construction. Services shown on this drawing are approximate only, the exact location is to be confirmed on-site by contractor prior to commencement - before you dig (byla.com.au) © 2024

**PROJECT 923-834**  
REGULAF  
REGALD PLACE, ORANGE, NEW SOUTH WALES

**STATUS**  
DEVELOPMENT APPLICATION

**CLIENT**  
LANDCOM

ISSUE	DATE	AMENDMENT	BY	APPROVED
1	06.08.25	DRAFT ISSUE FOR INFORMATION	SLRB	SLRB
2	21.08.25	DRAFT FOR ISSUE	SLRB	SLRB
3	21.07.25	GA ISSUE	SLRB	SLRB

**DRAWING TITLE**  
Legend Sheet

**DRAWING NUMBER**  
L001

**REVISION**  
3



Attachment 7 Landscape Plans

PAVING		
CODE	MATERIAL	DESCRIPTION
PV01	INSITU CONCRETE PAVING	INSITU CONCRETE PAVING WITH BROOM FINISH TO COUNCIL'S STANDARD DRAWINGS.
PV02	RUBBER SOFTFALL	RUBBER SOFTFALL INSTALLED TO AS 4685.1 2021 PLAYGROUND EQUIPMENT AND SURFACING AND AS/NZS 4422 PLAYGROUND SURFACING - SPECIFICATIONS, REQUIREMENTS AND TEST METHODS. COLOUR TBD IN COORDINATION WITH PUBLIC ART INSTALLATION.
PV03	PLAYGROUND MULCH	PLAYGROUND SOFTFALL MULCH TO COMPLY WITH AS 4685.1 2021 PLAYGROUND EQUIPMENT AND SURFACING AND AS/NZS 4422 PLAYGROUND SURFACING - SPECIFICATIONS, REQUIREMENTS AND TEST METHODS. ANL PLAYGROUND MULCH OR APPROVED EQUIVALENT.
PV04	SPORTS COURT SURFACE	PAINTED INSITU CONCRETE PAVING WITH ANTI-SLIP FINISH. PAINTED SURFACE TO BE COORDINATED AS PART OF THE PUBLIC ART INSTALLATION.
PV05	GRAVEL PAVING	CEMENT STABILISED DECOMPOSED GRANITE PAVING ON COMPACTED SUBGRADE - GOLD COLOUR.
PV06	CONCRETE	CONCRETE SAWCUT PATTERN TO EXISTING CONCRETE PAVING.
PV07	FRP DECKING	FIBER REINFORCED PLASTIC BOARDWALK - DARK GREY.
PV08	TRAFFICABLE PERMEABLE PAVING	ADRII 'ECOTRIHEX' PERMEABLE PAVEN IN STEEL COLOUR INSTALLED OVER 800mm DEPTH CITYGREEN STRATAVAULT SOIL CELL SYSTEM OR APPROVED EQUIVALENT. 200mm FLUSH INSITU CONCRETE EDGE TO PAVING. INSTALLED TO COUNCIL'S TYPICAL HEAVY-DUTY PERMEABLE PAVEMENT DETAIL.
PV09	ASPHALT	ASPHALT DRIVEWAY TO CIVIL ENGINEER'S DETAIL.

SOFT LANDSCAPE		
CODE	MATERIAL	DESCRIPTION
BB01	BIO BASIN	MASS PLANTING IN FILTER SOIL MEDIA. BATTERS TO BE STABILISED WITH JUTE MESH PINNED TO BATTER AND PLANTING PLANTED WITHIN JUTE MESH.
KE01	CONCRETE RAISED KERB	CONCRETE RAISED KERB.
MP01	MASS PLANTING	MASS PLANTING ON GRADE. 300mm AMELIORATED SITE TOPSOIL. 75mm ORGANIC MULCH.
MP02	PLANTED SWALE	MASS PLANTING TO SIDES AND BASE OF SWALE. BATTERS TO BE STABILISED WITH JUTE MESH PINNED TO BATTER AND PLANTING PLANTED WITHIN JUTE MESH.
MP03	RAISED COMMUNITY VEGETABLE GARDEN BEDS	MASS PLANTING IN RAISED GARDEN BEDS.
MU01	BARK MULCH	75mm ORGANIC MULCH.
TP01	MEDIAN TREE PIT	TREE PIT WITH TREE AND MASS PLANTING. 200mm INSITU CONCRETE EDGE FLUSH WITH ADJACENT PAVING. 75mm ORGANIC MULCH. 1m HIGH FSC CERTIFIED HARDWOOD TIMBER BOLLARD TO EACH CORNER OF TREE PIT. ARBORGREEN GREENWELL TREE WATER SAVER WATER WELL (BLACK, 26 LITRE) TO BE INSTALLED TO ALL STREET TREES.
TP02	ON-STREET TREE PIT	TREE PIT WITH TREE AND MASS PLANTING. 200mm INSITU CONCRETE EDGE FLUSH WITH ADJACENT PAVING. 75mm ORGANIC MULCH. CONCRETE WHEEL STOPS TO EITHER END OF PIT. ARBORGREEN GREENWELL TREE WATER SAVER WATER WELL (BLACK, 26 LITRE) TO BE INSTALLED TO ALL STREET TREES.
TU01	TURF ON NATURAL GRADE	TURF ON NATURAL GRADE. 200mm AMELIORATED SITE TOPSOIL.
TU02	STABILISED TURF ON NATURAL GRADE	TURF PLANTED IN PLASTIC TURF CELL REINFORCEMENT.
BO01	STONE SEATING BOULDER	450mm HIGH SITE SALVAGED BASALT BOULDER WITH SAWN TOP.
TR01	TREE PLANTING	TREE PLANTING IN AMELIORATED SITE TOPSOIL. TREE PIT TO BE DEPTH OF ROOT BALL AND 3x WIDTH OF ROOTBALL. 75mm ORGANIC MULCH. INSTALLED TO COUNCIL'S TYPICAL DETAILS. ARBORGREEN GREENWELL TREE WATER SAVER WATER WELL (BLACK, 26 LITRE) TO BE INSTALLED TO ALL STREET TREES.

EDGES, KERBS & WALLS		
CODE	MATERIAL	DESCRIPTION
SI01	INTERPRETIVE SIGNAGE	POWDERCOATED STEEL INTERPRETIVE SIGN. DETAILS TO BE CONFIRMED DURING DESIGN DEVELOPMENT STAGE.
WA01	SPORTS COURT WALL	PAINTED CONCRETE BLOCKWORK WALL TO BACK OF HALF COURT. MURAL FINISH SUBJECT TO PUBLIC ART IMPLEMENTATION.
WA02	SANDSTONE	600mm WIDE SANDSTONE WALL.
WA03	COLOURED CONCRETE	600mm WIDE COLOURED CONCRETE SEATING WALL.
WA04	RAISED VEGETABLE GARDEN BED	RAISED CORRUGATED STEEL GARDEN BEDS. FINAL COMMUNITY GARDEN DESIGN SUBJECT TO COMMUNITY CONSULTATION AND COORDINATION.

FENCES & EDGES		
CODE	MATERIAL	DESCRIPTION
BA01	BALUSTRADE	1.2m HIGH BALUSTRADE TO BOARDWALK. STAINLESS STEEL POSTS WITH STAINLESS STEEL CABLE INFILL BETWEEN POSTS.
ED01	TIMBER EDGING	TIMBER EDGING INSTALLED BETWEEN TURF, GRAVEL AND PLANTING. 50x100 MINIMUM HARDWOOD EDGE NAILED TO 50x50x450 HARDWOOD TIMBER PEGS.
FE01	PLAYGROUND FENCE	1.2m HIGH BLACK POWDERCOATED STEEL PLAYGROUND FENCE. TO COMPLY WITH AUSTRALIAN STANDARDS FOR PLAYGROUNDS.
FE02	DOG PARK FENCE	1.2m HIGH BLACK POWDERCOATED STEEL DOG PARK FENCE.
GA01	PLAYGROUND FENCE GATE	1.2m HIGH BLACK POWDERCOATED STEEL PLAYGROUND FENCE GATE. TO COMPLY WITH AUSTRALIAN STANDARDS FOR PLAYGROUNDS.
GA02	DOG PARK FENCE GATE	1.2m HIGH BLACK POWDERCOATED STEEL DOG PARK FENCE GATE.

FURNITURE		
CODE	MATERIAL	DESCRIPTION
FN01	SEAT	STREET FURNITURE AUSTRALIA 'ARIA' SEAT WITH BACKREST AND ARMREST. TEXTURA MONUMENT POWDERCOATED STEEL FRAME. SPOTTED GUM TIMBER LOOK ALUMINIUM BATTENS.
FN02	BIKE HOOP	STREET FURNITURE AUSTRALIA STAINLESS STEEL SLIM BIKE HOOP.
FN03	GARDEN SHED	STEEL PROPRIETRY GARDEN SHED. FINAL COMMUNITY GARDEN DESIGN SUBJECT TO COMMUNITY CONSULTATION AND COORDINATION.
FN04	BENCH BATTENS	STREET FURNITURE AUSTRALIA 'ARIA' BENCH SEAT. TEXTURA MONUMENT POWDERCOATED STEEL FRAME. SPOTTED GUM TIMBER LOOK ALUMINIUM BATTENS.
FN05	TABLE	STREET FURNITURE AUSTRALIA 'ARIA' TABLE. TEXTURA MONUMENT POWDERCOATED STEEL FRAME. SPOTTED GUM TIMBER LOOK ALUMINIUM BATTENS.
FN06	DRINKING FOUNTAIN	BOTTON + GARDNER 'PROSPECT' STAINLESS STEEL WHEELCHAIR ACCESSIBLE DRINKING FOUNTAIN WITH BOTTLE FILL TAP AND DOG BOWL.
FN07	DOUBLE BINS	STREET FURNITURE AUSTRALIA 'ESCOLA' 240L BIN ENCLOSURE. TEXTURA MONUMENT POWDERCOATED STEEL FRAME. DUAL UNIT WITH GARBAGE AND RECYCLING COLOURS AND LABELS.
FN08	PICNIC SHELTER	LANDMARK 'BRIGHTON' POWDERCOATED ALUMINIUM PICNIC SHELTER. COLOUR TO BE COORDINATED WITH PUBLIC ART IMPLEMENTATION.
FN09	AMPHITHEATRE SEATING	350x350mm LARGE FORMAT TIMBER SQUARE LOG SEATING IN INFORMAL STACKED AMPHITHEATRE SEATING ARRANGEMENT. STEEL TUBE SPACERS BETWEEN LOGS AND BETWEEN GROUND AND LOGS.

PLAY EQUIPMENT		
CODE	MATERIAL	DESCRIPTION
PL01	DOUBLE BAY SWING	MODUPLAY S-9902 CAPITAL DOUBLE BAY SWING WITH NEST SEAT.
PL02	SINGLE BAY NEST SWING	MODUPLAY S-9900 CAPITAL SINGLE BAY SWING WITH NEST SEAT.
PL03	SINGLE BAY SWING	MODUPLAY S-9904 CAPITAL SINGLE BAY SWING.
PL04	PLAY TOWER	MODUPLAY J-2400 CASTAWAY PLAY TOWER.
PL05	WIDE SLIDE	MODUPLAY D-8837 1500H WIDE STAINLESS STEEL SLIDE.
PL06	SLIDE	MODUPLAY D-8802 1200H STAINLESS STEEL SLIDE.
PL07	ROCKER	MODUPLAY R-808 INCLUSIVE BEDWAY ROCKER.
PL08	FLYING FOX	MODUPLAY B-9430 25M SINGLE SKYRIDER, WITH PLATFORM.
PL09	TIMBER PLAY LOGS	UNTREATED HARDWOOD TIMBER LOGS. SURFACE TO HAVE BARK REMOVED AND SANDED SMOOTH. RECYCLED FROM REMOVED SITE TREES WHERE POSSIBLE.
PL10	TRAMPOLINE	MODUPLAY WALLABY TRAMPOLINE RECTANGLE WITH ACCESSIBLE RAMP.
PL11	CLIMBING BOULDERS	SITE SALVAGED BASALT BOULDERS WITH PLASTIC ROCK CLIMBING HOLDS BOLTED ON.
PL12	FUTSAL GOAL	STEEL FUTSAL GOAL INCORPORATED INTO BLOCKWORK WALL.
PL13	BASKETBALL HOOP	GALVANISED STEEL BASKETBALL HOOP.
PL14	CLIMBING WEB NET	NYLON / POLYESTER STEEL REINFORCED CLIMBING NET FIXED TO CLIMBING BOULDERS.

FITNESS STATION EQUIPMENT		
CODE	MATERIAL	Description
FS01	FITNESS EQUIPMENT 01	A SPACE FITX020 STEP UP STATION
FS02	FITNESS EQUIPMENT 02	A SPACE FFP018 AEROBIC CYCLE
FS03	FITNESS EQUIPMENT 03	A SPACE FFP027 ELLIPTICAL TRAINER
FS04	FITNESS EQUIPMENT 04	A SPACE FFP022 CHEST PRESS
FS05	FITNESS EQUIPMENT 05	A SPACE FITX016 GORILLA BARS
FS06	FITNESS EQUIPMENT 06	A SPACE FITX033 PARALLEL BARS - 990MM HIGH
FS07	FITNESS EQUIPMENT 07	A SPACE FITX028 BALANCE BEAM
FS08	FITNESS EQUIPMENT 08	A SPACE FFP028 DEXTERITY BUILDER
FS09	FITNESS EQUIPMENT 09	A SPACE FITX026 SIT UP BENCH - 20 DEGREE DECLINE

SHADE SAILS		
CODE	MATERIAL	DESCRIPTION
SS01	SHADE SAILS	FIRE RETARDANT SYNTHETIC SHADE SAIL FIXED TO PAINTED STEEL POSTS. COLOUR TBC IN COORDINATION WITH PUBLIC ART INTEGRATION.
SS02	SHADE SAILS	FIRE RETARDANT SYNTHETIC SHADE SAIL FIXED TO PAINTED STEEL POSTS. COLOUR TBC IN COORDINATION WITH PUBLIC ART INTEGRATION.

EXISTING FEATURES		
CODE	MATERIAL	DESCRIPTION
EX01	TREE TO REMAIN	EXISTING TREE TO REMAIN
EX02	TREE TO REMOVE	EXISTING TREE TO BE REMOVED
EX03	TURF / VEGETATION	EXISTING TURF AND VEGETATION TO BE RETAINED AND RESTORED / MADE GOOD IF REQUIRED
EX04	GRAVEL PATH	EXISTING GRAVEL PATH TO BE RETAINED

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PROJECT 923-834  
REGLIAR  
REDAKOND PLACE, ORANGE, NEW SOUTH WALES  
STATUS  
DEVELOPMENT APPLICATION  
CLIENT  
LANDCOM

ISSUE	DATE	AMENDMENT	BY	APPROVED
1	27-08-25	ORADY DA-855UE	SL, RB	SL, RB
2	25-07-25	DA-155UE	SL, RB	SL, RB
3	07-11-25	DA-155UE	LM	SL, RB

DRAWING TITLE  
Materials Schedule  
DRAWING NUMBER  
L002  
REVISION  
3



Attachment 7 Landscape Plans

TREE AND SPECIMEN PLANTING SCHEDULE						
Code	Botanical Name (SP)	Common Name	Origin	Height (m)	Spread (m)	Pot Size (L) Count
ABA	<i>Acacia baileyana</i> 'Purpurea'	Cootamundra Wattle	Native	5.0 m	8.0 m	100 9
ASP	<i>Acacia spectabilis</i>	Mudgys Wattle	Endemic	6.0 m	4.0 m	100 3
AB	<i>Acer buergerianum</i>	Japanese Maple	Exotic	6.0 m	7.0 m	100 18
ANV	<i>Acer negundo</i> 'Vibroscum'	Violet Tree Box Elder	Exotic	10.0 m	4.0 m	100 18
AR	<i>Acer rubrum</i>	Red Maple	Exotic	12.0 m	9.0 m	100 52
AO	<i>Acer rubrum</i> 'October Glory'	Leprechaun Maple	Exotic	15.0 m	9.0 m	100 11
AS	<i>Acer saccharinum</i>	Silver Maple	Exotic	20.0 m	12.0 m	100 44
BPO	<i>Brachyotum populneum</i>	Kurrupong	Endemic	15.0 m	8.0 m	100 1
CC	<i>Callistemon salignus</i>	Crimson Bottlebrush	Native	6.0 m	5.0 m	100 5
CS	<i>Callistemon salignus</i>	White Bottlebrush	Native	7.0 m	8.0 m	100 9
CV	<i>Callistemon viminalis</i>	Weeping Bottlebrush	Native	6.0 m	5.0 m	100 6
EB	<i>Eucalyptus biakelyi</i>	Baileys' Red Gum	Endemic	25.0 m	20.0 m	100 4
EBR	<i>Eucalyptus bridgesiana</i>	Apple Box	Endemic	20.0 m	10.0 m	100 8
EC	<i>Eucalyptus cinerea</i>	Anglye Apple	Native	13.0 m	8.0 m	100 26
ED	<i>Eucalyptus dives</i>	Broad-leaved Peppercorn	Endemic	20.0 m	10.0 m	100 20
EG	<i>Eucalyptus gonocalyx</i>	Long-leaf Box	Endemic	20.0 m	15.0 m	100 1
EM	<i>Eucalyptus mannifera</i>	Manna Gum	Endemic	12.0 m	10.0 m	100 101
EME	<i>Eucalyptus melliodora</i>	Yellow Box	Endemic	12.0 m	10.0 m	100 3
EP	<i>Eucalyptus pauciflora</i>	Snow Gum	Endemic	12.0 m	6.0 m	100 11
ER	<i>Eucalyptus rossii</i>	Scrubby Gum	Endemic	15.0 m	10.0 m	100 22
ES	<i>Eucalyptus sideroxylon</i>	Red Ironbark	Endemic	15.0 m	8.0 m	100 9
EST	<i>Eucalyptus stehelata</i>	Black Sallee	Endemic	15.0 m	8.0 m	100 18
EV	<i>Eucalyptus viminalis</i>	Ribbon Gum	Endemic	30.0 m	15.0 m	100 2
FC	<i>Fraxinus pennsylvanica</i> 'Cimexzari'	Cimexzari Ash	Exotic	13.0 m	8.0 m	100 19
FR	<i>Fraxinus</i> x 'Raywoodii'	Claret Ash	Exotic	12.0 m	9.0 m	100 21
GR	<i>Grevillea robusta</i>	Silky Oak	Native	15.0 m	9.0 m	100 1
HS	<i>Hakea salicifolia</i>	Willow-leaved Hakea	Native	5.0 m	4.0 m	100 2
LS	<i>Lagerstroemia indica</i> x 'fauriei' 'Sioux'	Creepe Myrtle Pink	Exotic	4.0 m	3.0 m	100 29
LT	<i>Lagerstroemia indica</i> x 'fauriei' 'Tuscarora'	Creepe Myrtle Bright Pink	Exotic	6.0 m	4.0 m	100 25
MS	<i>Magnolia soulangeana</i>	Saucer Magnolia	Exotic	8.0 m	5.0 m	100 9
MT	<i>Malus tschonoskii</i>	Pillar Crabapple	Exotic	7.0 m	5.0 m	100 29
MO	<i>Malaleuca decora</i>	White Feather Honey Myrtle	Native	10.0 m	5.0 m	100 3
MST	<i>Malaleuca stypheloides</i>	Pink Paperbark	Native	10.0 m	8.0 m	100 43
PP	<i>Panicum verticillatum</i>	Pearl Grass	Exotic	10.0 m	10.0 m	100 30
PCC	<i>Pyrus calleryana</i> 'Charlotilde'	Ornamental Pear	Exotic	10.0 m	6.0 m	100 46
SS	<i>Sapindus sibiricum</i>	Chinese Tallow Tree	Exotic	8.0 m	8.0 m	100 32
UP	<i>Ulmus parvifolia</i>	Chinese Weeping Elm	Exotic	10.0 m	12.0 m	100 41
ZG	<i>Zelkova serata</i> 'Green Vase'	Green Vase Japanese Elm	Exotic	14.0 m	10.0 m	100 38
Grand total: 769						

PLANTING MIXES			
Code	Planting Mix	Condition	Area
PM01	Planting Mix 01 Playground	Playground	481 m²
PM02	Planting Mix 02 Low	Low	676 m²
PM03	Planting Mix 03 Shrubs <1m	Shrubs <1m	1616 m²
PM04	Planting Mix 04 Swale	Swale	2747 m²
PM05	Planting Mix 05 Wetland	Wetland	563 m²
PM06	Planting Mix 06 Northern Median Strip	Northern Median Strip	238 m²
PM07	Planting Mix 07 Southern Median Strip	Southern Median Strip	319 m²
PM08	Planting Mix 08 Bush Tuuka	Bush Tuuka	83 m²
Grand total			6722 m²

PLANT SCHEDULE										
Botanical Name	Common Name	Native (N) / Endemic (E) / Exotic (X)	Mature Height (m)	Mature Width (m)	Pot Size	Spacing (m)	% in Mix	Quantity		
<b>PM01 PLAYGROUND</b>										
<i>Acacia baileyana</i>	Cootamundra Wattle	N	5.0	8.0	100L	3.0	10%	200		
<i>Acacia spectabilis</i>	Mudgys Wattle	N	6.0	4.0	100L	3.0	10%	200		
<i>Acer buergerianum</i>	Japanese Maple	X	6.0	7.0	100L	3.0	10%	200		
<i>Acer negundo</i>	Violet Tree Box Elder	X	10.0	4.0	100L	3.0	10%	200		
<i>Acer rubrum</i>	Red Maple	X	12.0	9.0	100L	3.0	10%	200		
<i>Acer rubrum</i> 'October Glory'	Leprechaun Maple	X	15.0	9.0	100L	3.0	10%	200		
<i>Acer saccharinum</i>	Silver Maple	X	20.0	12.0	100L	3.0	10%	200		
<i>Brachyotum populneum</i>	Kurrupong	E	15.0	8.0	100L	3.0	10%	200		
<i>Callistemon salignus</i>	Crimson Bottlebrush	N	6.0	5.0	100L	3.0	10%	200		
<i>Callistemon salignus</i>	White Bottlebrush	N	7.0	8.0	100L	3.0	10%	200		
<i>Callistemon viminalis</i>	Weeping Bottlebrush	N	6.0	5.0	100L	3.0	10%	200		
<i>Eucalyptus biakelyi</i>	Baileys' Red Gum	E	25.0	20.0	100L	3.0	10%	200		
<i>Eucalyptus bridgesiana</i>	Apple Box	E	20.0	10.0	100L	3.0	10%	200		
<i>Eucalyptus cinerea</i>	Anglye Apple	N	13.0	8.0	100L	3.0	10%	200		
<i>Eucalyptus dives</i>	Broad-leaved Peppercorn	E	20.0	10.0	100L	3.0	10%	200		
<i>Eucalyptus gonocalyx</i>	Long-leaf Box	E	20.0	15.0	100L	3.0	10%	200		
<i>Eucalyptus mannifera</i>	Manna Gum	E	12.0	10.0	100L	3.0	10%	200		
<i>Eucalyptus melliodora</i>	Yellow Box	E	12.0	10.0	100L	3.0	10%	200		
<i>Eucalyptus pauciflora</i>	Snow Gum	E	12.0	6.0	100L	3.0	10%	200		
<i>Eucalyptus rossii</i>	Scrubby Gum	E	15.0	10.0	100L	3.0	10%	200		
<i>Eucalyptus sideroxylon</i>	Red Ironbark	E	15.0	8.0	100L	3.0	10%	200		
<i>Eucalyptus stehelata</i>	Black Sallee	E	15.0	8.0	100L	3.0	10%	200		
<i>Eucalyptus viminalis</i>	Ribbon Gum	E	30.0	15.0	100L	3.0	10%	200		
<i>Fraxinus pennsylvanica</i>	Cimexzari Ash	X	13.0	8.0	100L	3.0	10%	200		
<i>Fraxinus</i> x 'Raywoodii'	Claret Ash	X	12.0	9.0	100L	3.0	10%	200		
<i>Grevillea robusta</i>	Silky Oak	N	15.0	9.0	100L	3.0	10%	200		
<i>Hakea salicifolia</i>	Willow-leaved Hakea	N	5.0	4.0	100L	3.0	10%	200		
<i>Lagerstroemia indica</i> x 'fauriei' 'Sioux'	Creepe Myrtle Pink	X	4.0	3.0	100L	3.0	10%	200		
<i>Lagerstroemia indica</i> x 'fauriei' 'Tuscarora'	Creepe Myrtle Bright Pink	X	6.0	4.0	100L	3.0	10%	200		
<i>Magnolia soulangeana</i>	Saucer Magnolia	X	8.0	5.0	100L	3.0	10%	200		
<i>Malus tschonoskii</i>	Pillar Crabapple	X	7.0	5.0	100L	3.0	10%	200		
<i>Malaleuca decora</i>	White Feather Honey Myrtle	N	10.0	5.0	100L	3.0	10%	200		
<i>Malaleuca stypheloides</i>	Pink Paperbark	N	10.0	8.0	100L	3.0	10%	200		
<i>Panicum verticillatum</i>	Pearl Grass	X	10.0	10.0	100L	3.0	10%	200		
<i>Pyrus calleryana</i>	Ornamental Pear	X	10.0	6.0	100L	3.0	10%	200		
<i>Sapindus sibiricum</i>	Chinese Tallow Tree	X	8.0	8.0	100L	3.0	10%	200		
<i>Ulmus parvifolia</i>	Chinese Weeping Elm	X	10.0	12.0	100L	3.0	10%	200		
<i>Zelkova serata</i>	Green Vase Japanese Elm	X	14.0	10.0	100L	3.0	10%	200		
<b>PM02 LOW</b>										
<i>Acacia baileyana</i>	Cootamundra Wattle	N	5.0	8.0	100L	3.0	10%	200		
<i>Acacia spectabilis</i>	Mudgys Wattle	N	6.0	4.0	100L	3.0	10%	200		
<i>Acer buergerianum</i>	Japanese Maple	X	6.0	7.0	100L	3.0	10%	200		
<i>Acer negundo</i>	Violet Tree Box Elder	X	10.0	4.0	100L	3.0	10%	200		
<i>Acer rubrum</i>	Red Maple	X	12.0	9.0	100L	3.0	10%	200		
<i>Acer rubrum</i> 'October Glory'	Leprechaun Maple	X	15.0	9.0	100L	3.0	10%	200		
<i>Acer saccharinum</i>	Silver Maple	X	20.0	12.0	100L	3.0	10%	200		
<i>Brachyotum populneum</i>	Kurrupong	E	15.0	8.0	100L	3.0	10%	200		
<i>Callistemon salignus</i>	Crimson Bottlebrush	N	6.0	5.0	100L	3.0	10%	200		
<i>Callistemon salignus</i>	White Bottlebrush	N	7.0	8.0	100L	3.0	10%	200		
<i>Callistemon viminalis</i>	Weeping Bottlebrush	N	6.0	5.0	100L	3.0	10%	200		
<i>Eucalyptus biakelyi</i>	Baileys' Red Gum	E	25.0	20.0	100L	3.0	10%	200		
<i>Eucalyptus bridgesiana</i>	Apple Box	E	20.0	10.0	100L	3.0	10%	200		
<i>Eucalyptus cinerea</i>	Anglye Apple	N	13.0	8.0	100L	3.0	10%	200		
<i>Eucalyptus dives</i>	Broad-leaved Peppercorn	E	20.0	10.0	100L	3.0	10%	200		
<i>Eucalyptus gonocalyx</i>	Long-leaf Box	E	20.0	15.0	100L	3.0	10%	200		
<i>Eucalyptus mannifera</i>	Manna Gum	E	12.0	10.0	100L	3.0	10%	200		
<i>Eucalyptus melliodora</i>	Yellow Box	E	12.0	10.0	100L	3.0	10%	200		
<i>Eucalyptus pauciflora</i>	Snow Gum	E	12.0	6.0	100L	3.0	10%	200		
<i>Eucalyptus rossii</i>	Scrubby Gum	E	15.0	10.0	100L	3.0	10%	200		
<i>Eucalyptus sideroxylon</i>	Red Ironbark	E	15.0	8.0	100L	3.0	10%	200		
<i>Eucalyptus stehelata</i>	Black Sallee	E	15.0	8.0	100L	3.0	10%	200		
<i>Eucalyptus viminalis</i>	Ribbon Gum	E	30.0	15.0	100L	3.0	10%	200		
<i>Fraxinus pennsylvanica</i>	Cimexzari Ash	X	13.0	8.0	100L	3.0	10%	200		
<i>Fraxinus</i> x 'Raywoodii'	Claret Ash	X	12.0	9.0	100L	3.0	10%	200		
<i>Grevillea robusta</i>	Silky Oak	N	15.0	9.0	100L	3.0	10%	200		
<i>Hakea salicifolia</i>	Willow-leaved Hakea	N	5.0	4.0	100L	3.0	10%	200		
<i>Lagerstroemia indica</i> x 'fauriei' 'Sioux'	Creepe Myrtle Pink	X	4.0	3.0	100L	3.0	10%	200		
<i>Lagerstroemia indica</i> x 'fauriei' 'Tuscarora'	Creepe Myrtle Bright Pink	X	6.0	4.0	100L	3.0	10%	200		
<i>Magnolia soulangeana</i>	Saucer Magnolia	X	8.0	5.0	100L	3.0	10%	200		
<i>Malus tschonoskii</i>	Pillar Crabapple	X	7.0	5.0	100L	3.0	10%	200		
<i>Malaleuca decora</i>	White Feather Honey Myrtle	N	10.0	5.0	100L	3.0	10%	200		
<i>Malaleuca stypheloides</i>	Pink Paperbark	N	10.0	8.0	100L	3.0	10%	200		
<i>Panicum verticillatum</i>	Pearl Grass	X	10.0	10.0	100L	3.0	10%	200		
<i>Pyrus calleryana</i>	Ornamental Pear	X	10.0	6.0	100L	3.0	10%	200		
<i>Sapindus sibiricum</i>	Chinese Tallow Tree	X	8.0	8.0	100L	3.0	10%	200		
<i>Ulmus parvifolia</i>	Chinese Weeping Elm	X	10.0	12.0	100L	3.0	10%	200		
<i>Zelkova serata</i>	Green Vase Japanese Elm	X	14.0	10.0	100L	3.0	10%	200		
<b>PM03 SHRUBS &lt;1m</b>										
<i>Acacia baileyana</i>	Cootamundra Wattle	N	5.0	8.0	100L	3.0	10%	200		
<i>Acacia spectabilis</i>	Mudgys Wattle	N	6.0	4.0	100L	3.0	10%	200		





NOTES  
• DRIVEWAYS, STREET LIGHTING AND STREET TREE LOCATIONS INDICATIVE ONLY

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PROJECT 923-834  
REDONDA PLACE, ORANGE, NEW SOUTH WALES

STATUS  
DEVELOPMENT APPLICATION

CLIENT  
LANDCOM

ISSUE	DATE	AMENDMENT	BY	APPROVED	DRAWING TITLE
1	16-05-25	CONCEPT FOR COSTING	SL	SL	Site Plan
2	16-06-25	DRAFT ISSUE FOR INFORMATION	SL	SL	
3	27-08-25	DRAFT DA ISSUE	SL	SL	
4	21-07-25	DA ISSUE	SL	SL	
5	07-11-25	DA ISSUE	SL	SL	
6	16-02-26	DA ISSUE	SL	SL	
					DRAWING NUMBER L004
					REVISION 6



**Attachment 7 Landscape Plans**

TREE AND SPECIMEN PLANTING STAGING BREAKDOWN							
Code	Botanical Name (SP)	Common Name	Origin	Height (m)	Spread (m)	Pot Size (L)	Count
<b>STAGE 1</b>							
ABA	<i>Acacia baileyana</i> 'Purpurea'	Cootamundra Wattle	Native	5.0 m	8.0 m	100	3
ANV	<i>Acer negundo</i> violaceum	Violet Twig Box Elder	Exotic	10.0 m	6.0 m	100	2
AR	<i>Acer rubrum</i>	Red Maple	Exotic	12.0 m	9.0 m	100	8
AS	<i>Acer saccharinum</i>	Silver Maple	Exotic	20.0 m	12.0 m	100	35
ASP	<i>Acacia spectabilis</i>	Mudgee Wattle	Endemic	6.0 m	4.0 m	100	3
CC	<i>Callistemon citrinus</i>	Crimson Bottlebrush	Native	6.0 m	5.0 m	100	2
EB	<i>Eucalyptus blakelyi</i>	Blakely's Red Gum	Endemic	25.0 m	20.0 m	100	2
EBR	<i>Eucalyptus bridgesiana</i>	Apple Box	Endemic	20.0 m	10.0 m	100	6
EC	<i>Eucalyptus cinerea</i>	Argyle Apple	Native	13.0 m	8.0 m	100	13
ED	<i>Eucalyptus dives</i>	Broad-leaved Peppercorn	Endemic	20.0 m	10.0 m	100	11
EM	<i>Eucalyptus mannifera</i>	Manna Gum	Endemic	12.0 m	10.0 m	100	38
EP	<i>Eucalyptus pauciflora</i>	Snow Gum	Endemic	12.0 m	6.0 m	100	4
ER	<i>Eucalyptus rossi</i>	Scribbly Gum	Endemic	15.0 m	10.0 m	100	2
LT	<i>Lagerstroemia indica</i> x <i>fauriei</i> 'Tuscarora'	Crepe Myrtle Bright Pink	Exotic	6.0 m	4.0 m	100	13
MD	<i>Melaleuca decora</i>	White Feather Honey Myrtle	Native	10.0 m	5.0 m	100	1
MST	<i>Melaleuca stypheloides</i>	Prickly Paperbark	Native	10.0 m	8.0 m	100	12
MT	<i>Malus tchonoskii</i>	Pillar Crabapple	Exotic	7.0 m	5.0 m	100	13
PCC	<i>Pyrus calleryana</i> 'Chanticleer'	Ornamental Pear	Exotic	10.0 m	6.0 m	100	9
SS	<i>Sapinum sebiferum</i>	Chinese Tallow Tree	Exotic	8.0 m	8.0 m	100	13
UP	<i>Ulmus parvifolia</i>	Chinese Weeping Elm	Exotic	10.0 m	12.0 m	100	9
ZG	<i>Zelkova serrata</i> 'Green Vase'	Green Vase Japanese Elm	Exotic	14.0 m	10.0 m	100	13
STAGE 1: 212							
<b>STAGE 2</b>							
AB	<i>Acer buergerianum</i>	Tndent Maple	Exotic	6.0 m	7.0 m	100	9
ANV	<i>Acer negundo</i> violaceum	Violet Twig Box Elder	Exotic	10.0 m	6.0 m	100	1
AS	<i>Acer saccharinum</i>	Silver Maple	Exotic	20.0 m	12.0 m	100	2
CC	<i>Callistemon citrinus</i>	Crimson Bottlebrush	Native	6.0 m	5.0 m	100	2
CS	<i>Callistemon salignus</i>	White Bottlebrush	Native	7.0 m	8.0 m	100	2
CV	<i>Callistemon viminalis</i>	Weeping Bottlebrush	Native	6.0 m	5.0 m	100	3
EB	<i>Eucalyptus blakelyi</i>	Blakely's Red Gum	Endemic	25.0 m	20.0 m	100	1
EC	<i>Eucalyptus cinerea</i>	Argyle Apple	Native	13.0 m	8.0 m	100	4
ED	<i>Eucalyptus dives</i>	Broad-leaved Peppercorn	Endemic	20.0 m	10.0 m	100	5
EG	<i>Eucalyptus gonocalyx</i>	Long-leaf Box	Endemic	20.0 m	15.0 m	100	1
EM	<i>Eucalyptus mannifera</i>	Manna Gum	Endemic	12.0 m	10.0 m	100	17
EME	<i>Eucalyptus melliodora</i>	Yellow Box	Endemic	12.0 m	10.0 m	100	2
EP	<i>Eucalyptus pauciflora</i>	Snow Gum	Endemic	12.0 m	6.0 m	100	1
ER	<i>Eucalyptus rossi</i>	Scribbly Gum	Endemic	15.0 m	10.0 m	100	2
EST	<i>Eucalyptus stellulata</i>	Black Sallee	Endemic	15.0 m	8.0 m	100	7
EV	<i>Eucalyptus viminalis</i>	Ribbon Gum	Endemic	30.0 m	15.0 m	100	1
FC	<i>Fraxinus pennsylvanica</i> 'Cimmaron'	Cimmaron Ash	Exotic	13.0 m	8.0 m	100	10
FR	<i>Fraxinus</i> x ' <i>Raywoodii</i> '	Claret Ash	Exotic	12.0 m	9.0 m	100	7
GR	<i>Grevillea robusta</i>	Silky Oak	Native	15.0 m	9.0 m	100	1
HS	<i>Hakea salicifolia</i>	Willow-leaved Hakea	Native	5.0 m	4.0 m	100	1
LS	<i>Lagerstroemia indica</i> x <i>fauriei</i> 'Sioux'	Crepe Myrtle Pink	Exotic	4.0 m	3.0 m	100	13
MD	<i>Melaleuca decora</i>	White Feather Honey Myrtle	Native	10.0 m	5.0 m	100	2
MST	<i>Melaleuca stypheloides</i>	Prickly Paperbark	Native	10.0 m	8.0 m	100	19
MT	<i>Malus tchonoskii</i>	Pillar Crabapple	Exotic	7.0 m	5.0 m	100	11
PCC	<i>Pyrus calleryana</i> 'Chanticleer'	Ornamental Pear	Exotic	10.0 m	6.0 m	100	5
PP	<i>Parrotia persica</i>	Persian Ironwood	Exotic	10.0 m	10.0 m	100	20
SS	<i>Sapinum sebiferum</i>	Chinese Tallow Tree	Exotic	8.0 m	8.0 m	100	1
UP	<i>Ulmus parvifolia</i>	Chinese Weeping Elm	Exotic	10.0 m	12.0 m	100	19
STAGE 2: 169							
<b>STAGE 3</b>							
AB	<i>Acer buergerianum</i>	Tndent Maple	Exotic	6.0 m	7.0 m	100	9
ANV	<i>Acer negundo</i> violaceum	Violet Twig Box Elder	Exotic	10.0 m	6.0 m	100	15
AS	<i>Acer saccharinum</i>	Silver Maple	Exotic	20.0 m	12.0 m	100	7
EB	<i>Eucalyptus blakelyi</i>	Blakely's Red Gum	Endemic	25.0 m	20.0 m	100	1
EC	<i>Eucalyptus cinerea</i>	Argyle Apple	Native	13.0 m	8.0 m	100	6
EM	<i>Eucalyptus mannifera</i>	Manna Gum	Endemic	12.0 m	10.0 m	100	33
EP	<i>Eucalyptus pauciflora</i>	Snow Gum	Endemic	12.0 m	6.0 m	100	6
ER	<i>Eucalyptus rossi</i>	Scribbly Gum	Endemic	15.0 m	10.0 m	100	9
ES	<i>Eucalyptus sideroxylon</i>	Red Ironbark	Endemic	15.0 m	8.0 m	100	9
EST	<i>Eucalyptus stellulata</i>	Black Sallee	Endemic	15.0 m	8.0 m	100	9
EV	<i>Eucalyptus viminalis</i>	Ribbon Gum	Endemic	30.0 m	15.0 m	100	1
FC	<i>Fraxinus pennsylvanica</i> 'Cimmaron'	Cimmaron Ash	Exotic	13.0 m	8.0 m	100	9
LT	<i>Lagerstroemia indica</i> x <i>fauriei</i> 'Tuscarora'	Crepe Myrtle Bright Pink	Exotic	6.0 m	4.0 m	100	12
MS	<i>Magnolia soulangeana</i>	Saucer Magnolia	Exotic	8.0 m	5.0 m	100	9
PCC	<i>Pyrus calleryana</i> 'Chanticleer'	Ornamental Pear	Exotic	10.0 m	6.0 m	100	14
PP	<i>Parrotia persica</i>	Persian Ironwood	Exotic	10.0 m	10.0 m	100	10
SS	<i>Sapinum sebiferum</i>	Chinese Tallow Tree	Exotic	8.0 m	8.0 m	100	12
UP	<i>Ulmus parvifolia</i>	Chinese Weeping Elm	Exotic	10.0 m	12.0 m	100	13
ZG	<i>Zelkova serrata</i> 'Green Vase'	Green Vase Japanese Elm	Exotic	14.0 m	10.0 m	100	3
STAGE 3: 187							
<b>STAGE 4</b>							
ABA	<i>Acacia baileyana</i> 'Purpurea'	Cootamundra Wattle	Native	5.0 m	8.0 m	100	6
AD	<i>Acer rubrum</i> 'October Glory'	Lipstick Maple	Exotic	15.0 m	9.0 m	100	11
AR	<i>Acer rubrum</i>	Red Maple	Exotic	12.0 m	9.0 m	100	44
BPO	<i>Banksia podalymioides</i>	Kurrajong	Endemic	15.0 m	8.0 m	100	1
CC	<i>Callistemon citrinus</i>	Crimson Bottlebrush	Native	6.0 m	5.0 m	100	1
CS	<i>Callistemon salignus</i>	White Bottlebrush	Native	7.0 m	8.0 m	100	7
CV	<i>Callistemon viminalis</i>	Weeping Bottlebrush	Native	6.0 m	5.0 m	100	3
EBR	<i>Eucalyptus bridgesiana</i>	Apple Box	Endemic	20.0 m	10.0 m	100	2
EC	<i>Eucalyptus cinerea</i>	Argyle Apple	Native	13.0 m	8.0 m	100	3
ED	<i>Eucalyptus dives</i>	Broad-leaved Peppercorn	Endemic	20.0 m	10.0 m	100	4
EM	<i>Eucalyptus mannifera</i>	Manna Gum	Endemic	12.0 m	10.0 m	100	13
EME	<i>Eucalyptus melliodora</i>	Yellow Box	Endemic	12.0 m	10.0 m	100	1
ER	<i>Eucalyptus rossi</i>	Scribbly Gum	Endemic	15.0 m	10.0 m	100	9
EST	<i>Eucalyptus stellulata</i>	Black Sallee	Endemic	15.0 m	8.0 m	100	2
FR	<i>Fraxinus</i> x ' <i>Raywoodii</i> '	Claret Ash	Exotic	12.0 m	9.0 m	100	14
HS	<i>Hakea salicifolia</i>	Willow-leaved Hakea	Native	5.0 m	4.0 m	100	1
LS	<i>Lagerstroemia indica</i> x <i>fauriei</i> 'Sioux'	Crepe Myrtle Pink	Exotic	4.0 m	3.0 m	100	16
MST	<i>Melaleuca stypheloides</i>	Prickly Paperbark	Native	10.0 m	8.0 m	100	12
MT	<i>Malus tchonoskii</i>	Pillar Crabapple	Exotic	7.0 m	5.0 m	100	5
PCC	<i>Pyrus calleryana</i> 'Chanticleer'	Ornamental Pear	Exotic	10.0 m	6.0 m	100	18
SS	<i>Sapinum sebiferum</i>	Chinese Tallow Tree	Exotic	8.0 m	8.0 m	100	6
ZG	<i>Zelkova serrata</i> 'Green Vase'	Green Vase Japanese Elm	Exotic	14.0 m	10.0 m	100	22
STAGE 4: 201							
Grand total: 769							

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REDMOND PLACE, ORANGE, NEW SOUTH WALES

**STATUS**  
DEVELOPMENT APPLICATION

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ISSUE	DATE	AMENDMENT	BY	APPROVED
1	18-09-25	DA-10516	SL/RS	RS
2	16-02-26	DA-10516	SL	SL/RS

**DRAWING TITLE**  
Planting Schedule

**DRAWING NUMBER**  
L005

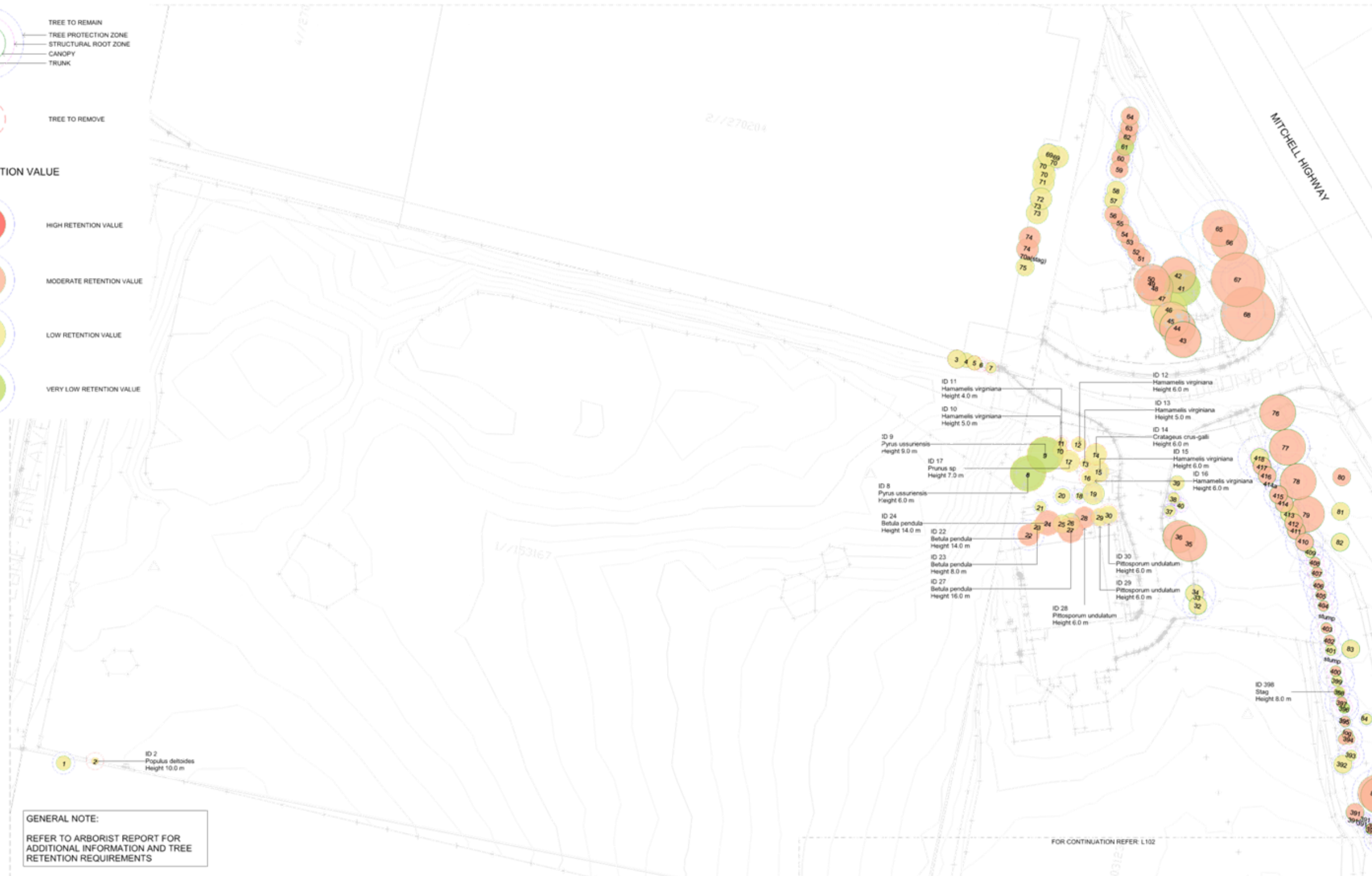
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2



**EXISTING TREES**



**RETENTION VALUE**



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REGALIA PLACE, ORANGE, NEW SOUTH WALES

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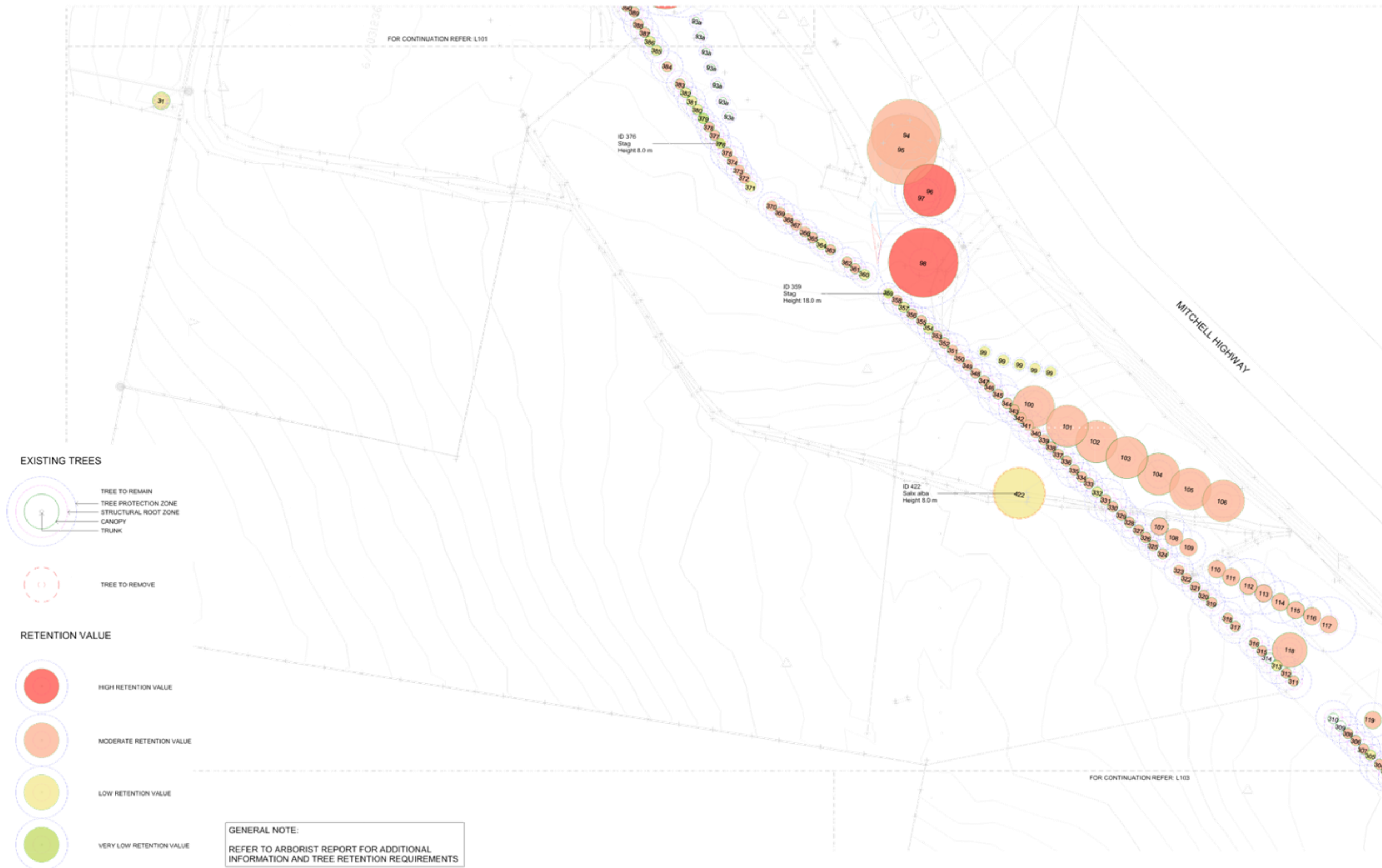
ISSUE	DATE	AMENDMENT	BY	APPROVED
1	06.08.25	DRAFT ISSUE FOR INFORMATION	SLRB	SLRB
2	21.08.25	DRAFT DA ISSUE	SLRB	SLRB
3	21.07.25	DA ISSUE	SLRB	SLRB
4	07.11.25	DA ISSUE	LM	SLRB

DRAWING TITLE  
Tree Management Plan - Sheet 01

DRAWING NUMBER  
L101

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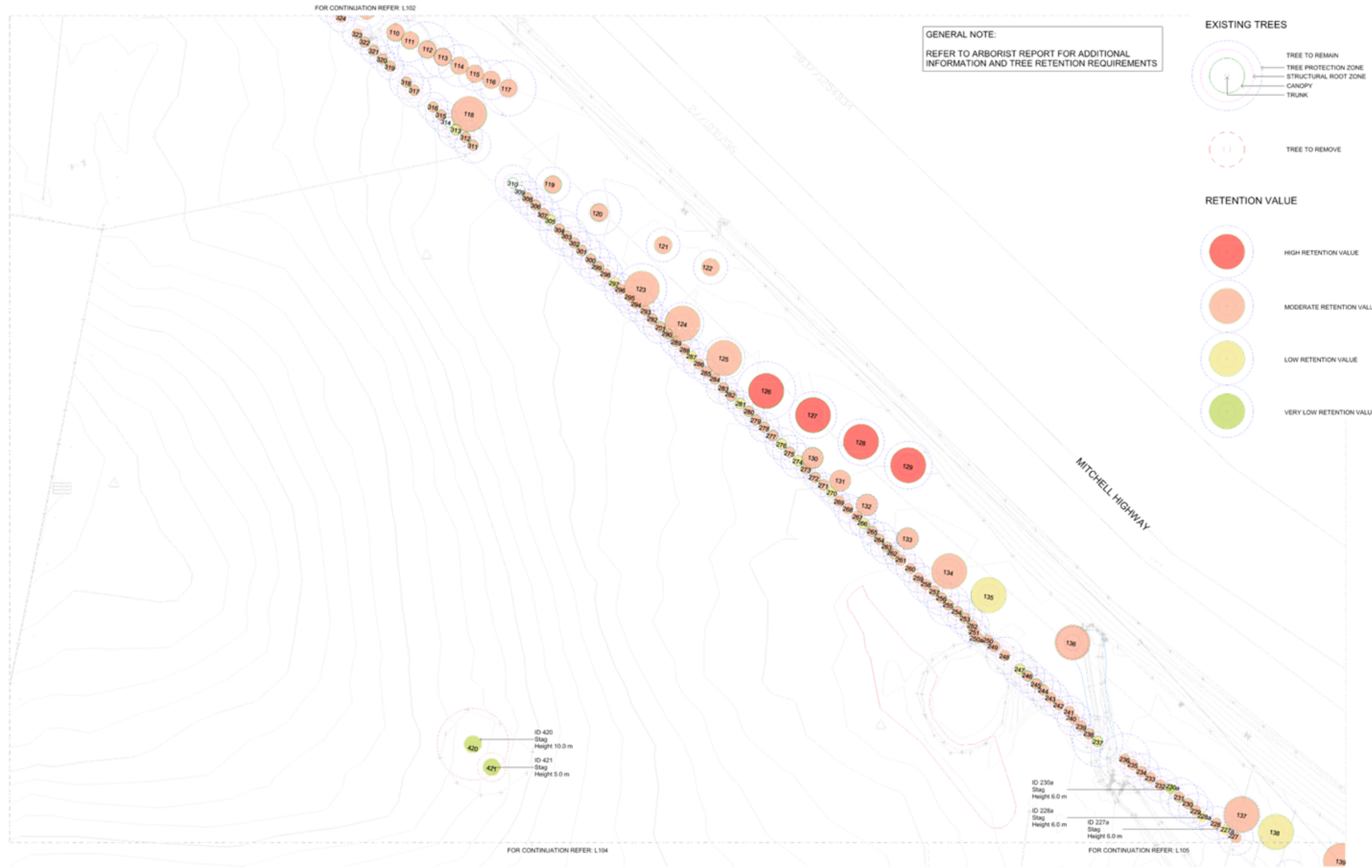


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REGULAF  
REDMOND PLACE, ORANGE, NEW SOUTH WALES

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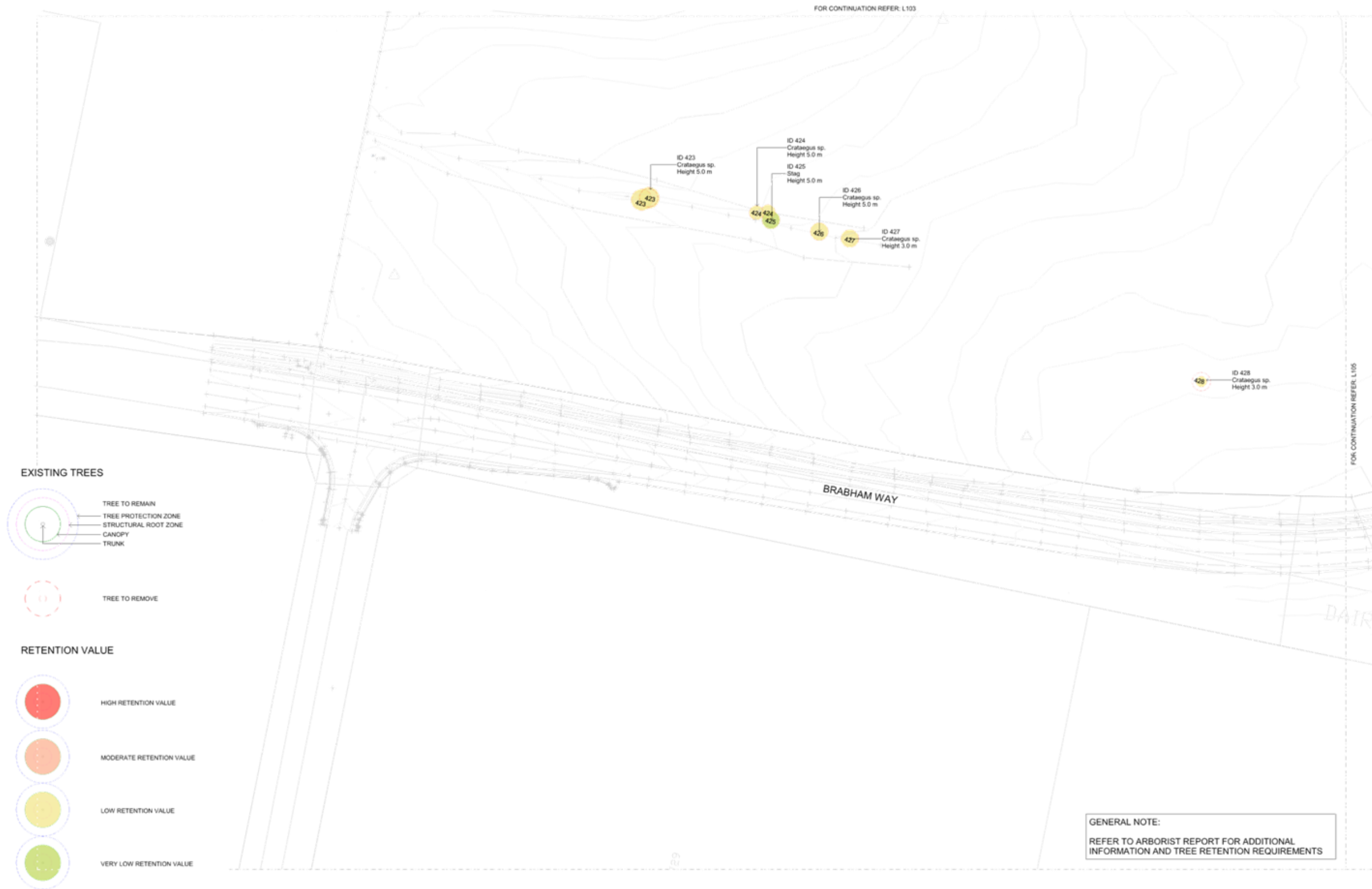
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1	27.06.25	DRAPY DA ISSUE	SLRB	SLRB
2	25.07.25	DA ISSUE	SLRB	SLRB
3	07.11.25	DA ISSUE	LM	SLRB

DRAWING TITLE  
Tree Management Plan - Sheet 03

DRAWING NUMBER  
L103

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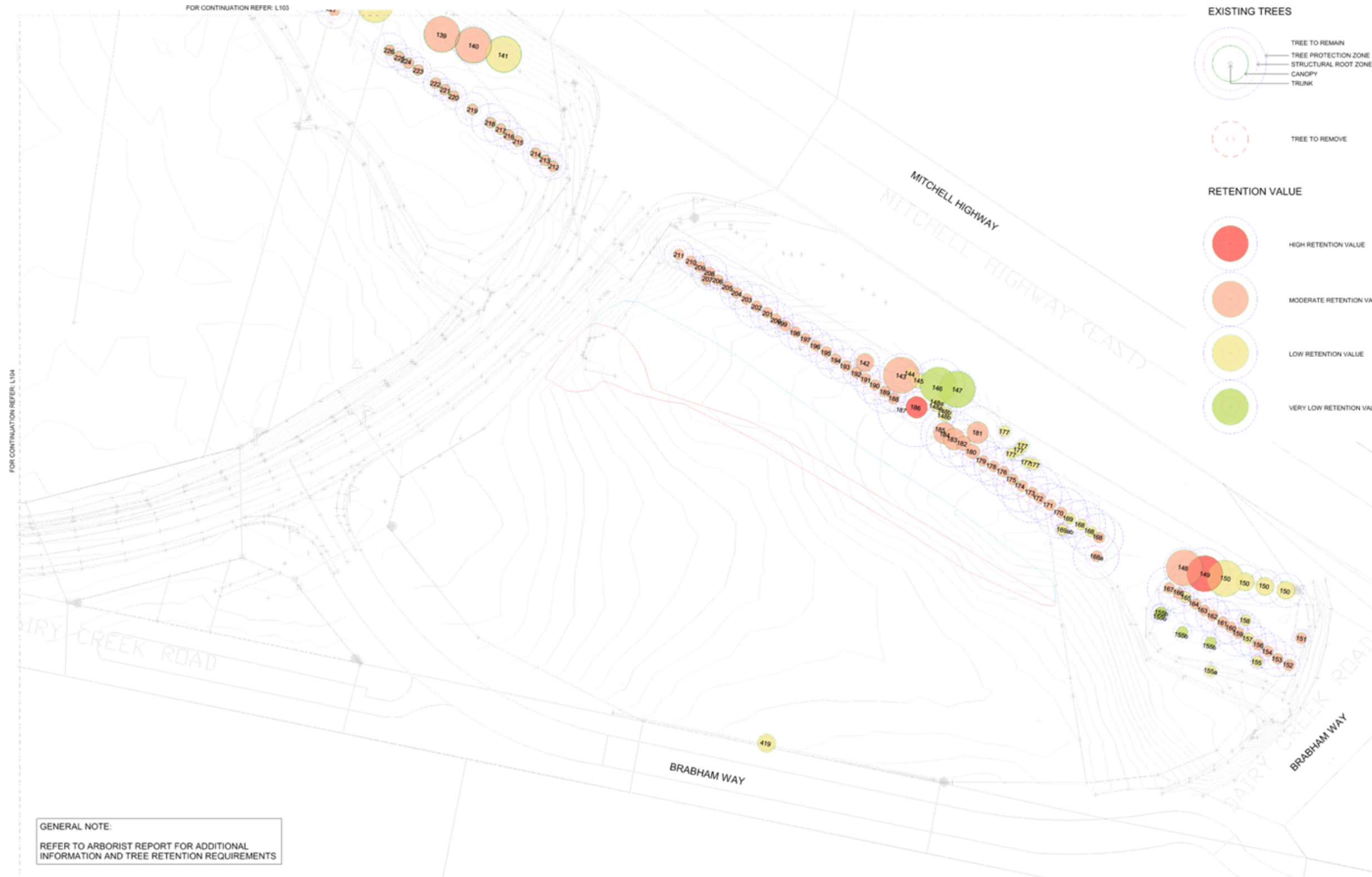
ISSUE	DATE	AMENDMENT	BY	APPROVED
1	27.04.25	DRAWY DA ISSUE	SLAB	SLAB
2	21.07.25	DA ISSUE	SLAB	SLAB

DRAWING TITLE  
Tree Management Plan - Sheet 04

DRAWING NUMBER  
L104

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ISSUE	DATE	AMENDMENT
1	27.04.25	ORAFY DA ISSUE
2	21.07.25	DA ISSUE

BY	APPROVED
SL/RS	SL/RS
SL/RS	SL/RS

DRAWING TITLE  
Tree Management Plan - Sheet 05

DRAWING NUMBER  
L105

REVISION  
2





**CANOPY COVER CALCULATIONS**

NEW OPEN SPACE AREA (BLUE BOUNDARY) - EXCLUDING HANGAR BUILDING, SOUTHERN WETLAND WATER AREA, DETENTION BASIN AND AREA EAST OF THE POPLARS = 32,430m<sup>2</sup>

NEW OPEN SPACE COMBINED PROPOSED AND RETAINED TREES CANOPY COVER = 14590M<sup>2</sup> (45% OF NEW OPEN SPACE AREA)

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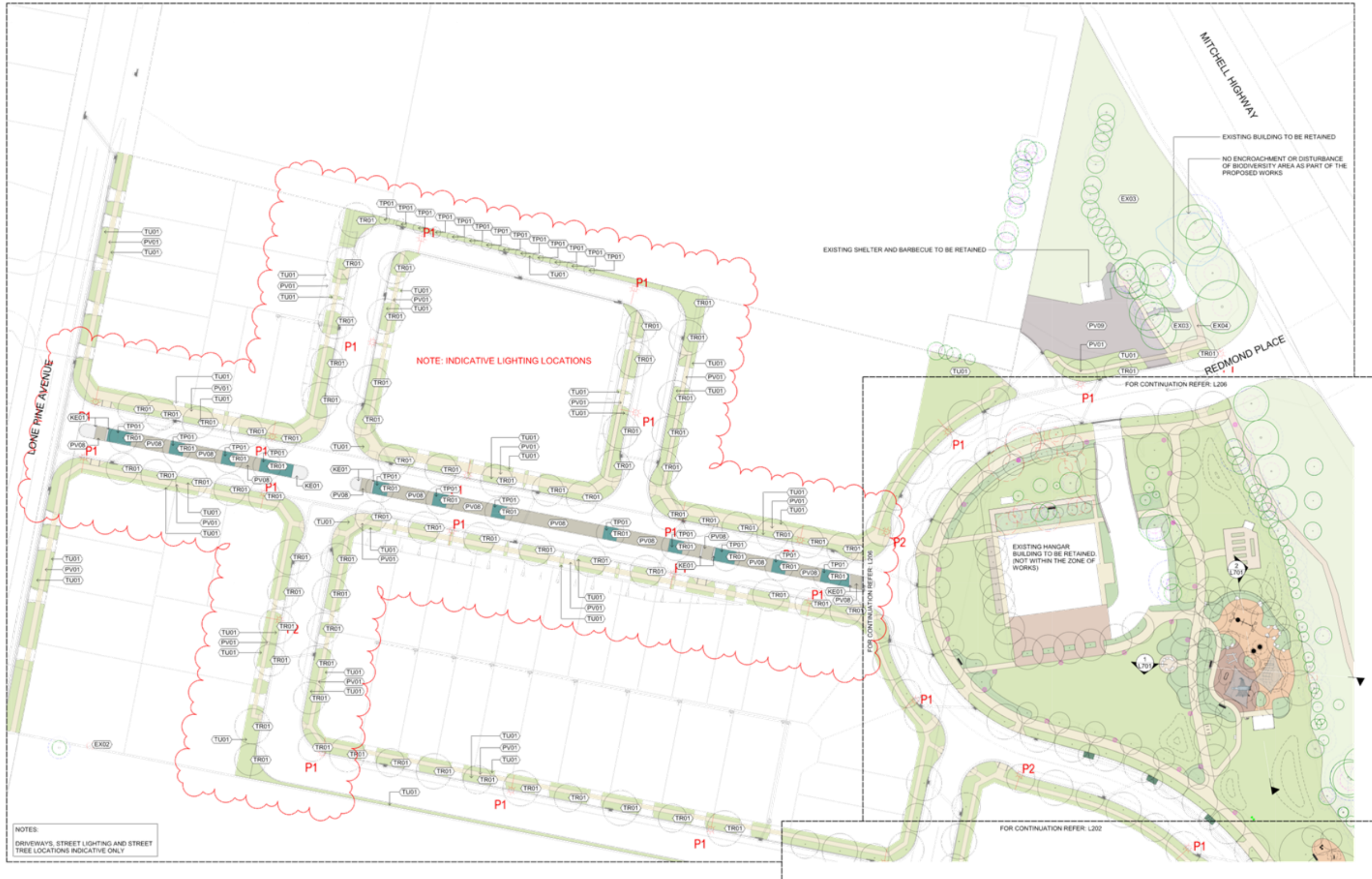
ISSUE	DATE	AMENDMENT	BY	APPROVED
1	16.05.25	CONCEPT FOR COSTING	S.RB	S.RB
2	06.06.25	DRAFT ISSUE FOR INFORMATION	S.RB	S.RB
3	27.06.25	DRAFT DA ISSUE	S.RB	S.RB
4	21.07.25	DA ISSUE	S.RB	S.RB

DRAWING TITLE  
Tree Canopy Calculation Plan

DRAWING NUMBER  
L106

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1	27.06.25	DRAWY DA ISSUE	SL	SL
2	25.07.25	DA ISSUE	SL	SL
3	07.11.25	DA ISSUE	LM	SL
4	16.02.26	DA ISSUE	SL	SL

DRAWING TITLE  
General Arrangement Plan - Sheet 01

DRAWING NUMBER  
L201

REVISION  
4





**NOTES**  
DRIVEWAYS, STREET LIGHTING AND STREET TREE LOCATIONS INDICATIVE ONLY

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1	27.06.25	DRAFT DA ISSUE	SC, RB	SB, KS
2	25.07.25	DA ISSUE	SC, RB	SB, KS
3	07.11.25	DA ISSUE	LM	SB, KS

**DRAWING TITLE**  
General Arrangement Plan - Sheet 02  
**DRAWING NUMBER**  
L202  
**REVISION**  
3

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SCALE  
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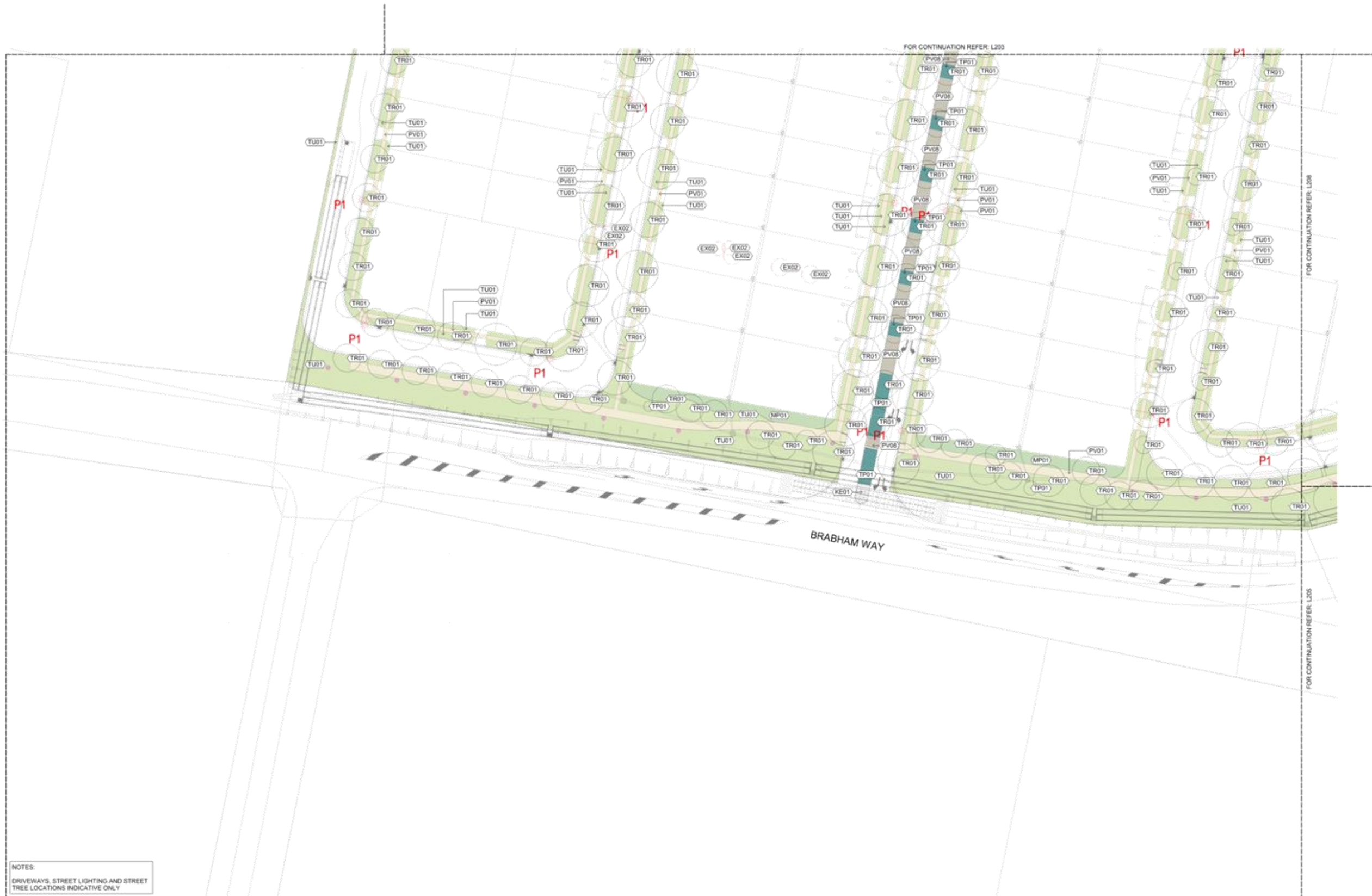


PROJECT 923-834  
REDONDA PLACE, ORANGE, NEW SOUTH WALES  
STATUS  
DEVELOPMENT APPLICATION  
CLIENT  
LANDCOM

ISSUE	DATE	AMENDMENT	BY	APPROVED
1	27.06.25	DRAFT DA ISSUE	SC	SBKS
2	25.07.25	DA ISSUE	SC	SBKS
3	07.11.25	DA ISSUE	LM	SBKS

DRAWING TITLE  
General Arrangement Plan - Sheet 03  
DRAWING NUMBER  
L203  
REVISION  
3





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REDLIAP  
REDMOND PLACE, ORANGE, NEW SOUTH WALES

STATUS  
DEVELOPMENT APPLICATION  
CLIENT  
LANDCOM

ISSUE	DATE	AMENDMENT	BY	APPROVED
1	27.06.25	DRAWN DA-8824	SC-488	SC-488
2	21.07.25	DA-15516	SC-488	SC-488

DRAWING TITLE  
General Arrangement Plan - Sheet 04

DRAWING NUMBER  
L204

REVISION  
2





NOTES:  
DRIVEWAYS, STREET LIGHTING AND STREET TREE LOCATIONS INDICATIVE ONLY

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REDMOND PLACE, ORANGE, NEW SOUTH WALES

STATUS  
DEVELOPMENT APPLICATION  
CLIENT  
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ISSUE	DATE	AMENDMENT	BY	APPROVED
1	27.04.25	DRAPY DA ISSUE	SLAB	SLAB
2	21.07.25	DA ISSUE	SLAB	SLAB

DRAWING TITLE  
General Arrangement Plan - Sheet 05

DRAWING NUMBER  
L205

REVISION  
2





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 REDMOUND PLACE, ORANGE, NEW SOUTH WALES

STATUS  
 DEVELOPMENT APPLICATION

CLIENT  
 LANDCOM

ISSUE	DATE	AMENDMENT	BY	APPROVED
1	16.05.25	CONCEPT FOR COSTING	SLR/SB	SLR/SB
2	06.06.25	DRAFT ISSUE FOR INFORMATION	SLR/SB	SLR/SB
3	27.06.25	DRAFT DA ISSUE	SLR/SB	SLR/SB
4	21.07.25	DA ISSUE	SLR/SB	SLR/SB
5	07.11.25	DA ISSUE	LSA	SLR/SB

DRAWING TITLE  
**General Arrangement Plan - Northern Park**

DRAWING NUMBER  
**L206**

REVISION  
**5**





NOTES:  
DRIVEWAYS, STREET LIGHTING AND STREET TREE LOCATIONS INDICATIVE ONLY

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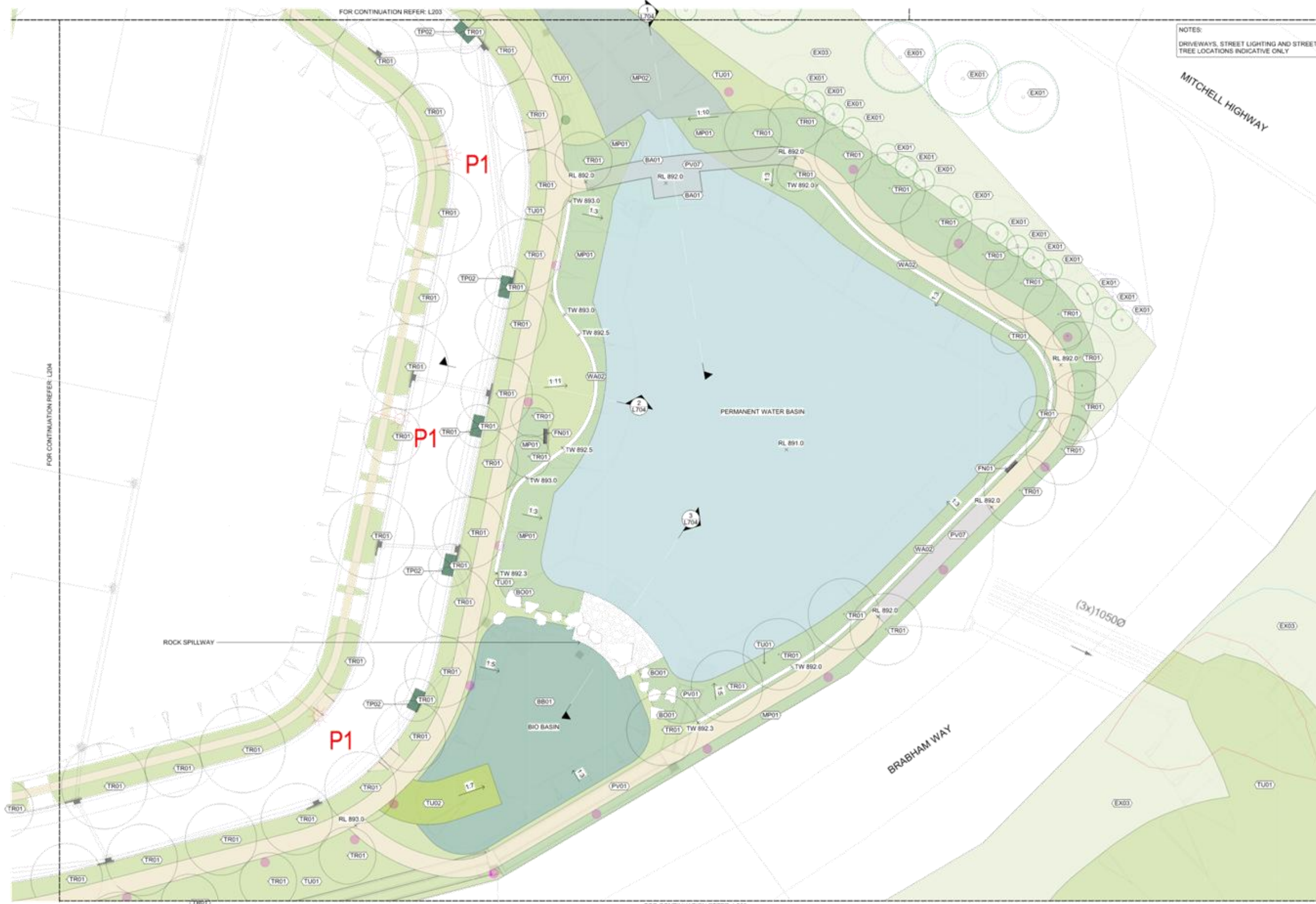


PROJECT 923-834  
REDONDR PLACE, ORANGE, NEW SOUTH WALES  
STATUS  
DEVELOPMENT APPLICATION  
CLIENT  
LANDCOM

ISSUE	DATE	AMENDMENT	BY	APPROVED
1	16.05.25	CONCEPT FOR COSTING	SLRB	SLRB
2	06.08.25	DRAFT ISSUE FOR INFORMATION	SLRB	SLRB
3	27.08.25	DRAFT DA ISSUE	SLRB	SLRB
4	21.07.25	DA ISSUE	SLRB	SLRB

DRAWING TITLE  
**General Arrangement Plan - Central Park**  
DRAWING NUMBER  
**L207**  
REVISION  
**4**





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ISSUE	DATE	AMENDMENT	BY	APPROVED
1	16.05.25	CONCEPT FOR COSTING	S.LRB	S.BKS
2	06.06.25	DRAFT ISSUE FOR INFORMATION	S.LRB	S.BKS
3	27.06.25	DRAFT DA ISSUE	S.LRB	S.BKS
4	21.07.25	DA ISSUE	S.LRB	S.BKS

DRAWING TITLE  
 General Arrangement Plan - Southern Wetland  
 DRAWING NUMBER  
 L208  
 REVISION  
 4





**LEGEND**

- Planting Mix 01 Playground
- Planting Mix 02 Low
- Planting Mix 03 Shrubs <1m
- Planting Mix 06 Northern Median Strip
- Planting Mix 08 Bush Tucka

**TREE AND SPECIMEN PLANTING SCHEDULE SHEET 01**

Code	Botanical Name (SP)
ABA	Azalea 'Purplea'
AQ	Acer rubrum 'October Glory'
AR	Acer rubrum
BPO	Brachydon populneus
CC	Callistemon citrinus
CS	Callistemon salignus
CV	Callistemon viminalis
EB	Eucalyptus blakeyi
EBR	Eucalyptus bridgesiana
EC	Eucalyptus cinerea
ED	Eucalyptus dives
EM	Eucalyptus mannifera
EME	Eucalyptus melliodora
EP	Eucalyptus pauciflora
ER	Eucalyptus rossi
EST	Eucalyptus stellulata
EV	Eucalyptus viminalis
FR	Fraxinus x 'Raywoodi'
HS	Hakea salicifolia
LS	Lagerstroemia indica x fauriei 'Sioux'
MST	Malaleuca stypheloides
MT	Malus tchonoskii
PCC	Pyrus calleryana 'Chanticleer'
PP	Parrotia persica
SS	Sapinum sebiferum
ZG	Zelkova serata 'Green Vase'

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REGULAF  
REDMOND PLACE, ORANGE, NEW SOUTH WALES

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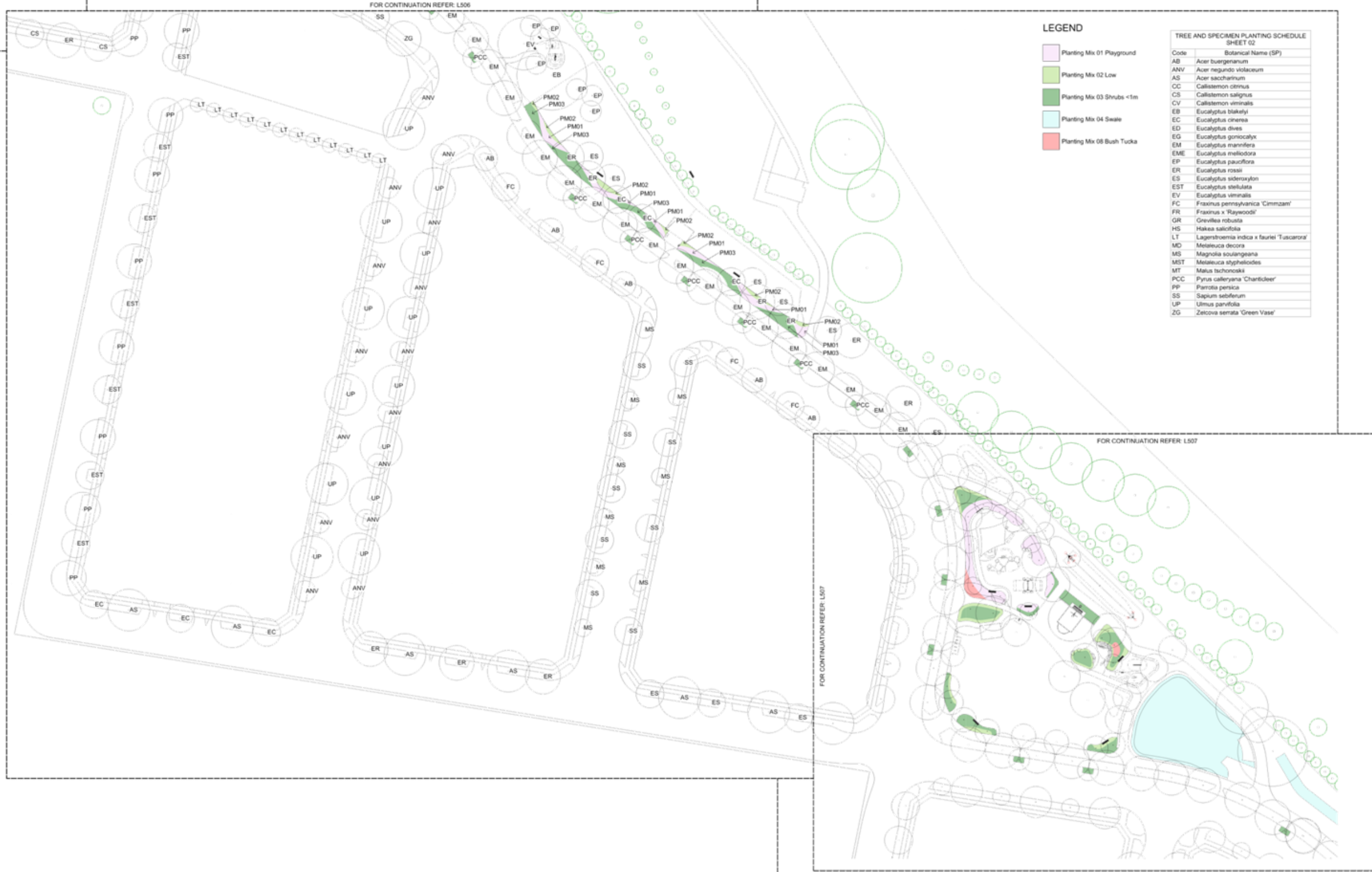
ISSUE	DATE	AMENDMENT	BY	APPROVED
1	06.09.25	DRAFT ISSUE FOR INFORMATION	SLRB	SLRB
2	27.09.25	DRAFT DA ISSUE	SLRB	SLRB
3	21.07.25	DA ISSUE	SLRB	SLRB
4	18.09.25	DA ISSUE	SLRB	KIS
5	18.02.26	DA ISSUE	SL	SLRB

DRAWING TITLE  
**Planting Plan - Sheet 01**

DRAWING NUMBER  
**L501**

REVISION  
**5**





**LEGEND**

- Planting Mix 01 Playground
- Planting Mix 02 Low
- Planting Mix 03 Shrubs <1m
- Planting Mix 04 Swale
- Planting Mix 06 Bush Tucka

**TREE AND SPECIMEN PLANTING SCHEDULE SHEET 02**

Code	Botanical Name (SP)
AB	Acer buergerianum
ANV	Acer negundo var. violaceum
AS	Acer saccharinum
CC	Callistemon citrinus
CS	Callistemon salignus
CV	Callistemon viminalis
EB	Eucalyptus bialeki
EC	Eucalyptus cinerea
ED	Eucalyptus dives
EG	Eucalyptus gomocalyx
EM	Eucalyptus mannifera
EME	Eucalyptus mellicora
EP	Eucalyptus pauciflora
ER	Eucalyptus rostrata
ES	Eucalyptus sideroxylon
EST	Eucalyptus stellulata
EV	Eucalyptus viminalis
FC	Fraxinus pennsylvanica 'Cinnzani'
FR	Fraxinus x 'Raywoodi'
GR	Grevillea robusta
HS	Hakea salicifolia
LT	Lagerstroemia indica x fauriei 'Tuscarora'
MD	Metaleuca decora
MS	Magnolia soulangeana
MST	Metaleuca stypelioides
MT	Matus tschonoskii
PCC	Pyrus calleryana 'Chanticleer'
PP	Parrotia persica
SS	Sapum sebiferum
UP	Ulmus parvifolia
ZG	Zelkova serata 'Green Vase'

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ISSUE	DATE	AMENDMENT	BY	APPROVED	DRAWING TITLE
1	06.08.25	DRAFT ISSUE FOR INFORMATION	SL/RS	SL/RS	Planting Plan - Sheet 02
2	27.08.25	DRAFT DA ISSUE	SL/RS	SL/RS	
3	21.07.25	DA ISSUE	SL/RS	SL/RS	
4	18.09.25	DA ISSUE	SL/RS	KS	

DRAWING NUMBER  
L502  
REVISION  
4





**LEGEND**

- Planting Mix 01 Playground
- Planting Mix 02 Low
- Planting Mix 03 Shrubs <1m
- Planting Mix 04 Swale
- Planting Mix 07 Southern Median Strip
- Planting Mix 08 Bush Tucka

**TREE AND SPECIMEN PLANTING SCHEDULE SHEET 03**

Code	Botanical Name (SP)
AB	Acer buergerianum
ABA	Aacia baileyana 'Purpurea'
ANV	Acer negundo vitiaceum
AR	Acer rubrum
AS	Acer saccharinum
CV	Callistemon viminalis
EB	Eucalyptus blakelyi
EC	Eucalyptus cinerea
ED	Eucalyptus dives
EG	Eucalyptus gonocalyx
EM	Eucalyptus mannifera
EME	Eucalyptus melliodora
EP	Eucalyptus pauciflora
ER	Eucalyptus rossi
ES	Eucalyptus sideroxyloflon
EST	Eucalyptus stellulata
EV	Eucalyptus viminalis
FC	Fraxinus pennsylvanica 'Cinnamom'
FR	Fraxinus x 'Raywoodi'
GR	Grevillea robusta
LS	Lagerstroemia indica x fauriei 'Sioux'
LT	Lagerstroemia indica x fauriei 'Tuscarora'
MST	Malaleuca stypheloides
MT	Malus tschonoskii
PCC	Pyrus calleryana 'Chanticleer'
PP	Parrotia persica
SS	Sapium sebiferum
UP	Ulmus parvifolia
ZG	Zelcova serrata 'Green Vase'

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REGULAF  
REDMOND PLACE, ORANGE, NEW SOUTH WALES

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ISSUE	DATE	AMENDMENT	BY	APPROVED
1	06.08.25	DRAFT ISSUE FOR INFORMATION	SLRB	SLRB
2	27.08.25	DRAFT DA ISSUE	SLRB	SLRB
3	21.07.25	DA ISSUE	SLRB	SLRB
4	18.09.25	DA ISSUE	SLRB	KS

DRAWING TITLE  
Planting Plan - Sheet 03

DRAWING NUMBER  
L503

REVISION  
4





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REDMOND PLACE, ORANGE, NEW SOUTH WALES

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ISSUE	DATE	AMENDMENT	BY	APPROVED
1	06.09.25	DRAFT ISSUE FOR INFORMATION	SLRB	SLRB
2	27.09.25	DRAFT FOR ISSUE	SLRB	SLRB
3	21.07.25	DA ISSUE	SLRB	SLRB
4	18.09.25	DA ISSUE	SLRB	KS

DRAWING TITLE  
Planting Plan - Sheet 04

DRAWING NUMBER  
L504

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4





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ISSUE	DATE	AMENDMENT	BY	APPROVED
1	06.08.25	DRAFT ISSUE FOR INFORMATION	SLRB	SLRB
2	27.08.25	DRAFT DA ISSUE	SLRB	SLRB
3	21.07.25	DA ISSUE	SLRB	SLRB
4	18.09.25	DA ISSUE	SLRB	KS

DRAWING TITLE  
Planting Plan - Sheet 05

DRAWING NUMBER  
L505

REVISION  
4



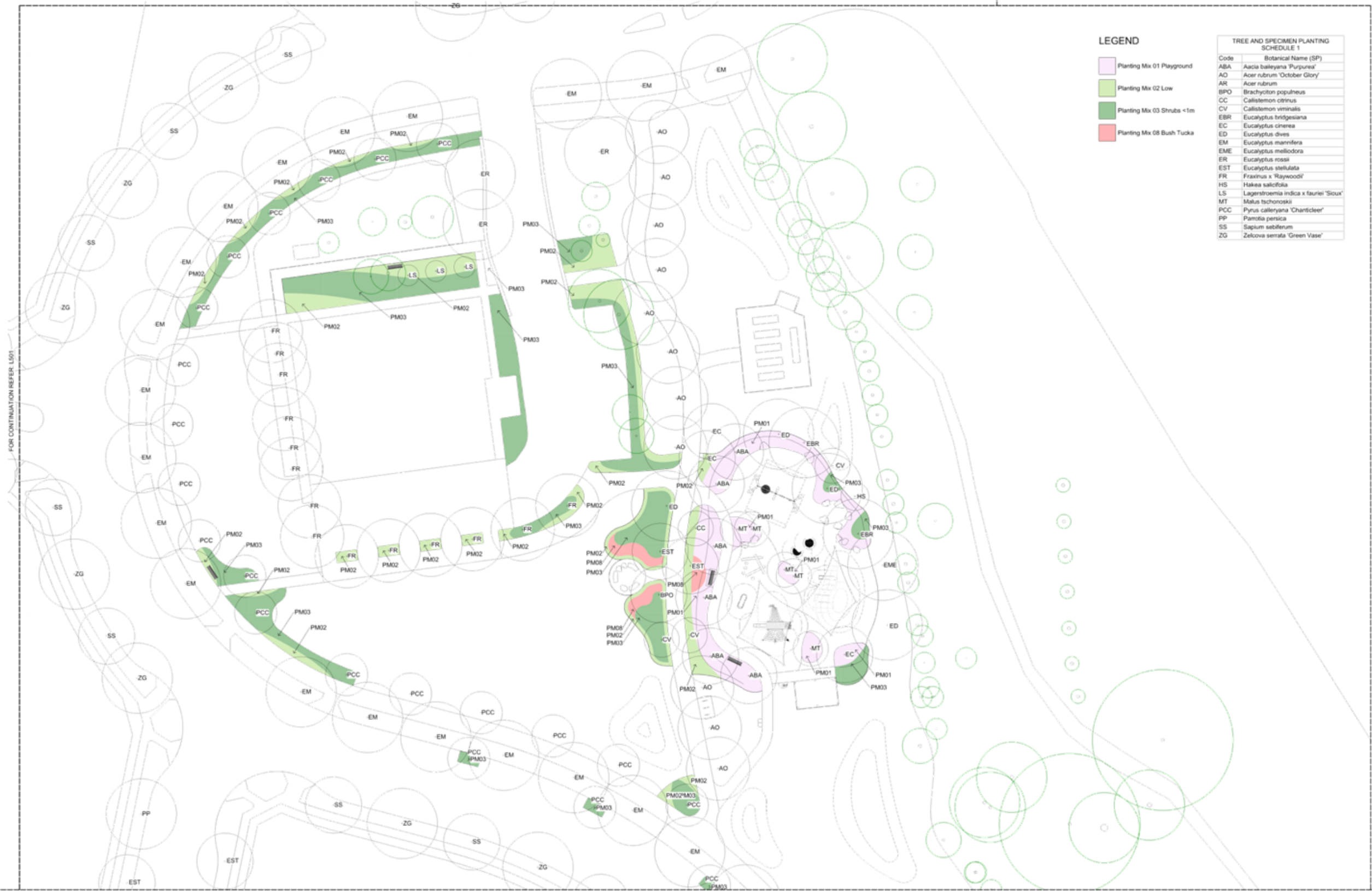
FOR CONTINUATION REFER: L501

**LEGEND**

- Planting Mx 01 Playground
- Planting Mx 02 Low
- Planting Mx 03 Shrubs <1m
- Planting Mx 08 Bush Tucka

**TREE AND SPECIMEN PLANTING SCHEDULE 1**

Code	Botanical Name (SP)
ABA	Azalea bartramiana 'Purplea'
AO	Acer rubrum 'October Glory'
AR	Acer rubrum
BPO	Brachycton populneus
CC	Callistemon citrinus
CV	Callistemon viminalis
EBR	Eucalyptus bridgesiana
EC	Eucalyptus cinerea
ED	Eucalyptus dives
EM	Eucalyptus mamifera
EME	Eucalyptus melliodora
ER	Eucalyptus rossi
EST	Eucalyptus stellata
FR	Fraxinus x 'Raywood'
HS	Hakea salicifolia
LS	Lagerstroemia indica x fauriei 'Sioux'
MT	Malus tchonoskii
PCC	Pyrus calleryana 'Chanticleer'
PP	Parrotia persica
SS	Sapum sebiferum
ZG	Zelkova serrata 'Green Vase'



FOR CONTINUATION REFER: L502

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REGULAF  
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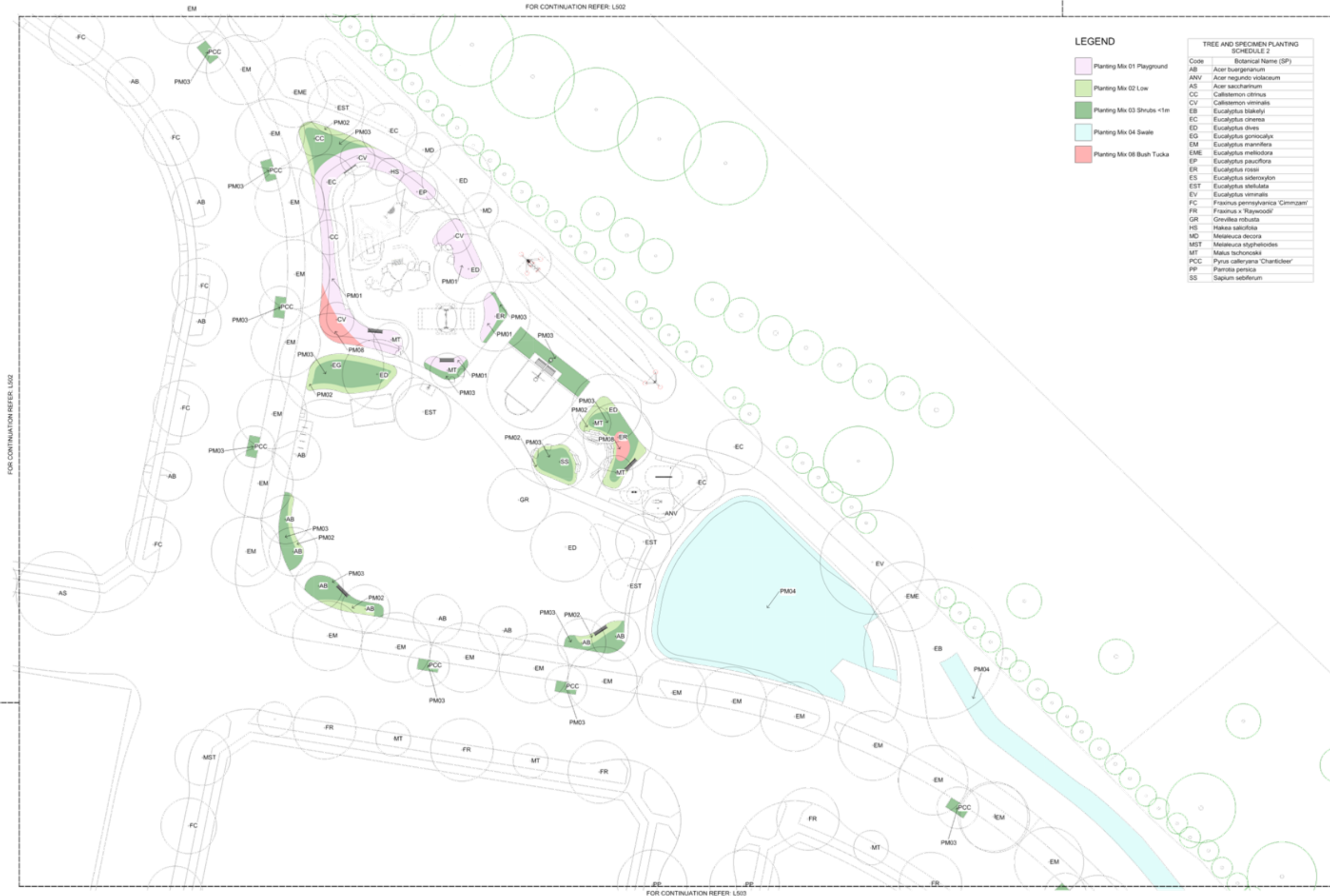
STATUS  
DEVELOPMENT APPLICATION

CLIENT  
LANDCOM

ISSUE	DATE	AMENDMENT	BY	APPROVED	DRAWING TITLE
1	06.08.25	DRAFT ISSUE FOR INFORMATION	SL, RB	SL, RB	Planting Plan - Northern Park
2	27.08.25	DRAFT FOR ISSUE	SL, RB	SL, RB	
3	21.07.25	DA ISSUE	SL, RB	SL, RB	
4	18.09.25	DA ISSUE	SL, RB	KS	

DRAWING NUMBER	REVISION
L506	4





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REGULAF  
REDMOND PLACE, ORANGE, NEW SOUTH WALES

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LANDCOM

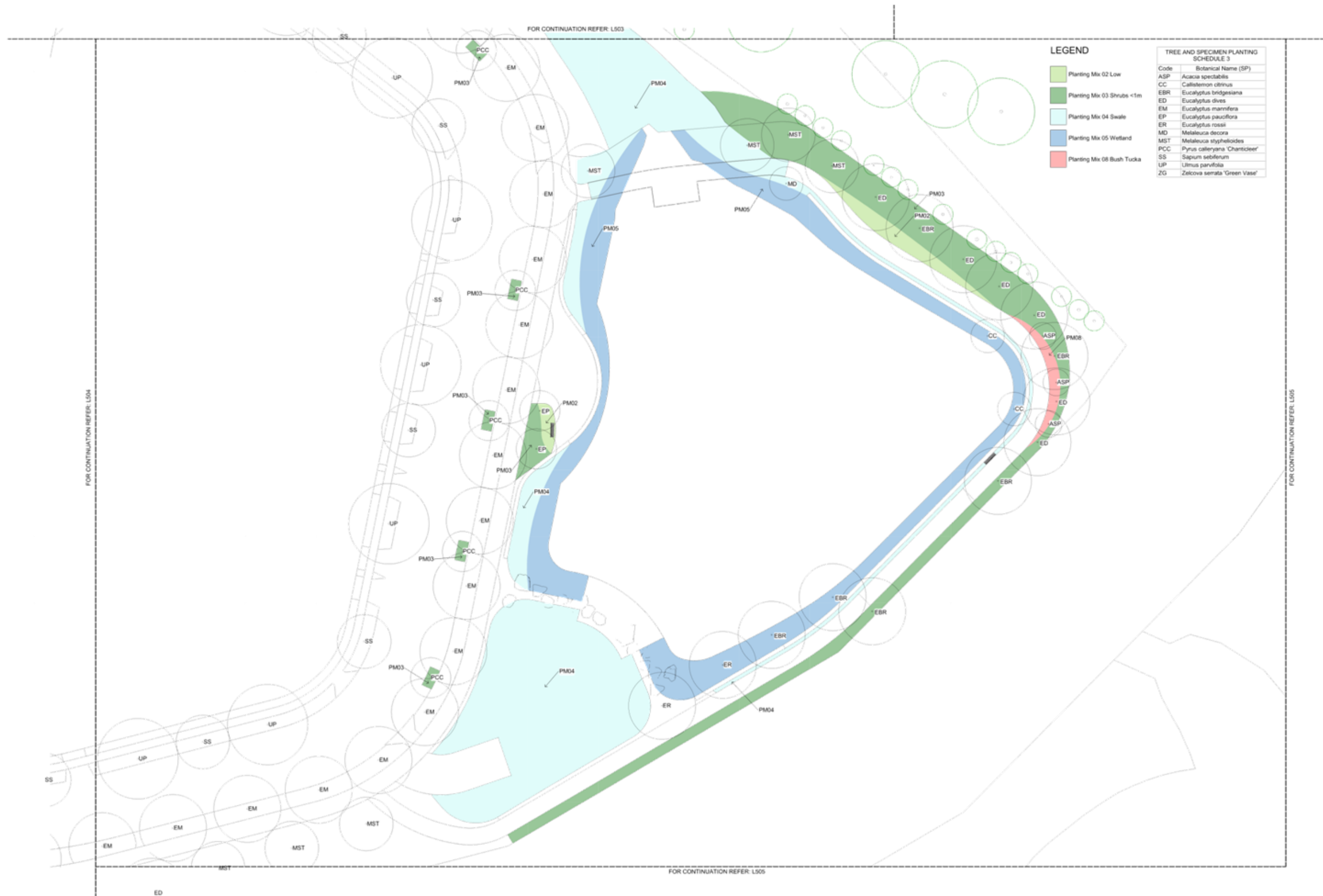
ISSUE	DATE	AMENDMENT	BY	APPROVED
1	06.08.25	DRAFT ISSUE FOR INFORMATION	SL/RB	SL/RB
2	27.08.25	DRAFT DA ISSUE	SL/RB	SL/RB
3	21.07.25	DA ISSUE	SL/RB	SL/RB
4	18.09.25	DA ISSUE	SL/RB	KS

DRAWING TITLE  
**Planting Plan - Central Park**

DRAWING NUMBER  
**L507**

REVISION  
**4**





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LANDCOM

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1	06.09.25	DRAFT ISSUE FOR INFORMATION	SL, RB	SL, RB
2	27.09.25	DRAFT DA ISSUE	SL, RB	SL, RB
3	21.07.25	DA ISSUE	SL, RB	SL, RB
4	18.09.25	DA ISSUE	SL, RB	KS

DRAWING TITLE  
**Planting Plan - Southern Wetland**

DRAWING NUMBER  
**L508**

REVISION  
**4**





Signage Schedule	
Sign Type	Quantity
Directional / Distance	9
Gym Equipment	3
Location	4
Interpretive	5
Plant ID	12

- Directional / Distance
- Gym Equipment
- ▲ Location
- Interpretive
- Plant ID



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REGULAF  
REDMOND PLACE, ORANGE, NEW SOUTH WALES

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LADCOM

ISSUE	DATE	AMENDMENT
1	31/10/25	DATE ISSUE

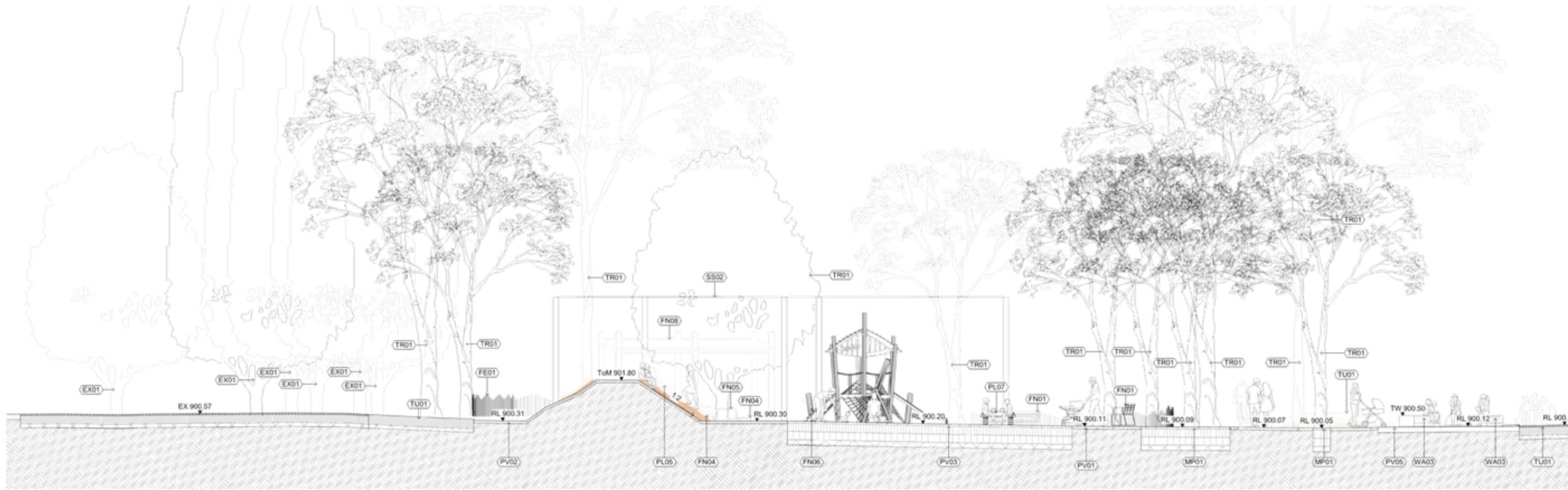
BY	APPROVED
LM	KS

DRAWING TITLE  
Signage Plan

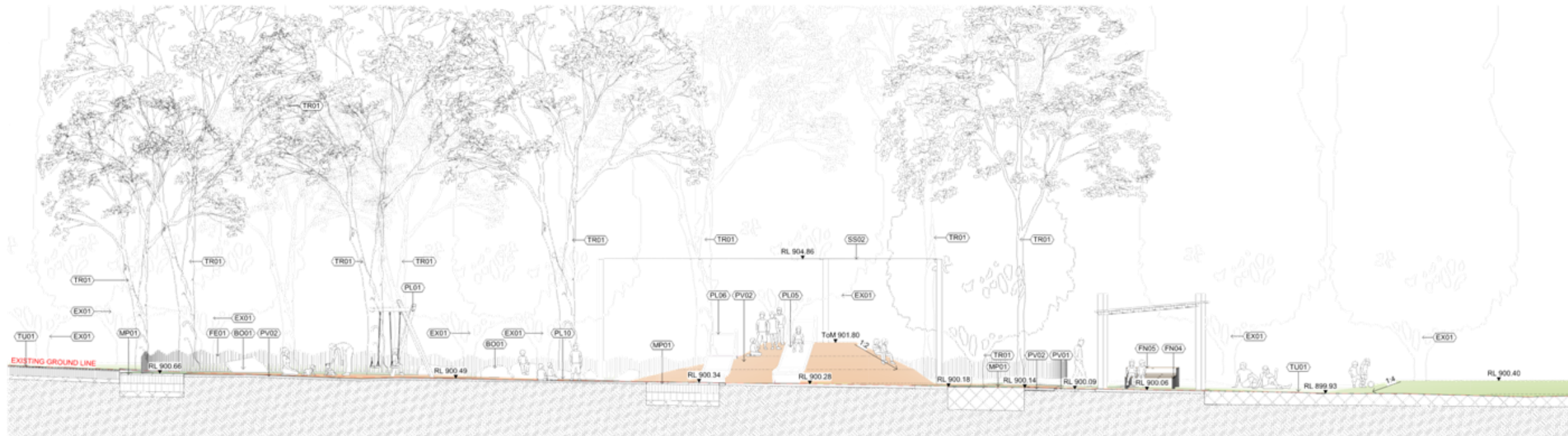
DRAWING NUMBER  
L601

REVISION  
1





1 Northern Open Space Section 01  
1:75



2 Northern Open Space Section 02  
1:75

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ISSUE	DATE	AMENDMENT	BY	APPROVED
1	06.08.25	DRAFT ISSUE FOR INFORMATION	SL, RB	SL, RB
2	27.08.25	DRAFT DA ISSUE	SL, RB	SL, RB
3	21.07.25	DA ISSUE	SL, RB	SL, RB

DRAWING TITLE
Northern Open Space Sections
DRAWING NUMBER
L701
REVISION
3





1 Central Open Space - Playground Section  
L202 1:75



2 Central Open Space - Section 01  
L202 1:75

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SCALE  
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PROJECT 923-834  
REGALIA PLACE, ORANGE, NEW SOUTH WALES  
STATUS  
DEVELOPMENT APPLICATION  
CLIENT  
LANDCOM

ISSUE	DATE	AMENDMENT	BY	APPROVED
1	06.08.25	DRAFT ISSUE FOR INFORMATION	SLRB	SLRB
2	21.08.25	DRAFT DA ISSUE	SLRB	SLRB
3	21.07.25	DA ISSUE	SLRB	SLRB

DRAWING TITLE  
Central Open Space Sections  
DRAWING NUMBER  
L702  
REVISION  
3





1 Central Open Space - Section 02  
L202  
1:75

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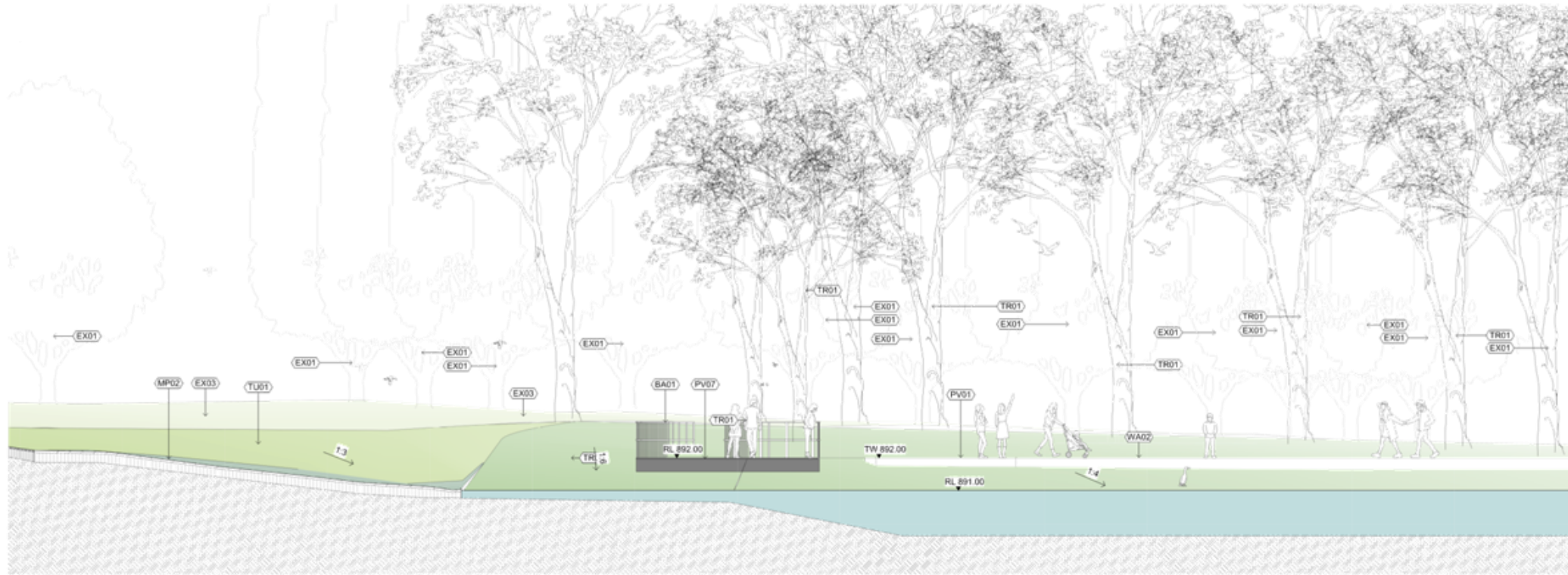
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PROJECT 923-834  
REDLIFF  
REDMOND PLACE, ORANGE, NEW SOUTH WALES  
STATUS  
DEVELOPMENT APPLICATION  
CLIENT  
LANDCOM

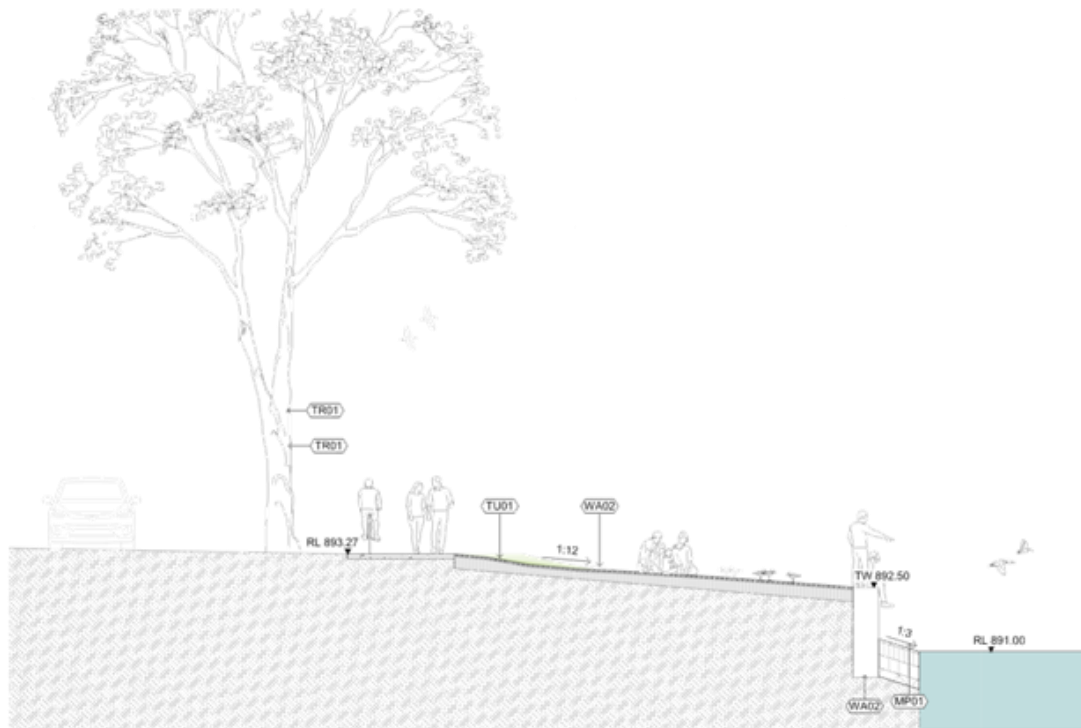
ISSUE	DATE	AMENDMENT	BY	APPROVED
1	06.08.25	DRAFT ISSUE FOR INFORMATION	SL, RB	SL, RB
2	27.08.25	DRAFT FOR ISSUE	SL, RB	SL, RB
3	21.07.25	DA ISSUE	SL, RB	SL, RB

DRAWING TITLE  
Central Open Space Sections  
DRAWING NUMBER  
L703  
REVISION  
3

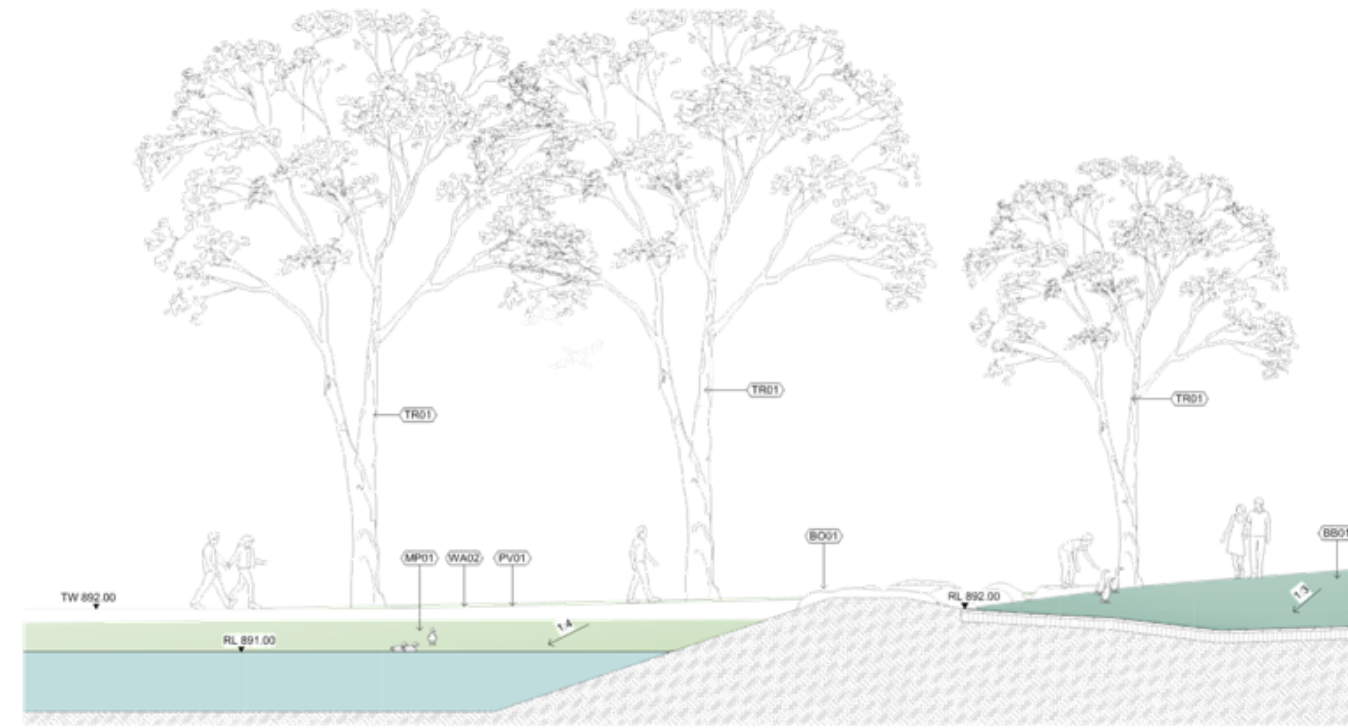




1 Southern Wetland Section 01  
L205 1:75



2 Southern Wetland Section 02  
L205 1:75



3 Southern Wetland Section 03  
L205 1:75

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PROJECT 923-834  
REDLIFF  
REDMOND PLACE, ORANGE, NEW SOUTH WALES  
STATUS  
DEVELOPMENT APPLICATION  
CLIENT  
LANDCOM

ISSUE	DATE	AMENDMENT	BY	APPROVED
1	06.08.25	DRAFT ISSUE FOR INFORMATION	SL, RB	SL, RB
2	21.08.25	DRAFT DA ISSUE	SL, RB	SL, RB
3	21.07.25	DA ISSUE	SL, RB	SL, RB

DRAWING TITLE  
Southern Wetland Sections  
DRAWING NUMBER  
L704  
REVISION  
3



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**Attachment 8 Submissions (Redacted)**

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**From:** [REDACTED]  
**Sent:** Tuesday, 26 August 2025 5:34 PM  
**To:** Orange City Council  
**Subject:** FAO CEO - DA 298/2025(1) - PAN-556873

[REDACTED]

Dear Sir,

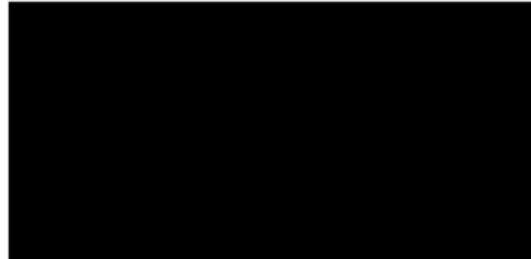
I make this submission in my personal capacity but as an energy researcher and practitioner.

Specifically, I would encourage Council to include a requirement that the development will be all-electric and gas-free, as should all future developments undertaken by Orange City Council. This precinct affords an opportunity for Council to work with Landcom to build a landmark residential precinct that could generate much of the energy required on site. Every house should be installed with a minimum of 5kw of solar and batteries should be installed either at each residence or in an aggregated fashion centrally. This would ensure clean energy for the site, reduce pollution from woodfires and other fossil fuels and deliver cheaper, reliable energy for all households over the longer term. Similarly, heat pumps should also be considered for each location to heat water from solar.

In summary, no gas, locally generated clean energy and storage, and heat pumps. What a great story !

[REDACTED]

[REDACTED]



**Barry Omundson**  
**Interim Chief Executive Officer**  
**Orange City Council**  
**September 10, 2025**

**Re: DA 298/2025/1-3 Redmond Place, 154 Lone Pine Avenue and 5255 Mitchell Highway, Orange.**

Dear Mr Omundson

Thank you for the opportunity to comment on the Redmond Place Development Application. I do so on behalf of [REDACTED]. We are a community-based not for profit organisation operating since April 2006 and made up of volunteers committed to promoting environmental values in Orange and surrounding district. As an environmental group we are keen to support the environmental features proposed in the Redmond Place Development Application, especially those listed below.

**Water management:** [REDACTED] strongly supports the incorporation of water sensitive urban design principles as a feature of the development and, as it's within the catchment of Suma Park Dam, we commend measures to manage potential pollution from stormwater runoff. We also commend the inclusion of water cycle strategies that enhance existing ecological biodiversity, such as the maintenance of the existing wetland on the site and the inclusion of other wetlands. We also advocate that the proponent considers ways to incentivise the installation of residential water tanks as part of the development.

**Vegetation management and streetscape:** [REDACTED] strongly supported the draft Development Control Plan for Redmond Place and commended the proponent for the streetscape design. It is good to see consideration being given to Council's Urban Forest Strategy, in that species have been selected to mitigate the urban heat island effect in summer, with deciduous varieties chosen to provide solar access in winter. We commend the inclusion of native species in the Redmond Place landscape, which will promote green corridors and enhance biodiversity within the subdivision. The subdivision landscape plan could be further enhanced by providing incentives for residents to contribute to the subdivision's biodiversity through the provision of a number of free native species per household.

**Lot orientation:** A common criticism of many proposed developments is the lack of consideration given to this issue. We commend the Redmond Place DA for the consideration that is given to lot orientation, optimising opportunities for passive solar design and solar access to buildings. This is important both environmentally and for community expectations, as

[REDACTED]

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**Attachment 8 Submissions (Redacted)**

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homeowners are becoming increasingly conscious of the benefits of solar access and solar energy installation.

**Reflective roof colouring:** [REDACTED] would like to see consideration given to this issue as a way to mitigate summer heat, as suggested in the draft DCP.

**Active travel and public transport networks:** Active travel opportunities and public transport links are important for community health and wellbeing, and to reduce community dependence on private motor transport. The Redmond Place subdivision is situated some distance from the Orange Central Business District, so access to public transport needs to be a priority.

**Public open space:** [REDACTED] supports the inclusion in the DA of public open space including parklands and active travel links, and the enhancement of environmental biodiversity that they enable. We also support the inclusion of infrastructure designed to encourage community participation and connection, such as the proposed community garden.

**Energy provision:** It is disappointing that the DA does not include the prohibition of gas. It is well known that the burning of natural gas in homes poses threats both to the environment and to human health. It contributes to climate change through the production of carbon dioxide, and irritates lungs, worsens asthma, and is linked to respiratory diseases in children. Poorly ventilated gas appliances can emit carbon monoxide, causing headaches, dizziness and potentially even death at high levels. Research studies have linked long-term gas stove use with increased risk of obstructive pulmonary disease, cardiovascular disease and impaired childhood lung development. The lack of a prohibition on gas is a significant missed opportunity.

**Domestic Companion Animal Control:** While there is no specific research for Orange, the broader scientific data paints a clear picture that both feral and roaming domestic cats pose serious threats to native wildlife. [REDACTED] supports provisions in the DA concerning the mandatory desexing and containment of domestic cats. Any program designed to enhance natural biodiversity will be significantly impacted if responsible cat ownership is not encouraged and enforced. This includes desexing and containment of domestic cats.

**Conclusion:** [REDACTED] commends the Redmond Place Development Application overall, while retaining some specific concerns as mentioned above. The urban design principles contained in this DA could serve as a blueprint for future urban development in Orange. Moving forward, [REDACTED] requests the Council does everything in its power to ensure that the design principles in both the DA and the attendant draft DCP are adhered to and not altered for the purpose of developer convenience or commercial gain.

Yours sincerely

[REDACTED]

[REDACTED]

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**Attachment 8 Submissions (Redacted)**

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Our Ref: 23.104

3 December 2025

General Manager  
Orange City Council  
By Email

Att: Craig Mortell

Dear Craig,

**Re: DA298/2025 – PAN-556873 – 3 Redmond Place, 154 Lone Pine Avenue, 5255 Mitchell Highway, Orange  
Letter of Objection**

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I refer to the above application and advise we act for [REDACTED], who benefits from an option to purchase 84 Brabham Drive, Orange, which adjoins the subject site. Please note I have left messages at Council to discuss this with you but are yet to receive a return call.

Our client has had preliminary discussions with Orange City Council in relation to the potential rezoning of adjoining parcels. Whatever the status of those discussions, Council planning staff have consistently pressed their views on preserving certain aspects of the precinct in moving forward with any development, presumably including their own. These include:

- Treatment of the interface between the two properties, ensuring an appropriate urban design outcome is achieved with any future development.
- The potential future integration of the two sites in the event both are developed, including the presentation of any development onto the road network established by the Council development.
- Acceptable and appropriate water treatment and quality responses that are sympathetic to the natural ground levels and the location of the precinct within the water catchment.

Our client objects to the development proposal, and specifically the proposed interface with 84 Brabham, given the lack of consideration of the above aspects.

In the exhibited plans Council, through Landcom, proposes an engineering solution that wouldn't be acceptable in many of Landcom's master planned estates elsewhere in Sydney and New South Wales. In order to preserve lot yield, Council seeks to establish an overland flow solution reliant on the owner of 84 Brabham, as opposed to accommodating a solution on its own site.

Firstly, it seeks to construct a retaining wall and inlet arrangement immediately on the boundary of up to approximately 1.5m in height (refer Figure 1). From our understanding, water that flows over 84 Brabham will reach this point, and irrespective of the rate of flow at which water reaches that low point, water flowing into the Council development will be restricted to the designed intake rate. Council seeks to secure rights of access to maintain this solution, from the owner of 84 Brabham, none of which have been presented for consideration. There is an obvious and unnecessary risk of water being detained at this location, pooling and impacting 84 Brabham. Currently, water pools in this location when the existing drainage pits (Council-owned but seemingly unknown to Landcom in our meeting) are not maintained and blocked. These pits are maintained and cleared periodically by the owners of 84 Brabham and their neighbours.

When we attended a meeting with Landcom, Council presented an alternative arrangement (Refer Figure 2) that extended further into 84 Brabham, with the creation of a headwall and entry arrangement that increased the affectation of the solution on the owner of 84 Brabham.

Both of these solutions are unacceptable, and our client objects to them. We also contend they are completely unnecessary for the development as proposed.

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**1**

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**Attachment 8 Submissions (Redacted)**

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Our client is currently finalising a Planning Proposal (PP) that includes 84 Brabham. Through the preparation of that PP, overland flow and stormwater has been designed to discharge onto the Council development site at the lowest point, that being the location of the proposed retaining wall and inlet arrangement. A detention basin has been sized and located to accommodate all flows from 84 Brabham, as shown in Figure 3 below. The system covering 84 Brabham has been designed such that post development flows do not exceed pre development flows. The natural ground level at this point, seems to be the most appropriate and practical location for discharge and this is highlighted in the TUFLOW modelling in Figure 4.

As we have indicated from the first discussions held with Council, our client is willing to meet with Council and discuss a more appropriate stormwater solution across the precinct. In its PP for Redmond Place, Council has sensibly ensured its development can accommodate the future infrastructure and service connections of our clients land. We don't understand why Council wouldn't want to discuss a solution across the precinct that would be beneficial to all landowners. That offer still stands.

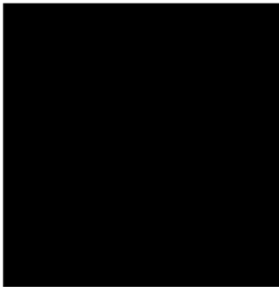
Nevertheless, our client objects to the current proposed arrangements and seeks to be advised, through our office, of any potential future amendments to this aspect of the Council development.

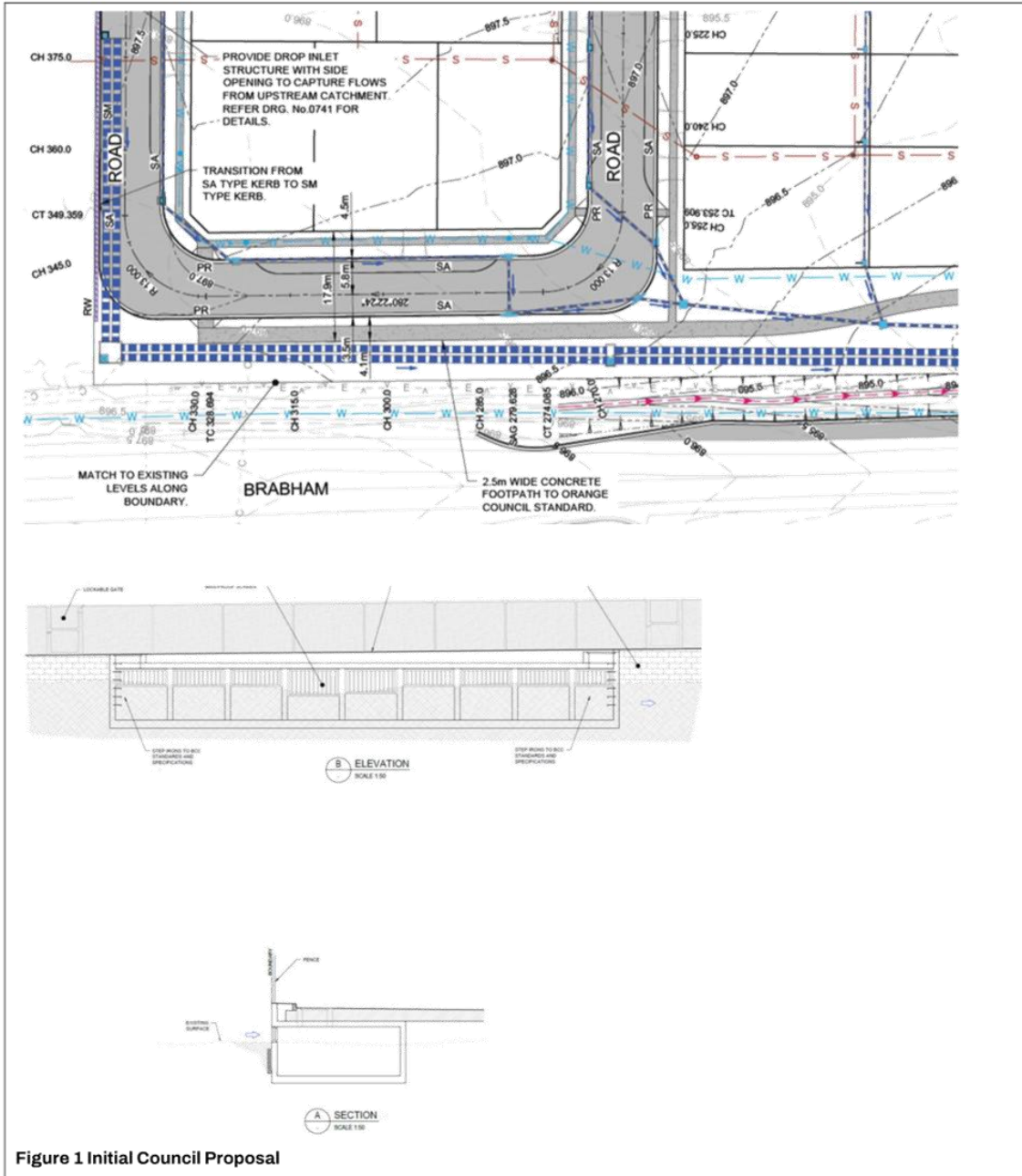
We would also take this opportunity to comment on the proposed chainwire fencing around the proposed site. This too would seem inconsistent with Council's objectives for the area, it creates a negative visual impact on views to and from the proposed development, and it's expected cost would seem unnecessary too.

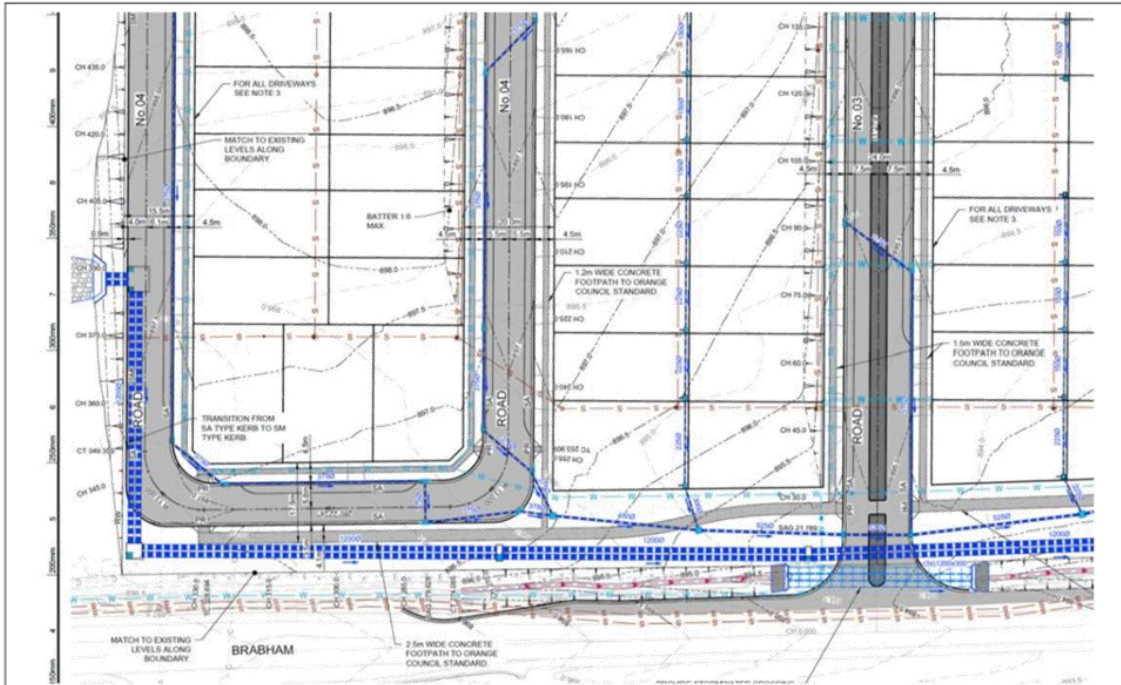
We would appreciate being updated on the proposed development and any revised design.

Please contact me on  should you have any questions or wish to discuss.

Sincerely







**Figure 2 Follow up Council Proposal**



**Figure 3 Location of proposed basin area (marked '5') at 84 Brabham**





Figure 4 TUFLOW Model results showing existing flow of water



**2.5 Development Application DA 464/2025(1) - Report to Western Regional Planning Panel -  
32 Perc Griffith Way**

RECORD NUMBER: 2026/598

AUTHOR: Courtney Mariot, Senior Planner

**EXECUTIVE SUMMARY**

Development consent is sought for a *Recreation facility (major) and Demolition (existing buildings and tree removal)* at 32 Perc Griffith Way, Orange. The land is described as Lots 500 and 501 DP 1254834. Lot 501 DP 1254834 has been included within the application for purposes of a right-of-access way over an existing driveway.

The development comprises the removal and realignment of an existing racing track, the construction of a clubhouse, race day holding kennels, machinery shed for the purposes of a greyhound racing facility; demolition of 9 existing buildings and associated existing structures, and the removal of 9 existing trees onsite. The proposal also seeks the construction of 21 outdoor lighting poles.

Pursuant to Schedule 6 of State Environmental Planning Policy (Planning Systems) 2021, the proposed development is classified as regionally significant development for the purposes of the Act as it involves Council-related development with a value exceeding \$5 million. Although Council is not the applicant, Orange City Council is the current owner of the subject land. Accordingly, the Western Regional Planning Panel (WRPP) is the consent authority for this application.

The purpose of this report is to make Council aware that the abovementioned development application has been tabled for the determination of the WRPP, and to provide opportunity for Council to make a submission to the upcoming determination meeting of the WRPP if so required.

The planning assessment report recommends that the WRPP approve the development, subject to the adoption of the attached draft recommended conditions of consent.

The Panel Secretariat has advised that the application is likely to be listed for consideration by the WRPP on 14 April 2026. The WRPP Meeting will be managed by the Panel Chairman and conducted in accordance with the Panel's Protocols.

If the Council were to make a submission to the WRPP, Council could make comment on any issues relating to the proposal. The submission may or may not support the proposal or provide comments that are a mixture of the two positions. There is not a need for Council to determine a single position.

A copy of the development assessment report for DA 464/2025(1) and proposal plans are attached, associated technical reports can be provided upon further request.

**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

**2.5 Development Application DA 464/2025(1) - Report to Western Regional Planning Panel - 32 Perc Griffith Way**
**RECOMMENDATION**

- 1 That the information contained in the planning report for DA 464/2025(1) for *Recreation Facility (Major) and Demolition (existing buildings and tree Removal)* at 32 Perc Griffith Way, Orange be acknowledged.
- 2 That Council determines whether or not it makes a submission upon this application to the Western Regional Planning Panel (WRPP).

**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>	Approval or refusal may affect infrastructure demands, services planning or community expectations.
<b>Financial</b>	Decision 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**

- Development consent is sought for a Recreation Facility (major) and Demolition (existing buildings and tree removal) at 32 Perc Griffith Way, Orange. The land is described as Lots 500 and 501 DP 1254834. Lot 501 DP 1254834 has been included within the application for purposes of a right-of-access way over an existing driveway. The site has a historical land use of the Harness (Trotting) Track and contains existing dilapidated buildings and a racetrack previously used for horse racing activities.
- The development comprises the removal and realignment of an existing racing track, the construction of a clubhouse, race day holding kennels, machinery shed for the purposes of a greyhound racing facility; demolition of 9 existing buildings and associated existing structures, and the removal of 9 existing trees onsite. The proposal also seeks the construction of 21 outdoor lighting poles.
- The site is located within the RE2 Private Recreation zone under Orange Local Environmental Plan (LEP) 2011. A Recreation facility (major) is a permitted use with consent within the RE2 Private Recreation zone.
- The proposed development was advertised development pursuant to Schedule 1 of the *Environment Planning and Assessment Act 1979* and the Orange City Council Planning and Development Community Participation Plan for a minimum of 28 days, from 16 December 2025 until 3 February 2026. At the completion of the notification period 1,195 submissions were received. These concerns raised in the submissions have been considered during the assessment process.

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**2.5 Development Application DA 464/2025(1) - Report to Western Regional Planning Panel -  
32 Perc Griffith Way**

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- Whilst it is acknowledged that the submissions raised concerns regarding animal welfare and the social effects of the consumption of alcohol and gambling on the community, greyhound racing is a lawful activity in the state of NSW. The industry is regulated by two separate bodies, being Greyhound Racing NSW and the Greyhound Welfare and Integrity Commission established under the *Greyhound Racing Act 2017*. Further, the consumption of alcohol and gaming are also regulated by Liquor & Gaming NSW, which administers the regulatory framework for liquor, gaming and registered clubs.
- The proposed development is compatible with the requirements of the relevant State Environmental Planning Policies (SEPPs). The proposed development complies with the requirements of *Orange Local Environment Plan 2011* and *Orange Development Control Plan (DCP) 2004*. Conditions of consent have been recommended to ensure that the development is carried out in accordance with relevant provisions, approved plans and the recommendations of the technical studies.
- The application and the assessment report have addressed the relevant planning considerations of the site, including but not limited to strategic location and accessibility, land use compatibility, site area and layout, traffic, access and parking considerations, environment and amenity considerations, site suitability and cumulative impacts.
- Pursuant to Schedule 6 of State Environmental Planning Policy (Planning Systems) 2021, the proposed development is classified as regionally significant development for the purposes of the Act, as it involves Council-related development with a value exceeding \$5 million. Although Council is not the applicant, Orange City Council is the current owner of the subject land. Accordingly, the WRPP is the consent authority for this application.
- The proposal has been evaluated pursuant to Section 4.15 of the *Environmental Planning and Assessment Act 1979* and is suitable subject to the attached recommended conditions of consent. It is recommended that the WRPP supports the subject proposal, subject to the attached conditions. The impacts of the development can be appropriately managed through conditions of consent.
- The WRPP requested that Council arrange for an independent peer review of Council's assessment of the development application given the significant public interest generated through the public consultation phase of the application. The peer review was undertaken by Bathurst City Council and is attached to this report.

**ATTACHMENTS**

- 1 Planning Assessment Report to WRPP, D26/36514 [↓](#)
- 2 Recommended Conditions of Consent, D26/36528 [↓](#)
- 3 Plans, D26/31665 [↓](#)
- 4 Peer Review by Bathurst Regional Council, D26/36621 [↓](#)
- 5 Submissions (Redacted): 1 to 600, D26/36709 (Under Separate Cover)
- 6 Submissions (Redacted): 601 to 1194, D26/36711 (Under Separate Cover)
- 7 Submission (Redacted): 1195, D26/41031 (Under Separate Cover)

**Attachment 1 Planning Assessment Report to WRPP**


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D26/5407  
**REPORT TO** WESTERN REGIONAL PLANNING PANEL  
  
**FROM** SENIOR TOWN PLANNER (COURTNEY MARIOT)  
  
**DATE** 16 MARCH 2026  
  
**ON** DEVELOPMENT APPLICATION  
 32 PERC GRIFFITH WAY ORANGE  
 RECREATION FACILITY (MAJOR) AND DEMOLITION (BUILDINGS AND  
 TREE REMOVAL) FOR PROPOSED GREYHOUND RACING FACILITY  
PAN-596286  
PR28414 AND PR28415

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<b>Application Lodged</b>	9 December 2025
<b>Development Application No</b>	DA 464/2025(1)
<b>Plan No/s</b>	Per Recommended Conditions of Consent
<b>Applicant</b>	NSW Greyhound Breeders Owners and Trainers Association c/- Peter Basha Planning & Development PO Box 1827 ORANGE NSW 2800
<b>Owner/s</b>	Orange City Council PO Box 35 ORANGE NSW 2800
<b>Land Description</b>	Lot 500 DP 1254834 and Lot 501 DP 1254834 - 32 Perc Griffith Way, Orange
<b>Proposed Land Use</b>	Recreation Facility (major) and Demolition (existing buildings and tree removal)
<b>Value of Proposed Development</b>	\$15,786,936
<b>Provisions of LEP 2011 (amended)</b>	RE2 Private Recreation
<b>Details of Advertisement of Project</b>	Advertised and notified for 28 days in accordance with Environmental Planning and Assessment Regulations (EP&A Regulations 2021) 1,194 submissions received.
<b>Recommendation</b>	Approval

**EXECUTIVE SUMMARY**

The application seeks consent for the establishment of a Recreation Facility (major) and Demolition (existing buildings and tree removal) for a greyhound racing facility and associated buildings located at 32 Perc Griffith Way, Orange on land described as Lots 500 and 501 DP 1254834. Lot 501 DP1254834 has been included in the application for purposes of a right-of-access way over the existing driveway.

The proposed development seeks the following:

- Demolition of nine (9) existing buildings and associated existing structures onsite.
- The removal and realignment of an existing racing track with support elements including railing, track lighting and result display board. The track will be wholly located within Lot 500 DP 1254834.
- The construction of a 475m<sup>2</sup> clubhouse which includes lounge/function room, kitchen and bar facilities, office, toilets, external viewing platform and tiered seating arrangements.
- The construction of 800m<sup>2</sup>, 112 race day holding kennels, marshalling and weighing room, office space, vet office and swab kennels, which will be connected to reticulated sewer via a privately owned main and sewer pump station.
- The construction of 225m<sup>2</sup> machinery storage shed with lunchroom/office and accessible water closet.
- The proposed operation will consist of one race day, once a week, which will typically commence at 3pm and finish at 6:30pm, except for two cup meetings per year which will be held and finish at approximately 9:30pm.
- The number of patrons for race days may involve up to 150 spectators but typical attendance is 80 to 100 people. Race days will involve approximately 30 to 35 trainers and up to 20 staff of the facility (club staff, stewards, vets, video operators). Typical greyhound dog numbers may involve 80 to 112 depending on the event.
- The proposed training and administrative tasks are expected to occur weekly and during daylight hours, which will typically involve 15-30 people attendees.
- The construction of twenty-one (21) lighting poles, ranging from a height of 21m to 21.30m (height AHD) and that include spill light hoods.
- The construction of 123 carparking spaces, including, 3 accessible spaces and 16 car and trailer spaces.
- Tree removal of 11 existing trees onsite and proposed onsite landscaping.
- A rectangle sport field that will be available for public use as determined by the site operator.

The site consists of 2 lots, being Lots 500 and 501 DP 1254835. Lot 500 has a site area of 16.12ha and Lot 501 has an area of 5.739ha. Lot 501, which currently contains a Go-kart track and has been included within the application as vehicular access to the site is by a right-of-way access driveway from Perc Griffith Way. The site has a historical land use of the Harness Racing (Trotting) Track and contains existing dilapidated buildings previously utilised for horse racing facilities.

**Executive Summary (cont)**

The proposed development was advertised development pursuant to Schedule 1 of the *Environment Planning and Assessment Act 1979* and Orange City Council Planning and Development Community Participation Plan for a minimum of 28 days, from 16 December 2025 until 3 February 2026. At the completion of the notification period 1,194 submissions were received. The submissions have been considered as part of the assessment of the application and a summary of the submissions has been discussed below.

The site is located within the RE2 Private Recreation zone under the Orange Local Environmental Plan (LEP) 2011. A Recreation facility (major) is a permitted with consent within the RE2 Private recreation zone. The proposed development has been assessed in accordance with the requirements and considerations of the *Environmental Planning and Assessment Act 1979* and the *Environmental Planning and Assessment Regulations 2021*. Officers have completed an assessment of the proposed development against the relevant criteria of consideration under Clause 4.15 of the *Environmental Planning Assessment Act 1979*.

The proposal is regionally significant development pursuant to Schedule 6 of *State Environmental Planning Policy (Planning Systems) 2021* being a Council related development with a Capital Investment Value over \$5 million. As such, the Western Regional Planning Panel is the consent authority for the application. The development application is recommended for approval, subject to conditions of consent and implementation of the submitted technical plans. The impacts of the development can be appropriately managed through conditions of consent.



**Figure 1 - aerial locality plan**

**RECOMMENDATION**

That the Western Regional Planning Panel consents to development application **DA 464/2025(1) for Recreation Facility (Major) and Demolition (existing buildings and tree removal)** at 32 Perc Griffith Way, Orange on land described as Lots 500 and 501 DP 1254834, pursuant to the conditions of consent in the attached recommended conditions of consent.

**DECISION FRAMEWORK**

Development in the Orange Local Government Area (LGA) is governed by the *Environmental Planning and Assessment Act 1979* (EP&A Act) and the accompanying *Environmental Planning and Assessment Regulations 2021*. Sitting below the Act and Regulations is Orange Local Environment Plan (LEP) 2011 and other State-wide Environmental Planning Instruments (SEPPs). Subordinate to the LEP and SEPPs is Orange Development Control Plan 2004 which is a guiding document used to inform decision making.

The development for a Recreational Facility (Major) is regionally significant development pursuant to Schedule 6 of State Environmental Planning Policy (Planning Systems) 2021, being a Council related development with a Capital Investment Value over \$5 million. Therefore, the Western Regional Planning Panel is the consent authority for the application.

**THE PROPOSAL**

The proposal seeks consent for proposed Recreation Facility (Major) and Demolition (existing buildings and tree removal) for a greyhound racing facility located at 32 Perc Griffith Way, on land described as Lot 500 DP 1254834 ("the site") and Lot 501 DP 1254834 (for right-of-way access purposes only).

The proposal development includes the following:

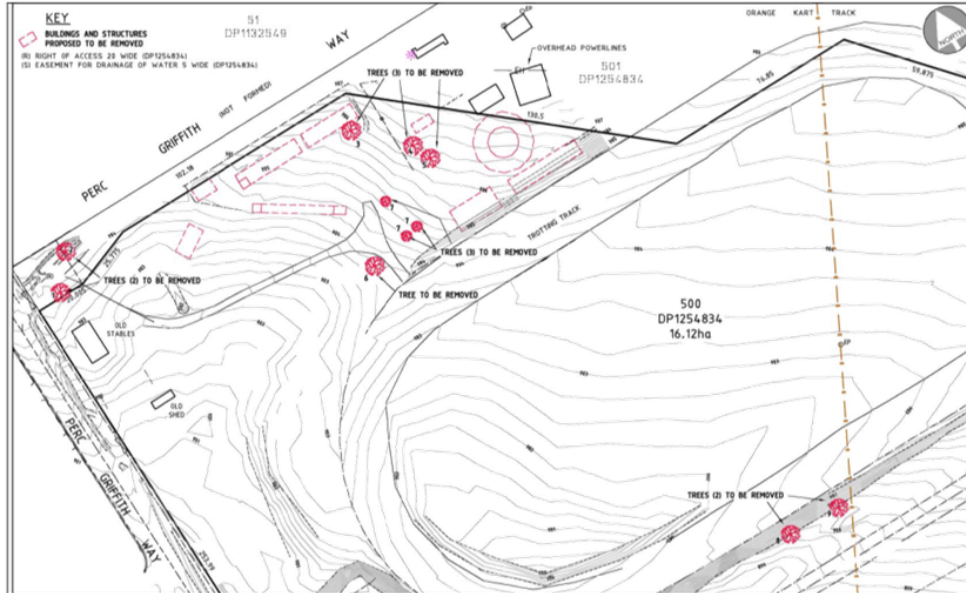
Demolition of Existing Buildings and Tree Removal

The site contains 9 existing buildings. The buildings were originally erected as part of a historical racing track on the site. The buildings are in a dilapidated state. The application seeks removal of these buildings and demolition/realignment of the existing trotting track as identified on the submitted Demolition Plan, prepared by McKinnon Design, Drawing No. 00, dated August 2024.

Refer to site history for discussion regarding the historical use.

The proposal also seeks to remove eleven (11) existing onsite non-native trees as identified in Figure 2.

**The Proposal (cont)**



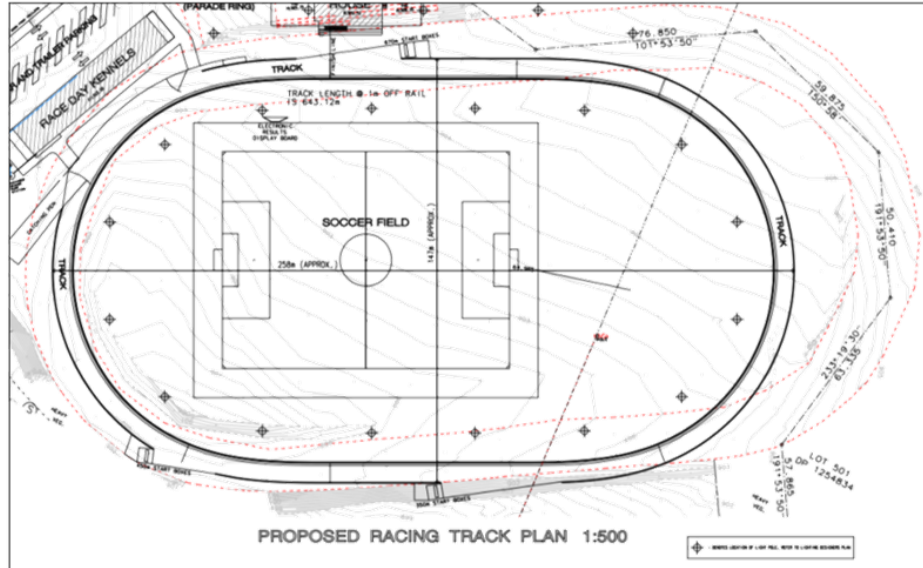
**Figure 2- proposed tree removal**

**Racetrack**

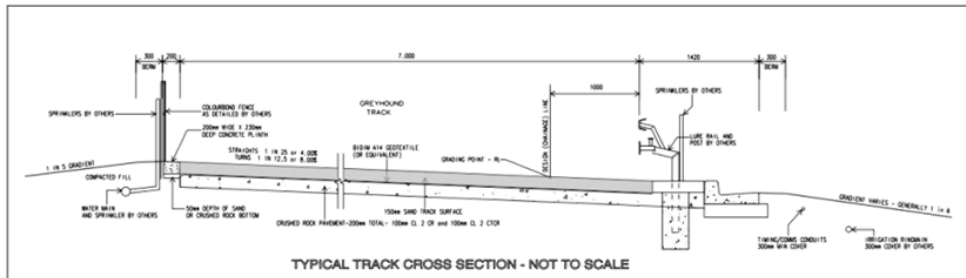
The removal and realignment of the existing racetrack with additional support elements including railing, track lighting and electronic result display board. The track will be wholly located within Lot 500 DP 1254834. The proposed track is an oval shape, with a width of approximately 7m and a length of 643.2m, at 1m off the inside rail. The start boxes for the 350m, 450m and 670m races are provided adjacent to the running track. A catching pen is provided after the finish line.

The applicant has advised the track will meet section 26(1) of the *Greyhound Racing Act 2017* and specifications for Green Field (New) tracks as listed in the *Minimum Standards for Racecourse Design and Construction by Greyhound Racing NSW*. The standards aim to minimise risks and injuries to greyhounds by considering factors as track curves, surfaces and barriers.

**The Proposal (cont)**



**Figure 3 – proposed racing track plan**



**Figure 4 – typical track cross section – not to scale**

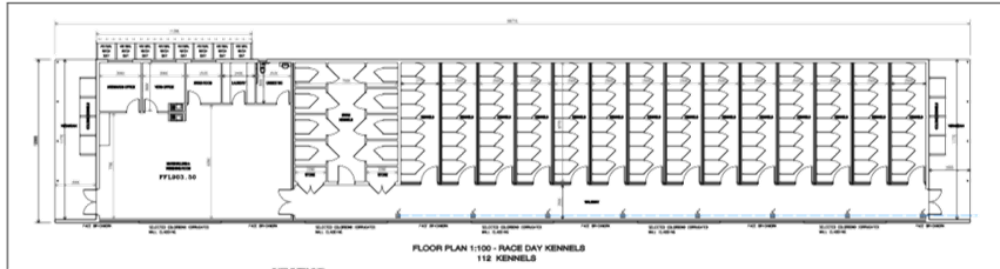
Proposed Buildings

*Race Day Kennels*

The proposed construction of 800m<sup>2</sup> (approximately 806m<sup>2</sup> including open verandah structure), 112 race day holding kennels, marshalling and weighing room, office space, vet office and swab kennels, which will be connected to reticulated sewer via a privately owned rising main and sewer pump station. The proposal consists of no windows along the northern and southern elevations for the extent of the kennels. The building will have a maximum height of approximately 5.19 metres from natural ground level (NGL).

The applicant has advised that the building design satisfies the minimum standards for recourse facilities and amenities – specifications for kennel and scales areas: wash bays, vet room, swab room and per the minimum standards for conduct of races and greyhound races in accordance with section 26(1) of the *Greyhound Racing Act 2017*.

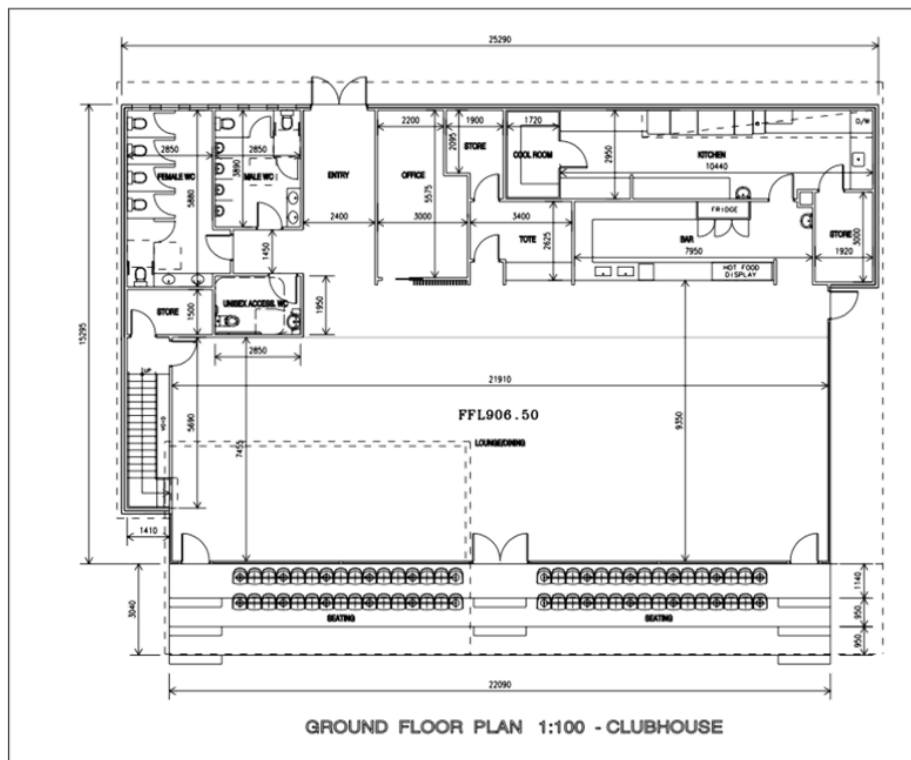
**The Proposal (cont)**



**Figure 5 – floor plan of race day kennels – 112 kennels and associated rooms**

*Clubhouse*

The proposed construction of a 474.4m<sup>2</sup> clubhouse which includes lounge and function room, kitchen and bar facilities, office, toilets, external viewing platform and seating arrangements. The building will have a maximum height of approximately 8.127m from NGL. The building will consist of aluminium framed windows and Colorbond wall sheeting. The tiered external seating area for 64 people is provided along the southern side in a stepped viewing arrangement.

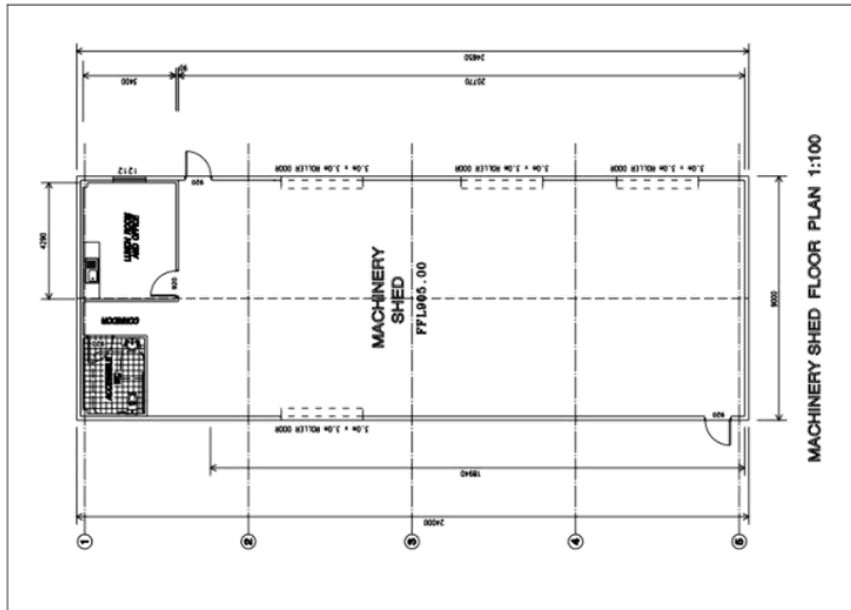


**Figure 6 - ground floor plan of proposed clubhouse**

**The Proposal (cont)**

*Machinery Shed*

The proposed construction of 222m<sup>2</sup> machinery shed with lunchroom/office and accessible Water Close (WC). The building will have an overall height of 4.97metres measured from natural ground level. The building will consist of enclosed trimdek wall sheeting that will store machinery.



**Figure 7- floor plan of proposed machinery shed**

Proposed Use and Hours of Operation

*Race Days*

The proposed operation will consist of one race day, once a week, typically commencing at 3pm and finishing at 6:30pm, except for two cup meetings per year which will finish at approximately 9:30pm.

The number of patrons for race days may involve up to 150 spectators on occasion, but typical attendance is 80 to 112 patrons, depending on the event. Race days will involve approximately 30 to 35 trainers, and up to 20 staff of the facility (club staff, stewards, vets, video operators). Typical greyhound dog numbers may involve 80 to 112 depending on the number of events.

The proposed training and administrative tasks are expected to occur weekly and during daylight hours, which will involve up to 15-30 people attendees.

**The Proposal (cont)***Club House Operation*

The clubhouse provides a bar, kitchen and lounge area to accommodate people as well as ancillary social functions. The applicant has advised that the nighttime functions associated with the racecourse will occur no later than midnight.

The use of the clubhouse is ancillary to the Recreation facility (major) and must not occur outside of primary operation of the use, being for racecourse, training or administrative tasks. A condition of consent is recommended accordingly.

*Administration Hours*

Track and training work shall occur one day per week and only during daylight hours. There is no public involvement on these days. The proposed training and administrative tasks are expected to occur weekly and during daylight hours and typically involve 15-30 people attendees.

*Proposed Recreation Field*

The proposed development identifies the location of a sporting field which may be made available for community sports, training and recreation by determination of the operator of the site. No use of the clubhouse or outdoor lighting will occur during this time. A condition of consent has been recommended.

Lighting and Power

The construction of 21 lighting poles is proposed to be constructed on the site, which consists of 16 lighting poles on the inside of the track (B1-16) and 5 lighting poles located within proximity to the clubhouse and grassed area (ringed parade) (A1-A5).

The proposed lighting poles known as A1-A5 have an overall height of 21.00m and the lighting poles known as B1-16 have a height 21.30m. Each pole will be topped with spill and glare visors which shield the light source from being visible to road traffic and neighbouring areas.

The applicant has provided a Lighting Compliance and Track Lighting Design which identifies the Lighting complies track lighting design and spill light compliance with Australian Standards 4282:2023 – Control of the obtrusive effects of outdoor lighting. The lighting has been assessed in accordance with the applicable Australian Standard, discussed below.

The applicant has confirmed that the hours of operation of the lighting will occur only on race days.

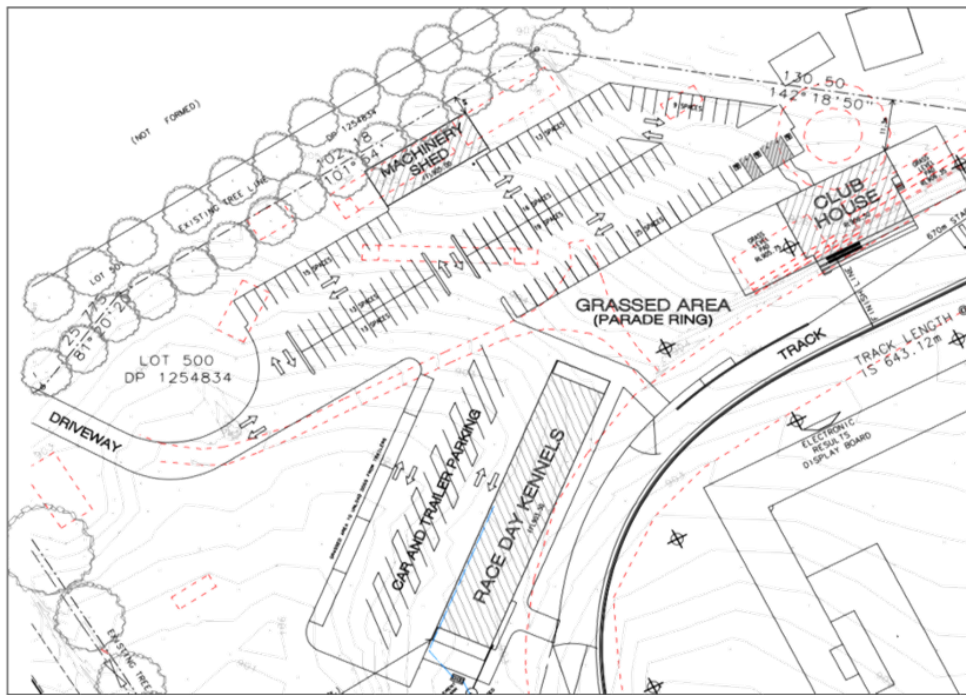
**The Proposal (cont)**

Access and Servicing

Vehicular access to the site will be from a shared existing access arrangement over Lot 501 DP 1254834.

The proposal seeks to provide 139 carparking spaces, including 3 accessible car spaces and 16 car and trailer spaces. The carparking spaces have been designed in accordance with Australian Standard AS2890:2004 for carparking, accessible spaces and car/trailer parking spaces.

Loading and service vehicle access occurs via the proposed crossover and has been catered for internally to the site. The application has provided swept path analysis for B99 Vehicle and Trailer within the submitted Traffic Impact Assessment Report. Deliveries and other services activities will occur on race days, during training periods and outside of the operating hours, as discussed below.



**Figure 8- proposed carparking layout**

Landscaping and Pedestrian Connectivity

A Landscaping Plan has been as part of application. The proposal seeks to provide 32 golden ash trees along the driveway, and native trees, trees and shrubs around the carparking area. There is sufficient area onsite to accommodate plantings that will provide sufficient screening and established trees.

The proposed development provides pedestrian connectivity across the site via internal pathways as identified on the plans.

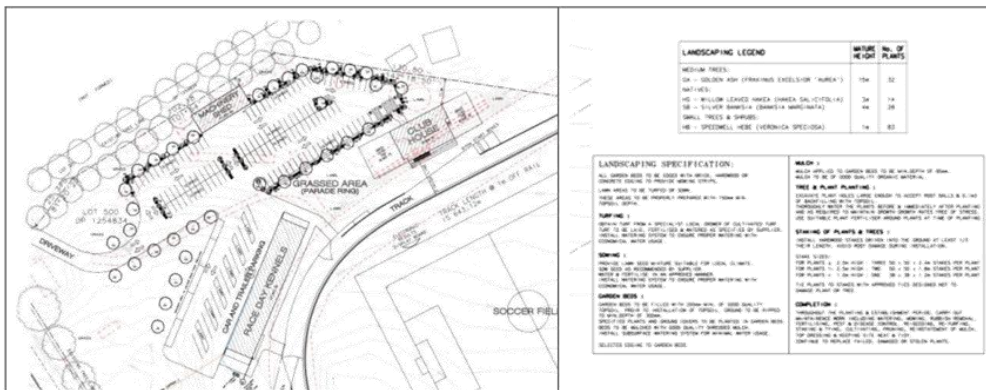


Figure 9- proposed landscaping plan

**SITE DESCRIPTION AND LOCALITY**

Lot 500 DP 1088704 (“the site”) has an area of 16.12ha and Lot 501 has an area of 5.739ha. The site falls approximately 7m in southwest direction towards the Mitchell Highway.



Figure 10 – locality plan

**Site Description and Locality (cont)**

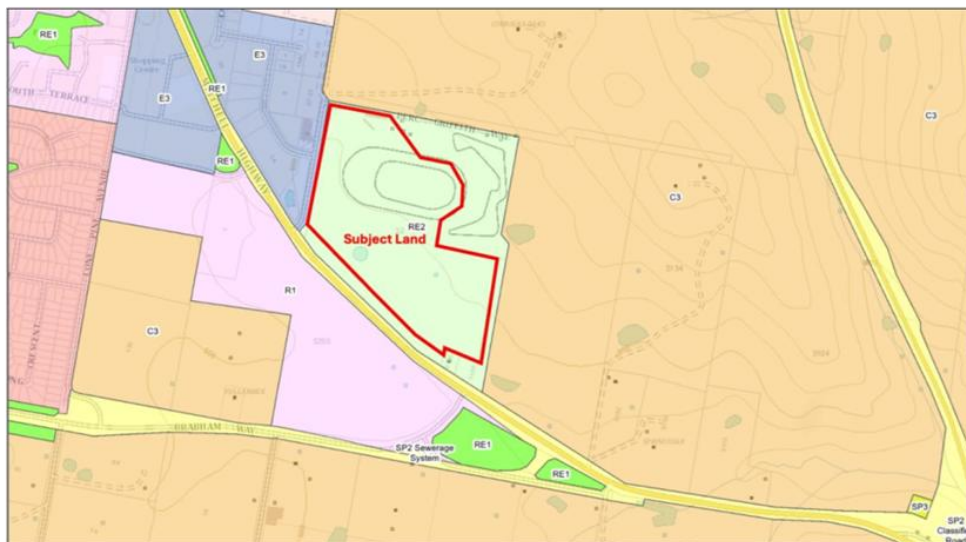
Lot 500 currently contains nine (9) existing buildings and an existing racetrack which was previously used as the Harness Racing (Trotting Track). Lot 501 is currently used as a Go-kart facility.

The site has been substantially cleared of vegetation within the existing footprint of buildings and the existing racetrack. The site contains existing street trees located within the road reserve of Perc Griffith Way (west) and within the existing driveway of Lot 501 and Perc Griffith Way (north) (gazetted, unformed road). These trees are proposed to be retained as part of the development application.

Access to the site is via Perc Griffith Way (west). Perc Griffith Way forms part of Council’s local road network. The road consists of an existing road reserve width of approximately 20m width, with a partially sealed pavement and kerb and channel running along one side.

The subject site adjoins land zoned located within the C3 Environmental Management zone to the north and east, E3 Productivity Support zone to the west and R1 General Residential zone to the south.

The site is also located within proximity to the Redmond Place Precinct (also known as Redleaf). Whilst that development has yet to commence construction, the development will cater for 274 residential dwellings, the layout of Redleaf is identified in Figure 10. The subdivision development application for 167 lots (Council Ref: DA298/2025(1) has been submitted to Council and is currently being assessed.



**Figure 11 – zoning map**

**DEVELOPMENT SITE HISTORY**

The existing trotting track was originally established in 1988 for betting ring, TAB, horse stables, shelter, patrons' grandstand shelter and general-purpose building (Council Reference: 1988/462) by way of a building approval.

On 8 January 1996 Council approved demolition of existing stables for the Orange Harness Racing Club.

On 9 December 1999 Council approved a subdivision over the site which sought to realign the boundary between the Trotting Track and Go Kart Track (Council Reference: DA 1999/307).

The site operated as a trotting track from 1988 to 2013; it is understood the Trotting Track was last in operation in 2013. Existing infrastructure such as buildings, the track and fence remain onsite to date.

The Go Kart Track, located on lot 501 DP 1254834 is still currently in operation. The track was approved by way of development consent in 1984 (Council Reference: 158/84).

**STATUTORY CONSIDERATIONS****SECTION 1.7 - APPLICATION OF PART 7 OF THE *BIODIVERSITY CONSERVATION ACT 2016* AND PART 7A OF THE *FISHERIES MANAGEMENT ACT 1994***

In consideration of Section 1.7 of the EP&A Act identified that Part 7 of the Biodiversity Conservation Act 2016 (BC Act) and Part 7A of the Fisheries Management Act 1997 have effect in connection with terrestrial and aquatic environments.

There are four triggers known to insert a development in the Biodiversity Offset Scheme (ie the need for BDAR to be submitted with a DA):

- **Trigger 1:** development occurs on land mapped on the Biodiversity Values Map (OEH) (section 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 (7.2 and 7.3 of BC Act 2016).

The fourth trigger (development proposed to occur in an Area of Outstanding Biodiversity Value (section 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 provided against the fourth trigger.

**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 cleared of existing vegetation within the development footprint. The application has proposed to remove 11 non-native trees, as discussed below. The proposal will not involve the removal of native vegetation or grassland as the proposed extent of development conforms within the bounds of the existing track and buildings.

**Section 1.7 - Application of Part 7 of the *Biodiversity Conservation Act 2016* and Part 7A of the *Fisheries Management Act 1994* (cont)**
**Trigger 3**

As the site contains sparse 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 report 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 other thresholds or considerations outlined in these provisions.

**SECTION 4.14 - BUSHFIRE**

Section 4.14 of the *Environmental Planning and Assessment Act 1979* requires the consent authority to consider various matters, of which those pertaining to the application include the following:

- (1) *Development consent cannot be granted for the carrying out of development for any purpose (other than a subdivision of land that could lawfully be used for residential or rural residential purposes or development for a special fire protection purpose) on bush fire prone land (being land for the time being recorded as bush fire prone land on a relevant map certified under section 10.3(2)) unless the consent authority—*
  - (a) *is satisfied that the development conforms to the specifications and requirements of the version (as prescribed by the regulations) of the document entitled *Planning for Bush Fire Protection* prepared by the NSW Rural Fire Service in co-operation with the Department (or, if another document is prescribed by the regulations for the purposes of this paragraph, that document) that are relevant to the development (the relevant specifications and requirements), or*
  - (b) *has been provided with a certificate by a person who is recognised by the NSW Rural Fire Service as a qualified consultant in bush fire risk assessment stating that the development conforms to the relevant specifications and requirements.*

The site is identified as bushfire prone land.

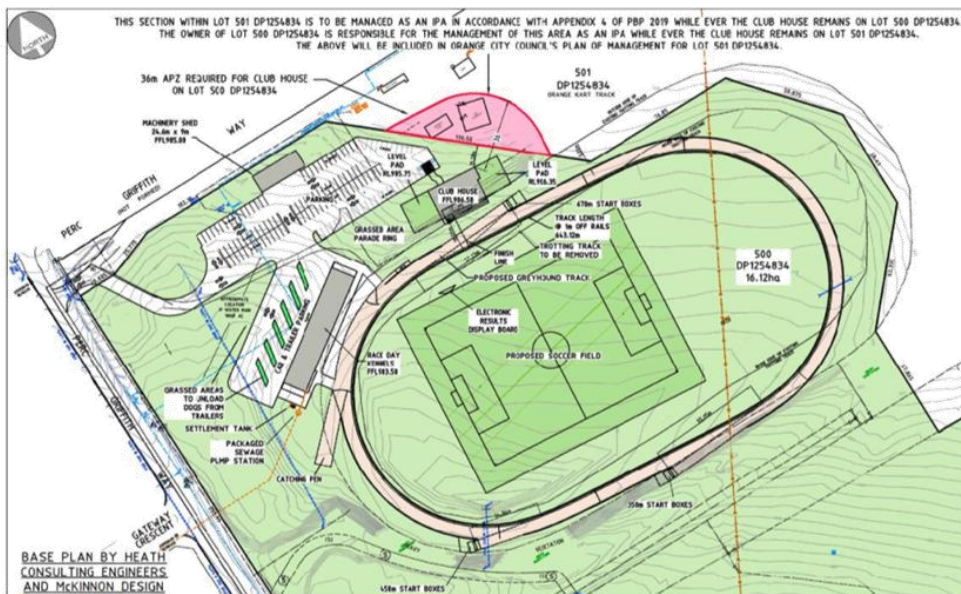


**Figure 12: bushfire mapping**

**Section 4.14 – Bushfire (cont)**

All development applications on or impacting on bushfire prone land must demonstrate compliance with the *Planning for Bushfire Protection 2019 (PBP) Guide*. A Bushfire Assessment Report has been as part of application. The assessment considers the clubhouse as a Special Fire Protection Purposes (SFPP) building because it is a public assembly building. The assessment includes recommendations regarding construction standards, access, water supply, emergency management and landscaping.

For the purposes of PBP, the development is considered a Public Assembly Building and treated as a Special Fire Protection Purpose (SFPP) due to the evacuation challenges presented by large crowds. The proposal has therefore been assessed against the specific objectives of Chapter 6 of PBP, as well as relevant provisions in Part 8.3.1 (*Buildings of Class 5-8*) and Part 8.3.8 (*Outdoor Events in Bushfire Prone Areas*). A Bushfire Assessment Report has been submitted and referred to NSW Rural Fire Service (RFS).



**Figure 13: proposed asset protection zone (APZ) on Lot 501 DP1254834**

The establishment of an APZ around the proposed clubhouse relies on part of the land located at Lot 501 DP1254834, which is currently owned by Council and is subject to Council’s Plan of Management. The Plan of Management will be required to be amended to ensure the portion of land is managed and the asset protection zone is maintained.

Further, the report identified that the acceptable solution for construction for SFPP Development is a construction level of BAL 12.5 under AS 3959, or NASH Standard, and section 7.5 of PBP is applied.

**Section 4.14 – Bushfire (cont)**

On 14 January 2026 the Rural Fire Service provided a determination notice in accordance with section 4.14 of the *Environmental Planning and Assessment Act*. The Rural Fire Service has provided recommended conditions of consent.

On this basis, the following conditions of consent are recommended:

- That the development is carried out in accordance with the conditions contained within the RFS Determination Letter, dated 14 January 2026.
- The Plan of Management for Lot 501 DP1254834 is amended to establish and maintain an Asset Protection Zone around the clubhouse and the requirements for maintenance.
- A Bushfire Emergency Management and Evacuation Plan is to be prepared by a suitable qualified person in accordance with NSW RFS document: Guide to developing a Bushfire Emergency Management Evacuation Plan and Australian Standard A3745:2010.
- The fire control measures identified in the Bushfire Hazard Assessment Report are implemented onsite.
- A Water reticulation analysis be carried out to provide water main connections located adjacent to the shared vehicle access which will inform requirements under the Building Code for fire hydrant and a fire hose reel coverage.

**SECTION 4.15 - EVALUATION**

Section 4.15 of the *Environmental Planning and Assessment Act 1979* requires Council to consider various matters, of which those pertaining to the application include the following:

**S4.15(1)(a)(i) - PROVISION OF ANY ENVIRONMENTAL PLANNING INSTRUMENT****Orange Local Environmental Plan 2011****Part 1 - Preliminary**Clause 1.2 - Aims of Plan

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

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

Clause 1.2 - Aims of Plan (cont)

The proposal development complies with the above listed objectives as discussed below:

- (a) The proposed development will provide a diverse economic benefit to Orange that will complement and enhance the unique characteristics of Orange as a major regional centre boasting a diverse economy and offering an attractive regional lifestyle. As a regional facility, the proposed development will encourage increased visitation to the City of Orange and generate flow-on effect to other parts of the local economy.
- (b) The site has a historical land use as the Harness Racing (Trotting) Track and contains existing dilapidated buildings previously utilised for horse racing facilities. The site is located at the entrance to Orange from the Mitchell Highway (from Bathurst) and is located on the current urban fringe. The site location provides necessary separation from the remainder of the town to manage impacts associated with acoustics, traffic and outdoor lighting. The social, economic and environmental aspects of the development and the principles for ecologically sustainable development are discussed below.
- (c) The proposed development, with mitigation through conditions of consent, will conserve and enhance water resources on which Orange depends, particularly the protection and enhancement of water supply catchments are discussed below.
- (d) The proposed development recognises and manages environmental, landscape and scenic features of Orange as discussed below.

The application is considered to satisfy the above-listed aims

Clause 1.7 Mapping

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

Land Zoning Map:	<b>RE2 Private Recreation</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/high/medium biodiversity sensitivity on the site
Groundwater Vulnerability Map:	<b>Groundwater vulnerable</b>
Drinking Water Catchment Map:	<b>Drinking water catchment</b>
Watercourse Map:	Not within or affecting a defined watercourse
Urban Release Area Map:	Not within an urban release area
Obstacle Limitation Surface Map:	No restriction on building siting or construction
Additional Permitted Uses Map:	No additional permitted use applies
Flood Planning Map:	Not within/within a flood planning area

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

Clause 1.9A - Suspension of Covenants, Agreements and Instruments

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

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

The following matters are relevant:

A term of easement for Drainage of Water 5 wide numbered 2 in part 1:

*"Easement for drainage of water in terms as set out in Part 7 of Schedule 4A of the Conveyancing Act 1919, as part of its development application for any development lodged in respect of the lot burdened, the owner of the lot burdened undertakes at its full cost to relocate the site of the easement on the lot burdened and to reconstruct within the relocated easement the works necessary to drain stormwater from Lot 501 and/or Perc Griffith Way and Cameron Place, as application, to the requirements of Orange City Council, then upon registration of the relocated easement and construction works required to be reasonable satisfaction of Orange City Council, will release so much of the existing easement no longer required for drainage purposes provided that any costs incurred in so doing at to be reimbursed by the owner of the lot burdened."*

The terms of this easement will be addressed as part of the stormwater engineering design prior to the issue of a construction certificate. A condition of consent has been recommended to this effect.

A term of restriction on the use of land numbered 3 in part 1:

*"identifies no development shall be carried out on the lot burdened unless the development application is accompanied by a Noise Assessment Report, prepared by a suitability qualified and experienced acoustic practitioner that details the design and location requirements for the proposed development that details the design and location requirements for the proposed development so as to comply with the relevant noise standards, at the time of lodgement of the development application so as to provide the necessary noise protection for the development from the noise effects generated by the operation of the go cart track situation on Lot 501 in this plan."*

A Noise and Vibration Impact Assessment report was as part of development application. The Orange Kart Racing Club has been considered in the report, however the report determined that the current recreational facility is not a noise-sensitive receiver as the existing land use is not considered sensitive in nature. A further review has been undertaken in the Noise and Vibration Impact section of this report.

Clause 1.9A - Suspension of Covenants, Agreements and Instruments (cont)

A term of restriction on the use of land numbered 4 in Part 1:

*“No development shall be carried out on the lot burdened unless and until the lot burdened is connected to Orange City Council’s reticulated water system and reticulated sewerage at the cost of the owner of the lot burdened.”*

The proposed development will be required to be connected to reticulated water and sewerage systems, at the cost to the owner of the lot burdened. The connections are shown on the proposal plans and a condition of consent has been recommended to this effect.

**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 RE2 Private Recreation zone. The proposed development is defined as a Recreation facility (major) under OLEP 2011 and is permitted with consent for this zone.

Orange Local Environmental Plan 2011 defines Recreation Facility (major) as:

**Recreation facility (major)** means: -

*“a building or place used for large scale sporting or recreation activities that are attended by large numbers of people whether regularly or periodically, and includes theme parks, sports stadiums, showgrounds, racecourses and motor racing tracks.”*

The proposed development is defined as a Recreation facility (major), the proposed development being a racecourse that will be used for recreational purposes; with ancillary buildings proposed to support the operation and function of the predominate use of the site.

As defined in the dictionary, the term “racecourse” refers to land used for racing, typically incorporating a defined racing circuit and associated and supporting infrastructure, including building services and spectator facilities. As a result, a racecourse and racetrack are considered interchangeable terms for the purposes of the assessment.

To ensure compliance with the definition, a condition of consent has been recommended that the clubhouse, race day kennels and machinery storage remain ancillary to the primary use of the site, being Recreational facility (major). The use of the clubhouse is limited to operations associated with the racetrack and must not be open to the public outside of race days, or training/administrative duties by the operator.

The objective for land zoned RE2 Private Recreation are as follows:

*“Objectives of zone RE1 Public Recreation*

- *To enable land to be used for public open space or recreational purposes.*
- *To provide a range of recreational settings and activities and compatible land uses.*
- *To protect and enhance the natural environment for recreational purposes.*
- *To ensure development is ordered in such a way as to maximise public transport patronage and encourage walking and cycling in close proximity to settlement.*
- *To ensure development along the Southern Link Road has alternative access.”*

Clause 1.9A - Suspension of Covenants, Agreements and Instruments (cont)

The proposed development does not adversely affect the natural environment. It will not impact upon native vegetation and appropriate measures will be implemented to protect environmental aspects as follows:

- A condition of consent is recommended for stormwater design to include onsite stormwater detention. This will ensure that all stormwater and roof water is appropriately treated onsite prior to discharge to the lawful point of discharge. There is sufficient area on the site to accommodate a detention basin, subject to engineering design.
- A condition of consent is recommended for an Operational Management Plan to be prepared and implemented onsite. This will ensure that the onsite operations are managed appropriately, particularly in relation to the removal or treatment of liquid and solid waste from animals.
- The proposed development seeks to connect to reticulated sewer via a raising main and private sewerage pump station. This will ensure the proposed 'race day kennels' are appropriately managed and maintained, with access to Council sewer and an appropriate wash-down area.
- The proposed development will be appropriately designed to achieve bushfire standards, including appropriate bushfire attack levels and asset protection zones.
- The proposal seeks to remove existing non-native vegetation. Landscaping will accommodate for the re-planting of the loss of vegetation and will provide sufficient vegetation screening. A landscape plan was as part of application.
- The development will continue to provide a recreational land use to members of the public in an appropriate location that has a historical use of racing. The development is connected via an existing transport network and utility services, which will be upgraded to ensure safety and efficiency of road users. A condition of consent has been recommended to this effect.

As such, the proposal achieves the objectives for the zone.

**Clause 2.7 - Demolition Requires Development Consent**

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

The proposal involves demolition of existing buildings. The demolition works proposed will have no significant impact on adjoining lands, streetscape or public realm. A condition of consent is recommended for a Construction Management Plan to be submitted which identifies the hours of operation, noise requirements, dust suppression and the need to investigate for, and appropriately manage the presence of any materials containing asbestos, as discussed below.

**Part 3 - Exempt of Complying Development**

The application is not exempt or complying development.

**Part 4 - Principal Development Standards**

This part is not relevant to the application.

**Part 5 - Miscellaneous Provisions**

This part is not relevant to the application.

**Part 6 - Urban Release Area**

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

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

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

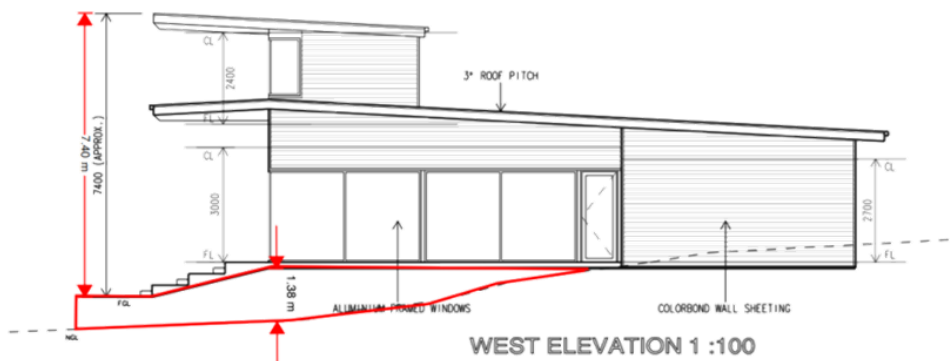
*(3) Before granting development consent for earthworks, the consent authority must consider the following matters-*

- (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).*

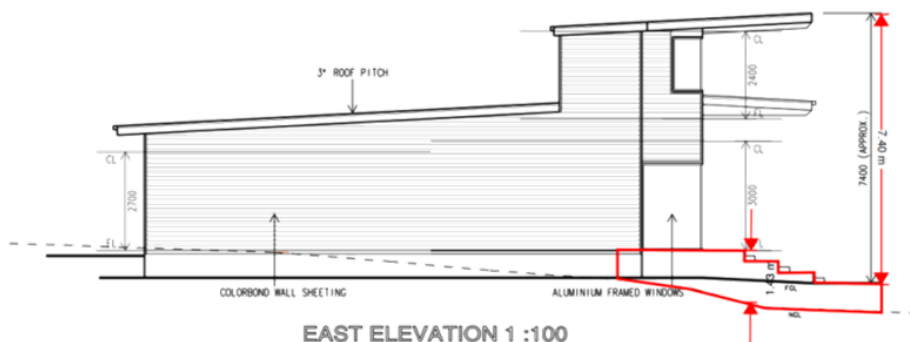
**Part 7 - Additional Local Provisions (cont)**

The proposed development includes a modest level of earthworks and retaining structures to facilitate the construction of the new buildings and the track. Based on the submitted proposal plans and the contours plans, Council staff have carried out an assessment of the floor level of the proposed buildings range (above or below 1m) as follows:

Table 1: Existing/Proposed Earthworks and Retaining Structures		
Proposed Clubhouse and Grass Level Pad		
Existing Ground Level	Proposed Finished Floor Level (FFL)	Level Change + Retaining Structure above Natural Ground Level (NGL)
905m AHD - 907m AHD	905.75m FFL for Grass level pad and 906.50m FFL for Clubhouse	Maximum height of retaining structure 1.38m - 1.43m



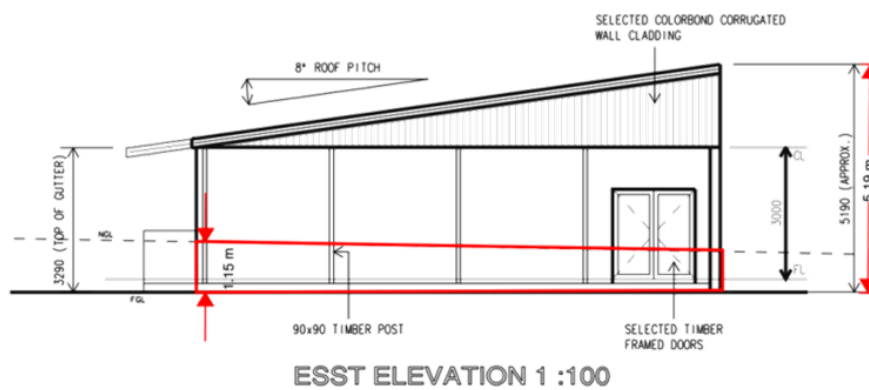
**Figure 14 – assessment officer markup of west elevation of clubhouse retaining structures above natural ground level (highest point approx. 1.38m)**



**Figure 15 – assessment officer markup of east elevation of clubhouse retaining structures above natural ground level (highest point approximately 1.43m)**

**Part 7 - Additional Local Provisions (cont)**

<b>Proposed Race Day Kennels</b>		
<b>Existing Ground Level</b>	<b>Proposed Finished Floor Level (FFL)</b>	<b>Level Change + Retaining Structure above Natural Ground Level (NGL)</b>
902m - 903m AHD	903.50m FFL	1.15m



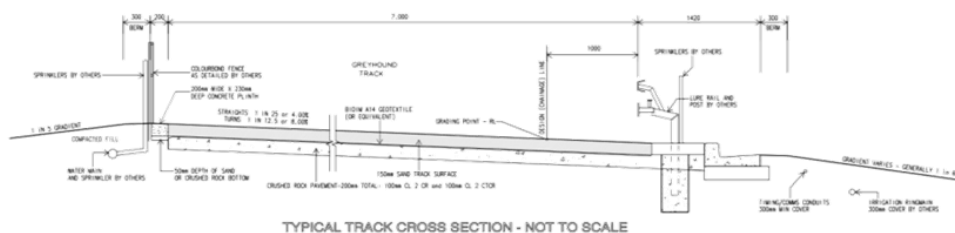
**Figure 16 – assessment officer markup of east elevation of race day kennels retaining structures below natural ground level (approx. 1.15m)**

**Proposed Machinery Shed**

The proposed earthworks and retaining structures do not exceed more than 1m above or below natural ground level.

**Racecourse**

The proposed development seeks to realign the existing racing track. The application has identified compacted fill will be required to achieve 1 in 5 gradient and 1 in 6 gradient as identified on the submitted Typical Track Cross Section plan.



**Figure 17 – typical track cross section**  
The levels across the racecourse range from 902m AHD to 905m AHD. The proposal will require compacted fill which will be retained by a Colorbond fence and deep concrete plinth.

**Part 7 - Additional Local Provisions (cont)**

The earthworks proposed in the development are limited to the extent of cut and fill required for the proposed building or structure. As demonstrated above, the highest retaining structure will be 1.43m for the extent of the grandstand component, which is stepped in nature. This is considered acceptable as the portion is limited to the southern elevation and will not affect the amenity of adjoining properties. There will be minor earthworks required to realign the existing racing track to achieve the appropriate grades.

The extent of disruption to the drainage of the site is minor and will not detrimentally affect adjoining properties or receiving waterways. The earthworks will be appropriately supported onsite and the change in ground level is not substantial.

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

Further, a condition of approval is recommended to require a sediment control plan, including silt traps and other protective measures, to ensure that loose dirt and sediment does not escape the site boundaries. As a precautionary measure, a condition of consent is recommended requiring that only virgin excavated natural material (VENM) be imported/deposited on the site.

**7.3 - Stormwater Management**

This clause applies to land in residential, employment and mixed-use zones. The objective of this clause is to minimise the impacts of urban stormwater on the land to which the development applies and on adjoining downstream properties.

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

There are no aspects of the proposed development that would result in adverse impacts upon stormwater on the subject land or on adjoining properties as follows:

- Subject to final engineering design and approval, stormwater management will involve onsite detention and water quality protection measures contained within the site (Lot 500). The proposal plans identify an appropriate location of a stormwater retention basin; there is sufficient area onsite to accommodate the detention basin.
- Proposed stormwater flows from roof water and ground waters will be directed to a lawful point of discharge.

**Part 7 - Additional Local Provisions (cont)**

- The stormwater infrastructure will be installed to maintain predevelopment water quality and quantity. The infrastructure will be required to be designed and approved at detailed design phase. A condition of consent is recommended accordingly.

As such, the proposed has been designed and sited to minimise any impact, and the impact will be managed through conditions of consent.

**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.

- (3) *Before determining a development application for development on land to which this clause applies, the consent authority must 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.*
- (4) *Development must not be granted to development on land to which this applies unless the consent authority 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.*

Groundwater contamination occurs when hazardous materials, such as chemicals, gasoline, pesticides or sewerage, seep into underground aquifers from the surface, making the water unsafe or unusable. There are no aspects of the proposed development that would result in adverse impacts upon groundwater resources as follows:

- No onsite effluent disposal is proposed onsite; wastewater will be appropriately discharged via a connection to Council's reticulated sewerage. The proposed race day kennel where the animals will be held temporarily will be connected to reticulated sewerage and water to ensure appropriate maintenance.
- The proposed development does not involve the extraction of groundwater and does not contribute to groundwater depletion.

**7.6 - Groundwater Vulnerability (cont)**

- The proposed development does not involve the production, storage or disposal of large quantities of chemical waste. The proposal identifies the location of a machinery shed, where it is anticipated machinery and storage of chemicals for the ongoing maintenance of the racetrack and grounds (eg pesticides) will be stored. The shed is located at the northern boundary of the site and will be connected to reticulated water and sewerage. A condition of consent has been recommended that all chemicals associated with ongoing maintenance of the racetrack are stored in accordance with the relevant Australian Standards and stored within an existing building where the relevant spill cleanup procedure is adopted.

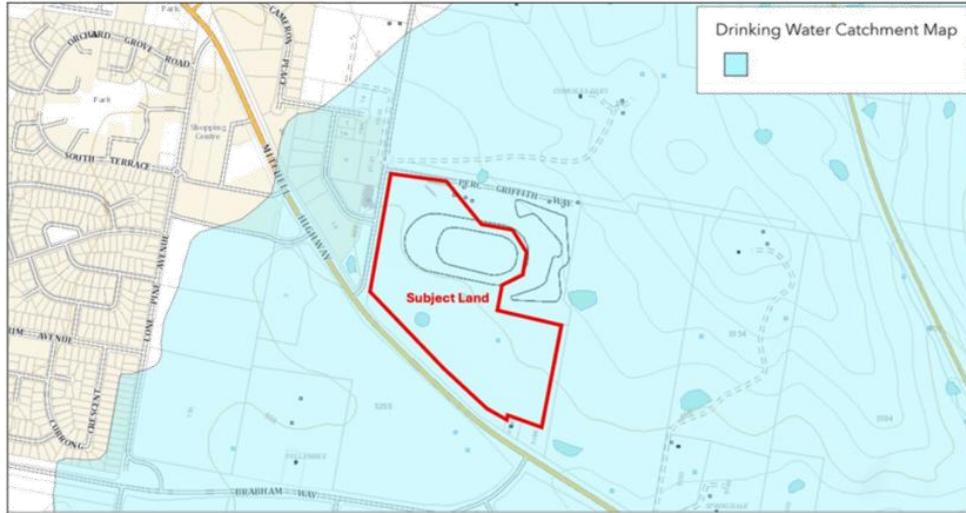
As such, the proposed development has been designed, sited and managed in a way to minimise any impact, and the impact will be managed through conditions of consent, including the requirement for an erosion and sediment control plan.

**7.7 - Drinking Water Catchments**

- (1) *The objective of this clause is to protect drinking water catchments by minimising the adverse impacts of development on the quality and quantity of water entering drinking water storages.*
- (2) *This clause applies to land identified as "Drinking water" on the Drinking Water Catchment Map.*
- (3) *Before determining a development application for development on land to which this clause applies, the consent authority must consider whether or not the development is likely to have any adverse impact on the quality and quantity of water entering the drinking water storage, having regard to:*
  - (a) the distance between the development and any waterway that feeds into the drinking water storage, and*
  - (b) the onsite use, storage and disposal of any chemicals on the land, and*
  - (c) the treatment, storage and disposal of wastewater and solid waste generated or used by the development.*
- (4) *Development consent must not be granted to development on land to which this clause applies unless the consent authority is satisfied that:*
  - (a) the development is designed, sited and will be managed to avoid any significant adverse impact on water quality and flows, or*
  - (b) if that impact cannot be reasonably avoided - the development is designed, sited and will be managed to minimise that impact, or*
  - (c) if that impact cannot be minimised - the development will be managed to mitigate that impact.*

**7.7 - Drinking Water Catchments (cont)**

The site is located on the cusp of the drinking water catchment as identified in the below map.



**Figure 18 – drinking water catchment map (orange LEP 2011)**

There are no aspects of the proposed development that would result in adverse impacts upon the drinking water catchment as follows:

- Subject to final engineering design and approval, stormwater management will involve onsite detention and water quality protection measures contained within the subject site (Lot 500).
- Proposed stormwater flows from roof water and ground waters will be directed to a lawful point of discharge.
- The stormwater infrastructure will be installed to maintain predevelopment water quality and quantity.
- The proposed buildings will be connected to reticulated water and sewerage to ensure appropriate management of solid and liquid waste from the site.
- A condition of consent is recommended that an Operational Management Plan is adopted to ensure that appropriate operational aspects of the cleaning up of animals and rubbish is maintained by the site operator.
- The site adjoins land that is utilised for agricultural purposes located to the north and west of the site. The proposed use is not dissimilar to the current practices of the removal of animal waste on the land located within the drinking water catchment.

As such, the proposed development has been designed, sited and operated to minimise any impact, and the impact will be managed through conditions of consent.

**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,*
- (e) *suitable road access.*

In consideration of this clause, all utility services are available to the land and adequate for the proposal, subject to upgrades as follows:

- The site contains an existing water connection currently located within Perc Griffith Way. The water connection will be extended to meet the needs of the development. Further, the site also contains an existing fire hydrant. The proposed development will also be required to comply with the appropriate fire safety requirements for buildings under the Building Codes of Australia (BCA).
- The site is currently serviced by electricity and telecommunications which will be connected to the development in accordance with the requirements of the supply authority.
- The proposed development seeks a private sewerage pump station. Sewage will then be then pumped via a sewerage rising main to the existing sewerage main located within Gateway Crescent/Perc Griffith Way. The pump station will be privately maintained. A condition of consent is recommended that a water and sewerage approval is sought under section 68 of the *Local Government Act 1993*.
- Stormwater will be managed in accordance with Council's Development and Subdivision Code. Subject to final engineering design and approval, this will involve onsite detention and water quality protection measures. Flows will be directed to the existing discharge points within the subject land and directed to a lawful point of discharge.
- Access to the proposed development will be from Mitchell Highway and Perc Griffith Way, which will be upgraded as identified in recommended conditions of consent.

As such, the proposed development has been designed and sited to minimise any impact, and the impact will be managed through conditions of consent.

**STATE ENVIRONMENTAL PLANNING POLICIES**

The following SEPPs applicable to the proposed development:

- *State Environmental Planning Policy (Transport and Infrastructure) 2021*
- *State Environmental Planning Policy (Sustainable Buildings) 2022*
- *State Environmental Planning Policy (Industry and Employment) 2021*
- *State Environmental Planning Policy (Resilience and Hazards) 2021*
- *State Environmental Planning Policy (Planning Systems) 2021*

**State Environmental Planning Policy (Transport and Infrastructure) 2021****Transport for NSW**

Transport for NSW (TfNSW) provided written confirmation on 21 January 2026 that has confirmed a referral is not required under Clause 2.122 - Traffic-generating development.

TfNSW has advised that Council is the roads authority as per s.7 of the *Roads Act 1993*. Despite this, TfNSW primary interest is the road network, and the following advice was provided:

*“It is recommended that Council consider the intersection warrants within Section 3.3.6 of Austroads Guide to Traffic Management Part 6 – Intersections, Interchanges and Crossing Management, particularly for the left turn movement at the intersection of Mitchell Highway/Perc Griffith Way (local road).”*

To maintain safety and efficiency of the road network, external works upgrades will be required along Perc Griffith Way in accordance with the Orange City Council Development and Subdivision Code, being the following:

- A sealed pavement for the full length of the site along Perc Griffith Way, including road pavement, kerb and gutter, stormwater drainage and an earth formed verge on the development side of the road.
- A left-in turning lane along Mitchell Highway/Perc Griffith Way (local road). An alteration to the road reserve and line-marking along the Mitchell Highway (east) reserve will be required.
- A left out-turning lane out of Perc Griffith Way/Mitchell Highway. An alteration to the road reserve and line-marking along Perc Griffith Way will be required.

**Essential Energy****Subdivision 2 Development likely to affect an electricity transmission or distribution network**

## 2.48 Determination of development applications - other development

This section applies to a development application (or an application for modification of a consent) for development impacting on electrical infrastructure.

- (2) *Before determining a development application (or an application for modification of a consent) for development to which this section applies, the consent authority must-*
- (a) *give written notice to the electricity supply authority for the area in which the development is to be carried out, inviting comments about potential safety risks, and*
  - (b) *take into consideration any response to the notice that is received within 21 days after the notice is given.*

Section 2.48 of the SEPP refers to development likely to affect electricity transmissions or distribution networks. The application was referred to Essential Energy due to the location of existing overhead powerlines across the site. Essential Energy provided advice in relation to maintaining safety distance from existing infrastructure, or the relocation of infrastructure will be required. A condition of consent has been recommended requiring that an accredited ASP (Level 2 Electrician) be engaged to ensure the service wire complies with Australian Standard and the appropriate electrical legislation, or relocation will be required.

**State Environmental Planning Policy (Sustainable Buildings) 2022**

SEPP (Sustainable Buildings) 2022 applies to all non-residential development that involves the erection of a new building if the development has an estimated development cost of \$5million or more. Pursuant to Clause 3.2(1) all impacted non-residential development must report on the general sustainability measures incorporated in the scheme for consideration and provide assessment of the applicable criteria:

- (1) *In deciding whether to grant development consent to non-residential development, the consent authority must consider whether the development is designed to enable the following—*
- (a) *the minimisation of waste from associated demolition and construction, including by the choice and reuse of building materials,*
  - (b) *a reduction in peak demand for electricity, including through the use of energy efficient technology*
  - (c) *a reduction in the reliance on artificial lighting and mechanical heating and cooling through passive design,*
  - (d) *the generation and storage of renewable energy,*
  - (e) *the metering and monitoring of energy consumption,*
  - (f) *the minimisation of the consumption of potable water.*
- (2) *Development consent must not be granted to non-residential development unless the consent authority is satisfied the embodied emissions attributable to the development have been quantified.*

**Minimisation of Construction Waste**

The proposal requires the demolition of any existing buildings. The application states that a suitable qualified waste contractor will be engaged to collect, process and divert construction waste. A condition of consent has been recommended requiring that a construction management plan be submitted which includes information about the minimisation of construction waste.

**Building Materials**

Building materials such as aluminium framed windows have been provided on the clubhouse and race day kennels to reduce the reliance on artificial lighting, to some extent. The reduction of noise and amenity impacts have been prioritised (eg the kennel component of the building contains no windows). This is considered satisfactory due to the nature of the use and to reduce noise associated with barking animals.

**Solar Access**

The proposal can incorporate energy efficiency initiatives such as sufficient rooftop space to accommodate solar panels. The clubhouse consists of a skillion roof pitch with a 3 degree fall toward the north boundary, therefore utilising the most efficient rooftop elevation and capturing the northern sunlight.

**Consumption of Potable Water**

The proposal has explored the following initiatives during design to minimise the consumption of potable water, which include sanitary fixtures such as low-flow water fixtures throughout the development to reduce potable water consumption. Efficient landscape irrigation systems should be considered, including surface drip systems. A condition of approval is recommended requiring the irrigation system to be implemented onsite for the landscaping.

**NABERS Embodied Emissions Materials**

A NABERS Embodied Emission Material form has been submitted as part of the development application. The form identifies methods of reducing embodied emissions through sustainable material selections during design development.

**State Environmental Planning Policy (Industry and Employment) 2021**

SEPP (Industry and Employment) 2021 is applicable to any proposed future signage on the site. No signage has been submitted as part of the development application and will be subject to a separate application, if proposed. The applicant has advised that the installation of business identification signage will be subject to a separate development application.

**State Environmental Planning Policy (Resilience and Hazards) 2021****Chapter 4 - Remediation of Land****4.6 - Contamination and Remediation to be Considered in Determining Development Application**

- (1) *A consent authority must not consent to the carrying out of any development on land unless:*
  - (a) *it has considered whether the land is contaminated, and*
  - (b) *if the land is contaminated, it is satisfied that the land is suitable in its contaminated state (or will be suitable, after remediation) for the purpose for which the development is proposed to be carried out, and*
  - (c) *if the land requires remediation to be made suitable for the purpose for which the development is proposed to be carried out, it is satisfied that the land will be remediated before the land is used for that purpose.*
- (2) *Before determining an application for consent to carry out development that would involve a change of use on any of the land specified in subsection (4), the consent authority must consider a report specifying the findings of a preliminary investigation of the land concerned carried out in accordance with the contaminated land planning guidelines.*
- (3) *The applicant for development consent must carry out the investigation required by subsection (2) and must provide a report on it to the consent authority. The consent authority may require the applicant to carry out, and provide a report on, a detailed investigation (as referred to in the contaminated land planning guidelines) if it considers that the findings of the preliminary investigation warrant such an investigation.*
- (4) *The land concerned is:*
  - (a) *land that is within an investigation area,*
  - (b) *land on which development for a purpose referred to in Table 1 to the contaminated land planning guidelines is being, or is known to have been, carried out,*
  - (c) *to the extent to which it is proposed to carry out development on it for residential, educational, recreational or child care purposes, or for the purposes of a hospital -land:*
    - (i) *in relation to which there is no knowledge (or incomplete knowledge) as to whether development for a purpose referred to in Table 1 to the contaminated land planning guidelines has been carried out, and*
    - (ii) *on which it would have been lawful to carry out such development during any period in respect of which there is no knowledge (or incomplete knowledge).*

The historical use of the site has been for a recreation use as evidenced by the racing track and the existing supporting facilities. The use of the site is not changing to be a sensitive use. However, as a precautionary measure a condition of consent has been recommended requiring that a survey to determine the existence of any hazardous material on the site is to be provided and suitable arrangements are to be made to dispose of or remediate any identified hazardous materials.

**State Environmental Planning Policy (Planning Systems) 2021**

State Environmental Planning Policy (Planning Systems) 2021 applies to the proposal, being Regionally Significant Development as follows:

**Council related development over \$5 million**

- (3) *Development that has an estimated development cost of more than \$5 million if—*
- (a) *a council for the area in which the development is to be carried out is the applicant for development consent, or*
  - (b) *the council is the owner of any land on which the development is to be carried out, or*
  - (c) *the development is to be carried out by the council, or*
  - (d) *the council is a party to any agreement or arrangement relating to the development (other than any agreement or arrangement entered into under the Act or for the purposes of the payment of contributions by a person other than the council).*

The proposal is regionally significant development pursuant to Schedule 6 of State Environmental Planning Policy (Planning Systems) 2021 being a Council related development with a Capital Investment Value over \$5 million. As such, the Western Regional Planning Panel is the consent authority for the application. The development application is recommended for approval, subject to the conditions of consent and implementation of the submitted technical plans. The impacts of the development can be appropriately managed through conditions of consent.

**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. Chapters of the DCP relevant to the proposed use and development include:

- Chapter 0 – Transitional Provisions
- Chapter 11 – Land Uses for Open Space and Recreation
- Chapter 15 – Car Parking

An assessment of the proposed development against the relevant Planning Outcomes has been undertaken below:

**Chapter 00 Transitional Provisions - Tree Preservation (Clause 5.9)**

The proposed development requires the removal of 11 trees. The DCP Planning Outcomes for tree preservation are addressed as follows:

**Planning Outcome 1 - Trees prescribed by this DCP must not be ringbarked, cut down, topped or lopped or wilfully destroyed without the Council's approval and landowners' consent.**

The application includes a proposal plan which identifies the location of trees proposed to be removed. The trees to be removed are introduced species with a trunk diameter of at least 300mm at breast height.

Trees 1 and 2 are identified in Lot 501 DP1254834 and require removal to facilitate the proposed access crossover.

**Planning Outcome 2 - This clause applies to Eucalypts of any size belonging to the White Box, Yellow Box and Blakely's Red Gum Endangered Ecological Communities, including species indicated as affected in the tree preservation table.**

This Planning Outcome is not relevant as the proposal does not involve any of the trees listed. All trees to be removed are non-native introduced species.

**Planning Outcome 3 - This clause also applies to any tree, native or exotic, with a trunk diameter equal to or greater than 300mm at breast height (refer AS4970 -2009 for measurement guidelines)**

Trees 1 to 6 and 8 to 9 have a trunk diameter of a least 300mm at breast height.

Three trees identified as "Tree 7" do not require consent, although have been identified on the proposal plans for completeness.

**Planning Outcome 4 - Notwithstanding IP0-4(3) this clause does not apply to species indicated as exempt in the tree preservation table.**

This planning outcome is noted.

**Planning Outcome 5 - An application for Council's approval must be accompanied by an appropriately qualified specialist (arborist) report**

The trees to be removed are shown on the Figure 2 and in the images over the page.

Council staff have undertaken a site inspection to confirm the location and species of the trees, which are confirmed as non-native. The existing trees are fragmented and do not represent habitat for threatened or endangered species.

Trees 1 and 2 are required to be removed to facilitate an access crossover in accordance with the Development and Subdivision Code. Replacement planting is proposed as part of the landscape plan for the development.

A condition of consent is recommended requiring that fencing is implemented onsite to protect existing significant vegetation during construction phase.

**Chapter 00 Transitional Provisions - Tree Protection (cont)**



**Figure 19: photos of trees proposed to be removed**

**Chapter 11 - Land Uses for Open Space and Recreation**

The proposal is subject to the provisions of Orange Development Control Plan 2004 - Chapter 11 - Land Uses for Open Space and Recreation. The site is not identified as public land, but rather “operational land” under the DCP and *Local Government Act 1993*, which recognises land held by Council for operational or commercial purposes.

However, to remove any doubt an assessment has been carried out as follows:

- The need for the proposed development on that land.**
- The impact of the proposed development on existing or likely future use of the land.**
- How any proposed building complements the use of the land as public open space.**
- Whether public use of, and access to the site will be affected and to what extent.**

**Chapter 11 - Land Uses for Open Space and Recreation (cont)**

The proposed development is considered to comply with the above criteria as follows:

- The proposal will replace an existing facility located in the Central West which was affected by a significant flood event. The new facility will provide the region with an operational racetrack that supports local demand.
- The site has historically been used as a trotting track for a harness racing facility, otherwise known as the 'Highlands Paceway' and does not limit the likely future use of the land, being for recreational purposes. The site has remained disused since 2013 and consists of dilapidated buildings and an existing racetrack. On completion of the development the site will continue to be used as a recreational facility.
- The building design has been reviewed and will complement the use of the land for recreational purposes.
- The proposal does not adversely affect public access or use of the site; the use shall be open to the public during operational hours.

**Clause 15 Car Parking**

The DCP does not specify a parking rate for recreation areas.

A Traffic and Parking Impact Assessment was submitted to determine the number of parking spaces sufficient to serve the proposed development, discussed within the Access and Transport section of this report.

**DEVELOPMENT CONTRIBUTIONS****Planning Agreement**

No planning agreement applies to the site.

**Section 64 Local Government Act 1993**

Development contributions for water and sewer are applicable to the proposed development. Developer contributions and infrastructure requirements will be assessed and levied once the applicant/developer applies for s307 Certification of Compliance.

**PROVISIONS PRESCRIBED BY THE REGULATIONS s4.15(1)(a)(iv)****Demolition of a Building (clause 61)**

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

**Fire Safety Considerations (clause 62)**

The development will be required to achieve compliance with the Building Code of Australia (BCA) in relation to fire safety measures. Further details will be required and assessment undertaken at Construction Certificate stage.

**Buildings to be Upgraded (clause 64)**

Not Applicable. This section applies to a development application comprising the rebuilding, alteration, or extension of an existing building which is not proposed.

**Council Related Development (clause 66A)**

(1) *A council-related development application must not be determined by the consent authority unless –*

- (a) the council has adopted a conflict-of-interest policy, and*
- (b) the council considers the policy in determining the application.*

Council has adopted Strategic Policy ST26 - Council-Related Development Applications: Managing Conflict of Interests. In consideration of the policy:

- 1 The application is to be determined by the Western Regional Planning Panel (WRPP), a statutory body independent of Council;
- 2 The application has been publicly exhibited for a period of 28 days in accordance with Council's Community Participation Plan; and
- 3 A peer review of the assessment report and materials has been carried out by Council staff from Bathurst Regional Council (refer to the attachments).

**BASIX Commitments (clause 75)**

BASIX is not applicable to the proposed development.

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

In determining an application, a consent authority must take into consideration the likely impacts of the development, including impacts on both the natural and built environments, and social and economic impacts in the locality, which are discussed as follows:

**Context and Setting**

- The proposal has a historical use of betting ring, horse stables, patron shelter and general-purpose building for the Orange Harness Racing club. Although the use ceased operation in 2013, the buildings, structures and racetrack remain.
- The development maintains an appropriate relationship to surrounding land use(s), including the need to consider the planned Redmond Place precinct (otherwise known as Redleaf) located to the south of the site.
- The site is located on the eastern entrance of Orange (from Bathurst) on the current urban fringe. The subject site location provides necessary separation from the remainder of the city to manage impacts associated with acoustics, traffic and external lighting.

**Visual Impact and Landscape Character**

- The proposed buildings, racecourse and lighting will be set back approximately 251metres from the Redmond Place precinct and 58m from Perc Griffith Way. Existing vegetation onsite and along the Mitchell Highway provides sufficient screening. As a result, there will be limited visibility from the identified view corridors.



**Figure 20: approximate setbacks of proposed development to surrounds**

<b>Table 2: Approximate setbacks of proposed development to existing/approved surrounding development</b>		
<b>Location</b>	<b>Approximate Setback</b>	<b>Cardinal location</b>
Setback of proposed carpark to 9 Gateway Crescent	56m	West
Setback of proposed racecourse to Redmond Place precinct (Redleaf development)	251m	South and southwest
Setback of proposed machinery shed to existing dwelling house located at 34 Perc Griffith Way	402m and 397m	North and northeast
Setback of racecourse from 12 Gateway Crescent	103m	West

**Visual Impact and Landscape Character (cont)**

Council Officers have undertaken a viewpoint analysis of the proposed in relation to the following:

- (a) Buildings onsite massing
- (b) Building materiality
- (c) Racecourse massing
- (d) Carpark surface treatment
- (e) Landscape framework

The visual impact of the development is satisfactory based on the following:

- (a) The site does not occupy a highpoint or ridge, thus limiting the potential for it to be observed and appear prominent in long views. The proposed clubhouse will have a maximum building height of 2 storeys and 8.12m from NGL. The 2-storey component of the clubhouse will not be visible from the existing view lines. The proposed buildings and racetrack will maintain sufficient separation and will be set back to site boundaries, as identified within Table 2.
- (b) The proposed building finishes and materials have been amended in response to a request for additional information in relation to the materiality and length of wall for the 'race day kennels.' The proposal plans identify Colorbond wall sheeting, aluminium framed windows and face brickwork to break up the building bulk on the northern elevation.
- (c) The existing racecourse track will be realigned and formalised. The reconfiguration will have minimal visual impact - it is low to the ground and consists of a form that already exists.
- (d) The proposed carpark will be set back a minimum of 34m from Perc Griffith Way. The existing substantial tree line along Perc Griffith Way and the trees located within the right-of-way access on Lot 501 will be mostly maintained (except for Trees 1 and 2). Landscaping has been proposed along the driveway and carparking areas to provide screening. The landscaping plan identifies the planting of Golden Ash trees that will achieve a mature height of 15m, and other native vegetation shrubs that could achieve an anticipated mature height of 3m-4m. The carpark will be sufficiently screened.
- (e) Existing landscaping and proposed landscaping will assist to mitigate visual impacts of the proposed building and carpark.

As such, the proposed development achieves a satisfactory visual impact and landscape character.

**Outdoor Lighting - Visual Impact and Glare Impacts**

Twenty-one (21) lighting poles are proposed to be established on the site, which consist of 16 lighting poles on the inside of the track (B1-16) and 5 lighting poles located within proximity to the clubhouse and grassed area (ringed parade) (A1-A5).

The proposed lighting poles known as A1-A5 have an overall height of 21.00m and the lighting poles known as B1-16 have a height of 21.30m. Each pole will be topped with spill and glare visors which shield the light source from being visible to road traffic and neighbouring areas.

There are 2 aspects of proposed impacts that have been assessed as below.

Visual Impacts

In response to submissions received, the applicant supplied additional supporting information of the assessment of the application, including a sightline plan and section plans, to determine the visual amenity impacts from the proposed lighting. These plans are discussed below:

<b>Table 3 - Assessment of the Visual Impact</b>
<p>A sightline plan and section plan were submitted to determine any visual amenity impacts from the proposed outdoor lighting. The section plan identifies three locations as follows:</p> <ul style="list-style-type: none"> <li>• <b>Section A</b> identifies the view from the intersection of the Mitchell Highway, Brabham Way on the corner of Dairy Creek Road.</li> <li>• <b>Section B</b> identifies the view from the Mitchell Highway (north) and (south) from the Redmond Place Precinct.</li> <li>• <b>Section C</b> identifies the view sightlines from the nearest residential dwelling located on the adjoining neighbouring property (known as Lot 51 DP1132549).</li> </ul>  <p style="text-align: center;"><b>Figure 21: sightlines section plan</b></p>

Visual Impacts (cont)

**Visual Amenity - Section A - Assessment**



**Figure 22: Section A**



**Figure 23: site inspection photo  
corner of the Mitchell Highway, Brabham Way at the corner of Dairy Creek Road**

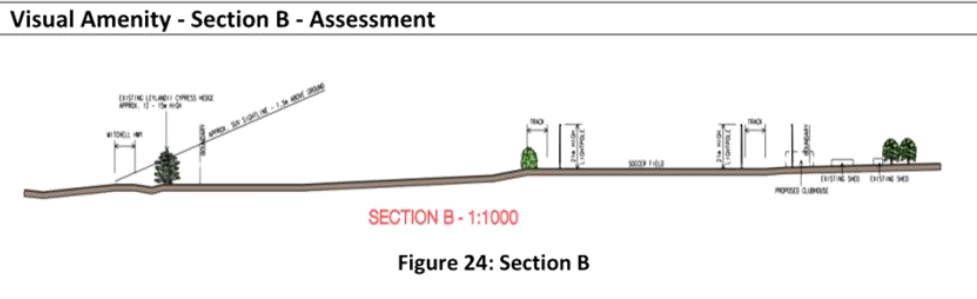
Section A identifies the section taken from the view from the intersection of the Mitchell Highway, Brabham Way on the corner of Dairy Creek Road.

Based on the following considerations:

- existing vegetation located within Lot 503 DP1254834 (currently in the ownership of Council)
- retained vegetation for the Redmond Place Precinct and
- the proposed development setback distances from Mitchell Highway

it has been determined the visual amenity impact of the outdoor lighting will be minimal from this viewpoint.

Visual Impacts (cont)



**Figure 25: site inspection photos - Mitchell Highway (south-east)**

Visual Impacts (cont)

**Visual Amenity - Section B - Assessment (cont)**

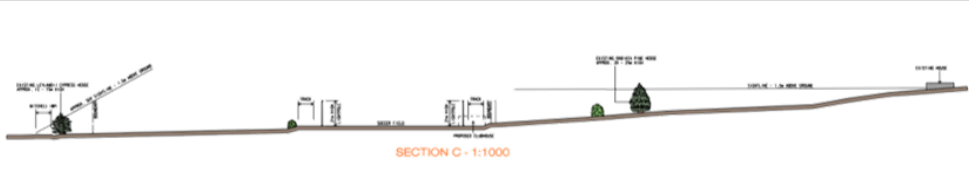
Section B identifies the section taken from the view from the Mitchell Highway (north and south) from the Redmond Place Precinct.

Based on the following considerations:

- existing vegetation located within Lot 503 DP1254834 (currently in the ownership of Council)
- the proposed development setback distances from the Mitchell Highway and
- the proposal to provide new plantings of Leyland/Cypress along a section of boundary, identified on the sightline plan

it has been determined the visual amenity impact of the outdoor lighting will be minimal from this viewpoint.

**Visual Amenity - Section c - Assessment**



**Figure 26: Section C**

Section C identifies the section taken from the view from the adjoining neighbouring property (known as Lot 51 DP 1132549). The adjoining dwelling house is located higher than the site at approximately 934m RL. As a result, having consideration for the setback distances from the existing dwelling house and topography of the land, the visual impact will be minimal.

Glare Impacts

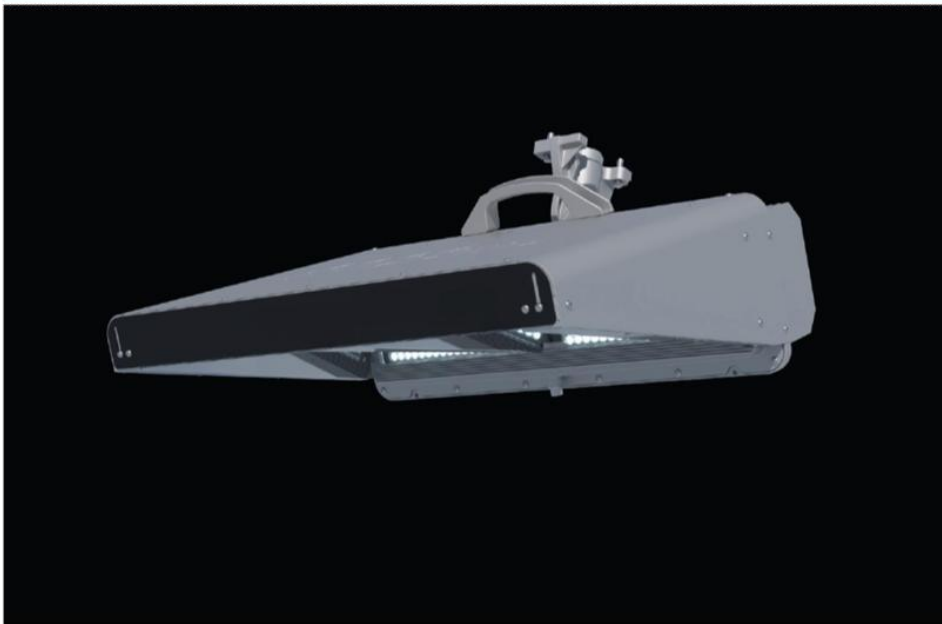
The application has provided a Lighting Compliance and Track Lighting Design which identifies the lighting design and spill light compliance with Australian Standards 4282:2023 - Control of the obtrusive effects of outdoor lighting.

The siting and design of the lighting system are significantly influenced by factors such as the use of area abutting the site, the topography of the land, physical features such as adjacent buildings, ambient lighting characteristics relative to the proposed lighting in accordance with Australian Standard 4282:2023 - Control of the obtrusive effects of outdoor lighting. In accordance with the Australian Standard there are 4 separate criteria for possible effects on spill light from changes to the installation of parameters, being the mounting height, setback, distance to adjoining properties and vertical aiming angle. The siting of the proposed lighting has been appropriately designed by a suitably qualified lighting specialist in accordance with the Australian Standard.

Glare Impacts (cont)

The lighting has been assessed in accordance with the Australian Standard environmental zone A4 (High Brightness Urban Centres). In response to a request for additional clarification from Council staff, the applicant also provided an assessment A0 (Dark Sky/Pristine Natural Areas). The lighting specialist has advised that as the light fixtures are aimed at the track, there is no difference to the light spill calculations provided. The light fixtures will provide visors which provide control of the light on to the track and will not allow any sideways spills.

Total Light Control™ - TLC-LED-1200 Luminaire



**Figure 27: proposed visors (spill hoods) on proposed lighting**

The applicant has confirmed that the hours of operation of the lighting will occur only on race days. A condition of consent is recommended to this effect.

As such, it has been demonstrated the proposed impacts would not affect the amenity of the surrounding development.

**Access and Transport**

A Traffic and Parking Impact Assessment Report has been as part of application to determine the traffic and parking impacts of the development. The report identifies the following:

### Traffic Generation/Demand

The report provides a summary of traffic generation for the proposed use.

	Development Use	
	Weekly Greyhound Race Meeting	Functions
Network peak site traffic generation	34 vehicle trips	80 vehicle trips

**Figure 28: proposed traffic generation overview**

A SIDRA intersection analysis has been supplied. The report identifies the movements that are anticipated to occur at the intersection. Council staff have assessed these impacts and conditions of consent are recommended for external works (discussed below).

### Car Parking Assessment

Orange Development Control Plan 2004 (DCP) does not specify car parking rates for the proposed use; therefore, an assessment has been undertaken based on the demand of attendees.

The weekly greyhound race meetings are expected to attract a mix of visitors, staff and trainers. A car occupancy rate of 1.5 person per vehicle for visitors and 1 vehicle for staff and trainers has been assumed.

Type	Yield	Car occupancy rate	Parking requirement	Proposed
Visitors	120	1.5 visitors per vehicle	80 car spaces	123 car spaces 16 car-and-trailer spaces
Staff	20	1 staff per vehicle	20 car spaces	
Trainers	35	1 trainer per vehicle	23 car spaces 12 car and trailer spaces	
Total			135 spaces	139 spaces

**Figure 29: greyhound racing parking assessment contained within Traffic and Parking Impact Assessment Report**

Therefore, a total parking requirement of 123 car spaces and 12 car and trailer spaces is estimated. The proposal provides a provision of 123 car space (including 3 accessible spaces) and 16 car and trailer spaces, meeting this parking requirement.

### Layout and Servicing

The carparking spaces have been designed in accordance with Australian Standard AS2890:2004 for carparking, accessible spaces and car/trailer parking spaces. The proposal seeks to provide 139 carparking spaces, including 3 accessible car spaces and 16 car and trailer spaces.

The application includes a swept path analysis for a B99 Vehicle and Trailer within the submitted Traffic Impact Assessment Report. Deliveries and other services activities would occur on race days, during training periods and outside of the operating hours.

#### External Works Upgrades

The site has access from Mitchell Highway and Perc Griffith Way. Perc Griffith Way is an urban standard for half of the road.



**Figure 30: site inspection photo: - extent of pavement on Perc Griffith Way**

The proposed development was referred to TfNSW due to the proximity to the Mitchell Highway. TfNSW concluded that referral is not required under s2.119. However, TfNSW recommended that Council consider the intersection warrants within Section 3.3.6 of Ausroads Guide to Traffic Management Part 6 - Intersections, Interchanges and Crossing Management, particularly for the left-turn movement at the intersection of the Mitchell Highway (HW7) and Perc Griffith Way (local road).

External works upgrades will be required along Perc Griffith Way as follows:

- A sealed pavement for the full length of the site along Perc Griffith Way, including road pavement, kerb and gutter, stormwater drainage and an earth formed verge on the development side of the road.
- A left-in turning lane along Mitchell Highway/Perc Griffith Way (local road). An alteration to the road reserve and line-marking along the Mitchell Highway (east) reserve will be required.

External Works Upgrades (cont)

- A left-out turning lane out of Perc Griffith Way/Mitchell Highway. An alteration to the road reserve and line-marking along Perc Griffith Way will be required.
- The turn treatments are recommended to satisfy 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.

A condition of consent requesting detailed design prior to the issue of construction certificate has been recommended, in conjunction with a request that the applicant applies to the Orange City Council Local Traffic Forum for consideration to relocate the 50/80km transition to the eastern approach to Perc Griffith Way. The intersection design speed informs the extent of additional roadworks necessary for the intersection.

Orange City Council is the road authority as per s7 of the Roads Act 1993.

Access Arrangements

The proposed development seeks access from Perc Griffith Way, over Lot 501 DP1254834 which has been included within the application for purposes of a right-of-access way over the existing driveway.

The vehicle access crossing will be required to be upgraded to service the development in accordance with the Development and Subdivision Code.



**Figure 31: site inspection photo – existing vehicle access crossing**

**Noise and Vibration Impact**

The proposed development has the potential to generate additional noise impacts on the surrounding area. As such, a Noise and Vibration Impact Report has been as part of application. The report identifies the proposed hours of operation of the development being:

Based on information provided by NSW Greyhound Breeders, Owners and Trainers' Association: <ul style="list-style-type: none"> <li>• The facility would conduct a race meeting once per week.</li> <li>• Race days will typically commence at 3pm and finish at round 6.30pm. Approximately two cup meetings per year will be held and would finish at approximately 9.30pm.</li> <li>• The clubhouse provides a bar, kitchen and lounge area to accommodate patrons as well as allow for social functions. It is envisaged that night time gatherings would be no later than midnight.</li> </ul>
---

**Figure 32: the proposed hours of operation identified in section 2.3 of the Noise and Vibration Impact Report**

The Noise and Vibration Impact Report provides a summary of potential noise sources and an assessment against the relevant noise policies/framework. The report identifies the following:

- Existing sensitive receivers (the location of existing residential dwellings and the future Redmond Place Precinct development) and predicted noise levels at sensitive receivers.
- Existing noise environment, having regard to the existing industrial environment, adjoining site being E3 Productivity Support which includes light industries, warehouse and offices.
- Construction noise.
- Mechanical plant equipment.
- Noise from entertainment.

The assessment concludes the following information:

Operational Noise

This assessment concludes that the day-to-day operation and race functions will achieve compliance with the noise criteria.

The report identifies the predicted noise levels during greyhound races and from live/amplified music achieve compliance with the noise criteria on sensitive receptors as follows:

Receiver	Predicted Noise Level	PNTL		Complies?
		Daytime	Evening	
R1	36	40	39	Yes
R2	38	40	39	Yes
R3	32	40	39	Yes
R4	30	40	39	Yes
R5	36	40	39	Yes
R6	38	40	39	Yes

**Figure 33: predicted noise levels during greyhound races on sensitive receivers**

### Operational Noise (cont)

The predicted noise levels provided in the Table 5-7 only provide predictions for the event period (ie up until 10pm) as the greyhound races will cease at 6:30pm, other than two cup events that will occur 2 times a calendar year until 9:30pm. Table 5-7 refers to greyhound races only.

Table 5-8 Predicted octave band noise levels from live/amplified music

Receiver	Predicted $L_{A10,15min}$ noise level per octave band								
	31.5	63	125	250	500	1k	2k	4k	8k
R1	38	38	33	25	26	29	23	10	<10 <sup>1</sup>
R2	39	39	34	26	27	30	25	12	<10 <sup>1</sup>
R3	33	33	28	19	22	24	17	<10 <sup>1</sup>	<10 <sup>1</sup>
R4	30	30	24	15	21	22	15	<10 <sup>1</sup>	<10 <sup>1</sup>
R5	35	35	30	22	24	26	20	<10 <sup>1</sup>	<10 <sup>1</sup>
R6	38	37	33	25	26	29	23	10	<10 <sup>1</sup>
Criteria	47	42	38	35	34	31	27	23	17

1. Values less than 10 dB not reported as they are impractically low to verify through field measurements.

**Figure 34: predicted octave band noise levels from live/amplified music on sensitive receivers**

### Noise from Entertainment

Licensed premises are controlled by Liquor & Gaming NSW. The assessment report concludes live/amplified music during functions has been assessed against the L&G NSW noise conditions. Predicted octave band noise levels at nearby receives comply with the noise conditions.

### Construction Noise

A construction noise assessment in which the sound of works is assessed against noise management levels established in the 2009 interim construction noise guideline (ICNG) has been as part of application. The assessment also identifies that the noise levels associated with the proposed works are predicted to exceed recommended noise management levels for nearby properties, which may create a noise disruption, although the residential site (Redleaf) has not commenced construction yet. As such, the report recommends a Construction Noise and Vibration Management Plan should be prepared to manage the impacts associated with construction noise.

### Council Staff Assessment

Council officers have assessed the Noise and Vibration Impact Assessment report, and the following has been established:

- A condition of consent has been recommended limiting the operation and hours of operation of the racecourse and use of the clubhouse, given the proximity of future urban development (Redleaf) and sensitive receivers).
- The report identifies that the construction works may exceed noise management levels. These works are considered temporary and the impacts can be mitigated through noise monitoring procedures, hours of operation and induction and training provided to relevant staff. A condition of consent is recommended for this information recommended by the report to be included within a Construction Management Plan to be submitted prior to the issue of a certificate of construction.

Staff Assessment (cont)

- The provision of live/amplified music during functions are regulated by Liquor & Gaming NSW. The operator of the racecourse will be required to submit subsequent applications for liquor licensing and gaming to Liquor & Gaming NSW, which will be assessed and decided by the relevant departments. Further, the assessment report identifies that the predicted octave band noise levels can comply with the L&G NSW noise conditions.
- The submitted report does not specifically identify the noise impact of barking dogs on the adjoining properties. The proposed 'day kennel building' is enclosed, with limited windows to reduce the noise impact on adjoining properties. The proposed day use kennels will be used for day use only. A condition of consent is recommended to restrict the use of the building for day use only and must not involve boarding of animals.
- A condition of consent is recommended that detailed specifications of all mechanical plant equipment to be installed on buildings are to be provided to Council and the principal certifier that demonstrate that the plant equipment will have an overall sound power level in each location no greater than:
  - 90dBA for clubroom plant equipment
  - 80dBA for day kennels plant equipment.

Cumulative Impacts of Noise

The report provides an assessment of the impacts associated with the construction and operation of the use in accordance with the protocols contained in the Noise Policy for Industry and Interim Construction Noise Guideline. However, the report has not considered the cumulative impact (if any) that may result when considered in conjunction with the adjoining Go Kart Track site.

Council staff have carried out a review of the original Go Kart Track approval, approved on 20 December 1984 and modified on 6 November 1996, and confirm that there are no conditions pertaining to the hours of operation. Therefore, a review has been carried out of the existing operating parameters of the Go Kart Track. A review of the Go Kart Track current operations identifies the use operates as generally member only events during daytime operation (eg 8:30am to 5pm) on sporadic occasions on the weekend. Participants are required to provide their own kart and safety gear. Any potential overlap in events between the uses will occur in daytime operations only (the noise report prescribes day activities as 7am-6pm).

Further, a condition of consent is recommended that the applicant shall obtain an acoustic report which assesses the actual noise emissions and impacts from the normal operations of the development within three (3) months of the issue of an occupation certificate and provide a copy of the report to Council. The noise report is required to review any cumulative impacts of the operation of the use and Go Kart Track on sensitive receptors to ensure compliance with the project noise trigger levels identified in the report.

As such, proposed development has been designed and sited to minimise the noise impact, and the noise impact can be managed through conditions of consent.

**Economic Impacts**

A size and scope NSW greyhound industry report was submitted within the application. The report outlines the economic contribution of the industry to the Central West, being \$18.9million. Based on this report, the proposed development would provide an economic benefit and support local and regional economy within the Central West. It is understood that the proposed development will replace an existing greyhound racetrack which was subject to flooding impacts at Kennerson Park greyhound track, also located within the Central West region. It is also acknowledged that the construction phase of the development will provide additional temporary jobs in the local area.

As such, the proposed development will provide an economic benefit to the locality through the ongoing operation of the facility and during the construction phase.

**Social Impact Assessment**

A Social Impact Assessment Report was submitted as part of the application. In accordance with the *Department of Planning, Housing and Infrastructure Social Impact Assessment Guideline*, a Social Impact Assessment Report is only required to be submitted for State Significant Development. The proposed development is not classified as State Significant Development as listed in Schedule 1 and Schedule 2 of *State Environmental Planning Policy (Planning Systems) 2021*, however the social and economic impacts in the locality are matters for consideration in accordance with Clause 4.15 (1)(b)).

The Social Impact Assessment Report provide a summary and assessment against relevant policies and frameworks and includes commentary of the following aspects:

- Analysis of the social locality, including a review of the demographic relating to advantage and disadvantage areas, summary of crime and safety and location of existing social infrastructure.
- Analysis of social impact from construction factors and operational factors.
- Assessment of social impacts from construction, operational and cumulative impacts.

The assessment concludes the following:

- The proposed development would generate a range of positive and negative social impacts during construction and operation; however, the negative impacts associated with noise can be mitigated through a Construction Management Plan. The report recommends that engagement with nearby adjoining neighbours and nearby sensitive receivers is recommended prior to construction and disruptive phases.
- An unexpected finds procedure should be developed in case any unexpected Aboriginal objects or sites of significance are discovered during construction.
- Design elements and features should reduce hardstand where possible and maximise open space and vegetation.
- The lighting shall be of a colour that is consistent with the natural environment.
- It is recommended that an operational management plan be prepared and submitted that includes procedures in relation to the consumption of alcohol and gambling, security measures, provision of encouraging patrons to avoid private vehicle usage, and complaints management and resolutions procedures.

- The report relates to the well-being of humans only, animal welfare is regulated under different legislation.

#### Staff Assessment (cont.)

Officers have assessed the Social Impact Assessment report, and the following has been determined:

- All recommended mechanisms identified in Chapter 6.0 of the report have been included within the recommended conditions of consent.
- It is recommended that a construction management plan be prepared which includes details of information contained within the Acoustic and Vibration Report and the Social Impact Assessment Report, such report to be approved by Council prior to the issue of a construction certificate.
- A condition of consent for the operational management plan for the development which includes the information identified in Chapter 6.0 of the report will be required to be submitted to and approved by Council.
- A condition of consent is recommend requiring that the lighting is to be of a colour that is consistent with the natural environment.
- A condition of consent is recommended limiting the use of the clubhouse and the hours of operation to ensure that the building is not open to the public outside of race days or training/administrative duties.

As such, the social impacts have been analysed and assessed; and conditions of consent have been recommended to manage the social impact.

#### **Bushfire Risk**

As previously discussed in section 4.14 Bushfire of this report.

#### **Waste Management**

The management of operational waste will include garbage bins, recycling of other suitable wastes, soil/water separator (grease trap) for kitchen flow, settlement tank and discharge to the proposed sewerage system for the kennel flows.

Waste collection and other servicing will be scheduled to occur outside the race event times and during daytime periods only. The arrangement will be negotiated between the operator and waste contractor. There is sufficient space onsite to accommodate a waste collection vehicle.

A condition of consent is recommended requiring the appropriate trade waste service agreement to be obtained, and the pick-up and removal of rubbish from the site on race day events are to be included in the Operational Management Plan.

#### **Naturally Occurring Asbestos**

The site is located within an area identified as containing serpentinite rock formations, which can contain chrysotile, a naturally occurring asbestos identified in the Asbestos Management Plan for Orange City Council. A condition of consent is recommended requiring the applicant or person with management or control of the site to ensure that a written plan for the site is prepared in accordance with the *Work Health and Safety Act 2011* and *Work Health and Safety Regulations 2011*.

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

- Appropriate separation from existing dwellings minimises amenity impacts and supports a suitable operational environment.
- The surrounding local road network can adequately accommodate the anticipated traffic generation and appropriate road upgrades.
- The site is relatively flat and unconstrained, enabling safe internal pedestrian access and compliant building design.

**Land Use Compatibility**

- Supports complementary land uses within an upcoming residential development (Redmond Place Precinct).
- Integrates with the surrounding urban environment.

**Adequate Site Area and Layout**

- 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 provided to meet the anticipated demand as identified in the Traffic Impact Assessment.

**Environmental and Amenity Considerations**

- No significant environmental constraints (eg flooding or heritage restrictions).
- Setbacks, and restricted outdoor activity hours will minimise noise impacts on nearby residents.

**Safety, Security and Crime Prevention**

- Fencing will be provided around the southern and eastern perimeters of the racecourse, whilst at the same time allowing for natural surveillance and visibility from public areas.
- Appropriate lighting will also be provided to assist in surveillance.
- The design of the building has ensured that the building meets CPTED principles.

**Cumulative Impacts**

- The cumulative impacts have been mitigated through design and siting of buildings and lighting.

In conclusion, the site is well-located and appropriately designed, ensuring accessibility, demand and compatibility with surrounding land uses.

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

The development was notified to adjoining landowners and publicly advertised in accordance with Council's Community Participation Plan from 16 December 2025 until close of business 3 February 2026 (50 days).

In accordance with Schedule 1, Part 1, Division 3, *Clause 16 of the Environmental Planning and Assessment Act 1979* the period between 20 December 2025 and 10 January 2026 (inclusive) is excluded from the calculation of a period of public exhibition.

The period was observed and the application was exhibited for 28 days in accordance with the Community Participation Plan.

<b>Total Number of Submission received:</b>	1194
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Officers have undertaken a review of the submissions and created a submission summary, as follows:

<b>Matters Raised in Submissions</b>	<b>Council Staff Assessment/Comments</b>
<b>Animal welfare</b>  <i>Submitters raised concerns regarding animal welfare in the Greyhound Industry.</i>	<p>Greyhound racing is a lawful activity within the state of New South Wales (NSW).</p> <p>Various legislation exists in relation to governing the welfare of animals. The Greyhound Welfare &amp; Integrity Commission is responsible for compliance and enforcement.</p> <p>The standard of care provided is in accordance with this legislation, which includes:</p> <ul style="list-style-type: none"> <li>• Greyhound Racing Act 2017</li> <li>• NSW Greyhound Welfare Code of Practice.</li> </ul> <p>The facility is intended to satisfy the minimum standards for conduct of races and greyhound race meetings. The instrument sets the minimum standards for racetrack design, construction, facilities and amenities and training facilities.</p>

Matters Raised in Submissions	Council Staff Assessment/Comments
<b>Animal Welfare (cont)</b>	<p>Officers are satisfied through the assessment of the application that the proposed building design has regard to the relevant care standards, such as a vet office and kennels that are connected to reticulated water and sewer that can be washed out and managed appropriately by the site operator. Further, a condition of consent is recommended requiring that the ancillary aspects of development (being the day kennels) do not involve boarding animals and are only utilised for 'day use only' in conjunction with the core purpose of the development, being a racecourse.</p> <p>A condition of consent is recommended requiring the site operator to submit an Operational Management Plan which references the site operators' obligations under the above legislation that must be complied with at all times.</p>
<b>Community Expectations</b>  <i>Submitters raised concerns that the proposal provides no community benefit and does not meet the community expectations of the site.</i>	<p>The site is currently zoned RE2 Private Recreation. A Recreation Facility (major) is a permitted use subject to consent in pursuant to Orange LEP 2011. Historically, under Orange Local Environment Plan 2000 the site was zoned Open Space and Recreation. Therefore, the community expectation is that the site would be utilised for recreational purposes. Further, the site has historically been utilised as a racetrack which was established in 1988, with existing structures and track currently remaining. As such, the community expectation of the site, envisaged by the LEP has not changed.</p> <p>The proposal seeks to re-establish a site that has not been operational since 2013. The proposal seeks to demolish dilapidated buildings and provide new facilities and additional landscaping that will be maintained by the operator of the site. The proposal will be open to the public for recreational purposes during race days.</p>

Matters Raised in Submissions	Council Staff Assessment/Comments
<p><b>The inappropriate use of public land</b></p> <p><i>Submitters raised concerns that the proposed development is on public land that does not serve the wider community.</i></p>	<p>The proposal is subject to the provisions of Orange Development Control Plan 2004 - 11 Land Uses for Open Space and Recreation. The site is not identified as public land, but rather “operational land” under the DCP and <i>Local Government Act 1993</i>, which recognises land held by Council for operational or commercial purposes.</p> <p>The site is currently zoned RE2 Private Recreation. A Recreation Facility (major) is a permitted use subject to consent in pursuant to Orange LEP 2011. The development application has been assessed on its merits having consideration for applicable consideration under the <i>Environmental Planning and Assessment Act 1979</i> and other applicable legislation.</p>
<p><b>Track design</b></p> <p><i>Submitters raised concerns that the design of the track will not improve greyhound welfare as opposed to a straight track</i></p>	<p>The applicant has advised that the track design will meet section 26(1) of the <i>Greyhound Racing Act 2017</i> and specifications for Green Field (New) tracks as listed in the Minimum Standards for Racecourse Design and Construction by Greyhound Racing NSW. The standards aim to minimise risks and injuries to greyhounds by considering factors such as track curves, surfaces and barriers.</p>
<p><b>Lack of information contained within the development application</b></p> <p><i>Submitters raised concerns that the development application has failed to address and respond to all risks, impacts and cumulative impacts that would arise from the planning proposal.</i></p>	<p>The development application meets all the legislative requirements for making a development application under Part 3, Division 1 of the <i>Environmental Planning and Assessment Regulation 2021</i>.</p>

Matters Raised in Submissions	Council Staff Assessment/Comments
<p><b>Drake Inquiry Report</b></p> <p><i>Submitters raised concerns that the NSW Government inquiry into greyhound racing, known as the Drake Inquiry Report, has not been considered as part of the development application.</i></p>	<p>The development application has addressed all relevant matters for consideration under clause 4.15 of the <i>Environmental Planning and Assessment Act 1979</i>.</p> <p>The inquiry into Greyhound Racing NSW was conducted in 2025 and the NSW Government has provided a response to this inquiry. The recommendations of this inquiry do not form the basis of the planning considerations of the subject development application.</p>
<p><b>The site could be utilised for residential development</b></p> <p><i>Submitters raised concerns that Council's Housing Strategy identifies the site is suitable for residential development to address the housing shortage in Orange and that these considerations have been overlooked.</i></p>	<p>The site is identified as one of seven candidate areas for short-term residential development under the Orange Local Housing Strategy 2022. Although it is listed as a candidate area, the strategy makes it clear that no Development Control Plan has been adopted for it, and any planning proposal to be submitted for consideration would need to rely on the site being formally nominated as an Urban Release Area.</p> <p>The site has not been nominated as an Urban Release Area under <i>Orange Local Environmental Plan 2011</i>.</p> <p>Accordingly, the applicable zone under <i>Orange Local Environmental Plan 2011</i>, identified as a relevant planning instrument under section 4.15 of the <i>Environmental Planning and Assessment Act 1979</i>, continues to prevail.</p>
<p><b>Compliance with the <i>Environmental Planning &amp; Assessment Act 1979</i></b></p> <p><i>Submitters raised concern that the application does not address all items s4.15 of the EP&amp;A Act.</i></p>	<p>The application provides sufficient information for Council Officers to assess all relevant matters for consideration under clause 4.15 of the <i>Environmental Planning and Assessment Act 1979</i>.</p>

Matters Raised in Submissions	Council Staff Assessment/Comments
<p><b>Planning Systems Form Bill</b></p> <p><i>Submitters raised concerns that the application does not consider the Environmental Planning and Assessment Amendment (Planning System Reform) Bill.</i></p>	<p>The Environmental Planning and Assessment (Planning Systems Reform) Bill 2025 seeks to identify changes that can occur to the <i>Environmental Planning and Assessment Act 1979</i> to streamline the planning system process. The current version of the <i>Environmental Planning and Assessment Act 1979</i> (version No. 203 adopted on 15 December 2025) has been used to determine the requirements for the assessment of the development application.</p>
<p><b>Inadequate consultation with the community</b></p> <p><i>Submitters raised concerns that the applicant has failed to consult the community.</i></p>	<p>Community Participation has been undertaken in accordance with the requirements of Schedule 1, Part 1 and Part 2 of the <i>Environmental Planning and Assessment Act 1979</i>, and the adopted Orange City Council Community Participation Plan.</p>
<p><b>The proposal does not align with the global direction of greyhound racing</b></p> <p><i>Submitters raised concerns that the proposal contradicts clear policy and global direction shift away from greyhound racing.</i></p>	<p>The global direction of Greyhound Racing is not a relevant matter for consideration under clause 4.15 of the <i>Environmental Planning and Assessment Act 1979</i>.</p>
<p><b>Compliance with Orange Local Environmental Plan 2011</b></p> <p><i>Submitters raised concerns about strategic land use and inconsistency with the Orange LEP.</i></p>	<p>The proposed development has been assessed in accordance with the requirements of <i>Orange Local Environmental Plan 2011</i>, as discussed within this report.</p>

Matters Raised in Submissions	Council Staff Assessment/Comments
<p><b>Compliance with Orange Development Control Plan 2004</b></p> <p><i>Submitters raised concerns that the application demonstrates no relationship to adjoining residential development, the Redmond Place Precinct, the commercial hub at Orange Homemaker Centre or the Orange Aboriginal medial service</i></p>	<p>The proposed development has been assessed in accordance with the requirements of <i>Orange Development Control Plan 2004</i> as discussed within this report.</p>
<p><b>Social impacts and community wellbeing</b></p> <p><i>Submitters raised concerns that development will cause social impacts and be detrimental to the community (human) wellbeing.</i></p>	<p>A Social Impact Assessment Report was submitted within the application. In accordance with the <i>Department of Planning, Housing and Infrastructure Social Impact Assessment Guideline</i> an assessment report is only required to be submitted for State Significant Development. The proposed development is not classified as State Significant Development as listed in Schedule 1 and Schedule 2 of <i>State Environmental Planning Policy (Planning Systems) 2021</i>, however the social and economic impacts in the locality are matters for consideration in accordance with Clause 4.15 (1)(b).</p> <p>The Social Impact Assessment Report provides a summary and assessment against relevant policies and frameworks, and conditions of consent have been recommended in accordance with the report, as discussed above.</p> <p>Whilst it is acknowledged that the sale of alcohol and gambling may occur onsite, these practices are lawful activities that are regulated by Liquor &amp; Gaming NSW. The operator of the racecourse will be required to submit subsequent applications for liquor licensing and gaming to Liquor &amp; Gaming NSW, which will be assessed and decided by the relevant departments.</p>

Matters Raised in Submissions	Council Staff Assessment/Comments
<p><b>Unsuitable use and poor planning outcome</b></p> <p><i>Submitters raised concerns that the proposed development is an unsuitable land use for the site and is a poor planning outcome.</i></p>	<p>The site is currently zoned RE2 Private Recreation. A Recreation Facility (major) is a permitted use, subject to consent, pursuant to Orange LEP 2011. As a result, Orange LEP 2011 has determined that the land use is compatible for the zone.</p> <p>The proposal provides appropriate built form of height and scale consistent with the locality, landscaping, appropriate traffic and access arrangements, environmental and amenity considerations, as discussed within this report.</p>
<p><b>Traffic</b></p> <p><i>Submitters raised concerns regarding the traffic impacts caused by the patrons of the venue.</i></p>	<p>A Traffic and Parking Impact Assessment Report has been submitted as part of the application. The report provides an assessment of the traffic and carparking demand based on the number of expected visitors to the site. The report has concluded that approximately 135 carparking spaces are required. The proposal provides 139 spaces, consisting of 123 car spaces and 16 car and trailer spaces.</p> <p>The carparking spaces have been designed in accordance with Australian Standard AS2890:2004 for carparking, accessible spaces and car/trailer parking spaces.</p> <p>All other considerations regarding Traffic and Parking have been discussed within this report.</p>

Matters Raised in Submissions	Council Staff Assessment/Comments
<p><b>Doubtful economic value</b></p> <p><i>Submitters raised concerns that there is insufficient evidence that provides long term, sustainable economic benefits to regional communities.</i></p>	<p>The applicant has submitted a size and scope NSW greyhound industry report as part of the application. The report outlines the economic contribution of the industry to the Central West based on figures collected from data in 2021-22.</p> <p>Based on this report, the proposed development would provide an economic benefit and support local and regional economies. It is understood that the value identified in the report is linked to direct and indirect employment.</p>
<p><b>Gambling</b></p> <p><i>Submitters raised concerns regarding the impacts of gambling on the community.</i></p>	<p>Whilst it is acknowledged that gambling may occur onsite, this practice is legal and is regulated by Liquor &amp; Gaming NSW. The operator of the racecourse will be required to submit subsequent applications for gaming to Liquor &amp; Gaming NSW.</p>
<p><b>Proximity to essential health services</b></p> <p><i>Submitters raised concerns that the site is located within proximity to the Orange Aboriginal Medical Service and will cause detrimental impact to recipients of this medical service.</i></p>	<p>The site is located within proximity to the Orange Aboriginal Medical Service. A condition of approval has been recommended to ensure that the clubhouse will remain ancillary to the operations of the primary function of the site, being a racetrack; and will not be open to the public outside of the primary function. The hours of operation of race events will occur outside of the operation of the use located within proximity to the site.</p>
<p><b>Amenity Impacts</b></p> <p><i>Submitters raised concerns that proposed lighting and noise from race meetings will significantly degrade the mental well-being and quiet enjoyment of residents in the adjacent Redmond Place Precinct.</i></p>	<p>The amenity impacts have been assessed and as discussed within this report.</p>

Matters Raised in Submissions	Council Staff Assessment/Comments
<p><b>Lighting</b></p> <p><i>Submitters raised concerns in relation to the lighting design and state that the impacts of lighting on the adjoining properties has not been appropriately addressed.</i></p>	<p>The amenity impacts associated with the proposed outdoor lighting, being the visual and glare impacts, have been assessed as discussed within this report.</p>
<p><b>Bushfire and emergency management risk</b></p> <p><i>Submitters raised concerns that the proposal provides public assembly buildings and has been treated as a special fire protection purpose requiring formal referral.</i></p>	<p>The requirements for bushfire safety and emergency management risk have been addressed earlier in this report.</p>
<p><b>Noise and vibration impacts</b></p> <p><i>Submitters raised concerns that the report does not address noise from barking dogs.</i></p>	<p>The impacts associated with noise and vibration have been addressed earlier in this report.</p>
<p><b>No onsite care available</b></p> <p><i>Submitters raised concerns that the application fails to adequately address how onsite veterinary care will be available and how medication will be handled/administrated.</i></p>	<p>The proposed internal building layout of the race day kennels provides a vet's office and swab room. The administration of medication is an operational consideration and is not a matter for consideration in accordance with Clause 4.15 <i>Environmental Planning and Assessment Act 1979</i>. In NSW, only registered veterinary or medical practitioners are authorised to administer medication to animals. This matter will form part of the operational requirements of the development.</p>

Matters Raised in Submissions	Council Staff Assessment/Comments
<p><b>Transparency</b></p> <p><i>Submitters raised concerns about the land being sold without community consultation and without transparency.</i></p>	<p>The proposal is subject to the provisions of Orange Development Control Plan 2004 – 11 Land Uses for Open Space and Recreation. The site is not identified as public land, but rather “operational land” under the DCP and <i>Local Government Act 1993</i>, which recognises land held by Council for operational or commercial purposes.</p> <p>The site is currently zoned RE2 Private Recreation. A Recreation Facility (major) is a permitted use, subject to consent, pursuant to Orange LEP 2011. The development application has been assessed on its merits, having consideration for applicable consideration under the <i>Environmental Planning and Assessment Act 1979</i> and other applicable legislation.</p> <p>The assessment of the application has been carried out in accordance with Strategic Policy - ST26 Council related development applications - Managing Conflict of Interest.</p>
<p><b>Impacts to the natural environment</b></p> <p><i>Submitters raised concerns that the removal of vegetation will cause erosion and sediment.</i></p>	<p>The proposal seeks to remove existing non-native vegetation and will provide replacement landscaping onsite, which has been discussed within this report.</p> <p>A condition of consent has been recommended requiring the applicant to submit an erosion and sediment control plan during the construction phase.</p>

<b>Matters Raised in Submissions</b>	<b>Council Staff Assessment/Comments</b>
<p><b>Decline of the industry</b></p> <p><i>Submitters raised concerns that the greyhound Industry is in decline and there is a high risk that an asset could be abandoned due to closure pressure.</i></p>	<p>The decline of a lawful industry is not a relevant matter for consideration under clause 4.15 of the <i>Environmental Planning and Assessment Act 1979</i>.</p> <p>The proposed building design can be adapted to alternative uses that are consistent with the land use definition and recreational facilities, regardless of the operator of the site.</p>
<p><b>Planning merit</b></p> <p><i>Submitters raised concerns that the planning proposal lacks substance and fails to address risks.</i></p>	<p>The application has been assessed in accordance with the requirements of relevant matters for consideration under clause 4.15 of the <i>Environmental Planning and Assessment Act 1979</i>. Conditions of consent have been recommended to ensure appropriate impacts are mitigated accordingly.</p>
<p><b>Social License to Operate</b></p> <p><i>Submitters raised concerns regarding Greyhound Industry Social License to Operate.</i></p>	<p>The Social License to Operation of the Greyhound Industry is not a relevant matter for consideration clause 4.15 of the <i>Environmental Planning and Assessment Act 1979</i>.</p>
<p><b>Economic burden of abandoned animals in Orange local government area</b></p> <p><i>Submitters raised concerns regarding the economic damage/financial burden of abandoned dogs to Orange.</i></p>	<p>Animal welfare is discussed earlier in this report.</p>
<p><b>Ethics associated with Greyhound Racing</b></p> <p><i>Submitters raised concerns about the ethics/moral compass of the consenting authority that consents to a development application for greyhound racing.</i></p>	<p>Ethics and morality regarding the greyhound industry is not a relevant matter for consideration clause 4.15 of the <i>Environmental Planning and Assessment Act 1979</i>.</p>

Matters Raised in Submissions	Council Staff Assessment/Comments
<p><b>Discussion regarding other greyhound development applications or existing uses</b></p> <p><i>Submitters raised concerns that other development applications have been refused by the Planning Panel, including a proposed animal care facility located in Muswellbrook.</i></p>	<p>Staff have conducted a review and the reasons for decision from the Hunter &amp; Central Coast Regional Planning Panel for an Animal Boarding and Training Establishment (DA 2021/129). The panel determined to refuse the application based on impacts associated with flood, bushfire and access to the development.</p>

**PUBLIC INTEREST s4.15(1)(e)**

Greyhound racing is a lawful activity in the state of NSW. The industry is regulated by two separate bodies, being Greyhound Racing NSW and the Greyhound Welfare and Integrity Commission established under the *Greyhound Racing Act 2017*. Further, the consumption of alcohol and gaming is also regulated by Liquor & Gaming NSW, which administers the regulatory framework for liquor, gaming and registered clubs.

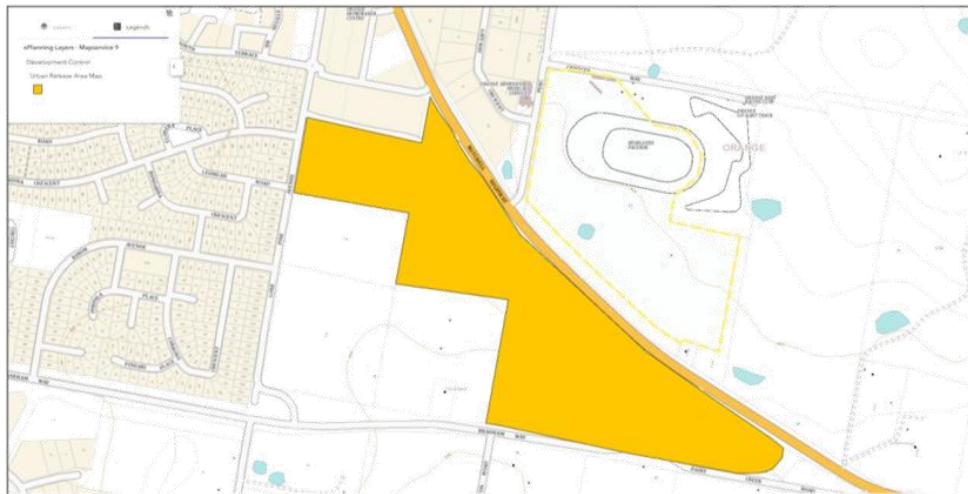
The site has a historical use land use as the Harness Racing (Trotting) Track and contains existing racetrack and dilapidated buildings previously utilised for horse racing facilities. The site is currently zoned RE2 Private Recreation. A Recreation Facility (major) is a permissible use, subject to consent in accordance with Orange LEP 2011. Officers have completed an assessment of the proposed development against the relevant criteria of consideration under Clause 4.15 of the *Environmental Planning Assessment Act 1979*, and the application is considered to comply. Further, the application and the assessment of this report have addressed the relevant planning considerations, of the site including but not limited to:

- strategic location and accessibility
- land use compatibility
- site area and layout
- traffic, access and parking considerations
- environment and amenity considerations
- site suitability
- cumulative impacts.

The proposed development is compatible with the requirements of the relevant State Environmental Planning Policies (SEPPs). The proposed development complies with the requirements of *Orange Local Environment Plan 2011* and *Orange Development Control Plan (DCP) 2004*. Conditions of consent have been recommended to ensure that the development is carried out in accordance with relevant provisions, approved plans and the recommendations of the technical studies.

**Public Interest s4.15(1)(e) (cont)**

It is acknowledged that the site is identified as one of seven candidate areas for short-term residential development under the Orange Local Housing Strategy 2022. However, the strategy makes it clear that no Development Control Plan has been adopted for the site, and any planning proposal to be submitted for consideration would need to rely on the site being formally nominated as an Urban Release Area. The site has not been nominated as an Urban Release Area under *Orange Local Environmental Plan 2011*. Accordingly, the applicable zone under *Orange Local Environmental Plan 2011*, identified as a relevant planning instrument under section 4.15 of the *Environmental Planning and Assessment Act 1979*, continues to prevail.



**Figure 35: extent of urban release area under the Orange LEP 2011**

Further, the proposal is subject to the provisions of Orange Development Control Plan 2004 – 11 Land Uses for Open Space and Recreation. The site is not identified as public land, but rather “operational land” under the DCP and *Local Government Act 1993*, which recognises land held by Council for operational or commercial purposes.

In addition, for the purposes of the assessment and consideration of the application in the public interest, Council has adopted Strategic Policy ST26 - Council-Related Development Applications: Managing Conflict of Interests. In accordance with this policy and in the interest of procedural transparency the following matters are noted:

- 1 The application is to be determined by the Western Regional Planning Panel (WRPP), a statutory body independent of Council;
- 2 The application has been publicly exhibited for a period of 28 days in accordance with Council’s Community Participation Plan; and
- 3 A Peer review of the assessment report and materials has been carried out by Council Staff from Bathurst Regional Council, as detailed in the attached documentation.

**Attachment 2 Recommended Conditions of Consent**

**RECOMMENDED CONDITIONS OF CONSENT DA464/2025(1) – 32 PERC GRIFFITH WAY,  
ORANGE D26/26600**

**RECOMMENDED CONDITIONS  
OF CONSENT**

<b>APPROVED PLANS &amp; DOCUMENTATION</b>
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- (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.

<b>BUSHFIRE AND ESSENTIAL ENERGY REQUIREMENTS</b>
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- (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.”

<b>PRESCRIBED CONDITIONS</b>
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- (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
  - (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

**Attachment 2 Recommended Conditions of Consent****RECOMMENDED CONDITIONS OF CONSENT DA464/2025(1) – 32 PERC GRIFFITH WAY, ORANGE D26/26600****Prescribed conditions (cont.)**

- (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.
- (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.

**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.
- (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.

**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.
- (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.
- (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.
- (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 intension 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.
- (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. 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.

**Attachment 2 Recommended Conditions of Consent****RECOMMENDED CONDITIONS OF CONSENT DA464/2025(1) – 32 PERC GRIFFITH WAY, ORANGE D26/26600****Prior to the issue of a construction certificate (cont.)**

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 Austroads 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 Councils Development and Subdivision Code, Austroads Guide to Road Design.

- (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.
- (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.
- (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.
- (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 Councils website. A Section 307 Certificate must be obtained prior to the issue of any Construction Certificate.
- (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.
- (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.

**Attachment 2 Recommended Conditions of Consent****RECOMMENDED CONDITIONS OF CONSENT DA464/2025(1) – 32 PERC GRIFFITH WAY,  
ORANGE D26/26600****Prior to the issue of a construction certificate (cont.)**

- (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.
- (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.
- (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 bot;
- 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.

- (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.

**Attachment 2 Recommended Conditions of Consent****RECOMMENDED CONDITIONS OF CONSENT DA464/2025(1) – 32 PERC GRIFFITH WAY,  
ORANGE D26/26600****Prior to the issue of a construction certificate (cont.)**

- (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.
- (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.

- (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.
- (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:

**Attachment 2 Recommended Conditions of Consent****RECOMMENDED CONDITIONS OF CONSENT DA464/2025(1) – 32 PERC GRIFFITH WAY,  
ORANGE D26/26600****Prior to the issue of a construction certificate (cont.)**

- 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.

- (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.
- (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

**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.

**Attachment 2 Recommended Conditions of Consent****RECOMMENDED CONDITIONS OF CONSENT DA464/2025(1) – 32 PERC GRIFFITH WAY,  
ORANGE D26/26600****Prior to works commencing (cont.)**

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

**Attachment 2 Recommended Conditions of Consent****RECOMMENDED CONDITIONS OF CONSENT DA464/2025(1) – 32 PERC GRIFFITH WAY,  
ORANGE D26/26600****Prior to works commencing (cont.)**

- (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.

**DURING CONSTRUCTION/SITWORKS**

- (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.
- (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.
- (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 (4<sup>th</sup> edition), to ensure they remain effective.
- (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.
- (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.
- (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.
- (43) During all events, the proponent must comply with the approved Construction Site Management Plan to be maintained on-site during all construction activities.
- (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.
- (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](http://www.orange.nsw.gov.au).

**Attachment 2 Recommended Conditions of Consent****RECOMMENDED CONDITIONS OF CONSENT DA464/2025(1) – 32 PERC GRIFFITH WAY,  
ORANGE D26/26600****During construction/site works(cont.)**

- (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.
- (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.
- (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.

**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.
- (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.
- (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.
- (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.
- (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.
- (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.
- (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.
- (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.

**Attachment 2 Recommended Conditions of Consent****RECOMMENDED CONDITIONS OF CONSENT DA464/2025(1) – 32 PERC GRIFFITH WAY,  
ORANGE D26/26600****Prior to the issue of an occupation certificate (cont.)**

- (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.
- (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.
- (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.
- (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.
- (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.
- (62) A total of 123 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.
- (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 reasonable 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.

**Attachment 2 Recommended Conditions of Consent****RECOMMENDED CONDITIONS OF CONSENT DA464/2025(1) – 32 PERC GRIFFITH WAY, ORANGE D26/26600****Prior to the issue of an occupation certificate (cont.)**

- (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.

**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 Assessment:

- (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 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 field is limited to activities associated with 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.

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

- (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.

- (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.

- (68) 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.

- (69) 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.

- (70) 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.

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**Attachment 2 Recommended Conditions of Consent**

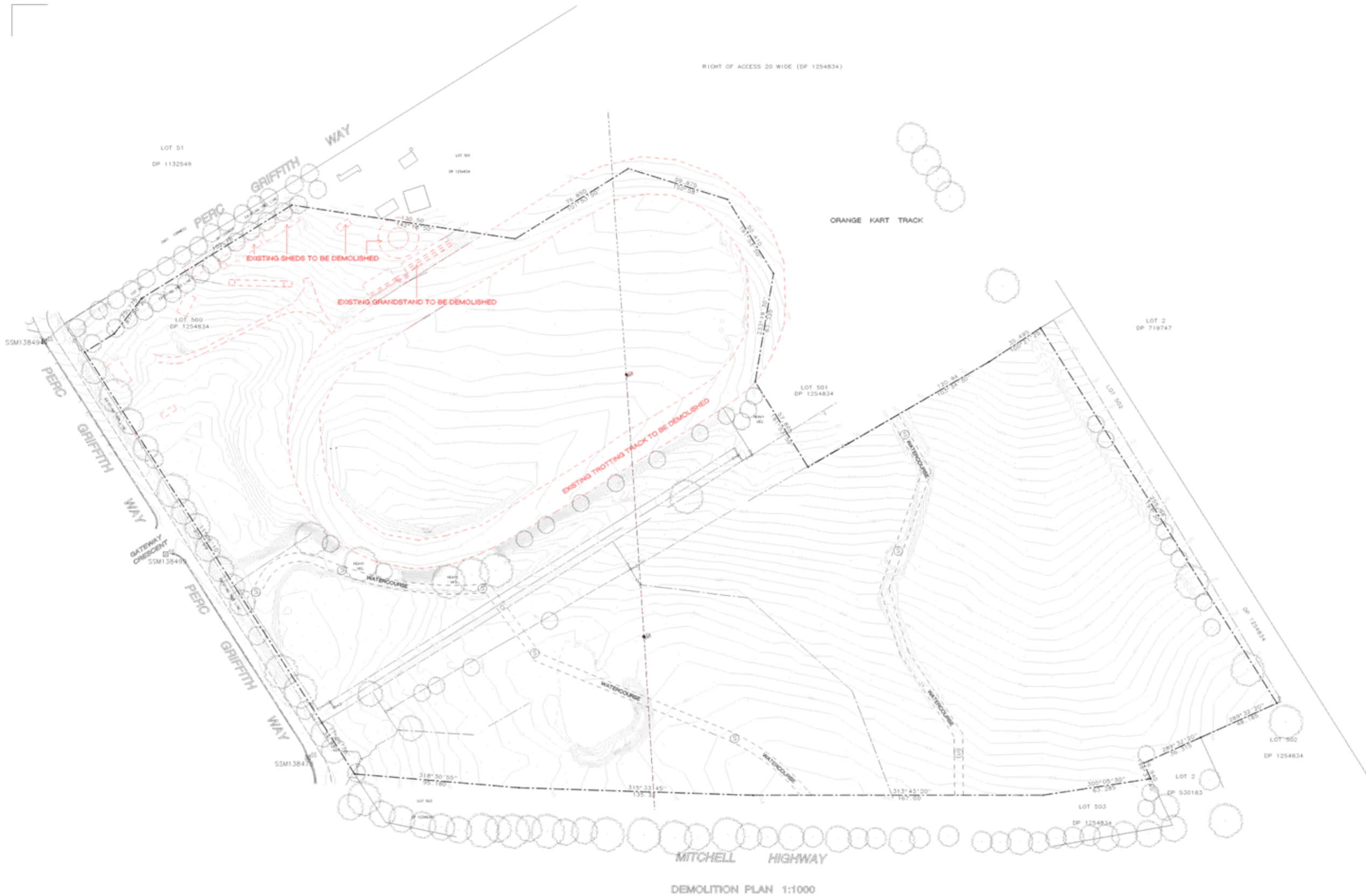
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**RECOMMENDED CONDITIONS OF CONSENT DA464/2025(1) – 32 PERC GRIFFITH WAY,  
ORANGE D26/26600**

<b>Matters for the ongoing performance and operation of the development (cont.)</b>
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- (71) 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)*.
- (72) Prior to the commencement of trade, the applicant shall register the food business with Orange City Council.
- (73) Landscaping must be maintained in perpetuity in accordance with the approved plans, to the satisfaction of Council.
- (74) 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.

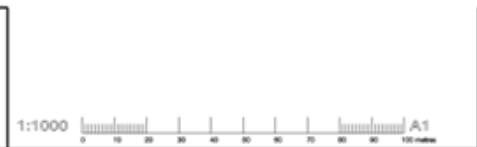




no.	description	date

**GENERAL NOTES:**

- All dimensions shown in millimeters unless noted otherwise.
- DO NOT SCALE from drawings, if in doubt ask.
- All dimensions and levels are to be confirmed on site prior to construction.
- Concrete slab & footings to be designed in accordance with AUSTRALIAN STANDARD 3600 - 1996.
- All structural elements to be designed by a practicing structural engineer.
- All timber used in the building shall be strictly in accordance with the provisions of AUSTRALIAN STANDARD 1604-1993, NATIONAL TIMBER FRAMEWORK CODE, unless a certificate from a practicing structural engineer is submitted to council certifying that the building has been designed to withstand the most adverse combination of loads to which it will be subjected.
- Construction of any stairways and scaffolding shall comply with the requirements of the BUILDING CODE OF AUSTRALIA.
- All plumbing and drainage work is to comply with the requirements of AUSTRALIAN STANDARD 3500-NATIONAL PLUMBING AND DRAINAGE CODE and the NEW SOUTH WALES CODE OF PRACTICE PLUMBING AND DRAINAGE.
- Protection of the building from attack by termites is to be carried out in accordance with the provisions of the BUILDING CODE OF AUSTRALIA and or AUSTRALIAN STANDARD 3662-1-1995 PROTECTION OF BUILDINGS FROM SUBTERRANEAN TERMITES.



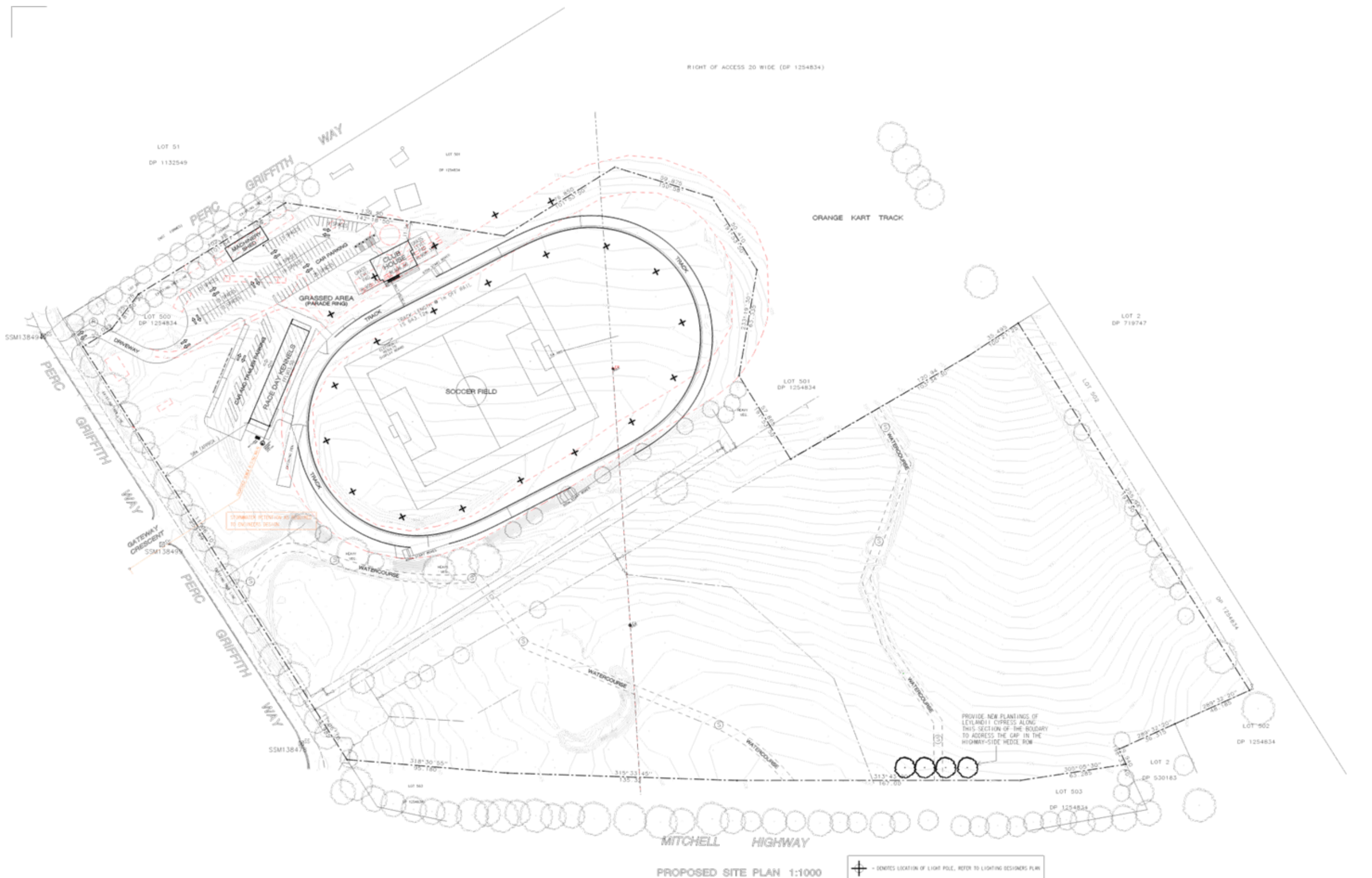
project  
PROPOSED NEW GREYHOUND RACING TRACK AND FACILITIES  
LOT 500 (D.P. 1254834)  
no. 32 PERC GRIFFITH WAY  
ORANGE, N.S.W.

client  
NSW GBOTA

title  
DEMOLITION PLAN

	P 02 6863 1760 182 AITE STREET, P.O. BOX 1030 ORANGE NSW 2800 E info@mckinnondesign.com.au GORRHOLD PTY LTD APR 24 074 426 790	scale: AS NOTED drawn: D. J. BULL date: AUGUST 2024 job no: <b>24030</b> dwg no: 00
	© copyright mckinnon design DO NOT SCALE	

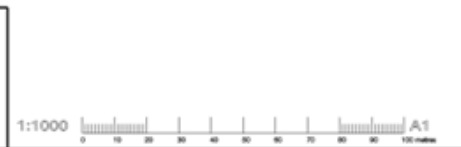




ISSUED FOR SUBMISSION	25/02/26	
NO.	description	date
amendments		
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**GENERAL NOTES:**

- All dimension shown in millimeters unless noted otherwise.
- DO NOT SCALE from drawing, if in doubt ask.
- All dimension and levels are to be confirmed on site prior to construction.
- Concrete slab & footings to be designed in accordance with AUSTRALIAN STANDARD 3600 - 1996.
- All structural elements to be designed by a practicing structural engineer.
- All timber used on the building shall be offically in accordance with the provisions of AUSTRALIAN STANDARD 1684-1993, NATIONAL TIMBER FIREWORK CODE, unless a certificate from a practicing structural engineer is submitted to council certifying that the building has been designed to withstand the most adverse combination of loads to which it will be subjected.
- Construction of any stairways and scaffolding shall comply with the requirements of the BUILDING CODE OF AUSTRALIA.
- All plumbing and drainage work is to comply with the requirements of AUSTRALIAN STANDARD 2509-NATIONAL PLUMBING AND DRAINAGE CODE and the NEW SOUTH WALES CODE OF PRACTICE PLUMBING AND DRAINAGE.
- Protection of the building from attack by termites is to be carried out in accordance with the provisions of the BUILDING CODE OF AUSTRALIA and or AUSTRALIAN STANDARD 3662 1-1995 PROTECTION OF BUILDINGS FROM SUBTERRANEAN TERMITES.



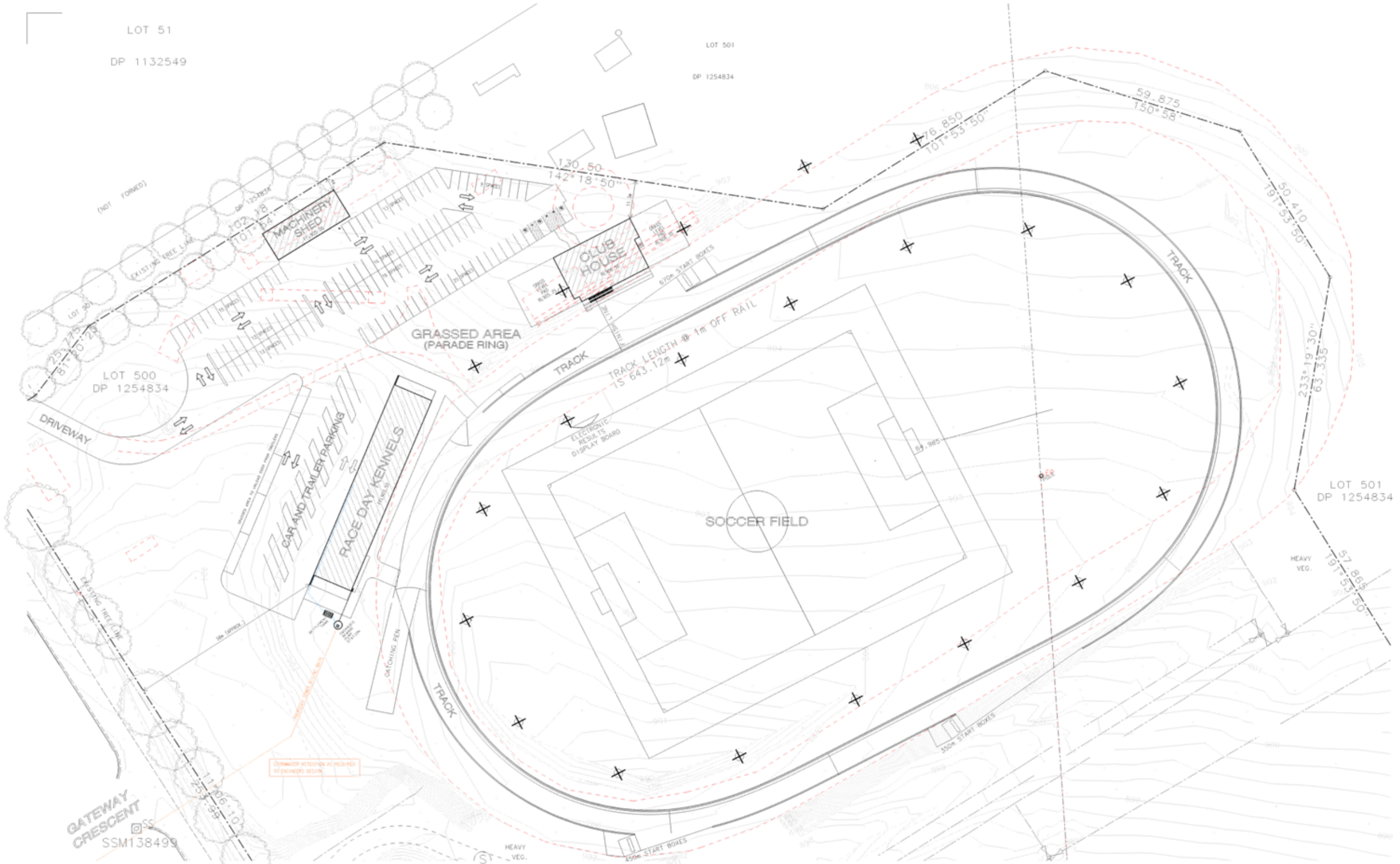
**PROJECT:**  
PROPOSED NEW GREYHOUND RACING TRACK AND FACILITIES  
LOT 500 (D.P. 1254834)  
no. 32 PERC GRIFFITH WAY  
ORANGE, N.S.W.

**CLIENT:**  
NSW GBOTA

**TITLE:**  
PROPOSED SITE PLAN

	P 02 6863 1760 182 KITE STREET, PO BOX 1030 ORANGE NSW 2800 E info@mckinnondesign.com.au GORWOOD PTY LTD ABN 24 074 426 796	DATE NOTED: 01/04/26 DATE: 01/04/26 AUGUST 2024 JOB NO: <b>24030</b> Dwg No: 01 Issue: B
	© copyright mckinnon design	



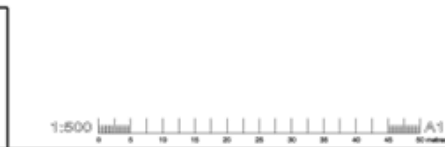


**PROPOSED PART SITE PLAN 1:500**

+ DENOTES LOCATION OF LIGHT POLE, REFER TO LIGHTING DESIGNERS PLAN

no.	description	date

**GENERAL NOTES:**  
 1 - All dimensions shown in millimeters unless noted otherwise.  
 2 - DO NOT SCALE from drawing, if in doubt ask.  
 3 - All dimensions and levels are to be confirmed on site prior to construction.  
 4 - Concrete slab & footings to be designed in accordance with AUSTRALIAN STANDARD 3600 - 2009.  
 5 - All structural elements to be designed by a practicing structural engineer.  
 6 - All timber used on the building shall be officitly in accordance with the provisions of AUSTRALIAN STANDARD 1684-1:2005, NATIONAL TIMBER FIRE ENGINEERING CODE, unless a certificate from a practicing structural engineer is submitted to council certifying that the building has been designed to withstand the most adverse combination of loads to which it will be subjected.  
 7 - Construction of any stairways and ramps shall comply with the requirements of the BUILDING CODE OF AUSTRALIA.  
 8 - All plumbing and drainage work is to comply with the requirements of AUSTRALIAN STANDARD 3500-NATIONAL PLUMBING AND DRAINAGE CODE and the NEW SOUTH WALES CODE OF PRACTICE PLUMBING AND DRAINAGE.  
 9 - Protection of the building from attack by termites is to be carried out in accordance with the provisions of the BUILDING CODE OF AUSTRALIA and or AUSTRALIAN STANDARD 3662-1:2005 PROTECTION OF BUILDINGS FROM SUBTERRANEAN TERMITES.



**PROJECT:**  
 PROPOSED NEW GREYHOUND RACING TRACK AND FACILITIES  
 LOT 500 (D.P. 1254834)  
 no. 32 PERC GRIFFITH WAY  
 ORANGE, N.S.W.

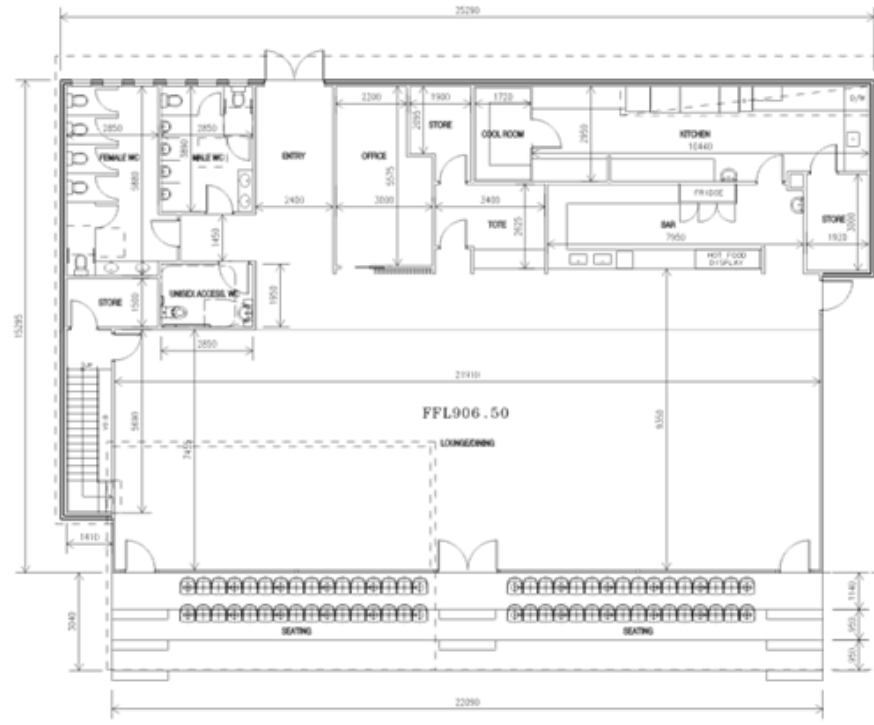
**CLIENT:**  
 NSW GBOTA  
**NO:**  
 PROPOSED PART SITE PLAN

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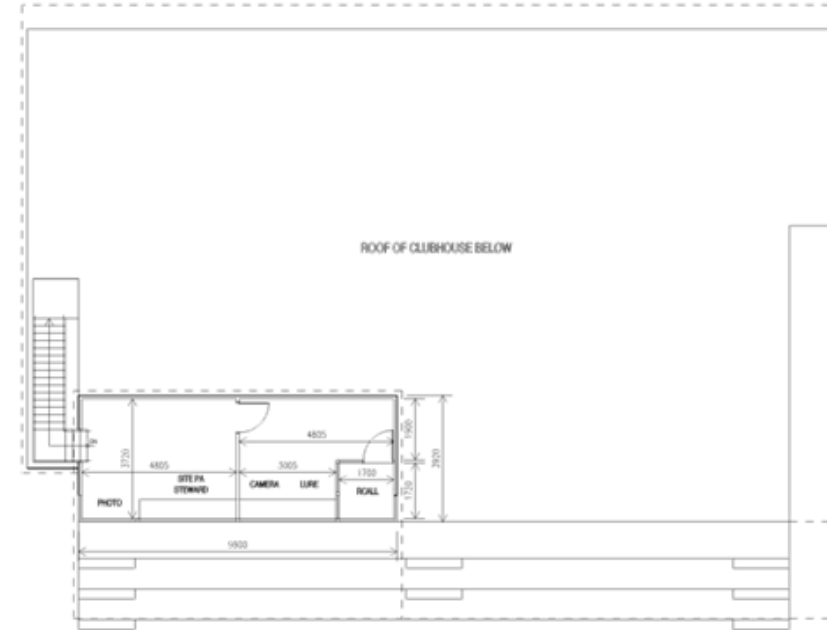








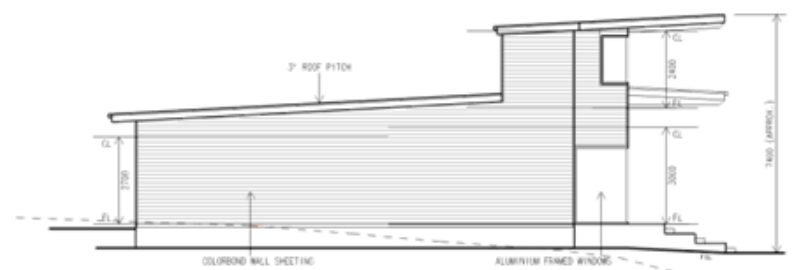
GROUND FLOOR PLAN 1:100 - CLUBHOUSE



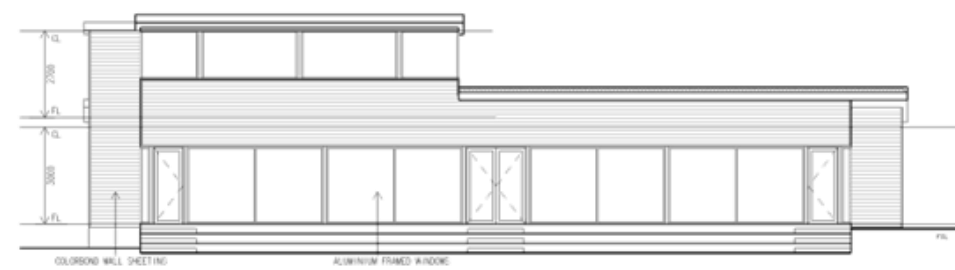
FIRST FLOOR PLAN 1:100 - CLUBHOUSE

AREAS:

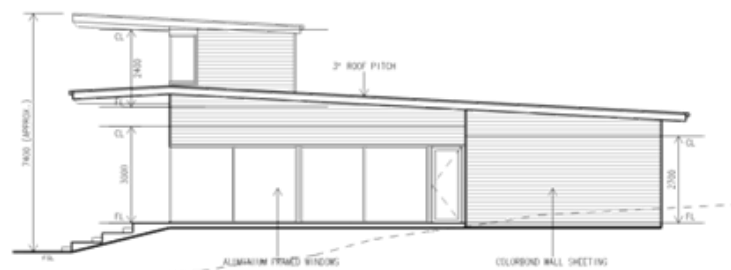
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FIRST FLOOR AREA	= 38.842
TIERED SEATING AREA	= 67.142
TOTAL AREA	= 474.842



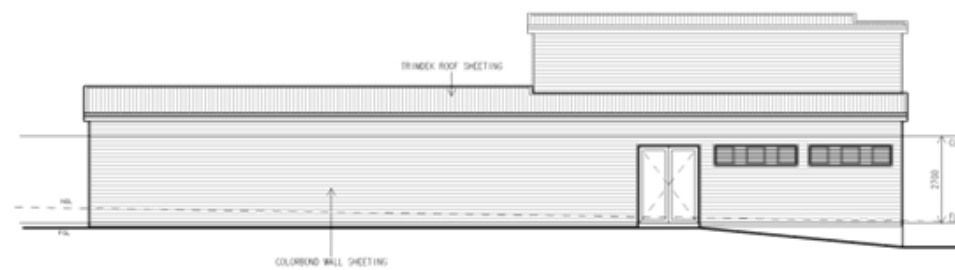
EAST ELEVATION 1:100



SOUTH ELEVATION 1:100



WEST ELEVATION 1:100



NORTH ELEVATION 1:100

no.	description	date

**GENERAL NOTES:**

- All dimension shown in millimeters unless noted otherwise.
- DO NOT SCALE from drawings, if in doubt ask.
- All dimension and levels are to be confirmed on site prior to construction.
- Concrete slab & footings to be designed in accordance with AUSTRALIAN STANDARD 2835 - 1994.
- All structural elements to be designed by a practicing structural engineer.
- All timber used in the building shall be strictly in accordance with the provisions of AUSTRALIAN STANDARD 1684-1993, NATIONAL TIMBER FINISHING CODE, unless a certificate from a practicing structural engineer is submitted to council certifying that the building has been designed to withstand the most adverse combination of loads to which it will be subjected.
- Construction of any stairs and scaffolds shall comply with the requirements of the BUILDING CODE OF AUSTRALIA.
- All plumbing and drainage work is to comply with the requirements of AUSTRALIAN STANDARD 2509-NATIONAL PLUMBING AND DRAINAGE CODE and the NEW SOUTH WALES CODE OF PRACTICE PLUMBING AND DRAINAGE.
- Protection of the building from attack by termites is to be carried out in accordance with the provisions of THE BUILDING CODE OF AUSTRALIA and or AUSTRALIAN STANDARD 3668 1-1995 PROTECTION OF BUILDINGS FROM SUBTERRANEAN TERMITES.



PROJECT:  
PROPOSED NEW GREYHOUND RACING TRACK AND FACILITIES LOT 500 (D.P. 1254834)  
no. 32 PERC GRIFFITH WAY ORANGE, N.S.W.

CLIENT:  
NSW GBOTA  
FLOOR PLAN CLUBHOUSE

	P 02 6863 1760 162 KITE STREET, PERTH WEST, ORANGE NSW 2800 E info@mckinnondesign.com.au G ORANGE NSW 2800 ABN 24 074 426 796	SCALE: AS NOTED DRAWN: DATE: AUGUST 2024 JOB NO: <b>24030</b> DRG NO: <b>04</b>
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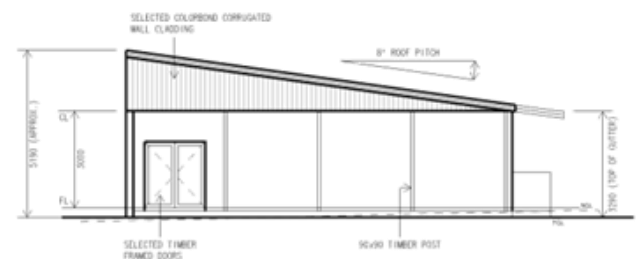




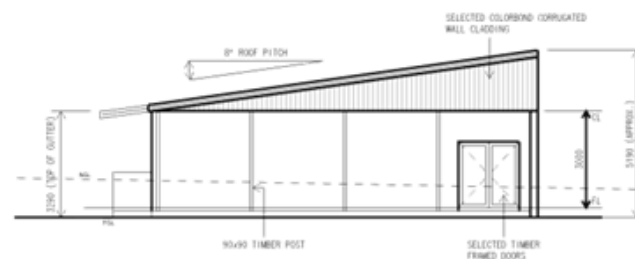
FLOOR PLAN 1:100 - RACE DAY KENNELS  
112 KENNELS



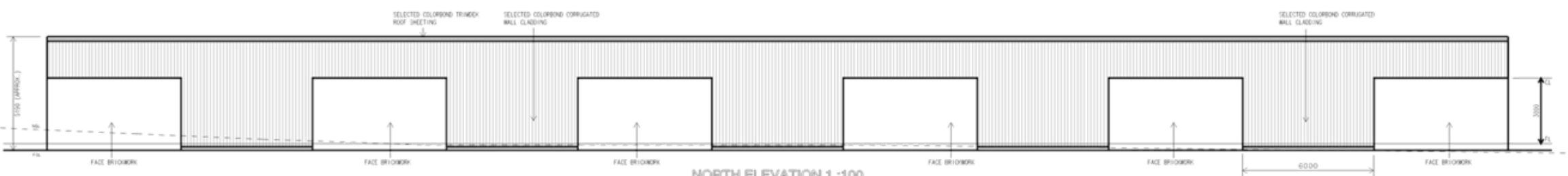
SOUTH ELEVATION 1:100



WEST ELEVATION 1:100



EAST ELEVATION 1:100

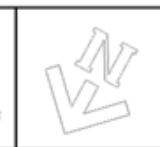


NORTH ELEVATION 1:100

**NOTE:**  
FINAL BUILDING DESIGN TO SATISFY THE MINIMUM STANDARDS FOR RACECOURSE FACILITIES AND AMENITIES - SPECIFICATIONS FOR KENNEL AND SCALES AREA; WASH BAYS; VET ROOM; SWAB ROOM. (PER MINIMUM STANDARDS FOR CONDUCT OF RACES AND GREYHOUND RACE MEETS - GREYHOUND RACING ACT 2017 No. 13, SECTION 26(1)(a)).

ISSUED FOR SUBMISSION	25/02/24
DESCRIPTION	
DATE	
AMENDMENTS	

**GENERAL NOTES:**  
 1 - ALL dimensions shown in millimeters unless noted otherwise.  
 2 - DO NOT SCALE from drawings, if in doubt ask.  
 3 - ALL dimensions and levels are to be confirmed on site prior to construction.  
 4 - Concrete slab & footings to be designed in accordance with AUSTRALIAN STANDARD 2893 - 1994.  
 5 - ALL structural elements to be designed by a practicing structural engineer.  
 6 - ALL timber used in the building shall be officially in accordance with the provisions of AUSTRALIAN STANDARD 1684-1993, NATIONAL TIMBER FIREWORK CODE, unless a certificate from a practicing structural engineer is submitted to council certifying that the building has been designed to withstand the most adverse combination of loads to which it will be subjected.  
 7 - Construction of any stairs and scaffolding shall comply with the requirements of the BUILDING CODE OF AUSTRALIA.  
 8 - All plumbing and drainage work is to comply with the requirements of AUSTRALIAN STANDARD 2509-NATIONAL PLUMBING AND DRAINAGE CODE and the NEW SOUTH WALES CODE OF PRACTICE PLUMBING AND DRAINAGE.  
 9 - Protection of the building from attack by termites is to be carried out in accordance with the provisions of the BUILDING CODE OF AUSTRALIA and or AUSTRALIAN STANDARD 3663-1-1995 PROTECTION OF BUILDINGS FROM SUBTERRANEAN TERMITES.

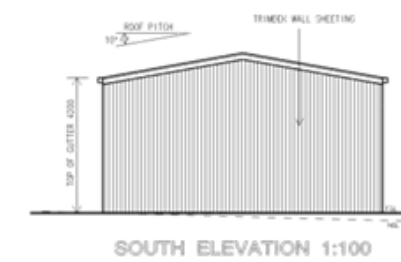
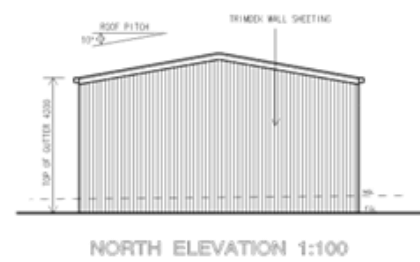
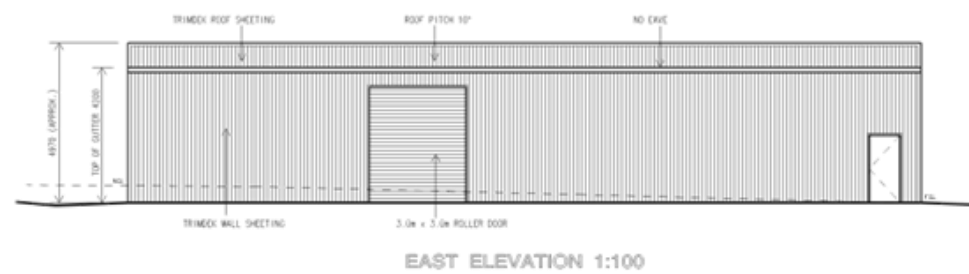
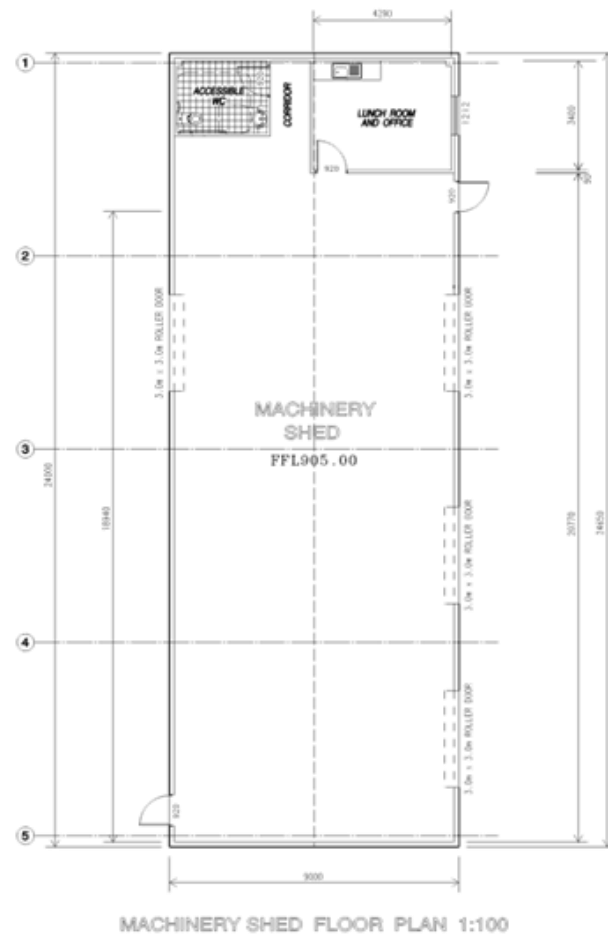


PROJECT:  
PROPOSED NEW GREYHOUND RACING TRACK AND FACILITIES LOT 500 (D.P. 1254834) no. 32 PERC GRIFFITH WAY ORANGE, N.S.W.

CLIENT:  
NSW GBOTA  
RACE DAY KENNELS

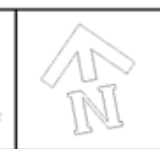
	P 02 6863 1760 162 KITE STREET, PO BOX 1350 ORANGE NSW 2800 E info@mckinnondesign.com.au GORRHOLD PTY LTD ABN 24 074 426 796	AS NOTED DATE: 08 AUGUST 2024 JOB NO: <b>24030</b> DRG NO: <b>05</b> SCALE: <b>B</b>
--	--	---





no.	description	date

**GENERAL NOTES:**  
 1 - All dimensions shown in millimeters unless noted otherwise.  
 2 - DO NOT SCALE from drawings, if in doubt ask.  
 3 - All dimensions and levels are to be confirmed on site prior to construction.  
 4 - Concrete slab & footings to be designed in accordance with AUSTRALIAN STANDARD 2870 - 1994.  
 5 - All structural elements to be designed by a practicing structural engineer.  
 6 - All timber used in the building shall be officially in accordance with the provisions of AUSTRALIAN STANDARD 1684-1992, NATIONAL TIMBER FIREWORK CODE, unless a certificate from a practicing structural engineer is submitted to council certifying that the building has been designed to withstand the most adverse combination of loads to which it will be subjected.  
 7 - Construction of any stairways and scaffolds shall comply with the requirements of the BUILDING CODE OF AUSTRALIA.  
 8 - All plumbing and drainage work is to comply with the requirements of AUSTRALIAN STANDARD 2509-NATIONAL PLUMBING AND DRAINAGE CODE and THE NEW SOUTH WALES CODE OF PRACTICE PLUMBING AND DRAINAGE.  
 9 - Protection of the building from attack by termites is to be carried out in accordance with the provisions of THE BUILDING CODE OF AUSTRALIA and or AUSTRALIAN STANDARD 3662 1-1995 PROTECTION OF BUILDINGS FROM SUBTERRANEAN TERMITES.

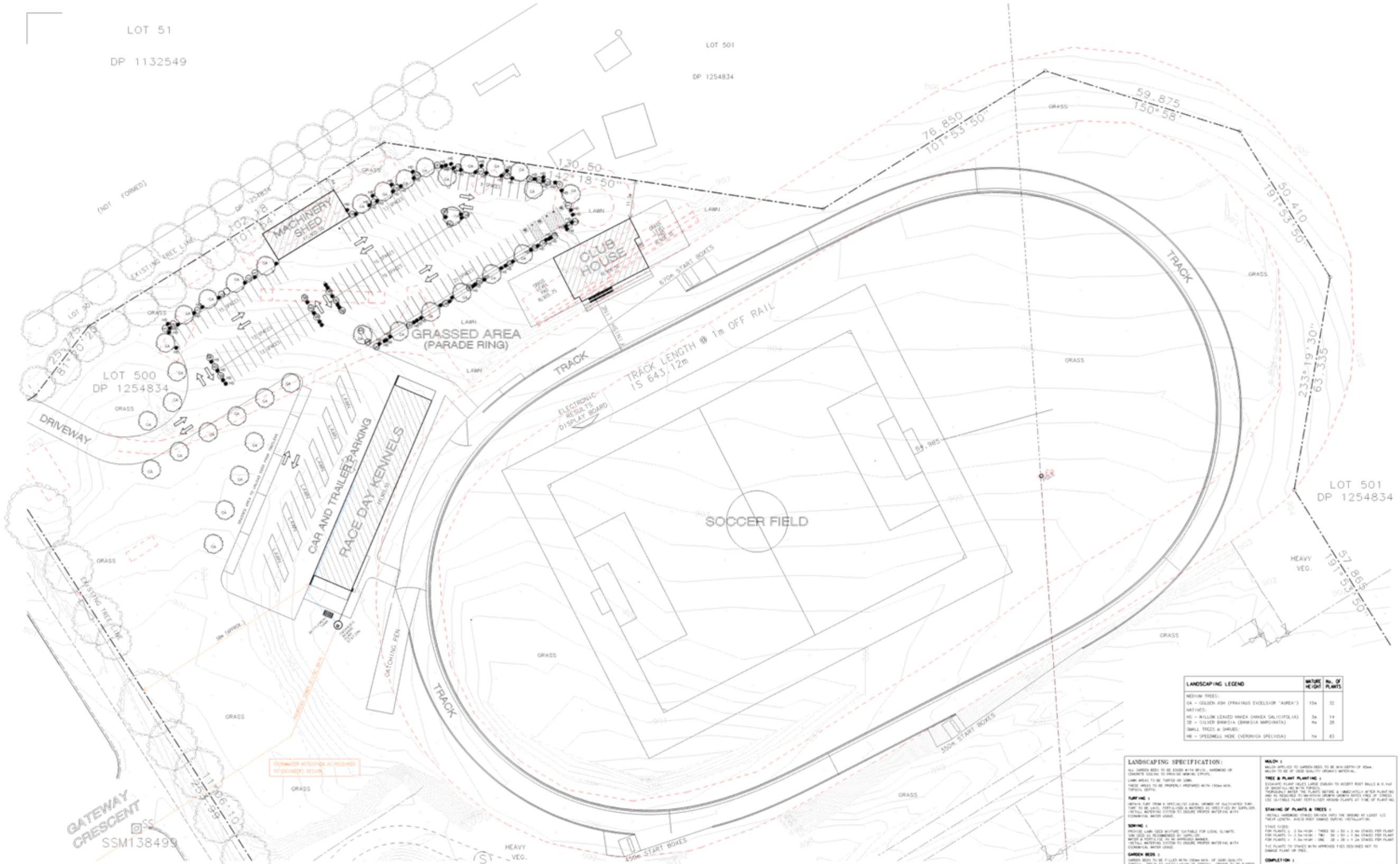


**project:**  
 PROPOSED NEW GREYHOUND RACING TRACK AND FACILITIES LOT 500 (D.P. 1254834) no. 32 PERC GRIFFITH WAY ORANGE, N.S.W.

**client:**  
 NSW GBOTA  
**site:**  
 MACHINERY SHED

	P 02 6863 1760 182 AITE STREET, PO BOX 1050 ORANGE NSW 2800 E info@mckinnondesign.com.au	scale: as noted drawn: D. J. B. 8 AUGUST 2024 job no: <b>24030</b> dsg no: issue: <b>06</b>
	mckinnon design	GORWOOD PTY LTD ABN 24 074 426 796





LANDSCAPING PLAN 1:500

LANDSCAPING LEGEND	NATURE HEIGHT	No. OF PLANTS
MEDIUM TREES: GA - GOLDEN ASH (FRAXINUS EXCELSIOR 'AUREA')	15m	32
MATINGS: ME - WILLOW LEAVED WAXEA (WAXEA SALICIFOLIA)	3m	14
SM - SILLER BARKWORM (SILVERIA MARGRITATA)	4m	28
SMALL TREES & SHRUBS: MB - SPEEDWELL HERE (EVERNOCHA SPECIOSA)	1m	83

**LANDSCAPING SPECIFICATION:**  
 ALL GARDEN BEDS TO BE EDED WITH SPILL, SHOWERED OR CONNECTED TO DRAINAGE TO PREVENT WATER STANDING.  
 LAWN AREAS TO BE TYPED IN 30mm.  
 PAVING AREAS TO BE PROPERLY PREPARED WITH 100mm MIN. TYPICAL DEPTH.  
**PAVING:**  
 PAVING TO BE DONE BY A SPECIALIZED LOCAL COMPANY OF QUALIFIED TRADE.  
 TO BE LAID, FERTILIZED & WATERED AS SPECIFIED BY SUPPLIER.  
**SOILING:**  
 ALL LAWN AREAS TO BE SOILED TO A DEPTH OF 100mm.  
 SOIL TO BE TESTED & FERTILIZED AS SPECIFIED BY SUPPLIER.  
**GARDEN BEDS:**  
 GARDEN BEDS TO BE FILLED WITH 100mm MIN. OF GOOD QUALITY TOPSOIL.  
 TO BE TESTED & FERTILIZED AS SPECIFIED BY SUPPLIER.  
**WALKS:**  
 WALKS TO BE CONSTRUCTED TO A DEPTH OF 100mm.  
**PLANTING:**  
 PLANTS TO BE PLANTED IN GARDEN BEDS.  
 TO BE TESTED & FERTILIZED AS SPECIFIED BY SUPPLIER.  
**COMPLETION:**  
 ALL PLANTING TO BE COMPLETED WITHIN THE SPECIFIED TIME FRAME.  
 TO BE TESTED & FERTILIZED AS SPECIFIED BY SUPPLIER.

No.	Description	Date

**GENERAL NOTES:**  
 1 - All dimensions shown in millimeters unless noted otherwise.  
 2 - DO NOT SCALE from drawings, if in doubt ask.  
 3 - All dimensions and levels are to be confirmed on site prior to construction.  
 4 - Concrete slab & footings to be designed in accordance with AUSTRALIAN STANDARD 3600 - 1996.  
 5 - All structural elements to be designed by a practicing structural engineer.  
 6 - All timber used in the building shall be strictly in accordance with the provisions of AUSTRALIAN STANDARD 1604-1993, NATIONAL TIMBER FIRE MARKING CODE, unless a certificate from a practicing structural engineer is submitted to council certifying that the building has been designed to withstand the most adverse combination of loads to which it will be subjected.  
 7 - Construction of any stairways and scaffolding shall comply with the requirements of the BUILDING CODE OF AUSTRALIA.  
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**PROJECT:**  
 PROPOSED NEW GREYHOUND RACING TRACK AND FACILITIES  
 LOT 500 (D.P. 1254834)  
 no. 32 PERC GRIFFITH WAY  
 ORANGE, N.S.W.

**CLIENT:**  
 NSW GBOTA  
**DATE:**  
 24/03/2024  
**PROJECT NO.:**  
 24030  
**DATE:**  
 07

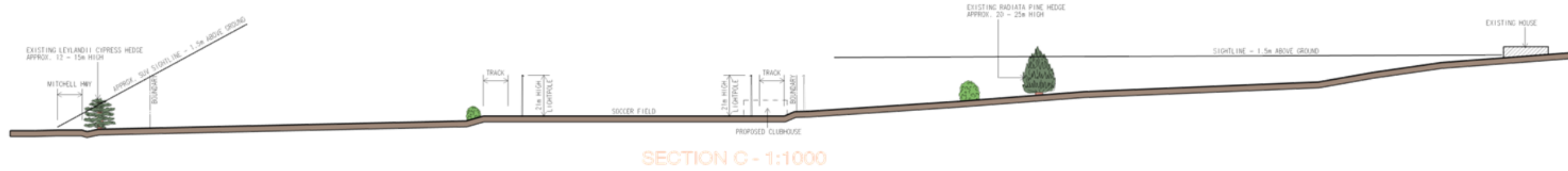
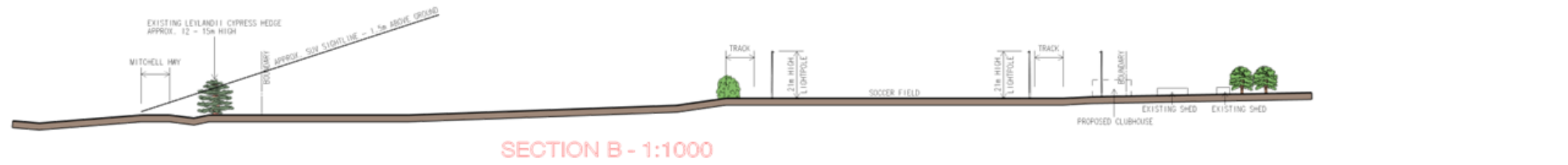
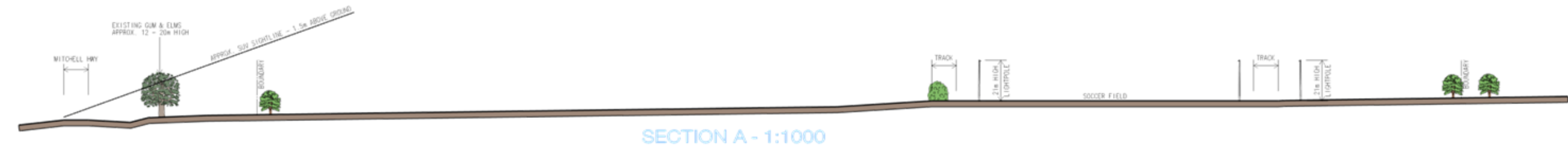
**mckinnon design**  
 P: 02 6863 1760  
 182 KITE STREET,  
 ORANGE NSW 2800  
 E: info@mckinnondesign.com.au  
 G: 02 6863 1760  
 A: 24 074 426 790





<p><b>GENERAL NOTES:</b></p> <p>1 - All dimension values in millimeters unless noted otherwise.</p> <p>2 - DO NOT SCALE from drawings. If in doubt ask.</p> <p>3 - All dimension and levels are to be confirmed on site prior to construction.</p> <p>4 - Concrete slab &amp; footings to be designed in accordance with AUSTRALIAN STANDARD 3600 - 1996.</p> <p>5 - All structural elements to be designed by a practicing structural engineer.</p> <p>6 - All timber used in the building shall be strictly in accordance with the provisions of AUSTRALIAN STANDARD 1684-1993, NATIONAL TIMBER FRAME CODE, unless a certificate from a practicing structural engineer is submitted to council certifying that the building has been designed to withstand the most adverse combination of loads to which it will be subjected.</p> <p>7 - Construction of any stairways and balconies shall comply with the requirements of the BUILDING CODE OF AUSTRALIA.</p> <p>8 - All plumbing and drainage work is to comply with the requirements of AUSTRALIAN STANDARD 1547-NATIONAL PLUMBING AND DRAINAGE CODE and the NEW SOUTH WALES CODE OF PRACTICE PLUMBING AND DRAINAGE.</p> <p>9 - Protection of the building from attack by termites is to be carried out in accordance with the provisions of the BUILDING CODE OF AUSTRALIA and or AUSTRALIAN STANDARD 3685.1-1995 PROTECTION OF BUILDINGS FROM SUBSTANTIAL TERMITE.</p>			<p><b>SIGHT LINE PLAN - 1:2000</b></p>	<p><b>PROJECT:</b> PROPOSED NEW GREYHOUND RACING TRACK AND FACILITIES LOT 500 (D.P. 1254834) no. 32 PERC GRIFFITH WAY ORANGE, N.S.W.</p>	<p><b>CLIENT:</b> NSW GBOTA</p> <p><b>TITLE:</b> SIGHT LINE PLAN</p>	<p>P-02 6863 1760 182 KITE STREET, PO BOX 1030 ORANGE NSW 2800 E info@mckinnondesign.com.au GPO BOX 1030 ORANGE NSW 2800 APR 24 074 426 796</p>	<p><b>SCALE:</b> AS NOTED</p> <p><b>DRAWN:</b> D. J. B. 24/02/26</p> <p><b>CHECKED:</b> AUGUST 2024</p> <p><b>JOB NO:</b> 24030</p> <p><b>DWG NO:</b> 08</p> <p><b>ISSUE:</b> B</p>
<p>DATE ISSUED FOR SUBMISSION: 25/02/26</p> <p>DATE PAID ASSOCIATED: 24/02/26</p>		<p><b>DO NOT SCALE</b></p>		<p>© copyright mckinnon design</p>			





no.	description	date
1	ISSUED FOR SUBMISSION	26/02/26
2	PREL. ASSESS.	24/02/26
amendments		

**GENERAL NOTES:**  
 1 - All dimension shown in millimeters unless noted otherwise.  
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structural engineer is submitted to council certifying that the building has been designed to withstand the most adverse combination of loads to which it will be subjected.  
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**project:**  
 PROPOSED NEW GREYHOUND RACING TRACK AND FACILITIES  
 LOT 500 (D.P. 1254834)  
 no. 32 PERC GRIFFITH WAY  
 ORANGE, N.S.W.

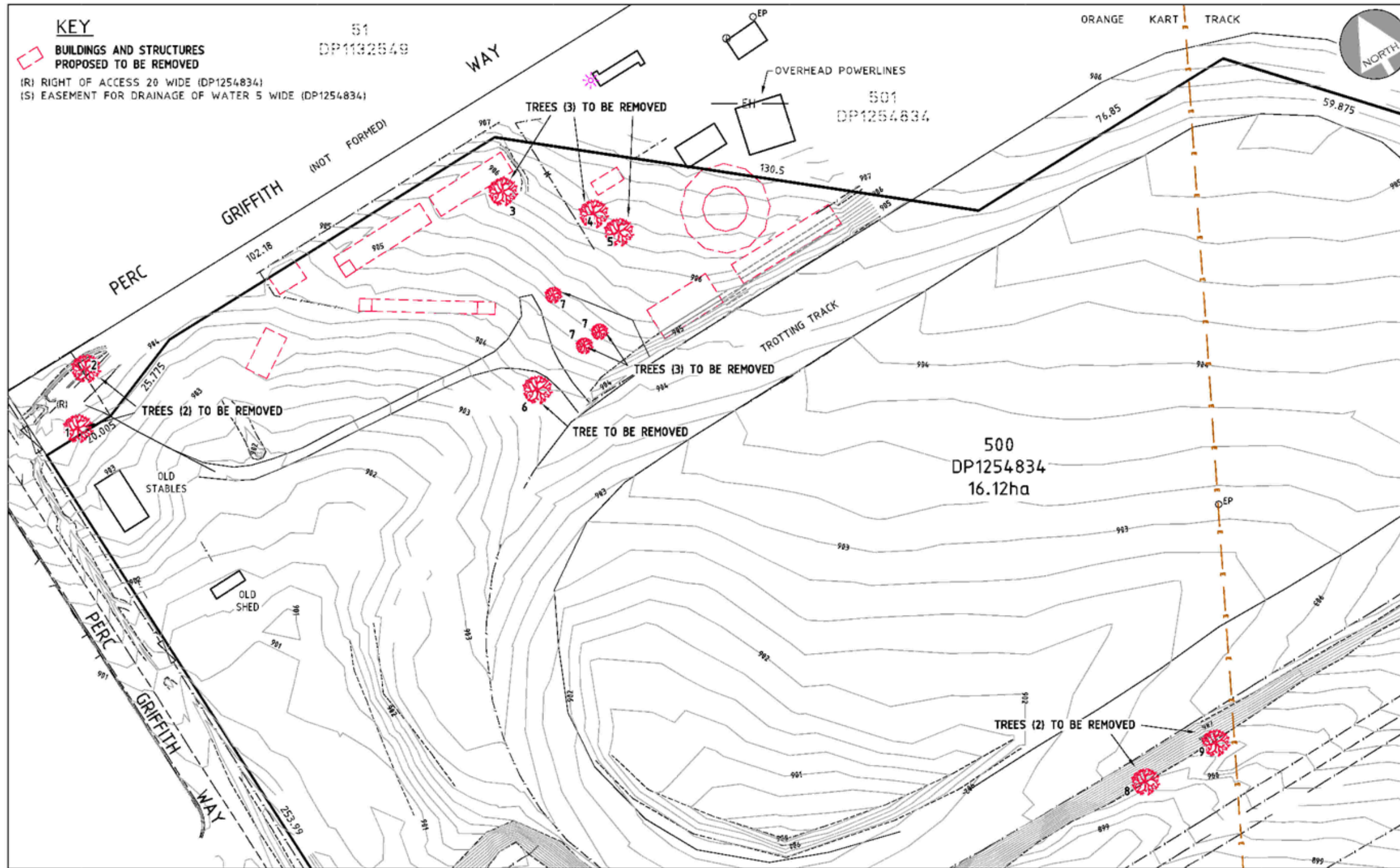
**client:**  
 NSW GBOTA  
**title:**  
 SIGHT LINE SECTIONS

	P 02 6863 1760 182 AITE STREET, PERUNGUBBIN ORANGE NSW 2800 E info@mckinnondesign.com.au GORRHOLD PTY LTD ABN 24 074 426 796	scale: AS NOTED drawn: 21.04.26 date: AUGUST 2024 job no: <b>24030</b> dsg no: 09 issue: B
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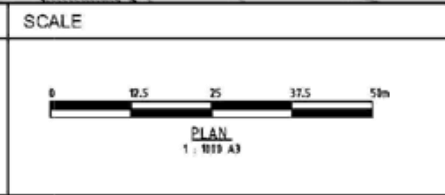






**IMPORTANT NOTES**

- THIS PLAN HAS BEEN PREPARED FOR DEVELOPMENT APPLICATION PURPOSES ONLY
- ALL DIMENSIONS AND ARCAS SHOWN ARE SUBJECT TO SURVEY
- DO NOT RELY ON THIS PLAN FOR THE LOCATION & TYPE OF EASEMENTS THAT MAY AFFECT THE LAND. THESE SHOULD BE ASCERTAINED BY SURVEY SEARCH AND/OR FIELD SURVEY.
- FUTURE EASEMENTS MAY BE REQUIRED FOR SERVICING OR OTHER REASONS, & AS SUCH ARE SUBJECT TO FINAL SURVEY AND/OR ENGINEERING DESIGN.
- THE LOCATION OF BUILDINGS IS INDICATIVE ONLY AND TRUE POSITION IN RELATION TO BOUNDARIES IS SUBJECT TO SURVEY
- DO NOT RELY ON THIS PLAN FOR CONTRACTUAL PURPOSES.



**PROPOSED RECREATION FACILITY (MAJOR)  
GREYHOUND COMPLEX  
No. 32 PERC GRIFFITH WAY, ORANGE**

**FIGURE 4 - PROPOSED DEMOLITION PLAN**

DATE: 18.11.2025 REFERENCE: 24030DA SHEET: 4 OF 6

**PETER BASHA**

PLANNING & DEVELOPMENT  
Phone: 6361 2955 Fax: 6360 4700  
P.O. BOX 1827 ORANGE, NSW 2800



**Orange Greyhound Track**  
Orange, NSW

**LIGHTING SYSTEM**

**Structure/Fixture Summary**

Structure ID	Structure Height	Fixt. Attachment Ht.	Fixture Qty	Fixture Type	Load	Circuit
A1	21.0 m	21.0 m	3	TLC-LED-1200	3.51 kW	A
A2	21.0 m	21.0 m	6	TLC-LED-1200	7.02 kW	A
A3-A4	21.0 m	21.0 m	2	TLC-LED-1200	2.34 kW	B
		21.0 m	6	TLC-LED-1200	7.02 kW	A
A5	21.0 m	21.0 m	3	TLC-LED-1200	3.51 kW	A
B1	21.3 m	21.3 m	3	TLC-LED-1200	3.51 kW	A
B2-B4	21.3 m	21.3 m	5	TLC-LED-1200	5.85 kW	A
B5-B10	21.3 m	21.3 m	6	TLC-LED-1200	7.02 kW	A
B11-B13	21.3 m	21.3 m	5	TLC-LED-1200	5.85 kW	A
B14	21.3 m	21.3 m	3	TLC-LED-1200	3.51 kW	A
B15-B16	21.3 m	21.3 m	2	TLC-LED-1200	2.34 kW	A
<b>21</b>			<b>104</b>		<b>121.68 kW</b>	

**Circuit Summary**

Circuit	Description	Load	Fixture Qty
A		117.00 kW	100
B		4.68 kW	4

**Fixture Type Summary**

Type	Circuit	Source	Wattage	Lumens	L90	L80	L70	Quantity
TLC-LED-1200	A	LED 5700K - 75 CRI	1170W	150,000	>120,000	>120,000	>120,000	100
TLC-LED-1200	B	LED 5700K - 75 CRI	1170W	150,000	>120,000	>120,000	>120,000	4

**Single Fixture Amperage Draw Chart**

Driver Specifications (.90 min power factor)	Line Amperage Per Fixture (max draw)					
	220	230	240	380	400	415
Single Phase Voltage	(50)	(50)	(50)	(50)	(50)	(50)
TLC-LED-1200	6.5	6.3	6.0	3.8	3.6	3.5

**Light Level Summary**

**Calculation Grid Summary**

Grid Name	Calculation Metric	Illumination Ave					Circuits	Fixture Qty
		Ave	Min	Max	Min/Max	Min/Ave		
01 Track - Eh	Horizontal	964.5	781.8	1211.5	0.65	0.81	A	100
02 Track - Ev	Main Camera	762.6	614.1	1008.6	0.61	0.81	A	100
03 Finish Line	Main Camera	3312.4	3062.7	3559.2	0.86	0.92	A,B	104
04 Spill - Commercial	Max Candela (by Fixture)	0.0	0.0	0.0	-	-	A,B	104
04 Spill - Commercial	True Max Vert Illuminance	0.0	0.0	0.0	-	-	A,B	104
05 T1 - Perc Griffith Way ↑	Tl: @ -5	0.0	0.0	0.0	-	-	A,B	104
06 T1 - Perc Griffith Way ↓	Tl: @ 175	0.0	0.0	0.0	-	-	A,B	104

**Guaranteed Performance:** The ILLUMINATION described above is guaranteed per your Musco Warranty document.

**Field Measurements:** Individual field measurements may vary from computer-calculated predictions.

**Electrical System Requirements:** Refer to Amperage Draw Chart and/or the "Musco Control System Summary" for electrical sizing.

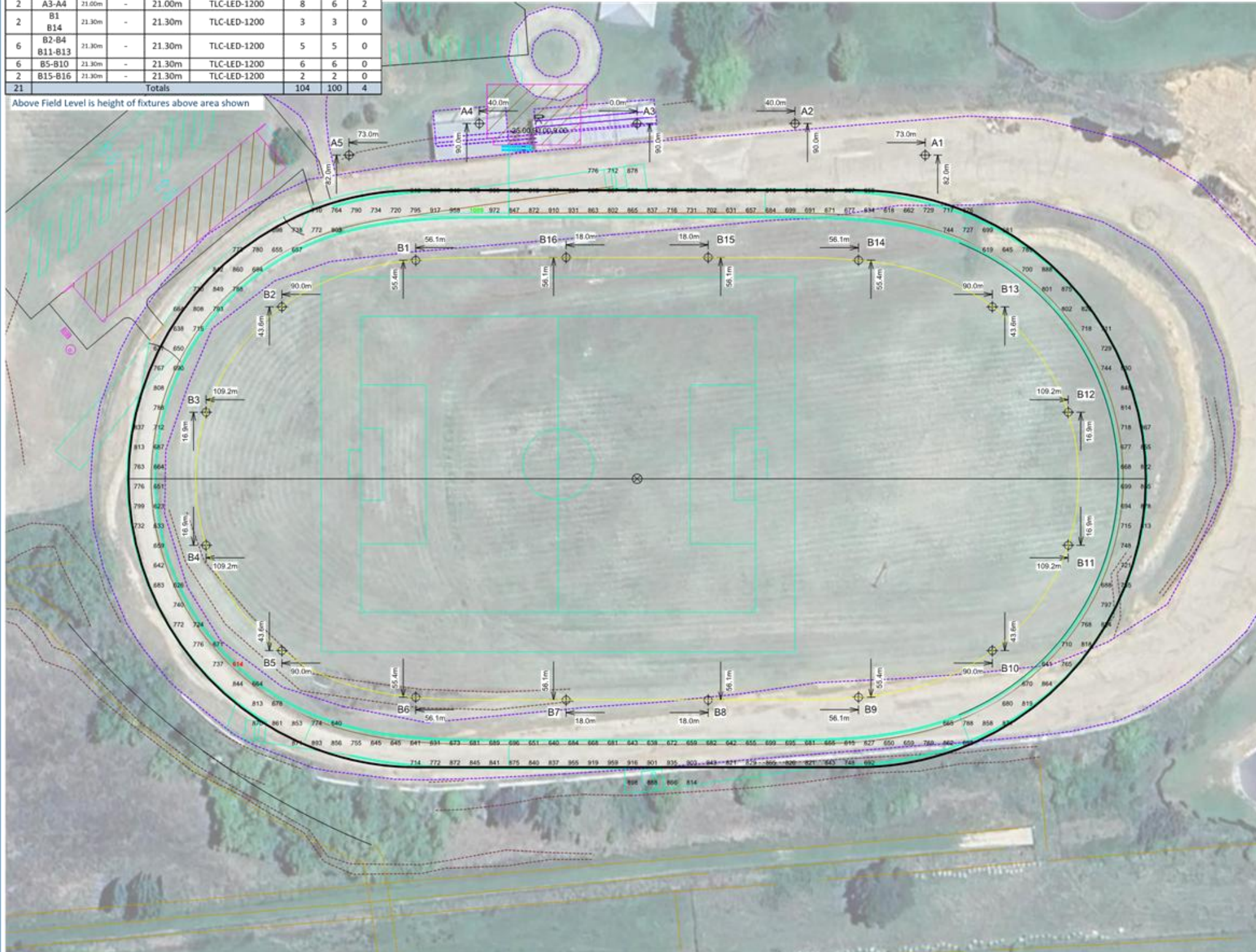
**Installation Requirements:** Results assume 73% nominal voltage at line side of the driver and structures located within 3 feet (1m) of design locations.





Equipment List For Areas Shown							
Structure			Fixtures				
QTY	STRUCTURE ID	SIZE	GRADE ELEVATION	ABOVE FIELD LEVEL	FIXTURE TYPE	QTY/POLE	THIS GRID
2	A1	21.00m	-	21.00m	TLC-LED-1200	3	3
1	A2	21.00m	-	21.00m	TLC-LED-1200	6	6
2	A3-A4	21.00m	-	21.00m	TLC-LED-1200	8	6
2	B1	21.30m	-	21.30m	TLC-LED-1200	3	3
6	B2-B4	21.30m	-	21.30m	TLC-LED-1200	5	5
6	B5-B10	21.30m	-	21.30m	TLC-LED-1200	6	6
2	B15-B16	21.30m	-	21.30m	TLC-LED-1200	2	2
21	Totals					104	100

Above Field Level is height of fixtures above area shown



### Orange Greyhound Track

Orange, NSW

#### Grid Summary

Name: 02 Track - Ev  
Size: Irregular  
Spacing: 5.0m x 5.0m  
Height: 1.0m above grade

#### Illumination Summary

Entire Grid	
Scan Average:	762.6
Maximum:	1008.6
Minimum:	614.1
Min/Avg:	0.81
Min/Max:	0.61
UG (adjacent pts):	1.42
CU:	0.38
No. of Points:	232
<b>FIXTURE INFORMATION</b>	
Applied Circuits:	A
No. of Fixtures:	100
Total Load:	117.00 kW

**Guaranteed Performance:** The ILLUMINATION described above is guaranteed per your Musco Warranty document.

**Field Measurements:** Individual field measurements may vary from computer-calculated predictions.

**Electrical System Requirements:** Refer to Amperage Draw Chart and/or the "Musco Control System Summary" for electrical sizing.

**Installation Requirements:** Results assume 73% nominal voltage at line side of the driver and structures located within 3 feet (1m) of design locations.



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#### ILLUMINATION SUMMARY

SCALE IN METERS 1 : 1000  
0m 50m 100m  
ENGINEERED DESIGN By: Alex (Sunnie) • File #249018A • 04-Nov-25

Pole location(s) ⊕ dimensions are relative to 0,0 reference point(s) ⊗



Equipment List For Areas Shown								
Structure				Fixtures				
QTY	STRUCTURE ID	SIZE	GRADE ELEVATION	ABOVE FIELD LEVEL	FIXTURE TYPE	QTY/POLE	THIS GRID	OTHER GRIDS
2	A1 A5	21.00m	-	21.00m	TLC-LED-1200	3	3	0
1	A2	21.00m	-	21.00m	TLC-LED-1200	6	6	0
2	A3-A4	21.00m	-	21.00m	TLC-LED-1200	8	8	0
2	B1 B14	21.30m	-	21.30m	TLC-LED-1200	3	3	0
6	B2-B4 B11-B13	21.30m	-	21.30m	TLC-LED-1200	5	5	0
6	B5-B10	21.30m	-	21.30m	TLC-LED-1200	6	6	0
2	B15-B16	21.30m	-	21.30m	TLC-LED-1200	2	2	0
21	Totals					104	104	0

Above Field Level is height of fixtures above area shown



### Orange Greyhound Track

Orange, NSW

#### Grid Summary

Name: 03 Finish Line  
Size: Irregular  
Spacing: 2.0m x 2.0m  
Height: 1.0m above grade

#### Illumination Summary

MAINTAINED TV LUX: Main Camera	
Entire Grid	
Scan Average:	3312.4
Maximum:	3559.2
Minimum:	3062.7
Min/Avg:	0.92
Min/Max:	0.86
UG (adjacent pts):	1.14
CU:	0.00
No. of Points:	4
<b>FIXTURE INFORMATION</b>	
Applied Circuits:	A,B
No. of Fixtures:	104
Total Load:	121.68 kW

**Guaranteed Performance:** The ILLUMINATION described above is guaranteed per your Musco Warranty document.

**Field Measurements:** Individual field measurements may vary from computer-calculated predictions.

**Electrical System Requirements:** Refer to Amperage Draw Chart and/or the "Musco Control System Summary" for electrical sizing.

**Installation Requirements:** Results assume 73% nominal voltage at line side of the driver and structures located within 3 feet (1m) of design locations.



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#### ILLUMINATION SUMMARY

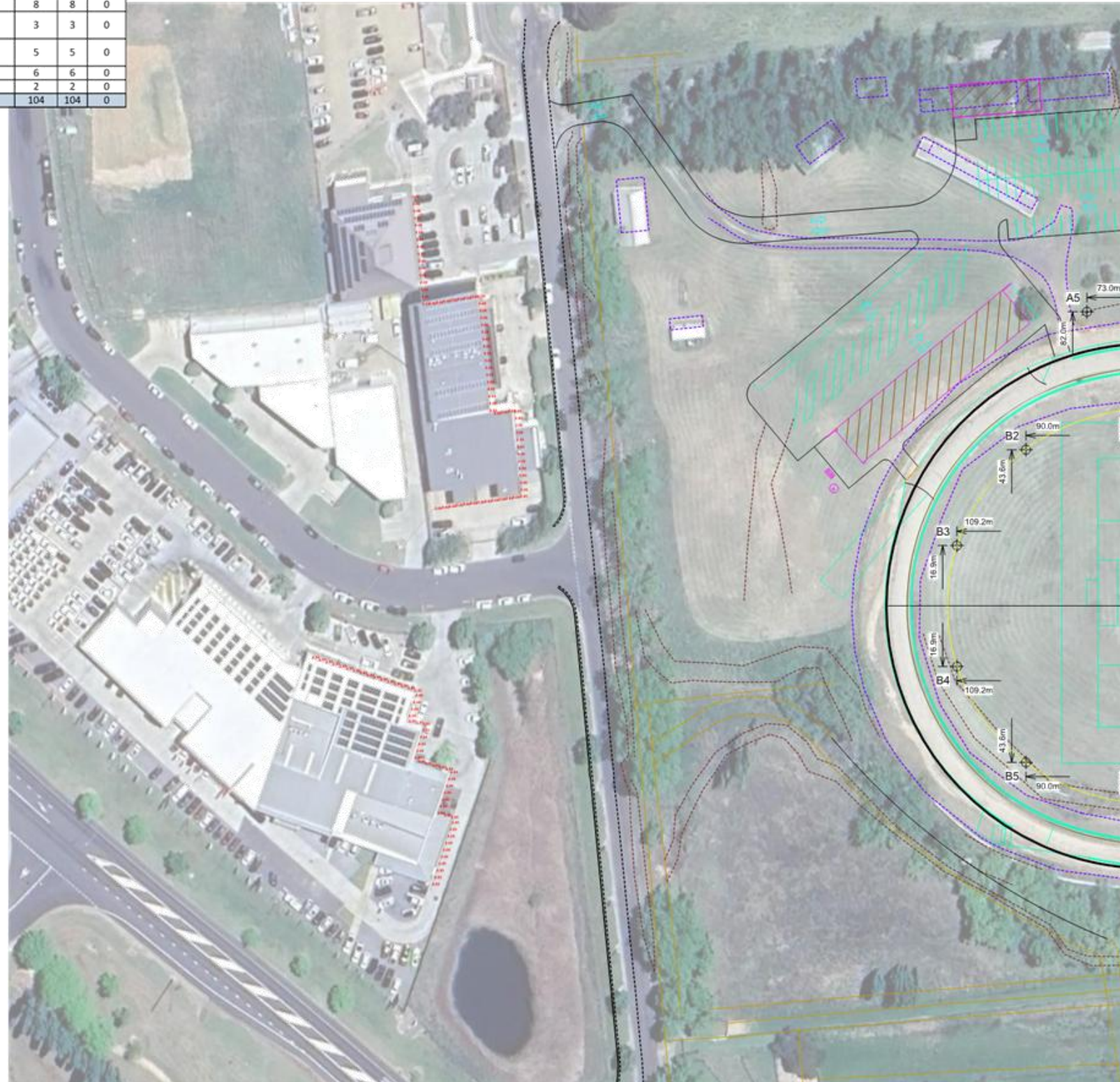
SCALE IN METERS 1 : 300  
0m 15m 30m  
ENGINEERED DESIGN By: Alex (Sunnie) • File #249018A • 04-Nov-25

Pole location(s) ⊕ dimensions are relative to 0,0 reference point(s) ☒



Equipment List For Areas Shown								
QTY	Structure			Fixtures				
	STRUCTURE ID	SIZE	GRADE ELEVATION	ABOVE FIELD LEVEL	FIXTURE TYPE	QTY/POLE	THIS GRID	OTHER GRIDS
2	A1	21.00m	-	21.00m	TLC-LED-1200	3	3	0
1	A2	21.00m	-	21.00m	TLC-LED-1200	6	6	0
2	A3-A4	21.00m	-	21.00m	TLC-LED-1200	8	8	0
2	B1	21.30m	-	21.30m	TLC-LED-1200	3	3	0
6	B2-B4	21.30m	-	21.30m	TLC-LED-1200	5	5	0
6	B5-B10	21.30m	-	21.30m	TLC-LED-1200	6	6	0
2	B15-B16	21.30m	-	21.30m	TLC-LED-1200	2	2	0
21	Totals					104	104	0

Above Field Level is height of fixtures above area shown



**Orange Greyhound Track**  
Orange, NSW

Grid Summary	
Name:	04 Spill - Commercial
Size:	Irregular
Spacing:	2.0m x 2.0m
Height:	1.5m above grade

Illumination Summary	
MAINTAINED MAX CANDELA (PER FIXTURE)	
Entire Grid	Scan Average: 0.0
	Maximum: 0.0
	Minimum: 0.0
	Min/Avg: -
	Min/Max: -
UG (adjacent pts):	0.00
No. of Points:	120
<b>FIXTURE INFORMATION</b>	
Applied Circuits:	A, B
No. of Fixtures:	104
Total Load:	121.68 kW

**Guaranteed Performance:** The ILLUMINATION described above is guaranteed per your Musco Warranty document.

**Field Measurements:** Individual field measurements may vary from computer-calculated predictions.

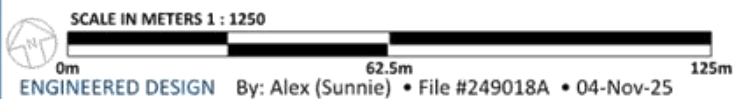
**Electrical System Requirements:** Refer to Amperage Draw Chart and/or the "Musco Control System Summary" for electrical sizing.

**Installation Requirements:** Results assume 73% nominal voltage at line side of the driver and structures located within 3 feet (1m) of design locations.



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**ILLUMINATION SUMMARY**



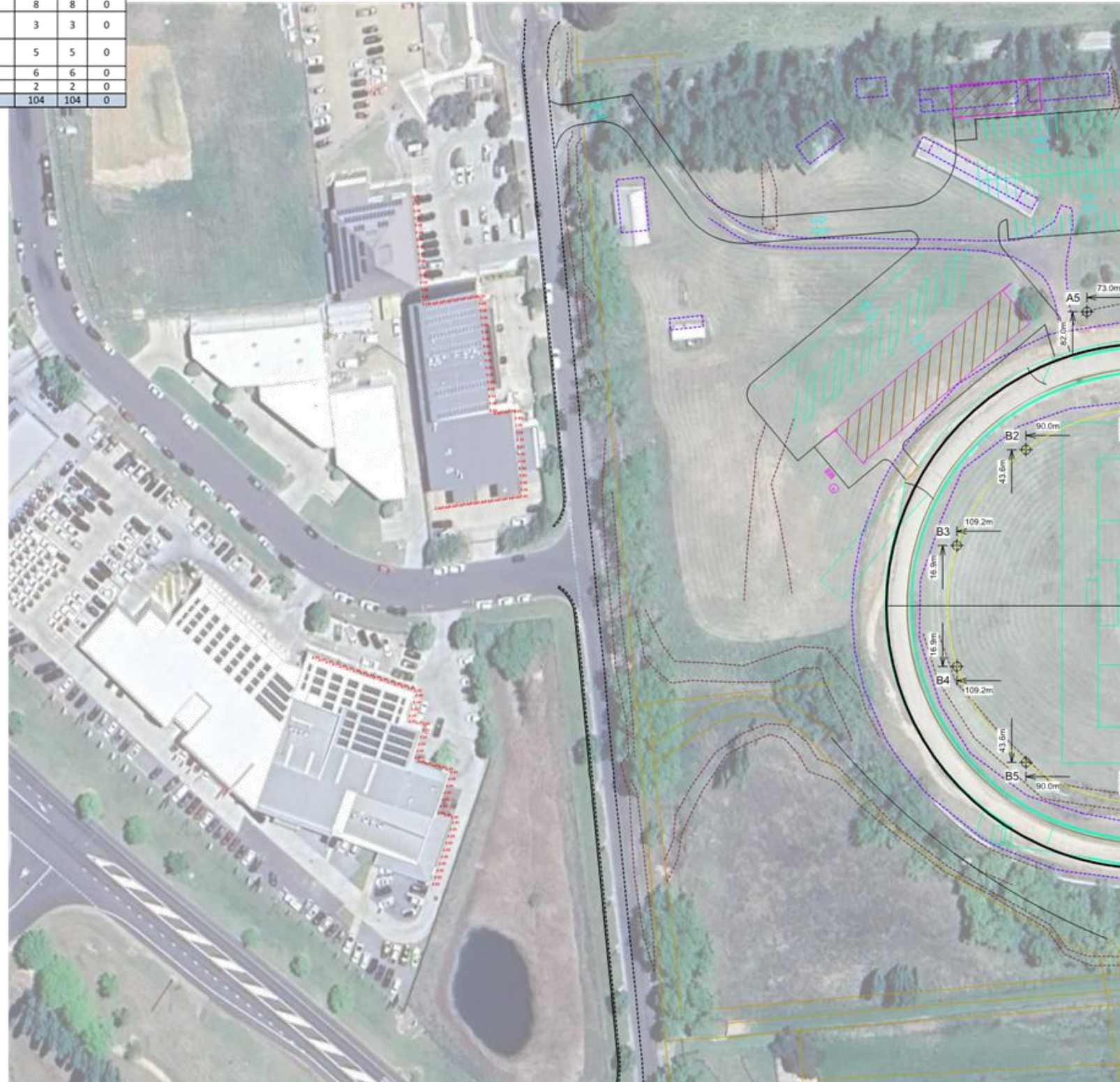
Pole location(s) ⊕ dimensions are relative to 0,0 reference point(s) ⊗



Equipment List For Areas Shown

QTY	Structure			Fixtures				
	STRUCTURE ID	SIZE	GRADE ELEVATION	ABOVE FIELD LEVEL	FIXTURE TYPE	QTY/POLE	THIS GRID	OTHER GRIDS
2	A1 A5	21.00m	-	21.00m	TLC-LED-1200	3	3	0
1	A2	21.00m	-	21.00m	TLC-LED-1200	6	6	0
2	A3-A4	21.00m	-	21.00m	TLC-LED-1200	8	8	0
2	B1 B14	21.30m	-	21.30m	TLC-LED-1200	3	3	0
6	B2-B4 B11-B13	21.30m	-	21.30m	TLC-LED-1200	5	5	0
6	B5-B10	21.30m	-	21.30m	TLC-LED-1200	6	6	0
2	B15-B16	21.30m	-	21.30m	TLC-LED-1200	2	2	0
21	Totals					104	104	0

Above Field Level is height of fixtures above area shown



Orange Greyhound Track

Orange, NSW

Grid Summary

Name: 04 Spill - Commercial  
Size: Irregular  
Spacing: 2.0m x 2.0m  
Height: 1.5m above grade

Illumination Summary

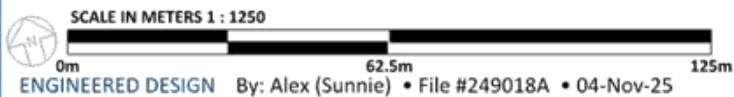
Entire Grid		MAINTAINED VERTICAL LUX: 90° TIR
Scan Average:	0.0	
Maximum:	0.0	
Minimum:	0.0	
Min/Avg:	-	
Min/Max:	-	
UG (adjacent pts):	0.00	
No. of Points:	120	
<b>FIXTURE INFORMATION</b>		
Applied Circuits:	A, B	
No. of Fixtures:	104	
Total Load:	121.68 kW	

**Guaranteed Performance:** The ILLUMINATION described above is guaranteed per your Musco Warranty document.

**Field Measurements:** Individual field measurements may vary from computer-calculated predictions.

**Electrical System Requirements:** Refer to Amperage Draw Chart and/or the "Musco Control System Summary" for electrical sizing.

**Installation Requirements:** Results assume 73% nominal voltage at line side of the driver and structures located within 3 feet (1m) of design locations.



Pole location(s) ⊕ dimensions are relative to 0,0 reference point(s) ⊗



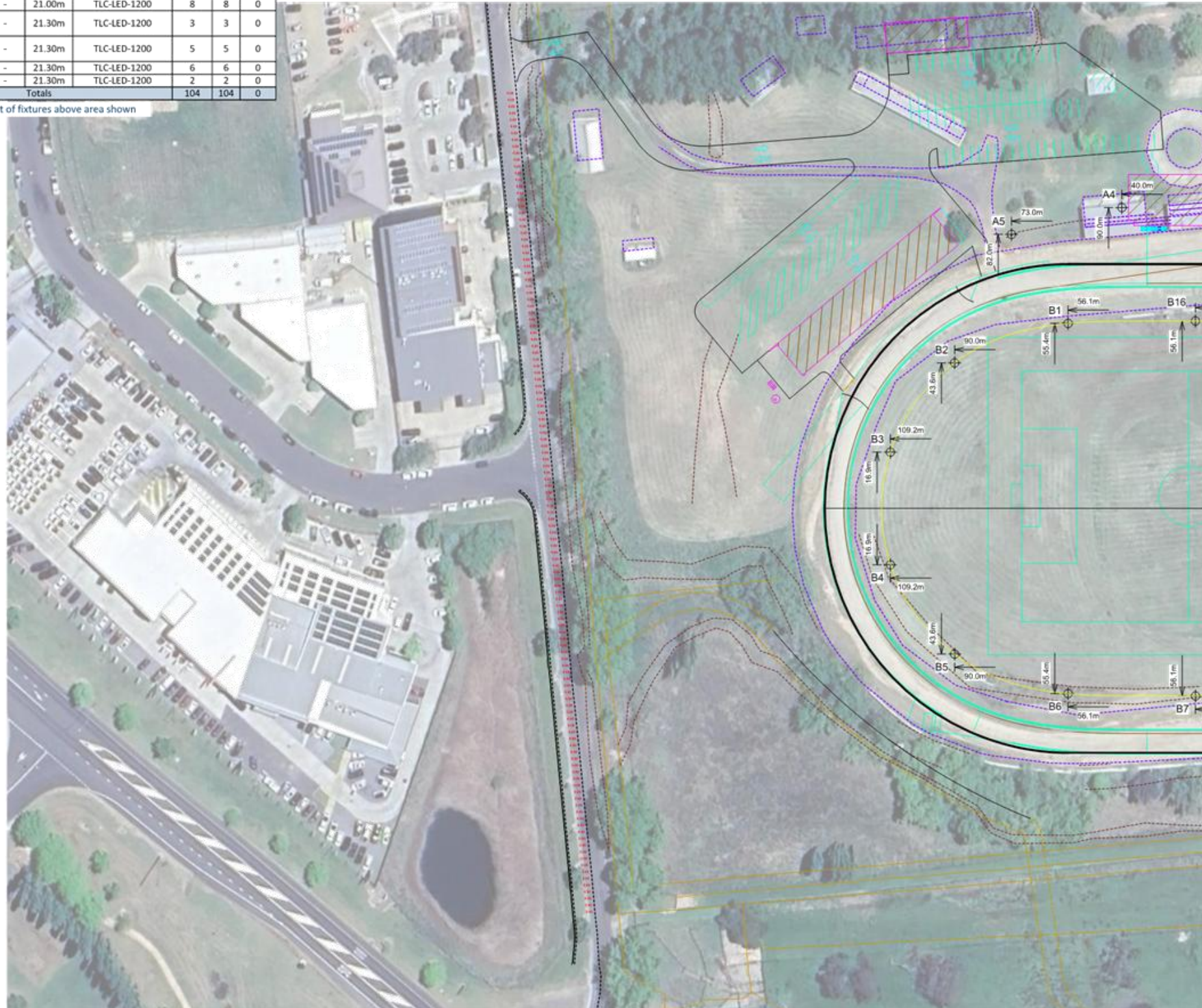
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ILLUMINATION SUMMARY



Equipment List For Areas Shown							
Structure				Fixtures			
QTY	STRUCTURE ID	SIZE	GRADE ELEVATION	ABOVE FIELD LEVEL	FIXTURE TYPE	QTY/POLE	THIS GRID
2	A1	21.00m	-	21.00m	TLC-LED-1200	3	3
1	A2	21.00m	-	21.00m	TLC-LED-1200	6	6
2	A3-A4	21.00m	-	21.00m	TLC-LED-1200	8	8
2	B1	21.30m	-	21.30m	TLC-LED-1200	3	3
6	B2-B4	21.30m	-	21.30m	TLC-LED-1200	5	5
6	B5-B10	21.30m	-	21.30m	TLC-LED-1200	6	6
2	B15-B16	21.30m	-	21.30m	TLC-LED-1200	2	2
21	Totals					104	104

Above Field Level is height of fixtures above area shown



**Orange Greyhound Track**

Orange, NSW

**Grid Summary**

Name: 05 TI - Perc Griffith Way ↑  
Size: Irregular  
Spacing: 2.0m x 2.0m  
Height: 1.5m above grade

**Illumination Summary**

Entire Grid	
Scan Average:	0.0
Maximum:	0.0
Minimum:	0.0
Min/Avg:	-
Min/Max:	-
UG (adjacent pts):	0.00
CU:	0.00
No. of Points:	124
<b>FIXTURE INFORMATION</b>	
Applied Circuits:	A,B
No. of Fixtures:	104
Total Load:	121.68 kW

**Guaranteed Performance:** The ILLUMINATION described above is guaranteed per your Musco Warranty document.

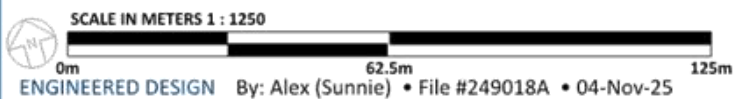
**Field Measurements:** Individual field measurements may vary from computer-calculated predictions.

**Electrical System Requirements:** Refer to Amperage Draw Chart and/or the "Musco Control System Summary" for electrical sizing.

**Installation Requirements:** Results assume 73% nominal voltage at line side of the driver and structures located within 3 feet (1m) of design locations.



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Pole location(s) ⊕ dimensions are relative to 0,0 reference point(s) ⊗

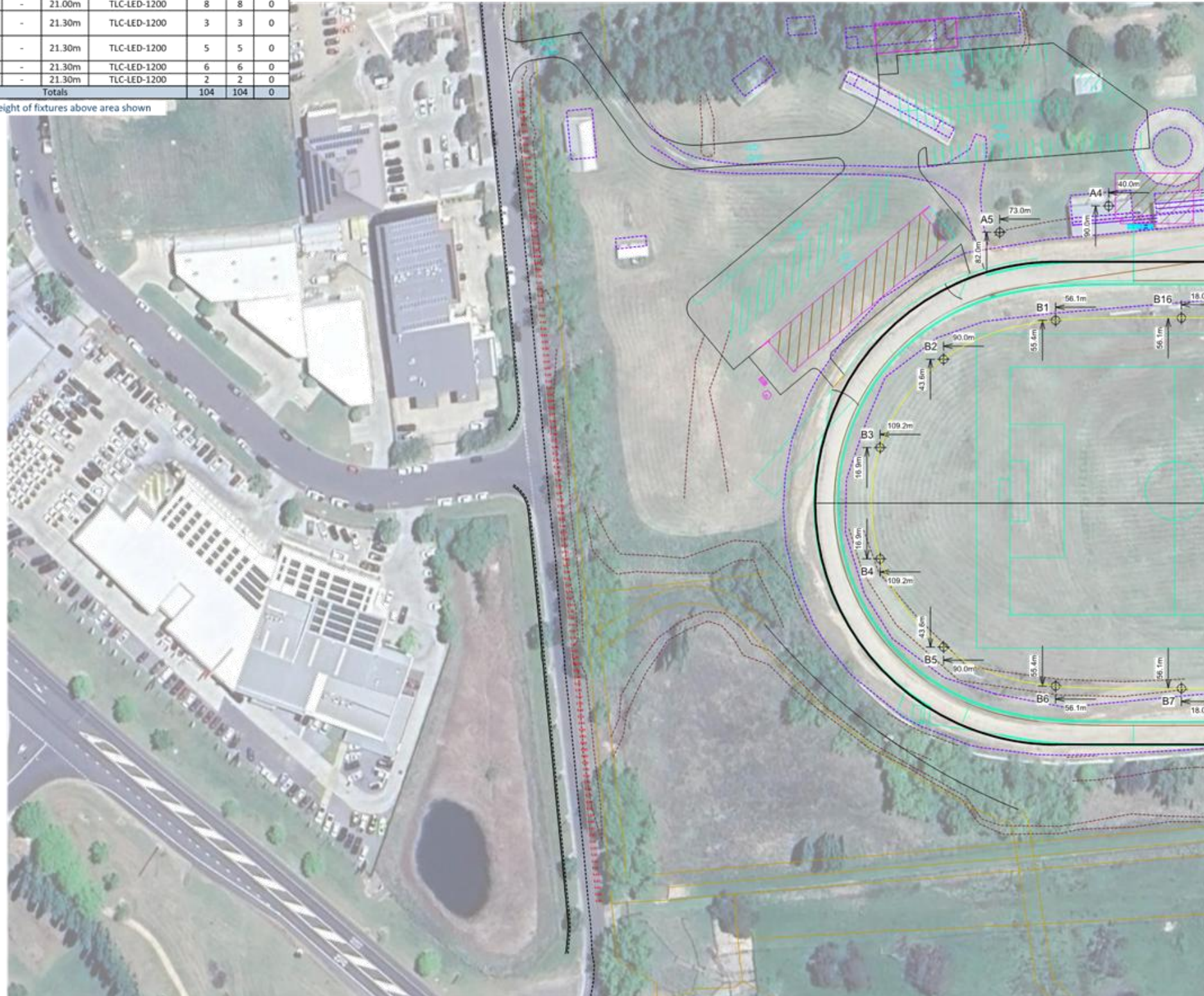
**ILLUMINATION SUMMARY**



Equipment List For Areas Shown

QTY	Structure			Fixtures				
	STRUCTURE ID	SIZE	GRADE ELEVATION	ABOVE FIELD LEVEL	FIXTURE TYPE	QTY/POLE	THIS GRID	OTHER GRIDS
2	A1 A5	21.00m	-	21.00m	TLC-LED-1200	3	3	0
1	A2	21.00m	-	21.00m	TLC-LED-1200	6	6	0
2	A3-A4	21.00m	-	21.00m	TLC-LED-1200	8	8	0
2	B1 B14	21.30m	-	21.30m	TLC-LED-1200	3	3	0
6	B2-B4 B11-B13	21.30m	-	21.30m	TLC-LED-1200	5	5	0
6	B5-B10	21.30m	-	21.30m	TLC-LED-1200	6	6	0
2	B15-B16	21.30m	-	21.30m	TLC-LED-1200	2	2	0
21	Totals					104	104	0

Above Field Level is height of fixtures above area shown



Orange Greyhound Track

Orange, NSW

Grid Summary

Name: 06 TI - Perc Griffith Way ↓  
Size: Irregular  
Spacing: 2.0m x 2.0m  
Height: 1.5m above grade

Illumination Summary

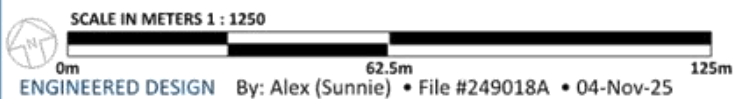
Entire Grid		THRESHOLD INCREMENT: @ 175
Scan Average:	0.0	
Maximum:	0.0	
Minimum:	0.0	
Min/Avg:	-	
Min/Max:	-	
UG (adjacent pts):	0.00	
CU:	0.00	
No. of Points:	124	
<b>FIXTURE INFORMATION</b>		
Applied Circuits:	A,B	
No. of Fixtures:	104	
Total Load:	121.68 kW	

**Guaranteed Performance:** The ILLUMINATION described above is guaranteed per your Musco Warranty document.

**Field Measurements:** Individual field measurements may vary from computer-calculated predictions.

**Electrical System Requirements:** Refer to Amperage Draw Chart and/or the "Musco Control System Summary" for electrical sizing.

**Installation Requirements:** Results assume 73% nominal voltage at line side of the driver and structures located within 3 feet (1m) of design locations.



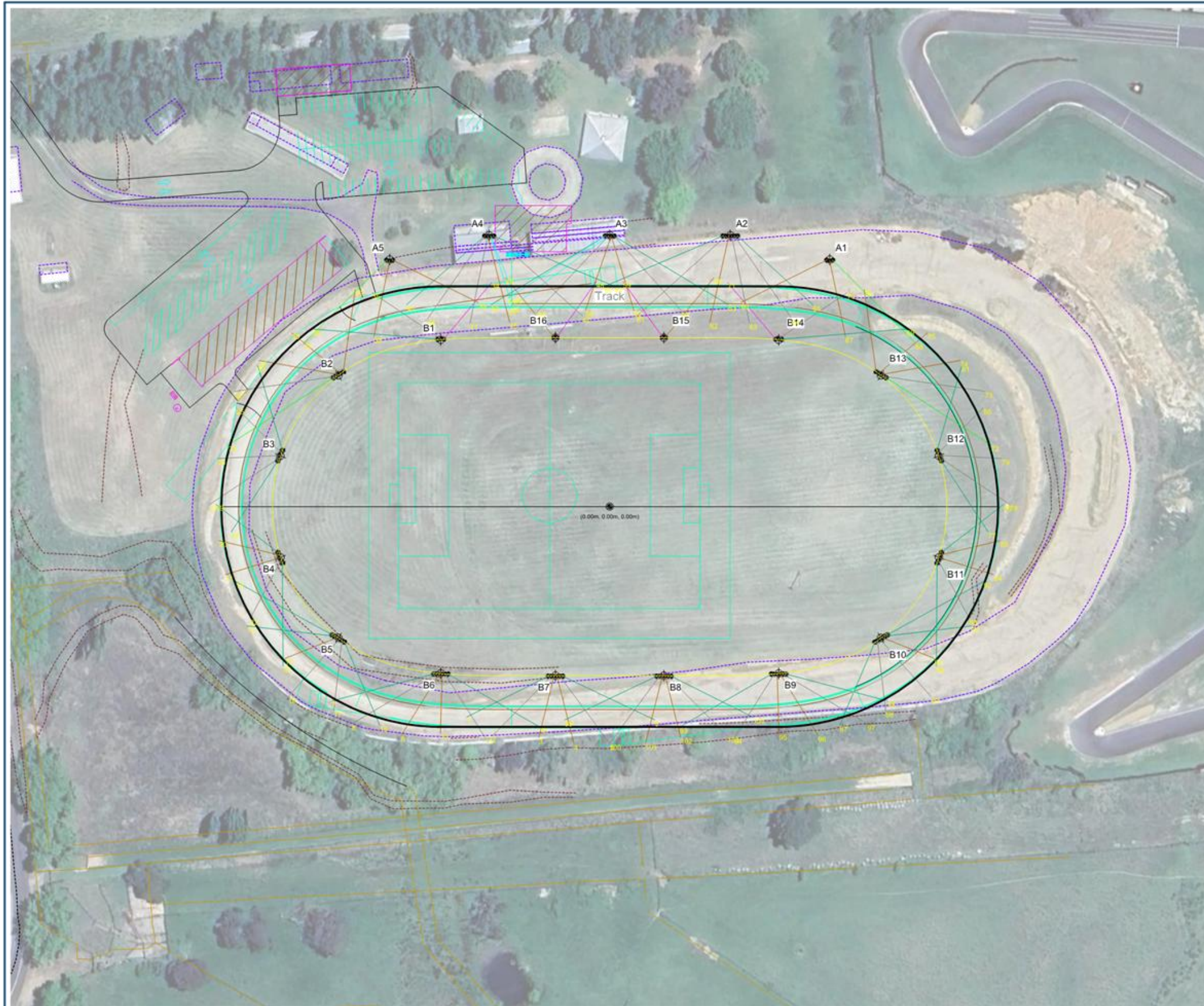
Pole location(s) ⊕ dimensions are relative to 0,0 reference point(s) ⊗



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ILLUMINATION SUMMARY





### Orange Greyhound Track

Orange, NSW

#### Equipment Layout

**INCLUDES:**  
- Track

**Electrical System Requirements:** Refer to Amperage Draw Chart and/or the "Musco Control System Summary" for electrical sizing.

**Installation Requirements:** Results assume 73% nominal voltage at line side of the driver and structures located within 3 feet (1m) of design locations.

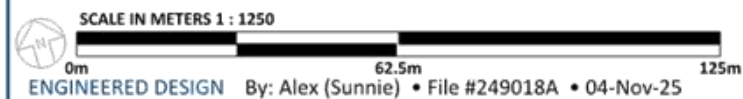
#### Equipment List For Areas Shown

QTY	Structure			Fixtures		
	STRUCTURE ID	SIZE	GLOBAL ELEVATION	ABOVE GLOBAL LEVEL	FIXTURE TYPE	QTY/POLE
2	A1 A5	21.00m	-	21.00m	TLC-LED-1200	3
1	A2	21.00m	-	21.00m	TLC-LED-1200	6
2	A3-A4	21.00m	-	21.00m	TLC-LED-1200	8
2	B1 B14	21.30m	-	21.30m	TLC-LED-1200	3
6	B2-B4 B11-B13	21.30m	-	21.30m	TLC-LED-1200	5
6	B5-B10	21.30m	-	21.30m	TLC-LED-1200	6
2	B15-B16	21.30m	-	21.30m	TLC-LED-1200	2
<b>Totals</b>						<b>104</b>

Above Global Level is height of fixtures above design (0,0,0)

#### Single Fixture Amperage Draw Chart

Driver Specifications (.90 min power factor)	Line Amperage Per Fixture (max draw)					
	220 (50)	230 (50)	240 (50)	380 (50)	400 (50)	415 (50)
TLC-LED-1200	6.5	6.3	6.0	3.8	3.6	3.5



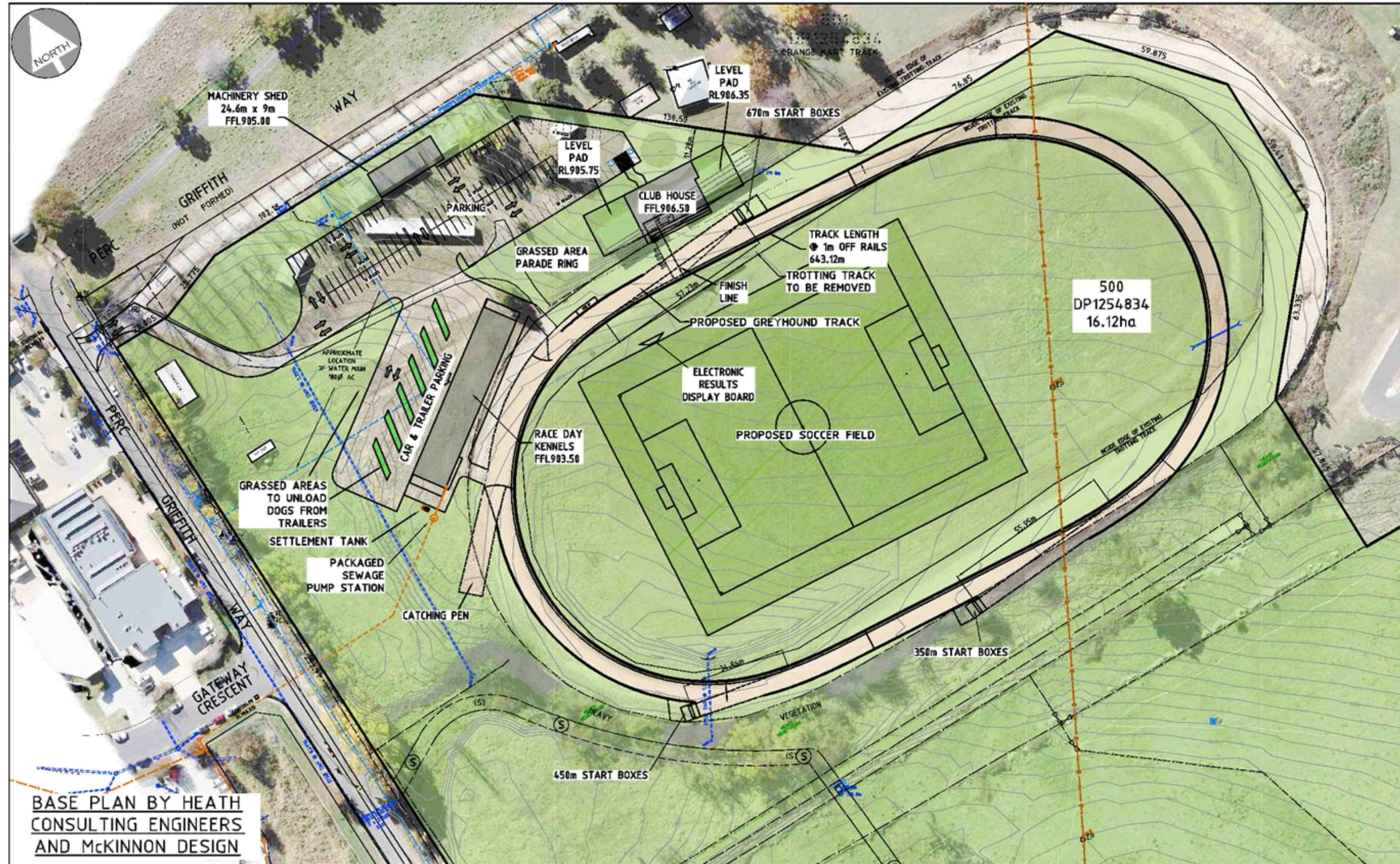
Pole location(s) ⊕ dimensions are relative to 0,0 reference point(s) ⊗



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#### EQUIPMENT LAYOUT



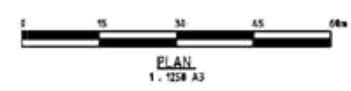


BASE PLAN BY HEATH CONSULTING ENGINEERS AND MCKINNON DESIGN

**IMPORTANT NOTES**

- THIS PLAN HAS BEEN PREPARED FOR DEVELOPMENT APPLICATION PURPOSES ONLY
- ALL DIMENSIONS AND AREAS SHOWN ARE SUBJECT TO SURVEY
- DO NOT RELY ON THIS PLAN FOR THE LOCATION & TYPE OF ENCUMBRANCES THAT MAY AFFECT THE LAND. THESE SHOULD BE ASCERTAINED BY SURVEY SEARCH AND/OR FIELD SURVEY.
- FUTURE ENCUMBRANCES MAY BE REQUIRED FOR SCRIVING OR OTHER REASONS, & AS SUCH ARE SUBJECT TO FINAL SURVEY AND/OR ENGINEERING DESIGN.
- THE LOCATION OF BUILDINGS IS INDICATIVE ONLY AND TRUE POSITION IN RELATION TO BOUNDARIES IS SUBJECT TO SURVEY
- DO NOT RELY ON THIS PLAN FOR CONTRACTUAL PURPOSES.

**SCALE**



PROPOSED RECREATION FACILITY (MAJOR)  
GREYHOUND COMPLEX  
No. 32 PERC GRIFFITH WAY, ORANGE

**FIGURE 5 - PROPOSED SITE PLAN**

DATE: 18.11.2025 REFERENCE: 24030DA SHEET: 5 OF 6

PETER BASHA

PLANNING & DEVELOPMENT  
Phone: 6361 2955 Fax: 6360 4700  
P.O. BOX 1827 ORANGE, NSW 2800





<p><b>IMPORTANT NOTES</b></p> <ul style="list-style-type: none"> <li>THIS PLAN HAS BEEN PREPARED FOR DEVELOPMENT APPLICATION PURPOSES ONLY</li> <li>ALL DIMENSIONS AND AREAS SHOWN ARE SUBJECT TO SURVEY</li> <li>DO NOT RELY ON THIS PLAN FOR THE LOCATION &amp; TYPE OF EASEMENTS THAT MAY AFFECT THE LAND. THESE SHOULD BE ASCERTAINED BY SURVEY SEARCH AND/OR FIELD SURVEY.</li> <li>FUTURE EASEMENTS MAY BE REQUIRED FOR SERVICING OR OTHER REASONS, &amp; AS SUCH ARE SUBJECT TO FINAL SURVEY AND/OR ENGINEERING DESIGN.</li> <li>THE LOCATION OF BUILDINGS IS INDICATIVE ONLY AND TRUE POSITION IN RELATION TO BOUNDARIES IS SUBJECT TO SURVEY</li> <li>DO NOT RELY ON THIS PLAN FOR CONTRACTUAL PURPOSES.</li> </ul>	<p><b>SCALE</b></p> <p>ELAL 1:4396 A3</p>	<p><b>PROPOSED RECREATION FACILITY (MAJOR) GREYHOUND COMPLEX No. 32 PERC GRIFFITH WAY, ORANGE</b></p> <p><b>FIGURE 6 - SURROUNDING DEVELOPMENT</b></p> <p>DATE: 18.11.2025    REFERENCE: 24030DA    SHEET: 6 OF 6</p>	<p><b>PETER BASHA</b></p> <p>PLANNING &amp; DEVELOPMENT Phone: 6361 2955    Fax: 6360 4700 P.O. BOX 1827 ORANGE, NSW 2800</p>
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Wiradjuri Country  
158 Russell Street  
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Telephone 02 6333 6111  
Facsimile 02 6331 7211  
council@bathurst.nsw.gov.au  
www.bathurst.nsw.gov.au

18 March 2026

General Manager  
Orange City Council  
PO Box 35  
ORANGE NSW 2800

council@orange.nsw.gov.au

Dear Sir

**DA 464/2025(1)**  
**Recreation Facility (major) and Demolition (buildings and tree removal) -**  
**Greyhound racing track**  
**32 Perc Griffith Way, Orange**

I have been requested by Orange City Council to undertake a peer review of its assessment of Development Application 464/2025(1) relating to a proposal by NSW Greyhound Breeders Owners and Trainers Association (GBOTA) to construct a new Greyhound Racing Complex at 32 Perc Griffith Way, Orange.

The complex is on land owned by Orange City Council and has an estimated development cost of \$15,786,936. The proposal is considered "regionally significant development" for the purposes of SEPP (Planning Systems). The Western Regional Planning Panel is the consent authority.

The Planning Panel has requested that Orange Council have its assessment peer reviewed.

For the sake of the record, it is noted that GBOTA operated a facility in Bathurst for many years (Kennerson Park). Kennerson Park no longer operates having sustained flood damage.

For the purposes of the review I have been provided with the following documents by Orange Council:

- Western Regional Planning Panel Assessment Report prepared by Council (Courtney Mariot) dated 16 March 2026
- Recommended Conditions of Consent prepared by Council
- Statement of Environmental Effects prepared by Peter Basha Planning and Development
- Site Plans prepared by Peter Basha Planning and Development
- Revised Architectural Plans prepared by McKinnon Design
- Landscaping Plan prepared by McKinnon Design
- Noise and Vibration Impact Assessment prepared by Soundin
- Bush Fire Assessment Report prepared by Statewide Bushfire Consulting

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**Reference:** RD:KJD:20.00396  
**Enquiries:** Mr R Denyer 02 6333 6211

Local Government Information System

BATHURST REGION... FULL OF LIFE

**Attachment 4 Peer Review by Bathurst Regional Council**

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 Orange City Council  
 18 March 2026

- Social Impact Assessment prepared by HillPDA
- Traffic and Parking Impact Assessment prepared by The Transport Planning Partnership
- Estimated Development Cost report by GJ Seib
- Total Light Luminaires provided by Musco
- Track Light design provided by Musco
- Lighting assessment prepared by Musco
- NABERS Embodied Emissions Materials Form
- Size and Scope of NSW Greyhound Racing Industry Report
- Public submissions (1194)
- Applicants response to submissions prepared by Peter Basha Planning and Development
- Advice provided by TfNSW in response to referral
- Advice provided by Essential Energy in response to referral
- Advice provided by the Rural Fire Service in response to referral
- Council Conflict of Interest Management Statement prepared by Peter Basha Planning and Development.

The following summary of considerations is provided:

CONSIDERATION	PEER REVIEWER COMMENTS
<b>GENERAL MATTERS</b>	
Council related development	<ul style="list-style-type: none"> <li>• The proposal has been identified as "council related development".</li> <li>• The proposal was exhibited between 16 December 2025 and 3 February 2026. This included an extended period for the Christmas closure period.</li> </ul>
Biodiversity Conservation Act and Threatened Species	<ul style="list-style-type: none"> <li>• The Assessment Report considers the triggers for the Biodiversity Offset Scheme established under the Act.</li> <li>• The site is not mapped on the Biodiversity Values Map or as an Area of Outstanding Biodiversity Values .</li> <li>• The Assessment Report observes that the proposal will not involve the removal of any native vegetation. The absence of native vegetation is consistent with the State Vegetation Type Mapping available via SEED.</li> <li>• The conclusion that the development does not trigger the Biodiversity Offset Scheme and is not likely to significantly affect threatened species is supported.</li> </ul>
Designated development	<ul style="list-style-type: none"> <li>• No triggers for designated development have been identified.</li> </ul>
Integrated development	<ul style="list-style-type: none"> <li>• No triggers for integrated development have been identified.</li> </ul>

Reference: RD:KJD:20.00396  
 Enquiries: Mr R Denyer 02 6333 6211

**Attachment 4 Peer Review by Bathurst Regional Council**

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 Orange City Council  
 18 March 2026

CONSIDERATION	PEER REVIEWER COMMENTS
<b>PROVISIONS OF ANY ENVIRONMENTAL PLANNING INSTRUMENT</b>	
SEPP (Planning Systems)	<ul style="list-style-type: none"> <li>The proposal has been correctly considered as "regionally significant development" for the purposes of SEPP (Planning Systems).</li> <li>The Western Regional Planning Panel is the consent authority.</li> </ul>
SEPP (Transport and Infrastructure)	<ul style="list-style-type: none"> <li>The applicable provisions of SEPP (Transport and Infrastructure) have been identified and assessed.</li> <li>The proposal is not considered "traffic generating development" for the purposes of Clause 2.122- Traffic Generating Development.</li> <li>The proposal has been referred to Essential Energy in accordance with Clause 2.48 Development likely to affect an electricity transmission or distribution network.</li> <li>Comments provided by TfNSW and Essential Energy have been considered in the assessment report and incorporated into the draft conditions of consent.</li> </ul>
SEPP (Sustainable Buildings)	<ul style="list-style-type: none"> <li>The applicable provisions of SEPP (Sustainable Buildings) have been identified and assessed.</li> </ul>
SEPP (Industry and Employment)	<ul style="list-style-type: none"> <li>SEPP (Industry and Employment) will apply to any future signage only.</li> </ul>
SEPP (Resilience and Hazards)	<ul style="list-style-type: none"> <li>Based on the available landuse history the site is unlikely to require further investigation and/or remediation.</li> <li>The potential for naturally occurring asbestos has been identified in the applicants Statement of Environmental Effects.</li> <li>Compliance with the Council's adopted "Naturally Occurring Asbestos Planning Procedures" has not been specifically addressed in the draft assessment report to date. This should be remedied in the final assessment report.</li> <li>Appropriate fail safes have been included in the draft conditions of consent.</li> </ul>
Orange LEP 2011	<ul style="list-style-type: none"> <li>The land is zoned RE2 Private Recreation.</li> <li>The proposal has been characterised as a "recreation facility (major)" which is appropriate.</li> <li>A "recreation facility (major)" is permissible with consent.</li> <li>The proposal has been considered against the Aims of the Plan and the Objectives of the RE2 Private Recreation Zone. The conclusion made are supported.</li> </ul>

**Reference:** RD:KJD:20.00396  
**Enquiries:** Mr R Denyer 02 6333 6211

**Attachment 4 Peer Review by Bathurst Regional Council**

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 Orange City Council  
 18 March 2026

CONSIDERATION	PEER REVIEWER COMMENTS
	<ul style="list-style-type: none"> <li>The applicable development standards and provisions have been identified and assessed being Clause 2.7 Demolition requires development consent, Clause 7.1 Earthworks, clause 7.3 Stormwater Management, Clause 7.6 Groundwater Vulnerability, Clause 7.7 Drinking Water Catchments and Clause 7.11 Essential Services.</li> <li>The conclusions reached are supported and appropriate conditions of consent imposed.</li> </ul>
Any Draft LEP	<ul style="list-style-type: none"> <li>No draft EPI's have been identified.</li> </ul>
<b>DEVELOPMENT CONTROL PLAN</b>	
Orange DCP 2004	<ul style="list-style-type: none"> <li>Chapter 0 Transitional Provisions, Chapter 11 Land Use for Open Space and Recreation and Chapter 15 Car Parking of Orange DCP 2014 have been identified in the Assessment Report as being relevant to the proposal.</li> <li>The conclusions reached in relation to the planning outcomes are supported and appropriate conditions of consent imposed accordingly.</li> <li>The absence of an Arborist Report (Planning Outcome 5) is acknowledged and supported given the types of vegetation to be removed.</li> </ul>
<b>PLANNING AGREEMENTS</b>	
Any Planning Agreement	<ul style="list-style-type: none"> <li>I am advised that there are no current or draft Planning Agreements.</li> </ul>
<b>MATTERS PRESCRIBED BY THE REGULATIONS</b>	
Matters prescribed by the Regulations	<ul style="list-style-type: none"> <li>The applicable matters under Part 4 Division 1 Determination of Development Applications have been identified and assessed.</li> <li>The conclusions reached are supported and appropriate conditions of consent imposed.</li> </ul>
<b>IMPACTS OF THE DEVELOPMENT ON THE LOCALITY</b>	
General	<ul style="list-style-type: none"> <li>The proposal has been supported by several specialist reports including noise and vibration assessment, traffic and parking assessment, bushfire assessment, lighting assessment and social impact assessment.</li> <li>Given the scale of the development and potential impacts the provision on these reports provides a basis for consideration of the impacts associated with the proposal.</li> </ul>

Reference: RD:KJD:20.00396  
 Enquiries: Mr R Denyer 02 6333 6211

**Attachment 4 Peer Review by Bathurst Regional Council**

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 Orange City Council  
 18 March 2026

<b>CONSIDERATION</b>	<b>PEER REVIEWER COMMENTS</b>
Visual Impacts	<ul style="list-style-type: none"> <li>The Assessment Report includes consideration of the impact of the proposal on the visual and landscape character including impacts associated with lighting and glare and visibility from adjoining viewpoints.</li> <li>The conclusions reached are supported and appropriate conditions of consent imposed.</li> </ul>
Access and Transport	<ul style="list-style-type: none"> <li>The Assessment Report includes consideration of the impact of additional traffic generated by the development.</li> <li>The impacts on Perc Griffith Way and the intersection of the Mitchell Highway and Perc Griffith Way have been considered in the Assessment Report.</li> <li>Road upgrades have been identified including upgrading of Perc Griffith Way and the intersection of Mitchell Highway and Perc Griffith Way (left inand left out turning lanes).</li> <li>The Assessment Report determining that these upgrades are required to "maintain the safety and efficiency of the road network".</li> <li>TfNSW recommended that "Council consider the intersection warrants within Section 3.3.6 of Austroads Guide to Traffic Management Part 6 – Intersections, Interchanges and Crossing Management, particularly for the left turn movement at the intersection of Mitchell Highway/Perc Griffith Way (local road)".</li> <li>I believe the Assessment Report should include additional information to justify the extent of roadworks and intersection upgrades foreshadowed in the conditions of consent relative to the expected traffic generation levels.</li> <li>That is not to say the road upgrade conditions are not warranted but rather the "safety and efficiency" matters cited are fully explained.</li> <li>The conditions of consent also note the relocation of the 50/80km/h speed zone on the Mitchell Highway. The rationale for this condition should be provided in the Assessment Report.</li> <li>An Assessment Report includes consideration of parking requirements for the development.</li> <li>The conclusions reached in relation to parking are supported and appropriate conditions of consent imposed.</li> </ul>
Noise and Vibration	<ul style="list-style-type: none"> <li>The Soundin Acoustic Assessment considers the impacts associated with the construction and operation</li> </ul>

Reference: RD:KJD:20.00396  
 Enquiries: Mr R Denyer 02 6333 6211

**Attachment 4 Peer Review by Bathurst Regional Council**

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 Orange City Council  
 18 March 2026

CONSIDERATION	PEER REVIEWER COMMENTS
	<p>of the Facility in accordance with the protocols contained in the Noise Policy for Industry and Interim Construction Noise Guideline. That approach is supported.</p> <ul style="list-style-type: none"> <li>• The Assessment Report includes consideration of noise and vibration impacts including those during construction and operational phases.</li> <li>• Whilst the Soundin Acoustic Assessment does not directly consider the cumulative impacts that may result from the operation of the adjoining Go Kart track these matters are considered in the Assessment Report. The potential for there to be cumulative impacts being relevant to the proposal.</li> <li>• A condition of development consent has been recommended that testing during the operational phase be undertaken to verify the assumptions made in the Acoustic Assessment and taking into account any cumulative issues that may arise. That approach is supported.</li> <li>• There is a potential discrepancy between the hours of use foreshadowed for the clubhouse (12am midnight) and those assessed in the Acoustic Assessment. The predicted noise levels provided in Table 5-7 of the Acoustic Assessment only provide predictions for the evening period (ie up until 10pm). This discrepancy should be investigated and or explained or the hours of operation limited accordingly.</li> <li>• The conclusions reached are generally supported and appropriate conditions of consent imposed subject to the clarifications sought.</li> </ul>
Economic Impacts	<ul style="list-style-type: none"> <li>• The Assessment Report includes consideration of economic impacts.</li> <li>• The conclusions reached are supported.</li> </ul>
Social Impact	<ul style="list-style-type: none"> <li>• The proposal has been supported by a Social Impact Assessment (SIA).</li> <li>• The SIA includes consideration of impacts on the locality.</li> <li>• The Assessment Report includes consideration of those social impacts.</li> <li>• The conclusions reached are supported and appropriate conditions of consent imposed.</li> </ul>
Bushfire Risk	<ul style="list-style-type: none"> <li>• The property is identified as bushfire prone land.</li> <li>• The clubhouse has been considered a "Special Fire Protection Purpose" and referred to the Rural Fire Service.</li> </ul>

Reference: RD:KJD:20.00396  
 Enquiries: Mr R Denyer 02 6333 6211

**Attachment 4 Peer Review by Bathurst Regional Council**

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 Orange City Council  
 18 March 2026

CONSIDERATION	PEER REVIEWER COMMENTS
	<ul style="list-style-type: none"> <li>The proposal includes establishing an Asset Protection Area on adjoining land which is to be enforced by a Plan of Management.</li> <li>The conclusions reached are supported and appropriate conditions of consent imposed.</li> </ul>
Waste Management	<ul style="list-style-type: none"> <li>The Assessment Report includes consideration of operational waste.</li> <li>The conclusions reached are supported and appropriate conditions of consent imposed.</li> </ul>
<b>SUITABILITY OF THE SITE</b>	
General	<ul style="list-style-type: none"> <li>The Assessment Report includes consideration of issues including its location, proximity to sensitive receivers and constraints.</li> <li>The conclusions reached are supported and appropriate conditions of consent imposed.</li> </ul>
<b>SUBMISSIONS MADE</b>	
General	<ul style="list-style-type: none"> <li>The proposal has generated a significant number of submissions (1194).</li> <li>The submissions raise issues relating to the impact on the locality but also include broader issues which go beyond the immediate impact of the development on the locality.</li> <li>Issues raised include cruelty and harm to animals, a decline in the industry, gambling and social disadvantage and a lack of community consultation.</li> <li>Other submissions raise issues regarding the use of "public land" and land identified for strategic growth including future housing and a lack of planning merit.</li> <li>Submissions also point to the use being inconsistent with the image of Orange as a destination for food, wine and tourism.</li> <li>There are also submissions which support the proposal raising issues such as improved track safety, the improved regulation of the industry and economic benefits. A letter of support from the Member for Orange Phil Donato, MP has been provided.</li> <li>The applicant has also provided a written response to the public submissions.</li> <li>The Assessment Report provides additional commentary on the matters raised in the submissions.</li> </ul>

**Reference:** RD:KJD:20.00396  
**Enquiries:** Mr R Denyer 02 6333 6211

**Attachment 4 Peer Review by Bathurst Regional Council**

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 Orange City Council  
 18 March 2026

CONSIDERATION	PEER REVIEWER COMMENTS
	<ul style="list-style-type: none"> <li>• Many issues raised in the submissions extend beyond the immediate impact of the proposal on the locality to concerns regarding the industry itself.</li> <li>• Whilst there are circumstances where a development can be considered to have detrimental social impact because it causes "offence" to a large portion of the community that must be objectively assessed before a finding can be made of an adverse impact on the area.</li> <li>• Matters surrounding the lack of support for the industry, animal welfare and gambling are to be tempered with the fact the proposal is being undertaken within a regulated environment which provides a framework for the conduct of these activities.</li> <li>• Community concerns regarding the regulation of the greyhound and gambling industries are not matters that can be resolved via an individual Development Application.</li> <li>• The use of "public land" must also consider that the land is zoned RE2 Private Recreation (as opposed to RE1 Public Recreation). The land is also classified as "operational land" under the Local Government Act (as opposed to "community land").</li> <li>• Decisions relating to the use and/or disposal of the land are not necessarily matters that form part of the consideration of the Development Application. What is proposed being a permissible use within the zone and capable receiving planning consent.</li> <li>• The matters raised in the public submissions have been given proper and genuine consideration in the Assessment Report.</li> <li>• The conclusions reached are supported and appropriate conditions of consent imposed.</li> </ul>
<b>PUBLIC INTEREST</b>	
General	<ul style="list-style-type: none"> <li>• The Assessment Report includes consideration of issues of the public interest including the location, compatibility with surrounding landuses and impacts on the locality.</li> <li>• The conclusions reached are supported.</li> </ul>

**Summary**

Orange City Council has requested that I provide a peer review of its assessment of the Development Application for the establishment of a new Greyhound racing facility at 32 Perc Griffith Way.

Reference: RD:KJD:20.00396  
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**Attachment 4 Peer Review by Bathurst Regional Council**

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The proposal has been subject to public consultation in accordance with the requirements of the Council's Community Participation Plan. A significant number of submissions were received raising concerns regarding the industry itself, the use of public land and localised impacts on the amenity of the area. Many of these concerns are not directly relevant to the proposal but more broadly relate to the industry itself.

The impacts of the proposal have been given proper and genuine consideration consistent with the prevailing planning instruments.

The proposal is supportable subject to some clarification regarding the scope of roadworks recommended, hours of operation and the Council's Asbestos Management Protocols.

I would concur with the recommendation that the Development Application be approved subject to conditions as recommended by the Council.

Yours faithfully

R Denyer  
**MANAGER DEVELOPMENT ASSESSMENT**

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**Reference:** RD:KJD:20.00396  
**Enquiries:** Mr R Denyer 02 6333 6211