

DETERMINATION AND STATEMENT OF REASONS

WESTERN REGIONAL PLANNING PANEL

DATE OF DETERMINATION	29 August 2024
DATE OF PANEL DECISION	29 August 2024
DATE OF PANEL MEETING	27 August 2024
PANEL MEMBERS	Garry Fielding (Chair), Brian Kirk, Graham Brown, Tim Nichols and Josie Howard
APOLOGIES	None
DECLARATIONS OF INTEREST	N/A

Papers circulated electronically on 27 August 2024.

MATTER DETERMINED

PPSWES-221 - D23-672 – Dubbo Regional Council - Lot 8 DP 863685, 475 Wheelers Lane, Dubbo – Demolition of seven (7) dwellings and construction of a group home comprising of thirteen (13) dwellings, torrens title subdivision (4 lots) and Community title subdivision (13 Lots) (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 approve the development application pursuant to section 4.16 of the *Environmental Planning and Assessment Act 1979*.

The decision was unanimous.

REASONS FOR THE DECISION

The Panel determined to approve the application for the reasons outlined in the Council Assessment Report. The Panel also noted that amendments to the Plan of Management and the DA plans, uploaded to the Planning Portal on 23 August 2024 addressing parking issues, supported the grounds for the granting of consent to the proposal.

CONDITIONS

The Development Application was approved subject to the conditions in the Council Assessment Report with the following amendments:

Condition 1

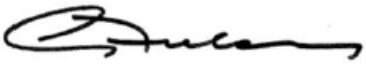

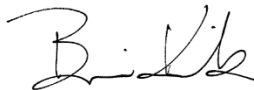
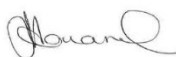

Proposed Concept Landscape Masterplan – Lot 14 Landscape Plan COMMON LOT 01 LANDSCAPE PLAN	39383 – LA014-B-C	Barnson P/L	05/10/23
Proposed Concept Landscape Masterplan – Lot 15 Landscape Plan COMMON LOT 02 LANDSCAPE PLAN	39383 – LA015-C-B	Barnson P/L	13/06/24

CONSIDERATION OF COMMUNITY VIEWS

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

- Traffic and access
- Parking
- Operational matters
- Rubbish
- Character of the area

The Panel considers that concerns raised by the community have been adequately addressed in the Assessment Report and by amendments to the Plan of Management and the DA plans uploaded to the Planning Portal on 23 August 2024.

PANEL MEMBERS	
 Garry Fielding (Chair)	 Tim Nichols
 Brian Kirk	 Josie Howard
 Graham Brown	

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	PPSWES-221 - D23-672 – Dubbo Regional Council
2	PROPOSED DEVELOPMENT	Demolition of seven (7) dwellings and construction of a group home comprising of thirteen (13) dwellings, torrens title subdivision (4 lots) and Community title subdivision (13 Lots) (as described in Schedule 1).
3	STREET ADDRESS	Lot 8 DP 863685, 475 Wheelers Lane,
4	APPLICANT/OWNER	Applicant: The Trustee for Excelsior Housing Investment Property Trust Owner: Excelsior Housing 2 Pty Ltd
5	TYPE OF REGIONAL DEVELOPMENT	Private infrastructure and community facilities over \$5 million
6	RELEVANT MANDATORY CONSIDERATIONS	<p>Environmental planning instruments:</p> <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 • Draft environmental planning instruments: Nil • Development control plans: • Dubbo Development Control Plan 2013 • Planning agreements: Nil • Provisions of the <i>Environmental Planning and Assessment Regulation 2000</i>: Nil • 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: 9 May 2024 • List any council memo or supplementary report received: 31 July 2024 • Written submissions during public exhibition: 4 • Supplementary Council Assessment Report: 31 August 2024
8	MEETINGS, BRIEFINGS AND SITE INSPECTIONS BY THE PANEL	<ul style="list-style-type: none"> • Briefing to discuss council's recommendation: 05 June 2024 <ul style="list-style-type: none"> ○ <u>Panel members</u>: Donna Rygate – Acting Chair, Brian Kirk, Susan Budd, Tim Nicolas, Josie Howard ○ <u>Council assessment staff</u>: Shaun Reynolds

		<ul style="list-style-type: none"> ○ <u>Applicant</u>: Jono Aloe, Kurt Davenport, Brandan Weeks • Briefing to discuss council's recommendation: 20 August 2024 <ul style="list-style-type: none"> ○ <u>Panel members</u>: Garry Fielding, Brian Kirk, Graham Brown, Tim Nicolas, Josie Howard ○ <u>Council assessment staff</u>: Bo Moshage ○ <u>Applicant</u>: Jono Aloe, Kurt Davenport, Brandan Weeks • Final briefing to discuss council's recommendation: 27 August 2024 (Approval) <ul style="list-style-type: none"> ○ <u>Council assessment staff</u>: Bo Moshage ○ <u>Panel members</u>: Garry Fielding, Brian Kirk, Graham Brown, Tim Nicolas, Josie Howard
9	COUNCIL RECOMMENDATION	Approval
10	DRAFT CONDITIONS	Amended Conditions uploaded to the Planning Portal on 23 August 2024.