

COUNCIL ASSESSMENT REPORT

WESTERN REGIONAL PLANNING PANEL

PANEL REFERENCE & DA NUMBER	PPSWES-205, Development Application No. D23-492
PROPOSAL	Additions to Educational Establishment
ADDRESS	Lot 1011 DP 1261855, 141 Sheraton Road Dubbo
APPLICANT	Stanton Dahl Architects
OWNER	Berakah Christian Education Ltd
DA LODGEMENT DATE	27 October 2023
APPLICATION TYPE	Development Application
REGIONALLY SIGNIFICANT CRITERIA	SEPP (Planning Systems) 2021, Schedule 6, Clause 5(b) Private infrastructure and community facilities over \$5 million ... educational establishments
CIV	\$6,397,468.27 (excluding GST)
CLAUSE 4.6 REQUESTS	Nil
KEY SEPP/LEP	<ul style="list-style-type: none"> • State Environmental Planning Policy (Resilience & Hazards) 2021. • State Environmental Planning Policy (Planning Systems) 2021. • State Environmental Planning Policy (Transport and Infrastructure) 2021. • State Environmental Planning Policy (Sustainable Buildings) 2022. • Dubbo Regional Local Environmental Plan 2022.
TOTAL & UNIQUE SUBMISSIONS KEY ISSUES IN SUBMISSIONS	Nil
DOCUMENTS SUBMITTED FOR CONSIDERATION	<ul style="list-style-type: none"> • Proposed Primary Site Plan, Drawing No.DA04, Revision C, dated 23/02/2024 • Ground Floor Plan, Drawing No.DA06, Revision C, dated 23/02/2024 • First Floor Plan, Drawing No.DA07, revision C, dated 23/02/2024 • Elevations, Drawing No.DA09, Revision C, dated 23/02/2024 • Gate Schedule, Drawing No.DA13, Revision C, dated 23/02/2024
SPECIAL INFRASTRUCTURE CONTRIBUTIONS (\$7.24)	Not applicable

RECOMMENDATION	Approval
DRAFT CONDITIONS TO APPLICANT	Yes
SCHEDULED MEETING DATE	18 June 2024
PREPARED BY	Tracie Smart
DATE OF REPORT	14 June 2024

EXECUTIVE SUMMARY

The proposed development seeks consent for a two-storey school building with an attached covered outdoor learning area (COLA) and also a separate COLA to the north. The school building features ten (10) classrooms and associated facilities to support the expanding primary education sector of the existing Dubbo Christian School. The proposed development is defined as additions to an Education Establishment and is permitted with consent in the R2 Low Density Residential zone.

The site is located within the Sheraton Road school precinct along with St John's (Primary and Secondary) and Skillset. Given the location of the subject land within the school precinct, the key matter of concern is traffic during peak periods. These concerns have been raised by TfNSW to ensure Council is aware of the current and future likely impacts on Sheraton Road and the cumulative impacts this may have on the intersection of Sheraton Road and Mitchell Highway (classified road). As the concerns are not individual in nature and requires the precinct to manage the issues as a collective, a condition of consent will be imposed requiring Dubbo Christian School to submit an Operational Management Plan (OMP) that considers the ongoing and efficient operation of the 'kiss and drop area' of the school during peak periods to ensure queuing along Sheraton Road is minimised.

The proposed development is generally consistent with the Dubbo Regional Local Environmental Plan (LEP) 2022, and Dubbo Development Control Plan (DCP) 2013, and is not inconsistent with the public interest. The site is considered suitable in relation to size, facilities, and infrastructure available to support the development. The proposed development is considered likely to result in positive economic and social impacts with no adverse impacts expected to occur. As such, the application is recommended for approval subject to conditions.

1. THE SITE AND LOCALITY

1.1 The Site

The site is occupied by Dubbo Christian School which offers preschool, primary and secondary education. The site is located on the western side of Sheraton Road and has an area of 12.9 hectares (ha) with a frontage of 286.84 metres to Sheraton Road and a handle to Capstan Drive at the rear. The existing educational establishment use of the site occupies approximately 5.83 ha of the land.

The site is generally flat with a gentle slope to the southwest. The site is void of significant native vegetation noting its location within a highly disturbed residential area/school precinct. The site is accessed from the south on Sheraton Road via Boundary Road (local road) or from the north via Wellington Road (classified road). The site does not consist of any special features. **Figure 1** indicates the location of the site.



Figure 1: The location of the subject land; Lot 1011 DP 1261855, 141 Sheraton Road Dubbo indicated in red outline.

1.2 The Locality

The land is located approximately 4 kms east of the Dubbo CBD within the urban fringe of East Dubbo. The site adjoins future Keswick Estate stages (residential) to the west and southwest, Dubbo Sportsworld and Skillset to the south, a retirement village to the north, St John's College (primary and secondary) to the east and a commercial area consisting of Bunnings/Petbarn/McDonalds/KFC to the northeast. The site is serviced by public transport in the form of school buses.

2. THE PROPOSAL AND BACKGROUND

2.1 The Proposal

The development seeks consent for additions to the existing primary portion of the educational establishment within the northern portion of the site. As detail in the submitted plans (**Attachment C**) the proposed development includes a two-storey building and associated surrounding hardstand play areas, part of which will have a roof above to create a covered outdoor learning area (COLA) / mustering area (same roof form as the classrooms). The proposal also includes a separate COLA to the north. The roof form of the separate COLA is an irregular rectangle and will overlap with the classroom building to provide cover from the weather from the 'kiss and drop/pick up zone'.

The proposed classroom building features a 'U' shape and opens to the west with a roof structure over the entire area (overlapping the separate COLA). Vehicular/pedestrian access to the proposed development will be from the existing roadway along the northern boundary of the site leading to a covered 'morning mustering' area between the northern and southern arms of the 'U' shape.

The ground floor of the proposed development features:

- Covered Outdoor Learning/muster area (approximately 200m²);
- 5 x general learning area (GLA) rooms (approximately 600m²);
- 1 x sensory room (included in 600m²);

- 2 x withdrawal rooms (included in 600m²);
- bathroom facilities and bubblers;
- storerooms;
- stairs and lift to the first floor; and
- Drop off area, approximately 2,100m² of paved area, and garden beds.

The first floor of the building is to feature:

- a western facing veranda (approximately 300m²);
- 5 x GLA rooms (approximately 600m²);
- 1 x science, technology, engineering and mathematics (STEM) and maker room (included in 600m²);
- Storerooms; and
- bathroom facilities.

A metal skillion roof is to be provided over the building with the primary roof falling to the east and the secondary roof falling to the west. It is noted the primary roof structure extends past the building line to provide a covered entrance from the existing drop off zone and proposed separate COLA.

The proposed development also includes signage. One sign is to be located within the eastern elevation and a logo is to be provided to the southern elevation.

The proposed development will not require any demolition, tree removal, subdivision or significant earthworks to be undertaken given the disturbed nature and topography of the proposed site. **Table 1** provides details of the development data.

Table 1: Development Data

Control	Proposal
Site area	12.19ha
GFA	3,351m ²
Max Height	8.305 metres
Landscaped area	An additional 45m ² (to complement the existing landscaped area)
Car Parking spaces	Nil proposed. 226 parking existing parking spaces
Setbacks	3.745 metres from the northwest corner of the preschool building. 8.210 metres from the northern wall of the existing Block 10 building 6.615 metres from the northern extent of the proposed COLA building to the northern boundary.

2.2 Background

The applicant has provided the following rationale in relation to the proposed development:

The proposed primary school building will result in an increase in enrolled students from 653 under current conditions to 700 in 2025 and 741 by 2028. The rationale for the proposed primary school building is to respond to the K-12 enrolment growth that the school has experienced since 2021. This growth has placed pressure on class sizes within the existing classrooms which, in association with the restrictions of the aging existing built infrastructure (small classrooms, inflexibility etc), results in school experiencing a restriction in how they would like to effectively deliver education for their students and staff. The Association of Independent Schools NSW (AISNSW) has recognised this growth and a significant Governmental grant has been provided to the school to support this project. In addition to the increase in capacity, the construction of the proposed primary school building allows for:

- *the planned transition to a 2.5 stream (classes per year group) primary school enrolment framework;*
- *the centralisation of the primary school in a modern, centralised learning precinct;*
- *the reallocation of current classes to high quality, modern learning spaces and the provision of new spaces for the forecast growth in K-6 classes;*
- *the school to provide dedicated science, technology, engineering and mathematics (STEM) learning for the primary school;*
- *the school to provide a dedicated learning support / sensory area for students with diverse learning and social needs;*
- *the much-needed re-allocation of four former primary classrooms to the secondary school; and*
- *the removal of two aged demountable classrooms.*

The development application was lodged on 27 October 2023. A chronology of the development application since lodgement is outlined below in **Table 2** including the Panel's involvement (briefings, deferrals etc.,) with the application:

Table 2: Chronology of the DA

Date	Event
27 October 2023	DA lodged
31 October 2023	Exhibition of the application
31 October 2023	DA referred to external agencies
31 October 2023	DA referred to internal officers
28 November 2023	Request for Information (clarify proposed development, contamination, contributions, DCP provisions)
13 December 2023	Request for further information (traffic, stormwater)
15 December 2023	Response from applicant (insufficient)
17 January 2024	Request for further information (SEPP (Sustainable Buildings), traffic and stormwater)

15 March 2024	Amended plans and Statement of Environmental Effects submitted to address request for information dated 17 January 2024
15 March 2024	Internal referrals and external referral to TfNSW
21 May 2024	Referral response from TfNSW received
6 June 2024	Internal referral response received (required to address matters raised by response from TfNSW)
18 June 2024	WRPP Determination Meeting

2.3 Site History

The site has operated as a school since 1985, originally approved under Development Consent D85-283. Since that time there have been numerous applications pertaining to alterations and additions to the school, and associated buildings as follows:

- BA86-075 Brick school building
- BA87-265 Library and classrooms
- BA87-497 Extensions, Library and Shed
- BA89-392 Classrooms
- BA90-251 School rooms
- BA94-435 Assembly Hall and classrooms
- D07-394 Shade Sails x 4
- CD09-204 2 x COLAs
- CD10-113 Gymnasium
- D12-234 Shed
- CD13-091 PV Solar system
- D13-466 3 Lot subdivision
- CD16-005 Solar System
- D16-110 Hydrant and Booster system
- CD16-037 Extension to Existing Building
- D16-461 Carpark Extension
- D16-582 Enclose verandah
- CD17-119 Alterations and Additions to Classrooms
- CD19-037 Classroom
- D19-605 Cafe
- D19-560 Boundary Adjustment
- CD20-011 Refurbish classrooms
- CD20-029 Toilet and Laundry block
- D21-168 Part 3 Educational Establishment (Centre based childcare facility)
- D23-198 Classroom and maintenance building additions

There are no issues from previous development approvals, which require further consideration.

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.

It is noted that the proposal is not considered to be:

- Integrated Development (s4.46)
- Designated Development (s4.10)
- Requiring concurrence/referral (s4.13)
- Crown DA (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:

- *State Environmental Planning Policy (Resilience & Hazards) 2021;*
- *State Environmental Planning Policy (Planning Systems) 2021;*
- *State Environmental Planning Policy (Transport and Infrastructure) 2021; and*
- *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 3** and considered in more detail below.

Table 3: Summary of Applicable State Environmental Planning Policies

EPI	Matters for Consideration	Comply (Y/N)
SEPP (Planning Systems) 2021	• Clause 2.19 declares the proposal as regionally significant development pursuant to Clause 5(b) of Schedule 6.	Yes
SEPP (Resilience and Hazards) 2021	• Chapter 4 – Remediation of land - Contamination and remediation has been considered in the application. The site was historically used for agricultural purposes (listed as a potentially contaminating activity under table 1 of <i>Managing Land Contamination Planning Guidelines</i>) and as such a Preliminary contamination assessment is required.	Yes

SEPP (Transport & Infrastructure) 2021	<ul style="list-style-type: none"> • Clause 3.36 Schools – specific development controls – The proposed development is generally consistent with the provisions of this clause. • Clause 3.58 Traffic generating development – TfNSW responded in correspondence dated 21 May 2024 to which Council's Senior Traffic Engineer has addressed the matters raised. • Schedule 8 Design quality principles – The proposed development is generally consistent with the design quality principles. 	Yes
SEPP (Industry & Employment)	<ul style="list-style-type: none"> • Chapter 3 Advertising and signage • Part 3.2, Signage generally • Schedule 5 Assessment Criteria <p>The proposed development is generally consistent with the aims and assessment criteria of the Schedule.</p>	Yes
SEPP (Sustainable Buildings) 2022.	<ul style="list-style-type: none"> • Chapter 3 – Standards for non-residential development <p>It is considered the proposed development is generally consistent with the provisions of the Chapter.</p>	Yes

State Environmental Planning Policy (Planning Systems) 2021

The proposed development is for the purpose of a private educational establishment with a capital investment value greater than \$5 million and as is declared to be regionally significant development in accordance with Clause 5(b) of Schedule 6 as follows:

5 Private infrastructure and community facilities over \$5 million

Development that has a capital investment value of more than \$5 million for any of the following purposes—

- (a) ...,*
- (b) ..., educational establishments, ...*

State Environmental Planning Policy (Resilience and Hazards) 2021

Further information was request in relation to the contamination status of the land on which the proposed primary school is to be constructed.

On 28 February 2024 a report was provided in relation to a preliminary contamination investigation conducted by Barnson (Barnson – Preliminary Site Investigation Report – Dubbo Christian School 141 Sheraton Road Dubbo - 26 February 2024).

Council's Environmental Health Services Team Leader in the memo dated 28 February 2024 states:

A site inspection and confirmatory sampling and analysis was conducted as part of the investigation. Chemical analysis determined there were no contaminants present that exceeded the risk-based screening criteria. This evidence, along with the desktop analysis determined that the site was suitable for the proposed construction and further development.

Standard condition recommended.

The report also recommended the following in relation to conditions:

It is recommended that the excavated materials stockpiled at the site, as well as any material that will be excavated as part of the proposed development, be classified in accordance with the general solid waste (NSW EPA, 2014) and excavated natural material (NSW EPA, 2014a) guidelines (ENM Order), before either being disposed off-site or applied as fill at an off-site location. Use of the excavated material on-site does not require classification.

A condition to this effect will be imposed accordingly.

State Environmental Planning Policy (Transport & Infrastructure) 2021

Chapter 3 Educational establishments and childcare facilities, Part 3.4 Schools – specific development controls, s3.36 Schools – development permitted with consent

- (1) *Development for the purpose of a school may be carried out by any person with development consent on land in a prescribed zone.*

The proposed development is for the purpose of a private educational establishment within a prescribed zone.

- (2) *Development for a purpose specified in section 3.40(1) or 3.41(2)(e) may be carried out by any person with development consent on land within the boundaries of an existing or approved school.*

The proposed development is not exempt development and as such consent is sought under this development application.

- (3) *Development for the purpose of a school may be carried out by any person with development consent on land that is not in a prescribed zone if it is carried out on land within the boundaries of an existing or approved school.*

The subject land is located within a prescribed zone and as such this subsection is not relevant.

- (4) *Subsection (3) does not require development consent to carry out development on land if that development could, but for this Chapter, be carried out on that land without development consent.*

As above, not relevant.

- (5) *A school (including any part of its site and any of its facilities) may be used, with development consent, for the physical, social, cultural or intellectual development or welfare of the community, whether or not it is a commercial use of the establishment.*

Not applicable.

- (6) *Before determining a development application for development of a kind referred to in subsection (1), (3) or (5), the consent authority must take into consideration—*

- (a) *the design quality of the development when evaluated in accordance with the design quality principles set out in Schedule 8, and*

An assessment of the proposed development against Schedule 8 is to be undertaken below.

- (b) whether the development enables the use of school facilities (including recreational facilities) to be shared with the community.*

The proposed development has the potential to allow for sharing facilities with the community however, this is not proposed.

- (7) Subject to subsection (8), the requirement in subsection (6)(a) applies to the exclusion of any provision in another environmental planning instrument that requires, or that relates to a requirement for, excellence (or like standard) in design as a prerequisite to the granting of development consent for development of that kind.*

Noted.

- (8) A provision in another environmental planning instrument that requires a competitive design process to be held as a prerequisite to the granting of development consent does not apply to development to which subsection (6)(a) applies that has a capital investment value of less than \$50 million.*

Noted, the proposed development is valued at less than \$50 million (\$6.04 million) and the Dubbo Regional LEP 2022 does not require a competitive design process as a prerequisite. As such, this subclause is not relevant.

- (9) A provision of a development control plan that specifies a requirement, standard or control in relation to development of a kind referred to in subsection (1), (2), (3) or (5) is of no effect, regardless of when the development control plan was made.*

Noted. Dubbo DCP 2013 does not include such provisions and as such this subclause is not relevant.

- (10) Development for the purpose of a centre-based child care facility may be carried out by any person with development consent on land within the boundaries of an existing or approved school.*

The proposed development is for the purpose of education establishment (primary school) and not a centre-based childcare facility. As such, the subclause is not relevant.

Clause 3.58 Traffic generating development

- (1) This section applies to development for the purpose of an educational establishment—*
(a) that will result in the educational establishment being able to accommodate 50 or more additional students, and
(b) that involves—
(i) an enlargement or extension of existing premises, or
(ii) new premises,
on a site that has direct vehicular or pedestrian access to any road.

The proposed development will facilitate an increase in enrolment capacity from 653 to 741 students in 2028 and as such, this clause is applicable.

- (2) *Before determining a development application for development to which this section applies, the consent authority must—*
 - (a) *give written notice of the application to Transport for NSW (TfNSW) within 7 days after the application is made, and*
 - (b) *take into consideration the matters referred to in subsection (3).*
- (3) *The consent authority must take into consideration—*
 - (a) *any submission that TfNSW provides in response to that notice within 21 days after the notice was given (unless, before the 21 days have passed, TfNSW advises that it will not be making a submission), and*
 - (b) *the accessibility of the site concerned, including—*
 - (i) *the efficiency of movement of people and freight to and from the site and the extent of multi-purpose trips, and*
 - (ii) *the potential to minimise the need for travel by car, and*
 - (c) *any potential traffic safety, road congestion or parking implications of the development.*
- (4) *The consent authority must give TfNSW a copy of the determination of the application within 7 days after the determination is made.*

A referral to TfNSW was undertaken to which a response dated 21 May 2024 was provided stating:

1. *TfNSW has attended the subject site on a number of occasions in recent months to aid its assessment of the proposed development and understanding of the existing road network. TfNSW outlines the following observations for Council's consideration:*
 - a) *Several vehicles were observed utilising the breaks in the existing concrete median to undertake illegal U-turn movements during school peak hours (drop-off and pick-up) to access the parking area for the subject site. Multiple U-turn movements included '3 point turns' which highlight the constraints of the movement and increase risk to safety for vulnerable road users (i.e. school children and other pedestrians). Such movements also create additional conflict points particularly with traffic in both through lanes, right-turning traffic legally using the mid-block break to access the St John's Primary School driveway, and vehicles that are parked or queued along Sheraton Road during peak periods.*
 - b) *During particularly busy periods throughout the peak, multiple vehicles were observed parking in 'No Stopping' zones or stopping in designated bus zones, which exacerbate queues and increase unsafe movements.*
 - c) *Several heavy vehicle movements were observed during site visits (including a B-double and semi trailers) which increase safety risks for pedestrians, school children, buses and other vehicles. TfNSW notes conditions have been imposed on multiple heavy vehicle operators in the area and recommends compliance action by the consent authority to enforce the prohibition of heavy vehicle movements during identified AM and PM school peak periods.*
2. *While the proposal outlines that the new building works seek to improve existing educational services but will not result in an increase in enrolments, the Traffic Impact Assessment (TIA) has identified an intension to gradually increase student enrolments by 2032. Council should ensure that on-site parking, the existing bus network connectivity, the surrounding road environment and pedestrian access to the school is suitably designed and can effectively cater any future increase of enrolments without adversely impacting road user safety.*

3. *In recognition of the anticipated growth by the subject school by 2032, the likelihood of increased enrolments at other education facilities on Sheraton Road and increase of traffic generating development south of Sheraton Road, TfNSW highlights the need for Council to ensure that the cumulative impacts of traffic generating development on Sheraton Road does not exceed the capacity of the intersection of the Mitchell Highway / Sheraton Road without a suitable planned treatment, defined by a Council led strategic initiative inclusive of an appropriate funding mechanism and timing for delivery of necessary infrastructure.*

The application was accompanied by a Traffic Impact Assessment (TIA). The TIA states that based on the available traffic counts (provided by Dubbo Regional Council) and the projected traffic generation outlined in the report, and taking the worst-case assumption that 100% of generated traffic is travelling in the most congested direction during the morning peak hours, that the level of service along Sheraton Road post development will change from Level A to Level B. *The RTA Guide to Traffic Generating Developments* recommends that a minimum LoS C (Level of Service – C) is achieved in peak traffic and as such, although congestion occurs during the peak periods the road will achieve above the minimum requirements once the expected enrolments are reached.

Furthermore, the submitted TIA details that the increase in student enrolment numbers at the primary school will create increased demand on the recently constructed northern driveway, which services the preschool and primary school carparks. The existing northern driveway permits only left-in and left-out movements, due to the raised centre median on Sheraton Road which restricts any interaction with southbound traffic. The presence of two (2) travel lanes in the northbound direction effectively creates a Channelised Left intersection at the driveway, in that it allows for through traffic to easily and safely overtake turning vehicles.

In relation to public transport, the TIA recommends the school's public transport schedule be reviewed yearly at a minimum in consultation with the bus companies, to ensure the provisions support growing demand as student numbers increase over years. This matter will be required to be considered as part of the abovementioned OMP.

The submitted TIA concludes:

- *Existing parking provisions in the primary school carpark and within the school overall exceed the minimum requirements from Council's Development Control Plan.*
- *Traffic generated by the proposed development over the next ten years corresponds to approximately 13% increase from existing peak hour traffic on Sheraton Road.*
- *Sheraton Road currently operates at an acceptable level of service and will continue to do so with the traffic generated by the proposed increase in students. No upgrade works are required.*
- *The existing northern driveway to Sheraton Road servicing the preschool and primary school carparks effectively operates as a Channelised Left type intersection, which is the highest standard of intersection and can accommodate the proposed increase in traffic.*

Council's Senior Traffic Engineer in the memo dated 6 June 2024 states:

Since the commencement of the preschool and construction of the off street car parking areas there has been a notable change with the access and parking behavior to the site and with the proposed addition of the Primary school building it is expected that this will exacerbate the identified issues:

- *Queueing on Sheraton Road awaiting access to the car parking areas.*

- *There will be a higher demand to access the internal kiss and drop zone for Primary students together with preschool walk-in walk out demand for the use of the car parking spaces placing additional conflict on Sheraton Road*
- *A percentage of vehicles currently accessing the southern car parking area have migrated to the northern car parking area with increasing congestion noted.*
- *It is considered that there is a continued traffic safety conflict occurring on Sheraton Road with ongoing queueing into Sheraton Road in the PM peak.*
- *The school is to undertake a review of the current functionality of the kiss and drop zone and develop a process that ensures vehicles continually move efficiently through the zone and not park to create queueing and congestion.*

It is noted that Transport for NSW (TfNSW), in their response to Council of 21 May 2024, upon site inspections have observed illegal motorists' behavior with U-turns, parking in no stopping zones, noncompliance with the restricted mid-block openings and queueing to the adjacent primary school and some heavy vehicles accessing during school zone times. The identified conflicts are historically known for the Sheraton Road school environment. Regular Police enforcement is required to ensure compliance and improved driver behavior. Heavy Vehicle compliance of Consent conditions is required by Council.

It is also noted that Transport for NSW (TfNSW) has indicated that with the anticipated growth by the Christian School and the enrolments in other educational facilities and increase in the traffic generating development south in Sheraton Road there will be a cumulative traffic impact that Council will need to address so as not to exceed the capacity of the Mitchell Highway and Sheraton Road intersection. Therefore, ensuring that Council is aware of the need for the potential planning and funding of the necessary future road infrastructure upgrades.

It is considered the proposed development has the potential to result in increased queuing along Sheraton Road as vehicles attempt to enter the 'kiss and drop' area at drop off and collection times. However, the proposed development itself, will not singularly result in significant impacts to the safe function and use of Sheraton Road. Rather, the function of Sheraton Road needs to be considered holistically as an education precinct and requesting one education establishment to solve the traffic congestion in this area is unreasonable.

As stated above, the requirement for an OMP to be established which considers the ongoing and efficient function of the 'kiss and drop' area will provide the school with an opportunity to improve the process within their defined area of control. The TIA's recommendation for a yearly review of the public transport to be undertaken will also be adopted as a requirement for the OMP (to ensure both reviews align). In this regard, the condition will require an amended OMP be submitted to Council on a yearly basis to ensure the expected increase in enrolments is being managed as efficiently as possible in relation to traffic safety.

Schedule 8 Design quality principles in school – Chapter 3

In accordance with Part 3.4 (6)(a), an assessment of the development against Schedule 8 is to be undertaken. Schedule 8 lists seven (7) principles that are to be considered and addressed when assessing a development application for a school. Comments detailing compliance are provided below each principle.

Principle 1—context, built form and landscape

Schools should be designed to respond to and enhance the positive qualities of their setting, landscape and heritage, including Aboriginal cultural heritage. The design and spatial organisation of buildings and the spaces between them should be informed by site conditions such as topography, orientation and climate.

Landscape should be integrated into the design of school developments to enhance on-site amenity, contribute to the streetscape and mitigate negative impacts on neighbouring sites.

School buildings and their grounds on land that is identified in or under a local environmental plan as a scenic protection area should be designed to recognise and protect the special visual qualities and natural environment of the area, and located and designed to minimise the development's visual impact on those qualities and that natural environment.

The proposed development is consistent with the existing school precinct landscape. The setting is not provided with any special features. The proposed development will require insignificant excavation to ensure a seamless path from the pick up/drop off location and the muster area. The building is provided with a veranda and stair wells along the western elevation to minimise the impact of the western sun on the classrooms.

Landscaping has been provided internally to the site. Given the proposed development's location, no additional landscaping will be provided that would contribute to the streetscape. No concerns in relation to negative impacts on neighbouring sites are raised.

The site is not located within a scenic protection area.

Principle 2—sustainable, efficient and durable

Good design combines positive environmental, social and economic outcomes. Schools and school buildings should be designed to minimise the consumption of energy, water and natural resources and reduce waste and encourage recycling.

Schools should be designed to be durable, resilient and adaptable, enabling them to evolve over time to meet future requirements.

The proposed development includes design features to minimise environmental impact such as the use of skylight roofing panels to provide solar access to the veranda (above muster area). The proposed development is consistent with the masterplan of the site.

Principle 3—accessible and inclusive

School buildings and their grounds should provide good wayfinding and be welcoming, accessible and inclusive to people with differing needs and capabilities.

Note— Wayfinding refers to information systems that guide people through a physical environment and enhance their understanding and experience of the space.

Schools should actively seek opportunities for their facilities to be shared with the community and cater for activities outside of school hours.

The proposed development is located immediately adjacent to a proposed drop-off/pick up zone which will allow the building to be easily accessed and found. The proposed development is to form part of the primary school and is located adjacent to other existing and future primary school buildings/facilities. Although the proposed development does not provide details in relation to the use of the building as a community facility, its location would not preclude this from occurring.

Principle 4—health and safety

Good school development optimises health, safety and security within its boundaries and the surrounding public domain, and balances this with the need to create a welcoming and accessible environment.

The proposed development is to be located within the existing school grounds which are provided with security in the form of gates and fences along all external boundaries. Internal areas (such as the northern most driveway) are provided with gates to provide separation between different areas of the school precinct (preschool, primary and secondary). However, the grounds of the school remain welcoming and accessible to all as required.

Principle 5—amenity

Schools should provide pleasant and engaging spaces that are accessible for a wide range of educational, informal and community activities, while also considering the amenity of adjacent development and the local neighbourhood.

Schools located near busy roads or near rail corridors should incorporate appropriate noise mitigation measures to ensure a high level of amenity for occupants.

Schools should include appropriate, efficient, stage and age appropriate indoor and outdoor learning and play spaces, access to sunlight, natural ventilation, outlook, visual and acoustic privacy, storage and service areas.

The proposed development will provide additional, modern teaching and classroom facilities to the existing educational establishment without resulting in significant impact on adjoining land and the surrounding site. Due to the nature and scale of the development and the sites location within the existing education precinct, it is considered unlikely that noise generated by the classroom building would exceed existing background levels.

Further it is considered that due to the orientation of the building and the setback from Sheraton Road that the noise generated from the traffic travelling along the road would not negatively impact the classroom building. As such, no further action is required.

The proposed development will integrate well into the existing school precinct and facilities. The proposed development includes features to ensure solar access, ventilation, storage, privacy and play spaces are readily accessible/provided.

Principle 6—whole of life, flexible and adaptive

School design should consider future needs and take a whole-of-life-cycle approach underpinned by site wide strategic and spatial planning. Good design for schools should deliver high environmental performance, ease of adaptation and maximise multi-use facilities.

The proposed development is consistent with the masterplan of the site.

Principle 7—aesthetics

School buildings and their landscape setting should be aesthetically pleasing by achieving a built form that has good proportions and a balanced composition of elements. Schools should respond to positive elements from the site and surrounding neighbourhood and have a positive impact on the quality and character of a neighbourhood.

The built form should respond to the existing or desired future context, particularly, positive elements from the site and surrounding neighbourhood, and have a positive impact on the quality and sense of identity of the neighbourhood.

The proposed development is located behind the existing preschool which has a frontage to Sheraton Road. The proposed development is the first two storey classroom building on the site. However, given the site is provided with buildings of larger scale (multi-purpose hall, tall shade sails) and extensive landscaping it is considered the development will be consistent with the existing and desired future character of the land.

SEPP (Industry & Employment)

Chapter 3 of the SEPP addresses advertising and signage. As the proposed development includes two signs in the form of a logo painted on the southern elevation (approx. 74m²) and a sign attached to the north eastern corner of the building in which 'Dubbo Christian School' is displayed (approx. 2.6m x 3.8m = 9.88m²) the SEPP is to be considered.

- (1) *This Chapter 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 Chapter does not regulate the content of signage and does not require consent for a change in the content of signage.*

Schedule 5 Assessment criteria

1 Character of the area

- *Is the proposal compatible with the existing or desired future character of the area or locality in which it is proposed to be located?*
- *Is the proposal consistent with a particular theme for outdoor advertising in the area or locality?*

The proposed signage is consistent with the existing and desired future character of the area and is consistent with signage/graphics on similar buildings within the surrounding area.

2 Special areas

- *Does the proposal detract from the amenity or visual quality of any environmentally sensitive areas, heritage areas, natural or other conservation areas, open space areas, waterways, rural landscapes or residential areas?*

There are no special areas within the site or on adjoining land or wider locality.

3 Views and vistas

- *Does the proposal obscure or compromise important views?*
- *Does the proposal dominate the skyline and reduce the quality of vistas?*
- *Does the proposal respect the viewing rights of other advertisers?*

The proposed signage does not obscure or compromise important views and does not dominate the skyline. There are no other signs in the area that would be impacted by the proposed signage.

4 Streetscape, setting or landscape

- *Is the scale, proportion and form of the proposal appropriate for the streetscape, setting or landscape?*
- *Does the proposal contribute to the visual interest of the streetscape, setting or landscape?*
- *Does the proposal reduce clutter by rationalising and simplifying existing advertising?*
- *Does the proposal screen unsightliness?*
- *Does the proposal protrude above buildings, structures or tree canopies in the area or locality?*
- *Does the proposal require ongoing vegetation management?*

The proposed signage is consistent with the scale, proportion and form of the existing streetscape, setting and landscape noting the signage will be attached to a building that does have a street frontage. No concerns in relation to unsightliness, or the volume of signs in the area that would require consolidation or simplification. The signage is attached to the proposed building and does not require significant ongoing vegetation management.

5 Site and building

- *Is the proposal compatible with the scale, proportion and other characteristics of the site or building, or both, on which the proposed signage is to be located?*
- *Does the proposal respect important features of the site or building, or both?*
- *Does the proposal show innovation and imagination in its relationship to the site or building, or both?*

The proposed signage is compatible with the scale, proportion and characteristics of the site. The painted logo is provided to a wall that would otherwise be blank. The attached signage is provided as part of a screen and as such is provided in a manner that does not negatively impact the architecture of the building.

6 Associated devices and logos with advertisements and advertising structures

- *Have any safety devices, platforms, lighting devices or logos been designed as an integral part of the signage or structure on which it is to be displayed?*

There are no safety devices, platforms or lighting devices proposed. The school logo is provided along the eastern elevation of the building. No concerns raised.

7 Illumination

- *Would illumination result in unacceptable glare?*
- *Would illumination affect safety for pedestrians, vehicles or aircraft?*

- *Would illumination detract from the amenity of any residence or other form of accommodation?*
- *Can the intensity of the illumination be adjusted, if necessary?*
- *Is the illumination subject to a curfew?*

Illumination is not proposed.

8 Safety

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

Given the location of the signage, there are no safety concerns raised.

SEPP (Sustainable Buildings) 2022

The proposed development includes sustainability practices as part of the design process in which skylights and large glass sliding doors to reduce the need for artificial lighting. Additionally, a condition of consent will require construction waste to be assessed, classified and disposed of in accordance with the Department of Environment and Climate Change - Waste Classification Guidelines to ensure recycling options are utilised. It is considered the proposed development adequately achieves the outcomes of Section 3.2 as required. Standard conditions in relation to the submission of a Waste Management Plan (WMP) is recommended.

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 proposed development is not contrary to the aims of the Plan.

Zoning and Permissibility (Part 2)

The site is located within the R2 Low Density Residential zone pursuant to Clause 2.2 of the LEP as shown in **Figure 2**.

According to the definitions in Clause 4 (contained in the Dictionary), the proposal satisfies the definition of *educational establishment* which is a permissible use with consent in the Land Use Table in Clause 2.3. As detailed above, the proposed development is also permissible under Section 3.36 of the *SEPP (Transport and Infrastructure) 2021*.

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

- *To enable other land uses that provide facilities or services to meet the day to day needs of residents.*
- *To ensure development is consistent with the character of the immediate locality.*

The proposal is consistent with these zone objectives as the proposed development will allow the existing educational establishment to expand and cater to the educational needs of the growing population of Dubbo and surrounding areas.

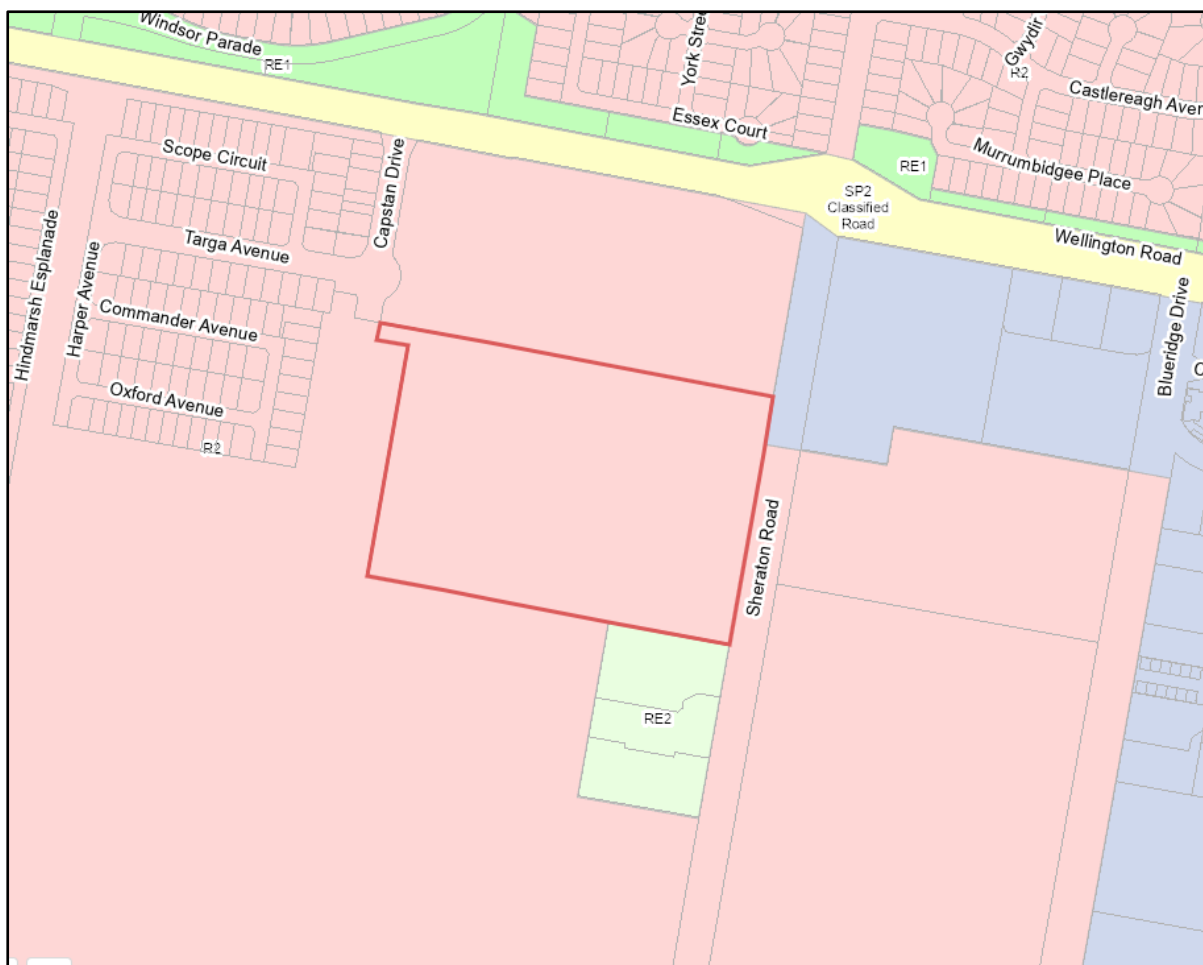


Figure 2: Extract of zoning map indicating subject land within the R2 zone.

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 4** below.

Table 4: Consideration of the LEP Controls

Control	Requirement	Proposal	Comply
Clause 2.7 Demolition requires development consent	To ensure demolition is undertaken in accordance with the relevant standards and legislation.	The proposed development includes the demolition/removal of two existing demountable classrooms. Conditions of consent will require the removal to include the disconnection of services. Additionally, to ensure the school is not operating with an increased capacity without consent, a condition will require the demountable buildings to be removed within 3 months of the Occupation Certificate being issued.	Yes, <u>condition</u> .

<i>Clause 5.14</i> Siding Spring Observatory – maintaining dark sky	To protect observing conditions at the Siding Spring Observatory.	The proposed development does not include any type of external lighting. Regardless, a condition will require that any external lighting be installed to prevent light spill above the horizontal plane.	Yes, <u>condition</u> .
<i>Clause 7.2</i> Earthworks	To ensure earthworks will not have a detrimental impact on environmental functions and processes, neighbouring uses, cultural or heritage times or features of the surrounding land.	Given the generally flat topography of the site the proposed development will require minor earthworks to occur. A condition of consent will require a sediment and erosion control plan be approved and installed prior to works commencing and remain in place until works are complete.	Yes, <u>condition</u> .
<i>Clause 7.7</i> Airspace operations	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 relevant Obstacle Limitation Surface (OLS).	The subject site is located within the Obstacle Limitation Surface Map at height 423.5mAHD. The site for the proposed development has a surface level of 298.75mAHD and with the development having a height of 8.3m that equates to an overall height of 307.05mAHD, 116.45m below the surface map.	Yes.

The proposal is generally consistent with the LEP.

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

There are no draft instruments that are relevant to this application.

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

The following Development Control Plan is relevant to this application:

- *Dubbo Development Control Plan 2013* ('the DCP')

The proposed development is generally consistent with the relevant controls of the Dubbo DCP. Any variations have been adequately justified. No compliance matters remain outstanding. A comprehensive assessment of the Dubbo Development Control Plan 2023 can be found in **Attachment B**.

The following contributions plans are relevant pursuant to Section 7.18 of the EP&A Act and have been included in the recommended conditions (notwithstanding Contribution Plans are not DCPs they are required to be considered):

The applicant has requested an exemption to contributions due to the perceived public benefit the proposed development would have, stating:

Given the proposed development provides a clear public benefit by providing new primary school facilities within an existing school (Dubbo Christian School), exception to payment of development contributions is sought as part of this DA.

Overall it is considered the proposed development is a private, for profit development in which the public benefit is directly proportionate to the benefit the organisation will receive. The development will result in an added demand on Council infrastructure and as such contributions should be imposed.

Further information in this regard was requested from the applicant to which the a response in which enrolment details spanning from 1983 to 2023 was provided demonstrating enrolments peaked in 2002 at 662 students. The applicant states:

Next year [2024] the school is forecasting 665 students over the entire site. Therefore, contributions have already been proportionality made in the past. A key change is societal and educational expectations of smaller class sizes, which means that more rooms e.g. 30 kids in a class in the 1990's is no longer acceptable in kindergarten or in Year 7. Each new classroom has less student numbers and, in this proposal, its 24 students per class. The Masterplan has removed two demountable, but also sees the school repurpose 4 classrooms for secondary as our high school

A review of the applications related to the use of the site as a school (detailed above in the Site History section) has revealed that due to the age of the application, no contributions were levied on the original application (D85-283). Additionally, each of the applications for classroom buildings or refurbishment of existing buildings into classrooms (B87-265, B87-497, B86-75, D90-251, B89-392, B85-28) were not levied contributions, again due to the age of the application it would appear no contributions plan existed at the time. The newer applications for classroom buildings were granted consent under Complying Development Certificates (CD17-119, CD19-037, CD20-011) through a private certifier and no contributions were levied as part of these applications either.

As such, it would appear that Dubbo Christian School has paid no developer contributions since commencing operation due to contributions plans not existing at the time of applications, and the avenue in which consent has been sought previously (CDCs). Consequently, it is appropriate to levy contributions as part of this application given contributions will only be levied on the increase in enrolment capacity the proposed development is expected to result in (88 students), not the entire enrolment capacity of 741 students.

It is noted that future development application which result in an increase in enrolment capacity (above 741 students) will also be levied contributions in this way.

Correspondence to this effect will be provided as part of the Draft Conditions notification as required through the WRPP process.

Section 64 Water Headworks Contribution

In accordance with Table 3.2 water contributions for schools are calculated on a 50L per pupil. The proposed development will facilitate an increase in enrolments by 88 students (from 653 to 741 students).

Contribution: = 88 additional students x 50L
= 4,400L / 5,000L (ET value)
= 0.88 ETs x \$6,696.75 (ET rate)
= \$5,893.14

Note: No credit applies to the subject land.

Section 64 Sewer Headworks Contribution

In accordance with Appendix E of the Plan sewer contributions for schools are calculated on a 1ET / 25 students plus 0.5 ETs per toilet/urinal. The proposed development will facilitate an increase in enrolments by 88 students (from 653 to 741 students) and provide an additional 16 toilets.

Contribution: = 88 students / 25
= 3.52 ETs + (16 toilets x 0.5 ETs)
= 11.52 ETs x \$6,696.75
= \$77,146.56

Note: No credit applies to the subject land.

Roads, Traffic management and car parking

In accordance with Table 4.1 of the Plan, Urban Roads contributions for schools are calculated on a 0.7 trips per student basis. The proposed development will facilitate an increase in enrolments by 88 students (from 653 to 741 students). As the school is a commercial entity, the development will be levied contributions based on the commercial trip rate of \$443.80 plus \$6.35 administration per trip.

Contribution: = 0.7 trips x 88 students
= 61.6 trips x \$450.15 (commercial rate including administration)
= \$27,729.24

Note: No credit applies to the subject land.

- Urban Stormwater Drainage Headworks

The subject land incurs stormwater contributions on a \$2,775.55/lot basis. As the proposed development does not include subdivision no contributions are to be levied.

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

There are no planning agreements relevant to the proposed development or subject land.

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

There are no Regulations to which this clause refers that are relevant to the proposed development.

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 within the existing Sheraton Road school precinct.
- Access and traffic – The proposed development will be accessed via existing internal driveways from Sheraton Road. Concerns in relation to the impacts on Sheraton Road have been noted and a condition will require an OMP to be submitted to address queuing along Sheraton Road.
- Utilities – All utilities are available at the site. Standard conditions in relation to upgrade requirements are to be included.
- Water/air/soils impacts – Council’s Environment and Health Services Team Leader in the memo dated 7 November 2023 raised concerns in relation to dust generation during construction. A standard condition in relation to dust suppression will be imposed. Soil and water matters (sediment and erosion) have been addressed as part of the DCP assessment (**Attachment B**). Recommended conditions will be imposed.
- Noise and vibration – Construction and operational noise matters have been addressed as part of the DCP assessment (**Attachment B**) and recommended conditions are to be imposed.
- Social and economic impact – The proposed development will facilitate the expected increase in enrolments to an existing school.
- Site design and internal design – The siting and design of the proposed development is considered suitable noting the extensive size of the land.
- Construction – A standard condition in relation to construction hours will be imposed to ensure adverse impacts to neighbouring properties (namely the retirement village to the north) are managed.
- Cumulative impacts – The proposed development has the potential to result in increased queuing along Sheraton Road during peak times. As detailed above, a condition of consent will require an OMP be submitted that considers improvements to be made to the functionality of the kiss and drop/pick up area to address traffic safety matters.

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 subject land is suitable for the proposed development. The proposed development is located within the Sheraton Road school precinct. There are no adjoining land uses that would result in land use conflict. No concerns are raised.

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

The proposed development was publicly exhibited between 30 October 2023 to the 19 November 2023. No submission were received.

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

The proposed development is not inconsistent with the public interest. The proposed development will allow an expanding school to manage expected increases to enrolments up to 2028.

4. REFERRALS AND SUBMISSIONS

4.1 Agency Referrals and Concurrence

The development application has been referred to various agencies for referral as required by the EP&A Act and outlined below in **Table 5**.

Table 5: Concurrence and Referrals to agencies

Agency	Concurrence/ referral trigger	Comments (Issue, resolution, conditions)	Resolved
Concurrence Requirements (s4.13 of EP&A Act)			
N/A	N/A	N/A	N/A
Referral/Consultation Agencies			
Transport for NSW	Clause 3.58	<p>As detailed above, TfNSW provided a referral response dated 21 May 2024 was provided. The response raised a number of matters for Council to consider which largely focused on the existing traffic environment of Sheraton Road and the potential impacts the proposed development will have to exacerbate the current issues.</p> <p>Council's Development Engineering Team Leader in the memo dated 6 June 2024 states the issues raised in relation to the traffic environment along Sheraton Road are historical known and has included a <u>condition</u> of consent requiring the school to undertake a review of the 'kiss and drop/pick up' process and submit an OMP in this regard. This will allow the school to review current processes and identify areas of improvement to then put actions in place to address such areas on an ongoing basis. It is considered that this will have a noteworthy impact on reducing queuing along Sheraton Road during peak times.</p>	Yes

4.2 Council Referrals

The development application has been referred to various Council officers for technical review as outlined **Table 6**.

Table 6: Consideration of Council Referrals

Officer	Comments	Resolved
Engineering	Council's Development Engineering Team Leader in the memo dated 6 June 2024 reviewed the application and raised no significant concerns in relation to the proposed development. Standard conditions have been recommended.	Yes, conditions.
Traffic	Council's Senior Traffic Engineer in the memo dated 6 June 2024 reviewed the application and raised no significant concerns in relation to the proposed development. Conditions have been recommended to address concerns raised by TfNSW.	Yes, conditions.
Building	Council's Senior Building and Development Certifier in the memo dated Environmental Health Services Team Leader in the memo dated 20 November 2023 reviewed the application and raised no significant concerns in relation to the proposed development. Standard conditions have been recommended.	Yes, conditions.

Environmental	Council's Environmental Health Services Team Leader in the memo dated 7 November 2023 reviewed the application and raised several matters including unexpected contamination, construction noise, air pollution (dust), and the removal and disposal of construction waste. Each of the matters raised can be addressed by conditions of consent.	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 31 October 2023 until 19 November 2023. Council did not receive any submissions.

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:

- Traffic safety and congestion

A comprehensive review of traffic matters has been undertaken as part of the *State Environmental Planning Policy (Transport & Infrastructure) 2021*. The assessment concluded that although the proposed development has the potential to result in increased queuing along Sheraton Road that the establishment of a OMP will make a noteworthy impact on ensuring the site is operating an efficiently as possible during peak periods. A condition will require an OMP be established and submitted to Council within three (3) months of an Occupation Certificate being issued. The OMP will be amended on a yearly basis to ensure increases to enrolment numbers are considered and managed appropriately.

6. CONCLUSION

This development application has been considered in accordance with the requirements of the EP&A Act and the Regulations as outlined in this report. Following a thorough assessment of the relevant planning controls, issues raised in submissions and the key issues identified in this report, it is considered that the application can be supported.

The subject land is located within an existing school precinct with the proposed development seeking to increase the capacity of an existing school to address the expected demand for enrolments up to 2028. The proposed development is suitable for the site and given its location will not result in land use conflict. Traffic matters raised will be addressed via a condition of consent in which an OMP addressing queuing impacts on Sheraton Road is to be imposed.

It is considered that the key issues raised in Section 5 have been resolved satisfactorily through amendments to the proposal and/or in the recommended draft conditions at **Attachment A**.

7. RECOMMENDATION

That the Development Application DA No. 23-492 for educational establishment (additions and alterations) at Lot 1011 DP 1261855, 141 Sheraton 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 at **Attachment A**.

The following attachments are provided:

- Attachment A: Draft Conditions of consent
- Attachment B: Tables of Compliance
- Attachment C: Architectural Plans