

ADDENDUM COUNCIL REPORT
WESTERN REGIONAL PLANNING PANEL

PANEL REFERENCE & DA NUMBER	PPSWES-221 - D23-672
PROPOSAL	Demolition of Seven (7) Dwellings and Construction of a Group Home comprising thirteen (13) dwellings, Torrens title subdivision (4 Lots) and Community title subdivision (13 Lots)
ADDRESS	Lot 8 DP 863685, 475 Wheelers Lane, Dubbo
APPLICANT	The Trustee for Excelsior Housing Investment Property Trust
OWNER	Excelsior Housing 2 Pty Ltd
DA LODGEMENT DATE	21 December 2023
APPLICATION TYPE	Development Application
REGIONALLY SIGNIFICANT CRITERIA	Clause 5, Schedule 6 of the SRD SEPP: Private Infrastructure and Community Facilities (group homes) over \$5 million
CIV	\$17,760.000.00 (excluding GST)
CLAUSE 4.6 REQUESTS	Nil.
KEY SEPP/LEP	<ul style="list-style-type: none"> • State Environmental Planning Policy (Planning Systems) 2021 • State Environmental Planning Policy (Housing) 2021 • State Environmental Planning Policy (Resilience and Hazards) 2021 • State Environmental Planning Policy (Transport and Infrastructure) 2021 • State Environmental Planning Policy (Sustainable Buildings) 2022 • Dubbo Regional Local Environmental Plan 2022 • Dubbo Development Control Plan 2013

AGENCY REFERRALS	<ul style="list-style-type: none"> • Essential Energy
TOTAL & UNIQUE SUBMISSIONS KEY ISSUES IN SUBMISSIONS	<ul style="list-style-type: none"> • The Application was placed on exhibition for a period of 19 days ending 28 January 2024, during which time adjoining property owners were notified in writing of the proposed development. • Council received four (4) submissions during the exhibition period.
DOCUMENTS SUBMITTED FOR CONSIDERATION	<ul style="list-style-type: none"> • Statement of Environmental Effects, prepared by Kennedy Associates Architects • Architectural Plans, prepared by Kennedy Associates Architects • Civil Engineering Plans, prepared by Barnson P/L • Landscaping Plans, prepared by Barnson P/L • Traffic Impact Report, prepared by Lok Consulting Engineers • BASIX Assessment Report, prepared by ADP Consulting • BASIX Certificate, prepared by ADP Consulting • NatHERS Summary, prepared by ADP Consulting • NatHERS Certificates, prepared by ADP Consulting • Tree Report, prepared by Dubbo Tree Service • Hazardous Material Survey, prepared by Nova Enviro P/L • Geotechnical Investigation Report, prepared by Barnson P/L • Acoustic Report, prepared by ADP Consulting • Infrastructure Plan prepared by Kennedy Associates Architects • Survey, prepared by Barnson P/L
RECOMMENDATION	Approval
DRAFT CONDITIONS TO APPLICANT	Yes
SCHEDULED MEETING DATE	20 August 2024
ASSESSMENT STATUS	Assessment Complete. Provided to WRPP for determination
PREPARED BY	Bo Moshage – Senior Planner
DATE OF REPORT	29 July 2024

Purpose of the Report

This development application was initially considered by the Western Regional Planning Panel (WRPP) at its meeting of 5 June 2024, where it was resolved that:

- Traffic Impacts: An amended Traffic Impact Report be submitted that addresses those matters raised in the Record of Deferral;
- Landscaping: An amended Landscape Plan be submitted incorporating the matters raised in the Record of Deferral;
- Plan of Management/Community Management Plan: A Plan of Management be submitted that addresses how those parking and traffic management concerns identified in the Record of Deferral will be managed.

A copy of the WRPP Record of Deferral is included as **Attachment A**.

This addendum report summarises additional information submitted by the applicant on 25 July 2024 (Landscaping Plan and Plan of Management) and 29 July 2024 (addendum to the Traffic Impact Report) addressing the WRPP's resolution and should be read in conjunction with Assessment Report: PPSWES-221-Dubbo – 5 June 2024.

Background

The proposal seeks consent for a Group Home development comprising four (4) key stages:

- Demolition (7 Dwellings);
- Torrens Title subdivision (4 Lots);
- Group home (13 dwellings); and
- Community Title subdivision (13 Lots).

Associated landscaping and infrastructure provisions, including vehicular access, utility servicing and stormwater, are also proposed.

The subject site is known as Lot 8 DP 863685, 475 Wheelers Lane, Dubbo ('the site'). The site is bound by Wheelers Lane to the east and Cormorant Crescent to the west. The overall site has a street frontage to Wheelers Lane of 50.19 metres and 137.58 metres along Cormorant Crescent. The site is irregular shaped with a total area of 16,290m².

The proposed Group Home development will consist of thirteen (13) dwellings accommodating a maximum of 39 clients (one (1) client per bedroom). Existing development on the site consists of the office premises of Westhaven, as well as seven (7) residential dwellings for 28 clients, which are to be demolished. The administrative use (office) will be retained and continue in this use. The removal of eleven (11) trees from the site are also proposed, the loss of which are to be offset by supplementary landscaping to be implemented on site.

An addendum to the Traffic Impact Report (prepared by Loka Consulting Engineers dated 25 October 2023), has been submitted to Council 29 July 2024 and can be found in **Attachment B**.

Specific matters to be addressed included:

- Confirmation that a total of 25 staff being two (2) staff for the non-villas in addition to six (6) for the villa (proposed Lot 5), will operate in eight (8) hour shifts: 6am to 2pm, 2pm to 10pm, 10pm to 6am.
- Staff changeover

The Applicant has provided clarification on these matters, which is summarised below.

- Peak parking demand: 50 spaces during maximum shift change overlap.
- On-site car parking allocation:
 - Each home has four (4) dedicated parking spaces (two (2) in garage and two (2) in driveway) AS2890.1: Off-Street Parking Facilities (**Figure 1**) for a total of fifty-two (52) carparking spaces.
 - Staff working the same shift will park on one side of the garage/driveway (**Figure 2**). Changeover staff will park on the vacant side of the driveway.
 - Twelve (12) overflow parking spaces are available for support staff, visitation, maintenance and temporary use during staff changeover.



- Visitation schedules to avoid peak times, particularly during staff changeovers.
- Support staff coordinate visits to prevent overlap with busy operational periods particularly during staff changeovers.
- Maintenance and trades parking to use unallocated onsite overflow parking and coordinated around participant activities to avoid staff changeover times.

To manage and minimise impacts in the local area, these onsite operational management arrangements have been included in the Plan of Management submitted in support of the proposed development.

Plan of Management/Community Management Plan

Noting the above parking considerations, and potential for some anti-social and management issues as raised in submissions, the WRPP discussed the need for a supporting Plan of Management.

The WRPP also requested that any Plan of Management (to be) submitted include a clause that there be an annual review of this Plan of Management by the custodian, and any changes to be submitted to Council.

On 25 July 2024, a Plan of Management was submitted to Council. It has been prepared and structured to provide a framework to manage the impact of the proposed development in the local area. A copy of the Plan of Management is included as **Attachment C**.

A new condition (within the 'occupation and ongoing use' group) reflecting the requirements for an annual review have also been included, as noted below:

The Plan of Management approved under this consent must be complied with at all times.

A copy of the Plan of Management must be displayed on site at all times and made available to all staff and/or residents.

The Plan of Management referred to in this condition shall be reviewed annually by the operator from the date of the issue of an Occupation Certificate and include a review of any incidents and/or complaints received.

Should amendments be made to the Plan of Management, an updated version shall be provided to Council and residents within one (1) month of the annual review being completed.

{Reason: To minimise the impact of the use on surrounding residences}

Condition 1 – General Conditions has also been amended to reference this Plan of Management.

Landscaping

The WRPP observed that additional landscaping could be provided on the eastern boundary of units adjacent to other residential property on Wheelers Lane. While it is noted that hedging is provided on the southern boundary of Lot/Unit 12, as well as the eastern boundary of Lot/Unit 5, and along eastern boundary of Lot/Unit 11, opportunity for additional landscaping can be provided for Lot/Unit 11 and Lot/Unit 7.

An amended landscaping plan was submitted on 25 July 2024 giving effect to these considerations, with the inclusion of an additional sixty (60) Red Head Lilly Pilly

plantings, particularly along eastern boundary of Lot/Unit 11 and Lot/Unit 7. An amended condition (Condition 4 – Before Issue of an Occupation Certificate) reflecting the amended landscaping has been included in the (draft) Notice of Determination.

Condition 1 – General Conditions has also been amended to reference the amended landscaping plans.

Landscaping as shown on the (amended) Landscaping Plans are to be established prior to the issue of the relevant Occupation Certificate and maintained in accordance with maintenance schedules.

Conclusion

The amended details submitted by the applicant and discussed in this addendum report are considered satisfactory and address those matters raised by the WRPP in the 5 June 2024 resolution.

The proposed development is consistent with the objectives of the applicable Environmental Planning Instruments, Development Control Plan 2013 and Council policies and is therefore recommended for approval subject to the conditions of consent attached.

RECOMMENDATION

That the Development Application [DA No 23/672] for Demolition (7 Dwellings); Torrens tile subdivision; Group home (13 dwellings); and Community title subdivision at Lot 8 DP 863685, 475 Wheelers Lane, 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 D**.

The following attachments are provided:

- **Attachment A:** WRPP Record of Deferral
- **Attachment B:** Addendum to Traffic Report
- **Attachment C:** Plan of Management
- **Attachment D:** Draft conditions of consent
- **Attachment E:** Architectural Plans