

COUNCIL ASSESSMENT REPORT

WESTERN REGIONAL PLANNING PANEL

PANEL REFERENCE & DA NUMBER	PPSWES-174 – D23-140
PROPOSAL	Mixed Use Development – Concept Plan Stage 1 – Health Services Facility
ADDRESS	Lot 1 DP 596396, 40 Cobbora Road Dubbo
APPLICANT	Knight Frank Town Planning
OWNER	Lauson Investments Pty Ltd
DA LODGEMENT DATE	31 March 2023
APPLICATION TYPE	Concept Development Application
REGIONALLY SIGNIFICANT CRITERIA	Clause 5, Schedule 6 of SEPP (Planning Systems) 2021: Private infrastructure and community facilities over \$5 million
CIV	Stage 1: \$34,529,679.00 (excluding GST) Concept: \$150,994,896.00 (excluding GST)
CLAUSE 4.6 REQUESTS	Not applicable
KEY SEPP/LEP	<ul style="list-style-type: none"> SEPP (Industry and Employment) 2021 SEPP (Housing) 2021 SEPP (Planning Systems) 2021 SEPP (Resilience and Hazards) 2021 SEPP (Transport and Infrastructure) 2021 Dubbo Regional Local Environmental Plan 2022
AGENCY REFERRALS	<ul style="list-style-type: none"> Transport for NSW ARTC Essential Energy
TOTAL & UNIQUE SUBMISSIONS ISSUES KEY IN SUBMISSIONS	No submissions were received as part of the public notification/advertising period.
DOCUMENTS SUBMITTED FOR CONSIDERATION	<ul style="list-style-type: none"> Statement of Environmental Effects, January 2024 Masterplan – Architectural plans, 1/10/2024 Stage 1 – Architectural plans, 1/10/2024 Waste Management Plan, 9 December 2022 Traffic Impact Assessment, 28 March 2025 AusRoads Compliance Statement, 1 October 2024 Intersection Configuration Layout (General Layout), 01/10/2024

	<ul style="list-style-type: none"> • Intersection Configuration Layout (12.5m swept path), 01/10/2024 • Survey Plan, 3 Sheets, 08/06/2018 • Sewer and Water Servicing Strategy, 21 December 2022 • Civil Engineering Plans, 06/05/2024 • Owners Consent, 14 February 2023 • Site Infrastructure Report, 11/11/2022 • Economic Impact Assessment, November 2022 • Signage Concept Plan, 4 Sheets, 15 December 2022 • Fire Engineering DA Statement, 19 December 2022 • Landscape Masterplan, 30.11.2022 • Stage 1 Landscaping Plan, 5 Sheets, 30.11.2022 • Project Description / Design Statement, 16/12/2022 • Preliminary Site Investigation 24 May 2023 • Arboricultural Impact Assessment Report, November 2022 • Noise and Vibration Impact Assessment, 28/09/2023 • Development near Rail Corridors and Busy Roads Assessment, • Access Capability Statement, 07 December 2022 • BCA Compliance Compatibility Statement, 15 December 2022 • Plan of Management, 15 January 2024
SPECIAL INFRASTRUCTURE CONTRIBUTIONS (\$7.24)	Not applicable
RECOMMENDATION	Approval – Deferred Commencement
DRAFT CONDITIONS TO APPLICANT	Yes
SCHEDULED MEETING DATE	13 May 2025
PREPARED BY	Shaun Reynolds, Statutory Planning Services Team Leader
DATE OF REPORT	6 May 2025

EXECUTIVE SUMMARY

The Development Application (D23-140) seeks approval for a mixed use development comprising the following:

- Concept approval for a mixed use development; and
- Approval for Stage 1 works, being a health services facility

The Concept proposal identifies six (6) specific stages of varying land uses comprising health care, retail, office, respite day care, child care and seniors living. Ancillary aspects include off-street car parking, utility servicing and landscaping.

The Stage 1 works specifically comprise the construction of a four (4) storey building in the south-eastern corner of the property. This building will comprise medical centre usage (day surgery hospital, radiology, pathology), associated medical education and office /

administration, café, pharmacy and florist. Stage 1 will also comprise the construction of a combined entry/egress driveway from Cobbora Road, combined entry/egress driveway from Myall Street, 129 off-street car parking spaces and 18 motor cycle parking spaces, hardstand areas at the rear of the building for access to loading dock and ambulance parking, utility servicing, and landscaping.

For the avoidance of doubt, for those parts of the Concept proposal approval which are not included in Stage 1, separate Development Applications for these subsequent stages will be lodged seeking approval within the provisions of Division 4.4 of the EPA Act.

The subject site is known as Lot 1 DP 596396, No.40 Cobbora Road, Dubbo. The site is bound by Cobbora Road to the south, Myall Street to the north, and the Werris Creek and Dubbo-Coonamble Rail Lines to the east. The site is an 'L' shaped allotment with a primary frontage of 90.33 metres to Cobbora Road and a secondary frontage of 161.6 metres to Myall Street.

The site zoned E3 – Productivity Support under Clause 2.2 of the *Dubbo Local Environmental Plan 2022*.

The Application was placed on exhibition for a period of 20 days ending 24 April 2023, during which time adjoining and adjacent property owners were notified in writing of the proposed development. No written submissions were received.

The application is referred to the Western Region Planning Panel as the development is 'regionally significant development', pursuant to Schedule 6, Clause (5) of *State Environmental Planning Policy (Planning Systems) 2021* as the development proposal is a 'private infrastructure and community facility' (specifically a health service facility) with a capital investment over \$5 million.

The key issues associated with the proposal included:

- Land use considerations;
- Traffic, access and car parking;
- Land contamination;
- Stormwater management;
- Utility servicing;
- Noise and vibration impacts;
- Safety and Security; and
- Waste Management.

These issues have appropriately been dealt with and have been discussed in detail under the relevant sections of this report.

Following consideration of the evaluation matters under Section 4.15 of the EP&A Act, the proposed development is consistent with the objectives of relevant SEPPs, the LEP, DCP and Council policies, and is therefore recommended that, pursuant to Section 4.16(1)(a) of the *EP&A Act*, D23-140 be approved subject to the recommended conditions of consent.

1. THE SITE AND LOCALITY

1.1 The Site

The subject land is located on the northern side of Cobbora Road. The land was previously occupied by Telstra, with its building/depot since being demolished. The site is an 'L' shaped allotment with a primary frontage of 90.33 metres to Cobbora Road and a secondary frontage of 161.6 metres to Myall Street.

The allotment has an area of approximately 3.02 hectares. The site is located approximately 1.5 kms from the Dubbo Central Business District.

The land is generally flat with a gentle slope from the east (267.25m AHD) down to the west (264m AHD). The site is provided with an existing access from Cobbora Road and bitumen areas which provided vehicle access to the former Telstra buildings.

A roofed structure is located at the rear of the site, and various small concrete structures are located around the site. Vegetation in the form of a row of trees along an internal boundary is located within the centre portion of the site running north/south. A number of stockpiles are also located within the site.

For visual reference a location map is provided in **Figure 1**.

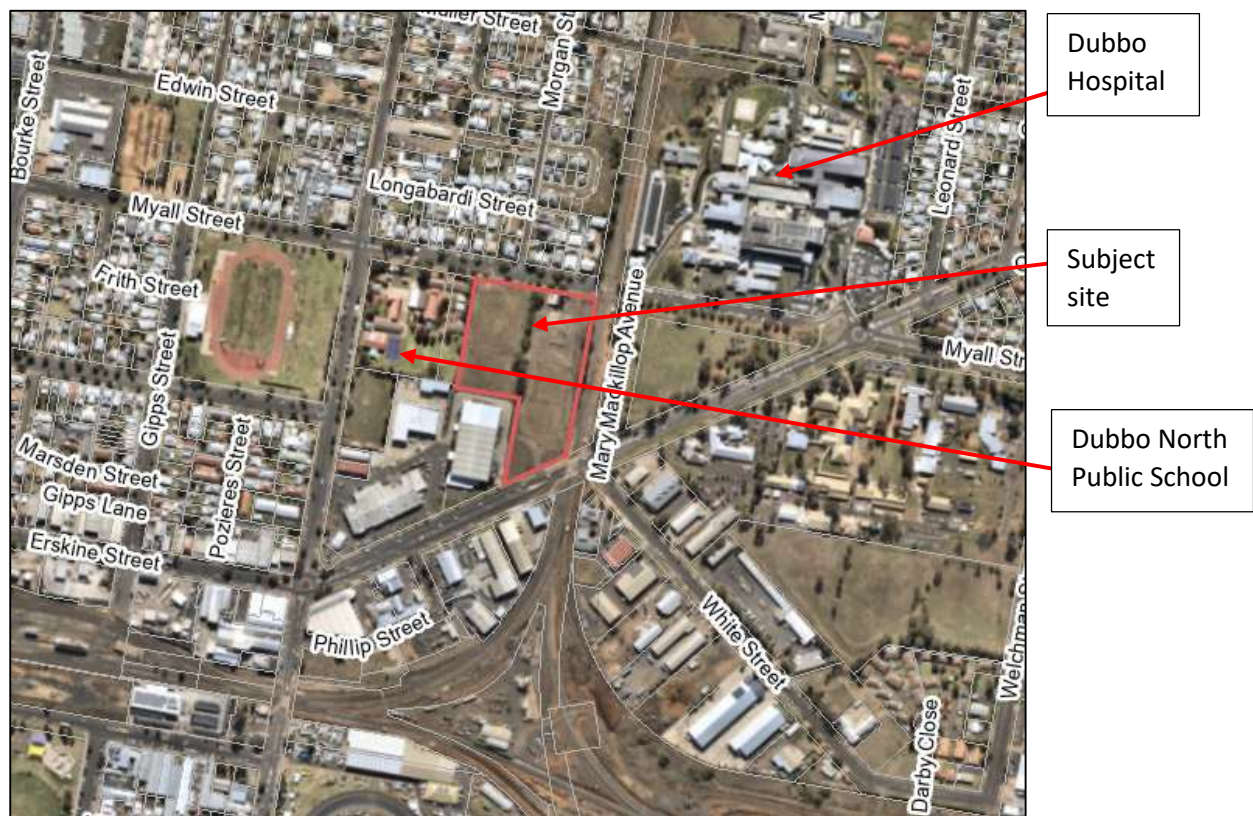


Figure 1: Location of Lot 1 DP 596396, 40 Cobbora Road Dubbo

1.2 The Locality

The subject land is located within the E3 Productivity Support (formerly B5 Business Development) zone in a predominantly commercial/industrial precinct and in close proximity to Dubbo Hospital.

The site is bound by Myall Street and low density residential uses to the north, the Werris Creek and Dubbo-Coonamble Rail Line to the east and Theresa Maliphant Park beyond that, Dubbo Hospital to the north east, commercial/light industrial land uses and Dubbo North Public School to the west, and Cobbora Road and commercial (specialised retail) development to the south.

The scale of development in the surrounding area ranges from multi-storey (Dubbo Hospital) to low density residential development.

The site is located approximately 45 metres from the Dubbo Hospital, 1.5 kms to the Dubbo Central Business District, and 870 metres to the Dubbo Railway Station.

Given the site adjoins the 'Dubbo Health Education and Well Being Precinct (March 2019)' there are a number of similar/complementary developments within close proximity to the land including the Dubbo Hospital, Dubbo Private Hospital, TAFE NSW, and Charles Sturt University.

2. THE PROPOSAL AND BACKGROUND

2.1 The Proposal

The proposed mixed use development application is a concept development in accordance with *Section 4.22 of the Environmental Planning and Assessment Act 1979*. The subject application seeks consent for the overall concept plan for the site and Stage 1 being a Health Services Facility. Separate applications will be submitted for the subsequent stages. **Table 1** provides staging information in relation to building uses, overall floor area and parking provision.

Table 1: Staging information

Staging program	Building use	Floor area	Proposed parking provision
Stage 1	Healthcare	4,089m ²	
Building 1	Education	2,549m ²	
	Office	2,252m ²	
	Retail	531m ²	Total: 129
Stage 2	Healthcare	4,528m ²	
Building 2	Education	1,781m ²	Total: approx. 46
Stage 3	Office	8,701m ²	Total approx. 62
Stage 4	Respite Day Care	7,178m ²	
Building 4	Childcare	657m ²	Total: approx. 131
Stage 5	Seniors Living	5,621m ²	
Building 5	(85-102 beds)		
Stage 6	Seniors Living	2,213m ²	Total approx. 128 (Stages 5 & 6)
Building 6	(56 rooms)		Total: approx. 128 (Stages 5 & 6)
TOTAL		40,100m²	Approx.: 496

The proposed development includes the demolition of:

- Existing structures on the site (largely within the rear of the site, fronting Myall Street);
- Existing bitumen surfaces;
- Loading ramp;
- A number of trees (including street tree); and
- Removal of two (2) power poles with light.

The concept plan is comprised of the following land uses:

- Health Services Facility;
- Education;
- Office Premises;
- Senior Living;
- Respite day care; and
- Childcare centre.

The concept development seeks consent to establish the structure of the development which would then inform the detailed design of the site as follows:

- Internal road layout;
- Building envelopes and massing;
- Building heights (including number of storeys);
- Gross floor area; and
- Land uses.

The Application also identifies a Community Title subdivision will be undertaken to be aligned to the future stages. This however will be the subject of a separate Development Application.

Stage 1 seeks consent for a four (4) storey building (overall floor area of 9,421m²) with associated landscaping internal driveway, and car parking 129 spaces (including four (4) accessible spaces, plus 18 motor bike spaces). The building is to be comprised of medical, education and ancillary uses as follows:

- Part Ground Floor and Second Floor
 - 4,089m² of health care facilities comprised of:
 - Hospital;
 - Consulting rooms; and
 - Associated uses – pathology, radiology and ambulance parking.
- First Floor
 - 2,549m² of education.
- Third Floor
 - 2,252m² of Office
- Part Ground Floor
 - 531m² of ancillary retail development comprised of:
 - Café
 - Florist
 - Pharmacy

Specifically, each floor is comprised of the following:

- Ground Floor
 - Medical Centre
 - Pharmacy, Radiology, pathology, secure ambulance parking
 - Ancillary uses – café and florist
- First Floor
 - Education
 - 11 Medical Education tenancies

- Second floor
 - Medical Centre
 - Day surgery hospital
 - 15 private wards with ensuites
- Third floor
 - Medical Centre
 - 11 health consulting rooms
 - Terrace/patio area accessed from the consulting rooms

The Application states that the main hours of operation will be 7:00 am to 6:00 pm Monday to Friday, with only skeleton staffing required outside those hours for occasions where patients are required to stay overnight following a surgery. The theatres will operate five (5) days per week with up to two (2) x four (4) hour sessions per day. The facility will have 15 overnight beds for usage by patients who need to be supervised for a period post-surgery. Generally however, most patients will be able to be discharged the same day the surgical procedure is performed.

Additionally, Stage 1 includes the internal roadway through to Myall Street (Road 1) and to the western boundary (Road 2) (including a temporary turning area which will be extended out to a secondary vehicle egress/ingress to Myall Street (Road 4) as part of subsequent stages. The Stage 1 development also includes a temporary stormwater detention basin within the northwestern portion of the site.

Table 2 provides development data details of both Stage 1 and the overall concept development.

Table 2: Development Data

Control	Stage 1	Overall Development
Site area	11,942.73m ² (approx. 1.19ha)	3.02ha
GFA	9,421m ²	40,100m ²
Clause 4.6 Requests	Not applicable	Not applicable
Max Height	17.6m (+ services on roof)	Approx. 17.6m (+ services on roof)
Landscaped area	2,668m ² (open space)	Approx. 7,267m ² (open space)
Car Parking spaces	129, plus 18 motor bike spaces	Approx. 496
Setbacks	North: over 128m South: 5.448m (ground floor) East: 3.083m West: over 90m	North: approx. 6m South: approx. 5.448m (ground floor) East: approx. 3.083m West: approx. 15m

The Concept site plan is provided in **Figure 2**, and the Stage 1 Site Plan is provided in **Figure 3**. For the Stage 1 building, floor plans of the Ground Floor, First Floor, Second Floor and Third Floor are provided in **Figures 4-7** respectively.

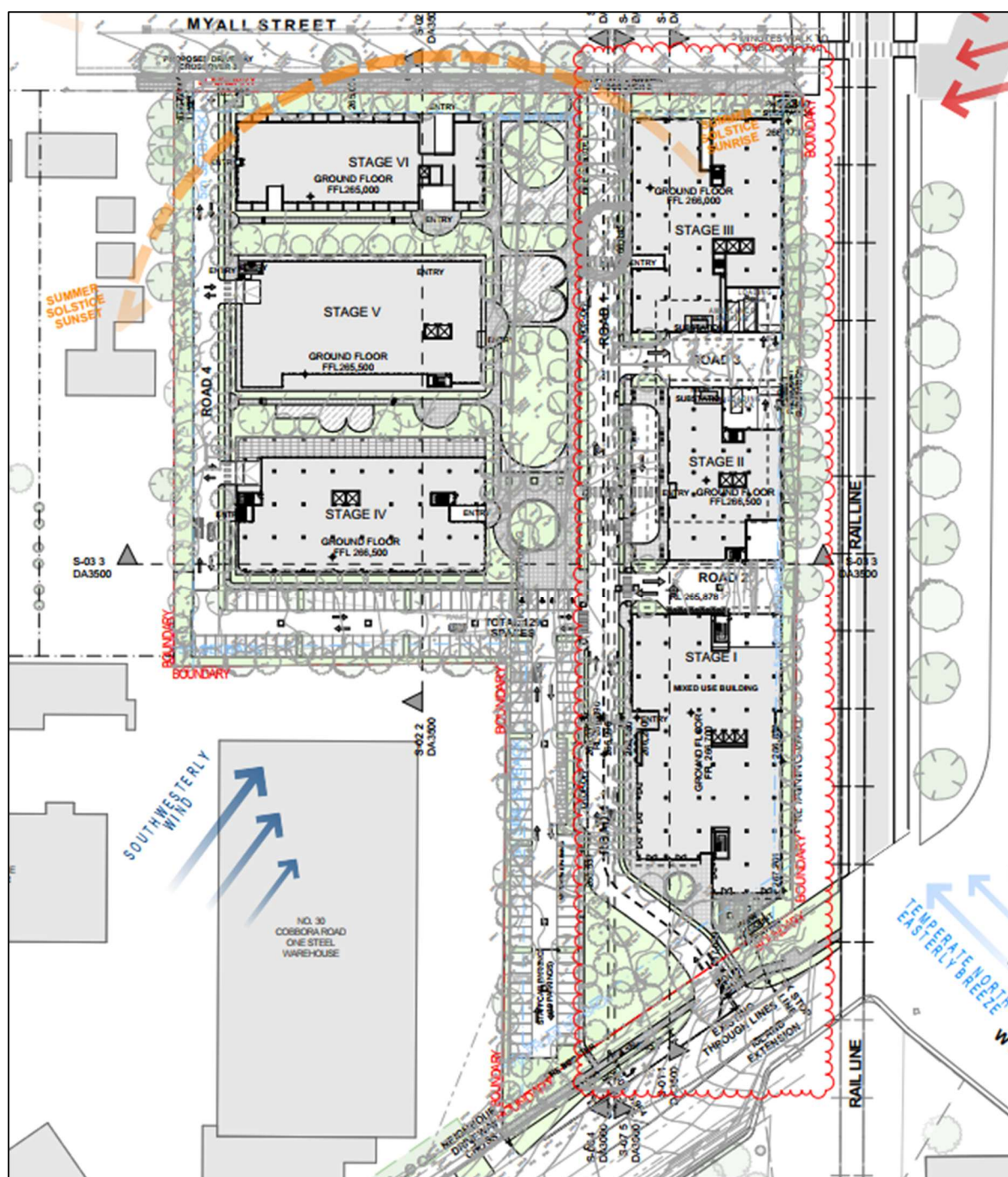
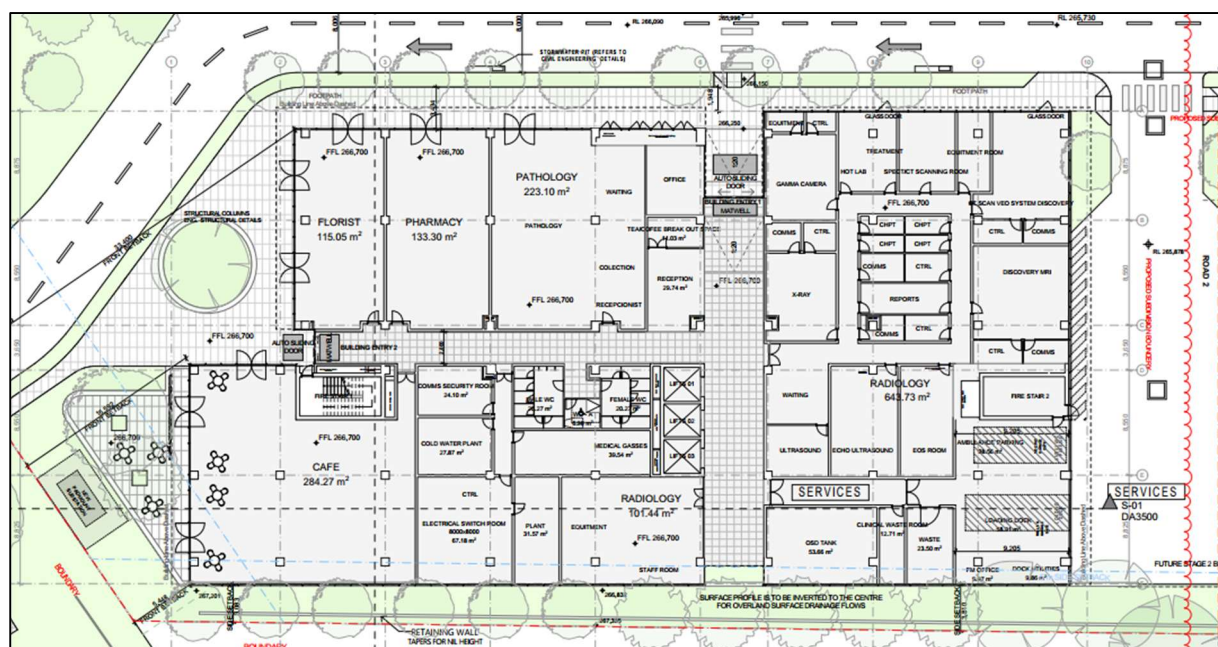
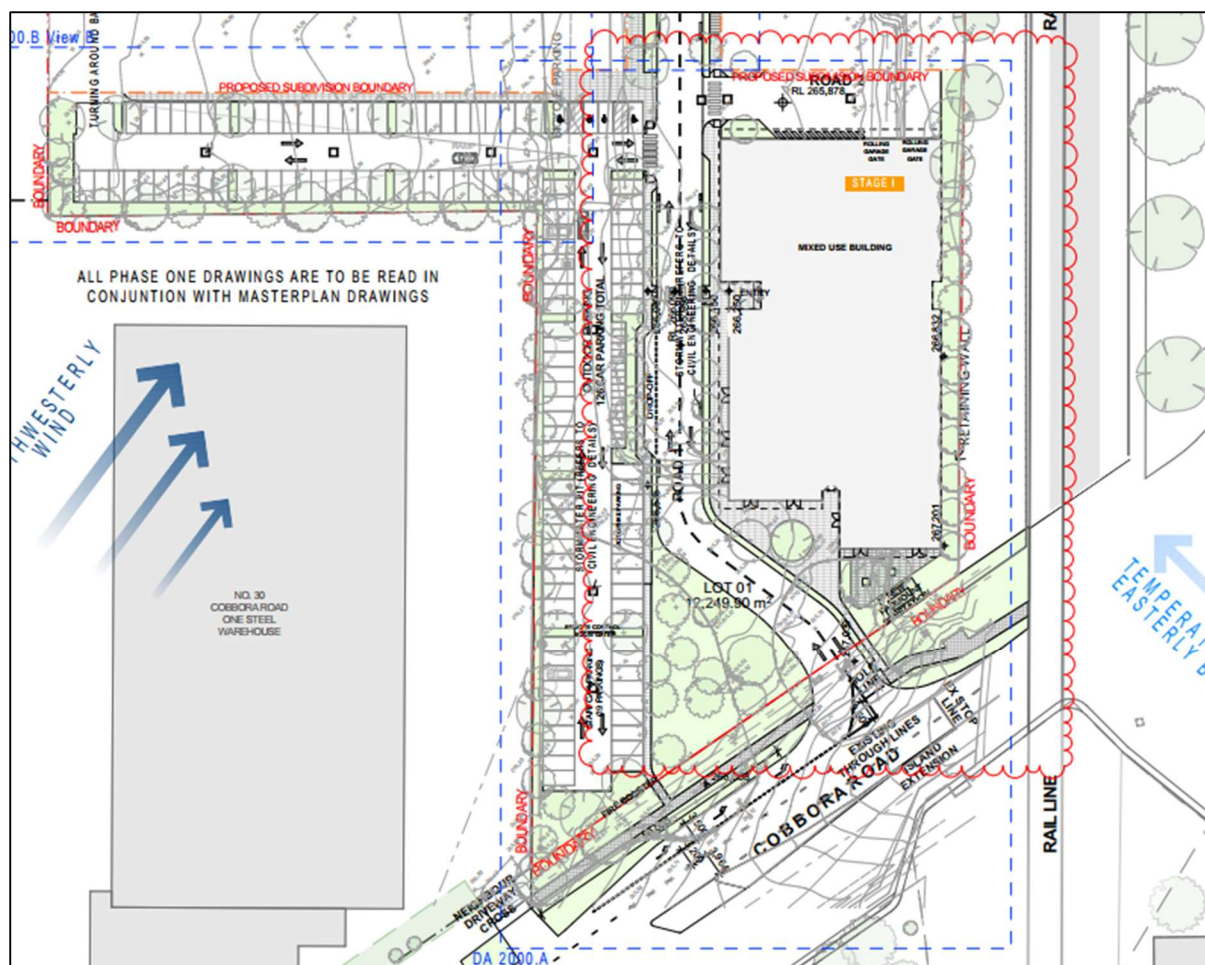


Figure 2: Concept Development Site Plan



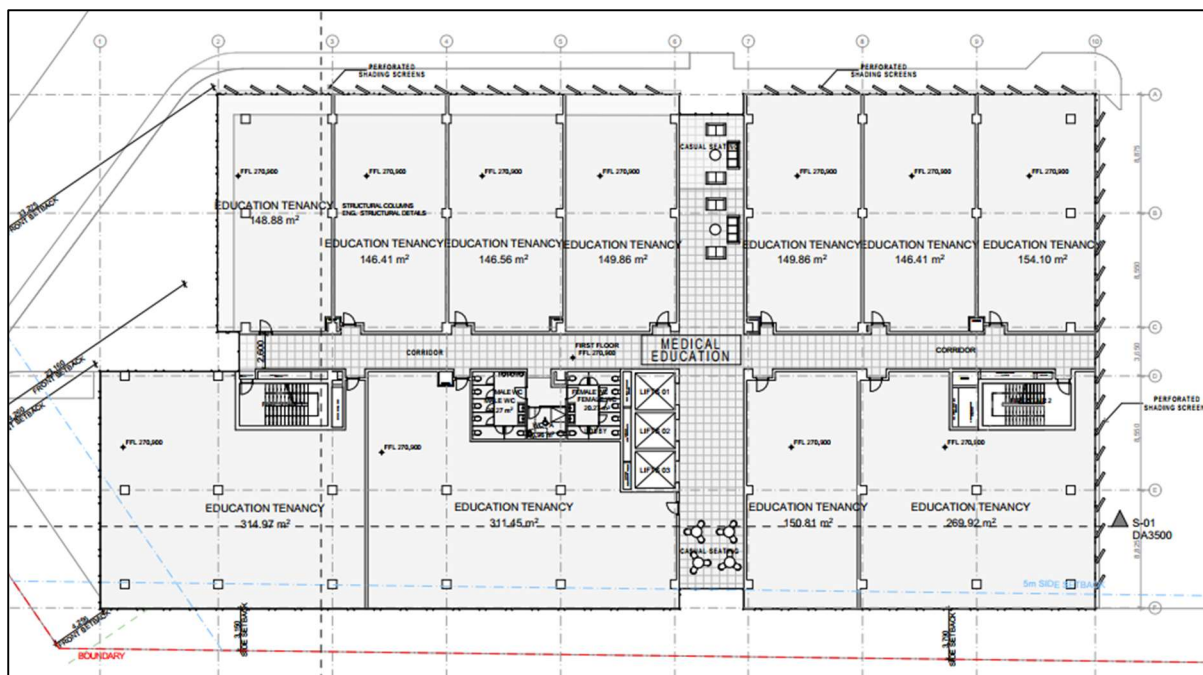


Figure 5: Stage 1 building First Floor Plan

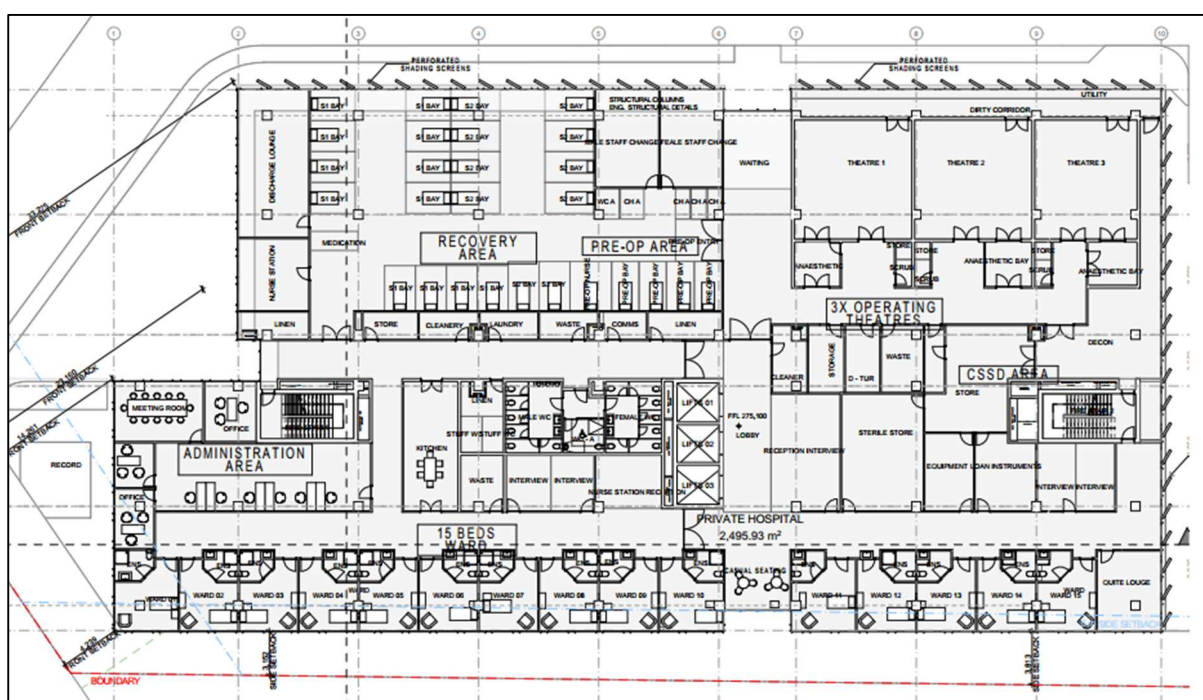


Figure 6: Stage 1 building Second Floor Plan

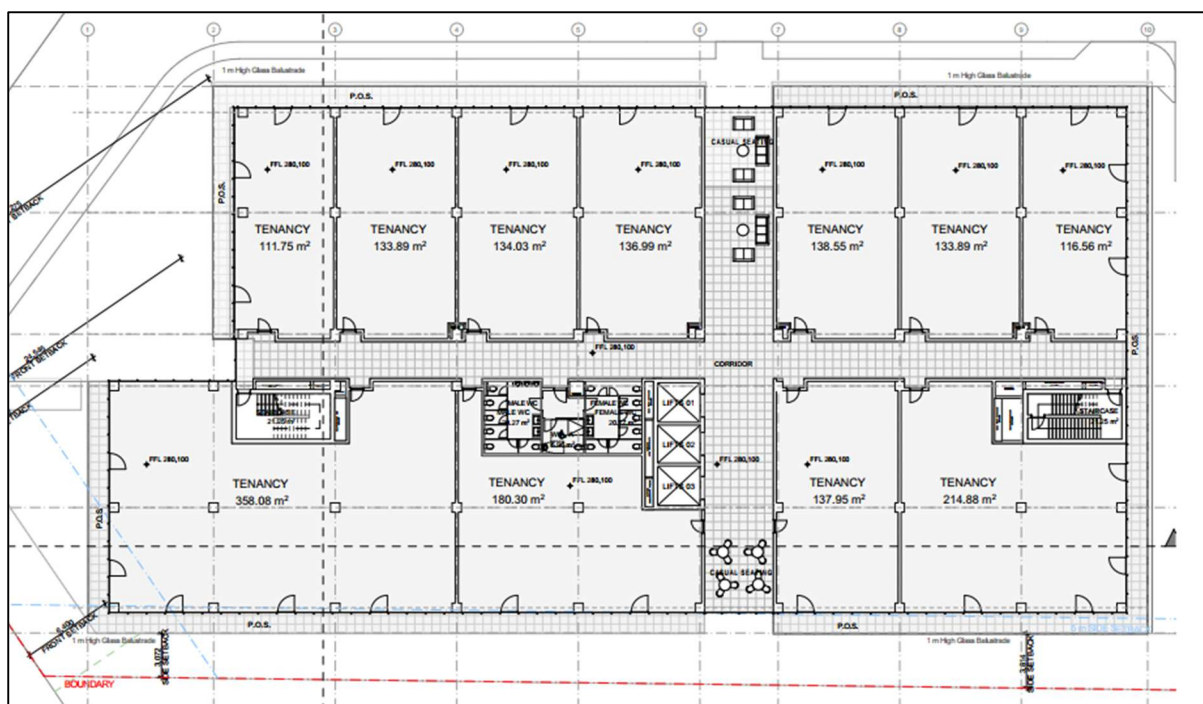


Figure 7: Stage 1 building Third Floor Plan

The remainder of the plans can be found in the Annexures.

2.2 Background

A pre-lodgement meeting was held prior to the lodgement of the applicant on 26 August 2022 where various issues were discussed. A summary of the key issues and how they have been addressed by the proposal is outlined below:

- **Concept Development**

The subject Development Application has been lodged as a Concept Development Application accordingly. No further action required.

- **Retail land uses prohibited in the zone**

The proposed retail uses are considered to be ancillary to the Health Services Facility (café, florist, pharmacy etc.). No further action required.

- **Traffic**

As access to the site is via a classified road the applicant was encouraged to consult with TfNSW prior to lodgement. The extent of these discussions are unknown, however noting the lengthy assessment undertaken, it is understood matters were not resolved. As part of the application, a referral to TfNSW was undertaken. Following several requests for further information TfNSW recommended the Application be approved subject to several conditions of consent.

- **Servicing**

A servicing plan has been submitted which details how the site and development will be connected to reticulated infrastructure. No further action required.

- **Potentially Contaminated Land**

The subject land is listed on Council's Register of Potentially Contaminated Land. The application was accompanied by a letterhead document from the former Dubbo City Council dated 4 January 2005 which states:

‘... remediation works required as part of the demolition have been carried out. These reports confirm that there is no evidence of any contamination that would trigger notification pursuant to Section 60 of the Contaminated Land Management Act 1979.’

The letter goes on to state:

‘You are also advised that any future development application to develop the site will need to address SEPP55 and will need to demonstrate that the site is suitable for the proposed use at that time.’

An assessment of SEPP (Resilience and Hazards) 2021 was initially not undertaken, rather the applicant relied upon the correspondence from Council and Section 4.22(5) of the Environmental Planning and Assessment Act 1979 which states:

The consent authority, when considering under section 4.15 the likely impact of the development the subject of a concept development application, need only consider the likely impact of the concept proposals (and any first stage of development included in the application) and does not need to consider the likely impact of the carrying out of development that may be the subject of subsequent development applications.

A search of Council’s records found there to be a second letter dated 4 January 2005 which states:

- 1. Council is able to confirm ... the demolition of the building was undertaken in accordance with the conditions of Development Consent 2001/335. Council’s officers are satisfied that the works have been completed in accordance with the conditions of consent.*
- 2. Council cannot certify that the site has been remediated in accordance with the requirements of SEPP 55.*
- 3. Council cannot certify that the site is not a contaminated site for the purposes of permitted uses under the provisions of SEPP 55.*

This clause of the EP&A Act, nor the correspondence precludes the applicant from having to undertake further contamination assessment to ensure the site is suitable for the proposed land uses. As such, further information was requested, with a Preliminary Site Investigation submitted. The conclusions and recommendations of this Investigation will be discussed elsewhere in this report.

- Railway Noise and vibration

A Noise and Vibration Impact Assessment Report was prepared by Acoustic Logic to consider the potential impacts from road and rail for the Stage 1 DA and the operation and construction impacts to the surrounding area.

The major source of noise impacting the site was observed to be from Cobbora Road. Whilst train movements along the railway line were observed to be infrequent, ambient noise monitoring measurements were still undertaken. Recommendations were made for façade construction materials with specific reference to the roof, external walls and glazing for windows and doors. Vibration levels were expected to be negligible and localised to sensitive equipment should this be required. The Report noted that noise prediction results were compliant with Project Noise Trigger Levels (PNTL). Consequently, no physical controls, additional management controls or mitigation methods were needed for noise emission targets to be met.

The Report recommended that detailed acoustic review of plant selection and location should be undertaken at CC Stage to determine any acoustic treatment to control noise emissions. Additionally, noise and vibration during demolition, excavation and construction phases of the project should be assessed prior to commencement of “noisy” works on-site in accordance with the EPA Interim Construction Noise Guideline.

- Stormwater Management

The Stage 1 development will be provided with a stormwater detention tank that will discharge to a proposed stormwater main and via a sacrificial stormwater main before discharging to a temporary stormwater detention basin within the northwestern portion of the site. The detention basin will then drain via a basin outlet to the proposed stormwater main running along the northern portion of the site and along the western boundary before connecting into the existing stormwater system in Myall Street.

The sacrificial stormwater main will be removed as part of future development stages.

The concept development indicates each of the stages will be provided with on-site stormwater detention in the form of an above ground stormwater detention tank to reduce the flows to an acceptable level.

Standard condition in relation to stormwater management is recommended.

- Parking Provision

The development has not provided sufficient parking spaces in accordance with Council's Development Control Plan, but has provided a Traffic Study to justify a lower rate. Such matters will be discussed elsewhere in this report.

- Heritage impact

The application has adequately addressed Clause 5.10 and demonstrated the proposed development will have a negligible impact on the heritage integrity of the items.

The Development Application was lodged on **31 March 2023**. A chronology of the Development Application since lodgement is outlined below including the Panel's involvement (briefings, deferrals etc) with the application:

Table 3: Chronology of the DA

Date	Event
31 March 2023	DA lodged
4 April 2023	Exhibition of the application
4 April 2023	DA referred to external agencies: <ul style="list-style-type: none"> • TfNSW • ARTC • Essential Energy
28 June 2023	Further Information requested: <ul style="list-style-type: none"> • Clarification on Stage 1 operational details and use • Amended TIA (as requested by TfNSW)

	<ul style="list-style-type: none"> • Contamination • Parking
9 August 2023	Further information received on the above matters (including amended plans), with the exception of the amended TIA.
29 August 2023	Panel briefing
18 September 2023	Further Information requested: <ul style="list-style-type: none"> • Clarification on Stage 1 operational details and use • Construction noise management
6 October 2023	Further information received (Noise and Vibration Assessment)
11 October 2023	Further information received (amended Traffic Impact Assessment)
25 October 2023	Further Information received (amended plans and SEE)
21 November 2023	Further information requested: <ul style="list-style-type: none"> • Vehicular access arrangements • ARTC referral comments • Clarification on Stage 1 use of building
24 January 2024	Further Information received (amended plans, SEE and Plan of Management)
9 February 2024	Referral to TfNSW
16 May 2024	Further information received (amended architectural and civil plans, ARTC comments)
23 July 2024	Referral to TfNSW and ARTC
10 October 2024	Further information received (amended plans, swept path diagrams, and AusRoads Compliance Statement)
11 October 2024	Referral to TfNSW and ARTC
10 December 2024	Further information requested: <ul style="list-style-type: none"> • TfNSW request access and SIDRA modelling
31 March 2025	Further information received (amended TIA and SIDRA modelling)

2.3 Site History

The subject land has been the subject of a number of Development Applications over the years and a summary is provided in **Table 4**:

Table 4: Summary of Development Applications applicable to the subject land.

DA number	Development	Determination Date	Status
D01-335	Demolition	11/4/2001	Works completed in accordance with consent
D93-096	Subdivision	2/8/1993	Lapsed

Anecdotally it is understood the site was previously used as a Telecom/Telstra depot, and potentially fuel storage and a wool store prior to that.

3. STATUTORY CONSIDERATIONS

When determining a development application, the consent authority must take into consideration the matters outlined in Section 4.15(1) of the *Environmental Planning and Assessment Act 1979* ('EP&A Act'). These matters as are of relevance to the development application include the following:

- (a) *the provisions of any environmental planning instrument, proposed instrument, development control plan, planning agreement and the regulations*
- (b) *the likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality,*
- (c) *the suitability of the site for the development,*
- (d) *any submissions made in accordance with this Act or the regulations,*
- (e) *the public interest.*

These matters are further considered below.

Due to the nature of the Development Application it is noted that the proposal is not considered to be:

- Integrated Development (s4.46),
- Designated Development (s4.10),
- Requiring concurrence/referral (s4.13), or
- Crown Development (s4.33)

3.1 Section 4.15(1)(a)(i) - Provisions of Environmental Planning Instruments

The following Environmental Planning Instruments are relevant to this application:

- SEPP (Industry and Employment) 2021
- SEPP (Planning Systems) 2021
- SEPP (Housing) 202 1
- SEPP (Resilience and Hazards) 2021
- SEPP (Transport and Infrastructure) 2021
- Dubbo Regional Local Environmental Plan 2022

A summary of the key matters for consideration arising from these State Environmental Planning Policies are outlined in **Table 5** and considered in more detail below.

Table 5: Summary of Applicable State Environmental Planning Policies

EPI	Matters for Consideration	Comply (Y/N)
SEPP (I&E)	• Chapter 3 and Schedule 5 details matters for consideration in relation to signage. The proposed development is generally satisfactory subject to conditions.	Yes
SEPP (PS)	• Section 2.19(1) declares the proposal as regionally significant development pursuant to Clause 5 of Schedule 6.	Yes

SEPP (Housing)	<ul style="list-style-type: none"> • Part 5 provides standards for development involving housing for seniors and people with a disability. The proposed development does not require a Site Compatibility Statement 	Yes
SEPP (R&H)	<ul style="list-style-type: none"> • Chapter 4 Remediation of land details the requirements for contamination assessment based on land uses. Preliminary Site Investigation submitted with conclusions and recommendations to be conditioned. 	Yes
SEPP (T&I)	<ul style="list-style-type: none"> • Clause 2.48 (Determination of development applications other development) – electricity transmission. Essential Energy response provided 20 September 2023 raising no objection to development. • Clause 2.100 Impact of rail noise or vibration on non-rail development. ARTC response provided 4 March 2025 raising no objection to the development subject to conditions. • Clause 2.119 Development with frontage to classified road - the proposal is satisfactory subject to conditions. • Clause 2.120 Impact of road noise or vibration on non-road development - the proposal is satisfactory subject to conditions. • Clause 2.122 & Schedule 3 Traffic-generating development – Following several requests for further information TfNSW in correspondence dated 30 April 2025 recommended the development be approved subject to conditions. • Chapter 3 Educational establishment and childcare facilities - the proposal is satisfactory. 	Yes
Dubbo Regional LEP 2022	<ul style="list-style-type: none"> • Clause 1.2 Aims of the Plan • Clause 1.4 Definitions • Clause 2.3 Zone objectives and Land Use Table • Clause 2.7 Demolition requires development consent • Clause 5.10 Heritage Conservation • Clause 5.14 Siding Spring Observatory – maintaining dark sky • Clause 7.2 Earthworks • Clause 7.5 Groundwater vulnerability • Clause 7.7 Airspace operations <p>The proposal is satisfactory subject to conditions where relevant.</p>	Yes

It is noteworthy to highlight the proposed development (both the Stage 1 and Concept development land uses) are permitted with consent under the Dubbo Regional Local Environmental Plan 2022 and do not rely on SEPP permissibility.

State Environmental Planning Policy (Industry and Employment) 2021

The overall concept of the site includes both business identification signage and internal pylon directional signage.

The proposed and conceptual signage is provided in submitted plans for visual reference. Signage for Stage 1 is comprised of:

- 5.9 metre wide and 3 metre high (17.7m²) business identification sign ('Dubbo Healthcare Campus') on southern façade of Stage 1 building;
- 3.3 metre wide x 3.5 metre high (11.55m²) free standing primary entrance signage;

- 2.5 metre wide x 2.5 metre high (6.25m²) free standing secondary entrance signage; and
- a number of internal directional and way-finding signs with dimensions ranging between 2.5 metre high x 0.7 metre wide (directional signs) and 3 metre high and 0.7 metre wide (parking signs) are also proposed.

The following signage is proposed as part of the over concept Development Application:

- 3.9 metre wide x 2 metre high (7.8m²) business identification signage ('Dubbo Healthcare Campus') at the pedestrian entrance to each of the buildings; and
- directional and parking signage as detailed above.

The aims of the SEPP are as follows:

- (1) *This Policy aims:*
 - (a) *to ensure that signage (including advertising):*
 - (i) *is compatible with the desired amenity and visual character of an area, and*
 - (ii) *provides effective communication in suitable locations, and*
 - (iii) *is of high quality design and finish, and*
 - (b) *to regulate signage (but not content) under Part 4 of the Act, and*
 - (c) *to provide time-limited consents for the display of certain advertisements, and*
 - (d) *to regulate the display of advertisements in transport corridors, and*
 - (e) *to ensure that public benefits may be derived from advertising in and adjacent to transport corridors.*
- (2) *This Policy does not regulate the content of signage and does not require consent for a change in the content of signage.*

It is considered that the new signage is consistent with the aims of the plan as specified above.

It is also considered that the proposed signage is consistent with the assessment criteria as set out in Schedule 5 of the SEPP. A comprehensive assessment of the signage relating to Stage 1 and conceptual assessment of the signage relating to the concept development in relation to Schedule 5 is made below (noting a comprehensive assessment of the signage relating the subsequent stages will be undertaken as part of future Development Applications):

1. Character of the area

The proposal is compatible with the existing or desired future character of the area or locality. It is considered the proposed signage along Cobbora Road is consistent with the particular theme in relation to scale for signage in the surrounding area and locality (example 'Blackwoods,' 'InfraBuild,' 'Stihl,' and 'Astley's Plumbing and Hardware'). No further action required.

2. Special areas

There are no environmentally sensitive areas, heritage areas, natural or other conservation areas, waterways or rural landscapes within the locality of the site. Theresa Malipant Park is located to the east beyond the railway line and residential areas are located to the north. It is considered unlikely that the proposed signage would significantly adversely impact the open space or residential areas as it would seem that only one (1) sign is located along the northern frontage to the residential area and no signs are proposed along the elevation of the building fronting the open space area (eastern elevation). No further action required.

3. Views and vistas

No concerns in relation to adverse impacts on views or vistas are raised given the topography of the site, and the location of the signs. No further action.

4. Streetscape, setting or landscape

The proposed signage will not adversely impact the streetscape, rather it is considered the signage will contribute positively to the street given its location. No on-going vegetation management is expected to be required.

5. Site and building

The proposed signage is considered to be consistent with the scale, proportion and form of the building to which it relates. The location of the signage does not seem to adversely impact important features of the site or building. The proposed signage is consistent with the use of the building.

6. Associated devices and logos with advertisements and advertising structures

No devices, logos or advertisements have been included in the proposed signage.

7. Illumination

A condition of consent will require the luminosity of the signage to be restrained to ensure no nuisance to traffic, pedestrians or neighbouring properties results.

8. Safety

Due to the location of the proposed signage it is considered unlikely to result in adverse safety issues. On the contrary, it is considered the proposed signage will assist in creating a safe environment by identifying the site, its buildings, and assisting motorists and pedestrians to negotiate the site.

Overall it is considered the signage is consistent with the matters of consideration under Schedule 5 of the SEPP. No further action required.

State Environmental Planning Policy (Planning Systems) 2021

State Environmental Planning Policy (Planning Systems) 2021 applies to the proposal as it identifies if development is regionally significant development.

In terms of cost of works, the Applicant has provided the following breakdown:

Stage # (land use)	CIV	Total Building/Work Area
Stage 1 (healthcare, education, office, retail)	\$34,529,679.00	10,323m ²
Stage 2 (healthcare, education)	\$25,441,812.00	9,129m ²
Stage 3 (office)	\$32,078,405.00	11,661m ²
Stage 4 (respite day care, childcare)	\$29,650,671.00	10,690m ²
Stage 5 (seniors housing)	\$19,921,771.00	8,123m ²
Stage 6 (seniors housing)	\$9,372,558.00	3,029m ²
Total	\$150,994,896.00	52,955m²

In this case, pursuant to Clause 2.19(1) of the SEPP, the proposed development is a regionally significant development as it satisfies the criteria in Clause 5 of Schedule 6 the SEPP. In this regard, the proposed development has a capital investment value of more than \$5 million (Stage 1: \$34,529,679.00 & concept development: \$150,994,896.00 exc. GST) and is for the purpose including a *health services facility* and a *child care centre*.

Accordingly, the Western Region Planning Panel is the consent authority for the application. The proposal is consistent with this Policy.

State Environmental Planning Policy (Housing) 2021

The concept development includes a 'Seniors Living' component as part of Stages 5 & 6. As such, Part 5 of the SEPP is relevant. Noting, specific details of Stages 5 & 6 are not provided nor required to be provided with this Concept Development Application, a general assessment is undertaken.

Seniors Living/Senior Housing is permitted with consent in the E3 Productivity Support zone both under the SEPP and the Dubbo Regional LEP 2022. The subject land is not bushfire prone and is not located within the Flood Planning Area. In accordance with Section 84, the subject land is greater than 1,000m², the frontage of the site is greater than 20 metres, servicing equipment is indicated as being located on the roof of the building which will be integrated into the roof design, and the buildings for seniors housing will not have an overall height greater than 11.5 metres.

It would appear the proposed development is generally consistent with the standards of the SEPP. Further assessment will be undertaken as part of the subsequent Stage 5 and 6 Development Applications. No further action.

State Environmental Planning Policy (Resilience and Hazards) 2021

The subject land is listed on Council's Potentially Contaminated Land Register as having a past use associated with the Telecom headquarters and depot which included activities such as Asbestos production and disposal, and electrical manufacturing (transformers). The submitted Preliminary Site Investigation also identified past uses associated with fuel storage and a wool store.

Following a request for further information a Preliminary Site Investigation was undertaken. The Investigation reviewed the history of the site, previous reports/information, and included a cursory inspection of the site. The Investigation notes previous reports that have stated the site was validated to commercial/industrial criteria, however also acknowledges the Guidelines have been updated and the proposed development may no longer meet the criteria. It is also noted that the concept proposal includes more sensitive land uses such as seniors housing and a childcare centre. The Investigation subsequently drew the following conclusions:

"The findings of the assessment indicated the following areas of potential environmental concern, those being former site activities, the importation of uncontrolled fill, car parking, metal degradation, and building structures.

The contaminants that may be present in some of these areas were considered to be of low significance in terms of risk to the human and environmental receptors identified. Therefore, a Detailed Site Investigation (DSI) is required to confirm the presence and extent of contamination in order to determine the suitability of the site for the proposed development application and to address the data gaps identified. Based on the information collected during this investigation and in reference to Clause 4.6 of the State Environmental Planning Policy (Resilience and Hazards) 2021, the

site will be suitable subject to the completion of a Detailed Site Investigation (and after remediation and validation, if required), for the proposed redevelopment into a combination of healthcare, education, retail, commercial, respite day care, child care and seniors living facilities with internal roads, car parking and deep soil landscaping areas.

Based on these conclusions a Detailed Site Investigation is required to be undertaken to provide certainty that the site is suitable for the proposed uses from a contamination perspective. Given the unknown conclusions of any Detailed Site Investigations, a deferred commencement condition will be included on the consent that this Investigation be undertaken and submitted to Council demonstrating the site is suitable for the proposed use. If approved by Council, an operational consent can be issued, to include a condition that any recommended remediation works be undertaken prior to issue of the relevant Construction Certificate.

State Environmental Planning Policy (Transport and Infrastructure) 2021

Clause 2.48 (Determination of development applications other development) – electricity transmission

Following an initial request for further information, Essential Energy responded in correspondence dated 20 September 2023 raising no objection to the proposed development. The requirements specified by Essential Energy will be included on the development consent as notations, as Council is unable to enforce such requirements.

Clause 2.100 Impact of rail noise or vibration on non-rail development.

The subject land adjoins the Dubbo-Werris Creek Rail Line and Dubbo-Coonamble Branch Line. The Stage 1 development is to be setback approximately 3.083m from the shared boundary (eastern boundary of the subject land).

This clause states:

- (1) This section applies to development for any of the following purposes that is on land in or adjacent to a rail corridor and that the consent authority considers is likely to be adversely affected by rail noise or vibration—*
 - (a) **residential accommodation**, ...*
 - (c) **a hospital**,*
 - (d) **an educational establishment or centre-based child care facility.***
- (2) Before determining a development application for development to which this section applies, the consent authority must take into consideration any guidelines that are issued by the Planning Secretary for the purposes of this section and published in the Gazette.*
- (3) If the development is for the purposes of residential accommodation...*

The proposed development includes hospital, childcare centre and residential accommodation (seniors living) land uses and as such, this clause applies.

Noting the childcare centre and seniors living is to be the subject of subsequent Development Applications and are to be located closer to the western boundary (i.e. further away from the rail line than the 'hospital' land use), no further assessment of the impact of rail noise or

vibration on the future childcare centre or seniors living is provided. A comprehensive assessment of this clause will be undertaken as part of the future Development Applications.

A detailed assessment of the Stage 1 (health services facility) component was undertaken as part of the Noise and Vibration Impact Assessment submitted with the concept Development Application.

The assessment has considered the 'Developments near Rail Corridors or Busy Road – Interim Guideline (2008),' the NSW Health Infrastructure Engineering Services Guidelines 2021, and the AS/NZS 2107:2016 – Acoustics – Recommended Design Sound levels and Reverberation Times for Building Interiors to determine the acceptable internal noise levels for each of the spaces within the building as follows:

Wards	35 dB(A)Leq
MRI/CT Scan/X-Ray areas/Ultra sound	50 dB(A)Leq
Corridors and lobby spaces	50 dB(A)Leq
Office areas	45 dB(A)Leq
Laboratories	50 dB(A)Leq
Surgeries/treatment/procedures rooms	45 dB(A)Leq
Small retail stores	50 dB(A)Leq

The assessment concludes:

“Given the eastern façade of the Stage 1 building is within Zone A of the Acoustic Assessment Zones as defined in ‘Developments near Rail Corridors or Busy Rad – Interim Guideline (2008),’ a full acoustic assessment is required.

Representatives from this office attended site on two occasion to conduct noise and vibration measurements of rail movements along the adjacent railway line. On both occasions, over a six hour period, no rail movements were observed. Unattended measurement data showed between zero and two train movements per day, with no more than once in any night time period. It can be concluded that train movements along the adjacent railway line are infrequent.

In any case, any noise created by train movements have been captured in the ambient noise monitoring measurement. The façade construction summarised in Section 4.2 have been determined based on the recorded noise levels to ensure internal noise level criteria are met.

Due to the infrequency of train movements, vibration levels are expected to be negligible. Vibration isolation can be localised to sensitive equipment should this be required.”

The assessment goes on to detail indicative façade construction treatments to be adopted to ensure levels are not exceeded. The report concluded that provided the recommendations detailed in Section 4.2 are implemented, the development is capable of complying with all relevant noise intrusion criteria.

A condition of consent will require the Construction Certificate to demonstrate compliance with Section 4.2 of the report.

Clause 2.119 Development with frontage to classified road

The Clause states:

- (1) *The objectives of this section are—*
 - (a) *to ensure that new development does not compromise the effective and ongoing operation and function of classified roads, and*
 - (b) *to prevent or reduce the potential impact of traffic noise and vehicle emission on development adjacent to classified roads.*
- (2) *The consent authority must not grant consent to development on land that has a frontage to a classified road unless it is satisfied that—*
 - (a) *where practicable and safe, vehicular access to the land is provided by a road other than the classified road, and*
 - (b) *the safety, efficiency and ongoing operation of the classified road will not be adversely affected by the development as a result of—*
 - (i) *the design of the vehicular access to the land, or*
 - (ii) *the emission of smoke or dust from the development, or*
 - (iii) *the nature, volume or frequency of vehicles using the classified road to gain access to the land, and*
 - (c) *the development is of a type that is not sensitive to traffic noise or vehicle emissions, or is appropriately located and designed, or includes measures, to ameliorate potential traffic noise or vehicle emissions within the site of the development arising from the adjacent classified road.*

Noting the development has frontage to and will obtain direct access via a classified road (Cobbora Road / Golden Highway), the Application was referred to TfNSW. Following several requests for further information, TfNSW in correspondence dated 30 April 2025 recommended the Application be approved subject to conditions, ultimately being satisfied that through certain works and operational restrictions, the development would not have an adverse impact on highway traffic flows.

It should be noted that comments received from TfNSW are advisory, they are not an approval body as per Section 4.46 Integrated Development of the Environmental Planning & Assessment Act 1979.

Clause 2.120 Impact of road noise or vibration on non-road development

- (1) *This section applies to development for any of the following purposes that is on land in or adjacent to the road corridor for a freeway, a tollway or a transitway or any other road with an annual average daily traffic volume of more than 20,000 vehicles (based on the traffic volume data published on the website of TfNSW) and that the consent authority considers is likely to be adversely affected by road noise or vibration—*
 - (a) **residential accommodation, ...**
 - (c) **a hospital,**
 - (d) **... centre-based child care facility.**
- (2) *Before determining a development application for development to which this section applies, the consent authority must take into consideration any guidelines that are issued by the Planning Secretary for the purposes of this section and published in the Gazette.*
- (3) *If the development is for the purposes of residential accommodation the consent authority must not grant consent to the development unless it is satisfied that appropriate measures will be taken to ensure that the following LAeq levels are not exceeded—*
 - (a) *in any bedroom in the residential accommodation—35 dB(A) at any time between 10 pm and 7 am,*
 - (b) *anywhere else in the residential accommodation (other than a garage, kitchen, bathroom or hallway)—40 dB(A) at any time.*

(3A) Subsection (3) does not apply to a building to which State Environmental Planning Policy (Housing) 2021, Chapter 3, Part 7 applies.

(4) In this section, freeway, tollway and transit way have the same meanings as they have in the Roads Act 1993.

The proposed development includes hospital, childcare centre and residential accommodation (seniors living) land uses and as such, this clause applies.

Noting the childcare centre and seniors living is to be the subject of a subsequent Development Application and are to be located closer to the western and northern boundaries (i.e. further away from the classified road than the 'hospital' land use), no further assessment of road noise and vibration on the future childcare centre or seniors living is provided. A comprehensive assessment of this clause will be undertaken as part of the future Development Applications.

A detailed assessment of the Stage 1 (health services facility) component was undertaken as part of the Noise and Vibration Impact Assessment submitted with the concept Development Application.

Council's Environmental Health Services Team Leader has reviewed the Noise and Vibration Impact Assessment and has provided the following comment in the memo dated 4 April 2023:

The major source of noise impacting the site was observed to be from Cobbora Road. Whilst train movements along the railway line were observed to be infrequent, ambient noise monitoring measurements were still undertaken. Recommendations made for façade construction materials with specific reference to the roof, external walls and glazing for windows and doors. Vibration levels were expected to be negligible and localised to sensitive equipment should this be required. The Report noted that noise prediction results were compliant with project noise trigger levels (PNTL). Consequently, no physical controls, additional management controls or mitigation methods were needed for noise emission targets to be met.

No further action required. Again, a condition of consent will require the Construction Certificate to demonstrate compliance with the recommendations of the report.

Clause 2.122 & Schedule 3 Traffic-generating development

In accordance with Column 3 of Schedule 3 – *Traffic-generating development to be referred to TfNSW* – the proposed development is considered to be traffic generating development as it is a commercial land use with a floor area greater than 2,500m² and involves a carpark (whether or not ancillary to other development) with 50 or more car parking spaces.

As such, the subject application was referred to TfNSW for comment. Following several requests for further information, TfNSW in correspondence dated 30 April 2025 recommended the Application be approved subject to conditions.

Chapter 3 Educational establishment and childcare facilities

The concept development includes a 'Centre-based child care facility' component as part of Stage 4. As such, Chapter 3 of the SEPP is relevant. Noting, specific details of Stage 4 is not provided nor required to be provided with this Development Application, a general assessment is undertaken.

Centre-based child care facilities are permitted within the E3 Productivity Support zone under the Dubbo Regional LEP 2022. The subject land is not located within a prescribed zone and

as such land use conflict is not expected. Additionally, the land is not bushfire prone and is not located within the flood planning area. In accordance with Section 3.26, the site and floor area dedicated to the future child care centre use of the future building is considered acceptable to adequately provide suitable indoor and outdoor space.

It would appear the proposed development is generally consistent with the standards of the SEPP. Further assessment will be undertaken as part of the subsequent Stage 4 Development Application. No further action.

Dubbo Regional Local Environmental Plan 2022

The relevant local environmental plan applying to the site is the *Dubbo Regional Local Environmental Plan 2022* ('the LEP'). The relevant aims of the LEP are:

- (c) to encourage development that complements and enhances the unique character and amenity of the Dubbo Regional local government area,
- (f) to make adequate provision for the development and improvement of cultural, educational, research and medical institutions, ...

The overall proposed concept proposal and Stage 1 development are consistent with these aims. The remaining aims are not relevant to the proposed development. However, it is worth noting the proposed development is not inconsistent with the remaining aims.

Zoning and Permissibility (Part 2)

The site is located within the E3 Productivity Support zone pursuant to Clause 2.2 of the LEP. For visual reference an extract of the zoning map is provided in **Figure 8**.

According to the definitions in Clause 4 (contained in the Dictionary), the proposed Stage 1 development satisfies the definition of **health services facility** which is a permissible use with consent in the Land Use Table in Clause 2.3.



Figure 8: Extract of zoning map. The subject land is highlighted in red outline.

The relevant zone objectives (pursuant to the Land Use Table in Clause 2.3) are as follows:

- *To provide for land uses that are compatible with, but do not compete with, land uses in surrounding local and commercial centres.*
- *To provide for land uses that meet the needs of the community, businesses and industries but that are not suited to locations in other employment zones.*

The proposal is considered to be consistent with these zone objectives for the following reasons:

- The proposed development is unique and will provide required services to the Dubbo Local Government area whilst not competing with the land use in the surrounding local and commercial centres; and
- Additional health care options are a positive addition to the Dubbo Regional Local Government Area that will serve the population of the LGA, and surrounding smaller towns and LGAs.

General Controls and Development Standards (Part 2, 4, 5 and 6)

The LEP also contains controls relating to development standards, miscellaneous provisions and local provisions. The controls relevant to the proposal are considered in **Table 6** below.

Table 6: Consideration of the LEP Controls

Control	Requirement	Proposal	Comply
Demolition (Cl. 2.7)	The demolition of a building or work may be carried out with development consent.	The proposed development includes demolition of minor buildings and consent is being sought as part of this application as required. A condition of consent will require a Demolition Management Plan be submitted prior to demolition being undertaken.	Yes, condition.
Heritage (Cl 5.10)	To conserve the heritage significance of heritage items and heritage conservation areas, archaeological sites and Aboriginal objects and places, and environment within the Dubbo Regional LGA.	Although the subject land is located within proximity to two (2) locally listed heritage items (Georgian cottage at 160 Myall Street; and Dubbo Hospital at 170 Myall Street), it is considered that the proposed development will not have any significant detrimental impact on the heritage significance of the items noting the proposed landscaping, and the character of the existing development within the surrounding area.	Yes.
Siding Spring Observatory (Cl. 5.14)	To protect observing conditions at the Siding Spring Observatory by promoting lighting practices that minimise light pollution.	The proposed development (concept and Stage 1) includes significant exterior lighting to maintain safety and security to the site outside daytime hours. A condition of consent will require all exterior lighting be installed in a manner that ensures light does not escape the horizontal plane.	Yes. Condition
Earthworks (Cl. 7.2)	To ensure earthworks will not have a detrimental	The proposed development will include earthworks. The Stage 1 development	Yes, condition.

	<p>impact on environmental functions and processes, neighbouring uses, cultural or heritage items or features of the surrounding land.</p>	<p>will require small scale earthworks to construct the building and associated roads, car parking area and infrastructure. A condition of consent will require erosion and sediment control measures be installed prior to works commencing and remain in place and maintained until works are complete. Additionally, a condition will require any fill to be certified Excavated Natural Material (ENM) or Virgin Excavated Natural Material (VENM).</p> <p>Significant earthworks will be required in subsequent stages due to the underground parking areas proposed within Stages 2 – 5. Further consideration to earthworks will be required to be undertaken as part of the subsequent Development Applications.</p>	
Groundwater vulnerability (Cl. 7.5)	<p>To maintain the hydrological functions of key groundwater systems and protect vulnerable groundwater resources from depletion and contamination as a result of inappropriate development.</p>	<p>The concept development will largely result in the site being capped apart from the areas provided with soft landscaping. It is considered the proposed development has been designed, sited and will be managed to avoid a significant adverse impact to the volume and quality of groundwater aquifers.</p> <p>The proposed Stage 1 development does not include any activities that are potentially contaminating nor involves significant excavation. Therefore no adverse impact on groundwater anticipated, and no further considerations required.</p>	Yes
Airspace operations (Cl. 7.7)	<p>To provide for the effective and ongoing operation of Dubbo City regional Airport... by ensuring the operation is not compromised by development that penetrates the OLS for the airport.</p>	<p>The subject site is located within the Obstacle Limitation Surface Map at height 335mAHD. The site for the proposed development has a surface level of 267.5mAHD and with the Stage 1 development having a total height of 19.35 metres that equates to an overall height of 286.85mAHD, 48.15 metres below the surface map.</p> <p>From review of the Concept plans, no other aspect of future development would be significantly higher than the Stage 1 building. Further considerations at those Development Application stages.</p>	Yes

The proposal is considered to be generally consistent with the LEP.

3.2 Section 4.15 (1)(a)(ii) - Provisions of any Proposed Instruments

There are no proposed instruments which have been the subject of public consultation under the EP&A Act, relevant to the proposal.

3.3 Section 4.15(1)(a)(iii) - Provisions of any Development Control Plan

The following Development Control Plan is relevant to this application, any elements not discussed were determined to be irrelevant to the application:

- *Dubbo Development Control Plan 2013* ('the DCP'), Chapter 2.2.5 Commercial Development controls

Table 7: Consideration of the DCP Controls

Control	Requirement	Proposal	Comply
Setbacks	<p><i>Front and side setbacks</i></p> <p>Buildings should be setback to provide suitable landscaping and vehicle parking with a minimum setback of 5 metres (10 metres where fronting a highway).</p>	<p><i>Stage 1</i></p> <p>North over 128 metres</p> <p>South (front) 5.448 metres (see below)</p> <p>East 3.083 metres</p> <p>West over 90 metres</p> <p><i>Concept Development</i></p> <p>North approx. 6 metres</p> <p>South (front) approx. 5.448 metres</p> <p>East approx. 3.083 metres</p> <p>West approx. 15 metres</p> <p>In relation to Stage 1, the applicant has requested a variation to the front setback control of 10 metres. The variation request argues that due to the front boundary being splayed, the front setback of the ground floor will vary from 15.592 metres at the western end to 5.448 metres at the eastern end. The applicant argued that the higher setback of 15.592 metres 'offsets' the shorter setback of 5.448 metres, or equates to an average setback of 10.52 metres.</p> <p>Due to the larger setback to the western portion of the Stage 1 building and the 'step back' provided to the eastern portion of the building it is considered the applicant has made a strong attempt to reduce the bulk of the building along the street frontage. Additionally, the remainder of the street frontage is provided with car parking and landscaping which adequately offsets the bulk and scale of the building.</p> <p>Further, the front setback is to be provided with a paved and landscaped area which will soften the appearance of the development from the street.</p> <p>Therefore the variation is accepted.</p>	Yes

		<p>The eastern side setback of the Stage 1 building will be setback 3.083 metres, below the required 5 metres. The setback and minor variation are considered suitable. It remains compliant with BCA requirements of 3 metres. It is also noted this boundary fronts the rail corridor, ensuring despite the reduced setback, it will have no adverse impact on neighbouring property or any public domain. Landscaping within this area will also be provided to soften its appearance. The previously mentioned Acoustic Study also ensures suitable acoustic attenuation to the building despite the reduced setback. The variation is therefore also accepted.</p> <p>From review of concept plans all buildings beyond Stage 2 can comply with minimum setback requirements, with a detailed assessment to be undertaken upon lodgement of those Development Applications.</p> <p>As detailed above, the rear (northern) setback of both the Stage 1 and concept developments are considered suitable.</p>	Yes
Building design	<i>Rear setback</i>		
	<i>Building design</i>	<p>The façade of both the Stage 1 and concept development adopts a contemporary appearance relating to the function of the buildings and the characteristics of the surrounding development in the locality as required.</p>	Yes
	<i>Architectural interest</i>	<p>Stage 1 includes architectural features to break up the volume of the building into smaller portions. These features include the ground and third floor being stepped back behind the second and third floor. A mixture of perforated screens along the northern and western facades and alternate glazing treatments all assists in creating a building that is visually appealing.</p> <p>The pedestrian entrance points are clearly signposted and provided at practical locations relative to the parking areas.</p> <p>The concept development includes similar features to support the 'campus atmosphere' and integrated nature of the buildings within the precinct. A specific assessment of the architectural interest of the subsequent stages will be undertaken as part of the future Development Applications.</p>	Yes
	<i>Building height</i>	<p>Shadow diagrams have been submitted with the application for the entire concept development which demonstrates the adjoining properties will receive adequate solar access</p>	Yes

	<i>Security</i>	<p>during the winter solstice once the proposal (both the concept development and Stage 1) is constructed.</p> <p>The proposal, both the concept and the Stage 1 developments, include buildings addressing the primary street frontage and open space areas (central parking and informal sitting areas) as required.</p> <p>Buildings to be constructed in Stage 3 and 6 have a frontage to Myall Street (secondary frontage). The secondary street frontage is provided with articulated pedestrian access points into the Stage 3 and 6 buildings as well as footpaths from Myall Street into the central portion of the site adjacent to the internal driveway and open space areas as required.</p> <p>A condition of consent will require lighting to be installed within the carpark areas to assist in avoiding anti-social behaviour.</p>	Yes
	<i>Building materials</i>	<p>The proposed development, both the concept and Stage 1, include reflective materials including white aluminium curtain wall with reflective blue glass that is considered undesirable. However, the expanses of glass are provided with white perforated aluminium solar shading to break of the reflectivity of the building along the northern and western elevations.</p> <p>The reflective glass is provided to the ground floor and third floor along the eastern elevation of the building to provide privacy and solar access. The first and second floors are provided with transparent glass windows which break up the reflective nature of the building.</p> <p>No concerns in relation to reflectivity along the southern elevation given its orientation.</p> <p>Large expanses of blank walls are not included as part of the design.</p>	Yes
Landscaping	<i>Site planning</i>	A comprehensive landscape plan was submitted with the Development Application for both Stage 1 and the concept development as required. The plans can be found in the Annexures.	
	<i>Existing trees and shrubs</i>	The landscape plans indicate the retention of all but six (6) existing trees within the centre of the site, one (1) tree along the northern boundary and also a street tree along Myall	

		<p>Street. The remainder of the trees will be retained as part of the Stage 1 development.</p> <p>However, the masterplan landscape concept plan indicates these trees will be removed as part of subsequent Development Applications. It is considered that the proposed trees will provide ample tree canopy to replace the canopy lost by the removal of the existing trees.</p>	
	<i>Visual amenity</i>	<p>The proposed landscaping for both the Stage 1 and concept development is considered to be of a scale and density relative to the scale of the buildings.</p> <p>In relation to Stage 1 and as detailed above, the proposed landscaping within the front setback is considered adequate to soften the appearance of the building from the street.</p> <p>Trees with a mature height of approximately 8 metres have been selected within the front setback area as required. Due to the scale of the building, trees of up to 12 metres have also been selected to adequately soften the appearance of the buildings.</p> <p>As part of the Stage 1 development, landscaping is to be provided to the sides of the Road 1 corridor.</p> <p>It is considered that suitable and substantial landscaping is provided to the site to suitably soften the appearance of the large parking areas and roadways.</p> <p>Further, it is considered the proposed landscaping along the eastern boundary of the Stage 1 building will suitably soften the appearance of the building from the railway and Theresa Malipant Park to the east.</p> <p>In relation to the concept development a combination of art, innovative passive open space areas/informal sitting areas and green space has been integrated around the proposed buildings and is considered to be of an adequate scale and density in relation to the built form.</p>	Yes
	<i>Water efficiency</i>	<p>The landscaping design seeks to utilise water sensitive urban design principles and includes a selection of native species to reduce the demand for water usage. The details of the landscaping plan include the use of mulch and soil wetting agents. A maintenance plan is provided as part of the landscaping plan for Stage 1 and a condition of consent shall require</p>	Yes

		<p>the landscaping to be installed prior to the issue of the Occupation Certificate and remain in a maintained state in perpetuity.</p> <p>Council's reticulated infrastructure is located within the road reserve along Myall Street and Cobbora Road. As such, the proposed landscaping for Stage 1 and the concept development are unlikely to result in adverse impacts to Council's infrastructure.</p>	Yes
Vehicular access and parking	<i>Ingress and egress</i>	<p>The concept development seeks primary vehicle access from Cobbora Road which is a classified road being the Golden Highway. Proposed access includes a combined left-in and left-out driveway onto Cobbora Road (9.8 metres wide) and secondary access provided from two (2) combined entry and exit points from Myall Street (8 metres wide at Road 1 and 6.5 metres wide at Road 4). Minimum widths for driveways have been achieved apart from Road 4 which should be provided at 8 metres wide. As Road 4 is expected to be a secondary access/egress point and used as part of the later stages of the development (Stage 5/6), no concerns are raised.</p> <p>The primary and the eastern secondary access crossovers are to be constructed as part of the Stage 1 development.</p> <p>An auxiliary left-turn lane short treatment has been proposed on Cobbora Road and a concrete median island has been proposed on the median lane to prevent right turn entry into the development.</p> <p>Cobbora Road is provided with a dual carriage way in each direction from the intersection with the Newell Highway and merges into one lane in both directions prior to the level crossing which adjoins the eastern boundary of the site.</p> <p>TfNSW initially raised concerns in relation to the impact of the proposed development on the classified road.</p> <p>Following several requests for further information, TfNSW in correspondence dated 30 April 2025 recommended the Application be approved subject to conditions, which generally will be included on the development consent. These recommended conditions included submission of a Works Authorisation Deed for TfNSW approval prior to works commencing, being the construction of an Auxiliary Left-turn lane for access to the site, submission of a Lighting Plan, and that vehicular access from</p>	Yes

		<p>Cobbora Road be entry only, with all traffic to exit to Myall Street.</p> <p>This latter recommended condition presents concerns, primarily with all traffic (173 trips per hour Stage 1 and 818 trips per hour Stages 1-6) exiting onto Myall Street (a local road), that has not been appropriately modelled. The modelling provided for Stage 1 is for 140 trips per hour to/from Cobbora Road (80.9%), and 33 trips per hour to/from Myall Street (19.1%). Despite the TfNSW recommendations, Council does not consider it appropriate for all traffic generated by the development to exit to the local road network adjacent to low density residential development and a school. Council considers the modelled portion exiting to Cobbora Road suitable, despite any site/physical road constraints.</p> <p>Council engineers have reviewed the submitted design and Traffic Impact Statement and recommend that the traffic access arrangements/design as proposed be approved, despite TfNSW concerns.</p> <p>One concern identified by Council is large vehicles exiting the site to Cobbora Road, noting the proximity of this egress point to where travel lanes merge and the level crossing. For that reason, it was recommended that vehicles exiting to Cobbora Road be restricted to 8.8 metre vehicles only. Larger vehicles (up to 12.5 metres) shall only exit to Myall Street.</p>	
	<i>Access ways</i>	<p>As detailed above, no concerns are raised in relation to driveway widths. Swept paths demonstrate suitable area and manoeuvrability is provided within the driveway and parking areas. As detailed above, the site is to be provided with extensive identification and directional signage.</p> <p>It is considered the access ways provided for the Stage 1 development are suitable. Further consideration for the secondary access ways will be undertaken as part of the subsequent Development Applications.</p>	Yes
	<i>Car parking</i>	<p>No parking is provided forward of the building line along the Myall Street frontage as part of the concept development.</p> <p>Parking is provided forward of the building line along the western side of the site as part of Stage 1.</p>	Yes

		<p>The parking area is setback 3 metres from the front boundary as required and landscaping is provided within this setback to adequately soften the appearance of the area from the street.</p> <p>Parking is located in convenient locations based on the entrances to the buildings in relation to both the Stage 1 and concept development.</p> <p>Stages 2, 3 4 and 5 propose to include undercover/basement parking to service the relevant buildings. Further assessment of this will be undertaken as part of the subsequent applications. No further action/consideration required as part of the Stage 1 development.</p> <p>Parking provision will be considered under Chapter 3.5 below.</p>	
	<i>Loading /unloading and manoeuvring areas</i>	<p>A loading dock/ambulance parking area is provided at the rear of the Stage 1 building. It is noted the design vehicles accessing the loading dock will be required to undertake a four-point turn to exit the space in a reversing motion.</p> <p>Further, an ambulance will be required to undertake a two-point reverse manoeuvre to enter the ambulance parking space and a single turn to exit the parking space.</p> <p>As above, no concerns are raised.</p>	Yes
	<i>Sealing drainage and</i>	<p>As part of the concept development, all driveway, car parks, loading, unloading, manoeuvring area and the like are to be sealed in compliance with Chapter 3.5 of the DCP and all sealed areas will ultimately drain to Council's reticulated system.</p>	Yes.
Fencing	<i>Fencing screen and Security grilles</i>	<p>No fencing is proposed.</p> <p>No security grilles are proposed.</p>	<p>Yes</p> <p>Yes</p>
Design for access and mobility	<i>Access mobility and</i>	Access and mobility will be considered under Chapter 3.1 of the DCP.	
Waste Management	<i>Garbage</i>	In relation to the concept development, subsequent Development Applications will be required to address waste management relative to the Stage.	Yes, condition.

		<p>In relation to Stage 1, the application has been accompanied by a Waste Management Plan.</p> <p>The WMP states:</p> <p><i>On a scheduled basis, clinical waste would be collected by an EPA certified waste collection contractor and all other waste would be collected from the ground level loading dock by a private collection contractor.</i></p> <p><i>It is expected that once the facility is fully operational, the Facility Manager will be responsible for the on-going monitoring of both general (general waste and recycling) and clinical waste streams, with waste minimisation being a fundamental principle of any clinical waste management strategy.</i></p> <p><i>It is also the responsibility of the Facility Manager to determine where required, arrange for additional storage, or increase the frequency of collection.</i></p> <p>The report also recommends that collections should be restricted to non-residential areas to minimise early morning disturbances.</p> <p><i>Where a residential area is impacted by noise from the collection of refuse, then collections should be restricted to the times contained within the schedule.</i></p> <p><i>Refuse bins should be located at sites that provide minimal annoyance to residential premises. Compaction should be carried out while the vehicle is moving. Bottles should not be broken up at collection site.</i></p> <p><i>Routes which service predominantly residential areas should be altered regularly to reduce early morning disturbances.</i></p> <p><i>Noisy verbal communication between operators should be avoided where possible.</i></p> <p><i>Schedule: Industrial waste collection -</i> <i><u>One collection per week</u></i> <i>6:30 am – 8 pm Monday to Saturday</i> <i>9 am – 8 pm Sunday and public holidays</i></p> <p><i><u>Two or more collections per week</u></i> <i>7 am – 8 pm Monday to Saturday</i> <i>9 am – 8 pm Sunday and public holiday</i></p> <p>Council's Environmental Health Services Team Leader raised no concerns with the above and has recommended standard conditions to be imposed, including compliance with the</p>	
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	<i>Liquid trade waste</i>	<p>recommendations of the Waste Management Plan.</p> <p>The proposed development is considered to be a trade waste generator. A condition of consent will require a trade waste agreement be entered into with Council prior to Occupation.</p>	Yes, condition.
Soil and water quality and noise management	<i>Soil erosion</i>	<p>An Erosion and Sediment Control Plan has not been submitted with the application. A condition of consent will require this be submitted with the Construction Certificate application for Stage 1.</p> <p>Sediment and erosion control measures will need to be considered as part of the subsequent Development Applications the subject of the concept development.</p>	Yes, condition.
	<i>Storm water quality</i>	<p>A condition of consent will require water collected from the hard stand are to be treated before being discharged to Council's reticulated storm water system.</p> <p>The proposed development seeks to promote water sensitive urban design principles including extensive landscaping with semi-established trees.</p>	Yes, condition.
	<i>Storm water management</i>	<p>As detailed above, the Stage 1 development will be provided with a storm water detention tank that will discharge to a proposed storm water main and via a sacrificial storm water main before discharging to a temporary storm water detention basin within the north-western portion of the site. The detention basin will then drain via a basin outlet to the proposed storm water main running along the northern portion of the site and along the western boundary before connecting into the existing storm water system in Myall Street.</p> <p>The sacrificial storm water main will be removed as part of future development stages.</p> <p>The concept development indicates each of the stages will be provided with onsite storm water detention in the form of an above ground stormwater detention tank to reduce the flows to an acceptable level.</p> <p>Standard condition in relation to storm water management is recommended.</p>	Yes, condition.
	<i>Noise management</i>	<p>Noise management has been discussed above. No further action required.</p>	Yes, condition.

Signage and advertising	<i>Role, function and location</i>	<p>As detailed previously, the signage proposed for the Stage 1 and concept development are incorporated into the architecture of the buildings.</p> <p>In relation to the concept development it is considered the signage is to be sited in an appropriate location relative to the function (business identification signage/building identification signage and direction signage).</p> <p>This is also the case in relation to Stage 1.</p>	Yes.
	<i>Signage</i>	<p>The proposed signage is to be non-flashing, will relate to the lawful use of the site, will not be detrimental to the character and function of the building and does not appear to cover any mechanical ventilation inlet or outlet vents.</p> <p>The 'Dubbo Healthcare Campus' sign on the building's southern façade is proposed to be illuminated. A condition of consent will require the illumination to be restricted to ensure no adverse impact on neighbouring properties, pedestrians or motorists occur.</p>	Yes.
	<i>Business identification signs</i>	<p>As detailed above, the size of the proposed business and building identification signs exceed the 5m² (wall mounted business identification signs) and 1.5m² for freestanding signs within the E3 (former B5) zone. However despite this, it is considered the proposed signs are consistent with the scale of the buildings and given the scope of the Stage 1 and concept development, substantial signage is required to assist in way-finding around the site.</p>	Yes.
Services	<i>Infrastructure</i>	<p>The proposed development will be connected to all reticulated services.</p> <p>An existing sewer manhole is located in the south-western portion of the site which will be extended to service Stage 1. The infrastructure will be installed under the proposed internal driveway and a stub will be provided along the north-western corner of the Stage 1 development.</p> <p>Further consideration of sewer provision for the concept development will be required as part of future Development Applications for the relevant stages.</p> <p>The existing water main is located along the southern side of Cobbora Road. The main will be extended under Cobbora Road and a new water meter and fire service meter will be provided along the front boundary of the site adjacent to the proposed Stage 1 car parking area.</p>	Yes, condition.

		<p>Water is also available along Myall Street to permit the provision of services to future stages within the northern portion of the site.</p> <p>Further consideration of water provision for the concept development will be required as part of future Development Applications for the relevant stages.</p> <p>No concerns are raised in relation to the provision of water or sewer services for the Stage 1 or concept developments.</p>	
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Chapter 3.1 Access and Mobility

Under the DCP the proposed Stage 1 development is considered to be a Group 2 development type (health-related facilities/educational facility/commercial facility with GFA greater than 500m²). The concept development is also considered to be a Group 2 development type (aged care facility/health-related facilities/education facility). An assessment of Stage 1 and a broad assessment of the concept development is considered below. However, further consideration of the relevant development type will need to be considered as part of future Development Applications to ensure accuracy.

Design Element 1: Access routes and entrances

In relation to Stage 1, four (4) disabled parking spaces are provided to service the development. The parking spaces are provided with pram ramps, and in proximity to pedestrian crossings which provides access to the main entrance of the proposed building. A continuous path of travel is provided via set-down areas, pram ramps, footpaths and pedestrian crossings from the parking area to the main entrance of the building. The entrances to the building are provided at the same level as the footpath.

The submitted plans indicate the disabled parking spaces will be line-marked and provided with the disabled parking symbol. The submitted plans lack sufficient detail in relation to lighting, signage, ramp slope, and tactile markers however, such details will be provided and assessed as part of the Construction Certificate application. No concerns are raised.

In relation to the concept development, it is considered the stages are provided with sufficient space to provide suitable access routes and entrances. Further assessment of the subsequent stages will be required to be undertaken as part of the future applicable Development Applications.

Design Element 2: Access to internal facilities

In relation to Stage 1 details in relation to counter service/reception areas have not been indicated however, due to the proposed use it is considered important to ensure internal facilities are suitable for those with a disability. In this regard, a notation of consent will recommend a portion of any reception counters to be provided at a height suitable to service people with a disability. Details with the Construction Certificate. The plans indicate one (1) disabled bathroom with showering facilities is to be provided to each floor. Additionally, the plans indicate lifts will be provided to each of the floors.

The submitted plans lack sufficient detail in relation to internal facilities however, such details will be provided and assessed as part of the Construction Certificate application. No concerns are raised.

In relation to the concept development, further assessment of the subsequent stages will be required to be undertaken as part of the future applicable Development Applications.

Design Element 3: Car parking and set-down areas

In relation to Stage 1, 129 car parking spaces including four (4) disabled car parking spaces are to be provided.

Appendix 1 of Chapter 3.1 provides the disabled parking space ratio requirements as follows:

13	Medical		
13.1	Medical centres - including professional consulting rooms, day surgeries, community health centres and clinics	One to 10 spaces	One accessible space to AS/NZS 2890.6.
		11 to 20 spaces	Two accessible spaces to AS/NZS 2890.6.
		21 to 100 spaces	One additional space provided at a rate of one per 20 spaces or part thereof to AS/NZS 2890.6.
		101 + spaces	One additional space provided at a rate of one per 100 spaces or part thereof to AS/NZS 2890.6.

In accordance with the above requirements, the development is to be provided with seven (7) disabled parking spaces. It is noted however the DCP requirement goes beyond that required under the Premise Standards. Consequently the four (4) provided is considered sufficient, and in compliance with the Premises Standards.

In relation to the concept development, further assessment of the parking provision within the subsequent stages will be required to be undertaken as part of the future applicable Development Applications.

Design Element 4: Public spaces

In relation to Stage 1 the area between the front boundary and the proposed building is to be used as an outdoor eating area associated with the café. There are no concerns in relation to the provision of free and unobstructed access through this area. Other public areas such as walkways, and the like are all considered to be suitable. Further consideration will be undertaken as part of the relevant Construction Certificate application.

In relation to the concept development, further assessment of public spaces within the subsequent stages will be required to be undertaken as part of the future applicable Development Applications.

Design Element 5: Adaptable housing

Not applicable to Group 2 development.

Chapter 3.5 Parking

In relation to Stage 1, the parking rate for the proposed development is:

- Medical centres (including medical education) – 1 space / 25m² Net Lettable Area (NLA);
- Hospital (day surgery) – 1 space / 10 beds + 1 space per each doctor + 1 space for each employee on duty at any one time + ambulance parking;
- Medical Centre (Education) - 1 space/ 25m² NLA; and
- Retail - 1 space per 25m² NLA.

Please note: NLA excludes amenities, stairwells, lift wells, public foyers and plant rooms.

Council's assessment of the parking is as follows:

Ground Floor	NLA (m ²)	Rate (m ²)	Required Parking
Café	254.83	1:25 (commercial)	10.2
Florist	133.89	1:25 (retail)	5.4
Pathology	223.10	1:25 (medical)	8.9
Radiology	745.17	1:25 (medical)	29.8
Pharmacy	137.0	1:25 (medical)	5.5
Office	26.55	1:25 (medical)	1.1
Reception	29.74	1:25 (medical)	1.2
Ambulance	38.56	1:25 (medical)	1.5
Ambulance office	9.97	1:25 (medical)	0.4
			64 spaces

Does not include hallways, utility rooms, loading areas, lift wells, bathrooms and the like

First Floor	NLA (m ²)	Rate	Required Parking
Education	2,313.82	1:25 (medical)	92.6
			92.6 (say 93) spaces

Does not include hallways, utility rooms, loading areas, lift wells, bathrooms and the like

Second Floor	Bed	Rate	Required Parking
Day Surgery/hospital	42	1:10 beds	4.2
		Plus one per each resident or staff doctor	Assume 4
		Plus one for each employee on duty at any one time	Assume 12
		Plus ambulance parking	1
			21.2 (say 21) spaces

Does not include hallways, utility rooms, loading areas, lift wells, bathrooms and the like

Third Floor	NLA(m ²)	Rate	Required Parking
Health Consulting	1,801.64	1:25m ²	72
			72 spaces

Total required = 64 + 93 + 21 + 72 = 250 spaces.

Spaces provided = 129 + 18 motorcycle parking spaces + 1 ambulance bay = 148.

The shortfall is therefore 102.

Noting the above, the Applicant has provided data demonstrating common/ancillary car park usage across the varying facets to demonstrate a lower requirement. This is provided below.

“The Mixed Use Precinct facilities to be developed across the site have complementary and common usage between the majority of the components of the

complex. For example, the Health Care Consulting and retail premises will predominantly service the hospital facility.

In other stages, the Health Care Consulting and the Health Care Education will provide crossover components where visitors to the Precinct will utilise a number of facilities on the site.

Based on discussions with the proponent and other consultants, the assessment of the common/ancillary car parking requirements and the percentages of common usage are set out in the following estimation of parking requirements for the Mixed Use Precinct.

It should be noted the car parking provision rates are determined on a NLA basis. The assessment of the common/ancillary car parking allocation are set out in the following estimation of car parking requirements for the Mixed Use Precinct.

Assessment of Common/Ancillary Carparking Usage

Hospital Parking 21 spaces

Retail and Ground Floor Health Care Consulting
Total DCP/NLA Carparking – 64 spaces

Common usage for hospital visitation and servicing hospital at a rate of 40% of the parking requirement.

Nett Allocated Spaces 26 spaces

Health Care Consulting
Total DCP/NLA Carparking – 72 spaces
Common Usage with other on-site facilities at a rate of 50% of the parking requirement.

Nett Allocated Spaces 36 spaces

Health Care Education
Total DCP/NLA Carparking – 93 spaces

Common Usage with other on-site facilities at a rate of 60% of the parking requirement.

Nett Allocated Spaces 56 spaces

Total Net Car Parking Spaces required for Stage 1:	139 spaces
Available car parking spaces:	129 spaces
Available motor cycle spaces:	18 spaces
Ambulance parking bay:	1 space”

Council has reviewed the above and concurs with the reduced justification. In total, 148 parking spaces are provided, which is in excess of the 139 spaces required at the reduced level.

Parking allocation for future stages will be considered as part of that relevant Development Application.

Contributions

The following contributions plans are relevant pursuant to Section 64 of the Local Government Act 1993 and Section 7.18 of the EP&A Act and have been considered in the recommended conditions:

- Section 64 Water and Sewerage Contribution Policy - 2002
- Section 94 Development Contributions Plan for Dubbo Open Space and Recreation Facilities - 2016-2026
- Section 94 Contributions Plan - Urban Stormwater Drainage Headworks Contributions - 2019
- Section 94 Contributions Plan - Roads, Traffic Management & Car Parking – 2004

In the event the application is approved, the following Contributions totalling **\$1,241,358.27** would be payable on Stage 1 of the development:

- Water Headworks – \$65,393.88
- Sewer Headworks – \$293,077.08
- Open Space and Recreation Facilities – Nil
- Urban Stormwater Drainage – Nil
- Urban Roads Contribution - \$812,571.30

Appropriate conditions will be included on the consent for the payment of the above contributions prior to the issue of the relevant Occupation Certificate.

3.4 Section 4.15(1)(a)(iia) – Planning agreements under Section 7.4 of the EP&A Act

There are no existing or proposed Planning Agreements applicable to the site or development proposal.

3.5 Section 4.15(1)(a)(iv) - Provisions of Regulations

No matters prescribed by the Regulations impact determination of this Development Application.

3.6 Section 4.15(1)(b) - Likely Impacts of Development

The likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality must be considered. In this regard, potential impacts related to the proposal have been considered in response to SEPPs, LEP and DCP controls outlined above and the Key Issues section below.

The consideration of impacts on the natural and built environments includes the following:

- Context and setting – The proposal is considered to be generally consistent with the context of the site and commercial/medical precinct. The boundaries of the site will be reinforced through landscaping measures, including buffer planting. Consideration has also been given to the potential for overshadowing as a result of the design with no adverse impact on solar access to the proposed and surrounding buildings. The development will not detract from existing views and vistas of adjoining properties and will not result in any additional impact on the character of the locality.
- Access and traffic – As noted within this report, there will be suitable parking provision for the development, as well as the ability to provide suitable parking for future Stages.

- Public Domain – It is considered the development will not detract from the local public domain.
- Utilities – Council's Infrastructure Division notes that the development can be adequately serviced by the relevant utilities. Relevant conditions on the consent will require certain details be provided with the Construction Certificate, with works to be adequately completed prior to the issue of the Occupation Certificate.
- Water/air/soils impacts – Conditions on the consent regarding erosion and sediment controls, and minimising dust pollution will be included on the consent to minimise impact during the construction stage.
- Flora and fauna impacts – As noted previously in this report, the development will not cause adverse flora/fauna impacts. This is due to the site being highly disturbed and not conducive to native flora/fauna habitats.
- Noise and vibration – Relevant conditions will be included on the consent regarding work hours to minimise noise/vibration impacts to surrounding property during construction.
- Safety, security and crime prevention – Aspects of the proposed development including passive surveillance opportunities, lighting of public spaces, and minimal entrapment spaces will enhance safety, security and crime prevention.
- Social impact – The proposed development for health services facilities and associated aspects such as administration and education, and well as childcare and seniors housing with future stages, will only provide positive social impact to the local and wider communities.
- Economic impact – It is considered the development will only contribute positive economic impacts to the local and wider communities, primarily through employment opportunities.
- Site design and internal design – As noted within this report, the façade of both the Stage 1 and concept development adopts a contemporary appearance relating to the function of the buildings and the characteristics of the surrounding development in the locality as required.
- Construction – As discussed within this report, various conditions will be included on the consent to minimise impacts to neighbouring property during the construction stage. These include limiting work hours, erosion and sediment control, dust generation control, and construction waste disposal.
- Cumulative impacts – It is considered the development will only present positive cumulative impacts to the locality.

Accordingly, it is considered that the proposal will not result in any significant adverse impacts in the locality as outlined above.

3.7 Section 4.15(1)(c) - Suitability of the site

The site is considered suitable for the proposed development for the following reasons:

- The development is permissible with the consent of Council within the E3 – Productivity Support zone subject to the provisions of SEPP (Transport and Infrastructure) 2021);
- Provision of vehicular access and off-street car parking will be undertaken to minimise impacts to the surrounding road network;
- The size and shape of the land is suitable for the proposed development;
- The development will be provided with all required service infrastructure;
- The development is not inconsistent with the objectives for the E3 Zone;
- The development will not have any detrimental impact on the existing or likely future amenity of the locality;
- Despite the contamination status of the land, it can be remediated to be suitable for the proposed use;
- The development would not have an adverse local environmental, social, or economic impact on the surrounding locality; and
- The development would have a positive social and economic impact on the city and region.

3.8 Section 4.15(1)(d) - Public Submissions

These submissions are considered in Section 4.3 of this report.

3.9 Section 4.15(1)(e) - Public interest

On balance, the proposed development is also considered to be in the public interest as it will provide health infrastructure proposed to serve Dubbo and the broader regional community.

4. REFERRALS AND SUBMISSIONS

4.1 Agency Referrals and Concurrence

The Development Application has been referred to various agencies for comment/concurrence/referral as required by the EP&A Act and outlined below in Table 8.

There are no outstanding issues arising from these concurrence and referral requirements subject to the imposition of the recommended conditions of consent being imposed.

Table 8: Concurrence and Referrals to agencies

Agency	Concurrence/ referral trigger	Comments (Issue, resolution, conditions)	Resolved
Referral/Consultation Agencies			
ARTC	CI 2.98 – Infrastructure SEPP Development land that is in or adjacent to a rail corridor.	ARTC in their response dated 4 March 2025 raised no objection to the development subject to conditions regarding removal of a power pole on Cobbora Road,	Yes (conditions)

		and obtaining the necessary works permits prior to works commencing.	
Transport for NSW	CI 2.122 – Infrastructure SEPP Development that is deemed to be traffic generating development in Schedule 3.	Following several requests for further information, TfNSW in correspondence dated 30 April 2025 recommended the Application be approved subject to conditions.	Y/N

4.2 Council Referrals

The Development Application has been referred to various Council officers for technical review as outlined Table 9.

Table 9: Consideration of Council Referrals

Officer	Comments	Resolved
Engineering (utility servicing, stormwater management)	Assessment of the Application by Council's Infrastructure Strategy Division raised no objections to the proposed development subject to conditions.	Yes (conditions)
Traffic	Assessment of the Application by Council's Infrastructure Strategy Division and TfNSW raised no objections to the proposed development subject to conditions.	Yes (conditions)
Building	Assessment of the Application by Council's Building Services Team Leader raised no objections to the proposed development subject to conditions.	Yes (conditions)
Health	Assessment of the Application by Council's Environment and Health Services Team Leader raised no objections to the proposed development subject to conditions.	Yes (conditions)
Waste	Assessment of the Application by Council's Manager Resource Recovery and Efficiency raised no objections to the proposed development subject to conditions.	Yes (conditions)

The outstanding issues raised by Council officers are considered in the Key Issues section of this report.

4.3 Community Consultation

The proposal was notified in accordance with the Council's Community Participation Plan from 4 April 2023 until 24 April 2023. Notification was in the form of letters surrounding property owners, and an advertisement in the local print media.

Council received no public submissions during the exhibition period.

5. KEY ISSUES

The following key issues are relevant to the assessment of this application having considered the relevant planning controls and the proposal in detail:

- Local Character and Amenity
- Traffic, Access and Car Parking
- Stormwater Management
- Contamination
- Social Considerations
- Safety and Security
- Acoustic impacts
- Waste Management

These issues have been resolved through recommended conditions of consent.

6. RECOMMENDATION

That the Development Application (D23/140) for a mixed use development (concept plan) – Stage 1 (health services facility) at Lot 1 DP 596396, No. 40 Cobbora Road, Dubbo be **APPROVED** pursuant to Section 4.16(1)(a) of the *Environmental Planning and Assessment Act 1979* subject to the draft conditions of consent attached to this report.

7. ATTACHMENTS

The following attachments are provided:

- Attachment A: Draft Conditions of consent
- Attachment B: Architectural Plans