

<b>DATE OF DETERMINATION</b>	8 March 2018
<b>PANEL MEMBERS</b>	Gordon Kirkby (Chair), Ruth Fagan, Mark Grayson and Lindsay Mathieson
<b>APOLOGIES</b>	Lindsay Dunston
<b>DECLARATIONS OF INTEREST</b>	None

Public meeting held at Dubbo Regional Council, Wellington Office - Corner of Nanima Crescent and Warne Street, Wellington on 21 February 2018, opened at 12.30pm and closed at 1:30pm.

#### **MATTER DETERMINED**

2017WES009 – Dubbo Regional Council - D2017/499  
13A Nanima Crescent, Wellington  
Recreation Facility (Outdoor)(Swimming Pool)  
(AS DESCRIBED IN SCHEDULE 1)

#### **PANEL CONSIDERATION AND DECISION**

The Panel considered: the matters listed at item 6, the material listed at item 7 and the material presented at meetings and the matters observed at site inspections listed at item 8 in Schedule 1.

The Panel determined to approve the development application as described in Schedule 1 pursuant to section 80 of the *Environmental Planning and Assessment Act 1979*.

The Panel adjourned during the meeting to deliberate on the matter and formulate a resolution.

The decision was unanimous.

#### **REASONS FOR THE DECISION**

The reasons for the decision of the Panel were:





- The proposed development is permissible with consent in the RE1 Public Recreation Zone and consistent with the zone objectives;
- The Panel was satisfied that most of the issues of concern raised in the submissions have been satisfactorily resolved through a number of modifications to the design and layout of the development and recommended conditions of consent including:
  - Retention of the heritage pavilion building and Warne Street walls;
  - Reduction of the car parking area to increase the development buffer from the Bell River;
  - Expansion of the splash pad to include a deeper 600mm section;
  - Retention of one of the basketball courts
- The proposed development has been designed to comply with relevant guidelines of the Aquatic Exercise Association and FINA
- The proposed redevelopment of the swimming pool complex will significantly modernise and improve an important community facility and is therefore in the public interest

#### **CONDITIONS**

The development application was approved subject to the conditions in the Council Assessment Report with the following amendments:

- Amend Condition 41 to include the requirement that the design of the car park include a turning head to facilitate the turning of mini-buses and enable them to exit in a forward direction;

- Amend Condition 53 to include a requirement that the Landscape Plan assess safety issues associated with the retained trees in the facility and make recommendations regarding future management and maintenance actions.

PANEL MEMBERS	
 Gordon Kirkby (Chair)	 Ruth Fagan
 Mark Grayson	 Lindsay Mathieson

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	2017WES009 – Dubbo Regional Council - D2017/499
2	PROPOSED DEVELOPMENT	Recreation Facility (Outdoor)(Swimming Pool)
3	STREET ADDRESS	13A Nanima Crescent, Wellington
4	APPLICANT/OWNER	Montgomery Planning Solutions
5	TYPE OF REGIONAL DEVELOPMENT	Designated development - waste management facility or works
6	RELEVANT MANDATORY CONSIDERATIONS	<ul style="list-style-type: none"> <li>• Environmental planning instruments: <ul style="list-style-type: none"> <li>– State Environmental Planning Policy No. 55 Remediation of Land</li> <li>– State Environmental Planning Policy (Infrastructure) 2007</li> <li>– State Environmental Planning Policy (State and Regional Development) 2011</li> <li>– State Environmental Planning Policy No. 64 Advertising and Signage</li> <li>– Wellington Local Environmental Plan 2012</li> </ul> </li> <li>• Draft environmental planning instruments: Nil</li> <li>• Development control plans: <ul style="list-style-type: none"> <li>– Wellington Development Control Plan 2013</li> </ul> </li> <li>• Planning agreements: Nil</li> <li>• Provisions of the <i>Environmental Planning and Assessment Regulation 2000</i>: Nil</li> <li>• Coastal zone management plan: Nil</li> <li>• The likely impacts of the development, including environmental impacts on the natural and built environment and social and economic impacts in the locality</li> <li>• The suitability of the site for the development</li> <li>• Any submissions made in accordance with the <i>Environmental Planning and Assessment Act 1979</i> or regulations</li> <li>• The public interest, including the principles of ecologically sustainable development</li> </ul>
7	MATERIAL CONSIDERED BY THE PANEL	<ul style="list-style-type: none"> <li>• Council assessment report: 14 February 2018</li> <li>• Written submissions during public exhibition: 18</li> <li>• Verbal submissions at the public meeting: <ul style="list-style-type: none"> <li>– Support – Pip Smith (Wellington Amateur Swimming Club), Wade Smith (Western Area Swimming) , Terry Dray</li> <li>– Object – Louise Aultin, Frank Barker, Ronda Payne, Lorraine O'Rourke, John Pilling</li> <li>– On behalf of the applicant – Ian McAlister</li> </ul> </li> </ul>
8	MEETINGS AND SITE INSPECTIONS BY THE PANEL	<ul style="list-style-type: none"> <li>• Site inspection 8 March 2018</li> <li>• Final briefing meeting to discuss council's recommendation, 8 March 2018, 11.30am. Attendees: <ul style="list-style-type: none"> <li>○ Panel members: Gordon Kirkby (Chair), Ruth Fagan, Mark Grayson and Lindsay Mathieson</li> <li>○ Council assessment staff: Alex Noad, Stephen Wallace</li> </ul> </li> </ul>
9	COUNCIL RECOMMENDATION	Approval
10	DRAFT CONDITIONS	Attached to Report