

DETERMINATION AND STATEMENT OF REASONS

WESTERN REGIONAL PLANNING PANEL

DATE OF DETERMINATION	3 October 2024
DATE OF PANEL DECISION	3 October 2024
DATE OF PANEL MEETING	17 September 2024
PANEL MEMBERS	Garry Fielding (Chair), Graham Brown, Donna Rygate, Tim Nichols and Josie Howard
APOLOGIES	Nil
DECLARATIONS OF INTEREST	None

Papers circulated electronically on 5 September 2024.

MATTER DETERMINED

PPSWES—212 – D2023-663 – Dubbo – 2 Capstan Drive, Dubbo – Seniors Housing – 164 independent residential units plus village club house, men’s shed and associated roads, infrastructure and landscaping (as described in Schedule 1).

PANEL CONSIDERATION AND DECISION

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

Development application

The Panel determined to grant consent to the development application pursuant to section 4.16 of the Environmental Planning and Assessment Act 1979.

The decision was unanimous.

REASONS FOR THE DECISION

The Panel determined to grant consent to the application for the reasons outlined in the Council Assessment Report.

CONDITIONS

The Development Application was approved subject to the amended conditions of consent uploaded to the Planning Portal by the Council on 27 September 2024. The conditions of consent were amended by the Council following discussions and agreement between Council officers and the applicants. The amended conditions principally concerned building regulation-related matters.


CONSIDERATION OF COMMUNITY VIEWS

In coming to its decision, the Panel considered one (1) written submission made during public exhibition. The Panel notes that issues of concern included fencing, construction issues, noise generation and overlooking. The Panel considers that concerns raised in the submission have been adequately addressed in the Assessment Report.

PANEL MEMBERS



Garry Fielding (Chair)



Tim Nichols



Graham Brown



Josie Howard



Donna Rygate

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	PPSWES—212 – D2023-663 – Dubbo — Seniors Housing
2	PROPOSED DEVELOPMENT	164 independent residential units plus village club house, men’s shed and associated roads, infrastructure and landscaping
3	STREET ADDRESS	2 Capstan Drive, Dubbo
4	APPLICANT/OWNER	Applicant: Kuzi Jaravani Owner: Royal Freemans Benevolent Institution
5	TYPE OF REGIONAL DEVELOPMENT	General development over \$30 million
6	RELEVANT MANDATORY CONSIDERATIONS	<ul style="list-style-type: none"> Environmental planning instruments: <ul style="list-style-type: none"> State Environmental Planning Policy (Sustainable Buildings) 2022 State Environmental Planning Policy (Planning Systems) 2021 State Environmental Planning Policy (Resilience and Hazards) 2021 State Environmental Planning Policy (Transport and Infrastructure) 2021 State Environmental Planning Policy (Housing) 2021 Dubbo Local Environmental Plan 2022 Development control plans: <ul style="list-style-type: none"> Dubbo Development Control Plan 2013 Planning agreements: Nil Relevant provisions of the <i>Environmental Planning and Assessment Regulation 2021</i> Coastal zone management plan: Nil The likely impacts of the development, including environmental impacts on the natural and built environment and social and economic impacts in the locality The suitability of the site for the development Any submissions made in accordance with the <i>Environmental Planning and Assessment Act 1979</i> or regulations The public interest, including the principles of ecologically sustainable development
7	MATERIAL CONSIDERED BY THE PANEL	<ul style="list-style-type: none"> Council Assessment Report: 5 September 2024
8	MEETINGS, BRIEFINGS AND SITE INSPECTIONS BY THE PANEL	<ul style="list-style-type: none"> Final briefing to discuss council’s recommendation: 17 September 2024 (Determination Postponed) <ul style="list-style-type: none"> <u>Panel members</u>: Garry Fielding (Chair), Graham Brown, Donna Rygate, Tim Nichols and Josie Howard <ul style="list-style-type: none"> <u>Council assessment staff</u>: Shaun Reynolds and Bo Moshage <u>Applicant representatives</u>: Kuzi Jaravani, William Singer, Vic Lilli, Jeremy Swan, Paul Singer, Nick Caudry Final briefing to discuss council’s recommendation: 1 October 2024 <ul style="list-style-type: none"> Panel members: Garry Fielding (Chair), Graham Brown, Donna Rygate, Tim Nichols and Josie Howard Council assessment staff: Shaun Reynolds and Bo Moshage
9	COUNCIL RECOMMENDATION	Approval
10	DRAFT CONDITIONS	Amended conditions of consent uploaded to the Planning Portal by the Council on 27 September 2024

