

**DETERMINATION AND STATEMENT OF REASONS**  
WESTERN REGIONAL PLANNING PANEL

<b>DATE OF DETERMINATION</b>	26 April 2023
<b>DATE OF PANEL DECISION</b>	26 April 2023
<b>DATE OF PANEL MEETING</b>	18 April 2023
<b>PANEL MEMBERS</b>	Garry Fielding, Graham Brown, Donna Rygate, Lindsay Mathieson
<b>APOLOGIES</b>	Josie Howard
<b>DECLARATIONS OF INTEREST</b>	Nil

Papers circulated electronically on 24 March 2023.

**MATTER DETERMINED**

PPSWES-143 - D22-356 – Dubbo Regional - 37 Carrington Avenue, Dubbo, Public Administration Building and Consolidation/boundary adjustment (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 briefings and the matters observed at site inspections listed at item 8 in Schedule 1.

**Development application**

The panel determined to approve the development application pursuant to section 4.16 of the *Environmental Planning and Assessment Act 1979*.

The decision was unanimous.

**REASONS FOR THE DECISION**

The panel determined to approve the application for the reasons outlined in the council assessment report.

**CONDITIONS**





The development application was approved subject to the conditions in the council assessment report.

**CONSIDERATION OF COMMUNITY VIEWS**

In coming to its decision, the panel considered four written submissions made during public exhibition. The panel notes that issues of concern included:

- Impacts on adjoining radio tower
- Boundary fence replacement and security issues
- Construction noise impacts
- Off-street car parking.

The Panel considers concerns raised in submissions have been adequately addressed in the Assessment Report.

PANEL MEMBERS	
 Garry Fielding (Chair)	 Donna Rygate
 Graham Brown	 Lindsay Mathieson

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	PPSWES-143 - D22-356 – Dubbo
2	PROPOSED DEVELOPMENT	Public Administration Building and Consolidation/boundary adjustment
3	STREET ADDRESS	37 Carrington Avenue, Dubbo
4	APPLICANT/OWNER	Property NSW (Applicant and owner)
5	TYPE OF REGIONAL DEVELOPMENT	Crown development over \$5 million
6	RELEVANT MANDATORY CONSIDERATIONS	Environmental planning instruments: <ul style="list-style-type: none"> <li>• SEPP (Planning Systems) 2021 – Chapter 2 State and Regional Development</li> <li>• SEPP (Resilience and Hazards) 2021 – Chapter 4 Remediation of Land</li> <li>• SEPP (Transport and Infrastructure) – Chapter 2 Infrastructure</li> <li>• Dubbo Regional LEP 2022</li> <li>• Draft environmental planning instruments: Nil</li> <li>• Development control plans: <ul style="list-style-type: none"> <li>◦ Dubbo 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: 23 March 2023</li> <li>• Attachment A: Draft Conditions of consent</li> <li>• Attachment B: Approval from the Crown (applicant) for imposition of Conditions</li> <li>• Attachment C: Architectural Plans</li> <li>• Written submissions during public exhibition: 4</li> </ul>

8	MEETINGS, BRIEFINGS AND SITE INSPECTIONS BY THE PANEL	<ul style="list-style-type: none"> <li>• Site Inspection and Briefing: 19 September 2022 <ul style="list-style-type: none"> <li>○ <u>Panel members</u>: Garry Fielding, Graham Brown, Sandra Hutton, Josie Howard</li> <li>○ <u>Council assessment staff</u>: Shaun Reynolds</li> <li>○ <u>DPE</u>: Sung Pak</li> </ul> </li> <li>• Final briefing to discuss council's recommendation: 18 April 2023 <ul style="list-style-type: none"> <li>○ <u>Panel members</u>: Garry Fielding, Graham Brown, Donna Rygate, Lindsay Mathieson</li> <li>○ <u>Council assessment staff</u>: Shaun Reynolds</li> <li>○ <u>Applicant</u>: Matthew Thorn, Venessa Stacy, Derek Scott, Barnaby Hartford-Davis</li> <li>○ <u>DPE</u>: Sung Pak</li> </ul> </li> </ul>
9	COUNCIL RECOMMENDATION	Approval
10	DRAFT CONDITIONS	Attached to the Council Assessment Report